



SUMMARY OF 2009 WORKSHOP ON MUNICIPAL WATER LICENSING IN NUNAVUT

September 2010

TABLE OF CONTENTS

TABLE OF CONTENTS	i
INTRODUCTION	1
APPENDIX A. WORKSHOP INVITATION CORRESPONDENCE	2
APPENDIX B. WORKSHOP AGENDA	10
APPENDIX C. WORKSHOP SIGN-IN SHEETS	13
APPENDIX D. NWB PRESENTATION.....	15
APPENDIX E. WORKSHOP MEETING NOTES	39

INTRODUCTION

On October 15th and 16th, 2009, the Nunavut Water Board (NWB) held a Workshop on Municipal Water Licensing in Nunavut in Cambridge Bay, Nunavut (2009 Workshop). The purpose of the Workshop was to (1) confirm the accuracy of information provided in the NWB's draft Operational Guide to Municipal Water Licensing in Nunavut, dated September 2009, concerning the various stakeholders to municipal water licensing in Nunavut; (2) confirm the status of initiatives proposed at the 2008 Workshop on Municipal Water Licensing in Nunavut (2008 Workshop); and (3) to further the development of strategies to improve the water licensing process for municipalities in Nunavut.

The 2009 Workshop participants included representatives of the NWB, Government of Nunavut Community Government Services (GN-CGS), Government of Nunavut Department of Environment (GN-DOE), Nunavut Impact Review Board (NIRB), Indian and Northern Affairs Canada (INAC), Environment Canada (EC), and Dillon Consulting Limited (Dillon). The Nunavut Association of Municipalities (NAM) and Department of Fisheries and Oceans (DFO) informed that they were unable to attend.

With the exception of the NWB's draft Operational Guide to Municipal Water Licensing in Nunavut, dated September 2009, and Summary of 2008 Workshop on Municipal Water Licensing in Nunavut, dated September 2009, all documentation leading up to and presented at the 2009 Workshop has been compiled by the NWB into this document.

APPENDIX A. WORKSHOP INVITATION CORRESPONDENCE



P.O. Box 119
Gjoa Haven, NU X0B 1J0
Tel: (867) 360-6338
Fax: (867) 360-6369

NUNAVUT WATER BOARD
NUNAVUT IMALIRIYIN KATIMAYINGI
OFFICE DES EAUX DU NUNAVUT

DATE: September 3, 2009
TO: Stakeholders to Municipal Water Licensing in Nunavut
RE: 2009 Workshop on Municipal Water Licensing in Nunavut

Dear Stakeholders:

Further to the 2008 Workshop on Municipal Licensing in Nunavut, the Nunavut Water Board (NWB) received comments on its draft Operational Guide to Municipal Water Licensing in Nunavut (Operational Guide) from the Government of Nunavut Department of Environment (GN-DOE) and the Department of Fisheries and Oceans (DFO). The NWB appreciates and thanks these parties for their comments and an updated the Operational Guide is attached. The NWB has also compiled all of the documents leading up to and distributed at the 2008 Workshop into a separate document entitled "*Summary of 2008 Workshop on Municipal Water Licensing in Nunavut.*" These documents are available for download from the NWB's FTP site at: <ftp://nunavutwaterboard.org/MUNICIPAL%20WORKSHOP/>.

Appendix E of The Operational Guide contains numerous resolutions proposed during the March 2008 Workshop to address the challenges of municipal water licensing in Nunavut. The NWB would like to confirm the status of these resolutions, and move forward with developing strategies to improve the licensing process for municipalities and address common licence renewal and amendment issues.

Accordingly, the NWB invites parties to attend the 2009 Workshop on Municipal Water Licensing in Nunavut to be held on October 15th and 16th, 2009 in Cambridge Bay, Nunavut. Please confirm your attendance before September 25, 2009 with Karlette Tunaley, the Workshop facilitator, at ktunaley@envireview.ca or 403-697-7897. Comments are also invited on the preliminary agenda set out below.

Please note, the Workshop is scheduled to precede the Northern Territories Water and Waste Association conference scheduled for October 17th to 19th, 2009 in Cambridge Bay, Nunavut. Members of the NWB technical staff will be attending the conference and are available to meet with municipality representatives on an individual basis to discuss specific licence renewal or amendment issues. Please advise Karlette if you wish to schedule an individual meeting.

The following preliminary agenda is proposed for the Workshop:

1. Recap of 2008 Workshop
2. Review and discussion of the "Operational Guide"
3. Review and discussion of common municipal water licence renewal and amendment issues

4. 2009 Workshop outcomes and actions

Prior to the Workshop, all attendees are asked to familiarize themselves with the content of the attached Operational Guide and responsible agencies referenced within the Operational Guide are asked to confirm the accuracy of the information related to their agency.

If you have any questions about the draft Operational Guide or the proposed follow-up workshop, please contact Karlette Tunaley at the above email address or phone number. The NWB looks forward to your participation.

Yours truly,

A handwritten signature in black ink, appearing to read 'D. Filiatrault', written in a cursive style.

Dionne Filiatrault, P.Eng.
Executive Director



P.O. Box 119
Gjoa Haven, NU X0B 1J0
Tel: (867) 360-6338
Fax: (867) 360-6369

NUNAVUT WATER BOARD
NUNAVUT IMALIRIYIN KATIMAYINGI
OFFICE DES EAUX DU NUNAVUT

DATE: October 5, 2009
TO: Stakeholders to Municipal Water Licensing in Nunavut
RE: 2009 Workshop on Municipal Water Licensing in Nunavut

Dear Stakeholders:

Thank you for responding to the Nunavut Water Board's (NWB) 2009 Municipal Water Licensing Workshop Invitation. As of September 25th, 2009, confirmations of attendance were received from the Government of Nunavut, Community Government Services (GN-CGS), GN Department of Environment (DOE), Indian and Northern Affairs Canada (INAC) Water Resources, Environment Canada (EC), Nunavut Impact Review Board (NIRB), and Dillon Consulting Limited (Dillon). The Nunavut Association of Municipalities (NAM) and Department of Fisheries and Oceans (DFO) informed that they are unable to attend. Via copy of this letter, the NWB is also extending the Workshop invitation to Hamlet representatives with water licensing responsibilities. Hamlet representatives wishing to attend are asked to please contact Karlette Tunaley whose contact information is provided below.

The Workshop will be held in Cambridge Bay, Nunavut at the Arctic Islands Lodge, Northwest Passage Room, on October 15th and the morning of October 16th, 2009. Please see the attached Agenda including a list of confirmed attendees.

The NWB has been informed by the Northern Territories Water and Waste Association (NTWWA) about a lack of accommodations in Cambridge Bay for participants of their conference held immediately following the NWB Workshop. To release accommodations for NTWWA participants, the NWB has decided to hold an evening session on Thursday October 15th and to wrap-up its Workshop on the morning of October 16th allowing any attendees that are not staying for the NTWWA conference to leave Cambridge Bay on the afternoon of October 16th, if possible.

Workshop participants are asked to please familiarize themselves with the content of the draft Operational Guide in order to confirm the accuracy of information related to their agency during the Workshop. In particular, participants are asked to review Appendix E of the draft Operational Guide entitled "*Summary of Key Issues and Resolutions*" which is also attached as a separate document. During the Workshop, the NWB would like to confirm the status of the resolutions summarized in this Appendix.

Also, members of the NWB technical staff will be staying in Cambridge Bay following the Workshop and will be available to meet with municipal representatives on an individual basis.

The NWB looks forward to a productive Workshop and the continued participation of all interested parties. If you have any questions regarding the draft Operational Guide, the Workshop or would like to schedule an individual meeting with the NWB staff, please contact Karlette Tunaley, at ktunaley@envireview.ca or 403-697-7897.

Yours truly,

A handwritten signature in black ink, appearing to read 'D. Filiatrault', written in a cursive style.

Dionne Filiatrault, P.Eng.
Executive Director

Agenda

Workshop on Municipal Water Licensing in Nunavut Arctic Islands Lodge Cambridge Bay, Nunavut October 15th & 16th, 2009

Objectives:

- Confirm the accuracy of information provided in the draft *Operational Guide to Municipal Water Licensing* (Operational Guide) concerning the various stakeholders to water licensing in Nunavut;
- Confirm the status of resolutions proposed at 2008 Workshop;
- Further the development of strategies to improve the water licensing process for municipalities in Nunavut.

Day 1 - Thursday October 15, 2009

9:00 am – 12:00 pm (15 minute break around 10:30 am)

1. Welcome and introductions
2. Recap of 2008 Workshop
3. Overview of the Operational Guide
4. Overview of the NWB's water licensing process, group discussion and status of NWB resolutions.

12:00 pm – 1:15 pm

Lunch Break

1:15 pm – 4:00 pm (15 minute break around 2:30 pm)

5. Overview of the GN CGS's capital planning process, group discussion and status of GN-CGS resolutions.
6. Overview of INAC's inspection process, group discussion and status of INAC resolutions.
7. Overview of the Nunavut Planning Commission's land use plan conformity determination process, group discussion and status of NPC resolutions.

4:00 pm – 6:30 pm

Dinner Break

6:30 pm – 8:30 pm

8. Overview of the NIRB's screening process, group discussion and status of NIRB resolutions.
9. Overview of EC, group discussion and status of EC resolutions.
10. Overview of the DFO's Fisheries Act Authorization Process, group discussion and status of DFO resolutions.
11. Wrap –up Day 1

Day 2 – Friday October 16, 2009

8:30 am – 11:00 am (15 minute break around 9:45 am)

12. Presentation of common municipal water licence renewal and amendment issues, group discussion
13. 2009 Workshop outcomes and actions
14. Wrap-up

Notes:

- On Fridays, the Arctic Islands Lodge restaurant gets very busy during regular lunch hours. Therefore, the Workshop will wrap up on Friday at 11:00 am.

