



Fisheries
and Oceans

Pêches
et Océans

Fish Habitat Management
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Your file *Votre référence*

NIRB: 03EN068

Our file *Notre référence*

NU03409

June 17, 2003

Dean Besserer
Project Supervisor
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Edmonton, AB T6E 5V8
Fax: (780) 433-1336

RE: Melville Project water use applications and KivIA applications by Strongbow Resources Ltd., Navigator Exploration Corp., and Northern Empire Minerals Ltd. for a campsite & exploratory drilling

Dear Mr. Besserer:

This letter is to advise that The Department of Fisheries and Oceans, Fish Habitat Management (DFO-FHM) received the above-mentioned water use and KivIA applications for a campsite and exploratory drilling on the Melville Peninsula. DFO-FHM's assessment takes into consideration primarily fish and fish habitat related concerns. I have reviewed the plans for the proposed work.

As I understand it from the applications, the project is proposed to take place between June and October 2003. During this time, temporary campsites will be established in the Igloodik area for a maximum of ten tents. Ground and airborne geophysical surveying, geological mapping, rock and soil sampling, prospecting, and diamond drilling will be conducted.

Field 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, in addition to the measures set out 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 to prevent sedimentation.
- No material should be left on the ice when there is potential for that material to enter the water (i.e. spring break-up).

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- If 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.
- 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. DFO recommends a maximum screen opening of 2mm.

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 plans for proposed stream crossings or work conducted below the high water mark adjacent to the banks of streams and lakes require prior approval by DFO-FHM.
- All wastes, drill cuttings, sewage containments, and fuel caches should be located at an appropriate distance 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) 920-8130.

If the proposed work is carried out as described in the plans provided to DFO-FHM 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.

Sincerely,

Stephanie Critch
Habitat Biologist
Fish Habitat Management
Department of Fisheries and Oceans – Eastern Arctic Area

c.c. Phyllis Beaulieu - A/Licensing Administrator, NWB