



Fisheries and Oceans Canada    Pêches et Océans Canada

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Inuvik, Northwest Territories  
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*Your file*      *Votre référence*  
02/10-05

*Our file*      *Notre référence*  
10-HCAA-CA6-0006

Environmental Impact Review Board  
PO Box 2120  
Inuvik, NT  
X0E 0T0

September 20<sup>th</sup>, 2010

Dear Board Chair:

**Subject: Inuvik Hearings Undertaking – Initial views on Developer's Responses to Fisheries and Oceans Draft Technical Submission.**

The Department of Fisheries and Oceans Canada (DFO) was tasked with an undertaking to provide our initial views on whether or not the Developer adequately responded, in their September 13<sup>th</sup>, 2012 reply, to the issues raised in our draft technical submission. DFO will provide our final views on the developer's materials within our final technical submission to the Board.

**Issue 1 – Water Crossings - Summer Installations**

This issue has been partly addressed. DFO acknowledges the Developer's commitment to use DFO's operational statement respecting Timing Windows, but DFO would like clarification on whether summer installation will be required for the project.

**Issue 2 – Water Crossings – Other Access Roads**

This issue has been addressed with the Developer's commitment to using DFO's Operational Statement for Ice Bridges and Snow Fills.

**Issue 3 – Water Crossings – Selection of Crossing Types**

This issue has been partly addressed. Information gaps remain in the Master Watercourse Crossings Table submitted on September 4<sup>th</sup>, 2012. For example, the 10 crossings with missing information include 5a, 12a, 12b, 17a, 20a, 27b2, 27c, 34a2, 34c, 39d, and A2a.

The Developer has made the commitment to consult with the appropriate Aboriginal groups and interested parties prior to selecting crossing types. DFO indicated in our hearing presentation and our draft technical submission that DFO expects the Developer to include community input and biological data into crossing selection criteria.

**Issue 4 – Water Crossings – Winter Fish Habitat**

Complete information respecting this request has not been provided to date nor does the developer's response include a commitment to do so.

As stated in our draft technical submission and our in hearing presentation, DFO expects that construction methods and crossing designs will avoid overwintering fish and fish habitat and recommends that a survey of winter habitat be completed on crossings that have potential for overwintering habitat and are scheduled to be a culvert crossing.

**Issue 5 – Water Crossings – General comments**

The response may address our concern should the Developer provide, as stated in their September 13<sup>th</sup> reply, a lessons learned analysis on the Tuk to Source 177 Road and a description of scenarios within a final Hydrotechnical Report to be submitted on September 30<sup>th</sup>, 2012.

As described in our hearing presentation, the lessons learned analysis should include a discussion of issues related to culvert embedding, fish passage, fish presence in small streams, beaver dam management, dealing with ice in culverts during freshet (road blowout prevention), riprap management, sediment and erosion control fencing management, placement of overflow culverts, final designs (consulting and incorporating subsistence harvesting requirements into crossing selection criteria, incorporating new fisheries baseline information into crossing selection criteria), ensuring monitors understand monitoring requirements, and communication issues between the proponent, regulators, and contractors.

In the scenario descriptions, DFO expects to see details on the types of crossings that will be employed along the highway route, the number of each of those types of crossings, the mitigations to be used at each of those types of crossings, and the residual impacts that remain after mitigation.

DFO will provide our comments on this information in our final submission.

**Issue 6 – Sedimentation**

This issue has been addressed with the commitment to provide the appropriate general and site-specific sediment and erosion control plans.

**Issue 7 - Water Withdrawals**

This issue has been addressed with the commitment to use the DFO's Winter Water Withdrawal Protocol for Ice-Covered Waterbodies in the Northwest Territories and to provide all the information required therein.

**Issue 8 – Fisheries Management and Harvesting**

This issue has been partly addressed with the Developer's commitment to working with the co-management organizations. DFO will expect the developer to work with co-management organizations to determine the site-specific data required, assist in gathering that information, and to work with them in the development of future monitoring.

**Issue 9 – Borrow Sites**

This issue has been addressed with the commitment to have a 50 m setback from all waterbodies and all watercourses.

**Issue 10 – Monitoring**

This issue has been partly addressed. The Developer has committed to monitoring culverts in fish bearing streams annually for three years to verify that fish passage is maintained, particularly during migration periods. As stated in our hearing presentation, long term monitoring may also be required depending on the crossing type and fish use as part of DFO's authorization requirements under the *Fisheries Act*.

**Issue 11 – Blasting**

This issue has been addressed with the Developer's commitment to use standard mitigation and monitoring measures as described in DFO's guidelines as well as the lower threshold value recommended by DFO to effectively mitigate any blasting impacts on fish.

**Issue 12 – No Net Loss plan**

This issue has been addressed with the proponent's commitment to providing a No Net Loss plan during the regulatory phase.

**Issue 13- Cumulative Effects Assessment**

This issue may be addressed once the Developer submits a more detailed cumulative effects assessment as indicated during the hearings. DFO will review this information and may provide additional comments in our Final Technical submission.

If you have any questions, please contact Sarah Olivier at (867) 669-4919 or at [Sarah.Olivier@dfo-mpo.gc.ca](mailto:Sarah.Olivier@dfo-mpo.gc.ca)

Thank you

A handwritten signature in black ink, appearing to read 'B. Ross', with a stylized flourish at the end.

Beverley Ross  
Regional Manager, Environmental Assessment for Major Project  
Central and Arctic Region, Fisheries and Oceans Canada

Copy: Amanda Joynt - DFO  
Larry Dow - DFO