

Richard Dwyer

From: David Hohnstein [dts@nunavutwaterboard.org]
Sent: Thursday, July 23, 2009 10:50 AM
To: 'Canadian Arctic Holidays'
Cc: 'Richard Dwyer'; Andrew.Keim@inac-ainc.gc.ca; 'Don Carr'
Subject: FW: 3BL-AWL---- Arctic Watch Lodge

Mr. Weber,

Thank you for your quick response to my earlier email. I understand that this is a very busy time for you and your operation. My email was in follow-up to previous correspondence and a reference to an initial request of the Inspector last year, during an inspection of the site, at which time it was indicated that an application for a water licence must be made.

As you have indicated, you are working towards satisfying the requirements of the Inspector and will have those completed by the end of the summer. However, this does not eliminate the legislative requirements for a water licence under the NWNSRTA (see below) and the need to provide suitable information for the assessment of impacts to water by the NWB (Sec.48) in order to issue a licence (see regulations below). I believe you have already acquired the approvals/conformity for sections 38 and 39 of the Act. A land lease and the water licence are two completely separate instruments and as such, have their own individual requirements. For reference, I have included excerpts (which may not be all-inclusive) from both the Act and Regulations that prescribe the requirements for licences and the information requirements of applications. These documents are available from various sources online, or through the NWB's file transfer protocol site at:

<ftp://nunavutwaterboard.org/ADMINISTRATION/Acts%20Regulations/>

in order to access the site and files, you will have to enter a user name, which is "public" and a password, which is "registry", both without the quotations. This information is also available through the NWB website at : <http://www.nunavutwaterboard.org/en/home> following the Public Registry links.

With the work that is being done to address the Inspector's concerns of the inspection in 2008, you may want to include that new information in your application for consideration of the Board. I would anticipate that the information provided below will help to clarify the requirements of the Board and information needs, especially with respect to why the application is necessary and the legal requirement under the Act.

Again, thank you for your response, and I look forward to your further submission of additional information to the NWB Licensing Dept in order to continue the application process.

Regards,

David Hohnstein

Excerpts from:

Nunavut Waters and Nunavut Surface Rights Tribunal Act (NWNSRTA).

11. (1) Subject to subsection (2), no person shall use, or permit the use of, waters in Nunavut except in accordance with the conditions of a licence

12. (1) Subject to subsection (2) and except in accordance with the conditions of a licence, no person shall deposit or permit the deposit of waste

(a) in waters in Nunavut; or

(b) in any other place in Nunavut under conditions in which the waste, or any other waste that results from the deposit of that waste, may enter waters in Nunavut.

38. (1) The Board may not issue, amend or renew a licence to use waters or deposit waste if there is an applicable land use plan approved in accordance with Part 5 of Article 11 of the Agreement unless the Nunavut Planning Commission, in accordance with section 11.5.10 of the Agreement,

(a) has determined that the use or deposit, or in the case of an amendment any change to the use or deposit, conforms to the land use plan; or

(b) has approved a variance in respect of the use, deposit or change.

39. (1) The Board may not issue, amend or renew a licence to use waters or deposit waste where the use or deposit, or in the case of an amendment any change to the use or deposit, or the appurtenant undertaking requires screening in accordance with Part 4 of Article 12 of the Agreement, until the Nunavut Impact Review Board has completed the screening and, where a review under Part 5 or 6 of that Article is required, issued a project certificate referred to in section 12.5.12 or 12.6.17 of the Agreement.

48.

(2) An application, except in relation to a cancellation, shall be accompanied by the information and studies concerning the use of waters or the deposit of waste that are required for the Board to evaluate the qualitative and quantitative effects of the use or the deposit on waters.

57. The Board may not issue a licence unless the applicant satisfies the Board that

(a) any waste produced by the appurtenant undertaking will be treated and disposed of in a manner that is appropriate for the maintenance of the water quality standards and effluent standards that are prescribed by the regulations or, in the absence of such regulations, that the Board considers acceptable; and

(b) the financial responsibility of the applicant, taking into account the applicant's past performance, is adequate for

(i) the completion of the appurtenant undertaking,

(ii) such measures as may be required in mitigation of any adverse impact, and

(iii) the satisfactory maintenance and restoration of the site in the event of any future closing or abandonment of that undertaking.

