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July 16, 2002

To: Jack Kaniak
Lands Manager
Kitikmeot Inuit Association
Kugluktuk, NU

Re: Mineral Exploration in the Hayes Region
NIRB: 02EN107 KIA

Enclosed is the completed NIRB Screening Decision Report to conduct Mineral Exploration in the Hayes Region

NIRB has screened this application for ecosystemic and socio-economic impacts of the proposal.

NIRB's indication to the Minister is: 12.4.4 (a) the proposal may be processed without a review under Part 5 or 6; NIRB may recommend specific terms and conditions to be attached to any approval, reflecting the primary objectives set out in Section 12.2.5;

Please contact me at (867) 983-2593 if you have any questions about the Screening Decision Report.

Yours truly,

Gladys Joudrey
Environmental Assessment Officer
Nunavut Impact Review Board

020716CRA NIRB Screening - ILAE



ᓄᔭᕐ ᑲᑦᑎᓚᓂᒃ'ᑯᑦ ᑲᑏᓴᑦ/NUNAVUT IMPACT REVIEW BOARD/NUNAVUTMI KANOGILIVALLIANIKOT ELITTOHAIVEOPLOTIK KATIMAYIIT

SCREENING DECISION

Date: July 23, 2002

Mr. Charlie Evalik
President, Kitikmeot Inuit Association
Cambridge Bay, NU

Dear Mr. Evalik:

**RE: Screening Decision of the Nunavut Impact Review Board (NIRB) on Application:
NIRB 02EN107 KIA
Mineral Exploration in the Hayes Region**

Authority:

Section 12.4.4 of the Nunavut Land Claim Agreement states:

Upon receipt of a project proposal, NIRB shall screen the proposal and indicate to the Minister in writing that:

- a) the proposal may be processed without a review under Part 5 or 6; NIRB may recommend specific terms and conditions to be attached to any approval, reflecting the primary objectives set out in Section 12.2.5;
- b) the proposal requires review under Part 5 or 6; NIRB shall identify particular issues or concerns which should be considered in such a review;
- c) the proposal is insufficiently developed to permit proper screening, and should be returned to the proponent for clarification; or
- d) the potential adverse impacts of the proposal are so unacceptable that it should be modified or abandoned.

Primary Objectives:

The primary objectives of the Nunavut Land Claims Agreement are set out in section 12.2.5 of the Land Claims Agreement. This section reads:

In carrying out its functions, the primary objectives of NIRB shall be at all times to protect and promote the existing and future well-being of the residents and communities of the Nunavut Settlement Area, and to protect the ecosystemic integrity of the Nunavut Settlement Area. NIRB shall take into account the well-being of the residents of Canada outside the Nunavut Settlement Area.

The decision of the Board in this case is 12.4.4 (a) the proposal may be processed without a review under Part 5 or 6; NIRB may recommend specific terms and conditions to be attached to any approval, reflecting the primary objectives set out in Section 12.2.5;

Reasons for Decision:

NIRB's decision is based on specific considerations that reflect the primary objectives of the Land Claims Agreement. Our considerations in making this decision included:

- storage and disposal of chemicals, fuel, garbage, sewage, and grey water, and impact of these on the ecosystem;
- the impact of noise from helicopter and exploration activities and their disturbance to wildlife and traditional users of area;
- the impact of campsite and equipment on terrain;
- the impact of exploration activities on archaeological sites or cultural landmarks in the area;
- clean up/restoration of the camp site upon abandonment.

Terms and Conditions:

That the terms and conditions attached to this screening report will apply.

Fuel Storage

1. The Licensee shall ensure that fuel storage containers are not located within thirty (30) metres of the ordinary high water mark of any body of water.
2. The Licensee shall ensure that any chemicals, fuels or wastes associated with the project do not spread to the surrounding lands or enter into any water body.
3. The Licensee shall store all fuel in a natural depression and take all reasonable precautions to prevent the possibility of migration of spilled petroleum fuel or chemicals over the ground surface.
4. The Licensee shall have one extra fuel storage container on site equal to, or greater than, the size of the largest fuel container.
5. The Licensee shall examine all fuel and chemical storage containers daily for leaks. All leaks should be prepared immediately.
6. The Licensee shall seal all container outlets except the outlet currently in use.
7. The Licensee shall mark all fuel containers with the Licensee's name.
8. The Licensee shall dispose of all combustible waste petroleum products by incineration and removal from the site.
9. The Licensee shall control all activities, including maintenance procedures and vehicular refueling, to prevent the entry of petroleum products, debris, slash, rubble or other deleterious substances into the water.
10. The Licensee shall have emergency response and spill contingency plans in place prior to the commencement of the operation.
11. The Licensee shall immediately report all spills of petroleum and hazardous chemicals to the twenty four (24) hour spill report line at (867) 920-8130.

