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Nunavut Nukkiqsautiit Corporation

Anuriquak Nukkiqsautiit Project:
2023 Annual Report

Version: 0.0

Date: March 31, 2024

APPENDIX B

Copies of Approvals Issued in 2023



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NUNAVUT WATER BOARD
NUNAVUT IMALIRIYIN KATIMAYINGI
OFFICE DES EAUX DU NUNAVUT

File No: **8BW-ANU2333**

August 16, 2023

Susan Shaw, P.Eng.
Nunavut Nukkiqsautiit Corp.
5300 Qulliq Court, 2nd floor
P.O. Box 1228
Iqaluit, NU X0A 0H0

Pete Whelan
Growler Energy
Suite 810, 100 New Gower Street
St. John's, NL, A1C 6K3

Email: nnc@qcorp.ca

Email: Pete.Whelan@GrowlerEnergy.com

RE: NWB New Water Licence No: 8BW-ANU2333

Dear Susan Shaw and Pete Whelan:

Please find attached Water Licence No: **8BW-ANU2333** issued to Nunavut Nukkiqsautiit Corp. by the Nunavut Water Board (NWB or Board) pursuant to its authority under Article 13 of the *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in Right of Canada* (Nunavut Agreement). The terms and conditions of the attached Licence related to the use of Water and the deposit of Waste are an integral part of this approval.

If the Licensee contemplates the continuing of this Undertaking after the Water Licence expires, it is the responsibility of the Licensee to apply to the NWB for a renewal water licence. The past performance of the Licensee, new documentation and information, and issues raised during a public hearing, if the NWB is required to hold one, will be used to determine the terms and conditions of the renewal Water Licence. Note that if the Licence expires before the NWB issues a new one, then the use of Water and the deposit of Waste must cease, or the Licensee may be in contravention of the Nunavut Agreement and the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* (NWSRTA or Act). However, the expiry or cancellation of a licence does not relieve the holder from any obligations imposed by the licence. The NWB recommends that an application for the renewal of this Licence be filed at least **three (3) months** prior to the Licence expiry date.

It should be noted that in accordance with s. 75(1)(a) of the *Nunavut Planning and Project Assessment Act* (NuPPAA), the Board is not allowed to issue a permit or authorization for any project proposal that has not been submitted to the Nunavut Planning Commission (NPC) in accordance with s. 76 of NuPPAA.

If the Licensee contemplates or requires an amendment to this Licence, the NWB may decide, in the public's interest, to hold a public hearing. The Licensee should submit application for

amendment as soon as possible to give the NWB sufficient time to go through the amendment process. The process and timing may vary depending on the scope of the amendment, however, a minimum of **sixty (60) days** is required from time of acceptance by the NWB. It is the responsibility of the Licensee to ensure that all application materials have been received and are acknowledged by the Manager of Licensing.

The NWB strongly recommends that the Licensee consult the comments received Crown-Indigenous Relations and Northern Affairs (CIRNA) and Environment and Climate Change Canada (ECCC) on issues identified. This information is attached for your consideration.¹

Sincerely,



Lootie Toomasie
Nunavut Water Board,
Chair

LT/ak/rh

Enclosure: Water Licence No: **8BW-ANU2333**

Comments – CIRNA, ECCC

Cc: Distribution List—Qikiqtani

¹ Crown-Indigenous Relations and Northern Affairs (CIRNA), May 30, 2023; Environment and Climate Change Canada (ECCC), June 8, 2023

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DECISION

LICENCE NUMBER: 8BW-ANU2333

This is the decision of the Nunavut Water Board (NWB or Board) with respect to an application dated April 20, 2023 for a new Water Licence made by:

NUNAVUT NUKKIKSAUTIIT CORP.

to allow for the use of Water and the deposit of Waste during construction activities at the Anuriquak Nukkiksautiit Project located within the Qikiqtani Region, Nunavut, generally located at the geographical coordinates as follows:

Project Extents:

Latitude: 56° 31' 28" N	Longitude: 79° 14' 40" W
Latitude: 56° 32' 19" N	Longitude: 79° 13' 14" W
Latitude: 56° 29' 18" N	Longitude: 79° 13' 52" W
Latitude: 56° 30' 19" N	Longitude: 79° 14' 48" W

DECISION

After having been satisfied that the Application is for a proposal that falls outside of an area with an approved land use plan, and, as such, a conformity determination is not required and is subject to a 12.4.4(a) Screening Decision as determined by the Nunavut Planning Commission (NPC)¹, and, as determined by the Nunavut Impact Review Board (NIRB)², a review of the Project is not required in accordance with s. 92(1)(a) of the *Nunavut Planning and Project Assessment Act* (NuPPAA), the NWB decided that the Application could proceed through the regulatory process. In accordance with s. 55.1 of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* (NWNSRTA or Act) and Article 13 of the Nunavut Agreement, public notice of the Application was given and interested persons were invited to make representations to the NWB.

After reviewing the submission of the Applicant and considering the representations made by interested persons, the NWB, having given due regard to the facts and circumstances, the merits of the submissions made to it and to the purpose, scope and intent of the Nunavut Agreement and of the Act, waived the requirement to hold a public hearing, and determined that:

New Licence No: 8BW-ANU2333 be issued subject to the terms and conditions contained therein. (Motion #: 2023-B1-015)

Signed this 16th day of August, 2023 at Gjoa Haven, NU.



Lootie Toomasie
Nunavut Water Board,
Chair

LT/ak/rh

¹ Nunavut Planning Commission, Conformity Determination, July 21, 2022.

² Nunavut Impact Review Board (NIRB) Screen Determination, November 4, 2022.



NUNAVUT WATER BOARD WATER LICENCE

Licence No: 8BW-ANU2333

Pursuant to the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* and the *Agreement Between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada*, the Nunavut Water Board, hereinafter referred to as the Board, hereby grants to

NUNAVUT NUKKIKSAUTHIT CORP.

