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October 1, 2001

To: Rita Becker
Licensing Administrator
Nunavut Water Board
Gjoa Haven, NU

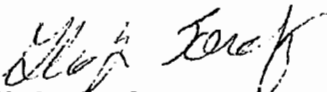
Re: Aliaruhik Second River Crossing Kugaaruk
NIRB: 01WA065 NWB: NWB4PEL

As the Department of Fisheries and Oceans Canada has finished their review of the project and reached a satisfactory conclusion the NIRB has attached the completed Screening Decision Report that was originally issued and then recalled. The original document contains all of the DFO measures that are to be followed, if worded somewhat differently. As the Screening Decision Report requires no changes the Nunavut Water Board should feel free to issue their water license.

Attached is the authorization for works or undertakings affecting fish habitat that was forwarded to myself on Friday, September 28, 2001 from Mr. DeGroot.

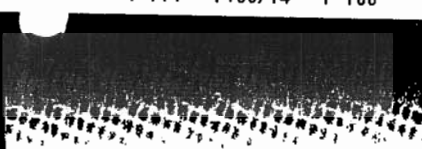
Please contact me at (867) 983-2593 if you have any questions about the Screening Decision Report.

Yours truly,


Gladys Joudrey
Environmental Assessment Officer

2001





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SCREENING DECISION

Date: June 19, 2001

Thomas Kudloo
Chairperson
Nunavut Water Board

Dear Minister:

RE: Screening Decision of the Nunavut Impact Review Board (NIRB) on Application:

NIRB 01WA065

DIAND N2001X0015

NWB NWB4PEL

DEO

Aliaruhik Second River Crossing Kugaaruk

Authority:

Section 12.4.4 of the Nunavut Land Claim Agreement states:

Upon receipt of a project proposal, NIRB shall screen the proposal and indicate to the Minister in writing that:

- a) the proposal may be processed without a review under Part 5 or 6; NIRB may recommend specific terms and conditions to be attached to any approval, reflecting the primary objectives set out in Section 12.2.5;
- b) the proposal requires review under Part 5 or 6; NIRB shall identify particular issues or concerns which should be considered in such a review;
- c) the proposal is insufficiently developed to permit proper screening, and should be returned to the proponent for clarification; or
- d) the potential adverse impacts of the proposal are so unacceptable that it should be modified or abandoned.

Primary Objectives:

The primary objectives of the Nunavut Land Claims Agreement is referenced in the screening section 12.4.4 (a) are set out in section 12.2.5 of the Land Claims Agreement. This section reads:

In carrying out its functions, the primary objectives of NIRB shall be at all times to protect and promote the existing and future well-being of the residents and communities of the Nunavut Settlement Area, and to protect the ecosystemic integrity of the Nunavut Settlement Area. NIRB shall take into account the well-being of the residents of Canada outside the Nunavut Settlement Area.

The decision of the Board in this case is 12.4.4 (a) the proposal may be processed without a review under Part 5 or 6; NIRB may recommend specific terms and conditions to be attached to any approval, reflecting the primary objectives set out in Section 12.2.5;

Reasons for Decision:

NIRB's decision is based on specific considerations that reflect the primary objectives of the Land Claims Agreement. Our considerations in making this decision included:

- the potential impacts to the terrain from heavy equipment and vehicles which may cause rutting and erosion;
- the potential impacts to the stream bed and banks, and increased sedimentation of water courses causing damage to fish habitat;
- the potential impact to the ecosystem from accidental spillage of petroleum products; and
- community support for the project.

Terms and Conditions:

- That the terms and conditions attached to this screening report will apply.

Wildlife

1. The Permittee shall ensure that there is no damage to wildlife habitat in conducting this land use operation.
2. The Permittee shall ensure that the bridge and road alignment avoids known environmentally sensitive areas (denning, nesting, spawning or overwintering habitat etc.) by a minimum of 250 metres.
3. The Permittee shall make all efforts to minimize harassment to wildlife including not conducting operations in sensitive areas during critical time periods (denning, nesting, staging, spawning or overwintering etc.).
4. The Permittee shall construct and maintain all structures placed in streams frequented by fish, in such a manner that will not obstruct passage of fish in accordance with Section 20 of the *Fisheries Act*.
5. The harmful alteration, disruption or destruction of fish habitat is prohibited under Section 35 of the *Fisheries Act*. No construction or disturbance of any stream/lake bed or banks of any definable watercourse is permitted unless authorized by DFO.
6. The Permittee shall not feed wildlife

