



Environment Environnement  
Canada Canada

Environmental Protection Branch  
Qimugjuk Building 969 P.O. Box 1870  
Iqaluit, NU X0A 0H0  
Tel: (867) 975-4631  
Fax: (867) 975-4645

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Ida Porter  
Licensing Administrative Assistant  
Nunavut Water Board  
P.O. Box 119  
Gjoa Haven, NU X0B 1J0  
Tel: (867) 360-6338  
Fax: (867) 360-6369

Via Email at [licensing@nunavutwaterboard.org](mailto:licensing@nunavutwaterboard.org)

**RE: NWB 3BC-BIL Bathurst Inlet Lodge – New Type “B” Water License**

On behalf of Environment Canada (EC), I have reviewed the information submitted with the above-mentioned application. The following specialist advice has been provided pursuant to the *Canadian Environmental Protection Act*, Section 36(3) of the *Fisheries Act*, the *Migratory Birds Convention Act*, and the *Species at Risk Act*.

Mr. Boyd Warner is applying for a new Type “B” water license for the Bathurst Inlet Lodge, located within the community of Bathurst Inlet, NU. The Lodge has been in operation seasonally as a tourist lodge since 1969 and has a maximum capacity of thirty people, plus approximately five to ten staff.

Environment Canada recommends that the Nunavut Water Board consider the following conditions to be applied throughout all stages of the project:

**Camp**

- The proponent shall not deposit, nor permit the deposit of any fuel, chemicals, wastes or sediment into any water body. According to the *Fisheries Act*, Section 36(3), the deposition of deleterious substances of any type in water frequented by fish, or in any place under any conditions where the deleterious substance, or any other deleterious substance that results from the deposit of the deleterious substance, may enter any such water, is prohibited.
- Environment Canada recommends the use of an approved incinerator for the disposal of combustible camp wastes. All non-combustible and hazardous materials, including waste oil, shall receive proper treatment and disposal at an approved facility.
- EC is developing a Technical Document for Batch Waste Incinerators. The technical aspects of the document focus on appropriate incineration equipment and best management practices required to achieve the Canada-Wide Standards for dioxins/furans and mercury. To assist the board, a draft copy of the executive summary of the technical document is provided. The board and the proponent are encouraged to contact EC for further information regarding the technical document.

- Sumps used for the disposal of camp wastes such as gray water and sewage shall be located above the high water mark of any water body frequented by fish. Further, all sumps shall be backfilled upon closure and contoured to match the surrounding landscape.
- Sumps should be inspected regularly to ensure there is no erosion or leaching. Appropriate mitigation measures are to be taken if deleterious substances are not being adequately contained.

#### **Fuel storage/Spill Contingency Plan**

- All fuel caches shall be located above the high water mark of any waterbody and in such a manner as to prevent the contents from entering any water body frequented by fish.
- EC recommends the use of secondary containment, such as self-supporting insta-berms, for storage of all barreled fuel rather than relying on natural depressions to contain spills.
- Drip pans, or other similar preventative measures, shall be used when refueling equipment on site.
- Please note that any spill of fuel or hazardous materials, adjacent to or into a waterbody **regardless of quantity**, shall be reported immediately to the 24-hour Spill Line (867) 920-8130.

#### **Wildlife and Species at Risk**

- Section 6 (a) of the Migratory Birds Regulations states that no one shall disturb or destroy the nests or eggs of migratory birds. If active nests are encountered during project activities, the nesting area should be avoided until nesting is complete (i.e., the young have left the vicinity of the nest).
- Environment Canada recommends that food, domestic wastes, and petroleum-based chemicals (e.g., greases, gasoline, glycol-based antifreeze) be made inaccessible to wildlife at all times. Such items can attract predators of migratory birds such as foxes, ravens, gulls, and bears. Although these animals may initially be attracted to the novel food sources, they often will also eat eggs and young birds in the area. These predators can have significant negative effects on the local bird populations.
- Section 5.1 of the Migratory Birds Convention Act prohibits persons from depositing substances harmful to migratory birds in waters or areas frequented by migratory birds or in a place from which the substance may enter such waters or such an area.
- The following comments are pursuant to the Species at Risk Act (SARA), which came into full effect on June 1, 2004. Section 79 (2) of SARA, states that during an assessment of effects of a project, the adverse effects of the project on listed wildlife species and its critical habitat must be identified, that measures are taken to avoid or lessen those effects, and that the effects need to be monitored. This section applies to all species listed on Schedule 1 of SARA. However, as a matter of best practice, Environment Canada suggests that species on other Schedules of SARA and under consideration for listing on SARA, including those designated as at risk by the Committee on the Status of Endangered Wildlife in Canada (COSEWIC), be considered during an environmental assessment in a similar manner.

