



Fisheries and Oceans  
Canada

Pêches et Océans  
Canada

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April 26, 2007

*Your file*      *Votre référence*  
2BE-KIR0507 (Previously NWB2KIR0507)

*Our file*      *Notre référence*  
NU-05-0043

Phyllis Beaulieu  
Manager of Licensing  
Nunavut Water Board  
P.O. Box 119  
Gjoa Haven, Nunavut X0B 1J0

*Via electronic mail to:*  
**licensing@nunavutwaterboard.org**

Dear Ms. Beaulieu:

**Subject:**    Triex Minerals Corp. – Kirwan Lake Project – Amendment 2 – Type “B”

Fisheries and Oceans Canada (DFO) received your referral concerning an amendment to the multi-year mineral exploration with associated camp operations on the west side of Kirwan Lake located in the Kitikmeot Region of Nunavut, approximately 100 kilometres southwest of Kugluktuk as proposed by Triex Minerals Corporation. To expedite future correspondence or inquiries, please refer to the following referral title and file number when you contact us:

Habitat File No.:	<b>NU-05-0043</b>
Referral Title:	<b>Exploration, Kirwan Lake Project, Kirwan Lake, Kitikmeot Region</b>

It is our understanding that the proposal consists of:

- *a mineral exploration program between April 2007 and September 2012 involving exploratory drilling, airborne and ground geophysics, soil survey sampling and property scale mapping and sampling, and*
- *the expansion of the existing camp facilities from 20 persons to 30*

As outlined in the following plans:

- *Application for Amendment to a Water Licence submitted to the Nunavut Water Board, signed by Allan Armitage (Triex Minerals Corporation), dated November 7, 2006;*
- *Exploration/Remote Camp Supplementary Questionnaire, submitted by Triex Minerals Corporation;*
- *Summary of 2007 Exploration Project, submitted by Triex Minerals Corporation; and,*
- *Appendix B Abandonment and Restoration Plan – Kirwan Lake, submitted by Triex Minerals Corporation, dated March 2007.*

If the above plans have changed since the time of submission, the advice in this letter may no longer apply and we should be consulted to determine if further review is needed.

We have concluded that the proposed works and undertakings are adequate to protect fish and fish habitat provided that the work is carried out as described in the plans and the following additional measures are implemented:

- 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 reclaimed to pre-construction conditions upon completion of work. Work associated debris should be removed immediately after completion of construction.
- Suitable erosion and sediment suppression measures should be implemented on disturbed areas before, during and after construction until vegetation or other appropriate measures are established in order to prevent sediment from entering any waterbody.
- 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 operations requires water in sufficient volume that the source water body may be drawn down, details should be submitted (volume required, size of water body, percent of total volume of water in source lake to be used, fish species etc.) to DFO for review. DFO strongly discourages the use of streams as a water source.
- Intakes of all water intakes (for drills and domestic uses) should be equipped with an appropriately sized screen to prevent debris blockage and fish mortality (refer to DFO's Freshwater Intake End-of-Pipe Fish Screen Guidelines, 1995, available at [www.dfo-mpo.gc.ca/library/223669.pdf](http://www.dfo-mpo.gc.ca/library/223669.pdf)). DFO discourages the use of small lakes and streams for water withdrawal.

By implementing these additional measures and those already outlined in the plans, it is our opinion that the proposed works and undertakings will not likely result in the harmful alteration, disruption or destruction (HADD) of fish habitat, which is prohibited unless authorized by DFO. These are recommendations to ensure that the proposed works will likely not result in a HADD of fish habitat. Therefore a subsection 35(2) *Fisheries Act* Authorization is not necessary.

The Proponent could contravene subsection 35(1) of the *Fisheries Act* if a HADD of fish habitat results from any change in the proposed plan or from failure to properly implement these additional measures. Subsection 35(1) states, "*no person shall carry on any work or undertaking that results in the harmful alteration, disruption or destruction of fish habitat.*"

This letter of advice does not permit the deposit of a deleterious substance into waters frequented by fish which is prohibited under Subsection 36(3) of the *Fisheries Act*.

This letter of advice does not release the proponent from the responsibility to obtain any other federal, territorial or municipal approvals.

We request that we be notified at least 10 working days before the start of work and that a copy of this letter be kept on site while work is in progress. If there are any questions concerning the above, or if my understanding of the proposal is either incorrect, incomplete, or if there are changes to the proposed works or undertakings, DFO should be contacted directly by telephone at (867) 979-8007 or by fax at (867) 979-8039.

Yours sincerely,

***Original Signed By:***

Amy Liu  
Fish Habitat Biologist  
Fisheries and Oceans Canada – Eastern Arctic Area

Copy: Ipeelee Itorcheak, DFO Conservation and Protection