

ᓄᓇᓂᓴ ᓄᓇᓂᓴ ᓄᓇᓂᓴ /NUNAVUT IMPACT REVIEW BOARD/NUNAVUTMI KANOGILIVALIANIKOT ELITTOHAIYEOPLOTIK KATIMAYIIT

March 22, 2002

To: Rita Becker
Licensing Administrator
Nunavut Water Board
Gjoa Haven, NU

Re: Exploratory Drilling at Vic Property
NIRB: 02EN023 NWB: NWB2VAM

Enclosed is the completed NIRB Screening Decision Report on an associated with exploratory drilling near the community of Kugluktuk in the Kitikmeot Region.

NIRB has screened this application for eco-systemic and socio-economic impacts of the proposal.

NIRB's indication to the Minister is: 12.4.4 (a) the proposal may be processed without a review under Part 5 or 6; NIRB may recommend specific terms and conditions to be attached to any approval, reflecting the primary objectives set out in Section 12.2.5;

Please contact me at (867) 983-2593 if you have any questions about the Screening Decision Report.

Yours truly,

Gladys Joudrey
Environmental Assessment Officer
Nunavut Impact Review Board





ᓄᓇᑦᑦ ᐃᓚᑦᑦᑦᑦᑦᑦᑦᑦ ᑲᑦᑦᑦᑦ/NUNAVUT IMPACT REVIEW BOARD/NUNAVUTMI KANOGILIVALIANIKOT ELITTOHAIYEOPLOTIK KATIMAYIIT

SCREENING DECISION

Date: March 22, 2002

Mr. Thomas Kudloo
Chairperson, Nunavut Water Board
Gjoa Haven, NT

Dear Mr. Kudloo:

**RE: Screening Decision of the Nunavut Impact Review Board (NIRB) on Application:
NIRB 02EN023 NWB NWB2VAM DIAND N2002C0007 KIA
Exploratory Drilling at Vic Property (Ashton Mining Ltd.)**

Authority:

Section 12.4.4 of the Nunavut Land Claim Agreement states:

Upon receipt of a project proposal, NIRB shall screen the proposal and indicate to the Minister in writing that:

- a) the proposal may be processed without a review under Part 5 or 6; NIRB may recommend specific terms and conditions to be attached to any approval, reflecting the primary objectives set out in Section 12.2.5;
- b) the proposal requires review under Part 5 or 6; NIRB shall identify particular issues or concerns which should be considered in such a review;
- c) the proposal is insufficiently developed to permit proper screening, and should be returned to the proponent for clarification; or
- d) the potential adverse impacts of the proposal are so unacceptable that it should be modified or abandoned.

Primary Objectives:

The primary objectives of the Nunavut Land Claims Agreement are set out in section 12.2.5 of the Land Claims Agreement. This section reads:

In carrying out its functions, the primary objectives of NIRB shall be at all times to protect and promote the existing and future well-being of the residents and communities of the Nunavut Settlement Area, and to protect the ecosystemic integrity of the Nunavut Settlement Area. NIRB shall take into account the well-being of the residents of Canada outside the Nunavut Settlement Area.

The decision of the Board in this case is 12.4.4 (a) the proposal may be processed without a review under Part 5 or 6; NIRB may recommend specific terms and conditions to be attached to any approval, reflecting the primary objectives set out in Section 12.2.5;

Reasons for Decision:

NIRB's decision is based on specific considerations that reflect the primary objectives of the Land Claims Agreement. Our considerations in making this decision included:

- the impact of drilling activities on the ecosystem;
- disposal of drill cuttings and waste water;
- impact to water quality, aquatic habitat and wildlife and fish populations from chemicals, drill waste, drill fluids and potential fuel spills;
- storage and disposal of chemicals, fuel, garbage, sewage, and gray water, and impact of these on the ecosystem;
- the impact of noise from drilling activities and their disturbance to wildlife and traditional users of area;
- the impact of campsite and equipment on terrain;
- the impact of exploration activities on archaeological sites or cultural landmarks in the area; and
- clean up/restoration of the camp site and drilling locations upon abandonment.

