



☒ Original  
☐ Follow-Up Report

WATER AND LAND USE INSPECTION FORM

Permittee	Representative
Bathurst Inlet Developments	Boyd Warner
Permit No. / Expiry	Representative's Title
76F04002 (expired)	
Other Authorizations	Land / Other Authorizations
8WLC-PEL1718	
Date of Inspection	Inspector
08/08/2017	Eva Paul
Activities Inspected	
<input checked="" type="checkbox"/> Camp	<input type="checkbox"/> Drilling
<input type="checkbox"/> Roads/hauling	<input type="checkbox"/> Mining
<input type="checkbox"/> Other:	<input type="checkbox"/> Construction
	<input type="checkbox"/> Reclamation
	<input checked="" type="checkbox"/> Fuel Storage
	<input type="checkbox"/> Other:

Conditions:	A- Acceptable	U-Unacceptable	C-Concern	NI-Not Inspected	NA- Not applicable
Lease # 76F/4-2-2	Term No.*	Condition	Observation No.		
Term	2	U	1		
Rent and Taxes	3	U	2		
Use		NI			
Assignments		NI			
Breach		C			
Termination		C			
Restoration		C			
Waste Disposal	16	U	3		
Environmental	17	U	4		
Fuel and Hazardous Chemicals	21,22,23	U	5		
Boundaries/Survey		NI			
Improvements		NI			
Access		A			
Indemnification		A			
Review		NI			
Notices		NI			
General		NI			
NWB Approval without a Licence 8WLC-PEL1718	Term No.*	Condition	Observation No.		
GENERAL CONDITIONS		A			
CONDITIONS APPLYING TO WATER USE		NI			
CONDITIONS APPLYING TO WASTE DISPOSAL	3	U	3		
CONDITIONS APPLYING SPILL CONTINGENCY PLANNING	5	U	5		
CONDITIONS APPLYING TO ABANDONMENT AND RESTORATION		A	6		
CONDITIONS APPLYING TO RECORD KEEPING		NI			

\*refers to specific terms and conditions found in the permit/lease in question.

SECTION 1	<input checked="" type="checkbox"/> Comments (s.1)	<input checked="" type="checkbox"/> Non-Compliance with Permit, Act or Regs (s.2)	<input checked="" type="checkbox"/> Action Required (s.3)
<p>I conducted an opportunistic inspection of this site on July 8, 2017, while working in the area. The camp was not in use at the time of my inspection. This site was well documented in the 2015 inspection report issued by Baba Pedersen. Some work has been done to address the concerns raised in that report; considerably fewer barrels were present. Numerous non-compliances persist as follows:</p> <ol style="list-style-type: none"><li>This lease is expired. It appears that a renewal application was filed, but for some reason the lease was not renewed. If the Lessee does not intend to proceed immediately to reclamation, the renewal process is to be re-initiated.</li><li>If annual lease payments have not been upkeep, the lease is expired without overholding tenancy. This must be a priority to remedy.</li><li>As described in the 2015 inspection report, there are barrels and debris seen in the neighbouring wetlands and in the lake. Please note that these form not only a contravention of the above permits, but also a contravention of the <i>Nunavut Waters and Nunavut Surface Rights Tribunal Act</i> and require prompt attention.</li><li>The Lessee was instructed in 2015 to remove barrels and debris from the land and water bodies.</li><li>Numerous barrels are seen less than 31 m from the water. No measures are in place to prevent the spread of potential spills, particularly to water (eg – secondary containment or storage of barrels at an appropriate distance).</li><li>Please note that this NWB approval will require renewal each year.</li></ol>			
SECTION 2	<input type="checkbox"/> Comments	<input checked="" type="checkbox"/> Non-Compliance with Permit, Act or Regs	<input type="checkbox"/> Action Required
76F/4-2-2 specifies:			



16: The lessee shall not discharge or deposit any refuse substances or other waste materials in any body of water, or the banks thereof, which will, in the opinion of the Minister, impair the quality of the waters or the natural environment and any areas designated for waste disposal shall not be located within thirty-one (31) metres of the ordinary high water mark of any body of water, unless otherwise authorized by the Minister.