Environmental

7. The Permittee shall ensure that all instream construction is carried out during the low water period.
8. The Permittee shall limit any instream activity. Instream activity is restricted until the completion of the upstream migration of Arctic char. Machinery is not permitted to travel up the streambed and fording of the stream be kept to a minimum. Fording of the stream should be limited to one general area.
9. The Permittee shall ensure that stream crossings are located to minimize approach grades.
10. The Permittee shall ensure that bank disturbance is to be avoided.
11. The Permittee shall not cut any stream bank or remove any material from below the ordinary high water mark of any stream unless authorized in writing by a Land Use Inspector.
12. The Permittee shall stabilize approaches during construction and upon completion of the project to control run off, erosion and subsequent siltation of the stream.
13. The Permittee shall implement appropriate erosion control measures as required. Methods to control erosion may include revegetation of slopes, drainage ditches and sediment traps.

14. The Permittee shall not deposit or permit the deposit of sediment into any waterbody.
15. The Permittee shall ensure that all equipment is well cleaned and free from contaminated materials, oil and grease.
16. The Permittee shall not conduct mechanized clearing within thirty (30) metres of the normal high water mark of a watercourse in order to maintain a vegetative mat for bank stabilization.
17. The Permittee shall not move any equipment or vehicles unless the ground surface is in a state capable of fully supporting the equipment or vehicles without rutting or gouging.
18. The Permittee shall suspend operation if rutting occurs.
19. The Permittee shall avoid causing soil damage that disturbs natural drainage patterns or expose permafrost. These areas shall be repaired immediately.
20. The Permittee shall commence and foster revegetation on all parts of the land used. Methods should include scarification and transplanting of native vegetation from other areas.
21. The Permittee shall remove any obstruction to natural drainage caused by any part of this land use operation.
22. The Permittee shall obtain fill materials to be, used from and approved source, and must be clean and free of contaminants.
23. The Permittee shall designate an area for the deposition of excavated and stockpiled materials not within thirty (31m) metres of the high water mark of any waterbody.
24. The Permittee shall not dragge or skidd debris from clearing activities across watercourses, and all slash and debris is to be disposed above the high water mark so that it does not enter the water.
25. The Permittee shall not use any equipment except of the type and size, and number that is listed in the accepted application.

Archaeological Sites

26. The Permittee shall follow all terms and conditions for the protection and restoration of archaeological resources as outlined by the Department of Culture, Language, Elders and Youths (CLEY) in attached letter.

Waste Disposal

27. The Permittee shall not discharge or deposit any refuse substances or other waste materials in any body of water, or on the banks thereof, which will impair the quality of the waters of the natural environment.
28. The Permittee shall ensure that the land use area is kept clean and tidy at all times.

Fuel Transport and Storage

29. The deposition of deleterious substances into water bodies frequented by fish is prohibited under Section 36 of the *Fisheries Act* unless authorized by regulation. The Permittee shall therefore ensure that any deleterious chemicals, fuel or wastes associated with the proposed project do not enter such waters.
30. The Permittee shall ensure that the transportation of fuel shall be done in compliance with the *Transportation of Dangerous Goods Act and Regulations* requirements.
31. The Permittee shall take all reasonable precautions to prevent the possibility of migration of spilled petroleum fuel or chemicals over the ground surface.
32. The Permittee shall have emergency response and spill contingency plans for fuel transfer and storage as well as any other hazardous liquids at the site in place prior to the commencement of the land use activity.

33. The Permittee shall immediately report all spills of petroleum and hazardous chemicals to the twenty-four (24) hour spill report line (867) 920-8130.
34. The Permittee shall ensure that vehicle and equipment maintenance and servicing shall be conducted only in designated areas and shall implement special procedures to manage fluids, waste and contain potential spills.
35. The Permittee shall not place any petroleum fuel storage or chemical containers within thirty-one (31) metres of the ordinary high water mark of any water body.

Reclamation

36. The Permittee shall remove all scrap metal, discarded machinery and parts, barrels and kegs, buildings and building material upon abandonment.
37. The Permittee shall complete all clean-up and restoration of the lands used prior to the expiry date of this permit.

