


NUNAVUT WATER BOARD  
Date: May 4, 2016  
Exhibit No.: 5


 Fisheries and Oceans Canada Pêches et Océans Canada


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# Iqaluit Water Licence Renewal

## Presentation to the Nunavut Water Board

Public Hearing  
Iqaluit, NU  
May 4-5, 2016


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## Overview

1. **Fisheries and Oceans Canada (DFO) – Fisheries Protection Program**
  - Mandate, Legislation and Policy
2. Comments
3. Recommendations
4. Questions and Comments

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## DFO's Fisheries Protection Program - Mandate

The **mandate** of the Fisheries Protection Program is to maintain the sustainability and ongoing productivity of commercial, recreational and Aboriginal fisheries.



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## Fisheries Protection Program – Legislation

- **Fisheries Act**
  - Section 35
    - Prohibits serious harm to fish
    - Allows for authorization of impacts with conditions
  - Sections 20, 21
    - Requirement for sufficient water, fish passage
- **Species at Risk Act**
  - Sections 32, 33, 58
    - Prohibits killing, harming, harassing, capturing or taking of listed species, destruction of residence, critical habitat
- **Nunavut Land Claims Agreement (Article 13)**

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## Fisheries Protection Program – Policy

- **Fisheries Protection Policy Statement (2013)**
  - Guidance on implementing the fisheries protection provisions of *Fisheries Act*
- **Fisheries Productivity Investment Policy: A Proponent's Guide to Offsetting (2013)**
  - Guidance on measures to offset serious harm to fish


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## Comments

Fisheries and Oceans Canada's comments focus on water withdrawal from Lake Geraldine:


- **Water withdrawal is likely a negative alteration of the fish habitat characteristics of the lake and its outflowing stream**
- **But it seems unlikely to cause a significant localized effect**



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## Recommendations


- That the Nunavut Water Board note Fisheries and Oceans Canada agreement with issuance of a water licence renewal to the City of Iqaluit
- That Iqaluit continue with its plan to provide a DFO-FPP compliant fish screen, as a precautionary measure, on its Lake Geraldine water intake


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## Recommendations


- That Iqaluit ensures it carefully evaluates potential effects on fish and fish habitat, across watersheds, including Lake Geraldine, when considering future plans for supplementary water supply
- That Iqaluit retain qualified environmental professionals (e.g., biologists) when considering projects in or near water


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## Recommendations


- It remains Iqaluit's responsibility to ensure it avoids causing serious harm to fish in compliance with the *Fisheries Act*, and that it meets the requirements under the *Species at Risk Act* as it may apply to its projects. If plans change or if the description of a proposal is incomplete, or changes in future, Iqaluit should consult DFO-FPP's website ([http://www.dfo-mpo.gc.ca/pnw-ppe/index\\_eng.html](http://www.dfo-mpo.gc.ca/pnw-ppe/index_eng.html)) or consult with a qualified environmental consultant to determine if further review is required by DFO.


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## Recommendations

- It is also Iqaluit's *Duty to Notify* DFO if it has caused; or is about to cause, serious harm to fish that are part of or support a commercial, recreational or Aboriginal fishery. Such notifications should be directed to <http://www.dfo-mpo.gc.ca/pnw-ppe/violation-infraction>


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