



## **SUMMARY OF 2008 WORKSHOP ON MUNICIPAL WATER LICENSING IN NUNAVUT**

**September 2009**

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## INTRODUCTION

In June 2007, the Nunavut Water Board (NWB) and the Government of Nunavut Community Government Services (GN-CGS) recognized the need for all parties to the municipal water licensing process to cooperate and coordinate their efforts to provide clarity to and streamline the water licensing process. Accordingly, the NWB and GN-CGS invited stakeholders who potentially impact the municipal water licensing process to participate in a Workshop on Municipal Water Licensing in Nunavut (Workshop).

The Workshop was held on March 8<sup>th</sup> and 9<sup>th</sup>, 2008 in Iqaluit and included representatives of the NWB, GN-CGS, GN Department of Environment (DOE), GN-Department of Health and Social Services (HSS), Nunavut Association of Municipalities (NAM), Nunavut Planning Commission (NPC), Environment Canada (EC), Department of Fisheries and Oceans (DFO), Indian and Northern Affairs Canada (INAC), Resolute Bay Hunters and Trappers Organization (HTO), Nuna Burnside Engineering and Environment Ltd., and Dillon Consulting Limited. The Nunavut Impact Review Board sent its regrets.

All documentation leading up to and presented at the Workshop has been compiled by the NWB into this document which was referenced in the development of the NWB's Operational Guide entitled "*draft Operational Guide to Municipal Water Licensing in Nunavut*", dated September 2009.

## **APPENDIX A : WORKSHOP INVITATION**



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February 18, 2008

**Subject: Government of Nunavut and Nunavut Water Board Workshop on Municipal Water Licensing in Nunavut**

Dear Parties:

On behalf of the Government of Nunavut and the Nunavut Water Board, we are pleased to invite you to participate in a joint Government of Nunavut – Nunavut Water Board workshop on municipal water licensing.

As you know, the Nunavut Water Board (NWB) is an Institution of Public Government created under the Nunavut Land Claims Agreement (NLCA). Article 13 of the NLCA gives the NWB responsibilities and powers over the regulation, use and management of water in the Nunavut Settlement Area. The Government of Nunavut – Community Government and Services (CGS) provides economic, technical and administrative support to municipalities in water licensing in Nunavut.

The NWB and CGS recognize the need for all parties to cooperate and coordinate efforts to provide clarity and streamlining of the regulatory process for those involved in municipal water licensing. Accordingly, we hope you will participate in the joint workshop to be held in Iqaluit.

The purpose of the workshop is to bring together parties with municipal water licensing responsibilities in Nunavut with the goal of developing a working document that addresses the water regulation challenges and opportunities that arise from the unique economic, operational, and administrative realities in Nunavut. A draft agenda is attached for consideration.

NWB and CGS hope to present a completed draft working document to the Nunavut Association of Municipalities (NAM) at their Annual General Meeting in April. The presentation to that meeting is intended to outline progress to date and solicit feedback from municipal representatives on issues related to municipal water licensing prior to finalizing the document.

We request confirmation of your attendance at the workshop scheduled for March 8-9, 2008 and comments on the agenda no later than February 21, 2008 at 5:00 p.m (MST) to [exec@nunavutwaterboard.org](mailto:exec@nunavutwaterboard.org) or [Rkilpatrick1@gov.nu.ca](mailto:Rkilpatrick1@gov.nu.ca). If you are unable to attend, we ask that you consider sending another representative organization.

Please contact Dionne Filiatrault at [exec@nunavutwaterboard.org](mailto:exec@nunavutwaterboard.org) if you want to discuss the workshop further prior to confirming your attendance.

Regards,

Dionne Filiatrault  
Executive Director  
Nunavut Water Board

Rosemary Kilpatrick  
A/Director Community Infrastructure  
Government of Nunavut

Attachment: Draft Agenda  
Invitee List

## **DRAFT**

### **PROPOSED AGENDA FOR NWB/GN WORKSHOP**

#### **DAY 1**

##### **Session 1 (NWB)**

1. Detailed overview of NWB Process
2. Development of Municipal Schedule for Guide to Applicants
  - a. Clarification for filing New, renewals and amendment applications
3. NWB forecast of Planning and Priorities (5 years)
4. Issues for Resolution from NWB perspective

##### **Session 2 (GN-CGS; ED&T, & HSS)**

1. Detailed overview of GN Process
2. Capital Planning and Priorities (5 year)
3. Coordinated Process with Hamlets
4. Issues for Resolution from GN perspective

##### **Wrap up session Day 1**

#### **DAY 2**

##### **Summary of Day 1 Session**

##### **Session 3 (INAC)**

1. Enforcement/Compliance Overview
2. Status Assessment for Municipalities
3. Inspection Planning and Priorities
4. Issues for Resolution from INAC perspective