Other Recommendations

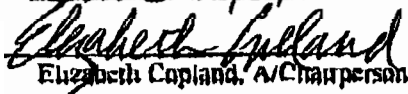
1. NIRB would like to encourage the proponent to hire local people and services, to the extent possible.
2. NIRB advises the proponent to consult with local residents regarding their activities in the region.
3. The Environmental Protection Branch (DOE), Department of Fisheries and Oceans (DFO), Nunavut Impact Review Board (NIRB), and the Nunavut Water Board (NWB) should be advised of any material changes to plans or operating conditions associated with the project.
4. Any amendment requests deemed by NIRB to be outside the original scope of the project will be considered a new project.

Validity of Land Claims Agreement

Section 2 12.2

Where there is any inconsistency or conflict between any federal, territorial and local government laws, and the Agreement, the Agreement shall prevail to the extent of the inconsistency or conflict.

Dated June 20/01 at Whale Cove, NU


Elizabeth Copland, A/Chairperson

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**AUTHORIZATION FOR WORKS OR UNDERTAKINGS AFFECTING FISH HABITAT
AUTHORISATION POUR DES OUVRAGES OU ENTREPRISES MODIFIANT
L'HABITAT DU POISSON**

DFO File No. 0HCAA-CA7-000-104
Authorization No./N° de l'autorisation

Authorization Issued To/Autorisation délivrée à

Name: David Crockatt
Manager, Transportation
Community Government and Transportation (CG&T),
Government of Nunavut (GN)

Address: 2nd Floor, Inukhok Building
P.O. Box 2376
Cambridge Bay
Nunavut X0B 0C0

Telephone: (867) 983-4014

Facsimile: (867) 983-4003

Location of Project/Emplacement du projet

Aliarusik River, Barrow Lake, Hamlet of Kugaaruk, Nunavut. An outflow of Barrow Lake, the Aliarusik River drains into the Kugajuk River. The bridge crosses the Aliarusik River, approximately 60 m downstream of Barrow Lake, and is centred at 68° 25' 27" N by 89° 36' 48" W. Two additional gravel road crossings are located on the road approaching the bridge.

Valid Authorization Period/Période de validité

From/De: Sept 26, 2001

To/À: November 30, 2001

The valid authorization period is for harmful works only. Other authorization periods are specified within the text below. This authorization will remain in effect until all conditions identified below have been achieved to the satisfaction of the Department of Fisheries and Oceans- Fish Habitat Management, Eastern Arctic Area.

Description of HADD Works or Undertakings/Description des ouvrages ou entreprises

A single lane bridge (36 m in length), supported by gravel filled bin boxes, and surrounded by riprap armouring, will be constructed over the Aliarusik River. The construction of the east bridge abutment will result in the destruction of fish habitat. Construction of two gravel road crossings across tributaries of the

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**AUTHORIZATION FOR WORKS OR UNDERTAKINGS AFFECTING FISH HABITAT
AUTHORISATION POUR DES OUVRAGES OU ENTREPRISES MODIFIANT
L'HABITAT DU POISSON**

DFO File No. 01ICAA-CA7-000-104

Authorization No./N° de l'autorisation

Aliarusik River will result in additional habitat loss. Construction of the bridge and two gravel road crossings, are hereafter known as the "Project Effects".

Habitat Loss

The habitat loss will occur in the Aliarusik River and impacted tributaries (as indicated in *Fish and Habitat Assessment of Three Watercourses near Kugaaruk, Nunavut* RL&L Report No. 998P; 21 p.)

- Construction of the east abutment of the Aliarusik Bridge will result in the destruction of 150 m² of fish habitat in the Aliarusik River ("Crossing 2"). The Aliarusik River has been documented as habitat for arctic charr and lake trout, and has the potential to provide habitat for other fish species. The river is a corridor for arctic charr migrating between St. Peter Bay and Barrow Lake.
- Construction of the gravel road crossing on the west side of the Aliarusik River ("Crossing 1") will result in the loss of 15 m² of fish habitat in a small tributary of the Aliarusik River.
- Construction of the gravel road crossing on the east side of the Aliarusik River ("Crossing 3") will result in the loss of 225 m² of fish habitat in a small tributary of Barrow Lake.

