



File No.: 8BW-RWR1618

July 04, 2016

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**RE: NWB Licence No. 8BW-RWR1618**

Dear Ashwani Sharma and Richard Hoos:

Please find attached Licence No. **8BW-RWR1618** issued to the Government of Nunavut – Community and Government Services (GN-CGS) 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 Land Claims Agreement or NLCA)*. The terms and conditions of the attached Licence related to water use and Waste disposal are an integral part of this approval.

If the Licensee contemplates the renewal of this Licence, it is the responsibility of the Licensee to apply to the NWB for its renewal. 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 Licence renewal. Note that if the Licence expires before the NWB issues a new one, then the use of Water and deposit of Waste must cease, or the Licensee may be in contravention of the *Nunavut Land Claims Agreement* and the *Nunavut Waters and Nunavut Surface Rights Tribunal 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.

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.

The NWB strongly recommends that the Licensee consult the comments received by interested persons on issues identified. This information is attached for your consideration.<sup>1</sup>

Sincerely,

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Thomas Kabloona  
Nunavut Water Board, Chair

TK/sj/vk

Enclosure:    Licence No. 8BW-RWR1618  
                 Comments – INAC and DFO

Cc:    Kivalliq Distribution List

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<sup>1</sup> Indigenous and Northern Affairs Canada (INAC) March 11, 2016; and Department of Fisheries and Oceans Canada (DFO), March 10, 2016.

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## BACKGROUND

Application is by Tetra Tech EBA, on behalf of the Government of Nunavut – Community and Government Services (GN-CGS) and the Hamlet of Coral Harbour, for a two (2) year, Type “B” Water Licence in support of the Coral Harbour Airport Community Road Washout Rehabilitation Project, located within the municipal boundaries of the Hamlet of Coral Harbor, Southampton Island, in the Kivalliq Region, Nunavut.

The Coral Harbour airport community road is the only access road that the community has to the Coral Harbour Airport. Information included in the application indicated that the use of the road had been interrupted at least four times over the last six or seven years as a result of washed away sections, impacted by spring freshet and heavy rainfall. The most recent damages to the road occurred in June 2012, during which two (2) sections of the road, northwest of the fuel tank farm were impacted, leaving the community without access to the airport for approximately one week. During that road washout event the fuel tank farm line sustained some damages.

As the current condition of the road makes it vulnerable to rainfall and spring freshet flooding/runoff events, the GN-CGS and the Hamlet of Coral Harbour, retained Tetra Tech EBA Inc. to provide design and construction administration services for rehabilitating the road. The services to be provided by Tetra Tech EBA are intended to minimize potential risks posed to the community due to interruptions to essential services that may result from road washout events if the road is not upgraded. The rehabilitation work being considered includes upgrades to the watershed road drainage crossing structures to permit the road to withstand a 100-year storm event, specifically, the following work will be undertaken:

- Replacement of the existing eight (8) culverts at Crossing #4 with the bridge currently in place at Crossing #7. The bridge will be founded on new bin-wall abutments;
- Construction of a new, 30 – metre long bridge at Crossing #7, founded on a pre-cast concrete sill and protected by an earth-filled abutment protected by rip-rap;
- Removal of the twin 1.2 – metre diameter culverts at Crossing #5 and the 1.2 – metre diameter culvert at Crossing #6, followed by re-installation of these three culverts at Crossings #9 and #9a to improve the hydraulic capacity of the East Basin;
- Removal of the existing culvert crossing at Crossing #10 to protect the existing fuel line to the Hamlet and forcing the flow in the East Basin through Crossings #9 and #9a; and
- Construction of temporary access roads around all crossings involved in the upgrades during construction to maintain 24-hour access between the Hamlet and the airport.

