

<p style="text-align: center;">1</p> <p style="text-align: center;">NUNAVUT WATER BOARD</p> <p style="text-align: center;">Public Hearing for Licence No. 3AM-ARV1016 Renewal - Amendment Application</p> <hr/> <p style="text-align: center;">HEARING VOLUME 1</p> <hr/> <p style="text-align: center;">Arviat, Nunavut May 31, 2022</p>	<p style="text-align: right;">2</p> <p style="text-align: center;">TABLE OF CONTENTS</p> <p>1</p> <p>2</p> <p>3 Description Page</p> <p>4</p> <p>5 May 31, 2022 Morning Session 7</p> <p>6 Opening Remarks 7</p> <p>7 Roll Call 18</p> <p>8 ELAN CHALMERS and MEGAN LUSTY, Affirmed 22</p> <p>9</p> <p>10 May 31, 2022 Afternoon Session 24</p> <p>11 Presentation by Applicant, Hamlet of Arviat 24</p> <p>12 Questioning of Applicant, Hamlet of Arviat 32</p> <p>13 ANDREW KEIM and VINCENT OKONKWO, Affirmed 43</p> <p>14 Presentation by Crown-Indigenous Relations and 44</p> <p>15 Northern Affairs Canada</p> <p>16 Questioning of Crown-Indigenous Relations and 52</p> <p>17 Northern Affairs Canada</p> <p>18 VICTORIA SHORE and ANNE WILSON, Affirmed 58</p> <p>19 Presentation by Environment and Climate Change 59</p> <p>20 Canada</p> <p>21 Questioning of Environment and Climate Change 64</p> <p>22 Canada</p> <p>23 Closing Remarks by the Hamlet of Arviat 65</p> <p>24 Closing Remarks by Crown-Indigenous Relations and 67</p> <p>25 Northern Affairs Canada</p> <p>26 Closing Remarks by Environment and Climate Change 68</p>
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<p>5</p> <p>1 Proceedings taken at John Ollie Complex, Arviat, 2 Nunavut 3 _____ 4 May 31, 2022 Morning Session 5 6 NUNAVUT WATER BOARD 7 L. Toomasie Chair of Hearing 8 S. Silou Panel Member 9 E. Uniuqsaraq Panel Member 10 11 NUNAVUT WATER BOARD STAFF 12 K. Kharatyan Director of Technical Services 13 B. Kogvik Director of Board Administration 14 and Communications 15 R. Dwyer Manager of Licensing 16 A. Kubeisinova Technical Advisor 17 T. Meadows Legal Counsel 18 19 APPLICANT 20 21 HAMLET OF ARVIAT 22 E. Chalmers Municipal Planning Officer 23 M. Lusty Manager Municipal Works 24 A. Kadjuk Director of Community Development 25 26</p>	<p>6</p> <p>1 INTERVENORS 2 3 CROWN-INDIGENOUS RELATIONS AND NORTHERN AFFAIRS CANADA 4 A. Keim Regional Program Director 5 V. Okonkwo Senior Environmental 6 Assessment Specialist 7 8 ENVIRONMENT AND CLIMATE CHANGE CANADA 9 V. Shore Senior Environmental 10 Assessment Officer 11 A. Wilson Technical Expert, Water Quality 12 S. Mallon Environmental Assessment Officer 13 14 INTERPRETERS/TRANSLATORS 15 A. Irkok-Suluk Language Translator 16 B. Suluk Language Translator 17 18 A. Vidal, CSR(A), RMR Official Court Reporter 19 20 C. Coomber Sound Technician 21 _____ 22 23 24 25 26</p>
<p>7</p> <p>1 (PROCEEDINGS COMMENCED AT 11:19 AM) 2 Opening Remarks 3 THE CHAIR: Good morning. It's still part 4 of the morning but almost at noon. Thank you. Thank 5 you for giving us hospitality here in Arviat. 6 Good morning and welcome to the public hearing 7 associated with an application filed by the Hamlet of 8 Arviat via representative, Government of Nunavut, 9 Community Government Services, to renew and amend 10 its expired Type "A" Water Licence to authorize changes 11 to the use of water and deposit of waste associated 12 with the Hamlet of Arviat's municipal undertaking. 13 My name is Lootie Toomasie, and I am the Chair of 14 the Nunavut Water Board and the NWB hearing Chair for 15 this public hearing. 16 Before we proceed with the hearing, please let us 17 begin with prayer. Let us stand and pray. 18 Opening Prayer 19 THE CHAIR: And on behalf of the Nunavut 20 Water Board, I welcome you to the Hamlet of Arviat. 21 Now to provide some background and set the stage 22 for the hearing, the Nunavut Water Board, which I shall 23 refer to as the "Board" or the "NWB", is an institution 24 of public government created under Article 13 of 25 Nunavut Agreement and Nunavut Waters and Nunavut 26 Surface Rights Tribunal Act. The NWB is responsible</p>	<p>8</p> <p>1 for the use, management, and regulations of freshwater 2 in Nunavut settlement area. 3 The purpose of this public hearing is to review 4 application filed by Government of Nunavut, Community 5 and Government Services, on behalf of the Hamlet of 6 Arviat -- I may refer to it as "GN-CGS" and "hamlet" 7 respectively or the "Applicant" -- to renew and make 8 changes to expired Type "A" water licence for the use 9 of water and deposit waste associated with municipal 10 undertaking at the Hamlet of Arviat. 11 The Hamlet of Arviat obtains its water from Wolf 12 Creek, located 8 kilometres southwest of the hamlet. 13 Sewage is trucked to a sewage lagoon approximately 14 2.8 kilometres southwest of the hamlet. Effluent seeps 15 at a slow continuous rate through the exfiltration 16 lagoon berm and into the wetland treatment area. The 17 effluent travels through the wetland treatment area 18 towards Hudson Bay, approximately 100 metres from the 19 discharge point. The Hamlet of Arviat solid waste 20 management facilities consist of a landfill solid -- 21 waste disposal area -- bulky metals area, and hazardous 22 waste storage area. 23 As set out in Section 13.3.6 of Nunavut Agreement 24 and Section 29 of Nunavut Waters and Nunavut Surface 25 Rights Tribunal Act, the Board has delegated its power 26 to dispose of all matters related to the processing of</p>

<p style="text-align: right;">9</p> <p>1 the application to renew and amend Type "A" Licence  2 Number 3AM-ARV1016, including the conduct of this  3 public hearing, to a panel of the Board, which is  4 referred to as the "Arviat Panel" or "P16 Panel".  5 I will be chairing this Panel, and with me today  6 as members of the Panel are Board Members Sarah Silou  7 on my right, and to my left is Eelai Uniuqsaraq.  8 Several staff members who have contributed to  9 the NWB's administration and technical review of the  10 application are present with legal counsel to the  11 Board, and I will introduce individuals in attendance:  12 Karen Kharatyan. Sorry, Karen. I never pronounce it  13 properly. Your last name, I never ever pronounce that  14 properly.  15 He's a technical -- director of technical  16 services. Ben Kogvik, director of Board administration  17 and communications. Richard Dwyer, manager of  18 licencing at the back -- down by the front. Also,  19 Kubeisinova, technical advisor. And Teresa Meadows  20 from Meadows Law, legal counsel to the Board.  21 In addition, we have three interpreters available  22 for simultaneous interpretation: Ben Kogvik, in-house  23 interpreter to the Board; and Bobby Suluk and Angeline  24 Irluk-Suluk who are from Arviat.  25 For audio support, we have Chris Coomber from PIDO  26 Productions. If you experience any difficulties with</p>	<p style="text-align: right;">10</p> <p>1 your headset, Chris is able to provide assistance.  2 To ensure we have accurate recording -- accurate  3 record of the proceedings, we have with us a court  4 reporter, Andres Vidal from Dicta Court Reporting  5 Incorporated.  6 Before I move on to an overview of this  7 application and what to expect today during this public  8 hearing, we -- there's some important housekeeping  9 items for everyone here. First, as indicated earlier,  10 there's interpretation available throughout the hearing  11 in English and Inuktitut. So the Channel 1 is floor;  12 Channel 2 is English; and Channel 3, Inuktitut.  13 Secondly, the Board appreciates everyone,  14 including Applicant, intervenors, and members of the  15 public, sign in on the sheets located at the table as  16 you come in. This is an important record of the  17 hearing, and we appreciate your help in making sure it  18 is complete.  19 Thirdly, the agendas for the public hearing and  20 community session are available at the desk at the --  21 by entrance. Please pick one up and follow along with  22 us as we proceed.  23 The washrooms are located in the entrance to the  24 hall, and the exits are in the front and the back of  25 the building and in the entrance to the hall. There  26 will be coffee available here in the room in this hall,</p>
<p style="text-align: right;">11</p> <p>1 tea and snacks during the break throughout the hearing,  2 and you are welcome to help yourself throughout the  3 day.  4 I will also like to remind everyone to please turn  5 off your cell or put it on to silent before we begin.  6 Finally, to assist both our court reporter and  7 interpreters, please wait to have microphones before  8 you speak. Then state your name, speak clearly and  9 slowly, and avoid the use of abbreviations. We  10 appreciate your assistance in making sure your comments  11 are recorded and the Board's record of proceedings are  12 accurate and complete.  13 I would like to notify participants that the  14 media is -- is there media? No. Okay. There's no  15 media, so I'll skip this -- the notes here. And CBC is  16 not here? No. Okay. Thank you.  17 In the past, parties in other proceedings have  18 approached the media, if the media happens to get here,  19 prior to the release of the Board's decision suggesting  20 comments about what the Board is going to do either  21 procedurally or in terms of the final result.  22 Since the Board cannot comment on pending matters  23 either by confirming or denying accuracy of the  24 statements by others to the media, the Board asks all  25 parties to refrain from making any comments that may  26 imply a certain action or decision by the Board.</p>	<p style="text-align: right;">12</p> <p>1 Following the close of the record for this public  2 hearing, the Board's decisions and recommendations with  3 respect to the renewal-amendment application will be  4 communicated in a publicly available decision report.  5 Until that time, the Board reminds everyone that the  6 Panel members and Board staff will not discuss the  7 substance of the hearing or the matters before the  8 Board with any of the parties or media.  9 If you have questions regarding the Board and its  10 practice procedures -- or procedures, please speak with  11 the director of technical services, and he will assist  12 you.  13 Prior to identifying and introducing all of the  14 parties in attendance today, I will provide a brief  15 history of the application, which are before the Board.  16 As mentioned earlier, the application which is  17 currently before the Board is for renewal-amendment to  18 Type "A" Water Licence Number 3AM-ARV1016 requested by  19 the hamlet's representative, Government of Nunavut,  20 Community and Government Services.  21 The scope of the proposed amendments including  22 the following: Renewal of expired licence with a new  23 term of ten years; increased water use from 86,000 to  24 235,393 cubic metres annually from Wolf Creek to meet  25 the current and future water demands of the community;  26 operation of three already constructed and commissioned</p>