##### **Session 4 (Parties – DFO, EC, CEAA, NIRB, NPC, and others)**

1. Environment Canada Requirements to consider (MWWWE, CEPA, Above-Ground Storage Tank Regulations, Landfill operations-open burning at landfills)
2. DFO Requirements (HADD - Effluent discharge; Stream-crossings during road construction, etc)
3. Other Participants

## **Wrap up Session Day 2**



**Attachment - Participant/Invitee List**

Name	Organization	Email
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	Government of Nunavut HSS	
	Government of Nunavut ED&T	
	Government of Nunavut	
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	Canadian Environmental Assessment Agency	

## **APPENDIX B: REVISED AGENDA**



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## **Revised Agenda**

**Date: March 8-9, 2008**  
**Time: 9:00 am**  
**Location: Frobisher Inn, Iqaluit**

### **March 8, 2008** **DAY 1**

**9:00 a.m.**

#### **Nunavut Water Board**

1. Detailed overview of NWB Process (include update on Nunavut Water Regulations)
2. Development of Municipal Schedule for Guide to Applicants
3. Clarification for filing New, renewals and amendment applications
4. NWB forecast of Planning and Priorities (5 years)
5. Issues for Resolution from NWB perspective

**1:00 p.m.**

#### **Government of Nunavut**

6. Detailed overview of GN Process
7. Capital Planning and Priorities (5 year)
8. Coordinated Process with Hamlets
9. Issues for Resolution from GN perspective

**3:30 p.m.**

10. NWB/GN Process Streamlining

**Wrap up session Day 1**

**March 9, 2008**

**DAY 2**

**9:00 a.m.**

**Summary of Day 1 Session**

**9:30 a.m.**

**Indian and Northern Affairs**

11. Enforcement/Compliance Overview
12. Status Assessment for Municipalities
13. Inspection Planning and Priorities
14. Issues for Resolution from INAC perspective

**1 :00 p.m.**

15. Environment Canada
16. DFO Requirements
17. Nunavut Association of Municipalities
18. NPC/NIRB

**Wrap up Session Day 2**

**DAY 3 to be determined**

GN/NWB has requested to be included on the NAM AGM agenda for 2008-09 at which time a presentation will be given to solicit comments, issues, resolutions and feedback from Hamlet representatives. At the same time NWB/GN would present a draft working document to NAM for their consideration and input.

## **APPENDIX C: WORKSHOP ATTENDEES**

March 8-9, 2008 NWB-GN CGS Workshop Attendees

March 8, 2008		
Dionne Filiatrault	NWB, Executive Director	<a href="mailto:exec@nunavutwaterboard.org">exec@nunavutwaterboard.org</a>
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Timoon Toonoo	CGS, Regional Director	<a href="mailto:ttoonoo@gov.nu.ca">ttoonoo@gov.nu.ca</a>
Nelson Pisco	CGS, Technical Services Director	<a href="mailto:npisco@gov.nu.ca">npisco@gov.nu.ca</a>
Malli Aulakh	CGS, Capital Planning	<a href="mailto:maulakh@gov.nu.ca">maulakh@gov.nu.ca</a>
March 9, 2008 (additional)		
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Froeydis Reinheart	GN-DoE	<a href="mailto:freinhart@gov.nu.ca">freinhart@gov.nu.ca</a>
Issac Sobol	Health and Social Services	<a href="mailto:isobol@gov.nu.ca">isobol@gov.nu.ca</a>
Mike Atkinson	GN-DoE	<a href="mailto:matkinson@gov.nu.ca">matkinson@gov.nu.ca</a>
Simon Idlout	HTO, Resolute Bay	

## **APPENDIX D: NWB PRESENTATION**

Nunavut Water Board  
Government of Nunavut  
Workshop



### Objectives

- Education of the various process affecting municipal licensing;
- Foster effective communication;
- Develop an operational information document which provides an overview of
  - the various processes
  - FAQ's
- Improve efficiency
- Streamline Process



- What are you as participants hoping to achieve in this workshop?

### Presentation

- NWB
- Nunavut Water Regulations
- Licensing Process
- Planning and Priorities

### Nunavut Water Board

### Nunavut Water Board (NWB)

- Article 13 created the Nunavut Water Board as an Institution of Public Government responsible for the use, regulation and management of water in the Nunavut Settlement Area.
- Nunavut Water and Surface Rights Tribunal Act (NWSRTA) C-33 passed April 2002
- NWB adopted NWT Water Regulations until such time as NWB water regulations are in place



## Primary Function of the NWB

- The NWB primary function is to licence uses of water and deposits of waste.
- In exercising this function, the NWB is required to consider any detrimental effects of a potential use of waters or a deposit of waste on other water users and to hold, where appropriate, public hearings.

