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Operational Guide to Municipal Water Licensing

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INTRODUCTION TO THIS GUIDE

<To be updated with any forthcoming information relevant to the finalization of the Operational Guide>

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.

A Workshop on Municipal Water Licensing in Nunavut was held on March 8th and 9th, 2008 in Iqaluit (2008 Workshop) 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. (Nuna Burnside), and Dillon Consulting Limited (Dillon). The Nunavut Impact Review Board (NIRB) informed that they were unable to attend.

The purpose of the 2008 Workshop was to develop a working document that addresses the water regulation challenges and opportunities that arise from the unique economic, operational, and administrative realities in Nunavut with input from all parties with municipal water licensing responsibilities in Nunavut. As a result, the NWB drafted an Operational Guide to Municipal Water Licensing in Nunavut, dated September 2009 (draft Operational Guide). All documentation leading up to and presented at the 2008 Workshop was compiled into an accompanying document entitled Summary of 2008 Workshop on Municipal Water Licensing in Nunavut, dated September 2009.

On October 15th and 16th, 2009, the NWB held another Workshop on Municipal Water Licensing in Nunavut in Cambridge Bay, Nunavut (2009 Workshop). One of the purposes of the 2009 Workshop was to confirm the accuracy of information provided in the draft Operational Guide concerning the various stakeholders to water licensing in Nunavut. The 2009 Workshop participants included representatives of the NWB, GN-CGS, GN-DOE, NIRB, INAC, EC, and Dillon. The NAM and DFO informed that they were unable to attend. All documentation leading up to and presented at the 2009 Workshop was compiled into an accompanying document entitled Summary of 2009 Workshop of Municipal Water Licensing in Nunavut, dated September 2010. As a result of the 2009 Workshop, and in preparation for a 2010 follow-up Workshop, the draft Operational Guide was revised, September 2010.

The primary objective of the Operational Guide is to act as a reference document for all parties involved in the municipal water licensing process providing information regarding each party's responsibilities, processes, and issues with municipal water licensing to develop a better understanding of potential interactions.

The Operational Guide is organized into separate Parts for each party. Each Part includes an introduction to the party describing the party's responsibilities, mandate, and jurisdiction; a description of the party's role in the water licensing process; a general

outline of the party's process, if applicable, as well as answers to various frequently asked questions relevant to the water licensing process.

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2008 Stakeholders

Dionne Filiatrault	Nunavut Water Board (NWB), Executive Director
David Hohnstein	NWB, Acting Director of Technical Services
Timoon Toonoo	Government of Nunavut (GN), Community Government Services (CGS), Regional Director
Johnathan Palluq	GN, CGS, Assistant Regional Director
Nelson Pisco	GN, CGS, Technical Services Director
Malli Aulakh	GN, CGS, Capital Planning
Particio Fuentes	GN, CGS, Iqaluit
Bryan Purdy	GN, CGS, Rankin Inlet
Bhabesh Roy	GN, CGS, Pond Inlet
Rosemary Kilpatrick	GN, CGS
Tom Livingston	GN, CGS
Brent Boddy	GN, CGS
Helen Yeh	GN, Department of Environment (DoE)
Froeydis Reinheart	GN, DoE
Mike Atkinson	GN, DoE
Issac Sobol	GN, Health and Social Services
Lewis Gidzinski	Nunavut Association of Municipalities (NAM)
Sharon Ehaloak	Nunavut Planning Commission (NPC), Executive Director
Brian Aglukark	NPC, Director of Regional Planning
Anne Wilson	Environment Canada (EC)
Amy Liu	Department of Fisheries and Oceans (DFO)
Michael Nadler	Indian and Northern Affairs Canada (INAC)
Jim Rogers	INAC
David W. Abernethy	INAC
Peter Kusugak	INAC, Manager Field Operations
Simon Idlout	Hunters and Trappers Organization, Resolute Bay
Jim Walls	Nuna Burnside
Gary Strong	Dillon
<u>2009 Stakeholders</u>	
Dionne Filiatrault	Nunavut Water Board (NWB), Executive Director
David Hohnstein	NWB, Director of Technical Services

Phyllis Beaulieu	NWB, Manager of Licensing
Ben Kogvik	NWB, Interpreter/ Translator
Don Carr	NWB, Technical Advisor
Richard Dwyer	NWB, Licensing Administrator
Ida Porter	NWB, Licensing Administrative Assistant
Catherine Emrick	NWB, Legal Counsel
Karlette Tunaley	NWB Consultant/ Workshop Facilitator
Roy Green	Government of Nunavut (GN), Community Government Services (CGS), CGS, Director Community Infrastructure
Tom Livingston	GN, CGS, Regional Municipal Engineer
Wayne Thistle	GN, CGS, Regional Projects Manager
Sudhir Kumar Jha	GN, CGS, Senior Project Officer
Dee Karadag	GN, DoE, Territorial Environmental Assessment Coordinator and Scientist
Li Wan	Nunavut Impact Review Board (NIRB), Technical Advisor
Kelli Gillard	NIRB, Technical Advisor
Mary Kelly	EC, Project Officer
Michael Nadler	Indian and Northern Affairs Canada (INAC)
Lou-Ann Cornacchio	INAC, Manager of Water Resources
Melissa Joy	INAC, Water Resources Officer
Jennifer Spencer	Dillon Consulting Limited

2010 Stakeholders

<to be completed>

PART A. NUNAVUT WATER BOARD (NWB)

1. INTRODUCTION

The Nunavut Water Board (NWB or Board) was established on July 9, 1996, as an Institution of Public Government (IPG) pursuant to Article 13 of the *Agreement Between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada Nunavut Land Claims Agreement* (Nunavut Land Claims Agreement or NLCA).

The Board has responsibilities and powers over the regulation, use, and management of water in the Nunavut Settlement Area (NSA), except for the use of water for navigational purposes, as defined in Articles 10 and 13 of the NLCA, as well as the Federal *Nunavut Waters and Nunavut Surface Rights Tribunal Act* (NWNSRTA or the Act)¹.

Under the NWNSRTA, the NWB is empowered to issue, renew, amend, assign or cancel a water licence, with or without a public hearing depending upon the type of activity and type of licence required. With exceptions, persons or organizations wishing to use water or deposit waste that may enter into water within the NSA must apply for a water licence from the NWB.

With the exception of section 5, discussed below, the *Northwest Territories Waters Regulations* (NTWR or Regulations) apply in Nunavut until they are replaced or repealed under the NWNSRTA. As outlined in more detail in section 4.6 of this Operational Guide, Schedule II of the Regulations provides a list of undertakings requiring licenses, including various industrial undertakings, mining, various municipal activities, hydro or geothermal electrical generation, agricultural and conservation uses and commercial or public recreational developments.

Section 5 of the Regulations related to water use or waste deposit without a licence ceased to apply in Nunavut after July 2002, to eliminate inconsistency between the NLCA and the Regulations. At the time of writing this Operational Guide, Nunavut-specific water regulations are being developed under the NWNSRTA.

The Board's objective is to provide a means for the conservation and utilization of waters in Nunavut, except in a national park, in a manner that will provide the optimum benefit from those waters for the residents of Nunavut in particular and Canadians in general.

2. ROLE OF NWB IN THE WATER LICENSING PROCESS

The NWB leads the water licensing process and makes decisions regarding whether or not to issue water licences. As outlined in sections 3.2 and 3.3 of this Part of the Operational Guide, the specific steps in the water licensing process that are controlled by the NWB include the following:

- Receives water licence application and confirms classification of undertaking and type of licence required;
- Conducts preliminary completeness check of the water licence application;

¹ Assented to on April 30, 2002

- If complete, issues notice of the application;
- Reviews the water licence application;
- Considers and decides whether the water licence application warrants a public hearing; and
- Decides whether or not to approve of the application.

Additional steps controlled by the NWB if a public hearing is warranted include:

- Issuing guidelines for the preparation of a water licence application;
- Conducting a concordance review of the water licence application;
- Holding a Technical Meeting (TM) and Pre-Hearing Conference (PHC);
- Issuing a PHC Decision;
- Issuing a notice of a public hearing;
- Holding a public hearing; and
- Issuing a decision to either approve or not approve of the water licence application to the Minister.

3. NWB WATER LICENSING PROCESS

3.1 Pre-licensing land use planning and impact assessment requirements

The pre-licensing process begins with two (2) questions that the applicant must ask in sequence to determine the processing scenario (1, 2, or 3) the application must follow and whether or not the application will require a land use planning determination from the Nunavut Planning Commission (NPC) and/or a development impact review by the Nunavut Impact Review Board (NIRB). The Process Flowchart entitled *Chart 1: Pre-Licensing Regulatory and Impact Assessment Requirements* located in Appendix A of this Operational Guide illustrates the pre-licensing process described in this section. This is only a generalized framework and each application is assessed on an individual basis.

Question #1: Is the proposed undertaking located in a region with an approved land use plan?

There are six (6) land use planning regions in Nunavut including the West Kitikmeot, Keewatin, North Baffin, South Baffin, Kuininiq, and Sanikiluaq. As of the date of this Operational Guide, two (2) regions have approved land use plans, the *North Baffin Regional Land Use Plan*, (NPC, 1997) and the *Keewatin Regional Land Use Plan*, (NPC, 1991).

If the spatial boundaries of a proposed undertaking or its effects are located, in whole or in part, within a region with an approved land use plan the application must follow processing scenario #1 described in section 3.1.1 of this Part of the Operational Guide requiring a land use planning conformity review of the application by the NPC.

Generally, projects located within a municipality are within the jurisdiction of the Government of Nunavut (GN) and do not require NPC review. However, the NPC and the GN Community Government Services (CGS) have signed a Memorandum Of Understanding (MOU) respecting the NPC's concerns for development close to

municipal boundaries that may affect land outside a municipal boundary because such development may, together with other developments in a planning region, create cumulative effects.

The MOU sets out an agreement that the GN will send information on any development occurring close to a municipal boundary or on any development with potential impacts outside the municipal boundary to the NPC, and that the NPC will send plans that have the potential to impact municipal development to the GN.

Based upon this agreement, if a clause in a municipal plan directs the developer to forward an application to NPC, the application must follow processing scenario #1 described in section 3.1.1 of this Part of the Operational Guide requiring review of the application by the NPC for cumulative effects. Otherwise the applicant must go to Question #2.

If the spatial boundaries of a proposed undertaking and its effects are located entirely within a region without an approved land use plan the applicant must go to Question #2.

Applicants are encouraged to contact the NPC for assistance in answering Question #1.

Question #2: Does the application require screening by NIRB?

Unless a water licence application falls within Schedule 12-1: *Types of Project Proposals Exempt from Screening (Schedule 12-1 Exemptions)* of the NLCA, the application will require screening by NIRB.

If the application requires screening by NIRB the applicant must follow processing scenario #2 described in section 3.1.2 of this Part of the Operational Guide.

If the application is exempt from screening by NIRB the applicant must follow processing scenario #3 described in section 3.1.3 of this Part of the Operational Guide.

Applicants are encouraged to contact the NIRB for assistance in answering Question #2. The applicant is also referred to NIRB's Guide 4, *Guide to Project Proposals Exempt from Screening*.

3.1.1 Scenario 1 – Project is located in a region with an approved land use plan

If the water licence application for a new or amended water licence is for an undertaking located in a region with an approved land use plan, the applicant must first send its application to the NPC for either a conformity determination with the applicable land use plan, or for a cumulative effects review.

If the NPC determines that a water licence application is in conformity with the approved land use plan or a variance has been approved, the NPC forwards the application with its determination and recommendations to the

NIRB for screening in accordance with the NLCA. An exception to this process is when an application is exempt from screening under *Schedule 12-1 Exemptions*. The NPC will forward an application that is exempt from screening directly to the NWB unless the NPC has concerns respecting the cumulative impact of development activities on the planning region. If there are cumulative impact concerns, the NPC may refer an otherwise exempted project proposal to NIRB for screening.

The NWB will not proceed until it is advised by the NPC that an application conforms to an applicable land use plan or a variance has been approved.

Once an application is sent to the NPC, it becomes subject to the NPC's own internal process and timelines, which are not controlled by the NWB. Applicants should contact NPC directly with questions regarding the need for conformity determination and the applicability of land use plans related to a project.

Applications will proceed more quickly through the NWB process if the applicant provides a land use conformity determination from NPC using proper documentation and references in its application to the NWB.

3.1.2 Scenario 2 - Project is not located in a region with an approved land use plan and project is not exempt from screening

Water licence applications that are not subject to an NPC determination and are not exempt from screening must be sent directly to NIRB for screening. However, if an NPC conformity determination is required, NIRB will not begin the screening process until it is advised by the NPC that an application conforms to the applicable land use plan or a variance has been approved. The applicant is referred to NIRB's Guide 3, Guide to Filing Project Proposals and the Screening Process for more information.

At the completion of NIRB's screening process, NIRB issues a screening determination to the appropriate Minister recommending that the application either be:

- a) Processed without a review subject to recommended terms and conditions to be attached to any approval; or
- b) Referred to a review in accordance with Article 12 Part 5 or 6 of the NLCA.

If the NIRB recommends that the application can be processed without a review, the NWB can process the application.

If the NIRB recommends that the application requires a review, the Minister must respond with a decision regarding the recommended review before the review may commence. Upon completion of the review, the NIRB issues a final decision to the Minister for approval, following which the NIRB issues a project certificate allowing the project to proceed to the water licensing phase. The NWB cannot issue a water licence that forms part of the NIRB

review until the NIRB has issued a project certificate. In some cases, however, the NWB may issue interim, short-term approvals for water uses related to exploration or developmental work for a proposal under development impact review.

Once the application is sent to the NIRB, it becomes subject to the NIRB's own internal process and timelines, which are not controlled by the NWB. Applicants should contact NIRB directly with questions regarding the applicability of environmental assessment requirements related to a project.

Applications will proceed more quickly through the NWB process if the applicant provides a development impact review determination from NIRB using proper documentation and references in its application to the NWB.

3.1.3 Scenario 3 – Project is not located in a region with an approved land use plan and project is exempt from screening

Water licence applications that are not subject to an NPC determination and are exempt from screening must be sent directly to the NWB with written confirmation from NPC and NIRB that the application does not require any land use planning or development impact determination(s).

3.2 Type B process

The Process Flowchart entitled *Chart 2: Type B Water Licensing Process* located in Appendix A of this Operational Guide illustrates the type B process described in this section. This is only a generalized framework and each application is assessed on an individual basis. Applicants are encouraged to contact the NWB.

3.2.1 NWB receives application and confirms classification of undertaking and type of licence

Following the completion of any NPC and/or NIRB requirements described in section 3.1 of this Part of the Operational Guide, the first step in the water licensing process is for the applicant to submit a water licence application in accordance with the NWB's *Guide 4: Completing and Submitting a Water Licence Application for a New Licence*. Upon receipt, the NWB will confirm the classification of undertaking and type of water licence application in accordance with the Regulations (See sections 3 and 4 of the NWB's *Guide 3: Activities that Require a Water Licence and Types of Water Licences*).

3.2.2 NWB conducts preliminary completeness check

Once the NWB has received the application, the NWB conducts an internal preliminary check of the application for completeness to ensure that the information requirements outlined in the NWB's *Guide 4-Completing and Submitting a Water Licence Application for a New Licence* have been addressed. If the application is determined to be materially incomplete, meaning that items included in Table 1: Application Checklist are missing, the applicant will be informed by the NWB that their application has been

rejected. In other cases, NWB staff will correspond with the applicant to resolve deficiencies before proceeding. A complete application will be assigned a NWB file number.

Table 1: Application Checklist

<input type="checkbox"/>	Completion of the General Water Licence Application Form in accordance with the guidance provided in the NWB's <i>Guide 4-Completing and Submitting a Water Licence Application for a New Licence</i> (Guide 4), part 1, section 5. This Form is provided in Appendix C of this Operational Guide and is available electronically from the NWB website site at http://www.nunavutwaterboard.org/en/application_forms (username "public", password "registry").
<input type="checkbox"/>	Information that satisfies the checklist requirements outlined in any Supplemental Information Guidelines (SIG) that are relevant to the project as described in Guide 4 part 1 section 6 as well as information required to complete Plans, Designs and Studies as described in Guide 4, part 1, section 7. The Municipal SIG for Municipal Undertakings is provided in Appendix D of this Operational Guide and is available electronically from the NWB website site at <to be determined> (username "public", password "registry").
<input type="checkbox"/>	Executive Summary of the application in English as described in Guide 4, part 1, section 9.
<input type="checkbox"/>	Translated Executive Summary of the application into the appropriate language and dialect depending upon the applicable region as described in Guide 4, part 1, section 10.
<input type="checkbox"/>	Application fee in accordance with Guide 4, part 1, section 11. Also see section 4.13 of this Part of the Operational Guide.
<input type="checkbox"/>	Water use fee Not required for municipal undertakings.

3.2.3 NWB issues notice of application

Once the NWB determines the application to be complete, the NWB gives notice of the application. Typically, the NWB will give notice via email by referring the application to a distribution list comprised of interested parties including the applicant, federal and territorial government departments, community representatives, Designated Inuit Organizations (DIO), Hunter and Trapper Organizations (HTO), as well as other agencies or individuals that the Board deems appropriate.

The notice invites persons to provide representations within a specified time period, usually a minimum of thirty (30) days, and will advise of the consequences of any failure to respond to the notice (ie. Applicant may not need to compensate an existing or other user, as discussed in Guide 4 – Completing and Submitting a Water Licence Application for a New Licence, part 1 section 5 Block 17, if that person fails to respond within the time period specified in the notice). Interested parties are advised to begin their technical review of the application upon receiving the public notice.

Information and correspondence related to the application is uploaded to the NWB electronic public registry in an application specific directory identified by the application number.

The Board may not act on the application until at least thirty (30) days after notice of the application has been published or distributed unless, in the opinion of the Board, there are urgent circumstances that justify the Board acting on the application in a shorter time period, but the shorter time period will not be less than ten (10) days. For clarity, the Board does not consider delayed filing of an application as an urgent circumstance. Applicants are encouraged to undertake proper planning to ensure applications are submitted with sufficient time for the NWB to conduct its process. Generally, for an application to be deemed urgent by the Board, the applicant is required to demonstrate that unless the application is expedited through the process, there will be an adverse environmental consequence.

3.2.4 Technical review

The technical review phase begins on the date of the public notice and ends on a date specified by the Board. It includes a public review and submission of written representations, an internal NWB technical review, followed by a determination from the NWB regarding whether or not a public hearing is warranted, as described in sections 3.2.4.1 to 3.2.4.3 of this Part of the Operational Guide.

The technical review involves a detailed review of the water licence application with the intent of analyzing the quality of the information presented in the application.

The timeframe for the technical review phase is typically 60 days as shown in the Type B (no public hearing) Time Chart located in Appendix B of this Operational Guide, depending upon the completeness of the initial application and the number of applications requiring the attention of the Board.

3.2.4.1 Public review and written representations

The issuance of the notice of application marks the start of the public review period. The end of the public review period is marked by the submission of representations from interested persons to the NWB by the deadline set in the notice. Representations may include:

- Summary of party interests, role and/or responsibilities;
- Summary of party understanding of the application;
- Indication of party's approval authority;
- Indication of the party's entitlement to compensation;
- Summary of the results of the party's technical review;
- Expression of concern for potential impacts;
- Comments on security requirements;
- Indication of support for or against the application;
- Request for additional information;
- Recommended conditions of water licence approval; and/or
- Opinion regarding the requirement for a public hearing.

Persons who are considered existing or other users of waters and who would be adversely affected by the proposed application, must respond to the Board within the specified time period in order for the Board to consider the need for those persons to receive compensation from the applicant.

Interested parties should consider the following in conducting a technical review:

- i. Whether the parties agree/disagree with the conclusions in the application, as they relate to the use of water or the deposit of waste on the drainage basin, where the use is to be undertaken or the deposit is to be made:
 - i. Qualitative and quantitative effects;
 - ii. Anticipated impact of the use or deposit on other users;
 - iii. Mitigation measures;
 - iv. Compensation measures;
 - v. Monitoring program; and
 - vi. Options availableas well as any proposed alternative mitigation and/or monitoring measures which may be more appropriate, and evidence supporting the parties position;
- ii. Whether the conclusions in the application are supported by the analysis, and evidence supporting the parties' position;
- iii. Whether the appropriate methodology was used in the application to develop conclusions, any proposed alternative methodologies which may be more appropriate and evidence supporting the parties' position;
- iv. Assessment of the quality of the information presented; and
- v. Any additional information that would be useful.

If necessary, the NWB may request additional information from the applicant during the public review period. Depending upon the promptness of the applicant's response to the request, the deadline for the submission of written representations may be extended to allow

parties additional time to review any new information. The amount of additional review time granted will be determined on a project specific basis.

Written representations are posted on the NWB's electronic public registry in an application specific directory.

3.2.4.2 NWB internal technical review

Following the submission of written representations, the NWB will conduct an internal technical review, taking into account all public documents in relation to the application to ensure that the following conditions have been satisfied:

- a) Any waste produced by the undertaking will be treated and disposed of in a manner that meets water quality and effluent criteria;
- b) The applicant, taking into account its past performance, is financially capable of managing the undertaking, which must consider the mitigation of any possible adverse impacts (i.e. spills, erosion problems) as well as the restoration of the site upon closing or abandonment of the undertaking. The applicant may be required to provide security payable to the Receiver General of Canada to ensure the liability for reclamation is minimized;
- c) The proposed undertaking will not have an adverse effect on existing or other water users, or waters flowing through IOL as described in the NWB's Guide 4 – Completing and Submitting a Water Licence Application for a New Licence, part 1, section 5, Blocks 17 and 18. If an adverse effect to such other water users or water flowing through IOL is anticipated, the NWB must be satisfied that compensation measures have been addressed as described in the NWB's Guide 4 – Completing and Submitting a Water Licence Application for a New Licence, part 1, section 5, Blocks 17 and 18.

Should issues concerning the above conditions remain unresolved, the NWB may request further clarification from the applicant before proceeding and if necessary engage parties in further public review.

3.2.4.3 NWB determines whether public hearing is warranted

Based on the internal technical review and public interest, the NWB will determine whether the application warrants a public hearing. See section 4.20 of this Part of the Operational Guide regarding how the NWB determines whether a public hearing is required.

If the NWB determines that a public hearing is required, the type B application begins to follow a process similar to the type A water licence application process starting at the step entitled "If required, the NWB may issue project specific guidelines for the development of a

water licence application” described in section 3.3.3 of this Part of the Operational Guide and the following Step 3.2.5 of the type B process does not apply. The applicant is also referred to the NWB’s Rules of Practice and Procedure for Public Hearings. When referred to a hearing, that type B water licence application does not change to a type A, rather it follows the same hearing process as a type A water licence application.

3.2.5 NWB issues decision

Following due consideration of the application and the requirements of the Act, the NWB will issue a water licence or reject the application. If a water licence is issued, the Board may attach any terms or conditions it deems integral to the approval.

It is important to understand that the Board will not issue a licence if issues respecting water rights have not been resolved. Refer to the NWB’s Guide 4: Completing and Submitting a Water Licence Application for a New Licence part 1, section 5, Blocks 17 and 18 for more information.

3.3 Type A process

The Process Flowchart entitled Chart 3: Type A Water Licensing Process located in Appendix A of this Operational Guide illustrates the type A process described in this section. This is only a generalized framework as each application is assessed on an individual basis. Applicants are encouraged to contact the NWB.

3.3.1 NWB receives application and confirms classification of undertaking and type of licence

Following the completion of any NPC and/or NIRB requirements described in section 3.1 of this Part of the Operational Guide, the first step in the water licensing process is for the applicant to submit a water licence application in accordance with the NWB’s Guide 4: Completing and Submitting a Water Licence Application for a New Licence. Upon receipt, the NWB will confirm the classification of undertaking and the type of water licence application in accordance with the Regulations (See sections 3 and 4 of NWB’s Guide 3: Activities that Require a Water Licence and Types of Water Licences).

3.3.2 NWB conducts preliminary completeness check

Once the NWB has received the application, the NWB conducts an internal preliminary check of the application for completeness to ensure that the information requirements outlined in the NWB’s Guide 4-Completing and Submitting a Water Licence Application for a New Licence have been addressed. If the application is determined to be materially incomplete, meaning that items included in Table 1: Application Checklist are missing (see section 3.2.2 of this Part of the Operational Guide), the applicant may be informed by the NWB that their application has been rejected. In other cases, NWB staff will correspond with the applicant to resolve deficiencies

before proceeding. A complete application will be assigned a NWB file number.

3.3.3 If required, NWB may issue project specific guidelines for the preparation of a water licence application

The NWB may provide project specific guidelines to the applicant respecting the information to be provided by the applicant in relation to the application.

In developing the project specific guidelines, the NWB incorporates any requirements of the NIRB project certificate and may circulate draft guidelines to interested parties, offering an opportunity to comment. The NWB integrates those comments and recommendations it considers appropriate before finalizing and issuing the project specific guidelines to the applicant.

3.3.4 If required, applicant prepares and submits water licence application in accordance with the guidelines

It is the responsibility of the applicant to prepare the water licence application in accordance with the project specific guidelines established by the NWB in section 3.3.3 of this Part of the Operational Guide. Depending upon the completeness of the original water licence application submitted as described in section 3.3.1 of this Part of the Operational Guide, the NWB may require submission of additional information to supplement the original application or resubmission of the entire application. The applicant is also responsible for circulating electronic and hardcopies of the water licence application package to all parties likely to be involved in the public hearing process.

For more information regarding how to file or submit a water licence application, refer to the NWB's *Guide 4 – Completing and Submitting a Water Licence Application for a New Licence* as well as the NWB's *Guide 6 – Electronic Documentation: Submission and Registry*.

3.3.5 NWB conducts concordance review

Once the NWB receives a copy of the water licence application, it conducts a concordance assessment to determine whether the application documents address the provisions of the project specific guidelines such that the NWB may issue a public notice of application. For clarity, the concordance assessment is an analysis of the presence or absence of the required information. It is not intended as a step to evaluate the quality of the information presented.

In conducting the assessment, the NWB may, depending upon the expected level of public concern, request comments from interested parties on application concordance.

The applicant will be notified by the NWB of the results of the assessment and any deficiencies identified. Upon receiving the results, it is the

responsibility of the applicant to respond accordingly, with the submission of additional information, if necessary.

3.3.6 NWB issues notice of application

Once the Board deems the application complete, a public notice is issued to the council of each municipality in the area affected by the application, and the NWB publishes the notice in a newspaper of general circulation in the area affected or, if there is no such newspaper, in such other manner as the Board considers appropriate. Typically, the NWB also gives notice via email by referring the application to a distribution list comprised of interested parties including the applicant, federal and territorial government departments, community representatives, DIOs, HTOs, as well as other agencies or individuals that the Board deems appropriate.

The notice also invites persons to provide representations within a specified time period advising of the consequences of any failure to respond to the notice (ie. the applicant may not need to compensate an existing or other user, as discussed in the NWB's *Guide 4 – Completing and Submitting a Water Licence Application for a New Licence*, part 1 section 5 Block 17, if that person fails to respond within the time period specified in the notice).

Information and correspondence related to the application is uploaded to the NWB electronic public registry in an application specific directory identified by the application number.

To ensure that information provided to the Board in relation to the application is made available to the public within a reasonable time period before the commencement of the hearing, the Board may direct the applicant to make available to any interested parties all information and documents filed by the applicant.

3.3.7 Technical review

The technical review phase begins on the date of the public notice and ends on a date specified by the Board prior to the public hearing. It includes the submission of written representations, the technical meetings and pre-hearing conference, the issuance of the pre-hearing conference decision, and the notice of public hearing, as described in sections 3.3.7.1 to 3.3.7.4 of this Part of the Operational Guide.

The technical review involves a more detailed review of the water licence application than the concordance assessment with the intent of analysing the quality of the information presented in the application.

Throughout the technical review phase interested parties are encouraged to work cooperatively with the applicant to address minor issues in advance of the proposed technical meetings. The NWB requests receiving notice on issues clarified between the parties for inclusion on the public registry.

The timeframe for the technical review phase is typically 50 days as shown in the Type A (Public Hearing) Time Chart located in Appendix B of this Operational Guide, depending upon the completeness of the initial application and the number of applications requiring the attention of the Board. This timeframe may be expedited for smaller, less complex projects.

3.3.7.1 Parties submit written representations

Written representations are to be submitted to the Board by the deadline provided in the public notice.

Written representations may include, among other things:

- Summary of party interests, role and/or responsibilities;
- Summary of party understanding of the application;
- Indication of party's approval authority;
- Indication of the party's entitlement to compensation;
- Summary of the results of the party's technical review;
- Expression of concern for potential impacts;
- Comments on security requirements;
- Indication of support for or against the application;
- Request for additional information;

Interested parties must consider the following in conducting a technical review:

- vi. Whether the parties agree/disagree with the conclusions in the application, as they relate to the use of water or the deposit of waste on the drainage basin, where the use is to be undertaken or the deposit is to be made:
 - i. Qualitative and quantitative effects;
 - ii. Anticipated impact of the use or deposit on other users;
 - iii. Mitigation measures;
 - iv. Compensation measures;
 - v. Monitoring program; and
 - vi. Options availableas well as any proposed alternative mitigation and/or monitoring measures which may be more appropriate, and evidence supporting the parties position;
- vii. Whether the conclusions in the application are supported by the analysis, and evidence supporting the parties' position;
- viii. Whether the appropriate methodology was used in the application to develop conclusions, any proposed alternative methodologies which may be more appropriate and evidence supporting the parties' position;
- ix. Assessment of the quality of the information presented; and
- x. Any additional information that would be useful.

If necessary, the NWB may request additional information from the applicant during the public review period. Depending upon the promptness of the applicant's response to the request, the deadline for the submission of written representations may be extended to allow parties additional time to review any new information. The amount of additional review time granted will be determined on a project specific basis.

Written representations are posted on the NWB's electronic public registry in an application specific directory.

3.3.7.2 NWB holds Technical Meeting (TM) and Pre-Hearing Conference (PHC)

According to Rule 14.1 of the NWB's *Rules of Practice and Procedure for Public Hearings*, PHC's may be held in person, in writing or by teleconference. The Board typically delegates the holding of a PHC to NWB staff. At the time of writing this Operational Guide, it is the Board's preference for the PHC to be held in person.

For logistical purposes, where the PHC is held in person, the TM and PHC are generally scheduled together with the PHC immediately following the TM. This way, both meetings can be conducted at the same location, over the course of a few days.

The purpose of the TM is to informally resolve technical matters between interested parties and the applicant, prior to the PHC, particularly those matters that could affect the Board's determination on any PHC issues. Given the informal nature of the meeting, the NWB Board members are not present at the TM, and the meeting is facilitated by NWB staff. Depending on time constraints and the nature and extent of technical issues to be addressed, the TM may be divided into specific break-out groups (for example water quality, geotechnical, other issues) with each group chaired by a NWB staff member. During the TM, a list of commitments made by the various parties may be compiled and carried forward to the PHC.

The purpose of the PHC is to deal with administrative matters related to the public hearing including:

- a) The timetable for the exchange of information;
- b) The list of issues to be dealt with at the hearing;
- c) The identification of interested parties;
- d) The desirability of amending an application for the purpose of clarification;
- e) The procedures to be followed in a hearing; and
- f) Any other matters that may aid in the simplification and disposition of the application at the Hearing, such as site visits.

The PHC is an opportunity for parties to present any issues that were unresolved during the technical meeting and to hear comments from the public.

If appropriate, a community session is held to facilitate discussion and address concerns from the public.

3.3.7.3 NWB issues PHC decision

Following the PHC, the NWB issues a PHC decision containing the Board's decision on the matters discussed at the PHC and often includes the list of commitments generated during the TM.

The Board's decision as well as any documents received during the TM or PHC are posted on the NWB's electronic public registry in an application specific directory.

3.3.7.4 NWB issues notice of public hearing

Typically, following the PHC, the Board issues a formal notice of public hearing. The notice of public hearing must be issued at least sixty (60) days before the commencement of the hearing outlining the location, date, and time of the hearing. In determining appropriate hearing locations, the Board takes into consideration the community or communities within Nunavut most affected by the application.

The notice of public hearing is issued to the council of each municipality in the area affected by the application, and published in a newspaper of general circulation in the area affected, or if there is no such newspaper, in such other manner as the Board considers appropriate. The NWB also gives notice via email to a distribution list comprised of interested parties including the applicant, federal and territorial government departments, community representatives, DIOs, HTOs, as well as other agencies or individuals that the Board deems appropriate.

In some cases the formal public hearing notice is issued prior to the PHC and confirmed at the PHC.

3.3.8 Parties exchange written interventions

The deadline for the exchange of written interventions is determined by the Board and communicated as part of the PHC decision and public hearing notice. In accordance with Rule 12.4 of the NWB's *Rules of Practice and Procedure for Public Hearings* parties are to submit written interventions no later than 15 days before the commencement of the public hearing. This is to allow all parties time to review the interventions in preparation for the public hearing.

To facilitate the review of interventions, submissions must generally be organized by the categories of “issues” identified at the PHC which generally correspond to the typical sections of a water licence including:

- Term of Licence;
- Type and Amount of Security;
- Compensation Agreements;
- Construction;
- Water Use;
- Water Management;
- Waste Management;
- Modifications;
- Contingency Planning;
- Monitoring;
- Closure and Reclamation; and
- Other Issues.

In addition, technical review comments, particularly for matters such as air quality, noise, wildlife, and marine waters must be provided within the context of the NWB’s jurisdiction over the use of waters and the deposit of waste in waters or that may enter waters. Interventions must include an executive summary in English as well as the appropriate language and dialect for the region.

Submissions are posted on the NWB’s electronic public registry in an application specific directory and filed in the public registry upon receipt. A copy of the public registry as it relates to the application is made available at the hearing.

3.3.9 Parties prepare for public hearing

Following the deadline for the exchange of written interventions, the Board generally schedules a time period for parties to review interventions and prepare for the public hearing. This time period is typically a minimum of 15 days.

3.3.10 NWB holds public hearing

Hearings usually take place in person, but may occur via teleconference, or in writing.

The Board may consider a written hearing for applications that elicit limited public concern and issues with a relatively low level of complexity which can be dealt with in a written format. While written hearings require less travel and may be less costly than in-person hearings, they do not necessarily require less time. The general process of exchanging information, questioning and responding in an orderly manner through written correspondence can cause a written hearing to take more time than an oral hearing. Typically a written hearing will take six (6) weeks to complete. If a

written hearing is contemplated, the Board will issue specific direction in its PHC decision.

The purpose of the public hearing is to provide an open public forum for the discussion of the application in front of the Board. Interested parties, including members of the public, are identified and introduced, the application and interventions are presented, and questions are asked and directed in an orderly fashion.

Typically, unless there are outstanding issues, at the end of the public hearing, the Board will close its record, meaning that no new evidence or information is permitted for the Board's consideration in making a decision.

Significantly, the hearing gives due regard and weight to the opinion of Elders and community members, Inuit culture and knowledge, and to the tradition of Inuit oral communication and decision making.

For further details on the hearing proceedings and format, refer to the NWB's *Rules of Practice and Procedure for Public Hearings*.

3.3.11 NWB issues decision to Minister

Following the public hearing the Board will issue its decision to the Minister of Indian and Northern Affairs Canada (INAC) for approval. The Board typically issues its decision within 30-45 days following the closing of the hearing, however the length of time to issue its decision depends upon the complexity of the project, as well as the number of other applications requiring the attention of the Board.

The Board will not issue its decision if issues respecting the following have not been resolved:

- a) Any waste produced by the undertaking will be treated and disposed of in a manner that meets water quality and effluent criteria;
- b) The applicant, taking into account its past performance, is financially capable of managing the undertaking, which must consider the mitigation of any possible adverse impacts (i.e. spills, erosion problems) as well as the restoration of the site upon closing or abandonment of the undertaking. The Applicant may be required to provide security payable to the Receiver General of Canada to ensure the liability for reclamation is minimized;
- c) The proposed undertaking will not have an adverse effect on existing or other water users, or waters flowing through IOL as described in the NWB's *Guide 4 – Completing and Submitting a Water Licence Application for a New Licence*, part 1, section 5, Blocks 17 and 18. If an adverse effect to such other water users or water flowing through IOL is anticipated, the NWB must be satisfied that compensation measures have been addressed as described in the NWB's *Guide 4 – Completing and Submitting a Water Licence Application for a New Licence*, part 1, section 5, Blocks 17 and 18.

3.3.12 Minister issues approval

The time required for approval by the Minister of INAC is 45 days. This time may be extended for a further 45 days if the Minister notifies the Board of the extension within the first 45 days. If the Minister does not respond within this time period, the Minister is deemed to have approved the Board's decision.

Once the Minister has made its decision on whether to approve the NWB decision, the Minister sends a copy of its decision and, in the case of a decision to withhold approval, the reasons for the decision, to the Board, the applicant, and if required to the DIO and any other person with a right to compensation.

Applicants are advised to consider the timeframe associated with the Minister's decision when planning work schedules.

4. FREQUENTLY ASKED QUESTIONS

4.1 How is the NWB organized?

In accordance with the NLCA, the NWB is composed of nine members, one of whom acts as a chairperson. The chairperson is appointed by the Minister INAC following consultation with the other members. The other members are also appointed by the Minister of INAC with some members being appointed upon nomination by a DIO or designated Ministers of the Territorial Government.

