From: Allison, Tracy on behalf of Fisheries Protection
To: Megan; rprairie@xstratazinc.ca
Cc: Martha Porter; Phyllis Beaulieu; Robin Ikkutisluk
Subject: RE: 130806 2BE-HAK0915 Xstrata Canada Corporation-Amendment-Type B-Kitikmeot Region
Date: Friday, August 23, 2013 9:14:11 AM
Attachments: image001.png

Greetings Meghan,

DFO's advice is to follow mitigation measures in the Operational Statement for Mineral Exploration which can be obtained at http://www.dfo-mpo.gc.ca/regions/central/habitat/os-eo/provinces-territories-territoires/nu/os-eo24-eng.htm

Cheers,

Tracy

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Fisheries and Oceans Canada has changed the way new project proposals (referrals), reports of potential *Fisheries Act* violations (occurrences) and information requests are managed in Central and Arctic Region (Alberta, Saskatchewan, Manitoba, Ontario, Nunavut and the Northwest Territories). Please be advised that general information regarding the management of impacts to fish and fish habitat and self-assessment tools (e.g. Operational Statements) that enable you to determine *Fisheries Act* requirements are available at DFO's "Working Near Water" website at www.dfo-mpo.gc.ca/habitat. For all occurrence reports, or project proposals where you have determined, following self-assessment, that you cannot avoid impacts to fish and fish habitat, please submit to fisheriesprotection@dfo-mpo.gc.ca. For general inquiries you can also call 1 855 852-8320.

From: Megan [mailto:megan.porter@nunavutwaterboard.org]
Sent: 2013–August-06 5:44 PM
To: rprairie@xstratazinc.ca
Cc: Martha Porter; Megan Porter; Phyllis Beaulieu; Robin Ikkutisluk
Subject: 130806 2BE-HAK0915 Xstrata Canada Corporation-Amendment-Type B-Kitikmeot Region

TO ALL PARTIES
PLEASE NOTE THE DEADLINE FOR COMMENTS IS **SEPTEMBER 6, 2013**

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The Nunavut Water Board ("NWB") acknowledges receipt, on June 27, 2013, of an Amendment application for a Type "B" water license for water use and waste disposal associated with activities in the Kitikmeot region of Nunavut. The application consists of the following documents:

- Amendment Application
- Compliance Assessment
- Conformity Review Email dated October 5, 2009
- English Summary
- Inuinnaqtun Summary
- Inuktitut Summary
- Licensee Response to 2013 AANDC Inspection
- NIRB Screening dated November 2, 2009

The application can be obtained from our ftp site under PRUC with Username: public, Password: registry.
ftp://nunavutwaterboard.org/1%20PRUC/2%20MINING%20MILLING/2B/2BE%20-%20Exploration/2BE-HAK0915%20Xstrata/

The NWB undertook a preliminary review of your application and concluded that it meets the requirements of section 48(1) of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* ("Act"). However, the NWB retains the right to request additional information and studies pursuant to sections 48(2) of the Act or to issue guidelines for the provision of information pursuant to section 48(3) of the Act. A NWB Technical Advisor may be in touch with you to clarify any technical details related to your application.

In accordance with S.11.5.10 of the *Agreement Between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in Right of Canada* ("NLCA"), prior to the application being fully processed by the NWB the project proposal shall be reviewed by the Nunavut Planning Commission ("NPC"), to determine whether the project proposal is in conformity with an approved land use plan. By copy of this letter, the NWB requests the NPC provide its determination and recommendations to the NWB pursuant to Sections 13.4.2 through 13.4.5 of the NLCA, or written confirmation that the project proposal falls outside the boundaries of an approved land use plan. Also, by copy of this letter to the Nunavut Impact Review Board ("NIRB"), the NWB requests that if the project proposal requires screening, the NIRB provide the NWB with a determination pursuant to Section 13.5.1 of the NLCA. If the project is exempt from screening pursuant to Schedule 12-1 of the NLCA, the NWB requests written confirmation from the NIRB that the project proposal is in fact exempt from screening.

To ensure this application is dealt with in a timely fashion, the NWB forwards notice of all documentation to regulators and council of the municipality(ies) most affected by the project, inviting interested parties to make representation directly to the NWB ***within 30 days from the date of this letter***. The NWB may provide additional procedural instructions once the application has been reviewed by interested parties.

Subject to Sections 12.10.2 and 13.5.5 of the NLCA, where a review is required pursuant to Article 12, the NWB shall not approve any water application that forms part of that review until Article 12 has been complied with.

Megan Porter- ᒪᐃᒐᓐ ᐳᐊᑕ

Licence Administrator Assistant- Administratrice des permis

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NUNAVUT WATER BOARD - OFFICE DES EAUX DU NUNAVUT

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