



Fisheries and Oceans
Canada

Pêches et Océans
Canada

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Programme de protection des pêches
876 chemin Lakeshore
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February 1, 2022

Your file *Votre référence*
8BC-FOD1828

Our file *Notre référence*
22-HCAA-00173

Manager of Licensing
Nunavut Water Board
PO Box 119
Gjoa Haven, NT X0B 1J0

Dear Manager of Licensing:

Subject: Comment Request for the Notice of Amendment Application for a Type "B" Water Licence - FOX-3 North Warning System Long Range Radar Site, Dewar Lake - Qikiqtani Region (8BC-FOD1828)

The Fish and Fish Habitat Protection Program (the Program) of Fisheries and Oceans Canada received the Notice of Amendment Application for a Type "B" Water Licence - FOX-3 North Warning System Long Range Radar Site, Dewar Lake - Qikiqtani Region (8BC-FOD1828) on January 28, 2022.

The proposal has been reviewed to determine whether it is likely to result in:

- the death of fish by means other than fishing and the harmful alteration, disruption or destruction of fish habitat which are prohibited under subsections 34.4(1) and 35(1) of the *Fisheries Act*
- effects to listed aquatic species at risk, any part of their critical habitat or the residences of their individuals in a manner which is prohibited under sections 32, 33 and subsection 58(1) of the *Species at Risk Act*

Fisheries and Oceans Canada recommends the proponent review the Interim Code of Practice for End-of-pipe fish screens (<https://www.dfo-mpo.gc.ca/pnw-ppe/codes/screen-ecran-eng.html>) and the Measures to Protect Fish and Fish Habitat (<http://www.dfo-mpo.gc.ca/pnw-ppe/measures-mesures-eng.html>). If the project is able to comply with the conditions and measures set out in the Interim Code of Practice and the Measures to Protect Fish and Fish Habitat, a project review by Fisheries and Oceans Canada is not required; however, we recommend that a Notification Form be submitted. If the project is unable to comply with the Interim Codes of Practice or the Measures to Protect Fish and Fish Habitat, we recommend that the proponent submit a Request for Review

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(<http://www.dfo-mpo.gc.ca/pnw-ppe/reviews-revues/forms-formes/request-demand-eng.pdf>) of the project.

Should the proponent's plans change or if they have omitted some information in their proposal, further review by the Program may be required. The proponent should consult our website (<http://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html>) or consult with a qualified environmental consultant to determine if further review may be necessary. It remains the responsibility of the proponent to remain in compliance with the *Fisheries Act*, the *Species at Risk Act* and the *Aquatic Invasive Species Regulations*.

It is also the proponent's *Duty to Notify* DFO if they have caused, or are about to cause, the death of fish by means other than fishing and/or the harmful alteration, disruption or destruction of fish habitat. Such notifications should be directed to (<http://www.dfo-mpo.gc.ca/pnw-ppe/CONTACT-eng.html>).

It remains the responsibility of the proponent to meet all other federal, territorial, provincial and municipal requirements that apply to their proposal.

If you or the proponent have any questions please contact Tyler Peat at (613) 213-0293 or by email at Tyler.Peat@dfo-mpo.gc.ca.

Yours sincerely,



Rick Kiriluk
A/Team Leader Triage and Planning

COPY: Tyler Peat – DFO