



Fisheries and Oceans  
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Pêches et Océans  
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August 25, 2009

*Our file*

09-HCAA-CA7-00026

Government of Nunavut  
P.O. Box 10  
Gjoa Haven, Nunavut  
R0B 1J0  
C/O Alan Johnson

Via Email:  
AJohnson@gov.nu.ca

Dear Mr. Johnson:

**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 August 10, 2009. Please refer to the file number and title below:

DFO File No.: **09-HCAA-CA7-00026**  
Title: **Dredging, Berm and Floating Dock, Resolute Bay,  
Resolute Bay, 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* and attached photos, signed by Jivko Jivkov dated August 10, 2009.
- Meeting with Jivko Jivkov at Jivko Engineering in Yellowknife, August 21, 2009

We understand that you propose to:

- Dredging a basin (Approx area 100m X 45m = 4500 m<sup>2</sup>)
- Place dredge material next to basin on high land area.
- Install a new floating dock (50'x19'x3') with two ramps (8'x25')

\*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](http://www.dfo-mpo.gc.ca).

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

*General Measures*

- *Time any in-water activities to prevent disruption to sensitive fish life stages by adhering to appropriate fisheries timing windows (see the DFO fish timing window operational statement, Nunavut Edition).*
- *Dredge on calm days to minimize the suspension of fine sediment particles into the water column*
- *Minimize the amount of dredged material removed by only dredging the area and depth required for navigation.*
- *Avoid bottom stockpiling or side casting during dredging.*
- *Install effective sediment control measures around the perimeter of the work area before starting work and during dredging to prevent re-suspended sediment from spreading to adjacent areas. Inspect these measures regularly and make all necessary repairs if any damage occurs. Remove these control measures in a way that prevents the escape or re-suspension of sediments.*
- *No infilling below the high water mark.*
- *Any large rocks moved below the high water mark should be relocated to an area of similar depth and not removed altogether from the bottom or shoreline.*
- *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.*
- *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.

Note that this letter of advice does not release you of the responsibility for obtaining any other permits that may be required under federal, territorial or municipal legislation.

If you have any questions please contact Gary Cooper at our Iqaluit office at 867-979-8027, by fax at 867-979-8039, or by email at [gary.cooper@dfo-mpo.gc.ca](mailto:gary.cooper@dfo-mpo.gc.ca).

Yours sincerely,



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

Copy: Eric Kan – Fisheries and Oceans Canada  
Leslie Payette – Nunavut Impact Review Board  
Phyllis Beaulieu – Nunavut Water Board