



Fisheries and Oceans  
Canada

Pêches et Océans  
Canada

Fish and Fish Habitat Protection Program  
Arctic Region  
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Yellowknife, Northwest Territories  
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Programme de protection du poisson et de son habitat  
Région de l'Arctique  
301 – 5204 50th Ave. (Franklin)  
Yellowknife, Territoires du Nord-Ouest  
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March 3, 2025

*Your file*      *Votre référence*  
1BR-PLR

**Subject:      Pelly Lake Remediation Project, New Type B Water Licence  
Application (1BR-PLR)**

To whom it may concern,

On January 31, 2025, the Nunavut Water Board invited parties to comment on the Pelly Lake Remediation Project, New Type B Water Licence Application, 1BR-PLR. The Fish and Fish Habitat Program of Fisheries and Oceans Canada (FFHPP) appreciates the opportunity to review the application and offers a comment below.

**DFO Comment:**

The Pelly Lake Remediation Project Type B Water Licence Application (file number: 1BR-PLR) discusses the projects water withdrawal and contaminated sediment removal activities which have the potential to impact fish and fish habitat.

Impacts to fish and fish habitat can occur during remediation activities through loss of riparian habitat during site clearing, erosion and sedimentation, release of drilling fluids and cuttings into aquatic environments, disturbance to fish and fish habitat during sensitive life stages, and water withdrawals, particularly during low water periods, associated with drilling, surface stripping and camp operations.

Direct fish mortality can occur during water withdrawal and sediment removal activities through entrainment/impingement and from unplanned releases of sediment or other deleterious substances. Entrainment occurs when a fish is drawn into a water intake and cannot escape. Impingement occurs when a fish is held in contact with the intake screen and is unable to free itself. Sedimentation can have lethal and sub-lethal effects on fish from displacement and avoidance behaviours and through cumulative effects on fish egg development and survival.

**Recommendation:**

In order to comply with the Fisheries Act, it is recommended that the Proponent follow DFO's protective measures for fish and fish habitat and standard codes of practice which can be found on DFO's website ( <https://www.dfo-mpo.gc.ca/pnw-ppe/measures-mesures-eng.html> and <https://www.dfo-mpo.gc.ca/pnw-ppe/practice-pratique-eng.html>).

Proponents are also asked to respect the NU in-water works restricted activity timing windows ([Projects Near Water - Nunavut Restricted Activity Timing Windows for the Protection of Fish and Fish Habitat \(dfo-mpo.gc.ca\)](https://www.dfo-mpo.gc.ca/projects-near-water-nunavut-restricted-activity-timing-windows-for-the-protection-of-fish-and-fish-habitat)) to protect fish during spawning and incubation periods when spawning fish, eggs and fry are vulnerable to disturbance or sediment.

In addition, the proponent should refer to DFO's Interim code of practice: End-of-pipe fish protection screens for small water intakes in freshwater available at <https://www.dfo-mpo.gc.ca/pnw-ppe/codes/screen-ecran-eng.html> when using fish screens and if the water intake flow is up to 0.150 m<sup>3</sup>/s, or 150 liters per second (L/s).

The proponent should follow the DFO Protocol for Winter Water Withdrawal in the NWT (2010) and not withdraw more than 10% of under-ice water volumes. (<https://registry.mvlwb.ca/Documents/W2010C0005/W2010C0005%20-%20Land%20Use%20Permit%20Application%20-%20DFO%20Water%20Withdrawal%20Protocol%20-%20Aug%2025%2010.pdf>)

As the proposal meets the criteria for a site specific review (e.g., alteration of fish habitat), as described on DFO's website ( <https://www.dfo-mpo.gc.ca/pnw-ppe/reviews-revues/request-review-demande-d-examen-003-eng.html>), DFO recommends that the proponent should complete and submit the request for review form available on the website( <https://www.dfo-mpo.gc.ca/pnw-ppe/reviews-revues/request-review-demande-d-examen-004-eng.html>).

It is also the proponent's Duty to Notify DFO if they have caused, or are about to cause, the death of fish by means other than fishing and/or the harmful alteration, disruption, or the destruction of fish habitat. Such notification should be directed to [DFO.ARCETriage-TriageGEARC.MPO@dfo-mpo.gc.ca](mailto:DFO.ARCETriage-TriageGEARC.MPO@dfo-mpo.gc.ca)

Yours sincerely,



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