Members are appointed for three year terms and may be eligible for reappointment in the same or another capacity. If the term of a member expires before the member has made a decision on a public hearing matter, the member may, with the authorization of the chairperson, continue to act as a member in relation to that matter until the public hearing has concluded and a decision has been made.

The Board may also establish panels of two or more members of the Board and delegate any of its powers, duties, and functions to them. Each panel must be composed of an equal number of DIO nominees and other members.

The Board may also delegate particular powers to its Executive Director (Chief Administrative Officer (CAO)) including the power to issue, amend, renew, assign or cancel a licence in relation to which no public hearing is required.

Members of the Board must perform their duties in accordance with an oath of office set out in Schedule 2 of the NWNSRTA and in accordance with laws relating to conflict of interest, provided that no member will be considered biased in any application before the NWB solely because the member is an Inuk.

For more information refer to the NWB's [Guide 1: Introduction to the Nunavut Water Board](#).

4.2 How are the NWB staff organized?

The Board employs officers and employees and engages the services of agents, advisers and experts as are necessary for the proper conduct of its business. The NWB full time staff is comprised of the following:

- Executive Director (Chief Administrative Officer (CAO))
- Director of Corporate Services
- Financing Officer
- Board Secretary
- Interpreter / Translator
- Director of Technical Services
- Technical Advisors
- Manager of Licensing
- Licensing Administrator
- Administrative Staff

For more information refer to the NWB's *Guide 1: Introduction to the Nunavut Water Board.*

4.3 What is the jurisdiction of the NWB?

The Board has responsibilities and powers over the regulation, use, and management of water in the NSA, except for the use of water for navigational purposes, as defined in Articles 10 and 13 of the NLCA, as well as the Federal NWNSRTA. Water, as defined by the NLCA, means waters in any river, stream, lake or other body of inland waters on the surface or under ground in the NSA, and includes ice and all inland ground waters, but does not include water or ice in marine areas. The NWNSRTA expands the jurisdiction to all of Nunavut. For the purposes of this definition, the Board considers the term inland waters to mean freshwater.

For more information refer to the NWB's *Guide 1: Introduction to the Nunavut Water Board.*

4.4 What language(s) does the NWB conduct its business in?

The NWB conducts its business in both of the official languages of Canada in accordance with the *Official Languages Act* and any directives of the Minister. Upon request by a member, the Board may also conduct its business in Inuktitut.

For more information refer to the NWB's *Guide 1: Introduction to the Nunavut Water Board.*

4.5 What activities do not require a water licence from the NWB?

The following types of water use activities do not require of a water licence:

- a) Water used for domestic purposes, which means:
 - i. A person using water for household requirements, such as sanitation, and fire prevention;
 - ii. The watering of domestic animals; or

- iii. The irrigation of a garden that adjoins a dwelling house and is not ordinarily used in the growth of produce for market.
- b) Water use for the purpose of extinguishing a fire;
- c) Water use on an emergency basis, controlling or preventing a flood;
- d) Water use or deposit of waste in a national park; and
- e) Instream use of water that does not consume water nor impairs the water quality.

In addition, the use of water for navigation or shipping does not require a water licence and the Board's jurisdiction does not extend to marine areas.

The NWNSRTA also permits the use of water or the deposit of waste without a licence where authorized by regulations, however, no authorizing regulations currently exist².

For more information refer to the NWB's *Guide 3: Activities that Require a Water Licence and Types of Licences*.

4.6 What activities require a water licence from the NWB?

All water use or waste disposal activities other than those described above in section 4.5 of this Part of the Operational Guide require a licence from the NWB. Schedule II of the Regulations lists eight (8) classifications of undertakings for licensing purposes, one of which is municipal undertakings which is defined as:

Any activity (a) in a municipality, or in a settlement comprising a multiplicity of residential units, that uses only a municipal water and sewage system, including domestic, horticultural, fire protection, commercial or industrial activities, or (b) in a camp or lodge.

For more information refer to the NWB's *Guide 3: Activities that Require a Water Licence and Types of Licences*.

4.7 What are some examples of municipal developments that require a water licence?

- Sewage disposal and/or treatment facility
- Solid waste disposal facility
- Water supply facility
- Hydrocarbon impacted soil storage and landfarm treatment facility
- Quarry
- Access road

4.8 What type of water licence does my municipal activity require?

Municipal licensing activities are divided into two types of licensing criteria defined as type B and A. The licensing activities are divided into type B and A as determined by the criteria provided in columns III and IV of Schedule VI of the

² The NWB passed SOR/2002-253 dated July 12, 2002, stipulating that Regulations do not permit water use or deposit of waste into water, except for those activities listed in the Act, to occur without a licence.

Regulations including (1) water use; (2) water course alterations; and (3) waste disposal. The criteria are summarized in the following Table 2 for municipal undertakings.

Table 2: Type B and A Water Licence Criteria for Municipal Undertakings

Item No.	Water Use/ Deposit of Waste	Water Use and Deposit of Waste Requiring a <u>Type B</u> Licence	Water Use and Deposit of Waste Requiring a <u>Type A</u> Licence
1	Direct Water Use	Use of any amount of water	Use of 2,000 or more cubic meters per day
2	(1) Watercourse crossings including pipelines, bridges, and roads	Construction of a structure of any width across a watercourse.	None
	(2) Watercourse training, including channel and bank alterations, culverts, spurs, erosion control, and artificial accretion	All watercourse training	None
	(3) Flood control	Construction of a structure for flood control	None
	(4) Diversions	All diversions	None
	(5) Alteration of flow or storage by means of dikes or dams	Instream or offstream storage of a quantity of water less than 60 000 m ³ .	All other alterations of flow or storage
3	Deposit of waste by		
	(a) municipalities or settlements	Deposit of waste by means of a sewage collection or treatment system serving a population of less than 2,000, or any deposit of waste other than by means of a sewage collection system.	Any deposit of waste by means of a sewage collection or treatment system serving a population of 2,000 or more
	(b) camps or lodges	Any deposit of waste	None

For more information refer to the NWB's *Guide 3: Activities that Require a Water Licence and Types of Licences.*

4.9 What are the differences between type A and type B water licences?

Both type A and B water licence applications are subject to review by the NWB before the NWB may approve the application and issue the licence. Generally, type B water licence applications do not require a public hearing, unless the NWB considers a public hearing warranted due to public interest.

If a public hearing is held in relation to a type B water licence application, the hearing will be conducted to the extent appropriate, using the same procedures as required for a type A water licence application. This may involve additional steps for guideline development by the NWB, preparation of a water licence application in accordance with the guidelines by the applicant, a more complex technical review phase consisting of TMs and a PHC, a public hearing and Ministerial approval of the NWB's decision.

Except in very limited circumstances as set out in section 174(1) of the NWNSRTA, type A water licence applications are subject to a public hearing process before the NWB may approve the application and issue the licence.

The NWB's *Water Licensing Process Flowcharts and Time Charts* Charts 2 and 3 provided in Appendices A and B of this Operational Guide, illustrate the water licensing processes for both type B and A water licences.

For additional information on the NWB's water licensing process and public hearing procedures refer to the NWB's *Guide 5: Processing a Water Licence as well as the NWB's Rules of Practice and Procedure for Public Hearings*.

4.10 How do I complete a water licence application?

A complete water licence application includes the minimum information requirements listed in Table 1: Application Checklist provided in section 3.2.2 of this Part of the Operational Guide.

In addition, the applicant must consider the following in the development of the application package:

- The application must address the **full scope of water use and waste deposition** of the primary undertaking, and also related activities for all phases of the project;
- Information between all documents that make up the application package must be **consistent** including information in the *General Water Licence Application*, information addressing the Supplemental Information Guideline (SIG), any supporting plans, including designs and reports, as well as the executive summary;
- Information between documents must be accurately **cross-referenced**; and
- The application must distinguish between **recommendations or options and actual commitments** to chosen alternatives.

For more information refer to the NWB's *Guide 4-Completing and Submitting a Water Licence Application for a New Licence*.

4.11 Why is it important to submit a complete a water licence application?

The completeness of an application directly impacts the length of time to process a water licence application. As shown in the NWB's *Water Licensing Process Flowcharts and Time Charts* provided in Appendices A and B of this Operational Guide, there are a number of steps where the applicant may be required to submit additional information following receipt of the initial application, either in response to the NWB's completeness check or in response to parties' review comments.

Typically, upon receipt of any additional information related to a water licence that is being processed by the Board, the information must be made available to the public for a review period appropriate to the volume of additional information submitted. The additional time required to allow the applicant to respond with

additional information and for parties to review the additional information lengthens the overall time it will take to process the water licence application.

For more information refer to the NWB's *Guide 4-Completing and Submitting a Water Licence Application for a New Licence.*

4.12 What fees are required as part of my water licence application?

As shown in Table 1: Application Checklist, an application for a municipal water licence must include payment of an application fee.

A fee of thirty dollars (\$30.00) Canadian (CDN) is required for **all** applications upon submission of an application in relation to a licence except where the applicant is Her Majesty in Right of Canada, who is not required to pay any fees prescribed by the Regulations.

All fees must be submitted to the NWB in the form of a cheque, money order, or credit card information and made payable to the Receiver General for Canada. Do not send cash.

For more information refer to the NWB's *Guide 4-Completing and Submitting a Water Licence Application for a New Licence.*

4.13 Are water use fees required for municipal undertakings?

Water use fees are not applicable to municipal undertakings.

4.14 When should I submit my completed water licence application?

The applicant should plan on submitting their water licence application as soon as possible to give the NWB sufficient time to go through the water licensing process as described in the NWB's *Guide 5: Processing a Water Licence Application.*

The amount of time required depends upon whether the application requires a land use plan conformity determination from NPC, whether the application requires an environmental assessment by NIRB, and whether the application is for a type A or B water licence.

4.15 How do I submit a completed water licence application?

The applicant should follow steps 1 to 4 when submitting an application.

Step 1: Check that the application is complete

The applicant should ensure that the application has been completed and that it includes all the items listed in Table 1: Application Checklist.

Step 2: Sign the application

That applicant or its representative must sign the application. Unsigned applications will not be accepted.

Step 3: Prepare copies of the application

For all applications, the NWB requires at least one hardcopy and one electronic copy of the complete application package including all documents and forms.

In some cases, particularly for applications that require a type A licence or applications that warrant a public hearing (refer to the NWB's Guide 3 – Activities the Require a Water Licence and Types of Water Licences) the NWB may require additional copies of the application for interveners and interested parties to the public hearing process.

Paper hardcopies must be formatted in a form easily copied by standard office reproduction equipment using either legal or letter sized paper. Electronic copies must be formatted in Portable Document Format (PDF) readable by Adobe Acrobat version 4.

The following must be considered upon submission:

1. The electronic application must be submitted either on a standard formatted CD or through an e-mail attachment.
2. The application must be accompanied by a cover letter that lists the documents comprising the application.
3. The hardcopy must include a cover page that states the following: "This document is reproduced electronically and contains ### pages including the cover page. The electronic document is contained in the following PDF files:"
 - and list them in the same order as the printed hard copy;
4. If any discrepancies are found between the hard copy and the electronic copy, the electronic copy will be considered to be the authoritative copy.
5. All paper copies must contain a reference to the electronic file in the footer of each page.
6. If a signature is required on the document submitted, an electronic signature is acceptable provided that:
 - the person providing the electronic signature is readily identifiable;
 - the electronic signature is reliably linked to the document submitted; and
 - the electronic signature is protected such that it cannot be altered after filing.
7. Once an electronic file has been received and made public it cannot be edited and resubmitted. However amendments can be submitted under a separate file name.

8. Electronic file names cannot be re-used. Once issued, the file name becomes a permanent record identifier and will permanently be linked to the information.
9. Once an electronic file has been received and acknowledged by the NWB, any subsequent files received with the same name will be rejected unless the file originally received has been corrupted or only partially received. If a file is received and the NWB later determines that it does not conform to its guidelines outlined in section 3 of the NWB's Guide 6: Electronic Documentation: Submission and Registry, then the file may be uploaded to the electronic public registry or it may be noted as "replaced by file number" and a new file may be inserted.
10. The onus rests with the applicant to confirm receipt of documents by the NWB. This may be accomplished through the request for a read receipt when submitting documents via electronic mail.

Additional considerations are provided in the NWB's Guide 6: Electronic Documentation: Submissions and Registry.

Step 4: Submit the application

The complete, signed application and its copies must be received by the NWB's Manager of Licensing. While courier or Canada Post is the most acceptable method of submitting an application, the NWB will also accept submission via e-mail provided that all the documents that make up the application are transmittable. When submitting an application via e-mail, the e-mail must reference the application number, the project name, as well as the applicant's name in the e-mail subject line. Referral to an applicant's FTP site is not an acceptable means of submission. (Applicants are advised that in the north, courier service may not be as efficient as Canadian Post.)

The applicant is advised that the NWB is not responsible for delays caused by circumstances outside of its control, such as postal delays, labour disputes, or weather conditions. The responsibility for ensuring that an application has been received by the NWB rests with the applicant. Therefore, applicants should confirm receipt with the Manager of Licensing following the submission of the application. This may be accomplished through the request for a read receipt when submitting applications via e-mail.

For more information refer to the NWB's Guide 4-Completing and Submitting a Water Licence Application for a New Licence.

4.16 What are the NWB's requirements for submitting electronic documentation?

The following guidelines must be respected when formatting electronic documents for submission to the NWB:

1. All electronic documentation must be formatted in PDF readable by Adobe Acrobat version 4 to ensure maximum availability to the public. Files printed to PDF are preferable to scanned files;
2. All PDF documents must be viewable without the need for passwords, additional program add-ins or contain any form of encryption that would preclude the user from viewing the document with Adobe Acrobat version 4;
3. It is recommended that all PDF files be no larger than 3 MB. The NWB is limited to this file size due to its internet speed;
4. All documents must include the application or licence number as text within the document's header or footer;
5. All documents must be dated;
6. When dealing with large documents that contain multiple volumes and chapters, the document must be split up into smaller more manageable documents; and
7. When assigning file names, common sense should prevail.

For more information refer to the NWB's *Guide 6: Electronic Documentation: Submissions and Registry*.

4.17 How should I name my electronic files?

The following guidelines must be respected when naming electronic files that are to be submitted to the NWB:

1. The title and location of the document within its larger context should correspond directly to the file name:

Example:

Chapter one would be named **chap1.pdf** and Figure 1.1 would be named **fig1.1.pdf** as listed in the Table of Contents named **toc.pdf**.

2. Document names may contain the letters a through z in upper and lower case, the numbers 0 to 9 and the hyphen '-'. Underscores must not be used as they can be lost in the link if the link is underlined and can be confused with a space. Periods cannot be used, however all documents must be suffixed ".pdf".
3. Smaller individual documents should be named in the following manner:

YYMMDD-NWB Application or Licence Number-Description

YYMMDD: Year, month, and day representing the date on the document

NWB Application or Licence Number: Application and licence numbers are assigned by the NWB based upon the classification of undertaking as provided in

Schedule II of the Regulations, the type of licence (type A or B), the primary activity code, a three letter project identifier and, where a licence has been approved, the string is followed by the year the licence is issued and the year it expires or expired.

For example, the licence number 3BM-CLY0207 is a licence for classification of undertaking number 3 (municipal), type B, municipal (M) code, issued to the Hamlet of Clyde River (CLY) in 2002 and expiring in 2007.

If the document is related to a file that has been assigned a licence number, the complete licence number must be part of the file name (ie. 3BM-CLY0207). If the document is related to a file that has not been assigned a licence number, such as is the case of an application document, the file name must include the first sections of the licence number representing the classification of undertaking, the type of licence, the primary undertaking code, and a project identifier (ie. 3BM-CLY).

Description: A descriptive name of the document in lower case. The description should be no longer than 30 characters.

Example:

020531 3BM-CLY-ProjectDescription

4.18 How does the NWB assign water licence application and water licence numbers?

Upon submission of a complete water licence application, the NWB assigns the file a number. The NWB's numbering systems is different from the other regulatory agencies and Boards.

Application and licence numbers are assigned by the NWB based upon the classification of undertaking as provided in Schedule II of the Regulations, the type of licence (type A or B), the primary activity code, a three letter project identifier and, where a licence has been approved, the string is followed by the year the licence is issued and the year it expires or expired.

For example, the licence number 3BM-CLY0207 is a licence for classification of undertaking number 3 (municipal), type B, municipal (M) code, issued to the Hamlet of Clyde River (CLY) in 2002 and expiring in 2007.

Application numbers are truncated licence numbers that do not include the year of licence issuance and expiry (ex. 3BM-CLY).

4.19 How is application information transferred between the NPC, NIRB and the NWB?

It is the applicant's responsibility to ensure that the NPC, NIRB and NWB are adequately informed of the water licence application's progress through the pre-licensing land use plan and development impact assessment processes.

In Scenario 1 - Project is located in a region with an approved land use plan, discussed in section 3.1.1 of this Part of the Operational Guide, it is the applicant's

responsibility to submit its water licence application to the NPC. In doing so, the applicant must copy the NWB and NIRB for information purposes. Upon receipt of a conformity determination or land use plan variance from NPC, the applicant should submit to the NIRB and the NWB copies of the NPC's determination. If the water licence application requires a screening by NIRB, the applicant should provide a copy of the NIRB's determination to the NWB as part of its completed water licence application. If the water licence application does not require a screening by NIRB, it is the applicant's responsibility to obtain written confirmation from NIRB confirming that a screening is not required, and submit the written confirmation to the NWB as part of its completed water licence application.

In Scenario 2 - Project is not located in a region with an approved land use plan and project is not exempt from screening, discussed in section 3.1.2 of this Part of the Operational Guide, it is the applicant's responsibility to submit its water licence application to the NIRB. In doing so, the applicant must copy the NWB for information purposes. Upon receipt of a screening determination from NIRB, it is the applicant's responsibility to provide a copy of the NIRB's determination to the NWB as part of its completed water licence application. In addition, it is the applicant's responsibility to obtain written confirmation from the NPC confirming that a land use plan conformity review is not required, and submit the written confirmation to the NWB as part of its completed water licence application.

In Scenario 3 - Project is not located in a region with an approved land use plan and project is exempt from screening, discussed in section 3.1.3 of this Part of the Operational Guide, it is the applicant's responsibility to obtain written confirmations from both NPC and NIRB confirming that neither land use planning or development impact assessment determinations are required, and submit the written confirmations to the NWB as part of its completed water licence application.

At the time of writing this Operational Guide, the NPC, NIRB and NWB are developing a coordinated approach for submitting and processing applications. In the meantime, the direction provided above is intended to ensure that application information is transferred as efficiently as possible between the Commission and the Boards.

For more information refer to the NWB's *Guide 5: Processing Water Licence Applications*.

4.20 How does the NWB determine whether a water licence application requires a public hearing?

Generally, public hearings are not required for type B water licence applications. Public hearings are also not required in the following circumstances:

- a) If the Board conducts a joint hearing or participated in the hearing of NIRB or the federal environmental assessment panel contemplated in Article 12.4.7 of the NLCA;
- b) If the applicant consents in writing to the disposition of a matter without a public hearing, provided that no person informs the Board by the tenth day before the day of the proposed hearing of the person's intention to make representations;

- c) Where an application is rejected due to a non-conforming determination from NPC; or
- d) An application for an amendment of a licence where the Board, with the consent of the Minister, declares the amendment be required on an emergency basis.

However, the Board may decide to hold a public hearing in connection to any matter relating to its objects where it is satisfied that it is in the public interest to do so.

With few exceptions, a public hearing is required for type A water licence applications. However, the Board may waive the requirement for a public hearing in relation to a type A water licence where there is no public concern expressed.

The steps for processing a type B water licence application are set out in section 3.2 of this Part of the Operational Guide and the steps for processing a type A water licence application are set out in section 3.3 of this Part of the Operational Guide.

For more information refer to the NWB's *Guide 5: Processing Water Licence Applications*.

4.21 How long is the water licensing process?

The Time Charts in Appendix B of this Operational Guide outline: the steps of the type B and type A processes as they are defined in sections 3.2 and 3.3 of this Part of the Operational Guide respectively; who is responsible for initiating the step; and the associated timeframes.

It is important to note that these timeframes are approximate. Actual timeframes are determined on a project specific basis and are dependent upon the nature and quality of information contained in the initial application, the responsiveness of the applicant to requests for additional information, the public notification process, the complexity of the project, as well as the number of other applications requiring the attention of the Board.

Typically, after completing and confirming any pre-licensing land use or development impact requirements, it is reasonable to allow approximately three (3) months for the processing of a type B application that does not require a public hearing. However, if the Board determines that there are urgent circumstances related to the application, the Board may act on the application in a shorter time period, but not less than ten (10) days. Also, if there is a sudden occurrence that requires immediate amendment of a type B licence the Board can dispense with the public notice period if the Board, with the consent of the Minister, declares that the amendment is required on an emergency basis.

For clarity, the Board does not consider delayed filing of an application on behalf of the applicant as an urgent circumstance or an emergency situation. It is the responsibility of the applicant to undertake proper planning to ensure applications are submitted with sufficient time for the NWB to conduct its process. Generally, for an application to be deemed urgent by the Board, the applicant is required to

demonstrate that unless the application is expedited through the process, there will be an adverse environmental consequence.

Typically, after completing and confirming any pre-licensing land use or development impact requirements, it is reasonable to allow approximately one year for the processing of a type A application or an application requiring a public hearing.

For more information refer to the NWB's Guide 5: Processing Water Licence Applications.

4.22 What term are water licences issued for?

The term of a licence is first proposed by the applicant in its application to the NWB for a water licence. In proposing a licence term, the applicant must consider a few matters. First, the applicant must be aware that the time and process to renew a licence is the same as that for a new licence. Second, a subsequent application may be made following the issuance of a water licence to amend or cancel the water licence. Finally, the proposed term of a licence does not influence the level of review required by the NWB (ie. whether a public hearing is required).

In proposing a licence term, the applicant must consider the reasonably foreseeable life of the project. If, for example, a project is anticipated to continue over a period of several years at a relatively consistent level of use with no significant changes anticipated, the applicant must apply for a multi-year licence to avoid the burden of preparing and filing an annual renewal application. In doing so, it is understood that if project plans should change, an application may be made to amend or cancel the water licence.

In conclusion, the term of any licence will be determined by the Board and may vary depending upon the scope of the undertaking and the extent of the potential effects of the water used and waste deposited. Generally, municipal licences are issued for a term of up to 5 years and in all cases the term of a licence cannot exceed 25 years.

For more information refer to the NWB's Guide 5: Processing Water Licence Applications.

4.23 What conditions can the NWB include as part of a water licence?

The Board may include in a licence any conditions that it considers appropriate, including conditions relating to:

- a) The manner in which waters may be used;
- b) The quantity, concentration and types of waste that may be deposited and the manner of depositing the waste;
- c) The studies to be undertaken, works to be constructed, plans (including contingency plans), to be submitted, and monitoring programs to be undertaken;
- d) Any future closing or abandonment of the appurtenant undertaking; and

- e) The provision and maintenance of financial security with the Minister.

With respect to monitoring programs, the Board may specify monitoring responsibilities to the applicant, NIRB, or her Majesty in right of Canada. The Board may also include in a licence, the terms and conditions of any project certificate or screening determination issued by NIRB in respect of the use of waters or deposit of waste or the appurtenant undertaking to which that use or deposit relates.

The Board may include conditions in a licence that are at least as stringent as effluent quality standards prescribed by regulations for the deposit of waste into waters, regulations made under section 36(5) of the Fisheries Act, and any standards prescribed by regulations for the design, construction, operations and maintenance of works used in relation to the undertaking.

For more information refer to the NWB's *Guide 5: Processing Water Licence Applications*.

4.24 How are effluent discharge criteria determined?

<the answer to this FAQ may need to be updated following finalization of Nunavut specific water regulations and/or Fisheries Act regulations>

At the time of writing this Operational Guide, there are no regulations that prescribe specific effluent quality standards in Nunavut. The Act includes the following provisions with respect to effluent quality and regulations:

Conditions for issuance of licence

57. The Board may not issue a licence unless the applicant satisfies the Board that
- (a) any waste produced by the appurtenant undertaking will be treated and disposed of in a manner that is appropriate for the maintenance of the water quality standards and effluent standards that are prescribed by the regulations or, in the absence of such regulations, that the Board considers acceptable;

Conditions of waste deposit

72. The conditions in a licence relating to the deposit of waste in waters shall
- (b) be at least as stringent as the effluent standards prescribed for those waters be the regulations, if any.

Regulations under *Fisheries Act*

73. Where the Board issues a licence in respect of any waters to which regulations made under subsection 36(5) of the *Fisheries Act* apply, any conditions in the licence relating to the deposit of waste in those waters shall be at least as stringent as the conditions prescribed by those regulations.

Regulations

82. (1) The Governor in Council may, on the recommendation of the Minister, make regulations
- (k) prescribing effluent standards in Nunavut, except in a National Park:

At the time of writing this Operational Guide, Nunavut specific water regulations and regulations under the authority of the *Fisheries Act* based on the Canadian Council of Ministers of Environment (CCME) *Canada-wide Strategy for the Management of Municipal Wastewater Effluent* (Strategy) are under development (see Part F of this Operational Guide).

The NWB generally considers some or all of the following factors in determining appropriate effluent discharge criteria:

- Other users;
- Background water quality;
- The treatment levels that are theoretically achievable;
- Characteristics of the receiving water body (type, size, dilution, etc.);
- Receiving water quality objectives; and
- Input from stakeholders and regulatory agencies.

As outlined in its **draft Supplemental Information Guideline (SIG) for Municipal Development** (see Appendix D), the NWB requires applicants to “Clearly outline proposed discharge criteria, how the criteria were developed, standards to be applied, and how these criteria will be used to prevent ecological effects in the receiving environment.”

In establishing licence conditions for municipalities, the Board generally refers to wastewater effluent objectives outlined in the *Guidelines for the Discharge of Treated Municipal Wastewater in the Northwest Territories*, Northwest Territories Water Board, 1992, commonly referred to as the “Bluebook Guidelines”.

The Bluebook Guidelines apply to:

- Discharge of effluent from wastewater collection and treatment systems;
- Discharge of effluent onto land used for treatment or disposal of wastewater;
- Discharge of effluent or runoff from sanitary landfill sites and garbage dumps;

By or from:

- Cities, towns, villages, hamlets, settlements, and unorganized communities;
- Work camps of 10 or more people.

Chapter 4 of the Bluebook Guidelines sets out end of pipe municipal wastewater effluent quality guidelines that are intended to maintain the quality of receiving waters taking into consideration the types of sewage treatment facilities found to be practical in northern community settings (lagoon systems in most cases). The

effluent quality guidelines are generally based on characteristics of the receiving environment (type, relative size, dilution factor) and on the community's per capita wastewater flow rate. Although the Bluebook Guidelines provide effluent quality limits, they are not intended to be applied prescriptively. Maintenance of receiving water quality objectives is the primary goal. Therefore, if a particular effluent quality limit will not achieve the intended receiving water objective, then the Board may adjust the limit as necessary for the purposes of licence issuance. However, when insufficient site specific information is available to ensure that receiving water quality objectives can be achieved, the Board has difficulty applying the Bluebook Guidelines.

Input from stakeholders including regulatory agencies also influence final effluent discharge criteria set in the licence.

Water licences typically provide limits on wastewater effluent concentrations for the following parameters:

- Biochemical Oxygen Demand (BOD₅);
- Total Suspended Solids (TSS);
- pH;
- Oil and grease;
- Fecal coliforms; and
- Phosphorous, where warranted.

4.25 Where does the NWB regulate effluent discharges?

The NWB regulates effluent discharges on a case by case basis. The regulated point of compliance is described in the water licence and is generally set at the "Final Discharge Point" defined in respect of an effluent as an identifiable discharge point of a facility beyond which the operator of the facility no longer exercises control over the quality of the effluent.

At the time of writing this Operational Guide, the point of compliance for sewage disposal and/or treatment facilities that incorporate wetland treatment is generally located at the point of discharge to the wetland. Additional monitoring may be required downstream of that point to assess the level of treatment provided by the wetland.

4.26 Does the NWB regulate effluent discharges to the ocean?

The Board's jurisdiction over waters is limited to inland, non-marine waters on or below the surface of the land. The Board's jurisdiction over waste disposal is triggered where there is either a deposit of waste into waters or in any other place in Nunavut under conditions in which the waste may enter waters in Nunavut.

An overlap with the Department of Fisheries and Oceans Canada and Environment Canada's jurisdiction under the *Fisheries Act* may occur if evidence indicates that effluent discharge may enter both inland and marine waters. In such cases, the Board endeavours to maintain a precautionary approach to regulation that meets the Board's primary obligation to protect inland water quality in a

manner that is also consistent with the protection of the marine environment. In doing so, the Board recognizes that in setting effluent discharge criteria limits, the Board must be at least as stringent as the standards prescribed under the applicable *Fisheries Act* regulations.

4.27 How does the NWB deal with issues outside of its authority?

Where appropriate, the NWB will address issues outside of its authority in the cover letter or decision to the licence.

It is helpful if parties acknowledged in writing those recommendations that are outside of the NWB's jurisdiction and mandate.

4.28 What if I do not agree with the NWB's decision?

Every decision of the Board is final. Questions of law and jurisdiction may be appealed to the Federal Court.³

4.29 What may be required by the Board to comply with a water licence?

Annual reporting

Typically, the licensee is required to submit an annual report to the Board that contains information about the project's activities and performance including:

- Data generated under the monitoring program;
- Quantities of water used;
- Quantities of waste discharged and disposed;
- Summary of any modifications and/ or maintenance work carried out
- List of unauthorized discharges and follow-up actions;
- Summary of any abandonment and restoration work completed;
- Any updates or revisions to management plans and/or manuals;
- Summary of any studies or reports requested by the Board and a description of any future studies planned; and
- Any other details requested by the Board that relate to water use and/or waste disposal.

Minimum reporting requirements for municipal projects are set out in the NWB's *Standardized Form for Annual Reporting*. This form is included in Appendix G of this Operational Guide and is available electronically from the NWB FTP site at <ftp://nunavutwaterboard.org/ADMINISTRATION/Standardized%20Forms/> (username "public", password "registry"); however, specific additional details may be required in an annual report depending upon the nature and complexity of the licence.

Generally, the Board imposes conditions on licences that require the submission of annual reports on March 31st of the year following the calendar year reported.

³ In accordance with s. 80 and 81 of the NWNSRTA.

Annual reports are generally for the purpose of ensuring that the NWB has an accurate annual update of activities during the year. The reports are maintained on the public registry and distributed for information purposes to a list of interested parties including federal and territorial government departments, community representatives, DIOs, HTOs, as well as other agencies or individuals that the Board deems appropriate.

Plan for compliance

In certain cases the Board may require the licensee to submit a plan for compliance that demonstrates the measures the licensee will undertake, including an implementation schedule to achieve full compliance with the conditions of a licence, taking into consideration the issues raised in any previous inspector reports. Such cases may include licences for projects that may foreseeably enter into a care and maintenance phase, or licences for projects where compliance problems have been identified.

For more information, see the NWB's draft *Guide to the Development of a Plan for Compliance* provided in Appendix H of this Operational Guide and available electronically from the NWB FTP site at <insert link>. <Draft Guide was provided to GN-CGS for comments. Comments on draft Guide to be provided>

Submission of documents for review and/or approval

Licence terms and conditions may require the licensee to submit various plans, designs, and reports within specific timeframes for the Board's review and/ or approval.

Where approval of a document is required by the Board, the licensee is not permitted to implement any plans outlined in the document until such approval has been issued in writing. When requesting that plans be submitted for Board approval, the Board takes into consideration the project's schedule to the extent possible.

Upon submission of the document, the Board will distribute the document to a list of interested parties for public review and comment. Following the review, the Board may alter or modify a plan if necessary and will notify the licensee in writing of acceptance, rejection, or alteration of the plan. Generally, the Board requires approximately three (3) months to complete its review depending upon the complexity of the document and the degree of public interest in the document.

The licensee is advised to take into consideration any recommendations contained in the NWB's decision, comments received during the licensing process, any NWB approved guidelines, as well as any regulatory guidelines deemed appropriate in developing or updating such plans, designs and reports.

As-Built (Record) Drawings

Licence terms and conditions may require the licensee to submit as-built (record) plans or drawings of the components approved as part of the licence as well as

any modifications carried out on approved components in compliance with the licence conditions.

The NWB requires as-built (record) drawings, requiring the application of engineering principles, to be developed to professional engineering standards and under the professional responsibility of individuals and firms registered with the Northwest Territories and Nunavut Association of Professional Engineers and Geoscientists (NAPEG). When submitting as-built (record) plans or drawings, the NWB encourages licensees to reference the NAPEG document *A Guideline to the Use of Stamps*.

Water Use Fees and Security

Water use fees and security are not required for municipal undertakings.

For more information refer to the NWB's *Guide 7: Licensee Requirements Following the Issuance of a Water Licence*.

4.30 How does the Board monitor for compliance?

The Board conducts periodic administrative compliance assessments to determine the licensee's status of compliance with administrative terms and conditions of the licence. This generally involves a review of the documents on the public registry related to the licence to determine whether required plans, reports and manuals were submitted and approved in accordance with licence conditions; a review of inspection reports and any responses provided by the licensee to address inspection requirements; and a determination of the status of project activities.

For more information refer to the NWB's *Guide 7: Licensee Requirements Following the Issuance of a Water Licence*.

4.31 How does the NWB deal with compliance issues?

The Board has the authority to recommend cancellation of a licence when it is in the public interest to do so. The Board monitors a licensee's efforts to maintain compliance with their water licence, and if at any point the Board determines that failure to comply with conditions set out in a licence are such that the balance of public interest changes, the Board may exercise its authority to cancel a licence.

In the case where an existing licence requires a renewal but the licensee is demonstrated to be out of compliance with the terms and conditions of its existing licence, the Board may impose a condition of renewal that requires the licensee to submit a plan for compliance as described in section 4.29 of this Part of the Operational Guide.

Also, in this case, the Board may decide to issue the renewal for a shortened term with an expectation that the licensee will take immediate steps to come into full compliance with the licence requirements. A short term licence permits the Board to increase its level of confidence that facilities are operating as they should.

4.32 How are water licences enforced?

The NWNSRTA provides for enforcement measures and penalties as well as the designation of qualified inspectors and analysts to facilitate such enforcement measures and penalties.

For more information refer to Part H of this Operational Guide addressing INAC's role in the water licensing process as well as the NWB's Guide 7: Licensee Requirements following the Issuance of a Water Licence.

4.33 What subsequent applications may follow the issuance of a water licence?

The NWB's Guide 7: Licensee Requirements following the Issuance of a Water Licence provides information regarding applications that may follow the issuance of a water licence. As summarized below, the Board may upon application, or in certain circumstances, on its own initiative, renew, amend, cancel and/or assign a water licence. The Board does not grant licence extensions.

Renewals and Amendments

The Board may, upon application by the licensee, renew a licence. An application may be classified as a renewal only if all operations remain the same as previously licensed and only the term of the licence requires change. Any requests for changes to terms and conditions of a licence require an amendment.

The Board may, upon application by the licensee, amend a water licence. The Board may also amend a water licence on its own initiative to deal with a water shortage or where the Board considers the amendment to be in the public interest.

Renewal and amendment applications may be combined and processed together.

Cancellations

The Board may cancel a licence:

- a) On application by the licensee;
- b) Where the licensee, for three successive years, fails to exercise the licensee's rights under the licence; or
- c) Where the Board considers the cancellation to be in the public interest.

The expiry or cancellation of a licence does not relieve the holder from any obligations imposed by the licence.

Assignments

A sale or other disposition by a licensee of any right, title, or interest in an appurtenant undertaking constitutes, subject to the authorization of the Board, an assignment of the licence to the person to whom the sale or other disposition is made.

The Board, shall, on application, authorize the assignment of a licence if it is satisfied that the assignment and the operation of the appurtenant undertaking will not likely result in a contravention of any condition of a licence or any provision of the regulations.

4.34 What are the application requirements for a water licence renewal and/or amendment?

Renewal

All licences have an expiration date not exceeding 25 years from the date of issuance. The licensee must check the expiration date and plan to apply to the NWB for a licence renewal at least either within at least 3 months for a type B licence or 12 months for a type A licence.

If a licence expires before it is renewed by the NWB, the water use and waste disposal must cease, otherwise the licensee will be in contravention of the NLCA and the NWNSRTA. The expiry of the licence does not relieve the holder from any obligations imposed by the licence, unless the licence has been cancelled.

In applying to the NWB for a water licence renewal, the Board requires that the licensee clearly distinguish whether their application is just for a renewal or whether it also includes any amendments (see sub-section below).

The following items will be required to be submitted to the NWB for water licence renewal:

- A completed *Application for Water Licence Renewal Form*. This form is provided in Appendix E of this Operational Guide and is available electronically from the NWB website at http://www.nunavutwaterboard.org/en/application_forms (username “public” password “registry”);
- Updated plans if the plans on the NWB’s public registry are older than three (3) years or outdated;
- Updated financial statement, if applicable;
- Compliance assessment/ status report;
- Executive summary of the application in English;
- Translated executive summary; and
- \$30.00 application fee.