(Licensee)

5300 QULLIQ COURT, 2ND FLOOR, P.O. BOX 1228, IQALUIT, NU X0A 0H0

(Mailing Address)

hereinafter called the Licensee, the right to alter, divert or otherwise use water or dispose of Waste for a period subject to restrictions and conditions contained within this Licence:

Licence Number/Type: **8BW-ANU2333 / TYPE "B"**

Water Management Area: **HUDSON BAY ISLANDS WATERSHED (16)**

Location: **ANURIQJUAQ NUKKIKSAUTHIT PROJECT
QIKIQTANI REGION, NUNAVUT**

Classification: **8. OTHER UNDERTAKING**

Purpose: **WATERCOURSE CROSSING**

Quantity of Water use not to Exceed: **NO DIRECT WATER USE IS AUTHORIZED**

Date of Licence Issuance: **AUGUST 16, 2023**

Expiry of Licence: **AUGUST 15, 2033**

This Licence, issued and recorded at Gjoa Haven, Nunavut, includes and is subject to the annexed conditions.

Lootie Toomasie
Nunavut Water Board, Chair

PART A: SCOPE, DEFINITIONS AND ENFORCEMENT

1. Scope

This Licence allows for the use of Water and the deposit of Waste for an Other undertaking classified as per Schedule 1 of the Regulations at the Anuriqjuak Nukkiqsautiit Project, located approximately 4.5 km south of the Hamlet of Sanikiluaq's airport within the Qikiqtani Region, Nunavut.

- a. This Licence is issued subject to the conditions contained herein with respect to the taking of Water and the deposit of Waste of any type in any Waters or in any place under any conditions where such Waste or any other Waste that results from the deposits of such Waste may enter any Waters. Whenever new Regulations are made or existing *Regulations* are amended by the Governor in Council under the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*, or other statutes imposing more stringent conditions relating to the quantity or type of Waste that may be so deposited or under which any such Waste may be so deposited, this Licence shall be deemed, upon promulgation of such Regulations, to be subject to such requirements; and
- b. Compliance with the terms and conditions of this Licence does not absolve the Licensee from responsibility for compliance with the requirements of all applicable Federal, Territorial and Municipal legislation.

2. Definitions

“**Act**” means the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*;

“**Addendum**” means the supplemental text that is added to a full plan or report usually included at the end of the document and is not intended to require a full resubmission of the revised report;

“**Amendment**” means a change to original terms and conditions of this Licence requiring correction, addition or deletion of specific terms and conditions of the Licence; modifications inconsistent with the terms of the set terms and conditions of the Licence;

“**Applicant**” means the Licensee;

“**Appurtenant Undertaking**” means an undertaking in relation to which a use of Water or a deposit of Waste is permitted by a licence issued by the Board;

“**Armouring**” means the application of various materials to protect banks and shores of water bodies from erosion;

“**Bank stabilization**” means any works undertaken to protect or armour a bank or shore from erosion;

“Board” means the Nunavut Water Board established under the Nunavut Agreement and the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*;

“Closure and Reclamation Plan” means a Plan developed to reach the closure goal and taking in account the “Guidelines for the Closure and Reclamation of Advanced Mineral Exploration and Mine Sites in the Northwest Territories” 2013;

“Culvert” means one or more pipes, pipe arches, or structures covered with soil and lying below the road surface, used to carry water, but does not include log structures;

“Debris” means an accumulation of loose, predominantly coarse-grained soil and rock fragments, and sometimes with large organic material such as limbs and trunks of trees, that have become mixed together in an unsorted fashion. The term is sometimes used to refer solely to organic materials as in "logging debris";

“Divert” means taking water from a stream and includes causing water to leave the channel of a stream and making a change in or about the channel that permits water to leave it;

“Dredging” means an excavation activity or operation usually carried out at least partly underwater, in shallow seas or freshwater areas with the purpose of gathering up bottom sediments and disposing of them in a different location;

“Effluent” means treated or untreated liquid Waste material that is discharged into the environment from a structure such as a settling pond, landfarm or a treatment plant;

“Embankment” means a bank of earth or rock constructed above the normal ground surface, usually referred to as a bank;

“Effluent” means treated or untreated liquid waste material that is discharged into the environment from a structure such as a settling pond, landfarm or a treatment plant;

“Engineer” means a professional engineer registered to practice in Nunavut in accordance with the *Consolidation of Engineers and Geoscientists Act S. Nu 2008, c.2* and the *Engineering and Geoscience Professions Act S.N.W.T. 2006, c.16 Amended by S.N.W.T. 2009, c.12*;

“Erosion” means a process by which surface soil and rock is loosened, dissolved or worn away and moved from one place to another, usually by wind or water;

“Freshet” means term commonly used to describe the spring thaw resulting from snow or ice that may yield a rise or overflowing of a stream;

“Grade” means the slope of road, channel, or natural ground;

“Greywater” means all liquid Wastes from showers, baths, sinks, kitchens and domestic washing facilities, but does not include toilet Wastes;

“High Water Mark” means the usual or average level to which a water body rises at its highest point and remains for sufficient time so as to change the characteristics of the land (ref. Department of Fisheries and Oceans Canada, Operational Statement: Mineral Exploration Activities);

“Inspector” means an Inspector designated by the Minister under Section 85 (1) of the *Act*;

“Licensee” means the holder of this Licence;

“Metal Leaching” means the mobilization of metals into solution under neutral, acidic or alkaline conditions;

“Mitigation” means actions taken during the planning, design, construction, and operation of a project to control, reduce or eliminate a potential adverse impact of a project;

“Modification” means an alteration to a physical work that introduces a new structure or eliminates an existing structure and does not alter the purpose or function of the work, but does not include an expansion;

“Monitoring Program” means a monitoring program established to collect data on surface water and groundwater quality to assess impacts to the freshwater aquatic environment of an appurtenant undertaking;

“Nunavut Agreement” means the *“Agreement Between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada”*, including its preamble and schedules, and any amendments to that agreement made pursuant to it;

“Regulations” means the *Nunavut Waters Regulations* SOR/2013-69 18th April, 2013;

“Secondary Containment” means an impermeable structure, external to and separate from primary containment, which prevents unplanned spills of hazardous materials and provides a minimum capacity of 110% of the original vessel. Where multiple vessels are stored within the containment, it must provide a minimum capacity equal to the sum of the largest vessel and 10% of the aggregate volume of all other vessels located in the containment. This structure shall also provide containment and control of hoses and nozzles;

“Sediment” means the material carried in suspension by a flowing body of water and which will ultimately settle to the bottom as water velocity decreases. Fine silt particles suspended in water are extremely difficult to remove;

“Sewage” means all toilet Wastes and greywater;

“Spill Contingency Plan” means a Plan developed to deal with unforeseen petroleum and hazardous materials events that may occur during the operations conducted under the Licence;

“Sump or Sumps” means a structure or depression that collects, controls, and filters liquid Waste before it is released to the environment. This structure should be designed to prevent erosion while allowing percolation of liquid Waste;

“Waste” means, as defined in s. 4 of the *Act*, any substance that, by itself or in combination with other substances found in water, would have the effect of altering the quality of any water to which the substance is added to an extent that is detrimental to its use by people or by any animal, fish or plant, or any water that would have that effect because of the quantity or concentration of the substances contained in it or because it has been treated or changed, by heat or other means;

“Water” or “Waters” means waters as defined in section 4 of the *Act*.

