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**131210 3AM-GRA1015 NPC / NIRB Requirements**1 message

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**Damien Côté** <damien.cote@nwb-oen.ca>

Tue, Dec 10, 2013 at 1:22 PM

To: Sharon Ehaloak &lt;sehaloak@nunavut.ca&gt;, Brian Aglukark &lt;aglukark@nunavut.ca&gt;, Christopher Tickner &lt;ctickner@nunavut.ca&gt;

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Hi Sharon, Brian, Christopher,

I hope that you are doing well and that your community tours are going well.

The NWB has scheduled a Technical Meeting and Pre-Hearing Conference for the Municipality of Rankin Inlet's Type A Water Licence Amendment file. The meeting is to be held, in-person, in Rankin Inlet on January 14-15, 2014.

A little less than 4 months ago, the NWB circulated correspondence to its Kivalliq Region distribution list which included the excerpt found below. It's our understanding that this information, as per usual practice, was also received by the NPC, seeing as the NPC staff are on the above-noted mailing list.

Please note that, at this time, the NWB has not yet received any information with respect to the Conformity Determination for this file. Understandably, additional delays on this matter is expected to have impacts on the NIRB's ability to carry out its screening process. As such, could the NPC kindly provide us with an update on the status of this file as soon as possible to help ensure that the NWB is able to carry out its water licensing process without significant interruption(s).

Your assistance with this is much appreciated and please don't hesitate to contact me with any questions you may have.

Damien

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.

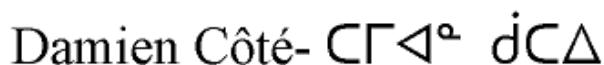
According to s. 12.3.1 of NLCA when the NPC determines that a project proposal is in conformity with the land use plans, or a variance has been approved, the NPC shall forward the project proposal with its determination and recommendations to the NIRB for further screening.

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

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."



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