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26 September 2013

Ms. Sophia Granchinho, MSc., EP
Senior Technical Advisor
Nunavut Impact Review Board
P.O. Box 1360
Cambridge Bay, NU
X0B 0C0

Re: NIRB File No. 09DN018 – DND Response to Comments

Dear Ms. Granchinho,

Thank you for your letter dated September 23, 2013 extending the Department of National Defence (DND) an invitation to respond to comments received regarding DND's clarification and resubmission of its Nanisivik Naval Facility (NNF) Project Specific Information Requirements (PSIR) proposal.

DND appreciates the time and effort taken by all interested parties to review the submission and to provide comments. We have reviewed all comments and would like to offer the following detailed response which includes:

- A) A summary of our understanding of the comments provided;
- B) DND's response to all comments; and
- C) A concluding statement.

A) Summary of the Comments Provided

The following summary details DND's understanding of the comments provided.

1. **Hamlet of Arctic Bay:** response dated September 13, 2013, outlined no concerns;
2. **Qikiqtani Inuit Association:** response dated September 20, 2013, satisfied with the way DND has addressed their concerns;
3. **Aboriginal Affairs and Northern Development Canada:** response dated September 20, 2013, recommended that the Nunavut Impact Review Board (NIRB) consider shipping activity associated with this project in a unique manner, given the difficulty for DND to forecast future shipping with precision and for reasons of national security;
4. **Transport Canada:** response dated September 20, 2013, outlined that the proposed project is not likely to cause public concern and any potential adverse effects could be mitigated with adherence to current Acts and Regulations;



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5. **Department of Fisheries and Ocean (DFO):** response dated September 11, 2013, recommended a few additional mitigating measures associated with marine mammals to guide DND's proposed activities;
6. **Environment Canada:** response dated September 20, 2013, satisfied with DND's response to their previous comments and has provided information regarding awareness of a newly listed species at risk (the Red Knot shorebird) whose breeding range overlaps with the location of the project, along with recommendations on how to mitigate Red Knot shorebird impacts;
7. **Natural Resources Canada:** response dated September 20, 2013, no new or substantive information provided; and
8. **Nyrstar Canada (Holdings) Ltd.:** response dated September 18, 2013, concern raised regarding the potential to disturb reclaimed mine components.

B) DND's Response to Comments

1. **Hamlet of Arctic Bay:** Nothing further to address;
2. **Qikiqtani Inuit Association (QIA):** DND will implement the plans stated in the information provided to the QIA. Nothing further to address;
3. **Aboriginal Affairs and Northern Development Canada (AANDC):** In further support of AANDC's recommendation, DND would also like to highlight Section 2.14 of the PSIR. Specifically, this Section states that "when in operation, the Royal Canadian Navy, using current practices that the Joint Task Force North has in place for the conduct of operations by DND and the Canadian Air Force in the north, will advise and consult with the NIRB and other stakeholders beforehand." In time, as the Arctic Offshore Patrol Ships (AOPS) come closer to commissioning, the Royal Canadian Navy (RCN) will notify and consult with stakeholders regarding planned northern activities prior to them taking place.
4. **Transport Canada:** DND intends to comply with all Acts and Regulations that apply to them during the course of their activities. Transport Canada comments will be forwarded to the Royal Canadian Navy (RCN) for their consideration.
5. **Department of Fisheries and Ocean (DFO):** DND will incorporate DFO's additional recommended mitigating measures associated with marine mammals into our project specifications. Should there be a concern with implementing any of these additional recommended mitigation measures, DND will consult further with DFO;
6. **Environment Canada (EC):** DND will incorporate EC's additional recommended mitigation measures associated with the Red Knot shorebird, with extra precautions during the breeding season, into our project specifications. Reference to the shorebird will be included as part of the Wildlife Mitigation and Monitoring Plan, which is identified as a living document in Appendix H of the PSIR. Should there be a concern with implementing any of these additional recommended mitigation measures, DND will consult further with EC;
7. **Natural Resources Canada:** Nothing further to address; and



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8. **Nyrstar Canada (Holdings) Ltd. (Nyrstar):** Comments by subject title outlined below.