3. **Enforcement**

- a. Failure to comply with this Licence will be a violation of the Act, subjecting the Licensee to the enforcement measures and the penalties provided for in the Act;
- b. All inspection and enforcement services regarding this Licence will be provided by Inspectors appointed under the Act; and
- c. For the purpose of enforcing this Licence and with respect to the use of water and deposit or discharge of Waste by the Licensee, Inspectors appointed under the Act, hold all powers, privileges and protections that are conferred upon them by the Act or by other applicable law.

PART B: GENERAL CONDITIONS

1. The Licensee shall file an Annual Report on the Appurtenant Undertaking with the Board no later than March 31st of the year following the calendar year being reported, containing the following information:
 - a. A summary report of Water use and Waste disposal activities;
 - b. Quantity of Waste backhauled to approved facility for disposal;
 - c. A list of unauthorized discharges and a summary of follow-up actions taken;
 - d. Any revisions to the management plans, as required by Part B, Item 5, submitted in the form of an Addendum;
 - e. A summary of all information requested and results of the Monitoring Program;
 - f. Details pertaining to locations of sump(s) and drill holes;
 - g. A summary, including photographic records before, during and after any relevant construction activities or Modifications and/or major maintenance work carried out on facilities under this Licence and an outline of any work anticipated for the next year;
 - h. Summary of the results of any characterization studies conducted for borrow materials used for construction as required under as required under Part E, Item 5;
 - i. A summary of any abandonment and restoration work completed during the year

- j. and an outline of any work anticipated for the next year;
 - j. Detailed discussion on the performance, installation, and evaluation, including the use of photographic record, of the primary and secondary containment functions used in fuel storage to safeguard impacts to freshwaters;
 - k. A summary of public consultation/participation, describing consultation with local organizations and residents of the nearby communities, if any were conducted; and
 - l. Any other details on Water use or Waste disposal requested by the Board by the 1st November of the year being reported.
- 2. The Licensee shall notify the NWB of any changes in operating plans or conditions associated with this Project at least thirty (30) days prior to any such change.
- 3. The Licensee shall, for all Plans submitted under this Licence, include a proposed timetable for implementation. Plans submitted, cannot be undertaken without subsequent written Board approval and direction. The Board may alter or modify a Plan if necessary to achieve the legislative objectives and will notify the Licensee in writing of acceptance, rejection or alteration of the Plan.
- 4. The Licensee shall, for all Plans submitted under this Licence, implement the Plan as approved by the Board in writing.
- 5. The Licensee shall review the Plans referred to in this Licence, as required by changes in operation and/or technology, and modify the Plan accordingly. Revisions to the Plans shall be submitted in the form of an Addendum to be included with the Annual Report.
- 6. Every Plan to be carried out pursuant to the terms and conditions of this Licence shall become a part of this Licence, and any additional terms and conditions imposed upon approval of a Plan by the Board become part of this Licence. All terms and conditions of the Licence should be contemplated in the development of a Plan where appropriate.
- 7. The Licensee shall ensure a copy of this Licence is maintained at the site of operations at all times. Any communication with respect to this Licence shall be made in writing to the attention of:

(a) Manager of Licensing:
 Nunavut Water Board
 P.O. Box 119
 Gjoa Haven, NU X0B 1J0
 Telephone: (867) 360-6338
 Fax: (867) 360-6369
 Email: licensing@nwb-oen.ca

(b) Inspector Contact:
 Manager of Field Operations, CIRNA
 Nunavut District, Nunavut Region
 P.O. Box 100

Iqaluit, NU X0A 0H0
Telephone: (867) 975-4284
Fax: (867) 979-6445

8. The Licensee shall submit an electronic copy of all reports, studies, and plans to the Board. Reports or studies submitted to the Board by the Licensee shall include a detailed executive summary in Inuktitut.
9. The Licensee shall ensure that all documents or correspondence submitted by the Licensee to the NWB are received and acknowledged by the Manager of Licensing.
10. This Licence is assignable as provided for in Section 44 of the Act.
11. The expiry or cancellation of this Licence does not relieve the Licensee from any obligation imposed by the Licence, or any other regulatory requirement.

PART C: CONDITIONS APPLYING TO THE PROTECTION OF WATER

1. The Licensee shall not cause erosion to the banks of any water body and shall provide necessary controls to prevent such erosion.
2. Sediment and erosion control measures shall be implemented prior to and maintained during the Undertaking to prevent entry of sediment into Water.
3. The Licensee shall not remove any material from below the ordinary High Water Mark of any water body unless authorized.
4. The Licensee shall undertake appropriate corrective measures to mitigate impacts on surface drainage resulting from the Licensee's activities.
5. The Licensee shall limit any in-stream activity to either no-flow or low-flow water periods. In stream activity is prohibited during fish migration.
6. The Licensee shall minimize stream bank disturbances and shall provide necessary controls to prevent erosion of stream banks.
7. Machinery is not permitted to travel up the stream bed and fording of any water body is to be kept to a minimum and limited to one area and a one-time event. Equipment used should be well cleaned and free of oil and grease and maintained free of fluid leaks.
8. The Licensee shall ensure that pollutants from machinery fording the crossing do not enter Water.
9. To minimize impacts on surface drainage, the Licensee shall prepare all sites in such a manner as to prevent rutting of the ground surface.
10. Equipment storage holding areas should be located on gravel, sand or other durable land,

a distance of at least thirty-one (31) meters above the ordinary High Water Mark of any water body in order to minimize impacts on surface drainage and water quality.