<p style="text-align: right;">13</p> <p>1 water storage reservoirs, a water treatment plant, and  2 a truck fill station; operation of a solid waste  3 disposal facility; operation of and upgrades to the  4 existing sewage lagoon; construction of a new sewage  5 lagoon.  6 And I will now provide a summary of the main  7 documents that GN-CGS provided to the Board in support  8 of the application to renew and amend the water  9 licence.  10 The water licence application and various  11 attachments for Licence Number 3AM-ARV1016. These  12 applications include main application documents,  13 executive summary in English and Inuktitut, letter to  14 NWB, NPC conformity determinations, NIRB screening  15 decision and report, compliance assessment.  16 In addition, GN-CGS provided various new and  17 updated management plans for the Board and the parties  18 to review. GN-CGS also provided updated information  19 regarding expansion plans for the site, including the  20 engineering's drawings for the constructed  21 infrastructure.  22 GN-CGS also filed a number of documents in  23 response to technical comment submissions from the  24 intervenors and the Board. Additional information was  25 also submitted to the Board by GN-CGS to fulfill  26 commitments made by Applicant during the NWB's</p>	<p style="text-align: right;">14</p> <p>1 technical meeting and prehearing conference held for  2 the file and on February 22 and 23, 2022.  3 Copies of all the materials filed by Applicant in  4 support of its renewal-amendment application, as well  5 as documents related to the expired licence, are  6 available on the NWB's public registry and the FTP  7 site.  8 In addition, our licence manager, Richard Dwyer,  9 can make available for public viewing at this hearing  10 the electronic copies of the public registry for this  11 application and the key documents for the application  12 received to date. If you are interested in reviewing  13 any of the documentation, please ask Richard.  14 Now I'm going to provide you with a very brief  15 overview of key steps in the procedural history of this  16 application, and it outlines how we got to this public  17 hearing stage.  18 On September 16, 2020, the Nunavut Water Board  19 received the application and supporting documentation  20 from GN-CGS to renew and amend the expired Type "A"  21 water licence associated with the Hamlet of Arviat's  22 municipal undertaking.  23 On December 1, 2021, the Board determined the  24 application was complete and issued notice of the  25 renewal-amendment application. Crown-Indigenous  26 Relations and Northern Affairs, Environment and Climate</p>
<p style="text-align: right;">15</p> <p>1 Change Canada, and Fisheries and Oceans Canada provided  2 technical review comments on the renewal-amendment  3 application by January 25, 2022. GN-CGS filed a  4 response to the technical comments of these parties and  5 the NWB on February 3 and 7, 2022.  6 On February 22 and 23, 2022, the Board conducted  7 its technical meeting, community session, and  8 prehearing conference by teleconference and  9 videoconference.  10 On March 21, 2022, the Board released a prehearing  11 conference decision that summarized the outcome of the  12 technical meeting and prehearing conference held by the  13 Board in February. At the same time, the Board also  14 released the notice of this public hearing and the list  15 of commitments to be fulfilled by Applicant.  16 By April 6, 2022, GN-CGS filed submissions  17 required to be filed prior to the public hearing to  18 meet commitments they made at the technical meeting.  19 On May 3, 2022, the Board has received final  20 written submissions and presentations about the  21 renewal-amendment application from the Crown-Indigenous  22 Relations and Northern Affairs and Environment Climate  23 Change Canada. GN-CGS also provided its final written  24 submissions and presentation materials to the Board as  25 well.  26 On May 26, 2022, the NWB circulated its final</p>	<p style="text-align: right;">16</p> <p>1 agenda for this public hearing. As I mentioned  2 earlier, the final agenda, including translated copies,  3 are available from the table as you enter the hall if  4 you wish to pick one up and follow along.  5 Complete details on all procedural steps and all  6 submissions received in relation to the  7 renewal-amendment application are available on the  8 NWB's FTP site. If you have questions or would like to  9 see any materials, please see Richard at the table as  10 you enter the hall.  11 I will now move on to read the list of issues that  12 will be discussed at this hearing. This list was  13 prepared during the technical meeting and prehearing  14 conference: Changes to the scope of the amended  15 Type "A" water licence to replace expired licence.  16 Operation of existing facilities approved and/or  17 constructed under the expired licence, two cells of the  18 raw water reservoir, existing sewage lagoon, water  19 treatment plant, existing landfill and truck fill  20 station.  21 Removal of facilities that do not exist:  22 Hydrocarbon impacted soil storage and treatment  23 facility and new solid waste disposal facility.  24 Addition of an additional raw water cell  25 commissioned in 2019 in the water reservoir.  26 Proposed upgrade/expansion of existing sewage</p>

<p style="text-align: right;">17</p> <p>1 lagoon cell and construction of new sewage lagoon cell.  2 Term of licence: Ten-year term expired --  3 request. Sorry. It's request. Ten-year term  4 requested.  5 Water use: Increased water use from 86,000 cubic  6 metres to 235,393 cubic metres annually to meet the  7 current and future water demands of the community.  8 Waste disposal: Monthly rather than daily  9 estimates of the quantity of waste -- sewage and solid  10 waste disposed requested by GN-CGS.  11 Inspection program: Removal of the requirement  12 for a geotechnical engineer to conduct annual  13 inspection of a facility.  14 Monitoring program: Removal of the requirement  15 for weekly inspection of monitoring program stations;  16 removal of the requirement to submit paper copies of  17 results and reports; change to effluent limits, CBOD to  18 100 milligram per liter and TSS to 120 milligram -- am  19 I pronouncing that correct? Okay. Thank you -- a  20 liter at the end of the wetland treatment area to meet  21 effluent quality limits determined through multiyear  22 Nunavut-based lagoon wetland treatment research.  23 Relocation of monitoring program station ARV-4  24 upon commissioning of new sewage lagoon.  25 Changes to the sampling program: Removal of  26 acute lethality testing, change sampling from</p>	<p style="text-align: right;">18</p> <p>1 May-August to monthly during thawed out conditions,  2 removal of the monitoring program stations ARV-7 and  3 ARV-8, removal of the monitoring program stations  4 ARV-10 and ARV-11 because they do not exist.  5 Closer and reclamation planning: Removal of  6 prescriptive recommendations regarding reclamation of  7 abandoned facilities as facilities may still be reused.  8 Potential remediation and then repurposing for  9 future expansion of solid waste disposal facility --  10 landfill -- or full reclamation of two abandoned  11 lagoon cells carrying forward by Part G, Item 3 of the  12 Water Licence Number 3AM-ARV1016.  13 If there are no concerns, I would like to move  14 forward to roll call.  15 I will begin with roll call with Applicant, Hamlet  16 of Arviat and representative Government of Nunavut,  17 Community Government Services. Can you please  18 introduce your participants.  19 Roll Call  20 MS. CHALMERS: Thank you.  21 My name is Elan Chalmers. I'm from GN-CGS and  22 with me is Megan Lusty who is also from GN-CGS. Thank  23 you. We also have Amber Kadjuk representing the  24 municipality. She will be returning after lunch.  25 THE CHAIR: Thank you.  26 I will now move -- go to intervening parties,</p>
<p style="text-align: right;">19</p> <p>1 Crown-Indigenous and Northern Affairs, and then after  2 that, it will be Canada and Climate Change Canada --  3 sorry -- Environment Climate Change Canada.  4 We'll start with Crown-Indigenous and Northern  5 Affairs. Go ahead.  6 MR. KEIM: Qujannamiik, Iksivauta. It's  7 Andrew Keim from CIRNAC.  8 And I have with me Vincent Okonkwo, our senior  9 environmental analyst.  10 THE CHAIR: Okay. Thank you.  11 And then Environment and Climate Change Canada.  12 MS. SHORE: Thank you.  13 I am Victoria Shore, a senior environmental  14 assessment officer with Environment and Climate Change  15 Canada. Also online we have Anne Wilson, team lead for  16 water quality expertise, and Stephinie Mallon as the  17 environmental assessment officer. Thank you.  18 THE CHAIR: Thank you.  19 If there are any intervenors that I have not  20 mentioned who would like to speak, please identify  21 yourself. I didn't hear a response. I'll move on.  22 On Item 5, if there is -- it is our tradition to  23 give respect to our Elders. Therefore, at any given  24 time during the proceedings, an Elder may speak to the  25 Applicant that are before the Board. All that we ask  26 is that when the Elder wishes to speak, that they let</p>	<p style="text-align: right;">20</p> <p>1 me or our staff know, and then we can get the  2 microphone to you before you speak so we can ensure  3 your comments are recorded in the transcripts.  4 I would now like to know whether there are any  5 representatives from agencies, associations, et cetera,  6 who have not submitted interventions but would like to  7 make presentation or make -- or share their views about  8 the renewal-amendment application.  9 Are there any members of the general public who  10 would like to make a formal request to make a  11 presentation or speak to the Board during this public  12 hearing? I also want to mention that the Board will  13 also give opportunities to any members of the public  14 who may have questions for GN-CGS or the intervenors  15 throughout the hearing to ask their questions or make  16 comments at the end of the technical presentations of  17 each party and during the community session that will  18 be taking place tonight at 6 PM.  19 I will now turn to the identification of any  20 motions or any objection to the amendment application  21 that are before the Board. Okay. We are now expecting  22 that a motion will be put forward. We continue.  23 We will now proceed with Item 8 of the agenda,  24 presentation by the Applicant. On the Item 8, the  25 Applicant is requested to make a brief presentation on  26 the renewal amendment application before the Board.</p>

<p style="text-align: right;">21</p> <p>1 Okay. Applicant, how much time will you and your 2 representative require? 3 Teresa, can you please swear or affirm the 4 witnesses. Go ahead. 5 MS. MEADOWS: Thank you, Mr. Chair. Teresa 6 Meadows, legal counsel for the Nunavut Water Board. 7 Mr. Chair, perhaps I can suggest that we will 8 swear the -- or affirm the witnesses and do some 9 procedural matters, get their presentation materials on 10 the record, that sort of thing, and then perhaps it's 11 time for a break for lunch given that we are coming up 12 on noon local time, Mr. Chair. 13 THE CHAIR: Okay. Thank you. Thank you 14 for your suggestion. 15 Yeah. We take a lunch for now, and then the 16 Applicant will start after the break of lunch. Thank 17 you. 18 Teresa, go ahead. 19 MS. MEADOWS: Thank you, Mr. Chair. 20 So I'll just do the procedural matters quickly 21 first so that you're all sworn in and ready to go when 22 we come back. So if I can have the witnesses state and 23 spell your name for the record, please. 24 MR. CHALMERS: Elan Chalmers. The first name 25 is E-L-A-N. Last name is Chalmers, C-H-A-L-M-E-R-S. 26 Thank you.</p>	<p style="text-align: right;">22</p> <p>1 MS. LUSTY: And Megan Lusty. First name 2 M-E-G-A-N. Last name L-U-S-T-Y. Thank you. 3 MS. MEADOWS: Thank you. Teresa Meadows, 4 legal counsel for the Nunavut Water Board. 5 So if I can have each of the witnesses state "I so 6 affirm" after I administer the oath. 7 ELAN CHALMERS and MEGAN LUSTY, Affirmed 8 MS. MEADOWS: Teresa Meadows, legal counsel 9 for the Nunavut Water Board. 10 So, Mr. Chair, I have three presentation materials 11 in English, Inuktitut, and French that are the 12 presentation materials I understand that the Government 13 of Nunavut, Community and Government Services, will be 14 presenting. 15 And if I can just confirm with the representatives 16 from the Government of Nunavut CGS that I can file 17 those exhibits as the first three exhibits in the 18 public hearing, Mr. Chair. 19 THE CHAIR: Thank you. So we'll take a 20 break now or -- okay. Sorry about that. Go ahead. 21 MS. LUSTY: Megan Lusty. 22 Yes. Confirmed. Please file those presentations. 23 EXHIBIT 1 - Hard Copy, PowerPoint 24 Presentation, Nunavut Water Board Public 25 Meeting, Water Licence Renewal and Amendment 26 Arviat 3AM-ARV---- (English)</p>
<p style="text-align: right;">23</p> <p>1 EXHIBIT 2 - Hard Copy, PowerPoint 2 Presentation, Nunavut Water Board Public 3 Meeting, Water Licence Renewal and Amendment 4 Arviat 3AM-ARV---- (Inuktitut) 5 EXHIBIT 3 - Hard Copy, PowerPoint 6 Presentation, Nunavut Water Board Public 7 Meeting, Water Licence Renewal and Amendment 8 Arviat 3AM-ARV---- (French) 9 MS. MEADOWS: Thank you, Mr. Chair. 10 Those are my procedural matters. I realize I'm 11 standing between everyone and lunch. So I am finished. 12 Thank you. 13 THE CHAIR: Yeah. I'm moving ahead too 14 fast. Sorry about that. Okay. 15 MS. MEADOWS: Mr. Chair, if you can maybe 16 specify for the people on the call when we will be 17 reconvening, and I'm just sort of looking over my 18 shoulder to the sound people that the link that was 19 sent out can -- will continue to be the link for 20 everyone to sign back in this afternoon. 21 So perhaps -- given that we are about 15 minutes 22 after the hour, perhaps an hour or hour and fifteen. 23 THE CHAIR: Okay. Yeah. That's a good 24 suggestion. So we can come back at 1:15 -- well, 25 1:00 but all these technical is easier -- hard to put 26 in place. So we'll start at -- actually, starting at</p>	<p style="text-align: right;">24</p> <p>1 1:15. 2 MS. MEADOWS: Thank you, Mr. Chair. 3 So that's 1:15 Central Time, and people who are on 4 the -- online can sign back in via the link that we 5 sent out with the agenda. Thank you, Mr. Chair. 6 THE CHAIR: Thank you. Okay. Take a 7 break now for lunch. 8 9 (PROCEEDINGS ADJOURNED UNTIL 1:15 PM) 10 11 (PROCEEDINGS RECOMMENCED AT 1:17 PM) 12 THE CHAIR: Okay. Good afternoon. We may 13 proceed or reconvene from the lunch break. So we have 14 Applicant who have the presentation put in place. 15 Go ahead, Applicant. 16 Presentation by Applicant, Hamlet of Arviat 17 MS. CHALMERS: Thank you. Elan Chalmers, 18 CGS. 19 Will NWB be sharing the presentations, or how will 20 that be working? Thank you. 21 (DISCUSSION OFF THE RECORD) 22 THE CHAIR: Okay. Applicant, you may go 23 ahead now. 24 MR. CHALMERS: Thank you. Elan Chalmers, 25 CGS. 26 This presentation is on behalf of the municipality</p>