Terms and Conditions:

That the terms and conditions attached to this screening report will apply.

Drill Sites

1. The Licensee shall not conduct any land based drilling within thirty (30) metres of the normal high water mark of a water body.
2. The Licensee shall conduct any the lake-based winter drilling, in accordance with the Interim Guidelines for On-Ice drilling.
3. The Licensee shall ensure that all drill cuttings are removed from ice surfaces.
4. The Licensee shall not use drilling muds or additives in connection with drill holes unless they are recirculated or contained such that they do not enter the water, or are certified to be non-toxic.
5. The Licensee shall ensure that any drill cuttings and waste water that cannot be re-circulated be disposed of in a properly constructed sump or an appropriate natural depression that does not drain into a waterbody.
6. The Licensee shall ensure that drilling wastes do not enter any water body. The use of biodegradable, salt free drill additives is encouraged over non-biodegradable types.
7. The Licensee shall not establish any stockpiles within thirty (30) metres of the normal high water mark of a water body.
8. The Licensee shall ensure that the release of total suspended solids in the receiving environment shall be in compliance with *Guidelines for Total Suspended Solids* contained in the *Canadian Council of Ministers for the Environment's (CCME) Canadian Water Quality Guidelines, Chapter 3 - Freshwater Aquatic Life* (i.e. 10mg/L for lakes with background level under 100mg/L, or 10% for those above 100mg/L).

9. The Licensee shall ensure that the sump/depression capacity is sufficient to accommodate the volume of waste water and any fines that are produced so that there will be no additional impacts.
10. The Licensee shall not locate any sump within thirty (30) metres of the normal high water mark of any water body.
11. The Licensee shall not deposit nor permit the deposit of slash, debris or sediment into any waterbody. These materials shall be disposed of above the high water mark in such a fashion that they do not enter the water.
12. The Licensee shall ensure that disturbance of vegetation from deposit of drill fluids/cuttings is restricted to the area of the sump and the ground prepared for revegetation upon abandonment.
13. The Licensee shall, where flowing water from bore holes is encountered, plug the bore hole in such a manner as to permanently prevent any further outflow of water. The occurrence shall be reported to the Nunavut Water Board and Land Use Inspector within 48 hours.
14. If the drilling requires water in sufficient volume that the source waterbody may be drawn down details must be submitted (volume required, size of waterbody, etc.) to DFO-FHM for review. DFO-FHM does not recommend the use of streams as a water source.

Water

15. The Licensee shall ensure that all water intake hoses are equipped with a screen with an appropriate mesh size to ensure that there is no entrapment of fish.

Fuel and Chemical Storage

16. The Licensee shall ensure that fuel storage containers are not located within thirty (30) metres of the ordinary high water mark of any body of water.
17. The Licensee shall ensure that any chemicals, fuels or wastes associated with the project do not spread to the surrounding lands or enter into any water body.
18. Fuel storage shall either be equipped with secondary containment and other hazardous materials should be located in such a manner as to prevent their release into the environment.
19. The Licensee shall take all reasonable precautions to prevent the possibility of migration of spilled petroleum fuel or chemicals over the ground surface.
20. The Licensee shall examine all fuel and chemical storage containers daily for leaks. All leaks should be prepared immediately.
21. The Licensee shall seal all container outlets except the outlet currently in use.
22. The Licensee shall mark all fuel containers with the Licensee's name.
23. The Licensee shall dispose of all combustible waste petroleum products by incineration and removal from the site.
24. The Licensee shall ensure all activities, including maintenance procedures and refueling, should be controlled to prevent the entry of petroleum products or other deleterious substances into the water.

25. The Licensee shall have an approved emergency response and spill contingency plans in place prior to the commencement of the operation.
26. The Licensee shall immediately report all spills of petroleum and hazardous chemicals to the twenty-four (24) hour spill report line at (867) 920-8130.

