



April 15, 2016

Email: Michael.janssen@Canada.ca
Grant.Gilchrist@Canada.ca

Subject: Approval No. 8WLC-CGM1617 – Approval for the Use of Waters and Deposit of Waste Without a Licence for Project Entitled *Marine Habitat Use of Thick Billed Murres Nesting at Cape Graham Moore, Nunavut*

Dear Mr. Gilchrist and Mr. Janssen:

Please find attached Approval No. **8WLC-CGM1617** issued to Environment and Climate Change Canada (ECCC) – National Wildlife Research Centre 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 (the Nunavut Land Claims Agreement or NLCA)*. The Approval has been authorized for a period of one (1) year after the day on which the Board approves the Application and includes conditions related to the use of Waters and Deposit of Waste, which are an integral part of this Approval required for this type of authorization under the *Nunavut Waters Regulations* (NWR).

This approval and the conditions contained therein permit the carrying out of activities involving the use of Waters and Deposit of Waste with respect to the Application for approval. Any variation from these activities may result in a violation of this Approval and contravention of the NLCA, the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* (NWNSRTA) or the NWR. The NWB would like to remind the Applicant of the obligations with respect to the reclamation and reporting, which will arise as this Approval approaches its expiry.

If activities authorized under the Approval are expected to continue longer than the term authorized, it is recommended that the Authorized Entity, upon receipt of confirmation¹ from the Nunavut Planning Commission (NPC) and/or the Nunavut Impact Review Board (NIRB) that relevant requirements have been satisfied, apply for a new Approval at least thirty (30) days prior to the expiry of the current authorization. Note that if the existing approval expires before the NWB issues a new Approval, the use of Waters and/or deposit of Waste must cease as required by the Nunavut Land Claims Agreement (NLCA) and the NWNSRTA.

If the Authorized Entity contemplates changes to its undertaking involving a change in scope or increased activity, a water licence may be required. It is the Authorized Entity's responsibility to apply to the NWB for a water licence in accordance with the timelines set out for licences.

This Approval has been posted to the NWB's Public Registry and FTP site and is accessible from the following link:

Sincerely,

Thomas Kabloona
Nunavut Water Board
Chair

TK/sj

Enclosure: Approval No.: 8WLC-CGM1617

Cc. Qikiqtani Region

¹Nunavut Planning Commission (NPC) and the Nunavut Impact Review Board (NIRB) Requirements under the Nunavut Planning and Project Assessment Act.



NUNAVUT WATER BOARD APPROVAL WITHOUT A LICENCE

APPROVAL DECISION

APPROVAL NUMBER: 8WLC-CGM1617

This is the decision of the Nunavut Water Board (NWB) with respect to an application for Approval for the use of Waters and deposit of Waste without a licence, dated February 12, 2016 made by:

ENVIRONMENT AND CLIMATE CHANGE CANADA – NATIONAL WILDLIFE RESEARCH CENTRE

to authorize the use of Waters and deposit of Waste during research activities at the Marine Habitat Use of Thick Billed Murres Nesting at Cape Graham Moore, Nunavut Project, located within the Qikiqtani Region, Nunavut and within the Watershed of Eclipse Sound (48), generally at the following geographical coordinates:

Latitude: 72.943434 N	Longitude: -76.124560 W
Latitude: 72.942574 N	Longitude: -76.081955 W
Latitude: 72.935112 N	Longitude: -76.085808 W
Latitude: 72.936050 N	Longitude: -76.127289 W Project Extents
Latitude: 72.936914 N	Longitude: -76.127289 W (Camp)

DECISION

After receiving confirmation from the Nunavut Planning Commission (NPC)² that the Application is for a project proposal that Conforms to the North Baffin Regional Land Use Plan and a decision from the Nunavut Impact Review Board (NIRB)³ that the Application does not require a review under section 92(1)(a) of the *Nunavut Planning and Project Assessment Act* (NuPPAA), the Board is satisfied that the requirements of Articles 11 and 12 of the *Nunavut Lands Claim Agreement* (NLCA) and sections 3, 4 and/or 5 of the *Nunavut Waters Regulations* (NWR or *Regulations*) have been adequately addressed. In addition, through the provision of a signed Application for an Approval Without a Licence, the Applicant has agreed to adhere to sections 4(3), 5(4), and 6(1) of the *Regulations* and to comply with the associated requirements, the NWB determined that:

Approval Number 8WLC-CGM1617 be issued, subject to the conditions of Schedule 1 contained therein (Motion # 2016-WL-003).

SIGNED this 15th day of April, 2016 at Gjoa Haven, NU.

