



Fisheries
and Oceans

Pêches
et Océans

Fish Habitat Management
P.O. Box 358
Iqaluit, Nunavut
X0A 0H0

Your file *Votre référence*
NWB No.
NWB6ENN9904

Our file *Notre référence*
NU-99-0063

May 18, 2004

Ms. Phyllis Beaulieu
Nunavut Water Board
P.O. Box 119
Gjoa Haven, NU
X0E 1J0

Dear Ms. Beaulieu:

RE: NWB File No. NWB6ENN9904 – Cawker & Young Outfitting Ltd – Ennadai Lake Project - Renewal

This letter is to advise that Fisheries & Oceans Canada, Fish Habitat Management (DFO-FHM) received the project proposal information, submitted by the Nunavut Water Board regarding a renewal of the water license for the Ennadai Lake Lodge. DFO-FHM's assessment takes into consideration primarily fish and fish habitat related concerns. The proposal has been assigned the following file number and name:

NU-99-0096: Water licence renewal – Ennadai Lake Lodge

Please refer to this number on your correspondence or inquiries.

This letter is to advise that DFO-FHM has reviewed the plans/correspondence for the proposed work for impacts to fish and fish habitat. It is my understanding from the information submitted to this office, that:

- The operation consists of the operation of a hunting and fishing camp approximately 400 kilometres from Arviat, Nunavut
- Approximately 1800 litres/ day of water will be withdrawn for use at the camp.

Operations in or near water may result in the harmful alteration, disruption or destruction of fish habitat, which is prohibited under Section 35 of the *Fisheries Act*. These and the following additional mitigation measure are intended to prevent any potentially harmful impacts to fish and fish habitat.

- All water intakes should be appropriately screened to prevent entrapment or entrainment of fish. Freshwater Intake End-of-Pipe Fish Screen Guidelines are available from this office upon request.

Depositing deleterious substances into fish bearing waters is prohibited as stated under Subsection 36(3) of the *Fisheries Act*. The following are additional measures to mitigate habitat disturbance or loss as well as the deposition of deleterious substances.

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- All activities, including maintenance procedures and vehicular refuelling, should be controlled to prevent the entry of petroleum products, sediment, debris, rubble, or other deleterious substances into the water. Impermeable spill mats, drip pans or other measures to prevent ground or ice contamination should also be used when refuelling equipment on site. Ensure that refuelling activities are conducted at an adequate distance away from the normal high water mark of any water body
- All wastes, sewage containments and fuel caches must be located a minimum of thirty (30) metres from the normal high water mark of any water body. Impermeable spill mats or plastic sheets as well as efficient containment berms should be incorporated into these caches to ensure that contaminants do not enter water bodies.
- Solid waste should not be disposed of into any water body.
- Have an extra fuel storage container on site equal to or bigger than the size of the largest fuel container. This container can be used to replace any existing container showing signs of leakage. Check for container leaks on a daily basis and repair any visible leaks immediately. DFO strongly discourages the practice of leaving fuel drums at a site during periods of no operation. Ensure that all fuel is removed from the site at the end of the field season if this fuel cannot be constantly monitored for signs of leakage.
- If applicable, ensure that approved emergency response and spill contingency plans are in place prior to commencement of operations and post these plans in a visible area where project staff can view them. Educate staff as to their responsibilities and conduct in regards to the contingency plans and have spill kits readily accessible at all times.
- All spills of oil, fuel, or other deleterious material should be reported immediately to the 24-Hour Spill Line at (867) 920-8130.

If the proposed work is carried out as described in the plans provided to DFO-FHM and if the additional mitigation measures specified above are implemented, the proposed work will not be considered as contravening Subsection 35(1) of the *Fisheries Act* which reads:

"No person shall carry on any work or undertaking that results in the harmful alteration, disruption or destruction of fish habitat."

Therefore, an authorization under Subsection 35(2) of the *Fisheries Act* will not be necessary. If a harmful alteration, disruption or destruction of fish habitat and/or the deposition of deleterious substances into fish bearing waters occurs as a result of a change in the plans for the proposed works or failure to implement the additional mitigation measures specified above, prosecution under Subsection 35(1) and/or Subsection 36(3) of the *Fisheries Act* may be initiated.

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

If there are any questions concerning the mitigation measures or should there be any changes to the proposed work, please contact me at (867) 979-8007 or by fax at (867) 979-8039.

Original Signed By:

Tania Gordanier
Habitat Management Biologist
Fish Habitat Management
Fisheries and Oceans Canada

cc: Tom Young, Cawker and Young Outfitting Ltd.
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