11. The Licensee shall designate an area for the deposition of excavated and stockpiled materials that is at least thirty-one (31) metres above the ordinary High Water Mark of any water body.
12. The Licensee shall not utilize any equipment or vehicles in the course of this undertaking unless the ground surface is in a state capable of fully supporting the equipment or vehicles without rutting or gouging. Overland travel of equipment or vehicles shall cease if rutting occurs.

PART D: CONDITIONS APPLYING TO WASTE DISPOSAL

1. The Licensee shall locate areas designated for temporary Waste disposal at a minimum distance of thirty-one (31) metres from the ordinary High Water Mark of any water body such that the quality, quantity, or flow of Water is not impaired, unless otherwise approved by the Board in writing.
2. The Licensee shall not practice on-site land filling of domestic Waste, unless otherwise approved by the Board in writing.
3. The Licensee shall not open burn plastics, wood treated with preservatives, electric wire, Styrofoam, asbestos or painted wood to prevent the deposition of Waste materials of incomplete combustion and/or leachate from contaminated ash residual, from impacting any surrounding Waters, unless otherwise approved by the Board in writing.
4. The Licensee shall backhaul and dispose of all domestic Waste, hazardous Wastes, Waste oil and non-combustible Waste generated through the course of the operation at a licensed Waste disposal site.
5. The Licensee shall provide to the Board documented authorization from all communities in Nunavut receiving Wastes from the Anuriquak Nukkiqsautiit Project prior to any backhauling and disposal of Wastes to those communities.
6. The Licensee shall maintain records of all Waste backhauled and records of confirmation of proper disposal of backhauled Waste. These records shall be made available to an Inspector upon request.

PART E: CONDITIONS APPLYING TO CONSTRUCTION AND OPERATIONS

1. The Board has approved the Plan entitled “Construction Environmental Protection Plan” dated July 2023 that was submitted as additional information with the Application.
2. The Licensee shall notify the Board and the Inspector at least ten (10) days prior to the construction or installation of any of the Water crossings associated with the Project.

3. The Licensee shall submit to the Board for review and acceptance, for-construction drawings stamped and signed by an Engineer, at least sixty (60) days prior to the construction of any dams, dykes or structures intended to contain, withhold, divert or retain Water or Wastes.
4. The Licensee shall, within ninety (90) days of completion of construction activities, submit to the Board for review a Construction Summary Report that includes stamped as-built plans and drawings, explanation for any deviation from construction drawings, and consideration of construction and field decisions and their effects on the performance of engineered facilities.
5. The Licensee shall ensure that all fill material used for the Project is from an approved source, shall be free of all contaminants, and shall be characterized and confirmed to not possess acid generating potential or metal leaching properties prior to its use, with results and assessment to be submitted within the annual reporting requirements of Part B, Item 1.
6. 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:

Parameter	Maximum Average Concentration (mg/L)	Maximum Concentration of Any Grab Sample (mg/L)
Total Suspended Solids	50.0	100
Oil and Grease	No Visible Sheen	No Visible Sheen
pH	Between 6.0 and 9.5	Between 6.0 and 9.5

7. During in-stream activities, increase in turbidity is not to exceed 8 NTU for waters with background levels under 80 NTU or 10% for those above 80 NTU.
8. The Licensee shall locate stream crossings to minimize approach grades. Approaches shall be stabilized to control runoff, erosion and subsequent siltation of any water body.
9. The Licensee shall not gather rock or construction materials from below the ordinary High Water Mark of any water body.
10. Sediment and erosion control measures shall be used to mitigate the deposition of debris and sediment into or onto any water body during the construction and operation. These materials shall be disposed at a distance of at least thirty-one (31) metres above the ordinary High Water Mark of any water body to prevent entry of sediment into Water.
11. Stream crossing shall be a minimum of five hundred (500) meters from spawning areas.

PART F: CONDITIONS APPLYING TO DRILLING OPERATIONS

1. The Licensee is authorized to drill only for geotechnical and construction purposes.

PART G: CONDITIONS APPLYING TO MODIFICATIONS

1. The Licensee may, without written consent from the Board, carry out Modifications to the Water Supply Facilities and Waste Disposal Facilities provided that such Modifications are consistent with the terms of this Licence and the following requirements are met:
 - a. the Licensee has notified the Board in writing of such proposed Modifications at least sixty (60) days prior to beginning the Modifications. The Licensee shall submit:
 - i. a description of the facilities and/or works to be constructed;
 - ii. the proposed location of the structure(s);
 - iii. identification of any potential impacts to the receiving environment;
 - iv. a description of any monitoring required, including sampling locations, parameters measured and frequencies of sampling;
 - v. schedule for construction;
 - vi. drawings of engineered structures signed and stamped by an Engineer; and
 - vii. proposed sediment and erosion control measures
 - b. such Modifications do not place the Licensee in contravention of the Licence or the Act;
 - c. such Modifications do not constitute “significant modifications” that require conformity assessment by the Nunavut Planning Commission and/or impact assessment by the Nunavut Impact Review Board before consideration by the NWB;
 - d. within sixty (60) days following notification of the proposed Modifications, the Licensee, Nunavut Planning Commission, Nunavut Impact Review Board, designated Inuit organization or responsible regulatory authority has not indicated that any conformity determination, impact assessment, compensation negotiations or other consideration of the Modification that must be completed before the NWB can consider the Modification will take longer than 45 days; and
 - e. the Board has not rejected the proposed Modifications.
2. Modifications for which all of the conditions referred to in Part G, Item 1 have not been met can be carried out only with written approval from the Board.
3. The Licensee shall provide as-built plans and drawings of the Modifications referred to in this Licence within ninety (90) days of completion of the Modification. These plans and drawings shall be stamped by an Engineer.

PART H: CONDITIONS APPLYING TO SPILL CONTINGENCY PLANNING

1. The Board has approved the Plan entitled “Spill Prevention & Response Plan” dated July 2023 that was submitted as additional information with the Application.
2. 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 above the ordinary High Water Mark of any adjacent water body and inspected on a regular basis.