## Who are we?

- The NWB is comprised of members for all regions of Nunavut.
  - ½ member nominated by DIO's
  - ¼ members nominated by GN; and
  - ¼ members nominated by INAC.

## Staff

- Dionne Filiatrault, Executive Director
  - [exec@nunavutwaterboard.org](mailto:exec@nunavutwaterboard.org)
- Phyllis Beaulieu, Manager of Licensing
  - [licensing@nunavutwaterboard.org](mailto:licensing@nunavutwaterboard.org)
- Richard Dwyer, Licensing Administrator
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- David Hohnstein, A/Director Technical Services
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- Don Carr, Hearing Coordinator
  - [dcarr@nunavutwaterboard.org](mailto:dcarr@nunavutwaterboard.org)
- Vacant, Technical Advisors (2)
- Doreen Porter, Project Clerk
  - [clerk@nunavutwaterboard.org](mailto:clerk@nunavutwaterboard.org)

## Where are we?


- Head Office
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  - Tel: 867-360-6338
  - Fax: 867-360-6369
  - Ftp site: <http://nunavutwaterboard.org/ftp/>
  - Web Site: [www.nunavutwaterboard.org/en/home](http://www.nunavutwaterboard.org/en/home)

## Issues/Resolutions

	Issue (s)	Resolution
NWB	Lack of Regulations	NWRWG
Board Members	Appointments	Need for staggered appointments; GN stay on top of nomination process
Staff	Lack of Technical Advisors	NWB currently advertising
	Filing an application to more than one staff member or too the wrong staff member	All application to be forwarded to Manager of Licensing or licence Administrator
Head Office	Time loss for receipt of "originals" Documents too large to send electronically	NWB developing an Guideline for submission of electronic information




Comments? Questions?

## Nunavut Water Regulations



### Working Towards Nunavut Water Regulations

Nunavut Water Regulations  
Development Group (NWRDG)  
March 8, 2008



## Purpose of the NWRDG

- To develop a comprehensive set of regulations to be promulgated under the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* (the Act) which reflect the economic, operational, and administrative realities in Nunavut while maintaining high standards of environmental protection



## Members

- The Nunavut Water Board (NWB),
- Indian and Northern Affairs Canada (INAC),
- Nunavut Tunngavik Inc. (NTI) and
- The Government of Nunavut (GN)



## Legislative Basis for Water Regulations in Nunavut

- Section 82 of the *Nunavut Surface Waters and Nunavut Surface Rights Tribunal Act*
- Currently, NWT Water Regulations apply with the exception of Section 5 (Water use or waste deposit without a licence) as it seems to be inconsistent with Article 13.7.1 of the Nunavut Land Claim Agreement (NLCA)



## Guiding Principles for Developing Regulations

- NWRDG must:
  - Identify and address the deficiencies of the application of the current regulations in Nunavut
  - Not revise any mandates or responsibilities, or re-interpret the Act or the NLCA
  - Ensure the new regulations reflect the water management operational and administrative realities of Nunavut
  - Maintain high standards of environmental protection



## Guiding Principles for Developing Regulations

- NWRDG must (continued):
  - Consult
  - Build consensus before INAC and the NWB provide advice to the Minister on the design and wording of proposed water regulations for Nunavut



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Minister of INAC

## NWRDG Work to date

- Confirmed objectives and a process for the development of Nunavut Water Regulations
  - Set Terms of Reference
  - Developed a Work Plan
  - Began discussions on addressing the 'minor use' issue



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## NWRDG Work Plan: Next Steps

- Meetings with stakeholders, affected groups and the public
- Draft proposals for regulations
- Review period on the proposed regulations
- Water Board Hearing (if required by the NWB)
- Further meetings with stakeholders, affected groups and the public
- Finalize proposed regulations and forward to Justice for legal drafting
- Ongoing Consultations



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Minister of INAC

## Work Plan: Next Steps

- Submission to the Government of Canada (i.e. Department of Justice, Treasury Board and Privy Council Office) for drafting of the regulations
- Consultation on draft regulations
- Submission and pre-publication
- Publication in the Gazette



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## Responsibility

- The Minister of INAC with the cooperation, consultation and, where applicable, with the concurrence or advice of the NWB, is responsible for recommending to the Governor-in-Council any regulations to be made under the Act
- The NWB and INAC will be responsible for implementing and applying these regulations



