



File No.: 3AM-GRA1015

Date: July 7, 2014

To: Rankin Inlet Distribution List

Re: Type “A” Water Licence 3AM-GRA1015, Government of Nunavut, Community and Government Services: Information on Public Hearing Regarding an Application for Amendment

On January 24, 2014, by Panel Motion 2013-25-P10-04, the members of the Rankin Inlet Panel (P10) duly appointed by the Nunavut Water Board (NWB or Board) to consider the Amendment Application of the existing Type “A” water licence 3AM-GRA1015, held by the Government of Nunavut, Department of Community and Government Services (GN-CGS, Applicant, or Proponent), approved the release of the Pre-Hearing Conference (PHC) Decision Report. The PHC Decision Report was subsequently released on January 28, 2014.

The PHC Decision stated that the NWB was awaiting the completion of the required assessment of the project by the Nunavut Impact Review Board (NIRB) and that, as a consequence, was unable at the time to set date for the Public Hearing prior to the issuance of NIRB Screening Decision. On June 26, 2014, the NWB was made aware that the NIRB issued Screening Decision Report No. 13UN037 as per Section 12.4.4 of the Nunavut Land Claims Agreement (NLCA). The Screening Decision stated that the Applicant's proposal could be processed without a review under Part 5 or 6 of the NLCA, and recommended project-specific terms and conditions.

The PHC Decision Report also identified the List of Issues to be addressed prior to the Public Hearing. The Board hereby advises that additional information was submitted by the Applicant to the NWB on February 2 and May 9, 2014. This information is available on the NWB's ftp site using the following link (Username: *public*; Password: *registry*):

<http://ftp.nunavutwaterboard.org/1%20PRUC%20PUBLIC%20REGISTRY/3%20MUNICIPAL/3A/3AM%20-%20Municipality/3AM-GRA1015/2%20ADMIN/4%20HEARINGS/1%20PH%20TECH%20MTG/>

Identification of Interested Parties

The PHC Decision Report provided the list of interested parties that attended the TM/PHC. During the PHC, these same parties confirmed their interest and intent to participate in the Public Hearing associated with the Amendment Application. They include:

- GN- CGS; and
- Aboriginal Affairs and Northern development Canada (AANDC).

In addition, the Board is inviting any other parties who wish to provide written submissions in respect of the Amendment Application in advance of the Public Hearing to do so. These parties will be advised to notify the Board and will be expected to observe the timelines for submission of written materials to the Board established for the other interveners.

With respect to participation of parties, the PHC Decision Report stated that the lack of participation at the TM/PHC by both Environment Canada (EC) and by Fisheries and Oceans Canada (DFO) was – and remains – an issue of considerable concern for the NWB. The integrated regulatory system is premised on the assumption that parties with considerable expertise and experience with the technical matters before the Board will have sufficient resources to fulfill their mandates and provide meaningful contributions to the licensing process. This includes participating fully in the NWB’s licensing processes, providing technical review comments and attending in person in the communities directly affected by water licence applications during technical meetings, pre-hearing conferences and public hearings. Therefore, the Board strongly urges EC and DFO to consider their participation at the Public Hearing in respect of this Amendment Application.

Public Hearing

The Board has decided the following matters in respect of the Public Hearing:

a. **Date, Time and Location**

Based on the feedback regarding suitable dates provided by the parties at the TM/PHC, various logistical constraints, including community events and dates when accommodations would be unavailable in the community, and the direction of the Board, the **NWB shall hold a one and a half (1.5) days Public Hearing, in person, as follows on the Application:**

- From **Thursday, September 25, 2014 to Friday September 26, 2014,**
- From **9:00 am to 5:00 pm on September 25, 2014** (evening sessions may be scheduled if necessary and at the discretion of the Board’s Chairperson) and **9:00 am to noon on September 26, 2014.**

The Public Hearing shall be held at the following venue:

- **Rankin Inlet, Nunavut – Community Hall**

b. **Order of events**

The Public Hearing will proceed by party/intervener (i.e. as opposed to proceeding by issue). The Board will follow the order of events as outlined in section 20.1 of the NWB’s *Rules of Practice and Procedure for Public Hearing*.

c. Equipment

Parties who need special audio-visual equipment at the Hearing are requested to inform the NWB of their specific needs within their written submissions to the Board due Thursday, August 28, 2014 so that arrangements can be made in advance.

Timetable for pre-Hearing Exchange of Information

As discussed at the PHC, the Board is already in receipt of documentation from the parties.

If parties would like to file additional written submissions upon which they will rely at the Hearing, the Board has established the following timetable for pre-Hearing exchange of Information in order to provide a fair opportunity for the Applicant to respond to the written submissions filed in advance of the Hearing, while preserving the requirement of Rule 12.4 of the *NWB Rules of Practice and Procedure for Public Hearings*, which establishes a minimum of fifteen (15) days be provided for review of all pre-Hearing written submissions. Reflecting these factors, the Board requires the participants to observe the following timetable:

- all further and final written submissions provided by interveners must be filed with the Board on or before **3:00 pm Mountain Time on Thursday, August 28, 2014;**
- all further and final responses by the Applicant to the information filed with the NWB to date must be filed with the Board on or before **3:00 pm Mountain Time on Thursday, September 11, 2014;**
- if the interveners and/or the Applicant file additional written submissions and final responses as outlined above, they are also required to provide **an Executive Summary of these documents in both English and Inuktitut at the same time** as they file the full submission; and
- the Board will consider requests for French language translation of the executive summary, but a request for French translation must be provided to the Board **on or before 3:00 p.m. Mountain Time on Thursday, August 28, 2014.**

In order to facilitate the NWB's review of interventions, the Board requests that submissions be generally structured in accordance with the list of issues provided by the Board in the PHC Decision.

All submissions will be posted on the NWB's ftp-site (<ftp://nunavutwaterboard.org/>) and in the public registry upon receipt. A copy of the public registry (both hard copy and electronic) as it relates to the Application will be available for review at the Public Hearing.

Procedures for the Hearing

In order to facilitate public participation and to accommodate language requirements of Board members and the community, the Public Hearing will be simultaneously interpreted in Inuktitut. **If parties require additional language services at the Public Hearing, please advise the NWB on or before 3:00 p.m. Mountain Time on Thursday, August 28, 2014.**

The Board accepts and thanks the parties for their agreement to provide sufficient photocopies of materials to be presented at the Public Hearing for the Board, staff, intervening parties and a reasonable number of persons from the general public that may be in attendance.

The NWB will also provide for a stenographer to record the Public Hearing and provide transcripts.

If you require additional information, please do not hesitate to contact the Board's Director of Technical Services, David Hohnstein, david.hohnstein@nwb-oen.ca or the Board's Manager of Licensing, Phyllis Beaulieu, at phyllis.beaulieu@nwb-oen.ca for any other matter related to the Amendment Application.

Regards,

Original Signed By :

Damien Côté
Executive Director