



NWB Tools

Robin Ikkutisluk <robin.ikkutisluk@nwb-oen.ca>

RE: 150528 3BM-HAL1520 Distribution Review - Amendment No.1 Application - Hamlet of Hall Beach - Qikiqtani Region

D'Amours-Gauthier, Veronique <Veronique.DAmours-Gauthier@dfo-mpo.gc.ca>

Fri, Jun 5, 2015 at 9:17 AM

To: robin.ikkutisluk@nwb-oen.ca

Dear Mrs. Ikkutisluk:

Subject: Impacts to fish, fish habitat and aquatic species at risk can be avoided or mitigated

The Fisheries Protection Program (the Program) of Fisheries and Oceans Canada received the Hamlet of Hall Beach Water Licence Amendment application on May 28, 2015.

Based on the information provided, the Proponent proposal has been identified as a project where impacts can be avoided or mitigated by following standard measures.

Serious harm to fish is prohibited under subsection 35(1) of the *Fisheries Act*, and impacts to aquatic species at risk and their habitats, are prohibited under sections 32, 33 and 58 of the *Species at Risk Act*. Where such impacts can be avoided, further review by DFO is not required and these projects are not considered as requiring an authorization under the *Fisheries Act* or the *Species at Risk Act* in order to proceed.

In order to remain in compliance with these Acts, it is recommended that the Proponent follow our guidance tools which can be found at the following website (<http://www.dfo-mpo.gc.ca/pnw-ppe/measures-mesures/index-eng.html>). It remains the Proponent's responsibility to meet the other requirements of federal, provincial and municipal agencies.

It remains the Proponent 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 project. Should its plans change or if it has omitted some information in its proposal such that its proposal meets the criteria for a site specific review, as described on our website (<http://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html>), the Proponent should complete and submit the request for review form that is also available on the website.

Please be advised that it is also the Proponent *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/index-eng.html>.

Should the Proponent has any questions or concerns about the compliance of your proposal with the *Fisheries Act* and/or those prohibitions of the *Species at Risk Act* that apply to listed aquatic species, it may wish to engage an environmental professional familiar with measures to avoid impacts to fish and fish habitat (<http://www.dfo-mpo.gc.ca/pnw-ppe/env-pro-eng.html>).

Yours sincerely,

Jennifer Thomas

A/Team Leader, Triage and Planning

Fisheries and Oceans Canada

Fisheries and Oceans Canada has changed the way new project proposals (referrals), reports of potential Fisheries Act violations (occurrences) and information requests are managed in Central and Arctic Region (Alberta, Saskatchewan, Manitoba, Ontario, Nunavut and the Northwest Territories). Please be advised that general information regarding the management of impacts to fish and fish habitat and self-assessment tools (e.g. Measures to Avoid Harm) that enable you to determine Fisheries Act requirements are available at DFO's "Projects Near Water" website at www.dfo-mpo.gc.ca/habitat. For all occurrence reports, or project proposals where you have determined, following self-assessment, that you cannot avoid impacts to fish and fish habitat, please submit to fisheriesprotection@dfo-mpo.gc.ca. For general inquiries call 1 855 852-8320.

From: Robin Ikkutisluuk [<mailto:robin.ikkutisluuk@nwb-oen.ca>]

Sent: May-28-15 4:34 PM

To: Hamlet of Hall Beach

Cc: Licensing Department

Subject: 150528 3BM-HAL1520 Distribution Review - Amendment No.1 Application - Hamlet of Hall Beach - Qikiqtani Region

NOTICE TO ALL PARTIES:

DEADLINE FOR COMMENTS IS ON JUNE 29, 2015

The attached acknowledges receipt, on May 21, 2015, of a Amendment application for a Type "B" water licence for water use and waste disposal associated with activities in the Qikiqtani region of Nunavut. The application consists of the following documents:

- Annual Report 2014
- Drawings
- Specs
- 2014 01 22 Geotechnical Investigation
- Amendment Application
- CGS Cover Letter
- Hall Beach Design Brief-Final
- Hall Beach Schedule revised Nov 18 2014
- Technical Summary (English&Inuktitut)

The application can be obtained from our ftp site under PRUC:

<ftp://ftp.nwb-oen.ca/1%20PRUC%20PUBLIC%20REGISTRY/3%20MUNICIPAL/3B/3BM%20-%20Municipality/3BM-HAL1520/>

The NWB undertook a preliminary review of your application and concluded that it meets the requirements of section 48(1) of the Nunavut Waters and Nunavut Surface Rights Tribunal Act ("Act"). However, the NWB retains the right to

request additional information and studies pursuant to sections 48(2) of the Act or to issue guidelines for the provision of information pursuant to section 48(3) of the Act. A NWB Technical Advisor may be in touch with you to clarify any technical details related to your application.

In accordance with S.11.5.10 of the Agreement Between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in Right of Canada ("NLCA"), prior to the application being fully processed by the NWB the project proposal shall be reviewed by the Nunavut Planning Commission ("NPC"), to determine whether the project proposal is in conformity with an approved land use plan. By copy of this letter, the NWB requests the NPC provide its determination and recommendations to the NWB pursuant to Sections 13.4.2 through 13.4.5 of the NLCA, or written confirmation that the project proposal falls outside the boundaries of an approved land use plan. Also, by copy of this letter to the Nunavut Impact Review Board ("NIRB"), the NWB requests that if the project proposal requires screening, the NIRB provide the NWB with a determination pursuant to Section 13.5.1 of the NLCA. If the project is exempt from screening pursuant to Schedule 12-1 of the NLCA, the NWB requests written confirmation from the NIRB that the project proposal is in fact exempt from screening.

To ensure this application is dealt with in a timely fashion, the NWB forwards notice of all documentation to regulators and council of the municipality(ies) most affected by the project, inviting interested parties to make representation directly to the NWB within 30 days from the date of this letter. The NWB may provide additional procedural instructions once the application has been reviewed by interested parties.

Subject to Sections 12.10.2 and 13.5.5 of the NLCA, where a review is required pursuant to Article 12, the NWB shall not approve any water application that forms part of that review until Article 12 has been complied with.

Sincerely,

Robin Ikkutisluk



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Licence Administrator- Administratrice des permis
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NUNAVUT WATER BOARD - OFFICE DES EAUX DU NUNAVUT
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