

Roberta Judas

From: Mark Cliffe-Phillips [mark_cp@wlwb.ca]
Sent: Tuesday, February 24, 2009 12:40 PM
To: 'Roberta Judas'
Subject: FW: MV2009X0002 North Inca Advanced Exploration Site Remediation - INAC-CARD
Attachments: 02-24-2009 ENR Letter to the Proponent - INAC-CARD - W09X2 - North Inca Remediation.pdf; 02-24-2009 ENR Comments - INAC-CARD - W09X2 - North Inca Remediation.pdf; Bear Encounter Response - North Slave Region 08.pdf

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From: Jennifer Bailey [mailto:Jennifer_Bailey@gov.nt.ca]
Sent: February-24-09 9:40 AM
To: mark_cp@wlwb.ca
Subject: MV2009X0002 North Inca Advanced Exploration Site Remediation - INAC-CARD

Hi

Please find attached ENR's comments, letter to the proponent, and applicable attachments for the above noted application.

Can you please confirm receipt by return email?

Thanks,

Jennifer Bailey

Environmental Regulatory Analyst

Environmental Assessment and Monitoring

Environment and Natural Resources

P (867) 920-6591

F (867) 873-4021

mailto:jennifer_bailey@gov.nt.ca

<<02-24-2009 ENR Letter to the Proponent - INAC-CARD - W09X2 - North Inca Remediation.pdf>> <<02-24-2009 ENR Comments - INAC-CARD - W09X2 - North Inca Remediation.pdf>> <<Bear Encounter Response - North Slave Region 08.pdf>>



Northwest
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February 24, 2009

Ron Breadmore
Project Manager, Tlicho Region
Indian and Northern Affairs Canada
Contaminants and Remediation Directorate
P.O. Box 1500
Yellowknife, NT X1A 2R3

INAC CONTAMINANTS AND REMEDIATION DIRECTORATE, W2009X0002
North Inca Advanced Exploration Site Remediation.

The Department of Environment and Natural Resources has reviewed the information submitted with the above application. The following advice is provided pursuant to the *Environmental Protection Act*, the *Wildlife Act*, the *Forest Management Act* and the *Forest Protection Act*.

ENR reminds the Proponent that references to applicable statutes and regulations are to be considered as advice only, and should not be construed as permission to contravene any other applicable statutes and regulations not mentioned in this letter.

Legislative and Regulatory Requirements

Forest Management

1. If you plan to burn through the spring and summer (May 01 – September 30), the closed season, you will require a Permit to Burn, as per the *Forest Protection Act (Section 10(1) and 21)*.

With respect to forest protection, ENR requires that you contact North Slave Regional office with details on what will be used for burning. As per *Section 11(2) of the Forest Protection Act*, a fire may be kindled or started during the closed season for the purpose of disposing of flammable material, only if a suitable device, capable of confining the fire, is used.

Please contact the North Slave Regional office at (867) 873-7184 for more information on obtaining ENR authorizations.

Environmental Protection

1. In accordance with the *Spill Contingency Planning and Reporting Regulations Section 10*, all spills in accordance with *Schedule B* must be reported immediately to the 24-hour Spill Report Line (867) 920-8130.
2. With respect to the *Environmental Protection Act Section 5 (1b)* all spills regardless of amount must be cleaned and *Section 5 (1c)* all reasonable efforts must be made to notify parties that are affected or potentially affected by the spill.

Wildlife Management

1. Colomac mine, which is 14km from the project site, has had numerous bear problems over the last few years. Inadequate storage, onsite treatment and/or disposal of waste are the most common activities that lead to human/wildlife conflicts at camps. Waste being stored on site prior to being transported to a municipal landfill site, must not be stored in a manner that is likely to attract wildlife, as it is a violation of *Section 89 of the Wildlife Act*.
 - All garbage and residual ash from burning should be stored in a sealed animal proof container while on site to reduce or prevent wildlife attraction. The container should be treated regularly to remove any remaining odours.
 - At minimum, a 45-gallon fuel drum converted into a “modified burn barrel” is an acceptable method for this smaller seasonal camp. These converted fuel drums allow for greater airflow around the combustibles, leading to a more thorough incineration, if installed, used and maintained properly.
 - All sewage/greywater should be treated on a regular basis and disposed of in a covered sump/pit.
2. No wildlife should be disturbed, chased, or harassed by human beings on foot, in a motorized vehicle, or by aircraft. Chasing, harassing or molesting wildlife is prohibited by the *Wildlife Act (s. 38(1) a)*.

