



Environmental Protection Operations  
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Our File 4703 001 083

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**Re: NWB 2BE-BLU: New Application – Back River Area – Alyris Gold Corporation.**

Environment Canada's (EC's) contribution to your request for specialist advice is based on the mandated responsibilities for the enforcement of **Section 36(3)** of the *Fisheries Act*, the *Canadian Environmental Protection Act* (CEPA), the *Migratory Birds Convention Act* (MBCA) *Regulations* and the *Species at Risk Act* (SARA).

EC has reviewed the above noted application to carry out exploration activities in the Back River area and would like to add the following comments and recommendations.

#### **Comments and Recommendations**

- The proponent shall ensure that any chemicals, fuel or wastes associated with the proposed land use permit application do not enter waters frequented by fish. It is a requirement of **Section 36(3)** of the *Fisheries Act* that all effluent discharged into water frequented by fish, be non-deleterious.
- Environment Canada supports the mitigation measures outlined by the proponent under their Abandonment and Reclamation Plan.
- Drip pans should be used when refuelling any equipment on site. An appropriate spill kit with absorbent material should be located at all fuel transfer sites.
- All fuel containers must be properly sealed and stacked in an upright position to prevent the possibility of spills and leaks. When storing barrelled fuel at a location, EC encourages the use of a secondary containment rather than relying on "natural depressions". Self supporting insta-berms are available from various suppliers within Canada.
- Operational practices for the handling of fuels and hazardous fluids should be posted and made available to all personnel required to work on site and should outline a clear path of response.
- A dedicated area should be used for refuelling equipment with measures taken to ensure capture and containment of drips and spills. Drip pans should be used when refuelling any equipment on site. An appropriate spill kit with absorbent material should be located at all fuel transfer sites and drill sites.
- Spill contingency plans should also include the locations of disposal sites which are approved to accept wastes and the proponent should have a means of proper storage of wastes prior to disposal.
- Upon completion of drilling, casings shall be cut off at ground level and the holes plugged and permanently sealed.
- On page three of the proponents Spill Contingency Plan, the contact number for Environment Canada should be changed to the following: (867)766 – 3737 Environment Canada's 24 hour on call Duty Officer.
- The proponent should be aware that any spill of fuel or hazardous materials, adjacent to or into a water body, regardless **of quantity**, should be, reported immediately to the NWT/NU 24-hour Spill Line at (867) 920-8130.

- The proponent should ensure that combustible waste is burned in a device that promotes efficient combustion and reduction of emissions and is capable of meeting the emissions limits established under the Canada-wide Standards (CWS) for Dioxins and Furans and the CWS for Mercury Emissions.
- The proponent should be aware that the *Canadian Environmental Protection Act* lists CaCl as a toxic substance. The proponent shall therefore ensure that if CaCl is used as a drill additive, all sumps containing CaCl are properly constructed and located in such a manner as to ensure that the contents will not enter any water body.
- Section 6 (a) of the Migratory Birds Regulations states that no one shall disturb or destroy the nests or eggs of migratory birds. Therefore, CWS recommends that all activities be conducted outside the migratory bird breeding season, which extends from approximately May 15 to July 31. These dates are approximate, and if active nests (i.e. nests containing eggs or young) are encountered outside of these dates the proponent should avoid the area until nesting is complete (i.e. the young have left the vicinity of the nest).
- If activities are permitted to occur during the breeding season, CWS recommends that the proponent confirm there are no active nests (i.e. nests containing eggs or young) in the vicinity of their operations before activities commence. If active nests of migratory birds are discovered, the proponent should halt all activities until nesting is completed (i.e. the young have left the vicinity of the nest).
- In order to reduce disturbance to nesting birds, CWS recommends that aircraft used in conducting project activities maintain a flight altitude of at least 610 m during horizontal (point to point) flight.
- In order to reduce disturbance to resting, feeding, or moulting birds, CWS recommends that aircraft used in conducting project activities maintain a vertical distance of 1000 m and minimum horizontal distance of 1500 m from any observed concentrations (flocks / groups) of birds.
- CWS recommends that camp waste be made inaccessible to wildlife at all times. Camp waste can attract predators of migratory birds (e.g., foxes and ravens) to an area if not disposed of properly. Incineration of camp waste is a recommended option.
- Section 35 of the *Migratory Birds Regulations* states that no person shall deposit or permit to be deposited, oil, oil wastes or any other substance harmful to migratory birds in any waters or any area frequented by migratory birds.
- Implementation of these measures may help to reduce or eliminate some effects of the project on migratory birds, but will not necessarily ensure that the proponent remains in compliance with the *Migratory Birds Convention Act* (the Act) and *Migratory Birds Regulations* (the Regulations). The proponent must ensure they remain in compliance with the Act and Regulations during all phases and in all undertakings related to the project.
- The proponent should identify potential Species at Risk that could be encountered. For information on specific species, the proponent should refer to the Species at Risk registry at [www.sararegistry.gc.ca](http://www.sararegistry.gc.ca).
- If Species at Risk are encountered, the primary mitigation measure should be avoidance. The proponent should avoid contact with or disturbance to each species.
- The proponent should consult with the Government of the Nunavut and appropriate status reports, recovery strategies, action plans, and management plans to identify other appropriate mitigation measures to minimize effects to Species at Risk that may be encountered.
- The proponent should record the locations and frequency of any observations of Species at Risk and note any actions taken to avoid contact or disturbance to the species.

EC should be notified of any changes in the proposed or permitted activities associated with this application.

Please do not hesitate to contact me at (867) 669-4744 or [ron.bujold@ec.gc.ca](mailto:ron.bujold@ec.gc.ca) with any questions or comments.

Yours truly,

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