Terrestrial Species at Risk <sup>1</sup>	COSEWIC Designation	Schedule of SARA	Government Organization with Primary Management Responsibility <sup>2</sup>
Peregrine Falcon ( <i>anatum-tundrius</i> complex <sup>3</sup> )	Special Concern	Schedule 1 ( <i>anatum</i> ) Schedule 3 ( <i>tundrius</i> )	Government of Nunavut
Short-eared Owl	Special Concern	Schedule 3	Government of Nunavut
Barren-ground Caribou (Dolphin and Union population)	Special Concern	Pending	Government of Nunavut
Grizzly Bear	Special Concern	Pending	Government of Nunavut
Wolverine (Western Population)	Special Concern	Pending	Government of Nunavut

<sup>1</sup> The Department of Fisheries and Oceans has responsibility for aquatic species.

<sup>2</sup> Environment Canada has a national role to play in the conservation and recovery of Species at Risk in Canada, as well as responsibility for management of birds described in the *Migratory Birds Convention Act* (MBCA). Day-to-day management of terrestrial species not covered in the MBCA is the responsibility of the Territorial Government. Thus, for species within their responsibility, the Territorial Government is best suited to provide detailed advice and information on potential adverse effects, mitigation measures, and monitoring.

<sup>3</sup> The *anatum* subspecies of Peregrine Falcon is listed on Schedule 1 of SARA as threatened. The *anatum* and *tundrius* subspecies of Peregrine Falcon were reassessed by COSEWIC in 2007 and combined into one subpopulation complex. This subpopulation complex was listed by COSEWIC as Special Concern.

Impacts could be disturbance and attraction to operations.

Environment Canada recommends:

- Species at Risk that could be encountered or affected by the project should be identified and any potential adverse effects of the project to the species, its habitat, and/or its residence noted. All direct, indirect, and cumulative effects should be considered. Refer to species status reports and other information on the Species at Risk registry at [www.sararegistry.gc.ca](http://www.sararegistry.gc.ca) for information on specific species.
- If Species at Risk are encountered or affected, the primary mitigation measure should be avoidance. The proponent should avoid contact with or disturbance to each species, its habitat and/or its residence.
- Monitoring should be undertaken by the proponent to determine the effectiveness of mitigation and/or identify where further mitigation is required. As a minimum, this monitoring should include recording the locations and dates of any observations of Species at Risk, behaviour or actions taken by the animals when project activities were encountered, and any actions taken by the proponent to avoid contact or disturbance to the species, its habitat, and/or its residence. This information should be submitted to the appropriate regulators and organizations with management responsibility for that species, as requested
- For species primarily managed by the Territorial Government, the Territorial Government should be consulted to identify other appropriate mitigation and/or monitoring measures to minimize effects to these species from the project.
- Mitigation and monitoring measures must be taken in a way that is consistent with applicable recovery strategies and action/management plans.

If there are any changes in the proposed project, EC should be notified, as further review may be necessary. Please do not hesitate to contact me with any questions or comments with regards to the foregoing at (867) 975-4631 or by email at [carrie.spavor@ec.gc.ca](mailto:carrie.spavor@ec.gc.ca).

Yours truly,

***Original signed by***

Carrie Spavor  
Environmental Assessment Coordinator

cc: Carey Ogilvie (Head, EA-North, Environment Canada, Yellowknife, NT)  
Anne Wilson (Water Pollution Specialist, Environment Canada, Yellowknife, NT)  
Myra Robertson (EA Coordinator, CWS, Yellowknife, NT)