



Indigenous and
Northern Affairs Canada

Affaires autochtones
et du Nord Canada

May 5, 2016

Your file - Votre référence
8BC-NNF1418

Our file - Notre référence
IQLAUT-# 1059805

Karén Kharatyan
A/Manager of Licensing
Nunavut Water Board
Gjoa Haven, NU X0E 1J0

**Re: Indigenous and Northern Affairs Canada's (INAC) Review of Defence Construction
Canada's Annual Report and Abandonment and Reclamation Plan for water licence 8BC-
NNF1418**

Dear Mr. Kharatyan:

Thank you for your email of April 6, 2016 concerning the above mentioned application. A memorandum is provided for the Board's consideration. Comments and recommendations have been provided pursuant to Aboriginal Affairs and Northern Development Canada's mandated responsibilities under the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* and the *Department of Indian Affairs and Northern Development Act*.

Please do not hesitate to contact me by telephone at 867-975-4282 or email at ian.parsons@aandc-aadnc.gc.ca for further information.

Sincerely,

Ian Parsons
Regional Coordinator
Water Resources Division
Resource Management Directorate
Aboriginal Affairs and Northern Development Canada
Iqaluit, NU X0A 0H0

Encl.

c.c.: Scott Burgess, A/Manager, Water Resources, INAC Nunavut
Erik Allain, Manager, Field Operations, INAC Nunavut

Memorandum

Re: Water Licence #8BC-NNF1418

Licensee: Department of National Defence (DND)
Project: Nanisivik Naval Facility
Region: Qikiqtani

Comments:

A. Background

DND was approved water licence #8BC-NNF1418 in 2014 to allow for the use of water and deposit of waste for a port and ship refueling station in Nanisivik.

As part of the approved water licence the licensee committed to providing updated plans for approval through the water board process. One of these plans was the A&R plan for temporary facilities at site.

On April 6, 2016 the NWB asked interested parties to review this plan and provide comments by May 6, 2016. As well at this time INAC has made other comments pertaining to the water licence outside of the A&R plan.

B. Results of review

On behalf of Indigenous and Northern Affairs Canada (AANDC), the following comments and recommendations are provided:

1.	<p>Abandonment & Restoration (A&R) Plan for the Nanisivik Naval facility</p> <p>Comment: The applicant has indicated that the contractor will be responsible for the decommissioning of the construction camp and all temporary facilities that will no longer be required once the Nanisivik Naval facility is operational. This is covered in the current A&R plan. However there is no mention of Closure Plan, including reclamation costs for the Nanisivik Naval facility and its associated permanent structures (i.e., tank farm, dock and all other associated structures).</p> <p>Recommendation: Currently there is only an A&R plan for decommissioning and removal of all temporary facilities/structures. A Closure and Reclamation plan for the entire Nanisivik Naval Facility including its permanent structures/facilities, including quarry should be submitted to the NWB for review and approval. This would ensure that if the project is put on hold or cancelled that the structures which were built will be removed and the site totally reclaimed.</p>

2.	<p>Pits, Quarries and Borrow Areas</p> <p>Comment: No Quarry Management Plan found. Part E Item 5 of Water Licence 8BC-NNF1418 states "<i>The Licensee shall submit to the Board for review, at least sixty (60) days prior to initiating quarrying activities, a Quarry Development and Abandonment and Restoration Plan that takes into consideration applicable information or requirements contained in INAC's Northern Land Use Guidelines – Pits and Quarries (2010).</i>"</p> <p>Recommendation: Both the annual report and A&R plan for temporary facilities/structures reference the approved Quarry Management Plan. However INAC could not find the Quarry Management Plan referenced for this water licence on the NWB's ftp site. INAC recommends submitting the referenced Quarry Management Plan to the NWB for review and approval.</p>
3.	<p>Waste Rock Areas</p> <p>Comment: The A&R plan states "<i>Unused rock will stay at the quarry site and will be managed as per information submitted in the Quarry Management Plan.</i>"</p> <p>Recommendation: As mentioned above, INAC cannot find any approved Quarry Management Plan on the NWB's ftp site. Please submit the referenced Quarry Management Plan to the NWB for review and approval.</p>
4.	<p>Petroleum and Chemical Storage</p> <p>Comment: <i>The A&R Plan for temporary facilities/structures states "We have located areas designated for petroleum and chemical storage at a minimum distance of thirty-one (31) metres from the ordinary High Water Mark of any Water body. While all hydrocarbon spills will be cleaned up immediately, those areas where additional contamination is identified will be reclaimed to meet objectives as outlined in the Government of Nunavut's Environmental Guideline for Contaminated Site Remediation (2010). The use of reclaimed soils for the purpose of backfill or general site grading may be carried out only upon consultation and approval by the Government of Nunavut, Department of Environment and an Inspector.</i></p> <p>Recommendation: Although the environmental protection plan explains in detail how these products will be stored, managed and cleaned-up. The A&R plan for temporary facilities/structures does not. If the A&R plan is to have a section on Petroleum and Chemical storage then it should reference the environmental protection plan where these details can be found.</p>

Prepared by Ian Parsons