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NUNAVUT WATER BOARD  
NUNAVUT IMALIRIYIN KATIMAYINGI  
OFFICE DES EAUX DU NUNAVUT

**NWB File No: 3AM-ARV1016/  
Renewal-Amendment Application**

September 17, 2020

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X0C 0E0

Sarah Collins P. Eng  
Government of Nunavut - Community and  
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**Subject: Application for Renewal-Amendment to Water Licence No: 3AM-ARV1016;  
Hamlet of Arviat**

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Dear Steve England and Sarah Collins,

The NWB received on September 16, 2020 information pertaining to the Type “A” Water Licence renewal-amendment application (Application) submitted by the Hamlet of Arviat (the Applicant or Hamlet) via its representative, Government of Nunavut – Community and Government Services (GN-CGS) for Licence No: 3AM-ARV1016.

The information received on September 16, 2020 consisted of the following documents:

- Executive summaries in English and Inuktitut;
- Filled out application form;
- Nunavut Planning Commission conformity determination dated July 29, 2020;
- Nunavut Planning Commission conformity determination dated January 28, 2010;
- Correspondence from the Nunavut Impact Review Board dated April 23, 2010;
- Project location maps;
- *Operation & Maintenance Manual - Arviat Water Treatment Plant* dated November 2019;
- 2019 Annual Report;
- Assignment of representation dated August 12, 2020;
- Water Treatment Facility and Raw Water Storage Engineering Drawings Issued for Construction dated August 2017;
- *Wolf Creek 2019 Hydrologic Assessment* dated March 4, 2020; and
- *Plan for Compliance*, undated.

All information has been placed in the Board's Public Registry and is available from our ftp site using the following link:

<ftp://ftp.nwb-oen.ca/registry/3%20MUNICIPAL/3A/3AM%20-%20Municipality/3AM-ARV1016/1%20APPLICATION/2020%20Renewal/>

On July 29, 2020, the Nunavut Planning Commission (NPC) issued its conformity determination stating that the project proposal was previously reviewed by the NPC, and conformity determinations issued on January 28, 2010 and May 18, 2017 still applied. In addition, the NPC noted that the project proposal is exempt from screening by the Nunavut Impact Review Board (NIRB) as described within s. 12.4.3 of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act (NWNSRTA or Act)*.

The NWB has conducted a preliminary review of the submission and determined that the Application meets the requirements allowing for public distribution in support of an initial technical assessment. Further, the preliminary review confirms that the Application is for a Type "A" Water Licence, which will require a public hearing in accordance with s. 52<sup>1</sup> of the *NWNSRTA*. All public hearing matters will be carried out in accordance with the Board's *Rules of Practice and Procedure for Public Hearing*, dated May 11, 2005 (*NWB Rules*).

The next step in processing the Application involves a completeness review and an initial technical assessment to determine if all of the necessary information and studies to evaluate quantitative and qualitative effects of your project on the freshwater environment have been provided.

**Accordingly, by copy of this letter, the Board requests that interested parties review the Application and supplemental information for completeness and conduct an initial technical assessment, including identifying any Information Requests (IRs) that the reviewing party requests be filed to enable that party to complete their technical review of the Application. Further, the NWB invites interested parties to comment on the type of Technical Meeting-Pre-Hearing Conference to be held for the application (written, teleconference, or in person as outlined in steps 3 and 5 in the process overview set out below).**

All intervening parties should provide their submissions to NWB's Manager of Licensing at [licensing@nwb-oen.ca](mailto:licensing@nwb-oen.ca) by **October 9, 2020 (3:00 p.m. MT)**.

Following the receipt of comments, the NWB will determine whether the Application is complete, or whether additional information and studies are required (IRs) to evaluate all quantitative and qualitative effects of the undertaking pursuant to s. 48 of the Act. NWB will advise GN-CGS of the Board's determination at that time.

Once the Application has been deemed complete, the following general process will be undertaken. Complete details on the NWB's licensing process are available in NWB Guide 5<sup>2</sup>, and the Board

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<sup>1</sup> *Nunavut Waters and Nunavut Surface Rights Tribunal Act*, section 52 (1) Subject to subsection 37(2), a public hearing shall be held by the Board before it disposes of (a) any application in relation to a licence, unless the application is of a class that is exempted by the regulations from the requirement of a public hearing.

