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**NUNAVUT WATER BOARD**

Date: March 21, 2018

Exhibit No.: 4

FEB - 9 2018

Your file      Votre référence  
3AM-PAN  
Our file      Notre référence  
17-HCAA-00779

Nunavut Water Board  
P. O. Box 119  
Attn: Licensing Department  
Gjoa Haven, Nunavut X0B 1J0

**Subject: Notice of Public Hearing - Type "A" Water License for the Hamlet of Pangnirtung:**

Fisheries and Oceans Canada – Fisheries Protection Program (DFO) would like to thank the Nunavut Water Board (NWB) for the opportunity to participate and provide comments on the Type "A" water licence application during the Technical Meeting and Pre-Hearing Conference, via tele-conference on December 5-6, 2017.

As outlined in your request dated December 22, 2017, reviewers are invited to submit comments and recommendations regarding this application to the NWB by February 12, 2018.

DFO received a "List of commitments" provided by the Proponent to the NWB on January 22, 2018. The information has been reviewed to determine whether the proposal is likely to result in *serious harm to fish* which is prohibited under subsection 35(1) of the *Fisheries Act*. Based on the information provided by the proponent to date, it is likely that impacts to fish and fish habitat can be fully mitigated. Therefore, DFO can provide specialist advice and recommendations pursuant to DFO's mandate under the *Fisheries Act*.

**1. Duval River -Water Withdrawal Impact Assessment**

- The proponent has completed a desktop hydrological assessment of discharge data available for the Duval River. Based on this assessment, the applicant indicates they meet the requirements of DFO's framework for water withdrawals:
  - Fisheries and Oceans Canada, Canadian Science Advisory Secretariat, Science Advisory Report: [A Framework for Assessing Ecological Flow Requirements to Support Fisheries in Canada](#), 2013/017.
- DFO recommends the Proponent should meet the guidance criteria:
  - Based on a pumping rate of 32 L/s, cumulative water withdrawal will not exceed 10% of instantaneous flow at any time and no water will be withdrawn when instantaneous flow is below 30% of the mean annual discharge (MAD).
  - Should the Duval River be subject to levels of cumulative water withdrawal greater than 10% of instantaneous discharge or when instantaneous flow is below 30% of the MAD, a more rigorous level of assessment is required to evaluate potential impacts.



- Water should be withdrawn during higher flow periods in July and August to minimize the requirement to withdraw water during low flow periods.
- DFO recommends that instantaneous flow be monitored (i.e. gauged reference system) daily in a way to ensure water withdrawal does not exceed 10% of instantaneous flow and water is not withdrawn when flow is at or lower than 30% of the mean annual discharge (MAD).

2. Portable Pump Intake Screen Sizing

- Given the lack of fish information available, DFO recommends that the Proponent should ensure, if required, that a fish screen is installed on water intakes that meets DFO "Freshwater End-of Pipe Fish Screen Guideline" (1995).

Should the above recommendations and mitigation be implemented and adhered to, DFO has determined that the proposal will not result in *serious harm to fish* for which formal approval would be required from the Program under the *Fisheries Act* in order to proceed.

Thank you for the opportunity to review and comment on the proposed water license application. DFO will be attending the Public Hearing scheduled in Pangnirtung on March 21-22 and will be available to answer further questions at that time.

If you have any questions, please contact Jeff Moyer at 204-984-2374, by fax at 204-984-2404 or by email at [Jeff.Moyer@dfo-mpo.gc.ca](mailto:Jeff.Moyer@dfo-mpo.gc.ca). Please refer to the file number referenced above when corresponding with the program.

Yours sincerely,

Dale Nicholson  
A/Regional Director General  
Fisheries and Oceans Canada  
Central and Arctic Region

c.c. J. Thomas (DFO-Fisheries Protection Program)  
R. Janusz (DFO-Fisheries Protection Program)  
J. Moyer (DFO-Fisheries Protection Program)