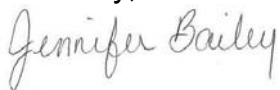
Requests of the Proponent

- Since there is no all-weather road between Indin Lake and Colomac during the warmer months, ENR North Slave Regional office is requesting more information on the frequency of garbage/ash disposal and the method of transfer to the Colomac landfill site.
- ENR encourages the installation, use and maintenance of electric fencing to surround the camp. The proper use and maintenance of electric fencing becomes an effective way of preventing human/wildlife conflicts

- By reviewing the ***Safety in Grizzly and Black Bear Country*** booklet, to assist with proper camp design and food handling will prevent *wildlife* attraction. Forethought in the layout of the camp can be instrumental in minimizing the attraction of wildlife and preventing serious wildlife interactions and related property damage.
<http://www.nwtwildlife.com/Publications/safetyinbearcountry/safety.htm>
- Follow ENR's Bear Encounter Response Guidelines (attached)
- The proposed application suggests that cleared trees or brush be windrowed and, if conditions allow, the waste will be burned. Although this is an acceptable method of disposal an alternative method of tree and brush disposal would be to *Lop and Scatter*, where all brush and debris cleared from the road is disposed of by pushing or felling the material into the adjacent forest. This disposal method will create or enhance natural wildlife habitat. ENR North Slave Regional office discourages any windrowing of trees and/or debris. This method will increase the hazard of forest fires and create barriers for wildlife access in the area.
- Any clearing to be done using a dozer, we request that the trees be sheared at with a shear blade at ground level and the stumps left in the ground to enhance ground stability during spring runoff.

Comments and recommendations were provided by ENR technical experts in the North Slave Region and were coordinated and collated by the Environmental Assessment and Monitoring Section (EAM). Should you have any questions or concerns, please do not hesitate to contact Jennifer Bailey, Environmental Regulatory Analyst, at (867) 920-6591.

Sincerely,



Jennifer Bailey
Environmental Regulatory Analyst
Environmental Assessment and Monitoring
Environment and Natural Resources

Attachment

- **ENR Bear Encounter Response Guidelines**

C.C.

Mark Cliffe-Phillips
Regulatory Specialist
Wek'èezhii Land and Water Board

February 24, 2009

Mark Cliffe-Phillips
Regulatory Specialist
Wek'èezhii Land and Water Board
YELLOWKNIFE NT X1A 3S3

Dear Mr. Cliffe-Phillips:

INAC CONTAMINANTS AND REMEDIATION DIRECTORATE, W2009X0002
North Inca Advanced Exploration Site Remediation.

The Department of Environment and Natural Resources (ENR) has reviewed the above noted project based on its mandated responsibilities under the *Environmental Protection Act* and the *Wildlife Act* and provides the following comments and recommendations for consideration by the Board.

Storage, Handling and Disposal of Refuse and Sewage

Desired End Result: To ensure the protection of staff at the camp and wildlife within their natural habitat by reducing or preventing human/bear conflicts, this could lead to the destruction of nuisance bears.

Project Specific Concerns and Context: Inadequate storage, onsite treatment and disposal of wastes are the most common activities that lead to conflicts between humans and wildlife inhabiting a common area. The Proponent's application does not fully address the potential for these conflicts to occur.

Recommended Condition(s):

The Permittee shall dispose of all treated grey water and sewage into a covered sump.

The Permittee shall keep all garbage, ash and debris in a sealed animal proof container until disposed of and containers cleaned/treated regularly.

The Permittee shall burn all combustible garbage and debris, except plastics or petroleum wastes, daily in an approved modified burn barrel.

The Permittee shall remove all non-combustible garbage and debris, including plastics to an approved waste disposal site.

The Permittee shall remove all waste petroleum products, scrap metal, discarded machinery, parts, drums, barrels, plastics, and building materials to an approved waste disposal facility.

Fuel Storage

Desired End Result: Ensure provisions are in place for appropriate storage of fuel and disposal fuel contaminated materials. Ensure mitigative measures are in place in the event of spills of any hazardous materials.

