

From: Aziz Kheraj [azizkheraj@qiniq.com]
Sent: Tuesday, September 05, 2006 9:33 PM
To: 'Carolanne Inglis'
Subject: Response top the Hamlet and HTO comments.
Hello Carolanne,

In response to the Hamlet's comments. I will respond by line items.

1, Attached in picture above (scan 005) is a copy of the Hamlet of Resolute Bay Community plan and Zoning By-law # 33 and 34. This shows an existing area for boats to be parked. This is on a DFO tide jetty/breakwater. Pictures are attached. Jpeg 755 is on the North East side of the existing tide jetty/breakwater.

Jpeg 756 is on the South West side of the same jetty. Boats have been parked here in the summer for the past 30 years.

This was the area that the Canadian Coast Guard for decades did annual sealift from.

Jpeg 758 shows the area of our proposed breakwater where we will be docking our boat. This is about 200 meters from the existing DFO jetty. The area shown in (scan 0005) outlined in RED is the area where we are proposing to build.

The site is located on a natural outcrop of land that is higher and can be seen better on Jpeg 760. We are building on to the existing projection of land that shows up on low tide. Jpeg 762 show where we will start the breakwater and build it towards town straight out. Jpeg 763 shows the Cabins/tent frames area.

The By-law clearly shows boats in the area. The Industrial South Camp area in which we are located and shown in the Hamlet By-law 33/34 clearly shows the area (scan 0007) usage as a sealift area and dock. As our breakwater will have a docking area for our boat on the North/leeward side of it, it falls in the Hamlet's Zoning By-law area and therefore conforms to the Hamlet of Resolute Bay's own Planning and Zoning By-law # 33/34

2, I acknowledge that the area has whales and seals swim in the area as the picture submitted by the Hamlet.

I would like to point out that the whales follow the shoreline when swimming in the Bay. They are seen to follow the full contour of the shore line including around both sides of the existing DFO Tide jetty/breakwater and will continue to do that, as well as swimming around the Proposed breakwater of ours. The whales and seals swim around boats when the boats are tied up or floating in the vicinity. The whales would navigate around any breakwater at any location around the Bay, including any other breakwater that may be built in the future in any other location otherwise any Breakwater being built now or in the future in any area of the Bay would cause a problem for any marine mammal.

I do not see how access to the beneficiaries is affected in any way with the proposed breakwater being built. The Whales and Seals swim in the ocean and boats that follow the wildlife to hunt them still hunt them. The propose breakwater does not in any way prevent hunters from hunting in the area.

3, I do not see where there will be increased traffic with the proposed breakwater. There is no camping in the immediate area. I measure the distance today from the start of the breakwater, it was exactly ONE kilometer to the nearest Trailer at the cabin area mentioned by the Hamlet. Please see Jpeg 763, this shows the cabins/tent frames area. The area referred to by the Hamlet is located at Sight Point, This area has over ½ a dozen boats parked in front of the area that people use when the weather is good and the waters are calm. Some of the boats are visible in the picture. My home is closer to the proposed breakwater area than the cabins/tent frames in the Hamlet's submissions.

4, The Industrial area in the Hamlet's own By-law 33/34 clearly identified the area suitable for our use. The Tank farm upgrade is being done on its own lot as shown on (scan 0005) this has no bearing on our proposed breakwater and is located on a separate lot. The Government of Nunavut owns the tank farm and again has no bearing on our proposed breakwater. Fisheries and Oceans have the adjacent lot and have the existing Tide jetty/breakwater and buildings. This again does not have any bearing on our proposed breakwater. The sites mentioned are being upgraded to meet Federal Code and will not have any bearing on our proposed breakwater.

5, The proposed breakwater is a private breakwater. It is solely funded by Aleeeasuk and I. The long term benefit is for our use and protection of our boats. The access and future access for the residents will depend on whether the people using it will use it with respect and not abuse it. An Example would be, The Hamlets Gymnasium is open to the public, the Hamlet still has the ability to restrict any persons or parties from using the Gymnasium if they so choose to. I have known many kids who have been not allowed to go to the gym when they have caused problems. The same would apply to the use of the Hamlet's garage and workshop. People request to use it and are allowed, however if they do not respect the use of it and keep it clean, they are not allowed to use it again. This is what happens when you are the owner of any facility. As this is the general rule that is applied by all owners of property, I feel that we also have the right to restrict usage of our private breakwater. I am certain that the Hamlet, if and when they build a breakwater will exercise the same rights that they do in all their respective responsibilities. Respectfully we submit that people will be allowed to use our proposed breakwater as long as it is not abused. If it is abuse the access will be denied. Ultimately we are responsible for it and face all the legal implications that are associated with it.

6, The Hamlet Council, DSD, members of HTO were informed about the breakwater with a presentation by myself in 2001, the Hamlet Council at that time supported it. As did DSD and members of the HTO.

Hamlet Council members and HTO members change with every election and sometimes councilors have personal differences that are played out whenever possible. This is commonly known as small town politics.

HTO Comments

1, Marine mammals and their habitat has been addressed above and with the Habitat study that was conducted by our consultants, Living Elements and submitted to DFO as required by DFO.

2, Traditional use of land. The proposed breakwater does not in any way change the traditional use of the land by any person or party and or beneficiaries.

3, Inuit Harvesting activities. This proposed breakwater does not in any way hinder or interfere in Inuit Harvesting activities in the surrounding water. The waters are controlled by DFO.

4, Community involvement and consultation. This was done in 2001. I also met with Hamlet Council last month and answered and addressed all their concerns. The minutes of the meeting and recorded tapes are available from the Hamlet of Resolute Bay.

5, Local development in the area. The development of the area conforms to the Hamlet of Resolute Bay, By-law #'s 33/34.

We acknowledge the area is used by hunters for whale and seal hunting. This proposed breakwater in no way hinders the hunters from hunting whales or seals. The boats are still able to follow the marine mammals around the area.

In conclusion, the proposed breakwater protects boats parked in the safety of the breakwater from wind and waves from the south, south east and the north and north west. The prevailing winds in the summer are South East with waves from the South and South East. As we will be docking our boat at the breakwater, it is also considered a dock and therefore falls under the Hamlet of Resolute Bay's Planning and Zoning By-law numbers 33 and 34 that clearly identify the area as planned for this usage. I feel that I have addressed all the concerns raised by the Hamlet and the HTO.

We chose this site due to the fact it is within 300 meters of property line and visible from our living room.

I do not see any increase in traffic as only people who use this side of the bay to park their boats will continue to use it.

People who park their boats close to town will continue to park their boats close to town.

Thanking you

aziz

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