Waste Disposal

12. The Licensee shall not discharge or deposit any refuse substances or other waste materials in any body of water, or on the banks thereof, which will impair the quality of the waters of the natural environment.
13. The Licensee shall not locate any sumps or areas designated for waste disposal within thirty (30) metres of the ordinary high water mark of any body of water, unless otherwise authorized.
14. The Licensee shall backfill and recontour all sumps to match the natural environment prior to the expiry date of the permit.
15. The Licensee shall incinerate all combustible and food wastes daily.
16. The Licensee shall keep all garbage and debris in a covered metal container until disposed of.
17. The Licensee shall ensure that all wastes generated through the course of the operation are backhauled and disposed of in an approved dumpsite.
18. The Licensee shall deposit all scrap metal, discarded machinery and parts, barrels and kegs, at an approved disposal site. Approval will be required from the Municipalities.

Wildlife

19. The Licensee shall ensure that there is no damage to wildlife habitat in conducting this operation.
20. The Licensee shall not feed wildlife.
21. The Licensee shall make every effort to prevent the unintentional harassment of polar bears, Peary caribou, muskox and nesting or molting waterfowl at all times. It is an offense under the Wildlife Act to harass wildlife.
22. The Licensee shall follow the attached caribou protection measures.
23. The Licensee shall use the latest bear detection and deterrent techniques to minimize man-bear interactions. The Licensee is strongly urged to contact the Department of Sustainable Development (DSD) wildlife officers regarding safety in polar bear country literature and training.
24. The Licensee shall immediately report problem wildlife to Department of Sustainable Development wildlife officers.
25. The Licensee shall ensure compliance with Section 36 of the Fisheries Act which requires that no person shall deposit or permit the deposit of a deleterious substance on any type in water frequented by fish or in any place under any conditions where the deleterious substance may enter such a water body.
26. The harmful alteration, disruption or destruction of fish habitat is prohibited under Section 35 of the Fisheries Act. No construction or disturbance of any stream/lake bed or banks of any definable watercourse is permitted unless authorized by DFO.
27. The Licensee shall not obstruct the movement of fish while conducting the land use operation.

Environmental

28. The Licensee shall ensure that the land use area is kept clean and tidy at all times.
29. The Licensee shall prepare the site in such a manner as to prevent rutting of the ground surface.
30. The Licensee shall be required to undertake any corrective measures in the event of any damage to the land or water as a result of the Licensee's operation.
31. The Licensee shall not use any equipment except of the type, size and number that is listed in the accepted application.

Archaeological

32. The Licensee shall follow all terms and conditions for the protection and restoration of archaeological resources as outlined by the Department of Culture, Language, Elders and Youths (CLEY).

Reclamation

33. The Licensee shall remove all scrap metal, discarded machinery and parts, barrels and kegs, buildings and building material upon abandonment.
34. The Licensee shall complete all clean-up and restoration of the lands used prior to the expiry date of the permit.

Other Recommendations

1. NIRB would like to encourage the proponent to hire local people and services, to the extent possible.
2. NIRB strongly advises proponents to consult with local residents regarding their activities in the region.
3. Any amendment requests deemed by NIRB to be outside the original scope of the project will be considered a new project.
4. The Environmental Protection Branch (DOE), Department of Fisheries and Oceans (DFO), Nunavut Impact Review Board (NIRB), and the Nunavut Water Board (NWB) should be advised of any material changes to plans or operating conditions associated with the project.

