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NUNAVUT WATER BOARD
NUNAVUT IMALIRIYIN KATIMAYINGI
OFFICE DES EAUX DU NUNAVUT

**File: 1BR-RES1626 /
Amendment No. 1**

May 17, 2018

David Rochette, Regional Director General
Charlotte Lamontagne, Director Contaminated Sites
Department of Indian Affairs and Northern Development
969 Qimugjuk Building, Iqaluit, NU, X0A 0H0

Email: David.Rochette@aandc-aadnc.gc.ca
Charlotte.Lamontagne@aandc-aadnc.gc.ca

Subject: NWB Water Licence Type “B” No. 1BR-RES1626 – Amendment No. 1

Dear Mr. Rochette and Ms. Lamontagne,

Please find attached, Type “B” Licence No. 1BR-RES1626 – Amendment No. 1 issued to Indian and Northern Affairs Canada (INAC), by the Nunavut Water Board (NWB) (Motion No. 2018-B1-007) 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* (Nunavut Agreement) and the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*. The Terms and Conditions of the Existing Licence, related to the use of Waters and/or the deposit of Waste remain integral parts of this approval.

The Nunavut Planning Commission (NPC), in their review of the Amendment Application¹, determined that the project proposal falls outside of an area with an approved land use plan, and, as such, a conformity determination is not required. The Nunavut Impact Review Board (NIRB) screening² determined that a review of the Amendment is not required in accordance with s. 92(1)(a) of *NuPPAA*. Pursuant to Article 12, Sections 12.4.1 and 12.4.4 of *Nunavut Agreement* and section 87 of the *NuPPAA*, the NIRB screened this project proposal (NIRB File No.: 17KN073) and issued a Screening Decision Report with recommendations.

¹ Nunavut Planning Commission (NPC) determination, dated December 13, 2017.

² Nunavut Impact Review Board (NIRB) Screen Determination, dated March 21, 2018.

Sincerely,

Lootie Toomasie
Nunavut Water Board
Chair

LT/db/ip

Enclosure: **Licence No. 1BR-RES1626 - Amendment No. 1**

cc. Distribution List - Qikiqtani

DECISION**LICENCE AMENDMENT No.1**

Licensee:	Indian and Northern Affairs Canada
Licence No:	1BR-RES1626 Type “B”
Licence Issued:	December 12, 2016
Amendment Effective:	May 17, 2018
Licence Expiry:	December 11, 2026

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 (Nunavut Agreement)* and the *Nunavut Waters and the Nunavut Surface Rights Tribunal Act (the Act)*, with respect to the Application for amendment dated November 22, 2017, made by Indian and Northern Affairs Canada (INAC), the Nunavut Water Board (NWB) hereby grants the following licence amendment.

The Licence issued December 12, 2016, with an expiry date of December 11, 2026, shall be amended to include the following terms and conditions, with respect to the use of Waters and the deposit of Waste, to allow for:

1. The operation of a seasonal camp with a thirty (30) person capacity;
2. Repairs to roads and airstrip;
3. Development of borrow sites; and
4. Reclamation activities including:
 - Excavation of and off-site disposal contaminated soil;
 - Removal and/or replacement of permeable reactive barriers (PRB), as required;
 - Collection, containerization and off-site disposal of hazardous materials; and
 - Decommissioning of fuel storage and incineration/off-site disposal of waste fuels.

Procedural History

Reclamation, and then monitoring, has been Licenced at the Resolution Island site since 1998. The Licence was renewed in 2003, 2009, and 2016. On November 22, 2017, the Nunavut Water Board (NWB) received an application from Indian and Northern Affairs Canada (INAC), to amend Licence No. 1BR-RES1626.

This Amendment Application was reviewed by the Nunavut Planning Commission (NPC), who determined that the project proposal falls outside of an area with an approved land use plan, and, as such, a conformity determination is not required (December 13, 2017). The Amendment Application was also screened by the Nunavut Impact Review Board (NIRB) who determined that a review of the Amendment is not required in accordance with s. 92(1)(a) of *NuPPAA*. Pursuant to Article 12, Sections 12.4.1 and 12.4.4 of *Nunavut Agreement* and section 87 of the *NuPPAA*, the NIRB screened this project proposal (NIRB File No.: 17KN073) and issued a Screening Decision Report (March 21, 2018) with recommendations.

General Considerations

This application for an Amendment to the current licence was reviewed by NWB technical staff and intervening parties, including ECCC, DFO, and INAC. The Application was found to be technically complete with minor comments being brought forward by interested parties, and addressed by the Applicant.

The Project, for which this Amendment No. 1 is issued, is classified as an Industrial Undertaking in accordance with Schedule 1, Item 1 of the Nunavut Waters Regulations.

The amendment adds active reclamation activity to the Project along with expanding the camp from 10 to 30 persons and water use from seven (7) to ten (10) m³/day. Active reclamation is anticipated to occur in 2018 and 2019.

