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April 4, 2022

NWB File No: 8BC-CLY2225

Nunavut Water Board (NWB)
Attn: Richard Dwyer
Manager of Licencing
P.O. Box 119
Gjoa Haven, NU X0B 1J0

**Re: 8BC-CLY2225 Fisheries and Oceans Canada - Small Craft Harbours - Clyde River
Harbour Development Project - 2022 Annual Report Comments**

Dear Richard Dwyer:

On March 24, 2023 Fisheries and Oceans Canada – Small Craft Harbours (DFO-SCH) submitted the 2022 annual construction report for the Clyde River Harbour project (the Project) to NWB via e-mail. On March 27, 2023 NWB replied with a technical memorandum summarizing comments and recommendations provided by Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC). NWB requested that any response to the recommendations be returned by April 4, 2023.

DFO-SCH are pleased to address the comments and recommendations provided by CIRNAC in regards to the NWB type B licence requirements. DFO-SCH appreciate the opportunity to work with NWB and CIRNAC in efforts to meet compliance requirements. Attached is a summary table of DFO-SCH's responses to the technical memorandum. Some responses describe minor amendments to our previously submitted construction work plans. Please advise if you would like to receive full copies of the amended plans.

If you have any questions with the content of this letter, please contact Chris McDermid at (431) 335-7530 or by email at Chris.McDermid@dfo-mpo.gc.ca .

Yours sincerely,

Eleanor McEwan, P. Eng.
Senior Project Engineer
Small Craft Harbours Branch
Fisheries and Oceans Canada

cc. Chris McDermid (DFO-SCH)
 Kenton Thiessen (Public Services and Procurement Canada)
 Loretta Hardwick (CBCL)

Attachments:

DFO-SCH Clyde River Harbour - 2022 NWB comment response table

DFO- SCH Clyde River Harbour - 2022 NWB Comment Response Table

<u>Commenter</u>	<u>Comment / Recommendation</u>	<u>Response</u>
Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC)	<p>1. Hazardous Water Waste</p> <p>Comment: The applicant did not state where and how hazardous water waste would be stored. This is a concern as all hazardous waste should be properly stored and monitored to ensure that it is not accidentally released and possibly making its way into a water body.</p> <p>Recommendation: (R-01) CIRNAC recommends that the applicant confirm how hazardous water waste will be stored.</p>	<p>1. Hazardous water waste I believe this comment is regarding the management of contaminated water rather than hazardous water waste. The following section was added into the Spill Prevention and Response Plan.</p> <p>4.7 COLLECTION AND DISPOSAL OF LIQUIDS Any product collected from a spill will be pumped into empty drum (s). A cubic meter tote tank could be used as a water separator if needed. Collected product, according to their type, could be reused for heating the maintenance garage (diesel and jet fuel only) or ship off-site off-territory for disposal into a licenced facility. Any drums containing spilled product will be clearly identified, transported, and placed in the hazardous waste temporary storage (HWTSA) located beside the maintenance garage. The HWTSA will be located at a minimum of 31 meters away from the any water body and will be clearly identified. The inventory of hazardous material will be kept to date by the environmental monitor. The hazardous material will be shipped off-site by sealift at the end of each working season. The proper waste manifest and transportation documents will be prepared by the environmental monitor. The potential contaminated water will be collected and temporary stored into drums or bigger devices, according to the volume involved. For larger quantities, a temporary basin made of RPE liner could be built. The water will be tested to evaluate the residual concentrations of the spilled product. According to the analytical results, the collected water will be containerized into drums for off-site disposal, treated on-site or release if it meets the applicable criteria. Drums containing contaminated water will be stored into the HWTSA before being shipped off-site.</p>
CIRNAC	<p>2. Spill Kit Location at Refuelling Pick-up Truck Stations</p> <p>Comment: The location of spill kits does not seem to include refuelling stations occurring outside of the hamlet facilities. Section 3.2.a of the Spill Prevention & Response Plan indicates that the fuel truck will be refilled at the tank farm according to PPD's procedures. However, it does not state how the fuel within that fuel truck tank will be removed and if a spill kit will be available during that time. The concern is that refueling stations have a higher likelihood of generating spills than other locations.</p> <p>Recommendation: (R-02) CIRNAC recommends that a spill kit be located in areas where refueling will take place on site.</p>	<p>2. Spill kit Location The following sentence was added in Section 4.3 of the Spill Prevention and Response Plan: “The fuel truck is equipped with its own spill kit, including the same material as above described.”</p>