3. The Licensee shall conduct any equipment maintenance and servicing in designated areas and shall implement special procedures (such as the use of drip pans) to manage motor fluids and other Waste and contain potential spills.
4. If during the term of this Licence, an unauthorized discharge of Waste occurs, or if such a discharge is foreseeable, the Licensee shall:
 - a. Employ the approved Spill Contingency Plan;
 - b. Report the spill immediately to the NWT/NU 24-Hour Spill Line at (867) 920-8130 and to the Inspector at (867) 975-4295; and
 - c. For each spill occurrence, submit to the Inspector, no later than thirty (30) days after initially reporting the event, a detailed report that will include the amount and type of spilled product, the GPS location of the spill, and the measures taken to contain and clean up the spill site.
5. The Licensee shall, in addition to Part H, Item 4, regardless of the quantity of releases of harmful substances, report to the NWT/NU 24-Hour Spill Line if the release is near or into a water body.

PART I: CONDITIONS APPLYING TO CLOSURE AND RECLAMATION OR TEMPORARY CLOSURE

1. The Licensee shall carry out progressive reclamation of any components of the Project no longer required for the Licensee's operations.
2. The Licensee shall remove from the site, all infrastructure and site materials, including all fuel caches, drums, barrels, buildings and contents, material, and equipment prior to the expiry of this Licence.
3. In order to promote growth of vegetation and the needed microclimate for seed deposition, all disturbed surfaces shall be prepared by ripping, grading, or scarifying the surface to conform to the natural topography.
4. The Licensee shall re-establish vegetation and/or stabilize exposed soils before removing erosion control measures.
5. The Licensee shall restore the drainage to match the natural channel. Measures shall be implemented to minimize erosion and sedimentation.
6. Areas that have been contaminated by hydrocarbons shall be reclaimed to meet objectives as outlined in the Government of Nunavut's Environmental Guideline for Site Remediation, 2010. The use of reclaimed soils for the purpose of back fill or general site

grading may be carried out only upon consultation and approval by the Government of Nunavut, Department of Environment and an Inspector.

7. The Licensee shall contour and stabilize all disturbed areas to reduce erosion and sedimentation to Water, upon completion of the undertaking and as per Part I, Item 4.
8. The Licensee shall submit to the Board for review and acceptance a road maintenance plan at least sixty (60) days prior to road maintenance work.

PART J: CONDITIONS APPLYING TO THE MONITORING PROGRAM

1. The Licensee shall monitor all activities for signs of erosion and shall implement and maintain sediment and erosion control measures prior to the undertaking to prevent entry of sediment into any water body.
2. The Licensee shall obtain a digital photographic record of the water crossing before, during, and after the completion of construction activities.
3. The Licensee shall determine the GPS co-ordinates (in degrees, minutes and seconds of latitude and longitude) of the location where the watercourse crossings (culverts) are located.
4. The Licensee shall, during periods of flow or following a major precipitation event, conduct monitoring on a monthly basis, prior to, during and following construction of water crossings, immediately upstream and downstream for criteria listed under Part E, Items 6 and 7.
5. The Licensee shall implement water crossings visual inspection and maintenance program prior to and during spring freshet and after heavy rainfall events to identify issues relating to watercourse crossings structural integrity and hydraulic function.
6. All sampling, sample preservation and analyses shall be conducted in accordance with methods prescribed in the current edition of *Standard Methods for the Examination of Water and Wastewater*, or by such other methods approved by the Board in writing.
7. All analyses shall be performed in a laboratory accredited according to ISO/IEC Standard 17025. The accreditation shall be current and in good standing.
8. The Licensee shall include in the Annual Report required under Part B, Item 1 all data, monitoring results and information required by this Part.
9. An Inspector may impose additional monitoring requirements.
10. Modifications to the Monitoring Program may be made only upon written request and subsequent approval of the Board in writing.

From: [OP Habitat \(DFO/MPO\)](#)
To: [Tyler Brenton](#)
Cc: [Brittany Connolly](#); pete.whelan@growlerenergy.com; HShilton@QCorp.ca
Subject: EXT: RE: 23-HCAA-00697 - DFO RFR Submission - Culverts; Anuriqjuak Nukkiksautiit Project near Sanikiluaq, NU
Date: April 28, 2023 2:33:45 PM
Attachments: [image002.jpg](#)
[image003.png](#)

Be cautious! This email was sent from outside SEM Ltd. Do not open links or attachments unless from a recognized and trusted sender.

Dear Tyler:

Subject: Culvert Installation, Unnamed Tributaries of Hudson Bay, Municipality of Sanikiluaq (23-HCAA-00697) – Implementation of Measures to Avoid and Mitigate the Potential for Prohibited Effects to Fish and Fish Habitat

The Fish and Fish Habitat Protection Program (the Program) of Fisheries and Oceans Canada (DFO) received your proposal on April 12, 2023. We understand that you propose to:

- Install three (3) new culverts (0.5 x 12m; 0.5 x 12m; and, 1.0 x 12m) with rip rap aprons (length and width equal to three times culvert diameter) on unnamed tributaries of Hudson Bay in the Municipality of Sanikiluaq (total permanent footprint below the ordinary high water mark of 51m²); and,
- Work in isolation of flow to avoid sedimentation of the watercourse.

Our review considered the following information:

- Request for Review form and associated documents.

Your proposal has been reviewed to determine whether it is likely to result in:

- the death of fish by means other than fishing and the harmful alteration, disruption or destruction of fish habitat which are prohibited under subsections 34.4(1) and 35(1) of the *Fisheries Act*; and,
- effects to listed aquatic species at risk, any part of their critical habitat or the residences of their individuals in a manner which is prohibited under sections 32, 33 and subsection 58(1) of the *Species at Risk Act*;

The aforementioned impacts are prohibited unless authorized under their respective legislation and regulations.