<sup>2</sup> Guide 5 – Processing Water Licence Applications (April 2010).

preserves the right to modify the licensing process, including timelines as may be required to appropriately process this Application.

1. **Notice of the Application**

A notice of the Application will be made in accordance with s. 55(1) of the *Act*. This notice will invite interested persons to make representation to the Board. Parties will be advised of the consequences of failure to respond as outlined in ss. 59 and 60(2) of the *Act*. Furthermore, the Board will distribute notice to the communities and interested parties affected by the application and shall publish the notice in a newspaper of general circulation in the areas that are affected. If there is no such newspaper, the Board shall publish the notice in such other manner as the Board considers appropriate.

2. **Detailed Technical Review**

Interested parties will be invited to undertake a detailed technical assessment or review of the complete application for the undertaking. Parties (interveners and the Applicant) will be encouraged to work cooperatively to address technical issues identified during the review period. Generally, the Board provides at least thirty (30) days for a technical review in advance of a technical meeting. However, to assist the Board in expediting the technical assessment, parties are encouraged to begin their detailed technical assessment as early as possible (during and following the initial request for IRs).

3. **Technical Meeting (TM)/Pre-Hearing Conference (PHC)**

Rule 14 of the NWB *Rules* permits the Board, through its staff or in conjunction with staff, to hold a Technical Meeting (TM) and Pre-hearing Conference (PHC) with interested parties, either in writing, by teleconference, or in person. The Board anticipates setting a date for a TM/PHC shortly after the deadline for receiving technical review submissions. The PHC is typically scheduled to immediately follow the TM.

4. **Pre-Hearing Conference (PHC) Decision**

Following the TM/PHC, the NWB will issue a PHC decision and may outline any technical commitments of the Applicant, and the administrative and procedural requirements for a Public Hearing.

5. **Public Hearing (PH)**

Sub-section 55(2) of the *Act* requires that a minimum notice period of sixty (60) days be provided for a Public Hearing (PH). As with the Technical Meeting and Pre-hearing Conference, the Board has the ability to conduct its PH in writing, by teleconference, or in person. Once the Board has received all information requested through this process and is satisfied that the PH should proceed, the type or place, date, and time of the hearing will be determined and a notice will be published by the Board in advance of the PH and in a manner that promotes public awareness and participation in the hearing.

6. **Public Hearing Decision**

Following the Public Hearing, the Board will issue a written decision with reasons (final decision) for the Application. The Board's final decision will be provided to the Minister of Northern Affairs (Minister) for consideration. Interested and intervening parties will also be provided with a copy of the of the Board's final decision. The Minister typically issues their response to the Board's final decision with forty-five (45) days of receipt, or if notifying the Board of an extension within the forty-five (45) days, within ninety (90) days from the date of receipt.

On this basis, the NWB is inviting interested persons to comment on the following:

- 1) Completeness of the Application based on their initial technical assessment;
- 2) Information Requests (IRs) related to the Application that must be provided to enable the parties to complete their full technical review; and
- 3) Type of a Technical Meeting (TM)/Pre-Hearing Conference (PHC) to be held.

All comments, recommendations and any requests for information (IRs) should be submitted to the NWB's Manager of Licensing at [licensing@nwb-oen.ca](mailto:licensing@nwb-oen.ca) no **later than October 9, 2020 (3:00 p.m. MT)**.

If you have any questions regarding the above or procedural matters, please contact Richard Dwyer, Manager of Licensing, at (867) 360-6338 or by e-mail to [licensing@nwb-oen.ca](mailto:licensing@nwb-oen.ca). For inquiries related to technical matters, please contact Assol Kubeisinova, Technical Advisor, at (867) 360-6338 ext. 31 or by email to [assol.kubeisinova@nwb-oen.ca](mailto:assol.kubeisinova@nwb-oen.ca).

Sincerely,

Richard Dwyer  
Manager of Licensing

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Cc: Kivalliq Distribution