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Minister of INAC

## Conclusion

- The NWRDG will develop draft regulations to reflect the economic, operational, and administrative realities and recognize the unique challenges and opportunities for water management in Nunavut while maintaining high standards of environmental protection
- After further consultation and collective consideration, regulations will be promulgated under the Act



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Minister of INAC

## We Welcome Your Input

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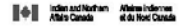


## For more information

The Nunavut Water Board website,  
<http://www.nunavutwaterboard.org/>  
Indian and Northern Affairs Nunavut,  
[http://www.ainc-inac.gc.ca/nu/nuv/index\\_e.html](http://www.ainc-inac.gc.ca/nu/nuv/index_e.html)

To take part in our on-line survey, please visit,

[http://www.ainc-inac.gc.ca/nu/watr/index\\_e.asp](http://www.ainc-inac.gc.ca/nu/watr/index_e.asp)



## Consultation/Communication

- **Phase I**
  - This workshop introduction to the NWRWG
  - Survey
  - Presentation to NAM
  - Posting to websites
- **Phase II - Draft**
  - Posting to Websites
  - Information Kit – mail out consultation (Oct-Dec 08)
  - NTWNA presentation (Nov/08)
- **Phase III**
  - NWB Public Hearings in Rankin, Iqaluit, Cambridge Bay (Apr/09)
  - Submission to DCJ (Sept/09)
  - Federal Consultation Process - Publication in Gazette (Nov/09)

**Comments? Questions?**



## Licensing

### Purpose of a Licence

- All water use except for domestic or emergency uses requires the approval of the NWB

A licence has two distinct components:

- To regulate the amount of water that can be withdrawn from a source; and
- To regulate the type and quality of waste that can be released back into the environment.

### Licensing Process

- 1) Application
- 2) Stakeholder Review
- 3) Public Hearing (if so determined)
- 4) Issuance of a licence/Decision
- 5) Compliance and Enforcement

### Step 1 - Application

- Application and Supplemental Information completed and submitted to the NWB.

### Step 2 – Stakeholder Comments

- The NWB will send out requests for comments from all stakeholders.

### Step 3 – Public Hearing

- The NWB will hold a public hearing before approving an application, unless no public concerns are expressed.

### Step 4 – Issuance of licence/Decision

- After evaluating any stakeholder and public concerns, the NWB issues a Water licence
- A licence, once written and approved becomes a legal document that the Municipality must follow.

## Step 5 – Compliance and Enforcement

- Licensee (Municipality)
  - It is the Municipality's responsibility to comply with the *Act* and a Water Licence issued by the NWB.
- INAC
  - Responsible to manage water in Nunavut on behalf of the Minister INAC under the *DIAND Act*.
  - Inspectors have the responsibility to enforce water licenses issued by the NWB.
  - Inspectors receive their authority from the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*.

....let's take a step back  
...that was too easy !!!



## Step 1 - Application

- Filing an Application
  - Who sends in an Application?
  - When is an Application received?
  - What is received?
  - How is an Application received?
  - Who receives and Application?
  - What does the NWB do when it receives an Application?

## Issues/Resolutions

	Issue (s)	Resolution
Who sends in an Application?	Applications received from various parties – Hamlets, GN, Consultants.	A coordinated approach to submission of information is needed.
	Information components: general information received from Hamlet or GN and technical information received from GN or Consultant – no sign off to confirm information accepted by all parties especially Hamlet.	

## Issues/Resolutions

	Issue (s)	Resolution
When is an Application received?	Applications submitted or received late – not allowing time for the process	NWB/GN need to understand and coordinate processes and timelines with a clear understanding of implications of "missed" timelines.
	Applicants not following up to confirm receipt of an Application	Responsibility of the Applicant (Hamlet/GN?) to confirm with NWB Licensing Department.

## Issues/Resolutions

	Issue (s)	Resolution
When is an Application received?	Not all information is submitted at the same time or same form	Letter that accompanies and application should LIST documents submitted for NWB consideration NWB Draft: "Guidance to Proponents for Submission of Electronic Information"
	Application received is a date stamp and does not necessarily represent a complete application	NWB needs to develop clear guide for municipalities for minimum information requirements and supplemental information requirements

### Issues/Resolutions

	Issue (s)	Resolution
What is received?	Inconsistent level of information for different types of undertakings	NWB working to streamline information requirements. Passing of Regulation should assist in the long term.

### Issues/Resolutions

	Issue (s)	Resolution
How is an Application received?	Application form incomplete or not filed	NWB developing Guide to filing and processing a Water Licence Application.
	Incomplete for Minimum Requirements	NWB developing Guide to filing and processing a Water Licence Application.

