



Water Resources Division  
Resource Management Directorate  
Nunavut Regional Office  
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Your file - Votre référence  
8BC-ABH----  
Our file - Notre référence  
GCDocs#98997000

November 19, 2021

Richard Dwyer  
Manager of Licencing  
Nunavut Water Board  
P.O. Box 119  
Gjoa Haven, NU, X0B 1J0  
E-mail: [licensing@nwb-oen.ca](mailto:licensing@nwb-oen.ca)

**Re: Crown-Indigenous Relations and Northern Affairs Canada's Review of Water Licence 8BC-ABH---- Application for the Arctic Bay Harbour Development Project by Fisheries and Oceans Canada - Small Craft Harbour**

Dear Mr. Dwyer,

Thank you for your November 1, 2021 invitation to review the above-referenced water licence application.

Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) examined the application 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*. Please find CIRNAC comments and recommendations in the attached Technical Memorandum.

If there are any questions or concerns, please contact me at [david.zhong@rcaanc-cirnac.gc.ca](mailto:david.zhong@rcaanc-cirnac.gc.ca) or Andrew Keim at [andrew.keim@rcaanc-cirnac.gc.ca](mailto:andrew.keim@rcaanc-cirnac.gc.ca).

Sincerely,

David Zhong,  
Regulatory & Science Advisor



## **Technical Review Memorandum**

**Date:** November 19, 2021

**To:** Richard Dwyer, Manager of Licensing, Nunavut Water Board

**From:** David Zhong, Regulatory & Science Advisor, CIRNAC

**Subject: Crown-Indigenous Relations and Northern Affairs Canada's Review of Water Licence 8BC-ABH---- Application for the Arctic Bay Harbour Development Project by Fisheries and Oceans Canada - Small Craft Harbour**

**Region:** Qikiqtani

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### **A. BACKGROUND**

On November 1, 2021, the Nunavut Water Board (NWB) provided notification of an application for a new Type B water licence 8BC-ABH---- for the Arctic Bay Harbour Development Project by Fisheries and Oceans Canada - Small Craft Harbour (DFO-SCH, the applicant).

The applicant is requesting a water licence to use water (e.g., divert water) or deposit waste into water for the construction of the small craft harbour (SCH) in the Hamlet of Arctic Bay, Nunavut. The Project is part of the Inuit Impact and Benefit Agreement (IIBA) (IIBA 2019) negotiated for the Tallurutiup Imanga (Lancaster Sound) National Marine Conservation Area. The Project 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 include the construction of a new breakwater with fixed wharf, a boat launch ramp, small craft floating docks, laydown area and harbour lighting. Aggregates for the construction of the SCH will be obtained and transported from a quarry that is about 2 km from the construction site.

Worley Canada Services Ltd. and Ikpiaryuk Services Ltd., operating as Advisian-Ikpiaryuk JV, have been retained by Public Services and Procurement Canada (PSPC) on behalf of DFO-SCH to perform detailed design, community consultation support, regulatory support, and construction support services for the design and construction of the SCH.

Along the SCH shoreline there are seven existing culverts that drain into the bay. 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 discharge into the same waterbody (i.e., the bay).

The NWB requested interested parties to review the application and make comments and recommendations on or before November 22, 2021.



Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) examined the application 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*. A summary of the subjects of CIRNAC's comments and recommendations regarding the renewal application can be found in Table 1. Documents reviewed as part of this submission can be found in Table 2 of Section B. Detailed technical review comments are in Section C.

**Table 1: Summary of Comments and Recommendations**

Recommendation Number	Subject
R-01	Scope of Project Activities: Quarrying, Haul Road Repairs and Hauling
R-02	Proposed Term of Licence

## **B. DOCUMENTS REVIEWED AND REFERENCED**

The following table (Table 2) provides a list of the documents reviewed under the submission and reference during the review.

**Table 2: Documents Reviewed and Referenced**

Document Title	Author, File No., Rev., Date
Application Water Licence	Eleanor McEwan, Fisheries and Oceans Canada - Small Craft Harbour, October, 2021
Executive Summary	Advisian-Ikpiaryuk JV, October 2021
Construction Environmental Management Plan	Advisian-Ikpiaryuk JV, August, 13, 2021
Environmental & Socio-Economic Baseline Report	Advisian-Ikpiaryuk JV, August 11, 2021
Project Specific Information Requirements	Advisian-Ikpiaryuk JV, August 9, 2021
Arctic Bay CEMP	Advisian-Ikpiaryuk JV, July 29, 2021



## C. RESULTS OF REVIEW

### 1. Scope of Project Activities: Quarrying, Haul Road Repairs and Hauling

#### **Comment:**

CIRNAC notes that approximately 90,000 m<sup>3</sup> of aggregates or bedrock will be needed for the construction of the SCH. This quantity of aggregates will be obtained from a quarry that is immediately adjacent to the road to Victor Bay and to Dead Dog Lake and upstream of the Alternate Water Supply Lake (Fig 1-1 of Construction Environmental Management Plan). The aggregates will be transported to the SCH construction site through an existing haul road between Arctic Bay and Victor Bay, which is approximately 2 km long. The existing road alignment had two tight turns that will require widening to ease the turn for large trucks. Additional widening, in the form of pull outs, will be located at several sections along the road to allow for haul trucks and local traffic to pass each other. In addition, the contractor will be responsible for installation of culverts, if required.

The above-noted project activities may potentially impact the quality of inland water and be regulated under *Nunavut Waters and Nunavut Surface Rights Tribunal Act* and *Nunavut Water Regulations*.

#### **Recommendation:**

(R-01) CIRNAC recommends that the applicant make sure that activities associated with aggregate quarrying and hauling, as well as haul road repairs, are either covered under existing water licence or included in this new water licence application.

### 2. Proposed Term of Licence

#### **Comment:**

The applicant indicated that construction of the SCH is anticipated to commence during the open-water season of 2022 and completed within three years, prior to the iced-season of 2025 and proposed a three (3) year term for the water licence, leaving no room for potential project delays and giving no consideration for the potential post-construction activities, such as closure, reclamation or environmental monitoring, of the quarry site and the haul road.

#### **Recommendation:**

(R-02) CIRNAC recommends that the applicant take into consideration potential project delays and possible post-construction activities in deciding its proposed term of licence.