



Environmental Protection Operations Directorate
Prairie & Northern Region
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ECCC File: 6200 000 001/009
NIRB File: 13UN034

January 10, 2019

Via email at: info@nirb.ca

Jaida Ohokannoak
Technical Advisor II
Nunavut Impact Review Board
P.O. Box 1360
Cambridge Bay, NU X0B 0C0

Dear Jaida Ohokannoak:

RE: 13UN034 – City of Iqaluit – New Landfill and Waste Transfer Station – NIRB Screening

Environment and Climate Change Canada (ECCC) has reviewed the information submitted to the Nunavut Impact Review Board (NIRB) regarding the above-mentioned screening and is submitting comments via email. ECCC's specialist advice is provided based on our mandate, in the context of the *Canadian Environmental Protection Act*, the pollution prevention provisions of the *Fisheries Act*, the *Migratory Birds Convention Act*, and the *Species at Risk Act*.

The following comments are provided:

1. Solid Waste Management for Northern and Remote Communities

Comment

In 2017, ECCC released the planning and technical guidance document, Solid Waste Management for Northern and Remote Communities. The Proponent is encouraged to use the ECCC planning and technical guidance document to support responsible solid waste management.

A summary and a link to the full document are available on Environment and Climate Change Canada's website at: <http://www.ec.gc.ca/gdd-mw/default.asp?lang=En&n=97182135-1>.

ECCC Recommendation

No recommendation. Information is provided for Proponent's benefit.

2. Water and Leachate Monitoring and Management

Comment

Section 4 of the Physical and Biological Assessment of Proposed New Landfill Site states, "surface water on site drains into Carney Creek, which flows into Frobisher Bay...Potential toxic leachate impacts from the new landfill on Arctic Char and its habitat should be considered" (Page 11).

The Project Proposal states that, "the landfill will need to implement a leachate collection system and a liner to collect any leachate and properly treat it" (Page 8) and "the hydrology of the site will be affected by the construction of the landfill, but the designer will account for this in the design of ditches to still allow for proper drainage and the leachate collected on site will be treated prior to being released" (Page 11).

Establishment of relevant monitoring stations for the facilities and a Landfill Operation and Maintenance Manual that addresses the management of leachate and sampling and monitoring requirements was required in the conditions of Type A Water Licence No. 3AM-IQA1626 for the West 40 Landfill Site.

ECCC Recommendation

ECCC recommends conducting appropriate sampling and analysis for any deposits that could enter fish bearing waters. Monitoring and management plans for the new facilities should include appropriate management of drainage and precipitation/runoff, including monitoring and contingency measures to ensure that any deposits (e.g., potentially toxic leachate) to fish-bearing waters are non-deleterious. They should also include details on monitoring of leachate at source, as well as of any surface runoff that came in contact with the landfill materials.

3. Species at Risk

Comment

Subsection 79(2) of the *Species at Risk Act* states that during an assessment of a project, the adverse effects of the project on listed wildlife species and their critical habitat must be identified, that measures are taken to avoid or lessen those effects, and that the effects need to be monitored.

The Project Application states, "On the site, 20 species of plants and 11 species of animals were observed however none are listed as protected under SARA" (Page 11).

If species at risk are encountered or affected by the Project the primary mitigation measure should be avoidance. The Proponent should avoid contact with or disturbance to each species, its habitat and/or its residence.

A table of species at risk potentially occurring within the Project area has been provided below.

Terrestrial Species at Risk ¹	COSEWIC Designation	SARA Status	Government Organization with Primary Management Responsibility ²	Recovery Strategy, Action Plan or Management Plan posted on the Species at Risk Public Registry
Harlequin Duck (Eastern population)	Special Concern	Schedule 1, Special Concern	ECCC	Management Plan – Final
Ivory Gull	Endangered	Schedule 1, Endangered	ECCC	Recovery Strategy - Final
Peregrine Falcon (<i>anatum-tundrius</i> complex)	Not at Risk	Schedule 1, Special Concern	GN	Management Plan – Final
Red-necked Phalarope	Special Concern	No Status	ECCC	
Red Knot (<i>rufa</i> subspecies)	Endangered	Schedule 1, Endangered	ECCC	Recovery Strategy - Final
Polar Bear	Special Concern	Schedule 1, Special Concern	GN	
Wolverine	Special Concern	Schedule 1, Special Concern	GN	
Notes: ¹ Fisheries and Oceans Canada has responsibility for aquatic species. ² Environment and Climate Change Canada (ECCC) has a national role to play in the conservation and recovery of Species at Risk in Canada, as well as responsibility for management of birds described in the <i>Migratory Birds Convention Act</i> (MBCA). Day-to-day management of terrestrial species not covered in the MBCA is the responsibility of the Government of Nunavut (GN). Populations that exist in National Parks are managed under the authority of the Parks Canada Agency.				

ECCC Recommendations

ECCC recommends that the Proponent identify any potential Project effects and provide mitigation for any species at risk that could be encountered and affected by the Project.

ECCC recommends that the Proponent undertake monitoring of Species at Risk mitigation. This should include recording the locations and dates of any observations of Species at Risk, behaviour or actions taken by the animals when project activities were encountered, and any actions taken by the Proponent to avoid contact or disturbance to the species and its habitat.

4. Migratory Birds

Comment

Paragraph 6(a) of the Migratory Bird Regulations, pursuant to the *Migratory Birds Convention Act*, states that no one shall disturb or destroy the nests or eggs of migratory birds. Migratory birds, the nests of migratory birds and/or their eggs can be inadvertently harmed or disturbed as a result of many activities including but not limited to clearing trees and other vegetation.

The Project is located in Nesting Zone N10, and migratory birds may be found from the end of May until mid-August. This nesting period is provided as guidance and may vary from year to year with some species nesting outside of these dates. Project activities that occur during this time could have potential impacts to migratory birds, nests, or eggs.

The Project Application states that "the landfill will likely be designed to sit on top of the existing land, minimal excavation will likely be done...care will be taken to minimize the destruction of vegetation and potential animal habitats during the construction and operational phases of this project" (Page 11).

It is the Proponent's responsibility to take appropriate measures to ensure they comply with the legislation and regulations. Safeguarding guidance and information on how to protect migratory birds and their nests and eggs when carrying out project activities can be found on ECCC's web page available at: <http://www.ec.gc.ca/paom-itmb/default.asp?lang=En&n=C51C415F-1>.

ECCC Recommendation

If active nests are encountered during Project activities, ECCC recommends that the nesting area be avoided until nesting is complete (i.e., the young have naturally left the vicinity of the nest). It is recommended that all disruptive activities in the area be halted until nesting is completed, and the nest should be protected with a buffer zone appropriate for the species and the surrounding habitat.

Should you require further information, please do not hesitate to contact me at (867) 669-4732 or Emily.Nichol@canada.ca.

Sincerely,

[original signed by]

Emily Nichol
Environmental Assessment Coordinator

cc: Bradley Summerfield, A/Head, Environmental Assessment North (NT and NU)