Habitat Compensation

To compensate for the above Habitat Loss, various measures are to be implemented to increase the diversity of fish habitats by providing resting, feeding, and refuge areas for fish in the Aliarusik River and impacted tributaries. Compensation measures will include development of a 4X10 m rock spur, pools, and placement of riprap armour rock.

Conditions of Authorization/Conditions de l'autorisation

- 1.0 Pursuant to subsection 35(2) of the *Fisheries Act*, the Minister of Fisheries and Oceans (DFO) authorizes Department of Community Government and Transportation, Government of Nunavut (DGCT) to cause the Project Effects by the following means or under the following conditions. In developing this Authorization, DFO considered its *Policy for the Management of Fish Habitat* (DFO 1986).
- 2.0 DGCT confirms that all plans and specifications for all works and undertakings proposed relating to this Authorization have been duly prepared and reviewed by appropriate professionals working on behalf of DGCT. DGCT acknowledges that it is solely responsible for all design, safety and workmanship aspects of all works associated with this Authorization.
- 3.0 All mitigation, compensation and reporting requirements outlined in this Authorization shall be implemented to the satisfaction of DFO.
- 4.0 All plans required under this Authorization shall be submitted to DFO for review and approval within the time lines indicated within this Authorization.

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**AUTHORIZATION FOR WORKS OR UNDERTAKINGS AFFECTING FISH HABITAT
AUTHORISATION POUR DES OUVRAGES OU ENTREPRISES MODIFIANT
L'HABITAT DU POISSON**

DFO File No. 0HCAA-CA7-000-104

Authorization No./N° de l'autorisation

5.0 All works and undertakings shall be undertaken in accordance with the documents approved by DFO entitled:

5.1 "Application for Authorization for Works or Undertakings Affecting Fish Habitat," submitted to DFO, dated May 4th, 2001 and signed by Jivko Jivkov, Jivko Engineering Ltd.

5.2 Letter dated July 5th 2001 from Jivko Jivko to DFO, entitled "Application for Authorization, Second Bridge Crossing Alianuk River, Kugaaruk, NU, Additional Information."

5.3 A "No Net Loss" Plan (Table 1), received September 26th, 2001 by DFO. The revised "No Net Loss" Plan will be submitted to DFO for final approval no later than September 28th, 2001.

5.4 The approved documents include the works or undertakings, proposed mitigation measures and compensation requirements (the *Project Plan*).

6.0 To compensate for the harmful alteration, disruption or destruction of fish habitat as a result of construction of the bridge and two gravel road crossings, the following shall be implemented, maintained and monitored by DGCT, as indicated in the *Project Plan* or otherwise agreed to by DFO :

6.1 To compensate for habitat losses due to infilling 150 m² of habitat adjacent to the east bank of the Alianuk River, 170 m² of fish habitat will be created, restored, and/or enhanced at the site of the bridge, providing for a Net Gain of 20 m² fish habitat. A rock spur (4 X 10 m), riprap armour rock (105 X 1 m), and pools will be developed onsite.

6.2 In addition, riprap armour rock placement and pool development will also provide onsite compensation for habitat losses at each of the two gravel road crossings.

6.3 An interim Fish Habitat Compensation Monitoring Report shall be submitted to DFO, including detailed photographs of the bridge, gravel road crossings, and compensation measures, prior to completion of the work. The intent of this Monitoring Report shall be to assess the success of fish habitat compensation upon implementation.

6.4 To further assist in evaluating the success of the above compensation measures, a Fish Habitat Monitoring study will also be conducted in August 2002 at the three watercourses. Based on the study proposal, entitled "Proposed Fisheries Assessment of Three Watercourses near Kugaaruk, Nunavut", the revised study will be submitted before October 15th, 2001 for prior approval by DFO.

7.0 The following mitigation points are intended to minimize or prevent further harmful alteration, disruption or destruction of fish habitat as a result of project development activities as indicated in the *Project Plan*.

