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NUNAVUT WATER BOARD
NUNAVUT IMALIRIYIN KATIMAYINGI
OFFICE DES EAUX DU NUNAVUT

File No: 8BC-FOD1828 / Amendment No. 1

April 6, 2022

Major Ian Creighton
North Warning System Office
Department of National Defence
101 Colonel By Drive
Ottawa, Ontario K1A 0K2

Colonel Donald Henley
Assistant Deputy Minister (Infrastructure
and Environment) (Carling Campus)
Canadian Forces Real Property Operations Group
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Email: Ian.Creighton3@forces.gc.ca

Email: Donald.Henley@forces.gc.ca

RE: NWB Amendment Water Licence No: 8BC-FOD1828 – Amendment No. 1

Dear Major Creighton and Colonel Henley:

Please find attached Amendment No. 1 to Licence No: 8BC-FOD1828 issued to the Government of Canada, Department of National Defence by the Nunavut Water Board (NWB) (Motion # 2021-B1-026) 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 work entailed was previously reviewed by both NPC and Nunavut Impact Review Board (NIRB File No. 03DN118). 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 NWB notes that submissions were received from Crown Indigenous Relations and Northern Affairs (CIRNA) and Department of Fisheries and Oceans Canada (DFO). CIRNA stated that they have no comments² or recommendations to make for this Amendment. The NWB recommends that the Licensee consult the recommendations received by Fisheries and Oceans Canada. This information is attached for your consideration.³

¹ NPC Determination, dated November 18, 2021

² Crown Indigenous Relations and Northern Affairs Canada (CIRNA), March 04, 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-FOD1828

Comments – CIRNA, DFO

Cc: Distribution List – Qikiqtani

LICENCE AMENDMENT No. 1

Licensee:	GOVERNMENT OF CANADA, DEPARTMENT OF NATIONAL DEFENCE
Licence No:	8BC-FOD1828, Type “B”
Licence Issued:	June 8, 2018
Licence Expiry:	June 7, 2028
Amendment No. 1 Effective Date:	April 5, 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 28, 2022, the Nunavut Water Board (NWB) hereby grants the following Licence amendment.

The Licence, issued June 8, 2018 with an expiry date of June 7, 2028 shall be amended, to increase the water use limit to 3,000 m³ per year, during operation and maintenance of the FOX-3 Long Range Radar Station located north of Dewar Lakes on Baffin Island within the Qikiqtani Region, Nunavut, at the following general geographic coordinates:

Latitude: 68° 40'48" N

Longitude: 71° 14'48" W

Procedural History

On January 20, 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-FOD1828:

- NPC Letter, dated November 18, 2021
 - NIRB Screening Decision Report, dated December 20, 2018
 - Application for Water Licence Amendment
 - Executive Summary (English and Inuktitut)
 - Exploration Remote Camp Questionnaire
 - FOX-3 Site Description
 - 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
 - Landfarm Design and Management Plan
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- QA/QC Plan for berm water sampling at CAM-M, CAM-3, FOX-M, FOX-3, DYE-M and BAF-3

On January 28, 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 June 07, 2028.

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 Hamlet of Hall Beach for the deposit of waste in the local municipal dump. 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 October 2023 and beyond, FOX-3 will be staffed year-round by at least nine staff members. With this operational change in mind, 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 FOX-3”. This plan will be submitted along with the 2022 Annual Report.

Sewage Disposal

There are no changes to the sewage disposal operations at the FOX-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 FOX-3 site. The Applicant has submitted a revised Landfarm Design and Management Plan, dated October 7, 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 (CIRNA), March 04, 2022:

- In their submission CIRNA stated that they have concerns or comments regarding this Amendment Application.

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

- DFO stated 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, we recommend 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, we recommend 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:

Water management Area: **MACDONALD WATERSHED (22)**

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

PART C: CONDITIONS APPLYING TO WATER USE

Amend
Item 1

The Licensee shall obtain all Water from Water Lake (as shown on drawing No. H-D67/2-8400-101). 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 2

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 15

The Licensee shall implement the updated Plan entitled, “FOX-3 Landfarm Design and Management Plan”, dated October 7, 2021, which was previously approved by the Board.

Insert
Item 21

The Licensee shall update the Plan entitled “Operation and Maintenance (O&M) Plan for the Landfill and Handling of Solid Wastes At FOX-3”, dated July 9, 2018, which was previously submitted to the Board. The revised plan will be submitted to the Board along with the 2022 Annual Report. The revisions will include any updates to the solid waste management procedures due to increased staffing levels.

PART G: 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 I: CONDITIONS APPLYING TO THE MONITORING PROGRAM

Amend
Item 9

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-FOD1828 Type ‘B’, dated June 8, 2018, still apply.

This Licence Amendment No. 1 is issued and recorded at Gjoa Haven, NU on April 5, 2022.

Approved by,

Lootie Toomasie
Nunavut Water Board
Chair