Project Specific Concerns: The application does not fully address the mitigative measures in place in the event of a fuel spill, the method of fuel storage or disposal of fuel-contaminated wastes. ENR also recommends that the Proponent consult and reference the *Guidelines for Spill Contingency Planning*, prepared by Water Resources Division Indian and Northern Affairs Canada Yellowknife, NT April 2007

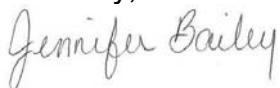
Recommended Condition(s):

The Permittee shall prepare and submit a Spill Contingency Plan to the regulatory authority for approval that will enact measures that minimize the release of contaminants and mitigate potential spills, including the design and establishment of designated fuel storage, refueling areas and to ensure that:

- Appropriate equipment in support of those contingencies, including spill kits, are readily available in the field.
- Fuel caches are located in an area that allows safe storage, facilitate local containment and efficient clean-up in the event of a leak or spill.
- Fuel storage containers are not within one hundred (100) metres of the normal high water mark of any water body
- To ensure that spills are reported immediately to the 24 hour Spill Report Line (867) 920-8130, in accordance with instructions contained in "Spill Report" form N.W.T. 1752/0593.

Comments and recommendations were provided by ENR technical experts in the North Slave Region and were coordinated and collated by the Environmental Assessment and Monitoring Section (EAM). Should you have any questions or concerns please do not hesitate to contact Jennifer Bailey, Environmental Regulatory Analyst, at (867) 920-6591.

Sincerely,



Jennifer Bailey
Environmental Regulatory Analyst
Environmental Assessment and Monitoring
Environment and Natural Resources

North Slave Region
Bear Encounter Response Guidelines

Implementation of these guidelines will allow ENR greater ability to provide advice and assistance in deterring bears that find themselves in areas of development, before they become habituated and must be destroyed as nuisance wildlife.

Report any interactions between people and bears, and any instances of bears coming into camp to:

ENR North Slave Region Contact list:

Wildlife Emergency (On Call Officer)	(867) 873-7181
Raymond Bourget, Senior Wildlife Officer	(867) 920-3049
North Slave Regional Office	(867) 873-7443

The attached *Bear Complaint Checklist* should be completed prior to calling ENR. It is critical that as much information as possible be provided at this point in order for ENR to provide appropriate advice and guidance.

PREVENTION:

Preventing the attraction of bears to the site is the most important aspect of dealing with bears.

A. Food

1. Do not feed any wildlife.
2. Feed any pets inside and store dog food in a sealed container indoors.
3. Clean fire pits and BBQs after each use.
4. All camp food must be stored in a manner that makes it inaccessible to wildlife.
5. If camps are to be vacant for more than 1 week, all food items should be stored in an odour-proof, animal-resistant container.

B. Waste

1. Any food waste and food-related wastes (ex. packaging) stored on site must be kept in a central area and sealed animal-resistant container for final disposal.
2. Food wastes and food-related wastes must be burned in an appropriate device on a daily basis, or brought to an approved landfill site or recycling depot on all back hauls from camp.
3. All waste containers must be cleaned and treated with a bleach solution on a regular basis.

C. Entrails from fish are best disposed of at least 5 km or a minimum of 2 km on an island from camp and not in water or on ice. Area used for cleaning fish must be washed with bleach after each use. A plastic tub offers a good way to transport fish in a boat and to camp, which is easily cleaned after.

D. Camp Structures

1. The camp must be designed and laid out in a manner that reduces attraction of wildlife to the camp and provides safety. Some key areas to consider are the location and proximity of cooking structures to sleeping quarters and the prevention of blind spots in the camp.
2. It is recommended that an electric fence designed for bears be installed around camps. The fence must be properly maintained.
3. All exit doors should have a window to allow workers to check for bears before leaving buildings.
4. Avoid creating hiding areas within camp.
5. Watch for signs of digging under skirting of buildings and animal tracks.
6. Keep all doors closed, unless moving personnel or equipment into or out of buildings.
7. Ensure that all access doors to areas under buildings are closed and secured, unless work is actually being performed.

