

From: CritchS@DFO-MPO.GC.CA

Sent: Tuesday, July 08, 2003 12:08 PM

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

Subject: Fox-2 Longstaff Bluff DEW Line Site Clean-up



Fisheries
and
Oceans

Pêches
et Océans

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

NU03372

Our file *Notre référence*

July 08, 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: NIRB File: 03DN052, NWB File: NWB5LON - DEW Line Site Clean-up of Fox-2, Longstaff Bluff

Dear Mr. Hamilton:

This letter is to advise that The Department of Fisheries and Oceans, Fish Habitat Management (DFO-FHM) received your proposal for the above mentioned project. I have reviewed the plans for the proposed work.

As I understand it from the information included with your application and a telephone conversation with Eva Schulz on July 8, 2003, the project involves the excavation and removal of approximately 1600 m³ of hydrocarbon-contaminated soil from the beach landing and storage area of the FOX-2 Longstaff Bluff DEW Line site. The contaminated soil will be stored within a bermed area at the POL storage tanks until a full clean-up of the site is carried out in the future. Marine shore excavation will be a necessary component of the clean-up in order to remove as much of the contaminated soil as possible. To prevent the entry of sedimentation and contamination into the marine environment, silt fences and silt booms will be employed throughout the project.

Operations in or near water may result in the harmful alteration, disruption or destruction of fish habitat, which is 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.

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 must 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.

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 does not release the proponent of the responsibility for obtaining any other permits that may be required and will apply for the proposed activities for the period of the land use, quarry and water permits. 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