Confirmed Attendees

Government of Nunavut Community Government Services

- Sudhir Kumar Jha, Senior Project Officer
- Bhabesh Roy, Municipal Planning Engineer
- Wayne Thistle, Regional Projects Manager

Government of Nunavut Department of Environment

- Dee Karadag, Territorial Environmental Assessment Coordinator & Scientist

Nunavut Impact Review Board

- Li Wan, Technical Advisor
- 1 additional attendee

Indian and Northern Affairs Canada

- Michael Nadler, Regional Director General
- 2 additional attendees

Indian and Northern Affairs Canada, Field Operations

- Melissa Joy, Water Resources Officer
- 3 additional attendees

Environment Canada

- Mary Kelly, Physical Science Officer

Dillon Consulting Limited

- Jennifer Spencer

Nunavut Water Board

- NWB Chairperson
- Dionne Filiatrault, Executive Director
- David Hohnstein, Acting Director of Technical Services
- Phyllis Beaulieu, Manager of Licensing
- Don Carr, Technical Advisor
- Richard Dwyer, Licensing Administrator
- Ida Porter, Administrative Assistant
- Catherine Emrick, NWB Legal Counsel

APPENDIX B. WORKSHOP AGENDA

Agenda

Workshop on Municipal Water Licensing in Nunavut Arctic Islands Lodge Cambridge Bay, Nunavut October 15th & 16th, 2009

Objectives:

- Confirm the accuracy of information provided in the draft *Operational Guide to Municipal Water Licensing* (Operational Guide) concerning the various stakeholders to water licensing in Nunavut;
- Confirm the status of resolutions proposed at 2008 Workshop;
- Further the development of strategies to improve the water licensing process for municipalities in Nunavut.

Day 1 - Thursday October 15, 2009

9:00 am – 12:00 pm (15 minute break around 10:30 am)

1. Welcome and introductions
2. Recap of 2008 Workshop
3. Overview of the Operational Guide
4. Overview of the NWB's water licensing process, group discussion and status of NWB resolutions.

12:00 pm – 1:15 pm

Lunch Break

1:15 pm – 4:00 pm (15 minute break around 2:30 pm)

5. Overview of the GN CGS's capital planning process, group discussion and status of GN-CGS resolutions.
6. Overview of INAC's inspection process, group discussion and status of INAC resolutions.
7. Overview of the Nunavut Planning Commission's land use plan conformity determination process, group discussion and status of NPC resolutions.

4:00 pm – 6:30 pm

Dinner Break

6:30 pm – 8:30 pm

8. Overview of the NIRB's screening process, group discussion and status of NIRB resolutions.
9. Overview of EC, group discussion and status of EC resolutions.
10. Overview of the DFO's Fisheries Act Authorization Process, group discussion and status of DFO resolutions.
11. Wrap –up Day 1

Day 2 – Friday October 16, 2009

8:30 am – 11:00 am (15 minute break around 9:45 am)

12. Presentation of common municipal water licence renewal and amendment issues, group discussion
13. 2009 Workshop outcomes and actions
14. Wrap-up

Notes:


- On Fridays, the Arctic Islands Lodge restaurant gets very busy during regular lunch hours. Therefore, the Workshop will wrap up on Friday at 11:00 am.

APPENDIX C. WORKSHOP SIGN-IN SHEETS

Registration Form


NO.	First Name	Last Name	Organization Representing	Address	Phone	Fax	E-mail
1	Phyllis	Beaulieu	NWB	Gjoa Haven	360-6338	360-6369	licensing@nwb.org
2	Melissa	Joy	INAC	KUAGLUK	982-4308	982-4307	melissa.joy@inal.gc.ca
3	Jola	Porter	NWB	Gjoa Haven	360-6338	360-6369	jporter@nunavutwaterboard.org
4	Richard	Dwyer	"	"	"	"	licensing@nwb.org
5	Ben	Kogvik	"	"	"	"	interpreter@nunavutwaterboard.org
6	Jennifer	Spencer	Dillon Consulting	Yellowknife	920-4555	873-3328	jspencer@dillon.ca
7	Tom	LIVINGSTON	GN - CGS	CAM BAY	983-4156	-4124	TLIVINGSTON@GOV.NU.CA
8	Roy	Green	GN - CCS	Iqaluit	975-5411	←	rgreen@gov.nu.ca
9	Dee	Karadag	GN - DOE	Iqaluit	975-7732	975-7739	dkaradag@gov.nu.ca
10	Mary	Kelly	EC	Yellowknife	609-4715	873-8185	mary.kelly@ec.gc.ca
11	Kelli	Gillard	NIRB	Cambridge Bay	983-4619		kgillard@nirb.ca
12	Li	WAN	NIRB	Cambridge Bay	983-4606	983-7594	liwan@NIRB.CA
13	DAVID	Hohnstein	NWB	Edmonton	780-4434406		dts@nunavutwaterboard.org
14	Catherine	Emrick	NWB	Calgary AB	403-686-3663	403-686-3662	cemrick@telus.net
15	Korlette	Tunaley	NWB	Calgary AB	403-697-7897	same	ktunaley@envireview.ca
16	Sudhir Jha	Jha	GN - CGS	Cambridge Bay, NU	867-9834008	867-9834127	sjha@gov.nu.ca ca.sjha@yahoo.ca
17	Don	Carr	NWB	Gjoa Haven	360-6338	360-6369	dcarr@nunavutwaterboard.org
18	Dionne	Filiatrault	NWB	"	"	"	dionne@ " "
19	Lou Ann	Cornacchio	INAC	Iqaluit in Jan 2010			louann.cornacchio@utoronto.ca
20	MICHAEL	NADLER	INAC	Iqaluit, NU	975-4503	975-4560	michael.nadler@inac.gc.ca
21	Wayne	Thistle	CGS Kivalliq Region	Rankin Inlet, NU	645-8178	645-8196	wthistle@gov.nu.ca
22							
23							
24							
25							

APPENDIX D. NWB PRESENTATION




Workshop on Municipal Water Licensing in Nunavut

Cambridge Bay, NU
October 15 & 16, 2009



Welcome

- Introductions
- Logistics
- Sign-in
- Handouts
 - Revised Agenda
 - Presentation
 - Summary table of Key Issues and Resolutions
- Note taker
- Translation




Welcome

Workshop Objectives:

- Confirm the accuracy of information provided in the draft *Operational Guide to Municipal Water Licensing* (Operational Guide) concerning the various stakeholders to water licensing in Nunavut;
- Confirm the status of resolutions proposed at 2008 Workshop;
- Further the development of strategies to improve the water licensing process for municipalities in Nunavut.

Operational Guide Objectives

- To Develop a reference tool for all parties involved in the water licensing process




Agenda

Thursday Morning

1. Recap of 2008 Workshop
2. Overview of draft Operational Guide
3. Overview of NWB

Thursday Afternoon

4. Overview of GN-CGS
5. Overview of INAC
6. Overview of Hamlets




Agenda Cont'd

Thursday Evening

7. Overview of NPC
8. Overview of NIRB
9. Overview of EC
10. Overview of DFO
11. Wrap up Day 1


Friday Morning

10. Common water licence renewal and amendment issues
11. 2009 Workshop outcomes and action items
12. Wrap-up




Recap 2008 Workshop

- Organized by NWB and GN to cooperate and coordinate efforts to improve the municipal water licensing process
- Held in Iqaluit on March 8th and 9th, 2008
- Attended by NWB, GN-CGS, GN-DOE, GN-HSS, NAM, NPC, EC, DFO, INAC, Resolute Bay HTO, Nuna Burnside Engineering and Environment Ltd., and Dillon Consulting Limited
- Presentations provided by NWB, INAC, GN-CGS, DFO, NPC, and EC
- Developed Summary of 2008 Workshop on Municipal Water Licensing in Nunavut
- Developed draft Operational Guide to Municipal Water Licensing



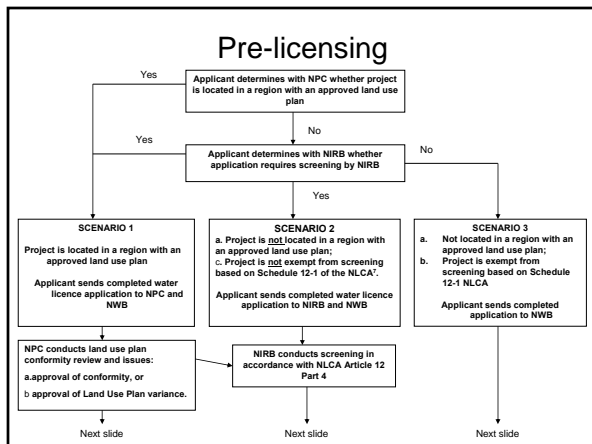
Overview of draft Operational Guide

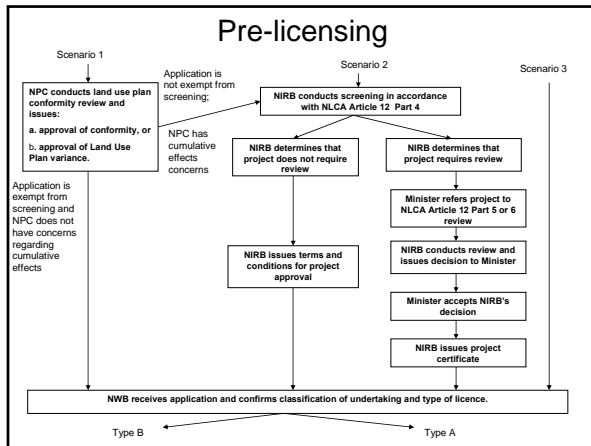
- Based on the results of the 2008 Workshop.
- Addresses issues with municipal water licensing specific to Nunavut.
- Working reference document.
- Organized into separate parts for each party.
- Sections of draft Operational Guide distributed to parties for comment on March 2009.
- Comments received from DFO, GN-DOE, and GN-CGS April, 2009.
- Revised draft Operational Guide distributed September 2009.

