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SCREENING DECISION

Date: July 4, 2001

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 02DN095 NWB NWB5MAC
Site investigation for CAM – 5, Mackar Inlet (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

July 4/02

8th Arviat, NU

Edward

Elizabeth Copland, Chairperson

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: Cam-5, Markar Inlet DEW-line Clean Up

Proponent: Suzanne Belanger-Fontaine

Location: Keewatin Region

Comments Due By: June 21, 2002

NIRB #: 02DN095

Indicate your concerns about the project proposal below:

☒ no concerns

water quality

terrain

air quality

wildlife and their habitat

marine mammals and their habitat

birds and their habitat

fish and their habitat

heritage resources in area

traditional uses of land

Inuit harvesting activities

community involvement and consultation

local development in the area

tourism in the area

human health issues

other: _____

Please describe the concerns indicated above:

Do you have any suggestions or recommendations for this application?

Current regulations do not require this project to hold a water licence

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

Name of person commenting: PAUL SMITH of _____

Position: Mgr. Water Resources **Organization:** DIAND

Signature: Paul Smith **Date:** JUN 25/02

NORTHERN DIVISION
ENVIRONMENTAL PROTECTION BRANCH
PRAIRIE AND NORTHERN REGION
#301 - 5204 - 50TH AVE
YELLOWKNIFE, NT X1A 1E2
PH. (867) 669-4735

June 20, 2002

Our File: 4703 003 NEW

Gladys Joudrey
Environmental Assessment Officer
Nunavut Impact Review Board
P.O. Box 2379
Cambridge Bay, NT X0E 0C0

By Facsimile: (867) 983-2594

**Re: NIRB File No. 02DN095 - Defence Construction Canada - Water Licence
Application - DEW Line Site Cleanup - CAM-5, Markar Inlet**

Defence Construction Canada proposes to conduct site investigations prior to cleanup of the CAM-5 DEW line site, and has applied for a water licence for the camp. The proponent has proposed the following mitigation:

- disposal of greywater to a land pit located at least 30m from any water body;
- disposal of sewage to a burial pit at least 100 m from any water body;
- incineration of camp solid wastes, with burial of ashes with the sewage;
- spill contingency planning and provision of spill cleanup kits;

These practices should address or mitigate environmental concerns adequately. If fuel is expected to be stored for an extended time, the applicant is encouraged to utilize portable, self-contained fuel berms to minimize soil contamination in sites used for long-term fuel storage.

Please do not hesitate to contact me at (867) 669-4735 with any questions or comments regarding the foregoing.

Yours truly,

Anne Wilson
Water Pollution Specialist

cc: Steve Harbicht (Head, Assessment & Monitoring, EPB)