The above – proposed work will also result in two bridge crossing, one new and one existing. The project, which is scheduled to commence in the summer of 2016, will be implemented with a phased (5) approach to minimize the disruption to the community. The construction schedule for the 2016 period is expected to start soon after the arrival of the shipment of bridge components, tentatively expected to be delivered in late July/August 2016, and would last for 4 – 6 weeks. Construction activities could be extended into the fall; however, Tetra Tech EBA is recommending completing the works before the end of September, while temperatures are above freezing.

## PROCEDURAL HISTORY

The Nunavut Water Board (NWB or Board) received the above-mentioned application and supporting information (the Application) from Tetra Tech EBA Inc. on December 10, 2015. The Application consisted of the following documents:

- Information on Potential Application
- Information on NIRB Exemption
- Information on NPC Exemption
- Tetra Tech Authorization Letter
- Information on Submission of Application
- Information on Submission of Water Use
- Application for New Water Licence
- Completed NWB M1 Water Works SIG
- Cover Email Coral Harbour Airport Community Road Washout Rehabilitation Project
- Part 1 EBA Road Wash Out Report – Revision 1 2013
- Part 1 of TT EBA Feasibility Report Jan 2015
- Part 2 of EBA Road Wash Out Report – Revision 1
- Part 2 of TT EBA Feasibility Report Jan 2015
- Part 3 of EBA Road Washout Report – Revision 1 2013
- Part 3 of TT EBA Feasibility Report Jan 2015 IFU
- Part 4 of EBA Road Washout Report – Revision 1 2013
- Part 4 of TT EBA Feasibility Report Jan 2015 IFU
- Part 5 of EBA Road Washout Report – Revision 1 2013
- Part 6 of EBA Road Washout Report – Revision 1 2013
- Part 7 of EBA Road Washout Report – Revision 1 2013
- Supplementary Information Report Coral Harbour IFU
- TT EBA Design Option Report Final Nov 2015 Part 1
- TT EBA Design Option Report Final Nov 2015 Part 2
- Non-Technical Summary
- CGS Non-Technical Summary (English)
- CGS 2015 Non-Technical Summary (English)
- Additional Supporting documents for Coral Harbour Airport
- CEMP Coral Harbour IFU
- Coral Harbour Design Drawing Package
- Supplementary Information Report Coral Harbour IFU

Following receipt and an internal preliminary technical review in which the Applicant was requested to and provided additional information in support of the Application and the receipt of the Nunavut Planning Commission's determination, the NWB distributed the application on February 12, 2016 for a thirty (30) comment and/or review period with the deadline for comments set for March 12, 2016. Prior to the deadline for comments submissions were received from Indian and Northern Affairs Canada (INAC) and the Department of Fisheries and Oceans (DFO).

Subsequent to the comment period, the following documents were received from the Tera Tech EBA Inc. on April 7, 2016 to address interveners' comments:

- *Airport Community Road Washout Rehabilitation Project, Coral Harbour, NU, Construction Environmental Management Plan*, dated April 2016; and
- *Airport Community Road Washout Rehabilitation Project, Coral Harbour, NU, Spill Contingency & Emergency Response Plan*, dated April 2016.

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://nwb-oen.ca/registry/8%20MISCELLANEOUS/8B/8BW%20-%20Watercourse/8BW-RWR1618%20CGS/>

## ISSUES

### 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-year term for the licence to allow it to construct and/or replace water crossings associated with the *Airport Community Road Washout Rehabilitation Project*. While the Board views the term requested for the rehabilitation aspect of the project as being appropriate and has granted the requested term plus some additional months to allow for monitoring in the 2018 period, the Licensee should note that the licence granted is solely for the construction of the facility and that a separate water licence to commission and operate the crossings may be required. Consequently, the Board will require that the Licensee submit an application for a licence to operate and close the structures once the construction phase is completed.

### Annual Report

Under the reporting section in the Licence, Part B, Item 1, the Licensee is required to submit, on an annual basis, a report pertaining to the activities carried out under the Project during the preceding year. Annual Reporting information for the project is kept in the NWB's public registry and FTP site as well as made available to interested persons upon request.

