

**PIN-E CAPE PEEL INTERMEDIATE DISTANT EARLY
WARNING (DEW) LINE SITE REMEDIATION PROJECT
Water Licence Application - Summary of & Responses to Intervener Comments**

INTERVENER	COMMENT	RESPONSE/ACTION
DFO	Pumps should be screened with a maximum mesh size of 2.54 mm and a maximum screen approach velocity of 0.038 m/s as per ' <i>DFO's Freshwater Intake End-of-pipe Fish Screen Guideline</i> '(1995). Pump outlet(s) should be placed in a manner or location that does not create erosion from the outflow.	INAC will follow this guideline.
DFO	Non-flowing fish-bearing waterbodies with less than 1.5m of free water beneath the ice are particularly vulnerable to the effects of water withdrawal and should be avoided.	INAC will avoid withdrawing water from these areas.
DFO	Where possible, water should be drawn from deeper areas (>2 meters). Care should be taken to ensure the bottom substrate is not disturbed during water withdrawal.	Where possible INAC will draw water from areas deep then 2 metres.
DFO	The total water withdrawal from a non-flowing fish bearing waterbody should not result in a reduction in water surface elevation of more than 5 cm, or result in a reduction in flow at the lake outlet of 5% or more of instantaneous flow.	The proposed water source has sufficient capacity to allow for the maximum removal rate of 7.0 cubic metres per day. INAC will monitor water levels to ensure activites do not decrease the surface elevation or outlet flow as indicated.
DFO	Disturbance of riparian vegetation shall be kept to a minimum. Approaches shall be stabilized, vegetated and/or seeded as soon as possible after disturbance, and effective, long-term erosion control measures shall be implemented.	INAC will minimize ripiarian vegetation disturbance by minimizing work in these areas and limiting the type of equipment used.
DFO	Equipment operating near the water shall be free of external fluid leaks, grease, oil and mud. The cleaning, fuelling, and servicing of equipment shall be conducted in an area from which spills and wash water will not enter the water.	Equipment will be serviced in an area where spills and wash water can be contained and prevented from entering water bodies. Equipment will be well maintained and free of external fluid leaks, grease, oil & mud.
INAC	INAC recommends that since there is going to be a sizable construction phase, which includes the construction of camp facilities such as sewage lagoons, etc to accommodate and support a maximum of 50 people, that the NWB wait for the additional plans and information to become available and reviewed prior to making a decision on the issuance of a water license.	This information will be provided as soon as possible.

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INAC	INAC also recommends that a monitoring plan be put in place. This plan would include sampling drinking water, sampling wastewater as well as sampling at any active landfill/landfarming area to ensure that no contaminants are leaching into the surrounding environment.	A monitoring plan will be developed and implemented. Samples will be taken of drinking water, wastewater, and from the landfarm area.
KIA	The proponent should inform the affected community.	Community meetings to discuss the Remedial Action Plan were held in Cambridge Bay and Kugluktuk in February 2010. Future meetings will be held before and after the site work is completed.
KIA	The proponent should hire local Inuit.	The contractor for the project has guaranteed an Inuit employment level of 75% and an Inuit subcontracting level of 80%.
EC	The proponent shall not deposit, nor permit the deposit of chemicals, sediment, wastes, or fuels associated with the project into any water body. According to the <i>Fisheries Act</i> , Section 36 (3), the deposition of deleterious substances of any type in water frequented by fish, or in any place under any conditions where the deleterious substance, or any deleterious substance that results from the deposit of the deleterious substance, may enter any such water, is prohibited.	The project will comply with the <i>Fisheries Act</i> and all other applicable acts and regulations.
EC	In the project description, it's noted that 205,000 L of diesel and 10,200 L of gasoline will be needed to complete the remediation work. To this end, Environment Canada encourages INAC, as a best practice, to implement an anti-idling policy on-site to conserve fuel and reduce greenhouse gas and criteria air contaminant emissions associated with combustion of these fuels.	INAC will request that the contractor implement an anti-idling policy where applicable.
EC	All sumps, spill basins, and fuel caches should be located in such a manner as to ensure that their contents do not enter any water body, and are to backfilled and re-contoured to match the surrounding landscape when they are no longer required.	Sumps, spill basins and fuel caches will be located a sufficient distance from water bodies and they will be regraded when no longer required.

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EC	<p>EC has available the Federal Guidelines for Landfarming Petroleum Hydrocarbon Contaminated Soils. Science Applications International Corporation (SAIC Canada), 2005. Information in this document addresses design, operation, monitoring, sampling, analytical methods, decommissioning/closure, record keeping and reporting requirements for landfarming projects. It is recommended that the consultant refer to this document as it relates to the future operations of the landfarming project.</p>	<p>INAC will recommend that the contractor follow the Federal Guidelines for Landfarming Petroleum Hydrocarbon Contaminated Soils.</p>
EC	<p>The Remedial Action Plan (Appendix 4 of the application) states that organic and aqueous barrel contents meeting certain criteria will be incinerated on-site (Table 5.2). EC recommends the use of an approved incinerator for the disposal of combustible camp wastes. EC has developed a Technical Document for Batch Waste Incineration, and is available at the following web link: http://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. This information should be incorporated into an incineration management plan for the camp. EC would like the opportunity to review this plan prior to implementation.</p>	<p>INAC will ensure that any incineration is completed in an approved incinerator.</p>
EC	<p>Section 6 (a) of the <i>Migratory Birds Regulations</i> states that no one shall disturb or destroy the nests or eggs of migratory birds. If active nests are encountered during project activities, the nesting area should be avoided until nesting is complete (i.e., the young have left the vicinity of the nest).</p>	<p>If active nests are encountered during the project the area will be avoided until the young have left the vicinity of the nest.</p>