<p style="text-align: right;">25</p> <p>1 of Arviat for the renewal and amendment of their  2 municipal water licence. I will begin with a summary  3 of the existing licence.  4 Since the licence expired in 2016, the  5 municipality continued to work towards compliance with  6 the terms and conditions within the licence. This  7 includes submitting annual reports; making major  8 improvements to the solid waste site, including the use  9 of a metal shredder; and carrying out monitoring  10 program sampling as well as participating in CIRNAC  11 inspections.  12 Several projects that impact this licence have  13 also been undertaken by CGS on behalf of the  14 municipality, including an additional raw water  15 reservoir cell, a preliminary design to upgrade and  16 expand the sewage lagoon, and preliminary work to  17 improve the compliance and extend the useful life of  18 the current landfill.  19 This Google Earth image shows the current water  20 and waste infrastructure in Arviat. Each summer, water  21 is pumped from Wolf Creek through an 8-kilometre pipe  22 to a three-cell reservoir which has a combined capacity  23 of 235,000 cubic metres to supply the community over  24 the winter. The cells have been constructed in phases  25 as the community grows since 1988.  26 A hydrology study of Wolf Creek was undertaken in</p>	<p style="text-align: right;">26</p> <p>1 2019 which confirmed that there was sufficient water to  2 supply the community while only diverting .2 percent of  3 flow, which is below the 10 percent maximum allowable  4 by Fisheries and Oceans Canada.  5 The active lagoon has been in use since 2005. It  6 was designed to allow passive flow of effluent into the  7 wetland treatment area in the summer. But in recent  8 years, it requires emergency decant in the spring  9 because it is undersized. Planning and preliminary  10 design for a new lagoon sized for 12 months and to hold  11 20 years of sludge is complete with detailed design  12 expected to begin in -- within the next few weeks.  13 Under this contract, the wetland will be assessed  14 to determine the hydrological behaviour and to  15 determine the appropriate location for the compliance  16 point. There are also two abandoned lagoon cells that  17 will be assessed this summer to determine if they can  18 be repurposed for the solid waste site.  19 The landfill has been in use since 1977, and there  20 is a second area used for metal waste disposal. In  21 2014, the environmental services group Summerhill  22 trained local staff to properly depollute legacy  23 metals. With the training that the community received,  24 they continued to depollute metals and also purchased a  25 metal shredder in 2017 to shred and repurpose the metal  26 as cover material, which has significantly increased</p>
<p style="text-align: right;">27</p> <p>1 the capacity at the landfill.  2 Additionally, the hamlet runs a summer cleanup  3 program each year. There is also an ongoing solid  4 waste improvement project being funded by and managed  5 by CGS. The project will improve compliance, extend  6 capacity, and assess the abandoned lagoon cells to  7 determine if they are suitable to be upgraded to accept  8 solid waste.  9 For the sampling program, the licence holder is  10 requesting to make several modifications, including  11 using the correct name for the water source, removing  12 acute lethality testing, and changing the frequency to  13 monthly during periods of flow rather than identifying  14 specific months.  15 The licensee is also requesting that ARV-7 be  16 removed since the hydrology study indicated that there  17 is an excess of water at Wolf Creek available for the  18 annual resupply.  19 The licensee is requesting to remove ARV-8 since  20 this is inconsistent with other municipal water  21 licences. Typically, the lagoon is inspected and  22 assessed for its ability to maintain 1 metre of  23 freeboard rather than doing a depth measurement. For  24 ARV-10 and ARV-11, they should be removed since this  25 contaminated soil facility was never constructed.  26 Now I will go through the comments received during</p>	<p style="text-align: right;">28</p> <p>1 the technical review phase. The first comment is about  2 the compliance point at ARV-4. The wetland treatment  3 area assessment will take place this summer that will  4 determine the recommended location for the compliance  5 point at the outlet in advance of constructing the new  6 lagoon. The licensee is, however, requesting to amend  7 the effluent quality limits.  8 The second comment is about project timelines for  9 the lagoon and the solid waste projects. CGS submitted  10 updated project timelines to NWB as committed on  11 April 5th with further clarification in the final  12 response letter on May 3rd.  13 The third comment is about developing an  14 abandonment and restoration plan for the landfill. The  15 current landfill will not be closed within the term of  16 the new licence, and then, therefore, a plan is not  17 necessary at this time. The ongoing solid waste  18 project in Arviat intends on making the current  19 landfill useful for at least another 20 years. This is  20 expected to include expansion into the abandoned lagoon  21 cells if possible.  22 The fourth comment is about desludging the active  23 lagoon. Through discussions with CIRNAC, the CIRNAC  24 inspector, it was determined that since the lagoon will  25 be desludged as part of the upgrade project beginning  26 in 2024, desludging at this time is not necessary. The</p>

<p style="text-align: right;">29</p> <p>1 new lagoon will be sized to accommodate 20 years of  2 sludge, but the operations and maintenance plan will  3 still include an assessment and disposal techniques in  4 the event that desludging is required.  5 The fifth comment is about additional monitoring  6 stations. The licensee agrees that a monitoring  7 station sampling effluent discharging from the lagoon  8 should be included in the licence to monitor treatment  9 but should not be used as a compliance point.  10 The final comment from ECCC was about the absence  11 of duplicate sampling information in the QA/QC plan.  12 This has since been revised and resubmitted to the NWB.  13 For CIRNAC, the first comment was about the  14 capacity at the current landfill. The municipality  15 began shredding depolluted metal in 2017 and  16 repurposing it as cover material, which has drastically  17 increased the capacity at the landfill and the metal  18 waste site. There is also an ongoing capital project  19 being managed by CGS to improve the compliance and  20 capacity at the current site.  21 The second comment was about the lagoon design  22 parameters and how the lagoon alone would achieve  23 treatment objectives. Only part of the treatment is  24 achieved through the lagoon with a significant  25 reduction of contaminants coming from the wetland  26 treatment area. The new lagoon will be impermeable to</p>	<p style="text-align: right;">30</p> <p>1 hold effluent until vegetation in the wetland has had  2 time to develop, which is a significant improvement on  3 the existing facility. The pump-out will occur below  4 the 2,500-cubic-metre-per-day limit to optimize  5 residency time in the wetland and preserve the health  6 of the final receiving environment.  7 The third comment from CIRNAC was in regard to the  8 error in the sewage facility operations and maintenance  9 plan. This has since been revised and resubmitted to  10 NWB.  11 The fourth comment from CIRNAC was about how  12 potential leaks would be managed. The new lagoon will  13 use the same wetland and effluent treatment area --  14 sorry. Pardon me. So a leak would travel into the  15 current wetland area since this area will be reused.  16 The detailed designed is expected to include a  17 subsurface drainage system as well to capture leaks as  18 an additional barrier. If leaks are detected, repairs  19 to the liner will be initiated.  20 The fifth comment is about the removal of inactive  21 monitoring stations. The licensee is requesting to  22 remove ARV-10 and 11 since the impacted soil facility  23 was never constructed and these stations do not exist.  24 The final comment from CIRNAC is about sludge  25 removal. The new lagoon will be sized to hold sludge  26 for 20 years. However, the new operation and</p>
<p style="text-align: right;">31</p> <p>1 maintenance plan will include a sludge management plan  2 if the sludge should accumulate more rapidly.  3 We received one comment from DFO, Department of  4 Fisheries and Oceans. Their comment was about the fish  5 screen at Wolf Creek where water is withdrawn. This  6 will be investigated further this summer once it's  7 accessible, and if the screen does not meet the  8 requirements, actions will be initiated to replace it.  9 Finally, I will summarize the amendment requests  10 on the next few slides. The licensee is requesting a  11 ten-year licence term with a maximum annual withdrawal  12 that matches the capacity of the raw water reservoirs.  13 The consumption by the community is not expected to  14 exceed this in the next ten years.  15 As mentioned earlier, several changes are being  16 requested for the sampling monitoring program. The  17 licensee is requesting to change the effluent quality  18 limits to CBOD/TSS 100/120 milligrams per liter, which  19 is in line with the Nunavut-based lagoon wetland  20 research.  21 The licensee is also requesting to remove the  22 language around the soil treatment facilities since  23 this was never constructed. The licensee is requesting  24 to remove the requirement for an annual dam safety  25 inspection by a geotechnical engineer. Since this does  26 not match the relevant guidelines, the licensee is also</p>	<p style="text-align: right;">32</p> <p>1 requesting to remove prescriptive language on how to  2 carry over remediation activities since this would be  3 decided by a professional engineer.  4 As assessed earlier, the licensee is requesting to  5 remove ARV-8 and ARV-9 since there are more practical  6 means to monitor these factors. The licensee is  7 requesting to remove the requirement for a weekly  8 inspection report and to change the language of  9 sampling frequency to reflect when flow is actually  10 observed.  11 Finally, the licensee is requesting to remove  12 acute lethality testing as well as the requirement to  13 submit paper documents. That is the end of our  14 presentation. Thank you very much.  15 THE CHAIR: Thank you, Applicant, for your  16 presentation.  17 I now open up for questions. I'd like to start  18 with Crown-Indigenous and Northern Affairs. If you  19 have any questions to the Applicant's presentation, you  20 may go ahead.  21 Questioning of Applicant, Hamlet of Arviat  22 MR. OKONKWO: My name is Vincent Okonkwo,  23 senior environmental specialist, Crown-Indigenous  24 Relations and Northern Affairs Canada.  25 CIRNAC has no questions at this time.  26 THE CHAIR: Okay. Thank you.</p>



