



Fisheries and Oceans
Canada

Pêches et Océans
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February 14, 2005

Your file *Votre référence*
NIRB # 05EN006

Our file *Notre référence*
NU-99-0052

Gladys Joudrey
Manager of Environmental Administration
Nunavut Impact Review Board
P.O. Box 2379
Cambridge Bay, NU X0E 0C0

Via electronic mail to:
gjoudrey@nirb.nunavut.ca

Dear Mrs. Joudrey;

Subject: Proposed works or undertakings will not likely result in negative effects to fish habitat if additional protection measures are implemented.

Fisheries and Oceans Canada (DFO) received your request on February 4, 2005, concerning the Meliadine West Gold Project. To expedite future correspondence or inquiries, please refer to the referral title and file numbers when you contact us.

Habitat File No.: **NU-99-0052**
Referral Title: **BRIDGE INSTALLATION AND ENVIRONMENTAL STUDIES
AT MELIADINE WEST GOLD PROJECT.**

It is our understanding that the proposal consists of:

- *The installation of a temporary bridge over an unnamed waterbody in April of 2005,*
- *The timber bridge components will be prefabricated off-site,*
- *No disturbance to terrestrial or aquatic vegetation will be required for stream crossing construction,*
- *The bridge abutments will be above the channel banks and no work will be completed within the creek channel,*
- *Abutments and approach ramps will be natural aggregate taken from a nearby quarry,*
- *The bridge will be removed upon completion of advanced exploration.*

as outlined in the following plans:

- *Amendment to NWB2MEL – Meliadine Project – Type “B”. Supplemental Technical Information Required for Water Crossings (linear/bridge/culverts). December 9, 2004*

We have reviewed the proposal under the habitat protection provisions of the *Fisheries Act*. The measures described in the plans are not adequate to protect fish and fish habitat. Therefore, please ensure that the following additional measures are incorporated into the plans.

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.

- Avoid building on meander bends, braided streams or alluvial fans or any other area that is inherently unstable and may result in the erosion and scouring of the bridge structure;
- Design the bridge so that stormwater runoff from the bridge deck is directed into a retention pond or vegetated area to remove suspended solids, dissipate velocity and prevent sediment and other deleterious substances from entering the watercourse;
- Machinery crossing the watercourse (over and back) to bring equipment required for construction to the opposite side of the watercourse should be limited to a one-time event. If the stream bed and banks are highly erodible (e.g., dominated by organic materials and silts) and significant erosion and degradation is likely to occur as a result of equipment crossings, then a temporary crossing structure or other practices should be used to protect these areas;
- Install effective sediment and erosion control measures before starting work to prevent the entry of sediment into the watercourse. Inspect them regularly during the course of construction to ensure they are functioning properly. Make all necessary repairs if any damage is discovered;
- All disturbed areas should be stabilized and re-vegetated as required, upon completion of work, and restored to a pre-disturbed state.

By implementing these additional measures, 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) authorization is not necessary.

Subsection 35(1) of the *Fisheries Act* could be contravened if a HADD of fish habitat results due to 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 nor does it release the proponent from the responsibility to obtain any other federal (for example, the *Navigable Waters Protection Act*), territorial or municipal approvals.

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 commencement of, and maintained during, the work to prevent sediment entry into the water.
- All activities, including maintenance procedures and vehicular refuelling, should be controlled to prevent the entry of petroleum products, sediment, debris, rubble, or other deleterious substances into the water. Impermeable spill mats, drip pans or other measures to prevent ground or ice contamination should also be used when refuelling equipment on site. Ensure that refuelling activities are conducted well away from the normal high water mark of any water body.
- The proponent should have available an extra fuel storage container equal to or bigger than the size of the largest fuel container. This container can be used to replace any existing container showing signs of leakage. Check for container leaks on a daily basis and prepare any visible leaks immediately. Ensure that spill kits are readily available at all times.

- All spills of oil, fuel, or other deleterious material should be reported immediately to the 24-Hour Spill Line at (867) 920-8130.

If these plans have changed since the time of submission, the advice in this letter may no longer apply and the proponent should consult with us to determine if further review is required.

We request that we be notified us 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 you have 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, please contact me directly by telephone at (867) 979-8016 or by fax at (867) 979-8039.

Yours sincerely,

Original Signed By:

Rich Rudolph
Habitat Management Biologist
Fisheries and Oceans Canada – Eastern Arctic Area

Copy: Phyllis Beaulieu – Nunavut Water Board (licensing@nwb.nunavut.ca)
Mark Balog – Comaplex Minerals Corporation
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