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NUNAVUT WATER BOARD
NUNAVUT IMALIRIYIN KATIMAYINGI
OFFICE DES EAUX DU NUNAVUT

File No.: **8BW-IGD1921**

May 08, 2019

Mathew Hamp, Director of Engineering
Engineering Department
City of Iqaluit
P.O. Box 460
Iqaluit, Nunavut X0A 0H0

Simon Plourde
Engineering Designer
Exp Services Inc.
100-2650 Queensview Drive
Ottawa, ON K2B 8H6

Email: M.Hamp@city.iqaluit.nu.ca

Email: Simon.Plourde@exp.com

RE: NWB Licence No. 8BW-IGD1921

Dear Mr. Hamp and Mr. Plourde:

Please find attached Licence No. **8BW-IGD1921** issued to City of Iqaluit by the Nunavut Water Board (NWB) 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 Water use and Waste deposit 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 (NWNSRTA)*. 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 applications 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.

Note that no concerns were received from interested parties for the respective renewal application.

Sincerely,

Lootie Toomasie
Nunavut Water Board
Chair

LT/dd/rqd

Enclosure: Licence No. **8BW-IGD1921**
Comments – N/A

Cc: Qikiqtani Distribution List

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I. PROJECT OVERVIEW

The objective of the Application is to obtain the water licence required to cross water courses for the Northwest Granular Deposit Project. The project aims to extend an access road 4 kilometers to a new gravel source that was identified northwest of the City. The road will be constructed of granular materials and will measure approximately 8.5 metres wide. The majority of the road will generally follow the alignment of an existing and well-used ATV trail.

The access road will cross three water courses that are greater than 5 metres in width at the high water mark. The streams exhibit surface water flow during freshet and for a short period during the summer following freshet, with periods of low flow or no flow starting in the late summer or early fall and lasting until freeze-up. Culverts will be installed at these three stream locations to allow unrestricted stream flow. In addition, culverts will also be installed at a number of other locations along the roadway to promote drainage during freshet and during significant precipitation events. All other aspects of the Northwest Granular Deposit Project related to water use and waste deposit will be covered under the City of Iqaluit's municipal Licence.

The license was originally issued in 2015, with intentions of constructing the access road during the 2015 construction season. However, due to unforeseen factors, the construction of this project never started. The City is now intending to complete this project during the 2019 construction season. Construction is expected to take one year, however the Applicant is applying for a two-year term in the case that project activities are again delayed and require two years to complete.

Following construction of the road, an amendment for the operation of the granular resource access road may be sought, likely as part of the application to develop the granular resource.

Secondary to the use of the road to access the new granular resource site, the new road will potentially be used for access to a proposed new landfill site that will be constructed under the City of Iqaluit's Municipal Licence.

II. PROCEDURAL HISTORY

The Nunavut Water Board (NWB or Board) received the above-mentioned application and supporting information (the Application) from the City of Iqaluit on January 30, 2019. Following receipt of the application an internal preliminary technical review was conducted. The Applicant was informed, on February 14, 2019, that the NWB's review identified several issues that the City needed to address before the Application could proceed through the next stage of the licensing process. The Applicant provided this additional information on March 26, 2019.

The NWB distributed the Application on March 28, 2019, for a fourteen (14) day comment period with the deadline for comments set for April 11, 2019. On April 16, 2019, the NWB was contacted by Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) who indicated that their review of the file was delayed and they would be responding shortly to the Application. Later that day, CIRNAC provided correspondence to the NWB indicating that they had no concerns with the Application and information provided.

Copies of intervener's submissions as well as information submitted in support of the application can be accessed through the NWB's public registry and ftp site using the following links:

<ftp://ftp.nwb-oen.ca/registry/8%20MISCELLANEOUS/8B/8BW%20-%20Watercourse/8BW-IGD1921%20City%20Iqaluit/>

III. GENERAL CONSIDERATIONS

Term of Licence

In accordance with the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* s. 45, the NWB may issue a licence for a term not exceeding twenty-five (25) years. The Applicant requested a two (2) year term for the licence to allow for the construction of water crossings associated with the *Northwest Granular Deposit Project*. The Board views the term requested for the project appropriate and has granted this term. The Licensee should note that the Licence is granted solely for the construction and operation of water crossings along the Project access road. Upon expiry of this Licence, the responsibility of the access road and associated water crossings will remain the responsibility of the City of Iqaluit.