JUL-24-02 WED 12:19 PM CHIEF CORONER NUNAVUT
07-23-02 04:21pm From-

FAX:867 896 9607

PAGE 1
T-320 P.003/010 F-588**Validity of Land Claims Agreement****Section 2.12.2**

Where there is any inconsistency or conflict between any federal, territorial and local government laws, and the Agreement, the Agreement shall prevail to the extent of the inconsistency or conflict.

Dated July 23/02 at Arviat, NU
Elizabeth Copland, Chairperson

CARIBOU PROTECTION MEASURES
(QAMANIRJUNG AND BEVERLY HERDS) 1988

CARIBOU
PROTECTION
AREAS

1. (a) The Permittee shall not, without approval, conduct any activity between May 15 and July 15 within the Caribou Protection Areas depicted on the map certified by the Engineer as the "Caribou Protection Map" annexed to this Land Use Permit.
- (b) A Permittee may, upon approval by the Land Use Inspector, operate within the said Caribou Protection Areas beyond the May 15 deadline set out in 1(a), provided that when monitoring information indicates that caribou cows are approaching the area of operation, the Permittee will implement 1(c).
- (c) On cessation of activities pursuant to 1(a) or 1(b), the Permittee will remove all personnel from the zone who are not required for the maintenance and protection of the camp facilities and equipment unless otherwise directed by the Land Use Inspector.
- (d) The Permittee may commence or resume activities prior to July 15 within those parts of the Caribou Protection Areas released by the Land Use Inspector for the reason that caribou cows are not expected to use those parts for calving or post-calving (note 1).

- 2 -

2. (a) In the event that caribou cows calve outside of the Caribou Protection Areas, the Permittee shall suspend operations within the area(s) occupied by cows and/or calves between May 15 and July 15. CARIBOU PROTECTION GENERAL
- (b) In the event that caribou cows and calves are present the Permittee shall suspend:
- (i) blasting,
 - (ii) overflights by aircraft at any altitude of less than 300 metres above ground level, and
 - (iii) the use of snowmobiles and ATV's (all-terrain vehicles) outside the immediate vicinity of the camp.
3. (a) During migration of Caribou, the Permittee shall not locate any operation so as to block or cause substantial diversion to migration. CARIBOU PROTECTION MIGRATION
- (b) The Permittee shall cease activities that may interfere with migration, such as airborne geophysics surveys or movement of equipment, until the migrating caribou have passed.
4. (a) The Permittee shall not, between May 15 and September 1, construct any camp, cache any fuel or conduct any blasting within 10 km of any "Designated Crossing" as outlined on the map certified by the Engineer as the "Caribou Protection Map" and annexed to this Land Use Permit. CARIBOU CROSSING

.../3

- 3 -

- (b) The Permittee shall not, between May 15 and September 1, conduct any diamond drilling operation within 5 km of any "Designated Crossing" as outlined on the map certified by the Engineer as the "Caribou Protection Map" and annexed to this Land Use Permit.

NOTE

1. The Land Use Inspector's decision will be based on the existing caribou information.
2. Concentrations of caribou should be avoided by low level aircraft at all times.



Fisheries and Oceans
Canada

Pêches et Océans
Canada

Coast Guard

Garde côtière

Central & Arctic Region

Région du Centre et de l'Arctique

201 N. Front Street, Suite 703
Sarnia, Ontario
N7T 8B1

Your file Votre référence

Our file Notre référence
1675-9-9

June 21, 2002

Gladys Joudrey
Nunavut Impact Review Board
PO Box 2379
Cambridge Bay, NT X0E 0C0

Dear Madam:

Thank you for your submission with regard to NIRB # 02EN107, Mineral Exploration in the Hayes River Camp, Apex Geoscience Limited, Committee Bay Region, Nunavut.

The information will be reviewed by this office and our response will be forwarded to DFO Fish Habitat in Iqaluit. They in turn will prepare a Departmental response encompassing both the Navigable Waters Protection Act and the Fisheries Act.

Yours truly,

Barry Putt
A/Inspections Supervisor
Navigable Waters Protection

BP/kab

cc: FHM





Fisheries and Oceans
Canada

Pêches et Océans
Canada

Coast Guard

Garde côtière

Central & Arctic Region

Région du Centre et de l'Arctique

201 N. Front Street, Suite 703
Sarnia, Ontario
N7T 8B1

Your file Votre référence

Our file Notre référence
1675-9-9

June 21, 2002

Gladys Joudrey
Nunavut Impact Review Board
PO Box 2379
Cambridge Bay, NT X0E 0C0

Dear Madam:

Thank you for your submission with regard to NIRB # 02EN107, Mineral Exploration in the Hayes River Camp, Apex Geoscience Limited, Committee Bay Region, Nunavut.

