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NUNAVUT WATER BOARD  
NUNAVUT IMALIRIYIN KATIMAYINGI  
OFFICE DES EAUX DU NUNAVUT

File: **8WLC-PCO1718**

May 26, 2017

Dr. Paul Smith  
National Wildlife Research Center  
1125 Colonel By Drive  
Ottawa, Ontario K1S 5B5

Mr. Nik Clyde  
National Wildlife Research Center  
1125 Colonel By Drive  
Ottawa, Ontario K1S 5B5

Email: [paulallen.smith@Canada.ca](mailto:paulallen.smith@Canada.ca)

[nik.clyde@canada.ca](mailto:nik.clyde@canada.ca)

**Subject: 8WLC-PCO1718 - Population Studies of Shorebirds at East Bay, Southampton Island, and Prince Charles Island, Project Approval for the Use of Waters or Deposit of Waste Without a Licence**

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Dear Dr. Paul Smith and Mr. Nik Clyde:

Please find attached Approval number **8WLC-PCO1718** issued to the National Wildlife Research Center (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 Agreement)*. 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 permit 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* (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 the activities authorized under the Approval are expected to continue longer than the term authorized, it is recommended that the Authorized Entity, upon receipt of confirmation<sup>1</sup> from the Nunavut Planning Commission (NPC) and the Nunavut Impact Review Board (NIRB) that

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<sup>1</sup>Nunavut Planning Commission (NPC) and the Nunavut Impact Review Board (NIRB) Requirements under the Nunavut Planning and Project Assessment Act (NuPPAA).

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 deposit of Waste must cease as required by the Nunavut Agreement and the NWNSRTA.

If activities authorized under the Approval are expected to continue longer than the term authorized, it is recommended that the Authorized Entity 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 or deposit of Waste must cease as required by the Nunavut Agreement 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:

<ftp://ftp.nwb-oen.ca/registry/8%20MISCELLANEOUS/8WL/8WLC%20-%20Camp/8WLC-PCO----%20Smith%20NWRC/>

Sincerely,

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Thomas Kabloona  
Nunavut Water Board  
Chair

TK/ce/ri

Enclosure: Approval Number: **8WLC-PCO1718**

cc. Qikiqtaaluk Distribution List



## NUNAVUT WATER BOARD APPROVAL WITHOUT A LICENCE

### APPROVAL DECISION

**APPROVAL NUMBER: 8WLC-PCO1718**

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 8, 2017 made by the:

#### NATIONAL WILDLIFE RESEARCH CENTER

to authorize the use of Waters and deposit of Waste during water sampling and camping activities related to the Population Studies of Shorebirds at East Bay, Southampton Island, and Prince Charles Island, located within the Qikiqtaaluk Region, Nunavut, Water Management Area Prince Charles Island Watershed No.23, generally located at the geographical coordinates as follows:

Project Extents:	Max Latitude: 68.220572 <sup>0</sup> N	Max Longitude: 76.832832 <sup>0</sup> W
	Min Latitude: 68.140606 <sup>0</sup> N	Min Longitude: 76.614099 <sup>0</sup> W
Camp:	Latitude: 68.179943 <sup>0</sup> N	Longitude: 76.728055 <sup>0</sup> W

### DECISION

The Nunavut Planning Commission (NPC)<sup>2</sup> referred the Climate Change Canada's (ECCC) "Shorebird Research – Prince Charles Island" project proposal to the Nunavut Impact Review Board (NIRB) for screening along with a positive conformity determination with the Keewatin Regional Land Use Plan (NPC File No. 148462). The NPC noted that the previous conformity determination issued on March 14, 2006 for activities associated with "Breeding Biology of the Birds of South Hampton, Coats Island and Baffin Island" (NIRB File No. 06AN026) in the current proposal continues to apply. Further, NPC determined that the project proposal was a significant modification to the project because activities on Prince Charles Island have not been screened. NIRB issued the screening decision report for NIRB FILE No. 17AN040, on May 23, 2017. The NWB is satisfied that the requirements of Articles 11 and 12 of the *Nunavut Agreement* 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-PCO1718 be issued, subject to the conditions of Schedule 1 contained therein (Motion # 2017-WL-007).**

SIGNED this 29<sup>th</sup> day of May, 2017 at Gjoa Haven, NU.

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Thomas Kabloona  
Nunavut Water Board, Chair

TK/ce/ri

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<sup>2</sup> Nunavut Planning Commission (NPC) Conformity Determination, February 20, 2017



**NUNAVUT WATER BOARD  
APPROVAL WITHOUT A LICENCE**

**APPROVAL No. 8WLC-PCO1718**

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

**NATIONAL WILDLIFE RESEARCH CENTER**

**1125 COLONEL BY DRIVE OTTAWA, ONTARIO K1S 5B6**

Hereinafter called the Authorized Entity, the right to the use of waters and deposit of 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:	<b>POPULATION STUDIES OF SHOREBIRDS</b>
Location:	<b>PRINCE CHARLES ISLAND, QIKIQTAAK REGION, NUNAVUT</b>
Water Management Area:	<b>PRINCE CHARLES ISLAND WATERSHED NO. 23</b>
Classification of Undertaking:	<b>CONSERVATION</b>
Purpose:	<b>USE OF WATERS AND DEPOSIT OF WASTE</b>
Approval Criteria:	<b>TOTAL WATER USE OF 1 CUBIC METRE PER DAY, DEPOSIT OF SEWAGE &amp; GREY WATER 1 CUBIC METRE PER DAY RESPECTIVELY, ALL OTHER WASTE WILL EITHER BE TRANSPORTED OFF SITE FOR DISPOSAL OR INCINERATED</b>
Date of Approval:	<b>May 29, 2017</b>
Expiry of Approval:	<b>May 28, 2018</b>

Dated this 29<sup>th</sup> day of May 2017, 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.

#### Spill Contingency

5. Measures developed to deal with unforeseen petroleum and hazardous materials releases that may occur during the operations conducted under the authorization to use waters and/or deposit waste without a licence, including:
  - a. all Sumps and fuel caches shall be located at a distance of at least thirty-one (31) metres from the ordinary High Water Mark of any adjacent water body and inspected on a regular basis;
  - b. prevent any chemicals, petroleum products or wastes associated with the project from entering water;
  - c. report spills immediately to the 24-Hour Spill Line at (867) 920-8130 and to the Inspector at (867) 975-4295;
  - d. 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 reference to the assigned spill number, 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; in addition to Item 5c, 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.



## SCHEDULE 1 (Cont.)

### Abandonment and Restoration

6. 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

7. The Authorized Entity shall:
- maintain accurate and detailed books and records of:
    - the quantity of water, in cubic metres, used each day,
    - the quantity, in cubic metres, of waste deposited each day,
    - the type of waste deposited each day,
    - where the waste is deposited including GPS coordinates in Latitude and Longitude,
    - the concentration of the substance, or substances, in the deposited solid or liquid that has the effect of making the deposit waste,
    - the methodology used to calculate or determine the information referred to in items (i) to (v), and
    - the measures that were taken to avoid or mitigate any adverse impacts of the deposit of waste.
  - 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;
  - 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
  - keep the books and records for two years after submitting the report describing the restoration of the site and undertakings.

### Notes:

- 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.
- 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.