



Fisheries and Oceans  
Canada

Pêches et Océans  
Canada

Arctic/Ontario and Prairie Region  
Fish and Fish Habitat Protection Program  
301 – 5204 50<sup>th</sup> Ave. (Franklin)  
Yellowknife, Northwest Territories  
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Région de l'Arctique / Ontario et des Prairies  
Programme de protection du poisson et de son habitat  
301 – 5204 50<sup>th</sup> Ave. (Franklin)  
Yellowknife, Territoires du Nord-Ouest  
X1A 1 E2

4 July 2023

*Our file*      *Notre référence*  
23-HCAA-00643

KNet, Keewaytinook, Okimakanak  
Franz Seibel  
115 King St. PO Box 1439  
Sioux Look out, ON  
P8T 1B9

**Subject: Geotechnical Surveying, Hudson Bay, Fort Severn, Peawanuck, Kuujjuaraapik (23-HCAA-00643) – Implementation of Measures to Avoid and Mitigate the Potential for Prohibited Effects to Fish and Fish Habitat**

Dear Franz Seibel:

The Fish and Fish Habitat Protection Program (the Program) of Fisheries and Oceans Canada (DFO) received your proposal on 28 March 2023. We understand that you propose to conduct the following works between 1 August and 31 October 2023:

- Launch a vessel to complete 2 passes of swath bathymetry, side scan sonar, and sub-bottom image sampling.
- Vessel to travel from Kuujjuaraapik, Cree Nation in Quebec to Peawanuck, and Fort Severn First Nations in Ontario, approximately 700 km.
- Surveying will be completed 24 hr/day for inshore areas and only during the day for offshore areas.
- Collect surficial soil samples at in-shore locations located in Fort Severn and Peawanuck.
- Cetacean monitoring by visual observation post (only survey if cetaceans are absent from the protection zone and stop if cetaceans are present). Record a brief cetacean sightings report and submit to DFO.

We understand the following aquatic species listed under the *Species at Risk Act* may use the area in the vicinity of where your proposal is to be located:

- Beluga Whale listed as Threatened
- Lake Sturgeon listed as Special Concern

Our review considered the following information:

- Request for Review form and associated documents submitted on 28 March 2023

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*

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

To avoid and mitigate the potential for prohibited effects to fish and fish habitat (as listed above), we recommend implementing the measures listed below:

- Plan in-water works, undertakings and activities to respect timing windows to protect fish and fish habitat.
- Plan in-water works, undertakings and activities to respect [timing windows](#), or as stipulated by the Ministry of Natural Resources and Forestry (MNR), to protect fish, including their eggs, juveniles, spawning adults and/or the organisms upon which they feed and migrate.
- Develop and implement a response plan to prevent a spill of deleterious substances from entering a waterbody.

Provided that you incorporate these measures into your plans, the Program is of the view that your proposal is not likely to result in the contravention of the above mentioned prohibitions and requirements.

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

It is also your *Duty to Notify* DFO 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>).

Please notify this office at least 10 days before starting any in-water works and that a copy of this letter be kept on site while the work is in progress. It remains your responsibility to meet all other federal, territorial, provincial and municipal requirements

that apply to your proposal ([DFO.OP.10DayNotification-Notification10Jours.OP.MPO@dfo-mpo.gc.ca](mailto:DFO.OP.10DayNotification-Notification10Jours.OP.MPO@dfo-mpo.gc.ca)).

If you have any questions with the content of this letter, please contact Anna-Maija LaFlamme at 867-445-3238, or by email at [Anna-Maija.LaFlamme@dfo-mpo.gc.ca](mailto:Anna-Maija.LaFlamme@dfo-mpo.gc.ca) . Please refer to the file number referenced above when corresponding with the Program.

Yours sincerely,

A handwritten signature in black ink that reads "Anna-Maija LaFlamme". The script is cursive and fluid.

Anna-Maija LaFlamme  
Biologist, Triage and Planning