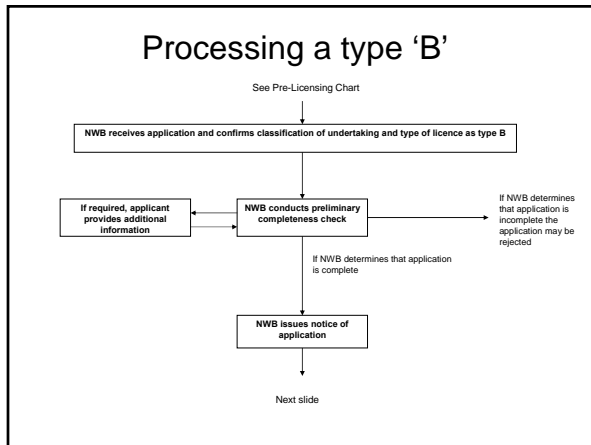


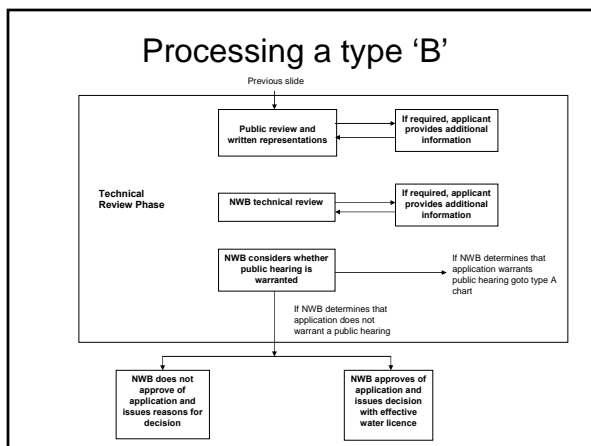
Overview of NWB

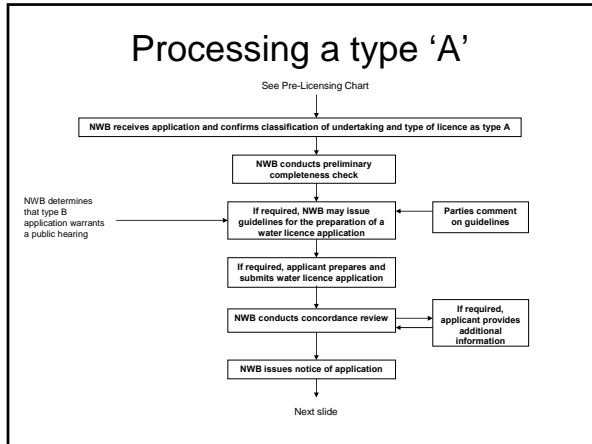
- Institute of Public Government.
- Responsibilities over the regulation, use, and management of water in the NSA.
- Applicable legislation includes NLCA, NWNSRTA, and NTWR.
- Nunavut specific waters regulations are under development.
- NWB leads the water licensing process and makes decisions regarding whether or not to issue a licence.

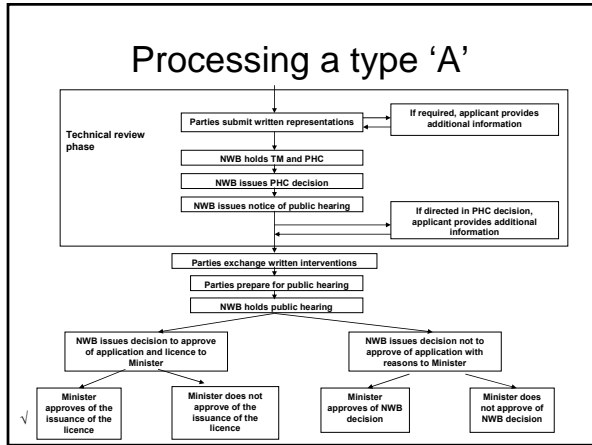















































NWB FAQ's

1. What is the Nunavut Water Regulations Development Group (NWRDG)?
2. What is the status of the draft Nunavut Water Regulations?
3. How is the NWB organized?
4. How are the NWB staff organized?
5. To what geographic extent does the NWB's authority apply?
6. What language(s) does the NWB conduct its business in?
7. What activities do not require a water licence from the NWB?
8. What activities require a water licence from the NWB?

	<h2>NWB FAQ's</h2>
	<p>9. What type of water licence does my municipal activity require?</p>
	<p>10. What are the differences between type B and type A water licences?</p>
	<p>11. How do I complete a water licence application?</p>
	<p>12. Why is it important to submit a complete a water licence application?</p>
	<p>13. When should I submit my completed water licence application?</p>
	<p>14. How do I submit a completed water licence application?</p>
	<p>15. What are the NWB's requirements for submitting electronic documentation?</p>

	<h2>NWB FAQ's</h2>
	<p>16. How is application information transferred between the NPC, NIRB and the NWB?</p>
	<p>17. How does the NWB assign application and licence numbers?</p>
	<p>18. How long is the water licensing process?</p>
	<p>19. How does the NWB determine whether a public hearing is required?</p>
	<p>20. Where does the NWB regulate effluent discharges?</p>
	<p>21. How does the NWB deal with issues outside of its authority?</p>
	<p>22. What if I do not agree with the NWB's decision?</p>

	<h2>NWB FAQ's</h2>
	<p>23. What term are water licences issued for?</p>
	<p>24. What subsequent applications may follow the issuance of a water licence?</p>
	<p>25. What are the application requirements for a renewal and/or amendment?</p>
	<p>26. What may be required by the Board to comply with a water licence?</p>
	<p>27. How does the Board monitor for compliance?</p>
	<p>28. How are water licences enforced?</p>
	<p>29. How does the NWB deal with compliance issues?</p>

NWB FAQ's

30. How can I access public documents from the NWB?

31. How does the NWB take into account the GN's five year capital plan?

32. Does the Canadian Environmental Assessment Act (CEAA) apply to municipal water licence applications?

33. What additional information about the water licensing process is available?

NWB Issues and Resolutions

Issue	Proposed Resolution	Party to Action
Legislation	The NWRDG is developing a set of comprehensive regulations.	NWRDG
Board appointment	Staggered appointments need to be considered. GN needs to stay on top of the nomination process.	GN
Technical Staff	NWB is advertising to fill positions.	NWB
Application Submission	Hamlet, GN, and consultants need to coordinate their approach to the submission of documents.	GN-CGS

NWB Issues and Resolutions

Issue	Proposed Resolution	Party to Action
Application Submission	NWB and GN to coordinate their processes and timelines and understand the implications of missed timelines.	NWB and GN-CGS
Application Submission	Applicant must confirm receipt of documents with the NWB licensing department. Applicant must request delivery receipt and a read receipt instead of calling the NWB.	GN-CGS and Hamlets
Application Submission	A letter must accompany the application listing the documents submitted as part of the application.	GN-CGS and Hamlets

NWB Issues and Resolutions

Issue	Proposed Resolution	Party to Action
Application Submission	NWB needs to develop minimum information requirements and supplemental information requirements.	NWB
Application Submission	The NWB may request that the applicant send additional paper copies of application documents to reviewers.	NWB
Application Submission	Initially all application documents are to be filed with the NWB Manager of Licensing. Subsequent documents are to be sent to the staff member assigned to the file.	GN-CGS and Hamlets

NWB Issues and Resolutions

Issue	Proposed Resolution	Party to Action
Application Submission	NWB and NIRB need to coordinate meetings to harmonize numbering systems.	NWB and NIRB
Application Submission	All correspondence and documents related to an application or licence must reference the licence number.	GN-CGS and Hamlets
Application Submission	Document sizes should not be greater than 3 MB.	GN-CGS and Hamlets
Application Submission	The NWB has the ability to process credit card information. If paying by cheque, applicant must make out the payment c/o the Receiver General for Canada.	GN-CGS and Hamlets

NWB Issues and Resolutions

Issue	Proposed Resolution	Party to Action
Application Submission	Applicants need to ensure that electronic documentation matches paper copies prior to submission.	GN-CGS and Hamlets
Application Submission	NWB is developing a Guide to electronic documentation to address document format and naming.	NWB
Pubic Registry	NWB needs to develop a public data management network. The NWB ftp site should mirror the NWB central network and historical data needs to be posted. NWB and INAC need to work toward long term solution. Consider linking database to public web application.	NWB and INAC

NWB Issues and Resolutions

Issue	Proposed Resolution	Party to Action
Application Completion	NWB needs to streamline its information requirements. NWB needs to implement a letter of acknowledgement that highlights application deficiencies.	NWB
Application Completion	NWB is developing a Guide to the filing and processing water licensing applications.	NWB
Application Completion	NWB needs to refine supplemental information requirements.	NWB
NPC Requirements	NWB needs to work with NPC to ensure that its processes are streamlined.	NWB and NPC

NWB Issues and Resolutions

Issue	Proposed Resolution	Party to Action
Technical Review	The NWB has developed a standardized assessment form for all applications.	NWB
Technical Review	NWB needs to develop a Technical Guide for the provision of supplemental information.	NWB
Technical Review	There is an obligation for all parties to the water licensing process to respond as quickly as possible to requests from the Board.	GN-CGS and Hamlets
Urgent Circumstances	Nunavut water regulations will clarify what circumstances are considered "urgent".	NWRDG

NWB Issues and Resolutions

Issue	Proposed Resolution	Party to Action
Stakeholder Comments	No comment. (The NWB does not receive many comments from the public regarding water licence applications.)	Not appointed
Stakeholder Comments	The NWB needs to develop a more efficient process and develop a database. The process will improve for all parties of the NWB and GN make internal improvements.	NWB and GN-CGS
Stakeholder Comments	It would be helpful if parties acknowledged in writing issues outside of the NWB's jurisdiction and mandate.	Parties

NWB Issues and Resolutions

Issue	Proposed Resolution	Party to Action
Stakeholder Comments	NWB needs to work with INAC on compliance assessments.	NWB and INAC
Stakeholder Comments	A detailed response to the initial information request can prevent endless loops.	GN-CGS and Hamlets
Compliance	The NWB and INAC need to address the need for improved communications.	NWB and INAC
Compliance	The NWB needs to transfer inspection reports to the public registry.	NWB

NWB Issues and Resolutions


Issue	Proposed Resolution	Party to Action
Compliance	GN and Hamlets need to develop a simple method for completing compliance assessments. Hamlets must be advised to set aside funding to prepare plans and reports required as conditions of the water licence.	GN-CGS and Hamlets
Inspection Reports	Inspectors need to report inspections earlier.	INAC
Renewal Process	The NWRDG is working on a simplified renewal process. Compliance will be a key issue.	NWRDG

