



March 27, 2014

Our reference
IQALUIT-#788982

Your reference
1BW-DUV1214

Megan Porter
Licensing Administrator Assistant
Nunavut Water Board
GJOA HAVEN, NU X0E 1J0

**Re: Aboriginal Affairs and Northern Development Canada Review of Fisheries and Oceans
Canada's Application to Assign Water Licence #1BW-DUV1214 to the Hamlet of
Pangnirtung**

Dear Ms. Porter:

Thank you for your email of March 4, 2014, concerning the above mentioned application. A memorandum is provided for the Board's consideration. Comments have been provided pursuant to the Department's mandated responsibilities under the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* and the *Department of Indian Affairs and Northern Development Act*.

Please do not hesitate to contact me by telephone at 867-975-4555 or email at david.abernethy@aandc-aadnc.gc.ca for further information.

Regards,

**David W.
Abernethy**

Digitally signed by David W. Abernethy
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Affairs and Northern Development Canada,
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David Abernethy
Regional Coordinator
Water Resources Division
Resource Management Directorate
Aboriginal Affairs and Northern Development Canada
IQALUIT, NU X0A 0H0

Encl.

c.c.: Ian Parsons, A/Manager of Water Resources, AANDC Nunavut
Erik Allain, Manager of Field Operations, AANDC Nunavut
Phyllis Beaulieu, Manager of Licensing, NWB



Memorandum

To: Megan Porter, Nunavut Water Board

From: David Abernethy, Aboriginal Affairs and Northern Development Canada

CC: Ian Parsons (AANDC), Erik Allain (AANDC), and Phyllis Beaulieu (NWB)

Date: March 27, 2014

Re: **Application to Assign Water Licence #1BW-DUV1214**

Licensee: Fisheries and Oceans Canada
Assignee: Hamlet of Pangnirtung
Project: Pangnirtung Small Craft Harbour

Comments:

A. Background

On March 4, 2014, the Nunavut Water Board (the "NWB") provided notification of Fisheries and Oceans Canada's application to assign water licence #1BW-DUV1214 to the Hamlet of Pangnirtung. This licence authorizes the use, maintenance, and eventual abandonment of a watercourse crossing (Duval River) and associated drainage redirection structure that were constructed in support of the Pangnirtung Small Craft Harbour Project.

Fisheries and Oceans Canada's application form includes

- a) A signed application for assignment and declaration of licensee;
- b) A signed undertaking of proposed assignee;
- c) A signed affidavit of execution, undertaking of proposed assignee; and
- d) Water licence application fee payment (\$30.00)

Furthermore, a project summary and written confirmation that the Hamlet of Pangnirtung will assume responsibility for the licensed undertaking were provided.

The Duval River Crossing and associated drainage redirection structure were constructed in October 2009 by Fisheries and Oceans Canada to facilitate the construction of the Pangnirtung Small Craft Harbour Project. Construction of the harbour was completed in September 2013. The Duval River Crossing consists of metal culverts and rock fill. This crossing is required for heavy equipment access to the municipal quarry.

Interested parties were asked to review this application and provide comments by April 4, 2014.



B. Results of review

On behalf of Aboriginal Affairs and Northern Development Canada, the following recommendation is provided:

1. No issue with assignment of licence

Comment: It would be prudent for water licence #1BW-DUV1214 to be assigned from Fisheries and Oceans Canada to the Hamlet of Pangnirtung because the Small Craft Harbour Project has been completed and the Hamlet of Pangnirtung will continue to use the Duval River Crossing to access its municipal quarry.

Recommendation: AANDC has no issue with the licence assignment application.

Prepared by David Abernethy