



P. O. Box 1871
Inuvik, Northwest Territories
X0E 0T0

November 18, 2010

Your file Votre référence
G 10 Q 009

Our file Notre référence
10-HCAA-CA6-00099

Mr. Johnny Edwards
Gwich'in Land and Water Board
P.O. Box 2018
Inuvik, Northwest Territories
X0E0T0

Dear Mr. Edwards:

Subject: Proposal not likely to result in impacts to fish and fish habitat provided that additional mitigation measures are applied.

Fisheries and Oceans Canada - Fish Habitat Management Program (DFO) received the proposal on November 16, 2010. Please refer to the file number and title below:

DFO File No.: **10-HCAA-CA6-00099**

Title: **Quarry Licence Application on Km 34 of Dempster Highway**

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.*

Our review consisted of:

Application for Land Use in the Gwich'in Settlement Area, Department of Transportation, GNWT, Km 34 of the Dempster Highway

We understand that the proponent plans to:

- Extract and stockpile aggregate from the quarry from Dec.1, 2010 to Nov. 30, 2015.
- Ensure adequate drainage from the quarry
- Ensure the quarry is sloped to 2:1 on the pit floor
- Spread out organic material after completion of operations
- Transfer fuel to equipment in the quarry via fuel truck

*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.

To reduce potential impacts to fish and fish habitat we are recommending the following mitigation measures be included into the proposed plans:

1. Machinery operating in the vicinity of any water body will be supplied with appropriate spill containment kits as a precaution in the event of accidental fuel spills or leaks.
2. Sediment and erosion controls will be implemented in areas where there is a possibility that sediment could enter any drainage or water body.

Provided that the additional mitigation measures described above are incorporated into the proposed plans, DFO has concluded that the proposal is not likely to result in impacts to fish and fish habitat.

The proponent will not need to obtain a formal approval from DFO in order to proceed with the proposal.

If the plans have changed or if the description of the proposal is incomplete the proponent should contact this office to determine if the advice in this letter still applies.

Please be advised that any impacts to fish and fish habitat which result from a failure to implement the proposal as described or incorporate the additional mitigation measures included in this letter could lead to corrective action such as enforcement.

If you have any questions please contact the undersigned at (867) 777-7515, by fax at (867) 777-7501, or by email at Amanda.Joynt@dfo-mpo.gc.ca.

Yours sincerely,

(original signed by Amanda Joynt)

Amanda Joynt
Fish Habitat Biologist

Copy: A. Vashishtha - DoT
L. Dow – DFO
T. Stein – DFO
J. Boxwell – GRRB