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NUNAVUT WATER BOARD  
NUNAVUT IMALIRIYIN KATIMAYINGI  
OFFICE DES EAUX DU NUNAVUT

**NWB File No: 3AM-GRA1015/  
Amendment No. 1**

August 23, 2013

Jason Tologanak, Regional Director, Kivalliq Region  
Government of Nunavut, Department of Community  
and Government Services (GN-CGS)  
P.O. BAG 002, GN, Rankin Inlet, NU X0C 0G0

Arlen Foster, EIT  
Stantec Architecture Ltd  
4910 53 Street, PO Box 1777  
Yellowknife, NWT X1A 2P4  
Email: [arlen.foster@stantec.com](mailto:arlen.foster@stantec.com)

**Subject: Licence No. 3AM-GRA1015, Government of Nunavut, Department of  
Community and Government Services (GN-CGS), Hamlet of Rankin Inlet:  
Amendment Application – Seasonal Replenishment of Nipissar Lake**

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Dear Mr. Tologanak and Foster,

The Nunavut Water Board (NWB or Board) acknowledges receipt on August 8, 2012, of an amendment application (Application) and supporting documentation for a Type “A” Water Licence and additional supporting information on October 6, 2012 and August 12, 2013, from Stantec Architecture Ltd. (Stantec) on behalf of the Government of Nunavut, Department of Community and Governmental Services for the Hamlet of Rankin Inlet Municipal Licence No. 3AM-GRA1015.

Your submission has been placed in the Board’s Public Registry and is available from our ftp site using the following access (Username: *public* and Password: *registry*) and link:

<ftp://nunavutwaterboard.org/1%20PRUC/3%20MUNICIPAL/3A/3AM%20-%20Municipality/3AM-GRA1015/1%20APPLICATION/2012%20Amendment/>

The following documents are included within the Application:

**August 8, 2012 submissions:**

- Cover Letter Amendment Application;
- Summaries in English and Inuktitut;
- Completed Application form for Water Licence Amendment;
- Drawings:
  - C1 Pipeline Site Plan;
  - C8 Pipeline & Screen Details;
  - C9 Intake Pump Details Revised;
  - C10 Intake Site Plan; and

#### C11 Project Specifications

- Stantec Authorization Letter from GN-CG; and
- Design of Pipeline System to Augment Natural replenishment of Nipissar Lake Rankin Inlet, Nunavut, Canada prepared by FSC Architects & Engineers on December 15, 2010.

#### October 6, 2012 submissions

- Stantec Additional Information Letter to NWB; and
- Water Supply Capacity, Consumption & Conservation Study Rankin Inlet, NU prepared by RMSi and FSC Architects & Engineers on April 20, 2010;
  - Appendix A: Specification for Leak reduction Equipment;
  - Appendix B: AWWA/IWA Water Audit and Water Balance Report;
  - Appendix C: Costs and Water Saving Model;
  - Appendix: Individual Program Descriptions;
  - Appendix E: Nipissar Lake Volume Study and Environmental Variable Study.

#### August 12, 2013 submissions

- Stantec Additional Information letter to NWB with C101 Area Map.

The Board notes the absence of information related to pre-licensing information with respect to land use planning and environmental assessment processes. The NWB acknowledges that the Hamlet of Rankin Inlet Municipal Type “A” Licence application was originally reviewed for conformity against the Keewatin Regional Land Use Plan (KRLUP) on March 19, 2010. Pursuant to s. 11.5.10 of the Nunavut Land Claims Agreement (NLCA), the Nunavut Planning Commission (NPC) shall review the project proposal and determine whether it is in conformity with the KRLUP.

According to s. 12.3.1 of NLCA when the NPC determines that a project proposal is in conformity with the land use plans, or a variance has been approved, the NPC shall forward the project proposal with its determination and recommendations to the NIRB for further screening. An exemption from screening decision under NLCA Schedule 12-1(3) was originally issued by the Nunavut Impact Review Board (NIRB) on March 16, 2010. Copies of the NPC and NIRB decisions are available from the ftp site, at the following link:

<ftp://nunavutwaterboard.org/1%20PRUC/3%20MUNICIPAL/3A/3AM%20-%20Municipality/3AM-GRA1015/2%20ADMIN/2%20NPC%20NIRB/>

It should be understood that the NWB may not issue, renew, or amend a licence for the use of waters or deposit of waste if, in accordance with s. 38(1) of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* (Act), there is an applicable land use plan approved in accordance with Part 5 of Article 11 unless the NPC has determined that the use of waters or deposit of waste, or in the case of an amendment any change to the use of waters or deposit of waste, conforms to the land use plan, and if in accordance with s. 39(1) of the Act, until the NIRB has completed the screening, reconsideration or where a review is required, issued a new project certificate.

