



ᑲᑲᑲᑲᑲᑲ ᑲᑲᑲᑲᑲᑲ ᑲᑲᑲᑲᑲᑲᑲᑲᑲ
Building *Nunavut* Together
Nunavut liuqatigiingniq
Bâtir le *Nunavut* ensemble

ᑲᑲᑲᑲᑲᑲ ᑲᑲᑲᑲᑲᑲ
Government of Nunavut
Nunavut Kavamat
Gouvernement du Nunavut

April 8, 2021

Karen Costello
Executive Director
Nunavut Impact Review Board
P.O. Box 1360
Cambridge Bay, NU, X0B 0C0

Sent VIA Email: info@nirb.ca

**RE: Notice of Screening for Leeward Capital Corp.'s "Pistol Lake Project"
Proposal (21EN013)**

Dear Ms. Costello,

On behalf of the Government of Nunavut (GN), I would like to thank the Nunavut Impact Review Board (NIRB) for the opportunity to provide comments on Leeward Capital Corp.'s "Pistol Lake Project" proposal. The GN reviewed the proposed project and has prepared six (6) comments for your consideration (see Appendix).

The GN looks forward to further information on this project from NIRB. Should there be any concerns or need for follow-up, please do not hesitate to contact me by phone at 867-975-7800 or by email at asimonfalvy@gov.nu.ca.

Qujannamiik,

[Original Signed By]

Agnes Simonflavy
Avatiliriniq Coordinator
Government of Nunavut

Appendix

GN-01: Project Location – Caribou Calving Grounds & Cumulative Impacts	
Department	Environment
Organization	Government of Nunavut
Subject/Topic	Project Location Overlap with Bathurst Caribou Herd Calving and Post-Calving Grounds & Cumulative Impacts of Adjacent Projects
References	<ul style="list-style-type: none"> • Aurora Geosciences on behalf of Leeward Capital Corp. – “Caribou Calving Grounds in Relation to Pistol Lake Project” • Government of Nunavut – “Pistol Lake Project in the Kitikmeot Region” Map Figure • Government of Nunavut – “Ulu Gold and Hood River Projects in Relation to Bathurst Caribou Seasonal Ranges” Map Figure • NIRB Notice of Screening for Leeward Capital Corp.’s “Pistol Lake Project” Proposal • Nunavut Planning and Project Assessment Act • Nunavut Research Institute – Scientific Research License # 04 007 21N-M: “Ulu Gold Project: Environmental Baseline Program”
CONCERNS	
<p>The Government of Nunavut (GN) is concerned that the proposed Project is located entirely within the historic calving grounds of the Bathurst Caribou herd (see Figure 1). The Bathurst herd is experiencing a significant decline in population numbers and the concern is that Project activities and development within this area have the potential to result in serious adverse impacts to the long-term recovery of this population.</p> <p>The GN would like to emphasize that due to low population numbers, the seasonal ranges of the Bathurst herd have been significantly reduced in area and extent. This does <i>not</i> preclude the need to protect the historic calving grounds from disturbance and development. It is the hope of the GN and wildlife management boards that eventually this population will rebound and once again occupy their historic calving grounds. It is therefore of utmost importance to preserve and protect these grounds in the present.</p> <p>The Proponent should be aware that calving and post-calving grounds are of critical importance for maintaining healthy caribou herds. Caribou are especially vulnerable to disturbance during calving as they give birth and feed the calves, due to the high energy</p>	

costs for cows. Post-calving grounds are used by caribou for nursing and nutrition uptake. Interrupting nursing and access to good forage can both negatively impact caribou body condition and productivity.

Furthermore, habitat modification through permanent works or infrastructure could be detrimental to calving and nursing caribou, and impact overall health and productivity of the herd. Consistent disturbance or cumulative fragmentation of these habitats may result in serious negative impacts to herd demography or population size.