Excerpts from:

Northwest Territories Waters Regulations (SOR/93-303)

(Nunavut specific Regulations are being developed, NWT Regulations have been adopted in the interim)

6. (1) An application for a licence or for the amendment or renewal of a licence shall be the form set out in Schedule III and shall contain the information identified therein and be accompanied by a deposit equal to any water use fee that would be payable under subsection 9(1) in respect of the first year of the licence that is being applied for.

(2) An application referred to in subsection (1) shall also include:

(d) where the water is proposed to be used for a municipal undertaking in respect of a camp or lodge or in respect of a municipality or settlement,

(i) a plan showing the location of the camp or lodge or the location, area and boundaries of the municipality or settlement,

(ii) an indication of the approximate capacity of the camp or lodge or population of the municipality or settlement, and

(iii) a plan of the intended water or sewage system, showing cross-sections and

elevations;

(g) where the undertaking involves the handling or storage of petroleum products or hazardous materials,

i) a plan for the safe handling, storage and disposal thereof, and

(ii) a contingency plan for their containment and for the clean-up thereof in the event of a spill; and

(h) in any case, plans for the abandonment, or any temporary closing, of the proposed undertaking.

From: Canadian Arctic Holidays [mailto:mail@canadianarcticholidays.ca]

Sent: Thursday, July 23, 2009 8:15 AM

To: dts@nunavutwaterboard.org

Subject: Re: 3BL-AWL---- Arctic Watch Lodge

Dear Mr Hohnstein,

I received your message. You are asking for me to complete a lot of work. At this point in the summer, I do not have the time. I have a full lodge to run.

It is my observation that all the environmental concerns you are requesting are already covered by the INAC inspector. We are working towards the inspectors requirements. We expect to have everything completed by the end of the summer.

Also, as far as I remember there is no mention in our lease for requirements for such documentation as you have requested. However, after the summer, when I return to our office. I will review your request.

Regards,
Richard Weber
Canadian Arctic Holidays
363 Pritchard Rd
Alcove, QC
J0X 1A0
tel: 819 459 1794

On 22-Jul-09, at 7:36 PM, David Hohnstein wrote:

Mr. Weber,

Your request was passed on to me by Richard Dwyer, Licensing Administrator, NWB regarding the requirements for application documents for the Arctic Watch Lodge, NU. In reviewing what has been submitted and questions on what still remains to accompany the application, I have included a basic example of an Abandonment and Reclamation Plan for a small camp, as well as a Spill Contingency Plan (SCP), to be used as simple templates for your submissions. For the SCP you would need to acquire the appropriate material safety data sheets for the products in use and stored at the location that may impact the environment if spills occur and also confirm contact numbers for various agencies. The INAC Inspector number to be used is 867-975-4295. You could also reference the GN Dept of Env guideline to spill contingency planning for the basic plan requirements. <http://www.gov.nu.ca/env/splanning.pdf> . The requirement of the Abandonment and Reclamation Plan is to assure the Board that there are no long term environmental impacts and to demonstrate

that the Licensee has taken into account all factors that may affect the restoration of the site and has written documentation of a commitment from the Licensee with respect to final restoration. It also aids in seasonal planning and providing the Board with proper closure planning on a seasonal basis.

In addition to the above, suitable scale maps are to be provided (both within the plans and as separate information attachments to the questionnaire) with the application for assessing impacts to surrounding environment and potential impacts due to activities, storage of fuels/chemicals, discharge of waste (sewage/greywater) and water intake (source and location). These will greatly help in the review of the file and limit requests for additional information following distribution.

Hopefully this will be all that is needed to begin the formal review process. Thank you for your attention to the above.

