





**Date: February 25, 2003**

Mr. Thomas Kudloo  
Chairperson, Nunavut Water Board  
Gjoa Haven, NT

Dear Mr. Kudloo:

**RE: Screening Decision of the Nunavut Impact Review Board (NIRB) on Application:  
NIRB 02DN126 DIAND N2002X0043 NWB NWB5BYR  
Site investigation for PIN-4, Byron Bay (Defence Construction Canada)**

**Authority:**

Section 12.4.4 of the Nunavut Land Claim Agreement states:

Upon receipt of a project proposal, NIRB shall screen the proposal and indicate to the Minister in writing that:

- a) the proposal may be processed without a review under Part 5 or 6; NIRB may recommend specific terms and conditions to be attached to any approval, reflecting the primary objectives set out in Section 12.2.5;
- b) the proposal requires review under Part 5 or 6; NIRB shall identify particular issues or concerns which should be considered in such a review;
- c) the proposal is insufficiently developed to permit proper screening, and should be returned to the proponent for clarification; or
- d) the potential adverse impacts of the proposal are so unacceptable that it should be modified or abandoned.

**Primary Objectives:**

The primary objectives of the Nunavut Land Claims Agreement are set out in section 12.2.5 of the Land Claims Agreement. This section reads:

In carrying out its functions, the primary objectives of NIRB shall be at all times to protect and promote the existing and future well-being of the residents and communities of the Nunavut Settlement Area, and to protect the ecosystemic integrity of the Nunavut Settlement Area. NIRB shall take into account the well-being of the residents of Canada outside the Nunavut Settlement Area.

The decision of the Board in this case is 12.4.4 (a) the proposal may be processed without a review under Part 5 or 6; NIRB may recommend specific terms and conditions to be attached to any approval, reflecting the primary objectives set out in Section 12.2.5;

**Reasons for Decision:**

NIRB's decision is based on specific considerations that reflect the primary objectives of the Land Claims Agreement. Our considerations in making this decision included:

- impact to water quality, aquatic habitat and wildlife and fish populations from chemicals and potential fuel spills;
- storage and disposal of chemicals, fuel, garbage, sewage, and gray water, and impact of these on the ecosystem;
- the impact of noise from activities and their disturbance to wildlife and traditional users of area;
- the impact of campsite and equipment on terrain;
- the impact of investigation activities on archaeological sites or cultural landmarks in the area;
- clean up/restoration of the camp site upon abandonment; and
- community concerns

**Terms and Conditions:**

That the terms and conditions attached to this screening report will apply.

**Fuel and Chemical Storage**

1. The Licensee shall ensure that fuel storage containers are not located within thirty (30) metres of the ordinary high water mark of any body of water.
2. The Licensee shall ensure that any chemicals, fuels or wastes associated with the project do not spread to the surrounding lands or enter into any water body.
3. The Licensee shall store all fuel in a natural depression and take all reasonable precautions to prevent the possibility of migration of spilled petroleum fuel or chemicals over the ground surface.
4. The Licensee shall have one extra fuel storage container on site equal to, or greater than, the size of the largest fuel container.
5. The Licensee shall examine all fuel and chemical storage containers daily for leaks. All leaks should be prepared immediately.
6. The Licensee shall seal all container outlets except the outlet currently in use.
7. The Licensee shall mark all fuel containers with the Licensee's name.
8. The Licensee shall control all activities, including maintenance procedures and vehicular refueling, to prevent the entry of petroleum products, debris, slash, rubble or other deleterious substances into the water.
9. The Licensee shall have emergency response and spill contingency plans in place prior to the commencement of the operation.
10. The Licensee shall immediately report all spills of petroleum and hazardous chemicals to the twenty-four (24) hour spill report line at (867) 920-8130.

## Waste Disposal

11. The Licensee shall not discharge or deposit any refuse substances or other waste materials in any body of water, or on the banks thereof, which will impair the quality of the waters of the natural environment.
12. The Licensee shall not locate any sumps or areas designated for waste disposal within thirty (30) metres of the ordinary high water mark of any body of water, unless otherwise authorized.
13. The Licensee shall construct a sump to contain all greywater discharged and shall ensure drainage is away from any waterbody.
14. The Licensee shall backfill and recontour all sumps to match the natural environment prior to the expiry date of the permit.
15. The Licensee shall incinerate all combustible and food wastes daily.
16. The Licensee shall keep all garbage and debris in a covered metal container until disposed of.
17. The Licensee shall ensure that all wastes generated through the course of the operation are backhauled and disposed of in an approved dumpsite.
18. The Licensee shall deposit all scrap metal, discarded machinery and parts, barrels and kegs, at an approved disposal site. Approval will be required from the Municipalities.