NWB Issues and Resolutions

Issue	Proposed Resolution	Party to Action
Renewal Process	The NWB may request a Plan for Compliance as a condition of licence renewal. The NWB may also only renew a licence for a short term period. The Board may cancel a licence if it deems it in the public interest to do so.	NWB
Amendment Process	The water licensing process should not be delayed due to requests for information that has been lost due to legacy issues.	NWB, GN-CGS and Hamlets
Amendment Process	The licensee can consider notifying the Board of a modification.	GN-CGS and Hamlets


NWB Issues and Resolutions

Issue	Proposed Resolution	Party to Action
Community Consultation	GN-CGS needs to consult early on in the 5 year capital planning process and during the process. Need to incorporate a scoping aspect to the consultation to identify public concerns. Need to work on Integrated Community Sustainability Plan and community control of plan.	GN-CGS and NAM
Delays in Process	GN may consider applying for a construction licence.	GN-CGS and NWB
Ownership	GN needs to clearly indicate who owns what.	GN-CGS
Monitoring	GN needs to consider the cost of water sampling and monitoring in long term life cycle costs.	GN-CGS




NWB Objectives

- The Nunavut Water Regulations Development Group (NWRDG) is to continue working towards a comprehensive set of Nunavut specific water regulations;
- The Nunavut Water Board (NWB) is to work on the development of a set of Guides to describe the water licensing processes;
- The NWB is to work on the development of a Technical Guide including supplemental information guidelines for municipal developments;
- The NWB and the Nunavut Impact Review Board (NIRB) are to discuss how their processes can be coordinated;







NWB Objectives

- The NWB is to work with Indian and Northern Affairs Canada towards a long term solution for the development of a public water licence data management network;
- The NWB and the Nunavut Planning Commission are to discuss process streamlining;
- The NWB and INAC are to discuss compliance issues;



Overview of GN

GN-CGS


- Delivers capital infrastructure project to Nunavut Hamlets.
- Responsibilities under Financial Administration Act.
- Conducts a "Five Year Capital Planning Process".

GN-DOE





- Regulatory authority

GN-HSS


- Regulatory authority







5 Year Capital Planning Process


1. Project Planning and Prioritization
2. Project Delivery
 - a. Initiation
 - b. Detailed project planning
 - c. Design
 - d. Tender
 - e. Construction
 - f. Warranty



GN-CGS FAQ's

1. Where does funding for community infrastructure come from?
2. Who is the Nunavut Community Infrastructure Advisory Committee (NCIAC)?
3. Can annual budgets be adjusted following approval from the Financial Management Board (FMB)?
4. How does the GN engage communities regarding its five year capital plan?
5. How long is the five year capital planning process?
6. Who owns the infrastructure?



GN-CGS FAQ's


7. What costs are considered in the project's life cycle?
8. How is closure of municipal facilities funded?
9. When in the five year capital planning process is an application submitted to the NWB?

GN Issues and Resolutions

Issue	Proposed Resolution	Party to Action
Compliance	Every request for proposal includes the requirement to upgrade facilities to comply with the water licence as well as to provide an O&M Manual.	GN-CGS
Monitoring	Need to conduct water plant and wastewater training.	GN-CGS and NWB
Closure	GN needs to consider setting aside a fund for closure when planning for a new facility.	GN-CGS
Infrastructure	Extra funding from the federal government is available under the Gas Tax Initiative, Municipal Rural Infrastructure Fund, CSIF, and Capacity Building Fund	GN-CGS


GN Issues and Resolutions

Issue	Proposed Resolution	Party to Action
Monitoring Results	NWB to include environmental health officers in distribution lists	NWB




GN Objectives

- The Government of Nunavut Community Government Services (GN-CGS) and the Hamlets are to develop a simple method for completing compliance assessments;
- The GN-CGS and the Nunavut Association of Municipalities (NAM) are to work on the development of an Integrated Community Sustainability Plan;
- The GN-CGS is to consider options for training operators of water plants and wastewater facilities;
- The GN-CGS is to consider funding for closure of municipal facilities;




Overview of INAC

- Federal department responsible for northern development under the *Department of Indian Affairs and Northern Development Act*, the NLCA, and statutes including the NWNSRTA.
- Environment Division
- Water Resources Division
- Field Operations Division
 - Inspection process




INAC Inspection Process

1. Contact community
2. Visit Site
 - a. Potable water source
 - b. Solid waste disposal facility
 - c. Sewage disposal facility
3. Meet with municipal staff
4. Follow up



INAC FAQ's

1. How are water licences enforced?
2. What may be required if the Inspector issues a formal direction order?
3. What may happen if a licensee fails to follow direction provided by an Inspector?
4. What can a licensee do if they do not agree with an Inspector's direction?
5. How can an interested person obtain copies of the inspection reports?




INAC FAQ's

6. Does INAC enforce drinking water quality?
7. How often are sites inspected by INAC?
8. Are there any opportunities for land and water inspections to be coordinated?





INAC Issues and Resolutions


Issue	Proposed Resolution	Party to Action
Inspection of Compliance Points	The regulated compliance point is set in the water licence and is generally set at the discharge from the lagoon. Additional monitoring at the end of the wetland may be required in the licence but is not the compliance point. Inspector has discretionary powers to require additional monitoring.	INAC



Overview of Hamlets





- To be discussed.









Overview of NPC





- Established under Article 12 of the NLCA.
- Planning responsibilities for the NSA
- Relationship between NPC and NWB.
- NPC Land Use Plan Conformity Determination Process is part of the pre-licensing process.
- Land use planning regions.









NPC FAQ's

1. Which project proposals need to be submitted to the NPC?
2. What information does NPC require to decide whether a project proposal conforms to an approved land use plan?
3. How long does it take NPC to determine whether a project proposal conforms to an approved land use plan?
4. Who at NPC performs the task of determining that a project proposal conforms to the approved land use plan?
5. What happens if the NPC determines that a project proposal does not conform to the approved land use plan?




NPC FAQ's

6. Can the NPC approve of a variance to an approved land use plan?
7. What happens if the NPC determines that a project proposal does conform to the approved land use plan?
8. Are water licence amendments subject to the NPC's process?
9. How is the NPC involved in the municipal planning process?
10. How does the NPC assess cumulative effects?
11. How does the NPC plan to assess cumulative effects?


NPC Issues and Resolutions

Issue	Proposed Resolution	Party to Action
Cumulative Effects	Nunavut wide Strategy in partnership with NTI, GN, and Government of Canada to address provisions to assess cumulative effects	NPC




NPC Objectives

- The NPC is to work on the development of a Nunavut-wide Strategy to assess cumulative effects;




Overview of NIRB

- Institute of Public Government.
- Established under Article 12 of the NLCA.
- Responsible for the environmental assessment of project proposals in the NSA.
- Relationship between NIRB and NWB.
- NIRB screening process is part of the pre-licensing process.




NIRB Screening Process

1. Check for completeness
2. Distribution
3. Screening Assessment
4. Determination and recommendation
5. Minister's decision




NIRB FAQ's

1. What project proposals are exempt from the requirement for screening by NIRB?
2. What are the NLCA Schedule 12-1 (3) definitions of "industrial activity" and "bulk fuel storage"?
3. What information does NIRB require to screen a project proposal?
4. Can NIRB extend its screening process?
5. What additional information is available about the NIRB's processes?




Overview of EC

- Federal authority with scientific expertise.
- Responsibilities under:
 - Fisheries Act
 - Canadian Council of Ministers of Environment
Canada Wide Strategy for the Management of
Municipal Wastewater Effluent (Strategy)
 - Canadian Environmental Protection Act
 - Storage Tank Regulations



EC FAQ's

1. In the absence of regulations under the Fisheries Act, how is wastewater currently managed?
2. What will the proposed effluent regulations include?
3. What are the key elements of the Strategy?
4. How does the Strategy address effluent discharge objectives?
5. What are the timelines for implementation of the Fisheries Act regulations?
6. What considerations does the Strategy make for the Arctic?



EC FAQ's

7. How will the Fisheries Act regulations affect water licences?
8. What conditions does EC recommend that the NWB incorporate into water licences?
9. What is EC's capacity to review water licence applications?
10. What standards will the new Storage Tank Regulations contain?

EC Issues and Resolutions


Issue	Proposed Resolution	Party to Action
Regulations under the Fisheries Act	EC is in the process of developing regulations based on the CCME Canada Wide Strategy for Management of Municipal Wastewater Effluent	EC
Effect of regulations on water licences	Stakeholders should begin planning for monitoring and reporting as soon as possible before they become requirements. Monitoring of CBOD and BOD should begin and plans for new infrastructure should target the proposed effluent discharge levels for CBOD at 25 mg/L and TSS at 25 mg/L	GN-CGS and Hamlets

EC Issues and Resolutions

Issue	Proposed Resolution	Party to Action
Municipal Wastewater Effluent Performance Standards	EC's Arctic Wastewater Working Group is working with the Northern Research Working Group to identify recommendations on performance standards that are reasonable for the North. A full characterization of representative systems is required for 2008/09 and EC is interested in looking for a full scale demonstration project.	EC
Management of Fuel Storage Tanks	New storage tank regulations developed under CEPA are to be promulgated in spring 2008. New regulations will not apply on IOL.	EC


EC Issues and Resolutions

Issue	Proposed Resolution	Party to Action
Incineration	EC plans to conduct a lake sediment study of dioxins and furans in the vicinity of older incinerators to document the link between contaminant source and aquatic fate.	EC
Capacity	EC will notify the NWB if it must decline the review of a water licence application and is seeking to fill two positions.	EC




EC Objectives

- Environment Canada is to continue work on the development of regulations under the *Fisheries Act* based on the Canadian Council of Ministers of Environment Canada Wide Strategy for the Management of Municipal Wastewater Effluent;
- EC's Arctic Wastewater Working Group is to continue working with the Northern Research Working Group to identify recommendations on municipal wastewater effluent performance standards that are reasonable for the North;
- EC is to conduct a lake sediment study of dioxins and furans in the vicinity of an older incinerator to document the link between the contaminant source and aquatic fate;
- New Storage Tank Regulations are to be promulgated under the *Canadian Environmental Protection Act* (CEPA).




