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January 16, 2015

*Your file    Votre référence*  
8BC-BRP

*Our file    Notre référence*  
12-HCAA-CA7-0007

Nunavut Impact Water Board  
Attention: Megan Porter, Licencing Administrator  
P.O. Box 119  
Gjoa Haven, NU X0B 0J0

Dear Ms. Porter:

**Subject: Sabina Gold and Silver Corporation's Type B Water Licence Application**

Fisheries and Oceans Canada's – Fisheries Protection Program (DFO) would like to thank the Nunavut Water Board (NWB) for the opportunity to provide comments on Sabina Gold and Silver Corporation's Type B Water Licence Application.

Fisheries and Oceans Canada is providing the following comments as requested by the NWB as they relate to DFO's mandate. Specifically, DFO has focused our review and comments on the installation of culverts along the all-weather access road and the realignment of Rascal Stream associated with the expansion of the air strip.

Fisheries and Oceans Canada notes that the works proposed in this application were also submitted for review in the Draft Environmental Impact Statement (DEIS) for the Back River Project. DFO's Technical Review Submission to the Nunavut Impact Review Board (NIRB), technical review comment 3.1.1 Freshwater Fish Community- Rascal Goose Lake Diversion and 3.1.3 Watercourse Crossings are also relevant to this Type B Water Licence application (Attachment 1)

In response to DFO technical review comment 3.1.1 Sabina provided DFO with Appendix K- Back River Project- Fisheries Assessment of Rascal Stream Realignment. At the NIRB technical meeting for the Back River Project held on November 13-15 2014, Sabina made additional commitments (# 22-24) based on technical comments which arose from DFO's review of Appendix K.



### **Commitment 22 from NIRB Technical Meeting**

As part of the Site Preparation Application and in the Final Environmental Impact Statement (FEIS), Sabina commits to provide DFO and other parties with supplemental information on how the Rascal stream realignment may affect the following: existing channel stability and erosion potential; the potential for re-suspension of sediments in ponds; and areas with undefined channels.

### **Commitment 23 from NIRB Technical Meeting**

As part of the Site Preparation Application and in the FEIS, Sabina commits to provide DFO and other parties with supplemental information on whether Arctic grayling spawning and rearing habitat is limiting within the watershed for the population using the stream.

### **Commitment 24 from NIRB Technical Meeting**

As part of the Site Preparation Application and in the FEIS, Sabina commits to provide DFO and other parties with supplemental information on how the Rascal stream realignment may result in Arctic grayling spawning and egg stranding in the deactivated reaches of Rascal Stream East.

This additional information has not yet been received by DFO.

In response to DFO's technical review comment 3.1.3, Sabina had committed to providing a response and incorporating DFO recommendations into the design of watercourse crossings. However, DFO notes that in the review of the DEIS, Sabina had indicated that they would be designing their culverts to handle a 1 in 50 year storm event and would be providing engineering drawings prior to the technical meetings. DFO notes that in the Type B Water Licence application Sabina has stated that all major culverts will be designed to a 1 in 20 year return period and only 1 general engineering design drawing was provided in the Type B Water Licence application. The rationale for the change in the design criteria for the culverts has not been provided nor have the requested engineering drawings in order for DFO to be able to assess the extent of the impact on fish and fish habitat resulting from the culvert installations and associated infilling.

Also related to the installation of culverts along the proposed all-weather access road, the location of culverts was provided in the Appendix B -2015 Site Preparation Activities Project Description/ Environmental Screening Report- Figure 5.0-2. This figure does not provide the names of the watercourses and it is not clear which culverts are associated with the fish bearing watercourses identified in the text. Additionally, a culvert is proposed to be installed on the access road crossing over the Gander Pond inflow stream. This road is identified as a winter road in Figure 5.0-2, and the Proposed Access Road is identified as both a Winter Road and Access Road in Figure 5.0-2. DFO requests



clarification on the extent of the proposed All-weather Access Road versus the proposed Winter Road, as well as clarification on culvert locations and associated watercourses.

If you have any questions concerning the above, please contact Georgina Williston at our Yellowknife Office by telephone at (867) 669-4927 or by email at [Georgina.Williston@dfo-mpo.gc.ca](mailto:Georgina.Williston@dfo-mpo.gc.ca).

Yours sincerely,

Julie Dahl  
Regional Manager, Regulatory Reviews  
Fisheries Protection Program

cc. Georgina Williston - DFO

