



Fisheries and Oceans
Canada

Pêches et Océans
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June 25, 2010

DFO File : 09-HCAA-CA7-00021

Government of Nunavut
Bag 200, Helen Maksagak Centre
Gjoa Haven, Nunavut
R0B 1J0
C/O Sudhir Kumar Jha

Via Email:
sjha@gov.nu.ca

Dear Mr. Jha:

Subject: Proposal not likely to result in impacts to fish and fish habitat provided that additional mitigation measures are applied.

Fisheries and Oceans Canada - Fish Habitat Management Program (DFO) received your proposal on July 15, 2009. Please refer to the file number and title below:

DFO File No.: **09-HCAA-CA7-00021**
Title: **Water Intake Trench, Coppermine River, Kugluktuk, Nunavut**

Your proposal has been reviewed to determine whether it is likely to result in impacts to fish and fish habitat which are prohibited by the habitat protection provisions of the *Fisheries Act* or those prohibitions of the *Species at Risk Act* that apply to aquatic species.*

Our review consisted of:

- Request for Review under the Fish Habitat Protection Provisions of the *Fisheries Act*, signed by Justin Hazenberg, dated July 15, 2009.
- Request for Review under the Fish Habitat Protection Provisions of the *Fisheries Act*, signed by Justin Hazenberg, dated April 20, 2010

We understand that you propose to:

- Excavate a 120 meter trench by means of blasting parallel to the Coppermine River in accordance with DFO *Guidelines for the Use of Explosives In or Near Canadian Fisheries Waters*,

*Those sections most relevant to the review of development proposals include 20, 22, 32 and 35 of the *Fisheries Act* and sections 32, 33 and 58 of the *Species at Risk Act*. For more information please visit www.dfo-mpo.gc.ca.

- Install a water intake and fish screen in accordance with the DFO *Freshwater Intake End-of-Pipe Fish Screen Guideline* and,
- Install gabion baskets, 1.4 meters high by 3.7 meters wide, around the intake pipe for approximately 20 meters from shore.

To reduce potential impacts to fish and fish habitat we are recommending the following mitigation measures be included into your plans:

General Measures

- *Operate machinery in a manner that minimizes disturbance to the water body bed and banks and prevents entry of deleterious substances into any water body.*
- *Machinery is to arrive on site in a clean condition and is to be maintained free of fluid leaks.*
- *Wash, refuel and service machinery and store fuel and other materials for the machinery away from the water.*
- *Keep an emergency spill kit on site in case of fluid leaks or spills from machinery.*
- *Install effective sediment and erosion control measures, where appropriate, before starting work to prevent entry of sediment into any water body. Inspect them regularly during the course of the work and make all necessary repairs if any damage or malfunction occurs.*
- *Stabilize and reclaim all disturbed areas upon completion of work. Immediately remove all debris or waste produced or associated with the work.*

Provided that the additional mitigation measures described above are incorporated into your plans, DFO has concluded that your proposal is not likely to result in impacts to fish and fish habitat.

You will not need to obtain a formal approval from DFO in order to proceed with your proposal.

Please notify this office at least 10 days before starting the work. A copy of this letter should be kept on site while the work is in progress.

If the plans have changed or if the description of your proposal is incomplete you should contact this office to determine if the advice in this letter still applies

Please be advised that any impacts to fish and fish habitat which result from a failure to implement this proposal as described or incorporate the additional mitigation measures included in this letter could lead to corrective action such as enforcement.

If you have any questions please contact Gary Cooper at 905-639-4396, by fax at 905-639-3549, or by email at gary.cooper@dfo-mpo.gc.ca.

Yours sincerely,

A handwritten signature in black ink that reads "Gary Cooper". The signature is written in a cursive, flowing style.

Gary Cooper
Habitat Management Biologist
Fisheries and Oceans Canada – Eastern Arctic Area

Copy: Eric Kan – Fisheries and Oceans Canada
Nunavut Impact Review Board
Nunavut Water Board