Introduction

In your review of Nyrstar's comments, DND would like to add the following information by subject title for clarification and to help alleviate any concerns.

As assurance, please be aware that DND shares Nyrstar's objective, in that DND wants to ensure that the proposed NNF Project does not negatively impact the efforts that have been taken to stabilize and reclaim the mine site. DND has extensive experience in the remediation of Arctic sites. DND is keenly aware of the importance of remediation efforts and understands long-term monitoring requirements.

Whether the Proposed Project is Likely to Arouse Significant Public Concern:

DND would like to voice that we similarly desire a complete and successful reclamation of the mine site, and that we would also like to see that the work completed by Nyrstar is done in a way that is protective of public interests in the long term.

DND has held consultations about the NNF Project regularly since 2008 (see PSIR, Appendix D). Over time, DND has taken great effort to address questions and concerns received from the community and incorporate those into the project planning. From the outset, DND has stated that all new infrastructure will be constructed on remediated soil and that the infrastructure will be built in accordance with the latest codes (Appendix D, PSIR, May 2008). DND understands the importance of ensuring that new infrastructure incorporates secure environmental protections. That DND has satisfied the concerns of the community, is evidenced by the most recent submittal to the NIRB by the Hamlet of Arctic Bay dated September 13, 2013, in which it is checked that there is support for the project.

Whether the Proposed Project is Likely to Cause Significant Adverse Eco-Systemic and Socio-Economic Effects / & Whether the Proposed Project is of a Type where the Potential Adverse Effects are Highly Predictable and Mitigable with Known Technology

Nyrstar's concern regarding 'any' proposed future activities causing 'potential' adverse effects, lacks sufficient specificity to be addressed. Should Nyrstar have a specific concern related to a specific activity, DND would be pleased to meet with



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them to discuss.

DND is aware that Nyrstar has an obligation under their current Nunavut Water Board (NWB) issued Water Licence (1AR-NAN0914, part J) (herein referred to as 'Licence') to successfully complete abandonment and reclamation activities in accordance with a plan approved by the NWB. The area where the NNF is intended to be built is the same area where Nyrstar is obligated under their Licence to abandon and reclaim a former fuel tank farm. To DND's knowledge, this area scheduled for the DND Naval Facility footprint is far removed from any area approved to contain tailing deposits, waste rock or metal contaminated soils. DND however is aware that the area where the NNF is intended to be built currently contains hydrocarbon contaminated soils. Nyrstar is currently obligated to remediate these soils to standards set out by the NWB in order to protect the ecosystem and human health. Should Nyrstar fulfill this obligation under their Licence, there should be no cause for concern.

DND intends to undertake all of their activities with due diligence, and will plan their activities in consideration of risk.

Any Matter of Importance to the Party Related to the Proposed Project

Please find attached a Figure depicting Nyrstar's water sampling locations and reclaimed mine features (Annex A). We have highlighted two areas where the NNF project work will be undertaken: (1) the quarry site and (2) the NNF site itself. It is shown that the quarry site is not in the vicinity of any of Nyrstar's monitoring points.

DND has an agreement with the Hamlet of Arctic Bay for the provision of potable water. As such, there DND does not need to draw water from East Twin Lake; hence there will be no effect on the monitoring or compliance points (NM-23 and 159-4) as identified in the Nyrstar letter.

DND notes the water sampling points in the immediate vicinity of the planned infrastructure (159-6). Over the years, DND has had engineers, environmental scientists and surveyors study the site extensively. Construction will occur above ground, and as experts in monitoring in the north, DND will take care to not disturb the monitoring points.

DND's activities will be protective of the environment and water quality, as outlined in the NIRB submission.

DND will ensure that Nyrstar's access to their Monitoring Points is not impeded by DND's activities.



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C) Conclusion

Thank you for the opportunity to provide a response to comments. We trust that this information provides resolution to all stakeholder comments and that the NNF project proposal will meet with your approval. We look forward to your decision and remain available for any questions or clarifications.

Sincerely,

Rodney Watson
Project Manager, Nanisivik Naval Facility

Annex(es): A

