

Fisheries
and OceansPêches
et Océans

Fish Habitat Management
P.O. Box 358
Iqaluit, Nunavut
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Your file *Votre référence*
NIRB: 03DN117
NWB: NWB5SHE
Our file *Notre référence*
NU-03-0162

September 29, 2003

Maj. A. Cameron
North Warning System Office
c/o National Defence Headquarters
101 Colonel By Drive
Ottawa, ON
K1A 0K2
Fax: (613) 998-9261

RE: Water Licence Renewal – CAM-3 Shepherd Bay Project DEW Line Site

Dear Maj. Cameron:

The Department of Fisheries and Oceans – Eastern Arctic Area (DFO) received the above-mentioned project proposal, submitted on your behalf by the Nunavut Impact Review Board (NIRB). To expedite future correspondence or inquiries, please refer to your file number when you contact us.

File #: NU-03-0162

As outlined in the following plans:

- *Water Licence Application Form* submitted to the Nunavut Water Board (NWB) and dated August 13, 2003
- *Exploration/Remote Camp Supplementary Questionnaire* submitted to NWB on August 13, 2003 with attached site plans, project description, and Spill Contingency Plan

It is our understanding that works associated with your water licence renewal include the following:

- The use of approximately 16,000 litres of water per year pumped from Water Lake for domestic purposes
- The water intake in Water Lake is equipped with a mesh screen
- Wastes created on site and treatment/disposal methods are as follows:
 - Sewage Incinolets
 - Solid Waste Burn in bin and landfill
 - Hazardous Retrograde to licensed disposal facility
 - Bulky Items/Scrap Metal Stockpile and retrograde
 - Waste oil Retrograde to licensed disposal facility
 - Greywater Controlled discharge at designated location(s) on site

- The premise is not manned all year round; there are four scheduled maintenance trips to the station each year comprised of a four-person crew for a duration of four days
- Major maintenance projects resulting in a higher occupancy rate at the station may occur once every two to three years; unplanned corrective maintenance trips to the station during the year may be required from time to time, but rarely include an overnight stay
- From 1989 to 1995, the station was fully manned with an average occupancy of 15 persons year round; since 1995, the station has been an unmanned facility
- Leachate monitoring will be done at the proposed outfall area; effluent quality will be assessed based on the *Guidelines for Effluent Quality and Wastewater Treatment at Federal Establishments*

If these plans have changed since the time of your submission, the advice provided in this letter may not be applicable to your circumstances and you should consult with us to determine if further review is required.

Field operations in or near water may result in the harmful alteration, disruption or destruction of fish habitat (HADD), which is prohibited under Section 35 of the *Fisheries Act*. The following mitigation measures are intended to prevent any potentially harmful impacts to fish and fish habitat resulting from your proposed works:

1. If operations require water in sufficient volume that the source waterbody may be drawn down, please submit details (volume required, size of waterbody, etc.) to DFO for review. DFO does not recommend the use of streams as a water source.
2. The intake pipe in Water Lake should be screened and maintained according to the *Freshwater Intake End-of-pipe Fish Screen Guideline* (DFO 1995), available upon request.
3. Any stockpiled or permanently removed materials should be stored and stabilized away from any watercourse.
4. Erosion of disturbed surfaces should be controlled with proper revegetation. All disturbed areas should be stabilized and re-vegetated as required upon the completion of work and restored to a pre-disturbed state or better. Until revegetation is complete, temporary erosion control practices (e.g., silt fences, bales) may be required to effectively control sediment.
5. Energy diffusers, plastic sheeting, filter cloth and/or straw bales should be installed as required to provide filtering and avoid scouring and sedimentation at the outfall area.

With the additional measures outlined above, the proposed work will not likely result in HADD, which is prohibited unless authorized by DFO.

Pursuant to Section 35(1) of the *Fisheries Act*, it is unlawful to conduct any work or undertaking that results in the harmful alteration, disruption or destruction of fish habitat (HADD). In this regard, please note that this Letter of Advice is intended to provide recommendations to the proponent, to ensure that the proposed works are conducted in such a manner that adverse impacts to fish habitat are avoided. This is not an Authorization under Section 35(2) of the *Fisheries Act* to conduct works that will result in HADD. If harmful alteration, disruption or destruction of fish habitat occurs as a result of failure to follow the mitigation measures outlined in your plans and this Letter of Advice, contravention of Section 35(1) of the *Fisheries Act* could occur.

Also, please be aware that pursuant to Section 36(3) of the *Fisheries Act*, it is unlawful to deposit any deleterious substance, including sediment, into waters frequented by fish. To prevent any such deposit, the following mitigation measures should also be incorporated into your plans:

1. All materials and equipment used for the purpose of site preparation and project completion should be operated and stored in a manner that prevents any deleterious substance (e.g., petroleum products, debris, etc.) from entering the water.
2. The cleaning, fuelling and servicing of equipment should be conducted in an area from which spills and wash water will not enter any waterbody. This may include the use of berms or dykes and suitable setback distances (100 metres where conditions allow).

All spills of oil, fuel, or other deleterious material should be reported immediately to the 24-Hour Spill Line at (867) 920-8130. In addition, pursuant to Section 38(5) of the *Fisheries Act*, you are required to take all reasonable measures to prevent, counteract, mitigate or remedy any adverse effects that result, or may reasonably be expected to result from any such occurrence.

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

If you have any questions concerning the measures listed, or should there be any changes to the proposed work, please contact me directly at (867) 979-8011.

Sincerely,

Jennifer McCarthy
A/Impact Assessment Biologist
Fish Habitat Management
Department of Fisheries and Oceans- Eastern Arctic Area

c.c. G. Joudrey (NIRB)
 P. Beaulieu (NWB)
 D. Zawadski (DFO)