



Fisheries and Oceans
Canada Pêches et Océans
Canada

Ontario and Prairie Region
Fish and Fish Habitat Protection Program
867 Lakeshore Road
Burlington, Ontario
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Région de l'Ontario et des Prairies
Programme de protection du poisson et de son habitat
876 chemin Lakeshore
Burlington, Ontario
L7S 1A1

November 24, 2021

Your file *Votre référence*
8BC-ABH

Our file *Notre référence*
21-HCAA-02469

Manager of Licensing
Nunavut Water Board
P.O. Box 119
Gjoa Haven, Nunavut
X0B 1J0

Dear Manager of Licensing:

**Subject: Comment Request for the Arctic Bay Harbour Development - Type B
Water Licence**

The Fish and Fish Habitat Protection Program (the Program) of Fisheries and Oceans Canada received the Arctic Bay Harbour Development project proposal for a Type B Water License on November 11, 2021.

Your 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*

Provided that the plans are implemented in the manner, and during the timeframe, described, the Program is of the view that this aspect of the proposal will not require an authorization under the *Fisheries Act*, the *Aquatic Invasive Species Regulations* or the *Species at Risk Act*. However, the construction of harbour including the fixed wharf, breakwater, revetment and laydown area will require a *Fisheries Act Authorization*. The Program has received an Application for *Fisheries Act Authorization* from the proponent and the application is currently under review.

Should the proponent's plans change or if the proponent has omitted some information in the 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 the proponent to remain in compliance with the *Fisheries Act*, avoid prohibited effects on listed aquatic species at risk, any part of their critical habitat or the residences of their individuals, and prevent the introduction of non-indigenous species.

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 FisheriesProtection@dfo-mpo.gc.ca or 1-855-852-8320.

If you have any questions please contact Emily Morton at our Burlington office at 289-983-6192 or by email at Emily.Morton@dfo-mpo.gc.ca.

Yours sincerely,



Lisa Wren
A/Team Leader Coastal and Marine

COPY: Emily Morton – Fisheries and Oceans Canada