- [C:\Documents and Settings\jared\Desktop\Guide to Application\CALUTE #15003 v2 070710 GUIDE TO COMPLETING WATER LICENCE APPLICATIONS - FEED.DOC](#)
- [C:\Documents and Settings\jared\Desktop\Guide to Application\070710\WBGuidance to proponents by submission electronic documentation\RAFT.FEED.doc](#)

- ### NWB Guideline Development
- **Guide to the Nunavut Water Board:**
    - This guide would describe how the NWB was established, its mandate and principles, how the Board is organized, the board's jurisdiction, and the relationship of the NWB with the other Boards.
  - **Guide to Filing and Processing a Water Licence Application:**
    - This guide would describe how to complete the application, application and water use fees, the timelines and steps of processing an application, and what the Board may/can establish as part of a licence
  - **Guide to Activities that require a Water Licence:**
    - This guide describes those activities that do and don't require a water licence and type of licence

- ### NWB Guideline Development
- **Guide to Terminology and Definitions:**
    - This guide would define terms commonly used in the guides and the water licence application process
  - **Guide to the NWB Hearing Process:**
    - This guide describes the timelines and steps of the review process, and the Minister's decision
  - **Guide to Public Participation:**
    - This guide describes who can participate in the review of an application, how information is disseminated, the role of hearing coordinator, at what stages in the process the NWB facilitates participation
  - **Guide to Submission of Electronic Information**

- ### ...cont'd
- DRAFT "Guides" to be finalized for consultation early April 2008
  - Public Consultation Process and possibly a workshop to follow.
  - Supplemental Information Technical Guides specific to the Undertaking (i.e. Municipal) to be developed

### Issues/Resolutions

	Issue (s)	Resolution
Who receives an Application?	Filing an application to more than one staff member or too the wrong staff member	All application to be forwarded to Manager of Licensing or licence Administrator

## Step 1 – Application

- What does NWB do when it receives an Application?

## What does NWB do when it receives an Application?

- Administrator assigns a licence number
  - 3BM-CAP0810
    - 3 - refers to Type of Undertaking from the Regulation #3
    - B - refers to Type B
    - M - refers to a Municipal Water licence
    - CAP - Project Identifier i.e., Cape Dorset
    - 08 - Year of Issue
    - 10 - Year of Expiry

## Issues/Resolutions

	Issue (s)	Resolution
Assign a Licence Number	NWB numbering system inconsistent with other IPG's and Regulatory	NWB/NIRB coordination meetings ongoing (started Nov 07)
	Supplemental correspondence to the NWB does not reference licence number	All correspondence has to refer to NWB Licence Number.

## What does NWB do when it receives an Application?

- Enter into NWB database
  - Nunavut Water Board Information System (NWBIS)

## Issues/Resolutions

	Issue (s)	Resolution
NWB Database	Initial Database created in 1997 to ~2005 (discontinued use)	Interim measure is the ftp site. Long term solution needed?
	Costs and capacity issue prevent movement forward	NWB to work with INAC for a long term solution.
	NWB required to maintain "Public Registry" under the Act	Link future Database to web application for access by the Public.

## What does NWB do when it receives an Application?

- Create a Blue file
  - This is an Internal Activity Checklist used for each application filed to the NWB.
  - [C:\Documents and Settings\exec\Desktop\PRINTING\051119Blue Folder Procedures-FMLT.xls](#)



### Issues/Resolutions

	Issue (s)	Resolution
Create Blue File	(Internal) Checklists not specific to each type of undertaking	Low Priority – (Potential) Summer student work – does not affect process/timeline

### What does NWB do when it receives an Application?

- Application Mail logged
  - NWB Public Registry Stamp Received with Date entered into an Excel Spreadsheet mail log

### Issues/Resolutions

	Issue (s)	Resolution
Mail Log	Incoming Mail does not reference licence No.	Always reference licence number or to an open type and number of an application.
	Incoming email/e-documents forwarded to technical staff.	Forward <u>ALL</u> information to Licensing
	Outgoing Mail log inconsistent in effort to process information quickly.	(Internal) NWB addressing capacity in 08/09

### Issues/Resolutions

- Application entered into “White Board”
  - NWB uses an Excel Spreadsheet to track electronically a list of ALL application on file for each fiscal year.
  - [C:\Documents and Settings\leec\Desktop\Licensing\0708 Whiteboard 070529Rev 1 - PATH.xls](#)

### What does NWB do when it receives an Application?

- Review of Minimum Information Requirements
  - Application Form
  - Supplementary Information
    - Questionnaire/Engineering Documents.
  - Maps/Drawings
  - English/Inuktitut Summary
  - Administrative Fee (\$30 c/o Receiver General)
  - Water Use Fee (annually in advance)