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EC	EC recommends that food, domestic wastes, and petroleum-based chemicals (e.g., greases, gasoline, and glycol-based antifreeze) be made inaccessible to wildlife at all times. Such items can attract predators of migratory birds such as foxes, ravens, gulls, and bears. Although these animals may initially be attracted to the novel food sources, they often will also eat eggs and young birds in the area. These predators can have significant negative effects on the local bird populations.	Food and domestic wastes will be stored in sealed containers and incinerated on a daily basis. Petroleum-based chemicals, gasoline and glycols will be stored in sealed containers and made inaccessible to wildlife.
EC	Species at Risk that could be encountered or affected by the project should be identified and any potential adverse effects of the project to the species, its habitat, and/or its residence noted. All direct, indirect, and cumulative effects should be considered. Refer to species status reports and other information on the Species at Risk registry at www.sararegistry.gc.ca for information on specific species.	Some of the Species at Risk that could be encountered in the area include the Red Knot (<i>rufa</i> subspecies), Peregrine Falcon (<i>anatum-tundrius</i> complex ³), Wolverine (Western population), Barren-ground Caribou (Dolphin and Union population), Grizzly Bear, and Polar Bear.
EC	If Species at Risk are encountered or affected, the primary mitigation measure should be avoidance. The proponent should avoid contact with or disturbance to each species, its habitat and/or its residence.	If any Species at Risk are encountered/affected INAC will endeavour to avoid contact with or disturbance to the species and its habitat/residence.
EC	Monitoring should be undertaken by the proponent to determine the effectiveness of mitigation and/or identify where further mitigation is required. As a minimum, this monitoring 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, its habitat, and/or its residence. This information should be submitted to the appropriate regulators and organizations with management responsibility for that species, as requested.	A wildlife monitoring plan will be implemented throughout the project.

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EC	For species primarily managed by the Territorial Government, the Territorial Government should be consulted to identify other appropriate mitigation and/or monitoring measures to minimize effects to these species from the project.	INAC will consult with the Government of Nunavut if any Species at Risk managed by the Government of Nunavut are encountered.
EC	Mitigation and monitoring measures must be taken in a way that is consistent with applicable recovery strategies and action/management plans.	INAC will follow the applicable plans during monitoring.
EC	EC notes that the Red Knot (a shorebird) was designated as a species of Special Concern by COSEWIC in April 2007. The Red Knot (<i>rufa</i> subspecies) breeding range overlaps with the location of the proposed project area. Although the major threats to Red Knot relate to habitat degradation in the wintering areas and decreases in food resources during spring migration, the proponent should ensure that extra precautions are taken to avoid any disturbance to the Red Knot or its habitat during the breeding season. Red Knots nest on barren habitats (often less than 5% vegetation) such as windswept ridges, slopes or plateaus. Nest sites are usually in dry, south-facing locations, and may be located near wetlands or lake edges, where the young are led after hatching. Nests are simple scrapes on the ground in small patches of vegetation. Nesting will occur in June with hatching in early July. If an active Red Knot nest is encountered during project activities, or observations of Red Knot in the area suggest that a nest could be nearby, the proponent should avoid all activities in the area until nesting is complete (i.e., likely only resume activities in the area until after mid-July).	If any Red Knots are encountered during site activities INAC will avoid activities in the area until nesting is complete (after mid-July).

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EC	<p>The Canadian Wildlife Service of Environment Canada is interested in observations of birds, especially observations of birds identified as Species at Risk (e.g. Red Knot). Observations can be reported through the NWT/NU Bird Checklist program:</p> <ul style="list-style-type: none"> - NWT/NU Bird Checklist Survey <p>Canadian Wildlife Service, Env Canada 5019 - 52 Street, 4th Floor P.O. Box 2310 Yellowknife NT, X1A 2P7 Phone: 867.669.4773 Email: NWTChecklist@ec.gc.ca</p>	<p>INAC will report any Red Knot sightings via the e-mail address provided.</p>
EC	<p>All mitigation measures identified by the proponent, and the additional measures suggested herein should be strictly adhered to in conducting project activities. This will require awareness on the part of the proponents' representatives (including contractors) conducting operations in the field. Environment Canada recommends that all field staff be made aware of the proponents' commitments to these mitigation measures and provided with appropriate advice/training on how to implement these measures.</p>	<p>INAC will ensure that the primary contractor and all subcontractors are aware of the commitments made by INAC and any required mitigation measures.</p>
EC	<p>Implementation of these measures may help to reduce or eliminate some effects of the project on migratory birds and Species at Risk, but will not necessarily ensure that the proponent remains in compliance with the Migratory Birds Convention Act, Migratory Birds Regulations, and the Species at Risk Act. The proponent must ensure they remain in compliance during all phases and in all undertakings related to the project.</p>	<p>INAC will ensure compliance with the Migratory Birds Convention Act, Migratory Birds Regulations, and the Species at Risk Act during all project activities.</p>