<u>Commenter</u>	<u>Comment / Recommendation</u>	<u>Response</u>
CIRNAC	<p>3. Distance from Water Bodies</p> <p>Comment:</p> <p>A. The applicant states in section 5.1 of the Spill Prevention & Response Plan that</p> <p>“All liquid that could be potentially spill should be stored in a way to have a double containment, as per applicable regulations... Liquid storage should be done at least 20 meters away from any water body.”</p> <p>B. Dredge Spoil Disposal Area</p> <p>The location of the dredge spoil disposal Area as seen in Figure 2.6.1 in the Erosion & Sediment Control Plan is difficult to determine if the distance from the water body is greater than 31 meters.</p> <p>CIRNAC notes that in the water license under Part H.2 states that</p> <p>“The Licensee shall prevent any chemicals, petroleum products or wastes associated with the Project from entering Water. All Sumps and fuel caches shall be located at a distance of at least thirty-one (31) metres from the ordinary High-Water Mark of any adjacent water body and inspected on a regular basis.”</p> <p>Recommendation:</p> <p>(R-03) CIRNAC recommends that the applicant store materials at least 31 meters away from any normal high water mark of any water body.</p>	<p>3. Distance from water bodies</p> <p>A. The 20-meter distance was replaces with 31 meters in the 5.1 of the Spill Prevention and Response Plan:</p> <p>“When drums are temporary stored outside, they should be installed on wooden pallet. Liquid storage should be done at least 31 meters away from any water body.”</p> <p>B. A minimal amount of dredging is required for the 2023 construction season. This material will be placed beyond 31 m from the high tide at the proposed dredge spoil disposal location. DFO-SCH is proposing that design details of the dredge spoil disposal area will be addressed prior to any additional dredging activities in 2024.</p> <p>DFO-SCH would also like to confirm if conditions in the NWB-Type B licence apply to marine environments? The dredge spoil pile is directly adjacent to the proposed harbour in Patricia Bay, and should not influence freshwater.</p>
CIRNAC	<p>4. pH Testing</p> <p>Comment:</p> <p>The applicant states in section 4.2 of the Erosion & Sediment Control Plan that</p> <p>“These particulates will originate from the washout and leachate of inorganic manipulated soil material, and should not affect the chemical balance of the water, so the pH will not be monitored.”</p> <p>The water license under Part E.5 states that</p> <p>“All surface runoff or discharges impacted by construction activities associated with the Project, where flow may directly or indirectly enter Water, shall not exceed the following Effluent quality limits:</p>	<p>4. pH testing</p> <p>The following sentence in the section 4.2 of the Erosion & Sediment Control Plan was modified to include the pH testing:</p> <p>“These particulates will originate from the washout and leachate of inorganic manipulated soil material, and should not affect the chemical balance of the water. However, according to the water licence conditions, the pH will be measured and recorded. The TSS measurement will be conducted on site with a Hatch portable meter HATSSMETER that measure turbidity and the total suspended solids.”</p>

<u>Commenter</u>	<u>Comment / Recommendation</u>	<u>Response</u>
	<p>Parameter</p> <p>Maximum Average Concentration (mg/L)</p> <p>Maximum Concentration of Any Grab Sample (mg/L)</p> <p>Total Suspended Solids</p> <p>50.0</p> <p>100</p> <p>Oil and Grease</p> <p>No Visible Sheen</p> <p>No Visible Sheen</p> <p>pH</p> <p>Between 6.0 and 9.5</p> <p>Between 6.0 and 9.5</p> <p>“</p> <p>The concern is that if the applicant does not test the pH how will they know if they are actually complying with the water license.</p> <p>Recommendation:</p> <p>(R-04) CIRNAC recommends that the applicant test for pH as well to ensure compliance with the water license.</p>	