



Fisheries
and Oceans

Fish Habitat Management
P.O. Box 358
Iqaluit, Nunavut
X0A 0H0

Pêches
et Océans

Nunavut Water
Board

AUG 06 2003

Public Registry

COPY

August 6, 2003

Nash Sagiatook
P.O. Box 1178
Iqaluit, NU
X0A 0H0

RE: Federal Crown Land #77A/3-1

Dear Mr. Sagiatook:

NWB2NAN

This letter is to advise that The Department of Fisheries and Oceans, Fish Habitat Management (DFO-FHM) received your Nunavut Impact Review Board (NIRB) application to construct a remote outpost camp near Iqaluit at 63°28' North and 67°57' West. I have reviewed the plans submitted on your behalf by the NIRB.

Field operations in or near water may result in the harmful alteration, disruption or destruction of fish habitat, which is prohibited under Section 35 of the *Fisheries Act*. In addition to the measures set out in the project proposal, the following mitigation measures, if incorporated into the project, are intended to prevent any potentially harmful impacts to fish and fish habitat:

- All disturbed areas should be stabilized upon completion of work, and returned to a pre-disturbed state. All garbage should be removed from the site and taken to an appropriate landfill site.

Withdrawing water from a water source by means of pails does not contravene the *Fisheries Act*. However, 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 covered with a fish guard or screen. No harm will come to fish during water removal as long as the following mitigation measures are pursued (if pails are exchanged for water intake):

- Ensure that the meshes or holes in the screen are small enough that no fish of any size can pass through the screen and into the intake.
- Make certain that the fish guard or screen is properly maintained in a good and efficient state of repair, and do not permit its removal except for renewal or repair.
- During the time in which a renewal or repair is being conducted, the entrance of the water intake must be closed in order to prevent the passage of fish into the intake.

NIRB file Votre référence

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Our file Votre référence

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Depositing deleterious substances into fish bearing waters is prohibited as stated under Subsection 36(3) of the *Fisheries Act*. The following are additional measures to mitigate habitat disturbance or loss as well as the deposition of deleterious substances.

- All activities, including maintenance procedures and vehicular refuelling, should be controlled to prevent the entry of petroleum products, sediment, debris, rubble, or other deleterious substances into the water.
- All wastes, sewage containments and fuel caches should be located a minimum of thirty (30) metres from the normal high water mark of any water body, and be sufficiently bermed or otherwise contained to ensure that these substances do not enter any water body.
- All spills of oil, fuel, or other deleterious material should be reported immediately to the 24-Hour Spill Line at (867) 920-8130.

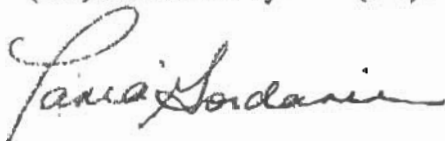
If the proposed work is carried out as described in the plans provided to DFO-FHIM and if the additional mitigation measures specified above are implemented, the proposed work will not be considered as contravening Subsection 35(1) of the *Fisheries Act* which reads:

"No person shall carry on any work or undertaking that results in the harmful alteration, disruption or destruction of fish habitat."

Therefore, an authorization under Subsection 35(2) of the *Fisheries Act* will not be necessary. If a harmful alteration, disruption or destruction of fish habitat and/or the deposition of deleterious substances into fish bearing waters occurs as a result of a change in the plans for the proposed works or failure to implement the additional mitigation measures specified above, prosecution under Subsection 35(1) and/or Subsection 36(3) of the *Fisheries Act* may be initiated.

Please note that this letter of advice does not release the proponent of the responsibility for obtaining any other permits that may be required and will apply for the proposed activities.

If you have any questions concerning the mitigation measures or should there be any changes to the proposed work, please contact me at (867) 979-8011 or Stephanie Critch at (867) 979-8007 or by fax at (867) 979-8039.



Tania Gordanier
Area Habitat Biologist
Eastern Arctic Region
Department of Fisheries and Oceans

c.c. Gladys Joudrey – Nunavut Impact Review Board