Amendment

If the licensee contemplates a change to the scope of a project from that originally licensed, meaning a change to or a new activity or component related to water use or waste disposal not previously licensed in the scope of the project, the licensee must apply for a water licence amendment from the NWB.

Among other things, an amendment may involve a change to a water source; the volume of water authorized for use; a new activity related to water use or waste disposal; a new component related to water use or waste disposal; and/or a change in predicted environmental impact(s).

If a water licence amendment is required, the licensee is advised to contact the NPC and the NIRB to determine whether the amendment changes any original NPC conformity determination and any NIRB screening determination or project certificate. The NWB cannot process an amendment application if the amendment changes any previous NPC or NIRB determination.

The following items are required to be submitted to the NWB for water licence amendments:

- A completed *Application for Water Licence Amendment Form*. This form is provided in Appendix F of this Operational Guide and is available electronically from the NWB website at http://www.nunavutwaterboard.org/en/application_forms (username "public" password "registry");
- Updated information that satisfies the checklist requirements of the Supplemental Information Guidelines (SIG) including updated plans if the plans on the NWB's public registry are older than three (3) years or outdated;
- Compliance assessment/ status report;
- Indication of renewal requirement;
- Executive summary of the application in English;
- Translated executive summary; and
- \$30.00 application fee.

If a proposed amendment does not change the terms and conditions of an existing licence or require the addition or removal of any terms and conditions from the existing licence, the licensee should review the conditions of the existing licence regarding modifications. Generally, water licences include a condition permitting the licensee to carry out modifications to the water supply and waste disposal facilities without written approval from the Board, provided that such modifications are consistent with the terms of the licence. In such cases, the licensee must notify the Board in writing if such proposed modifications at least sixty (60) days prior to beginning the modifications.

For more information refer to the NWB's *Guide 7: Licensee Requirements Following the Issuance of a Water Licence*.

4.35 How do I complete a compliance assessment/ status report?

A completed compliance assessment / status report is required as part of a water licence application for renewal and/or amendment. This report is to be developed in the same manner as a Plan for Compliance as discussed in section 4.29 of this Part of the Operational Guide. The report must demonstrate the measures the licensee has or will undertake, including an implementation schedule to achieve full compliance with the conditions of its licence, taking into consideration the issues raised in any previous inspector reports. The completed report must be signed off by an INAC inspector.

For more information, see the NWB's draft *Guide to the Development of a Plan for Compliance* provided in Appendix H of this Operational Guide and available electronically from the NWB FTP site at <insert link>.

4.36 What happens if the project changes during the term of the water licence?

Generally, water licences have some flexibility built into them to deal with minor project changes. If a project change is related to operations and maintenance, standard conditions in the licence may allow the licensee to provide the relevant project change information in an addendum to their operations and maintenance manual and submit the addendum as part of their annual report.

If a project change is more substantial, standard conditions in the licence 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. Modifications that do not meet specific conditions of the water licence may only be carried out following approval from the Board in writing.

If the licensee contemplates a change to the scope of a project from that originally licensed, meaning a change to or a new activity or component related to water use or waste disposal not previously licensed in the scope of the project, the licensee must apply for a water licence amendment.

Among other things, an amendment may involve a change to a water source; the volume of water authorized for use; a new activity related to water use or waste disposal; a new component related to water use or waste disposal; and/or a change in predicted environmental impacts(s).

The licensee is also advised to contact the NPC and NIRB to determine whether the amendment changes any original NPC conformity determination and any NIRB screening determination or project certificate.

4.37 How can I access public documents from the NWB?

The Board maintains a public registry containing the following in respect of each licence application:

- a) A copy of the application and all supporting documents;
- b) All records from any public hearing held in connection to the application;
- c) A copy of any licence issued in respect of the application and the reasons for the decision of the Board in respect of its issuance; and
- d) All correspondence and documents submitted to the Board in respect of compliance with the conditions of the licence issued.

The public registry is maintained in both hardcopy and electronically, both forms of which are available for public use at the main office in Gjoa Haven, Nunavut, during normal business hours (Mon-Fri: 9:00am – 5:00pm Mountain Standard Time (MST)).

In addition, the Board maintains its public registry electronically on an FTP site at <ftp://nunavutwaterboard.org/>. (Username: public, Password: registry). Windows Internet Explorer is the recommended browser for accessing the NWB FTP site. At the time of writing this Operational Guide, the NWB FTP site is accessible but under construction.

For more information regarding the NWB's electronic public registry, FTP site and the submission of electronic documentation, refer to the NWB's *Guide 6: Electronic Documentation: Submissions and Registry*.

4.38 Can I request a copy of the public registry from the NWB?

Yes. If you are experiencing difficulty downloading files from the NWB FTP site, you can mail the NWB a "jump drive" with a request for the specific files that you would like copied from the public registry along with a return address. The NWB will copy the requested files onto the "jump drive" and mail it back.

Please ensure that there is sufficient memory available on the "jump drive".

For more information regarding accessing, navigating and troubleshooting the NWB's FTP site refer to the NWB's *Guide 6: Electronic Documentation: Submissions and Registry*.

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

The NWB considers the GN's five year capital plan when forecasting its internal workload to make appropriate preparations.

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

According to section 12.12.7 of the NLCA, CEAA does not apply to municipal projects within the NSA.

4.41 How does the NWB communicate with the stakeholders of municipal water licensing?

<The NWB is in the process of drafting a communications strategy in consultation with other stakeholders of municipal water licensing. This strategy will be included as Appendix K of this Operational Guide.>

4.42 What additional information about the water licensing process is available?

The following documents are available from the NWB's FTP site at <ftp://nunavutwaterboard.org/>:

- Guide 1 – The Nunavut Water Board
- Guide 2 – Terminology and Definitions
- Guide 3 – Activities that Require a Water Licence and Types of Water Licences

Guide 4 – Completing and Submitting a Water Licence Application for a New Licence

Guide 5 – Processing a Water Licence Application

Guide 6 – Electronic Documentation: Submission and Registry

Guide 7 – Licensee Requirements following the Issuance of a Water Licence

Guide 8 – Community Consultation (under development)

Rules of Practice and Procedure for Public Hearings

Water Licensing Process Flowcharts and Time Charts (in colour and black and white)

DRAFT

PART B. GOVERNMENT OF NUNAVUT (GN) COMMUNITY GOVERNMENT SERVICES (CGS)

<This Part B was sent to GN-CGS for review and input in September 2010. Comments to be provided>

1. INTRODUCTION

The Government of Nunavut (GN), under the authority of the *Financial Administration Act*, may support the physical development of communities and the provision of land for community and economic development.

The GN Community Government Services (CGS) works in partnership with community governments of Nunavut (Clients) to assist them in building their capacity so that they can meet the needs of their residents. The GN-CGS delivers capital infrastructure projects to Nunavut communities such as airport runways, territorial government buildings, arenas, community halls, roads, bridges, sewage systems, water systems, municipal waste facilities, tank farms, etc.

For administrative purposes, the GN-CGS has a projects division for each of the three main regions of Nunavut including the Kitikmeot region, the Kivalliq region and the Qikiqtaaluk region. Each projects division is responsible for the management of capital infrastructure projects from initial needs identification to commissioning and hand over. As each new project is funded, the regional project manager will assign it to one of the regional project officers whose job it will be to manage the project throughout its life and keep it within budget.

2. ROLE OF GN-CGS IN THE WATER LICENSING PROCESS

The role of GN-CGS in the water licensing process is to advise and act on behalf of the Hamlets. This involves the coordination of any pre-licensing requirements as well as the coordination of submissions of water licence applications, supporting information and any additional information requested by the Nunavut Water Board (NWB or Board) during the process.

3. ROLE OF OTHER GN DEPARTMENTS IN THE WATER LICENSING PROCESS

3.1 Department of Environment (DOE)

The GN Department of Environment (DOE) participates in the water licensing process led by the NWB as a regulatory authority. GN-DOE reviews and comments on the water licensing process, water licence applications as well as documents and monitoring reports submitted in accordance with an approved licence, through submissions of written representations and interventions.

The GN-DOE generally provides advise to the NWB concerning its responsibilities under Nunavut's *Environmental Protection Act* (EPA) including the regulations, guidelines and policies generated under that Act, the *Environmental Rights Act*, the *Pesticide Act* and *Pesticide Regulations*, the *Wildlife Act* and various wildlife regulations, the *Canada-wide Accord on Environmental Harmonization*, and the

Canada Wide Environmental Standards sub-agreement. Comments submitted to the NWB from the GN-DOE are usually related to waste and water management, spill contingency planning, and air quality.

Specific regulations administered by the GN-DOE under the EPA include:

- *Spill Contingency Planning and Reporting Regulations;*
- *Asphalt Paving Industry Emission Regulations*

The specific environmental guidelines and policies developed under the *Environmental Protection Act* include:

- *Guideline for Dust Suppression*
- *Guideline for the General Management of Hazardous Waste in Nunavut*
- *Guideline for Industrial Projects on Commissioner's Lands*
- *Guideline for Industrial Waste Discharges in Nunavut*
- *Guideline for Ozone Depleting Substances*
- *Guideline for Contaminated Site Remediation*
- *Guideline for Air Quality - Sulphur Dioxide & Suspended Particulates*
- *Contingency Planning and Spill Reporting in Nunavut: a Guide to the New Regulations*
- *Guideline for the Management of Waste Antifreeze*
- *Guideline for the Management of Waste Asbestos*
- *Guideline for the Management of Waste Batteries*
- *Guideline for the Management of Waste Paint*
- *Guideline for the Management of Waste Solvents*
- *Illustrated Homeowner's Guide to Heating Oil Tank Inspections*
- *Guideline for the Management of Waste Lead and Lead Paint*
- *Municipal Solid Wastes Suitable for Open Burning*

Environmental Protection Officers (EPO)

In accordance with section 3(1) of the *Environmental Protection Act*, a Chief Environmental Protection Officer (EPO) is appointed by the Minister. The EPO, in accordance with section 3(2) of the Act, may also appoint Inspectors.

Typically, the GN EPO does not enforce water licences as water licence enforcement is INAC's mandated responsibility. Generally, the GN EPO's role in the water licensing process is advisory.

3.2 Department of Health and Social Services

The GN Department of Health and Social Service (HSS) participates in the water licensing process led by the NWB as a regulatory authority. The GN-HSS comments on the water licensing process, the water licence applications as well as documents and monitoring reports submitted in accordance with an approved licence, through submissions of written representations and interventions.

The GN-HSS generally provides advise to the NWB concerning its responsibilities under the *Public Health Act*.

Environmental Health Officer

GN-HSS Environmental Health Officers plan treatment systems for community drinking water systems and monitor drinking water supplies.

4. GN CGS FIVE YEAR CAPITAL PLANNING PROCESS

To fulfill its responsibilities under the *Financial Administration Act*, the GN-CGS conducts a five year capital planning process.

There are two main steps in the five year capital planning process: (1) capital planning; and (2) project delivery.

4.1 Capital planning

The capital planning process is an annual process designed to appropriate funding for infrastructure projects in Nunavut. The process typically involves the following steps:

1. Community consultation process including identification of community needs; review of existing community capital assets; and identification of projects.
2. Evaluate useful life of existing infrastructure.
3. Determine minimum community requirements.
4. Review standards and criteria for planning projects and improvements to existing infrastructure.
5. Develop capital cost estimates including operation and maintenance.
6. Prepare preliminary first draft of the annual capital estimates and five year capital plan.
7. Determine the impact of proposed program on existing infrastructure.
8. Identify source of funding.
9. Prioritize projects.
10. Tentatively approve draft plans.
11. Review and monitor plan and revise and update as needed.

GN-CGS begins the process with two primary questions: “What do we need?” and “Why do we need it?”. These questions then lead to the following related questions:

1. How long will our equipment and facilities last?
2. What upgrades will be needed and when will they be needed?
3. Where will we find the money?
4. Which need is most important to the community and why is it important?
5. How can we best schedule specific projects?

The capital planning process cycle starts and ends in November as outlined in the following timeline. A flowchart of this timeline is provided in Appendix I of this Operational Guide

November – March

The GN-CGS capital planning department updates the needs assessment with input from community consultation and the Nunavut Community Infrastructure Advisory Committee (NCIAC).

April – May

The GN-CGS technical services division conducts a technical review and GN-CGS capital planning department prioritizes projects.

May

GN-CGS capital planning head quarters negotiates with the Nunavut Community Infrastructure Advisory Committee (NCIAC) and the Interdepartmental Committee for Capital Planning (ICCP) over the draft five year capital plan.

June – September

The five year capital plan undergoes Deputy Minister review, Financial Management Board (FMB) approval, and standing committee review.

October – November

The five year capital plan undergoes Legislative Assembly approval.

4.2 Project delivery

Once a potential project is approved by the Legislative Assembly, it becomes an official project and the regional project manager will assign the project to a project officer for delivery. Delivery is usually carried out with the assistance of a private architectural and/or engineering consulting firm.

Once a site for a particular project is selected with consultation from the community, a resolution is passed by the community council to go ahead. The proposed site is evaluated by the regional office based on health and safety of the community, environmental impacts, social and economic benefits, impacts on wildlife, ecosystem, capital cost, operation and maintenance costs, etc.

The land to be developed must be owned by the hamlet and the lease agreement must be signed by GN-CGS. If necessary, CGS planning and lands division will transfer land from the commissioner to the hamlet.

4.2.1 Initiation

This is when the need for the project is first defined, and the approximate size and cost of the facility are determined. Tasks at this stage are outlined in Table 3.

Table 3: Initiation Tasks

Lead Role	Tasks
Client	Define the services to be delivered to the community
Client	Conduct a needs analysis to determine the number of users, basic demographic information, and future trends
Client/CGS	Outline the scope of work. For government projects, these are determined

	by Capital Standards, regulators compliance requirements, and other criteria
Client/CGS	Consult the community about service issues
Client/CGS	Examine some site alternatives, and select and obtain the preferred site
Client/CGS	Consider some development options such as renovation, adding on to an existing infrastructure or new construction
Client	Establishment of initiation cost estimate for early budget projects

Most of the tasks at the initiation stage are carried out by the client. However, GN-CGS assists in the following ways:

Capital standards and criteria: GN-CGS through NCIAC and the Nunavut Association of Municipalities (NAM) consult each community for capital standards and criteria

Technical Assessment and Development Options: GN-CGS Technical Services Division (TSD) can determine if existing infrastructure can be renovated or expanded, and outline the scope of work needed to meet current standards and guidelines. In addition, a facility planner from TSD may write a project brief explaining the scope of work to be designed

Cost Estimates: GN-CGS has cost data for a wide range of projects across Nunavut. Cost estimates are identified by cost estimate class. A different estimate class is required for each stage of the project. The classes are defined in the following Table 4.

Table 4: Cost Estimate Classes

Stage	Class	Definition
Initiation	X	This is the first stage in the project cost estimate process. This cost estimate class is prepared based on a general concept with no design information (e.g. request made for a three-storey building of approximately 600 m ² in size).
Pre-design	D	A project brief is developed using information gained from past experience or projects and incorporates developed standards and criteria. This is then submitted to the client for review and a decision whether or not to proceed with the project.
Conceptual Design	C	Design decisions are made at this time, including completion of 10% - 60% of project drawings; life cycle costs are reviewed and "Value Management/Engineering" is considered. The pre-design stage is taken into consideration at this point and the class "D" estimate is adjusted accordingly to suit the information being produced for the design report.
Design/ Development	B	This is prepared by the designer/consultant after the selection of both the building configuration and building systems. The consultant at this stage has outlined the specifications and design drawings for the project. This should be the estimate upon which the final financial decision is made.
Pre-Tender	A	A cost report is submitted at the end of this stage, which provides confirmation that tenders will be within the cost limit.

		This cost estimate is used as an elemental cost analysis for use on future projects and includes a trade breakdown for use during the construction period.
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4.2.2 Detailed project planning

Project initiation focuses on service delivery and operational planning. The detailed project planning stage develops more detailed infrastructure requirements. Tasks at this stage are outlined in Table 5.

Table 5: Detailed Project Planning Tasks

Lead Role	Tasks
CGS/Client	Develop a functional program (a description of the sewage lagoon in the community), operational requirements and maintenance and life cycle cost of the project.
CGS/Client	Consult with the community on program issues, as well as business development, employment and training.
CGS	Identify any special technical requirements.
CGS	Conduct geotechnical and environmental investigations, and legal and topographical surveys as required.
CGS	Determine the best delivery method for the project, such as public tender, negotiated contracts, design/build, lease.
CGS	Update cost estimates and schedules for class D.
CGS	Assemble information (service delivery, operational plan, functional program, schedule and budget) into project brief.
CGS	Have budget approval to proceed with design and tender.

The services available from the GN-CGS at this stage include:

Functional Programming: CGS can help the client prepare a functional program. If the program isn't complete, many basic issues will be left up to the architects and engineers to determine. No matter how experienced the designers, they'll design the project according to their own experience and point of view, and may not appreciate special needs or conditions unless they've been identified during the planning stage.

Community Consultation and Delivery Methods: CGS can work with community governments and local contractors to identify training and employment opportunities, and help get cabinet approval where appropriate.

4.2.3 Design

Once the detailed planning is complete and a project brief is prepared, the next stage is to hire architects and start design, consistent with budgeting approval. Tasks at this stage are outlined in Table 6.

Table 6: Design Tasks

Lead Role	Tasks
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CGS	Request proposals from architects and engineers (consultant).
CGS/Client	Evaluate the proposals, select the successful consultant and award the contract.
Consultant	Prepare several different conceptual design alternatives.
CGS/Client	Review the conceptual design alternatives and choose the viable options This is a good time for community consultation.
Consultant	Prepare a schematic design package including site plans, floor plans, cross sections, facades, structural systems, simple diagrams of mechanical and electrical systems and cost upgrade estimates for class B.
CGS/Client	Review and approve schematic design. Community consultation may be needed here as well.
Consultant	Prepare a design development package, which includes a specification as well as more detailed drawings and a more detailed cost estimate.
CGS/Client	Review and approve design development.
Consultant	Prepare detailed contract documents (plans and specifications) that will be used for tender and construction, along with a detailed pre-tender cost estimate class A.
CGS/Client	Review and approve contract documents.
Client	Have funding approved for the tender in accordance with class A construction estimate and total project requirements.

The services available from the GN-CGS at this stage include:

Consultant Selection: CGS prepares terms of reference for consultants and issues a request for proposal, evaluates proposals with clients, and awards the architectural/ engineering contracts.

Design Review: CGS can manage the design process to the client's satisfaction and with the client's full participation. CGS can also conduct technical reviews of the project at the schematic and design development stages, based on technical standards that have a strong performance history.

Financial Management: CGS can administer the architect's contract and make progress payments, and provide the client with regular financial reports.

4.2.4 Tender

At this point the project has been designed, and funding for construction has been approved. The next step is to get bids from contractors and award construction contracts. Tasks at this stage are outlined in Table 7.

Table 7: Tender Tasks

Lead Role	Tasks
CGS	Advertise the project, and distribute drawings and specifications to contractors.
CGS	Issue addenda if required.
CGS	Consider and approve contractors' requests for options and substitutions.

CGS	Receive and evaluate bids. Negotiate reductions if required.
CGS	Administer the Nunavummi Nangminiaqqtunik Ikajuuti or “NNI Policy”, which applies to all projects that receive at least half of their funding from the Government of Nunavut.
CGS	Award construction contracts.

The services available from the GN-CGS at this stage include:

Negotiation: CGS can provide all of the services outlined in the tender and negotiation stage. In particular, CGS can help negotiate reductions if the prices are over budget and administer the Nunavummi Nangminiaqqtunik Ikajuuti or “NNI Policy”.

4.2.5 Construction

Construction can begin once the contracts are awarded. Tasks at this stage are outlined in Table 8.

Table 8: Construction Tasks

Lead Role	Tasks
Consultant	Review and approve contractor’s shop drawings.
Contractor	Purchase materials. Large pieces of equipment such as ventilation units can take 4 months from the date of order until they’re ready for delivery.
Contractor	Deliver materials to the site by barge or sealift, often limited to one or two boats per year. If shipping deadlines aren’t met, the only alternative may be airfreight, which is generally much more expensive.
Consultant/CGS	Inspect the progress of construction to ensure that the work is being done according to contract
CGS	Review contractor’s progress billings and make payments.
CGS	Review contractor’s and consultant’s claims, and issue change orders as required.
CGS	Administer consultant and construction contracts.
CGS	Construction may take two or more fiscal years to complete. If so, budgets for future years must be identified, and funding approved.
CGS	Determine when the building is substantially complete and ready for use.
Client	Have budget approval for the warranty period.

The services available from the GN-CGS at this stage include:

Insurance: CGS can provide economical construction insurance under a single policy that includes all government projects.

Contract Management: CGS can manage the services provided by the architects and engineers during construction, and administer the construction contracts.

Claims: The contractors and consultants may submit claims for extra costs during the course of construction. CGS can provide qualified review of these claims based on technical merit and contract law, and issue change orders if required.

Financial Reporting: CGS can provide the client with regular financial reports and cash flow estimates.

4.2.6 Warranty

After construction is substantially complete, the facility is ready for the client to use. However there may be some minor deficiencies to complete and the facility will be under warranty for one year or more. Tasks at this stage are outlined in Table 9.

Table 9: Warranty Tasks

Lead Role	Tasks
CGS	Ensure the contractor completes any construction deficiencies and completes seasonal work.
CGS	Monitor the performance of the building, and notify the contractor of any work that falls under the contractor's warranty.
CGS	Evaluate and troubleshoot the physical operation of the building.
CGS	Administer the contractors' and consultants' contracts, and make payments as required.
CGS	Develop and carry out a regular maintenance program.
CGS	Set up contracts with utility companies and make payments, where requested.
Finance	Purchase and maintain insurance policies.

The services available from the GN-CGS at this stage include:

Operations and Maintenance: CGS has qualified maintenance staff in most communities. CGS can also prepare estimates for operations and maintenance in order for the client to have appropriate budgets approved.

Contract Administration: CGS can manage the contractors and consultants work while the facility is under warranty.

5. FREQUENTLY ASKED QUESTIONS

5.1 Where does funding for community infrastructure come from?

Funding is provided by the GN-CGS upon approval of an annual budget by the Financial Management Board (FMB) and tabling at the Legislative Assembly.

Funding is also received from the federal government provided through the Municipal Rural Infrastructure Fund (MRIF), Canada Strategic Infrastructure Fund (CSIF), Gas Tax Initiative (GTI), and Building Canada Fund.

5.2 Who is the Nunavut Community Infrastructure Advisory Committee (NCIAC)?

The NCIAC was established by the GN to determine the long term infrastructure plan and requirements for communities across Nunavut. The mission of NCIAC is “to provide an opportunity for community input in the capital planning process during a consultative process”. The NCIAC is comprised of:

- Three (3) members from the NAM;
- Two (2) members from CGS capital planning department; and
- One member from GN finance.

NCIAC consults with communities on infrastructure priorities and needs; recommends community projects to federal government for approval; assists communities on developing infrastructure plans; and liaises between the federal, territorial, and municipal governments.

5.3 How are projects prioritized in the capital planning process?

Projects are prioritized based on standard ranking criteria including:

- Protection of people;
- Government strategic initiative;
- Funding;
- Protection of assets;
- Protection of the environment;
- Financial investment; and
- Program need.

5.4 What reporting is conducted as part of the five year capital planning process?

Capital variance reports that monitor the budget versus expenditures are prepared on a monthly basis. These reports allow for correct action to correct unsatisfactory trends.

Project budget reports are recommended on a monthly basis as a tool to monitor project delivery.

Capital carryover reports are due annually on May 10. Regions must complete a detailed review of the third period capital variance report to identify surpluses for projects that are not **FAM** <what does FAM stand for?> compliant.

5.5 How does the GN engage communities regarding its five year capital plan?

Community consultation occurs during the capital planning process described in section 4.1 of this Part of the Operational Guide. Following approval of the five year capital plan, the community council votes on the project proposal and issues a motion regarding their decision on the project.

Communities are also being engaged in a process outside of the five year capital planning process to gather information towards the development of an Integrated Community Sustainability Plan (ICSP) as required by the GTI. This is a 20 year plan that requires review and revision if necessary every two (2) years to secure funding. Projects identified in the ICSP are not official, but represent preliminary priorities that will be re-evaluated through the five year capital planning process. At the time of the 2008 Workshop, the NAM was preparing guidelines and developing more interactive community consultations that would allow communities to eventually assume control of the ICSP.

5.6 How long is the five year capital planning process?

The process for small projects can be completed in a year (excluding the warranty phase). Larger projects such as a sewage lagoon may take three (3) to five (5) years.

5.7 Who owns the water and waste infrastructure?

<to be completed by GN-CGS>

5.8 How are cost estimates developed?

Capital costs are estimated based on classifications A, B, C, and D with varying degrees of accuracy depending upon the project stage. The classifications are as follows:

Class D: Accuracy 50-75%
Class C: Accuracy 75-80%
Class B: Accuracy 80-90%
Class A: Accuracy 90-95%

Generally, as a project approaches implementation the accuracy of the estimate should increase. See Table 4 – Cost Estimate Classes for more information.

The total cost includes capital costs as well as operations and maintenance costs. Capital costs include initial purchase or construction costs as well as indirect costs of site development, engineering, and project management. Operations and maintenance costs include annual repairs and maintenance, annual staff salaries, and annual fuel and power costs.

5.9 How is closure of municipal facilities funded?

Closure of municipal facilities are usually funded in budgets two (2) years prior to closure and treated as new projects.

5.10 How do NPC's and NIRB's pre-licensing processes and the NWB's water licensing process fit into the five year capital planning process?

NPC's land use planning process and NIRB's development impact review process are completed during the initiation stage of project delivery. The NWB's water

licensing process is initiated and completed during the design stage of project delivery.

For more information, refer to the draft Multi-Party Integrated Process Framework in Appendix J of this Operational Guide. <Draft Multi-Party Integrated Process Framework was provided to GN-CGS and INAC for comment. Comments to be provided.>

5.11 What is the role of the consultant during project delivery?

Consultants are involved during the design stage and construction stage of project delivery. During the design stage, the consultant prepares design alternatives, schematic design packages including site plans, design development packages including detailed drawings and specifications, and detailed contract documents used for tender and construction.

During the construction stage, the consultant reviews and approves contractor shop drawings and may work with CGS to inspect the progress of construction to ensure that the work is being done in accordance with the contract.

5.12 What training initiatives and/or resources are available to the hamlets?

<list of initiatives/resources to be compiled and provided by GN-CGS>

5.13 How are operation and maintenance costs funded and budgeted?

<to be completed by GN-CGS>

5.14 What safety requirements do operators need to consider?

Confined space awareness courses are available to operators of facilities that involve manholes and/or access vaults or other confined spaces.

<Is any training for handling of chemical/hazardous wastes required? WHIMIS?>

PART C. NUNAVUT HAMLETS

<to be completed in consultation with Hamlet representatives>

- 1. INTRODUCTION**
- 2. ROLE OF HAMLETS IN WATER LICENSING PROCESS**
- 3. ROLE OF NUNAVUT ASSOCIATION OF MUNICIPALITIES (NAM)**
- 4. FREQUENTLY ASKED QUESTIONS**

DRAFT

PART D. NUNAVUT PLANNING COMMISSION (NPC)

1. INTRODUCTION

The Nunavut Planning Commission (NPC or Commission) was established under Article 11 of the *Agreement Between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada Nunavut Land Claims Agreement* (Nunavut Land Claims Agreement or NLCA) with the major responsibilities to:

- Establish broad planning policies, objectives, and goals for the Nunavut Settlement Area (NSA) in conjunction with government;
- Develop land use plans that guide and direct resource use and development in the NSA; and
- Generally, fulfill the objectives of the NLCA.

The NPC is composed of members recommended by the government of Canada, territorial government, and Designated Inuit Organizations (DIO). All members are appointed by the Minister of Indian and Northern Affairs Canada (INAC).

The NPC is responsible for the following:

- a. Identifying planning regions;
- b. Identifying specific planning objectives, goals and variables that apply to planning regions and are consistent with the broader objectives and goals;
- c. Contributing to the development and review of Arctic marine policy;
- d. Disseminating information and data;
- e. Soliciting information from municipalities, residents, and others about planning objectives, goals and options of the region;
- f. Preparing and circulating draft land use plans;
- g. Promoting public awareness and discussion and conducting public hearings and public debate throughout the planning process;
- h. Recommending plans to the Ministers;
- i. Considering modifications requested by the Ministers in the event that a draft plan is rejected;
- j. Considering amendments to a land use plan;
- k. Determining whether a project proposal is in conformity with a land use plan;
- l. Monitoring projects to ensure that they are in conformity with land use plans; and
- m. Reporting annually to the Ministers and the Designated Inuit Organization (DIO) on the implementation of land use plans.

The NPC is required to review all project proposals for conformity with land use plans.

2. RELATIONSHIP BETWEEN NWB AND NPC

The Nunavut Water Board (NWB) may not issue, amend, or renew a licence to use waters or deposit waste where there is an applicable, approved land use plan, unless the NPC:

- a) Has determined that the use or deposit, or in the case of an amendment any change to the use or deposit, conforms to the land use plan; or
- b) Has approved a variance in respect of the use, deposit or change.

The NWB is required to reject an application in relation to a licence where the NPC has informed the Board that the use, deposit or change does not conform to the land use plan and that the NPC will not be approving a variance.

If the NWB rejects an application for the reasons stated above, the applicant may, within one year after the date of the rejection, apply to the appropriate Minister for an exemption from conformity with the land use plan in accordance with section 11.5.11 of the NLCA. If such an exemption is obtained, the NWB may resume processing the application.

3. NPC LAND USE PLAN CONFORMITY DETERMINATION PROCESS

There are six (6) land use planning regions in Nunavut including the West Kitikmeot, Keewatin, North Baffin, South Baffin, Akiuinniq, and Sanikiluaq. As of the date of this Operational Guide, two (2) regions have approved land use plans, the *North Baffin Regional Land Use Plan (NBRLUP)*, (NPC, 1997) and the *Keewatin Regional Land Use Plan (KRLUP)*, (NPC, 1991).

If the spatial boundaries of a proposed undertaking or its effects are located, in whole or in part, within a region with an approved land use plan the application requires a land use planning conformity review of the application by the NPC. The proponent must submit its completed water licence application to the NPC for review against the terms of the applicable land use plan. There are 21 specific terms or requirements in the KRLUP and 22 in the NBRLUP as well as appendices. All terms in a land use plan may not be relevant to a particular application or project proposal. The NPC generates a Yes/No questionnaire respecting relevant terms of the land use plan for the proponent to complete, sign and return to the NPC.

The NPC reports its conformity determination to the authorizing agencies, the Nunavut Impact Review Board (NIRB), and the proponent. The NPC may also make recommendations to the agencies as a result of issues or concerns that arise in the conformity review.

4. FREQUENTLY ASKED QUESTIONS

4.1 Which project proposals need to be submitted to NPC?

If the spatial boundaries of a proposed undertaking or its effects are located, in whole or in part, within a region with an approved land use plan the application must be submitted to NPC.

Generally, projects located within a municipality are within the jurisdiction of the Government of Nunavut (GN) and do not require NPC review. However, the NPC and the GN Community Government Services (CGS) have signed a Memorandum Of Understanding (MOU) respecting the NPC's concerns for development close to municipal boundaries that may affect land outside a municipal boundary because

such development may, together with other developments in a planning region, create cumulative effects.

The MOU sets out an agreement that the GN will send information on any development occurring close to a municipal boundary or on any development with potential impacts outside the municipal boundary to the NPC, and that the NPC will send plans that have the potential to impact municipal development to the GN.

Based upon this agreement, if a clause in a municipal plan directs the developer to forward an application to NPC, the application must be submitted to NPC for a review of the application for cumulative effects.

4.2 What information does NPC require to decide whether a project proposal conforms to an approved land use plan?

The proponent must submit its water licence application to the NPC as well as any other “core” applications such as:

- an application for fish authorization for Habitat, Alteration, Disruption, or Destruction (HADD) of fish or fish habitat from the Department of Fisheries Oceans (DFO);
- an application for use of Inuit Owned Land (IOL) from a Designated Inuit Organization (DIO); or
- an application for use of crown land from Indian and Northern Affairs Canada (INAC).

4.3 How long does it take NPC to determine whether a project proposal conforms to an approved land use plan?

The NPC attempts to make its determination as soon as possible following receipt of a completed and signed conformity questionnaire. On average, conformity determinations are reached within two (2) weeks. Additional time may be required for more complex proposals.

4.4 Who at NPC performs the task of determining that a project proposal does not conform to the approved land use plan?

The NLCA allows the NPC to delegate the task of determining conformity to designated NPC staff members. The NPC is responsible to decide the matter of delegation and related criteria. The NPC’s current practice at the time of writing this document is to delegate a staff person as a “conformity officer” to perform the initial phase of most reviews.

In exceptional cases, the NPC can assign a panel of NPC members or the full NPC board to a specific review. This decision is based on such matters as the complexity and scale of the project proposal, the number of projects in the area, and the anticipated degree of public concern.

Under the NPC’s current practice, if a conformity officer or panel determines that a project proposal does not conform to the land use plan, the project proposal must be forwarded to the full NPC board along with the conformity officer’s

recommendation. Only the full NPC board makes a final determination that a project proposal does not conform to a land use plan.

4.5 What happens if the NPC determines that a project proposal does not conform to the approved land use plan?

If the NPC determines that a project proposal is not in conformity with the approved land use plan, the proponent may apply to the appropriate Minister for exemption. The Minister may exempt the project proposal from conformity with the plan and shall refer it to NIRB for screening if necessary. Without a positive conformity determination or an exemption from the Minister, the proponent may not receive its required authorizations.

4.6 Can the NPC approve of a variance to an approved land use plan?

The NPC may approve of minor variances to a land use plan if the approved land use plan makes provisions for the NPC to do so. At the time of writing this Operational Guide, neither of the two approved land use plans include provisions for minor variances.

4.7 What happens if the NPC determines that a project proposal does conform to the approved land use plan?

If the NPC determines that a project proposal is in conformity with the approved land use plan, the NPC forwards the project proposal with its determination and recommendations to the appropriate federal and territorial agencies.

The NPC will also refer the project proposal to NIRB for screening in accordance with the NLCA. An exception to this process is when an application is exempt from screening under *Schedule 12-1: Types of Project Proposals Exempt from Screening* of the NLCA. The NPC will forward a project proposal that is exempt from screening directly to the NWB unless the NPC has concerns respecting the cumulative impact of development activities on the planning region. If there are cumulative impact concerns, the NPC may refer an otherwise exempted project proposal to NIRB for screening.

4.8 Are water licence amendments subject to the NPC's process?

If a change to an existing project is required and that change requires an amendment to the existing water licence, the water licence amendment application is subject to the NPC's land use plan conformity determination process.

4.9 How is the NPC involved in the municipal planning process?

In accordance with section 11.7.4 of the NLCA, the NPC and municipal planning authorities must cooperate to ensure that municipal and regional land use plans are compatible. The GN, as the municipal planning authority, and the NPC signed an Agreement dated October 31, 2007, outlining the arrangement between the agencies to handle development that may have effects across municipal boundaries. Please see the document entitled *Summary of 2008 Workshop on Municipal Water Licensing in Nunavut* for a copy of this Agreement.

Generally, the GN circulates all municipal plans to the NPC for review and comment during the adoption process to assist the NPC in compiling data to inform its cumulative effects determinations. In return, the NPC sends its plans that have the potential to impact municipal development to the GN.

4.10 How does the NPC assess cumulative effects?

At the time of writing this Operational Guide, neither of the two approved land use plans include provisions for assessing cumulative effects.

4.11 How does the NPC plan to assess cumulative effects?

The NPC is interested in developing a Nunavut wide Strategy in partnership with the Government of Canada, the Government of Nunavut, and Nunavut Tunngavik Incorporated (NTI). This Strategy would involve an agreement on three (3) sub-regional planning areas. This Strategy would also include a cumulative effects component.

4.12 How do the Regional Land Use Plans address municipal plans?

The development of the KRLUP and NBRLUP were guided by the following principle regarding the land use plans' relationship to municipal plans:

“The mandate of the NPC is to plan for land and marine areas throughout the planning region. Under the NLCA, municipalities remain responsible for developing municipal plans. The NPC and municipalities are directed to cooperate to ensure that the regional and municipal land use plans are compatible (NLCA, s. 11.7.4). In revising the original plan, the NPC has given great weight to the views and wishes of the municipalities, as required by the NLCA.”

4.13 How do the Regional Land Use Plans address municipal boundaries?

Both regional land use plans (NBRLUP and KRLUP) acknowledge that the responsibility for Commissioner's land, which is mostly within municipal boundaries and does not include subsurface, has been transferred to the Hamlets from the Government of Nunavut Department of Community Government and Transportation.

The KRLUP addresses the issue of community use areas and local authority. In its analysis of the issue, the Plan notes that NPC, members of the community, as well as KIA and other agencies are updating mapping work that includes information on cottage, cabin and building sites, as well as quarries and dumps. The KRLUP includes the following term requiring action to be taken either by the government or NPC in accordance with section 11.5.9 of the NLCA:

“The maps provided by the NPC that summarize information on the land and resource values of the community use areas shall be referred to and updated by KIA [Kivalliq Inuit Association] and the responsible government

agencies on an ongoing basis. The NPC shall reproduce the updated maps as required.

