



ᓄᓇᓂᓪ ᐃᓕᓕᓂᓪᓴᓪ ᑲᓂᓕᓂᓪᓴᓪ
NUNAVUT WATER BOARD
NUNAVUT IMALIRIYIN KATIMAYINGI
OFFICE DES EAUX DU NUNAVUT

File No.: Licence 1BR-CLI0914

September 14, 2015

Brian Aglukark
Director of Planning & Implementation
Nunavut Planning Commission
P.O. Box 419
Arviat, NU X0C 0E0

Email: aglukark@nunavut.ca

Subject: Licence No. 1BR-CLI0914 – Application for Amendment and Renewal

Dear Mr. Aglukark:

On July 22, 2014, the Nunavut Water Board (NWB or Board) received an application for the renewal and amendment of Licence No. 1BR-CLI0914 (the Application) from Aboriginal Affairs and Northern Development Canada (AANDC), to allow for water use and waste disposal associated with a long-term monitoring program at the PIN-B Clifton Point Site, located approximately 220 km northwest of the Hamlet of Kugluktuk, within the Kitikmeot Region of Nunavut. The undertaking has never required a conformity determination as it falls outside of an area with an approved Land Use Plan, and on January 15, 2009, the Nunavut Impact Review Board (NIRB) issued a 12.4.4(a) screening decision, allowing the project to proceed subject to project-specific recommended terms and conditions.¹ Importantly, the scope of activities listed under the amendment and renewal application are significantly reduced compared to the predecessor Licence No. 1BR-CLI0914, as the undertaking has progressed from active remediation to long-term monitoring activities.

Following receipt of the Application, the NWB determined that additional information was required before the Application could be considered to be complete. Consequently, the NWB withheld the distribution of the Application for external review—and thereby its notice to the NPC and the NIRB to initiate their reviews—until the Proponent responded to a request for additional information submitted by the NWB on December 4, 2014. AANDC responded to the request on July 27, 2015, and after finding the submitted information satisfactory, the NWB deemed the Application complete and distributed the Application for external review on August 12, 2015. Also on this date, the NWB requested the NPC confirm its conformity

¹ Nunavut Impact Review Board (NIRB) Screening Decision dated September 16, 2009.

determination and the NIRB determine whether the project requires screening.

The NIRB informed the NWB on August 28, 2015, that under the *Nunavut Planning and Project Assessment Act* (the NuPPAA), which came into effect July 9, 2015, a proponent of a project must submit a proposal to the NPC for review before the NIRB is able to comment on screening.² From this communication, the NWB understands that the NIRB requests the project proposal (which includes the Application) be resubmitted to the NPC, which could result in a delay for the regulatory assessment and licensing process for this undertaking as it may, in effect “restart” the entire process. Given that this undertaking has previously been reviewed by the NPC and the NIRB, the undertaking falls outside of an approved Land Use Plan, and given the significant reduction of activities—and associated risks to the environment—presented in the current application, the NWB hopes, that this outcome and associated delays can be avoided by the NWB working with the NPC and the NIRB to streamline, to the extent possible, the next steps as required under NuPPAA.

The NWB’s Request:

Recognizing that the determination of the extent to which NuPPAA applies to a given project remains with the NPC, the NWB requests that the NPC review the project proposal as outlined in the Application and provide the Board with its determination regarding (a) whether this activity constitutes a project under NuPPAA; (b) if so, whether the project proposal is in conformity; and (c) if in conformity, whether or not the project is exempt from screening under Schedule 12-1. All information and communication related to the Application since it was received by the NWB in July 2014, can be found on the NWB’s public registry at: <http://nwb-oen.ca/public-registry>, but please let us know if we may be of assistance in providing you with any of the supporting documentation associated with this file directly.

If you have any questions arising from the NWB’s request or this correspondence, please contact the NWB’s Licensing Department at (867) 360-6338 or by email to licensing@nwb-oen.ca

Regards,



Brady MacCarl
Technical Advisor

cc: Charlotte.Lamontagne@aandc.gc.ca
Lilianne.Kydd@aandc-aadnc.gc.ca
phyllis.beaulieu@nwb-oen.ca
pscholz@nunavut.ca

² Electronic Communication from Jaida Ohokannoak (NIRB), to Phyllis Beaulieu (NWB), August 28, 2015, Re: *NWB File Nos. 8BC-MEL--- ; 1BR-CL10914 and 2BE-MEA1318.*