Annual Report

As a requirement of section 14(1) of the *Nunavut Waters Regulations* and similar to the terms and conditions generally included in all licences issued by the Board, the NWB has included under Part B, Item 1 of this Licence, requirements for the Licensee to submit to the Board for review, prior to the 31st of March, annually, a report detailing Water use and/or Waste deposit activities for the undertaking for the preceding year. The submission of Annual Reports ensure that the NWB has on file accurate updates of all Water use and/or Waste deposit activities related to an undertaking for any particular year preceding one in which the report is filed.

The Board provides public access to the information submitted in licensees' annual reports through its ftp site as well as upon request from interested parties.

The NWB has included on its website a standardized form for reporting that licensees can use to submit annual reporting information, supplemented by other relevant details. Copies of the NWB's generic Annual Reporting form can be obtained from the NWB's public registry and FTP site using the following Link:

<ftp://ftp.nwb-oen.ca/other%20documents/>

Use of Water

No direct water use was requested for the Project as the Licensee indicated that it will obtain water from the City of Iqaluit. Accordingly, the Licensee is prohibited from withdrawing any water from nearby natural sources to carry out the project.

Deposit of Waste

The Applicant indicated that personnel associated with the project will reside within the City of Iqaluit; therefore, there will be no deposit of Waste at the project site and no camp infrastructure will be established. With respect to construction waste generated by the project, all steel, wood, and other construction waste will either be backhauled to the municipal landfill

facility for disposal.

Construction Drawings and Plans

The Licensee submitted as part of its Application, design drawings for the structures to be constructed in connection with the Project. Following completion of construction activities, the Licensee is required to submit a construction summary report that includes as-built drawings of the facilities constructed under the licence.

Spill Contingency Planning

The Licensee submitted a spill contingency plan as part of the Application, and updated it to address NWB comments. The Board approves this plan under the Part G, Item 1 of the Licence.

Closure and Reclamation

A closure and reclamation plan was not submitted to the Board for approval as the road will continue to be used by the City of Iqaluit. However, to ensure that all future abandoned facilities are reclaimed in an appropriate manner, the NWB has imposed appropriate terms and conditions under Part H of the Water Licence.

Monitoring

To ensure effects of construction are detected in a timely fashion, the NWB has imposed appropriate terms and conditions under Part I of the Water Licence.

DECISION

LICENCE NUMBER: 8BW-IGD1921

This is the decision of the Nunavut Water Board (NWB) with respect to an application dated January 30, 2019, for a replacement Water Licence made by:

THE CITY OF IQALUIT

to allow for the construction of water crossings and installation of culverts along a 4-kilometre road proposed by the City of Iqaluit (the City) to access a granular deposit located northwest of the City for the Northwest Granular Deposit Project, located within municipal boundaries of the City of Iqaluit, in the Qikiqtani Region, Nunavut, at the following general geographic coordinates:

Latitude: 63° 47' 20.94" N	Longitude: 68° 33' 35.58" W
Latitude: 63° 49' 23.40" N	Longitude: 68° 35' 12.42" W (Proposed Road)
Latitude: 63° 47' 44.52" N	Longitude: 68° 34' 0.84" W (Water Crossing No. 1)
Latitude: 63° 48' 8.04" N	Longitude: 68° 34' 8.94" W (Water Crossing No. 2)
Latitude: 63° 49' 48.4" N	Longitude: 68° 35' 12.41" W (Water Crossing No. 3)

DECISION

After having been satisfied that the application was for a location that falls outside of an area with an approved Land Use Plan¹ as determined by the Nunavut Planning Commission (NPC) and subject to a 12.4.4(a) Screening Decision by the Nunavut Impact Review Board², as described within Section 12.4.3 / Schedule 12-1 of the *Nunavut Agreement*, the NWB determined 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 *NLCA* and of the *Act*, waived the requirement to hold a public hearing, and determined that:

Licence No. 8BW-IGD1921 be issued subject to the terms and conditions contained therein. (Motion #: 2019-B1-002)

Signed this 8th day of May, 2019 at Gjoa Haven, NU.

Lootie Toomasie
Nunavut Water Board, Chair

LT/dd/rqd

¹ Nunavut Planning Commission (NPC), Land Use Conformity Determination, August 16, 2018.