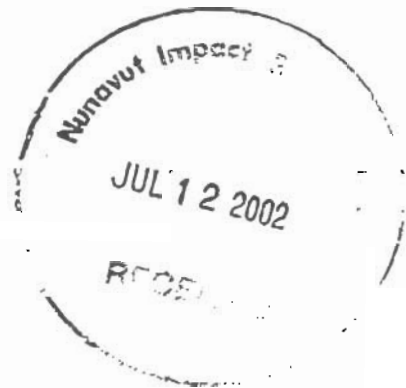
The information will be reviewed by this office and our response will be forwarded to DFO Fish Habitat in Iqaluit. They in turn will prepare a Departmental response encompassing both the Navigable Waters Protection Act and the Fisheries Act.

Yours truly,

Barry Putt
A/Inspections Supervisor
Navigable Waters Protection

BP/kab

cc: FHM



COMMENT FORM FOR NIRB SCREENINGS

The Nunavut Impact Review Board has a mandate to protect the integrity of the ecosystem for the existing and future residents of Nunavut. In order to assess the environmental and socio-economic impacts of the project proposals, NIRB would like to hear your concerns, comments and suggestions about the following project application:

Project Title: Mineral Exploration in the Hayes River Camp

Proponent: Apex Geoscience Ltd

Location: Committee Bay Region

Comments Due By: July 9, 2002

NIRB #: 02EN107

Indicate your concerns about the project proposal below:

no concerns	traditional uses of land
water quality	Inuit harvesting activities
terrain	community involvement and consultation
air quality	local development in the area
wildlife and their habitat	tourism in the area
marine mammals and their habitat	human health issues
birds and their habitat	other: _____
fish and their habitat	_____
heritage resources in area	_____

Please describe the concerns indicated above:

Do you have any suggestions or recommendations for this application?



Do you support the project proposal? Yes ☒ No ☐ Any additional comments?

Name of person commenting: Baron Simon of _____

Position: Mgr. Water Resources **Organization:** Drum

Signature: Baron Simon **Date:** July 8/02

JUL-09-02 TUE 11:32 AM ENV CANADA

FAX NO. 8678738185

P. 02

**Environnement Environnement
Canada Canada**

Environmental Protection Branch
5204 - 50th Avenue
Suite 301
Yellowknife, NT X1A 1E2
Fax: 867-873-8185

9 July, 2002

Our File 4703 001 045

David Satcava
Environmental Assessment Officer
Nunavut Impact Review Board
PO Box 2379
Cambridge Bay, NU X0E 0C0

Fax: (867) 983-2594

Re: NIRB 02EN107- Mineral Exploration in the Hayes Region - Apex Geoscience Ltd.

On behalf of Environment Canada (EC), I have reviewed the above noted land use permit application, NIRB 02EN107, to conduct mineral exploration in the Hayes River, NU area. The comments provided for the above application have been made under Section 36(3) of the *Fisheries Act*, the *Canadian Environmental Protection Act (CEPA)*, and the *Migratory Birds Convention Act (MBCA)*.

Apex Geoscience Ltd is proposing to conduct mineral exploration which includes: sampling, prospecting, claim staking and diamond drilling. The proponent will be utilizing two existing camps in the Hayes region namely the Hayes River camp and the Craut Camp.

Comments and Recommendations

The proponent neglected to:

- state that "all spills" are to be documented and reported to the NWT 24 Hour Spill Line at (867) 920-8130
- provide an adequate spill contingency plan outlining a clear path of response
- indicate if spill kits are to be used at camp, fuel caches and drill sites
- provide a detailed description and map at 1:50 000 scale of proposed works such as:
 - * drilling activities when known;
 - * land area to be affected by proposed works;
 - * number of holes and the location of holes in relation to water when known;
 - * land or ice-based drilling when known.
- provide a detailed map indicating the locations of camps in relation to water
- include the estimated volume of proposed sumps for camps and drilling activities
- provide a map indicating the locations of all land-based sumps in relation to water
- include location of fuel storage in relation to water for aircraft, camps and drilling uses
- provide to my attention coordinates in degrees, minutes, and seconds for camp, fuel caches and drill sites.