Overview of DFO

- Federal authority with scientific expertise.
- Responsibilities under the Fisheries Act to manage, protect and conserve fish and fish habitat.
- Policy for the Management of Fish Habitat.
- Fisheries Act Authorization Process.
 - Operational Statements
 - Fisheries Act authorization




DFO FAQ's

1. What information does the DFO require to review a project proposal?
2. How do the requirements of the CEAA affect DFO's process?
3. When should I contact DFO about my project?
4. Where can I find additional information about the DFO



DFO Objectives

- The Department of Fisheries and Oceans Canada (DFO) is working on the development of an operational statement for temporary stream crossings in Nunavut;




Common Water Licence Renewal/Amendment Issues

General

- Annual reporting
- Plan for compliance
- Water intake flow measuring device
- Effluent discharge flow measuring device
- Signs for monitoring program locations
- Warning signs at water and waste disposal facilities

Water Use


- Location of water supply
- Water use quantity monitoring results



Common Water Licence Renewal/Amendment Issues

Waste Disposal

- Location of raw sewage disposal
- Maintenance and operation of sewage disposal facility
- Freeboard limit for sewage disposal facility
- Notice to Inspector of flow or discharge
- Location of solid waste disposal
- Containment of solid waste, runoff, and leachate
- Segregation of solid waste
- Fish processing waste disposal
- Report identifying final discharge points
- Location of contaminated soil disposal
- Landfarm soil quality
- Quarry management plan




Common Water Licence Renewal/Amendment Issues

Construction and Modification

- Construction summary report and/or as-built record drawings
- Notice of modifications
- Design drawings

Operations and Maintenance

- Operations and Maintenance Manual
- Geotechnical inspection report
- Spill reporting
- Spill contingency plan
- Spill contingency plan for aggregate deposits




Common Water Licence Renewal/Amendment Issues

Abandonment and Restoration

- Abandonment and restoration plan
- Decommissioning summary report
- Report identifying all existing abandoned facilities

Monitoring

- Effluent monitoring results
- Acute toxicity monitoring results
- Thermistor monitoring results
- Monitoring program and implementation plan
- Quality Assurance / Quality Control plan



Common Water Licence Renewal/Amendment Issues

Monitoring Cont'd

- Sewage solids monitoring results
- Raw sewage influent monitoring results
- Runoff from solid waste disposal facility monitoring results
- Groundwater monitoring results
- Wastewater treatment levels upstream and downstream of wetlands
- Landfarm effluent monitoring results
- Runoff from sludge disposal area monitoring results

APPENDIX E. WORKSHOP MEETING NOTES

MEETING NOTES
Workshop on Municipal Water Licensing in Nunavut

DATE: October 15th and 16th, 2009

VENUE: Cambridge Bay, Nunavut – Arctic Islands Lodge Northwest
Passage Room

This document is a compilation of notes taken by NWB staff during the Workshop and is not intended to be read as meeting minutes.

Objectives:

- Confirm the accuracy of information provided in the draft Operational Guide to Municipal Water Licensing (Operational Guide) concerning the various stakeholders to water licensing in Nunavut;
- Confirm the status of resolutions proposed at 2008 Workshop;
- Further the development of strategies to improve the water licensing process for municipalities in Nunavut.

Participants:

Government of Nunavut Community Government Services (GN-CGS)

- Roy Green (RG), Director of Community Infrastructure
- Thomas Livingston (TL), Regional Municipal Engineer
- Sudhir Kumar Jha (SKJ), Senior Project Officer
- Wayne Thistle (WT), Regional Projects Manager

Government of Nunavut Department of Environment (GN-DOE)

- Dee Karadag (DK), Territorial Environmental Assessment Coordinator & Scientist

Nunavut Impact Review Board (NIRB)

- Li Wan (LW), Technical Advisor
- Kelli Gillard (KG), Technical Advisor

Indian and Northern Affairs Canada (INAC)

- Michael Nadler (MN), Regional Director General
- Melissa Joy (MJ), Water Resources Officer
- LouAnn Cornacchio (LC)

Environment Canada (EC)

- Mary Kelly (MK), Physical Science Officer

Dillon Consulting Limited (Dillon)

- Jennifer Spencer (JS)

Nunavut Water Board (NWB)

- Dionne Filiatrault (DF), Executive Director
- David Hohnstein (DH), Director of Technical Services
- Phyllis Beaulieu (PB), Manager of Licensing
- Don Carr (DC), Technical Advisor

- Richard Dwyer (RD), Licensing Administrator
- Ida Porter (IP), Administrative Assistant
- Ben Kogvik (BK), NWB interpreter/ translator
- Catherine Emrick (CE), NWB Legal Counsel
- Karlette Tunaley (KT), NWB Facilitator

Reference Materials

- Revised Agenda (hardcopy)
- Presentation (hardcopy)
- draft Operational Guide to Municipal Water Licensing in Nunavut, September 2009 (electronic copy)
- Summary of 2008 Workshop on Municipal Water Licensing in Nunavut, September 2009 (electronic copy)

Thursday October 15th, 2009

1. Welcome and introductions (presented by DF)

Slide 2: Welcome

Parties around the table introduced themselves.

Parties were asked to provide names and contact information on sign-in sheet circulating around the table.

Parties were advised that the reference materials listed above were available at the back of the room.

DF stated that the NWB would be taking notes of Workshop discussions and tracking the status of resolutions proposed during the 2008 Workshop.

DF stated that translation could be provided by the NWB's interpreter/ translator if required. No requests for translation were forwarded.

Slide 3: Welcome

DF outlined the Workshop objectives and Operational Guide objectives.

2. Agenda (presented by DF)

Slides 4 and 5: Agenda

DF stated that the schedule of discussions may need to be modified depending upon when INAC representatives arrived.

DF stated that the NWB does not normally deal with the Hamlets and that the NWB was looking to workshop participants for information regarding the Hamlets' role.

DF stated that the Nunavut Planning Commission (NPC) and Department of Fisheries and Oceans (DFO) were not represented at the Workshop.

3. Recap of 2008 Workshop (presented by DF)

Slide 6: Recap 2008 Workshop

DF stated that the 2008 Workshop was a joint initiative between the NWB and the GN.

DF stated that the introduction to the Operational Guide provided a detailed list of attendees of the 2008 Workshop.

DF stated that a hardcopy of the document “*Summary of 2008 Workshop on Municipal Water Licensing in Nunavut*” was available at the back of the room.

DF stated that the Operational Guide should address the role of GN-CGS’s consultants.

4. Overview of the Operational Guide (presented by DF)

Slide 7: Overview of draft Operational Guide

DF stated that the Operational Guide was specific to Nunavut and does not address the NWT.

DF stated that the Operational Guide was developed in part recognizing the degree of staff turnover within agencies.

DF stated that the Operational Guide would fit into the NWB’s Guide series and become a public document. Once substantively complete the Operational Guide would be presented to the Board.

5. Overview of the NWB’s licensing process, status of NWB resolutions and group discussion (presented by DF)

Slide 8: Overview of NWB

DF stated that the Operational Guide would need to be updated upon passing of the Nunavut Water Regulations.

Slides 9 and 10: Pre-licensing

DF stated that the pre-licensing process is not discussed in Part A of the Operational Guide. Pre-licensing is discussed in Parts D and E which address the roles of NPC and NIRB in the water licensing process.

DF stated that the NWB’s Guides outline the process envisioned by the NLCA, NWNSRTA and NTWR. The new legislation under development for NPC and NIRB support a one window approach.

DF stated that the Operational Guide should address to what degree regional land use plans address municipalities.

DF stated that if the proponent is not sure whether a NIRB screening is required, to send the proposal to NIRB.

DF stated that at present, the NWB is performing the applicant's role by forwarding applications to NPC and NIRB.

DF stated that the new regulations will clarify the pre-licensing process.

TL asked whether renewals and amendments go through the pre-licensing process.

DF confirmed that the short answer was yes.

TL stated concern over timelines of NPC and NIRB process.

DF stated that to date the NIRB has not recommended that any municipal project go to review. The screening process is 45 days with possibility for extension from the Minister.

TL stated concern that NIRB process could set project's timeline back by a year.

DF stated that NIRB and NWB are working together to look for ways to coordinate NIRB screening process with NWB water licensing process.

TL stated that previous projects that have been screened by NIRB take more than 45 days. It is important to understand the process for project planning purposes.

DF stated that both the NWB and NIRB consult the public including the same agencies. NIRB and NWB are trying to streamline the NIRB review process and NWB notice period. A joint notice is an option. This is an issue for the NIRB's legislation which is under development. DF recommended that TL review NIRB's legislation and provide comments. Once legislation is passed it will be more difficult to streamline the processes. DF offered to show legislation to TL and highlight the application section.

DF clarified that generally NIRB applies only to type A water licence applications such as Iqaluit, Cambridge Bay, and Arviat. Type B water licence applications are not typically subject to NIRB.

DF stated that NIRB and NWB are working together to develop a detailed coordinated review process for the Mary River project. A Memorandum of Understanding (MOU) may be developed.

MJ stated concern over timelines for responding to inspector's directions with the goal of emphasizing priorities.

DF stated the need to link all process from CGS capital planning process to enforcement process including the timeline for issuing inspector's directions.

TL stated that sometimes it takes three (3) years to get funding and that it would be good to take into consideration compliance requirements as part of funding.

MJ stated that legacy issues which return every 2 or 3 years need to be addressed. INAC has the authority to carry out work to address inspector's direction if licensee cannot.

RG stated that GN and INAC are working together to resolve legacy issues and link compliance issues with the capital planning process.

DF backtracked to the NIRB's and the NWB's processes, noting that the NIRB's information requirements are different from the NWB's information requirements. The NWB requires more detailed design information. Consideration may be required for fitting environmental assessment versus detailed design into the capital planning process.