The KRLUP further acknowledges that while the community boundaries are sufficient for municipal purposes, the interests of community residents go beyond the boundaries. The KRLUP notes that while the NLCA states that municipalities are responsible for developing municipal plans, it also gives the NPC land use planning authority throughout the NSA, with specific responsibility for documenting cleanup sites whether they be on IOL, crown, or municipal lands. Thus, the KRLUP includes the following conformity requirement:

“The NPC shall review, for conformity with this plan, proposals within a municipality that may have impacts outside the municipality.”

NPC, at the time of writing this Operational Guide is in the process of mapping municipal boundaries.

PART E. NUNAVUT IMPACT REVIEW BOARD (NIRB)

1. INTRODUCTION

The Nunavut Impact Review Board (NIRB or Board) was established on July 9, 1996 as an Institution of Public Government (IPG) responsible for the environmental assessment of project proposals in the Nunavut Settlement Area (NSA). NIRB's mandate and authority is described in Article 12 of the *Agreement Between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada Nunavut Land Claims Agreement* (Nunavut Land Claims Agreement or NLCA).

NIRB's mandate is to screen project proposals to determine whether they have significant impact potential. In doing so, NIRB frequently conducts environmental and socio-economic assessments. NIRB utilizes Inuit Qaujimagatuqangit (Traditional Inuit Knowledge) and recognized scientific methods in order to gauge and monitor potential impacts of project proposals in the NSA.

In carrying out its functions, NIRB is directed to act fairly and in such a way that at all times, it protects and promotes the existing and future well being of residents of Nunavut, and protects the ecosystemic integrity of the NSA. The NLCA also states that NIRB must take into account the well being of residents of Canada outside the NSA (NLCA section 12.2.5).

The primary functions of NIRB, as established in the NLCA, are:

- a) To screen project proposals in order to determine whether or not a review is required; (a review is conducted when a project may have significant adverse effects, will cause significant public concern, or involves technological innovations for which effects are unknown);
- b) To gauge and define the extent of the regional impacts of a project;
- c) To review the ecosystemic and socio-economic impacts of project proposals;
- d) To determine, on the basis of a review, whether a project proposal should proceed, and if so, under what terms and conditions, and then report its determination to the Minister; and
- e) To monitor projects in order to measure effects on the ecosystemic and socioeconomic environment in the NSA and to determine whether terms and conditions are being followed.

2. RELATIONSHIP BETWEEN NWB AND NIRB

The Nunavut Water Board (NWB or Board) may not issue, amend, or renew a licence to use waters or deposit waste where the appurtenant undertaking requires screening by NIRB in accordance with Part 4 of Article 12 of the NLCA, until the NIRB has completed the screening.

Furthermore, where the appurtenant undertaking requires a review under Part 5 or Part 6 of Article 12 of the NLCA, the Board may not issue, amend, or renew a licence until NIRB has issued a project certificate.

However, there is an exception. Where a water application is required to be reviewed, the Board, may, before the NIRB project certificate is issued, issue, amend, or renew a licence in relation to exploration or development work related to the appurtenant undertaking provided that:

- a) The use or deposit falls within Schedule 12-1 of the NLCA, or can in the judgement of NIRB, proceed without a the review; or
- b) The licence is issued, amended, or renewed for an interim short-term period.

In the case where the NWB is required to conduct a public hearing in respect of a licence in connection with a project for which a public hearing is also to be held by the NIRB, or any federal environmental assessment panel referred to in section 12.4.7 of the NLCA, the NWB may, in lieu of conducting a separate public hearing, participate in the environmental assessment review body's hearing or conduct a joint hearing with the environmental assessment review body.

The NWB may also incorporate water and/or waste related terms and conditions recommended by NIRB in its screening decisions and project certificates into the NWB's application information requirements and/or conditions of water licence approval.

3. NIRB SCREENING PROCESS

Screening is a process conducted by NIRB to determine whether a project proposal has significant impact potential and therefore requires a review.

Following any Nunavut Planning Commission (NPC) land use plan conformity requirements described in Part D of this Operational Guide, unless a water licence application falls within Schedule 12-1: *Types of Project Proposals Exempt from Screening* of the NLCA, the project proposal will require screening by NIRB. Otherwise exempted project proposals may also be referred to NIRB by NPC or the Minister for screening if there are cumulative impact concerns.

Once NIRB receives a project proposal which must include any NPC conformity determination or variance, if applicable, as well as an indication of an authorization that requires screening, the screening process begins.

3.1 Check for completeness

NIRB conducts an internal check for completion to ensure that its information requirements are provided in the project proposal. NIRB staff will correspond with the proponent and the authorizing agencies regarding any deficiencies and attempt to resolve the deficiencies before proceeding with the screening process.

3.2 Distribution

Once the completeness of the project proposal has been determined, the project proposal is referred to a distribution list comprised of representatives from communities, co-management boards, Designated Inuit Organizations (DIOs), Hunters and Trappers Organizations (HTOs), community councils, federal and territorial government departments, relevant wildlife management boards as well as other agencies or individuals that the board feels are appropriate. Information

and correspondence related to the project proposal will be uploaded to NIRB's ftp site.

Members of the distribution list are asked to comment on the project proposal from the perspective of their knowledge area, respective expertise, and mandate within a stated timeframe, usually three (3) weeks.

3.3 Screening assessment

Once comments have been received from the distribution list and any additionally requested information has been received, NIRB screens the project proposal to determine if it has significant impact potential and therefore requires review either under Part 5 or 6 of Article 12 of the NLCA.

In the screening assessment NIRB gives consideration to the following: the completeness of the project proposal; further information requests from the distribution list; comments from the distribution list; ecosystemic impacts and specific environmental impacts; whether impacts can be mitigated with terms and conditions; and monitoring requirements.

3.4 Determination and recommendation

Once NIRB has completed its screening assessment, it can make one of four determinations in accordance with the NLCA section 12.4.4:

- a) A review is required;
- b) A review is not required. NIRB may recommend specific terms and conditions be attached to any approval;
- c) Return project proposal for clarification; or
- d) Abandon project proposal.

NIRB will issue its screening decision report to the Minister, the proponent, and upload the report to NIRB's ftp site.

3.5 Minister's decision

Although NIRB recommends an appropriate course of action, it is the Minister responsible for the project that makes the final decision. This will involve consultation with his/her colleagues that may also have decision making responsibilities. In most cases it is the Minister of Indian and Northern Affairs Canada (INAC).

In cases where the NIRB determines, and the Minister agrees that a public review is necessary, the Minister has the authority to send project proposals either to NIRB for a Review under Part 5, or to a federal environmental assessment panel for a review under Part 6 of the NLCA. Section 12.4.7 directs the Minister to take into account any relevant law, as well as the national and regional interests when making this decision.

For more information regarding the NIRB's Part 5 Review Process please refer to the NIRB's *Guide 5: Guide to the NIRB's Review Process*.

4. FREQUENTLY ASKED QUESTIONS

4.1 What project proposals are exempt from the requirement for screening by NIRB?

Schedule 12-1: Types of Project Proposals Exempt from Screening of the NLCA lists categories of activities that are exempt from screening. They are:

1. Land use activities not requiring a permit or authorization from the Government of Canada or Territorial Government;
2. Land use activities requiring only a Class B permit under the *Territorial Land Use Regulations* (SOR/77-210 4 March 1977). To view the applicable section of the *Territorial Land Use Regulations* online, go to <http://laws.justice.gc.ca/en/T-7/C.R.C.-c.1524/181615.html>.
3. **All construction, operation and maintenance of all buildings and services within an established municipality, except for the 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 NLCA section 13.7.3, entitled Water Application Approval, which states:

“From time to time the Governor-in-Council, after consultation with or on the advice of the NWB, may by regulation prescribe certain classes or types of water applications for which a public hearing need not be held.”. Please refer to section 82 of the *Nunavut Waters and Surface Rights Tribunal Act*, 2002, c.10 (<http://laws.justice.gc.ca/en/n-28.8/87606.html>).
6. Prospecting, staking or locating a mineral claim unless it requires more than a Class B permit mentioned in item 2.
7. Such other categories of activities and projects as may be agreed upon by NIRB and the appropriate Minister.

Item number 3 is most relevant to municipal undertakings. However, items 1-7 under Schedule 12-1 are meant to be read and interpreted together, not as stand alone items. This means that each item must be considered before a project proposal can be exempted from NIRB's screening process.

4.2 What are the NLCA Schedule 12-1 (3) definitions of “industrial activity” and “bulk fuel storage”?

“Bulk Fuel Storage” means the storage of fuel for resupply or resale but does not include individual residential or commercial users storing less than 80,000 L.

“Industrial Activity” means activities whose aim is the manufacture, assembly or processing of goods or commodities or the exploitation of natural resources.

1. This includes the following:
 - a. Landfarms;
 - b. Manufacturing plant (steel, metal, or chemical);
 - c. Recycling depot;
 - d. Hazardous waste or chemical storage use;
 - e. Quarries – the initial development or the expansion of an existing quarry and the disestablishment thereof where the same was not included as part of the initial screening;
 - f. Explosives storage;
 - g. Tanneries;
 - h. Meat and fish production facilities (establishment or change in operation); and
 - i. Exploration, bulk sampling, mining and all associated mining activities
2. This excludes the following:
 - a. All institutional activities;
 - b. The following commercial activities:
 - i. Building supply centre;
 - ii. Animal hospital;
 - iii. Custom workshop;
 - iv. Construction equipment yard;
 - v. Heavy equipment sales and rentals;
 - vi. Automotive commercial garage;
 - vii. Extraction from existing quarries;
 - viii. Home occupations – meaning any occupation, trade, profession, personal service, day care or craft carried on by an occupant of a residential building as a use secondary to the residential use of the building.

4.3 What information does NIRB require to screen a project proposal?

Although the level of detail is expected to vary (depending on the stage of project development, scope, size, cost, and duration) project proposals submitted to NIRB for screening must contain the following general information:

- a. Proponent information;
- b. Project proposal description including purpose, scope, timing, authorizations and alternatives;
- c. Description of the existing environment (biophysical and socio-economic);
- d. Description of public participation (informing, consulting, participation);
- e. Identification of potential environmental and socio-economic effects;
- f. Identification of potential cumulative effects;
- g. Identification of mitigation measures and potential residual impacts;
- h. Non-technical project summary in English and Inuktitut and/or Inuinnaqtun depending on the region and dialect; and
- i. Map of the project (local and regional scale) in electronic format.

The Proponent must state whether information was gathered through Inuit knowledge or by recognized scientific methods.

To assist proponents with the submission of complete project proposals, NIRB has created various forms. Currently available are NIRB's Screening Part 1 Form as well as NIRB's Project Specific Information Requirements (PSIR). The Screening Part 1 form must be completed in English and in the applicable regional dialect. The PSIR forms need only be completed in English. Specific sections of the PSIR address municipal development.

4.4 Can NIRB extend its screening process?

The Minister can approve an extension to the screening process. Before approving an extension, NIRB must request an extension from the Minister in writing with good reason. For example, an extension could be requested to provide additional time to the Proponent to address deficiencies identified during the check completeness stage of the screening process or perhaps to address an information request from a member of the distribution list.

4.5 Are water licence amendments subject to the NIRB's process?

If a change to an existing project is required and that change requires an amendment to the existing water licence, the water licence amendment application is subject to the NIRB's screening process.

4.6 Does the NIRB screen quarry developments?

NIRB screens the initial development or expansion of an existing quarry and the disestablishment thereof where the same was not included as part of the initial screening.

NIRB does not screen the extraction of material from existing quarries.

4.7 What additional information is available about the NIRB's processes?

The NIRB has a series of Guides that provide information about NIRB and the NIRB process. They are all available at <ftp.nirb.ca/> and include:

- Guide 1 – The Nunavut Impact Review Board
- Guide 2 – Terminology and Definitions
- Guide 3 – Filing Project Proposals and the Screening Process
- Guide 4 – Projects Exempt from Screening
- Guide 5 – The NIRB Review Process
- Guide 6a – NIRB's Public Awareness and Participation Programs: The Review Process
- Guide 6b - A Proponent's Guide to Conducting Public Consultation for the NIRB Environmental Assessment Process
- Guide 7 – Preparation of Environmental Impact Statements
- Guide 8 – Draft Guide to NIRB's Monitoring Program
- Rules of Practice for Public Meetings and Hearings

PART F. ENVIRONMENT CANADA (EC)

1. INTRODUCTION

Environment Canada's (EC) roles and responsibilities include: the administration and enforcement of federal acts and/or regulations; and, the provision of information related to federal regulatory and environmental protection requirements. Related to wastewater management EC's roles and responsibilities include contributing to sustainable development through pollution prevention, and protecting fish and fish habitat from harm caused by pollution through the administration and enforcement of the *Canadian Environmental Protection Act, 1999* (CEPA 1999) and the pollution prevention provisions of the *Fisheries Act*. Existing federal requirements applicable to the wastewater sector include compliance with:

- The general prohibition in subsection 36(3) of the *Fisheries Act* and subsections 38(4) and 38(5) which address deposits out of the normal course of events and the requirement to take reasonable measures to prevent and mitigate them.
- a CEPA 1999 *Notice requiring the preparation and implementation of pollution prevention plans for inorganic chloramines and chlorinated wastewater effluents (2004)*;
- a CEPA 1999 *Guideline for the release of ammonia dissolved in water found in wastewater effluents (2004)* ;
- *Guidelines for Effluent Quality and Wastewater Treatment at Federal Establishments (1976)*;
- *Regulations Respecting the Prevention of Pollution of Arctic Waters*; and
- The *Migratory Birds Regulations* and Other Regulations of Consequence.

The Fisheries Act

While the Department of Fisheries and Oceans (DFO) has overall responsibility for applying the *Fisheries Act*, EC is responsible for the administration and enforcement of the pollution prevention provisions of

- Subsection 36(3):

“...no person shall deposit or permit the deposit of a deleterious substance of any type in water frequented by fish or in any place under any conditions where the deleterious substance or any other deleterious substance that results from the deposit of the deleterious substance may enter any such water.”
- Subsection 38(4):

“Where, out of the normal course of events, there occurs a deposit of a deleterious substance in water frequented by fish or a serious and imminent danger thereof by reason of any condition, and where any damage or danger to fish habitat or fish or the use by man of fish results or may reasonably be expected to result therefrom, any person who at any material time
(a) owns there deleterious substance or has the charge, management or control thereof, or

(b) causes or contributes to the causation of the deposit or danger thereof, shall, in accordance with any regulations applicable thereto, report such occurrence to an inspector or such person or authority as is prescribed by the regulations.

- Subsection 38(5):

“Every person referred to in paragraph (4)(a) or (b) shall, as soon as possible in the circumstances, take all reasonable measure consistent with safety and with the conservation of fish and fish habitat to prevent any occurrence referred to in subsection (4) or to counteract, mitigate or remedy any adverse effects that result or may reasonably be expected to result therefrom.”

Pursuant to the *Fisheries Act*, a deleterious substances means:

“(a) any substance that, if added to any water, would degrade or alter or form part of a process of degradation or alteration of the quality of that water so that it is rendered or is likely to be rendered deleterious to fish or fish habitat or to the use by man of fish that frequent that water, or

(b) any water that contains a substance in such quantity or concentration, or that has been so treated, processed or changed, by heat or other means, from a natural state that it would, if added to any other water, degrade or alter or form part of a process of degradation or alteration of the quality of that water so that it is rendered or is likely to be rendered deleterious to fish or fish habitat or to the use by man of fish that frequent that water...”

In addition, EC is in the process of developing regulations under the authority of the *Fisheries Act* based on the Canadian Council of Ministers of Environment (CCME) *Canada-wide Strategy for the Management of Municipal Wastewater Effluent* (Strategy). Such regulations would be applicable to all land based wastewater systems that discharge effluent to surface water including wastewater systems under municipal, provincial or federal government operation as well as those on federal land or aboriginal land. However, systems in Nunavut, as well as Northwest Territories, Northern Quebec and Northern Labrador, are excluded from this regulation for a period of 5 years.

The Canadian Environmental Protection Act, 1999 (CEPA 1999)

The goal of CEPA 1999 is to contribute to sustainable development through preventing pollution and protecting the environment and human health.

The CEPA Registry which provides information on the Act, substances lists, current regulations, proposed legislation, orders, notices, guidelines, codes of practice, etc., can be accessed from the following website: <http://www.ec.gc.ca/CEPARRegistry>.

2. ROLE OF EC IN THE WATER LICENSING PROCESS

EC participates in the water licensing process led by the Nunavut Water Board (NWB or Board) as a federal authority with scientific expertise. EC comments on the water licensing process, the water licence applications as well as documents and monitoring

reports submitted in accordance with an approved licence, through submissions of written representations and interventions.

EC generally provides advice to the NWB concerning its mandate and legislative responsibilities. When submitting comments to the NWB, EC may consult with internal experts on the following:

- Water quality and receiving environment protection;
- Hazardous materials management;
- Spill contingency planning;
- Air quality (incineration, open burning); and
- Species at Risk and/or migratory bird issues,

EC inspectors monitor spill reports and enforce the *Fisheries Act* and CEPA 1999.

3. FREQUENTLY ASKED QUESTIONS

3.1 How is wastewater currently managed?

The general prohibition in subsection 36(3) of the *Fisheries Act* to deposit a deleterious substance applies, as well as subsections 38(4) and 38(5) requirements. In addition, persons responsible for wastewater systems (including combined sewers) in Canada must comply with all applicable federal legislation including CEPA 1999 as well as any other applicable legislation depending on the geographical location of the system, including any provincial, territorial or water board legislation, permits or licences.

3.2 What does the CCME Strategy include?

The Strategy is a policy document that sets out a harmonized framework to manage discharges from more than 3,500 wastewater facilities in Canada, many of which are currently in need of repair and upgrading. Federal, provincial and territorial governments are now implementing the Strategy.

EC's principal instrument to implement the CCME Strategy is regulations under the *Fisheries Act*.

3.3 How will the Fisheries Act wastewater regulations affect water licences?

The regulations will reflect the Strategy including standards for secondary treatment or equivalent, risk-based implementation timelines, and monitoring and reporting requirements.

3.4 What conditions does EC recommend that the NWB incorporate into water licences?

EC's comments in response to the review of water licence applications routinely contain recommendations for conditions regarding the *Fisheries Act*, effluent discharges, operation and maintenance requirements, and hazardous waste

management. Generally, these issues have been addressed by the NWB as licence conditions.

EC acknowledges that some conditions that arise from an environmental assessment are not enforceable by the NWB such as those conditions related to the *Species At Risk Act* (SARA) or migratory birds. EC strives to identify such “orphan” conditions in their comments to the NWB and appreciates the Board including these conditions in their cover letter to the licensee.

In addition, EC deems burning via incineration or open burning as a water quality issue for the NWB’s consideration and that open burning should not be permitted. In April 2008, EC conducted 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. Preliminary results from this study show Toxic Equivalency Factor (TEQ) levels of dioxins and furans which exceed the CCME Interim Sediment Quality Guideline of 0.85ng TEQ/kg.

Environment Canada has developed a *Technical Document for Batch Waste Incineration* to provide guidance regarding proper system selection, operation, maintenance and record keeping, with the goal of assisting them in achieving the intent of the Canada-wide Standards for [dioxins/furans](#) and [mercury](#), and reducing releases of other toxic substances. The *Technical Document for Batch Waste Incineration* is available from the following website:

<http://www.ec.gc.ca/drgd-wrmd/default.asp?lang=En&n=82401EC7-1>

EC also notes that insufficient information in water licence applications hampers their ability to make useful recommendations to the NWB on specific issues.

3.5 What is EC’s capacity to review water licence applications?

EC appreciates the opportunity to be involved in the development and ongoing review of water licences. EC is also interested in reviewing monitoring results and flagging any areas of concern. Occasionally, EC may have to decline the review of some referrals due to staffing constraints. In such cases, EC will notify the Board.

PART G. DEPARTMENT OF FISHERIES AND OCEANS (DFO)

1. INTRODUCTION

The Constitution Act (1982) provides the federal government with exclusive authority for sea coastal and inland fisheries within Canada's territorial boundaries. Fisheries and Oceans Canada (DFO) is responsible for the management, protection and conservation of fish¹ and fish habitat², which is carried out through the administration of the *Fisheries Act*.

The habitat protection provisions of the *Fisheries Act* outline powers and authorities to protect the unobstructed passage of fish (section 20), provide sufficient flow for fish (section 22), prohibit fish mortality (section 32), prevent fish entrainment or impingement (section 30) and prohibit the harmful alteration, disruption or destruction of fish habitat without an authorization from Fisheries and Oceans Canada (section 35). The *Fisheries Act* also prohibits the deposit of a deleterious (harmful) substance, which includes silt and sediment, into water frequented by fish (section 36). Violations of the *Fisheries Act* can result in substantial fines and penalties, the risk of imprisonment, and the requirement of returning the site to its original state.

DFO's *Policy for the Management of Fish Habitat* (Habitat Policy), introduced in 1986 provides general guidance on the application of the habitat protection provisions of the *Fisheries Act* and applies to all projects that have the potential to harm fish habitat. The long-term objective of DFO is to achieve a net gain in the productive capacity of fish habitat for Canadian fisheries resources. A fundamental strategy for achieving this is to prevent the further loss of productive capacity in existing habitats. Productive capacity is defined in the Habitat Policy as the maximum natural capacity of habitats to produce healthy fish, safe for human consumption, or to support or produce aquatic organisms upon which fish depend.

2. ROLE OF DFO IN THE WATER LICENSING PROCESS

DFO participates in the water licensing process led by the Nunavut Water Board (NWB or Board) as a federal authority with scientific expertise. DFO comments on the water licensing process, water licence applications as well as documents and monitoring reports submitted in accordance with an approved licence, through submissions of written representations and interventions.

DFO generally provides advice and comments to the NWB in relation to its mandate and legislative responsibilities, which typically focus on impacts to fish⁴ and fish habitat⁵.

⁴ Fish (*Fisheries Act* Section 2): includes parts of fish; shellfish, crustaceans, marine animals and any parts of shellfish, crustaceans or marine animals, and the eggs, sperm, spawn, larvae, spat and juvenile stages of fish, shellfish, crustaceans and marine animals.

⁵ Fish Habitat (*Fisheries Act* Section 34): means spawning grounds and nursery, rearing, food supply and migration areas on which fish depend directly or indirectly in order to carry out their life processes

3. DFO FISHERIES ACT AUTHORIZATION PROCESS

Proponents who plan to carry out a work or undertaking in or near water are encouraged to design their proposed development in such a way to avoid impacts to fish and fish habitat. When it is uncertain if negative impacts can be avoided, proponents are encouraged to submit to the DFO office a *Request for Review Form Under the Fish Habitat Protection Provisions of the Fisheries Act* available on the following website: http://www.dfo-mpo.gc.ca/oceans-habitat/habitat/water-eau/requirements-exigences/form-formulaire_e.asp.

DFO will review the development proposal, in accordance with the *Risk Management Framework* and the *Policy for the Management of Fish Habitat*, to determine the potential impacts to fish and their habitats and ensure compliance with the *Fisheries Act*. DFO may propose additional measures or alternative designs to avoid or reduce potential impacts to fish and fish habitat. When this advice is integrated into the project design, the impacts to fish and fish habitat can be avoided or mitigated and the project can proceed according to the design.

3.1 Operational Statements

DFO has developed operational statements for low risk activities to help proponents plan their development proposals and to expedite the review and approval process. Operational statements outline the measures to follow when carrying out certain activities in order to avoid impacts to fish and fish habitat. By following an operational statement, the proponent is complying with the *Fisheries Act* and therefore does not have to contact DFO for approval; however, proponents are requested to submit the notification form to notify DFO of the proposed plans.

The eight operational statements listed below apply in Nunavut and can be accessed at the following weblink

<http://www.dfo-mpo.gc.ca/regions/central/habitat/os-eo/provinces-territories-territoires/nu/index-eng.htm>.

- Timing Window
- Clear-Span Bridges
- Moorings
- Bridge Maintenance
- Culvert Maintenance
- Ice Bridges and Snow Fills
- Temporary Stream Crossings
- Routine Maintenance Dredging
- Notification Form

3.2 DFO Fisheries Act authorization

When operational statements do not apply to the project and unavoidable harmful impacts to fish or fish habitat are known, proponents are required to submit an *Application for Authorization for Works or Undertakings Affecting Fish Habitat* to DFO. Application forms are available from the local DFO office. As part of the application, the development of a No Net Loss Plan (NNLP) also referred to as a

compensation plan, is required from the proponent. NNLPs are designed to achieve DFO's habitat conservation goal by offsetting unavoidable habitat losses resulting from the project with habitat replacements or enhancements, in order to achieve a zero net loss of productive capacity of fish habitat. DFO will work with the proponent to determine appropriate compensation for the proposed work.

Proponents need to ensure that the *Fisheries Act* authorization is in their possession prior to starting the in-water work. Authorizations contain conditions which require the proponent to undertake specific mitigation, compensation and monitoring activities. If these conditions are not followed, the proponent may be found to be in violation of section 35 of the *Fisheries Act*. It should be noted that the issuance of an authorization is not guaranteed as in some cases the fish habitat affected by the proposed project may be considered critical habitat and approval may not be granted.

4. FREQUENTLY ASKED QUESTIONS

4.1 What are some common project types within municipalities that DFO reviews?

If the proposed work or undertaking is to be carried out in or near water and has the potential to impact fish and fish habitat, DFO will initiate a review under the *Fisheries Act*. Some common project types within municipalities that DFO reviews include, but is not limited to:

- Water crossings;
- Breakwaters/marinas/wharfs/docks/harbours,;
- Stream diversions/channel realignments;
- Sewage outfalls;
- Shoreline improvements; and,
- Water intakes,
- Pond/ stream infilling

4.2 What information does DFO require to review a project proposal?

In order for DFO to determine if there are any negative impacts to fish and fish habitat from the proposed project, the following information requirements are needed:

- Contact information for proponent, contractor and consultants
- Location of the proposed development
- Description of the aquatic environment, including drawings or photographs of the aquatic environment
- Description of the proposed development, including fish and fish habitat protection measures

The [*Proponents Guide to Information Requirements for Review under the Fish Habitat Protection Provisions of the Fisheries Act*](#) has been developed to assist proponents with the preparation of their developmental proposal to be submitted for review by DFO. The guide can be found online at: <http://www.dfo->

mpo.gc.ca/oceans-habitat/habitat/water-eau/requirements-exigences/index_e.asp. Please note that more complete information may be needed depending on the location and complexity of the proposed development.

4.3 How do the requirements of the Canadian Environmental Assessment Act (CEAA) affect DFO's process?

CEAA does not apply in the Nunavut Settlement Area (NSA).

4.4 When should I contact DFO about my project?

For in-water works that fall within the conditions of an operational statement and when proponents are able to incorporate the mitigation measures into the project design, proponents do not have to contact DFO for approval. Proponents intending on using an operation statement are asked to submit the notification form to DFO 10 days prior to starting work. This information is requested in order to evaluate the effectiveness of the work carried out in relation to the operational statement.

When there are any uncertainties in determining whether the operational statements apply, or if potential impacts to fish and fish habitat are known or uncertain, proponents are requested to contact DFO as soon as possible to initiate a review of the project proposal.

4.5 Where can I find additional information about the DFO?

More information on DFO's policies and legislations are available online at http://www.dfo-mpo.gc.ca/oceans-habitat/habitat/index_e.asp, which includes:

- *Fisheries Act*;
- *Species at Risk Act*;
- Freshwater Intake End-of-Pipe Fish Screen Guideline;
- Guidelines for the Use of Explosives in or Near Canadian Fisheries Waters;
- Policy for the Management of Fish Habitat; and
- Risk Management Framework

DFO's Nunavut operational statements are available online at:

<http://www.dfo-mpo.gc.ca/regions/central/habitat/os-ao/provinces-territoires-territoires/nu/index-eng.htm>

PART H. INDIAN AND NORTHERN AFFAIRS CANADA (INAC)

1. INTRODUCTION

Indian and Northern Affairs Canada (INAC) is the federal department responsible for the administration of crown lands and freshwater in Nunavut and the Northwest Territories. In Nunavut, INAC fulfills this important role in collaboration with the institutions created or referenced by the *Agreement Between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada Nunavut Land Claims Agreement* (Nunavut Land Claims Agreement or NLCA), including the NWB, the Government of Nunavut and Nunavut's hamlets. INAC conducts this work in accordance with the provisions established by the NLCA and federal legislation for the management of Nunavut's lands and resources.

Some of the activities for which INAC is responsible in Nunavut include:

- Developing and maintaining water monitoring networks in Nunavut;
- Collecting and analyzing water quality and quantity data;
- Working with stakeholders to develop standardized water management processes; and
- Educating the public about water and water related issues in Nunavut.

The department's regulatory responsibilities for waters management involve participating in the Nunavut Impact Review Board's (NIRB) and Nunavut Water Board's (NWB) procedures for environmental assessment and water licensing. INAC's participation in these activities includes:

- Reviewing and assessing water-related applications, reports, studies, and designs;
- Providing recommendations and technical advice to the NIRB and NWB on projects that involve water; and
- Monitoring the compliance of water licence holders with the terms and conditions of their licence.

INAC is also responsible for the enforcement of water licences issued by the NWB. INAC officials inspect the activities of water licence holders. These inspections are guided by the terms of each water licence, however they often include visual observations, conversations with licence holders, review of information and data collected and maintained by the licence holder, water sampling and the gathering of other samples, looking into spills (both recent and historic), and reminding licence holders of their obligations under their licence. The results of inspections are reported to the NWB and the licence holder. In communities, INAC officials are usually accompanied by a hamlet staff member or hamlet representative during the inspection.

2. ROLE OF INAC FIELD OPERATIONS IN THE WATER LICENSING PROCESS

INAC participates in the water licensing process led by the NWB as a party with interest in conserving and protecting Nunavut's freshwater resources. INAC comments on the water licensing process, the water licence applications as well as documents and monitoring reports submitted in accordance with an approved licence, through submissions of written representations and interventions.

INAC generally provides advice to the NWB concerning its mandate and legislative responsibilities. Comments submitted to the NWB from INAC may relate to a wide variety of issues and concerns relating to water quality and quantity as well as the deposition of waste. Some examples of areas of comment include: water quality and quantity, surface and permafrost disturbance, waste management where it may affect water, and abandonment and reclamation planning.

After a water licence has been issued, INAC officials are responsible to conduct inspections and other verifications of whether the licence holder is following the provisions of the licence.

3. INAC INSPECTION PROCESS

Inspections of municipal water use conducted by INAC officials are influenced significantly by the terms of the water licence. Not all water licences are alike and not all communities are alike. However, the inspection process is usually conducted along the following lines:

3.1 Contact community

Inspectors will contact the community in advance of an inspection, usually via Fax or email. The inspector will arrange the visit in cooperation of the community's Senior Administration Officer (SAO) and municipal water treatment staff.

3.2 Visit site

The inspector will visit each facility or component addressed in the scope of the water licence as well as any fuel or chemical spill sites. During the inspection, the inspector may take pictures, record notes, and collect samples. These pictures and notes may be used as reference material during report writing or as evidence in court if necessary.

3.2.1 Potable water source

Depending on the specific conditions of the municipal water licence, the inspector may inspect the following at the community's water source:

- Water intake system;
- Water meter;
- Water intake records;
- Treatment system; and
- Sources of contamination.

The inspector may collect a water sample(s) for analysis.

3.2.2 Solid waste disposal facility

Depending on the specific conditions of the municipal water licence, the inspector may inspect the following at the community's solid waste disposal facility:

- Management of hazardous material and bulk wastes;
- Water management; and
- Management of sludge.

The inspector may collect samples of leachate entering the environment as run-off from the solid waste disposal facility.

3.2.3 Sewage disposal facility

Depending on the specific conditions of the municipal water licence, the inspector may inspect the following at the community's sewage disposal facility:

- Lagoon freeboard (usually required to be a minimum of 1 meter);
- Leaching of effluent which may occur from toe of lagoon berms; and
- Decant structure or system.

The inspector may collect samples of effluent from the facility and downstream of the facility to determine the quality of treatment.

3.3 Meet with Municipal Staff

Inspectors will review the terms and conditions of the water licence with municipal staff to identify any areas of concern and develop a plan to bring the municipality into compliance if necessary. A municipal inspection form is completed at this time outlining the inspector's concerns. This form acts as a record for future inspections.

3.4 Follow up

The inspector will send any water samples collected during the inspection to a laboratory for analyses. Once the lab results are returned, they are included in the municipal inspection form and provided to the licensee. The inspector will continue to monitor the municipality for compliance through the review of results of sampling analyses, annual reports, and other documents required in accordance with the water licence and by liaising with municipalities, government agencies and the NWB

4. FREQUENTLY ASKED QUESTIONS

4.1 How are water licences enforced?

The *Nunavut Waters and Nunavut Surface Rights Tribunal Act* (NWNSRTA or Act) provides for enforcement measures and penalties as well as the designation of qualified inspectors and analysts to facilitate such enforcement measures and penalties. Inspectors and analysts are designated by INAC.⁶

⁶ In accordance with s. 85 of the NWNSRTA

The inspectors' powers, privileges and protections are granted to them by the Act or other applicable law and include the following:

- a) The inspector may enter any place in Nunavut in which the inspector has reason to believe that an undertaking is being constructed or modified, except for a private dwelling;
- b) The inspector may inspect the construction or modification of the undertaking in (a) to determine whether plans and specifications are being complied with and whether the construction or modification is likely to result in a contravention of any condition of a licence; and
- c) The inspector may enter any place in Nunavut, except a national park or a private dwelling, in which the inspector has reason to believe that waters are being used, waste is being or has been produced, or waste may be added to water. In that place, the inspector may examine any works, waters, or waste, open any container that the inspector reasonably believes contains waters or waste, and take samples of any such waste or waters.⁷

When the inspector enters a site the licensee or a representative of the licensee is responsible for providing the inspector with all reasonable assistance and information to enable the inspector to carry out its duties.

During a site inspection, the inspector may observe the components of the project, check fuel and chemical spills, and collect water samples. Following the inspection, any water samples will be analyzed. Following receipt of the analytical results the inspector will complete the inspection report and provide a copy of the inspection report to the licensee.

Often, instances of non-compliance with a water licence fall into the following three broad categories.

1. Minor Administrative – may be addressed by the inspector through written advice;
2. Non Compliant – may be addressed by the inspector through a request for voluntary abatement by the licensee or development of an action plan by the licensee; or
3. Major – repeated non-compliance – may be addressed by the inspector through issuance of a formal direction order to the licensee.

4.2 What may be required if the inspector issues a formal direction order?

If an inspector has reason to believe that:

- the licensee is in contravention of the water licence,
- there has been or will be a failure of work related to the use of waters or deposit of waste, or
- the licensed activities are causing danger to persons, property or the environment,

an inspector may direct a licensee to:

⁷ In accordance with s. 86 of the NWNSTRA

- take reasonable measures, including stop the activity, to prevent the use of waters or the deposit of waste or the failure of a work related to the use of waters or deposit of waste, or
- counteract, mitigate or remedy the resulting adverse effects.

4.3 What may happen if a licensee fails to follow direction provided by an inspector?

The focus of INAC's inspection and enforcement function is compliance. Inspectors and the department make every effort to work with licence holders and the NWB to help licence holders comply with the terms of their water licences. However, a licence holder who does not comply with the terms and conditions of a water licence or who does not follow the direction given by an inspector could be guilty of an offence under the NWNSRTA.

Also, if a licensee fails to follow the direction provided by the inspector, remedial measures may be carried out by INAC on behalf of the Minister. The costs incurred in carrying out the prevention and/or remedial measures are either recovered through the security maintained with the Minister (however security is not required for municipal undertakings), or recovered as debt owed to the Minister from the licensee.⁸

4.4 What can a licensee do if they do not agree with an inspector's direction?

In accordance with section 87(3) of the NWNSRTA, a licence holder can ask the Minister of INAC to review the direction. The Minister would have the authority to alter or revoke the direction or to confirm that the direction is appropriate.

4.5 How can an interested person obtain copies of the inspection reports?

Inspection reports are received by the NWB and uploaded to the NWB FTP site in a directory specific to the licence. A person interested in obtaining copies of inspection reports may request to be added to the NWB's distribution list. Once added to the NWB's distribution list, the person will receive all incoming information related to that file.

4.6 Does INAC enforce drinking water quality?

INAC only has jurisdiction over freshwater such as lakes and rivers. Drinking water is the responsibility of other agencies.

4.7 How often are sites inspected by INAC?

A short field season, long distances, difficult logistics, and high costs all influence how many inspections can be conducted. At a minimum, inspectors try to conduct inspections at licensed communities once per year.

