



Water Resources Division
Resource Management Directorate
Nunavut Regional Office
918 Sivumugiaq Street
Iqaluit, NU, X0A 3H0

Your file - Votre référence
8BC-ABH2125
Our file - Notre référence
GCdocs#139747925

August 25, 2025

Robert Hunter
Licensing Administrator
Nunavut Water Board
P.O. Box 119
Gjoa Haven, NU, X0B 1J0
E-mail: licensing@nwb-oen.ca

**Re: Crown-Indigenous Relations and Northern Affairs Canada's Review of
Department of Fisheries and Oceans Canada – Small Craft Harbours' Renewal
Application for the Arctic Bay Harbour Development Project**

Dear Robert Hunter,

Thank you for the opportunity to review Department of Fisheries and Oceans Canada – Small Craft Harbours' (DFO-SCH) renewal application for the Arctic Bay Harbour Development Project, for Type B Water Licence No. 8BC-ABH2125.

Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) examined the application and supporting documents pursuant to its mandated responsibilities under the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* and the *Department of Crown-Indigenous Relations and Northern Affairs Act* and provides the following Technical Review Memorandum for the Board's consideration.

The applicant shall confirm with the Board that all outstanding water license fees have been paid in full prior to approval of this application.

Please contact me or Andrew Keim by email at john.macinnis@rcaanc-cirnac.gc.ca or andrew.keim@rcaanc-cirnac.gc.ca if there are any questions or concerns.

Sincerely,

John MacInnis
Senior Environmental Assessment Specialist



Technical Review Memorandum

Date: August 25, 2025

To: Robert Hunter, Licensing Administrator, Nunavut Water Board

From: John MacInnis, Senior Environmental Assessment Specialist, CIRNAC

Subject: Crown-Indigenous Relations and Northern Affairs Canada's Review of Department of Fisheries and Oceans Canada – Small Craft Harbours' Renewal Application for the Arctic Bay Harbour Development Project

Region: Kitikmeot Kivalliq Qikiqtani

A. BACKGROUND

On August 6, 2025, the Board invited interested parties to comment on DFO-SCH's renewal application for the Arctic Bay Harbour Development Project, for Type B Water Licence No. 8BC-ABH2125.

The Project is part of the Inuit Impact and Benefit Agreement negotiated for the Tallurutiup Imanga National Marine Conservation Area, and it will improve safety and access to water, functionality of boating activities, and reduce the congestion and environmental risks associated with the current use of the harbour. The permanent components of the Project will include the construction of a new breakwater with a fixed wharf, a boat launch ramp, small craft floating docks, a laydown area, and harbour lighting.

There are seven (7) existing culverts that drain into the bay along the SCH shoreline. The project design redirects these culverts around the harbour with a series of ditches and new culverts to manage discharge. This is required to reduce sediment accumulation within the harbour and prevent future maintenance dredging. The water will be redirected through the site and discharged into the same waterbody.

During the initial review of the application, the Board inquired why construction activities requiring use of water and deposit of waste were not included in the scope. DFO-SCH advised the Board that specific details of water requirements for the construction phase (e.g., water use for the construction camp or dust suppression) will be provided in a subsequent application made upon hiring of the contractor. An amendment to the existing water licence would be required to include water use, waste disposal, construction, quarrying, and drilling activities.

CIRNAC provides the following comments and recommendations related to the renewal application for the Board's consideration. Section B outlines documents that were reviewed under the submission and Section C provides the result of the technical review.

**Table 1: Summary of Recommendations.**

Recommendation Number	Subject
R-01	Scope of Construction Activities
R-02	Review of Terms and Conditions

B. DOCUMENTS REVIEWED

The following table lists the documents reviewed under the submission and referenced during the review.

Table 2: Documents reviewed and referenced.