## Water

19. The Licensee shall ensure that all water intake hoses are equipped with a screen with an appropriate mesh size to ensure that there is no entrapment of fish. Refer to the *Freshwater Intake End-of Pipe Fish Screen Guideline* (DFO 1995).

## Wildlife

20. The Licensee shall ensure that there is no damage to wildlife habitat in conducting this operation.
21. The Licensee shall not feed wildlife.
22. The Licensee shall make every effort to prevent the unintentional harassment of polar bears, Peary caribou, muskox and nesting or molting waterfowl at all times. It is an offense under the Wildlife Act to harass wildlife.
23. The Licensee shall use the latest bear detection and deterrent techniques to minimize man-bear interactions. The Licensee is strongly urged to contact the Department of Sustainable Development (DSD) wildlife officers regarding safety in polar bear country literature and training.
24. The Licensee shall immediately report problem wildlife to the Department of Sustainable Development wildlife officers.
25. The Licensee shall ensure compliance with Section 36 of the Fisheries Act which requires that no person shall deposit or permit the deposit of a deleterious substance on any type in water frequented by fish or in any place under any conditions where the deleterious substance may enter such a water body.

26. The harmful alteration, disruption or destruction of fish habitat is prohibited under Section 35 of the Fisheries Act. No construction or disturbance of any stream/lake bed or banks of any definable watercourse is permitted unless authorized by DFO.
27. The Licensee shall not obstruct the movement of fish while conducting the land use operation.

#### **Environmental**

28. The Licensee shall ensure that the land use area is kept clean and tidy at all times.
29. The Licensee shall prepare the site in such a manner as to prevent rutting of the ground surface.
30. The Licensee shall be required to undertake any corrective measures in the event of any damage to the land or water as a result of the Licensee's operation.
31. The Licensee shall not move any equipment or vehicles unless the ground surface is in a state capable of fully supporting the equipment or vehicles without rutting or gouging.
32. The Licensee shall suspend overland travel of equipment or vehicles if rutting occurs.

#### **Camp**

33. The Licensee shall not erect camps or store material on the surface ice of lakes or streams.
34. The Licensee shall locate all camps and storage facilities on gravel, sand or other durable land.

#### **Archaeological**

35. The Licensee shall follow all terms and conditions for the protection and restoration of archaeological resources as outlined by the Department of Culture, Language, Elders and Youths (CLEY).

#### **Reclamation**

36. The Licensee shall remove all excess fuels, camp facilities, equipment and hazardous wastes generated by the investigation upon abandonment.
37. The Licensee shall complete all clean up and restoration of the lands used prior to the expiry date of the permit.

**Other Recommendations**

1. NIRB would like to encourage the proponent to hire local people and services, to the extent possible.
2. NIRB strongly advises proponents to consult with local residents regarding their activities in the region.
3. Any amendment requests deemed by NIRB to be outside the original scope of the project will be considered a new project.

**Validity of Land Claims Agreement**

**Section 2.12.2**

Where there is any inconsistency or conflict between any federal, territorial and local government laws, and the Agreement, the Agreement shall prevail to the extent of the inconsistency or conflict.

Dated Jan 30/03 at Arviat, NU  
Elizabeth Copland  
Elizabeth Copland, Chairperson



P.O. BOX 16  
CAMBRIDGE BAY  
NU X0B 0C0  
Ph: 867-983-2337  
Fax: 867-983-2193

**FAXED**  
16 Jan 03

January 16, 2003

Nunavut Impact Review Board  
Box 2379  
Cambridge Bay, NU  
X0B 0C0

**Re: Site Investigation -Pin 4 Byron Bay file#02DN126**

Further to the above, Mayor and Council of the Hamlet of Cambridge Bay wish to advise that they Support the above noted application and would ask that the following comments be duly noted.