Waste Disposal

27. The Licensee shall not discharge or deposit any refuse substances or other waste materials in any body of water, or on the banks thereof, which will impair the quality of the waters of the natural environment.
28. The Licensee shall not locate any sumps or areas designated for waste disposal within thirty (30) metres of the ordinary high water mark of any body of water, and be sufficiently bermed or otherwise contained to ensure that these substances do not enter a waterway unless otherwise authorized.
29. The Licensee, prior to the discharge of fluids from any sump, shall carry out an analysis of the fluid in a manner prescribed by the NWB.
30. The Licensee shall treat greywater and sewage according to the terms and conditions outlined in the NWB approval.
31. The Licensee shall backfill and recontour all sumps to match the natural environment prior to the expiry date of the license.
32. The Licensee shall incinerate all combustible and food wastes daily.
33. The Licensee shall keep all garbage and debris in a covered metal container until disposed of.
34. The Licensee shall ensure that all wastes generated through the course of the operation are backhauled and disposed of in an approved dumpsite.
35. The Licensee shall deposit all scrap metal, discarded machinery and parts, barrels and kegs, at an approved disposal site.

Wildlife

36. The Licensee shall ensure that there is no damage to wildlife habitat in conducting this operation.
37. The Licensee shall not feed wildlife.
38. The Licensee shall use the latest bear detection and deterrent techniques to minimize man-bear interactions and shall report any Man-Bear Interactions to the nearest Renewable Resource Officer.
39. The Licensee shall ensure that the drill sites avoid known environmentally sensitive areas (denning, nesting etc.) by a minimum of 250 metres.
40. The Licensee shall not locate any operation so as to block or cause substantial diversion to migration of caribou.
41. The Licensee shall cease activities that may interfere with migration or calving, such as airborne geophysics surveys or movement of equipment, drilling activities until the caribou and their calves have vacated the area.

42. The Licensee shall not conduct any activity associated with the land use operation during critical periods of wildlife cycles (eg. caribou migration, calving, fish spawning or raptor nesting).
43. That the Licensee shall ensure that there is no hunting by employees of the company or any contractors hired.
44. That the Licensee remove any carcasses along the roadway to prevent attraction by scavengers, preventing further road kills.
45. The Licensee shall ensure that aircraft pilots adhere to recommended flight altitudes of greater than 300 m above ground level as to not disturb wildlife. Raptor nesting sites and concentrations of nesting or molting waterfowl should be avoided by aircraft at all times.
46. The Licensee shall ensure compliance with Section 36 of the Fisheries Act which requires that no person shall deposit or permit the deposit of a deleterious substance on any type in water frequented by fish or in any place under any conditions where the deleterious substance may enter such a water body.
47. The harmful alteration, disruption or destruction of fish habitat is prohibited under Section 35 of the Fisheries Act. No construction or disturbance of any stream/lake bed or banks of any definable watercourse is permitted unless authorized by DFO.
48. The Licensee shall not detonate explosives within fifteen (15) metres of any body of water which is not completely frozen to the bottom.

Environmental

49. The Licensee shall ensure that the land use area is kept clean and tidy at all times.
50. The Licensee shall prepare the site in such a manner as to prevent rutting of the ground surface.
51. The Licensee shall not do anything that will cause erosion of the banks of any body of water on or adjacent to the land and shall provide necessary controls to prevent such erosion.
52. The Licensee shall be required to undertake any corrective measures in the event of any damage to the land or water as a result of the Licensee's operation.
53. The Licensee shall not remove any material from below the ordinary high water mark of any waterbody.
54. The Licensee shall adopt such measures as required to control erosion by surface disturbance. Sediment and erosion control measures should be implemented prior to, and maintained during the work to prevent sediment entry into the water during a spring thaw.
55. The Licensee shall not move any equipment or vehicles unless the ground surface is in a state capable of fully supporting the equipment or vehicles without rutting or gouging.
56. The Licensee shall suspend overland travel of equipment or vehicles if rutting occurs.
57. The Licensee shall not use any material other than water in the construction of ice bridges. Winter lake/stream crossings should be located to minimize approach grades. Cutting or filling of crossing approaches below the normal high water mark will require review and approval by DFO.
58. The Licensee shall remove all snow fills from stream crossings prior to spring break up.
59. The Licensee shall not allow any ice bridge to hinder the flow of water of any stream.