Other projects to the West of the Pistol Lake Project, the “Ulu Gold Project” and the “Hood River Gold Project”, are also conducting exploration activities in the historic calving grounds of the Bathurst caribou herd and are located directly adjacent to the current calving range (see Figure 2). Additionally, these projects are currently licensed to conduct environmental baseline studies in their project area to inform a possible review (or impact assessment), with the intention of developing a gold mine. The cumulative impacts from these projects on the recovery of this imperiled population must be given serious consideration.

As outlined in Section 90 of the Nunavut Planning and Project Assessment Act (NuPPAA), the Board must account for the following in determining significance of impacts:

- “(b) the ecosystemic sensitivity of [the] area;*
- (c) the historical, cultural and archaeological significance of [the] area;*
- (h) the reversibility or irreversibility of the impacts; and*
- (i) the cumulative impacts that could result from the impacts of the project combined with the impacts of any other project that has been carried out, is being carried out, or is likely to be carried out.”*

RECOMMENDATIONS

The GN strongly recommends that no activities associated with the proposed project take place within calving and post-calving grounds and in a buffer of at least 14 km around these grounds.

Proposed activities in calving and post-calving grounds should be scheduled to take place outside the dates of June 2 to 28 each year to ensure the sensitive period for the Bathurst caribou herd has ended. The GN recognizes that the Proponent’s proposed activities will take place outside these dates in 2021 and recommends this period restriction continue for every year the Project takes place.