- 1) That the project site is inspected annually to insure that all waste disposal and fuel storage requirements are strictly adhered to.
- 2) That traditional land use not be impeded or discouraged.
- 3) That all Archeological Sites and all Artifacts be identified documented and preserved at their original site and in their original state.
- 4) That at the completion of the project a summary of the project along with photographs wherever and whenever possible be provided to the Elders and the Mayor and Council of the Hamlet of Cambridge Bay in order that the paper work maybe archived.
- 5) Employees to be hired should be from within the Kitikmeot Region and wherever possible, are beneficiaries of the Nunavut Land Claims.

We trust the above will be to your satisfaction however should you have any questions or concerns please do not hesitate to contact the undersigned.

Sincerely,

A handwritten signature in black ink, appearing to read "Gordon Bligh".  
Gordon Bligh  
A/Sr. Administrative Officer





Fisheries and Oceans  
Canada

Coast Guard

Central & Arctic Region

201 N. Front Street, Suite 703  
Sarnia, Ontario  
N7T 8B1

Pêches et Océans  
Canada

Garde côtière

Région du Centre et de l'Arctique

Your file Votre référence

Our file Notre référence  
1675-9-9

January 7, 2003

Gladys Joudrey  
Nunavut Impact Review Board  
PO Box 2379  
Cambridge Bay, NT X0E 0C0

Dear Madam:

Thank you for your submission with regard to NIRB # 02DN126, Defence Construction Canada (UMA Engineering Ltd), Site Investigation-pin 4, Byron Bay, Kitikmeot Region, Nunavut.

The information will be reviewed by this office and our response will be forwarded to DFO Fish Habitat in Iqaluit. They in turn will prepare a Departmental response encompassing both the Navigable Waters Protection Act and the Fisheries Act.

Yours truly,

Barry Putt  
A/Inspections Supervisor  
Navigable Waters Protection

BP/rl

cc: FHM



Canada



### COMMENT FORM FOR NIRB SCREENINGS

The Nunavut Impact Review Board has a mandate to protect the integrity of the ecosystem for the existing and future residents of Nunavut. In order to assess the environmental and socio-economic impacts of the project proposals, NIRB would like to hear your concerns, comments and suggestions about the following project application:

<b>Project Title:</b> <u>Site Investigation-Pin 4, Byron Bay, Nunavut</u>	
<b>Proponent:</b> <u>Defence Construction Canada (UMA Engineering Ltd)</u>	
<b>Location:</b> <u>Kitikmeot Region</u>	
<b>Comments Due By:</b> <u>January 15, 2003</u>	<b>NIRB #:</b> <u>02DN126</u>
<b>Indicate your concerns about the project proposal below:</b>	
<input type="checkbox"/> no concerns	<input type="checkbox"/> traditional uses of land
<input type="checkbox"/> water quality	<input type="checkbox"/> Inuit harvesting activities
<input type="checkbox"/> terrain	<input checked="" type="checkbox"/> community involvement and consultation
<input type="checkbox"/> air quality	<input type="checkbox"/> local development in the area
<input type="checkbox"/> wildlife and their habitat	<input type="checkbox"/> tourism in the area
<input type="checkbox"/> marine mammals and their habitat	<input type="checkbox"/> human health issues
<input type="checkbox"/> birds and their habitat	<input type="checkbox"/> other: _____
<input type="checkbox"/> fish and their habitat	
<input type="checkbox"/> heritage resources in area	
<b>Please describe the concerns indicated above:</b>	
<u>Use of Inuit and northern business and labour should be strongly encouraged. Local employment should be provided by this project.</u>	
<b>Do you have any suggestions or recommendations for this application?</b>	
<u>no</u>	
<b>Do you support the project proposal? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Any additional comments?</b>	
<b>Name of person commenting:</b> <u>Geoffrey Clark</u> of <u>KIA</u>	
<b>Position:</b> <u>Environmental Screener</u>	<b>Organization:</b> <u>Kitikmeot Inuit Association</u>
<b>Signature:</b> <u>Geoffrey Clark</u>	<b>Date:</b> <u>Jan 14/03</u>



Environment  
Canada

Environnement  
Canada

Environmental Protection Branch  
Qimugjuk Building 969 P.O. Box 1870  
Iqaluit, NU X0A 0H0  
Tel: (867) 975-4639  
Fax: (867) 975-4645

