



NIRB File No. 09DN018
DFO File No.: NU-11-0037
EC File No.: 4704 004 029

August 30, 2013

Rodney Watson
Department of National Defence
101 Colonel By Drive
Ottawa, ON K1P 0B6

Sent via email: rodney.watson@forces.gc.ca

Re: Notice of Part 4 Screening for Department of National Defence's Clarification and Resubmission of its "Nanisivik Naval Facility" project proposal

Dear Rodney Watson:

On June 28, 2013 the Nunavut Impact Review Board (NIRB or Board) received correspondence from the Department of National Defence (the DND or the Proponent) in response to the NIRB's January 16, 2013 Screening Decision Report for the "Nanisivik Naval Facility" project proposal, providing clarification on the deficiencies identified by the NIRB in the original project proposal. On August 19, 2013 the DND submitted an updated "Nanisivik Naval Facility" project proposal to the NIRB for Screening pursuant to Part 4, Article 12 of the Nunavut Land Claims Agreement (NLCA).

Procedural History

On November 14, 2008 the Nunavut Impact Review Board (NIRB or Board) received the Department of National Defence's (DND or the Proponent) "Nanisivik Naval Facility" project proposal. On November 17, 2008 the NIRB indicated to the Proponent that this project proposal appeared to be located in an area with an approved land use plan (North Baffin Regional Land Use Plan) and would consequently require a conformity determination from the Nunavut Planning Commission (NPC) prior to initiating the screening process. In addition, the NIRB requested that authorizing agencies with jurisdiction to authorize works or activities associated with this project forward copies of any such applications to the NIRB. On March 12, 2009 the NIRB received a positive conformity determination from the NPC for this file. At that time, the NIRB assigned the project proposal file number 09DN018 and commenced screening the project proposal pursuant to Part 4, Article 12 of the NLCA.

Following its assessment, on January 14, 2013 the NIRB issued its Screening Decision Report to the then-Minister of Aboriginal Affairs and Northern Development (the Minister), the Honourable John Duncan and to then-Minister of National Defence, the Honourable Peter MacKay, recommending that pursuant to NLCA Section 12.4.4(c), the project proposal be returned to the Proponent for clarification. Pursuant to Section 12.4.8 of the NLCA, in correspondence dated April 8, 2013 the Minister responded to the NIRB's Screening Decision Report noting that:

“[he was] required to return the proposal to the proponent for clarification and resubmission to the [NIRB], to be dealt with in accordance with [NLCA] sub-sections 12.4.4(a), (b), or (d). Should National Defence choose to resubmit its project proposal, it will need to be revised to include the outstanding information and clarification requested by the [NIRB].”

All materials received and pertaining to the Board’s *previous* assessment of the Nanisivik Naval Facility, including original application materials, the Screening Decision Report and the Minister’s response, can be accessed from the NIRB’s online public registry using the following link:

<http://ftp.nirb.ca/01-SCREENINGS/COMPLETED%20SCREENINGS/2013/09DN018-DND-Nanisivik%20Naval%20Facility/>.

Clarification and Resubmission

The DND is proposing to develop the Nanisivik Naval Facility located approximately 33 kilometres (km) northeast of the hamlet of Arctic Bay, in the North Baffin region. The primary objective of the proposed project is to provide a “berthing & refueling facility” for the Arctic Offshore Patrol Ships (AOPS) and the Canadian Coast Guard (CCG) during the navigable season each year. The facility would have fuel supply capacity for one (1) operating season. The facility may also be used to receive, marshal, hold and distribute cargo and goods from commercial sea vessels and to provide appropriate shelter, work areas and amenities for personnel during the navigable season of the year only. The construction program is proposed to commence in 2014 with the facility then becoming fully operational by 2016. The proposed facility has been designed for an anticipated life of at least 40 years, with the intention that it be manned and operated from June through October, and unmanned from November to June each year.

