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Environmental Protection Operations Directorate (EPOD)  
Prairie and Northern Region (PNR)  
P.O. Box 1870  
Iqaluit NU X0A 0H0

February 5, 2015

EC file: 6100 000 009 /005  
NWB file: 2AM-LUP0914

Teresa L. Meadows, Legal Counsel  
Nunavut Water Board  
P.O. Box 119  
Gjoa Haven, NU X0B 1J0

Via e-mail: [licensing@nwb-oen.ca](mailto:licensing@nwb-oen.ca)

Attention: Teresa L. Meadows

**RE: Licence 2AM-LUP0914; Type “A” Renewal - Amendment Application, Public Hearing Update - Next steps and Draft Agenda**

Environment Canada (EC) acknowledges receipt of the Nunavut Water Board's (NWB) electronic mail, dated February 3, 2015, regarding NWB's clarifying questions to EC concerning the Lupin Mine Project (the Project) Water Licence Type “A” Renewal - Amendment Application (Licence 2AM-LUP0914), submitted by Lupin Mines Incorporated (the Proponent). EC has the following additional comments subsequent to EC's conversations and electronic mail correspondence with the Proponent and NWB on February 2 and February 3, 2015:

1. EC reiterates that EC will not be attending, either in person or by teleconference, the Public Hearing for this Project's Water Licence Renewal - Amendment Application.
2. EC acknowledges that the Proponent wishes to hold the Project in “Care and Maintenance” while work is conducted to determine the feasibility of re-starting the Project. EC's concerns relate to the potential activities and effects associated with re-starting the Project, accordingly EC would have no objections to the Water Licence renewal terms and conditions being set for a “Care and Maintenance” basis only. Any construction or activity geared towards re-starting the Project should trigger a Water Licence amendment.
3. EC notes that the Proponent is still required to conduct monitoring under the Metal Mining Effluent Regulations (MMER), whether or not discharge from Project tailings ponds occurs, and that obligations under the MMER must be met during “Care and Maintenance.”
4. EC appreciates that wildlife, migratory birds, and Species at Risk do not fall within the mandate of the NWB. EC's recommendations in this area are provided to the Proponent for information, and to promote compliance with relevant legislation and regulations, and EC is willing to discuss these recommendations separately.

EC's specialist advice is provided pursuant to the *Canadian Environmental Protection Act 1999*, the pollution prevention provisions of the *Fisheries Act*, the *Migratory Birds Convention Act*, and the *Species at Risk Act*.

For further clarification on any aspect of this submission, please contact Michael I. Mohammed at (867)-975-4981 or [michael.mohammed@ec.gc.ca](mailto:michael.mohammed@ec.gc.ca).

Sincerely,

A handwritten signature in black ink, appearing to read 'Michael I. Mohammed', with a stylized, cursive script.

Michael I. Mohammed  
Senior Environmental Assessment Coordinator

cc: Dave Fox, Acting Head Environmental Assessment North (NT & NU), PNR-  
EPOD  
EC Internal Distribution