

From: CritchS@DFO-MPO.GC.CA

Sent: Friday, July 11, 2003 1:50 PM

To: nwblic@polarnet.ca; gladys@polarnet.ca; ItorcheakI@DFO-MPO.GC.CA; eschulz@umagroup.com

Subject:

NWB5GLA / NIRB 03DN003 Applications for Land Use, Quarrying, Water Licence and Waste Disposal for the CAM-2 DEW Line Site Clean-Up, Gladman Point, Nunavut.



Fisheries
and
Oceans

Pêches
et Océans

Fish Habitat Management
P.O. Box 358
Iqaluit, Nunavut
X0A 0H0

Your file *Votre référence*

NU03339

Our file *Notre référence*

July 11, 2003

Scott Hamilton
Environmental Officer
Defence Construction Canada Ltd.
122 Kent Street, 17th Floor
Ottawa, ON K1A 0K3
Phone: 613-998-4583
Fax: 613-998-1061

RE: NWB5GLA / NIRB 03DN003 Applications for Land Use, Quarrying, Water Licence and Waste Disposal for the CAM-2 DEW Line Site Clean-Up, Gladman Point, Nunavut.

Dear Mr. Hamilton:

This letter is to advise that The Department of Fisheries and Oceans, Fish Habitat Management (DFO-FHM) received the project proposal information and application forms, submitted by the Nunavut Water Board and Nunavut Impact Review Board, concerning the above mentioned project.

It is understood from the submitted information that UMA Engineering Ltd., on behalf on Defence Construction Canada, is proposing to conduct a clean up of the former CAM-2 Gladman Point Dew Line Site. Gladman Point is located on the south coast of King William Island, NU, near McClintock Bay and Simpson Straight. Clean-up activities are proposed to take place during the summer months starting in July of 2003 and finishing in October of 2005. It is estimated that 102,000 cubic metres of gravel will be used from nine local borrow areas as landfill material along the beach and airstrip landfill site. In order to prevent silt and potential contaminants from entering the nearby marine environment, a temporary containment berm will be constructed and a floating silt fence will be placed outside the berm. DFO-FHM's assessment takes into consideration primarily fish and fish habitat related concerns. I have reviewed the plans for the proposed work.

Operations in or near water may result in the harmful alteration, disruption or destruction of fish habitat, which prohibited under Section 35 of the *Fisheries Act*. The following mitigation measures, along with mitigation measures indicated in the project proposal, are intended to prevent any potentially harmful impacts to fish and fish habitat.

All disturbed areas should be stabilized and re-vegetated, as required, upon completion of work to prevent sedimentation.

If the water withdrawal is of sufficient volume that the source water body may be drawn down please submit details (volume required, size of water body, fish species 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.

- 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-HM.

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. Care should be exercised during the removal of these sediment and erosion control measures (i.e. the above-mentioned berm and silt fence) to prevent the accidental release of trapped sediments.

- An appropriate distance should be maintained between the normal high water mark of any water body and gravel pit/deposit, to ensure sediment does not enter any water body.

- All wastes, sewage containments and fuel caches should be located at an appropriate distance above 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. Impermeable spill mats or plastic sheets as well as efficient containment berms should be incorporated into these caches to ensure that contaminants do not enter water bodies.

- All activities, including maintenance procedures and vehicular refuelling, should be controlled to prevent the entry of petroleum products, sediment, debris, rubble, or other deleterious substances into the water. Impermeable spill mats, drip pans or other measures to prevent ground or ice contamination should also be used when refuelling equipment on site. Ensure that refuelling activities are conducted at an appropriate distance from the normal high water mark of any water body.

- All spills of oil, fuel, or other deleterious material should be reported immediately to the 24-Hour Spill Line at (867) 920-8130.

- Regular monitoring should be conducted at the airstrip landfill area to ensure that sediments and contaminants are being contained within the silt curtain and absorbent boom during excavation.

- Water samples for turbidity and total suspended solids (TSS) should be taken on a regular basis during clearing activities and as part of a post-monitoring program. Results of the water analyses should be provided to DFO on an annual basis.

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.

Please note that this letter of advice will apply for the period of the proposed lease. 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
Area Habitat Biologist
Fish Habitat Management
Department of Fisheries and Oceans

c.c. Phyllis Beaulieu - A/Licensing Administrator, NWB
Gladys Joudrey - Environmental Assessment Officer, NIRB
Eva Schulz - Environmental Scientist, UMA Engineering Ltd.
Ipeelee Itorcheak - Field Supervisor, DFO