



Transport
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Your file:
03MN107

Our file Notre reference
7184-17-4

July 19, 2006

Ms Karlette Tunaley
Technical Advisor
Nunavut Impact Review Board
P.O. Box 1360
Cambridge Bay, NU
X0B 0C0

Re: Meadowbank Written Hearing: NIRB's Final Questions to Parties and Cumberland Resources Ltd.

Dear Ms Tunaley:

Thank you for providing Transport Canada (TC) with the opportunity to review and comment on the Nunavut Impact Review Board's (NIRB) final eleven questions pertaining to Cumberland Resources Limited (CRL) and the Meadowbank Final Hearing.

Transport Canada – Environmental Affairs has reviewed the final list of questions and has comments pertaining to question #7 - List of Commitments. Our comments are only based upon an assessment of the existing list of commitments, as the updated list of commitments was not received during this letter composition. With respect to question #7, TC has examined the existing list of commitments and recommends that this list should include a commitment pertaining to the Navigable Waters Protection Act (NWPA). This commitment would obligate CRL to submit an NWPA application for any works occurring in a navigable water for review and approval prior to commencement of construction. Under the NWPA, a 'work' is defined as:

"No work shall be built or placed in, on, over, under, through or across any navigable water unless the work and the site and plans thereof have been approved by the Minister, on such terms and conditions as the Minister deems fit, prior to commencement of construction"

If you require further explanation or clarification, please contact me via telephone (204) 983-1139 or by email: cowanj@tc.gc.ca

Sincerely,

(Original signed by;)

John R. Cowan
Environmental Officer

cc: Jim Morrell, TC - Environmental Officer

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