The proposed activities include:

- Site preparation to commence in 2014 with establishment of construction camp in 2015:
 - Use of pre-built mobile trailers for construction camp (50-60 personnel);
- Use of existing Nanisivik deep-water berth to:
 - Transport equipment and bulk material during construction;
 - Refuel AOPS and other Canadian Government ships (including CCG Ships);
 - Be used to bring in routine supplies to the Hamlet of Arctic Bay that are too large for the sea-lift barge to bring in normally;
- Establishment of cargo storage and marshalling area;
- Construction of bulk liquids storage facility:
 - Naval distillate fuel – two 3.75 million L single-walled, vertical tanks (22 meter diameter) with up to 7.5 million L stored at the facility
 - Diesel – two 81,000 L doubled-walled, horizontal tanks (3 meter diameter) with up to 100,000 L stored at the facility
 - Aviation Fuel – 15 drums with total capacity of 3,000 L
- Use and upgrading of existing roads and development of new roads to access components of the facility;
- Use of airport at Arctic Bay during construction and operation to bring in personnel and materials;
- Use of existing all-weather road between Arctic Bay and the facility during construction and operation to transport personnel and materials to the project site;
- Use of local aggregate quarry during construction (located approximately 3 km southeast of the Nanisivik Naval Facility);
- Arctic Bay to provide potable water and wastewater management during construction period (*per August 19, 2013 agreement between the Hamlet of Arctic Bay and DND*);

- Generation of wastes:
 - During construction; suitable solid waste will be incinerated while other wastes will be shipped off-site for recycling;
 - During operations; solid waste to be shipped off-site at the end of each season to an approved disposal facility
- Development of a helicopter landing area; and
- Set-up of a general purpose storage building, wharf operator shelter and upgrades to three existing DND trailers.

The Proponent also provided clarification on certain issues as identified by the Board in its January 14, 2013 Screening Decision Report including:

- How the concerns raised by the public have been addressed and/or incorporated within the revised project design;
- How traditional knowledge has been obtained and considered in the development of the proposal;
- The potential use of community services in Arctic Bay for the project proposal;
- A summary on the aggregate source(s) to be used and required for the facility construction;
- Potential impacts to marine wildlife from the project proposal and mitigation measures when marine wildlife are encountered;
- Potential impacts of noise to the marine environment and marine wildlife during wharf upgrades;
- Use of the cathodic protection system to be used to control erosion of the wharf;
- Potential impacts to Inuit harvesting resulting from the project and shipping activities, including updating the MARLANT Op Area Management Plan;
- Potential socio-economic impacts to Arctic Bay from the AOPS patrolling in and around the area including: interactions between patrol ships and harvesters; and use of patrol ships to support community initiatives such as search and rescue operations or other response efforts. DND indicated that the AOPS deployed will support search and rescue operations and emergency response to incidents such as oil spills on an as required and as available basis; and
- Discussions with GN regarding the road between Arctic Bay and the Nanisivik Naval Facility and committed to work with the GN to keep the road open during the facility operational periods.

All documents received and pertaining to this updated project proposal can be obtained from the NIRB's online public registry at

<http://ftp.nirb.ca/01-SCREENINGS/COMPLETED%20SCREENINGS/2013/09DN018-DND-Nanisivik%20Naval%20Facility/> including:

- *NIRB Part 1 Summary Application Form in English*
- *Non technical Project Proposal summary in English and Inuktitut*
- *NIRB Part 2 Project Specific Information Requirements Form*

Pursuant to Part 4, Article 12 of the NLCA, the NIRB shall proceed to screen this updated project proposal. The NIRB may request additional information at any time during the process. The NIRB will copy you on screening process related correspondence and upload related documents to the above ftp site for public access.

The NIRB is copying parties and municipalities potentially affected by the DND's project proposal with this letter, and we invite interested parties to comment directly to the NIRB by **September 20, 2013**.

The NIRB would like parties to provide comments regarding:

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

- Whether the proposed project is likely to cause significant adverse eco-systemic and socio-economic effects; and if so, why;
- Whether the proposed project is of a type where the potential adverse effects are highly predictable and mitigable with known technology, (please provide any recommended mitigation measures); and
- Any matter of importance to the party related to the proposed project.

Please send your comments to the NIRB at info@nirb.ca or via fax at **(867) 983-2594**.

If you have any questions or concerns, please contact the undersigned at (867) 793-4633 or sgranchinho@nirb.ca.

Sincerely,



Sophia Granchinho
Senior Technical Advisor
Nunavut Impact Review Board

cc: Distribution List
Tamara Van Dyck, Defence Construction Canada

Enclosures (2): Comment Forms (English and Inuktitut)