<p style="text-align: right;">33</p> <p>1 Sometimes it's kind of difficult to understand  2 what's going on without face -- in -- person not in  3 person. So it's okay, but okay. Move on.  4 Next intervenor, Environment and Climate Change  5 Canada. If you have any questions to the Applicant,  6 their presentation, you may go ahead.  7 MS. WILSON: Thanks very much. It's Anne  8 Wilson with ECCC. And I certainly wish I was in the  9 room with everyone. It's nice to see you all on-screen  10 nonetheless.  11 I have a question about the closure planning.  12 When we were at the technical meeting, CGS agreed to a  13 path forward of outlining the timing to develop a  14 closure plan for the facilities. And in the old  15 licence, the trigger is the actual date of closure.  16 Six months before that is when the plans would have to  17 be submitted.  18 And I'm thinking of the case of the old lagoon  19 cells, that they're proposing to decide whether or not  20 they can be repurposed, and then there would be a  21 one-year time frame before -- that acts as a trigger  22 for having to submit their closure plan.  23 So our concern raised in our comments was just  24 whether there would be sufficient time in closure  25 planning to do any needed studies or advanced work  26 prior to the actual closure itself.</p>	<p style="text-align: right;">34</p> <p>1 So my question is -- and sorry for the  2 wordiness -- what is CGS thinking about timing for  3 triggering submission of a final closure plan, or are  4 they open to, as somewhat discussed previously,  5 submitting an interim closure plan that would then just  6 outline the path forward? Thanks.  7 MR. CHALMERS: Elan Chalmers, GN-CGS. Thank  8 you for your question, Anne.  9 So we're proceeding with an assessment of the  10 lagoons imminently within the next two months or so.  11 So we should have an answer on whether those lagoon  12 cells can be repurposed by the fall.  13 But acknowledging that that wouldn't include a  14 closure plan, with the lagoon contract that we've also  15 put out and have awarded this week, that includes a  16 provisional item of developing an abandonment and  17 restoration plan for those lagoons should they not be  18 suitable for reuse.  19 So we could provide that, if necessary, by the end  20 of the fiscal year, so March 2023. Thank you.  21 THE CHAIR: Thank you.  22 Any more questions from Environment and Climate  23 Change Canada?  24 MS. WILSON: Anne Wilson, ECCC. I think  25 that covers things. Thanks very much.  26 THE CHAIR: Thank you. Thank you for your</p>
<p style="text-align: right;">35</p> <p>1 questions.  2 Number 1 in our agenda, do any members of the  3 public have any questions for the Applicant about the  4 renewal-amendment application? Okay. There's none.  5 Item 10. Now we turn to Item 10 in our agenda.  6 Do the Board staff have any questions to the Applicant?  7 Karen, go ahead.  8 MR. KHARATYAN: Karen Kharatyan, Water Board.  9 Thank you, Mr. Chair. I will start with a few  10 clarifications requested. Then I also may continue  11 with questions.  12 The first is with respect to ARV Number 4  13 monitoring station, just to clarify that GN-CGS doesn't  14 request to change the description but just the  15 geographical location once these wetland treatment --  16 or wetland assessment is done.  17 MR. CHALMERS: Elan Chalmers, GN-CGS.  18 Yes. That's correct. Thank you.  19 MR. KHARATYAN: Karen Kharatyan, Water Board.  20 Thank you.  21 The next clarification, yes, I would like to hear  22 is with respect to upgrade of -- upgrade to sewage  23 lagoon and the future construction of a new cell,  24 whether GN-CGS or Applicant expect to have enhanced  25 treatment of sewage after upgrades or after even  26 construction of new cell.</p>	<p style="text-align: right;">36</p> <p>1 MR. CHALMERS: Elan Chalmers, GN-CGS.  2 Yes. There will be enhanced treatment. So with  3 the current lagoon, the effluent is either pumped out  4 in the spring before it's had a chance to biodegrade  5 within the lagoon, and then it's subject to a large  6 amount of dilution.  7 So there is not a lot of treatment that's actually  8 happening currently. It's just being diluted and moved  9 quickly through the wetland treatment area. So with  10 the new design, it will be held until the end of  11 summer when the wetland treatment area has had a chance  12 to develop its vegetation and that it will be slowly  13 released there and have an opportunity to biodegrade  14 properly. Thank you.  15 MR. KHARATYAN: Thank you. Karen Kharatyan,  16 Water Board.  17 In that case, yes, thank you for clarification or  18 for your feedback. I'm just wondering if GN-CGS  19 expects some improvement of sewage quality. Why do you  20 think you will not be able to meet the existing  21 criteria at the final discharge point? Why GN-CGS is  22 requesting to change the criteria?  23 MR. CHALMERS: Elan Chalmers, GN-CGS.  24 Currently, the effluent is being diluted, which is  25 why the levels are so low. So if -- so dilution is not  26 treatment. And moving forward, the effluent that will</p>

<p style="text-align: right;">37</p> <p>1 be pumped out will be more concentrated, but it will  2 have an opportunity to have treatment within the  3 wetland treatment area.  4 Plus, we have also commissioned extensive waste  5 water research within Nunavut, and the level of 100/120  6 for CBOD/TSS can be consistently met by this type of  7 treatment while preserving the health of the receiving  8 environment. So we would also like to standardize this  9 type of facility to have the same treatment parameters  10 across the territory. Thank you.  11 MR. KHARATYAN: Thank you, Karen Kharatyan,  12 Water Board.  13 Just for your information -- or you may know that  14 this criteria is from site to -- on the basis of site.  15 So I am not sure how we can standardize the criteria  16 from one community to another community. Yes. Yeah.  17 You know which guideline Water Board is using, so these  18 limits are a factor of receiving environment and waste  19 water quantity generated, yes, or discharge per day.  20 And, again, let me -- maybe, to state that, as you  21 mentioned, wetland assessment will be conducted this  22 summer. So I am just assuming you are not a hundred  23 percent sure whether your wetland feel -- or may  24 potentially allow to treat the sewage at the level that  25 is in compliance with the current limits.  26 MR. CHALMERS: Elan Chalmers, GN-CGS.</p>	<p style="text-align: right;">38</p> <p>1 So as part of the wetland assessment, they will be  2 assessing to see if the wetland can meet that 100/120,  3 and should it not be able to, they will recommend  4 modifications to the wetland to be able to meet those  5 levels. Thank you.  6 MR. KHARATYAN: Thank you. Karen Kharatyan,  7 Water Board.  8 I'm just wondering about the timing of this study  9 like you mentioned in summary -- in summer to 2022,  10 whether NWB may expect a result of report after this  11 study and when we may expect this.  12 MS. CHALMERS: Elan Chalmers, GN-CGS.  13 So internally we expect the results by the fall,  14 but I wouldn't expect to submit the report until the  15 end of the fiscal year, so March 2023. Thank you.  16 MR. KHARATYAN: Thank you. Karen Kharatyan,  17 Water Board.  18 Last clarification requested with respect to Slide  19 Number 29, when you mentioned about one amendment  20 requested eliminating requirement for geotechnical  21 inspection -- annual geotechnical inspection. I'm just  22 wondering about the alternative that GN-CGS may propose  23 instead of annual geotechnical inspection.  24 MR. CHALMERS: Elan Chalmers, GN-CGS.  25 So, unfortunately, the municipality, nor CGS, has  26 any staff members that are trained to do a dam safety</p>
<p style="text-align: right;">39</p> <p>1 inspection. This is not part of a traditional  2 engineering education. This is something that you  3 would have to seek out on your own to supplement the  4 education you receive as an engineer. So none of us  5 are qualified.  6 I have a civil engineering degree. I am not  7 qualified to do that type of thing, and I don't think  8 it's a fair burden to expect the municipality to hire a  9 geotechnical engineer to do a dam safety inspection.  10 Furthermore, the licence was issued in 2010, and  11 at the time, the guidelines for dam safety had been  12 published in 2007. And since then, there has been a  13 revision in 2013, and the types of structures, the  14 municipalities generally do not require an annual  15 inspection. So I would recommend removing this clause  16 completely. Thank you.  17 MR. KHARATYAN: Karen Kharatyan, Water Board.  18 Just to clarify, removing geotechnical inspection  19 completely or inspection completely?  20 MR. CHALMERS: Elan Chalmers, GN-CGS.  21 I would change the language to have a geotechnical  22 inspection, a dam safety inspection, to be required in  23 the incident that an issue was observed.  24 So, for example, we've had to commission two of  25 these type of reports in the last five years when a  26 leak was identified by hamlet staff. And in that case,</p>	<p style="text-align: right;">40</p> <p>1 we would bring in a third party to do this type of  2 inspection to identify our next steps.  3 So this -- other than having the hamlet staff  4 routinely inspecting and the CGS staff just routinely  5 participating in inspections, a geotechnical  6 investigation should really just be commissioned on an  7 as-needed basis because they are quite expensive, and  8 they do require quite a large level of expertise  9 that -- many of the consultant firms that we work with  10 don't even have those type of staff members on board  11 already. So it's not a common thing that's available  12 to us at this time. So thank you.  13 MR. KHARATYAN: Karen Kharatyan, Water Board.  14 Just to clarify, so the GN-CGS expect that hamlet  15 staff identifying any issues may be more valuable than  16 engineer identifying any issues?  17 MR. KHARATYAN: Elan Chalmers, GN-CGS.  18 Yes. The hamlet staff is more intimately  19 knowledgeable about their own infrastructure than a CGS  20 engineer that comes once or twice a year. I think you  21 need to believe in the fact that they understand their  22 infrastructure, and they would absolutely be able to  23 identify something that was happening out of the norm  24 such as a leak. Thank you.  25 MR. KHARATYAN: Karen Kharatyan, Water Board.  26 Thank you.</p>

<p style="text-align: right;">41</p> <p>1 I am not very convinced about this. Just to  2 clarify, do you have any professional engineer in  3 the -- working for the hamlet, or no?  4 MR. CHALMERS: Elan Chalmers, GN-CGS.  5 There is no municipality currently other than the  6 City of Iqaluit, which we do not work with, that has a  7 professional engineer on staff. Thank you.  8 MR. KHARATYAN: Thank you.  9 I am okay for now, Mr. Chair, but I also may have  10 additional questions. Thank you.  11 MS. KUBEISINOVA: Thank you, Mr. Chair. Assol  12 Kubeisinova, Nunavut Water Board.  13 I have no questions.  14 THE CHAIR: Okay. Thank you.  15 Thank you for your presentation and the  16 questioning here.  17 Okay. I think we are ready to move on with the  18 agenda. Item 11 in agenda, presentations by  19 Crown-Indigenous and Northern Affairs.  20 So, Teresa, you may proceed with the -- proceed to  21 matters with CIRNAC presentation. Go ahead.  22 MS. MEADOWS: Thank you, Mr. Chair. Teresa  23 Meadows, legal counsel for the Nunavut Water Board.  24 I just wonder whether or not the Panel had any  25 questions for Government of Nunavut, Community and  26 Government Services, and then I'll move on to</p>	<p style="text-align: right;">42</p> <p>1 procedural matters, Mr. Chair.  2 THE CHAIR: Okay. Thank you.  3 Panel members, do you have any questions,  4 comments?  5 MS. SILOU: Sara Silou, Nunavut Water  6 Board Panel.  7 I do not have any questions at the moment. Thank  8 you, Mr. Chair.  9 THE CHAIR: Eelai?  10 MS. UNIUQSARAQ: Eelai Uniuqsaraq.  11 I do not have any questions at this time. Thank  12 you.  13 THE CHAIR: Yeah. Thank you.  14 Yeah. The staff are currently mentioning that the  15 inspectors are not in place. So, yeah, that will  16 probably be a question for quite a while, I guess. So  17 unless you could -- CGS get proper professional  18 inspector put in place. So thank you.  19 MS. MEADOWS: Thank you, Mr. Chair. Teresa  20 Meadows, legal counsel for the Nunavut Water Board.  21 So, Mr. Chair, the next item in the agenda is the  22 presentation by Crown-Indigenous Relations and Northern  23 Affairs Canada, and they are not present in the room.  24 So when I go to -- when we go to their Zoom link, what  25 I'll ask them to do is state and spell their name for  26 the record.</p>
<p style="text-align: right;">43</p> <p>1 And I will administer the oath now, and when you  2 come on to the line, if you can confirm that you affirm  3 in the same language as the "I so affirm". Give your  4 name and say "I so affirm".  5 And I also have one copy, a hard copy, of the  6 presentation materials from Crown-Indigenous Relations  7 and Northern Affairs Canada, and I will mark that as  8 the next exhibit in the public hearing.  9 EXHIBIT 4 - Hard Copy, PowerPoint  10 Presentation, Hamlet of Arviat Renewal  11 Application for Type "A" Water Licence  12 3AM-ARV---, Nunavut Water Board Public  13 Hearing May 31-June 2, 2022 (English)  14 ANDREW KEIM and VINCENT OKONKWO, Affirmed  15 MS. MEADOWS: Thank you.  16 If I could have the witnesses spell their names  17 for the record, please. Thank you.  18 MR. OKONKWO: Thank you.  19 My name is V-I-N-C-E-N-T O-K-O-N-K-W-O.  20 MR. KEIM: I apologize, Teresa. I missed  21 that part. Once again, it's Andrew Keim with CIRNAC.  22 And that's A-N-D-R-E-W and K-E-I-M. Thank you.  23 MS. MEADOWS: So, Mr. Keim, I believe that  24 we have your presentation here in the slide deck, and  25 so we can share it if you want to proceed, and then  26 just advise the technician here, and they will be able</p>	<p style="text-align: right;">44</p> <p>1 to advance the slides for you.  2 MR. KEIM: Okay. I believe Vincent -- I  3 believe Vincent's doing the presentation. I'm just  4 here with him, but either one is fine.  5 MS. MEADOWS: So you can begin whenever you  6 see the presentation on your shared screen. We're just  7 bringing it up now.  8 Thank you, Mr. Chair. Those are my procedural  9 matters.  10 THE CHAIR: Thank you.  11 So, Crown-Indigenous, go ahead with your  12 presentation.  13 Presentation by Crown-Indigenous Relations and Northern  14 Affairs Canada  15 MR. OKONKWO: Okay. Thank you, everyone.  16 Crown-Indigenous Relations and Northern Affairs  17 Canada, herein referred to as the "department", would  18 like to thank the Nunavut Water Board for organizing  19 this public hearing and giving us the opportunity to  20 present the -- CIRNAC's position on the application to  21 renew and amend Type "A" water licence 3AM-ARV  22 submitted by the Government of Nunavut department of  23 community services for the Hamlet of Arviat.  24 My name is Vincent Okonkwo, senior environmental  25 assessment specialist. Joining me is Andrew Keim,  26 manager of water resources.</p>