To avoid and mitigate the potential for prohibited effects to fish and fish habitat (as listed above), we recommend implementing the measures listed below:

- Plan in-water works, undertakings and activities to respect [timing windows](#) to protect fish,

including their eggs, juveniles, spawning adults and/or the organisms upon which they feed and migrate;

- Capture, relocate and monitor for fish trapped within isolated, enclosed, or dewatered areas;
 - Dewater gradually to reduce the potential for stranding fish;
- Screen intake pipes to prevent entrainment or impingement of fish;
 - Use the [code of practice](#) for water intake screens;
- Limit impacts on riparian vegetation to those approved for the work, undertaking or activity;
 - Limit access to banks or areas adjacent to waterbodies;
 - Construct access points and approaches perpendicular to the watercourse or waterbody;
 - Re-vegetate the disturbed area with native species suitable for the site;
- Restore stream geomorphology (i.e., restore the bed and banks, gradient and contour of the waterbody) to its initial state;
- Develop and implement an erosion and sediment control plan to avoid the introduction of sediment into any waterbody during all phases of the work, undertaking or activity;
 - Conduct all in-water works, undertakings or activities in isolation of open or flowing water to reduce the introduction of sediment into the watercourse;
 - Use the [code of practice](#) for temporary cofferdams and diversion channels;
 - Schedule work to avoid wet, windy and rainy periods (and heed weather advisories) that may result in high flow volumes and/ or increase erosion and sedimentation;
 - Monitor the watercourse to observe signs of sedimentation during all phases of the work, undertaking or activity and take corrective action; and,
- Develop and implement a response plan to avoid a spill of deleterious substances.

Provided that you incorporate these measures into your plans, the Program is of the view that your proposal will not require an authorization under the *Fisheries Act*, the *Aquatic Invasive Species Regulations* or the *Species at Risk Act*.

Should your plans change or if you have omitted some information in your proposal, further review by the Program may be required. Consult our website (<http://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html>) or consult with a qualified environmental consultant to determine if further review may be necessary. It remains your responsibility to remain in compliance with the *Fisheries Act*, and the *Species at Risk Act*.

It is also your *Duty to Notify* DFO if you have caused, or are about to cause, the death of fish by means other than fishing and/or the harmful alteration, disruption or destruction of fish habitat. Such notifications should be directed to FisheriesProtection@dfo-mpo.gc.ca or 1-855-852-8320.

We recommend that you notify this office at least 10 days before starting your project and that a copy of this letter be kept on site while the work is in progress. It remains your responsibility to meet all other federal, territorial, provincial and municipal requirements that apply to your proposal.

If you have any questions with the content of this letter, please contact Deborah Silver at deborah.silver@dfo-mpo.gc.ca. Please refer to the file number referenced above when corresponding with the Program.

Yours sincerely,



Deborah Silver
Biologist, Triage and Planning
Fish and Fish Habitat Protection Program

From: Tyler Brenton <tyler.brenton@semltd.ca>
Sent: Wednesday, April 12, 2023 7:09 AM
To: OP Habitat (DFO/MPO) <DFO.OPHabitat.MPO@dfo-mpo.gc.ca>
Cc: Brittany Connolly <brittany.connolly@semltd.ca>; pete.whelan@growlerenergy.com; HShilton@QCorp.ca
Subject: 23-HCAA-00697 - DFO RFR Submission - Culverts; Anuriquak Nukkiksautiit Project near Sanikiluaq, NU

Hello,

Please find attached our Request for Review submission for 3 culvert crossings near Sanikiluaq, NU.
Let me know if you have any questions.

Thank you,

Tyler Brenton, M.A.Sc., E.I.T.
Environmental Engineer-in-Training

2020 SEM Ltd - Email Signature-01



2nd Floor 79 Mews Place
St. John's, NL
A1B 4N2

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August 16, 2023

Your file
Anuriquak Nukiksautiit Project
Our file
23-1639

Ms. Heather Shilton
Nunavut Nukiksautiit Corp
5300 Qulliq Court, 2nd Floor PO Box 1228
Iqaluit, NU
X0A 0H0

**RE: Wind Farm: Wind Turbine - Sanikiluaq, NU
(N56° 29' 53.23" W79° 13' 47.60" / 246.063' AGL / 569.2257' AMSL)**

Ms. Shilton,

NAV CANADA has evaluated the captioned proposal and has no objection to the project as submitted, however there are impacts to NAV CANADA Instrument Procedures at Sanikiluaq Airport (CYSK).

- Canada Flight Supplement Impact - CYSK Obstacle Clearance Surface increase to 1600 feet
- RNAV (GNSS) RWY 09 - Impact - Highest Man-Made Obstacle requires amendment
- RNAV (GNSS) RWY 27 - Impact - Highest Man-Made Obstacle requires amendment

NOTE:

- Only a single turbine has been presented. If other turbines are planned a separate assessment will be required.
- The proposed Transmission Line requires a separate assessment.

Our assessment does not constitute an approval and/or permit from other agencies.

Any construction equipment exceeding the height of this submission must be submitted at least 30 business days prior to usage.

The nature and magnitude of electronic interference to NAV CANADA ground-based navigation aids, including RADAR, due to wind turbines depends on the location, configuration, number, and size of turbines; all turbines must be considered together for analysis. The interference of wind turbines to certain navigation aids is cumulative and while initial turbines may be approved, continued development may not always be possible.

In the interest of aviation safety, it is incumbent on NAV CANADA to maintain up-to-date aeronautical publications and issue NOTAM as required. **To assist us in that end, we ask that you notify us at least 10 business days prior to the start of construction.** This notification requirement can be satisfactorily met by returning a completed, signed copy of the attached form by email at landuse@navcanada.ca or fax at 613-248-4094. In the event that you should decide not to proceed with this project or if the structure is dismantled, please advise us accordingly so that we may formally close the file.

If you have any questions, contact the Land Use Department by email at landuse@navcanada.ca.

NAV CANADA's land use evaluation is based on information known as of the date of this letter and is valid for a period of 18 months, subject to any legislative changes impacting land use submissions. Our assessment is limited to the impact of the proposed physical structure on the air navigation system and installations; it neither constitutes nor replaces any approvals or permits required by Transport Canada, other Federal Government departments, Provincial or Municipal land use authorities or any other agency from which approval is required. Innovation, Science and Economic Development Canada addresses any spectrum management issues that may arise from your proposal and consults with NAV CANADA engineering as deemed necessary.

This document contains information proprietary to NAV CANADA. Any disclosure or use of this information or any reproduction of this document for other than the specific purpose for which it is intended is expressly prohibited except as NAV CANADA may otherwise agree in writing.

