



Environment Canada
Environnement Canada

Environment Canada
Prairie and Northern Region
#301-5204 50th Ave.
Yellowknife, NT X1A 1E2

April 11th, 2008

Our File: 4703001032
Your File: 2BE-HIG0712

Richard Dwyer
Licensing Administrator
P.O. Box 119
Gjoa Haven, NU X0B 1J0

Re: Zinifex Canada Inc. – High Lake Project – Amendment for 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*.

Zinifex Canada Inc. is requesting an amendment to Part H Section 4 of their current Type B water licence. The amendment includes a request to allow two buildings located at the High Lake Camp to remain within 30 meters of the high water mark of High Lake. The two buildings house generators, tools and fuel. The buildings are 19.3 m and 11.9 m away from the ordinary high water mark.

Zinifex Canada Inc. has stated the nearest water body (High Lake) is devoid of fish, however, as the lake does periodically flow into fish bearing waters, any type of spill would still be of concern.

General comments:

- Environment Canada is pleased to see that the proponent has stated that the fuel sources will be stored within a containment structure capable of storing 110% of the largest single storage capacity. Furthermore, the proponent has stated that they will have additional spill kits in the buildings and a larger spill containment kit down gradient of the two shacks and a boat capable of deploying water top spill booms.
- The proponent shall not deposit, nor permit the deposit of any fuel, chemicals, wastes, or sediment into any water body. According to the *Fisheries Act*, Section 36(3), the deposition of deleterious substances of any type in water frequented by fish, or in any place under any conditions where the deleterious substance, or any other deleterious substance that results from the deposit of the deleterious substance, may enter any such water, is prohibited.

- All fuel powered equipment, if possible, should be kept a minimum of 30 metres away from any water body *or all precautions should be taken to ensure that any potential spills do not enter any waterbodies.*

Should you have any questions or concerns regarding the forgoing please do not hesitate to contact me at savanna.levenson@ec.gc.ca or 867-669-4772.

Yours truly,

Savanna Levenson
Environmental Assessment Specialist
Environmental Protection Operations

cc: Carey Ogilvie, Head EA-North, Environment Canada
Anne Wilson, Water Pollution Specialist, Environment Canada