<p style="text-align: right;">45</p> <p>1 Slide Number 2, please. This presentation will go  2 in this order: We will begin with the department's  3 roles and responsibilities and the department's  4 contributions to the water licence review. We will  5 then go through each of the technical review comments  6 that the department submitted to the Nunavut Water  7 Board during the technical review stage. CIRNAC  8 submitted six technical review comments with a total of  9 six recommendations on January 20, 2020.  10 Then we will then wrap up the presentation with a  11 summary of the status of all recommendations and the  12 proposed next steps to fully resolve the department  13 concerns. We will then open the floor for questions.  14 Slide Number 3. Crown-Indigenous Relations and  15 Northern Affairs Canada is a regulatory intervenor.  16 The water resources division works to conserve,  17 protect, and increase understanding of Nunavut water  18 resources; provides advice to the Nunavut Water  19 Board on matters of water licence under Article 13 of  20 the Nunavut Land Claim Agreement; supports water  21 planning and policy development; and develops water  22 monitoring programs in Nunavut.  23 The department's responsibilities, mandate, and  24 obligations are in alignment with the following:  25 Crown-Indigenous Relations of Northern Affairs Act, the  26 Nunavut Agreement, the Nunavut Land Claim Agreement</p>	<p style="text-align: right;">46</p> <p>1 Act, the Nunavut Waters and the Nunavut Surface Rights  2 Tribunal Act and the associated regulations, Nunavut  3 Planning and Project Assessment Act, Arctic Waters  4 Pollution Prevention Act, and the Territorial Lands  5 Act and the associated regulations.  6 Slide Number 4. As the Nunavut Water Board has  7 explained in the introduction and the application  8 history, the GN-CGS on behalf of the Hamlet of Arviat  9 provided the Nunavut Water Board with a  10 renewal-amendment application and supporting document  11 for Type "A" Water Licence Number 3AM-ARV1016 on  12 September 17, 2020. The renewal-amendment application  13 sought the authorization to increase the annual  14 withdrawal limits allowable in the current licence from  15 86,000 cubic metres to 235,393 cubic metres of water  16 from Wolf Creek.  17 Following the recommendation by the -- Environment  18 and Climate Change Canada during the completeness check  19 that the process be suspended until feasibility studies  20 for the solid waste and the sewage lagoon facilities  21 are provided, the Nunavut Water Board deferred further  22 review -- review process on November 20th, 2020.  23 The water licence renewal amendment process was  24 paused in April 2021 following the licensee's request  25 in order to undergo screening by Nunavut Impact Review  26 Board for additional activities in the scope of</p>
<p style="text-align: right;">47</p> <p>1 application. This screening was completed on  2 August 17, 2021, and determined that further impact  3 assessment review is not required.  4 On November 19, 2021, supplemental information  5 from -- was received, and GN-CGS requested on behalf of  6 the Hamlet of Arviat an update to the water licence  7 renewal-amendment application to include, Number 1, an  8 upgrade and expansion of the existing water treatment  9 facility and amendment of the effluent limits at the  10 final effluent discharge point, ARV Number 4 of the  11 wetland treatment area.  12 The completeness check of the renewal-amendment  13 application resumed on November 22nd, 2021. The  14 application has undergone a completeness check, and the  15 technical review comment was submitted on January 20th,  16 2022. All information requests has been resolved. We  17 will -- we will go next through the details and  18 resolution status of each technical review comments and  19 recommendations. All of the department concerns are  20 currently classified as either "resolved" or "resolved  21 by a commitment".  22 We have -- we have used the term "resolved" to  23 indicate that a resolution was found and that GN-CGS  24 was -- was -- has alleviated the department's concern.  25 We have used the term "resolved by commitment" to  26 indicate that GN-CGS and the department have agreed on</p>	<p style="text-align: right;">48</p> <p>1 a path to a resolution, but the resolution is still in  2 progress. In these cases, we will point out which  3 further steps are required for the department to  4 consider the comment fully resolved.  5 Slide Number 5. On November 22nd, 2021, the  6 licensee sent a letter to Nunavut Water Board that a  7 feasibility study conducted on the solid waste  8 facility. It determined that the project cannot  9 proceed as originally intended due to lack of adequate  10 funding.  11 CIRNAC notes that overcapacity and the leachate at  12 the site have been a concern for several years and will  13 continue to impact the environment if left unchecked.  14 GN-CGS has confirmed steps in taking -- it is taking to  15 ensure that overcapacity does not impact negatively on  16 the surrounding environment. So this -- this resolves  17 recommendation completely.  18 Slide Number 6. Can I get Slide Number 6? The  19 licensee states that controlled manual seasonal  20 effluent pump-out will be adopted in order to discharge  21 effluent into the wetland treatment area rather than  22 the exfiltration berm currently in place.  23 CIRNAC notes that the rate of discharge and the  24 frequency of the effluent discharge will likely  25 negatively affect the concentration of the effluent  26 parameters within the receiving environment. GN-CGS</p>

<p style="text-align: right;">49</p> <p>1 has confirmed the retention time and pumping rate of  2 the effluent in the lagoon. This resolves this  3 concern.  4 Slide Number 7. CIRNAC notes that two parameters,  5 BOD and TSS, were interchanged in the two documents.  6 This creates confusion for the reviewers and requires  7 clarification by the licensee. GN-CGS has confirmed  8 that BOD requests -- change request will be 100 milligram  9 per liter while TSS change is 120 milligram per liter  10 and committed to fixing the error in the operation  11 maintenance plan in the newer version. This resolved  12 our concerns with the commitment, that they will fix  13 the error.  14 Slide Number 8. CIRNAC notes that the localized  15 thawing of the permafrost shallow region as a result  16 of warming climate would lead to the stretching of the  17 impermeable liner, thereby compromising its integrity  18 and ability to control the seepage as intended. It  19 will be helpful if the licensee were to provide  20 detailed plans as to how it intends to preventing  21 effluent from seeping past the liner in the event of  22 localized thawing of the permafrost shallow region,  23 which could lead to ground contamination if not -- if  24 not checked.  25 GN-CGS confirmed commitment to monitoring leaks  26 via water levels in the wetland area and immediate</p>	<p style="text-align: right;">50</p> <p>1 repair of liners when damaged. So this concern has  2 been resolved with commitment.  3 Slide Number 9. In Section 2.0, Table 1 of the  4 Arviat monitoring and the QA/QC plan 2021, ARV  5 monitoring station -- ARV Number 3 monitoring station  6 is currently identified as "not active" while station  7 ARV Number 10 monitoring and 11 monitoring stations are  8 identified as "Not active. Please delete from licence".  9 Monitoring Station ARV Number 3 was designed to  10 monitor raw effluent -- sewage effluent concentration  11 at the truck offload point, and Monitoring Station ARV  12 Number 10 and 11 were intended to monitor effluent from  13 the final discharge point of the hydrocarbon  14 impacted soil storage and treatment facility and  15 effluent discharge from dewatering contaminated solid  16 area.  17 CIRNAC notes that no rationale was provided by the  18 licensee as to why the stations are identified as  19 inactive and required to be deleted from the water  20 licence. GN-CGS confirmed that the hydrocarbon  21 impacted storage facility was never constructed and  22 does not exist. Therefore, ARV Number 10 and ARV  23 Number 11 do not exist and hence the request to be  24 deleted. So this resolves the concerns that we have.  25 Slide Number 10. Part D, Item 5(e) of the  26 Type "A" water licence states that: (as read)</p>
<p style="text-align: right;">51</p> <p>1 A sludge management plan that addresses  2 sludge assessment and disposal methods. The  3 plan shall be incorporated into the sewage  4 disposal facility operations and  5 maintenance manual referred to in Part F,  6 Item 1(b).  7 Section 6 of the Arviat sewage treatment facility  8 operation and maintenance plan contained the sludge  9 management plan as stipulated by the water licence, but  10 the licensee did not provide details as to how and  11 where the sludge will be disposed.  12 GN-CGS is committed to including the sludge  13 management plan that will contain assessment and  14 disposal techniques as well as a disposal location into  15 the new operation management plan that will be prepared  16 by the design consultant and contractor for the new  17 two-cell lagoons. This resolves our concern with the  18 recommendation -- with the commitments. Sorry.  19 And Slide Number 11. As can be seen from the  20 chart, there are three resolved recommendations by --  21 you know, three resolved by commitment recommendations.  22 Slide Number 12. Concerns that are currently  23 being addressed but require follow-up actions are  24 indicated on the -- on the screen. For the -- for the  25 purpose of today's public hearing, the concerns are  26 resolved.</p>	<p style="text-align: right;">52</p> <p>1 Number 13. Crown-Indigenous Relations and  2 Northern Affairs Canada will continue to work with  3 GN-CGS through the water licence application review  4 process with the aim of protecting Nunavut's inland  5 water resources while promoting sustainable  6 development.  7 I'd like to close by saying thank you to the  8 Nunavut Water Board for holding this public hearing, to  9 the other intervenors for their reviews, and to the  10 proponent for their effort in addressing intervenors'  11 concerns.  12 Slide Number 14. And this concludes -- this  13 concludes the department's presentation. We will now  14 take questions. Qujannamiik.  15 THE CHAIR: Thank you Crown-Indigenous  16 Northern Relationship -- yeah, yeah -- Northern  17 Affairs. Sorry.  18 Okay. Open up for questions. We'll start with  19 Applicant, if they can go ahead.  20 Questioning of Crown-Indigenous Relations and Northern  21 Affairs Canada  22 MR. CHALMERS: Thank you, Chair. Elan  23 Chalmers, GN-CGS.  24 I just wanted to clarify the third comment from  25 CIRNAC regarding the error in the sewage facility O&amp;M  26 plan. This has already been revised and was submitted</p>

<p style="text-align: right;">53</p> <p>1 to NWB for a distribution on April 5th. Thank you.  2 THE CHAIR: Thank you.  3 CIRNAC, go ahead.  4 MR. OKONKWO: Okay. You said that it's been  5 submitted, the newer version of the plan, operation  6 maintenance plan, to the Board?  7 MR. CHALMERS: Elan Chalmers, GN-CGS.  8 Yes. As with several of the commitments, it was  9 submitted by the GN-CGS on April 5th with that  10 correction that you had identified the error there.  11 Thank you.  12 MR. OKONKWO: Okay. Okay. Yeah. We will  13 put it up and -- and do a further review to make sure  14 everything is resolved completely.  15 THE CHAIR: Thank you.  16 I'd like to ask the Environment Climate Change  17 Canada: Do you have any questions to the INAC  18 presentation -- CIRNAC presentation?  19 MS. SHORE: Victoria Shore, Environment  20 and Climate Change Canada.  21 We have no questions for CIRNAC. Thank you.  22 THE CHAIR: Thank you.  23 Water Board Staff, do you have any questions or  24 comments?  25 MR. KHARATYAN: Thank you, Mr. Chair. Karen  26 Kharatyan, Water Board.</p>	<p style="text-align: right;">54</p> <p>1 Just one follow-up with Crown-Indigenous Relations  2 and Northern Affairs. As you know, GN-CGS requested to  3 eliminate the requirement of -- as an amendment to  4 potential renewal licence to eliminate the requirement  5 for annual geotechnical inspection, and we did have  6 some discussions just at the GN-CGS position about  7 alternative they are -- or they make proposal. They  8 are proposing just looking for any comments or position  9 that CIRNAC may have about these questions. Thank you.  10 THE CHAIR: Thank you.  11 MR. KEIM: Thank you.  12 Oh, sorry.  13 THE CHAIR: Go ahead.  14 MR. KEIM: Qujannamiik. Yeah. Andrew  15 Keim for CIRNAC.  16 Upon review of the water licence and in  17 consultation with our -- with our partners, at this  18 time, if the -- if the GN is suggesting that their  19 local people are capable of taking on this  20 responsibility, which I have no doubt they probably  21 are, then we would defer to the -- defer to the GN and  22 the Board's consideration on this matter, and we would  23 withdraw our -- our request to have a regional engineer  24 inspect these facilities on an annual basis.  25 We'll see how it goes, and if -- if this works out  26 better, then -- then this will work out better, and if</p>
<p style="text-align: right;">55</p> <p>1 it doesn't, well, we might have to go back to it. But  2 if at this time the GN is confident that they can  3 maintain their responsibilities and obligations to  4 Arviat, then I see no reason not to -- to stand in  5 their way. Thank you.  6 THE CHAIR: Thank you.  7 Go ahead, Assol.  8 MS. KUBEISINOVA: Thank you, Mr. Chair. Assol  9 Kubeisinoval, Nunavut Water Board.  10 I just note that the updated operations and  11 maintenance plan for the sewage treatment facility was  12 distributed by the Water Board on March 10th. Thank  13 you.  14 THE CHAIR: Thank you.  15 CIRNAC, go ahead.  16 MR. OKONKWO: Okay. We've --  17 MR. KEIM: Go ahead.  18 MR. OKONKWO: Okay. Since the Board has  19 clarified that it has been posted on the registry, the  20 new operation and maintenance plan, we'll dig it out  21 from the public registry to -- and look into it to make  22 sure that everything has been resolved and they have,  23 you know, fulfilled their commitment. Thank you.  24 MR. KEIM: I do have one further  25 clarification. I believe that if Board submitted  26 the -- if the Board sent that out for comment on</p>	<p style="text-align: right;">56</p> <p>1 March 10 but the GN submitted their update on April,  2 was that included?  3 MS. KUBEISINOVA: Thank you, Mr. Chair.  4 MR. KEIM: I'm just looking for a  5 clarification of dates.  6 MR. KUBEISINOVA: Thank you, Mr. Chair. This is  7 Assol Kubeisinoval, Nunavut Water Board.  8 In April, a timeline of the work that GN was  9 planning to undertake was distributed, and the updated  10 plans, including the quality assurance and quality  11 control plan, was distributed -- were distributed on  12 March 10th. Thank you, Mr. Chair.  13 THE CHAIR: Thank you.  14 Okay. Thank you, Crown-Indigenous and Northern  15 Relations.  16 Panel members, do you have any questions,  17 comments? Sarah?  18 MS. SILOU: Sorry. No, this is Sarah  19 Silou and Nunavut Water Board Panel.  20 No. I don't have any questions. Thank you.  21 THE CHAIR: Okay. Eelai, go ahead.  22 MS. UNIUQSARAQ: Eelai Uniuqsaraq.  23 I have no questions at this time.  24 THE CHAIR: Thank you.  25 CIRNAC, thank you for your presentation and some  26 clarification came in as well.</p>