E. Dead Animals

1. Do not approach any dead wildlife.
2. Report any dead wildlife found within 5 km of camp

If you have access to the Internet, the Department's *Safety in Grizzly and Black Bear Country* contains basic precautions and safety tips to keep in mind while you are in bear country. Be aware that varying geographic conditions may limit the actions you are able to take. The manual is available at the North Slave Regional Office or it can be found online at:

<http://www.nwtwildlife.com/Publications/safetyinbearcountry/SafetyInGrizzlyandBlackBearCountry.pdf>

TRAINING

The NWT Mine Health and Safety Regulations (s.15.05) requires that all field personnel involved in mineral exploration undertake bear-safety training. However, wildlife/human encounter prevention is a key component to the training. ENR staff supports this requirement to be performed by qualified personnel, as it is both a worker safety and wildlife issue.

Formal training of personnel in preventing and responding to wildlife encounters/interactions can reduce the likelihood of injury to personnel and wildlife. Therefore, all field personnel working on the project must receive wildlife/human interaction/encounter training from a professional trainer. The training should include:

1. Recognizing the causes of encounters/interactions,
2. How to prevent encounters/interactions,

3. How to respond to encounters/interactions, and the proper storage, transportation, use and application of deterrents

RESPONSE

A. Bear in the vicinity

1. Take note of the location of the sighting.
2. If safe to do so, take note of what direction the bear is heading.
3. Record a brief description of the bear using the *Bear Complaint Checklist*.
4. Report the bear to the ENR contacts listed
5. Monitor the movement of the bear. If it is within sight of camp and it is safe to do so. (i.e., the bear is several hundred meters away and there is a vehicle or a building nearby)

B. Bear In Camp

1. Take note of the location of the bear.
2. Take note of the direction of travel and what it is doing.
3. Phone the ENR contacts listed.
4. Sound the bear alarm.
5. Monitor the movement of the bear; if safe to do so, until bear response personnel arrive.
6. Stay indoors or in your vehicle. Do NOT approach the bear.
7. Keep all doors closed and close all windows.

DENNING BEARS

- A. If a bear is located in, at or near a den site, work in the area must halt. All employees should safely retreat from the area and report the occurrence to the Site Supervisor, Wildlife Monitor, and the Renewable Resource Officer in your area as soon as possible.
- B. Staff from ENR will be required to assess the site and may implement measures to ensure bears are not unduly disturbed. This may include the establishment of an exclusion zone of 300 meters around the den in which no work will be permitted. Work inside the exclusion zone will remain stalled until after den emergence.

DESTRUCTION OF BEARS

- A. A bear may be destroyed if human life is in imminent danger.
- B. The incident must be reported immediately to the ENR contacts listed. If a bear is killed the complainant will be required to:
 - i. Report the kill to the contact identified at the end of this guide without delay.
 - ii. Skin the bear, leaving the claws and penis (if applicable) attached, and preserve the hide by freezing or salting it and storing it in a cool place. Be generous with the salt and do not freeze the salted hide.
 - iii. Turn in the hide, the skull, and any other biological samples requested to an ENR Renewable Resource Officer.

As per the NWT Wildlife Act, no person may retain any part of a bear killed in defence of life or property.

Bear Complaint Checklist

1. Complainant Details:

Date/Time of Report: _____

Complainant's Name: _____

Affiliation/Location of Complainant: _____

Contact Number for Complainant: _____

Other on-Site Contacts: _____

Wildlife Monitor's Name: _____

2. Camp Details:

Location of Complaint: _____

Latitude/Longitude: _____

Type of Camp- Permanent/ Mobile: _____

Number of People in Camp: _____

How Long has Camp Been Here (if Mobile): _____

Are there any Aircraft on site? If yes, Type: _____

3. History of the Problem:

Date/Time Bear First Sighted: _____

Type of Bear: Grizzly _____ Black _____

Sex of Bear: Male _____ Female _____ Unknown _____

Age of Bear: Cub _____ Juvenile _____ Adult _____

Has Bear Been Observed Before: _____

Description of bear/s: _____

What was the Bear Attracted To: _____

Did the Bear Obtain Food: _____

Behaviour of Bear: Fearful _____ Not Fearful _____ Aggressive _____

Damage By Bear: _____

Den site found (description)?: _____

4. Deterrent Action:

Was the Bear Deterred? Yes _____ No _____

If Yes, Type of Deterrent Used: _____

Present Status of Bear: _____

5. Other Information:

Reporters Name/Title: _____

Weather on Site at Time of Report: _____

Checklist Forwarded to: _____