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NUNAVUT WATER BOARD
NUNAVUT IMALIRIYIN KATIMAYINGI
OFFICE DES EAUX DU NUNAVUT

File No: 8WLC-PCO2223

June 16, 2022

Dr. Paul Smith
National Wildlife Research Center
1125 Colonel By Drive
Ottawa, ON, K1S5B6

Douglas MacNearney
National Wildlife Research Center
1125 Colonel By Drive
Ottawa, ON, K1S5B6

Email: paulallen.smith@ec.gc.ca

Email: douglas.macnearney@ec.gc.ca

Subject: 8WLC-PCO2223 - Approval for the Use of Waters and Deposit of Waste Without a Licence for Population Studies of Shorebirds at East Bay, Southampton Island, and Prince Charles Island; National Wildlife Research Centre.

Dear Dr. Smith and Mr. MacNearney:

Please find attached Approval No: 8WLC-PCO2223 issued to National Wildlife Research Center 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 and deposit of Waste, which are an integral part of this Approval required for this type of authorization under the *Nunavut Waters Regulations (NWR or Regulations)*.

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 *Nunavut Agreement*, 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

¹NPC and NIRB Requirements under NuPPA.

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 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-PCO2223%20Smith%20NWRC>

Sincerely,

Lootie Toomasie
Nunavut Water Board
Chair

LT/ng/rqd

Enclosure: Approval No: 8WLC-PCO2223

cc. Qikiqtani Region



NUNAVUT WATER BOARD APPROVAL WITHOUT A LICENCE

APPROVAL DECISION

APPROVAL NO: 8WLC-PCO2223

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 2, 2022 made by:

NATIONAL WILDLIFE RESEARCH CENTER

to authorize the use of Waters and deposit of Waste during research activities for Population Studies of Shorebirds at East Bay, Southampton Island, and Prince Charles Island project, located within the Qikiqtani Region, Nunavut and within the Prince Charles Island Watershed (23) generally at the following geographical coordinates:

Project extents:	Latitude : N68.220572	Longitude : W76.747316
	Latitude : N68.196671	Longitude : W76.614009
	Latitude : N68.140606	Longitude : W76.706244
	Latitude : N68.162008	Longitude : W76.832832
Camp:	Latitude : N68.179943	Longitude : W76.728055

DECISION

After having been satisfied that the Application is for a proposal that was previously reviewed by the NPC² and for which the conformity determinations, dated March 14, 2006, April 23, 2014, February 20, 2017 and February 13, 2019 remain applicable, and is exempt from the *Nunavut Planning and Project Assessment Act (NuPPAA)* under section 235 of *NuPPAA*, and is exempt from screening by the NIRB as the inclusion of non-invasive shorebird research in the Ikkattuaq (Harry Gibbons) Migratory Bird Sanctuary does not change the general scope of the original or previously amended project activities, and the exceptions noted in Section 12.4.3(a) and (b) of the *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in Right of Canada (Nunavut Agreement)* do not apply, the Board notes 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), 5(5) and 6 of the *Regulations* and to comply with the associated requirements, the NWB determined that:

Approval No: 8WLC-PCO2223 be issued, subject to the conditions of Schedule 1 contained therein (Motion # 2022-WL-008).

SIGNED this 16th day of June, 2022 at Gjoa Haven, NU.

Lootie Toomasie
Nunavut Water Board, Chair

LT/ng/rqd

² Nunavut Planning Commission, Conformity Determination, May 27, 2022.



**NUNAVUT WATER BOARD
APPROVAL WITHOUT A LICENCE**

APPROVAL NO: 8WLC-PCO2223

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

of

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: **POPULATION STUDIES OF SHOREBIRDS AT EASTBAY, SOUTHAMPTON ISLAND, AND PRINCE CHARLES ISLAND, NUNAVUT**

Location: **PRINCE CHARLES ISLAND, QIKIQTANI REGION, NUNAVUT**

Water Management Area: **PRINCE CHARLES ISLAND WATERSHED (23)**

Classification of Undertaking: **8. OTHER UNDERTAKING**

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

Approval Criteria: **TOTAL WATER USE ONE CUBIC METRE PER DAY AND DEPOSIT OF SEWAGE**

Effect Date: **JUNE 16, 2022**

Expiry of Approval: **JUNE 15, 2023**

Dated this 16th day of June, 2022, at Gjoa Haven, NU

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 water body.
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.
5. All other than Sewage Wastes must be backhauled and disposed of at an approved waste disposal facility.

Spill Contingency

6. Measures to deal with unforeseen petroleum and hazardous materials releases that may occur during the activities 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 NWT/NU 24-Hour Spill Line at (867) 920-8130 and to the Inspector at (867) 975-4284;
 - 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; and



SCHEDULE 1 (Cont.)

- e. in addition to Item 5c, regardless of the quantity of releases of harmful substances, report to the NWT/NU 24-Hour Spill Line if the release is near or into a water body.

Abandonment and Restoration

- 7. 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

- 8. 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. where the Waste is deposited including GPS coordinates in Latitude and Longitude,
 - iv. the concentration of the substance, or substances, in the deposited solid or liquid that has the effect of making the deposit Waste,
 - v. the methodology used to calculate or determine the information referred to in items (i) to (v), and
 - vi. 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 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 7, 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 8(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.