



P.O. Box 119
GJOA HAVEN, NU X0B 1J0
TEL: (867) 360-6338
FAX: (867) 360-6369

ᓄᓇᓂᓪ ᐃᓕᓕᓂᓪ ᑲᑎᓕᓪᓴᓪ
NUNAVUT WATER BOARD
NUNAVUT IMALIRIYIN KATIMAYINGI

File No: NWB5JEN0101

June 20, 2001

Attention: Pete Quinn, M. Eng., P. Eng.,
Project Manager, DLCU
Defence Construction Canada,
Place de Ville, Tower B
112 Kent Street, Ottawa, ON K1A 0K3
email: quinnpe@dcc-cdc.gc.ca

RE: NWB Licence No. NWB5JEN0101

Dear Mr. Quinn:

Please find attached Licence No. NWB5JEN0101 issued to Defence Construction Canada by the Nunavut Water Board (**Motion #: 2001-12**) pursuant to its authority under Article 13 of the *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in Right of Canada*. The terms and conditions of the attached Licence related to water use and waste disposal are an integral part of this approval.

Sincerely,

Original signed by:
Philippe di Pizzo
Executive Director

Enclosure: Licence No. **NWB5JEN0101**

cc: Eva Schulz, UMA Engineering
Paul Smith, DIAND Iqaluit
P. Lavallee, DIAND Inspector
Jack Kaniak, Kitikmeot Inuit Association
Gladys Joudrey, Nunavut Impact Review Board
Michele Bertol, Nunavut Planning Commission
Josee Gallipeau, Nunavut Wildlife Management Board
P. Pacholek, Environment Canada
C. Nichols, Department of Sustainable Development
J. DeGroot, Department of Fisheries and Oceans

APPROVAL FOR WATER USE AND WASTE DISPOSAL

Pursuant to Article 13 of the *Agreement Between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada*, the Nunavut Water Board, hereinafter referred to as the Board, hereby grants to Defence Construction Canada authorization to use water and dispose of waste into water in conjunction with a Site Investigation for the Jenny Lind Island (CAM-1) DEW Line Site subject to the terms and conditions outlined herein and in the applicable land use permits.

APPLICATION NO:	NWB5JEN0101
LICENSEE:	Defence Construction Canada, Place de Ville, Tower B 112 Kent Street, Ottawa, ON K1A 0K3 Pete Quinn, M. Eng., P. Eng., Project Manager, DLCU E-mail: quinnpe@dcc-cdc.gc.ca Phone: (613)998-9523 Fax: (613)998-1061
START DATE:	June 20, 2001
EXPIRY DATE:	October 31, 2001
PURPOSE:	Water Use and Waste disposal associated with Site Investigation
LOCATION:	Jenny Lind Island, Kitikmeot Region, Nunavut General Latitude: 68°41'; Longitude: 101°43' NTS Map: 67 B/10 1:50,000

This approval issued and recorded at Gjoa Haven includes and is subject to the annexed conditions.

Original signed by:

Philippe di Pizzo
Executive Director

PART A: SCOPE, DEFINITIONS & ENFORCEMENT

1. Compliance with the terms and conditions of this approval does not absolve the Licensee from responsibility for compliance with all applicable legislation, guidelines, or directives.
2. This approval is issued subject to the conditions contained herein with respect to the taking of water and the depositing of waste of any type in any waters or in any place under any conditions where such waste or any other waste that results from the deposits of such waste may enter any waters, and with respect to any other impacts of the Licensee's activities on water quality, quantity or flow, including surface drainage.
3. Definitions:

"Sump" means a man-made pit, trench hollow or cavity in the earth's surface used for the purpose of depositing waste material therein; and

"Combustible waste" means paper, non-treated wood products, kitchen food waste, and sewage waste.
4. The Licensee shall maintain a copy of this Licence at the sites of operation at all times.
5. Enforcement
 - i. Subject to Part A, Item 5 (iv), failure to comply with this Licence will be a violation of the *Northwest Territories Water Act*, exposing the Licensee to the enforcement measures and the penalties provided for in the Act.
 - ii. Subject to Part A, Item 5 (iv), all inspection and enforcement services regarding this Licence will be provided by inspectors appointed under the *Northwest Territories Water Act*.
 - iii. Subject to Part A, Item 5 (iv), inspectors appointed under the *Northwest Territories Water Act* enjoy-with respect to this Licence, and for the purpose of enforcing this Licence, and with respect to the use of water and deposit or discharge of waste by the licensee-all powers, privileges and protections that are conferred upon them by the *Northwest Territories Water Act* or by other applicable law.
 - iv. To the extent that the *Northwest Territories Water Act* is, subsequent to the issuance of this Licence, replaced with respect to water management in Nunavut by other federal legislation (including, without limitation, a regulation or order referred to in Section 10.10.2 of the *Nunavut Land Claims Agreement*), and to the extent that the other federal legislation is consistent with the *Nunavut Land Claims Agreement*, the other federal legislation shall apply with respect to this Licence and the *Northwest Territories Water Act*

shall cease to apply with respect to this Licence.

PART B: GENERAL CONDITIONS

1. Within thirty (30) days upon expiration of this approval, the Licensee shall submit to the Board a summary report on the following, but no limited to:
 - i. water use and waste disposal activities;
 - ii. list of unauthorized spills
 - iii. abandonment and restoration of the site;
 - iv. methods for storage of materials and equipment;
 - v. results of site-investigations; and,
 - vi. follow-up action to be taken.
2. The NWB shall be notified of any changes in operating plans or conditions associated with this project at least thirty (30) days prior to any such change.

