



February 10, 2005

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Avatiligiyiit

Department of Environment

Ministère de l'Environnement

**Nunavut Water
Board**

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Sylvia Novoligak
Environmental Screener Trainee
Nunavut Impact Review Board

via Email to: snovoligak@nirb.nunavut.ca

Dear: Sylvia Novoligak

Re: MELIADINE WEST GOLD PROJECT
NIRB File #: 05EN006

The Department of Environment (DOE), Government of Nunavut has reviewed the Medialine Lake Project and has the following comments and recommendations.

Comments/Recommendations:

Wildlife

The road building is anticipated to disturb five hectares of habitat but there is no mention of mitigation measures to reduce that disturbance. The GN DoE would like to see consideration and application of such measures, and also offers the following advice:

1. Bear-People Conflicts

The operation is in an area where bears may be encountered. Proper food handling and garbage disposal procedures should be followed to reduce the likelihood that bears will be attracted to the operation. Careful planning and attention to details of camp design and maintenance will decrease the attraction of bears to camp.

The applicant should follow procedures outlined in the "Safety in Bear Country Manual", and should contact the Regional/Area Biologist or the Wildlife Officer indicated below for information and advice on measures which should be taken to minimize the possibility of bear-people conflicts.

DOE Contacts

Wildlife Manager, Kivalliq
- Dan Shewchuk, (867) 857-2828
Biologist, Kivalliq Region,
- Mitch Campbell, (867) 857-2828

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2. Caribou

Between May 15 and July 15 is the normal caribou caving season, the applicant is advised to suspend all operations, particularly blasting, overflights by aircraft at any altitude of less than 300 metres above ground level, and the use of snowmobiles and ATV's (all-terrain vehicles) outside the immediate vicinity of the camp, and all personnel will remain quietly in camp.

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

Concentrations of caribou should be avoided by low-level aircraft at all times.

3. Raptor Nests

There is the potential to disturb peregrine falcon or other raptor nest sites. The application mentions that since activities will occur in the winter, then no sites will be disturbed. However, the *Wildlife Act Section 38 (d)* states that nests or eggs cannot be disturbed, regardless of occupancy at time of disturbance. **The GN DoE requests further information on raptor nest surveys in the area to ensure that the quarry and road alignment in fact does not disturb nest sites**

Raptor nests occur throughout Nunavut, and most of the prospecting areas likely contain at least a few nest sites.

The following is a list of general precautions that must be considered when conducting prospecting activities near Peregrine Falcon, Gyrfalcon, 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 Gyrfalcon, 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.



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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 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 Settingington, 867-857-2828).

Nunavut wildlife Act

The proponent should be aware of the Nunavut Wildlife Act which was passed by the Nunavut Legislative assembly in December 2003. This Act, whilst not currently in force, establishes a comprehensive regime for the management of wildlife and habitat in Nunavut. The proponent should be aware of the provisions of this act and its implications for construction, operation and management of the project.

GN DoE would specifically like to draw the proponents attention to the prohibitions created under Section 65 (1) and (2) of the Act; these sections create an offence for the unlawful destruction of habitat. In addition, Section 73 (1) (a) creates an offence for people engaging in activities which cause disturbance to wildlife, unless authorized by a license.

It should be noted, that other sections and prohibitions contained within the Act will also apply, and the proponent should be aware of the content. The Act is scheduled to come into force in July 2005 and regulations are currently being developed.

We thank the NIRB for giving us the opportunity to review this application. Please contact me if you have any further questions or comments.

Sincerely,

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Original signed by

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