DF stated the need to adopt a science based approach to design. Currently, designs are not based on site specific environmental factors. Instead, designs have been based on the "Bluebook" prescriptions. Site specific baseline data collection is needed for environmental assessment and assessment of site alternatives. This work would be conducted one season prior to submitting project proposal to NIRB and results would be included in submission to NIRB. The NWB would be engaged for review of the detailed design.

DF stated that the Operational Guide should address the "Bluebook" and describe what it is.

DF stated that the Bluebook is difficult to apply to specific sites.

DF stated that applications for water licences for mine development projects establish water quality objectives based on baseline work.

DF stated that baseline data and ongoing monitoring data supports reclamation objectives. This is particularly important for instilling confidence at the community level.

TL stated that Nunavut is very large and that each community is located in a distinct environment with varying ecology, vegetation, seasons, etc. Therefore need to design each lagoon to site specific standards.

TL stated concern for new CCME CWS Strategy and the standards of 25 mg/L CBOD and 25 mg/L TSS proposed in the Strategy. TL stated that the GN did not sign the Strategy due to funding issues.

DF questioned whether the Strategy was science based and whether or not it could deviate from the 25/25 standards if science was provided.

DF stated that the NWB is working on other initiatives including Technical Guides. The Board can create water quality objectives. The water regulations working group decided not to develop water quality standards. NWB wants to put water quality standards into a Technical Guide to provide more flexibility to applicants and reviewers. Production of initiative is one to two years away.

Slide 11: Processing a type "B"

DF described process for a type B water licence application, noting the steps identified as “NWB conducts preliminary completeness check” and “if, required, applicant provides additional information” as a problem areas. The NWB has yet to receive a 100% complete application for municipal development. DF stated that the NWB originally adopted NWT questionnaires which are outdated. Therefore, the NWB is developing Supplemental Information Guidelines (SIG). The NWB will consult with parties on the development of its SIGs.

DF stated that the NWB water licensing process in the last process in the NLCA decision making process and that parties use the water licensing process as a catch all. NWB often receives comments that are outside its mandate such as comments on wildlife. The SIG is being developed as a checklist which the applicant will need to complete identifying where required information is provided. The NWB needs comments on the SIG from the GN and interveners.

MK asked which party is the applicant, the Hamlet or GN-CGS.

DF stated that the Hamlets are the applicants, but do not have expertise. Historically, the GN applied on behalf of the Hamlets. In beginning, few Hamlets were licensed and there was limited enforcement. When the NWB took over, the Board pushed to get the Hamlets licensed. In beginning, the GN took the initiative to build licensing into its RFPs.

MK asked who to contact if EC needs more information.

DF stated that NWB had asked for a letter to indicate that the GN was working on behalf of the applicant. There is a standing letter authorizing the GN or its consultants to work on behalf of the Hamlets. We need to develop a communications strategy into the Operational Guide that highlights who to speak to. To date, lines of communication have not been consistent. It is important to make sure that correspondence goes to both the GN and the Hamlet. The NWB sometimes gets caught in the middle when GN proposes a system but the Hamlet has concerns over the GN's proposal.

RG stated that DF was correct. The Hamlets perceive that the GN imposes projects upon them. The GN has changed the capital planning process to improve community involvement through consultation. Identification of future needs through technical assessment and consultation and is required two (2) years in advance of capital plan (ie. 2009 needs are required for 2011 capital plan).

MJ noted that some communities have difficulty accessing facilities and choose to deposit wastes in more convenient areas.

MK asked who is responsible for complying with the water licence.

DF stated that discussions are required between the GN, Hamlets, NWB and INAC.

MJ noted that Hamlets are not aware of water licence requirements.

DF stated the need for a communications strategy.

RG stated that the need for a communications strategy with the Hamlets came out of the GN's report card.

DF asked whether the GN's communication strategy could be built into the Operational Guide.

RG stated that the communications strategy would be public and would be issued quarterly or semi-annually with participation from NAM.

MJ stated that accountability controls were required outlining consequences of non-compliance. Transfer of all accountability to the Hamlets may not be effective. An accountability framework between the Hamlets and the GN is needed. Incorporate a report card system consistent with licence requirements. A good report card would allow funding for the following year.

RG stated that different departments in CGS are responsible for funding operations and funding capital costs. Darren Flynn is the director of Community Infrastructure Development and is responsible for operation and maintenance costs. If operations funding is not used properly and facilities are not maintained properly, then capital costs increase to replace neglected facilities.

RG stated that in-house communication is also required. There is a process for identifying priority projects and developing a 5 year plan. However, emergencies occur which require deviation from the plan. The 2010/2011 priorities are going to legislation in November 2009. Information is public and may help regulators prepare for future developments.

RG stated that the legislature votes one year at a time based on the 5 year plan. GN is trying to conduct technical assessments to determine what is needed and then move to planning and design. In year 1 of the 5 year plan money is needed for technical assessment. In year 2, money is needed for planning. In year 3, money is needed for design.

RG stated that as part of the Gas Tax Initiative (GTI) the GN is working on a long term sustainability plan. This plan involves an inventory of all existing community infrastructure, visits to every community, and lists of what infrastructure is needed.

RG stated that the capital planning process outlined in the Operational Guide requires revision.

DF asked whether there were any conditions to using the gas tax funding.

RG stated that gas tax funds were to be used for waterworks.

DF asked whether the gas tax funds included administration.

RG stated that the gas tax funds included only physical works.

RG stated that the GN has hired a consultant to go to each community to assess their systems. These visits will tie into the community consultation process and be used in the development of a 20 year needs assessment. It is expected that the consultant will have been in all communities by this fall/winter.

DF asked whether documentation about the needs assessment will be made public.

RG stated yes. RG also stated that a report regarding Gas Tax Federal Funding for Green Projects (sewage and solid waste projects) goes to Canada.

---Break for lunch---

Slide 12: Processing type 'B'

DF continued to describe the process for a type 'B' application.

DF stated that the NWB has declared emergency circumstances only once for Pangnirtung. Amendments for emergency circumstances require approval from the Minister. The Pangnirtung emergency amendment was processed in one week.

TL asked for a hypothetical example of an urgent circumstance.

DF stated that an emergency discharge was approved for the Lupin Mine. If the NWB did not deal with the situation, there would have been an adverse environmental impact.

TL asked what kinds of things trigger a review.

DF stated the general public rarely submits comments. If several concerns are expressed and if following the technical review phase there are still unresolved technical issues, the Board may go to a public forum. Public forum allows the Board to hear evidence from all parties including the applicant and interveners to make decisions. Public hearing requires the presence of all parties rather than a written exchange. Only two (2) community type B water licence applications have gone to a public hearing, Igloolik and Cape Dorset. The Board went to a public hearing for Igloolik because it was trying to better understand municipal issues.

Slides 13 – 14: Processing a type 'A'

DF described the process for a type 'A' application.

DF noted the benefit of technical meetings in that the applicant only needs to respond once to multiple similar comments.

Slide 15 – NWB FAQ's

DF outlined the NWB's FAQ's and provided an overview of the answers provided in the Operational Guide.

DF stated that the draft Nunavut Water Regulations required sufficient time for consultation and would be ready in May or June 2010.

DF stated that the Board members are decision makers, but that they need quorum to make a decision. Last year the number of board members dropped to four. Panels of three members were established in forecast of the lack of members but it was difficult. Currently there are seven members on the Board, but one will be lost soon. Therefore the Board member appointment process needs to start early.

DF stated that FAQ number 5 regarding the question “To what geographic extent does the NWB’s authority apply?” would be removed from the Operational Guide because it is not applicable to municipalities. This FAQ will be replaced with the question “What is the NWB’s jurisdiction?”

DF stated that the NWB’s jurisdiction applied to freshwater, not the marine environment. DF asked if Environment Canada regulates deep water marine discharge such as the discharge in Rankin Inlet.

DF asked where the NWB’s jurisdiction ends and EC’s responsibilities under the Arctic Waters Pollution Prevention Act begin. How should this zone be evaluated? If waste is discharged to a ditch that flows to the ocean, the discharge is in the NWB’s jurisdiction. The NWB may request information as part of its application about systems that discharge directly to the ocean to confirm that a project does not fall within its jurisdiction.

MJ asked what happens if the location of a facility or an activity changes.

DF stated that licences generally have flexibility built into them to deal with minor changes. If the change is related to operations and technology, the licensee could provide information as an addendum to their Operations and Maintenance Manual and submit the addendum as part of their annual report. A more substantial change may require the licensee to notify the Board of a modification to the existing system. Upon receipt of the notification, the Board has sixty (60) days to decide whether it requires more information regarding the modification. If the change involves a whole new system, the licensee must apply for an amendment.

MJ noted that in the spring changes to culverts are required.

DF stated that culvert changes could be considered as a modification. If changes involve a diversion an amendment would likely be required.

MJ stated that a building development was being proposed in a wetland area and asked whether this type of development would have an impact on water and therefore require a water licence.

DF stated that land use planning is important and noted that NPC has mapped municipal watersheds. There are community land use plans and zoning plans. The developer should be conducting public meetings regarding zoning.

MJ asked who is responsible in this case for applying for a water licence, the contractor, or the Hamlet.

DF stated that this is another communications issue for inclusion in the Hamlet section of the Operational Guide. The Operational Guide should address (1) how municipal plans are integrated into the overall process and (2) responsibilities of land use holder versus operator. In this case, the Hamlet should apply for a diversion.

CE agreed that the operator could be licensed but that would be the exception, not the rule, as the contractor likely is not present for the life of the project. The Hamlets should have build, construct, and transfer agreements in place and the contractor would make sure that permits are in place.

TL asked whether community land use plans should be reviewed by the NWB.

DF stated that the Board could not comment on the plans due to a perception of bias, but that the Board should be copied on community land use plans.

KT stated that community land use plans should go to the NPC in accordance with the MOU between GN and the NPC. The MOU is included in the document entitled "Summary of 2008 Workshop on Municipal Water Licensing in Nunavut."

MN asked whether the municipal plans were public

TL stated that they were available from an ftp site.

