



Eastern Arctic Area

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May 25, 2011

Your file Votre référence

Our file Notre référence
09-HCAA-CA7-00024

Phyllis Beaulieu
Nunavut Water Board
P. O. Box 119
Gjoa Haven, Nunavut
X0E1J0

Dear Ms. Beaulieu:

Subject: Repulse Bay Access Road and Borrow Sources

Fisheries and Oceans Canada - Fish Habitat Management Program (DFO) appreciates the opportunity to participate in the review of the application for a new water licence for the above mentioned project proposal received on April 18, 2011. To expedite future correspondence or inquiries, please refer to the referral title and file number below when you contact us:

DFO File No.: **09-HCAA-CA7-00024**
Title: **Repulse Bay Access Road and Borrow Sources**

The proposal has been reviewed to determine whether it is likely to result in impacts to fish and fish habitat which are prohibited by the habitat protection provisions of the *Fisheries Act* or those prohibitions of the *Species at Risk Act* that apply to aquatic species.*

We understand that the proponent plans to complete the construction of the 8.7km long road and realign sections and upgrade some existing water crossings in the 4.4km of road already constructed.

Based on the information provided by the proponent for the water license application, DFO has concluded that the proposal could result in impacts to fish and fish habitat and can provide the following comments:

*Those sections most relevant to the review of development proposals include 20, 22, 32 and 35 of the *Fisheries Act* and sections 32, 33 and 58 of the *Species at Risk Act*. For more information please visit www.dfo-mpo.gc.ca.

- All watercrossing locations should be assessed by a qualified fisheries professional to determine what fish if any use the system and any potential impacts to fish and fish habitat.
- The plans submitted need to demonstrate that all of the culverts have been designed to accommodate high flow events and fish passage if there is a possibility that fish may be in the system.
- We will require clarification on the rationale for the design flow (or redesigns) of water crossings: “Cross 1” and “Cross 4” which appear to have watersheds much larger (approximately 10x) than those for which the present culverts are designed. These two larger watersheds also have greater potential for use by fish so more information is also required in this regard.
- The proponent states that the work will follow the mitigation measures outlined in the DFO Operational Statement for “Culvert Maintenance”. This Operational Statement is not intended for new culvert installations or culvert replacement projects so the mitigation measures listed are not adequate for this project. Therefore additional mitigation measures and construction details should be provided by the proponent.

Once we receive the above requested information we can complete our review of the project.

If you have any questions, please feel free to contact Lyndon Kivi at our Kenora office at (807) 467-8423, by fax at (807) 467-6973, or by email at Lyndon.Kivi@DFO-MPO.GC.CA.

Yours sincerely,



Lyndon Kivi
Fish Habitat Biologist