



### **Fish and Fish Habitat Protection Program**

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### **William Patch**

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### **Transport Canada**

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### **Explosives Regulatory Division**

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### **Cassel Kapolak**

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### **Jared Ottenhof**

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### **Carson Gillis**

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### **Eleanor McEwan**

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Harbours (DFO-SCH, Proponent)

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Dear Fish & Fish Habitat Protection Program, Richard Dwyer, William Patch, Transport Canada, Explosives Regulatory Division, Vicki DaSilva-Casimiro, Cassel Kapolak, Jared Ottenhof, Carson Gillis, and Eleanor McEwan:

**RE: NPC File No. 150814 [Arctic Bay Small Craft Harbour Development]**

The following works and activities have been proposed in the above-noted project proposal:

1. AMENDMENT to marine-based construction and quarrying activities.
  - a. Design and construction of small craft harbour for the community of Arctic Bay to support safe access to land and sea for fish and marine mammal harvesting and development of inshore and offshore fisheries.
2. Summary of proposed modifications:
  - a. Change in construction schedule (initiation 2025, completion 2029)
  - b. 24-hour dredging (as opposed to 12-hour)
3. Associated NPC File No.: 149159, 149425, and 149437; Associated NIRB File No.: 19YN031
4. Location: Qikiqtani Region (North Baffin Planning Region); [Arctic Bay]

A complete description of the project proposal reviewed by the Nunavut Planning Commission (NPC) can be accessed online using the link below.

The NPC has completed its review of the above-noted project proposal. The works and activities associated with this proposal were previously reviewed by the NPC, including marine-based construction and quarrying activities, and conformity determinations were issued on 3 June 2019, 10 December 2020, and 27 January 2021 which still apply. It conforms to the North Baffin Regional Land Use Plan (NBRLUP) and the proponent has undertaken to comply with the applicable conformity requirements of Appendices C, H, and I of the NBRLUP.

In addition, associated activities were previously screened by the Nunavut Impact Review Board, including marine-based construction and quarrying activities (NIRB File No. 19YN031).

The above-noted project proposal is exempt from screening by the NIRB because the NPC is of the understanding that the change in schedule and dredging period do not change the general scope of the original or previously amended project activities, and the exceptions noted in Section 12.4.3 (a) and (b) of the *Nunavut Agreement* do not apply.

By way of this letter, the NPC is forwarding the project proposal to the regulatory authorities identified by the proponent. Project materials, including the applicable conformity requirements, are available at the following address: <https://lupit.nunavut.ca/portal/registry/registry.aspx?appid=150814>.

The regulatory authorities to which this letter is addressed are responsible under the *Nunavut Planning and Project Assessment Act (NuPPAA)* to implement any of the applicable requirements by incorporating the requirements directly, or otherwise ensuring that they must be met, in the terms and conditions of any authorizations issued.

This conformity determination applies only to the above-noted project proposal as submitted. Proponents may not carry out projects and regulatory authorities may not issue licenses, permits, and other authorizations in respect of projects if a review by the NPC is required. Regulatory authorities may consult with the NPC to obtain recommendations on their duties to implement the existing land use plans prior to issuing licenses, permits, and other authorizations under subsection 69(6) of the *NuPPAA*.

My office would be pleased to discuss how best to implement the applicable requirements and to review any draft authorizations that regulatory authorities wish to provide for that purpose.

If you have any questions, please do not hesitate to contact me at the email address or telephone number below.

Sincerely,



**Daniel Haney** (he/him) | ᐃᓇᐅᔪᓘ ᐃᓇᐅጀ

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Nunavut Planning Commission

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