



Environment Canada  
Environnement Canada

Environmental Protection Operations  
P.O. Box 2310  
5019 – 52<sup>nd</sup> St,  
Yellowknife, NT  
X1A 2P7

Our File: 4703 003 018

November 28, 2010

Richard Dwyer  
Licensing Administrator  
Nunavut Water Board  
P.O. Box 119  
Gjoa Haven, NU X0B 1J0

By email

**Re: 2BB-MRY0710/TR/I1 Baffinland Environmental Monitoring Plan**

Environment Canada (EC) staff have reviewed the above-noted plan and provide the following specialist advice pursuant to Environment Canada's mandated responsibilities for the enforcement of the *Migratory Birds Convention Act*, *Migratory Birds Regulations*, and the *Species at Risk Act (SARA)*.

1) Section 7.2.1 Traffic Management Plan (pg. 17)

- The location of any wildlife sightings along the roadway by drivers should be reported to a central dispatch and warnings should be issued to other drivers advising them of sections of the roadway where wildlife might be encountered.
- A monitoring program should be developed to document and report any traffic-related wildlife mortality along the road.

2) Section 7.6 Birds (pg. 23-24)

- Page 24, paragraph 2 states:

"Universal mitigation that will be applied includes avoidance of known nests, or areas where birds are displaying territorial behaviour indicative of a nearby nest, by project personnel and equipment to the extent possible. If nests are found in a work area the Environmental Superintendent will be contacted and further mitigation planned, such as closure of that area until the post-breeding period (typically mid-August)."

The Canadian Wildlife Service of EC should be contacted for advice on appropriate setback distances to minimize disturbance to nesting migratory birds according to different types of project activity

3) Section 7.6.2 Loons, Ducks and Geese (pg. 25)

- Page 25, paragraph 4 states:

"While the Phillips Creek valley isn't used by a significant number of geese for nesting (no colonies, and less than ten individual nests were found between the

Mary River Camp and Milne Inlet), hundreds of birds (primarily snow geese) used the area briefly (approximately two weeks) as stop-over sites during their spring and fall migrations. Birds stopped to refuel on tundra vegetation (geese), aquatic insects and plants (loons and ducks) in the various waterbodies. In August, hundreds of geese used this area to moult their feathers which is a very energetically expensive process that requires a reliable supply of food and minimal levels of stress (from predators or other sources). A vast majority (approximately 85%) of the migrating geese did not stop in the Project area.”

Any traffic-related bird mortality along the roadway should be recorded and reported. If moulting flightless waterfowl are observed crossing the tote road, drivers should be alerted about areas where geese have congregated and where they are most likely to be encountered, speed limits in these areas could also be reduced or signs could be posted to alert drivers.

#### 4) Section 7.6.3 - Songbirds and Shorebirds

- The section on mitigation states:

“For the current Project, the only mitigating plans specific to songbirds and shorebirds currently proposed is the avoidance of known nests. The potential impacts on these birds are low because of their low densities and the abundant availability of habitat for these birds away from project activities. It is predicted that individual birds that lose habitat due to mining or the building of stockpiles etc. will be able to move freely to new areas away from mining activities, unimpeded by competition with other birds. However, it is likely that this limited number of birds that are directly affected by habitat loss will be unable to breed during the first year of disturbance (2007) as it will be too late to successfully raise young by the time they re-establish themselves in other areas.”

The assumption that individual birds that lose habitat due to mining will be able to move freely to new areas unimpeded by competition is unfounded and untested. Building stockpiles outside of the migratory bird breeding season would minimize the potential for damaging or destroying nests as well minimizing disturbance to birds nesting nearby, and would also allow birds the opportunity to establish nests in other areas.

#### 5) Section 11.1 Waste Management Plan (pg. 47)

Further details should be provided on the following:

- How landfill sites will be constructed so as to limit access by wildlife.
  - Where and how food wastes and other combustible wastes will be stored prior to incineration.
  - Where and how fly ash from incinerators will be stored prior to disposal in the solid waste landfill.
  - How often landfill sites will be inspected.
  - If and how indications of animal attraction to the landfill will be recorded.
- Presence of wildlife signs at the landfill site and around waste storage facilities should be added to the Waste Disposal Facility Inspection Form provided in Appendix A.

Please do not hesitate to contact me at 204-983-4815 with any questions or comments

regarding the foregoing.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Dahl', with a stylized, flowing script.

Mark Dahl  
EAMPD, Environment Canada

C.C.: M. Fournier, D. Fox, G. Groskopf, J. Hodson, B. Kochtubajda, C. Ogilvie, M. Robertson, W. Romanko, P. Smith, D. Tilden, A. Wilson