ADDITIONAL COMMENTS

N/A

Figure 1: Project Location in Relation to Bathurst Caribou Seasonal Ranges

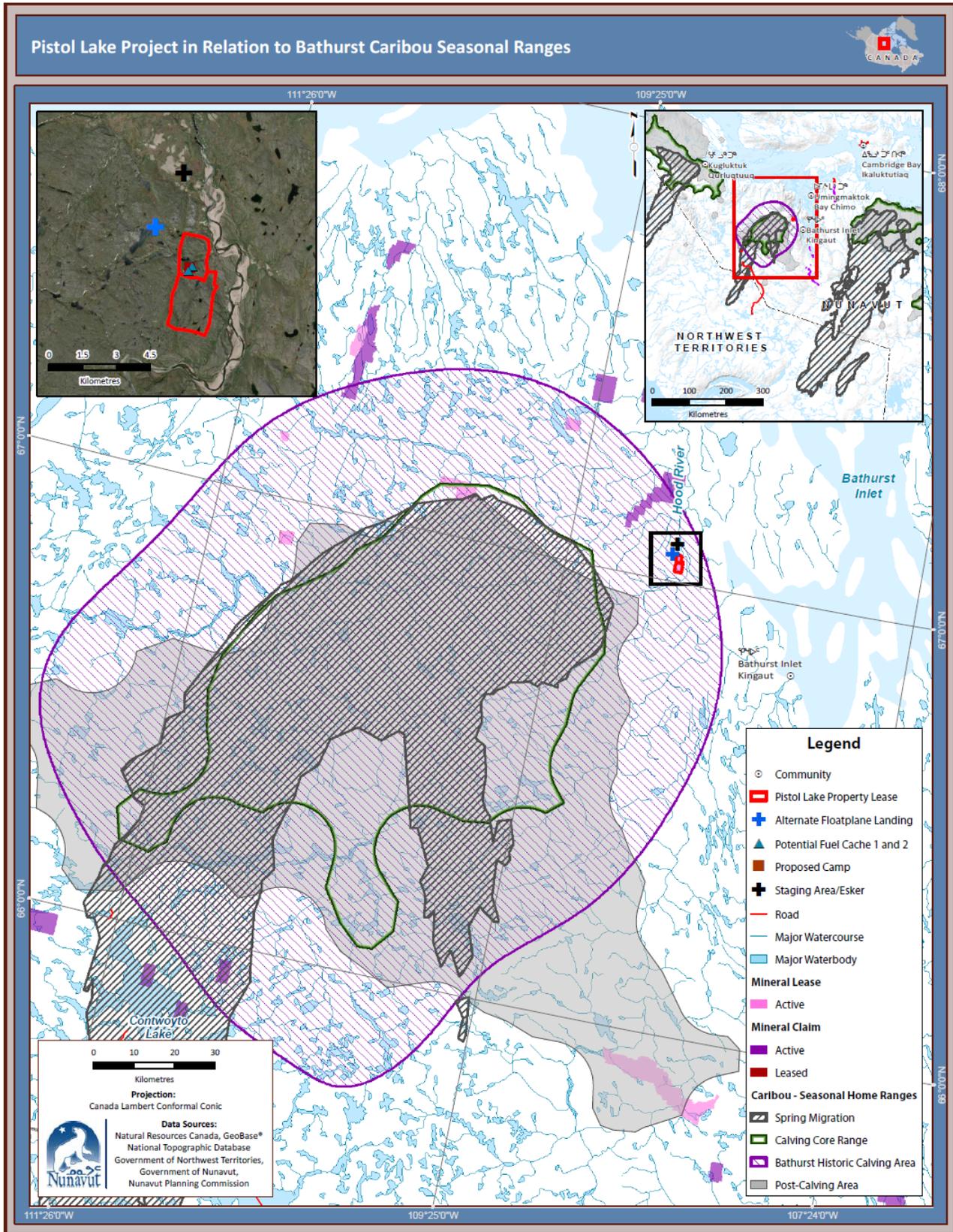
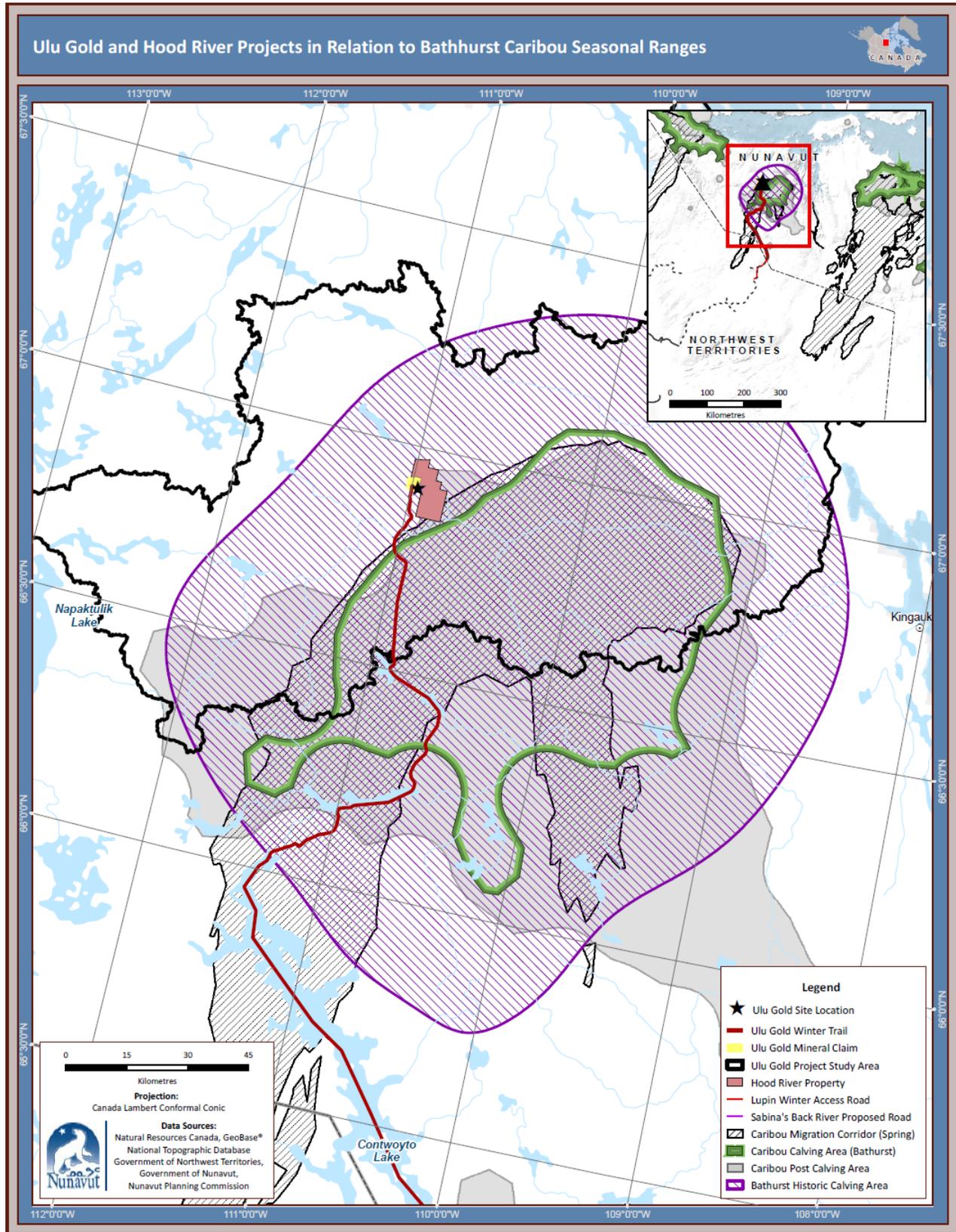