### Issues/Resolutions

	Issue (s)	Resolution
Minimum Information Requirements	Application Form Incomplete (not signed, dated, no lat/long, general lack of information)	Guide to Filing an Application

- [C:\Documents and Settings\leec\Desktop\Guide to Applicant\04\ULI #156033-v2-020710 GUIDE TO COMPLETING WATER LICENSE APPLICATIONS - EEKEDOC](#)

### Issues/Resolutions

	Issue (s)	Resolution
<b>Minimum Information Requirements</b>	Supplemental Information Incomplete or inconsistent with Application form or duplication of information provided	Refine Supplemental Information requirements.
	Questionnaire Outdated	Develop Guide for SI for Municipalities
	Questionnaire not necessarily required for renewal	NWB/Parbes/NWRWG working on simplified renewal process. Compliance Key to this process working.
	Maps, Drawing or Technical Information preliminary only	Submit final stamped designs

### Issues/Resolutions

	Issue (s)	Resolution
<b>Minimum Information Requirements</b>	Size and reproduction capacity (delays in breaking down documents)	Guide to submitting electronic information
	Fees arrive late and made out to wrong person	NWB ability to process credit card information. All checks c/o Receiver General for Canada.

### What does NWB do when it receives an Application?

- **Letter of Acknowledgement**
  - Standard form letter. Applicant should expect receipts and confirm with the Licensing department application received.

### Issues/Resolutions

	Issue (s)	Resolution
<b>Letter of Acknowledgment</b>	Frequent telephone from Applicants to confirm receipt of documents and pieces of an application	Submit a Complete Application. To avoid unnecessary telephone calls – recommend use of email feature: Request delivery Receipt and Request Read Receipt.

### What does NWB do when it receives an Application?

- **Application Scanned**
  - Applies to documents not submitted electronically

### Issues/Resolutions

	Issue (s)	Resolution
<b>Scanned Application</b>	Electronic information different from Hard copy information	Standardize prior to submitting
	E-documents not standardized as PDF	Guide for submission of e-documents
	Documents too large to process efficiently	Guide for submission of e-documents
	Naming of documents inconsistent/unclear	Guide for submission of e-documents

### What does NWB do when it receives an Application?

- Application saved to NWB Central Filing system and application loaded to NWB ftp site
  - NWB has an internal network system called "Central"
  - Central was recently modified to be consistent with the process and naming system in line with the Regulations.

### Issues/Resolutions

	Issue (s)	Resolution
Central Network	NWB is required to maintain a registry; Central network where applicable should be available to the public.	NWB needs to develop public Data management Network, Public Registry or Database.
	FTP site is interim measure to NWB data management/public registry issues.	FTP site should mirror the internal Central network and historical data needs to be posted.

### What does NWB do when it receives an Application?

- Internal Preliminary Technical Review
  - Capacity dependent
  - NWB strives to complete concurrently with Licensing administrative assessment.
  - Standard Assessment Form.

### Issues/Resolutions

	Issue (s)	Resolution
Internal Preliminary Technical Review	Technical assessment varies depending upon skill level and priorities of an individual	NWB developed a standardized assessment form for All Applications.
	In some cases, Application go to Stakeholders for review without an internal assessment	NWB needs to address capacity issues. Guides to S1 -to be developed with input from stakeholders to identify consist omissions. Water Regulations may assist if a Type "c" application process is considered.

### Issues/Resolutions

	Issue (s)	Resolution
Internal Preliminary Technical Review	non-compliance with existing terms and condition requirements for Plans (delays)	Prior to submission of the Application – compliance assessment should be done by Applicant and Inspector (if possible)
	Additional information requests Unanswered for several months	Obligation for all parties to respond as quickly as possible to information requests from all parties. NWB will not act on an application if there questions go unanswered.

### What does NWB do when it receives an Application?

- NPC determination
  - How does NPC fit into the Municipal Licensing Process?
    - Conformity Determination
    - Cumulative Effects Determination

### Issues/Resolutions

	Issue (s)	Resolution
NPC Determination	Is NWB meeting it's obligation with respect to NPC requirements?	

### What does NWB do when it receives an Application?

- NIRB Environmental Assessment
  - Exemption from NIRB EA
  - CEAA
  - Type B Loop hole if hearing is held

### Schedule 12 – 1 (NLCA)

3. All construction, operation and maintenance of all buildings and services within an established municipality, except for bulk storage of fuel, power generation with nuclear fuels, or hydro power and any industrial activity.
4. All hotels, motels or tourist facilities of 20 beds or less outside the boundaries of a municipality.
5. Water uses that do not require a public hearing under Section 13.7.3.