Regards,

Land Use Office
NAV CANADA

cc Nopr - Northern and Prairie Region, Transport Canada (2023-184)
CYSK - SANIKILUAQ
shelly.brown@sem ltd.ca
brittany.connolly@sem ltd.ca



National Défense
Defence nationale

1 Canadian Air Division HQ
PO BOX 17000 STN Forces
Winnipeg, MB R3J 3Y5

Date of Electronic Signature

Mrs. Shelly Brown
SEM Ltd.
79 Mew's Place, 2nd Floor
St John's, NL, A1B 4N2

LETTER OF NON-OBJECTION FOR SEM LTD

Dear Mrs. Brown,

Thank you for your patience on this matter and for considering DND radar, airport facilities, and radio-communication systems in your project development process. We have completed the detailed analysis of your proposed site, referenced in NAVCAN Land Use file# 23-1639 the Anuriquak Nukkiksautiit wind project near Sanikiluaq, NT. The results of the detailed analysis and subsequent technical and operational impact assessments have confirmed there is likely to be minimal or no interference with DND radar, flight operations, and radio-communication systems. Therefore, as a result of these findings we have no objections with your project as submitted. If however, the layout were to change/move, please re-submit that proposal for another assessment.

The concurrence for this site is valid for 24 months from date of this correspondence. If the project should be cancelled or delayed during this timeframe please advise the point of contact. It should be noted that each submission is assessed on a case by case basis and as such, concurrence on this submission in no way constitutes a concurrence for similar projects in the same area, nor does it indicate that similar concurrence might be offered in another region. The issuance of this Letter of Non-Objection shall not constitute a waiver or alienation of any existing or future legal rights of the DND/CAF nor shall it be construed to create any exemptions, indemnification, approvals, rights, acceptances in favour of SEM Ltd.

DND/CAF expressly reserves its rights to take legal action or seek remedy for any and all liability, loss, harm, degradation of services or equipment, litigation costs, damages, judgements or expenses that arise from the adverse effects, whether incidental, indirect or causal, of the referenced NAVCAN Land Use file# 23-1639 the Anuriquak Nukkiksautiit wind project near Sanikiluaq upon the DND/CAF radars, equipment and its provision of Air Traffic Services.

Canada 

At present DND is working with Transport Canada to make obstruction lighting compliance with Night Vision Goggles (NVG) mandatory. At present DND cannot stipulate that proponents of wind turbine farms utilize NVG compliant lighting. However, as you can imagine, the safety of our aircrews is a top priority, and as such, we ask that you consider lighting your turbines with NVG compliant lighting so that they are visible to pilots during NVG operations.

I trust that you will find this satisfactory. If you have any technical questions or concerns regarding any aspect of this investigation, please contact the undersigned.

Kind regards.

A.A. Lockerby
Lieutenant-Colonel
Senior Staff Officer Aerospace
Capabilities and Readiness

Transport
CanadaTransports
Canada**AERONAUTICAL ASSESSMENT FORM**
for obstacle notice and assessment

Transport Canada number

2023-184

Applicant number

Owner (company name)

Nunavut Nukkiksautiit Corp.

City Iqaluit	Province/Territory Nunavut	Postal code (A1A 1A1) X0A 0H0
-----------------	-------------------------------	----------------------------------

Telephone number (999-999-9999) 867-979-8400	Email Address nnc@qcorp.ca
-------------------------------------------------	-------------------------------

Applicant (company name)

Growler Energy

City St. John's	Province/State NL	Postal code (A1A 1A1) A1C 6K3
--------------------	----------------------	----------------------------------

Telephone number (999-999-9999) 709-765-4401	Email Address Pete.Whelan@growlerenergy.com
-------------------------------------------------	------------------------------------------------

Geographic Coordinates ☒ NAD83 ☐ NAD27 ☐ WGS84 N Latitude deg 56 min 29 sec 53.23

For extensive structures submit geographical coordinates separately (e.g. windturbines, transmission lines, building corners).

W Longitude deg 79 min 13 sec 47.60

HEIGHTS	Feet	Metres	Structure alone	Structure with an addition
A Ground Elevation (AMSL)		63		
B Height of an addition to a structure		29		
C Total structure height including B (AGL)		75		
Overall height (A plus C) (AMSL)		138		

Is the location on lands affected by **Airport Zoning Regulations (AZRs)**? ☐ Yes ☒ NoWhere the object is on lands affected by **AZRs**, a legal survey attesting conformance is required.

Nearest Aerodrome Sanikiluaq, NU Airport	Have you contacted the aerodrome? <input checked="" type="radio"/> Yes <input type="radio"/> No
---------------------------------------------	----------------------------------------------------------------------------------------------------

Description of Project (or attached)

The proposed Wind Farm Project includes the installation and operation of a wind turbine located about 4.5km south of the Sanikiluaq Airport. The turbine measures 46m to the hub and a 29m blade length. The installation of a 5km transmission line corridor (13.7m AGL poles) will closely align with the access road where possible. A separate application will be submitted for the transmission line. Marking and lighting specifications meets the TC Standard 621 for single wind turbine <150m in height. RAL7035 paint and CL-864 lighting.

Notice of <input checked="" type="radio"/> New Structure <input type="radio"/> Change to existing structure	Duration <input checked="" type="radio"/> Permanent <input type="radio"/> Temporary
----------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------

Proposed Construction Date: From (yyyy-mm-dd): 2024-07-08 To (yyyy-mm-dd): 2024-07-30

Applicant Name Pete Whelan	Telephone (999-999-9999) 709-765-4401	Date (yyyy-mm-dd) 2023-04-11
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TRANSPORT CANADA ASSESSMENT (Transport Canada use only)**Marking and lighting required (as per Standard 621)**☒ Night Protection ☒ Day Protection ☒ Temporary Lighting ☐ No protection required

Mark and light in accordance with Standard 621. In order to ensure conspicuity of turbines at night during construction, all turbines are lit with temporary lighting once they reach a height of 60 m or greater until such time the permanent lighting for the wind farm in total is turned on.

Completion of this form does not constitute authorization for construction nor replace other approvals or permits.

