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NUNAVUT WATER BOARD
NUNAVUT IMALIRIYIN KATIMAYINGI
OFFICE DES EAUX DU NUNAVUT

December 1, 2014

By Email

Glenn Werkman
News Editor
Assignment editor
Nunavut News/North
Northern News Services Ltd.
Email: Editorial@nnsi.com

Subject: Nunavut Water Board Formal Request for Corrections to Article “Naval facility receives its water licence: Water board greenlights National Defence’s Nanisivik plans despite concerns” published November 17, 2014

Dear Mr. Werkman:

On behalf of the Nunavut Water Board (NWB or Board), thank you for your recent e-mail to Phyllis Beaulieu responding to the NWB’s November 20th e-mail outlining various inaccuracies with the article referenced above and providing you with greater background and more up to date information. At the outset, the Board is very disappointed with your reply and the expressed unwillingness to correct the article. As I thought was clear from the NWB’s previous e-mail to you, the Board has serious concerns that the article in its current form is not an accurate, fair or current representation of the NWB’s regulatory process nor the activities licensed by the Board at the Nanisivik site under the licence being discussed in the article.

From the clear and unequivocal language chosen in the opening paragraph (cited below) a reader would be left with the impression that the Nunavut Water Board (a) has jurisdiction over the dredging of material in the marine environment and (b) in the face of substantive evidence of potential environmental harm nonetheless authorized such an activity.

Despite concerns about a risk of dredging up environmentally dangerous zinc waste deposits and getting in the way of the CanZinco mine clean up, the Nunavut Water Board has said the Department of National Defence (DND) can go ahead with plans for the Nanisivik Naval Facility.

Neither of these conclusions is accurate and although your reporter may have been misinformed at the time the article was written, you have now been advised that this summary statement is not true and the Board would expect that a significant correction/retraction of this statement would be warranted.

This is not merely a matter of technical detail, as this initial paragraph sets the tone for the article appearing to call into question whether the NWB in deciding to issue licences, ignores

substantive concerns and comments, or alternatively, makes decisions on the basis of incomplete information. Again, neither of these conclusions is factually accurate.

In this case specifically, discussions between CanZinco (whose site reclamation activities were the subject of a separate Nunavut Water Board Public Hearing in Arctic Bay in October 2014 and are currently being considered by the Board), the land administrator for the site, the Department of Fisheries and Oceans Canada, and the naval facility developer, the Department of National Defence have progressed considerably since the submissions quoted in your article were filed in July. Based on substantive evidence provided to the Nunavut Water Board, under oath, at the Public Hearing in October, the comments, information gaps and concerns identified in the article have been addressed.

As you stated in your e-mail response to the Board that you would not be considering a correction/clarification/retraction of the article on the following basis: *“However, by virtue of the fact it was brought up by Mr. Skogland, and that he is a knowledgeable expert on the topic, we felt that his statement is newsworthy”* the Board would invite you to follow up with Mr. Skogland as your source, to confirm his current position with respect to the site activities.

In addition the Board also refers you to the transcript of oral evidence provided by Mr. Skogland and other participants at the Public Hearing in October available from the Board’s website, using the following link (with USERNAME *public* and PASSWORD *registry*):

ftp://ftp.nwb-oen.ca/1%20PRUC%20PUBLIC%20REGISTRY/1%20INDUSTRIAL/1A/1AR%20%20Remediation/1AR-NAN0914/2%20ADMIN/4%20HEARINGS/2%20HEARING/2014%20Hearing/141008%201AR-NAN0914%20Transcripts/141008%201AR-NAN0914%20Public%20Hearing%20-%20Vol_%201%20Transcripts-ILAE.pdf

In particular you may find an exchange in Volume 1 of the transcript for Licence No. 1AR-NAN0914 Type A Licence Renewal/Amendment Application Public Hearing, Arctic Bay, October 8, at pp. 54-55, lines 11-26 and 1-2 between Arctic Bay resident, Tommy Tatatuapik and Louis LeMay for Defence Construction Canada on behalf of the Department of Defence developing the naval facility relevant to the assertions in the article that the construction of the naval facility will interfere with, spread contamination from, or otherwise compromise CanZinco’s reclamation activities. In contrast, the evidence provided at the Public Hearing suggests that DND expects full remediation to be completed before taking over those portions of the site that may have been impacted by the historical mining activities and that are currently subject to remediation by CanZinco.

I wish to emphasize to you that the Board recognizes the significant role the media has in focusing attention on regulatory processes and encouraging public engagement, which is vital to the integrated regulatory process in Nunavut. However, that important role can only be fulfilled when an accurate and up to date picture is presented. In the Board’s view, it is in the best interests of all Nunavummut to have this article corrected to be factually accurate and reflect the current information upon which the Nunavut Water Board based its recent decision to issue a Type “B” Water Licence for the naval facility. The Board appreciates your efforts to follow up and make the necessary revisions to this article to achieve that result.

In closing, please feel free to get in touch with me directly if you have any questions, further clarifications or other follow up through email: david.hohnstein@nwb-oen.ca, Direct Tel: (780) 443-4406, Fax: (780) 443-4080.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Hohnstein". The signature is fluid and cursive, with the first letter "D" being large and prominent.

David Hohnstein
Director Technical Services\Acting Executive Director
Nunavut Water Board

cc: NWB Public Registry – files 1AR-NAN0914 and 8BC-NNF1418