Structure & Storage Facilities

60. The Licensee shall not erect structures or store material on the surface ice of lakes or streams.
61. The Licensee shall locate all structures and storage facilities on gravel, sand or other durable land.

Archaeological Sites

62. The Licensee shall follow all terms and conditions for the protection and restoration of archaeological resources as outlined by the Department of Culture, Language, Elders and Youths (CLEY) in attached letter.

Reclamation

63. The Licensee shall remove all scrap metal, discarded machinery and parts, barrels and kegs, buildings and building material upon abandonment.
64. The Licensee shall complete all clean-up and restoration of the lands used prior to the expiry date of the permit.
65. The Licensee shall undertake ongoing restoration for any land or improvements which are no longer required for the Licensee's operation on the land.
66. The Licensee shall plug or cap all bore holes and cut off any drill casings that remain above ground to ground level upon abandonment of the operation.

Other Recommendations

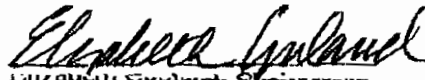
1. NIRB would like to encourage the proponent to hire local people and services, to the extent possible.
2. NIRB strongly advises proponents to consult with local residents regarding their activities in the region, and do community consultation on the project to keep the communities informed.
3. Any amendment requests deemed by NIRB to be outside the original scope of the project will be considered a new project.
4. The Environmental Protection Branch (DOE), Department of Fisheries and Oceans (DFO), Nunavut Impact Review Board (NIRB), and the Nunavut Water Board (NWB) should be advised of any material changes to plans or operating conditions associated with the project.

Validity of Land Claims Agreement

Section 2.12.2

Where there is any inconsistency or conflict between any federal, territorial and local government laws, and the Agreement, the Agreement shall prevail to the extent of the inconsistency or conflict.

Dated Mar 22/02 at Arviat, NU


Elizabeth Campbell, Chairperson



$\Delta \sigma = d\sigma / c_{\text{NLP}}^2$

Department of
Culture, Language, Elders & Youth

Pitohuihiki

Ministère du gouvernement
Culture Langues, Aînés et Jeunesse

February 16, 2002

Gladys Joudrey
Environmental Assessment Screener
Nunavut Impact Review Board
Box 2379
Cambridge Bay, NU X0E 0C0

**Re: Land Use Application NIRB 02YN023 Exploratory Drilling at Vic Property
(Ashton Mining of Canada, Inc.)**

Due Date: March 7, 2002

Dear Ms. Joudrey:

At your request, the Department of Culture and Heritage, Government of Nunavut, has reviewed the above-noted application. Our recommendations follow.

We recommend approval of the above-cited application, as the proponent's proposed activities do not constitute a threat to known archaeological resources.

The attached conditions specify plans and methods of site protection and restoration to be followed by the permittee if an archaeological site is encountered or disturbed in the course of the land use activity.

Sincerely,

Leah Ofak, Director
Culture and Heritage
Department of Culture, Language, Elders and Youth



ARCHAEOLOGICAL AND PALAEOONTOLOGICAL RESOURCES TERMS AND CONDITIONS FOR LAND USE PERMIT HOLDERS

BACKGROUND

Archaeology

As stated in Article 33 of the Nunavut Land Claims Agreement:

The archaeological record of the Inuit of Nunavut is a record of Inuit use and occupancy of lands and resources through time. The evidence associated with their use and occupancy represents a cultural, historical and ethnographic heritage of Inuit society and, as such, Government recognizes that Inuit have a special relationship with such evidence, which shall be expressed in terms of special rights and responsibilities. [33.2.1]