Transport Canada Civil Aviation Inspector Name Neil Cristo	Date (yyyy-mm-dd) 2023-04-27
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Note 1: This assessment expires 18 months from the date of assessment unless extended, revised, or terminated by the issuing office.

Note 2: If there is a change to the intended installation, a new submittal is required.



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Building **Nunavut** Together
Nunavut Iluqatigiingniq
Bâtir le **Nunavut** ensemble

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Department of Culture and Heritage
Pitquhihiqiyikkut
Ministère de la Culture et du Patrimoine

James Kenneth Swayze
Kinickinick Heritage Consulting
207 Old Mine Road
Cobden, ON K0J 1K0

June 30, 2023

Re: 2023 Nunavut Archaeological Permit

Dear Mr. Swayze,

Enclosed please find a Class 1 Nunavut Territory Archaeologist Permit, No. 2023-63A, authorizing archaeological field research in connection with the project entitled: Archaeological Assessment of the Sanilikuaq Anuriqjuaq Wind Power Corridor Parks.

Please note the checklist on the permit, which indicates the requirements for the disposition of artifacts and documentation resulting from your work.

Please note also: (i) permit holders are required to submit artifact/specimen catalogues in electronic (tab-delimited text) format; (ii) permit reports must be submitted in both hard copy and electronic formats; and (iii) permits holders must obtain prior approval for any destructive analysis of specimens or samples, including for radiometric dating purposes. Destructive analysis requests will not be considered until all permit requirements have been met.

The following information concerning the use of GPS for recording the locations of archaeological sites has been attached to all permits and forms part of the requirements of your permit:

All permits issued by the Minister of Culture and Heritage pursuant to the Regulations are subject to Article 33 of the Nunavut Land Claims Agreement. Part 7 of this Article provides that title in archaeological specimens is jointly owned by Government and the Inuit Heritage Trust. The written consent of both parties is required prior to any long-term alienation of archaeological specimens found in the Nunavut Settlement Area.

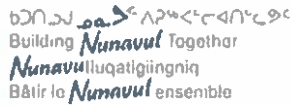
NAD27 - NAD83

Please do not translate coordinate information directly to map(s) unless you are certain that the datums used are the same, i.e., current maps were designated using NAD27 while GPS is based on NAD83. Use other points of reference as well or sites may not be properly located. Whenever a GPS unit is used to acquire locational data, the accuracy of the unit must be taken into account. Accuracy can range from +/- 1 cm to 150 metres; the latter represents a sizeable error.

Wishing you success with your research.

Sincerely,

C. Whittle
Director, Heritage



Department of Culture and Heritage
Pitquilliqiyikkut
Ministère de la Culture et du Patrimoine

Permit Class Class 1

Date of Issue: June 30, 2023

LAND USE PERMIT TERMS AND CONDITIONS

CONDITIONS ANNEXED TO AND FORMING PART OF LAND USE PERMIT NO. **LUP-2023-003**.

Permitted Uses

1. The Permit holder may occupy the subject lands for the purpose of installing magazines to support storage of explosives.

Explosives Storage

2. The Permit holder shall provide to the Commissioner of Nunavut a valid Natural Resources Canada Explosive License, prior to the issuance of the Land Use Permit. The Permit holder shall maintain their Natural Resources Canada Explosive License for the duration of the Land Use Permit term.

Term

3. The Permit holder may occupy the subject lands for a period commencing from October 16, 2023, to October 16, 2024.

Rental

4. The total rental fee shall be One Dollars (\$1.00) per annum.

Site Security

5. The Permit holder shall ensure that proper signage is installed and maintained to ensure that unauthorized persons are aware of dangers associated with activities on the subject lands.

Road Access

6. It shall be responsibility of the Permit holder to maintain road access to the site by grading and or snow clearing.

Restoration

7. On the termination of this Permit, and with no subsequent renewal of this Permit, the subject lands shall be restored to a condition that is satisfactory to the Commissioner of Nunavut and/or the Municipality of Sanikiluaq. Consideration shall be given to the previous use of the site, public safety, drainage conditions, removal and proper disposal of surface debris or waste associated with Permit holder activities, and remediation of any soil or groundwater contaminants resulting from Permit holder activities.

Structures, Fixtures, and Improvements

8. The Permit holder may sever and remove from the land all structures, fixtures, and improvements which during the term of occupancy were affixed or placed at its expense on the land, saving and excepting all land fill materials and culverts, except at the specific request of the Commissioner of Nunavut and/or the Municipality of Sanikiluaq.

Compliance

9. The Permit holder agrees in all respects to abide by and comply with all applicable lawful rules, regulations and by-laws of the Federal Government, Territorial Government or any other governing body whatsoever that have been or may be enacted and, in any manner, affect the said land.

Liability

10. The Permit holder shall indemnify and hold harmless the Commissioner of Nunavut, its, employees and agents, against and from any and all loss, claims, actions or suits, costs (including, but not limited to, legal fees on a solicitor and client basis), for or on account of injury, bodily or otherwise, to, or death of, persons or animals, damage to or destruction of property, by reason of anything done or omitted to be done by the Permit holder in breach of this Permit.

Non-Transferable

11. This Permit is non-transferable and may be revoked or cancelled by the Commissioner of Nunavut at any time for any breach of conditions herein, or if the Commissioner of Nunavut require the lands for other purposes.

Spillage

12. The Permittee shall ensure that appropriate spill response equipment and clean-up materials (e.g., shovels, pumps, barrels, drip pans, and absorbents) are readily available during any transfer of fuel or hazardous substances.
13. The Permittee shall ensure that all personnel are properly trained in fuel and hazardous waste handling procedures, as well as spill response procedures. All spills of fuel or other deleterious materials of any amount must be reported immediately to the 24 hour Spill Line at (867) 920-8130.

Waterbodies

14. The Permittee shall not use water, construct or disturb any stream, lakebed or the banks of any definable water course unless otherwise authorized by the Nunavut Water Board.

Contact Information

15. The Permittee shall provide to the Department of Community and Government Services at least forty-eight (48) hours prior to commencement of this land use operation the following information:
 - a) Person, or persons, in charge of the field operation to whom notices, order and reports may be served;
 - b) Alternatives;
 - c) All the methods of contacting the above person(s).