<p style="text-align: right;">57</p> <p>1 So we'll move on in the agenda. Now I'd like to  2 call the Environment Climate Change Canada. We'll go  3 to that.  4 So, Teresa, you -- please proceed with the  5 procedural matters.  6 MS. MEADOWS: Thank you, Mr. Chair. So  7 Teresa Meadows, legal counsel for the Nunavut Water  8 Board.  9 So if I can have the -- when we switch over the  10 Zoom feed -- again, Environment and Climate Change  11 Canada unfortunately is not able to be with us in the  12 room today. So we will be going to the Zoom feed.  13 When we go to the Zoom feed, if I can ask the witnesses  14 to state and spell their name for the record and then  15 state their name again if they affirm, and I will  16 administer the oath.  17 And before we switch over to you, I'll just note  18 that we have two copies of the presentation that  19 Environment and Climate Change Canada is about to  20 present. We have a copy in French, and then we have  21 one copy that's in English and Inuktitut, which is the  22 one that will be displayed, and those will be the next  23 two exhibits in the public hearing.  24 EXHIBIT 5 - Electronic Copy, PowerPoint  25 Presentation, Environment and Climate Change  26 Canada's Presentation to the Nunavut Water</p>	<p style="text-align: right;">58</p> <p>1 Board Respecting the Hamlet of Arviat Type A  2 Water Licence Renewal Amendment Application,  3 3AM-ARV1016 - Nunavut Water Board Public  4 Hearing (English/Inuktitut)  5 EXHIBIT 6 - Hard Copy, PowerPoint  6 Presentation, Environment and Climate Change  7 Canada's Presentation to the Nunavut Water  8 Board Respecting the Hamlet of Arviat Type A  9 Water Licence Renewal Amendment Application,  10 3AM-ARV1016 - Nunavut Water Board Public  11 Hearing (French)  12 MS. MEADOWS: So if I can -- I will just  13 state the affirmation and then have the witnesses state  14 and spell their names and confirm the affirmation.  15 VICTORIA SHORE and ANNE WILSON, Affirmed  16 MS. MEADOWS: Thank you, Mr. Chair. Teresa  17 Meadows, legal counsel for the Nunavut Water Board.  18 So, Mr. Chair, it's my understanding that we have  19 the presentation materials, and we can project them  20 here. So once Environment and Climate Change Canada  21 sees the presentation materials shared on the screen,  22 if you want to just advise the technician when you want  23 the screen to advance, we will be able to run the  24 presentation from here.  25 Thank you, Mr. Chair. Those are my procedural  26 matters.</p>
<p style="text-align: right;">59</p> <p>1 THE CHAIR: Thank you, Teresa.  2 So Environment and Climate Change Canada, you may  3 proceed with your presentation.  4 Presentation by Environment and Climate Change Canada  5 MS. SHORE: Thank you, Mr. Chair.  6 Good afternoon, everyone. My name is Victoria  7 Shore, and I am a senior environmental assessment  8 officer with Environment and Climate Change Canada.  9 Before I start, I would like to thank the Nunavut  10 Water Board for the opportunity to participate in this  11 water licence process, as well as the Applicant and the  12 other intervenors.  13 Next slide. I will start by presenting the  14 department's mandate, briefly touch on the acts and  15 legislation relevant to Environment and Climate Change  16 Canada, provide a status summary of our technical  17 comments, and then I'll pass it over to my colleague,  18 Anne Wilson, to provide a more detailed overview of our  19 technical review.  20 Next slide. Environment and Climate Change  21 Canada's mandate is to preserve and enhance the quality  22 of the natural environment, including water, air, and  23 soil quality; to conserve Canada's renewable resources,  24 including migratory birds; to conserve and protect  25 Canada's water resources; to forecast daily weather  26 conditions; to enforce regulations; and to coordinate</p>	<p style="text-align: right;">60</p> <p>1 environmental policies and programs for the federal  2 government.  3 Next slide, please. Environment and Climate  4 Change Canada's mandate is governed by the Department  5 of the Environment Act, the Canadian Environmental  6 Protection Act, the Pollution Prevention Provisions of  7 the Fisheries Act, the Migratory Birds Convention Act,  8 and the Species at Risk Act.  9 Next slide, please. With regard to this process,  10 Environment and Climate Change Canada submitted six  11 technical review comments, all of which we now consider  12 resolved. I'll now pass it over to Anne to provide  13 some more details about our technical review.  14 MS. WILSON: We are on to the next slide,  15 please.  16 I'm Anne Wilson, and I'll start with Technical  17 Comment Number 1. This comment dealt with the  18 monitoring point at the end of the wetland, ARV-4.  19 With the new lagoon, flows in the wetland may change,  20 and this should be evaluated before finalizing the  21 monitoring location ARV-4. GN-CGS has advised the  22 wetland flow study will be done this summer with the  23 report expected by December 2022.  24 And our expectation is that the flow study  25 will identify where the main outflow from the wetland  26 is and that this can then be monitored as a point of</p>

<p style="text-align: right;">61</p> <p>1 discharge from the system, that is, ARV-4. So this  2 comment is resolved.</p> <p>3 Next slide, please. For Technical Comment Number 2,  4 ECCC had requested information on when studies, plans,  5 and construction would be scheduled. GN-CGS provided a  6 memo dated April 5th, which outlines the work plans and  7 the timelines. This comment is resolved.</p> <p>8 So on to the next slide, please. For Technical  9 Comment 3, this dealt with the need for closure  10 planning conditions in the licence to be developed for  11 both the solid waste site and the unused sewage  12 lagoons. The intent is to have any needed work or  13 studies done before it is time to develop plans in  14 advance of when the facilities reach the end of their  15 service life. GN-CGS has agreed to licence conditions  16 that set out the timelines for plans to be submitted,  17 and they have noted the path forward for the unused  18 lagoon cells and the timeline for the solid waste site.</p> <p>19 And this is just a sidenote. It's a bit of a  20 personal note, that I think the terminology has evolved  21 for closure plans, and I would just like to throw out  22 the suggestion for the Board that we identify these now  23 as "closure and reclamation plans" rather than  24 "abandonment and restoration plans". It's just more  25 consistent with current practices and what we would  26 hope to do. So this comment is considered resolved,</p>	<p style="text-align: right;">62</p> <p>1 and we'll go on to the next slide, please.</p> <p>2 Technical Comment 4 deals with the management of  3 sludge in the sewage lagoon. So there -- there was no  4 desludging done for the existing lagoons. There was no  5 point in that. GN-CGS did clarify the plans would be  6 prepared for the new two-cell lagoon system in case  7 sludge removal is needed at some point in its service  8 life. This comment is also considered resolved.</p> <p>9 And next slide, please. For Technical Comment 5,  10 the new lagoons will discharge effluent into the  11 wetland where it will receive the polishing or further  12 treatment. ECCC had recommended that monitoring of the  13 effluent quality at the lagoon discharge point be done  14 so that we can understand the level of treatment  15 provided by the lagoons separate from that provided by  16 the wetland. GN-CGS has agreed with this, and we  17 concur that it is a monitoring point, not a compliance  18 point. This comment is also considered resolved.</p> <p>19 Next slide, please. So for Technical Comment  20 Number 6, I'm actually going to correct the slide to  21 almost resolved. ECCC noted that the QA/QC plan,  22 quality assurance/quality control plan, needed to  23 include the frequency for replicate/duplicate samples  24 to be collected as part of their sampling program.</p> <p>25 ECCC had noted this as being resolved based on  26 GN-CGS's commitment to update the plan which was then</p>
<p style="text-align: right;">63</p> <p>1 submitted in March this year. However, in the response  2 letter dated May 3rd, GN-CGS had stated that the  3 information was submitted and requested that ECCC  4 identify any additional information to include.</p> <p>5 We do note that the section reference,  6 Section 4.2.2, does identify the duplicate/replicate  7 samples are to be collected but does not identify how  8 many or how often. Adding the frequency for collection  9 of these samples would address this comment.</p> <p>10 And I had also noted that the preceding section,  11 4.2.1, on field and trip blanks omits the frequency for  12 field blanks although it does have trip blanks. It  13 will be up to GN-CGS to identify the total numbers of  14 each type of quality control/quality assurance samples  15 to be collected, and this will be based on the total  16 number of samples done for each monitoring event, which  17 we don't know.</p> <p>18 There should be a random and even mix of sample  19 types, so trip blanks, field blanks, and replicates or  20 duplicates totalling about 10 percent of the total  21 number of samples collected at a minimum. So I'm  22 thinking this should be a straightforward addition to  23 the next version of the QA/QC plan. Hence, this is  24 substantially resolved, just not quite.</p> <p>25 So on to the next slide, please. And here's our  26 happy little bird, and this concludes our presentation,</p>	<p style="text-align: right;">64</p> <p>1 and we would be happy to take any questions at this  2 point. Thank you very much.</p> <p>3 THE CHAIR: Thank you, ECCC, for your  4 presentation.</p> <p>5 I'll open up for questions. I'd like to start  6 with Applicant. If you have a question to Environment  7 and Climate Change Canada, you may go ahead.</p> <p>8 Questioning of Environment and Climate Change Canada</p> <p>9 MR. CHALMERS: Thank you, Mr. Chair. Elan  10 Chalmers, GN-CGS.</p> <p>11 Thank you very much for that clarification, Anne,  12 about the missing information from the QA/QC plan. We  13 will revise it to reflect your suggestion and resubmit  14 it within, I'd say, about a month from now. Thank you  15 very much. No further comments.</p> <p>16 THE CHAIR: Thank you.</p> <p>17 Next intervenors. CIRNAC, if you have questions,  18 you may go ahead.</p> <p>19 MR. OKONKWO: My name is Vincent, CIRNAC.  20 CIRNAC does not have any questions. Thank you.</p> <p>21 THE CHAIR: Thank you.</p> <p>22 Water Board Staff, if you have questions,  23 comments -- no. Okay. Thank you. Thank you, Staff.</p> <p>24 And Panel members, do you have questions?</p> <p>25 MS. SILOU: No, no comment.</p> <p>26 THE CHAIR: Okay. Thank you.</p>