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://nunavutwaterboard.org/ADMINISTRATION/Standardized%20Forms/>

### Use of Water

No direct water use was requested for the Project as the Licensee indicated that it will obtain water for dust suppression and other purposes from the Hamlet of Coral Harbour. Accordingly, the Licensee is prohibited from withdrawing any water from nearby sources to carry out the project.

### Deposit of Waste

The Applicant indicated that personnel associated with the project will reside within the

community of Coral Harbour; therefore, there will be no use of Water or deposit of Waste will at the project site and no camp infrastructure will be established. Which respect to construction Waste generated by the project, the applicant stated that the steel, wood, and other construction Waste will either be reused or backhauled to the hamlet's landfill facility for disposal.

### **Construction Drawings and Plans**

The Licensee submitted as part of its Application, unstamped and unsigned, detailed designs for the structures to be constructed in connection with the *Airport Community Road Washout Rehabilitation Project*. The Licensee is required, under Part E, Item 2, to submit for the Board's review for-construction drawings that are signed and stamped by an engineer at least thirty (30) days prior to commencing construction activities.

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 Construction Environmental Management Plan. Based on intervener's comments received, the Licensee was requested to, and submitted a standalone SCP, which the Board approved under the Part G, Item 1 of the Licence.

The Licensee is required to submit an addendum to the spill contingency plan, within thirty (30) days prior to commencing on-site activities to address minor deficiencies in the plan under Part G, Item 2.

### **Closure and Reclamation**

A closure and reclamation plan was not submitted to the Board for approval. The Licensee is required to submit a closure and reclamation plan at least sixty (60) days prior to completion of the project under Part H, Item 1.

### **Monitoring**

The licensee submitted a construction Environmental Management Plan together with its application, dated April 2016. The Board has reviewed the plan and considered the comments and recommendations provided by interested persons. The licensee was then requested to and update the plan to include specific information about monitoring requirements. The Board has therefore approved the Plan under Part I, Item 1 of the Licence.

The Licensee is required to update the plan within thirty (30) days of commencing on-site activities to address minor deficiencies.

# **DECISION**

## **LICENCE NUMBER: 8BW-RWR1618**

This is the decision of the Nunavut Water Board (NWB) with respect to an application dated December 10, 2015 for a new Water Licence made by:

### **GOVERNMENT OF NUNAVUT – COMMUNITY AND GOVERNMENT SERVICES**

to allow for the use of Water and deposit of Waste during upgrades of a road and stream crossings at the Coral Harbour Airport Community Road Washout Rehabilitation Project located within the municipal boundaries of the Hamlet of Coral Harbour, Southampton Island, in the Kivalliq Region, Nunavut, generally at the following geographical coordinates:

Latitude:	64° 07' 51.59" N	to	Latitude:	64° 08' 00.98" N
Longitude:	83° 11' 17.08" W	to	Longitude:	83° 10' 07.54" W

### **DECISION**

After having been satisfied that the Application is for a proposal that is considered under the category of certain exempt works and activities based on NuPPA and not requiring screening from the NIRB as determined<sup>1</sup> as determined by the Nunavut Planning Commission (NPC), 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* (*Act*) and Article 13 of the *NLCA*, 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-RWR1618 be issued subject to the terms and conditions contained therein. (Motion #: 2016-B1-004)**

Signed this 4<sup>th</sup> day of July 2016 at Gjoa Haven, NU.

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Thomas Kabloona  
Nunavut Water Board  
Chair

TK/sj/vk

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<sup>1</sup> Nunavut Planning Commission (NPC) Determination, September 18, 2015.



