



Phase 2 Hope Bay Belt Project

Presentation to the Nunavut Water Board

Public Hearing
Cambridge Bay, NU
October 24 & 25, 2018



Overview

- Fisheries Protection Program (FPP)
 - Mandate and Responsibilities
 - Legislation
 - Policy
- Review Comments and Recommendations



Mandate and Responsibilities

To ensure that commercial, recreational, and Aboriginal fisheries are productive and sustainable



Drawing by Paul Vecsei, DFO.



Legislation

Fisheries Act

- Section 35:
 - (1) Prohibits serious harm to fish
 - (2) Allows impacts with conditions
- Sections 20 & 21:
 - Requirement for enough water, fish to pass

Species at Risk Act

- Sections 32, 33, 58
 - Prohibits killing, harming, harassing, capturing or taking of listed species, destruction of habitat

Nunavut Land Claims Agreement

- Article 12
 - Development Impact



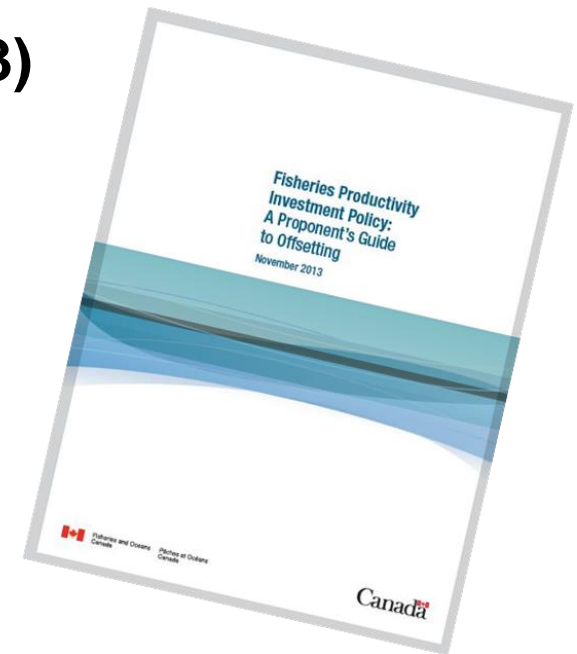
Policy

Fisheries Protection Policy Statement (2013)

- Provides guidance to implement the fisheries protection provisions of the *Fisheries Act*

Fisheries Productivity Investment Policy: A Proponent's Guide to Offsetting (2013)

- Guiding measures to offset serious harm to fish





Technical Comments and Recommendations

Fisheries and Oceans Canada's comments are focused on the following areas:

- Water Crossings
- Water and Load Balance
- Water Intake and Discharge
- Timing Assessment



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Water Crossings

(DFO 3.1.1)

- **Concerns:**

- Absence of detailed engineering designs
- Mitigation measures for implementation is unclear
- Improperly designed, sized, installed, and monitored water crossings may result in impacts to fish, fish habitat, and passage

- **Recommendations:**

- Develop and implement site-specific:
 - Engineering plans supported by measured/modelled stream flow data prior to construction
 - Construction work plan
 - Maintenance and monitoring plan



Water and Load Balance

(DFO 3.1.2)

- **Concerns:**

- Uncertainty with estimated models could result in changing surface flows that could negatively affect fish and fish habitat
- Unclear if monitoring will occur within fish bearing water courses with possible impacts predicted

- **Recommendation:**

- Include monitoring stations to assess water levels and stream flows in the Aquatic Effects Monitoring Plan for all fish-bearing waters



Water Intake and Discharge Pipes (DFO 3.1.3)

- **Concerns:**

- In-water pipeline infrastructure has the potential to impact fish and fish habitat
- Mitigation measures to be implemented is unclear

- **Recommendation:**

- Develop a site-specific construction work plan



Timing Assessment (DFO 3.1.4)

- **Concerns:**

- Affecting stream flows at specific seasonal timing may affect fish accessing spawning areas and result in fish productivity loss
- Unclear if the analysis of water quantity timing impacts on fish habitat access were resolved in the Final Environmental Impact Statement (FEIS)

- **Recommendation:**

- Clarify if water quantity impacts with timing issues were resolved
- Proponent conduct an analysis of water quantity timing impacts on fish access to key habitats.



Summary

- ✓ Reviewed Mandate, Responsibilities, Legislation and policies
- ✓ Offered technical review comments and recommendations for consideration
- ✓ Committed to continue working cooperatively with the Proponent, KIA, affected communities, and stakeholders



Thank You



Picture by Paul Vecsei, DFO

Questions?