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NUNAVUT WATER BOARD  
NUNAVUT IMALIRIYIN KATIMAYINGI  
OFFICE DES EAUX DU NUNAVUT

File: 8WLC-JSN1516

July 27, 2015

Jack Orr  
Department of Fisheries and Oceans  
501 University Cr.  
Winnipeg, MB, R3T 2N6

Email: [jack.orr@dfo-mpo.gc.ca](mailto:jack.orr@dfo-mpo.gc.ca)

**Subject: 8WLC-JSN1516 - Jones Sound Narwhal Study - Approval for the Use of Waters or Deposit of Waste Without a Licence**

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Dear Jack Orr,

Please find attached Approval Without Licence (Approval) number 8WLC-JSN1516 issued to Jack Orr, Department of Fisheries and Oceans (the Authorized Entity) 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 or 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 permits the carrying out of activities involving the use of Waters or 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 (NWNSTRTA) or the NWR. The NWB would like remind the Applicant of the obligations under this Approval with respect to the reclamation and reporting which will arise as this Approval approaches its expiry.

If the activities of the Project authorized under this Approval are expected to continue longer than the authorized term, 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 further approval, the use of Waters or deposit of Waste must cease, or the Authorized Entity will be in contravention of the NLCA and the NWNSTRTA. The NWB recommends that the application for an Approval be filed at least thirty (30) days prior to its expiry date.

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:

<ftp://ftp.nwboen.ca/1%20PRUC%20PUBLIC%20REGISTRY/8%20MISCELLANEOUS/8WL/8WLC%20-%20Camp/8WLC-JSN1516%20DFO%20Orr/>

Sincerely,

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Thomas Kabloona  
Nunavut Water Board  
Chair

TK/sa/ri

Enclosure:      Approval Number: 8WLC-JSN1516  
cc.                Qikiqtani



## **NUNAVUT WATER BOARD APPROVAL WITHOUT A LICENCE**

### **APPROVAL DECISION**

**APPROVAL NUMBER:** 8WLC-JSN1516

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 June 22, 2015 made by:

**Jack Orr, Department of Fisheries and Oceans**

to authorize the use of Waters and deposit of Waste while conducting research at the Jones Sound Narwhal Study located within the QIKIQTANI Region, Nunavut and within Watershed of: Southern Ellesmere Island Watershed, No. 64 generally located at the geographical coordinates as follows:

Camp: Latitude: 76.393<sup>0</sup> N Longitude: 81.533<sup>0</sup> W

### **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-JSN1516 be issued, subject to the conditions of Schedule 1 contained therein (Motion # 2015-WL-024).**

SIGNED this 22<sup>nd</sup> day of July, 2015 at Gjoa Haven, NU.

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Thomas Kabloona  
Nunavut Water Board  
Chair

TK/sa/ri



**NUNAVUT WATER BOARD  
APPROVAL WITHOUT A LICENCE**

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**APPROVAL NO. 8WLC-JSN1516**

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

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**JACK ORR, DEPARTMENT OF FISHERIES AND OCEANS**

Of

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**501 UNIVERSITY CR., WINNIPEG, M.B., R3T 2N6**

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Hereinafter called the Authorized Entity, the right to use Water 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: **JONES SOUND NARWHAL STUDY**

Location: **QIKIQTANI REGION, NUNAVUT**

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

Classification of Undertaking: **OTHER UNDERTAKING - RESEARCH**

Purpose: **USE OF WATERS AND DEPOSIT OF WASTE**

Approval Criteria: **USE OF WATER TO A MAXIMUM OF TWENTY (20) CUBIC METERS PER DAY DEPOSIT OF SEWAGE AND GREYWATER AUTHORIZED; ALL SOLID WASTE BACK-HAULED TO A LICENSED FACILITY**

Date of Approval: **July 23, 2015**

Expiry of Approval: **July 22, 2016**

Dated this 27<sup>th</sup> day of July, 2015, at Gjoa Haven, NU

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Thomas Kabloona  
Nunavut Water Board  
Chair



## **SCHEDULE 1**

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

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#### 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.<sup>a</sup>

#### 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;<sup>b</sup> and
- d. keep the books and records for two years after submitting the report describing the restoration of the site and undertakings.

### Notes:

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- 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 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.