



Fisheries and Oceans
Canada

Pêches et Océans
Canada

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February 10, 2006

Your file *Votre référence*

NWB5SAR

Our file *Notre référence*

NU-04-0045

Bob Martin
P.O. Box 2200
Iqaluit, NU.
X0A 0H0

Via electronic mail to:
martinro@inac.gc.ca

Dear Mr. Martin:

Subject: Sarcpa Lake CAM-F Dew line Site Remediation Project.

Fisheries and Oceans Canada (DFO) received the revised plans for the above project on February 10, 2006, concerning the application for a Type "B" water license by Indian and Northern Affairs Canada. To expedite future correspondence or inquiries, please refer to your referral title and file numbers when you contact us.

Referral File No.:	04-HCAA-CA7-000-000045
Habitat File No.:	NU-04-0045
Referral Title:	Sarcpa Lake - CAM-F DEW Line

It is our understanding that the revised proposal consists of:

- *Remediation of the abandoned DEW Line site.*
- *Mobilization of a camp holding approximately 45 people.*
- *Water usage will average approximately 18000 litres per day during the work season.*
- *Water intake will be equipped with a mesh screen to prevent entrapment of fish.*
- *Overland winter transportation will be required via cat train to allow movement of heavy equipment between the landing area and the station (no construction required).*

as outlined in the following plans:

- *NWB Water Licence Application Form.*
- *NWB Application for Access to Inuit Owned Land.*
- *NWB Exploration/Remote Camp Supplementary Questionnaire.*
- *Remediation Work Plan CAM-F Sarcpa Lake Intermediate DEW Line Site, UMA Engineering Ltd., January 2005.*
- *Supplemental information provided to the Nunavut Water Board January 27, 2006 and to DFO February 10, 2006*

If the above plans have changed since the time of submission, the advice in this letter may no longer apply and the proponent should consult with us to determine if further review is needed.

We have concluded that the proposed works and undertakings are adequate to protect fish and fish habitat provided that the work is carried out as described in the plans and the following additional measures are implemented:

- Borrow sources, landfills and storage areas should be located outside of the floodplain of any watercourses, above the high water mark of waterbodies and a sufficient distance from the water to prevent sediment or any spills from entering the water.
- All disturbed areas should be stabilized and re-vegetated as required, upon completion of work, and restored to a pre-disturbed state.
- If operations require water in 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 for review. DFO strongly discourages the use of streams as a water source.

Extraction of water via intake from any water body is prohibited under Section 30 of the *Fisheries Act* unless the entrance of the intake is properly screened to prevent the entrainment of fish. Refer to the *Freshwater Intake End-of-Pipe Fish Screen Guideline* (DFO 1995), which is available upon request. No harm should come to fish during water removal as long as the following mitigation measures are implemented:

- Ensure that the holes in the screen are small enough that no fish of any size can pass through the screen and into the intake.
- The rate of water withdrawal should be such that fish do not become impinged on the screen.
- Make certain that the fish guard or screen is properly maintained, in a good state of repair, and is not removable except for renewal or repair.
- During the time in which a renewal or repair is being conducted, the entrance of the water intake should be closed in order to prevent the passage of fish into the intake.

By implementing these additional measures and those already outlined in your plans, it is our opinion that the proposed works and undertakings will not likely result in the harmful alteration, disruption or destruction (HADD) of fish habitat, which is prohibited unless authorized by DFO. These are recommendations to ensure that the proposed works will likely not result in a HADD of fish habitat. Therefore a subsection 35(2) Authorization is not necessary.

You could contravene subsection 35(1) of the *Fisheries Act* if a HADD of fish habitat results from any change in your proposed plan or from failure to properly implement these additional measures. Subsection 35(1) states, "*no person shall carry on any work or undertaking that results in the harmful alteration, disruption or destruction of fish habitat.*"

This letter of advice does not permit the deposit of a deleterious substance (section 36 of the *Fisheries Act*) into waters frequented by fish nor does it release you from the responsibility to obtain any other federal (for example, the *Navigable Waters Protection Act*) or territorial approvals.

- All wastes, sewage containments and fuel caches should be located well away from the normal high water mark of 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 operation, maintenance procedures and vehicular refueling, should be controlled to prevent the entry of petroleum products, sediment, debris or other deleterious substances into the water.

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

If there are any questions concerning the above, or if my understanding of the proposal is either incorrect, incomplete, or if there are changes to the proposed works or undertakings, please contact me directly by telephone at (867) 979-8012 or by fax at (867) 979-8039.

Yours sincerely,

Original signed by:

Lyndon Kivi
Habitat Management Biologist
Fisheries and Oceans Canada – Eastern Arctic Area

Attachment(s):

c.c.: Phyllis Bealieu – NWB
 Keith Pelley – DFO – C&P