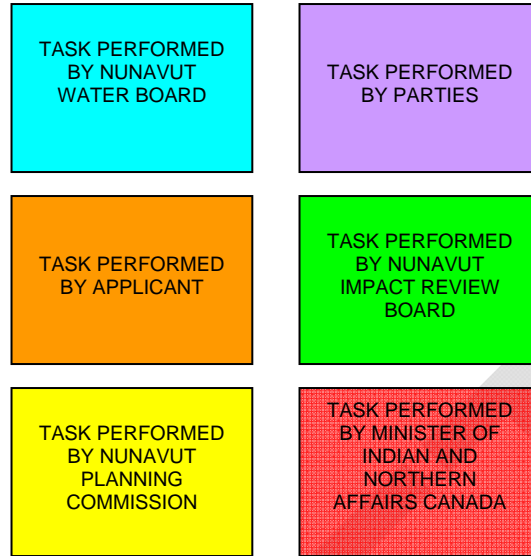
⁸ In accordance with s. 87(4) and (5) of the NWNSRTA

APPENDIX A. NWB WATER LICENSING PROCESS FLOWCHARTS

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FLOWCHART LEGEND AND NOTES

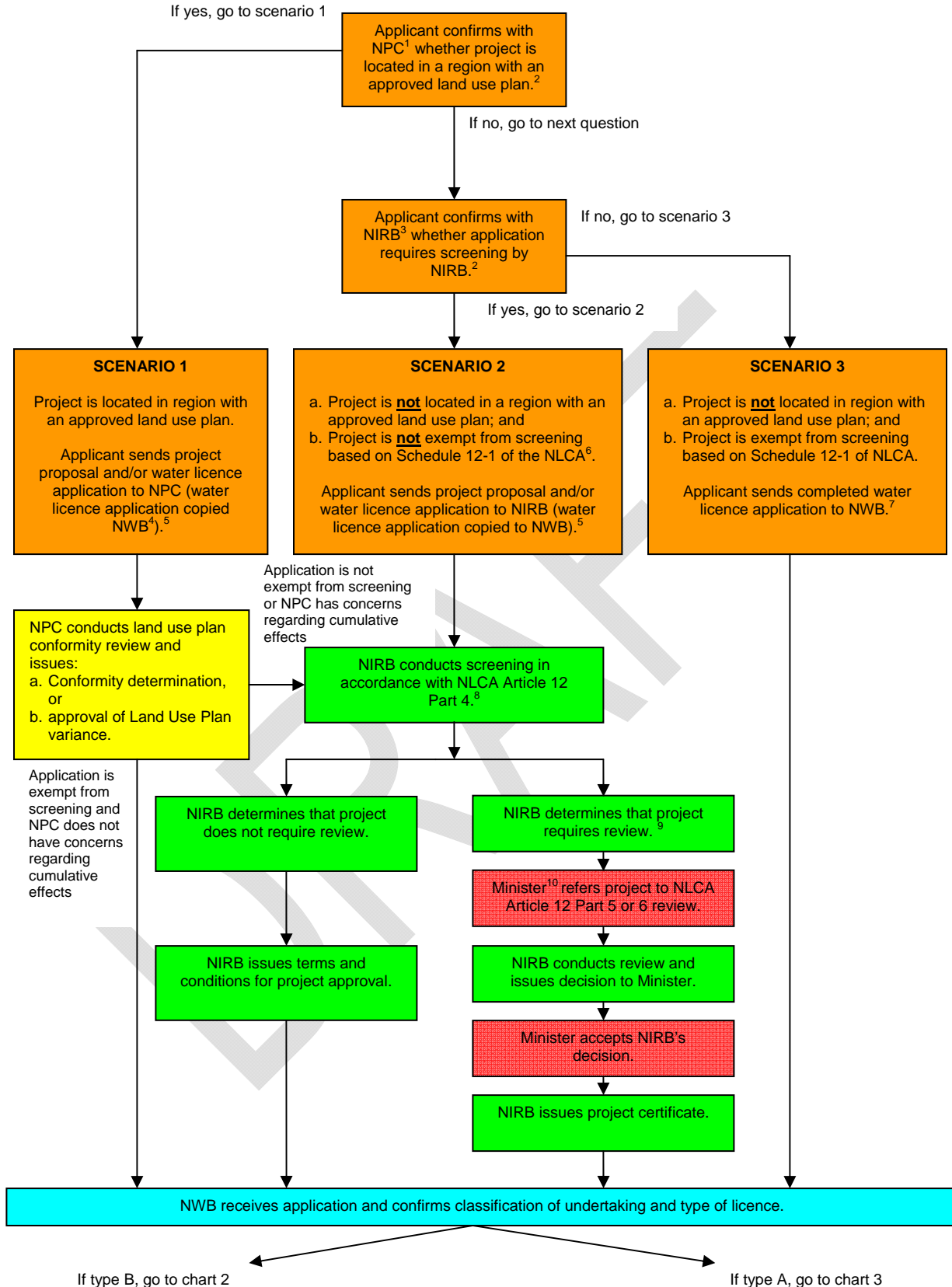
Legend:



Notes:

1. NPC refers to the Nunavut Planning Commission.
2. The onus is on the applicant to consult with the Nunavut Planning Commission and the Nunavut Impact Review Board regarding land use planning and impact assessment requirements.
3. NIRB refers to the Nunavut Impact Review Board.
4. NWB refers to the Nunavut Water Board.
5. The water licence application should be complete except for NPC and NIRB determinations.
6. NLCA refers to the Nunavut Land Claims Agreement.
7. The responsibility for securing a determination from NPC and NIRB rests with the applicant.
8. NIRB's screening process and timelines are outlined in their Guide #3: Guide to Filing Project Proposals and the Screening Process.
9. NIRB's review process and timelines are outlined in their Guide #5: Guide to the NIRB Review Process
10. Minister refers to the Minister of Indian and Northern Affairs Canada (INAC).
11. Timeframes associates with the steps in Process Charts 2 and 3 are outlined in the Time Charts.
12. TM refers to Technical Meeting.
13. PHC refers to Pre-Hearing Conference

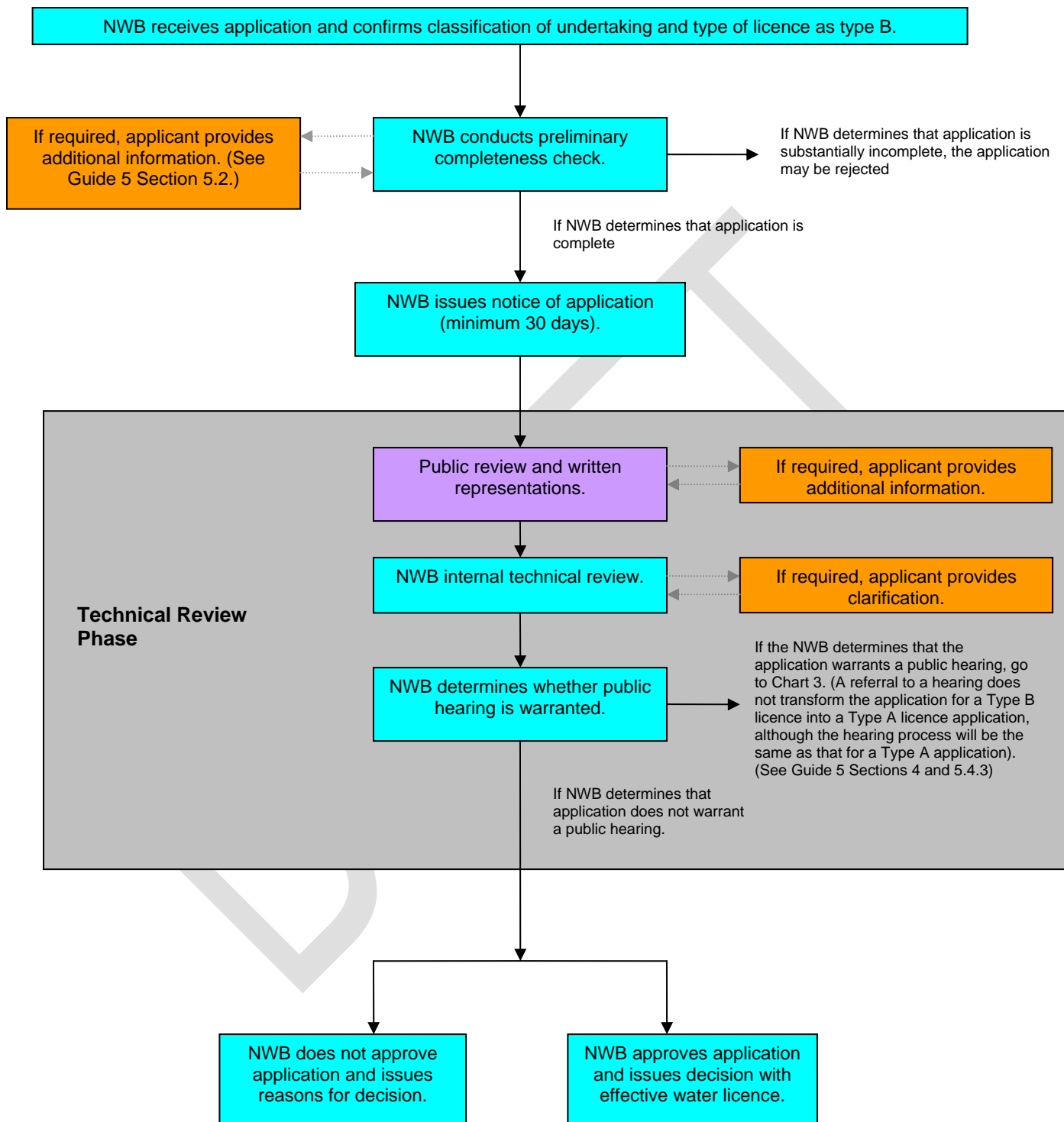
FLOWCHART 1: PRE-LICENSING LAND USE PLANNING AND IMPACT ASSESSMENT REQUIREMENTS



¹⁻¹³ See the beginning of this Guide for the flowchart legend and notes.

FLOWCHART 2: TYPE B WATER LICENSING PROCESS ¹¹

See Chart 1



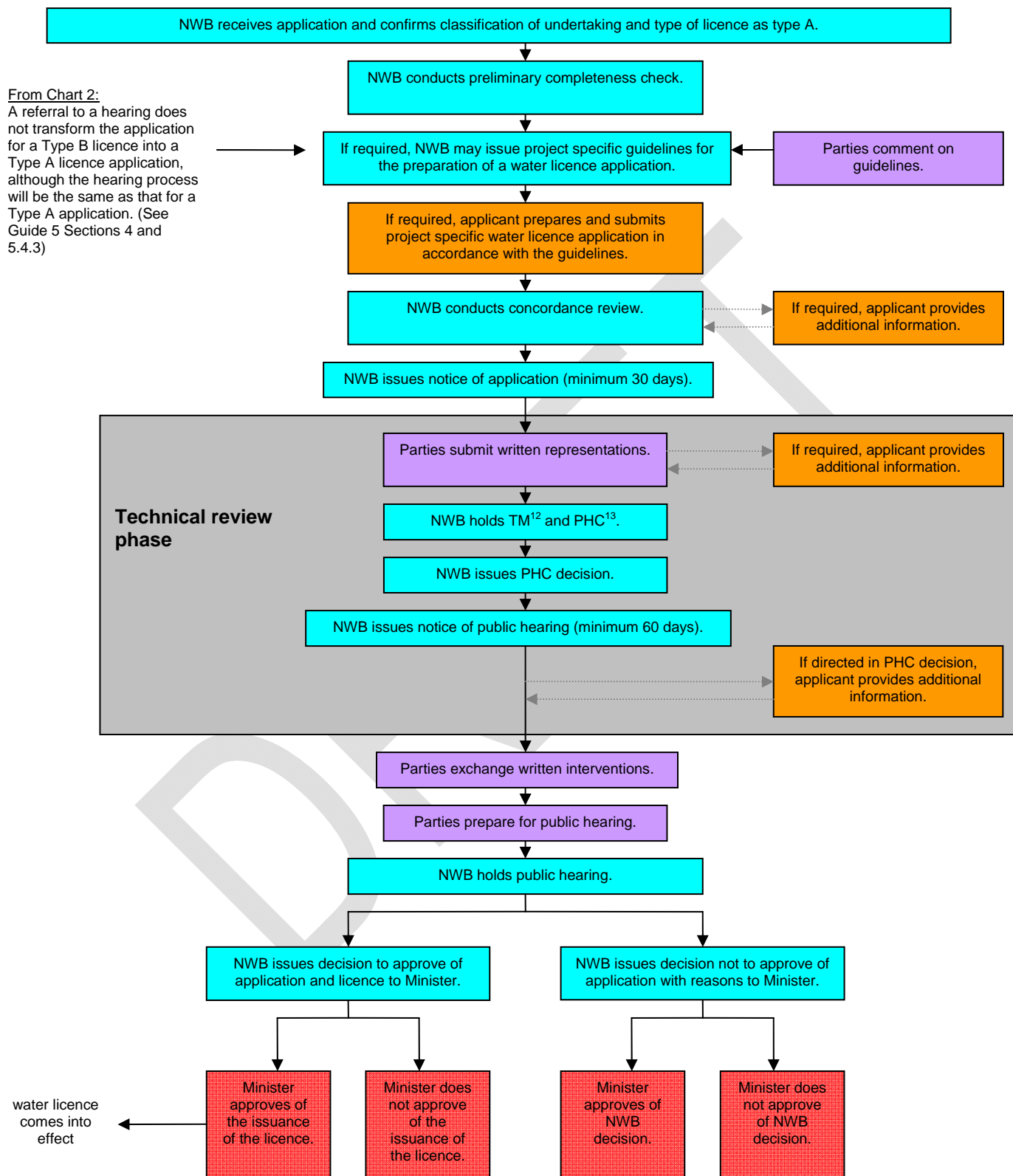
¹⁻¹³ See the beginning of this Guide for the flowchart legend and notes.

FLOWCHART 3: TYPE A WATER LICENSING PROCESS ¹¹

See Chart 1

From Chart 2:

A referral to a hearing does not transform the application for a Type B licence into a Type A licence application, although the hearing process will be the same as that for a Type A application. (See Guide 5 Sections 4 and 5.4.3)



¹⁻¹³ See the beginning of this Guide for the flowchart legend and notes.

APPENDIX B. NWB WATER LICENSING PROCESS TIME CHARTS

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TIME CHART 1: TYPE B (NO PUBLIC HEARING)

As shown in the time chart, the approximate time to complete the type B water licence application process is between 73 and 80 days. This timeframe is approximate and does not account for the time to complete any pre-licensing land use planning or development impact requirements or the time for the applicant to respond to requests for additional information.

Actual timeframes are determined on a project specific basis and are dependent upon the nature and quality of information contained in the initial application, the responsiveness of the applicant to requests for additional information, the public notification process, the complexity of the project, as well as the number of other applications requiring the attention of the Board.

The onus is on the applicant to file a complete application. Deficiencies in the application will extend the timeline.

Step	Appox. Duration	Day	Applicant	NWB	PARTIES	Section of Guide 5
NPC Driven		Land Use Plan Conformity Review				1
NIRB Driven		Development Impact Assessment Review				1
1	1	1		NWB receives application and confirms classification of undertaking and type of licence as type B		5.1
2	5	6	If required, applicant provides additional information	NWB conducts preliminary completeness check		5.2
3	7-14	13-20		NWB issues notice of application	Public review and written representations	5.3
4	30	43-50	If required, applicant provides additional information			5.4
5	30	73-80	If required, applicant provides clarification	NWB internal technical review		5.4
6				NWB determines whether public hearing is warranted. ^a		5.4
7				NWB issues decision		5.5

Notes

- a) If the NWB determines that the type B water licence application warrants a public hearing, the process transfers to step 3 of the Type A (Public Hearing) Time Chart, entitled "If required, the NWB may issue project specific guidelines for the preparation of a water licence application". The approximate time to complete the process for a type B water licence application that warrants a public hearing is between 309 and 376 days.

TIME CHART 2: TYPE A (PUBLIC HEARING)

As shown in the time chart, the approximate time to complete the type A water licence application process is between 252 and 312 days. This timeframe is approximate and does not account for the time to complete any pre-licensing land use planning or development impact requirements, the time for the applicant to prepare and submit a water licence application in accordance with any project specific guidelines issued by the NWB, or the time for the applicant to respond to requests for additional information.

This timeframe is approximate and may vary with project specific requirements. Actual timeframes are determined on a project specific basis and are dependent upon the nature and quality of information contained in the initial application, the responsiveness of the applicant to requests for additional information, the public notification process, the complexity of the project, as well as the number of other applications requiring the attention of the Board.

The onus is on the applicant to file a complete application. Deficiencies in the application will extend the timeline. The timeframe also depends upon the number of applications requiring the attention of the Board.

See chart on next page.

TIME CHART 2: TYPE A (PUBLIC HEARING)

Step	Approx. Duration (days)	Day	Applicant	NWB	Parties	Minister	Section of Guide 5	
NPC Driven		Land Use Plan Conformity Review					1	
NIRB Driven		Development Impact Assessment Review					1	
1	1	1		NWB receives application and confirms classification of undertaking and type of licence as type A			6.1	
2	15	16		NWB conducts preliminary completeness check			6.2	
3	30	46		If required, NWB may issue project specific guidelines for the preparation of a water licence application	Parties comment on project specific guidelines		6.3	
4	Applicant Driven	46	If required, applicant prepares and submits project specific water licence application				6.4	
5	15	61	If required, applicant provides additional information	NWB conducts concordance review			6.5	
6	1	62		NWB issues notice of application	Parties start technical review		6.6	
7	30 ^a	50	92	Applicant reviews written representations	NWB receives written representations from parties	Parties submit written representations	6.7.1	
8	5 ^b		97	Technical meeting/ pre-hearing conference	NWB holds technical meeting/ pre-hearing conference	Technical meeting/ pre-hearing conference	6.7.2	
9	15 ^c		112		NWB issues pre-hearing conference decision			6.7.3
10					NWB issues notice of public hearing			6.7.4
11	45	60	157	Parties exchange written interventions	Parties exchange written interventions	Parties exchange written interventions	6.8	
12	15		172	Parties prepare for public hearing	Parties prepare for public hearing	Parties prepare for public hearing	6.9	
13	5 ^{b,d}	177	Public Hearing	NWB holds Public Hearing	Public Hearing		6.10	
14	30-45 ^e	207-222		NWB issues decision to Minister			6.11	
15	45-90	252-312				Minister issues approval	6.12	

Notes

- a) The NWB requests written representations in 30 days. Often, parties request an extension of up to 60 days.
 - b) The duration of the technical meeting and pre-hearing conference and public hearing are dependent upon the form of the hearings and venue(s).
 - c) This Time Chart assumes that the pre-hearing conference decision and public hearing notice are issued concurrently.
 - d) The duration of the public hearing assumes that the public hearing is held in-person.
- The time for the Board to issue its decision depends upon the capacity of the Board and its staff.

APPENDIX C. NWB GENERAL WATER LICENCE APPLICATION FORM

DRAFT



P.O. Box 119
 GJOA HAVEN, NU X0B 1J0
 TEL: (867) 360-6338
 FAX: (867) 360-6369

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 NUNAVUT WATER BOARD
 NUNAVUT IMALIRIYIN KATIMAYINGI
 OFFICE DES EAUX DU NUNAVUT

**GENERAL WATER LICENCE APPLICATION
 (APPLICATION FOR NEW WATER LICENCE)**

The applicant is referred to the NWB's Guide 4: *Guide to Completing and Submitting a Water Licence Application for a New Licence* for more information about this application form.

LICENCE NO: (for NWB use only)	
1. APPLICANT (PROPOSED LICENSEE) CONTACT INFORMATION (name, address) Phone: _____ Fax: _____ e-mail: _____	2. APPLICANT REPRESENTATIVE CONTACT INFORMATION if different from Block 1 (name, address) Phone: _____ Fax: _____ e-mail: _____ (Attach authorization letter.)
3. NAME OF PROJECT (including the name of the project location)	
4. LOCATION OF UNDERTAKING Project Extents NW: Latitude: (° ' " N) Longitude: (° ' " W) NE: Latitude: (° ' " N) Longitude: (° ' " W) SE: Latitude: (° ' " N) Longitude: (° ' " W) SW: Latitude: (° ' " N) Longitude: (° ' " W) Camp Location(s) Latitude: (° ' " N) Longitude: (° ' " W)	
5. MAP - Attach a topographical map, indicating the main components of the undertaking. NTS Map Sheet No.: _____ Map Name: _____ Map Scale: _____	

6. NATURE OF INTEREST IN THE LAND - Check any of the following that are applicable to the proposed undertaking (at least one box under the 'Surface' header must be checked).

Sub-surface

Mineral Lease from Nunavut Tunngavik Incorporated (NTI)
Date (expected date) of issuance: _____ Date of expiry: _____

Mineral Lease from Indian and Northern Affairs Canada (INAC)
Date (expected date) of issuance: _____ Date of expiry: _____

Surface

Crown Land Use Authorization from Indian and Northern Affairs Canada (INAC)
Date (expected date) of issuance: _____ Date of expiry: _____

Inuit Owned Land (IOL) Authorization from Kitikmeot Inuit Association (KIA)
Date (expected date) of issuance: _____ Date of expiry: _____

IOL Authorization from Kivalliq Inuit Association (KivIA)
Date (expected date) of issuance: _____ Date of expiry: _____

IOL Authorization from Qikiqtani Inuit Association (QIA)
Date (expected date) of issuance: _____ Date of expiry: _____

Commissioner's Land Use Authorization
Date (expected date) of issuance: _____ Date of expiry: _____

Other: _____
Date (expected date) of issuance: _____ Date of expiry: _____

Name of entity(s) holding authorizations: _____

7. NUNAVUT PLANNING COMMISSION (NPC) DETERMINATION

Indicate the land use planning area in which the project is located.

- | | |
|---------------------------------------|---|
| <input type="checkbox"/> North Baffin | <input type="checkbox"/> Keewatin |
| <input type="checkbox"/> South Baffin | <input type="checkbox"/> Sanikiluaq |
| <input type="checkbox"/> Akunnig | <input type="checkbox"/> West Kitikmeot |

Is a land use plan conformity determination required?

- Yes No

If Yes, indicate date issued and attach copy _____

If No, provide written confirmation from NPC confirming that a land use plan conformity review is not required.

8. NUNAVUT IMPACT REVIEW BOARD (NIRB) DETERMINATION

Is an Article 12 Part 4 screening determination required?

- Yes No

If Yes, indicate date issued and attach copy _____

If No, provide written confirmation from NIRB confirming that a screening determination is not required.

9. DESCRIPTION OF UNDERTAKING – List and attach plans and drawings or project proposal.

10. OPTIONS – Provide a brief explanation of the alternative methods or locations that were considered to carry out the project.

11. CLASSIFICATION OF PRIMARY UNDERTAKING - Indicate the primary classification of undertaking by checking one of the following boxes.

- | | |
|---|--|
| <input type="checkbox"/> Industrial | <input type="checkbox"/> Agricultural |
| <input type="checkbox"/> Mining and Milling (includes exploration/drilling/exploration camps) | |
| <input type="checkbox"/> Conservation | |
| <input type="checkbox"/> Municipal (includes camps/lodges) | <input type="checkbox"/> Recreational |
| <input type="checkbox"/> Power | <input type="checkbox"/> Miscellaneous (describe below): |

See Schedule II of *Northwest Territories Waters Regulations* for Description of Undertakings.

Information in accordance with applicable Supplemental Information Guidelines (SIG) must be submitted with a New Water Licence Application. Indicate which SIG(s) are applicable to your application.

- Hydrostatic Testing
- Tannery
- Tourist / Remote Camp
- Landfarm & On-Site Storage of Hydrocarbon Contaminated Soil
- Onshore Oil and Gas Exploration Drilling
- Mineral Exploration / Remote Camp
- Advanced Exploration
- Mine Development
- Municipal
- General Water Works
- Power

12. WATER USE - Check the appropriate box(s) to indicate the type(s) of water use(s) being applied for.

- | | |
|---|---|
| <input type="checkbox"/> To obtain water for camp/ municipal purposes | |
| <input type="checkbox"/> To obtain water for industrial purposes | <input type="checkbox"/> To divert a watercourse |
| <input type="checkbox"/> To cross a watercourse | <input type="checkbox"/> To modify the bed or bank of a watercourse |
| <input type="checkbox"/> To alter the flow of, or store water | <input type="checkbox"/> Flood control |
| <input type="checkbox"/> Other: _____ | |

13. QUANTITY AND QUALITY OF WATER INVOLVED - For each type of water use indicated in Block 12, provide the source of water, the quality of the water source and available capacity, the estimated quantity to be used in cubic meters per day, method of extraction, as well as the quantities and qualities of water to be returned to source.

Name of water source(s) (show location(s) on map):

Describe the quality of the water source(s) and the available capacity: _____

Provide the overall estimated quantity of water to be used: _____ m³/day

Provide the estimated quantity(s) of water to be used from each source:

Indicate the estimated quantities to be used for each purpose (camp, drilling, etc.)

Describe the method of extraction(s): _____

Estimated quantity(s) of water returned to source(s) _____ m³/day

Describe the quality of water(s) returned to source(s): _____

14. WASTE – Check the appropriate box(s) to indicate the types of waste(s) generated and deposited.

Sewage

Solid Waste

Hazardous

Bulky Items/Scrap Metal

Animal Waste

Other (describe): _____

Waste oil

Greywater

Sludges

Contaminated soil and/or water

15. QUANTITY AND QUALITY OF WASTE INVOLVED – For each type of waste indicated in Block 14, describe its composition, quantity in cubic meters/day, method of treatment and method of disposal.

Type of Waste	Composition	Quantity Generated	Treatment Method	Disposal Method

16. OTHER AUTHORIZATIONS – In addition to the sub-surface and surface land use authorizations provided in Block 6, indicate any other authorizations required in relation to the proposed undertaking. For each provide the following:

Authorization: _____

Administering Agency: _____

Project Activity: _____

Date (expected date) of issuance: _____ Date of expiry: _____

17. PREDICTED ENVIRONMENTAL IMPACTS OF UNDERTAKING AND PROPOSED MITIGATION MEASURES - Describe direct, indirect, and cumulative impacts related to water and waste.

18. WATER RIGHTS OF EXISTING AND OTHER USERS OF WATER

Provide the names, addresses and nature of use for any known persons or properties that may be adversely affected by the proposed undertaking, including those that hold licences for water use in precedent to the application, domestic users, in-stream users, authorized waste depositors, owners of property, occupiers of property, and/or holders of outfitting concessions, registered trapline holders, and holders of other rights of a similar nature.

Advise the Board if compensation has been paid and/or agreement(s) for compensation have been reached with any existing or other users.

19. INUIT WATER RIGHTS

Advise the Board of any substantial affect of the quality, quantity or flow of waters flowing through Inuit Owned Land (IOL), and advise the Board if negotiations have commenced or an agreement to pay compensation for any loss or damage has been reached with one or more Designated Inuit Organization (DIO).

20. CONSULTATION – Provide a summary of any consultation meetings including when the meetings were held, where and with whom. Include a list of concerns expressed and measures to address concerns.

21. SECURITY INFORMATION

Provide an estimate of the total financial security for final reclamation equal to the total outstanding reclamation liability for land and water combined sufficient to cover the highest liability over the life of the undertaking. Estimates of reclamation costs must be based on the cost of having the necessary reclamation work done by a third party contractor if the operator defaults. The estimate must also include contingency factors appropriate to the particular work to be undertaken.

Where applicable, the financial security assessment should be prepared in a manner consistent with the principals respecting mine site reclamation and implementation found in the *Mine Site Reclamation Policy for Nunavut*, Indian and Northern Affairs Canada, 2002.

22. FINANCIAL INFORMATION

Provide a statement of financial responsibility.

If the applicant is a business entity, provide a list of the officers of the company.

If the applicant is a business entity attach a copy of the Certificate of Incorporation or evidence of registration of the company name.

23. STUDIES UNDERTAKEN TO DATE - List and attach copies of studies, reports, research, etc.

24. PROPOSED TIME SCHEDULE – Indicate the proposed start and completion dates for each applicable phase of development (construction, operation, closure, and post closure).

Construction

Proposed Start Date: _____ Proposed Completion Date: _____
(month/year) (month/year)

Operation

Proposed Start Date: _____ Proposed Completion Date: _____
(month/year) (month/year)

Closure

Proposed Start Date: _____ Proposed Completion Date: _____
(month/year) (month/year)

Post - Closure

Proposed Start Date: _____ Proposed Completion Date: _____
(month/year) (month/year)

For each applicable phase of development indicate which season(s) activities occur.

Construction

Winter Spring Summer Fall All season

Operation

Winter Spring Summer Fall All season

Closure

Winter Spring Summer Fall All season

Post - Closure

Winter Spring Summer Fall All season

25. PROPOSED TERM OF LICENCE

Number of years (maximum of 25 years): _____ years

Requested Date of Issuance: _____ Requested Expiry Date: _____
(month/year) (month/year)

(The requested date of issuance must be at least three (3) months from the date of application for a type B water licence and at least one (1) year from the date of application for a type A water licence, to allow for processing of the water licence application. These timeframes are approximate and do not account for the time to complete any pre-licensing land use planning or development impact requirements, time for the applicant to prepare and submit a water licence application in accordance with any project specific guidelines issued by the NWB, or the time for the applicant to respond to requests for additional information. See the NWB's *Guide 5: Processing Water Licence Applications* for more information)

26. ANNUAL REPORTING – If not using the NWB's *Standardized Form for Annual Reporting*, provide details regarding the content of annual reports and a proposed outline or template of the annual report.

27. CHECKLIST – The following must be included with the application for the water licensing process to begin.

Written confirmation from the NPC confirming that NPC's requirements regarding land use plan conformity have been addressed.

Yes No If no, date expected _____

Written confirmation from the NIRB confirming that NIRB's requirements regarding development impact assessment have been addressed.

Yes No If no, date expected _____

Completed General Water Licence Application form.

Yes No If no, date expected _____

Information addressing Supplemental Information Guideline (SIG) , where applicable (see Block 11)

Yes No If no, date expected _____

English Summary of Application.

Yes No If no, date expected _____

Inuktitut and/or Inuinnaqtun Summary of Application.

Yes No If no, date expected _____

Application Fee of \$30.00 CDN (Payee Receiver General for Canada).

Yes No If no, date expected _____

Water Use Fee Deposit of \$30.00 CDN (Payee Receiver General for Canada). The actual water use fee will be calculated by the NWB based upon the amount of water authorized for use in accordance with the Regulations at the time of issuance of the licence.

Yes No If no, date expected _____

28. SIGNATURE

Name (Print)	Title (Print)	Signature	Date
--------------	---------------	-----------	------

**APPENDIX D. NWB DRAFT MUNICIPAL SUPPLEMENTAL
INFORMATION GUIDELINE (SIG) FOR MUNICIPAL
UNDERTAKINGS**

DRAFT



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

NUNAVUT WATER BOARD
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NUNAVUT IMALIRIYIN KATIMAYINGI
OFFICE DES EAUX DU NUNAVUT

Draft

Municipal Supplemental Information Guideline (SIG) for Municipal Undertakings (MU1)

Date of Issuance: February 2010

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APPENDIX A: ADDITIONAL SOURCE DOCUMENTS

APPENDIX B: COMMONLY USED ACRONYMS

1.0 Introduction

This Supplemental Information Guideline (SIG) is for applicants seeking a water licence for water use, waste disposal, works and associated activities for Municipal Development which is an undertaking classified as Municipal in accordance with the *Northwest Territories Water Regulations* (NTWR or Regulations).

Supplemental information is required as part of the water licence application in accordance with section 48(2) of the Nunavut Waters Nunavut Surface Rights Tribunal Act (NWNSRTA or Act) which states:

“An application, except in relation to a cancellation, shall be accompanied by the information and studies concerning the use of waters or the deposit of waste that are required for the Board to evaluate the qualitative and quantitative effects of the use or the deposit on waters.”

Also, in accordance with section 48(3) of the Act, on the filing of an application, the Board may provide guidelines to the applicant respecting the information to be provided by the applicant in respect of any matter that the Board considers relevant, including the following:

- a) the description of the use of waters, deposit of waste or appurtenant undertaking, as the case may be;
- b) the qualitative and quantitative effects of the use of waters or the deposit of waste on the drainage basin where the use is to be undertaken or the deposit is to be made, and the anticipated impact of the use or deposit on other users;
- c) the measures the applicant proposes to take to avoid or mitigate any adverse impact of the use of waters or the deposit of waste;
- d) the measures the applicant proposes to take to compensate persons, including the designated Inuit organization, who are adversely affected by the use of waters or the deposit of waste;
- e) the program the applicant proposes to undertake to monitor the impact of the use of waters or the deposit of waste;
- f) The interests in and rights to lands and waters that the applicant has obtained or seeks to obtain; and

g) the options available for the use of waters or the deposit of waste.

To provide further guidance for these requirements, as well as the requirements of section 6(2) of the Regulations which outlines more specific information requirements for proposed undertakings, the NWB has developed Supplemental Information Guidelines (SIGs or Guidelines).

The SIGs are designed in spreadsheet format to facilitate the development of a concordance table that cross references the requirements of the SIG with the documents that make up the water licence application. The tables in the following seven (7) worksheets include columns for the applicant to enter information regarding the applicability of the requirement to the proposed undertaking; the title, author, and date of the document where information to address the requirement can be found; the electronic file name of the document; as well as the section of the document where the information can be found. Specific information about the proposed undertaking should not be inserted into these spreadsheets.

The applicant must complete the yellow sections of the SIG and submit the completed SIG along with the documents that address the requirements of the SIG to the NWB.

Further to this SIG, the applicant is referred to the NWB's *Guide 4 - Completing and Submitting a Water Licence Application for a New Licence*. This Guide provides more details regarding completion of the NWB's minimum information requirements, information required to complete plans including designs and reports, executive summaries and translations, as well as how, when and who to contact when submitting a water licence application.

Following submission of a water licence application, the NWB will determine whether the application is complete. If the NWB determines that an application is materially incomplete, meaning that items included in Section 2: Minimum Application Requirements are missing, the applicant will be informed by the NWB that their application has been rejected. In other cases, NWB staff will correspond with the applicant to resolve deficiencies before proceeding.

The NWB cannot issue, amend, or renew a licence where there is an applicable, approved land use plan until the NPC's requirements under the NLCA have been addressed regarding land use planning (Article 11). In addition, the NWB cannot issue, amend, or renew a licence where the appurtenant undertaking requires screening by NIRB in accordance with Part 4 of Article 12 of the NLCA until NIRB has completed its screening. Furthermore, notwithstanding sections 13.5.5 or 12.10.2 of the NLCA, where the appurtenant undertaking requires a review under Part 5 or Part 6 of Article 12 of the NLCA, the Board may not issue, amend, or renew a licence until NIRB has issued a project certificate. For this reason, the applicant must provide the NWB with written confirmation that both NPC's and NIRB's requirements under the NLCA have been addressed.

Following completion of development impact assessment in accordance with Article 12 of the NLCA, the NWB may issue additional Project Specific Information Requirements (PSIR) to the applicant.

The applicant is referred to Appendix A of these Guidelines for a list of additional documents, guidelines, legislation and standards that may be of use to the applicant in preparing the information to address this SIG.

Submission of the information required by this SIG does not relieve the applicant from confirming and following up on other information requirements which may be required during the regulatory process.

2.0 Minimum Application Requirements (Application Checklist)

Section Title	Section No.	Information Requirement	Indicate whether Information Requirement is applicable by inserting ' Y ' or ' NA '	If 'NA' provide justification	Insert <u>Title, Author and Date of Document</u> where information is provided	Insert <u>electronic file name of document</u> where information is provided	Insert <u>Section of document</u> where information is provided	NWB Concordance Assessment
Minimum Application Requirements	1	General Water Licence Application Form (see the NWB's <i>Guide 4: Completing and Submitting a Water Licence Application for a New Licence</i>) or Application for Water Licence Amendment Form, if appropriate (see NWB's <i>Guide 7: Licensee Requirements Following the Issuance of a Water Licence</i>).						
	2	Information required to satisfy the requirements of the SIG including plans, reports and designs.						
	3	Executive summary in english.						
	4	Translated executive summary in appropriate language and dialect.						
	5	Application fee.						
	6	Water use fee.	Not applicable to municipal undertakings					
	7	A table indicating concordance of the application and supporting documents to the Guidelines. These generic Guidelines are provided in excel as a tool for applicants to provide the necessary concordance table.						

Qualifications:

- 1 Applications that do not include all of the items listed above will be returned to the applicant as incomplete with a request for the deficient information.
- 2 If more than one licensable activity or facility is proposed that requires a water licence (eg. multiple water sources, waste deposits, structures, crossings, etc.) the required information must be provided for each activity or facility.
- 3 Information between all documents that make up the application package must be consistent and must be accurately cross referenced.
- 4 The application must distinguish between recommendations or options and actual commitments to chosen alternatives.
- 5 For additional guidance regarding the submission of electronic documentation, see the NWB's *Guide 6: Electronic Documentation: Submissions and Registry*.
- 6 The applicant, where practical, may combine components of the information requested in the SIG into more concise plans to provide clarity and eliminate duplication. If this practice is considered, then the applicant must clearly outline, through proper referencing and clearly detailed statements, how the NWB should consider the documents that have combined elements of information. Information management is the responsibility of the applicant.
- 7 The applicant must submit a concise executive summary of the application package. In addition, the Applicant shall submit an executive summary for each separate supporting document, report or study. All executive summaries shall be provided in English, Inuktitut and/or Inuinnaqtun (where applicable).

The applicant must complete the yellow columns of the worksheet(s). Blue columns are for NWB use only.

