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Department of Environment

Ministère de l'Environnement

Nov. 24, 06

Phyllis Beaulieu  
Manager of Licensing  
Nunavut Water Board

**via Email to:** [licensing@nunavutwaterboard.org](mailto:licensing@nunavutwaterboard.org)

**RE: NWB FILE# 2BE-QIL – QILALUGAQ PROJECT WATER LICENSE APPLICATION**

Dear Ms. Beaulieu:

The Department of Environment (DOE) has reviewed the water license application from Stornoway Diamond Corporation for conducting diamond exploration near Repulse Bay, 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 guideline titled *Contingency Planning and Spill Reporting in Nunavut: a Guide to the New Regulations*, DOE recommends a more detailed spill clean-up techniques be submitted to include techniques for different spill scenarios (i.e., spills in water, on land, on ice and on snow).

## 2. HAZARDOUS WASTE MANAGEMENT

The Environmental Protection Service (EPS) at DOE monitors the movement of hazardous wastes, 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 project proposal.

### 3. WILDLIFE

## Raptor Nesting Areas

This operation area is frequented by raptors, and it is important 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, 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 renest. 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).

#### Caribou Protection

The operation is in an area where caribou have been observed to calve in the spring, and DOE recommends the following protection measures are followed:

1.(a) The proponent is recommended not to conduct any activity between May 15 and July 15 near Repulse Bay area.

(b) A proponent may operate within the Repulse Bay area beyond the May 15 deadline set out in 1(a), provided that when caribou cows are approaching the area of operation, the proponent will implement 1(c).

(c) During the period of May 15 to July 15, the proponent will suspend all operations, particularly blasting, low-altitude overflights lower than 610m, 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 or, upon advice from the Conservation Officers (Government of Nunavut) and Land Managers (Kivalliq Inuit Association), the proponent will remove all personnel from the site who are not required for the maintenance and protection of the camp facilities and equipment.

(d) The proponent may resume activities prior to July 15 if the caribou cows have ceased to use the area for calving or post-calving.

2. (a) During migration of caribou, the proponent shall not locate and operate so as to block or cause substantial diversion to migrating caribou.

(b) 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 or 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.

#### 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 Manager of Wildlife or Area Biologist indicated below for information and advice on measures which should be taken to minimize the possibility of bear-people conflicts.

#### Aircraft Disturbance

Aircraft activities should maintain at a minimal altitude of 610 meters above ground level at places where there are occurrences of wildlife to minimize wildlife disturbances unless there is a requirement for low level flights within project areas. In areas where there are observed large concentrations of birds, flight level is restricted to 1,000 meters vertical distance and 1,500 meters horizontal distance from the birds. These guidelines are provided as a general standard, and exceptions may arise on a case-by-case basis. As a good practice, it is recommended to avoid critical and sensitive wildlife areas at all times by choosing alternate flight routes.

#### DoE Contacts

Regional Manager, Wildlife  
- Seeglook Akeeagok, (867) 975-7800, sakeeagok@gov.nu.ca  
Biologist, Baffin Region  
- Debbie Jenkins, (867) 899-8876, pondbiologist@qiniq.com

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

Yours sincerely,

#### ***Original signed by***

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