



Fisheries and Oceans
Canada

Pêches et Océans
Canada

Aquatic Ecosystems

Écosystèmes aquatiques

Arctic Region | Région de l'Arctique
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07 February 2022

Your file Votre référence
3BM-COR1521

Our file Notre référence
21-HCAA-02232

Richard Dwyer
Manager of Licensing
Nunavut Water Board (NWB)
P.O. Box 119
Gjoa Haven, NU
X0B 1J0

Dear Richard Dwyer,

Subject: Fisheries and Oceans Canada's comments regarding Water Licence No. 3BM-COR1521; Coral Harbour Water Licence Application. Fisheries and Oceans Canada is not an intervener.

Fisheries and Oceans Canada – Fish and Fish Habitat Protection Program (DFO) would like to thank the Nunavut Water Board (NWB) for the opportunity to participate in the Hearing for the Hamlet of Coral Harbour's Type "A" Water Licence Application, Licence No. 3BM-COR1521. As outlined in the Pre-Hearing Conference Decision Report dated 17 December 2021, DFO understands that Coral Harbour is seeking a Type "A" Water Licence to replace the existing Type "B" Water Licence No: 3BM-COR1521.

Our review considered the following information:

- The proposed maximum quantity to be withdrawn each year from the Post River is 45,000 m³ with up to 2,000 m³ withdrawn per day.
- Withdrawals occur in the open water season for approximately 25 days.
- There is an existing water withdrawal site with a screened pump that will continue to be used.

The proposal has been reviewed to determine whether it is likely to result in:

- the death of fish by means other than fishing and the harmful alteration, disruption or destruction of fish habitat which are prohibited under subsections 34.4(1) and 35(1) of the *Fisheries Act*.
- effects to listed aquatic species at risk, any part of their critical habitat or the residences of their individuals in a manner which is prohibited under sections 32, 33 and subsection 58(1) of the *Species at Risk Act*.

The aforementioned impacts are prohibited unless authorized under their respective legislation and regulations.

In the DRAFT Application for Water Licence Amendment from the Hamlet of Coral Harbour, dated 29 September 2021, it is stated that:

“The *Desktop Risk Assessment on the Sustainability of Nunavut’s Primary Drinking Water Sources* report (Centre for Water Resources Studies, Dalhousie University, 2016) concluded that should Post River be fish bearing, daily withdrawal may be pumped at a rate up to 87,161 m³/d without having a detectable impact on the ecosystem based on the Fisheries and Oceans Canada requirements.”

Based on a desktop review of the proposed Water Licence Amendment, the withdrawal of 2000 m³/day is unlikely to reduce the flow in the Post River to an amount that would result in the death of fish by means other than fishing or result in the harmful alteration, disruption or destruction of fish habitat.

To avoid and mitigate the potential for prohibited effects to fish and fish habitat (as listed above), we recommend implementing the measures listed below:

- Apply DFO’s Measures to Protect Fish and Fish Habitat and applicable Standards and Codes of Practice, including, but not limited to:
 - Screen intakes to prevent entrainment or impingement of fish following the Interim code of practice: End-of-pipe fish protection screens for small water intakes in freshwater: <http://www.dfo-mpo.gc.ca/pnw-ppe/codes/screen-ecraneng.html>
 - Recommendations from the Framework for Assessing the Ecological Flow Requirements to Support Fisheries In Canada: <https://waves-vagues.dfo-mpo.gc.ca/Library/348881.pdf>
- Maintain fish passage by avoiding changing the flow or water level or obstructing or interfering with the movement and migration of fish.
- Avoid water withdrawal from the Post River between August 15 to June 30 to protect Arctic Char during spawning and incubation periods when spawning fish, eggs and fry are vulnerable to disturbance or sediment and to avoid disturbance to fish migration.
- A flow monitoring program should be developed to identify risks of increased water withdrawals on Arctic Char in the Post River.

Provided that you incorporate these measures into your plans, the Program is of the view that your proposal will not require an authorization under the *Fisheries Act*, the *Aquatic Invasive Species Regulations* or the *Species at Risk Act*. Consequently, DFO will not be an intervener in the assessment of this project.


Should the plans change or if some information in the proposal has been omitted, further review by the Program may be required. Consult our website (<http://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html>) or consult with a qualified environmental consultant to determine if further review may be necessary. It remains your responsibility to remain in compliance with the *Fisheries Act* and the *Species at Risk Act*.

It is also your *Duty to Notify* DFO if you 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>).

It remains the Hamlet of Coral Harbour’s responsibility to meet all other federal, territorial, provincial and municipal requirements that apply to the proposal.

If you have any questions, please contact Paul Harper at (867) 444-0983, or by email at Paul.Harper@dfo-mpo.gc.ca. Please refer to the DFO file number referenced.

Sincerely,

A handwritten signature in black ink, reading "José Audet". The signature is fluid and cursive, with the first name "José" and the last name "Audet" clearly distinguishable.

José Audet-Lecouffe
Senior Biologist, Regulatory Review
Arctic Region
Fisheries and Oceans Canada

cc:

Alasdair Beattie, DFO-FFHPP
Paul Harper, DFO-FFHPP