



Fisheries
and Oceans

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Fish Habitat Management
P.O. Box 358
Iqaluit, Nunavut
X0A 0H0

May 8th, 2003

Philippe diPizzo
Executive Director
Nunavut Water Board
Gjoa Haven, Nunavut

RE: Fish Habitat Management and *Fisheries Act* concerns at Nanisivik Mine

Dear Mr. diPizzo:

This letter is to advise that The Department of Fisheries and Oceans, Fish Habitat Management (DFO-FHM) staff have concerns regarding compliance with Section 35(2) and/or Section 36(3) of the *Fisheries Act* at the Nanisivik Mine site. DFO-FHM identified potential impacts on fish and fish habitat due to operations at the Nanisivik Mine site in correspondence of July 12th, 2003, addressed to Canzinc Ltd. entitled, "Nanisivik Abandonment and Reclamation Plans." The Nunavut Water Board (NWB), Nunavut Impact Review Board, community of Arctic Bay, and other stakeholders were informed of potential impacts on fish habitat related to Canzinc Ltd. plans to decommission the mine at the NWB Pre-Hearing held in Arctic Bay in 2002.

Fish habitat concerns at Nansivik Mine include deposition of deleterious substances (sediments, metals) into Twin Creek and Strathcona Sound due to operations at the mine (e.g., waste rock disposal adjacent to Twin Creek, tailings effluent, and operations near the marine foreshore area). DFO concerns also include impacts on fish habitat related to proposed reclamation activities in the marine foreshore area at Nanisivik Mine and failure to implement appropriate mitigation measures to protect marine fish habitat.

Based on my review of recent documentation submitted to the Nunavut Water Board for the environmental review of this project, I have grave concerns that Canzinc Ltd. is not planning to protect marine and freshwater fish habitat at Nanisivik. The plan does not adequately address the *need to remove contaminated sediments in and adjacent to Twin Creek, or the marine inter-tidal, dock and foreshore area*. Moreover, CanZinc Ltd. has been negligent in

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providing necessary information previously requested by DFO-FHM (i.e., studies to monitor contaminants in marine sediment after year 2000, or copies of electronic data files documenting contaminant levels near the mouth of Twin creek and/or Strathcona Sound).

Enforcement action is being considered by DFO- Conservation and Protection staff to obtain the outstanding information from CanZinco Ltd. DFO is conducting a compliance review of Nanisivik Mine operations (past, present and future) to determine whether further enforcement action is required under Section 36(3) and/or Section 35(2) of the *Fisheries Act*. DFO will work with other Federal Departments, the Government of Nunavut, and Institutions of Public Government to ensure that enforcement concerns are addressed at Nanisivik.

Sincerely,

Original Signed by:

Jordan DeGroot, M.Sc.
Habitat Management Biologist
Fish Habitat Management- Eastern Arctic Area
Department of Fisheries and Oceans

Cc: Mr. Carreau – CanZinco Ltd.
NWB – Nanisivik Distribution List