DF stated that the NWB should develop a Technical Guide to address activities that the Board considers as modifications.

(MN, LC, and WT arrived)

Slide 16: NWB FAQ's

DF stated that water use thresholds in the Northwest Territories Water Regulations (currently adopted by the NWB) for type A and B licences are based on population estimates. The Nunavut specific water regulations under development have converted the population estimates to water use estimates based on the World Health Organization (WHO) water use records.

TL stated that the NWT water regulations were based on water use rates of 90 L/per/day. However, the GN has done research on water use and found that water use in the Kitikmeot is just over 100 L/per/day.

DF stated that water use thresholds in the Nunavut specific water regulations are based on the WHO records at a rate of approx. 120 L/per/day. DF was uncertain about the final number but suggested that TL ask the questions when the water regulations go out for consultation.

MK stated that the thresholds should be based on Nunavut specific rates.

MN stated that there is some risk in using own standard.

DF stated that it would make sense to base thresholds on WHO recommended rather than average rates.

TL stated that the GN generally issues tender documents in February – March for construction in June.

DF stated that there are cases where the NWB receives applications two months before scheduled construction.

TL stated that the communities need to understand that planning takes time and that there are phases. Even though projects are announced today, they will not be on the

ground tomorrow. Community Government Services RFP requires the consultant to file the water licence application. In year 1, plan and design tenders are issued (at the end of March). In year 2, the construction contract is tendered. Time for the NWB review is needed.

RG stated that the construction contract tenders should not be issued until the licensing and permitting is in place.

RG states that communication is needed between all three levels of government including the federal government who provides funding, the GN and NAM.

DF stated the need to meet with all communities at the same time, not just one at a time because individual communities do not understand the needs of other communities.

TL raised the issue of funding carry over and that all the money is needed up front.

MN stated that INAC is proactive to extend the expiry of funding.

It was questioned whether a water licence application fee of \$30 was required for municipal projects. CE noted section 7 of the NWNSRTA.

Slides 17- 18: NWB FAQ's

No comments

Slide 19: NWB FAQ's

Regarding FAQ number 32 "Does the Canadian Environmental Assessment Act (CEAA) apply to municipal water licence applications?" it was noted that municipal projects are funded by the federal government, but they are exempted from CEAA under the NLCA amendment.

Slides 20 – 31: NWB Issues and Resolutions

See comments in the attached table entitled "Summary Table of Key Issues and Resolutions".

Regarding the inspection reports issue, MN stated that letters of direction from inspectors are serious to licensees.

DF asked how INAC prioritizes the content of letters of direction.

MN stated that INAC is restructuring the format of inspection reporting. From a municipal perspective, letters of direction are intimidating. MN clarified the role of enforcement as a partner in problem solving compliance issues. MN stated that INAC wishes to initiate dialogues with the Hamlets to help solve problems and promote voluntary compliance before issuing letters of direction.

DF stated that a Technical Guide to enforcement is required.

DF asked INAC if it could requests that dialogue reports be fast tracked to address active applications on file.

MN agreed.

Slides 32-33: NWB Objectives

No comments

---Break for dinner---

6. Overview of the GN-CGS's capital planning process, status of GN-CGS resolutions and group discussion (presented by DF)

Slides 34 and 35: Overview of GN and 5 Year Capital Planning Process

RG stated that the capital planning process is a five year process, but funding can only be appropriated one year at a time for planning and construction. RG asked how to fit the water licensing process into their process. The GN cannot apply for a water licence until the planning and design phase. Therefore they end up sitting on construction funding while the water licence is processed.

DF stated that when a water licence application is submitted at the construction phase it requires immediate Board attention. However there have been systematic compliance issues that do not allow that to happen. DF noted that the need for a licence amendment is often triggered by an upgrade to a facility's design. If the licensee knows today that their licence is subject to renewal or amendment and an implementation schedule projecting when the facility will be constructed can be provided, then the NWB can issue a licence and require design details to be submitted for Board approval as a condition of licence approval 6 months prior to construction. At the time of application, the applicant/ licensee could submit conceptual plans. That way, planned facilities could be built into the licence and therefore not subject to amendment applications. The design details become a technical requirement and are not restricted by the thirty (30) day notice period. Detailed designs, approved under a licence condition, would be subject to additional conditions of approval.

CE asked whether the review of detailed drawings as part of a condition of an existing licence would receive as rigorous a review as an amendment application.

DF asked what level of detail would be required in a conceptual plan.

DF provided example of the Meadowbank Gold Mine's Vault dike. DF noted that a good conceptualization would be required. An alternatives assessment should have been done, and the NWB needs a clear understanding of the preferred option. NWB normally relies on NIRB to review the alternatives assessments.

MN noted the Jericho Diamond Mine example.

CE noted that there are less issues with reclamation in Hamlets.

MN stated that the Hamlets are not going away.

DF noted the Iqaluit example where the alternatives assessment was provided and preliminary designs (~60% of tender design) were also provided. A licence was issued and the following September the licensee wanted to commission the facility. The Board issued a letter of approval with additional terms and conditions.

DF asked about the various GN departments

RG and TL listed the following departments:

- Projects (Tom Livingston)
- Infrastructure (Roy Green)
- Community Development (Darren Flynn - funds licence compliance and maybe reclamation)
 - Lands and planning (Robert Chapple) is a sub-division of community development
- Technical Services (Nelson - provides support in the capital planning process, does technical assessments such as structural testing, participates in planning and design phase.

TL noted that more information on CGS divisions was posted on their website.

RG stated that the capital planning process in the Operational Guide required revision. However the project delivery section was correct.

Slide 36 – 37: GN-CGS FAQs

Regarding FAQ #1 “Where does funding for community infrastructure come from?”, RG stated that funding under the MRIF had all been allocated and that the time to complete MRIF funded projects was extended to 2013. RG also stated that the MRIF had been replaced by the Building Canada Fund.

RG stated that the Gas Tax Initiative fund had been extended another four years to 2014 with an addition \$60 million dollars.

RG also noted the Canada Strategic Infrastructure Fund which expires in 2013 and will not be renewed.

RG stated that he had not reviewed the content of the Operational Guide, but would provide comments.

Regarding FAQ #2 “Who is the NCIAC?”, RG stated that the NCIAC was composed of 3 majors and GN-CGS division representatives. NCIAC recommended projects that should be rolled into the capital planning process.

Regarding FAQ #3 “Can annual budgets be adjusted following approval from the FMB?”, RG stated that there is an a supplemental appropriation process to seek funding if required. It goes through the FMB and requires final approval from the legislative assembly. RG noted that there is some flexibility for departments to move between budgets.

Regarding FAQ #4 “How does the GN engage communities regarding its five year capital plan?”, RG stated there is a new process.

RG offered to review the FAQ’s and the answers.

RG stated that once a project is complete, it is transferred to the community and that life cycle costs are adjusted accordingly.

Slides 38 and 39: GN Issues and Resolutions a

See comments in the attached table entitled “Summary Table of Key Issues and Resolutions”.

DF stated that water plants are outside of the NWB’s jurisdiction and mandate.

Regarding compliance and monitoring issues, GN stated that Dillon is assisting Hamlets to come into compliance with their water licences. Municipal Training Officers need to develop courses.

Regarding funding for closure, it was noted that conceptual abandonment and restoration plans were required at the application stage. GN stated that a liability account was being set up and that the capital planning process should include closure planning.

PB agreed to email TL contact information for the regional health officer.

Slide 40: GN Objectives

Not discussed. See notes on previous discussions.

7. Overview of INAC’s inspection process, status of INAC resolutions and group discussion (presented by DF)

Slides 41 and 42: Overview of INAC and INAC Inspection Process

MN introduced INAC and described its roles and responsibilities with respect to the NLCA and NWNSRTA which include natural resource management for land and water on crown land, as well as minerals, oil and gas. MN described INAC responsibilities for appointing NWB Board members and the Minister’s responsibility for approving type A water licences. MN also noted the enforcement mechanisms of the NWNSTRA and NLCA.

MN noted INAC’s programs for community development, and stated that INAC is no longer responsible for funding which has been transferred to Canadian Economic Agency for the North (CanNor).

MN stated that INAC has role in enforcement, but it is changing its focus to bringing licensees into compliance rather than punishments and consequences.

MN offered to provide text for the Operational Guide.

MN noted that depending on time, inspector site visits include inspection of fuel storage facilities. Shops and businesses in the communities as well as waste handling sites, Hamlet garages, expeditors, are visited to determine how waste sources affect waste management.

The impact of other waste sources on community waste disposal facilities was discussed such as construction wastes from Hamlet expansions, exploration sites, etc. These waste volumes may not have been considered in initial disposal site design. The Hamlets may need to pass a by-law that allows for control of the facilities. Community residents often use alternate disposal sites due to the accessibility of the designated disposal sites. The GN needs accountability from the Hamlets on funding and operation of the facilities, such as controls that impact the Hamlet's delivery of service.

MN stated that it is an incremental process.

DF stated that a review of the terms and conditions of municipal water licences is needed to make sure that they are enforceable and practical. Review process should involve other parties. This may be an initiative for next year.

MN stated that INAC provides notice to the Hamlets of its inspections and will meet with Hamlet staff if they are available.

MJ stated that Hamlet staff are often not available during inspections. The SAO will delegate the Hamlet foreman to accompany the inspector.

It was noted that inspectors need to warn GN staff of inspections as well.

It was noted that on weekends the standards for operating and managing water supply and waste disposal facilities may be different because casual staff are working.

Slides 43 and 44: INAC FAQs

MN offered to revise INAC section of the Operational Guide.

MN stated that inspection reports can be obtained directly from INAC.

Regarding FAQ #8 "Are there any opportunities for land and water inspections to be coordinated?" INAC stated that coordination issues are broader than land and water and that INAC does not have jurisdiction for land within communities, just water.

Slide 45: INAC Issues and Resolutions

It was noted that the inspector has discretionary powers to require additional monitoring, however this may be requested only to paint a picture. It is not INAC's responsibility to pick the Final Discharge Point. INAC comments on the location of the FDP during the water licensing process but the Board makes the final decision. In some cases it is difficult to define the final point of control.