The archaeological record of Nunavut is of spiritual, cultural, religious and educational importance to Inuit. Accordingly, the identification, protection and conservation of archaeological sites and specimens and the interpretation of the archaeological record is of primary importance to Inuit and their involvement is both desirable and necessary. [33.2.2]

In recognition of the cultural, spiritual and religious importance of certain areas in Nunavut to Inuit, Inuit have special rights and interests in these areas as defined by Article 33 of the Nunavut Land Claims Agreement. [33.2.5]

Palaeontology

Under the Nunavut Act¹, the federal government can make regulations for the protection, care and preservation of palaeontological sites and specimens in Nunavut. Under the *Nunavut Archaeological and Palaeontological Sites Regulations*², it is illegal to alter or disturb any palaeontological site in Nunavut unless permission is first granted through the permitting process.

Definitions

As defined in the *Nunavut Archaeological and Palaeontological Sites Regulations*, the following definitions apply:

"archaeological site" means a place where an archaeological artifact is found.

¹ s. 51(1)

² P.C. 2001-1111 14 June, 2001

"archaeological artifact" means any tangible evidence of human activity that is more than 50 years old and in respect of which an unbroken chain of possession or regular pattern of usage cannot be demonstrated, and includes a Denesuline archaeological specimen referred to in section 40.4.9 of the Nunavut Land Claims Agreement.

"palaeontological site" means a site where a fossil is found.

"fossil" includes:

- (a) natural casts
- (b) preserved tracks, coprolites and plant remains; and
- (c) the preserved shells and exoskeletons of invertebrates and the eggs, teeth and bones of vertebrates.

Terms and Conditions

- 1) The permittee shall not operate any vehicle over a known or suspected archaeological or palaeontological site.
- 2) The permittee shall not remove, disturb, or displace any archaeological artifact or site, or any fossil or palaeontological site.
- 3) The permittee shall immediately contact the Department of Culture, Language, Elders and Youth (867) 934-2033 or (867) 975-5500 should an archaeological site or specimen, or a palaeontological site or fossil be encountered or disturbed by any land use activity.
- 4) The permittee shall immediately cease any activity that disturbs an archaeological or palaeontological site encountered during the course of a land use operation, until permitted to proceed with the authorization of the Department of Culture, Language, Elders and Youth, Government of Nunavut.
- 5) The permittee shall follow the direction of the Department of Culture, Language, Elders and Youth and DIAND in restoring disturbed archaeological or palaeontological sites to an acceptable condition.
- 6) The permittee shall provide all information requested by the Department of Culture, Language, Elders and Youth concerning all archaeological sites or artifacts and all palaeontological sites and fossils encountered in the course of any land use activity.
- 7) The permittee shall make best efforts to ensure that all persons working under authority of the permit are aware of these conditions concerning archaeological sites and artifacts, and palaeontological sites and fossils.
- 8) The permittee shall avoid the known archaeological and/or palaeontological sites listed in Attachment 1.

9) The permittee shall have an archaeologist or palaeontologist perform the following functions, as required by the Department of Culture, Language, Elders and Youth:

- a) survey
- b) inventory and documentation of the archaeological or palaeontological resources of the land use area
- c) assessment of potential for damage to archaeological or palaeontological sites
- d) mitigation
- e) marking boundaries of archaeological or palaeontological sites
- f) site restoration

The Department of Culture, Language, Elders and Youth shall authorize by way of a Nunavut Archaeologist Permit or a Nunavut Palaeontologist Permit, all procedures subsumed under the above operations.



March 07 2002

David Sateana
Environmental Assessment Officer Trainee
NIRB – Cambridge Bay

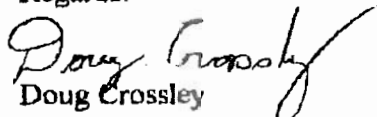
Ashton Mining Inc. – Exploratory Drilling at Vic Property

I did not get a chance to review the Appendix B which I assume provides more project detail; however in reviewing the rest of the submission received for a Water License at this location, I do not have any major concerns with this application.