3.0 General Water Licence Application

Section Title	Section No.	Information Requirement	Indicate whether Information Requirement is applicable by inserting ' Y ' or ' NA '	If 'NA' provide justification	Insert <u>Title, Author and Date of Document</u> where information is provided	Insert <u>electronic file name of document</u> where information is provided	Insert <u>Section of document</u> where information is provided	If information is not available at the time of application, indicate when the information will be made available	NWB Concordance Assessment
Applicant	1	Provide the full name of the applicant and contact person including contact information (position, phone number, address, fax number and email address).							
Applicant Representative	2	Provide the name and contact information of any party submitting the application on behalf of the applicant (including position, phone number, address, fax number and email address).							
	3	Provide a signed letter authorizing a party to be the applicant's representative in the licensing process.							
Project Name	4	Provide the name of the community and indicate the community's status as either village, town, city, hamlet, or settlement corporation.							
	5	Indicate whether the project is for a camp or lodge and provide the name of the camp or lodge.							
	6	Provide the current population of the community or the number of people that the camp or lodge can accommodate.							
	7	Provide the estimated population growth rate of the community over the next five (5) years.							
Location of Undertaking	8	Provide coordinates of the project extents taking into account the Local Project Area (LPA) and the Regional Project Area (RPA), where applicable.							
	a	Provide location by Latitude and Longitude.							
	b	Provide location by UTM coordinates, if available.							
Map	9	Provide a map at a 1:50,000 scale based on the National Topographic Series indicating the location of the undertaking, watercourses and the location of waste deposits. Additional maps at various scales may be provided if those maps will provide additional information or clarification. All maps must indicate the scale, map sheet number, and the location of north.							
Nature of Interest in the Land	10	Provide the nature of the interest in the land associated with the proposed undertaking, including:							
	a	Sub-surface leases from Nunavut Tunngavik Incorporated (NTI) and/or Indian and Northern Affairs Canada (INAC) as well as surface authorizations from INAC for crown land use, a Designated Inuit Organization (DIO) for Inuit Owned Land (IOL) use, or the Government of Nunavut for Commissioner's land use. Provide the permit or licence							
	b	The date or expected date of issuance of any authorization and the date of expiry.							
	11	Indicate whether the applicant is the name of the entity holding the authorization for the interest in the land and if not, provide the name of the entity holding the authorization.							
NPC Determination	12	Provide written confirmation from the NPC confirming that NPC's requirements under the NLCA regarding land use plan conformity (Article 11 of the NLCA) have been addressed.							
NIRB Determination	13	Provide written confirmation from the NIRB confirming that NIRB's requirements under the NLCA regarding development impact assessment (Article 12 of the NLCA) have been or are in the process of being addressed. Documentation may include:							
	a	Written confirmation from NIRB that the project proposal does not require screening;							
	b	NIRB's screening determination;							
	c	If a review is required, NIRB's recommendation to the Minister regarding the type of review;							

3.0 General Water Licence Application

Section Title	Section No.	Information Requirement	Indicate whether Information Requirement is applicable by inserting ' Y ' or ' NA '	If 'NA' provide justification	Insert <u>Title, Author and Date of Document</u> where information is provided	Insert <u>electronic file name of document</u> where information is provided	Insert <u>Section of document</u> where information is provided	If information is not available at the time of application, indicate when the information will be made available	NWB Concordance Assessment
	d	If a review is required, the Minister's written decision regarding the review of the development proposal;							
	e	If a review is required, NIRB's project certificate;							
	14	Provide a list of activities requested for exception in accordance with NLCA s. 12.10.2;							
	15	Indicate whether any Type B water licence application is for an activity to be considered for interim, short term approval in accordance with NLCA s. 13.5.5.							
Description of Undertaking	16	See section 4 of this SIG for specific requirements.							
Other Applicable Supplemental Information Guidelines	17	Indicate whether any other Supplemental Information Guidelines apply to the undertaking including the following:							
	a	Hydrostatic testing							
	b	Tannery							
	c	Tourist / remote camp							
	d	Landfarm and on-site storage of hydrocarbon contaminated soil							
	e	Onshore oil and gas exploration drilling							
	f	Mineral exploration/ remote camp							
	g	Advanced exploration							
	h	Mine development							
	i	Municipal							
	j	General Water Works							
	k	Power							
Options	18	Provide a brief explanation of the alternative methods or locations that were considered to carry out the project.							
Water Use	19	See section 6 of this SIG for specific requirements							
Water Use: Quality and Quantity	20	See section 6 of this SIG for specific requirements							
Waste Disposal	21	See section 7 of this SIG for specific requirements							
Waste Disposal: Quality and Quantity	22	See section 7 of this SIG for specific requirements							
Other Authorizations	23	Provide a list of any authorizations required in relation to the project in addition to the water licence. For each additional authorization required for the project, provide the name of the authorization, the administering agency, the project activity requiring the authorization, the date or expected date of issuance and the date of expiry. Provide a description of how those authorizations may affect the NWB's water licensing process.							
	24	Provide formal applications to the Navigable Waters Protection Program (NWPP) for any works if applicable.							
	25	Provide a timetable for filing the appropriate plans and procedures required by government parties.							
	26	Indicate whether the community holds any existing water licences. If applicable, provide the licence number and expiry date of any existing water licences.							
Predicted Environmental Effect and Proposed mitigation measures	27	Identify the potential effect of water use and waste disposal on the following components:							
	a	Groundwater and Surface Water including: changes in flow (including seasonal rate of flow) quantity quality							
	b	Land including: geologic structure change soil contamination							

3.0 General Water Licence Application

Section Title	Section No.	Information Requirement	Indicate whether Information Requirement is applicable by inserting ' Y ' or ' NA '	If 'NA' provide justification	Insert <u>Title, Author and Date of Document</u> where information is provided	Insert <u>electronic file name of document</u> where information is provided	Insert <u>Section of document</u> where information is provided	If information is not available at the time of application, indicate when the information will be made available	NWB Concordance Assessment
		compaction, settling and erosion							
		alteration of the permafrost regime							
		riparian zone loss							
	c	Vegetation including:							
		species composition and abundance							
		non-native species introduction							
		accumulation of toxins and heavy metals (in relation to remediation objectives for closure)							
	d	Aquatic Ecosystems including:							
		fish							
		benthic invertebrates							
		plankton							
	28	Identify effects separately for each project phase.							
	29	Provide a description of the methods used to predict effects.							
	30	Provide a cumulative effects assessment of the project's water use and waste disposal activities in combination with other past, present and reasonably foreseeable projects in the same drainage basin.							
	31	Identify effects that may arise from accidental events or malfunctions.							
	32	Provide a description of all proposed mitigation, management and monitoring programs to mitigate adverse impacts.							
	33	Provide a description of the measures to be taken to mitigate impacts on historical resources or traditional uses of water and procedures to be followed should artifacts be discovered.							
	34	See sections 5, 6, 7 and 8 of this SIG for additional information requirements							
Existing and Other User Water Rights	35	Provide the names, addresses, and nature of use for any known persons or properties that may be adversely affected by the proposed undertaking, including those that hold licences for water use in precedent to the application, domestic users, in-stream users, authorized waste depositors, owners of property, occupiers of property, and/or holders of outfitting concessions, registered trapline holders, and holders of other rights of a similar nature.							
	36	Provide a description of any potential effects of the project on the persons or properties identified in item 35 of this section.							
	37	Provide a description of the measures incorporated into the project design to mitigate effects of the project on the persons or properties identified in item 35 of this section.							
	38	Indicate whether compensation has been paid and/or agreement(s) for compensation have been reached with any existing or other users.							
Inuit Water Rights	39	Provide a description of any potential effects of the project on the quality, quantity, or flow of waters flowing through Inuit Owned Land (IOL).							
	40	Provide a description of the measures incorporated into the project design to mitigate effects of the project on the quality, quantity, or flow of waters flowing through IOL.							
	41	Indicate whether an agreement to pay compensation for any loss or damage has been reached with one or more Designated Inuit Organization (DIO); or if the parties have been unable to reach an agreement on compensation							

3.0 General Water Licence Application

Section Title	Section No.	Information Requirement	Indicate whether Information Requirement is applicable by inserting ' Y ' or ' NA '	If 'NA' provide justification	Insert <u>Title, Author and Date of Document</u> where information is provided	Insert <u>electronic file name of document</u> where information is provided	Insert <u>Section of document</u> where information is provided	If information is not available at the time of application, indicate when the information will be made available	NWB Concordance Assessment
Consultation	42	Provide a summary of any consultation meetings including when the meetings were held, where and with whom.							
	43	Provide a summary of the results of consultation meetings including a list of concerns expressed and measures proposed to address concerns.							
Security	44	Security information is not required in an application for a municipal undertaking							
Abandonment and Restoration	45	Provide plans for the abandonment and restoration of facilities.							
	46	Provide a description of all remediation plans and remediation objectives.							
	47	Provide a list and description of any existing abandoned or restored site facilities.							
Financial Information	48	Indicate the status of the project within the Government of Nunavut Community Government Services (GN-CGS) capital planning process.							
Studies and Designs	49	Provide a list of studies, reports and plans relevant to the application that have been undertaken to date including:							
	a	Design rational, design requirements, design criteria, design parameters, design standards/analysis/method;							
	b	Design assumptions and the limitations associated with such design assumptions;							
	c	The inclusion of clear, definable engineering qualifiers with all design drawings and reports;							
	d	Site specific data and analysis to support the design and management decisions made;							
	e	Materials that appropriately delineate the particulars of a design or plan.							
	50	Provide construction methods and procedures regarding how infrastructure will be put in place on-site.							
	51	Provide a timetable for submission of preliminary and final-for-construction engineered designs (note: for construction designs are required for NWB approvals).							
	52	See sections 5, 6 and 7 of this SIG for additional information requirements.							
Proposed Time Schedule	53	Provide the proposed start and completion dates for each phase of development (construction, operation, closure) and any anticipated periods of seasonal shut down.							
Proposed Term of Licence	54	Provide a proposed term of licence including the expected date of licence issuance and the expected date of licence expiry.							
Annual Reporting	55	Provide detailed information regarding the content of annual reports and a proposed outline or template of the annual report. The annual report should include the following:							
	a	Water related monitoring results;							
	b	Comparison of water quality and quantity monitoring data with the water quality and quantity predictions presented in the application;							
	c	A description of how any conditions in the NIRB screening decision related to the NWB mandate have been implemented;							
	d	Project changes under adaptive management;							
	e	Any actions taken in response to direction provided by the Inspector.							

3.0 General Water Licence Application

Section Title	Section No.	Information Requirement	Indicate whether Information Requirement is applicable by inserting ' Y ' or ' NA '	If 'NA' provide justification	Insert <u>Title, Author and Date of Document</u> where information is provided	Insert <u>electronic file name of document</u> where information is provided	Insert <u>Section of document</u> where information is provided	If information is not available at the time of application, indicate when the information will be made available	NWB Concordance Assessment
Renewals and Amendments	56	If the application is for a renewal or amendment of an existing licence provide the water licence number and the date of water licence expiry.							
	57	If the application is for a renewal or amendment of an existing licence, provide a compliance assessment/status report. This report must document the status of compliance for each condition of the existing water licence taking into consideration inspector dialogues and inspector directions, responses to inspector dialogues and inspector directions, spills that may have occurred, and any reporting requirements. The report must indicate when facilities were inspected by regulatory agencies and list any spills that may have occurred including a description, location shown on a map, and the action taken to address the affected area.							

4.0 Project Description

Section Title	Section No.	Information Requirement	Indicate whether Information Requirement is applicable by inserting ' Y ' or ' NA '	If 'NA' provide justification	Insert Title, Author and Date of Document where information is provided	Insert electronic file name of document where information is provided	Insert Section of document where information is provided	If information is not available at the time of application, indicate when the information will be made available	NWB Concordance Assessment
Description of Undertaking	1	Provide a complete description of the undertaking with detailed site plan(s) of all project infrastructure for the Local Project Area (LPA) and/or the Regional Project Area (RPA), where applicable. Include maps and/or aerial photos with scales that allow the determination of distances between the objects depicted. Differentiate any temporary components from permanent components. Consider the following in providing the description:							
	a	Raw water intake;							
	b	Water storage and treatment facilities including distribution systems;							
	c	Existing water bodies/courses and any changes to these water bodies/courses that may have or may occur as a result of water use or waste disposal facilities.							
	d	Location of receiving water bodies and drainage pathways;							
	e	Transportation access routes and details of water course crossings;							
	f	Locations of environmental monitoring sites;							
	g	Traditional water use and land use areas that may be impacted by the project;							
	h	Wastewater collection, disposal, treatment and discharge facilities (lagoon, wetland, honey bag pit, mechanical system, combination, other);							
	i	Solid waste disposal areas and drainage patterns;							
	j	Incinerators;							
	k	Landfarm (see the NWB's SIG for Landfarm and on-site storage of hydrocarbon contaminated soil (I3));							
	l	Quarries;							
	m	Hazardous waste disposal area;							
	n	Waste discharge distribution lines;							
	o	Fuel and chemical storage;							
	p	Abandoned and/or restored facilities;							
q	Existing on site infrastructure;								
r	Others:								

5.0 Baseline Information

Section Title	Section No.	Information Requirement	Indicate whether Information Requirement is applicable by inserting 'Y' or 'NA'	If 'NA' provide justification	Insert Title, Author and Date of Document where information is provided	Insert electronic file name of document where information is provided	Insert Section of document where information is provided	If information is not available at the time of application, indicate when the information will be made available	NWB Concordance Assessment
Environmental Setting	1	Provide a description of the regional and local setting.							
	2	Provide a description of the site conditions including:							
	a	location							
	b	topography							
	c	geologic conditions							
	d	hydrologic characteristics							
	e	climate conditions and trends							
	f	seismicity							
	g	permafrost conditions							
	3	Provide a description of the regional and local surface water regime and drainage area and outline the drainage basin on an attached map.							
	4	Provide a description of the groundwater regime.							
	5	Provide baseline data and an evaluation of baseline data describing surface and groundwater quality in the project area (physical, chemical, and biological characteristics).							
	6	Provide a description of the usual break-up and freeze-up periods.							
	7	Provide a description of streambed material, streambank material, and streambank vegetation.							
	8	Indicate the slope of the banks of any water course affected by the application							
	9	Provide a description of the meander pattern for any channel affected by the application							
	10	Provide the following streamflow data in cubic metres per second for each watercourse included in the application:							
	a	mean annual flow;							
b	mean summer flow;								
c	minimum summer flow;								
d	minimum annual flow;								
e	mean annual flood;								
f	maximum summer flood;								
g	mean summer flood;								
11	Provide bathymetric information for water bodies affected by the application.								
12	Provide a description of the ground condition for design and engineering of earthwork infrastructure, including: (if applicable, provide test pit/ drill hole logs and laboratory test results)								
a	Landfills								
b	Landfills								
c	Roads								
d	Quarries or borrow pits								
e	Hazardous waste facilities								
f	Wastewater treatment facilities								
13	Provide results of any assessment of the permeability of any faults and taliks beneath water bodies.								
14	Provide a description of the historical uses of the waters affected by the project.								
15	Provide a description of any traditional uses of water in the project area.								
16	Indicate whether fish, shellfish, or other wildlife are present and harvested in or near discharge areas and, if applicable, indicate the species harvested and the level of harvest.								
17	Provide a description of the results of any consultation with Elders regarding the collection of baseline data.								
18	Provide a description of the geochemical tests which have been (or will be) performed on quarry or borrow material to determine the relative acid generation and contaminant leaching potential. Outline methods used (or to be used) and provide test results in an attached report (ie. static test, kinetic tests).								

5.0 Baseline Information

Section Title	Section No.	Information Requirement	Indicate whether Information Requirement is applicable by inserting 'Y' or 'NA'	If 'NA' provide justification	Insert Title, Author and Date of Document where information is provided	Insert electronic file name of document where information is provided	Insert Section of document where information is provided	If information is not available at the time of application, indicate when the information will be made available	NWB Concordance Assessment
Fisheries	19	The applicant is advised to consult with DFO regarding fish and fish habitat related issues and to visit DFO's website at http://www.dfo-mpo.gc.ca/habitat/habitat-eng.htm . Indicate whether the applicant has consulted with DFO and provide the results of any consultation.							
	20	If applicable, provide baseline data and an evaluation of baseline data describing fish and fish habitat in the project area							
	21	If applicable, provide a fisheries assessment including:							
	a	Detailed area description (including photographic record);							
	b	Description of fish habitat (including river or lake bottom substrates such as silt, sand, or cobble);							
	c	Presence of sensitive habitats (spawning, migration corridors etc.);							
	d	Description of aquatic and riparian vegetation;							
	e	Fish community and lifestage present;							
	f	Depth and width of watercourse;							
	g	Max/min water flows, currents, tides;							
	h	Turbidity and sediment loads (total suspended solids);							
	i	Sport, commercial, subsistence fishery present.							
Studies	22	Provide a list of baseline studies, reports and plans relevant to the application that have been undertaken to date or are being planned including:							
	a	Geotechnical studies;							
	b	Geochemical studies;							
	c	Water quality studies;							
	d	Hydrological and hydrogeological studies;							
	e	Traditional use studies;							
	f	Aquatic studies;							
	g	Meteorological studies;							

6.0 Water Use: Quality, Quantity, Predicted Environmental Impact and Proposed Mitigation Measures

Section Title	Section No.	Information Requirement	Indicate whether Information Requirement is applicable by inserting 'Y' or 'NA'	If 'NA' provide justification	Insert Title, Author and Date of Document where information is provided	Insert electronic file name of document where information is provided	Insert Section of document where information is provided	If information is not available at the time of application, indicate when the information will be made available	NWB Concordance Assessment
Water Use	1	Provide a detailed description of all types of water uses including: (See the NWB definition of "use" in the NWB Guide 2: Terminology and Definitions)							
	a	Obtain water for domestic purposes							
	b	Obtain water for industrial purposes							
	c	To cross a water course							
	d	To alter the flow of water, or store water							
	e	Flood control							
	f	To divert a watercourse							
	g	To modify the bed or bank of a watercourse							
	h	Others:							
Water Use: Quality and Quantity Water Intake **Identify uses as either domestic or industrial**	2	Provide the name of the primary water source(s) as well as the name of any alternative water source(s).							
	3	Provide a description of the source(s) of water and the location of the water source(s) as shown on a map.							
	4	Indicate the type of water source(s) as lake, river, well, or other type.							
	5	Provide a description of the quality of the water from the source(s) for each season (summer, fall, winter, spring).							
	6	Provide the capacity of the water source(s).							
	7	Provide the acquisition rate in cubic metres per day and cubic metres per year from each water source.							
	8	Provide a description of the water intake method(s) including the intake facility, the operating capacity of the pump used, the details of any screening to exclude fish, and the distance the pump will be placed from the ordinary high water mark of the watercourse.							
	9	Provide a description of the general condition of any existing water intake facility. Rate the condition of the facility as satisfactory or unsatisfactory and explain the rating.							
	10	Indicate whether water is drawn from the source(s) intermittently or continuously and if intermittently indicate during what months it is drawn and for what period it is drawn (days/weeks/months).							
	11	Indicate the amount of water to be returned to the source(s).							
	12	Provide a description of the methods to ensure water returned to any source is of an acceptable quality.							
	13	Provide a description of any hydrostatic testing programs, including water sources, and treatment/disposal requirements. If applicable, refer to the NWB's SIG for Hydrostatic Testing.							
	14	Provide a description of any measures to reduce water consumption.							
	Water Storage	15	Provide a description of any water storage facilities including the type (reservoir/pond, storage tank), location, design, and the water storage volume in cubic meters.						
16		If the water storage facility is a reservoir, indicate whether the reservoir is lined, the type of liner and when it was or will be installed.							
17		Indicate whether a storage reservoir is created in a natural channel. If applicable, provide plan and profile drawings of the reservoir including the size of the drainage basin upstream of the reservoir, topographical plan showing the drainage area boundary, number of hectares flooded, surface area of the reservoir at full capacity, storage capacity, and details of shoreline protection.							
18		Provide a plan showing representative cross sections of the reservoir.							

6.0 Water Use: Quality, Quantity, Predicted Environmental Impact and Proposed Mitigation Measures

Section Title	Section No.	Information Requirement	Indicate whether Information Requirement is applicable by inserting 'Y' or 'NA'	If 'NA' provide justification	Insert Title, Author and Date of Document where information is provided	Insert electronic file name of document where information is provided	Insert Section of document where information is provided	If information is not available at the time of application, indicate when the information will be made available	NWB Concordance Assessment
	19	Provide a description of the general condition of any existing water storage facility and provide an explanation if it is unsatisfactory.							
Water Distribution	20	Provide a description of water distribution systems (ie. piped water, trucked) including the number of people on each system.							
	21	For each phase of development, calculate the total water consumed per day (L/day) by multiplying the estimated number of persons on the system by the estimated average water consumption (Litres/ capita/day). Calculate the total water consumed for each individual distribution system if more than one is used (ie. piped water, trucked water).							
	22	Provide a description of the general condition of any existing water distribution system and provide an explanation if it is unsatisfactory.							
Watercourse Crossings	23	Provide a description of any watercourse crossings including pipelines, bridges, culverts or roads and its purpose.							
	24	Indicate whether a temporary detour road is required to construct the watercourse crossing. If applicable, provide a schematic drawing that shows the location of the proposed detour road, any watercourse crossings to be constructed to facilitate the detour road, and the type of crossing.							
	25	Provide a plan of any watercourse crossing showing cross section and elevations							
Watercourse Trainings	26	Provide a description of any watercourse trainings including channel and bank alterations, culverts, spurs, erosion control, and artificial accretion, and its purpose.							
Flood Control	27	Provide a description of any flood control structures and its purpose.							
Diversions	28	Provide a description of any diversions including ditches and dikes, and its purpose.							
Alterations in flow	29	Provide a description of any activities or structures that could alter the flow of a watercourse including dams, spillways, berms, cofferdams, and dikes, and its purpose.							
	30	Indicate whether the natural storage capacity or water level of any lake or pond will be altered.							
	31	If the alteration involves a dam, provide a plan showing the length, height, cross section and elevations of the dam and the location and preliminary designs of spillways, canals, sluice pipes, and any other outlet work.							
Dewatering	32	Provide a description of dewatering programs, if planned, including estimated quantities, qualities, dewatering flow rates, methods and schedule of withdrawal, end use or discharge location.							
Identification	33	Indicate whether there are any signs identifying past or present water intake, storage, distribution systems and/or waterwork structures presently in the community.							
Modifications	34	Indicate whether any changes are planned for the water intake, storage, distribution systems and/or waterwork structures. If applicable, see item 35 of this section.							
	35	Indicate whether the community believes changes are needed to the water intake, storage, distribution systems and/or waterwork structures. If applicable, provide a description.							
Proposed Water works	36	For each proposed water work component provide design plans. Design plans shall consider the following:							
	a	Name of the water body(s) affected.							
	b	Site photos, site map, or air photos of the location.							
	c	Description of the existing condition of the site (see section 5)							

6.0 Water Use: Quality, Quantity, Predicted Environmental Impact and Proposed Mitigation Measures

Section Title	Section No.	Information Requirement	Indicate whether Information Requirement is applicable by inserting 'Y' or 'NA'	If 'NA' provide justification	Insert Title, Author and Date of Document where information is provided	Insert electronic file name of document where information is provided	Insert Section of document where information is provided	If information is not available at the time of application, indicate when the information will be made available	NWB Concordance Assessment
	d	Indicate whether any structure will be placed in water on a temporary, seasonal or permanent basis and provide a description of when and how the structure will be removed.							
	e	The design flood flow in cubic metres per second and its return period for the type of structure proposed.							
	f	An explanation of the rationale for the selected design flow flood and its return period.							
	g	Design drawings in plan and profile, drawn to scale, including all relevant dimensions.							
	h	Details of design parameters including seismic design criteria if applicable.							
	i	In water work timing restriction for fisheries.							
	j	Start and completion dates for construction.							
	k	Construction schedule and sequence taking into account any timing restrictions.							
	l	Construction methods.							
	m	Equipment to be used.							
	n	A description of the source, type, and composition of material used in construction.							
	o	The quantity of material to be either placed into or removed from the watercourse.							
	p	Sedimentation and erosion control measures.							
	q	Construction monitoring plans.							
	r	Construction quality assurance and quality control measures.							
	s	Assessment of impacts to fish and fish habitat (see item 46 of this Section).							
	t	Bank stabilization measures (including the size range of material if applicable).							
	u	Operation and maintenance plans including instrumentation, monitoring and inspection requirements (see item 38 of Section 7).							
	v	Contingency plans (see items 41-43 of Section 7).							
	w	Re-vegetation plans							
	x	Proposed post construction monitoring (photos taken of the site before construction, during construction, and after construction; photos should be taken from the same reference point for easy comparison)							
	y	Abandonment and restoration plans (see items 45-47 of Section 3).							
	37	Final plans and drawings for construction must be stamped by a Professional Engineer licensed to practice in Nunavut. (See Section 7 of the NWB's Guide 4: Completing and Submitting a Water Licence Application for more information regarding design drawings).							
	38	If geotextile is used or a similar material to prevent the transport of sediment into a watercourse, provide the technical specifications for the proposed material as well as the location, extent and placement method for the material.							
	39	If rip rap is used or a similar material for erosion protection, provide information regarding the minimum and maximum sizes of the material and the gradation between those limits. Indicate the quantity to be used and its source.							
Predicted Environmental Effects and Proposed mitigation measures	40	Provide a description of the effects of water usage on the river or lake from which water will be drawn, including potential for drawdown.							
	41	Provide a description of any expected changes in surface water flow or storage including changes downstream of the project.							
	42	If the cross-section of any watercourse is changed, provide a description of the change and its effect on the flow capacity of the channel.							

6.0 Water Use: Quality, Quantity, Predicted Environmental Impact and Proposed Mitigation Measures

Section Title	Section No.	Information Requirement	Indicate whether Information Requirement is applicable by inserting 'Y' or 'NA'	If 'NA' provide justification	Insert Title, Author and Date of Document where information is provided	Insert electronic file name of document where information is provided	Insert Section of document where information is provided	If information is not available at the time of application, indicate when the information will be made available	NWB Concordance Assessment
	43	If the course of any channel is changed, provide a description of measures to maintain stream bed and bank stability.							
	44	Provide a description of measures of preventing surface water from coming into contact with waste and measures of managing surface water that does come into contact with waste (surface water management plan).							
	45	Provide a description of measures of preventing groundwater from coming into contact with waste and measures of managing groundwater that does come into contact with waste (groundwater management plan).							
Fisheries	46	If applicable, provide a description of any potential impacts to fish and/or fish habitat. (Indirect effects may include project effects, water quality, or aquatic organisms. Direct effects may include degradation or alteration of fish habitat). The applicant is advised to consult with DFO regarding fish and fish habitat related issues and to visit DFO's website at http://www.dfo-mpo.gc.ca/habitat/habitat-eng.htm .							
	a	Potential effects on fish or fish habitat;							
	b	The area in square metres to be impacted;							
	c	Measures to avoid sensitive periods and habitat areas (i.e., spawning beds, migration corridors);							
	d	Measures to avoid physical impacts on habitat;							
	e	Measures to maintain flows and fish passage;							
	f	Measures to avoid sedimentation;							
	g	Measures to avoid spills;							
	h	Detailed habitat no-net-loss plan and site restoration plan;							
Studies	47	Provide a list of studies, reports and plans relevant to the application that have been undertaken to date, or are being planned including:							
	a	Options analysis;							
	b	Water management plan including water balance analysis;							
	c	Fisheries assessment;							
	d	Construction plan and construction schedule for water works;							
	e	Implementation schedule for construction of works.							
	f	Construction quality assurance and quality control plans;							
	g	Operation and maintenance plan;							
	h	Preliminary abandonment and reclamation plans for existing and proposed facilities;							
	i	Final abandonment and reclamation plans for facilities to be closed;							
	j	Monitoring plans (See Section 8).							

7.0 Waste Disposal: Quality, Quantity, Predicted Environmental Impact and Proposed Mitigation Measures

Section Title	Section No.	Information Requirement	Indicate whether Information Requirement is applicable by inserting ' Y ' or ' NA '	If 'NA' provide justification	Insert Title, Author and Date of Document where information is provided	Insert electronic file name of document where information is provided	Insert Section of document where information is provided	If information is not available at the time of application, indicate when the information will be made available	NWB Concordance Assessment
Waste Disposal	1	Provide a detailed description of all types of waste and all forms of waste disposal including: (see the NWB definition of Waste in the NWB <i>Guide 2: Terminology and Definitions</i>)							
	a	Sewage							
	b	Grey water							
	c	Solid waste							
	d	Sludge							
	e	Hazardous waste							
	f	Contaminated soil, snow, ice and/or water							
	g	Bulky items/ scap metal							
	h	Waste oil							
	i	Animal waste							
	j	Other							
Waste Disposal: Quality and Quantity	2	For each type of waste, provide the composition and quantity generated. Also provide the location, rate, timing, frequency and duration of the deposit.							
	3	For each type of waste, provide the proposed methods and processes for collecting, storing, treating and discharging the waste. Indicate the capacity of these facilities.							
	4	Provide a description of any existing or proposed measures to minimize the production of wastes.							
Wastewater including sewage and grey water	5	Provide a description of wastewater collection, disposal, treatment, and discharge facilities (honey bag, lagoon, wetland, mechanical, combination, other) including descriptions of the location, drainage, and operation and maintenance of each site.							
	6	Indicate whether any sources of commercial or industrial liquid waste enter the wastewater treatment facility. If applicable, provide a description of sources, types and quantities. The municipality should be aware that any discharge of commercial or industrial waste must be approved by the municipality.							
	7	Indicate the level of wastewater treatment (primary, secondary, tertiary).							
	8	Provide a description of any pre-treatment measures (screening, maceration).							
	9	If applicable, indicate whether any lagoon(s) are anaerobic, aerobic, and/or facultative.							
	10	Indicate the capacity of the wastewater treatment facility.							
	11	Based on current population projections, indicate what year the wastewater treatment facility will meet the needs of the community.							
	12	If applicable, indicate the freeboard and average depth of any lagoon.							
	13	Indicate the retention time of the wastewater while in the treatment facility.							
	14	Indicate the estimated rate of discharge of wastewater (L/sec).							
	15	Indicate the location of the final discharge point (final point of control).							
	16	Indicate whether the discharge is seasonal, continuous, or intermittent. If seasonal, indicate what months discharge occurs and the duration of discharge (days, weeks, months).							
	17	Provide a description of the methods of discharge.							
	18	Indicate whether any sludges are produced and if applicable, sludge management procedures.							
19	Indicate whether there have been any operating problems with existing wastewater treatment facilities.								
20	Provide a description of the general condition of any existing wastewater collection system, discharge control system, dams, diversion dykes, or berms and provide an explanation if it is unsatisfactory.								

7.0 Waste Disposal: Quality, Quantity, Predicted Environmental Impact and Proposed Mitigation Measures

Section Title	Section No.	Information Requirement	Indicate whether Information Requirement is applicable by inserting ' Y ' or ' NA '	If 'NA' provide justification	Insert Title, Author and Date of Document where information is provided	Insert electronic file name of document where information is provided	Insert Section of document where information is provided	If information is not available at the time of application, indicate when the information will be made available	NWB Concordance Assessment
Solid Waste	21	Provide a description of solid waste collection systems and solid waste disposal facilities including descriptions of the location, drainage, and operation and maintenance of each site.							
	22	Indicate whether the solid waste disposal site(s) is fenced and whether the fence is adequate. If applicable, provide an explanation for why the fence is inadequate.							
	23	Indicate the capacity of the solid waste disposal area(s) in cubic metres.							
	24	Indicate the average depth of the solid waste disposal site(s) in metres.							
	25	Based on current population projections, indicate what year the solid waste disposal facility will meet the needs of the community.							
	26	Indicate whether the community burns garbage, and if applicable provide a description of when, where and how this is done.							
	27	Indicate whether the community has separate disposal areas for animal carcasses, waste oil, bulky scrap metal wastes, or hazardous wastes. If applicable, provide a description of the location, structures, drainage, and operation and maintenance of each of these sites.							
	28	Indicate whether any commercial or industrial solid wastes enter solid waste disposal facilities. If applicable provide a description of sources, types and quantities. The municipality should be aware that any discharge of commercial or industrial waste must be approved by the municipality.							
	29	Provide a description of the general condition of any existing solid waste disposal facilities and provide an explanation if it is unsatisfactory.							
Identification	30	Indicate whether there are signs identifying any past or present wastewater disposal sites, solid waste disposal sites, or any other waste disposal sites presently in the community.							
Modifications	31	Indicate whether any changes are planned for the wastewater, solid waste, or any other waste facilities. If applicable, see item 33 of this Section.							
	32	Indicate whether the community believes changes are needed to the the sewage, solid waste, or any other waste facilities. If applicable, provide a description.							
Proposed waste facilities	33	For each proposed waste facility provide design plans. The designs shall consider the following:							
	a	Site photos, site map, or air photos of the site.							
	b	Description of the existing condition of the site (see Section 5).							
	c	A description of the types of waste entering the facility.							
	d	Distance of the facility from watercourses and fish bearing waters.							
	e	Existing and proposed drainage modifications.							
	f	Details of retaining structures.							
	g	Level of treatment (primary, secondary or tertiary).							
	h	By products of treatment which may require further treatment, characterization, handling and disposal.							
	i	Capacity and retention time of the facility.							
	j	Identification of final discharge point (last point of control).							
	k	Method and type of discharge (seasonal, annual, continuous).							
	l	Estimated rates for discharge.							
	m	Restrictions on discharge.							
	n	Discharge effluent criteria proposed:							
o	Receiving water quality objectives.								
p	Details regarding direction and path of wastewater flow from the area or infrastructure.								

7.0 Waste Disposal: Quality, Quantity, Predicted Environmental Impact and Proposed Mitigation Measures

Section Title	Section No.	Information Requirement	Indicate whether Information Requirement is applicable by inserting ' Y ' or ' NA '	If 'NA' provide justification	Insert Title, Author and Date of Document where information is provided	Insert electronic file name of document where information is provided	Insert Section of document where information is provided	If information is not available at the time of application, indicate when the information will be made available	NWB Concordance Assessment
	q	Design drawings in plan and profile, drawn to scale, including all relevant dimensions.							
	r	Details of design parameters including seismic design if applicable.							
	s	Start and completion dates for construction.							
	t	Construction schedule and sequence taking into account any timing restrictions.							
	u	Construction methods.							
	v	Equipment to be used.							
	w	A description of the source, type, and composition of the material to be used in construction.							
	x	Construction monitoring plans.							
	y	Construction quality assurance and quality control measures.							
	z	Operation and maintenance plans.							
	aa	Contingency plans.							
	bb	Abandonment and restoration plans (see items 45-47 of Section 3).							
	34	Final plans and drawings for construction must be stamped by a Professional Engineer licensed to practice in Nunavut. (See Section 7 of the NWB's <i>Guide 4: Completing and Submitting a Water Licence Application</i> for more information regarding design drawings).							
Predicted Environmental Effects and Proposed mitigation measures	35	Provide detailed treatment plans for discharges from any waste treatment facility. Waste treatment plans should include estimates of treatment efficiency for each parameter of concern.							
	36	Clearly outline proposed discharge criteria, how the criteria were developed, standards to be applied, and how these criteria will be used to prevent ecological effects in the receiving environment.							
Operations and Maintenance	37	Provide an Operations and Maintenance Manual in accordance with the "Guidelines for the Preparation of an Operations and Maintenance Manual for Sewage and Solid Waste Disposal Facilities in the Northwest Territories, 1996". This Manual must address sewage disposal facilities, solid waste disposal facilities, landfarm facilities, any other waste disposal facilities, sludge management, and water supply facilities.							
Hazardous Materials	38	Provide a description of the type and quantities of petroleum products, chemicals and/or hazardous materials to be disposed.							
	39	Provide details regarding the handling and storage of hazardous or potentially hazardous materials.							
Emergency Response and Spill Contingency	40	Provide an Emergency Response and Spill Contingency Plan (ERSCP) that includes mechanisms and processes for addressing potential or actual failure of structures, response equipment and material storage, and programs for providing appropriate training to workers. The plan shall address all licensed facilities including aggregate sources.							
	41	Plan(s) shall address all phases of the project including construction and operations.							
	42	Provide an explanation of how the applicant will ensure project contractors meet the applicant's due diligence standards with respect to oil and hazardous material spill prevention, preparedness, response, and restoration.							