Figure 2: Adjacent Project Locations in Relation to Bathurst Caribou Seasonal Ranges



GN-02: Engagement	
Department	Environment
Organization	Government of Nunavut
Subject/Topic	Consultation & Engagement with Impacted Communities and Organizations
References	<ul style="list-style-type: none"> • Leeward Capital Corp. – “Community Consultation / Communication Log – Leeward Capital Corp. Pistol Lake Project” • Leeward Capital Corp. – “Plain Language Summary” • NIRB Notice of Screening for Leeward Capital Corp.’s “Pistol Lake Project” Proposal • Nunavut Planning and Project Assessment Act
CONCERNS	
<p>Given the Project’s location within the historic calving range of the Bathurst caribou herd, a herd that is experiencing a significant decline, the wildlife management boards responsible for the management of this herd, namely the Beverly & Qamanirjuaq Caribou Management Board (BQCMB) and the Kitikmeot Regional Wildlife Board (KRWB), <i>must</i> be consulted and engaged on this Project. The Proponent has to-date only provided an account of its consultations with the Kugluktuk Hunters and Trappers Organization (KHTO), stating the KHTO “has no issues with the plans”.</p> <p>A plain language summary of the Project is included among the Project documents in English only. This is concerning where some interested stakeholders may be unilingual Inuktut or Inuinnaqtun speakers.</p>	
RECOMMENDATIONS	
<p>The GN recommends the Nunavut Impact Review Board (NIRB) “<i>require the proponent to provide any additional information that it considers necessary to carry out its review or screening or to determine the scope of a project, as the case may be</i>”, pursuant to Section 144 (1) of the <i>Nunavut Planning and Project Assessment Act</i> (NuPPAA).</p> <p>It is recommended the Proponent provide a record of its engagement(s) with all impacted communities, the BQCMB, KRWB, and regional Hunters’ and Trappers’ Organizations/Associations (HTO/As).</p>	

It is also recommended the Proponent provide additional and more detailed consultation logs, including such information as:

1. What documents were shared with the organization(s) and in what languages,
2. What topics were discussed,
3. What concern(s) were noted by the organization(s),
4. How the Proponent addressed the concern(s),
5. What changes to management plans, work plans, or project documents were made (if any) as a result of the consultation.

Furthermore, Project plain language summaries should be provided in English, Inuktitut, and Inuinnaqtun.

