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Department of Environment

Ministère de l'Environnement

Aug. 18, 06

Richard Dwyer
Licensing Trainee
Nunavut Water Board

via Email to: licensingtrainee@nwb.nunavut.ca

**RE: 2BE-RAI – FALCONBRIDGE LTD. – RAINBOW PROJECT WATER
LICENSE RENEWAL APPLICATION**

Dear Richard:

The Department of Environment (DOE) has reviewed the water license renewal application from Falconbridge Ltd. for conducting gold and base metal exploration near Cullaton Lake, and has the following comments and recommendations.

1. SPILL CONTINGENCY PLAN:

Based on the Government of Nunavut *Spill Contingency Planning and Reporting Regulations* and *A Guide to the Spill Contingency Planning and Reporting Regulations*, the DOE has the following comments to make:

- The site map submitted is not sufficient in details. A site map is intended to illustrate the facility relationship to other areas that may be affected by a spill. The map should include details such as site location, fuel storage facilities, nearby buildings, roads, culverts, drainage patterns, and any nearby bodies of water.
- All fuel storage containers should be situated in a manner that allows easy access and removal of containers in the event of leaks or spills. Large fuel caches in excess of 20 drums should be inspected daily.
- A sound training program is necessary when dealing with an emergency situation, and should be provided to the spill response team.

2. ABANDONMENT & RESTORATION (A&R)

Based on the DOE's *Environmental Guideline for Site Remediation*, the DOE has the following recommendations to make:

- Used fuel and oil drums should be removed from the project site, returned for deposit, or reused.
- Soil contaminated by fuel (e.g. soils under an old storage tank) should be treated on site or removed to an approved disposal site and replaced with new soil. Soils in the vicinity of fuel and/or chemical storage should be tested and disposed off if necessary.
- Drill holes should be backfilled or capped at the end of project. The sumps should only be used for inert drilling fluids, not any other materials or substances. The sumps should be properly closed out at the end of a project.
- For camps of 10 to 50 people, it is recommended that a forced air incinerator be used to manage wastes. Once again maintaining a high temperature burn to reduce wastes is imperative. Kitchen wastes, cardboard, paper products, packaging and untreated wood wastes are suitable for burning in a forced air incinerator. Industrial wastes and non combustible wastes should be removed from the camp and disposed of at a designated landfill or other approved facility. Under no circumstance should hazardous wastes be managed through burning or incineration.

3. HAZARDOUS MATERIAL MANAGEMENT

Based on the Government of Nunavut *Environmental Guideline for the General Management of Hazardous Waste*, DOE has one comment to make:

- The DOE, Environmental Protection Service monitors the movement of hazardous wastes such as waste fuel, from generators, carriers to receivers, through a tracking document (Waste Manifest). A Waste Manifest must accompany all movements, and all parties must register with the EPS. There is no mention of this procedure in the application.

4. WILDLIFE

Raptor Nesting Areas

Raptor nests have been reported within the project area. Take care not to disturb nesting raptors from 15 April to 1 September by staying at least 1.5 km away from them when in transit by aircraft, and to avoid approaching them closely while on foot. The following is a list of general precautions that must be considered when conducting prospecting activities near Peregrine Falcon,

Gyr Falcon, and other raptor nests (most of these precautions will also apply to all nesting bird species):

1) Disturbance is most harmful early in the nesting period (May and June for Peregrine Falcon and Gyr Falcon, similar for Rough-legged Hawk):

Raptors will attempt to maximize their chances of successfully raising young. If they decide early in the breeding period that their nest is at risk, they may abandon it. If nests are disturbed at this stage of nesting, there may not be sufficient time to re-nest. All disturbances to nests during the early part of the nesting cycle must be avoided (avoid nest sites from late May through to mid-July).

2) Individuals show variability in their response to disturbance:

Different birds will show different responses to varying levels of disturbance. This may result from the general health of the bird, weather conditions, previous life experiences, and adaptability. Therefore, treat all nest sites with equal precaution, regardless of the response of the bird. Do not disturb raptor nests during conditions of poor weather (rain, snow, high winds).

3) Approaching the nest site near the time of fledgling (where chicks fly away from the nest) often leads to premature nest departure:

During the last few weeks of nesting, severe disturbance at the nest often causes young raptors to jump out of the nest. This can cause death from exposure, predation, starvation, or trauma from the fall itself. All activity within 100m of a nest site during the latter part of the nest stage (10-20 August for peregrine falcons in this region) must be avoided.

Further details on raptor nests and disturbance mitigation can be obtained from the Wildlife Officer in communities closest to the area of interest, or from the Ecosystems Biologist (Michael Setterington, (867) 857-2828).

Barren-Ground Caribou

The project site is an important migratory corridor for the Qamanirjuaq caribou herd in the fall and less frequently during the spring, and the area north of Arivat is an important calving ground for the herd between May 15 and July 15. DOE advises the proponent to follow instructions below when caribou migration is observed.

1. During migration of caribou, the proponent shall not locate an operation so as to block or cause substantial diversion to migrating caribou.
2. The proponent shall cease activities that may interfere with migration, such as airborne geophysics surveys or movement of equipment, until the migrating caribou have passed.

3. The proponent shall not construct any camp, cache any fuel, conduct blasting within 10 km, or conduct any diamond drilling operation within 5 km, of any "Designated Crossing" as outlined on the map annexed to a Land Use Permit.
4. The proponent shall avoid low-level overflights of less than 300 meters above ground level at all times when encounter concentrations of caribou.

DoE Contacts

Wildlife Manager

-Dan Shewchuk, (867) 857-2828, dshewchuk@gov.nu.ca

Wildlife Officer

-Joe Niego, (867) 793-2944, jniego2@gov.nu.ca

Biologist, Kivalliq Region, Arviat

- Mitch Campbell, (867) 857-2828, mcampbell@gov.nu.ca

We thank NWB for giving us the opportunity to review and provide comments on the Falconbridge Ltd. water license renewal application. Please contact us if you have any further questions or comments.

Yours sincerely,

Original signed by

Helen Yeh

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