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NUNAVUT WATER BOARD
NUNAVUT IMALIRIYIN KATIMAYINGI
OFFICE DES EAUX DU NUNAVUT

File No: 8BC-BAF1929 / Amendment No. 1

April 11, 2022

William Wyman
Environmental Officer
CF Real Properties Operations Group - North
Department of National Defence
101 Colonel By Drive
Ottawa, Ontario K1A 0K2

Email: William.Wyman@forces.gc.ca

Colonel Donald Henley
Assistant Deputy Minister (Infrastructure
and Environment) (Carling Campus)
CF Real Properties Operations Group
60 Moodie Drive
Ottawa, Ontario K1A 0K2

Email: Donald.Henley@forces.gc.ca

RE: NWB Amendment Water Licence No: 8BC-BAF1929 – Amendment No. 1

Dear William Wyman and Colonel Henley:

Please find attached Amendment No. 1 to Licence No: 8BC-BAF1929 issued to the Government of Canada, Department of National Defence by the Nunavut Water Board (NWB) (Motion # 2022-B1-001) 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)*. The terms and conditions of the original Licence related to water use and waste disposal remain an integral part of this approval.

The NWB notes that the Nunavut Planning Commission (NPC) provided documentation¹ stating that the project is outside the area of an applicable regional land use plan. The works and activities associated with the current project proposal were reviewed by the NPC and a determination was issued on October 17, 2018, which still applies. The NPC also stated that the project is exempt from screening by the NIRB as it does not change the general scope of the original project and exceptions noted in Sections 12.4.3 (a) and (b) of the *Nunavut Agreement* do not apply. The activities were previously screened by the Nunavut Impact Review Board (NIRB File No. 03DN120).

The NWB notes that submissions were received from Crown Indigenous Relations and Northern Affairs (CIRNA) and Department of Fisheries and Oceans Canada (DFO). CIRNA requested clarifications² and made recommendations for this Amendment. The NWB recommends that the Licensee consult the recommendations received from CIRNA and DFO³. This information is attached for your consideration.

¹ NPC Determination, dated December 15, 2021

² Crown Indigenous Relations and Northern Affairs Canada (CIRNA), February 14, 2022.

³ Fisheries and Oceans Canada (DFO), February 01, 2022.

Sincerely,

Lootie Toomasie
Nunavut Water Board,
Chair

LT/as/ri

Enclosure: Amendment No. 1 to Licence No: 8BC-BAF1929

Comments – CIRNA, DFO

Cc: Distribution List – Qikiqtani

LICENCE AMENDMENT No. 1

Licensee:	GOVERNMENT OF CANADA, DEPARTMENT OF NATIONAL DEFENCE
License No:	8BC-BAF1929, Type "B"
License Issued:	September 1, 2019
License Expiry:	August 31, 2029
Amendment No. 1 Effective Date:	April 11, 2022

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 (NWNSRTA)*, with respect to an amendment request by Government of Canada, Department of National Defence (DND), submitted on January 19, 2022, the Nunavut Water Board (NWB) hereby grants the following Licence amendment.

The Licence, effective September 1, 2019 with an expiry date of August 31, 2029 shall be amended, to increase the water use limit to 3,000 m³ per year, during operation and maintenance of the BAF-3 Long Range Radar Station located on Brevoort Island within the Qikiqtani Region, Nunavut, at the following general geographic coordinates:

Latitude: 63° 20'25" N

Longitude: 64° 09'29" W

Procedural History

On January 19, 2022 the Nunavut Water Board (NWB or Board) received from the Government of Canada, Department of National Defence, the following documents in support of the amendment to the Licence 8BC-BAF1929:

- NPC Letter, dated December 15, 2021
- NIRB Screening Decision Report dated October 31, 2003
- Application for Water Licence Amendment
- Executive Summary (English and Inuktitut)
- Exploration Remote Camp Questionnaire
- BAF-3 Site Description and Site Map
- Water Licence Inspection Report
- NWB Licence Compliance Assessment 2021
- Spill Contingency Plan for the North Warning System
- Sewage Disposal Plan: Sumps for Sewage Outfalls at CAM-3, FOX-3, DYE-M, and BAF-3
- BAF-3 Landfarm Design and Management Plan

On January 26, 2022 the NWB acknowledged receipt and distributed the application to interested persons for a thirty-day comment and review period with a deadline of February 28, 2022. On or before the deadline for comments, submissions were received from Crown Indigenous Relations and Northern Affairs (CIRNA) and Department of Fisheries and Oceans Canada (DFO).

Term of Licence

In this amendment application the Licensee did not request an extension of the existing term of the Licence Therefore, the Licence term remains unchanged and is set to expire on August 31, 2029.

Solid Waste Disposal

The Applicant has stated that all non-hazardous domestic solid waste will continue to be disposed off through a contract with the City of Iqaluit for the deposit of waste in the local municipal landfill. Bulky items and hazardous wastes shall be shipped off site for disposal at a licensed disposal facility. No waste will be deposited in the on-site landfill.