## **NUNAVUT WATER BOARD WATER LICENCE**

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Licence No. 8BW-RWR1618

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

**GOVERNMENT OF NUNAVUT – COMMUNITY AND GOVERNMENT SERVICES**  
(Licensee)  
**P.O. BOX 97, RANKIN INLET, NUNAVUT X0C 0H0**  
(Mailing Address)

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

Licence Number/Type: **8BW-RWR1618 / TYPE “B”**

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

Project/Location: **CORAL HARBOUR AIRPORT COMMUNITY ROAD  
WASHOUT REHABILITATION PROJECT / CORAL  
HARBOUR, KIVALLIQ REGION, NUNAVUT**

Classification: **OTHER UNDERTAKING**

Purpose: **DEPOSIT OF WASTE**

Quantity of Water use not to Exceed: **NOT APPLICABLE**

Date of Licence Issuance: **JULY 04, 2016**

Expiry of Licence: **JULY 03, 2018**

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

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**Thomas Kabloona,  
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 undertaking classified as Other as per Schedule 1 of the *Regulations* at the Coral Harbour Airport Community Road Washout Rehabilitation Project, located within the municipal boundaries of the Hamlet of Coral Harbour, Southampton Island, Kivalliq Region, Nunavut.

- a. This Licence is issued subject to the conditions contained herein with respect to the taking 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**

In this Licence: **8BW-RWR1618**

**“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.

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

**“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;

**“Board”** means the Nunavut Water Board established under the *Nunavut Land Claims*

*Agreement and the Nunavut Waters and Nunavut Surface Rights Tribunal Act;*

**“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*;

**“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;

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

**“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 Land Claims Agreement (NLCA)”** 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* 18<sup>th</sup> 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;

**“Sump”** 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 the 31<sup>st</sup> of March of the year following the calendar year being reported, containing the following information:
  - a. A summary report of all Waste disposal activities;
  - b. Summary report of all construction activities including photographic records before, during and after construction;
  - c. Summary report of acid rock drainage and metal leaching characterization of the borrow material to be used for construction as required under Part C, Item 12;
  - d. All monitoring information required under Part H of the Licence;
  - e. A list of unauthorized discharges and a summary of follow-up action taken;
  - f. A summary of any abandonment and restoration work completed during the year and an outlined of any work anticipated for the next year.
  - g. Any revision to approved plans and manuals as required by Part B, Item 8 submitted in the form of an addendum;
  - h. A summary of any studies or reports requested by the Board that relate to the use of Water and the deposit of Waste, or restoration, and a brief description of any future studies planned; and

- i. Any other details on water use or Waste disposal requested by the Board by the 1<sup>st</sup> 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 conditions 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, provide a revised version to the Board for review 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. 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.
9. 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.
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](mailto:licensing@nwb-oen.ca)

**(b) Inspector Contact:**

Manager of Field Operations, INAC  
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 one paper copy and one 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 NWB is received and acknowledged 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 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 minimize stream bank disturbances and shall provide necessary controls to prevent erosion of stream banks.
5. The Licensee shall undertake appropriate corrective measures to mitigate impacts on surface drainage resulting from the Licensee's activities.
6. 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.
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 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 hazardous Wastes, Waste oil and non-combustible Waste generated through the course of the operation at a licensed Waste disposal site.
4. The Licensee shall provide to the Board, documented authorization from all communities in Nunavut receiving Waste from the Coral Harbour Airport Community Road Washout Rehabilitation Project prior to the backhauling any Waste.
5. 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 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.
2. The Licensee shall submit to the Board for review and acceptance, 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.

3. 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.
4. 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.
5. 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:

<b>Parameter</b>	<b>Maximum Average Concentration (mg/L)</b>	<b>Maximum Concentration of Any Grab Sample (mg/L)</b>
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

6. 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.
7. The Licensee shall not gather rock or construction materials from below the ordinary High Water Mark of any Water body.
8. Sediment and erosion control measures shall be implemented prior to and maintained during project activities to prevent entry of sediment into Water.
9. The Licensee shall maintain an undisturbed buffer zone of at least one hundred (100) metres between any proposed borrowing operation and the ordinary High Water Mark of any water body.
10. The Licensee shall not excavate and/or remove material from the quarry/borrow area beyond a depth of one (1) metre above the ordinary High Water Mark or above the groundwater table, to prevent contamination of groundwater.

