



Fisheries and Oceans
Canada

Pêches et Océans
Canada

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January 10, 2025

Your file *Votre référence*
2BE-RCE

Subject: New Type B Application by White Cliff Minerals Limited; Rae Copper Exploration Project

To whom it may concern,

On December 11, 2024, the Nunavut Water Board invited parties to comment on the New Type B Application by White Cliff Minerals Limited; Rae Copper Exploration Project, file number: 2BE-RCE. The Fish and Fish Habitat Program of Fisheries and Oceans Canada (FFHPP) appreciates the opportunity to review the application and offers a comment below.

DFO Comment:

The new water licence application for White Cliff Minerals Ltd.'s "Rae Copper Exploration Project" documents outline the water withdrawal activities from multiple waterbodies near the project which have the potential to impact fish and fish habitat. DFO acknowledges that the project will follow DFO's Protocol for Winter Water Withdrawal from Ice-covered Waterbodies in the Northwest Territories and Nunavut and DFO's Interim code of practice for End-of-pipe fish protection screens for small water intakes in freshwater. The project description does not provide timing of the works (i.e., if they will occur during Nunavut's restricted activity timing windows) or the pumps water withdrawal intake rate.

Direct fish mortality can occur during pumping activities through entrainment/impingement. Entrainment occurs when a fish is drawn into a water intake and cannot escape. Impingement occurs when a fish is held in contact with the intake screen and is unable to free itself. DFO developed a code of practice to provide national guidance on the design, installation and maintenance of small end-of-pipe water intake fish screens to prevent entrainment and impingement of fish. This code of practice is for small-scale water intakes (e.g. irrigation, construction, municipal and private water supplies, mining exploration) where the water intake flow rate is up to 0.150 m³/s, or 150 litres per second (L/s). In addition, excessive amounts of water withdrawn from ice-covered waterbodies can impact fish through oxygen depletion, loss of over-wintering habitat and/or reductions in littoral habitat.

Recommendation:

DFO recommends that the Proponent follow DFO's protective measures for fish and fish habitat and standard codes of practice which can be found on DFO's website (<https://www.dfo-mpo.gc.ca/pnw-ppe/measures-mesures-eng.html> and <https://www.dfo-mpo.gc.ca/pnw-ppe/practice-pratique-eng.html>) in order to comply with the Fisheries Act.

The proponent should review and implement any relevant DFO's protective measures for fish and fish habitat and standard codes of practice (<https://www.dfo-mpo.gc.ca/pnw-ppe/measures-mesures-eng.html> and <https://www.dfo-mpo.gc.ca/pnw-ppe/practice-pratique-eng.html>) and respect the NU in-water works restricted activity timing windows ([Projects Near Water - Nunavut Restricted Activity Timing Windows for the Protection of Fish and Fish Habitat \(dfo-mpo.gc.ca\)](#)). By doing so, works, undertaking or activities where impacts to fish and fish habitat can be avoided.

The Proponent should refer to DFO's Interim code of practice: End-of-pipe fish protection screens for small water intakes in freshwater available at <https://www.dfo-mpo.gc.ca/pnw-ppe/codes/screen-ecran-eng.html> when using fish screens, if water intake flow rate is up to 0.150 m³/s, or 150 litres per second (L/s). The proponent should also follow the Framework for Assessing the Ecological Flow Requirements to Support Fisheries in Canada and the DFO Protocol for Winter Water Withdrawal in the NWT (2010).

Based on the information that was submitted, DFO recommends the proponent complete and submit a request for review form (<https://www.dfo-mpo.gc.ca/pnw-ppe/reviews-revues/request-review-demande-d-examen-004-eng.html>) if the application meets the criteria for a site specific review (e.g., will occur during the Restricted Activity period), as described on DFO's website (<https://www.dfo-mpo.gc.ca/pnw-ppe/reviews-revues/request-review-demande-d-examen-003-eng.html>).

It is also the proponent's *Duty to Notify* DFO if they have caused, or are about to cause, the death of fish by means other than fishing and/or the harmful alteration, disruption, or destruction of fish habitat. Such notifications should be directed to (<http://www.dfo-mpo.gc.ca/pnw-ppe/CONTACT-eng.html>).

Yours sincerely,



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