The Applicant has stated that from April 2022 and beyond, BAF-3 will be staffed year-round by at least nine staff members. With this operational change in mind and the fact that this plan was last updated in 2010, the NWB has included a condition to revise and submit the Plan entitled “Operation and Maintenance (O&M) Plan for the Landfill and Handling of Solid Wastes At BAF-3” dated 28 January, 2010. This Plan will be submitted along with the 2022 Annual Report.

Sewage Disposal

There are no changes to the sewage disposal operations at the BAF-3 site. The Applicant has submitted a revised Sewage Disposal Plan entitled “Sewage Disposal Plan: Sumps for Sewage Outfalls at CAM-3, FOX-3, DYE-M, and BAF-3”, dated July 16, 2021. This updated Plan has been accepted by the Board.

Sewage (Blackwater) and greywater are combined in the sewage system. The sewage system comprises a sump tank, holding tank, and masticating pump within the building train. Sewage is not discharged from the building daily. When the holding tank nears, or reaches, capacity the sewage is discharged out the sewage outfall pipe to the receiving outfall sump located outside.

Landfarm Operations

There are no changes to landfarm operations at the BAF-3 site. The Applicant has submitted a revised Landfarm Design and Management Plan, dated October 19, 2021. This updated Plan has been accepted by the Board.

Spill Contingency Plan

The Applicant submitted, as part of its Amendment Application package, a revised Spill Plan entitled “Spill Contingency Plan for the North Warning System” dated July 20, 2021. This updated Plan has been accepted by the Board.

Quality Assurance / Quality Control Plan (QA/QC)

The Applicant submitted, as part of its Amendment Application package, a revised QA/QC Plan entitled “QA/QC Plan for berm water sampling at CAM-M, CAM-3, FOX-M, FOX-3, DYE-M and BAF-3” dated July 16, 2021. The revised QA/QC Plan is found acceptable by the Board.

Monitoring

There are no changes to the existing monitoring plan.

Summary of Comments

Crown Indigenous Relations and Northern Affairs Canada (CIRNA), February 14, 2022:

In their submission CIRNA made the following requests:

- Applicant to report daily water withdrawal from water supply lake;
 - Applicant agreed to report the daily amount of water drawn from the water supply lake.
- Clarify if a flow meter is installed for water volume measurement;
 - Applicant confirmed that a flow meter is installed.
- Clarify if there was an error in the total volume of water use reported in the 2018 Annual Report.
 - Applicant confirmed that there was an error in reporting.

Department of Fisheries and Oceans Canada (DFO), February 01, 2022:

In their submission DFO stated the following:

- Commented that provided the Licensee is able to comply with the conditions and measures set out in the Interim Code of Practice and the Measures to Protect Fish and Fish Habitat, a project review by Fisheries and Oceans Canada is not required; however, DFO recommends that a Notification Form be submitted. If the project is unable to comply with the Interim Codes of Practice or the Measures to Protect Fish and Fish Habitat, DFO recommends that the proponent submit a Request for Review of the project.

LICENCE AMENDMENT No. 1

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

Quantity of Water Use	<u>THREE THOUSAND (3,000) CUBIC METRES</u>
Not to Exceed:	<u>PER ANNUM AND LESS THAN THREE HUNDRED</u>
	<u>(300) CUBIC METRES PER DAY</u>

PART C: CONDITIONS APPLYING TO WATER USE

Amend
Item 1

The Licensee shall obtain all Water from Water Supply Lake. Total Water use shall not exceed two-hundred and ninety-nine (299) cubic metres per day. The volume of Water for the purposes of this Licence shall not exceed three thousand (3,000) cubic metres annually.

PART D: CONDITIONS APPLYING TO WASTE DISPOSAL

Amend
Item 1

The Licensee shall implement the updated Plan entitled “Sewage Disposal Plan: Sumps for Sewage Outfalls at CAM-3, FOX-3, DYE-M, and BAF-3”, dated July 16, 2021, which was previously approved by the Board.

Amend
Item 11

The Licensee shall implement the updated Plan entitled, “BAF-3 Landfarm Design and Management Plan”, dated October 19, 2021, which was previously approved by the Board.

Insert
Item 18

The Licensee shall update the Plan entitled “Operation and Maintenance (O&M) Plan for the Landfill and Handling of Solid Wastes At BAF-3”, dated January 28, 2010, which was previously submitted to the Board. The revised Plan will be submitted to the Board with the 2022 Annual Report. The revisions will include any updates to the solid waste management procedures due to increased staffing levels.

PART H: CONDITIONS APPLYING TO SPILL CONTINGENCY PLANNING

Amend
Item 1

The Licensee shall implement the updated Plan entitled “Spill Contingency Plan for the North Warning System” dated July 20, 2021, which was previously approved by the Board.

PART J: CONDITIONS APPLYING TO THE MONITORING PROGRAM

Amend
Item 10

The Board has accepted the revised Plan entitled “QA/QC Plan for berm water sampling at CAM-M, CAM-3, FOX-M, FOX-3, DYE-M and BAF-3” dated July 16, 2021, that was submitted as additional information with the Application.

All remaining terms and conditions of the Licence 8BC-BAF1929 Type ‘B’, effective September 1, 2019, still apply.

This Licence Amendment No. 1 is issued and recorded at Gjoa Haven, NU on April 7, 2022.

Approved by,

Lootie Toomasie
Nunavut Water Board
Chair