



Environmental Protection Operations Directorate
Prairie & Northern Region
5019 52nd Street, 4th Floor
P.O. Box 2310
Yellowknife, NT X1A 2P7

ECCC File: 6300 000 038/002
NWB File: 8BW-PMI----

July 10, 2018

Via email at: licensing@nwb-oen.ca

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

Dear Mr. Dwyer:

RE: 8BW-PIM---- –Tower Arctic Ltd. –Nunavut Marine Infrastructure Pond Inlet Project – Type B Water Licence Application

Environment and Climate Change Canada (ECCC) has reviewed the information submitted to the Nunavut Water Board (NWB) regarding the above-mentioned Type B Water Licence application and is submitting comments via email. ECCC's specialist advice is provided based on our mandate, in the context of the *Canadian Environmental Protection Act* and the pollution prevention provisions of the *Fisheries Act*.

The following comments are provided:

Construction Work Plan

Section 2.0 Environment and Section 5.0 Instructions

1) Comment: ECCC notes that Tower Arctic Ltd. (the Proponent) will have a spill response plan and a plan for the management of dust at the quarry. However, there is no mention of controlling surface water run-off from dust mitigation activities, precipitation or snowmelt. Additionally, sediment control measures for marine in-water works were not clear.

Recommendation: ECCC recommends that the Proponent provide erosion and sediment management measures as well as a total suspended solids management measures for in-water work. These measures should cover how the Proponent will

control the introduction of suspended sediments into waterways during road construction as well as during the construction of the piers and operation of the quarry.

2) Comment: ECCC notes that there is no specific mention of the timing of construction and avoidance of disruption of migratory bird nests along the proposed road route. If vegetation clearing and road construction occurs during the migratory bird season, which extends from the end of May to mid-August in the project area, this could result in the incidental take of migratory birds, their eggs or nests.

The inadvertent harming, killing, disturbance or destruction of migratory birds, nests and eggs is known as **incidental take**. The general nesting period provided is guidance to support proponents in planning their activities, but it is important to note that breeding periods may vary from year to year due to climatic conditions and some species may nest outside the dates provided if conditions are favourable.

Recommendation: ECCC recommends that the Proponent mitigate possible adverse effects on migratory birds, by avoiding land clearing activities during the migratory bird season and informing its employees about their responsibilities in regards to mitigating impacts to migratory birds.

Section 5.3.2 Dredged Channel

3) Comment: The Construction Work Plan states, “a good amount of material from dredging will be used to fill the laydown and Sealift Ramp area”. The Construction Work Plan does not state what will be done with any of the dredged materials that are not used during construction.

Recommendation: ECCC recommends that the Proponent provide details on what will be done with any dredged materials that are not used during construction.

Should you require further information, please do not hesitate to contact me at (867) 669-4744 or eva.walker@canada.ca.

Sincerely,

[original signed by]

Eva Walker
Environmental Assessment Coordinator

cc:

Melisa Pinto Senior Environmental Assessment Coordinator
Georgina Williston, Head, Environmental Assessment North (NT and NU)