



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

ECCC File: 6100 000 175/001
NIRB File: 16EN062

February 04, 2019

Via email at: info@nirb.ca

Natasha Lear
Manager, Technical Administration
Nunavut Impact Review Board
29 Mitik Street P.O. Box 1360
Cambridge Bay NU, X0B 0C0

Dear Natasha Lear:

RE: 16EN062 - North Arrow Minerals Inc. – Mel Project – Project Proposal

Environment and Climate Change Canada (ECCC) has reviewed the information submitted to the Nunavut Impact Review Board (NIRB) regarding the above-mentioned project proposal 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. Emergency Contact

Reference

Spill Contingency Plan page 7 of October 12, 2016.

Comment

In the Emergency Contact List, ECCC notes an incorrect contact number for ECCC, i.e. 867-669-4725. ECCC also notes that "Environment Canada" is used instead of Environment and Climate Change Canada. The number and the name of the agency should be changed to the appropriate ones.

In the case of a spill or emergency, the 24 Hour Spill Report Line should be contacted first by North Arrow Minerals Inc. (the Proponent), who will then involve ECCC Emergencies when appropriate.

ECCC Recommendation

For information relating to the environmental enforcement and reporting requirements under the *Canadian Environmental Protection Act* and the *Fisheries Act* please contact ECCC Environmental Enforcement at 867-669-4730.

The ECCC National Environmental Emergencies Centre (NEEC) will provide technical and scientific environmental advice and assistance to the lead agency, in the event of an environmental emergency. A lead agency is described as the governmental authority that regulates or has authority over the activity from which the emergency originated. NEEC can be contacted at 1-866-283-2333.

2. Migratory Birds

Reference

Project Application page 2 of January 11, 2019.

Comment

The Proponent states that the proposed timing for their exploration program is early spring, summer and fall months. If exploration activities are conducted according to these timelines, vegetation clearing could occur during the migratory bird season, which extends from end of May to mid-August in the project area. This could result in the incidental take of migratory birds, their eggs, or their nests.

The inadvertent harming, killing, disturbance or destruction of migratory birds, nests and eggs is known as incidental take. The above general nesting period 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.

Recommendation

To mitigate possible adverse effects on migratory birds, ECCC recommends that the Proponent:

- Avoid conducting land clearing activities during the migratory bird season.
- Inform its employees about their responsibilities in regards to mitigating impacts to migratory birds.
- If nests containing eggs or young of migratory birds are located or discovered, all disruptive activities in the nesting area should be halted until nesting is completed. Any nest found should be protected with a buffer zone appropriate for the species and the surrounding habitat until the young have naturally left the vicinity of the nest. Moreover, if there are migratory bird nests where work is proposed, options like avoiding, adapting, rescheduling or relocating activities that could disturb or destroy the nests should be considered.

The following setback distances are recommended to define buffer zones to minimize disturbance to nests for different bird groups nesting in tundra habitat (see footnotes for adjustments to setbacks for sensitive species and species at risk):

Migratory Bird Species Group	Setback Distance for Pedestrians / ATVs (m)	Setback Distance for Roads / Construction / Industrial Activities (m)
Songbirds	30	100
Shorebirds	50 ^a	100 ^a
Terns/Gulls	200 ^b	300 ^b
Ducks	100	150
Geese	300	500
Swans/Loons/Cranes	500	750

^a If project activities are within the breeding ranges of American Golden Plover or Ruddy Turnstone, these setbacks should be increased to 150 m for Pedestrians/ATVs and 300 m for Roads/Construction/Industrial Activities respectively. If project activities are within the breeding ranges of Black-bellied Plover, Whimbrel or Red Knot (listed on Schedule 1 of the *Species at Risk Act*), these setbacks should be increased to 300m for Pedestrians/ATVs and 500m for Roads/Construction/Industrial Activities. If field crew are trained in the identification of these species then these higher setbacks need only apply to these more sensitive species, and lower setbacks can be used for the remaining shorebird species. In areas where several species are nesting in proximity, setbacks for the most sensitive species should be used.

^b If project activities are in proximity to breeding colonies of Ross's Gull (listed on Schedule 1 of the *Species at Risk Act*) these setbacks should be increased to 500m Pedestrians/ATVs and 750m for Roads/Construction/Industrial Activities. For Ivory Gull (listed on Schedule 1 of the *Species at Risk Act*) a buffer of 2 km around breeding colonies should be used for all activities.

For further information on how to protect migratory birds and their nests and eggs when planning or carrying out project activities, consult ECCC's web page at: www.ec.gc.ca/paom-itmb/ for general guidance on avoidance of incidental take of migratory birds.

3. Incinerator

Reference

Waste Management Plan of January 23, 2019.

Comment

In the Waste Management Plan, the Proponent states multiple times that food and burnable wastes will be incinerated. Burning of some waste can release dioxins and furans into the environment.

Recommendation

Should the Proponent choose to burn solid waste, ECCC recommends the use of an approved incinerator for the disposal of combustible wastes. ECCC has developed a technical document for batch waste incineration, which 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.

Should you require further information, please do not hesitate to contact me at (780) 951-8851 or Junotta.wilson@canada.ca

Sincerely,

Junotta Wilson
Environmental Assessment Coordinator Intern

cc: Bradley Summerfield, A/Head, Environmental Assessment North (NT and NU),
Michael MacMorran, North Arrow Minerals Inc.