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NUNAVUT WATER BOARD
NUNAVUT IMALIRIYIN KATIMAYINGI
OFFICE DES EAUX DU NUNAVUT

File: 8WLC-JSN1314

June 24, 2013

Jack Orr
Department of Fisheries and Oceans
501 University Cr.
Winnipeg, MB
R3T 2N6
Email: jack.orr@dfo-mpo.gc.ca
Phone: 204-984-2187

Subject: Approval for the Use of Water or Deposit of Waste Without a Licence 8WLC-JSN1314 – Jones Sound Narwhal Study

Dear Mr. Orr,

Please find attached approval number 8WLC-JSN1314 issued to Jack Orr, Department of Fisheries and Oceans (DFO) 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 approval has been authorized for a period of one (1) year from the date of this letter and includes conditions related to water use or waste disposal which are an integral part of this approval and which are required for this type of authorization under the *Nunavut Waters Regulations* (NWR).

In addition, this approval has been posted to the NWB's Public Registry and FTP site and is accessible from the following link

<ftp://nunavutwaterboard.org/1%20PRUC/8%20MISCELLANEOUS/8WL/8WLC%20-%20Camp/8WLC-JSN1314%20DFO/4%20LICENCE/> using the username "public" and password "registry" without the quotes.

If DFO contemplates the renewal of this approval, it is the responsibility of the Authorized entity to re-apply to the NWB. Note that if the approval expires before the NWB issues a renewal, the water use or deposit of waste must cease, or DFO will be in contravention of the *Nunavut Land Claims Agreement* (NLCA) and the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* (NWNSTRTA). The NWB recommends that an application for renewal of this approval be filed at least thirty (30) days prior to its expiry date.

This approval permits the carrying out of activities involving the use of water or deposit of waste in accordance with the application for approval and the conditions contained therein. Any variation from these activities may result in a contravention of the NWNSTRTA or NWR.

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

Please be aware of the reclamation and reporting obligations which will arise as this approval approaches its expiry.

Should you have any questions please do not hesitate to contact the NWB office at (867) 360-6338.

Sincerely,

A handwritten signature in dark ink, appearing to read 'T. Kabloona', with a long horizontal flourish extending to the right.

Thomas Kabloona
Nunavut Water Board
Chair

TK//CZ/pb

Enclosure: Approval Number 8WLC-JSN1314

Cc. Qikiqtani Distribution

APPROVAL DECISION

APPROVAL NUMBER: 8WLC-JSN1314

This is the decision of the Nunavut Water Board (NWB) with respect to an application for approval for the use of water or deposit of waste without a licence dated May 24, 2013 made by:

Jack Orr, Department of Fisheries and Oceans

to allow for the use of water and disposal of waste during camping, capturing, and tagging of narwhals at the Jones Sound Narwhal Study project located within the Qikiqtani Region, Nunavut, Water Management Area, 64 Southern Ellesmere Island Watershed generally located at the geographical coordinates as follows:

Project Area/Camp: Latitude: 76.668333 Longitude: -83.391666

DECISION

After ensuring that the application satisfied the requirements of Articles 11 and 12 of the *Nunavut Lands Claim Agreement* (NLCA) regarding land use plan conformity and development impact assessment; that the application satisfied the requirements of section 3 of the *Nunavut Waters Regulations* (NWR or *Regulations*); that the undertaking satisfied the requirements of sections 4 and 5 of the *Regulations*; and that the applicant agreed to comply with sections 4(3), 5(4), and 6(1) of the *Regulations*, the NWB determined that:

Approval Number 8WLC-JSN1314 be authorized subject to the conditions contained therein, Motion Number 2013-WL-001.

SIGNED this 24th day of June, 2013 at Gjoa Haven, NU.



Thomas Kabloona
Nunavut Water Board
Chair

TK/CZ/ pb

APPROVAL NO. 8WLC-JSN1314

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 (NWB or Board), hereby grants to

Jack Orr, Department of Fisheries and Oceans

of

**Marine Mammal Research
Arctic Research Division
Central and Arctic Region
Fisheries and Oceans Canada
510 University Crescent
Winnipeg, MN R3T 2N6**

the right to use water and dispose of waste for a period of one (1) year following the date of issuance and subject to the conditions contained within this approval:

Approval Number: **8WLC-JSN1314**

Project Name: **JONES SOUND NARWHAL STUDY**

Location: **QIKIQTANI REGION, NUNAVUT**

Water Management Area: **64 SOUTHERN ELLESMERE ISLAND WATERSHED**

Purpose: **DIRECT WATER USE AND DEPOSIT OF WASTE**

Classification of Undertaking: **OTHER UNDERTAKING – RESEARCH PROJECT**

Approval Criteria: **USE OF LESS THAN 50 m³ PER DAY, ONLY SEWAGE AND GREYWATER DEPOSITS**

Date of Approval: **June 24, 2013**

Expiry of Approval: **June 23, 2014**

Dated this 21st day of June, 2013 at Gjoa Haven, NU.



Thomas Kabloona
Nunavut Water Board
Chair

Conditions for the 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.

Water Use

2. The Authorized Entity shall take measures prior to using water 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.

Waste Disposal

3. The Authorized Entity shall not deposit waste to surface water or within 31 metres of the ordinary high water mark of any body of water.
4. The waste shall not contain more than 15 milligrams per litre of petroleum or petroleum product and shall 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 water 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 water was used or the waste was deposited.^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,
 - 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 (iv), and
 - vii. the measures that were taken to avoid or mitigate any adverse impacts of the deposit of waste.
 - 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 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 of the undertaking.

Notes:

- a) A site need not be restored prior to the end of the period authorized for the water use or 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 on that 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 the Board's renewed approval for a use of water or deposit of waste without a licence, or a licence for a use of water or deposit of waste on the same site within thirty (30) days after the last day of the period previously authorized.