7.0 Waste Disposal: Quality, Quantity, Predicted Environmental Impact and Proposed Mitigation Measures

Section Title	Section No.	Information Requirement	Indicate whether Information Requirement is applicable by inserting ' Y ' or ' NA '	If 'NA' provide justification	Insert Title, Author and Date of Document where information is provided	Insert electronic file name of document where information is provided	Insert Section of document where information is provided	If information is not available at the time of application, indicate when the information will be made available	NWB Concordance Assessment
Studies	43	Provide a list of studies, reports and plans relevant to the application that have been undertaken to date or are being planned, including design and management decisions. Studies, reports and plans may include:							
	a	Options analysis;							
	b	Wastewater treatment assessment;							
	c	Geotechnical and geothermal assessment;							
	d	Snow drift assessment;							
	f	Weather data for purposes of design;							
	g	Wastewater management;							
	h	Solid waste management;							
	i	Contaminated soil and water management;							
	j	Quarry management including assessment of acid rock drainage and metal leaching potential of quarry material;							
	k	Hazardous waste management;							
	l	Operation and maintenance plan;							
	m	Spill contingency and emergency response plans;							
	n	Construction plan and construction schedule for waste disposal infrastructure;							
o	Implementation schedule for construction of works;								
p	Construction quality assurance and quality control plans;								
q	Preliminary abandonment and reclamation plans for existing and proposed facilities;								
r	Final abandonment and reclamation plans for facilities to be closed;								
s	Remediation plans for waste disposal infrastructure;								
t	Monitoring plans (see Section 8);								

8.0 Monitoring

Section Title	Section No.	Information Requirement	Indicate whether Information Requirement is applicable by inserting ' Y ' or ' NA '	If 'NA' provide justification	Insert <u>Title, Author and Date of Document</u> where information is provided	Insert <u>electronic file name of document</u> where information is provided	Insert <u>Section of document</u> where information is provided	If information is not available at the time of application, indicate when the information will be made available	NWB Concordance Assessment
Monitoring	1	Provide a Monitoring Plan including a description of the methods, procedures, standards, and schedules proposed. Monitoring may be required for water use; effluent; surface and/or groundwater water quality, quantity, or flow; ground temperature; ground settlement; etc.							
	2	Indicate who is responsible for sampling including that person's position, contact information and level of training.							
	3	Indicate the name and contact information of the certified laboratory performing the analysis of samples.							
	4	Provide an Inspection Plan including a description of the methods, procedures, standards, and schedules proposed. Inspections may be required for engineered facilities related to the management of water and waste as well as spills.							
	5	Provide a Quality Assurance/ Quality Control (QA/QC) Plan that addresses both field sampling and laboratory analyses.							
	6	Provide a summary table that details the monitoring plan. The table should include stations numbers, location, parameter(s) and frequency. Provide a map detailing the location of monitoring sites.							

APPENDIX A: ADDITIONAL SOURCE DOCUMENTS TO ASSIST THE APPLICANT

This appendix provides a list of reference documents including legislation, guidelines and standards that may be of use to the applicant in preparing the supplemental information.

Federal Legislation

- *Canadian Environmental Protection Act, [1999, c.33]*
- *Storage Tank Systems for Petroleum Products and Allied Petroleum Products Regulations, [SOR/2008-197]*
- *Environmental Emergency Regulations, [SOR/2003-307]*
- *Fisheries Act, [R.S.C. c. F-14]*
- *Navigable Waters Protection Act, [R.S. 1985, c. N-22]*
- *Navigable Waters Bridges Regulations, [C.R.C., c. 1231]*
- *Navigable Waters Works Regulations, [C.R.C., c. 1232]*
- *Nunavut Land Claims Agreement*
- *Nunavut Waters and Nunavut Surface Rights Tribunal Act, [2002, c.10]*
- *Northwest Territories Waters Regulations, [SOR/93/303]*
- *Territorial Lands Act, [R.S. 1985, c. T-7]*
- *Territorial Land Use Regulations, [C.R.C., c. 1524]*
- *Territorial Quarrying Operations, [C.R.C., c. 1527]*
- *Transportation of Dangerous Goods Act, [1992, c.34]*
- *Transportation of Dangerous Goods Regulations, [SOR/2001-286]*

Territorial Legislation

- *Environmental Protection Act (Nunavut), [R.S.N.W.T. 1988, c. E-7]*

- *Used Oil and Waste Fuel Management Regulations, [N.W.T. Reg. 064-2003]*
- *Safety Act, [R.S.N.W.T. 1988, c. S-1]*
- *Work Site Hazardous Materials Information System Regulations, [R.R.N.W.T. 1990 c. S-2]*
- *Transportation of Dangerous Goods Act, [R.S.N.W.T. 1988, c. 81 (Supp.)]*
- *Transportation of Dangerous Goods Regulations, [1991, N.W.T. Reg. 095-91]*
- *Public Health Act, [R.S.N.W.T. (Nu.) 1988 c. P.12]*

Guidelines and Policies

- *CCME – Environmental Code of Practice for Aboveground and Underground Storage Tank Systems containing Petroleum and Allied Petroleum Products (2003);*
- *CCME – Canadian Environmental Quality Guidelines Guidelines (CEQG) and Canadian Water Quality Guidelines for the Protection of Aquatic Life;*
- *CCME – Canada-Wide Standards for Dioxins and Furans (2001);*
- *CCME – Canada-Wide Standards for Mercury Emissions (2000);*
- *DFO – Freshwater Intake End-of-Pipe Fish Screen Guideline (1995);*
- *DFO – Guidelines for the Use of Explosives In or Near Canadian Fisheries Waters (1998);*
- *DFO – Policy for the Management of Fish Habitat (2001);*
- *DFO – Operational Statements;*
- *DFO - Other documents are available from DFO's website at <http://www.dfo-mpo.gc.ca/habitat/habitat-eng.htm>;*
- *EC – Guidelines for the Preparation of Hazardous Material Spill Contingency Plans (1990);*

- GN – *Spill Contingency Planning and Spill Reporting in Nunavut. A Guide to the New Regulations.*
- GN – *Environmental Guideline for Contaminated Site Remediation (2002);*
- GN – *Environmental Guideline for General Management of Hazardous Waste in Nunavut (2002);*
- GN - *Environmental Guideline for Ozone Depleting Substances (2002);*
- GN - *Environmental Guideline for Waste Antifreeze (2002);*
- GN - *Environmental Guideline for Waste Asbestos (2002);*
- GN - *Environmental Guideline for Waste Batteries (2002);*
- GN - *Environmental Guideline for Waste Paint (2002);*
- GN - *Environmental Guideline for Waste Solvent (2002);*
- GN - *Guideline for the Management of Waste Lead and Lead Paint (2001);*
- GN - *Municipal Solid Wastes Suitable for Open Burning;*
- GN - *Disposal Guidelines for Fluorescent Lamp Tubes;*
- GN – *Occupational Health & Safety Guidelines (2006);*
- GNWT - *Guidelines for the Discharge of Treated Municipal Wastewater in the Northwest Territories, (1992)*
- GNWT – *A Field Guide to Ice Construction Safety (2007);*
- *Guidelines for the Preparation of an Operations and Maintenance Manual for Sewage and Solid Waste Disposal Facilities in the Northwest Territories, Duong and Kent, 1996*
- INAC - *Mine Site Reclamation Policy for Nunavut (2002);*
- INAC – *Guidelines for Spill Contingency Planning (2007);*

- INAC - *Quality Assurance (QA), Quality Control (QC) Guidelines for Use by Class "B" Licensees in Collecting Representative Water Samples in the Field and for Submission of a QA/QC Plan (1996)*;
- INAC – *A Policy Respecting the Prohibition of Bulk Water Removal from Major River Basins in Nunavut (2003)*;
- The proponent where applicable should consider the application of the Canadian Dam Association “*Dam Safety Guidelines*” (January 1999) in the design, construction, operation, monitoring, decommission and closure of dam infrastructure. (Referenced within the guidelines as CDA);
- *Workplace Hazardous Materials Information System (WHMIS)*;

The NWB maintains a folder on its FTP site containing electronic copies of reference documents. Federal legislation may be found on the Department of Justice Canada website at <http://laws.justice.gc.ca/>. Territorial Legislation may be found on the Canadian Legal Information Institute's website at <http://www.canlii.org/>. The applicant is encouraged to consult with government agencies on technical issues and to obtain the most up to date copy of reference documents.

It is the applicant's responsibility to ensure that all relevant standards and guidelines are considered in the water licence application and to incorporate proper footnotes and references.

APPENDIX B: COMMONLY USED ACRONYMS

AA	Authorizing Agency
ABA	Acid Base Accounting
AMD	Acid Mine Drainage
AP	Acid Potential
A&R	Abandonment and Restoration
ARD	Acid Rock Drainage
ANFO	Ammonium Nitrate and Fuel Oil
BOD	Biological Oxygen Demand
BTEX	Benzene, Toluene, Ethyl-benzene and Xylene
CBOD	Carbonaceous Biological Oxygen Demand
CEA	Cumulative Environmental Assessment
CCME	Canadian Council Ministry of the Environment
CFU	Colony Forming Units
COD	Chemical Oxygen Demand
CWQS	Canadian Water Quality Standards
DFO	Department of Fisheries and Oceans
DIO	Designated Inuit Organization
DO	Dissolved Oxygen
DSG	Dam Safety Guidelines
DSI	Dam Safety Inspection
DSR	Dam Safety Review
EC	Environment Canada
EA	Environmental Assessment
EIS	Environmental Impact Statement
EPA	Environmental Protection Agency
EPP	Emergency Preparedness Plan
ERSCP	Emergency Response Spill Contingency Plan
GN-DoE	Government Nunavut – Department of Environment
GN-CGS	Government Nunavut – Department of Community Government Service
GN-CLEY	Government of Nunavut - Department of Culture, Language, Elders and Youth
HDPE	High Density Polyethylene
FTP	File Transfer Protocol
IIBA	Inuit Impact Benefit Agreement
INAC	Indian and Northern Affairs Canada (also known as DIAND)
IOL	Inuit Owned Lands
IQ	Inuit Qaujimajatuqangit
IR	Information Request
LPA	Local Project Area
MSDS	Material Safety Data Sheet
MAC	Maximum Acceptable Concentration
MCE	Maximum Credible Earthquake
MDE	Maximum Design Earthquake
MMER	Metal Mining Effluent Regulations
NLCA	Nunavut Land Claims Agreement

NP	Neutralization Potential
NNP	Net Neutralization Potential
NPR	Neutralization Potential Ratio
NIRB	Nunavut Impact Review Board
NLCA	Nunavut Land Claims Agreement
NPC	Nunavut Planning Commission
NSA	Nunavut Settlement Area
NTI	Nunavut Tunngavik Incorporated
NTU	Nephelometric Turbidity Unit
NTWR	Northwest Territories Waters Regulations
NWB	Nunavut Water Board
NWNSRTA	Nunavut Waters Nunavut Surface Rights Tribunal Act
NWPP	Navigable Waters Protection Program
O&M	Operations and Maintenance
PAH	Polycyclic Aromatic Hydrocarbons
PC	Project Certificate
PCB	Poly-Chlorinated Biphenyl
PMF	Probable Maximum Flood
PMP	Probable Maximum Precipitation
POP	Persistent Organic Pollutant
PSIR	Project Specific Information Requirement
PVC	Polyvinyl Chloride
QA	Quality Assurance
QC	Quality Control
RBC	Rotating Biological Contactor
RPA	Regional Project Area
SIG	Supplemental Information Guidelines
SS	Suspended Solids
TDS	Total Dissolved Solids
TKN	Total Kjeldahl Nitrogen
TOC	Total Organic Carbon
TOD	Total Oxygen Demand
TS	Total Solids
TSP	Total Suspended Particulates
TSS	Total Suspended Solids
TK	Traditional Knowledge
UTM	Universal Transverse Mercator
UV	Ultraviolet Light
VOC	Volatile Organic Compound
VEC	Valued Ecosystem Component
WHMIS	Workplace Hazardous Material Information System

**APPENDIX E. NWB APPLICATION FOR WATER LICENCE RENEWAL
FORM**

DRAFT



P.O. Box 119
GJOA HAVEN, NU X0B 1J0
TEL: (867) 360-6338
FAX: (867) 360-6369

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NUNAVUT WATER BOARD
NUNAVUT IMALIRIYIN KATIMAYINGI
OFFICE DES EAUX DU NUNAVUT

APPLICATION FOR WATER LICENCE RENEWAL

Your application may be classified as a **renewal** only if all operations remain the same as previously licensed and only the term of the licence requires change. If your application contemplates:

- a change to water source;
- a change to the volume of water authorized for use;
- a new activity related to water use or waste disposal;
- a new component related to water use or waste disposal;
- a change in predicted environmental impacts(s); and/or
- a change to any term or condition of the original licence

your application is **NOT** classified as a renewal but rather an amendment and will require submission of an Application for Water Licence Amendment. Licensees applying for combined renewal / amendment are also referred to the Application for Water Licence Amendment.

The applicant is referred to the NWB's Guide 7: *Licensee Requirements Following the Issuance of a Water Licence* for more information about this application form.

EXISTING LICENCE NO: _____

29. LICENSEE CONTACT INFORMATION

Is the licensee the same as that referred to on the existing licence?

Yes No

If No, a licence assignment must be completed and approved by the NWB. **A renewal will only be issued in the name of the current licensee in the absence of assignment of the licence.**

If the licensee is the same, but the name of the licensee has changed, attach a certificate of name change.

Name:

Address:

Phone: _____

Fax: _____

e-mail: _____

30. LICENSEE REPRESENTATIVE CONTACT INFORMATION – If different from Block 1.

Name:

Address:

Phone: _____

Fax: _____

e-mail: _____

(Attach authorization letter.)

31. NAME OF PROJECT

Is the name of the project the same as that considered in the existing water licence?

Yes No

Indicate the name of the project including the name of the location: _____

32. LOCATION OF UNDERTAKING

Is the location of the undertaking the same as that considered in the existing water licence?

Yes No

Project Extents

NW: Latitude: (° ' " N)

Longitude: (° ' " W)

NE: Latitude: (° ' " N)

Longitude: (° ' " W)

SE: Latitude: (° ' " N)

Longitude: (° ' " W)

SW: Latitude: (° ' " N)

Longitude: (° ' " W)

Camp Location(s)

Latitude: (° ' " N)

Longitude: (° ' " W)

33. MAP

Are the locations of the main components of the undertaking the same as those considered in the existing licence?

Yes No

Attach a topographical map, indicating the main components of the undertaking.

NTS Map Sheet No.: _____ Map Name: _____ Map Scale: _____

34. NATURE OF INTEREST IN THE LAND

Is the nature of the interest in the land the same as that considered in the existing water licence?

Yes No

Check any of the following that are applicable to the proposed undertaking (at least one box under the 'Surface' header must be checked).

Sub-surface

Mineral Lease from Nunavut Tunngavik Incorporated (NTI)
Date (expected date) of issuance: _____ Date of expiry: _____

Mineral Lease from Indian and Northern Affairs Canada (INAC)
Date (expected date) of issuance: _____ Date of expiry: _____

Surface

Crown Land Use Authorization from Indian and Northern Affairs Canada (INAC)
Date (expected date) of issuance: _____ Date of expiry: _____

Inuit Owned Land (IOL) Authorization from Kitikmeot Inuit Association (KIA)
Date (expected date) of issuance: _____ Date of expiry: _____

IOL Authorization from Kivalliq Inuit Association (KivIA)
Date (expected date) of issuance: _____ Date of expiry: _____

IOL Authorization from Qikiqtani Inuit Association (QIA)
Date (expected date) of issuance: _____ Date of expiry: _____

Commissioner's Land Use Authorization
Date (expected date) of issuance: _____ Date of expiry: _____

Other _____
Date (expected date) of issuance: _____ Date of expiry: _____

Is the name of the entity(s) holding authorizations the same as that considered in the existing water licence?

Yes No

If No, a licence assignment must be completed and approved by the NWB.

Name of entity(s) holding authorizations:

35. NUNAVUT PLANNING COMMISSION (NPC) DETERMINATION

Is the undertaking located in the same land use planning area as that considered in the existing licence?

Yes No

Indicate the land use planning area in which the project is located.

North Baffin
 South Baffin
 Akunnig

Keewatin
 Sanikiluaq
 West Kitikmeot

Was a land use plan conformity determination required from NPC prior to the issuance of the existing water licence?

Yes No

If Yes, indicate date issued and attach copy. _____

Does the proposed renewal change the original NPC conformity determination or the need to obtain one?

Yes No

If Yes, indicate date issued (or expected) and attach a copy. _____
If No, provide written confirmation from NPC confirming that a land use plan conformity review is not required.

36. NUNAVUT IMPACT REVIEW BOARD (NIRB) DETERMINATION

Was a screening determination required from NIRB prior to the issuance of the existing water licence?

Yes No

If Yes, indicate date issued and attach copy. _____

Does the proposed renewal change the original NIRB screening determination or the need to obtain one?

Yes No

If Yes, indicate date issued (or expected) and attach a copy. _____
If No, provide written confirmation from NIRB confirming that a screening determination is not required.

37. DESCRIPTION OF UNDERTAKING

Is the description of the undertaking the same as that considered in the existing water licence?

Yes No

List and attach plans and drawings or project proposal.

38. OPTIONS

Are the alternative methods and locations that were considered to carry out the project the same as those considered in the existing water licence?

Yes No

Provide a brief explanation of the alternative methods or locations that were considered to carry out the project.

39. CLASSIFICATION OF PRIMARY UNDERTAKING

Is the primary undertaking the same as that considered in the existing water licence?

Yes No

Indicate the primary classification of undertaking by checking one of the following boxes.

- | | |
|---|--|
| <input type="checkbox"/> Industrial | <input type="checkbox"/> Agricultural |
| <input type="checkbox"/> Mining and Milling (includes exploration/drilling/exploration camps) | |
| <input type="checkbox"/> Conservation | |
| <input type="checkbox"/> Municipal (includes camps/lodges) | <input type="checkbox"/> Recreational |
| <input type="checkbox"/> Power | <input type="checkbox"/> Miscellaneous (describe below): |
- _____

See Schedule II of the *Northwest Territories Waters Regulations* for Description of Undertakings.

40. WATER USE

Is the type(s) of water use(s) the same as that considered in the existing water licence?

Yes No

Check the appropriate box(s) to indicate the type(s) of water use(s) being applied for.

- | | |
|---|---|
| <input type="checkbox"/> To obtain water for camp/ municipal purposes | |
| <input type="checkbox"/> To obtain water for industrial purposes | <input type="checkbox"/> To divert a watercourse |
| <input type="checkbox"/> To cross a watercourse | <input type="checkbox"/> To modify the bed or bank of a watercourse |
| <input type="checkbox"/> To alter the flow of, or store water | <input type="checkbox"/> Flood control |
| <input type="checkbox"/> Other: _____ | |

41. QUANTITY OF WATER INVOLVED

Is the source of water the same as that considered in the existing licence? Yes No

Name of water source(s): _____
(show location(s) on map)

Is the quality of the water source and its available capacity the same as that considered in the existing licence?

Yes No

Describe the quality of the water source(s) and the available capacity(s): _____

Is the overall estimated quantity of water to be used the same as that considered in the existing licence?

Yes No

Provide the overall estimated quantity of water to be used: _____ m³/day

Are the quantity(s) of water to be used from each source the same as those considered in the existing licence?

Yes No

Provide the estimated quantity(s) of water to be used from each source: _____

Are the quantity(s) of water to be used for each purpose the same as those considered in the existing licence?

Yes No

Provide the estimated quantities to be used for each purpose (camp, drilling, etc.): _____

Are the method(s) of extraction the same as those considered in the existing licence? Yes No

Describe the method(s) of extraction: _____

Are the quantity(s) of water returned to source(s) the same as those considered in the existing licence?

Yes No

Estimated quantity(s) of water returned to source(s): _____ m³/day

Are the quality(s) of water(s) returned to source(s) the same as those considered in the existing licence?

Yes No

Describe the quality(s) of water(s) returned to source(s): _____

42. WASTE

Are the type(s) of waste(s) to be generated and/ or deposited the same as those considered in the existing licence?

Yes No

Check the appropriate box(s) to indicate the types of waste(s) generated and deposited.

- | | |
|--|---|
| <input type="checkbox"/> Sewage | <input type="checkbox"/> Waste oil |
| <input type="checkbox"/> Solid Waste | <input type="checkbox"/> Greywater |
| <input type="checkbox"/> Hazardous | <input type="checkbox"/> Sludges |
| <input type="checkbox"/> Bulky Items/Scrap Metal | <input type="checkbox"/> Contaminated soil and/or water |
| <input type="checkbox"/> Animal Waste | |
| <input type="checkbox"/> Other (describe): _____ | |

43. QUANTITY AND QUALITY OF WASTE INVOLVED

Are the quantity(s) of the types of wastes involved the same as those considered in the existing licence?

Yes No

Are the composition(s) of the types of wastes involved the same as those considered in the existing licence?

Yes No

Are the method(s) of treatment for the types of waste involved the same as those considered in the existing licence?

Yes No

Are the method(s) of disposal for the types of waste involved the same as those considered in the existing licence?

Yes No

For each type of waste indicated in Block 14, describe its composition, quantity in cubic meters/day, method of treatment and method of disposal.

Type of Waste	Composition	Quantity Generated	Treatment Method	Disposal Method

44. OTHER AUTHORIZATIONS

In addition to the sub-surface and surface land use authorizations provided in Block 6, are the same authorizations required as considered in the existing licence?

Yes No

For each provide the following:

Authorization: _____

Administering Agency: _____

Project Activity: _____

Date (expected date) of issuance: _____ Date of expiry: _____

45. PREDICTED ENVIRONMENTAL IMPACTS OF UNDERTAKING AND PROPOSED MITIGATION MEASURES

Are predicted environmental impacts of the undertaking and proposed mitigation measures the same as those considered in the existing water licence?

Yes No

Describe direct, indirect, and cumulative impacts related to water and waste.

46. WATER RIGHTS OF EXISTING AND OTHER WATER USERS

Are the effects of the undertaking on any known persons or property including those that hold licences for water use in precedence to the application, domestic users, in-stream users, authorized waste depositors, owners of property, occupiers of property, and/or holders of outfitting concessions, registered trapline holders, and holders of other rights of a similar nature, the same as those considered in the existing water licence?

Yes No

Provide the names, addresses and nature of use for any known persons or properties that may be adversely affected by the proposed undertaking, including those that hold licences for water use in precedent to the application, domestic users, in-stream users, authorized waste depositors, owners of property, occupiers of property, and/or holders of outfitting concessions, registered trapline holders, and holders of other rights of a similar nature.

Advise the Board if compensation has been paid and/or agreement(s) for compensation have been reached with any existing or other users.

47. INUIT WATER RIGHTS

Are the effects of the undertaking on the quality, quantity or flow of waters flowing through Inuit Owned Land (IOL) the same as those considered in the existing water licence?

Yes No

Advise the Board of any substantial affect of the quality, quantity or flow of waters flowing through Inuit Owned Land (IOL), and advise the Board if negotiations have commenced or an agreement to pay compensation for any loss or damage has been reached with one or more Designated Inuit Organization (DIO).

48. CONSULTATION - Provide a summary of any consultation meetings including when the meetings were held, where and with whom. Include a list of concerns expressed and measures to address concerns.

49. SECURITY INFORMATION

Is the financial security assessment the same as that considered in the existing water licence?

Yes No

Is the estimate of the total financial security for final reclamation the same as that considered in the existing water licence?

Yes No

Provide an estimate of the total financial security for final reclamation equal to the total outstanding reclamation liability for land and water combined sufficient to cover the highest liability over the life of the undertaking. Estimates of reclamation costs must be based on the cost of having the necessary reclamation work done by a third party contractor if the operator defaults. The estimate must also include contingency factors appropriate to the particular work to be undertaken.

Where applicable, the financial security assessment should be prepared in a manner consistent with the principals respecting mine site reclamation and implementation found in the *Mine Site Reclamation Policy for Nunavut*, Indian and Northern Affairs Canada, 2002.

50. FINANCIAL INFORMATION

Is the statement of financial security the same as that considered in the existing water licence?

Yes No

Provide an updated statement of financial security.

If the applicant is a business entity please answer the questions below:

Is the list of the officers of the company the same as those considered in the existing water licence?

Yes No

Provide a list of the officers of the company.

Is the Certificate of Incorporation or evidence of registration of the company name the same?

Yes No

Attach a copy of the Certificate of Incorporation or evidence of registration of the company name.

51. STUDIES UNDERTAKEN TO DATE

List and attach updated studies, reports, research etc.

Provide a compliance assessment and status report including a response to any inspector's reports. The licensee must contact the NWB for licence specific direction in completing the assessment and report.

If in non-compliance, a licence may not be issued until compliance is achieved. If in non-compliance, attach plans/reports for consideration. Application will not be processed if significant issues of non-compliance exist.

52. PROPOSED TIME SCHEDULE

Is the time schedule for all phases of development (construction, operations, closure and post closure) the same as that considered in the existing licence?

Yes No

Indicate the proposed start and completion dates for each applicable phase of development (construction, operation, closure, and post closure).

Construction

Proposed Start Date: _____ Proposed Completion Date: _____
 (month/year) (month/year)

Operation

Proposed Start Date: _____ Proposed Completion Date: _____
 (month/year) (month/year)

Closure

Proposed Start Date: _____ Proposed Completion Date: _____
 (month/year) (month/year)

Post - Closure

Proposed Start Date: _____ Proposed Completion Date: _____
 (month/year) (month/year)

For each applicable phase of development indicate which season(s) activities occur.

Construction

Winter Spring Summer Fall All season

Operation

Winter Spring Summer Fall All season

Closure

Winter Spring Summer Fall All season

Post - Closure

Winter Spring Summer Fall All season

53. PROPOSED TERM OF LICENCE

On what date does the existing licence expire? _____

Indicate the proposed term of the renewal (maximum of 25 years): _____

Requested date of renewal issuance: _____ Requested Expiry Date: _____
(month/year) (month/year)

(The requested date of renewal issuance must be at least three (3) months from the date of application for a type B water licence and at least one (1) year from the date of application for a type A water licence, to allow for processing of the water licence application. These timeframes are approximate and do not account for the time to complete any pre-licensing land use planning or development impact requirements, time for the applicant to prepare and submit a water licence application in accordance with any project specific guidelines issued by the NWB, or the time for the applicant to respond to requests for additional information. See the NWB's *Guide 5: Processing Water Licence Applications* for more information)

54. ANNUAL REPORTING

Is the annual report template expected to be the same as that considered in the existing licence?

Yes No

If not using the NWB's *Standardized Form for Annual Reporting*, provide details regarding the content of annual reports and a proposed outline or template of the annual report.

55. CHECKLIST

The following must be included with the application for renewal for the water licensing process to begin.

Completed Application for Water Licence Renewal form.

Yes No If no, date expected _____

Updated plans, including designs and reports (see Block 23).

Yes No If no, date expected _____

Updated security assessment (see Block 21).

Yes No If no, date expected _____

Updated financial statement (see Block 22).

Yes No If no, date expected _____

Compliance Assessment / Status Report (see Block 23).

Yes No If no, date expected _____

English Summary of Renewal Application.

Yes No If no, date expected _____

Inuktitut and/or Inuinnaqtun Summary of Renewal Application.

Yes No If no, date expected _____

Application fee of \$30.00 CDN (Payee Receiver General for Canada).

Yes No If no, date expected _____

Water Use Fee Deposit of \$30.00 CDN (Payee Receiver General for Canada). The actual water use fee will be calculated by the NWB based upon the amount of water authorized for use in accordance with the Regulations at the time of issuance of the licence.

Yes No If no, date expected _____

56. SIGNATURE

I, _____ (print name)

certify that the application requires no changes to water use or waste disposal as previously authorized and that the information given on this form is, to the best of my knowledge, correct and complete.

Signature

Date



P.O. Box 119
GJOA HAVEN, NU X0B 1J0
TEL: (867) 360-6338
FAX: (867) 360-6369

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NUNAVUT WATER BOARD
NUNAVUT IMALIRIYIN KATIMAYINGI
OFFICE DES EAUX DU NUNAVUT

APPLICATION FOR WATER LICENCE AMENDMENT

The applicant is referred to the NWB's Guide 7: *Licensee Requirements Following the Issuance of a Water Licence* for more information about this application form.

EXISTING LICENCE NO: _____

57. LICENSEE CONTACT INFORMATION

Is the licensee the same as that referred to on the existing licence?

Yes No

If No, a licence assignment must be completed and approved by the NWB. **A renewal will only be issued in the name of the current licensee in the absence of assignment of the licence.**

If the licensee is the same, but the name of the licensee has changed, attach a certificate of name change.

Name: _____

Address: _____

Phone: _____

Fax: _____

e-mail: _____

58. LICENSEE REPRESENTATIVE CONTACT INFORMATION – If different from Block 1.

Name: _____

Address: _____

Phone: _____

Fax: _____

e-mail: _____

(Attach authorization letter.)

59. NAME OF PROJECT

Has the name of the project changed?

Yes No

If Yes, indicate the name of the project including the name of the location: _____

60. LOCATION OF UNDERTAKING

Does the proposed amendment change the location of the amended undertaking?

Yes No

Provide the project extents and camp locations. Identify proposed changes.

Project Extents

NW: Latitude: (° ' " N)

Longitude: (° ' " W)

NE: Latitude: (° ' " N)

Longitude: (° ' " W)

SE: Latitude: (° ' " N)

Longitude: (° ' " W)

SW: Latitude: (° ' " N)

Longitude: (° ' " W)

Camp Location(s)

Latitude: (° ' " N)

Longitude: (° ' " W)

61. MAP

Does the proposed amendment change the locations of any of the main components of the undertaking?

Yes No

Attach a topographical map, indicating the main components of the undertaking. Identify proposed changes.

NTS Map Sheet No.: _____ Map Name: _____ Map Scale: _____

62. NATURE OF INTEREST IN THE LAND

Does the proposed amendment change the nature of the interest in the land?

Yes No

If Yes, indicate changes. _____

Check any of the following that are applicable to the proposed undertaking (at least one box under the 'Surface' header must be checked).

Sub-surface

Mineral Lease from Nunavut Tunngavik Incorporated (NTI)
Date (expected date) of issuance: _____ Date of expiry: _____

Mineral Lease from Indian and Northern Affairs Canada (INAC)
Date (expected date) of issuance: _____ Date of expiry: _____

Surface

Crown Land Use Authorization from Indian and Northern Affairs Canada (INAC)
Date (expected date) of issuance: _____ Date of expiry: _____

Inuit Owned Land (IOL) Authorization from Kitikmeot Inuit Association (KIA)
Date (expected date) of issuance: _____ Date of expiry: _____

IOL Authorization from Kivalliq Inuit Association (KivIA)
Date (expected date) of issuance: _____ Date of expiry: _____

IOL Authorization from Qikiqtani Inuit Association (QIA)
Date (expected date) of issuance: _____ Date of expiry: _____

Commissioner's Land Use Authorization
Date (expected date) of issuance: _____ Date of expiry: _____

Other _____

Date (expected date) of issuance: _____ Date of expiry: _____

Is the name of the entity(s) holding authorizations the same as that considered in the existing water licence?

Yes No

If No, a licence assignment must be completed and approved by the NWB.

Name of entity(s) holding authorizations:

63. NUNAVUT PLANNING COMMISSION (NPC) DETERMINATION

Indicate the land use planning area in which the existing project is located.

- | | |
|---------------------------------------|---|
| <input type="checkbox"/> North Baffin | <input type="checkbox"/> Keewatin |
| <input type="checkbox"/> South Baffin | <input type="checkbox"/> Sanikiluaq |
| <input type="checkbox"/> Akunnig | <input type="checkbox"/> West Kitikmeot |

Does the proposed amendment change the land use planning area?

- Yes No

If yes, indicate the land use planning area in which the amended undertaking is located.

- | | |
|---------------------------------------|---|
| <input type="checkbox"/> North Baffin | <input type="checkbox"/> Keewatin |
| <input type="checkbox"/> South Baffin | <input type="checkbox"/> Sanikiluaq |
| <input type="checkbox"/> Akunnig | <input type="checkbox"/> West Kitikmeot |

Was a land use plan conformity determination required from NPC prior to the issuance of the existing water licence?

- Yes No

If Yes, indicate date issued and attach copy. _____

Does the proposed amendment change the original NPC conformity determination or the need to obtain one?

- Yes No

If Yes, indicate date issued (or expected) and attach a copy. _____

If No, provide written confirmation from NPC confirming that a land use plan conformity review is not required.

64. NUNAVUT IMPACT REVIEW BOARD (NIRB) DETERMINATION

Was a screening determination required from NIRB prior to the issuance of the existing water licence?

- Yes No

If Yes, indicate date issued and attach copy. _____

Does the proposed amendment change the original NIRB screening determination or the need to obtain one?

- Yes No

If Yes, indicate date issued (or expected) and attach a copy. _____

If No, provide written confirmation from NIRB confirming that a screening determination is not required.

65. DESCRIPTION OF UNDERTAKING

Does the proposed amendment change the description of the undertaking?

Yes No

List and attach plans and drawings or project proposal. Identify proposed changes.

66. OPTIONS

Does the proposed amendment change any of the alternative methods and locations that were considered to carry out the project?

Yes No

Provide a brief explanation of the alternative methods or locations that were considered to carry out the project. Identify proposed changes.

67. CLASSIFICATION OF PRIMARY UNDERTAKING

Indicate the primary classification of undertaking for the existing licence by checking one of the following boxes:

- | | |
|---|--|
| <input type="checkbox"/> Industrial | <input type="checkbox"/> Agricultural |
| <input type="checkbox"/> Mining and Milling (includes exploration/drilling/exploration camps) | |
| <input type="checkbox"/> Conservation | <input type="checkbox"/> Recreational |
| <input type="checkbox"/> Municipal (includes camps/lodges) | <input type="checkbox"/> Miscellaneous (describe below): |
| <input type="checkbox"/> Power | _____ |

Does the proposed amendment change the classification of primary undertaking?

Yes No

If Yes, indicate the primary undertaking of the amendment: _____

Information in accordance with applicable Supplemental Information Guidelines (SIG) must be updated and submitted with an Application for Amendment. Indicate which SIG(s) are applicable to your application.

- Hydrostatic Testing
- Tannery
- Tourist / Remote Camp
- Landfarm & On-Site Storage of Hydrocarbon Contaminated Soil
- Onshore Oil and Gas Exploration Drilling
- Mineral Exploration / Remote Camp
- Advanced Exploration
- Mine Development
- Municipal
- General Water Works
- Power

68. WATER USE

Indicate, using the boxes below, the types of water use(s) approved in the existing licence.

- | | |
|---|---|
| <input type="checkbox"/> To obtain water for camp/ municipal purposes | <input type="checkbox"/> To divert a watercourse |
| <input type="checkbox"/> To obtain water for industrial purposes | <input type="checkbox"/> To modify the bed or bank of a watercourse |
| <input type="checkbox"/> To cross a watercourse | <input type="checkbox"/> Flood control |
| <input type="checkbox"/> To alter the flow of, or store water | |
| <input type="checkbox"/> Other: _____ | |

Does the proposed amendment change the type(s) of water use(s)?

- Yes No

If Yes, indicate using the boxes below, the proposed change(s) to the type(s) of water use(s) noting any water use(s) that are to be added, continued, or removed.

- | | |
|---|---|
| <input type="checkbox"/> To obtain water for camp/ municipal purposes | <input type="checkbox"/> To divert a watercourse |
| <input type="checkbox"/> To obtain water for industrial purposes | <input type="checkbox"/> To modify the bed or bank of a watercourse |
| <input type="checkbox"/> To cross a watercourse | <input type="checkbox"/> Flood control |
| <input type="checkbox"/> To alter the flow of, or store water | |
| <input type="checkbox"/> Other: _____ | |

69. QUANTITY OF WATER INVOLVED

Does the proposed amendment change the source of water? Yes No

Indicate the water source(s). Identify proposed changes.:

(show location(s) on map)

Does the proposed amendment change the quality of the water source and/or its available capacity?

Yes No

Describe the quality of the water source(s) and the available capacity(s). Identify any changes.: _____

Does the proposed amendment change the overall quantity of water to be used?

Yes No

Provide the overall estimated quantity to be used. Identify proposed changes. : _____ m³/day

Does the proposed amendment change the quantity of water to be used from each source?

Yes No

Provide the estimated quantity(s) of water to be used from each source. Identify proposed changes. :

Does the proposed amendment change the quantity of water to be used for each purpose?

Yes No

Provide the estimated quantities to be used for each purpose (camp, drilling, etc.). Identify proposed changes.:

Does the proposed amendment change the method(s) of extraction? Yes No

Describe the method(s) of extraction. Identify proposed changes. : _____

Does the proposed amendment change the quantity(s) of water returned to source(s)?

Yes No

Estimated quantity(s) of water returned to source(s). Identify proposed changes. : _____ m³/day

Does the proposed amendment change the quality(s) of water returned to source(s)?

Yes No

Describe the quality(s) of water(s) returned to source(s). Identify any changes. : _____

70. WASTE

Check the appropriate box(s) to indicate the types of waste(s) approved in the existing licence.

- | | |
|--|---|
| <input type="checkbox"/> Sewage | <input type="checkbox"/> Waste oil |
| <input type="checkbox"/> Solid Waste | <input type="checkbox"/> Greywater |
| <input type="checkbox"/> Hazardous | <input type="checkbox"/> Sludges |
| <input type="checkbox"/> Bulky Items/Scrap Metal | <input type="checkbox"/> Contaminated soil and/or water |
| <input type="checkbox"/> Animal Waste | |
| <input type="checkbox"/> Other (describe): _____ | |

Does the proposed amendment change the type(s) of waste(s) to be generated or deposited?

- Yes No

If Yes, indicate using the boxes below, the proposed change(s) to the type(s) of waste(s) to be generated and/or deposited noting the addition, removal or continued generation and/or disposal of waste(s).

