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Leslie Payette
Manager of Environmental Administration
Nunavut Impact Review Board
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Via E-mail to :
lpayette@nirb.ca

Dear Ms. Payette,

**Subject: Department of Fisheries and Oceans Comments on the Second Draft of the EIS
Guidelines (Rev 0.1) for the Review of the Hackett River Project**

The Department of Fisheries and Oceans (DFO) is pleased to provide the Nunavut Impact Review Board (NIRB) with comments on the second draft of the Environmental Impact Statement (EIS) guidelines for the Sabina Silver Corporation's Hackett River Project.

Section 3.3 – Hackett River Project Components (p.20-23)

This section of the guidelines describes the “*physical works and activities or undertaking that constitutes the Hackett River project proposal*” (i.e scope of the project). At this time, it still remains unclear whether the proponent will be fully utilizing the Bathurst Inlet Port and Road (BIPR) infrastructure or if Sabina will be constructing their own port and road facilities. The NIRB has attempted to highlight the uncertainty surrounding the final option for the port and road by separating the Sabina Access Road and Port (under item h) from all other components of the project.

DFO would like to recommend that all BIPR components (items a, c and d) also be including under item h) in order to better emphasize how only one of the two port and road options will be chosen and assessed during the EA.

Under item h) subsection ii), the “no-go” option has been included in the list of project components. We feel the “no-go” option should not be included in this section of the guidelines but is best addressed under Section 6.7.1 describing project alternatives assessment. As well, it might be beneficial to the reader to change the title of item h) from “Alternatives Assessment” to “Project component options”.

Section 3.3 b) Mobilization and Shipping (p.21)

In section 3.3 b), the shipping routes are described as “*to the east and west of Bathurst Inlet*” and “*Hay River via Mackenzie River*”.

As stated in our letter from October 9th, 2008 on scoping of the Hackett River Project, DFO recommended that the spatial boundary for the shipping activities only extend to the immediate vicinity of the dock site. The scope of the shipping and mobilization will also be greatly impacted by which port and road option will be chosen by the proponent. If BIPR is to be utilized, then shipping was already addressed under its environmental assessment while if Sabina Silver Corporation constructs their own port and road, certain elements of their proposed shipping activities should be included in the scope of this assessment.

DFO also feel that shipping and mobilization activities should also be limited to the Nunavut Settlement Area.

Section 3.4 – Scoping List (p.23-24)

We suggest that “alternatives assessment” also be included to the scoping list.

Section 6.7.1 – Project Alternatives (p.34-35)

Fish habitat compensation plans are usually not regarded as project alternatives but as a measure for offsetting the loss of habitat resulting from any project component or activities. DFO therefore recommends that the fish habitat compensation alternatives be presented as part of the No Net Loss Plan described in section 6.17.9.3.2 of these guidelines.

Section 6.16.2.2 – Freshwater and Marine Environment (p.55)

In order for DFO to better assess potential impacts of the project on fish and fish habitat within the watershed(s) of the project study area, DFO recommends that item e) include the identification of all fish species in watercourses and water bodies (i.e. streams and lakes) that are directly and/or indirectly affected by the project.

Item f) requests that baseline data be provided for “bathymetry, particularly in Bathurst Inlet”. DFO would like to add that bathymetry should also be provided for all watercourses and waterbodies that will or could be impacted by any project works or activities (i.e. dewatering, water withdrawal, infill, water crossings).

As an added item under this section, DFO would like to suggest that the proponent also provide baseline data for tidal range and normal mean low and high tides at the site.

DFO would like to note that we did not provide comments at this time on the Nunavut Water Board (NWB) draft “*Mining and Milling Undertaking Supplemental Information Guidelines for Mine Development*” included in Appendix B of these guidelines. We hope that the NWB intends to have a separate comments period for these guidelines and thereby providing us with another opportunity to review the document and provide our input.

If there are any questions or concerns related to this submission, please do not hesitate to contact Sarah Olivier at (867) 669-4919.

Regards,

Original Signed By:  MARTYN CURTIS

for
Beverley Ross

Regional Manager, Environmental Assessment for Major Projects
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