The following conditions should be applied throughout all phases of the project:

- The proponent shall ensure that drill cuttings, chemicals, fuel or wastes associated with the project do not enter waters frequented by fish. All sumps, spill basins and fuel caches should be located in such a manner that the contents do not enter any definable waterbody.
- EC encourages proponents, to use a secondary containment rather than relying on, "natural depressions", when storing barrelled fuel at a location. Self supporting instu-berms are available from various suppliers within Canada.

JUL-09-02 TUE 11:33 AM ENV CANADA

FAX NO, 8678738185

P. 03

- Toxic drilling additives or muds shall not be used in connection with holes drilled through lake ice, unless they are recirculated or contained such that they do not enter the water.
- If artesian flow is encountered, drill holes shall be plugged and permanently sealed immediately.
- Environment Canada recommends the use of an approved incinerator.

EPB 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 with any questions or comments.

Yours truly,



Ron Bujold

Environmental Assessment Technician

cc: Steve Harbicht (Head, Assessment & Monitoring, EPB)
Paula Pacholek (Coordinator, A&M, EPB)



June 20 2002

David Sateana
Environmental Assessment Officer Trainee
NIRB – Cambridge Bay

APEX Geoscience – Mineral Exploration in the Hayes River Camp

There seems little to add or to input into this application, as it is quite complete and satisfactory. Working from a previously established base camp often means that procedures to reduce impact on the surrounding land and water have been worked through; especially if an inspection requirement has been part of past land use activity.

Perhaps the only comment I might suggest here is an effort on the part of the proponent to consider using any available labour or “camp/survey assistant” type expertise they might require from the nearby communities of Kugaaruk and Gjoa Haven. There exists some trained and capable people in these locations and generally the opportunity for any meaningful employment is met with many applications of interest and availability. Good workers too, once they know what is expected from them.

Otherwise, I have nothing else to add and I support this application for staking and early exploration by Apex Geoscience.

Regards:

Doug Crossley
Special Advisor
CG&T – Cambridge Bay

COMMENT FORM FOR NIRB SCREENINGS

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Proponent: Apex Geoscience Ltd
Location: Committee Bay Region
Comments Due By: July 9, 2002 NIRB #: 02EN107

Indicate your concerns about the project proposal below:

no concerns	traditional uses of land
water quality	Inuit harvesting activities
terrain	✓ community involvement and consultation
air quality	local development in the area
wildlife and their habitat	tourism in the area
marine mammals and their habitat	human health issues
birds and their habitat	other: _____
fish and their habitat	_____
heritage resources in area	_____

Please describe the concerns indicated above:

Potential of using Community residents in the Camp
labour pool.

Do you have any suggestions or recommendations for this application?

Do you support the project proposal? Yes ☒ No ☐ Any additional comments?

Name of person commenting: Day Grady of Cambridge Bay
Position: Special Advisor Organization: CG + T
Signature: Day Grady Date: June 26/02

JUN-18-2002 TUE 11:45 AM 017

FAX NO. 867 979 8039

P. 05

Fisheries
and OceansPêches
et OcéansFish Habitat Management
P.O. Box 368
Iqaluit, Nunavut
X1A 0H0

Your file Votre référence

N2002C0032

Our file Notre référence

NU00612

June 17, 2002

Carl McLean
APEX Geoscience Ltd.
Suite 200, 9797-45 Ave.
Edmonton, Alberta
T6E 5V8
Fax: (780) 433-1336**RE: Land Use Application # N2002C0032, Campsite and Mineral Exploration, Curtis River area, Nunavut.**

Dear Mr. McLean:

This letter is to advise that The Department of Fisheries and Oceans, Fish Habitat Management (DFO-FHM) received the project proposal, submitted by the Indian and Northern Affairs Canada for a campsite and mineral exploration in the Curtis River area. The proposed project length is June 2002 through to the end of 2002. During this time, a temporary campsite will be established; also claim staking, prospecting, rock sampling and geological mapping will be conducted. DFO-FHM's assessment takes into consideration primarily fish and fish habitat related concerns. I have reviewed the plans for the proposed work.

