



Environment Environnement  
Canada Canada

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Our file: 4703 001 041

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**Re: NWB 2BE-BIP – Rockgate Capital Corp. – Bathurst Inlet Project – Type B Water Licence**

On behalf of Environment Canada (EC), I have reviewed the information submitted with the above-mentioned application. The following specialist advice has been provided pursuant to Environment Canada's mandated responsibilities for the enforcement of the *Canadian Environmental Protection Act*, Section 36(3) of the *Fisheries Act*, the *Migratory Birds Convention Act*, and the *Species at Risk Act*.

Rockgate Capital Corporation is proposing to conduct a helicopter assisted diamond drilling program at two sites, Upit and Pomy, located approximately 30 km and 90 km south of the Hamlet of Bathurst Inlet, respectively. The program will take place from mid August 2008 to October 2008 and will consist of the three holes at the Upit site and 10 holes at the Pomy Site. Crews will be based out of Bathurst Inlet and shuttled to work locations; one temporary 'tent-frame' structure will be erected at each site for the purposes of core logging and to act as an emergency shelter.

Environment Canada would like to recommend that the following conditions be applied throughout all stages of the project:

- The proponent shall not deposit, nor permit the deposit of any fuel, chemicals, wastes or sediment into any water body. It is a requirement of Section 36(3) of the *Fisheries Act* that all effluent discharged into water frequented by fish, be non-deleterious.
- Land based drilling should occur a sufficient distance from the high water mark of any water body, to ensure that no deleterious substances enter any water bodies.
- The proponent has indicated that sludges and drill cuttings will be "left on the land in the vicinity of the drill sites and contained as much as possible in small depressions on the land". Environment Canada recommends that all drilling wastes be contained in a sump. All sumps shall be located above the high water mark of any water body and in such a manner as to prevent the contents from entering any water body frequented by fish. Further, all sumps shall be backfilled upon completion of the field season and contoured so as to match the surrounding landscape.
- All fuel caches shall be located above the high water mark of any water body and in such a manner as to prevent the contents from entering any water body frequented by fish. Further, EC recommends the use of secondary containment, such as self-supporting insta-berms, rather than relying on natural depressions.
- Environment Canada would like to remind the proponent that CaCl has been determined to be a toxic substance under the *Canadian Environmental Protection Act*. The proponent shall therefore ensure that if CaCl is used as a drill additive, all sumps containing CaCl are properly constructed and located in such a manner as to ensure that the contents will not enter any water body.
- Environment Canada is of the opinion that the proponent should establish the normally occurring background levels for uranium at each drill site prior to drilling. Any drilling wastes, which exceed the background levels established at each site, should be disposed of down the hole and the drill hole permanently and properly sealed upon completion.

- If artesian flow is encountered, the drill hole shall be immediately plugged and permanently sealed.
- **All spills** are to be documented and reported to the NWT/NU Spill Line at (867) 920-8130.
- In the Emergency Contact List of the proponents Fuel Spill Contingency Plan the contact number for Environment Canada should be changed to the following:
  - Environment Canada's 24 Hour Duty Officer
    - Phone: 867-766-3737
    - Fax: 867-873-8185
- The following comments are pursuant to the Species at Risk Act (SARA), which came into full effect on June 1, 2004. Section 79 (2) of SARA, states that during an assessment of effects of a project, the adverse effects of the project on listed wildlife species and its critical habitat must be identified, that measures are taken to avoid or lessen those effects, and that the effects need to be monitored. This section applies to all species listed on Schedule 1 of SARA. However, as a matter of best practice, EC asks that species listed on other Schedules of SARA and under consideration for listing also be included in this type of assessment.
  - Species at Risk that could be encountered or affected by the project should be identified and any potential adverse effects of the project to the species, its habitat, and/or its residence noted. All direct, indirect, and cumulative effects should be considered. Refer to species status reports and other information on the Species at Risk registry at [www.sararegistry.gc.ca](http://www.sararegistry.gc.ca) for information on specific species.
  - If Species at Risk are encountered or affected, the primary mitigation measure should be avoidance. The proponent should avoid contact with or disturbance to each species, its habitat and/or its residence.
  - Monitoring should be undertaken by the proponent to determine the effectiveness of mitigation and/or identify where further mitigation is required. As a minimum, this monitoring should include recording the locations and dates of any observations of Species at Risk, behaviour or actions taken by the animals when project activities were encountered, and any actions taken by the proponent to avoid contact or disturbance to the species, its habitat, and/or its residence. This information should be submitted to the appropriate regulators and organizations with management responsibility for that species, as requested.
  - For species primarily managed by the Territorial Government, the Territorial Government should be consulted to identify other appropriate mitigation and/or monitoring measures to minimize effects to these species from the project.
  - Mitigation and monitoring measures must be taken in a way that is consistent with applicable recovery strategies and action/management plans.

Environmental Protection Operations (EPO) should be notified of changes in the proposed or permitted activities associated with this application.

Please do not hesitate to contact me at (867) 669-4744 or [ron.bujold@ec.gc.ca](mailto:ron.bujold@ec.gc.ca) with any questions or comments.

Yours truly,

Ron Bujold  
Environmental Assessment Technician

cc: Carey Ogilvie (Head, Assessment & Monitoring, EPO)  
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Jane Fitzgerald (Environmental Assessment Coordinator, EPO)