



Transport Canada Transports Canada

Environmental Affairs – Programs
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Your File Votre référence
EA 0809-004

October 22, 2009

Chuck Hubert
Environmental Assessment Officer
Mackenzie Valley Environmental Impact Review Board
200 Scotia Centre
Box 938, 5102-50th Ave
Yellowknife, NT X1A 2N7

Dear Mr Hubert:

RE: Review of the Draft Terms of Reference for the Environmental Assessment of Fortune Minerals Ltd.'s NICO Cobalt-Gold-Copper-Bismuth Project (NICO Project)

Transport Canada (TC) appreciates the opportunity to participate in the review of the *Draft Terms of Reference (ToR)* for the Fortune Minerals Ltd.'s NICO Project, NT., as requested by the Mackenzie Valley Environment Impact Review Board (the Review Board) on September 15th, 2009. Transport Canada is responsible for transportation policies and programs that promote a safe transportation system, ensuring that they work effectively and in an integrated manner.

Based on a review of the following documents:

- *Project Description Summary, NICO Project, NT. Fortune Minerals Ltd., April 2009*
- *Mackenzie Valley Review Board, Draft Terms of Reference, September 15th 2009*

Transport Canada's comments will be limited to our mandate to provide a safe, secure, efficient and environmentally responsible transportation system.

Transport Canada offers the following comments on various components of the Terms of Reference.

Section 2

- Subsection 2.2.1 Geographic Scope - TC recommends that Hislop Lake be included within the Geographic Scope of the project review

Appendix B

- Specific Items - TC suggests that a full description and justification of the proposed fuel storage containers that will be utilized for the project are identified. TC also recommends that the proponent include a description of all spill contingency plans and Oil Pollution Prevention/Emergency Plans.
- Specific Items 21 – TC will also require a detailed description with construction schedule of all water crossings and any temporary works related to all water crossings and water

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intakes. Survey plans with dimensions indicating the high and low water marks, shoreline structures, and adjacent properties should also be included. Current photographs of the proposed work site (photos of open water period where possible) should be attached.

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Appendix D

- TC suggests that the airstrip be included as part of the *Conceptual Closure and Reclamation Plan*.

Please Note:

TC will require a detailed Oil Handling Facility Contingency plan to be submitted to Transport Canada's *Marine Safety Division* for approval. Further details can be referenced to Marine Safety roles can be accessed on the Transport Canada – Marine Safety Internet site <http://www.tc.gc.ca/marinesafety/menu.htm> under Environmental Response Systems.

The proponent should also include a detailed description of all airport facilities to be constructed, including an estimation of the duration, frequency, and extent of use of airstrip facilities and the volumes of goods and passengers utilizing the airport. Also potential impacts of the airstrip should be identified, impact significance assessed, and necessary mitigation applied to minimize impacts. Current drainage patterns should also be maintained and included in the assessment, as any diversions may affect local ecology and hydrology.

Transport Canada will also require the Proponent to submit an application to the Navigable Waters Protection Program (NWPP) for review and determination. According to the *Navigable Waters Protection Act* application requirements include but are not limited to, detailed bridge designs for each crossing. Should the proposed route be altered and involve any additional or alternative watercourses, the Proponent must consult the Navigable Waters Protection Program (NWPP) regarding any proposed design changes.

Should you have any questions pertaining to these comments, please contact me via email at sophia.garrick@tc.gc.ca or by telephone at (204) 983-5857

Regards,



Sophia Garrick
Environmental Officer

Cc : Doug Soloway – Superintendent, Environmental Assessment Management Program (North)