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NUNAVUT IMALIRIYIN KATIMAYINGI
NUNAVUT WATER BOARD
OFFICE DES EAUX DU NUNAVUT

NWB: 1BW-DUV0911
NIRB: 09UN052

January 26, 2011

Alan Kathan, Regional Director
Small Craft Harbours Branch
Fisheries and Oceans Canada
Central and Arctic Region
501 University Crescent
Winnipeg, MB R3T 2N6
E-mail: Alan.Kathan@dfo-mpo.gc.ca

Re: Renewal Application Acknowledgement for the Duvall River Crossing Project

Dear Mr. Kathan:

The Nunavut Water Board ("NWB") acknowledges receipt on January 21, 2011 of your renewal water license application for the Duvall River Crossing Project, file number 1BW-DUV0911.

We undertook a preliminary administrative review of your application and conclude that, in accordance with approved legislation under the *Agreement Between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in Right of Canada* ("NLCA"), it does not contain sufficient information for the NWB to commence processing the file at this time. Specifically, we are asking you to provide the following:

- **Part B, Item 6:** Reports or studies submitted to the Board by the Licensee shall include an executive summary in Inuktitut. The "Construction Environmental Management Plan, Pangnirtung Small Craft Harbour Development," dated May 11, 2010 and the Technical Memorandum pertaining to the Ancillary Project Requirement Site Visit, dated December 3, 2009 were both submitted as part of the renewal application; however, both documents lack executive summaries in Inuktitut.
- **Part E, Item 2:** Licensee shall submit, within ninety (90) days of the completion of the Duval River Crossing, a construction Summary Report along with stamped as-built plans and record drawings, providing explanation to reflect any deviation from construction drawings taking into account construction and field decisions and how they may affect the performance of the engineered facilities. This requirement remains outstanding given that no as-built plans have been submitted to date.
- **Part E, Item 3:** The Licensee shall, within ninety (90) days of completion of construction of the drainage diversions at the Marshalling area, submit to the Board a Construction

Summary Report along with stamped as-built plans and record drawings, providing explanation to reflect any deviations from construction drawings taking into account construction and field decisions and how they may affect the performance of the engineered facilities. This requirement remains outstanding given that no as-built plans have been submitted to date.

- **Part F, Item 1:** In accordance with section 6(2)(g)(i) and (ii) of the Regulations, the Licensee shall, within thirty (30) days of issuance of this licence, keep on the site of operations a Spill Contingency Plan that will describe how petroleum products and hazardous materials will be handled, stored and disposed of, as well as how they will be contained and cleaned-up in the event of a spill. The Board requests that the Licensee provide, for review, a copy of the Plan.
- **Part G, Item 1:** The Licensee shall submit to the Board for approval, an Abandonment and Restoration Plan for the Duval River crossing and drainage diversion, within six (6) months of Licence issuance, that includes planned procedures for the removal of culverts, mitigation and monitoring measures to be employed for the protection of water, disposal of materials removed from the crossing(s) and a schedule and implementation plan for the timely removal of the temporary infrastructure. Even though the current Licence was issued on October 23, 2009, this requirement remains outstanding and should be addressed prior to the renewal of the licence. The Licensee has indicated in a letter dated January 21, 2011, which accompanied the renewal application, that it would like this requirement to be deferred until March 2012 without providing any rationale to the Board.
- **Part H Item 3:** The Licensee shall, during periods of flow, conduct water quality testing immediately upstream and downstream of the Duval River crossing site prior to construction, weekly during construction and upon completion for the following parameters: pH, Temperature, Conductivity, Total Oil & Grease, Total Suspended Solids. The Licensee is required to submit the monitoring results in accordance with Part H, Item 8 of the terms and conditions in the Licence.
- **NIRB Screening Decision** (or confirmation in writing that a NIRB screening is not required for this renewal)
- **NPC Conformity** (or confirmation in writing that an NPC Conformity is not required for this renewal)
- Resubmission of the application from using the attached application form.

We will resume the processing of your application once we receive the requested information.

Please call the undersigned at (867) 360-6338 or email at licensingadmin@nunavutwaterboard.org if you have any questions.

Sincerely,

Original signed by:

Richard Dwyer
Licensing Administrator

Cc: Brian Aglukark NPC
NIRB