



Central & Arctic Region
Fisheries Protection Program
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Région centrale et de l'Arctique
Programme de protection des pêches
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July 4, 2016

Your file *Votre référence*

16YN041

Our file *Notre référence*

16-HCAA-00812

Nunavut Impact Review Board
29 Mitik Street
Cambridge Bay, NU
X0B 0C0

Dear Ms. Taptuna:

Subject: Implementation of mitigation measures to avoid and mitigate impacts to fish and fish habitat and listed aquatic Species at Risk – Geotechnical & Environmental Baseline Studies, Iqaluit Port Development, Koojesse Inlet, Iqaluit

Fisheries Protection Program (the Program) of Fisheries and Oceans Canada (DFO) – would like to thank the Nunavut Impact Review Board for the opportunity to provide comments on Geotechnical and Environmental Baseline Studies – Iqaluit Port Development provided by Advisian.

As outlined in your request dated June 24, 2016, reviewers are invited to submit comments and recommendations to the Nunavut Impact Review Board by July 4, 2016. Advisian's proposal has been reviewed to determine whether it is likely to result in serious harm to fish which is prohibited under subsection 35(1) of the *Fisheries Act*. Advisian proposal has also been reviewed to determine whether it will adversely impact listed aquatic species at risk and contravene sections 32, 33 or 58 of the *Species at Risk Act* (SARA).

The following aquatic species which are currently listed under COSEWIC may be able to use the area:

- Beluga Whale (Western Hudson Bay population) –Special Concern
- Bowhead Whale (Eastern Canada- West Greenland population) –Special Concern
- Killer Whale (Northwest Atlantic/Eastern Arctic population) –Special Concern
- Narwhal (Hudson Strait population) –Special Concern
- Atlantic Walrus –Special Concern

Our review consisted of the following:

- Notice of Screening submitted by email from the Nunavut Impact Review Board on June 24, 2016; and

- Geotechnical and Environmental Baseline Studies for Iqaluit Port Development Wildlife Mitigation and Monitoring Plan by Advisian, dated June 21, 2016.

The Program understands that Advisian proposes to:

- Conduct geotechnical baseline data between July and September 2016/2017 and between March and May 2017 with studies lasting approximately two week for each study period;
- Use one motorized boat for marine based studies, including towed video surveys, collection of benthic invertebrates using a grab sampler, water and sediment quality samples and surface drogues;
- Use rotary, diamond and hand-held drilling equipment to conduct geotechnical drilling potentially in intertidal areas;
- Reduce vessel speed if marine wildlife are observed nearby;
- Follow government recommended setback distances for marine wildlife;
- Limit time spent near sensitive wildlife features to less than three minutes;
- Have a qualified wildlife monitor on site; and
- Use noise reduction technologies on rigs if possible.

To avoid affecting the above-identified aquatic species at risk and to avoid the potential of serious harm to fish, the mitigation measures listed below, in addition to those set out in Advisian's project plans, are to be followed:

- The work area should be monitored for marine mammal presence prior to the commencement of in-water works. All activities should cease if marine mammals are observed within or approaching the work location and only recommence when the marine mammals have left the area.

Provided that these mitigation measures are incorporated into your plans, the Program is of the view that Advisian proposal should not result in serious harm to fish. The Program is also of the view that Advisian's proposal should not contravene sections 32, 33 or 58 of the *Species at Risk Act*. No formal approval is required from the Program under the *Fisheries Act* or the *Species at Risk Act* in order for Advisian to proceed with its proposal.

It remains Advisian's responsibility to ensure that they avoid causing serious harm to fish and that they meet the requirements under the *Species at Risk Act* as it may apply to their project. If Advisian's plans have changed or if the description of their proposal is incomplete, or changes in the future, they 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 is required by the Program.

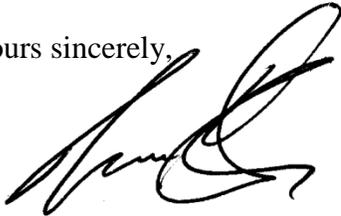
Please be advised that it is Advisian's *Duty to Notify* DFO if it has caused, or is about to cause, serious harm to fish that are part of or support a commercial, recreational or Aboriginal fishery. Such notifications should be directed to <http://www.dfo-mpo.gc.ca/pnw-ppe/violation-infraction/index-eng.html>.

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A copy of this letter should be kept on site while the work is in progress. It remains Advisian's responsibility to meet all other federal, territorial, provincial and municipal requirements that apply to its project.

If you have any questions, please contact Jessica Epp-Martindale at (905) 336-4977 or by email at Jessica.Epp-Martindale@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, appearing to read 'C. Thomas Hoggarth', written in a cursive style.

C. Thomas Hoggarth
A\Regional Manager, Regulatory Reviews
Fisheries Protection Program

ATTACHMENT: Comment Form for NIRM Screenings

Copy: Jessica Epp-Martindale