



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
867 chemin Lakeshore
Burlington, Ontario
L7S 1A1

January 13, 2020

Your file *Votre référence*

210105 8BD-ABH

Our file *Notre référence*

21-HCAA-00007

Robin Ikkutisluk
Licence Administrator
Nunavut Water Board
P.O. Box 119
Gjoa Haven, NU X0B 1J0

Dear Robin Ikkutisluk:

Subject: Comment Request for a Type B Water License – Implementation of Measures to Avoid and Mitigate the Potential for Prohibited Effects to Fish and Fish Habitat

Fisheries and Oceans Canada's Fish and Fish Habitat Protection Program (DFO-FFHPP) would like to thank the Nunavut Water Board (NWB) for the opportunity to provide comments on the Fisheries and Oceans Canada's Small Craft Harbours (the proponent) application for a Type B water license for water use and/or waste disposal associated with activities in the Quikigtani region (the Project).

As directed by the NWB in their email dated January 5, 2021, DFO-FFHPP is providing the following comments with respect to the Project's assessment.

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*; and,
- 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*.

The aforementioned outcomes are prohibited unless authorized under their respective legislation and regulations.

We recommend that the proponent review the Interim Code of Practice for End-of-Pipe Screens (<https://www.dfo-mpo.gc.ca/pnw-ppe/codes/screen-ecran-eng.html>) and the Measures to Protect Fish and Fish Habitat (<https://www.dfo-mpo.gc.ca/pnw-ppe/measures-mesures-eng.html>). Provided that the project is able to comply with the conditions and measures set out in the Interim Code of Practice, DFO-FFHPP is of the view that a project review is not required; however, we do recommend that a Notification Form (<https://www.dfo-mpo.gc.ca/pnw-ppe/reviews-revues/forms-formes/notification-eng.pdf>) be submitted. If the project is unable to comply with the Interim Code of Practice or the Measures to Protect Fish and Fish Habitat, we recommend that the proponent submit a Request for Review (<https://www.dfo-mpo.gc.ca/pnw-ppe/reviews-revues/forms-formes/request-demand-eng.pdf>) of the project.

Should your plans change or if you have omitted some information in your proposal, further review by the Program may be required. It remains your responsibility to remain in compliance with the *Fisheries Act*, the *Species at Risk Act* and the *Aquatic Invasive Species Regulations*.

It is your *Duty to Notify* DFO-FFHPP if you 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>.

If you have any questions please contact Sara Eddy at our Burlington office at 905-336- 4535 or by email at Sara.Eddy@dfo-mpo.gc.ca.

Yours sincerely,



Sara Eddy
Team Leader, Triage and Planning

COPY: Brianne Kucharski – Fisheries and Oceans Canada