² Nunavut Impact Review Board (NIRB), Screening Determination, May 15, 2015.



NUNAVUT WATER BOARD WATER LICENCE

Licence No. 8BW-IGD1921

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

CITY OF IQALUIT

(Licensee)

P.O. BOX 460 IQALUIT, NUNAVUT, CANADA 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-IGD1921 TYPE "B"**

Water Management Area: **FROBISHER BAY WATERSHED (53)**

Location: **THE NORTHWEST IQALUIT GRANULAR DEPOSIT PROJECT, QIKIQTANI REGION, NUNAVUT**

Classification: **OTHER UNDERTAKING**

Purpose: **INSTALATION OF WATER CROSSINGS**

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

Date of Licence Issuance: **MAY 08, 2019**

Expiry of Licence: **MAY 07, 2021**

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

Lottie Toomasie
Nunavut Water Board, Chair

PART A: SCOPE, DEFINITIONS AND ENFORCEMENT

1. Scope

This Licence allows for the construction of Water crossings and installation of culverts as part of a proposed 4-kilometre road for undertaking classified as Other as per Schedule 1 of the *Regulations* at the Northwest Iqaluit Granular Deposit Project, located within municipal boundaries of the City of Iqaluit, in the Qikiqtani Region, Nunavut. The scope of the licence does not include the operation of the proposed road and/or the development of the quarry or granular sources, which the Board may potentially consider under a future amendment to the Licence.

- a. This Licence is issued subject to the conditions contained herein with respect to the use of Water and the depositing 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;

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

“**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;

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

“**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;

“**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*;

“**High Water Mark**” means the usual or average level to which a body of water 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;

“**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;

“**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;

“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. Summary report of all construction activities;
 - b. Summary of the results of any characterization studies conducted for borrow materials used for construction as required under Part C, Item 12;
 - c. All information required under Part H;
 - d. A list of unauthorized discharges and summary of follow-up action taken;
 - e. A summary of any abandonment and restoration work completed during the year and an outline of any work anticipated for the next year;
 - f. Any revisions to approved plans and manuals as required by Part B, Item 9, submitted in the form of an addendum;
 - g. A summary of any studies or reports requested by the Board that relate to Water use and Waste disposal or restoration, and a brief description of any future studies planned; and
 - h. Any other details on Water Use and/or Waste disposal requested by the Board by the 1st of 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 comply with the Monitoring Program described in this Licence, and any amendments to the Monitoring Program as may be made from time to time, pursuant to the condition of this Licence.
4. The Monitoring Program and compliance dates specified in the Licence may be modified at the discretion of the Board.
5. 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.
6. In the event that a Plan is not found acceptable to the Board, the Licensee shall, within thirty (30) days of notification by the Board or as otherwise indicated in the Board's notification provide a revised version of the Plan to the Board for review and/or approval in writing.
7. The Licensee shall, for all Plans submitted under this Licence, implement the Plan as approved by the Board in writing.
8. 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.
9. The Licensee shall review the Plans referred to in this Licence as required by changes in operation and/or technology and modify the Plans or Manuals accordingly. Revisions to the Plans or Manuals are to be submitted in the form of addendums to be included with the Annual Report required by Part B, Item 1(f), complete with a revisions list detailing where significant content changes are made
10. 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, CIRNAC

Nunavut District, Nunavut Region
P.O. Box 100
Iqaluit, NU X0A 0H0
Telephone: (867) 975-4295
Fax: (867) 979-6445

11. 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.
12. The Licensee shall ensure that any document(s) or correspondence submitted by the Licensee to the Board, is received by the Board and maintain on file a copy of the acknowledgment of receipt issued by the Manager of Licensing.
13. This Licence is assignable as provided for in Section 44 of the *Act*.
14. 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 deposit or permit the deposit of sediment into any Water body.
2. The Licensee shall not remove any material from below the ordinary High Water Mark of any Water body unless authorized.
3. The Licensee shall not cause the obstruction of natural drainage, flooding, or channel diversion unless authorized.
4. The Licensee shall not gather rock or construction materials from below the ordinary High Water Mark of any Water body.
5. The Licensee shall minimize stream bank disturbances and shall provide necessary controls to prevent erosion of stream banks.
6. Sediment and erosion control measures shall be implemented prior to and maintained during project activities to prevent entry of sediment into Water.
7. The Licensee shall undertake appropriate corrective measures to mitigate impacts on surface drainage resulting from the Licensee's activities.
8. The Licensee shall limit any in-stream activity to either no-flow or low Water periods. In stream activity is prohibited during fish migration.
9. 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.