#### **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:
    - b. A description of the facilities and/or works to be constructed;
    - c. The proposed location of the structure(s);
    - d. Identification of any potential impacts to the receiving environment;
    - e. A description of any monitoring required, including sampling locations, parameters measured and frequencies of sampling;
    - f. Schedule for construction;
    - g. Drawings of engineered structures signed and stamped by an Engineer; and
    - h. Proposed sediment and erosion control measures.
    - i. the proposed Modifications do not place the Licensee in contravention of the Licence or the Act;
    - j. 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
    - k. the Board has not rejected the proposed Modifications.
2. Modifications for which all of the conditions referred to in Part E, Item 3, 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 *Airport Community Road Washout Rehabilitation Project, Coral Harbour, NU, Spill Contingency & Emergency Response Plan*, dated April 2016 submitted as additional information for the Application.
2. The Licensee shall submit to the Board for review, within thirty (30) days prior to commencing on-site activities, an addendum to the spill contingency plan to include or address the following items:
  - a. Contact information for on-site personnel; and
  - b. Inventory of hazardous substances stored on-site.
3. 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.
4. 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.

5. 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.
6. The Licensee shall, in addition to Part H, Item 5, 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.
7. The Licensee shall have a spill kit with a minimum capacity of approximately 205 litres available at the site, in the event that fuel lines and/or hydraulic hoses rupture on equipment being used near the water.
8. The Licensee shall remove and treat any hydrocarbon contaminated soils at an approved facility.

#### **PART H: CONDITIONS APPLYING TO RECLAMATION AND CLOSURE**

1. The Licensee shall submit to the Board for approval in writing, at least sixty (60) days prior to completion of the project, a Reclamation and Closure Plan for the road and borrow sources. Where applicable, the Plan shall include information on the following:
  - a. Reclamation objectives;
  - b. Petroleum and chemical storage areas;
  - c. Any site affected by Waste spills;
  - d. An implementation schedule;
  - e. Maps delineating all disturbed areas, and site facilities;
  - f. Stream crossings;
  - g. Consideration of altered drainage patterns;
  - h. Type and source of cover materials;
  - i. Future area use;
  - j. Hazardous Wastes; and
  - k. A proposal identifying measures by which restoration costs will be financed by the Licensee upon abandonment.
2. 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.

3. The Licensee shall carry out progressive reclamation of any components of the project no longer required for the Licensee's operations.
4. The Licensee shall re-establish vegetation and/or stabilize exposed soils before removing erosion control measures.
5. 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.
6. All disturbed areas shall be contoured and stabilized upon completion of work and restored, to the extent possible, to a pre-disturbed state.

#### **PART I: CONDITIONS APPLYING TO MONITORING PROGRAM**

1. The Board has approved the plan entitled *Airport Community Road Washout Rehabilitation Project, Coral Harbour, NU, Construction Environmental Management Plan*, dated April 2016 that was submitted as additional information with the Application.
2. The Licensee shall implement the plan referred to in Part I, Item 1 and provide results of Water quality monitoring as required within the annual report. Specifically, with respect to compliance under Part E, Item 5 of the Licence.
3. The Licensee shall submit to the Board for review, within thirty (30) days of commencing on-site activities, an addendum to the Plan approved under Part H, Item 1 that includes or addresses the following items:
  - a. Contact Information for on project personnel; and
  - b. Details related to the location of monitoring stations and associated parameters that will be monitored.
4. 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.
5. The Licensee shall obtain a digital photographic record of the water crossing before, during, and after completion of construction activities.
6. 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.
7. Additional monitoring requirements may be requested by an Inspector.
8. 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.

9. Modifications to the Monitoring Program may be made only upon written request and subsequent approval of the Board in writing.