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**AUTHORIZATION FOR WORKS OR UNDERTAKINGS AFFECTING FISH HABITAT
AUTHORISATION POUR DES OUVRAGES OU ENTREPRISES MODIFIANT
L'HABITAT DU POISSON**

DFO File No. 0HCAA-CA7-000-104

Authorization No./N° de l'autorisation

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- 7.1 Appropriate erosion control measures, including riprap armouring, geotextile fabric, and silt curtains, shall be implemented to prevent deposition of silt into the Aliarusk River, Barrow Lake, or impacted tributaries.
 - 7.2 Riprap armouring will be placed at the toe of the east abutment of the bridge crossing the Aliarusk, and adjacent to both gravel crossings.
 - 7.3 Silt fences will be used to prevent sedimentation during work at each of the two stream crossings.
 - 7.4 Work shall be conducted so as to minimize the number of vehicular crossings across the Aliarusk River, and tributaries, so as to prevent disturbance to river and streambeds.
 - 7.5 Installation of culverts and bridge abutments shall not obstruct or impede fish passage.
 - 7.6 Construction of the bridge crossing the Aliarusk River shall occur outside the period of arctic charr migration in the Aliarusk River. Appropriate monitoring shall be undertaken to ensure arctic charr are not migrating during construction of the bridge.
 - 7.7 All activities, including maintenance procedures and vehicular refuelling should be controlled to prevent entry of petroleum products, debris, rubble, or deleterious substances into water. All spills of oil, fuel, or other deleterious substances shall immediately be reported to the 24 Hour Spill Line at (867)920-8130.
- 8.0 A DFO Fishery Officer shall be notified at the Rankin Inlet Office (867) 645-2871 of the proposed start time prior to commencement of construction of the bridge.
- 9.0 Any deviation from the *Project Plan*, the construction schedule or the mitigation and compensation measures stated above that may potentially affect fish or fish habitat, must be discussed and approved in writing by DFO prior to implementation.
- 10.0 A copy of this Authorization shall be at the work site during all work periods. Work crews shall be made familiar with the conditions of this Authorization prior to implementation of the works or undertakings.
- 11.0 This Authorization is deemed to be in force on that day upon which DFO receives a copy thereof dated and signed by DGCT, to signify that DGCT has read and understood its content and undertakes to carry out the company activities accordingly.
-

The holder of this Authorization is hereby authorized under the authority of subsection 35(2) of the *Fisheries Act*, R.S.C., 1985, c. F. 14, to carry out the work or undertaking described herein. This Authorization is valid only with respect to fish habitat and for no other purposes. It does not purport to release the applicant from any obligation to obtain permission from or to comply with the requirements of any other regulatory agencies.

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**AUTHORIZATION FOR WORKS OR UNDERTAKINGS AFFECTING FISH HABITAT
AUTHORISATION POUR DES OUVRAGES OU ENTREPRISES MODIFIANT
L'HABITAT DU POISSON**

DFO File No. 0HCAA-CA7-000-104

Authorization No./N° de l'autorisation

This Authorization form should be held on site and work crews should be made familiar with the conditions attached.

Le détenteur de la présente est autorisé en vertu du paragraphe 35(2) de la Loi sur les pêches, L.R.C. 1985, ch. F. 14, à exploiter les ouvrages ou entreprises décrits aux présentes.
L'autorisation n'est valide qu'en ce qui concerne l'habitat du poisson et pour aucune autre fin. Elle ne dispense pas le requérant de l'obligation d'obtenir la permission d'autres organismes réglementaires concernés ou de se conformer à leurs exigences.

En vertu de la Loi sur les pêches, des accusations pourront être portées contre ceux qui ne respectent pas les conditions prévues dans la présente autorisation.

Cette autorisation doit être conservée sur les lieux des travaux, et les équipes de travail devraient en connaître les conditions.

Date of Issuance: September 27, 2001

Approved by:

Bart Hunt
Area Director
Eastern Arctic Area
Fisheries and Oceans Canada
Central and Arctic Region

Prepared by:

Jordan DeGroot
Habitat Management Biologist
Fish Habitat Management
Eastern Arctic Area
Fisheries and Oceans Canada
Central and Arctic Region

David Crockett
Department Community, Government and Transportation
Government of Nunavut

Witness:

Signature:

Signature:

Copy signed by DGCT received by DFO

Signature:

Date:

Canada

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**AUTHORIZATION FOR WORKS OR UNDERTAKINGS AFFECTING FISH HABITAT
AUTORISATION POUR DES OUVRAGES OU ENTREPRISES MODIFIANT
L'HABITAT DU POISSON**

