

## SUMMARY OF COMMENTS / RECOMMENDATIONS

**PROPONENT:** Hudson Bay Mining and Smelting Co. Limited  
**PROPOSAL NAME:** Chisel Lake Diversion  
**CLASS OF DEVELOPMENT:** Class 2  
**TYPE OF DEVELOPMENT:** Water Diversion  
**CLIENT FILE NO.:** 5017.0

### OVERVIEW:

On February 12, 2004, the Department received an Environment Act Proposal dated February 11, 2004, from Hudson May Mining Co., Limited (HBM&S) to increase the quantity of water being diverted from Chisel Lake to their Chisel North Mine from 200 cubic decametres per year to 600 cubic decametres per year. The Proposal was prompted by unusually low precipitation levels during 2003 which caused Ghost Lake (their normal water supply source for the Chisel North Mine) to be drawn down to the point of no longer being able to supply the water demand of their Chisel North Mine. Under The Environment Act, the diversion of water from a water body in a quantity in excess of 200 cubic decameters constitutes a Development requiring an Environment Act Licence.

The Proposal submitted by HBM&S under The Environment Act was advertised regionally in the Snow Lake News on March 4, 2004, and was also circulated to the interdepartmental Technical Advisory Committee (TAC). The response deadline date was set for March 24, 2004.

Whereas the Water Branch had previously issued an interim authorization under The Water Rights Act to HBM&S on October 24, 2003 for the diversion of no more than 200 cubic decametres of water from Chisel Lake to the Chisel North Mine, that figure was amended by the Director of the Water Branch on March 9, 2004 to no more than 600 cubic decametres.

### **SUMMARY OF PUBLIC COMMENTS ON THE PROPOSAL**

No comments were received from the public.

### **SUMMARY OF TAC COMMENTS ON THE PROPOSAL**

**Community Planning Services** commented that they have no concerns.

**Historical Resources** commented that they have no concerns with the project's potential to impact heritage resources.

**Mines Branch** commented that they had no concerns, but requested that HBM&S submit a water balance diagram to offer more clarity.

Disposition:

A water balance diagram was requested of HBM&S for referral to the Mines Branch.

**Petroleum Branch** commented that they had no comments or concerns.

**Health** commented that no public health implications were evident.

**Sustainable Resource Management Management** commented that:

- the limnological monitoring programs along the Chisel Lake, Woosey Creek and the Morgan/Woosey Lake drainage system should be continued and the results reported to the Department; and
- a water quality monitoring program, to be carried out by the proponent, should be included in the Licence, with the Water Quality Management Section of MB Water Stewarship consulted in this regard.

Disposition:

- The referenced limnological studies are addressed under another existing Environment Act Licence as an ongoing matter.
- The comments were forwarded to the proponent, and the proponent responded positively by proposing to undertake monthly monitoring of the water quality at the Chisel Lake pumphouse, and to undertake any additional monitoring program through negotiations with MB Conservation.
- Provisions have been incorporated into the draft Licence to address water quality monitoring within Chisel Lake.

**MB Conservation (NW Region)** commented that:

- despite the proponent's claim, they believed that the water quality of Chisel Lake would be affected;
- water quality monitoring on Chisel Lake should be conducted at least on an annual basis; and
- a formal redesignation of the Chisel Lake Mine final discharge point in Environment Act Licence No. 1501RR will be required to meet the conditions in Clause 4 of that Licence.

Disposition:

- The draft Licence addresses the concerns respecting potential changes to the water quality of Chisel Lake.
- A redesignation of the final discharge point is not required. It can remain as is at the outfall of the wastewater treatment plant since no further control is being exercised by HBM&S beyond that point. The effluent would continue to be monitored at the existing final discharge point.

**Canadian Environmental Assessment Agency** commented that the project information was reviewed by all federal departments having a potential interest. Specific comments were received from Environment Canada (EC) and the department of Fisheries and Oceans (DFO).

- EC commented that the current proposal does not address the potential impacts to Woosey Creek as a result of the net reduction in flows that will apparently occur as a result the proposed changes.

Disposition:

The comments were forwarded to the proponent for comment. The proponent responded clarified the proposal to the satisfaction of EC.

- DFO commented that they had screened the project in September of 2003 and had made a screening decision on October 15, 2003, which is still valid for the project as described by HBM&S in their February 11, 2004 Proposal.

**PUBLIC HEARING**

No public hearing was requested.

**RECOMMENDATIONS**

A draft Environment Act Licence for the Chisel Lake Diversion project is enclosed for the Director's consideration. It is recommended that the Licence, if approved, be assigned to the North-western Region for surveillance, monitoring, and ongoing compliance evaluation and enforcement responsibilities.

**PREPARED BY:**



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