



Transport Canada Transports
Canada Canada

Environmental Affairs – Programs
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Your File Votre référence
EA0809-003
Our file Notre référence
7075-70-7-7

June 29, 2012

Ms Nicole Spenser
Environmental Assessment Officer
Mackenzie Valley Environmental Impact Review Board
Box 938 #200 Scotia Centre 5102-50th Avenue
Yellowknife, NT X1A 2N7

Sent via e-mail to: nspencer@reviewboard.ca

Subject: Tyhee NWT Corp. Yellowknife Gold Project, Transport Canada Information Requests.

Transport Canada is responsible for transportation policies and programs that ensure air, marine, road and rail transportation are safe, secure, efficient and environmentally responsible. Transport Canada appreciates the opportunity to participate in the review of the Tyhee NWT Corp. Yellowknife Gold Project. Based on our review of Tyhee NWT Corporation's Developers Assessment Report (DAR) and May 31st Information Request responses, Transport Canada submits the following information request for the Mackenzie Valley Environmental Impact Review Board's consideration.

Should you have any questions please do not hesitate to contact Laura Jones via email at laura.jones@tc.gc.ca or by phone at (204) 984-4562.

John Cowan, for Doug Soloway
Transport Canada
Superintendent, Environmental Affairs North | Surintendant, Affaires Environnementales Nord
Prairie and Northern Region | Région des Prairies et du Nord

cc. TC – Doug Soloway, NWPP, AbC
NPMO – Kate Witherly

Canada 

Transport Canada's Information Request

Project Title: Tyhee NWT Corp. – Yellowknife Gold Project

IR Number: TC – 01

Source: Transport Canada

To: Tyhee NWT Corp.

Subject: Road upgrades and new road construction

Section: DAR 4.3.1, 4.5.1, 4.14.1.7, 4.14.1.8, 4.14.2.5, 4.14.2.6

Preamble:

New roads may be constructed and existing roads will be upgraded to provide access/egress routes. Any Navigable waterway crossings in, on, near, over through or under will require an Approval under the *Navigable Waters Protection Act*. Conditions imposed in *Navigable Waters Protection Act* approvals help to protect the public's right to safe navigation.

Request:

In order for Transport Canada to determine if waterways to be crossed as a result of road construction and upgrades are considered navigable, please provide the following:

- i) A map identifying type of water crossing at each crossing location. Please include latitude/longitude coordinates for each crossing.
- ii) Depth and width of the watercourse at each crossing
- iii) Natural obstruction details and photos upstream and downstream of crossing location where available.
- iv) Evaluate small waterways against the attached *Minor Waters User Guide* criteria and report determinations to TC. Risk to navigational safety is low for works meeting the minor works criteria.

The proponent is requested to make a formal application for each crossing to the Navigable Waters Protection Office at the address below. If you require a current copy of the application form, please contact the Office.

Transport Canada
Navigable Waters Protection Program
1100 9700 Jasper Avenue
Edmonton, AB T5J 4E6

General Enquires (Phone): (780) 495-8215

Fax: (780) 495-8607

General Enquires (Email): NWP-PEN.PN@tc.gc.ca

IR Number : TC – 02
Source: Transport Canada
To: Tyhee NWT Corp.

Subject: Transmission lines
DAR Section : DAR 4.14.11

Preamble Power generation infrastructure will include transmission lines. Any transmission lines crossing a navigable waterway that do not meet the requirements of the attached Minor Works, Aerial Cables pamphlet require application for approval under the *Navigable Waters Protection Act*. Conditions imposed in *Navigable Waters Protection Act* approvals help to protect the public's right to safe navigation.

Request

In order for Transport to determine whether the erection of power lines may have an impact to navigation, please provide the following:

- i) Identify whether the proposed lines will cross a navigable waterway.
- ii) If the lines *will* cross a navigable waterway, please evaluate the transmission line plans against Transport Canada's Navigable Waters Protection Program's Minor Works, Aerial Cables pamphlet (attached) and inform Transport Canada of your findings.

IR Number : TC – 03
Source: Transport Canada
To: Tyhee NWT Corp.

Subject: Water Intakes

DAR Section : DAR 4.12.3, 4.14.1.2, 4.13.1, 4.14.2.7, 4.14.1.9, Fig 4.9-1
Site Wide Water Balance and Geochemistry report May, 2011 sec 2.5, 3.0, 6.0

Preamble Mine and support infrastructure will include water intakes to draw water for camp use, fire protection, mining use and water management. Any intake installed in a navigable waterway that does not meet the requirements of the attached Minor Works, Navigable Waters pamphlet requires application for approval under the *Navigable Waters Protection Act*. Conditions imposed in *Navigable Waters Protection Act* approvals help to protect the public's right to safe navigation.

Request

In order for Transport to determine whether the installation of water intakes may have an impact to navigation, please provide the following:

- i) Names of each waterbody an intake will be placed in and GPS coordinate locations of each water intake.
- ii) For water management intakes, provide GPS locations for associated outfalls.
- iii) Dimensions of each water intake including diameter, length from bank and depth from the Ordinary High Water Mark.
- iv) Projected maximum water volume to be drawn by each intake (m³/ day).