PART C: CONDITIONS FOR THE USE AND PROTECTION OF WATER

1. The Licensee shall obtain water for domestic purposes from Water Supply Lake up to a maximum of 50 cubic metres per day.
2. The Licensee shall equip all water intake hoses with a screen with an appropriate mesh size to ensure that there is no entrapment of fish.
3. The Licensee shall not remove any material from below the ordinary high water mark of any water body.
4. The Licensee shall not do anything that will cause erosion of the banks of any body of water on or adjacent to the land and shall provide necessary controls to prevent such erosion.
5. Sediment and erosion control measures shall be implemented prior to and maintained during the operation to prevent entry of sediment into water.

PART D: CONDITIONS APPLYING TO WASTE DISPOSAL

1. The Licensee shall not deposit any waste in any body of water, or on the banks thereof, which may impair the quality, quantity, or flow of water.
2. Areas designated for waste disposal that may impair the quality, quantity, or flow of water shall not be located within a hundred (100) metres of the ordinary high

water mark of any body of water, unless otherwise authorized by the Board.

3. The Licensee shall not discharge sewage effluent.
4. The Licensee shall discharge and contain all greywater in a sump located at least thirty (30) metres from the high water mark of any water body at a site where direct flow into a water body is not possible and no additional impacts are created.
5. The Licensee shall incinerate all combustible waste, and shall ensure that all hazardous wastes and non-combustible waste generated through the course of the operation are backhauled and disposed of in an approved waste disposal site.
6. The Licensee shall not landfill any waste except for greywater.
7. Open burning and burying of waste is prohibited.
8. The Licensee shall not bury any scrap metal and other bulky wastes. All scrap metal, discarded machinery and parts, and other bulky material shall be disposed of in an approved disposal site.

PART E: CONDITIONS FOR CAMPS AND ACCESS INFRASTRUCTURES

1. All activities shall be conducted in such a way as to minimize impacts on surface drainage and the Licensee shall immediately undertake any corrective measures in the event of any impacts on surface drainage.
2. With respect to access road and pad construction or other earthworks, the deposition of debris or sediment into any water body is prohibited. These materials shall be disposed of above the high water mark in such a fashion that they do not enter the water.
3. Camps shall be located on gravel, sand or other durable land in order to minimize impacts on surface drainage.

PART F: CONDITIONS APPLYING TO SPILL PREVENTION AND CONTINGENCY PLANNING

1. The Licensee shall ensure that any chemicals, fuel or wastes associated with the project do not enter water. All sumps and fuel caches shall be located a minimum of a hundred (100) metres from the normal high water mark and in such a manner that no fuel can enter any such water body.

2. The Licensee shall revise the approved; " Fuel Spill Contingency Plan " on April 10, 2001 annually to reflect changes in operation and/or technology.
3. If, during the duration of this Licence, an unauthorized discharge of waste occurs, or if such a discharge is foreseeable, the Licensee shall:
 - i. Employ the Spill Contingency Plan from the "Site Specific Investigation Plan"
 - ii. Report the spill immediately to the 24-Hour Spill Line at (867) 920-8130 and to the DIAND Water Resources Inspector at (867) 975-4298; and
 - iii. Submit to the DIAND Water Resources Inspector a detailed report on each occurrence no later than thirty (30) days after initially reporting the event.

PART G: CONDITIONS APPLYING TO ABANDONMENT AND RESTORATION

1. The Licensee shall backfill and restore to the satisfaction of the Inspector all sumps back to the natural surrounding contours of the land prior to the expiry of this permit.
2. The Licensee shall undertake progressive restoration for any components of the project, which are no longer required for the Licensee's operations.
3. All disturbed areas shall be stabilized and re-vegetated as required, upon completion of work and restored to a pre-disturbed state.

**GENERAL CONDITIONS FOR THE ADMINISTRATION OF LICENCES
ISSUED BY THE NUNAVUT WATER BOARD (NWB)**

The following conditions form an integral part of Licence No. **NWB5JEN0101**:

1. At the time of issuance, a copy of the Licence is placed on the Water Register in the NWB Head Office in Gjoa Haven. **Documents in the Register are available to the public.**
2. If the Licensee contemplates the renewal of Licence No. **NWB5JEN0101**, it is its responsibility to apply to the NWB for its renewal. The past performance of the Licensee, new documentation and information, and issues raised during a public hearing, if the NWB is required to hold one, will be used to determine the terms and conditions of the Licence renewal. Note that if the Licence expires before the NWB issues a new one, then water use and waste disposal **must cease**, or the Licensee will be in contravention of the Nunavut Land Claims Agreement. The NWB recommends that an application for the renewal of Licence No. **NWB5JEN0101** be filed **at least three months** before the Licence's expiry date.
3. If Licence No. **NWB5JEN0101** requires amendment, then **a public hearing may be required**. The Licensee should submit applications for amendment as soon as possible to give the NWB sufficient time to go through the amendment process. The process may vary depending on the scope of the amendment requested.
4. Any communication with respect to this Licence shall be made **in writing** to the attention of:

Philippe di Pizzo
Executive Director
Nunavut Water Board
P. O. Box 119
Gjoa Haven, NU X0B 1J0
Telephone: (867) 360-6338
Fax: (867) 360-6369
5. Inspector Contact:

Water Resources Officer
Nunavut District, Nunavut Region
P.O. Box 100
Iqaluit, NU X0A 0H0
Telephone: (867) 975-4298
Fax: (867) 979-6445
6. The Licensee shall submit ten copies of all reports, studies, and plans to the Board, unless submitted electronically, in which case one copy is sufficient. Reports or studies submitted to the Board by the Licensee shall include a **detailed executive summary in Inuktitut**.