



Arctic Canadian Diamond Company Ltd. Point Lake Project

**Presentation to the
Wek'èezhì Land and Water Board**
Public Hearings, Yellowknife, NT
November 23-26, 2021

Overview of Presentation

1. Fisheries and Oceans Canada (DFO)
Fish and Fish Habitat Protection Program's
Mandate
2. Overview of Fisheries
3. Overview of Impacts
4. DFO's Intervention Submission
5. Conclusions
6. Questions and Comments

DFO - Fish and Fish Habitat Protection Program Mandate (continued)

As **mandated** by the *Fisheries Act*, the Fish and Fish Habitat Protection Program is responsible for the conservation and protection of fish and fish habitat in Canadian waters.

Sub-Section 34.4 (1) of the Fisheries Act states that: “No person shall carry on any work, undertaking or activity, other than fishing, that results in the death of fish

Sub-Section 35 (1) of the Fisheries Act states that, “No person shall carry on any work, undertaking or activity that results in the harmful alterations, disruption or destruction of fish habitat.”

DFO - Fish and Fish Habitat Protection Program Mandate

The *Fisheries Act* defines **fish** as:

- **(a)** *parts of fish,*
- **(b)** *shellfish, crustaceans, marine animals and any parts of shellfish, crustaceans or marine animals, and*
- **(c)** *the eggs, sperm, spawn, larvae, spat and juvenile stages of fish, shellfish, crustaceans and marine animals*

DFO - Fish and Fish Habitat Protection Program Mandate (continued)

Fish Habitat, as defined by the *Fisheries Act*, is:

- *water frequented by fish and any other areas on which fish depend directly or indirectly to carry out their life processes, including spawning grounds and nursery, rearing, food supply and migration areas*

Overview of Fisheries

The Point Lake watershed is known fish habitat:

- **Point Lake**
 - Lake Trout, Slimy Sculpin,
- **Connor Lake**
 - Lake Trout, Arctic Grayling, Burbot, Slimy Sculpin, Lake Chub
- **Alexia Lake**
 - Slimy Sculpin, Lake Chub



Map showing the Point Lake watershed. *Google Earth*, earth.google.com/web/

Overview of Impacts

Downstream Effects

It is predicted that the loss of Point Lake will decrease water levels in Connor Lake by 0.12m, representing a 6% decrease in volume.

- The Connor Lake North Outflow is expected to see a decrease between 30% and 100%.

Overview of Impacts

Habitat Impacts

Connor Lake North Outflow is known to provide spawning, nursery, and rearing habitat for several Connor Lake fish species.

- Such a decrease in water levels could render this spawning habitat inaccessible.

Final Written Submission & Recommendations

Fisheries and Oceans Canada provided one technical comment for the intervention

1. Flow augmentation into Connor Lake during critical times of the year may be required to ensure the maintenance of flow in the Connor Lake North Outflow in support of the spawning and rearing activities of the grayling population. It is DFO's position that this be taken into consideration in the issuance of the water licence.

Fish Habitat within the Connor North Outflow.

Arctic Canadian Diamond Company Ltd.
Response:

- Fisheries and Oceans Canada and Arctic Canadian Diamond Company Ltd. will continue to work on developing mitigation strategies to reduce possible impacts to the fish populations in Connor and Alexia Lakes.

Status of Intervention

- DFO considers this issue unresolved.
- DFO is currently reviewing the project under DFO's Request for Review Process, and Fisheries Act Authorization.
- All effort to avoid and mitigate harm to fish and fish habitat should be exhausted before the need to offset is considered. (*Policy for applying measures to offset adverse effects on fish and fish habitat under the Fisheries Act*)

Conclusion

- DFO recommends that water licence conditions should take into considerations the possible need to augment water levels in Connor Lake to ensure access to spawning, nursery, and rearing habitat found in the Connor Lake North Outflow .

Mahsi Cho
Thank You

Questions?