



Environment Environment
Canada Canada

Environmental Protection Branch
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Nunavut Water
Board

May 06 2004

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May 6, 2004

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

Our file: 4782 047 001

Via facsimile



Re: NWB4MAG – Hamlet of Arviat – Maguse Lake Project – New Type "B" Water License

On behalf of Environment Canada (EC), I have reviewed the information submitted with the above-mentioned application. The following comments are provided pursuant to Environment Canada's mandated responsibilities for the enforcement of the *Canadian Environmental Protection Act*, Section 36(3) of the *Fisheries Act*, the *Migratory Birds Convention Act*, and the *Species at Risk Act*.

The Hamlet of Arviat is applying for a new type "B" water license to facilitate the construction of an all season road from the community to Maguse Lake. The water license application indicates that the construction will involve upgrading an existing bridge, the construction of a new bridge, and the installation of at least 5 culverts. Since this is a multi-year project, comments provided at this time are considered valid for the duration of the project, provided the scope of the project does not change.

Environment Canada recommends that the following conditions be applied throughout all stages of the project:

- The proponent shall not deposit, nor permit the deposit of chemicals, sediment, wastes, or fuels associated with the project 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 deleterious substance that results from the deposit of the deleterious substance, may enter any such water, is prohibited.
- If fuel caches are established, they shall be located above the high water mark of any water body and in such a manner as to prevent the contents from entering any water body frequented by fish.
- Fuel caches shall also be inspected on a regular basis.
- The proponent is asked to submit the coordinates of any fuel caches established for the duration of this project to this office.
- Environment Canada recommends the use of drip pans, or other similar preventative measures, when refueling equipment on site.
- The proponent shall ensure that all hazardous wastes, **including waste oil**, receive proper treatment and disposal at an approved facility.
- EC recommends that measures be taken to ensure that quarrying activities do not result in the sedimentation of any water bodies as a result of this work.
- If fuel is to be stored on site, Environment Canada recommends the use of secondary containment such as self-supporting insta-berms.
- Please note as well that any material and equipment cached for this study must be removed at the end of the project.
- **All spills** are to be documented and reported to the NWT 24 hour Spill Line at (867) 920-8130.

Environment Canada would like to remind the proponent that if any work is carried out during the summertime,

i.e., the migratory bird breeding season, the proponent must consider Paragraph 6(a) of the *Migratory Birds Regulations*. These regulations state that no one shall disturb or destroy the nests or eggs of migratory birds. Therefore, Environment Canada recommends that all activities be conducted outside the migratory bird breeding season, which extends from approximately June 1-July 15. These dates are approximate, and if active nests (i.e., nests containing eggs or young) are encountered outside of these dates, the proponent should avoid the area until nesting is complete (i.e., the young have left the nest).

Species at risk that may be encountered in this area include; Anatum peregrine falcons, listed as threatened under Schedule 1; and grizzly bears, wolverines and Tundrius peregrine falcons, listed as species of Special Concern under Schedule 3 of the *Species at Risk Act*. While conducting their operations, the proponent should be aware of this special status and minimize disturbance or contact with these species.

Environment Canada also recommends that camp waste be made inaccessible to wildlife at all times. Camp waste can attract predators of migratory birds (e.g., foxes and ravens) to an area if not disposed of properly.

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) 669-4708 or by email at ivy.stone@ec.gc.ca.

Sincerely,



Ivy Stone
Environmental Assessment

cc: Steve Harbicht (Head, Assessment & Monitoring, Environment Canada, Yellowknife, NT)
Paula Pacholek (Northern Environmental Assessment Coordinator, Environment Canada, Yellowknife, NT)