January 9, 2003

David Sateana  
Environmental Assessment Officer II Trainee  
Nunavut Impact Review Board  
Box 2379  
Cambridge Bay, NU X0E 0C0  
Tel: (867) 983-2593  
Fax: (867) 983-2574

Our file: 4517 000 005

Via Facsimile

**RE: NIRB 03DN126 – Site Investigation – Pin 4 Dew-Line Site Cleanup, Byron Bay, NU**

On behalf of Environment Canada (EC), I have reviewed the information submitted with the above-mentioned application. The following specialist advice has been provided pursuant to Environment Canada's mandated responsibilities for the enforcement of the *Canadian Environmental Protection Act*, Section 36(3) of the *Fisheries Act*, and the *Migratory Birds Convention Act*.

UMA Engineering, Ltd., on behalf of Defence Construction Canada, is seeking a land use permit to conduct a site investigation at the Pin 4 Dew-Line site, located at Byron Bay, NU. The proposed project includes plans to collect soil samples, water samples, and subsurface soil samples using a mini-excavator, and collect samples of structural materials to test for contamination. Other aspects of the project include performing an inventory of buildings and facilities on site, identifying surface debris, performing a geophysical survey of landfills, identifying potential sources of granular material, identifying potential areas for site disposal locations, facilities, storage areas, construction camp, etc. required for clean-up activities, and completion of topographic and location surveys.

Environment Canada supports the monitoring/mitigation requirements identified by the proponent in the project application, and recommends that the following conditions be applied throughout all phases of the project:

- The proponent shall not deposit, nor permit the deposit of sediment, chemicals, fuels or wastes associated with this project into any water body. According to the *Fisheries Act*, Section 36(3), the deposition of deleterious substances of any type in water frequented by fish, or in any place under any conditions where the deleterious substance, or any other deleterious substance that results from the deposit of the deleterious substance, may enter any such water, is prohibited.
- All landfills shall be located and capped in such a manner as to prevent erosion from occurring. Further, all landfills shall be located above the high water mark of any waterbody and in such a manner as to prevent the contents and/or any runoff from entering any waterbody frequented by fish.
- All sumps are to be located above the high water mark of any waterbody and in such a manner as to prevent the contents from entering any waterbody frequented by fish. All sumps shall be backfilled upon completion of the work period to prevent the contents from entering any waterbodies.

For your Project File only



Canada

JAN-09-03 10:36 From:ENV CAN IQALUIT NUNAVUT

8969754

T-416 P.03/03 Job-646

Environment  
CanadaEnvironnement  
Canada

- Environment Canada encourages proponents, if storing barrelled fuel at a location, to use secondary containment, such as self-supporting insta-boms. All fuel caches shall be located in such a manner so as to prevent the contents from entering any waterbody frequented by fish.
- Environment Canada recommends the use of an approved incinerator for the disposal of camp wastes.
- The proponent shall prepare and submit a hazardous waste management plan for review.
- Drip pans should be used while refuelling any equipment used at the site.

Environment Canada should be notified of any changes to the operating plan of this project, as further review may be necessary. Please do not hesitate to contact me with any questions or comments with regards to the foregoing at (867) 975-4639 or by email at [colette.meloche@ec.gc.ca](mailto:colette.meloche@ec.gc.ca).

Yours truly,

Colette Meloche  
Environmental Assessment Specialist

cc: (Mike Pournior, Northern Environmental Assessment Coordinator, Environment Canada, Yellowknife)

Environment Canada / Environnement Canada

**Canada**

12/18/2002 11:52 867 14824

DOUG CROSSLEY

PAGE 01



December 18 2002

David Sateana  
Environmental Assessment Officer  
NIRB – Cambridge Bay

**Site Investigation – Pin 4 – Byron Bay DewLine Site**

This is a similar request and application from Defence Construction Canada that has been seen in the past for related similar investigations at other Dewline sites already cleaned or in the process thereof.

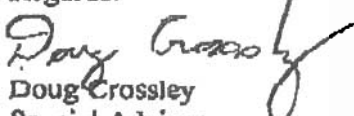
My comments here relate to a full Contractor effort to seek local outfitters as defined in their application. This will help to ensure there is utilization of local labour for many of the tasks required in this Investigation phase. It will also help to ensure that local Entrepreneurs and the goods they can provide will be given consideration and an opportunity to be involved with this initiative.

