



November 6, 2015

2015-BAF018-JH

Olivier Simard
Project Manager
Qikiqtaaluk Environmental Inc.
9935 Ave Catania, Suite 200
Montreal, QC J4Z 3V4

RE: Determination concerning Qikiqtaaluk Environmental's (QE) proposed activities on whether they trigger Section 11 or 12 of the Nunavut Waters and Surface Rights Tribunal Act (NWNSTRA)

Dear Mr. Simard,

Background:

During a meeting on November 2, 2015 you requested a determination regarding whether QE's proposed activities trigger the need for an authorization/licence as required under section 11 and 12 of the NWNSTRA.

As a follow-up to that meeting, you have provided AANDC Water Inspections an Environmental Protection Plan for Qikiqtaaluk Environmental Inc's new proposed Soil Treatment Facility that will be located on Lot 666 in the City of Iqaluit. This document provides basic information related to your proposed activities that you intend to conduct on site.

After reviewing your Environmental Protection Plan, I have made determinations about whether your activities trigger section 11 or 12 of the NWNSTRA. It is important to note that in my determination, I have only clarified which activities require an authorization under the Act as opposed to which activities do not require an authorization. This is because you have the right to apply for a water license for any activity whether you need one or not.

Determination:

The Environmental Protection Plan that you provided on behalf of QE has 3 specific activities that require an authorization/license under the Act. If these specific activities are not licensed before you operate, you will be in contravention of the NWNSTRA.

1. "Re-routing current drainage ditches" (p.2 of EPP)
 - a. The re-routing of drainage ditches may be considered a use of water under the Act and Regulations. Certain specifics of the watercourse will determine which authorization/license you require. Please consult Nunavut Water Regulations (NWR) *Schedule 2, 2(2)(a), (b), (c)* for more information.
2. "Contact water will be collected and analyzed before treatment or discharge" (p.4 of EPP)



- a. Collecting contact water is considered a use of water and will require a type of permit. The type of permit you wish to apply for depends on the amount of water you wish to use. Please consult *NWR Schedule 2, 2(4)* for more information.
3. Building lined and bermed areas
 - a. Building structures that are designed to store water, by means of dams or dikes is considered a water use. In your EPP, you reference two separate bermed areas and these areas would require an authorization/license for their ability to store water. Please refer to *NWR Schedule 2, 2(3)(b)* for more details.

There are other activities that you may want to consider getting license/authorization for from the Nunavut Water Board that are not part of your EPP and that are generally associated with Landfarming facilities. The discharge of water into the environment is considered a use of water, and if you foresee that the water you will be discharging from these cells will exceed CCME Protection of Aquatic Life, you will have to apply for an appropriate Deposit of Waste authorization/license.

Other than the activities listed above, there does not appear to be any other activities that would warrant a contravention under the NWNSRTA and therefore would not require a water authorization/licence. However, the requirement to ensure that you are properly licensed is your responsibility.

Please note that this letter does not relieve you from any conditions of the Act and Regulations, and any contravention of them will be addressed as appropriate.

Please do not hesitate to contact me if you have any further questions.

Kind regards,

Justin Hack
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CC:

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