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Department of Sustainable Development

Ikupigvilirijikkut

Ministère du Développement Durable

Rita Becker Licensing Administrator Nunavut Water Board P.O. Box 119 Gjoa Haven, Nunavut X0E 1J0

Dear Ms. Becker:

## RE: Comments on Echo Bay Mines Public Review for New Water Licence

I am writing today in response to your request for comments on intervention statement responses regarding the Lupin and Ulu water license renewals.

The Department has established a review process, which is comprehensive, inclusive, and that focus on the integration of environmental, economic and social considerations when reviewing documents of this type. Using this process the Department of Sustainable Development (DSD) has initially reviewed intervention statement responses regarding the Lupin and Ulu water license renewals and offers the following comments for your consideration:

## **General Comments**

- 1. It was difficult to assess the response of Echo Bay to INACs intervention with out having the intervention notes in Kugluktuk. We understand that attending the public hearing would have helped in this regard, but in absence of the corporate knowledge that would have been gained by attending the meeting it would have been useful if the meeting minutes/notes were provided electronically.
- 2. It is noted that the legislation listed as applicable to both the Lupin and Ulu properties does not include Nunavut legislation. That is, legislation that was transferred from NWT to Nunavut until such time as updated legislation can be produced. This is misleading to the public though perhaps it was only the intent to list federal legislation.
- 3. In order to promote the use of standards in the industry, the AQUAMIN approach should be noted; and most specifically the Aquatic Effects Technology Evaluation (AETE) program to promote the selection of technologies for cost-effective environmental monitoring of mine effluent impacts in Canada (Project 4.1.4). Echo Bay does refer to its preliminary participation in this project in its reply regarding the bioassays of fish and daphnia at the Lupin operation. Additional comments are noted regarding this particular point below. The use of the AETE program in general should be promoted.

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## Reclamation re: Cover of Tailings plan and Other Aspects of A&R Plan

In determining the approximate reclamation costs, the characteristics (granular size and composition, including the use of kimberlite) and volumes of the cover material become an issue. In addition several points allude to the possibility of water cover on a portion of the tailings in the long term. At this stage of the operation's development, it is demonstrated that there is still research to be done to ensure the best long-term cover, cap and freeze integrity of the tailings. This is acceptable. However, there should be a clear understanding of what studies will be done, and when these studies will be done, so that regulatory agencies (led by the NWB) will have access to this information.

## Monitoring of the Effect of the Mine on Its Surrounds, Most Specifically the Lakes and Aquatic Life

The SNP programs at both Lupin and Ulu are discussed in detail. The public assurance items which rise to the top include:

1. the need for standards for specific parameter limits .... if a particular substance is suspected to be hazardous to aquatic conditions and has a limit under any national guidelines. This has been addressed by the use of "combined" standards. However the issue remains with regard to selection of the limit. These need to carefully discussed by the company and the authorities. If further studies are required to demonstrate the adequacy or inadequacy of a limit with regard to Contwoyto Lake or surrounding areas, these could be done cooperatively.

It is hoped that these comments assist the Nunavut Water Board in the water licensing process.

Thank you for including us in your review process. I encourage you to contact me directly if you have any questions or concerns regarding the attached comments and recommendations. I can be reached by telephone at 867-975-5911, by fax at 867-975-5980 or by email at cnichols@gov.nu.ca. I look forward to hearing from you in the near future.

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Chris Nichols

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Manager, for Coordination of Environmental Assessment and Claims Implementation