Regards,

David Hohnstein
A/Director Technical Services
Nunavut Water Board

From: Richard Dwyer [<mailto:licensingadmin@nunavutwaterboard.org>]
Sent: Tuesday, July 14, 2009 1:12 PM
To: 'Canadian Arctic Holidays'
Cc: 'NPC Bobby Suluk'; dts@nunavutwaterboard.org
Subject: RE: 3BL-AWL---- Arctic Watch Lodge

Good afternoon Mr. Webber;

NPC is the Nunavut Planning Commission and I believe you've already received a conformity review from them. The abandonment & restoration I'll leave for the Director Technical Services, David Hohnstein to contact you on upon his return from duty travel.

Regards,

Richard Dwyer
Licensing Administrator
Nunavut Water Board
PH: 867-360-6338 ext.29
FX: 867-360-6369

From: Canadian Arctic Holidays [<mailto:mail@canadianarcticholidays.ca>]
Sent: Tuesday, July 14, 2009 12:00 PM
To: Richard Dwyer
Subject: Re: 3BL-AWL---- Arctic Watch Lodge

I will try to get the information together.

What is NPC?

We do not have an abandonment plan. This business has been in operation for 10 years, we have no plan to abandon the place.

Richard Weber
Canadian Arctic Holidays
363 Pritchard Rd
Alcove, QC

J0X 1A0
tel: 819 459 1794

On 14-Jul-09, at 1:38 PM, Richard Dwyer wrote:

Good morning Mr. Webber;

Attached is acknowledgement of file that was to be included with yesterdays questionnaire distribution. The requirements from Nunavut Impact Review Board may have been completed to complete your water licence application the Nunavut Water Board requires:

- NPC Conformity (or confirmation in writing from NPC that conformity is not required)
- Remote camp questionnaire
- Inuktitut & English Project Summary
- Spill Contingency Plan
- Abandonment & Restoration Plan

Regards,

Richard Dwyer
Licensing Administrator
Nunavut Water Board
PH: 867-360-6338 ext.29
FX: 867-360-6369

From: Canadian Arctic Holidays [<mailto:mail@canadianarcticholidays.ca>]
Sent: Tuesday, July 14, 2009 8:45 AM
To: Leslie Payette
Cc: 'Richard Dwyer'; 'NPC Bobby Suluk'
Subject: Re: 3BL-AWL----- Arctic Watch Lodge

If the screening is complete why are we being asked to fill out more forms?

Richard Weber
Canadian Arctic Holidays
363 Pritchard Rd
Alcove, QC
J0X 1A0
tel: 819 459 1794

On 14-Jul-09, at 10:39 AM, Leslie Payette wrote:

Please note that NIRB received conformity from NPC on the QIA and CWS permits on May 4th and completed the screening on June 2nd.

Regards,

Leslie

Leslie Payette
Manager Environmental Administration
Nunavut Impact Review Board

Cambridge Bay, Nunavut
Tel: 867.983.4605 (direct)
Tel: 866.233.3033 (toll-free)
Fax: 867.983.2594
Email: lpayette@nirb.ca
<http://ftp.nirb.ca/>

From: Richard Dwyer [<mailto:licensingadmin@nunavutwaterboard.org>]
Sent: July 13, 2009 3:26 PM
To: mail@canadianarcticholidays.ca
Cc: 'NPC Bobby Suluk'; 'NIRB-Leslie Payette'
Subject: 3BL-AWL---- Arctic Watch Lodge

Good afternoon;

Please see attached requesting additional information. Also attached is the remote camp questionnaire to be completed and the completed water licence application for convenience of the Nunavut Planning Commission and the Nunavut Impact Review Board.

Regards,

Richard Dwyer
Licensing Administrator
Nunavut Water Board
PH: 867-360-6338 ext.29
FX: 867-360-6369

<090713 3BL-AWL---- Acknowledgement of Applicaiton File Deficient-OLAE.pdf>

<080427 3BC-NWT---- NWTD Spill Plan-IMLE.pdf><051004NWB6HLC AR Plan-ITAE.pdf>