

From: SmithRob@DFO-MPO.GC.CA
Sent: Tuesday, September 06, 2005 1:57 PM
To: michael.zurowski@baffinland.com
Cc: GordanierT@DFO-MPO.GC.CA; licensing@nwb.nunavut.ca
Subject: Mary River Project

Importance: High
Hi Michael,

As follow up to our telephone conversation on Friday, September 2, 2005 re: Mary River Project.

Fish habitat as defined by the *Fisheries Act* is "spawning grounds and nursery, rearing, food supply and migration areas on which fish depend directly or indirectly to carry out their life processes." We require some additional information to finalize our review to determine whether the proposed works will cause the harmful alteration, disruption or destruction (HADD) of fish habitat which is prohibited under Section 35(1) of the Federal *Fisheries Act* unless Authorized by DFO. The attached document is a general guide to DFO information requirements for future reference. Specifically, although your application to the NWB indicates that the watercourses being crossed are largely narrow and steep seasonal drainages which do not contain any fish habitat, the topographical maps of the road route indicate some prominent crossings and or lake/pond headed watercourses and associated route lakes, as we discussed.

- If any culvert crossings are within potential fish habitat we would require more detail on the associated footprint (i.e., area in m²) of the old culverts vs. the new culverts (not required for non-fish habitat). Although new culvert size is indicated as 5-700 mm in diameter there is no indication of lengths. Can you also provide more detail for your removal and installation methodologies and mitigation measures for sediment and erosion control pre, during and post construction (as the receiving waterbody, Phillips R., is assumed fish bearing).
- Do you have any physical measurements of watercourse crossing widths, gradients, etc?
- Do you have numbers and locations of crossings??
- Are there any potential impacts on the lakes along the road route??
- Are there any potential impacts on the sealift landing area (i.e., shoreline) at Milne Inlet??

You also indicated that you would be able to supply us with photographs of the road route and crossing areas.

Culvert crossings have the potential to create a HADD b/c of their footprint (i.e., in this case a possible increase in footprint size), fish passage and erosion and sediment concerns. As a suggestion and because it is to be a winter use road only, it may be best to pull old culverts out of significant drainage courses and or those within potential fish habitat and remediate the site for both sediment and erosion control while accommodating a snow/ice winter crossing instead of putting in new culverts.

Please refer to the following web links for additional information on the DFO project review process and relevant construction guidelines for watercourse crossings (Alberta):

http://www.dfo-mpo.gc.ca/canwaters-eauxcan/habitat/index_e.asp
<http://www.tu.gov.ab.ca/Content/doctype123/production/fishhabitatmanual.htm>

If you have 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) 979-8016 or by fax at (867) 979-8039.

Regards,

Rob Smith
Habitat Biologist



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