Ashton Mining has worked in the region and the surrounding Kugluktuk/Bathurst Inlet area in the past and it is my understanding they have operated effective and environmentally friendly camps. I understand from discussions with Kugluktuk people that efforts have been attempted by Ashton in the past to use available labour expertise from the community.

The scope of this project as least as far as water use is concerned is not extensive. As long as normal operating procedures for a camp of this small size are followed as has been this companies' past track record; then I have no reason to throw concern on this application.

Regards:


Doug Crossley
Special Advisor
Cambridge Bay

COMMENT FORM FOR NIRB SCREENINGS

The Nunavut Impact Review Board has a mandate to protect the integrity of the ecosystem for the existing and future residents of Nunavut. In order to assess the environmental and socio-economic impacts of the project proposals, NIRB would like to hear your concerns, comments and suggestions about the following project application:

Project Title: <u>Exploratory Drilling at Vic Property</u>	
Proponent: <u>Ashton Mining of Canada Inc.</u>	
Location: <u>Kiglikabik Lake, NU</u>	
Comments Due By: <u>Thursday, March 7, 2002</u>	NIRB #: <u>02EN023</u>
Indicate your concerns about the project proposal below:	
<input checked="" type="checkbox"/> no concerns	<input type="checkbox"/> traditional uses of land
<input type="checkbox"/> water quality	<input type="checkbox"/> Inuit harvesting activities
<input type="checkbox"/> terrain	<input type="checkbox"/> community involvement and consultation
<input type="checkbox"/> air quality	<input type="checkbox"/> local development in the area
<input type="checkbox"/> wildlife and their habitat	<input type="checkbox"/> tourism in the area
<input type="checkbox"/> marine mammals and their habitat	<input type="checkbox"/> human health issues
<input type="checkbox"/> birds and their habitat	<input type="checkbox"/> other: _____
<input type="checkbox"/> fish and their habitat	
<input type="checkbox"/> heritage resources in area	
Please describe the concerns indicated above:	
Do you have any suggestions or recommendations for this application?	
<p><i>Operate + manage project camp as in the past</i></p>	
Do you support the project proposal? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Any additional comments?	
Name of person commenting: <u>Day Trepel</u> of <u>Cambridge Bay</u>	
Position: <u>Special Advisor</u>	Organization: <u>CG+T</u>
Signature: <u>Day Trepel</u>	Date: <u>March 07 / 02</u>



Environment Canada
Environnement Canada

Environmental Protection Branch
Suite 301, 5204 - 50th Avenue
Yellowknife, NT X1A 1E2
tel: (867) 669-4700

March 07, 2002

Our File: 4703 000 001

Environmental Assessment Officer
Nunavut Impact Review Board (NIRB)
PO Box 2379
Cambridge Bay, NT X0E 0C0.

Attention: David Sateana

Re: Land Use Permit Application NIRB 02EN023 / NWB Water Application NWB2VAM - Ashton Mining of Canada Inc. - Exploratory Drilling - Kiglikabik Lake, NU.

On behalf of the Environmental Canada I have reviewed the information submitted with the above application, and recommend the following conditions for inclusion in the land use/water licence. This advice is provided pursuant to Section 12(3) of the *Canadian Environmental Assessment Act* (CEAA), and is based primarily on Environment Canada's mandated responsibilities for the enforcement of the *Canadian Environmental Protection Act* (CEPA), Section 36(3) of the *Fisheries Act* and the *Migratory Birds Convention Act*.