Operations in or near water may result in the harmful alteration, disruption or destruction of fish habitat, which is prohibited under Section 35 of the *Fisheries Act*. The following mitigation measures, along with mitigation measures indicated in the project proposal, are intended to prevent any potentially harmful impacts to fish and fish habitat:

- If artesian flow is encountered, drill holes should be plugged and permanently sealed upon completion of the project.
- All disturbed areas should be stabilized and re-vegetated as required, upon completion of work, and restored to a pre-disturbed state.
- No material should be left on the ice when there is potential for that material to enter the water (i.e. spring break-up).
- If the drilling requires water in sufficient volume that the source waterbody may be drawn down please submit details (volume required, size of waterbody, etc.) to DFO-FHM for review. DFO-FHM does not recommend the use of streams as a water source.

Canada

JUN-18-2002 TUE 11:45 AM 017

FAX NO. 867 979 8039

P. 05

Fisheries
and OceansPêches
et OcéansFish Habitat Management
P.O. Box 335
Iqaluit, Nunavut
X1A 0H0

Your file / Votre référence

N2002C0032

Our file / Notre référence

NU00612

June 17, 2002

Carl McLean
APEX Geoscience Ltd.
Suite 200, 9797-45 Ave.
Edmonton, Alberta
T6E 5V8
Fax: (780) 433-1336**RE: Land Use Application # N2002C0032, Campsite and Mineral Exploration, Curtis River area, Nunavut.**

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Canada

JUN-18-2002 TUE 11:45 AM 017

FAX NO. 867 979 8039

P. 06

- All water intakes should be properly screened to prevent the entrainment of fish. Refer to the *Freshwater Intake End-of-Pipe Fish Screen Guideline* (DFO 1995), available on request.

Depositing deleterious substances into fish bearing waters is prohibited as stated under Subsection 36(3) of the *Fisheries Act*. The following are additional measures to mitigate habitat disturbance or loss as well as the deposition of deleterious substances.

- Sediment and erosion control measures should be implemented prior to, and maintained during the work to prevent sediment entry into the water during a spring thaw.
- All wastes, drill cuttings, sewage containments, and fuel caches should be located a minimum of thirty (30) metres from the normal high water mark of any water body, and be sufficiently bermed or otherwise contained to ensure that these substances do not enter any water body.
- Drill cuttings should be disposed of in a sump such that they do not enter any water body. The use of biodegradable, salt free drill additives is encouraged over non-biodegradable types.
- All activities, including maintenance procedures and refuelling, should be controlled to prevent the entry of petroleum products or other deleterious substances into the water.
- All spills of oil, fuel, or other deleterious material should be reported immediately to the 24-Hour Spill Line at (867) 970-8130.

If the proposed work is carried out as described in the plans provided to DFO-NHM and if the additional mitigation measures specified above are implemented, the proposed work will not be considered as contravening Subsection 35(1) of the *Fisheries Act* which reads:

"No person shall carry on any work or undertaking that results in the harmful alteration, disruption or destruction of fish habitat."

Therefore, an authorization under Subsection 35(2) of the *Fisheries Act* will not be necessary. If a harmful alteration, disruption or destruction of fish habitat and/or the deposition of deleterious substances into fish bearing waters occurs as a result of a change in the plans for the proposed works or failure to implement the additional mitigation measures specified above, prosecution under Subsection 35(1) and/or Subsection 36(3) of the *Fisheries Act* may be initiated.

If you have any questions concerning the mitigation measures or should there be any changes to the proposed work, please contact me at (867) 979-8007 or by fax at (867) 979 8039.

Jordan McGroot
Area Habitat Biologist

Canada

JUN-18-2002 TUE 11:40 AM 017

FAX NO. 867 979 8039

P. 07

Fish Habitat Management
Department of Fisheries and Oceans- Eastern Arctic Area

c.c. Michael Immaroitoik- Land Administrator- DIAND
Gladys Joudrey- Nunavut Impact Review Board
Kira Becker- Licensing Administrator, NWB
Ipeelee Itorcheak- C&P Field Supervisor

Canada