### Issues/Resolutions

	Issue (s)	Resolution
NIRB Environmental Assessment	Clarification of Application of Schedule 12-1	



### Step 2 – Stakeholder Comments

- The NWB will send out requests for comments from all stakeholders.
  - Who is considered a stakeholder?
  - How is notice given?
  - Nature of comments received?

## Step 2 – Stakeholder Comments

- Who is considered a stakeholder?
  - General Public
  - NTI
  - NLCA Organizations
  - Federal
  - Territorial
  - Community
  - HTO's
  - Special Interest groups
  - Any Party upon request

## Issues/Resolutions

	Issue (s)	Resolution
Who is considered a Stakeholder?	Is the NWB process effective in obtaining feedback from all parties?	

## Step 2 – Stakeholder Comments

- How is notice given?
  - Legislative Requirement for Notice
    - The Board shall not act on an application until at least thirty days after notice of the application has been published. *NWNSR7A 55(4)*
  - Public Notice
    - Posted in community centers
  - Distribution Listings
    - Standard form letter to Stakeholder (Parties)

## Issues/Resolutions

	Issue (s)	Resolution
How is notice given?	Request to act under "urgent circumstances"	Regulations to clarify and define what is considered "urgent circumstances".
	Has the Applicant undertake effective "consultation"?	

## Step 2 – Stakeholder Comments

- Nature of the Comments received
  - On municipal licenses comments received from:
    - Fisheries and Oceans (DFO)
    - Environment Canada (EC)
    - Indian and Northern Affairs (INAC)
    - Independent Consultants (NWB)
    - Community Members

## Issues/Resolutions

	Issue (s)	Resolution
Nature of the Comments received	Some cases comments not received from Federal Departments due to capacity	Process efficiency, database development for all parties improves if NWB/GH improve internally
	Comments deal with issues outside the jurisdiction and mandate of the NWB	Helpful if parties acknowledge in writing recommendations outside NWB jurisdiction
	Compliance assessment missing	NWB to work with INAC coordination meetings started in Nov/09 Priority needs to be maintained.
	Comments returned to Applicant for additional clarification (endless loop)	Detail of response from the Applicants can prevent endless loop.

### Step 3 – Public Hearing

- The NWB will hold a public hearing before approving an application, unless no public concerns are expressed.
  - NWB Requirements

### Step 3 – Public Hearing

- NWB Requirements
  - Required to give 60 days notice. *NWNSRTA 55(2)*
  - All Type “A” Water licence Application require a hearing
    - NWT adopted regulations trigger’s any community with a population >2000 persons (i.e., Iqaluit, Ranking?)
  - Reminder: NIRB Schedule 12-1 (loop hole)

### Step 3 – Public Hearing

- Public Hearing Process:
  - Notice (60) days
  - Pre-hearing/Technical Meetings
  - Deadline for Interventions
  - Hearing Held in community most affected by a project
  - Board licence and Decision ~ 1 month following hearing
  - Hearing Decisions where public hearing held subject to Ministers Approval *NWNSRTA 56(1)*
  - Ministers Decision can take 45-90 days

### Issues/Resolutions

	Issue (s)	Resolution
Public Hearing		

### Step 4 – Issuance of licence/Decision

- After evaluating any stakeholder and public concerns, the NWB issues a Water licence
- A licence, once written and approved becomes a legal document that the Municipality must follow.

### Municipal Water Licence

- Decision
- Licence, Scope and Definitions
- General Conditions;
- Conditions Applying to Water Use;
- Conditions Applying to Waste Disposal;
- Conditions Applying to Modifications;

### Municipal Water Licence

- Conditions Applying to Operation & Maintenance;
- Conditions Applying to Modification and Construction;
- Conditions Applying to Abandonment and Restoration; and
- Conditions Applying to the Monitoring Program

### Decision

- Overview of the application;
- Summary of the process the Board used to reach a decision
- Decision to approve *or reject* the application

### Licence Scope and Definitions

- Scope: purpose, description, Licensee, location
- Compliance with other regulatory requirements.
- Definitions

### General Conditions

- Requirements:
  - Annual Report
    - Summary of activities related to the issuance of the Licence
    - Due March 31, for January to December of the previous calendar year
  - Monitoring Program
    - Installing and posting signage
  - Copy of Licence at Hamlet office
  - Reporting Spills

### Conditions Applying to Water Use

- Water Source
  - Amount of water to be used *per year*
  - Where the water is taken from
- Water Intake Infrastructure
  - Intake hose to be fitted with a screen
- Water Storage Facility
  - Freeboard limit on dykes
  - Liner type

### Conditions Applying to Water Use

- Protection of the watershed is a key component of sustainable environmental planning, and is crucial to:
  - Preserve water quality
  - Ensure adequate quantity is available for the future