- | | |
|--|---|
| <input type="checkbox"/> Sewage | <input type="checkbox"/> Waste oil |
| <input type="checkbox"/> Solid Waste | <input type="checkbox"/> Greywater |
| <input type="checkbox"/> Hazardous | <input type="checkbox"/> Sludges |
| <input type="checkbox"/> Bulky Items/Scrap Metal | <input type="checkbox"/> Contaminated soil and/or water |
| <input type="checkbox"/> Animal Waste | |
| <input type="checkbox"/> Other (describe): _____ | |

71. QUANTITY AND QUALITY OF WASTE INVOLVED

Does the proposed amendment change the quantity(s) of the types of wastes involved?

Yes No

Does the proposed amendment change the composition(s) of the types of wastes involved?

Yes No

Does the proposed amendment change the method(s) of treatment for the types of waste involved?

Yes No

Does the proposed amendment change the method(s) of disposal for the types of waste involved?

Yes No

If Yes to any of the above, describe the proposed changes: _____

For each type of waste indicated in Block 14, describe its composition, quantity in cubic meters/day, method of treatment and method of disposal.

Type of Waste	Composition	Quantity Generated	Treatment Method	Disposal Method

72. OTHER AUTHORIZATIONS

Does the proposed amendment change the need for other authorizations in addition to the sub-surface and surface land use authorizations provided in Block 6?

Yes No

If Yes, indicate any additional authorizations required, which authorizations are no longer required, and which authorizations continue to be required.

For each provide the following:

Authorization: _____

Administering Agency: _____

Project Activity: _____

Date (expected date) of issuance: _____ Date of expiry: _____

73. PREDICTED ENVIRONMENTAL IMPACTS OF UNDERTAKING AND PROPOSED MITIGATION MEASURES

Does the proposed amendment change the predicted environmental impacts of the undertaking and the proposed mitigation measures?

Yes No

Describe direct, indirect, and cumulative impacts related to water and waste. Identify any changes.

74. WATER RIGHTS OF EXISTING AND OTHER WATER USERS

Was compensation paid and/or an agreement(s) for compensation been entered into with any existing or other users of water during consideration of the existing licence?

Yes No

If Yes, provide the names, addresses and the nature of water use by those persons or properties.

Does the proposed amendment adversely affect any known persons or property including those that hold licences for water use in precedence to the application, domestic users, in-stream users, authorized waste depositors, owners of property, occupiers of property, and/or holders of outfitting concessions, registered trapline holders, and holders of other rights of a similar nature?

Yes No

If Yes, provide the names, addresses and the nature of water use of those persons or properties.

Advise the Board if compensation has been paid and/or an agreement(s) for compensation has been reached with any existing or other water users with respect to the proposed amendment.

75. INUIT WATER RIGHTS

Was compensation paid/ or an agreement(s) for compensation been entered into with any Designated Inuit Organization (DIO) during consideration of the existing licence?

Yes No

If Yes, which DIO(s) _____

Does the proposed amendment substantially affect the quality, quantity or flow of waters flowing through Inuit Owned Land (IOL)?

Yes No

If Yes, advise the Board if negotiations have commenced or an agreement to pay compensation for any loss or damage has been reached with one or more DIO(s) with respect to the proposed amendment.

76. CONSULTATION - Provide a summary of any consultation meetings including when the meetings were held, where and with whom. Include a list of concerns expressed and measures to address concerns.

77. SECURITY INFORMATION

Does the proposed amendment change the financial security assessment?

Yes No

Does the proposed amendment change the estimate of the total financial security for final reclamation?

Yes No

Provide an estimate of the total financial security for final reclamation equal to the total outstanding reclamation liability for land and water combined sufficient to cover the highest liability over the life of the undertaking. Estimates of reclamation costs must be based on the cost of having the necessary reclamation work done by a third party contractor if the operator defaults. The estimate must also include contingency factors appropriate to the particular work to be undertaken. Identify any changes in the financial security assessment resulting from the proposed amendment.

Where applicable, the financial security assessment should be prepared in a manner consistent with the principals respecting mine site reclamation and implementation found in the *Mine Site Reclamation Policy for Nunavut*, Indian and Northern Affairs Canada, 2002.

78. FINANCIAL INFORMATION

Is the statement of financial security the same as that considered in the existing water licence?

Yes No

Provide an updated statement of financial security.

If the applicant is a business entity please answer the questions below:

Is the list of the officers of the company the same as those considered in the existing water licence?

Yes No

Provide a list of the officers of the company.

Is the Certificate of Incorporation or evidence of registration of the company name the same?

Yes No

Attach a copy of the Certificate of Incorporation or evidence of registration of the company name.

79. STUDIES UNDERTAKEN TO DATE

List and attach updated studies, reports, research etc.

Provide a compliance assessment and status report including a response to any inspector's reports. The licensee must contact the NWB for licence specific direction in completing the assessment and report.

If in non-compliance, a licence may not be issued until compliance is achieved. If in non-compliance, attach plans/reports for consideration. Application will not be processed if significant issues of non-compliance exist.

80. PROPOSED TIME SCHEDULE

Does the proposed amendment change the time schedule considered in the existing licence for any phase of development?

Yes No

Indicate the start and completion dates for each applicable phase of development (construction, operation, closure, and post closure). Identify proposed changes.

Construction

Proposed Start Date: _____ Proposed Completion Date: _____
(month/year) (month/year)

Operation

Proposed Start Date: _____ Proposed Completion Date: _____
(month/year) (month/year)

Closure

Proposed Start Date: _____ Proposed Completion Date: _____
(month/year) (month/year)

Post - Closure

Proposed Start Date: _____ Proposed Completion Date: _____
(month/year) (month/year)

For each applicable phase of development indicate which season(s) activities occur.

Construction

Winter Spring Summer Fall All season

Operation

Winter Spring Summer Fall All season

Closure

Winter Spring Summer Fall All season

Post - Closure

Winter Spring Summer Fall All season

81. PROPOSED TERM OF LICENCE

On what date does the existing licence expire? _____

Is the Licensee applying for a combined renewal and amendment of the existing licence?

Yes No

If Yes, indicate the proposed term of the renewal (maximum of 25 years):

Requested date of renewal issuance: _____ Requested Expiry Date: _____
(month/year) (month/year)

(The requested date of renewal issuance must be at least three (3) months from the date of application for a type B water licence and at least one (1) year from the date of application for a type A water licence, to allow for processing of the water licence application. These timeframes are approximate and do not account for the time to complete any pre-licensing land use planning or development impact requirements, time for the applicant to prepare and submit a water licence application in accordance with any project specific guidelines issued by the NWB, or the time for the applicant to respond to requests for additional information. See the NWB's *Guide 5: Processing Water Licence Applications* for more information)

82. ANNUAL REPORTING

Will the proposed amendment change the content of annual reports or the annual report template?

Yes No

If Yes, provide details regarding the content of annual reports and a proposed outline or template of the annual report.

83. CHECKLIST

The following must be included with the application for Amendment for the water licensing process to begin.

Completed Application for Water Licence Amendment form.

Yes No If no, date expected _____

Information addressing Supplement Information Guideline (SIG), where applicable (see Block 11)

Yes No If no, date expected _____

Compliance Assessment / Status Report (see Block 23).

Yes No If no, date expected _____

Indication of Renewal Requirement (see Block 26)

Yes No If no, date expected _____

English Summary of Renewal Application.

Yes No If no, date expected _____

Inuktitut and/or Inuinnaqtun Summary of Renewal Application.

Yes No If no, date expected _____

Application fee of \$30.00 CDN (Payee Receiver General for Canada).

Yes No If no, date expected _____

Water Use Fee Deposit of \$30.00 CDN (Payee Receiver General for Canada). The actual water use fee will be calculated by the NWB based upon the amount of water authorized for use in accordance with the Regulations at the time of issuance of the licence.

Yes No If no, date expected _____

84. SIGNATURE

Name (Print)	Title (Print)	Signature	Date
--------------	---------------	-----------	------

APPENDIX G. STANDARDIZED FORM FOR ANNUAL REPORTING

DRAFT

**ANNUAL REPORT
FOR THE HAMLET OF (name)**

YEAR BEING REPORTED: _____

The following information is compiled pursuant to the requirements of **Part B, Item 1** of Water Licence (license number) issued to the Hamlet of _____.

- i)- iii) tabular summaries of all data generated under the “Monitoring Program”; monthly and annual quantities in cubic metres of freshwater obtained from all sources; monthly and annual quantities in cubic metres of each and all wastes discharged;

Attached are results for Monitoring station **XXX-1, XXX-2, XXX-3 and XXX-4**, as well as detailed chemical, physical and biological analysis required at **XXX-2** and **XXX-4** (for the months of May to August, inclusive)

Month Reported	Quantity of Water Obtained from all sources	Quantity of Sewage Waste Discharged
January		
February		
March		
April		
May		
June		
July		
August		
September		
October		
November		
December		
ANNUAL TOTAL		

**ANNUAL REPORT
FOR THE HAMLET OF (name)**

Please indicate volumes in cubic metres - 1 cubic meter equals 1000 litres

- iv. a summary of modifications and/or major maintenance work carried out on the Water Supply and Waste Disposal Facilities, including all associated structures and facilities;

- v. a list of unauthorized discharges and summary of follow-up action taken;

- vi. a summary of any abandonment and restoration work completed during the year and an outline of any work anticipated for the next year;

- vii. a summary of any studies requested by the Board that relate to waste disposal, water use or reclamation, and a brief description of any future studies planned;

- viii. any other details on water use or waste disposal requested by the Board by November 1st of the year being reported; and

**ANNUAL REPORT
FOR THE HAMLET OF (name)**

ix. updates or revisions to the approved Operation and Maintenance Plans.

ADDITIONAL INFORMATION THAT THE LICENSEE DEEMS USEFUL:

FOLLOW-UP REGARDING INSPECTION/COMPLIANCE CONCERNS:

APPENDIX H. DRAFT GUIDE TO THE DEVELOPMENT OF A PLAN FOR COMPLIANCE

DRAFT



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

NUNAVUT WATER BOARD
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NUNAVUT IMALIRIYIN KATIMAYINGI
OFFICE DES EAUX DU NUNAVUT

Draft Document for review

NWB Guide:

Development of a Plan for Compliance

Date of Issuance: June 2010

DOCUMENT CONTROL

Original Guide Date: June 2010

Guide Amendments:

Draft Document for review

No.	Description	Date
1	Initial Release	14-Jun-10
2		
3		
4		
5		
6		
7		
8		
9		
10		

BACKGROUND INFORMATION

Draft Document for review

What is a Plan for Compliance:

A Plan for Compliance is a document, submitted to the Board for review and approval as a condition of a water licence. This Plan must demonstrate the measures the licensee will undertake, including an implementation schedule, to achieve full compliance with the conditions of a water licence, taking into consideration the issues raised in any inspector reports and/or directions, along with the full commitment of the Licensee.

Upon approval of the Plan by the Board, the Plan will effectively become a part of the of the licence (a condition) as required by the following standard water licence condition:

"Every Plan to be carried out pursuant to the terms and conditions of this Licence shall become a part of this Licence, and any additional terms and condition imposed upon approval of a Plan by the Board become part of this Licence. All terms and conditions of the Licence should be contemplated in the development of a Plan where appropriate." Note: The condition may vary depending on the Licence issued.

Why is a Plan for Compliance required:

The NWB may require the submission of a Plan for Compliance where compliance issue have been identified during (or before) water licence renewals and/or amendments for projects. Requiring the submission of a Plan for Compliance to the Board for review and approval allows the Board (and enforcement) to carefully monitor a licensee's efforts to come into compliance with their Licence.

The NWB uses the Plan for Compliance to fulfill its legislative obligation under section 57(a)(b) of the NWSRTA, in assessing an application for a new, renewal or amendment Licence.

Who Submits the Plan for Compliance:

Preparation and submission of the Plan for Compliance is the responsibility of the Licensee. If the Plan is prepared by a consultant or third party on behalf of the licensee, it must be accompanied by a signed letter which authorizes a party to be the licensee's representative and demonstrates the licensee's commitment to implement the Plan.

When is a Plan for Compliance Required:

The Plan for Compliance must be submitted within a time period specified in the licence or as requested by the NWB. Upon receipt of the Plan for Compliance, the NWB will provide notice of the Plan to interested parties for review and comment. The Board will consider the submissions of parties and their comments in its decision on whether or not to approve the Plan and notify the Licensee of its decision.

How to Prepare a Plan for Compliance:

To assist the licensee in its preparation of a Plan for Compliance, the NWB has developed a **Plan for Compliance Template** located in the template tab of this Guide and provides the following advice for the completion of this template.

The **Plan for Compliance Template** is a table with the following six (6) columns: (1) Licence Condition; (2) Status of Compliance; (3) Short Term Plan for Compliance; (4) Schedule for Implementation of Short Term Plan for Compliance (including funding status where applicable to municipal developments); (5) Long Term Plan for Compliance; and (6) Schedule for Implementation of Long Term Plan for Compliance (including funding status where applicable to municipal developments).

To complete the **first column** (Licence Condition), the licensee is required to copy each of the terms and conditions of its licence and subsequent amendments into separate cell in the first column of the table. The template provides a list of examples of terms and conditions, however it is the licensee's responsibility to ensure that all relevant terms and conditions of its licence are included in this column and to add/delete/modify where applicable.

To complete the **second column** (Status of Compliance), the licensee must consider Inspection reports, Inspector's directions, NWB correspondence, and correspondence and comments from the parties, in making a determination of the status of compliance. Columns 3, 4, 5 and 6 must be further considered for each licence condition that has been determined to be in non-compliance.

Draft Document for review

To complete the **third column** (Short Term Plan for Compliance) the licensee must provide the information that indicates the plan to come into compliance with the licence condition prior to the expiry of the licence (if documents are to be provided, when? Submission of reports, prepared O&M Manuals etc.).

Where a Short Term Plan for Compliance cannot be achieved within the licence term or is considered only as a temporary measure, the Licensee must complete the fifth column (Long Term Plan for Compliance).

Firm timetables for implementation of the **Short and Long Term Plans for Compliance** must be provided in **columns 4 and 6** respectively. Where timetables for implementation are dependent upon sufficient funding (ie. municipalities), the licensee must provide an indication of the status of the funding required to carry out the Plan and an estimated timeframe for receipt of the necessary funding (where Capital Planning is required for a given funding period).

Enforcement of a Licence:

The NWNSRTA provides for enforcement measures and penalties as well as the designation of qualified inspectors and analysts to facilitate such enforcement measures and penalties. Inspectors and analysts are designated by INAC. The Licence and conditions contained within are subject to enforcement, including fines and/or imprisonment. (For a more detailed explanation on the enforcement of a Licence and the conditions contained within a Licence, please refer to sections 85 and 90 of the NWNSRTA and the NWB Guide 7 Licensee Requirements Following the Issuance of a Licence, April 2010.)

PLAN FOR COMPLIANCE

LICENCE NO. 3BM-[ABC1010]

LICENSEE: COMPANY, CGS OR HAMLET OF [INSERT NAME]

DATE OF ISSUANCE:

DATE OF EXPIRY:

AMENDMENTS ISSUED:

DATE:

REASON:

DATE OF PREPARATION:

PREPARED BY:

PRINTED _____

SIGNATURE _____

DATE OF SUBMISSION: _____

PLAN FOR COMPLIANCE LICENCE NO. 3BM-ABC1010

PLAN FOR COMPLIANCE TEMPLATE

Column 1		Column 2	Column 3	Column 4	Column 5	Column 6
Licence Condition (add or delete as required)		Status of Compliance	Short Term Plan for Compliance	Schedule for Implementation of Short Term Plan for Compliance (including funding status where applicable to municipal developments)	Long Term Plan for Compliance	Schedule for Implementation of Long Term Plan for Compliance (including funding status where applicable to municipal developments)
Part B:	General Conditions					
B - 1	The Licensee shall file an Annual Report with the Board not later than March 31st of the year following the calendar year reported which shall contain the following information:					
B - 1 - a	tabular summaries of all data generated under the "Monitoring Program";		Draft Document for review			
B - 1 - b	modifications to the "Monitoring Program";					
B - 1 - c	the monthly and annual quantities in cubic metres of fresh water obtained at the Water Supply Facilities;					
B - 1 - d	the monthly and annual quantities in cubic metres of each and all waste discharged;					
B - 1 - e	the annual quantity in cubic meters and tones of sludge removed from the Sewage Disposal Facility along with the treatment, storage, and disposal provided;					
B - 1 - f	the results of sampling and analyses of sewage sludge;					
B,1 - g	a summary of modifications and/or major maintenance work carried out on the Water Supply and Waste Disposal Facilities, including all associated structures and facilities;					
B - 1 - h	a list of unauthorized discharges and summary of follow-up action taken;					
B - 1 - i	a summary of any abandonment and restoration work completed during the year and an outline of any work anticipated for the next year;					
B - 1 - j	any updates or revisions for manuals and plans as required by changes in operation and/or technology;					
B - 1 - k	detailed minutes of any public consultation and participation with local organizations and the residents of the community regarding licence amendments;					
B - 1 - l	a summary of any studies or reports requested by the Board that relate to water use and waste disposal or restoration, and a brief description of any future studies planned; and					

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B - 1 - m any other details on water use or waste disposal requested by the Board by November 1st of the year being reported.					
B - 2 The Licensee shall comply with the "Monitoring Program" described in this Licence, and any amendments to the "Monitoring Program" as may be made from time to time, pursuant to the conditions of this Licence.					
B - 3 The "Monitoring Program" and compliance dates specified in the Licence may be modified at the discretion of the Board.					
B - 4 Meters, devices or other such methods used for measuring the volumes of water used and waste discharged shall be installed, operated and maintained by the Licensee.		Draft Document for review			
B.5 The Licensee shall, within ninety (90) days after the first visit by the Inspector following issuance of this Licence, post the necessary signs to identify the stations of the "Monitoring Program". All signage postings shall be in the Official Languages of Nunavut.					
B - 6 The Licensee shall post signs in the appropriate areas to inform the public of the location					
B - 7 The Licensee shall immediately report to the 24-Hour Spill Report Line (867-920-8130) any spills of Waste, which are reported to, or observed by the Licensee, within the municipal boundaries or in the areas of the Water Supply or Waste Disposal Facilities.					

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<p>B - 8 The Licensee shall ensure a copy of this Licence is maintained at the Municipal Office at all times. Any communication with respect to this Licence shall be made in writing to the attention of: (a) Manager of Licensing: Nunavut Water Board P.O. Box 119 Gjoa Haven, NU X0B 1J0 Telephone: (867) 360-6338 Fax: (867) 360-6369 Email: licensing@nunavutwaterboard.org (b) Inspector Contact: Water Resources Officer Nunavut District, Nunavut Region P.O. Box 100 Iqaluit, NU X0A 0H0 Telephone: (867) 975-4295 Fax: (867) 979-6445 (c) Analyst Contact: Taiga Laboratories Department of Indian and Northern Affairs 4601 – 52 Avenue, P.O. Box 1500 Yellowknife, NT X1A 2R3 Telephone: (867) 669-2781 Fax: (867) 669-2718</p>					
<p>B - 9 The Licensee shall submit one paper copy and one electronic copy of all reports, studies, and plans to the Board. Reports or studies submitted to the Board by the Licensee shall include a detailed executive summary in Inuktitut.</p>					
<p>B - 10 The Licensee shall ensure that all document(s) and correspondence submitted by the Licensee, to the Board, are received and acknowledged by the Manager of Licensing.</p>		Draft Document for review			
<p>B - 11 The Licensee shall, for all Plans submitted under this Licence, include a proposed timetable for implementation. Plans submitted, cannot be undertaken without subsequent written Board approval and direction. The Board may alter or modify a Plan if necessary to achieve the legislative objectives and will notify the Licensee in writing of acceptance, rejection or alteration of the Plan.</p>					

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B - 12	The Licensee shall, for all Plans submitted under this Licence, implement the Plan as approved by the Board in writing.					
B - 13	Every Plan to be carried out pursuant to the terms and conditions of this Licence shall become a part of this Licence, and any additional terms and condition imposed upon approval of a Plan by the Board become part of this Licence. All terms and conditions of the Licence should be contemplated in the development of a Plan where appropriate.					
B - 14	This Licence is not assignable except as provided in Section 44 of the Act.					
Part C:	<u>Conditions Applying to Water Use</u>					
C - 1	The Licensee shall obtain all fresh water from [Name of Source or LocationXXXXXX Lake using the Water Supply Facilities or as otherwise approved by the Board in writing					
C - 2	The annual quantity of water, used for all purposes, shall not exceed XXXXX cubic metres.					
C - 3	The Licensee shall equip all water intake hoses with a screen of an appropriate mesh size to ensure that fish are not entrained and shall withdraw water at a rate such that fish do not become impinged on the screen					
C - 4	The Licensee shall not remove any material from below the ordinary high water mark of any water body unless otherwise approved by the Board in writing.					
C - 5	The Licensee shall not cause erosion to the banks of any body of water and shall provide necessary controls to prevent such erosion.					
C - 6	Sediment and erosion control measures shall be implemented prior to and maintained during the operation to prevent entry of sediment into water.		Draft Document for review			

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Part D: <u>Conditions Applying to Waste Disposal</u>					
D - 1 All Effluent discharged from the Sewage Disposal Facility at Monitoring Program Station ABC-X shall not exceed the following Effluent quality limits: (see licence)					
D - 2 A Freeboard limit of 1.0 meter, or as recommended by a qualified geotechnical Engineer and as approved by the Board in writing, shall be maintained at all dams, dykes, or structures intended to contain, withhold, divert or retain water or wastes.		Draft Document for review			
D - 3 The Licensee shall provide at least ten (10) days notification to an Inspector, prior to initiating any decant of the sewage lagoon.					
D - 4 The Sewage Disposal Facility shall be maintained and operated, in such a manner as to prevent structural failure.					
D - 5 The Licensee shall dispose of and permanently contain all Solid Wastes at the Solid Waste Disposal Facility or as otherwise approved by the Board in writing.					
D - 6 The Licensee shall segregate and store all hazardous materials and/or hazardous waste, including waste oil, within the Solid Waste Disposal Facility in a manner as to prevent the deposit of deleterious substances into any water until such a time as proper disposal arrangements are made.					
D - 7 The Licensee shall implement measures to control wind-blown litter at the Solid Waste Disposal Facility.					
D - 8 The Licensee shall use clean material for construction, operation, and maintenance activities that is obtained from an approved source and which has been demonstrated not to produce acid rock drainage and to be non-metal leaching.					

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D - 9 For any approved source of material within the municipality, the Licensee shall submit to the Board for approval sixty (60) following licence issuance, a quarry management plan that includes the following: a. Confirmation that the quarry material does not produce acid rock drainage and is non-metal leaching; b. An assessment of any potential impacts to freshwater quality; and c. Mitigation measures.					
Part E: <u>Conditions Applying to Modification and Construction</u>					
E - 1 The Licensee shall implement the recommended options identified in the Water Licence Application document entitled Recommended Sewage Treatment Upgrades for the Hamlet of NAME dated DATE, and shall follow the design as provided in the signed and stamped drawings numbered #, # and #, dated DATE (Consultant Name, Project No. ###). In the event of a conflict between the conditions of this Licence and the above referenced document, the conditions of this Licence shall prevail.		Draft Document for review			
E - 2 The Licensee shall submit to the Board for approval, design drawings stamped and signed by a qualified engineer registered in Nunavut, 6 months prior to the construction of any dams, dykes or structures intended to contain, withhold, divert or retain water or wastes.					

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<p>E - 3 The Licensee may, without written approval from the Board, carry out modifications to the Water Supply and Waste Disposal Facilities provided that such modifications are consistent with the terms of this Licence and the following requirements are met:</p> <ul style="list-style-type: none"> a. the Licensee has notified the Board in writing of such proposed modifications at least sixty (60) days prior to beginning the modifications; b. these modifications do not place the Licensee in contravention of the Licence or the Act; c. the Board has not, during the sixty (60) days following notification of the proposed modifications, informed the Licensee that review of the proposal will require more than sixty (60) days; and d. the Board has not rejected the proposed modifications. 					
<p>E - 4 Modifications for which all of the conditions referred to in Part E, Item 3, have not been met, may only be carried out upon written approval from the Board. The Licensee shall provide as-built plans and drawings of the Modifications referred to in this Licence within ninety (90) days of completion of the Modification. These plans and drawings shall be stamped by an Engineer.</p>		Draft Document for review			
<p>E - 5 All activities shall be conducted in such a way as to minimize impacts on surface drainage and the Licensee shall immediately undertake any corrective measures in the event of any impacts on surface drainage.</p>					
<p>E - 6 The Licensee shall ensure that sediment and erosion control measures are implemented prior to and maintained during activities carried out under this Part to prevent the release of sediment and minimize erosion.</p>					
<p>E - 7 The construction or disturbance of any stream/lake bed or banks of any definable water course are not permitted, unless authorized by the Board in writing.</p>					

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Part F:	<u>Conditions Applying to Operation and Maintenance</u>					
F - 1	The Licensee shall submit to the Board for approval, within ninety (90) days following issuance of the Licence, an Operation and Maintenance (O&M) Manual for the Sewage Disposal Facility and Solid Waste Disposal Facility, prepared where appropriate in accordance with the "Guidelines for the Preparation of an Operation and Maintenance Manual for Sewage and Solid Waste Disposal Facilities in the Northwest Territories; 1996". The Manual shall take into consideration the comments received during the application review process.					
F - 2	The Licensee shall review the O&M Manual referred to in Part F, Items 1 and 2 as required by changes in operation and/or technology and modify accordingly. Revisions are to be submitted in the form of an Addendum to be included with the <u>Annual Report</u> .					
F - 3	An inspection of all engineered facilities related to the management of water and waste shall be carried out annually in July or August by a Geotechnical Engineer. The engineer's report shall be submitted to the Board within sixty (60) days of the inspection, including a covering letter from the Licensee outlining an implementation plan addressing each of the Engineer's recommendations.			Draft Document for review		
F - 4	The Licensee shall perform more frequent inspections of the engineered facilities at the request of an Inspector.					

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<p>F - 5</p> <p>If, during the period of this Licence, an unauthorized discharge of waste occurs, or if such a discharge is foreseeable, the Licensee shall:</p> <ul style="list-style-type: none"> a. employ the appropriate contingency measures as approved under the Operation and Maintenance Manual for the Hamlet of NAME b. report the incident immediately via the 24-Hour Spill Reporting Line at (867) 920-8130 and to the Inspector at (867) 975-4295; and c. submit to the Inspector, a detailed report on each occurrence, not later than thirty (30) days after initially reporting the event, that provides the necessary information on the location (including the GPS coordinates), initial response action, remediation/clean-up, status of response (ongoing, complete), proposed disposal options for dealing with contaminated materials and any preventative measures to be implemented. 					
<p>Part G: <u>Conditions Applying to Abandonment and Restoration</u></p>					
<p>G - 1</p> <p>The Licensee shall submit to the Board for approval an Abandonment and Restoration Plan, at least six (6) months prior to a) abandoning of any facilities and b) the construction of new facilities to replace existing ones. Where applicable, the Plan shall include information on the following:</p> <ul style="list-style-type: none"> a. solid waste facility; b. water intake facilities; c. the water treatment and waste disposal sites and facilities; d. petroleum and chemical storage areas; e. any site affected by waste spills; f. leachate prevention; g. an implementation schedule; h. maps delineating all disturbed areas, and site facilities; i. consideration of altered drainage patterns; j. type and source of cover materials; k. future area use; l. hazardous wastes; and m. a proposal identifying measures by which restoration costs will be financed by the Licensee upon abandonment. 		<p>Draft Document for review</p>			

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Part H:	<u>Conditions Applying to the Monitoring Program</u>					
H - 1	The Licensee shall maintain Monitoring Program Stations and implement the program as described in the table below and the conditions under this Part.					
H - 2	The Licensee shall confirm the locations and GPS coordinates for all monitoring stations referred to in Part H Item 1 with an Inspector.					
H - 3	The Licensee shall collect samples at Monitoring Program Stations ABC-2, ABC-3 and ABC-4 according to the frequency provided in Part H Item 1. Samples shall be analyzed for the following parameters: Biochemical Oxygen Demand – BOD ₅ Faecal Coliforms Total Suspended Solids pH Conductivity Nitrate-Nitrite Oil and Grease (visual) Total Phenols Magnesium Calcium Sodium Potassium Chloride Sulphate Total Hardness Total Alkalinity Ammonia Nitrogen Total Zinc Total Cadmium Total Iron Total Cobalt Total Manganese Total Chromium Total Nickel Total Copper Total Lead Total Aluminum Total Arsenic Total Mercury Total Organic Carbon (TOC) Total Petroleum Hydrocarbons (ABC-3 only)			Draft Document for review		
H - 4	The Licensee shall measure and record in cubic meters, the monthly and annual quantities of water pumped from Monitoring Program Station FIC-1 for all purposes and effluent pumped or discharged from Monitoring Program Stations FIC-3 and FIC-4.					
H - 5	The Licensee shall sample and analyse sludge in accordance with the approved Operations and Maintenance Manual referred to in Part F Item 2.					

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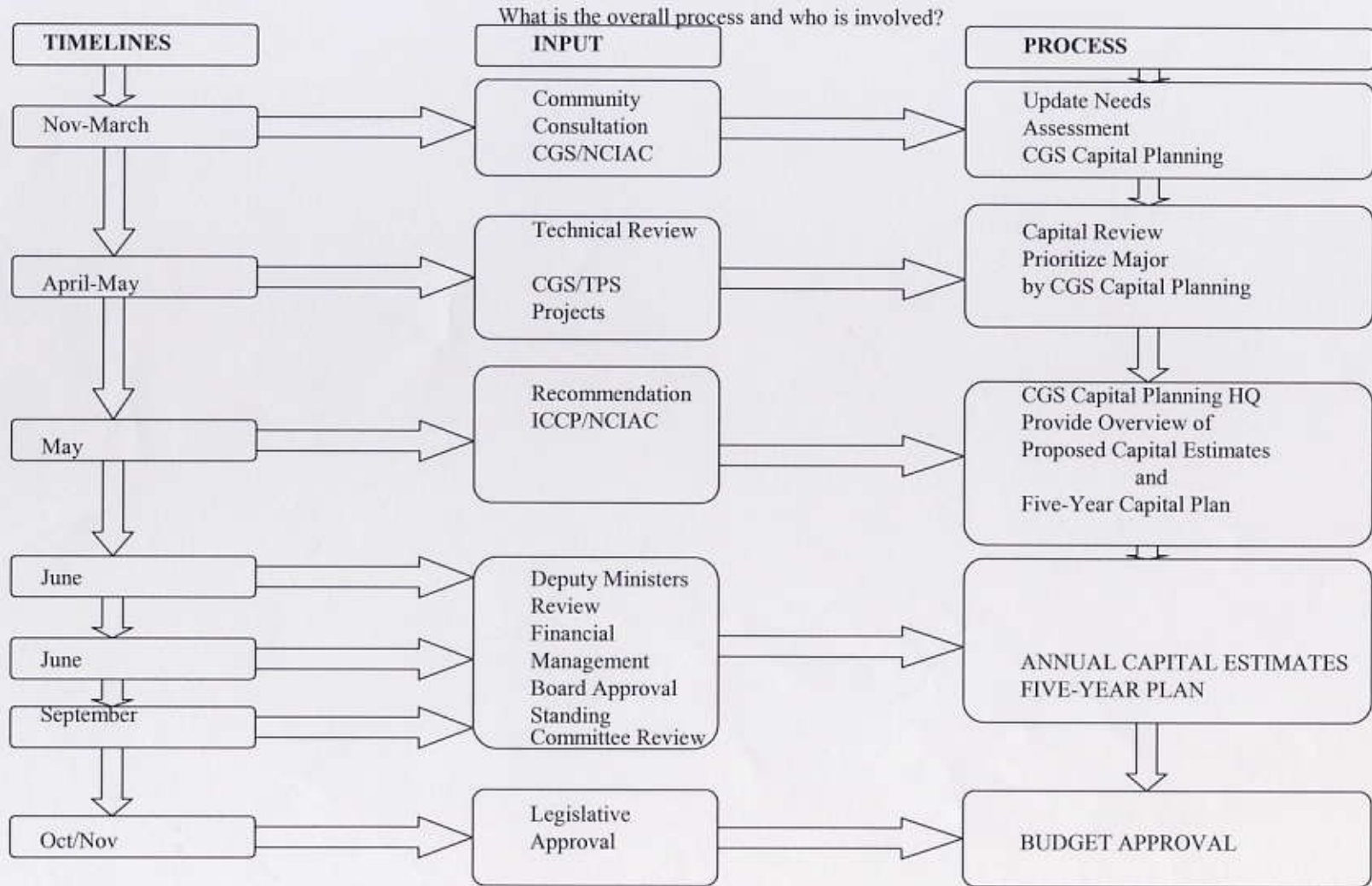
Licence Condition (add or delete as required)		Status of Compliance	Short Term Plan for Compliance	Schedule for Implementation of Short Term Plan for Compliance (including funding status where applicable to municipal developments)	Long Term Plan for Compliance	Schedule for Implementation of Long Term Plan for Compliance (including funding status where applicable to municipal developments)
H - 6	The Licensee shall measure and record the annual quantities of sludge removed from the Sewage Disposal Facility along with the methods of treatment, storage, and disposal provided.					
H - 7	Additional monitoring stations, sampling and analysis may be requested by an Inspector.					
H - 8	All sampling, sample preservation and analyses shall be conducted in accordance with methods prescribed in the current edition of Standard Methods for the Examination of Water and Wastewater, or as approved by the Board in writing.					
H - 9	All analyses shall be performed by a laboratory certified by the Canadian Association of Environmental Analytical Laboratories (CAEAL), or as otherwise approved by an Analyst.					
H - 10	The Licensee shall include all of the data and information required by the Monitoring Program as well as an indication of wastewater treatment levels upstream and downstream of the Wetland Area in the Licensee's Annual Report, as required per Part B, Item 1, or as requested by an Inspector.		Draft Document for review			
H - 11	The Licensee shall, within sixty (60) days of Licence issuance, submit to the Analyst for approval, a Quality Assurance/ Quality Control (QA/QC) Plan, which addresses both field and laboratory requirements. The Plan shall be submitted to the Board upon approval by the Analyst for inclusion with the O&M Manual, required under Part F, Item 2(f).					
H - 12	Modifications to the Monitoring Program may be made only upon written approval from the NWB.					

APPENDIX I. THE CAPITAL PLANNING PROCESS FLOWCHART

DRAFT



The Capital Planning Process



**APPENDIX J. DRAFT MULTI-PARTY INTEGRATED PROCESS
FRAMEWORK**

DRAFT

APPENDIX K. DRAFT COMMUNICATIONS STRATGEY

DRAFT

<DRAFT COMMUNICATION STRATEGY TO BE DRAFTED BY NWB AND
INSERTED>

DRAFT

APPENDIX L. LIST OF ACRONYMS

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ACRONYMS

CAO	Chief Administrative Officer
CSIF	Canada Strategic Infrastructure Fund
CEAA	Canadian Environmental Assessment Act
CEPA	Canadian Environmental Protection Act
CCME	Canadian Council Ministry of the Environment
DFO	Department of Fisheries and Oceans Canada
DIO	Designated Inuit Organization
EC	Environment Canada
EPO	Environmental Protection Officer
EPA	Environmental Protection Act
FAQ	Frequently Asked Questions
FMB	Financial Management Board
FTP	File Transfer Protocol
GN-DoE	Government Nunavut – Department of Environment
GN-CGS	Government Nunavut – Department of Community Government and Services
GN-HSS	Government of Nunavut – Health and Social Services
GTI	Gas Tax Initiative
HADD	Habitat, Alteration, Disruption, or Destruction
HTO	Hunters and Trappers Organization
ICCP	Interdepartmental Committee for Capital Planning
ICSP	Integrated Community Sustainability Plan
INAC	Indian and Northern Affairs Canada <small>(also known as DIAND)</small>
IOL	Inuit Owned Lands
IPG	Institution of Public Government
KIA	Kivalliq Inuit Association
KRLUP	Keewatin Regional Land Use Plan
LPA	Local Project Area
MOU	Memorandum Of Understanding
MRIF	Municipal Rural Infrastructure Fund
MST	Mountain Standard Time
NAPEG	Nunavut Association of Professional Engineers and Geoscientists
NAM	Nunavut Association of Municipalities
NBRLUP	North Baffin Regional Land Use Plan
NCIAC	Nunavut Community Infrastructure Advisory Committee
NIRB	Nunavut Impact Review Board
NLCA	Nunavut Land Claims Agreement (Agreement Between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada)
NNI	Nunavummi Nangminiqagtunik Ikajuuti
NNLP	No Net Loss Plan
NPC	Nunavut Planning Commission
NSA	Nunavut Settlement Area
NTI	Nunavut Tunngavik Incorporated
NTWR	Northwest Territories Waters Regulations
NSA	Nunavut Settlement Area
NWB	Nunavut Water Board
NWNSRTA	Nunavut Waters Nunavut Surface Rights Tribunal Act

PDF	Portable Document Format
PHC	Pre-Hearing Conference
PSIR	Project Specific Information Requirement
RPA	Regional Project Area
SAO	Senior Administrative Officer
SARA	Species At Risk Act
SIG	Supplemental Information Guideline
TEQ	Toxic Equivalency
TM	Technical Meeting
TSD	Technical Services Division
WHMIS	Workplace Hazardous Material Information System

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