Thomas Kabloona
Nunavut Water Board
Chair

TK/sj

² Nunavut Planning Commission (NPC) Conformity Determination, dated February 25, 2016

³ Nunavut Impact Review Board (NIRB) Determination, dated April 7, 2016



**NUNAVUT WATER BOARD
APPROVAL WITHOUT A LICENCE**

APPROVAL NO. 8WLC-CGM1617

Pursuant to the *Nunavut Waters Regulations, 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

**ENVIRONMENT AND CLIMATE CHANGE CANADA
NATIONAL WILDLIFE RESEARCH CENTRE**

1125 COLONEL BY DRIVE (RAVEN ROAD) OTTAWA, ON K1S 5B6

Hereinafter called the Authorized Entity, the right to use Waters and Deposit waste for a period of one (1) year after the day on which the Board approved the Application, subject to the conditions contained in Schedule 1 attached to this Approval:

Project Name:	MARINE HABITAT USE OF THICK BILLED MURRES NESTING AT CAPE GRAHAM MOORE, NUNAVUT PROJECT
Location:	QIKIQTANI REGION, NUNAVUT
Water Management Area:	ECLIPSE SOUND (49)
Classification of Undertaking:	OTHER UNDERTAKING
Purpose:	USE OF WATERS AND DEPOSIT OF WASTE
Approval Criteria:	1 (ONE) CUBIC METRE OF WATER DAILY; 1 (ONE) CUBIC METRE OF SEWAGE DAILY; 1 (ONE) CUBIC METRE OF GREYWATER DAILY
Effect Date:	April 15th 2016
Expiry of Approval:	April 14th 2017

Dated this 15th day of April, 2016, at Gjoa Haven, NU

Thomas Kabloona
Nunavut Water Board, Chair



SCHEDULE 1

CONDITIONS FOR USE OF WATER OR DEPOSIT OF WASTE WITHOUT A LICENCE

General

1. In the case of an Authorized Entity who has a mineral right and who intends to use Waters or deposit Waste in relation to that right, the Authorized Entity shall respect the priority conferred on Inuit by section 62 of the *Act* as if that applicant had a licence for the use or deposit.

Use of Waters

2. The Authorized Entity shall take measures prior to the use of Waters to minimize any alteration to the bed or banks of a watercourse whose waters are to be used, and the measures shall be maintained during the operation of the undertaking.

Deposit of Waste

3. The Authorized Entity shall not deposit Waste to surface water or within thirty-one (31) metres of the ordinary high water mark of any body of water.
4. The waste must not contain more than 15 milligrams per litre of petroleum or petroleum product and must not have a visible hydrocarbon sheen.

Abandonment and Restoration

5. Prior to the closure or abandonment of the undertaking or end of the period authorized for the use of Waters or deposit of waste without a licence, whichever occurs first, the site shall be restored — to the extent practicable — to the state in which it was before the use of Waters or the deposit of Waste.^a

Record Keeping

6. The Authorized Entity shall:
 - a. maintain accurate and detailed books and records of:
 - i. the quantity of water, in cubic metres, used each day,
 - ii. the quantity, in cubic metres, of waste deposited each day,
 - iii. the type of waste deposited each day,
 - iv. where the waste is deposited including GPS coordinates in Latitude and Longitude,
 - v. the concentration of the substance, or substances, in the deposited solid or liquid that has the effect of making the deposit waste,
 - vi. the methodology used to calculate or determine the information referred to in items (i) to (v), and
 - vii. the measures that were taken to avoid or mitigate any adverse impacts of the deposit of waste.



SCHEDULE 1 (Cont.)

- b. keep the books and records on the site of the undertaking during the period of its operation and make them available during that period to an inspector on request;
- c. submit to the Board a report containing a summary description and supporting photographs of the restoration of the site of the undertaking within thirty (30) days after the earliest of (i) the day on which the undertaking is closed or abandoned, and (ii) the last day of the period authorized for the unlicensed use or deposit;^b and
- d. keep the books and records for two years after submitting the report describing the restoration of the site and undertakings.

Notes:

- a) A site need not be restored prior to the end of the period authorized for the use of Water or the deposit of Waste without a licence, as required by Item 5, if the Board issues a licence for the use of Water or deposit of Waste for the same undertaking on same site prior to the end of that period.
- b) The Authorized Entity need not submit the report referred to in Item 6 (c) if the Authorized Entity obtains a new approval authorizing a use of Water or deposit of Waste without a licence, or a licence authorizing a use of Water or deposit of Waste for the same undertaking on the same site within thirty (30) days after the last day of the period previously authorized.