



Fisheries and Oceans  
Canada

Pêches et Océans  
Canada

Eastern Arctic Area  
P.O. Box 358  
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Iqaluit, NU X0A 0H0

September 7, 2004

Your file Votre référence  
NWB2BOS0106

Our file Notre référence  
NU-04-0140

Ms. Phyllis Beaulieu  
Manager of Licensing  
Nunavut Water Board  
P.O. Box 119  
Gjoa Haven, NU X0B 1J0

Via Electronic Mail  
[licensing@nwb.nunavut.ca](mailto:licensing@nwb.nunavut.ca)

Dear Ms. Beaulieu:

**Subject:** Proposed works or undertakings are not in or near fish habitat.

Fisheries and Oceans Canada (DFO) received the proposal on July 23, 2004, concerning the application for amendment for the construction of a Solid Waste Disposal Site and the updated Spill Contingency Plan as outlined in the application submitted to the Nunavut Water Board. To expedite future correspondence or inquiries, please refer to your referral title and file numbers when you contact us.

Referral File No.: **04-HCAA-CA7-000-000140**  
Habitat File No.: **NU-04-0140**  
Referral Title: **EXPLORATION – BOSTON CAMP MIRAMAR MINING CORPORATION**

If the above plans have changed at all, the advice in this letter may no longer apply and you should consult with us to determine if further review is needed.

It is our opinion that a harmful alteration, disruption or destruction (HADD) of fish habitat is not likely to occur if you implement your plans as proposed. A subsection 35(2) *Fisheries Act* authorization is not necessary. However, failure to properly implement the measures outlined in your plans may result in contravention of subsection 35(1) of the *Fisheries Act*, which states: "*no person shall carry on any work or undertaking that results in the harmful alteration, disruption or destruction of fish habitat.*"

This letter of advice does not allow the deposit of deleterious substance into waters frequented by fish nor does it release you from the responsibility to obtain any federal (for example, the *Navigable Waters Protection Act*), provincial or municipal approvals that may be needed.

If you have any questions concerning the above, or if my understanding of the proposal is either incorrect, incomplete, or if there are changes, please contact me directly by telephone at (867) 979-8011, or by fax at (867) 979-8039.

Yours sincerely,

**Original signed by:**

Derrick Moggy  
Habitat Management Biologist  
Fisheries and Oceans Canada – Eastern Arctic Area