From an Environmental point of view, these clean-up efforts of the entire Dewline sites have resulted in significant positive change for the areas already addressed. There is no reason to believe the Pin 4 site will be any different. This clean up will certainly include any small impact made by the construction of a site camp for the purpose of the preliminary investigation.

I would also suggest and recommend that a full report on the findings of the Investigation including planned future actions be made available to adjacent communities; both for their information and for their opportunity to plan their ongoing involvement with future site restoration efforts.

I recommend that this process should proceed to restore the far larger concern of contamination in the Pin 4 area caused by years of Dewline use.

Regards:

  
Doug Crossley  
Special Advisor  
CG&T Cambridge Bay

### COMMENT FORM FOR NIRB SCREENINGS

The Nunavut Impact Review Board has a mandate to protect the integrity of the ecosystem for the existing and future residents of Nunavut. In order to assess the environmental and socio-economic impacts of the project proposals, NIRB would like to hear your concerns, comments and suggestions about the following project application:

**Project Title:** Site Investigation-Pin 4, Byron Bay, Nunavut

**Proponent:** Defence Construction Canada (UMA Engineering Ltd)

**Location:** Kitikmeot Region

**Comments Due By:** January 15, 2003

**NIRB #:** 02DN126

**Indicate your concerns about the project proposal below:**

- |   |  |
|---|--|
| <input type="checkbox"/> no concerns                      | <input type="checkbox"/> traditional uses of land                          |
| <input type="checkbox"/> water quality                    | <input type="checkbox"/> Inuit harvesting activities                       |
| <input type="checkbox"/> terrain                          | <input checked="" type="checkbox"/> community involvement and consultation |
| <input type="checkbox"/> air quality                      | <input type="checkbox"/> local development in the area                     |
| <input type="checkbox"/> wildlife and their habitat       | <input type="checkbox"/> tourism in the area                               |
| <input type="checkbox"/> marine mammals and their habitat | <input type="checkbox"/> human health issues                               |
| <input type="checkbox"/> birds and their habitat          | <input type="checkbox"/> other: _____                                      |
| <input type="checkbox"/> fish and their habitat           |  |
| <input type="checkbox"/> heritage resources in area       |  |

**Please describe the concerns indicated above:**

Identified in Supporting Letter:

**Do you have any suggestions or recommendations for this application?**

Local Labour use + consideration of  
Entrepreneurial involvement for camp supplies +  
needs

**Do you support the project proposal? Yes ☒ No ☐ Any additional comments?**

**Name of person commenting:** Doug Crossley

**Position:** Special Advisor **Organization:** CGAT

**Signature:** Doug Crossley **Date:** Dec. 18/02

SENT BY:

1-16- 3 : 17:39 ;HAMLET CAMBRIDGE BAY-

: # 2 / 2



P.O. BOX 16  
CAMBRIDGE BAY  
NU X0B 0C0  
Ph: 867-983-2337  
Fax: 867-983-2193

January 16, 2003

Nunavut Impact Review Board  
Box 2379  
Cambridge Bay, NU  
X0B 0C0

**Re: Site Investigation - Pin 4 Byron Bay file#021DN126**

Further to the above, Mayor and Council of the Hamlet of Cambridge Bay wish to advise that they **Support the above noted application** and would ask that the following comments be duly noted.

- 1) That the project site is inspected annually to insure that all waste disposal and fuel storage requirements are strictly adhered to.
- 2) That traditional land use not be impeded or discouraged.
- 3) That all Archeological Sites and all Artifacts be identified documented and preserved at their original site and in their original state.
- 4) That at the completion of the project a summary of the project along with photographs wherever and whenever possible be provided to the Elders and the Mayor and Council of the Hamlet of Cambridge Bay in order that the paper work maybe archived.
- 5) Employees to be hired should be from within the Kitikmeot Region and wherever possible, are beneficiaries of the Nunavut Land Claims.

We trust the above will be to your satisfaction however should you have any questions or concerns please do not hesitate to contact the undersigned.

Sincerely,

Gordon Bligh  
A/Sr. Administrative Officer