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NUNAVUT WATER BOARD
NUNAVUT IMALIRIYIN KATIMAYINGI
OFFICE DES EAUX DU NUNAVUT

**NWB File No: 3BM-CHE1523
Renewal-Amendment Application**

March 22, 2023

John Ivey
Senior Administrative Officer
Municipality of Chesterfield Inlet
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Chesterfield Inlet, Nunavut, X0C 0B0

Email: sao@chesterfield-inlet.com

Kayla Clouter
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Municipal Infrastructure
Community and Government Services (CGS)
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Email: kclouter@gov.nu.ca

Subject: Water Licence No: 3BM-CHE1523; Submission of Renewal-Amendment Application

Dear Mr. Ivey and Ms. Clouter,

The Nunavut Water Board (NWB or Board) acknowledges receipt of updated application (Application) and supporting information to renew Type “B” Water Licence No: 3BM-CHE1523 submitted on March 20, 2023 by the Government of Nunavut – Community and Government Services (GN-CGS) on behalf of the Municipality of Chesterfield Inlet (Applicant or Municipality), for the continued Use of Water and Deposit of Waste.

The initial application submitted on December 20, 2022, was for a Type “B” Application. Following an initial review of the application package, it was found that the Applicant had a water usage of over three hundred (300) cubic metres *per* day, which is a trigger for requiring a Type “A” Water Licence. At that time, the NWB staff advised the Applicant to submit a revised application for a Type “A” Water Licence and to contact the Nunavut Planning Commission (NPC) and the Nunavut Impact Review Board (NIRB) to inform them that their project proposal will require a Type “A” Renewal Water Licence.

The Application has been placed in the Board’s Public Registry and is available from the NWB’s FTP site using the following link:

<ftp://ftp.nwb-oen.ca/registry/3%20MUNICIPAL/3A/3AM%20-%20Municipality/3AM-CHE----/1%20APPLICATION/2023%20Amend%20Renew>



On March 7, 2023, the NPC issued its land use conformity determination¹ for the renewal of Water Licence No: 3BM-CHE1523 for continued use of Water and deposit of Waste in the Municipality of Chesterfield Inlet. In their letter, the NPC states that the activities proposed in this application were previously reviewed, and conformity determinations were issued on April 28, 2015 and October 27, 2022, which still apply. The project activities were previously exempt by the Nunavut Impact Review Board (NIRB File No.: EX232). The NPC has determined that this project proposal conforms to the Keewatin Regional Land Use Plan (KRLUP). The project is not a significant modification and does not require screening by the NIRB under section 12.4.3 of the *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in Right of Canada (Nunavut Agreement)*.

- Type “A” Water Licence Renewal Application
- Authorization Letter
- NPC Determination Letter
- Plan for Compliance 2022
- Renewal Cover Letter
- Summaries in English and Inuktitut
- 2022 Chesterfield Inlet Environmental Emergency Spill Contingency Plan
- 2022 Chesterfield Inlet Environmental Monitoring and QAQC Plan
- OM Plan Sewage Disposal Facility 2022
- OM Plan Solid Waste Facility 2022
- OM Plan Water Supply Facility 2022

The NWB has conducted a preliminary review of the submission(s) and determined that the Application meets the requirements allowing for public distribution in support of an initial technical assessment. Further, the preliminary review confirms that the Application is for a Type “A” Water Licence, which will require a public hearing in accordance with s. 52² of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act (NWSRTA or Act)*. All public hearing matters

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



will be carried out in accordance with the Board's *Rules of Practice and Procedure for Public Hearing* dated May 11, 2005 (*NWB Rules*).

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

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

All intervening parties should provide their submissions to the NWB's Manager of Licensing at licensing@nwb-oen.ca by **April 12, 2023 (3:00 p.m. MT)**.

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

Once the Application has been deemed complete, the following general process will be undertaken. Complete details on the NWB's licensing process are available in NWB Guide 5³, and the Board preserves the right to modify the licensing process, including timelines as may be required to appropriately process this Application.

1. Notice of the Application

A notice of the Application will be made in accordance with s. 55(1) of the *Act*. This notice will invite interested persons to make representation to the Board. Parties will be advised of the consequences of failure to respond as outlined in ss. 59 and 60(2) of the *Act*. Furthermore, the Board will distribute notice to the communities and interested parties affected by the Application and shall publish the notice in a newspaper of general circulation in the areas that are affected. If

³ Guide 5 – Processing Water Licence Applications (April 2010).



there is no such newspaper, the Board shall publish the notice in such other manner as the Board considers appropriate.

2. Detailed Technical Review

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

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

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

4. Pre-Hearing Conference (PHC) Decision

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

5. Public Hearing (PH)

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



6. Public Hearing Decision

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

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

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

All comments, recommendations and any requests for information (IRs) should be submitted to the NWB's Manager of Licensing at licensing@nwb-oen.ca **no later than April 12, 2023 (3:00 p.m. MT).**

If you have any questions regarding the above or procedural matters, please contact Richard Dwyer, Manager of Licensing, at (867) 360-6338 ext. 27 or by e-mail to licensing@nwb-oen.ca. For inquiries related to technical matters, please contact Mohammad Ali Shaikh, Technical Advisor, at (867) 360-6338 ext. 33 or by e-mail to ali.shaikh@nwb-oen.ca.

Sincerely,

Richard Dwyer
Manager of Licensing

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Cc: Kivalliq Distribution