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NUNAVUT WATER BOARD
NUNAVUT IMALIRIYIN KATIMAYINGI
OFFICE DES EAUX DU NUNAVUT

File No.: **1BW-DUV1214/Assignment**

April 24, 2014

Dean Calder
Fisheries and Oceans Canada
Small Craft Harbours Branch
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Karen Mellor SAO
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Subject: Assignment of Licence 1BW-DUV1214, Type 'B'

Dear Mr. Calder and Ms. Mellor:

The Nunavut Water Board (NWB or Board) acknowledged receipt on March 4, 2014 of a complete application and supporting documents (Application) submitted by the Department of Fisheries and Oceans (DFO) Canada for the assignment of Licence 1BW-DUV1214 to the Hamlet of Pangnirtung pursuant to s. 44 of the Nunavut Waters and Nunavut Surface Rights Tribunal Act (*Act*).

The NWB gave public notice of the Application on March 4, 2014 and invited interested persons to make representation to the Board on or before April 4, 2014. The Board received submissions¹ from two intervening parties: Aboriginal Affairs and Northern Development Canada (AANDC) and Environment Canada (EC). The intervening parties in their submissions did not provide objections to any potential decision by the Board to issue or not issue the assignment.

The Board has taken into consideration the interveners' submissions, the history of the file as well as the nature of the undertaking and is satisfied that the operation of the appurtenant undertaking by the assignee is unlikely to result in any contravention of terms and condition in the licence or provisions in the *Act* or *Regulations*. Therefore, in accordance with s. 44(2) of the *Act*, the **Board hereby authorizes the assignment (Motion #: 2014-B1-005) of Water Licence 1BW-DUV1214 from:**

¹ Aboriginal Affairs and Northern Development Canada (AANDC), April 4, 2014; and Environment Canada (EC), April 4, 2014.

the Assignor, the Department of Fisheries and Oceans (DFO) Canada
to
the Assignee, the Hamlet of Pangnirtung

to be effective on the date of this letter, which will be placed in the NWB's Public Registry.

The Board takes this opportunity to inform the Hamlet of Pangnirtung that effective upon the date of this letter, all terms and conditions of the licence remain in effect under the assignment. Sections 85 to 94 of the Nunavut Waters & Surface Rights Tribunal Act include provisions for enforcement of the water licence as assigned by the NWB. The Minister of Aboriginal Affairs and Northern Development Canada (AANDC) has the power to designate Inspectors and Analysts responsible for inspection and compliance. The NWB requests that the Hamlet contact the Inspector at AANDC's District Office in Iqaluit to obtain a copy of any enforcement documents related to this Licence.

Apart from the above, the NWB would like to take this opportunity to remind the Hamlet that Licence 1BW-DUV1214 is set to expire on July 16, 2014. The Board recommends that any renewal application submitted for the licence be filed at least three (3) months prior to the expiry of the licence. The Licensee should note that the renewal application and supporting documents should include updated managements plans indicating that the Hamlet is current Licensee.

Sincerely,



Thomas Kabloona
Nunavut Water Board, Chair

TK/sj/mp

Cc: Distribution List – Qikiqtani

Attached: Comments – AANDC, EC