Document Title	Author, File No., Rev., Date
8BC-ABH2125 Distribution Review NPC NIRB Received	Board, August 6, 2025
8BC-ABH2125 NWB Arctic Bay Harbour Summary of Renewal English	DFO-SCH, July 7, 2025
8BC-ABH2125 NPC File No. 149437 Conformity Decision	Nunavut Planning Commission (NPC), January 27, 2021
8BC-ABH2125 NPC File No. 150814 Conformity Decision	NPC, June 9, 2025
8BC-ABH2125 NIRB 21UN004 Screening Decision Report	Nunavut Impact Review Board, October 4, 2021
8BC-ABH2125 Water Licence	Board, December 17, 2021
8BC-ABH---- Application Water Licence	Advisian-Ikpiaryuk, October 14, 2021
8BC-ABH---- Water Licence Application CIRNA Comments	CIRNAC, November 19, 2021
8BC-ABH---- Water Licence Application DFO Comments	DFO-SCH, November 25, 2021
8BC-ABH---- DFO Response to Comments CIRNA Satisfied	CIRNAC, November 30, 2021
8BC-ABH---- Construction Environmental Management Plan_CEMP	Advisian-Ikpiaryuk, August 13, 2021
8BC-ABH2125-2021 Annual Report	DFO-SCH, March 28, 2022
8BC-ABH2125 2022 Annual Report	DFO-SCH, March 23, 2023
8BC-ABH2125 2023 Annual Report	DFO-SCH, March 15, 2024
8BC-ABH2125 Arctic Bay Harbour 2024 Annual Report	DFO-SCH, February 28, 2025

C. RESULTS OF REVIEW

1. Scope of Construction Activities

**Comment:**

CIRNAC understands that the scope of Type B Water Licence No. 8BC-ABH2125 is primarily related to watercourse training or diversions of small water courses, along with the construction/installation of ditches and culverts. No consumptive water use or permanent waste disposal is authorized under this Licence. The Licensee noted that specific details, such as water requirements for the construction phase, will be provided in a subsequent application made upon hiring of a contractor.

CIRNAC is seeking clarification on the scope of construction activities in the proposed renewal for 8BC-ABH2125. There are provisions for construction activities in Part E of the Licence, and CIRNAC interprets that these provisions are applicable to the construction/installation of ditches and culverts to support water diversion activities. CIRNAC understands that the construction of other works associated with the development of the SCH would be reflected in a subsequent application. It appears that no construction activities have been undertaken to date, based on information in the 2021-2024 Annual Reports.

CIRNAC is also seeking clarification on the Licensee's intention to amend Type B Water Licence No. 8BC-ABH2125 before commencing construction activities. Table 2-1 in the Construction Environmental Management Plan (CEMP) appears to suggest there may be a separate Type B Water Licence held by the contractor, which is shown below for reference:

Table 2-1 List of potential permitting requirements for the Project (pg. 19 of the CEMP).

Regulatory/ Authorizing Authority	Construction Activity	Required Authorization/ Permit/Approval	Permit Holder
Nunavut Water Board (NWB)	Potential for withdrawal of freshwater or the need to cross freshwater crossings for haul road construction.	Type B Water Licence	Contractor
	Potential for diversion of small drainage ditch within SCH Footprint.	Type B Water Licence	DFO-SCH

CIRNAC is of the view that the Type B Water Licence No. 8BC-ABH2125 should clearly define any construction activities, to enhance clarity and minimize overlap with other construction activities that are contemplated outside the scope of the current Licence (i.e., activities undertaken potentially under a separate Licence by another party).

Recommendation:

(R-01) CIRNAC recommends that the Licensee:

- Clarify the scope of works and activities associated with the renewal application, including whether construction activities are being contemplated.
- Confirm if the contractor will be seeking a separate Type B Water Licence.



2. Review of Terms and Conditions

Comment:

CIRNAC is of the view that clarifying the scope of activities in the renewal application is necessary to improve understanding of any planned works, which would help guide the selection of relevant Terms and Conditions and reporting requirements in the Licence.

CIRNAC notes that some Terms and Conditions in Type B Water Licence No. 8BC-ABH2125 may not be applicable to the current scope of the Project. For example, Part E, Item 1, describes that the Licensee shall not erect camps or store material on the surface of frozen streams or lakes including the immediate banks except what is for immediate use, but the Licensee noted that "...no camp will be required for the purposes of this NWB permit application".

CIRNAC also notes there is reference to an access road and pad construction in Part E, Item 8, but this infrastructure does not appear to be included in the scope of the Project at this time.

Recommendation:

(R-02) CIRNAC recommends that the Board review and update, as applicable, the Terms and Conditions in Type B Water Licence No. 8BC-ABH2125, to reflect the scope of the activities contemplated in the renewal application.