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September 27, 2019

Your file *Votre référence*
125480/19XN034

Our file *Notre référence*
19-HCAA-00772

Nunavut Impact Review Board
29 Mitik Street, P.O. Box 1360
Cambridge Bay, NU
X0B 0C0

Dear Reviewer:

**Subject: Notice of Inclusion of the Scope for Hamlet of Cambridge Bay's
"Freshwater Creek Riverbed Restoration" Project Proposal**

Fisheries and Oceans Canada's Fish and Fish Habitat Protection Program (DFO-FFHPP) would like to thank the Nunavut Impact Review Board (NIRB) for the opportunity to provide comments on the Hamlet of Cambridge Bay's (the Proponent) "Freshwater Creek Riverbed Restoration" Project Proposal (the Project).

As directed by the NIRB in their email dated September 19, 2019, DFO-FFHPP is providing the following comments with respect to the Project's screening. DFO-FFHPP understands that the NIRB would like interested parties to provide comments regarding:

- 1) Whether the project proposal is likely to arouse significant public concern; and if so, why;

DFO-FFHPP is not aware of any significant public concern at this stage of review.

- 2) Whether the project proposal is likely to cause significant adverse eco-systemic or socio-economic effects; and if so, why;

DFO-FFHPP has reviewed the Proponent's application pursuant to its mandate to maintain the on-going productivity of fisheries. DFO-FFHPP is not aware of any significant adverse eco-systemic or socio-economic effects at this stage of review.

- 3) Whether the project proposal is likely to cause significant adverse impacts on wildlife habitat or Inuit harvest activities; if so, why;

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DFO-FFHPP has reviewed the Proponent's application pursuant to its mandate to determine whether it is likely to result in serious harm to fish which is prohibited under subsection 35(1) of the *Fisheries Act* unless authorized.

In addition to the information provided, the proponent submitted a Request for Review to FFHPP on June 22, 2019. The Program has determined that the harmful alteration, disruption and destruction of fish habitat can be avoided or mitigated using standard measures. As such, an authorization under the *Fisheries Act* or a permit under the *Species at Risk Act* is not required. A Letter of Advice was issued to the proponent on August 20, 2019.

- 4) Whether the project proposal is of a type where the potential adverse effects are highly predictable and mitigable with known technology, (please provide any recommended mitigation measures);

To avoid and mitigate the potential for serious harm to fish, we recommend the implementation of the measures listed below (as provided in the Letter of Advice):

- Minimize duration of in-water work.
- Conduct instream work during periods of low flow to further reduce the risk to fish and their habitat or to allow work in water to be isolated from flows.
- Schedule work to avoid wet, windy and rainy periods that may increase erosion and sedimentation.
- Plan activities near water such that materials such as paint, primers, blasting abrasives, rust solvents, degreasers, grout, poured concrete or other chemicals do not enter the watercourse.
- Develop a response plan that is to be implemented immediately in the event of a sediment release or spill of a deleterious substance and keep an emergency spill kit on site.
- Develop and implement an Erosion and Sediment Control Plan for the site that minimizes risk of sedimentation of the waterbody during all phases of the project. Erosion and sediment control measures should be maintained until all disturbed ground has been permanently stabilized, suspended sediment has resettled to the bed of the waterbody or settling basin and runoff water is clear.
- Restore bed and banks of the waterbody to their original contour and gradient; if the original gradient cannot be restored due to instability, a stable gradient that does not obstruct fish passage should be restored.
- If replacement rock reinforcement/armouring is required to stabilize eroding or exposed areas, then ensure that appropriately-sized, clean rock is used; and that rock is installed at a similar slope to maintain a uniform bank/shoreline and natural stream/shoreline alignment.
- Ensure that all in-water activities, or associated in-water structures, do not interfere with fish passage, constrict the channel width, or reduce flows, or result in the stranding or death of fish.
- Retain a qualified environmental professional to ensure appropriate protocols are applied.

- Ensure that machinery arrives on site in a clean condition and is maintained free of fluid leaks, invasive species and noxious weeds.
- Whenever possible, operate machinery on land above the high water mark, on ice, or from a floating barge in a manner that minimizes disturbance to the banks and bed of the waterbody.
- Wash, refuel and service machinery and store fuel and other materials for the machinery in such a way as to prevent any deleterious substances from entering the water.

5) Any matter of importance to the Party related to the project proposal.

It is the proponent's Duty to Notify DFO-FFHPP if they have caused, or are about to cause, death of fish or the harmful alteration disruption or destruction of fish habitat. Such notifications should be directed to <http://dfo-mpo.gc.ca/contact/report-signaler-eng.htm>.

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: Lisa Wren – Fisheries and Oceans Canada