



Environmental Protection Operations Directorate
Prairie & Northern Region
5019 52nd Street, 4th Floor
P.O. Box 2310
Yellowknife, NT X1A 2P7

February 17, 2017

ECCC File: 6100 000 012 /020

NIRB File: 15EN049

Donna Tikhak
Environmental Administrator
Nunavut Impact Review Board
P.O. Box 1360
Cambridge Bay, NU X0B 0C0

Via email: info@nirb.ca

RE: 15EN049 – Agnico Eagle Mines Ltd. – Parker Lake Temporary Exploration Camp and Airstrips & Cone Hill Exploration – NIRB Screening Amendment

Attention: Donna Tikhak

Environment and Climate Change Canada (ECCC) has reviewed the information submitted to the Nunavut Impact Review Board (NIRB) regarding the above-mentioned screening amendment. 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. On p.4 of the Waste Management Plan of the initial screening application, Agnico Eagle Mines Limited (the Proponent) mentions that the Meliadine incinerator will dispose of solid waste (if it can be incinerated) from this exploration project. However, in the Main Application and Project Description (amendment application) p. 3-4, it is said that the temporary Parker Lake camp will have its own incinerator. No details are given on this incinerator (model), and it is unclear if this incinerator will receive all waste related to the exploration project or if some of the waste will still be diverted to the Meliadine site.

ECCC recommends the use of an approved incinerator for the disposal of combustible wastes. ECCC has developed a technical document for batch waste incineration, and is available at the following web link:

www.ec.gc.ca/gdd-mw/default.asp?lang=En&n=F53EDE13-1

The technical document provides information on appropriate incineration technologies, best management and operational practices, monitoring and reporting.

2. On p.4 of the amendment application, the Cone Hill exploration project is described. ECCC notes there is a lack of information regarding drilling operations such as the potential number of drill targets, the types of drills used and the timing of operations. This information would help ECCC understand the potential impacts of the Cone Hill exploration project.

For example, the migratory bird breeding season in the project area extends from end of May to mid-August. Conducting land clearing activities related to drilling during this migratory bird breeding season period could result in negative impacts to migratory birds. The general nesting period above is provided as guidance to support the Proponent in planning their activities, but it is important to note that breeding periods may vary from year to year due to climatic conditions and some species may nest outside the dates provided if conditions are favourable.

Moreover, if drilling is conducted over waterbodies during the winter, a reverse circulation drill should be used in order to avoid deleterious substances from entering the water.

3. On p.7 of the Wildlife Protection and Response Plan (WPRP) version 3, one of the Proponents policies regarding wildlife reads "The deliberate destruction or disruption of wildlife nests, eggs, dens, burrows, and the like, is prohibited at all times". ECCC appreciates the intent of this policy, but would like to remind the Proponent that even undeliberate destruction or disruption of migratory birds, their nests and eggs is prohibited by the *Migratory Birds Convention Act*.

ECCC recommends that the above cited policy be revised to read "The destruction or disruption of wildlife nests, eggs, dens, burrows, and the like, is prohibited at all times."

4. ECCC understands that the Proponent will make an effort to ensure its employees do not harass or cause harm to wildlife according to section 2 of its WPRP. However, ECCC would like to remind the Proponent that it must comply with section 79(2) of the *Species at Risk Act* (SARA) which 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. This subsection applies to all species listed on Schedule 1 of SARA. However, as a matter of best practice, ECCC suggests that similar consideration be given to species on other Schedules of SARA and under consideration for listing on SARA, including those designated as "at risk" by the Committee on the Status of Endangered Wildlife in Canada (COSEWIC).

Project impacts could include species disturbance and attraction to operations, even if the risk for impacts is low given the nature and scope of the project. ECCC believes that section 2 of the WPRP should include a list of the species at risk that could be encountered in the project area, so that all employees at the exploration camp are aware of them. A table listing these species is provided below.

Table 1. Terrestrial Species at Risk in Nunavut that may be encountered in the project area

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
Peregrine Falcon (<i>anatum-tundrius</i> complex)	Special Concern	Schedule 1, Special Concern	GN	Management Plan – Proposed
Polar Bear	Special Concern	Schedule 1, Special Concern	GN	
Short-eared Owl	Special Concern	Schedule 1, Special Concern	GN	Management Plan – Proposed
Caribou (Barren-ground population)	Threatened	No Status	GN	
Red-necked Phalarope	Special Concern	No Status	ECCC	
Grizzly Bear (Western population)	Special Concern	No Status	GN	
Transverse Lady Beetle	Special Concern	No Status	GN	
Wolverine	Special Concern	No Status	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 *Migratory Birds Convention Act* (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.

Should you require further information, please do not hesitate to contact me at (867) 669-4746 or Gabriel.Bernard-Lacaille@canada.ca.

Sincerely,



Gabriel Bernard-Lacaille
 Environmental Assessment Coordinator

cc: Melissa Pinto, Senior Environmental Assessment Coordinator
 Georgina Williston, Head, Environmental Assessment North (NT and NU)
 David Frenette, Environmental Coordinator, Agnico-Eagle Mines Ltd.