Factora Arctic Region Fich Habitat Management P.O. Box 350 Igalust, Pupavut X6A of I0

March 3, 2004

Robin Hopkins Fax (601) 685-8366

Dear: Mr. Hopkins

NIRB 04ENOII Our file Notice refiner NU-04-0008

Nunavut Water Board

MAR 0 5 2004

Public Registry

RE: Mineral Exploration in the Contwoyto Lake Area, Nunayut

This is (for is to advise you that Fisheries and Oceans Canada, Fish Habitat Management Division (DFO-FHM) has received the project proposal information submitted by the Nunavut Impact Review Board for mineral exploration in the Contwoyto Lake area, Nunavut, DFO-FHM's assessment takes into consideration primarity fish and fish habitat related concerns. Your proposal has been assigned the following file number and name:

NU-04-0007 MINERAL EXPLORATION IN THE CONTWOYTO LAKE AREA, NUNAVUT

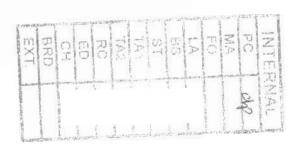
Piene refer to this number on your correspondence or inquiries.

This letter is to advise that DFO-IHM has reviewed the plans/correspondence for the proposed work for impacts to fish and fish habitat. It is my understanding, from the information submitted to this office, that:

- The duration of the mineral exploration program is from April 1, 2004 to April 1, 2006
- Operations will include ice-based diamond drilling.
- One existing camp will be used.

Operations in or near water may result in the harmful alteration, disruption or destruction of fish habitat, which is prohibited under Section 35 of the *Pisheries Act*. The following mitigation measures, along with mitigation measures indicated in the project proposal, are intended to prevent any potentially harmful impacts to fish and fish habitat.

- If artesian flow is encountered, drill holes should be plugged and permanently sealed upon completion of the project.
- All disturbed areas should be stabilized and re-vegetated as required, upon completion of work, and restored to a pre-disturbed state.
- No restorial should be left on the ice when there is potential for that material to enter the water (i.e. spring break-up).



If the drilling requires water in sufficient volume that the source water body may be drawn down please submit details (volume required, size of water body, fish species etc.) to DPO-PHM for review. DPO-PHM strongly discourages the use of streams as a water source.

Extraction of water via intake from any water body is prohibited under Section 30 of the Fisheries Act unless the entrance of the intake is properly screened to prevent the entrainment of fish. Refer to the Freshwater Intake End-of-Pipe Fish Screen Guideline (DFO 1995), which is portifying natigation inclusives are implemented:

4 France the this of write the renewat or repair is boilig condicted, the entrance of the water intake should be closed in order to prevent the passage of fish into the intake.

Depositing deleterious substances into fish bearing waters is prohibited as stated under Subsection 36(3) of the Fisheries Act. The following are additional measures to mitigate habitat

- Sédiment and crosion control measures should be implemented prior to commencement of, and maintained during, the work to prevent sediment entry into the water.
- Drill cuttings should be disposed of in a sump such that they do not enter any water body. The
 une of biodegradable, salt free drill additives is encouraged over non-biodegradable types.
- For any drilling activities, the proponent should ensure that the contractor undertaking the drill is prepared with a contingency plan covering the detection, control and handling of any inadvertent drilling fluid migration that may enter a waterbody.
- Sediments from water used in the drilling process should be filtered out before the water is discharged onto the surrounding landscape.
- All wastes, drill cuttings, sewage containments and fuel caches should be located a minimum of thirty (30) metres from the normal high water mark of any water body. Impermeable spill that or plastic sheets as well as efficient containment berms should be incorporated into these caches to ensure that contaminants do not enter water bodies.
- All activities, including maintenance procedures and vehicular refuelling, should be controlled to prevent the entry of petroleum products, sediment, debris, rubble, or other deleterious substances into the water. Impermeable spill mats, drip pans or other measures to prevent ground or ice contamination should also be used when refuelling equipment on site. Ensure that refuelling activities are conducted at least thirty (30) metres away from the normal high water mark of any water body.
- Have available an extra fuel storage container equal to or bigger than the size of the largest fuel container. This container should be used to replace any existing container showing signs of leakage. Check for container leaks on a daily basis and prepare any visible leaks inhandiately. Pasure that spill kits are readily available at all times.
- All spills of oil, fuel, or other deleterious material should be reported immediately to the 24-Hour Spill Line at (867) 920-8130.

If the proposed work is carried out as described in the plans provided to DFO-FHM and if the additional mitigation measures specified above are implemented, the proposed work will not be considered as contravening Subsection 35(1) of the *Fisheries Act* which reads:

"No person shall carry on any work or undertaking that results in the harmful alteration, disruption or destruction of fish habitat."

Therefore, an authorization under Subsection 35(2) of the Richarias Act will not be necessary. If a substances into fish bearing waters occurs as a result of a change in the plans for the proposed legislation. DFO should be notified of any changes that have the potential to affect fish or fish habit at.

Please note that this letter of advice will apply for the period of the current lease. If you have any questions concerning the mitigation measures or should there be any changes to the proposed

Paul Christensen Fish Habitat Biologist Hisberies & Oceans Canada Department of Fisheries and Oceans -- Eastern Arctic Area

C. Jorgen Komak, NIRB, fax (867) 983-2574 Phyllis Beaulieu, NWB, fax (867) 360-6369