ADDITIONAL COMMENTS

N/A

GN-03: Acquisition of Updated Collar Data

Department	Environment
Organization	Government of Nunavut
Subject/Topic	Acquisition of Updated Collar Data – Bathurst Caribou Herd Seasonal Ranges
References	<ul style="list-style-type: none"> • Aurora Geosciences on behalf of Leeward Capital Corp. – “Caribou Calving Grounds in Relation to Pistol Lake Project” Map Figure • Government of Nunavut – “Pistol Lake Project in the Kitikmeot Region” Map Figure • Government of Nunavut – “Ulu Gold and Hood River Projects in Relation to Bathurst Caribou Seasonal Ranges” Map Figure • NIRB Notice of Screening for Leeward Capital Corp.’s “Pistol Lake Project” Proposal • Nunavut Planning and Project Assessment Act

CONCERNS

The Proponent is seemingly using out-of-date data where they have indicated that the Project area falls within the Bathurst calving area (Aurora Geosciences – “Caribou Calving

Grounds in Relation to Pistol Lake Project”). See GN Figure 1, confirming the Project area falls within the historic Bathurst calving grounds. Use of out-of-date data in the development of management or work plans is not advisable and may result in undue impacts or disturbances to the Bathurst herd.

The Government of the Northwest Territories (GNWT) manages the collar data for the Bathurst caribou herd. The Proponent may contact the GNWT Department of Environment and Natural Resources (ENR) to request access to this data.

RECOMMENDATIONS

The GN recommends the Nunavut Impact Review Board (NIRB) “*require the proponent to provide any additional information that it considers necessary to carry out its review or screening or to determine the scope of a project, as the case may be*”, pursuant to Section 144 (1) of the *Nunavut Planning and Project Assessment Act* (NuPPAA).

The GN recommends the Proponent contact the GNWT-ENR to request access to up-to-date collar data to inform the development of their management and work plans, with input from other relevant parties such as GN-DOE Wildlife Research.

ADDITIONAL COMMENTS

N/A

GN-04: Wildlife Monitoring & Mitigation Plan

Department	Environment
Organization	Government of Nunavut
Subject/Topic	Lack of Wildlife Monitoring and Mitigation Plan
References	<ul style="list-style-type: none"> • NIRB Notice of Screening for Leeward Capital Corp.’s “Pistol Lake Project” Proposal • Nunavut Planning and Project Assessment Act

CONCERNS

The Proponent has not supplied a Wildlife Monitoring and Mitigation Plan (WMMP) among the provided documents, which impedes the GN’s accurate and thorough review of the Project’s potential ecosystemic effects. Given the Project location within the historic calving

grounds of the Bathurst caribou herd, and the likelihood of wildlife encounters in the Project area during the proposed timeline, a WMMP is warranted.

A WMMP should outline the monitoring and mitigation measures that a Proponent will carry out during project operation to ensure project impacts or disturbances to wildlife will be minimized. This type of plan is essential for reviewers, such as the GN, to understand how wildlife will be monitored during project activities, what specific actions will take place when wildlife is sighted, and what measures will be taken to mitigate any negative impacts or disturbances to wildlife from project activities. Without this plan, the GN is unable to complete its screening of the Project as proposed.

RECOMMENDATIONS

The GN recommends the Nunavut Impact Review Board (NIRB) “*require the proponent to provide any additional information that it considers necessary to carry out its review or screening or to determine the scope of a project, as the case may be*”, pursuant to Section 144 (1) of the *Nunavut Planning and Project Assessment Act* (NuPPAA).

The GN strongly recommends that the Proponent prepare a complete Wildlife Monitoring and Mitigation Plan to be informed by engagement with GN-DOE Wildlife Research as well as other interested stakeholders.

ADDITIONAL COMMENTS

N/A

GN-05: Waste Management Plan

Department	Environment
Organization	Government of Nunavut
Subject/Topic	Waste Management Plan – Non-Hazardous and Hazardous Waste
References	<ul style="list-style-type: none"> • Leeward Capital Corp. – “Abandonment and Restoration Plan Pistol Lake, NU” • Leeward Capital Corp. – “Fuel Spill Contingency Plan Pistol Lake Project, NU” • Leeward Capital Corp. – “Plain Language Summary” • NIRB Application for Screening #125588

- NIRB Notice of Screening for Leeward Capital Corp.'s "Pistol Lake Project" Proposal
- Nunavut Planning and Project Assessment Act

CONCERNS

The Project proposal lacks a Waste Management Plan (WMP) among the provided management plans, which impedes the GN's accurate review of the Projects' potential environmental effects.