Comments and Recommendations

- Meeting the requirements of the Federal *Fisheries Act* is mandatory, irrespective of any other regulatory or permitting system. Section 36(3) of the *Fisheries Act* specifies that unless authorized by federal regulation, no person shall deposit or permit the deposit of deleterious substances of any type in water frequented by fish, or in any place under any conditions where the deleterious substance, or any other deleterious substance that results from the deposit of the deleterious substance, may enter any such water.
- The proponent shall not deposit nor permit the deposit of slash, debris or sediment into any water body. These materials shall be disposed of above the high water mark in such a fashion that they do not enter the water.
- Environment Canada recommends that all fuel storage be equipped with secondary containment and the other hazardous materials be stored in such a manner as to prevent their release into the environment.
- If an artesian flow is encountered, core-drill holes shall be plugged and permanently sealed upon project termination. Poor quality ground water from one aquifer may contaminate another or in some cases flowing conditions at the surface can create large washouts or quicksand conditions.
- Drilling wastes from land-based drilling shall be disposed of in a sump such that they do not enter any waterbody.
- For on-ice drilling, return water released to the lake must be non-toxic, and not result in an increase in total suspended solids in the immediate receiving waters of the lake above Canadian Council of Ministers for the Environment Guidelines for the Protection of Freshwater Aquatic Life (ie. 10mg/L for lakes with background levels under 100 mg/L, or 10% for those above 100 mg/L).
- Drilling additives or mud shall not be used in connection with holes drilled through the lake ice unless they are re-circulated or contained such that they do not enter the water, or demonstrated to be non-toxic.

Canada



MAR-07-02 THU 02:50 PM ENV CANADA

+8679832594

FAX NO. 8678138185

T-543

P.017/022

F-427

F. 03

- The permittee shall not store material on the surface ice of streams or lakes.

Changes in the proposed or permitted activities associated with this land use application would require further review. I can be contacted at (867) 669-4736 (by e-mail at wade.romanko@ec.gc.ca) for any questions or comments with regard to the foregoing.

Yours truly,



Wade Romanko
Aquatic Environmental Officer
Environmental Protection Branch - Northern Division

cc. Rita Becker - NWB Licensing Administrator

David Sateanu

COMMENT FORM FOR NIRB SCREENINGS

The Nunavut Impact Review Board has a mandate to protect the integrity of the ecosystem for the existing and future residents of Nunavut. In order to assess the environmental and socio-economic impacts of the project proposals, NIRB would like to hear your concerns, comments and suggestions about the following project application:

Project Title: <u>Exploratory Drilling at Vic Property</u>	
Proponent: <u>Ashton Mining of Canada Inc.</u>	
Location: <u>Kiglitabik Lake, NU</u>	
Comments Due By: <u>Thursday, March 7, 2002</u> NIRB #: <u>02EN023</u>	
Indicate your concerns about the project proposal below:	
<input checked="" type="checkbox"/> no concerns	traditional uses of land
<input type="checkbox"/> water quality	limit harvesting activities
<input type="checkbox"/> terrain	community involvement and consultation
<input type="checkbox"/> air quality	local development in the area
<input type="checkbox"/> wildlife and their habitat	tourism in the area
<input type="checkbox"/> marine mammals and their habitat	human health issues
<input type="checkbox"/> birds and their habitat	other: _____
<input type="checkbox"/> fish and their habitat	_____
<input type="checkbox"/> heritage resources in area	_____
Please describe the concerns indicated above:	
Do you have any suggestions or recommendations for this application?	
Do you support the project proposal? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Any additional comments?	
<u>Ensure that Ashton follow all the recommendations,</u> <u>terms and conditions of NIRB + NWB.</u>	
Name of person commenting: <u>Jack Kaniak</u> of <u>Kigluksuk</u>	
Position: <u>Land Manager</u>	Organization: <u>K.I.A.</u>
Signature: <u>Jack Kaniak</u>	Date: <u>Feb. 6/02</u>

MAR-07-2002 THU 04:24 PM 017

FAX NO. 867 919 8038

P. 02/04

Fisheries
and OceansPêches
et OcéansFish Habitat Management
P.O. Box 358
Iqaluit, Nunavut
X0A 0H0On file: Nethersville
NU00500

March 7, 2002

Mr. David Willis
Ashton Mining of Canada
123-930 West 1st Street
Vancouver, B.C V7P-3N4
Tel (604) 983-7764
Fax (604) 987-7107**RE: NIRB File 02EN023, Exploratory Drilling at Vic Property, Kikerk Lake.**