10. 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.
11. The Licensee shall ensure that pollutants from machinery fording the crossing do not enter Water.
12. The Licensee shall ensure that any fill material used is from an approved source, free of contaminants, and lack acid-generating and metal-leaching characteristics, with the results of any assessment conducted included within the annual reporting requirements in Part B, Item 1.
13. To minimize impacts on surface drainage, the Licensee shall prepare all sites in such a manner as to prevent rutting of the ground surface.
14. Equipment storage holding areas should be located on gravel, sand or other durable land, at 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.
15. 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.
16. 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 backhaul and dispose of all domestic Waste, hazardous Waste, Waste oil, and non-combustible Waste generated through the course of the operation at an approved Waste disposal site.
4. The Licensee shall provide to the Board, documented authorization from all communities in Nunavut receiving Waste from the Northwest Granular Deposit Project prior to the backhauling any Waste.

- 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 MODIFICATION

- The Licensee shall notify the Board and the Inspector at least 10 days prior to the construction or installation of any of the water crossings associated with the project.
- 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	100
Oil and Grease	No Visible Sheen	No Visible Sheen
pH	Between 6.0 and 9.5	Between 6.0 and 9.5

- The Licensee shall submit to the Board for acceptance in writing, for-construction drawings stamped and signed by an Engineer, at least thirty (30) days prior to the construction of any dams, dykes or structures intended to contain, withhold, divert or retain Water or Wastes.
- 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.
- 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.
- The Licensee is authorized to drill only for geotechnical or construction purposes.

PART F: CONDITIONS APPLYING TO MODIFICATIONS

1. The Licensee may, without written approval from the Board, carry out Modifications to the water crossings 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 to include:
 - 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 impact 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. the proposed Modifications do not place the Licensee in contravention of the Licence or the Act;
 - c. the Board has not, during the sixty (60) days following notification of the proposed Modifications, informed the Licensee that review of the proposal will require more than sixty (60) days; and
 - d. the Board has not rejected the proposed Modifications.
2. Modifications for which all of the conditions referred to in Part E, Item 4, have not been met, may only be carried out upon approval from the Board in writing.
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 G: CONDITIONS APPLYING TO SPILL CONTINGENCY PLANNING

1. The Board has approved the plan entitled *Spill Response and Erosion and Sediment Control Plan*, dated December 2014, revised March 2019, which 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 ensure that any equipment maintenance and servicing is conducted a minimum of thirty-one (31) metres above the ordinary High Water Mark of any Water body and only 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 Spill Contingency Plan;
 - b. Report the spill immediately to the 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 Spill Line if the release is near or into a Water body.
6. The Licensee shall remove and treat any hydrocarbon contaminated soils generated by the project at an approved facility for treatment and/or disposal.

PART H: CONDITIONS APPLYING TO RECLAMATION AND CLOSURE

1. The Licensee shall complete all restoration work prior to the expiry of this Licence including the removal of all infrastructure, site materials, fuel caches, drums, barrels, and equipment from the site.
2. The Licensee shall carry out progressive reclamation of any components of the project no longer required for the Licensee's operations.
3. The Licensee shall re-establish vegetation and/or stabilize exposed soils before removing erosion control measures.
4. The Licensee shall restore the drainage to match the natural channel. Measures shall be implemented to minimize erosion and sedimentation.
5. All disturbed areas shall be contoured and stabilized upon completion of work and restored to a pre-disturbed state.

PART I: 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 crossings before, during, and after construction has been completed.

3. The Licensee shall determine the GPS co-ordinates (in degrees, minutes and seconds of latitude and longitude) of all locations where Water crossings are located and Wastes are deposited.
4. Additional monitoring requirements may be requested by the Inspector.
5. The Licensee shall include in the Annual Report required under Part B, Item 1, all monitoring data and analysis and information required by this Part.
6. 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, Item 2.
7. Modifications to the Monitoring Program may be made only upon written request and subsequent approval of the Board in writing.