The Plain Language Summary indicates that the Proponent intends to establish a temporary camp and infrastructure to support multi-year exploration activities, including prospecting, sampling, and core drilling. All these activities will generate both non-hazardous and hazardous wastes and will require appropriate containment, management, and disposal. The NIRB Application for Screening mentions that three hazardous wastes will be generated by Project activities, specifically drilling:

1. Drilling mud; 1 580 litres (L)
2. Calcium Chloride; 12 000 kilograms (kg)
3. Hydraulic oil; 640 litres (L)

There is no mention among the Project documents of the methods and procedures the Proponent will employ in the containment, management, and disposal of these hazardous wastes.

Calcium chloride salt is used as an antifreeze additive in drilling activities and must be managed properly to avoid contamination. Some projects also use ethylene or propylene glycol for this purpose. Ethylene and propylene glycol pose a serious toxicity risk to wildlife because the taste is sweet and attractive. The GN acknowledges that the Proponent has not mentioned the use of glycols in their drilling activities but seeks confirmation that glycols will not be used during Project activities.

Given the location of the Project in the calving grounds of the Bathurst herd, the proper management of wastes, especially hazardous wastes, is very important.

RECOMMENDATIONS

The GN recommends the Nunavut Impact Review Board (NIRB) “*require the proponent to provide any additional information that it considers necessary to carry out its review or screening or to determine the scope of a project, as the case may be*”, pursuant to Section 144 (1) of the *Nunavut Planning and Project Assessment Act* (NuPPAA).

The GN strongly recommends the Proponent develop a complete Waste Management Plan that includes specific details about the containment, management, and disposal of camp and exploration non-hazardous and hazardous wastes, to be informed by engagement with GN-DOE Environmental Protection and other interested parties.

The GN also recommends the Proponent consult several guidelines pertaining to waste management that can be found on the Department’s website, under the Environmental Protection banner. The Proponent may find the following documents useful and relevant to the Project:

- Environmental Guideline for General Management of Hazardous Waste (2010)
- Environmental Guideline for Used Oil and Waste Fuel
- A Guide to Spill Contingency Planning and Reporting
- Waste Antifreeze (2011), and the
- Guideline for Burning and Incineration of Solid Waste (2012)

The GN also requests the Proponent confirm that ethylene and propylene glycols will not be used during Project activities. If glycols will be used, the list of hazardous wastes must be updated, and appropriate management procedures developed.

ADDITIONAL COMMENTS

N/A

GN-06: Abandonment & Restoration Plan

Department	Environment
Organization	Government of Nunavut
Subject/Topic	Abandonment and Restoration Plan – Equipment Management – Drill and Fuel Caches
References	<ul style="list-style-type: none"> • Leeward Capital Corp. – “Abandonment and Restoration Plan Pistol Lake, NU” • NIRB Notice of Screening for Leeward Capital Corp.’s “Pistol Lake Project” Proposal

CONCERNS

The Proponent intends to leave the drill on site over the winter period after activities are concluded for the exploratory drilling season. The Abandonment and Restoration Plan (ARP) reads:

*“Equipment will be moved to one structure and winterized for use the next season.
The drill will be winterized for use the next season.”*

The Project area is situated entirely within the historic calving grounds of the Bathurst caribou herd and semi-permanent infrastructure will potentially result in disturbance to the herd during the spring migration into the calving grounds and during the calving period itself. Caribou are particularly sensitive to disturbance during this period.

RECOMMENDATIONS

The GN recommends that no permanent, or semi-permanent, infrastructure be installed in caribou migration corridors, calving grounds, and post calving grounds including roads, trails, airstrips, permanent buildings, and/or other site modifications. All exploration materials, equipment and project infrastructure should be completely removed, and the site remediated upon the completion of the currently proposed project schedule, and annually thereafter.

The GN recommends the Proponent amend the ARP to reflect the recommendation that no project equipment or infrastructure, however winterized, will remain in the Project area after the annual project schedule is complete.

ADDITIONAL COMMENTS

N/A