Dear Mr. Willis,

This letter is to advise that The Department of Fisheries and Oceans, Fish Habitat Management (DFO-FHM) received the project proposal, submitted by the Nunavut Impact Review Board for exploratory diamond drilling in the Kikerk Lake area. The proposed project length is March 15, 2002 through to March 2005. During this time, camp occupation is planned to be two weeks in March and two weeks in September. DFO-FHM's assessment takes into consideration primarily fish and fish habitat related concerns. I have reviewed the plans for the proposed work.

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 *Fisheries 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 material 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 waterbody may be drawn down please submit details (volume required, size of waterbody, etc.) to DFO-FHM for review. DFO-FHM does not recommend the use of streams as a water source.

Canada

- All water intakes should be properly screened to prevent the entrainment of fish. Refer to the *Freshwater Intake End-of-Pipe Fish Screen Guideline* (DFO 1995), available on request.

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 disturbance or loss as well as the deposition of deleterious substances.

- Sediment and erosion control measures should be implemented prior to, and maintained during the work to prevent sediment entry into the water during a spring thaw.
- 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, and be sufficiently bermed or otherwise contained to ensure that these substances do not enter any water body.
- Drill cuttings should be disposed of in a sump such that they do not enter any water body. The use of biodegradable, salt free drill additives is encouraged over non-biodegradable types.
- All activities, including maintenance procedures and refuelling, should be controlled to prevent the entry of petroleum products or other deleterious substances into the water.
- 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 *Fisheries Act* will not be necessary. If a harmful alteration, disruption or destruction of fish habitat and/or the deposition of deleterious substances into fish bearing waters occurs as a result of a change in the plans for the proposed works or failure to implement the additional mitigation measures specified above, prosecution under Subsection 35(1) and/or Subsection 36(3) of the *Fisheries Act* may be initiated.

If you have any questions concerning the mitigation measures or should there be any changes to the proposed work, please contact me at (867) 979-8011 or Jordan Degroot at (867) 979-8007 or contact us by fax at (867) 979-8039.

MAR-07-2002 THU 04:25 PM 017

Sincerely,



Stephanie Thompson
Area Habitat Biologist
Eastern Arctic Area

c.c. Jordan DeGroot- Fish Habitat Management
Gladys Joudrey-Nunavut Impact Review Board
Rita Becker-Licensing Administrator, NWB
Ipeelee Itoreheak- A/C&P Field Supervisor

COMMENT FORM FOR NIRB SCREENINGS

The Nunavut Impact Review Board has a mandate to protect the integrity of the ecosystem for the existing and future residents of Nunavut. In order to assess the environmental and socio-economic impacts of the project proposals, NIRB would like to hear your concerns, comments and suggestions about the following project application:

Project Title: <u>Exploratory Drilling at Vic Property</u>	
Proponent: <u>Ashton Mining of Canada Inc.</u>	
Location: <u>Kiglikabik Lake, NU</u>	
Comments Due By: <u>Thursday, March 7, 2002</u>	NIRB #: <u>02EN023</u>

Indicate your concerns about the project proposal below:

<input checked="" type="checkbox"/> no concerns	traditional uses of land
water quality	hunting harvesting activities
terrain	community involvement and consultation
air quality	local development in the area
wildlife and their habitat	tourism in the area
marine mammals and their habitat	human health issues
birds and their habitat	other: _____
fish and their habitat	
heritage resources in area	

Please describe the concerns indicated above:

Do you have any suggestions or recommendations for this application?

Scale of project does not require a water licence per NWT Waters Act. as regulations. LUP Conditions of LUP should be sufficient.

Do you support the project proposal? Yes ☒ No ☐ Any additional comments?

Name of person commenting: Paul Smith of _____

Position: Mgr. Water Resources **Organization:** DAND

Signature: Paul Smith **Date:** March 7/02