17: The lessee shall at all times keep the land in a condition satisfactory to the Minister.

21: The lessee shall prevent the possibility of migration of spilled fuel over the ground surface or through seepage in the ground.

22: The lessee shall take all reasonable precautions to prevent the migration of petroleum products into bodies of water.

23: The lessee shall ensure that fuel storage in excess of 205 litres, not be located within thirty-one (31) metres of any body of water unless otherwise authorized by the Minister.

8WLC-PEL1718 specifies:

3: ...shall not deposit Waste to surface water or within thirty-one (31) metres of the ordinary high water mark (OHWM) of any body of water.

5: ...measures developed to manage unforeseen spill involving petroleum and hazardous materials that may occur while carrying out the undertaking associated with this authorization involving the use waters and/or the deposit of waste without a licence.

These conditions are in support of the Nunavut Waters and Nunavut Surface Rights Tribunal Act (NWNSTRA) which states: 12(1) No person shall deposit or permit the deposit of waste under conditions in which the waste may enter waters in Nunavut.

SECTION 3

☐ Comments

☐ Non-Compliance with Permit, Act or Regs

☒ Action Required

- A. Pursue renewal of the leases with INAC Lands and ensure rent is paid and current to maintain overholding tenancy status until renewal.
- B. A thorough cleanup of this site is required. All garbage and debris, old barrels, and any other waste are to be addressed as soon as practically possible. A report with photos demonstrating the cleanup is to be submitted to the Inspector by July 31, 2018. Failure to do so will result in enforcement measures taken under the relevant legislation.
- C. Ensure latrines and all storage (including fuel) is located >31m from OHWM of any water body including wetlands.

Licensee or Representative	Inspector's Name
	Eva Paul
Signature	Signature
	Sent electronically
Date	Date
	20 October, 2017

cc. Erik Allain, Director of Lands, INAC  
Tracey McCaie, Manager of Lands Administration, INAC  
Manager of Licensing, Nunavut Water Board





Date	Camera	Inspector	Authorization
July 8 2017	SONY DSC-HX50V	Eva Paul	8WLC-PEL1718 / 76F/4-2-2
Photo Log # 1		Location (NAD 83 DD MM SS.SS)	
Photo DSC06730 (cropped)		N	W



Description: Aerial view of Pellatt / Esker camp from South.

Photo Log # 2	Location (NAD 83 DD MM SS.SS)	
Photo DSC06732	N65 01 44.9	W109 38 01.1



Description: Camp from SE. Note barrel and debris in shallow ravine in foreground of photo.





Photo Log # 3

Photo DSC06738

Location (NAD 83 DD MM SS.SS)

N65 01 43.1

W109 38 18.6



**Description:** Dock structure partially embedded in sand. Debris visible in the water beside the dock, and up the shoreline that must be removed. Barrels, waste, and all structures must be >31m from OHWM. Barrels and waste should not be stored next to the water.

Photo Log # 4

Photo DSC06739

Location (NAD 83 DD MM SS.SS)

N65 01 42.3

W109 38 10.5



**Description:** More barrels and debris that have blown from the camp.





Photo Log # 5	Location (NAD 83 DD MM SS.SS)
Photo DSC06733	N65 01 48.3      W109 38 02.5
	
Description: East side of camp – note the barrels and garbage in the wetland.	

Photo Log # 6	Location (NAD 83 DD MM SS.SS)
Photo DSC06736	N65 01 49.3      W109 38 21.5
	
Description: Barrel seen on the shoreline, and other debris.	





Photo Log # 7

Photo DSC06737

Location (NAD 83 DD MM SS.SS)

N65 01 46.4

W109 38 20.1



Description: Jerry can noted on the beach.