DFO File No, OIICAA-CA7-000-104
Authorization No./N° de l'autorisation

Copy signed by DGCT received by DFO

Signature:

Date:

[Handwritten Signature]
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Canada

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HAMLET OF KUGAARUK

P.O. BOX 205
KUGAARUK, NT X0E 1K0
PH: 867-769-6281 FAX: 867-769-6069
e-mail: pellybay@polarnet.ca

FAX TRANSMITTAL SHEET

To: Jordan DeGroot From: Quinn Taggart
Company: DFD - Fuelist Date: Sept 27/01
Fax Number: 979-8039 Total Number of Pages Including Cover: 2
Phone Number: Sender's Reference Number:
Re: Letter of Support from HTA.

<input type="checkbox"/> Urgent	<input type="checkbox"/> For Review	<input type="checkbox"/> Please Comment	<input type="checkbox"/> Please Reply
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Notes / Comments:

Jordan,
See attached.
We will call shortly.

- | | |
|---|---|
| <input checked="" type="checkbox"/> Quinn Taggart, Senior Admin Officer | <input type="checkbox"/> Guido Tigvareark, ASAO |
| <input type="checkbox"/> Ruby Watson, Financial Administrator | <input type="checkbox"/> Anita Angutinguniek, Finance |
| <input type="checkbox"/> Adam Krejunark, Recreation | <input type="checkbox"/> Beatrix Apsaktaun, GLO |
| <input type="checkbox"/> Allen Immingark, Accounts Payable | <input type="checkbox"/> Laetitia Apsaktaun, Income Support |
| <input type="checkbox"/> Dolorosa Nartok, Housing Manager | <input type="checkbox"/> Jacinta Suvissak, Housing |
| <input type="checkbox"/> Okpik V Ningark, CEDO | <input type="checkbox"/> Yanina Pujuardjuk, Finance |
| <input type="checkbox"/> Alexandro Inutuinaq, Facilities Mgmt. | <input type="checkbox"/> Gaetan Apsaktaun, PW&S |

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Kurtairojuark Hunters & Trappers Association

Kugaaruk, NU

X0B 1K0

Ph 867-769-6071 Fax 867-769-6713

Mr. Jordan DeGroot
Department of Fisheries & Oceans
Iqaluit, NU

Dear Mr. DeGroot:

At a meeting of the HTA Board of Directors on September 26, 2001, we reviewed the compensation plan as presented by Jivko Engineering concerning the crossings and the 2nd bridge for the Kugaaruk road and bridge project.

The rip-rap and pool development for the first culvert crossing was acceptable to all the board members present.

The rip-rap and pool development for the bridge abutment was acceptable to all the board members present.

The pool development for the 2nd culvert crossing was acceptable to all the board members present.

We understand that the DFO wants us to inspect the compensation items once they are completed. We will write a follow-up letter to you once we have had a chance to inspect these.

With respect to the fishery assessment study next year, we agree that further study is a good idea for the assessment of the benefits of the other compensation items. However, we feel that having a biologist come in for a couple of days would not yield a comprehensive study of the areas. If the bulk of the data collection was coordinated through our office, it would give a wider set of data to be analyzed by the scientists and give everyone a better look at the fish behavior in the area. We are prepared to participate.

If you have any further questions, you can give me a call at the HTA office at 867-769-6071.

Yours truly,



Ema Qagguk
Secretary/Manager

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Fax: (867) 983-2594

Phone: (867) 983-2593

Date: Oct 1, 2001

To: Rita Becker

Fax #: _____

From: _____ **Stephanie Briscoe**
Executive Director
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Linda Burles
Executive Secretary
e-mail: lburles@polarnet.ca

✓ Gladys Joudrey
Environmental Assess. Officer
e-mail: gladys@polarnet.ca

Jorgen Komak
Environmental Technologist
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**Vacant
Senior Researcher/Trainer**

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Environmental Assess. Officer II
D.Sateana@polarnet.ca

Millie Evalik
Finance/Administrative Officer
e-mail: evihoak@polarnet.ca

Josie Tucktoo-Lacasse
Interpreter/Translator
 e-mail: josietl@polarnet.ca

Vacant Public Relations Officer

Total # of Pages including this page: 14

☐ Urgent ☐ Reply ASAP ☐ Please Comment ☐ Please Review ☒ For Your Info

Comments:

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