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NUNAVUT WATER BOARD

NUNAVUT IMALIRIYIN KATIMAYINGI

22 January 2004

Nicolas Monteiro  
Associate Project Manager, DEW Line Clean Up  
Defence Construction Canada  
Place de Ville, Tower B  
112 Kent Street, 17<sup>th</sup> Floor  
Ottawa, ON  
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**Re: Monitoring Plans provided by UMA Engineering for the CAM-2 DEW line Clean Up Project**

Sir:

This letter acknowledges the Monitoring Plan received from UMA Engineering on July 25, 2003. In this Plan, the monitoring activities to be undertaken at the CAM-2, DEW Line site during both clean up activities and post closure are described.

As you are aware, the Nunavut Water Board (NWB) is an Institution of Public Government established under Article 13.2.1 of the *Nunavut Land Claim Agreement* (NLCA). As described in the provisions of Article 13 of the NLCA, the NWB has responsibilities and powers over the use, management and regulation of inland water (whether in a liquid or solid state, on or below the surface of land) in Nunavut. These responsibilities and powers have been further defined by the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* (C-33), which was enacted by the Parliament of Canada on April 30, 2003. Section 7 of the Act stipulates that the provisions of the Act are binding on Her Majesty in right of Canada or a province, except that Her Majesty in right of Canada is not required to pay any fee prescribed by the regulations. Under the Act, the NWB may renew, amend or cancel a water license, with or without a public hearing, depending on the type of activity. In accordance with the provisions of the *Nunavut Land Claim Agreement* and the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*, all uses of water and disposal of waste into water (as defined in Section 4 of the Act), with the exception of domestic or emergency use, require NWB approval. Accordingly, the submission from UMA Engineering made on your behalf has been

reviewed, and I am pleased to provide the following comments to the information presented.

As a term and condition of Part J, Item 1 of water license NWB5GLA0308, which was issued to Defence Construction Canada on April 1<sup>st</sup>, 2003, the Licensee was required by September 30, 2003 to submit to the Board for approval a “Monitoring Program” which shall include but not be limited to the following:

- i. GPS coordinates of all surface and subsurface sampling points;
- ii. Specific components of the visual, soil/water and thermal monitoring program;
- iii. Sampling frequency; and
- iv. Physical and chemical parameters for analyses;

The primary purpose of the NWB requiring the Licensee to submit the required Plan is to confirm the implementation of the proposed monitoring activities that the Licensee had submitted with the initial water license application on January 6<sup>th</sup>, 2003. These proposed monitoring activities, which have been reviewed and accepted by the Board, are outlined in the Agreement Between Nunavut Tunngavik Incorporated and Her Majesty the Queen in right of Canada as Represented by the Minister of National Defence for the Clean up and Restoration of Distant Early Warning Sites in the Nunavut Settlement Area (Environmental Provisions).

The NWB recognizes that certain portions of the proposed monitoring activities to be undertaken will be implemented in stages as the project proceeds, and that the Licensee may be unable to provide specific information, such as precise GPS coordinates of monitoring locations, at this time. Therefore, the NWB indicates to the Licensee that the Plan initially presented to the Board, which address monitoring activities at the sewage lagoon located on the CAM-2 site, shall be recommended to the Board for their conditional approval, pending further information to be provided by Defence Construction Canada. Additional information relative to the visual, soil/water and thermal monitoring to be undertaken at the Solid Waste Disposal Facilities and the Landfarm Facility is required by the Board, but may be submitted by the Licensee as an addendum to the Plan to be recommended for Board approval. This information shall include the information required in Part J, Item 1 of water license NWB5CAM0308.

The Licensee is also informed that the NWB requires that tabular summaries of all data and information generated under the monitoring program, as well as an analysis of data collected during the monitoring program, be presented to the Board in the Annual Report to be filed by the Licensee no later than March 31 of the year following the calendar year reported. This information is required so that the Board may ensure that its responsibilities and powers over the use, management and regulation of inland water (whether in a liquid or solid state, on or below the surface of land) in Nunavut, as defined by the *Nunavut Land Claim Agreement* and the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* (C-33), are being properly discharged. Accordingly, the Board expects that information collected during surface, sub-surface and thermal monitoring

activities to be undertaken at the Water Supply Facilities, Solid Waste Disposal Facilities, Sewage Disposal Facilities and Landfarm Facility shall be provided to the Board by the Licensee, as required in Part B, Item 1 of water license NWB5CAM0308.

The NWB looks forward to receiving the required additional information described above from Defence Construction Canada. If I can be of any assistance to you, or to your staff, or if you require further clarification on the Board's requirements, please do not hesitate to contact me.

Sincerely,

*Original signed by:*

Jim Wall, Technical Advisor  
Nunavut Water Board