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Our file / Notre référence

NU-02-0117

December 11, 2006

Ms. Phyllis Beaulieu
Manager of Licensing
Nunavut Water Board
P.O. Box 119
Gjoa Haven, Nunavut
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***Via E-mail to :
licensing@nwb.nunavut.ca***

Subject: DFO completeness assessment of the Doris North Gold Project water license application

Dear Ms. Beaulieu:

Fisheries and Oceans Canada (DFO) would like to thank the Nunavut Water Board (NWB) for the opportunity to comment on the completeness of the application made by Miramar Hope Bay Limited (MHBL) for the Doris North project in relation to the preliminary guidelines prepared by the NWB for the Type A water license application.

DFO has focused our review on the sections of the materials submitted that pertain to the impacts to fish and fish habitat and the mitigation proposed to offset these impacts. Further, for this preliminary review, DFO has not delved to any extent into whether the information provided is sufficient to complete a technical review, but rather, whether material on the subject is present or not. In this respect, DFO has found that MHBL has, with only one exception provided information on each of the topics that were presented in the, *Nunavut Water Board Preliminary Guidelines for Applicant; Miramar Hope Bay Limited – Doris North Project, October 27, 2006*. For the information of the Board, the area where DFO found information to be lacking is detailed below.

No Net Loss Plan

Section 10.2 of the application made by MHBL is designated to discuss the No Net Loss Plan for impacts to fish and fish habitat. However, beyond a brief summary of what was discussed during the environmental assessment of the project no information has been provided for review. It is recognized that in their summary discussion, MHBL has stated that this component of the application is being updated to provide detailed engineering required for review under the *Fisheries Act*. However, detailed engineering and construction information is vital for DFO to be able to complete their review during the regulatory phase and as such, will need to be provided as soon as possible before DFO can continue with a detailed technical review of the submission.

While not related to the completeness review, DFO did note that the water intake structure in Doris Lake is now proposed to be constructed as a pipe laid along the bottom of the lake secured using rock. This is different than the floating intake structure proposed during the review by the Nunavut Impact Review Board. A rock secured pipe on the lake bed could have impacts to fish and fish habitat beyond those contemplated during the environmental assessment of the project.

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As a result DFO requests that MHBL confirm which approach is to be taken. If MHBL intends to pursue the option of placing the intake along the lake bed, information on the fish habitat in the vicinity of the pipe should be provided for assessment along with any information on mitigation measures (including fish habitat compensation) that could offset impacts.

I apologize for the delay in getting these comments to you. However I hope they are helpful in your deliberations on the completeness of the application submitted by MHBL.

If there are any questions or comments please contact me at 867-979-8007 or by e-mail at gordaniert@dfo-mpo.gc.ca.

Regards,

Original Signed By:

Tania Gordanier
Habitat Management Biologist

copy Bev Ross, Fisheries and Oceans Canada
 Gail Faulkner, Fisheries and Oceans Canada
 Ed DeBruyn, Fisheries and Oceans Canada
 Larry Connell, Miramar Hope Bay Limited