Note: Risk to navigational safety is low for water intakes meeting the minor works criteria. If any of the proposed intakes meet the minor works criteria, please inform Transport Canada.

IR Number : TC – 04
Source: Transport Canada
To: Tyhee NWT Corp.

Subject: Alteration of existing waterways, impacts to navigation.
DAR Section : DAR 4.12.2.1, 4.12.3, 4.13, 4.14.1.2, 4.13.1
Site Wide Water Balance and Geochemistry report May, 2011 sec 2.5, 3.0, 6.0
Responses for IR 1-1-1: Estimation of tailings containment area concentrations
Responses to IR 1-1-6 Water Balance

Preamble Using Winter Lake as a Tailings Containment Area will involve sectioning off the lake, depositing tailings in some sections and de-watering the north basin. This will undoubtedly impact the navigability of the lake. In order to support mining operations, water will be diverted within the Narrow Lake drainage basin. Transport Canada has a responsibility to manage the public's right to navigation under the Navigable Waters Protection Act.

Request

In order for Transport to determine appropriate mitigation for potential impacts to navigation, please provide information related to current navigational use of potentially affected navigable waterways. Transport Canada requests the following:

- i) Outline current navigational uses of potentially affected waterways. Examples of recreational, commercial and traditional navigational uses include, but are not limited to: sport fishing or back country paddling, fishing and hunting outfitters using waterways as a means of transportation, aboriginal groups navigating traditional routes or navigating as a means of transportation to engage in traditional activities.

Note: once complete, detailed applications for approval of works under the *Navigable Waters Protection Act* are submitted, Transport Canada's Navigable Waters Protection Program can proceed in determining specific navigational and navigational safety mitigation measures.

IR Number : TC – 05
Source: Transport Canada
To: Tyhee NWT Corp.

Subject: Alteration of existing waterways, impacts to navigation.
DAR Section : (DAR 4.12.2.1, 4.12.3, 4.13, 4.14.1.2, 4.13.1
Site Wide Water Balance and Geochemistry report May, 2011 sec 2.5, 3.0, 6.0
Responses for IR 1-1-1: Estimation of tailings containment area concentrations
Responses to IR 1-1-6 Water Balance

Preamble Using Winter Lake as a Tailings Containment Area will involve sectioning off the lake, depositing tailings in some sections and de-watering the north basin. This will undoubtedly impact the navigability of the lake. In order to support mining operations, water will be diverted within the Narrow Lake drainage basin. Transport Canada has a responsibility to manage the public's right to navigation under the Navigable Waters Protection Act.

Request

In order for Transport to determine appropriate mitigation for potential impacts to navigation, please explain how the navigability of waterways will be affected. Transport Canada requests the following:

- i) List navigable waterways that will likely be affected by the project. Include waterways in the project area that will be subject to physical works such as dykes, dams, and water intakes and waterways whose flow, depth, volume, etc will likely be affected as a result of the water management plans and de-watering.
- ii) Describe the likely effects to waterways that relate to navigation. Explain how water quantity parameters such as flow, depth and volume may change in each of the waterbodies over time as a result of the project.

Note: once complete, detailed applications for approval of works under the *Navigable Waters Protection Act* are submitted, Transport Canada's Navigable Waters Protection Program can proceed in determining specific navigational and navigational safety mitigation measures.

IR Number : TC – 06
Source: Transport Canada
To: Tyhee NWT Corp.

Subject: Alteration of existing waterways, impacts to navigation.
DAR Section : (DAR 4.12.2.1, 4.12.3, 4.13, 4.14.1.2, 4.13.1
Site Wide Water Balance and Geochemistry report May, 2011 sec 2.5, 3.0, 6.0
Responses for IR 1-1-1: Estimation of tailings containment area concentrations
Responses to IR 1-1-6 Water Balance

Preamble Using Winter Lake as a Tailings Containment Area will involve sectioning off the lake, depositing tailings in some sections and de-watering the north basin. This will undoubtedly impact the navigability of the lake. In order to support mining operations, water will be diverted within the Narrow Lake drainage basin. Transport Canada has a responsibility to manage the public's right to navigation under the Navigable Waters Protection Act.

Request

In order for Transport to determine appropriate mitigation for potential impacts to navigation, please outline concerns that current navigational users have related to project works. Transport Canada requests the following details of consultation between Thyhee NWT Corp. and the local public:

- i) what information about works that will require *Navigable Waters Protection Act* applications has been provided;
- ii) which projected effects to waterbodies as a result of those works have been explained;
- iii) concerns that have been raised related to navigational impacts and navigational safety;
- iv) any mitigation measures that have been suggested to address those concerns.

Note: once complete, detailed applications for approval of works under the *Navigable Waters Protection Act* are submitted, Transport Canada's Navigable Waters Protection Program can proceed in determining specific navigational and navigational safety mitigation measures.