MK stated that EC can provide updates to the EC section of the Operational Guide but EC headquarters must review.

---End of Day 1---

Friday October 16th, 2009

8. Discussion of Nunavut Hamlets (presented by KT)

Slide 46: Overview of Hamlets

KT stated that information regarding Nunavut Hamlets is needed for the Operational Guide. So far the group has discussed the need for a communication strategy with the Hamlets, Hamlet responsibilities, the need for accountability controls and by-laws, providing training to the Hamlets about the processes, providing training for monitoring, and the role of NAM.

The role of NAM versus NAMA was discussed. NAM is comprised of mayors whereas NAMA is comprised of SAO's and as a result is more technically focussed. RG agreed to provide contact information.

SKJ stated that there are NAM/NAMA regional meetings. SKJ agreed to assist the NWB in contacting NAM/NAMA so that the NWB could possibly speak at a meeting.

WT stated that training is key for sampling etc. A training school for operators is needed. Consider involving the Arctic College.

TL stated that Dillon is going into the communities to train and to discuss compliance issues with each SAO. This is a 2.5 year project. It was noted that it is the Hamlet's responsibility to mark the SNP points and that the Hamlets need reminders to conduct sampling. It was suggested that the lab could send the bottles as a reminder.

TL stated that the GN needs to be more involved. The MTO pilot course uses a guide developed for the Kitikmeot. After Dillon's project, the GN needs to continue the training momentum.

The role of GN-DOE's renewable resource officer in the communities was questioned. This issue requires internal discussion at the GN.

WT asked whether the MTO training could be expanded to include training of young people just graduating from high school to help them decide upon a career.

MJ stated that the Arctic College in Iqaluit has an environmental management course. This course needs to be offered regionally. MJ agreed to provide contact information for Arctic College to the GN.

TL stated that an operator course is offered in conjunction with the NTWWA conference. It is not hands on.

KT stated that a list of training initiatives or resources should be compiled for inclusion in the Operational Guide.

DF stated the communication strategy should also be incorporated into the Operational Guide.

Slides 47 to 51: Overview of NPC, NPC FAQ's and NPC Objectives

Not discussed.

9. Overview of EC, status of EC resolutions and group discussion (presented by KT)

Slides 55 - 61: Overview of EC, EC FAQ's and EC Objectives

stated that the new Storage Tank Regulations are now in effect and that they apply to community lands. They do not apply to Inuit Owned Land.

MK stated that the CWS Strategy for Municipal Wastewater Effluent was endorsed in 2009 and that regulations are going to Gazette in 2010 and should be in effect sometime late in 2010. However, the timeline for the north is different. There is a five year window for the north to collect data. EC is collected long term baseline data in four communities in NWT, NU, Northern Quebec, and Labrador. Short term (1 – 2 years) data is being collected in 12 additional communities.

TL stated that the status of sewage lagoons needs to be considered. Some are completely unengineered.

MK stated that the Strategy tries to capture natural lakes, wetlands, as well as engineered cells.

MK asked TL how historical data is stored regionally.

TL stated that the GN is trying to change how it stores data so that it can be shared between regions.

TL stated that he is willing to share what GN has with EC.

MK discussed the Northern Research Working Group of which DH is a member. Information about the group can be found at www.mvlwb.ca/NRWG

MK stated that EC's goal is to recommend standards for the north based on research by 2014. EC is collecting all of the literature related to arctic wastewater treatment.

DF stated that there was a wetlands study conducted in three communities to help develop guidelines, but the guidelines were never finalized or formally used.

MK stated that Anne Wilson was present at the 2008 Workshop and would know better about any incinerator and lake sediment studies conducted in the north. MK agreed to follow-up.

MK asked GN whether it had considered the use of incinerators for communities.

TL stated that the GN has found that incinerators are not cost effective due to their fuel consumption. The communities do not generate the amount of waste to support the need for incinerators.

MJ stated that incinerator operators would require training and noted the incidence where a fire broke out when a seal was placed in an incinerator.

TL stated that the GN is trying to develop a scrap metal plan for smaller communities including a recycling program for pop cans etc. GN is initiating a dialogue with NTCL about barging out recyclables and some hazardous wastes.

DF agreed to send TL and MJ a guideline for burning waste oil.

MK stated that when the CWS Strategy becomes law and applied to municipal wastewater, excluding Nunavut, NWT, Northern Quebec and Labrador, there will be a one year period for collection of baseline data for cBOD and TSS and residual chlorine. Chlorine is not relevant to Nunavut though. The new regulations will require monitoring of effluents for these parameters and provide one year to come into compliance.

TL stated that this only applies to existing systems and that new systems will be required to be in compliance from the onset.

It was noted that it is difficult to meet timing parameters for testing, particularly in the winter. The availability of labs was noted as an issue. Information on labs needs to be shared and mechanisms for making equipment available need to be developed.

WT stated that there is a lab in Baker Lake that was used by Brent Wooten for his research. However nobody is available to do the testing.

MK asked GN whether they conduct safety training for manhole/ access vaults and stated that there may reason for concern over safety with respect to confined space entry as well as chemical handling. Lagoons are known to have access vaults. A section in the Operational Guide should be added to address GN HSS and Environmental Health Officers. DK agreed to provide contact information to KT.

MK stated that it presented the current Strategy in March to seek comments on how it might be implemented in the north. The grace period was intended to provide data, but in the north it is also needed for training.

TL stated that its design engineers have already started to design for the new 25/25 (not old 120/180) standards even though those standards are not yet required for the north. There is a perception issue and this will affect the GN's ability to deliver projects. It is difficult to determine the impact of effluent quality because site specific data is not available. Engineers may fall back on mechanical sewage treatment plants to meet the 25/25 standards, but mechanical systems don't currently work in the north. Effluent quality standards should be economically and environmentally feasible for the north. This highlights the importance of EC's research. The cost for the GN to transfer to tertiary treatment from primary treatment is not feasible.

MK stated that EC does not envision mechanical treatment as a solution and noted that the existing 120/180 standard is also prescriptive.

MJ stated that INAC has historical sampling data and that attempts to sort the data by sampling point have been made so that it can be shared. The data is not perfect and there are gaps, but it provides some information.

DF stated the need to develop a data network system and mapping system and asked how to move forward with INAC regarding funding. There is a need to identify sources of data and get someone to enter the available data. Could use an existing database and add new layers of water and effluent quality data. Initiative should be a priority.

10. Overview of NIRB's screening process, status of NIRB resolutions, and group discussion (presented by KT)

Slides 52 – 54: Overview of NIRB, NIRB screening process, and NIRB FAQ's

DF stated that much of the NIRB content came directly from the NIRB's Guides.

LW stated that many of NIRB's issues are outside the water licensing process. However, access roads and quarries may have impact on water from dewatering of quarries prior to seasonal use, water diversion or water crossing. NIRB requires information on these types of developments from GN-CGS.

DF stated that historically, municipal quarries were not regulated. However quarries have the potential to produce acid rock drainage and they require reclamation. Sometimes the quarries are within the community and sometimes they are located outside the community boundaries. There is an administration agreement between CGS and communities whereby communities charge individual users of quarry material. More recent municipal licences address quarries. The NWB needs to know where material is being obtained and whether a NIRB screening has been completed. The NWB's new SIG includes the requirement to provide information regarding quarries.

There was also discussion regarding whether a renewal or amendment should go back to NIRB for screening and that this issue is related to an earlier discussed issue regarding how the NWB deals with project changes to operations, modifications, and amendments.

DF stated that the Operational Guide should address these issues.

It was noted that the WCB may have some jurisdiction over quarries.

DF stated that standard forms should be included in the Operational Guide within an appendix or include a weblink to forms.

Slides 62 – 69: Overview of DFO, DFO FAQ's, DFO Objectives, and Common Water Licence Renewal and Amendment Issues

Not discussed.

11. Wrap – up (presented by KT)

The following discussion items were recorded on flipcharts during the meeting and briefly reviewed during the wrap up session:

1. Coordinated NIRB/NWB process
2. Impact of pre-licensing on GN-CGS project delivery

3. NIRB legislation
4. Science based approach versus prescriptive designs
5. Hamlet versus GN-CGS as applicant/licensee
6. Communications strategy
7. Map/link GN capital and operating planning process to environmental assessment, licensing and compliance processes
8. Gas Tax Initiative 20 yr needs assessment outcomes and link to licence renewal process
9. What triggers a public hearing
10. Examples of “urgent” circumstances
11. Marine versus freshwater jurisdiction
12. How does NWB deal with changes to operations and technology; modifications; and amendments
13. How are municipal plans integrated into the process
14. Water use thresholds
15. Informing Hamlets of processes
16. Abandonment and restoration legacy issues
17. Review of standard terms and conditions of municipal water licences
18. Accountability controls
19. Memorandum of Understanding (MOU) on coordination/cooperation between NWB, INAC, GN, and NAM
20. Approving conceptual (pre-design) plans, level of detail, adding terms and conditions without amendment application
21. Waste management by-laws
22. GN, INAC, EC provide written comments on Operational Guide
23. INAC to copy NWB on dialogue letters
24. Address culverts in NWB regulations
25. Information sharing on issues regarding training, lab facilities, monitoring, and literature
26. Update contact information
27. Build NAM and NAMA section of Operational Guide
28. Long term training for operators and samplers
29. Public Health and Safety
30. Role of GN Environmental Health Officer and GN Environmental Protection Officer
31. Engineering perception of new CCME guidelines
32. Quarries
33. When should the licensee go back to NIRB for screening
34. Industry versus municipal standards
35. Manual should include standard forms as appendix

The following next steps were proposed:

1. Plan another workshop in approximately 1.5 years time. The next workshop should focus on key issues and less on process and make clear any expectations of participants. The next workshop should be held in Kivalliq region, maybe Rankin Inlet in conjunction with a NAM/NAMA meeting. The next workshop requires representation from Hamlets.
2. Revise the Operational Guide based on workshop discussions and comments to be received from INAC, GN and EC.
3. Develop a Work Plan and issue quarterly status reports.

