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October 13, 2006

Ms. Phyllis Beaulieu
Manager of Licensing
Nunavut Water Board
P.O. Box 119
Gjoa Haven, NU
X0B 1J0

Dear Ms. Beaulieu:

RE: NWB - Draft Guidelines for the Doris North Project

Thank you for the opportunity to review and provide comments on the Nunavut Water Board (NWB) Guidelines for Applicant. Transport Canada acknowledges that the NWB has decided to issue directional guidelines to Miramar Hope Bay Limited (MHBL), in an effort to assist MHBL with their submission of information requirements for the Doris North Project. As a result, Transport Canada has provided generalized comments that should assist the NWB in receiving more sufficient information that can be applied to project types with reference to specific transportation components.

Transport Canada concurs with the NWB's requirement in Part A: Section 2.0, which suggests MHBL submit a concise executive summary of their application, along with individual detailed design plans. This format should allow MHBL to compile their information components into clear and concise plans that would assist both the NWB and regulatory bodies with their review.

With respect to Part A: Section 3.0, Transport Canada would like to include additional guidelines and standards from its various branches that would be of assistance to MHBL and also the NWB. Transport Canada suggests that Part A: Section 3.0 could be expanded to include the following TC branches:

TC – NWPP - Navigable Waters Protection Program/Approval

TC – Aerodrome Safety - Aeronautics Act, CARs 301

The following information should provide the NWB with a further outline and linkages to the activities and standards/guidelines that are included under Transport Canada's mandate:

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- Transport Canada (TC) is responsible for transportation policies and programs that promote all parts of the transportation system, ensuring that they work effectively and in an integrated manner. The department also has the responsibility to regulate associated transportation infrastructure, equipment and personnel in accordance with the legislation and regulations that are within the mandate of Transport Canada. More information on Transport Canada and its branches can be reviewed at the following Internet site:
<http://www.tc.gc.ca/en/menu.htm>
- Transport Canada's Marine Safety branch is responsible for maintaining the safety and security of marine transportation for operators and various sized vessels. Marine Safety also promotes the safe and secure use of Canada's waters through its role in marine security, infrastructure and the transport of dangerous goods. References to Marine Safety roles can be accessed on the Transport Canada - Marine Safety Internet site:
<http://www.tc.gc.ca/marinesafety/menu.htm>.
- Marine Safety also performs a key role in Canada's marine transportation system by developing and administering the Acts and Regulations that support and protect the marine environment. The Marine Safety Branch has the responsibility to coordinate the Navigable Waters Protection Program (NWPP) and the regulatory legislation, guidelines and directives under the Navigable Waters Protection Act (NWP). This legislation serves to protect the public right of navigation by requiring an application to the NWPP to initiate an assessment of plans and site for any works to be built or placed on, over, under, through or across a navigable waterway. NWPP will subsequently determine if a regulatory Approval is required under the NWP. The NWPP operational definitions and application for approval can be reviewed on the NWPP Internet site:
<http://www.tc.gc.ca/marinesafety/Ships-and-operations-standards/nwp/menu.htm>.
- Transport Canada's Aviation branch administers and supports regulatory requirements under the Aeronautics Act. This legislation is concerned with the regulation and supervision of aeronautic matters such as aerodrome certification, pilots, aircraft, operations and safety. The Canadian Aviation Regulations (CARs) are a component of the Aeronautics Act, which compile regulatory requirements to enhance safety within the Canadian aviation industry. Construction and operation of airstrips may require certification to Transport Canada requirements and standards based upon their classification. CARs 301 includes regulations regarding the publication of aerodrome information, wind direction indicators, airfield lighting, prohibitions and fire prevention. (Although the standards and recommended practices contained in TP312 apply to certified aerodromes they may be used as guidance for a non-certified aerodrome). These regulations may be accessed through the following Internet links:
<http://www.tc.gc.ca/civilaviation/regserv/affairs/cars/menu.htm>
<http://www.tc.gc.ca/CivilAviation/Regserv/Affairs/cars/Part3/Subpart1.htm>
- The Surface Branch of Transport Canada is responsible for the development of regulations and national standards that contribute to the safety and security in road and rail modes of transport. This branch also develops and enforces regulations to protect public safety in the transportation of dangerous goods. The Transport of Dangerous Goods (TDG) Directorate is the major source of regulatory development and guidance on dangerous goods transport for the public, industry and government. The TDG Directorate has also established working relationships with territorial and provincial governments to implement and provide advice on



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the safety program. References to the TDG Directorate can be reviewed at the following Internet link

<http://www.tc.gc.ca/tdg/menu.htm>

In accordance with the TC guidelines and standards previously listed, the NWB should consider that Part A: Section 4.0 include the parameters of abandonment and decommissioning within their directional guidelines when project application designs and plans are submitted. These parameters should assist the NWB in their review of overall project plans and associated mitigation measures.

The addition of these comments and information links to Transport Canada's various branches will hopefully assist the NWB in receiving more comprehensive information from MHL. If you require additional comments or assistance with particular items pertaining to Transport Canada or the NWPP, please contact me via email at cowanj@tc.gc.ca or by telephone at 204-983-1139.

Sincerely,

John R. Cowan
Environmental Officer

CC: Jim Morrell, TC - Environmental Officer