Review comments from ECCC recommended *that the proponent provide an environmental management plan for the project, including a sediment and erosion control plan to ensure that sediment and contaminated soils do not enter fish bearing waterbodies*. The NWB notes that the Licence 1BR-RES1626 as approved on December 12, 2016 includes a number of conditions that manage erosion and sediment control. In this amendment, an additional condition was added to Part F, Item 11 to further specify implementation of erosion and sediment control measures.

Review comments from INAC recommended that *a Spill Contingency plan should be submitted if a temporary camp is going to be built for operations*. The NWB would like to recognize that the Licence 1BR-RES1626 as approved on December 12, 2016 includes operation of a camp and an approved Spill Contingency Plan under Part H, Item 1, that remains relevant to the amended Project scope.

LICENCE AMENDMENT No. 1

The Licence (Page vi) shall be amended to indicate the following:

DECISION**WATER LICENCE NUMBER: 1BR-RES1626**

This is the decision of the Nunavut Water Board (NWB) with respect to an application dated November 22, 2017 for the amendment of a Water Licence made by:

DEPARTMENT OF INDIAN AND NORTHERN AFFAIRS CANADA (DIAND)

to allow for the continued use of Water and deposit of Waste during temporary camp operations, maintenance activities, monitoring, and reclamation activities at the Resolution Island, Long-term Monitoring Project, located on Resolution Island, in the Qikiqtani Region, Nunavut generally located at the geographical coordinates as follows:

Project Extents

NW:	Latitude: (61°35'46"N)	Longitude: (64°40'22"W)
NE:	Latitude: (61°36'0"N)	Longitude: (64°37'48"W)
SE:	Latitude: (61°35'2"N)	Longitude: (64°38'16"W)
SW:	Latitude: (61°34'46"N)	Longitude: (64°39'38"W)

Camp Location(s)

Latitude: (61°35'48"N)	Longitude: (64°38'20"W)
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AMENDMENT No. 1

The Licence, (Page 1), shall be amended to indicate the following:

Quantity of Water Use

Not to Exceed: **TEN (10) CUBIC METRES PER DAY**

PART C: CONDITIONS APPLYING TO USE OF WATER

Amend Item 1 to Read:

The Licensee shall obtain Water, up to a maximum of five (5) cubic metres per day for domestic camp use, and to a maximum of five (5) cubic metres per day for industrial use. Water shall be obtained from the "*Fresh Water Lake*". The total volume of water for the purposes of this Licence shall not exceed ten (10) cubic meters per day.

PART D: CONDITIONS APPLYING TO THE DEPOSIT OF WASTE

Amend Item 10 to Read:

The Licensee is authorized to dispose of all acceptable food waste, paper waste, untreated wood products, and waste fuel in an incinerator.

PART E: CONDITIONS APPLYING TO THE UNDERTAKING

Insert Item 11

The Licensee shall implement sediment and erosion control measures prior to and maintained during project activities to prevent entry of sediment into Water.

Insert Item 12

The Licensee shall maintain a minimum of thirty-one (31) metres large undisturbed buffer zone between the periphery of quarry sites and the high water mark of any water body. The Licensee shall not excavate and/or remove material from the quarry beyond a depth of one (1) metre above the high water mark or above the groundwater table, to prevent the contamination of groundwater. The quarrying shall be in accordance with all applicable legislation and industry standards including the *Northern Land Use Guidelines, Pits and Quarries* (INAC, 2010).

Insert Item 13

The Licensee shall ensure that all containment and runoff control structures are constructed and maintained to prevent escape of wastes to the surface or groundwater systems.

Insert Item 14

The Licensee shall use rock and fill material for construction only from approved sources that have been demonstrated, by appropriate geochemical analyses, to not produce Acid Rock Drainage and to be Non-Metal Leaching, and free of contaminants.

Insert Item 15

The Licensee shall, for the purposes of culvert construction, ensure that all activities remain outside of the natural channel width by the placement of abutments, footings or armouring above the ordinary High Water Mark so that there is no restriction to the natural channel processes.

Insert Item 16

With respect to construction or other earthworks where direct or indirect flow into a water body is possible, the deposition of debris or sediment into or onto any

water body is prohibited. These materials shall be disposed a distance of at least thirty-one (31) metres from the ordinary high water mark in such a fashion that they do not enter the water.

Insert Item 17

All surface runoff during the construction of any facilities, where flow may directly or indirectly enter a water body, shall meet the following Effluent quality limits:

Parameter	Maximum Average Concentration (mg/L)	Maximum Concentration of Any Grab Sample (mg/L)
Total Suspended Solids	50.0	100.0

Insert Item 18

The Licensee shall ensure that all construction of engineered structures is supervised and field checked by an appropriately qualified and experienced Engineer in such a manner that the project specification can be enforced and, where required, the quality control measures can be followed. The Licensee shall maintain and make available at the request of the Board and/or an Inspector, all construction records of all engineered structures.

All remaining terms and conditions of the Licence 1BR-RES1626 Type ‘B’ dated December 12, 2016, still apply.

This Licence Amendment issued and recorded at Gjoa Haven, NU on May 17, 2018.

Approved by,

Lootie Toomasie
Nunavut Water Board, Chair