IR Number : TC – 07
Source: Transport Canada
To: Tyhee NWT Corp.

Subject: *Alteration of existing waterways, impacts to Aboriginal people's usage of navigable waterways.*

DAR Section : *(DAR 4.12.2.1, 4.12.3, 4.13, 4.14.1.2, 4.13.1 5.0, Appendix G Site Wide Water Balance and Geochemistry report May, 2011 sec 2.5, 3.0, 6.0 Responses for IR 1-1-1: Estimation of tailings containment area concentrations Responses to IR 1-1-6 Water Balance*

Preamble Using Winter Lake as a Tailings Containment Area will involve sectioning off the lake, depositing tailings in some sections and de-watering the north basin. This will undoubtedly impact the navigability of the lake. In order to support mining operations, water will be diverted within the Narrow Lake drainage basin. Transport Canada has a responsibility to manage the public's right to navigation under the Navigable Waters Protection Act.

Transport Canada has reviewed information regarding Aboriginal concerns in Section 5 and Appendix G of the DAR and have noted there are no Aboriginal concerns raised related to Transport Canada's potential NWPA approval(s) regarding works related to the Winter Lake or Narrow Lake drainage basin.

Request

- i) This Information Request pertains to Aboriginal groups' issues in relation to works that may require approval(s) under the Navigable Waters Protection Act. As such, Transport Canada requests information about whether Tyhee NWT Corp. has held any Aboriginal consultation activities with Aboriginal groups in the area to discuss any specific concerns related to potential adverse impacts of TC's potential NWPA approval(s) (i.e. any works to be built or placed in, on, over, under, through or across any navigable water located at watercourse crossings) on potential or established Aboriginal or treaty rights.
- ii) For the Winter Lake and Narrow Lake drainage basin, please provide consultation records of any consultation between Tyhee NWT Corp. and Yellowknives Dene First Nation, Akaitcho First Nation, and the Dogrib Nation, as well as any other Aboriginal group in the area who may have an interest in navigable waterways in the project area. Please provide information about Aboriginal consultations, including but not limited to: concerns raised by the Aboriginal groups as well as the measures taken by Tyhee NWT Corp. or proposed to be taken by Tyhee NWT Corp. to address those concerns. We are interested in concerns raised by Aboriginal groups generally, but we are particularly interested in any concerns raised by Aboriginal groups with respect to TC's potential approval(s) regarding works located at the location of works subject to approval under the Navigable Waters Protection Act. Transport Canada requests to know when Tyhee NWT Corp. will be in a position to provide this information.

IR Number : TC – 08
Source: Transport Canada
To: Tyhee NWT Corp.

Subject: Water management infrastructure: dikes and dams
DAR Section : 4.10, 4.12.4, 4.13.1, Fig 4.9-1
Site Wide Water Balance and Geochemistry report May, 2011 sec 2.5, 3.0, 6.0

Preamble Water management for the project will require several dams. Construction of dams in, on, near, or through navigable waterways requires approval under the *Navigable Waters Protection Act*. Conditions imposed in *Navigable Waters Protection Act* approvals help to protect the public's right to safe navigation.

Request

In order for Transport to gain a better understanding of the proposed dam construction, please provide the following information regarding all dams and dykes associated with the project:

- i) construction methodology;
- ii) anticipated construction timing and sequencing;
- iii) maps showing locations and heights of all dykes and dams and projected water levels for different project phases including existing conditions, operational conditions and post closure conditions;

When design plans are finalized and applications for approval under the *Navigable Waters Protection Act* are being submitted, according to identified requirements, please include:

- iv) details of long term dam maintenance plans;
- v) decommissioning plans;
- vi) coffer dam design and scheduling.

IR Number : TC – 09
Source: Transport Canada
To: Tyhee NWT Corp.

Subject: Aerodrome usage and potential upgrades
DAR Section : 4.14, 6.3.3, Appendix M

Preamble Tyhee plans to continue using the existing airstrip, or aerodrome at Discovery Mine site for regular, year round air traffic up to Dash 7 in size. Upgrades to the existing aerodrome may be required. Transport Canada is responsible on behalf of the Minister of Transport under the *Aeronautics Act*, for all regulation of aeronautics and the supervision of all matters connected with aeronautics. Transport Canada wishes to know whether the airstrip will be a non-registered or registered aerodrome. Transport Canada recommends that the aerodrome be registered. Registered aerodrome locations are depicted on maps and information related to registered aerodromes is available to pilots in publications and electronic publications.

Request

In order for Transport to evaluate the changes in aerodrome usage, Transport Canada requests the following information:

- i) What upgrades in airstrip structure design, outlined by EBA's Airstrip and Access Road Geotechnical Evaluation will be implemented? Transport Canada recommends that any improvement to the aerodrome be made in accordance with the attached TP 312 Aerodrome Standards and Recommended Practices.
- ii) Will an instrument approach procedure be constructed to accommodate Dash 7 air traffic? An aerodrome must be registered in the event that it requires an instrument approach procedure.