

Environmental Protection Operations
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3 May 2011

EC file: 4704 004 041

NIRB file: 09UN052

Kelli Gillard
Technical Advisor
Nunavut Impact Review Board
29 Mitik, PO Box 1360
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Via email: info@nirb.ca

**RE: Comment Request for Potential 12.4.3 Exemption to PWGSC's Amendment
Request with Environment Canada for its "Disposal at Sea of Dredged Sediments,
Pangnirtung Fjord" project**

Environment Canada (EC) has reviewed the information submitted to the Nunavut Impact Review Board (NIRB) regarding the above mentioned potential exemption. The following specialist advice has been provided pursuant to the *Canadian Environmental Protection Act 1999*, Section 36(3) of the *Fisheries Act*, the *Migratory Birds Convention Act*, and the *Species at Risk Act*.

Public Works and Government Services Canada is proposing to amend its Disposal at Sea Permit to include increased working hours from 16 hours per day, 6 days a week to 24 hours per day, 7 days a week. Based on the information provided, Environment Canada provides the following comment for NIRB's consideration:

- If the proponents detect that birds are being attracted to the lights and colliding with the vessel, they should consider only using lights intermittently to search for whales and they should shield the light vertically so as not to attract birds flying at night. If problems continue they should contact the CWS to discuss potential solutions. Any bird mortality from collisions with the vessel should be reported to the CWS.

EC has no issues at this time with the exemption, provided the proponent follows the terms and conditions laid out in the original application and the EC issued disposal at sea permit. Comments and recommendations submitted on behalf of EC on 17 February 2011 regarding this project would still apply. If there are any additional changes in the proposed project, EC should be notified, as further review may be necessary. Please do not hesitate to contact me with any questions or comments with regards to the foregoing at (867) 975-4631 or by email at Paula.C.Smith@ec.gc.ca.

Yours truly,



Paula C. Smith

Environmental Assessment Coordinator

cc: Carey Ogilvie (Head, Environmental Assessment-North, EPO, EC, Yellowknife, NT)
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