



NWB Tools

Phyllis Beaulieu <phyllis.beaulieu@nwb-oen.ca>

**[Licensing] RE: 140722 2BM-ULU0914 Distribution Review - Renewal
Application for Ulu Gold Project - Kitikmeot Region**

1 message

Fisheries Protection <fisheriesprotection@dfo-mpo.gc.ca>
To: "licensing@nwb-oen.ca" <licensing@nwb-oen.ca>

Tue, Aug 5, 2014 at 1:21 PM

Manager of Licensing,

Subject: Surface Water Taking, West Lake, West Kitikmeot, Ulu Gold Project, DFO file #: 14-HCAA-01014

The Fisheries Protection Program (the Program) of Fisheries and Oceans Canada received the proposal on July 22, 2014.

Based on the information provided, the proposal has been identified as a project where a *Fisheries Act* authorization is not required given that serious harm to fish can be avoided by following standard measures. Proposals in this category are not considered to need an authorization from the Program under the *Fisheries Act* in order to proceed. In order to comply with the Act, it is recommended the proponent follows our guidance tools which can be found at the following website (<http://www.dfo-mpo.gc.ca/pnw-ppe/measures-mesures/index-eng.html>).

Yours sincerely,

Jennifer Thomas

A/Team Leader, Triage and Planning

Fisheries and Oceans Canada

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. Measures to Avoid Harm) that enable you to determine Fisheries Act requirements are available

at DFO's "Projects Near Water" website at www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html. 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 call 1 855 852-8320.

From: NunavutHabitat
Sent: 2014-July-22 3:19 PM
To: Fisheries Protection
Subject: FW: 140722 2BM-ULU0914 Distribution Review - Renewal Application for Ulu Gold Project - Kitikmeot Region

From: Robin Ikkutisluuk[SMTP:ROBIN.IKKUTISLUK@NWB-OEN.CA]
Sent: Tuesday, July 22, 2014 3:11:48 PM
To: Patrick Downey
Cc: Licensing Department
Subject: 140722 2BM-ULU0914 Distribution Review - Renewal Application for Ulu Gold Project - Kitikmeot Region
Auto forwarded by a Rule

NOTE TO ALL PARTIES:

THE DEADLINE FOR COMMENTS IS ON AUGUST 22, 2104

The attached acknowledges receipt, on May 30, 2014, of a renewal application for a Type "B" water licence for water use and waste disposal associated with activities in the Kitikmeot region of Nunavut. The application consists of the following documents:

- Executive Summary in English, Inuktitut, and Innuinaqtun;
- Renewal Application Cover Letter;
- May 2014 Care and Maintenance Plan;
- Project Location Maps;
- Sewage Treatment Plant Executive Summary in English, Inuktitut, and Innuinaqtun;
- Care and Maintenance Plan Executive Summary in English, Inuktitut, and Innuinaqtun;
- Solid and Hazardous Waste Management Plan Executive Summary in English, Inuktitut, and Innuinaqtun;
- Spill Contingency Plan Executive Summary in English, Inuktitut, and Innuinaqtun;

- Interim Closure and Reclamation Plan Executive Summary in English, Inuktitut, and Innuinaqtun
- Ulu Compliance Plan Water Licence
- Application for Renewal
- Standby Letters of Credit
- Certificate of Incorporation
- NPC Conformity dated October 28, 2008
- NIRB exemption dated November 19, 2008

The application can be obtained from our ftp site under PRUC with Username: **public**, Password: **registry**.

<ftp://nunavutwaterboard.org/1%20PRUC%20PUBLIC%20REGISTRY/2%20MINING%20MILLING/2B/2BM%20-%20Mining/2BM-ULU0914%20Bonito/>

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.

Regards,

Robin Ikkutisluk