<p style="text-align: right;">65</p> <p>1 Thank you, Environment Climate Change Canada, for  2 your presentation.  3 Okay. Moving on. Okay. I forgot to put the  4 microphone on. We'll take a ten-minute break. I need  5 to adjust myself with the agenda for a minute before we  6 continue on.  7 (ADJOURNMENT)  8 THE CHAIR: We may continue with the  9 proceeding, get back from our break.  10 In the agenda, we're turning to Item 14 to 16, if  11 there's a presentation or questioning of the  12 associations, agencies, or members of the public who  13 wish to make a presentation or speak to the Board. Is  14 there anyone available? Anyone want to? Sorry. I  15 didn't see hands, so we'll move on.  16 Item 17 in the agenda. Now, we still have GN-CGS.  17 Do you have any comments in reply to submission of the  18 intervenors?  19 MR. CHALMERS: Thank you, Chair. Elan  20 Chalmers, GN-CGS.  21 Would be this be an appropriate time for closing  22 statements on our behalf, or ...  23 THE CHAIR: Yeah.  24 Closing Remarks by the Hamlet of Arviat  25 MR. CHALMERS: Okay. Thank you.  26 Thank you, Chair. We are happy to have resolved</p>	<p style="text-align: right;">66</p> <p>1 the commitments either completely or -- or sorry --  2 resolved the comments either through commitment or  3 completely.  4 With regards to the clause for the geotechnical  5 inspection annually, we just wanted to add that  6 historically, leaks have been identified by municipal  7 staff because they are on-site every day. Leaks or  8 failures are unlikely to occur the day that the CIRNAC  9 or CGS is on-site.  10 In previous occurrences of leaks, the hamlets  11 reported it to the municipal engineer because we're in  12 contact with them daily, and the GN-CGS has brought in  13 the correct professionals with the appropriate skill  14 set and the training to conduct the thorough  15 inspections that are required.  16 CGS has committed to continuing to support the  17 hamlet in these instances and hopes that the Board will  18 give the hamlet staff an opportunity to demonstrate  19 their ability to operate their own infrastructure.  20 On the point of more stringent effluent  21 parameters, CGS recognizes that the NWB relies on a  22 guidance document from the Northwest Territories. At  23 the time this licence was issued, that document was  24 from 1992.  25 We would petition the Board to consider that the  26 six-year research conducted directly in Nunavut on</p>
<p style="text-align: right;">67</p> <p>1 lagoon wetland treatment facilities and the subsequent  2 guidance document that we prepared and submitted to  3 NWB, CIRNAC, and ECCC, in particular, in regards to the  4 wastewater system effluent regulations that do not  5 concurrently apply in Nunavut.  6 As discussed, the assessments that will take place  7 this summer at the wetland treatment area, the solid  8 waste site, and the abandoned lagoon cells will provide  9 relevant information to address several of the  10 commitments by the end of this year, and we look  11 forward to sharing those results with ECCC, CIRNAC, and  12 other interested parties.  13 The municipality of Arviat with support from the  14 Government of Nunavut, Department of Community and  15 Government Services, will continue to work towards  16 achieving compliance under the terms of the new  17 licence. Thank you.  18 THE CHAIR: Thank you, Applicant, for your  19 closing remarks.  20 Now I'd like to ask CIRNAC to do your closing  21 remarks.  22 Closing Remarks by Crown-Indigenous Relations and  23 Northern Affairs Canada  24 MR. KEIM: Qujannamiik, Iksivauta.  25 Andrew Keim for CIRNAC.  26 At this time, we are very glad that we've been</p>	<p style="text-align: right;">68</p> <p>1 able to participate in the process and provide our  2 considered input to the Board and that the GN and the  3 municipality have been able to contribute so readily to  4 the process.  5 We recognize that at times, going forward, the  6 hamlet has to be given the opportunity to prove that  7 they can work through these problems and to maintain  8 their own infrastructure. We support that, and we  9 support the GN moving forward in these matters.  10 We have no further comments for the Board's  11 consideration today, and we thank you very much for  12 allowing us to participate in the process.  13 Qujannamiik.  14 THE CHAIR: Thank you, CIRNAC.  15 Next to have a -- sorry -- closing remarks is the  16 climate -- Environment and Climate Change Canada.  17 Closing Remarks by Environment and Climate Change  18 Canada  19 MS. SHORE: Thank you. Victoria Shore  20 with Environment and Climate Change Canada.  21 I'd just like to thank the Board for the  22 opportunity to participate in this process as well as  23 the Applicant and other parties present for a  24 respectful and productive public hearing.  25 We have no further comments to add for the Board's  26 consideration at this time, but we do look forward to</p>

<p style="text-align: right;">69</p> <p>1 continuing our participation in the water licence  2 process. Thank you.  3 THE CHAIR: Thank you.  4 So for our next step, I'd like to ask Teresa,  5 legal counsel, to take the floor. Go ahead.  6 MS. MEADOWS: Thank you, Mr. Chair. Teresa  7 Meadows, legal counsel for the Nunavut Water Board.  8 So, Mr. Chair, before we proceed onward to the  9 very final steps for the Board's consideration in the  10 public hearing, first of all, gold stars to everyone  11 for being so efficient and being so far ahead of  12 schedule as we -- sometimes is the case. The Board's  13 oftentimes rushing to try and get everything in, so we  14 really do appreciate a lot of the advanced preparations  15 of the proponent and the intervenors to make sure that  16 they are prepared and have resolved a number of the  17 issues before going to public hearing.  18 As you all know from the agenda, tonight we are  19 scheduled to have a community session where the Board  20 will be here to -- for the Applicant to have an  21 opportunity to present the application to the  22 community, and then the community will have an  23 opportunity to ask questions.  24 Unfortunately, the Board's plans as are the way --  25 are being modified a bit to fit the weather and the  26 logistics of the -- that we find ourselves in in</p>	<p style="text-align: right;">70</p> <p>1 Arviat, and that is the Board is currently staying in  2 Rankin and commuting to Arviat every day for the  3 hearing.  4 We've been advised by the pilots in Rankin that  5 there is a heavy rainfall warning out, and so there is  6 supposed to be freezing rain as the temperature drops  7 tonight. We've been advised that we should be leaving  8 Arviat by 7 PM tonight. The public meeting starts at  9 6. And so what the Board is suggesting is that we  10 eliminate the Board's presentation, the normal  11 presentation that we would do for the community, to  12 kind of set the tone for the community session and that  13 we go right to the Applicant's presentation.  14 Intervenors, I'm very sorry, but it may mean that  15 you end up not being able to present your intervention  16 to the community but be available to just ask  17 questions, and we will immediately go from the  18 presentation by the Applicant to questions to the  19 Applicant or the intervenors that are present from any  20 of the members of the community that are here.  21 If community members do not -- are not here in  22 sufficient numbers by about ten after 6 or quarter  23 after 6, we may end up then saying that the session  24 will end at 7 and that the Board will leave at 7. If  25 community members are here and it looks like they have  26 more questions and we are not able to conclude the</p>
<p style="text-align: right;">71</p> <p>1 community session and close the public hearing record  2 by the end of -- by 7:00 tonight when we have to leave,  3 we may then check with the community members and also  4 with the people that are here in terms of options for  5 tomorrow.  6 It's my understanding that the weather will  7 continue to be heavy rainfall in the first part of the  8 day tomorrow but that there should be some clearing in  9 the latter part of the afternoon and then into the  10 evening. And so the Board is looking into options to  11 come back perhaps for -- to conclude the community  12 session tomorrow evening.  13 So we appreciate everybody's flexibility as we  14 sort of try and figure out exactly what is going to be  15 the best option to be able to get the information for  16 community members, allow them to ask the questions that  17 they want to, and also have their views inform the  18 Board's decision. But at this point, the weather and  19 safety actually dictate what the Board must do today.  20 So our schedule has been curtailed a bit because of the  21 heavy rainfall warning.  22 So with that, Mr. Chair, we will adjourn now, I  23 would recommend, and then we will reconvene at 6:00.  24 If we can ask -- 6:00 central time. If we can ask that  25 the intervenors who are on the phone and Zoom, if you  26 can call in 15 minutes before that so that we can make</p>	<p style="text-align: right;">72</p> <p>1 sure that we don't have any logistical delays as we get  2 set up, that would be much appreciated, and hopefully  3 we'll be able to get the community session in tonight.  4 When we come back, we will start back with the --  5 with the intervenors' presentation, Mr. Chair, and if  6 all that is remaining is the concluding remarks of the  7 Chair and we are not able to get those in tonight, we  8 may end up doing that just by a Zoom meeting tomorrow.  9 We may not come back into the community if the -- if  10 the morning is as predicted and we're not able to  11 reconvene tomorrow morning.  12 So I know that there's a lot of logistics going  13 on, and that's kind of what we're scrambling around  14 doing in the background. But that is what I would  15 recommend, Mr. Chair. Thank you, Mr. Chair. Those are  16 my many procedural matters. Thank you.  17 THE CHAIR: Okay. Thank you, Teresa.  18 Okay. We take those -- the words from the legal  19 counsel for now. We take adjourn now and then come  20 back here 6:00. As legal mentioned, that, yeah, we'll  21 come back here before -- at least before 15 minutes  22 to -- or 5:30, whatever, to be as ready here and wait  23 around. But we want to start it by 6:00 sharp. Thank  24 you.  25 _____  26 (PROCEEDINGS ADJOURNED UNTIL 6:00 PM)</p>

<p style="text-align: right;">73</p> <p>1 _____</p> <p>2 (PROCEEDINGS RECOMMENCED AT 6:24 PM)</p> <p>3 Community Session Opening Remarks by the Chair</p> <p>4 THE CHAIR: Good evening, everyone, and</p> <p>5 welcome to the community session for the Nunavut Water</p> <p>6 Board public hearing in relation to the</p> <p>7 renewal-amendment application submitted by Hamlet of</p> <p>8 Arviat via its representative Government of Nunavut,</p> <p>9 Community and Government Services, that I will refer to</p> <p>10 as the "hamlet", "GN-CGS", or "Applicant", with the</p> <p>11 Nunavut Water Board for Water Licence Number 3AM-ARV1016.</p> <p>12 My name is Lootie Toomasie, and I am the Chair of</p> <p>13 Nunavut Water Board. I will be chairing tonight's</p> <p>14 session.</p> <p>15 Tonight's session is part of the Nunavut Water</p> <p>16 Board's public hearing to consider the replacement of</p> <p>17 the expired water licence which authorizes the use of</p> <p>18 water and deposit of wastes associated with the water</p> <p>19 and waste management infrastructure at Hamlet of</p> <p>20 Arviat's municipal undertaking.</p> <p>21 The changes to this water licence has been</p> <p>22 requested by GN-CGS to reflect new infrastructure and</p> <p>23 activities as well as the expiry of the licence that</p> <p>24 was reviewed by the Nunavut Planning Commission and</p> <p>25 screened by Nunavut Impact Review Board in 2020 and</p> <p>26 2021.</p>	<p style="text-align: right;">74</p> <p>1 This public hearing marks the final opportunity</p> <p>2 for the Applicant, the intervenors, and the members of</p> <p>3 the community to represent their comments, issues, and</p> <p>4 questions about the renewal-amendment application to</p> <p>5 the Nunavut Water Board before the Board makes its</p> <p>6 decision about the renewal-amendment application.</p> <p>7 The Nunavut Water Board appreciates you all</p> <p>8 turning out to participate in this important meeting.</p> <p>9 Before we proceed with tonight's session, let us begin</p> <p>10 with prayer. Let us stand.</p> <p>11 Opening Prayer</p> <p>12 THE CHAIR: So we are kind of speeding up</p> <p>13 this community session tonight, so I'm willing to have</p> <p>14 our legal counsel take the floor for now. Go ahead.</p> <p>15 MS. MEADOWS: Thank you, Mr. Chair. Teresa</p> <p>16 Meadows, legal counsel for the Nunavut Water Board.</p> <p>17 So, Mr. Chair, because we don't have too many</p> <p>18 members of the public that have ventured out in the</p> <p>19 rain today, what we're going to do is modify the agenda</p> <p>20 a little bit.</p> <p>21 So we're going to have the Applicant, Government</p> <p>22 of Nunavut, Community and Government Services, explain</p> <p>23 their application to the members of the public who are</p> <p>24 here, and then we're going to throw the floor open for</p> <p>25 questions. So you can ask any questions of the</p> <p>26 Government of Nunavut, of -- on the line -- we now have</p>
<p style="text-align: right;">75</p> <p>1 restored our internet connection, so my apologies to</p> <p>2 the participants that are on the Zoom link. We were</p> <p>3 having difficulty establishing a stable link.</p> <p>4 So we now have Environment and Climate Change</p> <p>5 Canada and Crown-Indigenous Relations and Northern</p> <p>6 Affairs Canada. They are on the Zoom link, so you can</p> <p>7 ask questions of -- anyone who is here in the room can</p> <p>8 ask questions of the Government of Nunavut, the</p> <p>9 Applicant, or any of the intervenors that are on the</p> <p>10 Zoom link.</p> <p>11 So without further ado, I will turn it over --</p> <p>12 turn over the microphone and control of the</p> <p>13 presentation to Government of Nunavut to explain the</p> <p>14 application that the Board is considering. Thank you,</p> <p>15 Mr. Chair.</p> <p>16 THE CHAIR: Thank you.</p> <p>17 Community Session Presentation by the Hamlet of Arviat</p> <p>18 MR. CHALMERS: Elan Chalmers, CGS.</p> <p>19 Will NWB be broadcasting the presentation for us</p> <p>20 again? I'll just begin describing it while we're</p> <p>21 waiting here.</p> <p>22 So the GN-CGS submitted an application on behalf</p> <p>23 of the municipality of Arviat for the renewal and</p> <p>24 amendment of their water licence. The licence</p> <p>25 authorizes the water withdrawal and disposal of waste</p> <p>26 by the municipality.</p>	<p style="text-align: right;">76</p> <p>1 Since the licence expired in 2016, the</p> <p>2 municipality has continued to work towards compliance</p> <p>3 with the terms and conditions of the expired licence,</p> <p>4 and the CGS on behalf of the municipality has</p> <p>5 undertaken several capital projects, including the</p> <p>6 additional raw reservoir cell, preliminary design work</p> <p>7 to upgrade and expand the sewage lagoon, and</p> <p>8 preliminary work to improve the compliance and extend</p> <p>9 the useful life of the land.</p> <p>10 So this image shows the current infrastructure</p> <p>11 that is under the terms of the existing licence for the</p> <p>12 raw water reservoir and the waste sites. Each summer,</p> <p>13 waters come from Wolf Creek to fill the three-cell</p> <p>14 reservoir, which has the capacity of 235,000 cubic</p> <p>15 metres, and additional cells have been added since 1998</p> <p>16 as the community grows. Recent studies have indicated</p> <p>17 that Wolf Creek can continue to sustain the community</p> <p>18 while meeting regulatory requirements under the terms</p> <p>19 of the new licence.</p> <p>20 The current lagoon is -- has been in use since</p> <p>21 2005. As residents, we know it is quite undersized and</p> <p>22 requires emergency decant each year, and the new lagoon</p> <p>23 will be sized to accommodate the municipality for the</p> <p>24 next 20 years.</p> <p>25 The landfill has been in use since the 1970s.</p> <p>26 Since 2014, the municipality has undertaken several</p>