### Conditions Applying to Waste Disposal

- Sewage Effluent Discharge Requirements
- Solid Waste Disposal
  - Clauses to reduce potential for pollution
  - Location of disposal
  - Requirement of approval to move to another site

### Conditions Applying to Modifications

- Stipulates when and under what conditions modifications to the Water supply and Waste Disposal Facilities can be carried out with or without written approval of the Board.
- Timelines provided
- As-built or site plans required

### Conditions Applying to Construction

- Prior to construction of any dams, dykes or structures intended to contain, withhold, divert or retain water or wastes, the Licensee shall submit to the Board for approval design drawings stamped by a qualified engineer registered in the Nunavut.

### Conditions Applying to Operation & Maintenance

- Submission of a Plan for the O&M of the Sewage and Solid Waste Disposal Facilities in accordance with "*Guidelines for preparing an Operation and maintenance Manual for Sewage and Solid Waste Disposal Facilities*"; October 1996. (MACA)

### Conditions Applying to Abandonment & Restoration

- Submission of a plan six months before abandoning any facility to include information related to:
  - Storage areas;
  - Water treatment or disposal facility;
  - Waste spills;
  - Leachate prevention;
  - Drainage control;
  - Cover material;
  - Future use;
  - Hazardous waste;
  - Maps of impact area;
  - Implementation schedule.

### Monitoring Program

- Station identification location and description
- Sampling and Analysis Requirements
- Inspector discretion
- Sample QA/QC
- Approved Laboratory
- Flow and Volume measurements
- Monthly or yearly reporting



## General Conditions for the Administration of Licenses

- Head office in Gjoa Haven
- DIAND enforces the licenses
- Inspection/Compliance Report
- Renewal *at least 6 months prior to expiry*
- Modify Monitoring Program
- Communication with Executive Director in writing
- Address of Inspector
- Submission of documents

## Issues/Resolutions

	Issue (s)	Resolution
Licence and Decision	Non-compliance	NWB developed a quick status report form to assess compliance.

- [C:\Documents and Settings\exec\Desktop\GN Workshop\071025 Municipal Status Report Summary Template-FTAE.doc](#)

## Step 5 – Compliance and Enforcement

- Licensee (Municipality)
  - It is the Municipality's responsibility to comply with the *Act* and a Water Licence issued by the NWB.
- INAC
  - Responsible to manage water in Nunavut on behalf of the Minister INAC under the *DIAND Act*.
  - Inspectors have the responsibility to enforce water licenses issued by the NWB.
  - Inspectors receive their authority from the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*.

## Issues/Resolutions

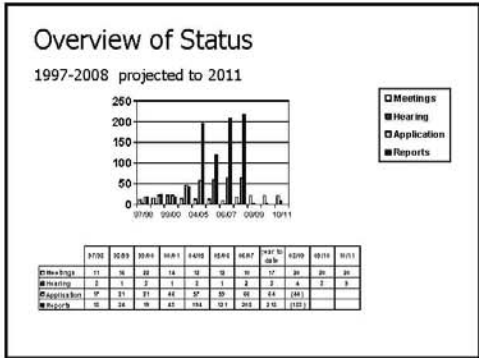
	Issue (s)	Resolution
Compliance and Enforcement	Disconnect between information provided to NWB and Inspectors	NWB/INAC Coordination meeting addressing need for improved communication
	Simplified Renewal process – non-compliant to terms and conditions of existing licence	Interim measure – submission of a plan from the Licensee confirming how compliance to be achieved
	Consistent non-compliance Annual Report	NWB developed and revised several times Annual Report Forms.

- [C:\Documents and Settings\exec\Desktop\PRINTING\Standardized Form for Annual Reporting\NWB3.doc](#)

## Planning and Priorities

## Planning and Priorities

- [C:\Documents and Settings\exec\Desktop\GN Workshop\071102 Summary of Municipal Licenses.doc](#)
- Reality Planning and Priorities depend upon external factors – We can only guess the number of applications that we might receive in a given year.



### Planning and Priorities

- What is coming?
  - [C:\Documents and Settings\exec\Desktop\IPG Coordination\Mine Development Projections Revised- FEDE.xls](#)

- ### Priorities
- Process application in a efficient and timely manner;
  - Maintain open communication with all proponents and interested parties;
  - Work with Licensee to process their application to clear any backlog and to deal with amendments if they are appropriate;
  - Address immediate staffing needs;
  - Work collaboratively with all applicants, regulators, all levels of government and interested parties;
  - Ensure that the mandate of the NWB is respected;
  - Assist in the development of NWB Water Regulations

Comments? Questions?