However, in the interests of ensuring the application is dealt with in a timely manner, but recognizing the limits on the Board’s actions under s. 38 and s. 39 of the Act, while the Board

awaits for the NPC determination and direction of the NIRB regarding the pre-licensing process that may be required, the Board will continue with its initial processing of the application.

Accordingly, by copy of this letter, the NWB is asking interested persons to review the scope of the information provided and identify any deficiencies requiring additional information or further response from the Applicant. The parties are provided with the opportunity to submit Information Requests (IRs) identifying additional information and/or studies that may be required to evaluate all quantitative and qualitative effects of the undertaking in relation to the current water licence. The minimum information requirements are set out in the NWB Guide 7 – Licensee Requirements Following the Issuance of a Water Licence (see Table 3).

An indication of completeness and any IRs should be submitted to the NWB Manager of Licensing at [licensing@nunavutwaterboard.org](mailto:licensing@nunavutwaterboard.org) by **September 13, 2013**.

Following this assessment, the NWB will determine whether the application is complete, or whether additional information and studies will be required to evaluate all quantitative and qualitative effects of the undertaking, as per s. 48 of the Act. The NWB expects to have completed a completeness review by **September 23, 2013** and will advise the Licensee of the determination at that time. Once the application is deemed complete, the NWB will issue notice of the application pursuant to subsection 55(1) of the Act.

At this time, please note that, based on the NWB's initial review of your submission, your Application is deemed to be an application for a Type "A" Water Licence Amendment, which will require a public hearing as required by the Act. All public hearing matters will be carried out in accordance with the Board's *Rules of Practice and Procedure for Public Hearing* dated May 11, 2005 (NWB Rules).

**Once your application is deemed complete**, the general requirements are as follows:

➤ **Notice of the Application**

Notice of the Application is made in accordance with subsection 55(1) of the Act. This notice will invite interested persons to make representation to the Board. Parties will be advised that consequences of failure to respond are outlined in section 59 and subsection 60(2) of the Act. Furthermore, the Board will distribute notice to the council of each municipality in the area affected by the application and shall publish the notice in a newspaper of general circulation in the area affected or, if there is no such newspaper, in such other manner as the Board considers appropriate.

➤ **Technical Assessment**

Interested parties will be advised to undertake a detailed technical assessment of a complete application. Parties will be encouraged to work cooperatively to address technical issues during the review period. Generally, the Board provides at least sixty (60) days for technical review in advance of a technical meeting.

➤ **Technical Meeting/Pre-hearing conference**

Rule 14 of the NWB Rules permits the Board, through its staff or in conjunction with staff, to hold a pre-hearing conference (PHC) with the parties, either in writing, by teleconference or in person.<sup>1</sup> Upon commencement of the technical review, the Board anticipates setting a date for a PHC to follow approximately fifteen (15) days after the date for submission of technical reviews. The PHC is typically scheduled to follow a technical meeting contemplated in above.

Following the PHC, a PHC decision will be issued which may outline the technical commitments of the Applicant and the administrative and procedural requirements for a public hearing.

➤ **Notice of Public hearing**

Subsection 55(2) of the Act requires at least sixty (60) day notice of a public hearing. Accordingly, once the Board has determined the place, date and time of the hearing, a notice will be published by the Board at least sixty (60) days prior to the commencement of the public hearing in a manner that promotes public awareness and participation in the hearing.

The formal technical review of the application will begin on the date of the public notice of the application, however the Board strongly recommends that interested parties do not wait for the publication of the notice to begin their technical review on the information already provided by the applicant, as it is in the best interests of all parties to ensure they engage in timely review and response to the application.

If you have any questions or require clarification on the above, please contact Karen Kharatyan, Technical Advisor at 867-36-6338 or by email to [k.kharatyan@nunavutwaterboard.org](mailto:k.kharatyan@nunavutwaterboard.org) for any technical inquiries or, Phyllis Beaulieu, Manager of Licensing at 867-360-6338 or by email [licensing@nunavutwaterboard.org](mailto:licensing@nunavutwaterboard.org) for any procedural inquiries.

Sincerely,

*Original Signed By:*

Phyllis Beaulieu,  
Manager of Licensing

PB/kk

Cc: Kivalliq Dist.

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<sup>1</sup> Rule 14 states: “The Board may through its staff or in conjunction with staff, hold a pre-hearing conference (PHC) with the parties, either in writing, by teleconference, or in person, in order to deal with any of the following matters:

- (a) To set a timetable for the pre-hearing exchange of information;
  - (b) To finalize the list of issues to be dealt with at the hearing;
  - (c) To identify interested parties;
  - (d) To consider the desirability of amending an application for the purposes of clarification;
  - (e) To finalize procedures to be followed in a hearing; and
- To consider any other matters that may aid in the simplification and disposition of the application at the Hearing.”