<p style="text-align: right;">77</p> <p>1 initiatives to improve the site through depolluting  2 metals and using the shredder -- or purchasing a metal  3 shredder and using the -- the shreds to cover the  4 material at the current waste site, which has really  5 improved the capacity.  6 There is also an ongoing solid waste improvement  7 project being funded and managed by CGS. The project  8 will improve compliance and extend the capacity, as  9 well as assessing the old lagoons to determine if they  10 can be repurposed to accept solid waste.  11 The licensee requested several changes to the  12 monitoring program. They're identified here in yellow.  13 We underwent a thorough regulatory review process with  14 Environment and Climate Change Canada and CIRNAC, all  15 of which has been resolved either completely or through  16 commitment.  17 So to summarize the requests for the amendment and  18 renewal, we are requesting a ten-year licence term with  19 a water withdrawal that matches the capacity of the raw  20 water reservoir cells. We requested several changes to  21 the monitoring program. We have requested to change  22 the effluent quality limits in line with Nunavut-based  23 lagoon wetland research.  24 The licensee is requesting to remove any  25 conditions that are deemed impractical and any  26 prescriptive language on remediation, and the licensee</p>	<p style="text-align: right;">78</p> <p>1 is also requesting to remove two monitoring stations  2 since there are better ways of measuring these factors.  3 The licensee is requesting to remove weekly  4 inspection reports to be generated as they're quite a  5 burden for the municipality and to change some of the  6 language in the monitoring programs so that it's a  7 little bit more in line with the actual weather.  8 Finally, we are requesting to remove acute  9 lethality testing and the requirement to submit paper  10 documents. So that is the end of the presentation.  11 Thank you very much.  12 THE CHAIR: Thank you.  13 Teresa, do you want the floor for a minute?  14 MS. MEADOWS: Thank you, Mr. Chair.  15 So if you have any questions -- any of the  16 participants who are here in the hall, if you want to  17 ask questions of the Government of Nunavut, Community  18 and Government Services, about the landfill or about  19 the sewage lagoons or any of the application  20 components, please just step up to the microphone here,  21 and we'll get your questions on the record. And then  22 we can get answers from the Applicant or from  23 Crown-Indigenous Relations and Northern Affairs or  24 Environment and Climate Change Canada.  25 (DISCUSSION OFF THE RECORD)  26 Questions/Comments from the Community</p>
<p style="text-align: right;">79</p> <p>1 MR. SULUK: Yeah. Okay. Thank you.  2 Welcome to Arviat.  3 I think my only question will be renewal of the  4 licence -- water licence for both wastewater disposal  5 and reservoir.  6 So I see that for the next ten years -- is it  7 being renewed every ten years, or ... I also see that  8 a review by engineer inspection annually. Is that the  9 case?  10 So as you know -- as you may know, that our --  11 especially wastewater reservoir fills up over time over  12 the winter, and then when it comes to springtime,  13 spring, it goes over -- almost over the reservoir  14 entrenching to the coast of the shore, shoreline. I'm  15 just asking to see if this existing licence will remain  16 in the next ten years, or is there any plan to expand  17 or make another especially wastewater reservoir? Thank  18 you.  19 THE CHAIR: Thank you. Thank you, Luke.  20 Do you want to respond to the question? Go ahead,  21 Applicant.  22 MR. CHALMERS: Thank you, Chair.  23 Yes. Thank you for your question. As part of  24 this application, it is -- we're amending the licence  25 so that we can construct a larger lagoon. So the new  26 lagoon will be sized to accommodate the municipality</p>	<p style="text-align: right;">80</p> <p>1 and its growing population until 2044.  2 So the current one will be replaced and an  3 additional cell will also be added, so it'll be much,  4 much, much bigger, and it will keep all of the waste in  5 there so that it won't overtop, and it won't need to be  6 pumped out early in the season. Thank you.  7 THE CHAIR: Go ahead, Applicant. Go  8 ahead.  9 MS. LUSTY: Hi there. Thank you.  10 And just to answer your other question regarding  11 the term of the licence, when it's coming up on the  12 ten-year term, we would be working with the  13 municipality to submit another licence to extend.  14 So we're able to apply for water licences up to  15 25 years. So the ten-year term is the term that was  16 determined in earlier proceedings with the Nunavut  17 Water Board and the intervenors. So when it's coming  18 up on the ten-year time frame, a new licence  19 application and amendment renewal would be submitted.  20 THE CHAIR: Thank you, Applicant, for  21 answering the questions.  22 Okay, Staff. Go ahead.  23 MR. KHARATYAN: Karen Kharatyan, Nunavut Water  24 Board.  25 There was a second question regarding geotechnical  26 inspection. I would like, yes, to advise the community</p>

<p style="text-align: right;">81</p> <p>1 member that Water Board did receive requests from  2 Applicant to eliminate the requirement of geotechnical  3 inspection from the current licence.  4 The current licence -- again, for the community  5 member information, the current licence is expired  6 since 2016, and it has this requirement for  7 geotechnical inspection annually -- to be conducted  8 annually, and on behalf of Hamlet of Arviat, GN-CGS is  9 requesting the Board to eliminate these requirements  10 within the potential renewal licence. Thank you.  11 This is just to state the fact that we have  12 received these requests, but, Mr. Chair, I will maybe  13 invite the Applicant to more elaborate on this. Thank  14 you.  15 THE CHAIR: Thank you.  16 Applicant, go ahead.  17 MS. CHALMERS: Thank you, Chair. Elan  18 Chalmers, GN-CGS.  19 Historically, leaks have been identified by  20 municipal staff because they're on-site daily. Leaks  21 or failures are unlikely to occur the day that the  22 CIRNAC or the CGS member is on-site.  23 In previous occurrences of leaks, the hamlet's  24 reported it to the municipal engineers because we're in  25 daily contact, and GN-CGS has brought in the correct  26 professionals with the appropriate skill set and</p>	<p style="text-align: right;">82</p> <p>1 training to conduct thorough inspections.  2 CGS is committed to continuing to support the  3 hamlet in these instances and hopes that the Board will  4 give the hamlet staff an opportunity to demonstrate  5 their ability to operate their own infrastructure.  6 Thank you.  7 THE CHAIR: Thank you, Applicant.  8 Okay. I'll continue to move on.  9 Teresa, do you want take the floor for a minute?  10 MS. MEADOWS: Thank you, Mr. Chair. Teresa  11 Meadows, legal counsel for the Nunavut Water Board.  12 Are there any additional questions that anybody  13 has in the room today?  14 So, Mr. Chair, recognizing that we have exhausted  15 all the questions in the community session and we have  16 completed the technical component of the public hearing  17 but we have not yet been able to close the record and  18 give advice to the -- to the hamlet in terms of the  19 next steps in the Water Board's processing and also  20 recognizing that the Board has to be back tomorrow in  21 this space in order to be able to take down all the  22 equipment and everything, what I would recommend is  23 that the Board adjourn for tonight. The Board will be  24 back tomorrow and continue to close out the remainder  25 of the items on the agenda.  26 But I just want to flag for the people that are on</p>
<p style="text-align: right;">83</p> <p>1 the Zoom call: We're not exactly sure what the weather  2 is going to be like tomorrow morning. It looks like  3 the weather will continue to be in the condition that  4 it is right now, which is raining very heavily and  5 which is causing safety concerns for the charter to be  6 able to get in.  7 And so the Board will be checking with the pilots  8 tonight to confirm when we will be back, but we expect  9 it will be tomorrow afternoon at the earliest. So  10 likely we're targeting around 1:00 Central Time  11 tomorrow afternoon, but we will confirm with the  12 pilots, and we will have the Board Staff who are here  13 in Arviat perhaps let the radio know what time we will  14 be back in this room.  15 And if any community members want to come out and  16 they have additional questions, we will start with  17 that, and they can ask any additional questions that  18 they have tomorrow morning or tomorrow afternoon when  19 we're back.  20 And if there will be a delay or a different time,  21 we will also send to all of the participants who are on  22 the Zoom link, and, of course, to the Applicant, an  23 update with respect to the precise time when the Board  24 will be back in the -- in the hearing room tomorrow.  25 And then we will have a very brief time period to  26 sort of advise what the next steps will be, the Chair</p>	<p style="text-align: right;">84</p> <p>1 will be able to deliver his closing remarks, and any  2 additional questions will be asked by the community  3 members.  4 So thank you very much to the Applicant for being  5 so flexible tonight. We really do appreciate it. And  6 we'll be back tomorrow to close everything off  7 properly.  8 Thank you, Mr. Chair.  9 MR. SULUK: What time would that be?  10 MS. MEADOWS: We're targeting 1:00, but  11 we're not a hundred percent sure because we're not able  12 to stay in Arviat. There wasn't room. So we're flying  13 in between Rankin Inlet and Arviat, and so it depends  14 on when the charter says that it's safe for us to fly  15 back tomorrow.  16 It looks like the weather is opening up tomorrow  17 afternoon. It looks like it'll be better flying  18 weather tomorrow, but maybe I should be asking you.  19 What do you think? What time do you think is going to  20 be -- is going to be okay?  21 THE CHAIR: Okay. Thank you.  22 Okay. The community session should be ending for  23 now, but as legal counsel mentioned, that we'll come  24 back tomorrow to finish off the agenda.  25 Okay. Thank you. Thank you all.  26</p>

1 PROCEEDINGS ADJOURNED UNTIL JUNE 1, 2022

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3 CERTIFICATE OF TRANSCRIPT:

4

5 I, Andres Vidal, certify that the foregoing pages  
6 are a complete and accurate transcript of the  
7 proceedings taken down by me in shorthand and  
8 transcribed from my shorthand notes to the best of my  
9 skill and ability.

10 Dated at the City of St. Albert, Province of  
11 Alberta, this 22nd day of June 2022.

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16 A. Vidal, CSR(A), RMR

17 Official Court Reporter

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