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NUNAVUT WATER BOARD
NUNAVUT IMALIRIYIN KATIMAYINGI
OFFICE DES EAUX DU NUNAVUT

**NWB File No: 3AM-GRA1624
Amendment No: 1**

November 9, 2020

Sarah Collins, P. Eng.
Government of Nunavut
Community and Government Services
PO Box 490
Rankin Inlet, NU, X0C 0G0

Email: scollins@gov.nu.ca

Subject: Type “A” Water Licence No: 3AM-GRA1624; Application for Amendment to the Water Supply Facilities and associated Water Distribution Utilidor System; Government of Nunavut, Community and Government Services.

Dear Ms. Collins:

Further to the Nunavut Water Board (NWB or Board) correspondence of September 31, 2020¹, with respect to the determination of completeness of the 3AM-GRA1624 Water Licence Amendment Application and supporting documentation (Application) submitted by the Government of Nunavut, Community and Government Services (GN-CGS or Applicant) for their Municipal Water Licence Project; the Board received Information Request (IR) from the Crown-Indigenous Relations and Northern Affairs (CIRNA) on October 16, 2020. A complete response to IR was provided by GN-CGS on October 27, 2020, and it was confirmed with CIRNA on October 28, 2020, that the information is sufficient to enter into the full technical review phase of the Application. Up to this point, the NWB has not received any indication that the Application should not proceed through the regulatory process.

Copies of the comments received from Intervener(s), submissions from the Applicant, and all documents associated with the Application have been placed in the Board’s Public Registry and made available through the NWB’s FTP site using the following link:

<ftp://ftp.nwb-oen.ca/registry/3%20MUNICIPAL/3A/3AM%20-%20Municipality/3AM-GRA1624/>

¹ Letter from Richard Dwyer (NWB) to Sarah Collins (Ranken Inlet), Re: Application for Type ‘A’ Water Licence Amendment, File No: 3AM-GRA1624, Government of Nunavut, Community and Government Services, September 21, 2020.

Notice of Application and Commencement of Technical Review

Based on the scope and nature of undertaking, the Application has been deemed to be a complete application for a Type “A” Water Licence. As such, it will require a Public Hearing as required by the Nunavut Waters and Nunavut Surface Rights Tribunal Act (NWNSTRA or 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).

NWB Notice of Application and Commencement of Technical Review

The NWB has determined through the completeness and preliminary assessment, which took into consideration the Application, Intervener(s)’ submissions, and the Board’s initial review, that the Application submitted by GN-CGS generally constitutes an administratively and materially complete Application in accordance with the Guides². The Board has therefore decided that the Application can proceed to the next stage(s) of the licensing process, subject to any outstanding pre-licensing considerations that may be associated with the Application. The NWB retains the rights, however, to request additional information and studies pursuant to s.s. 48(2) of the NWNSTRA or to issue additional guidelines for the provision of information pursuant to s.s. 48(3) of the NWNSTRA, if it becomes necessary.

In accordance with s. 55(1) of the NWNSTRA, the **Board gives notice of the Application** and invites interested persons to make representation to the Board no later than **December 7, 2020** (3:00 p.m., MST). Notice of the Application will also be forwarded to the council of municipality of Rankin Inlet, local organizations and shall be published in a newspaper of general circulation in the area(s) affected or, if there is no such newspaper, in such other manner as the Board considers appropriate. Parties are advised that the consequences of failure to respond are outlined in s. 59 and s. 60(2) of the NWNSTRA³.

By copy of this letter to the distribution list, all interested parties or persons are requested to complete a thorough technical assessment of the Application for the amendment to the Type “A” Water Licence 3AM-GRA1624, available from the NWB Public Registry or by directly contacting Ms. Sarah Collins, at scollins@gov.nu.ca.

Next Steps in the Process

The next steps in the Board’s consideration of the Application in respect of GN-CGS Municipal Water Licence Project, have been outlined as follows for the information of all parties. Please note that the Board reserves the right to revise the next steps and timelines if circumstances dictate:

Steps Preceding Technical Meeting

November 9, 2020:	Commencement of the technical review period; parties are asked to provide their technical review comments to the Board
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² The minimum information requirements set out in the NWB Guidance Documents: Guide 4 – Completing and Submitting a Water Licence Application for a New Licence, July 2015, see Table 1; and Guide 5 – Processing Water Licence Applications, July 2015, see Table 1.

³ Section 59: In the circumstances described in paragraph 58(b), an applicant need not compensate the person under section 58 if the person fails to respond to the notice of application given under subsection 55(1) within the time period specified in the notice for making representations to the Board. Section 60(2) Subsection (1) does not apply in respect of a person referred to in that subsection who fails to respond to the notice of application given under subsection 55(1) within the time period specified in that notice for making representations to the Board.

Notice of Application and Commencement of Technical Review

December 7, 2020:	Submission of technical review comments and representations to the Board.
January 14, 2021:	Applicant to provide response(s) to technical review comments. Parties given an opportunity to review responses from Applicant
February 1, 2021:	Circulation of draft agenda for the Technical Meeting.
February 8, 2021:	Submission of Applicants and Interveners presentations for the proposed technical meeting (including translated versions). Confirmation of attendance and draft agenda.
February 10, 2021:	Circulation of final agenda for the Technical Meeting / Pre-Hearing Conference.

Steps including and following Technical Meeting**1. Technical Meeting / Pre-Hearing Conference (TM/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 has directed the staff of the NWB, in accordance with the NWB Rules, to hold the TM-PHC for the Application, through teleconference, on the week of February 15, 2021 (tentatively on **February 15-16, 2021**). Interested persons should note that these dates are tentative and could be changed by the Board with a notice provided to parties. In advance of the date on which the TM-PHC will be held, the NWB will issue correspondence that will confirm dates and provide other relevant details.

2. Pre-Hearing Conference (PHC) Decision

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

Public Hearing (PH) Notice

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

3. Public Hearing Decision

Following the Public Hearing, the Board will issue a final written decision with reasons (final decision). The final decision will be provided to the Minister of Intergovernmental and Northern Affairs and Internal Trade (Minister) for the Minister's decision. Interested and intervening parties will also be provided with a copy of the Board's final decision as well as the Minister's decision.

Throughout the technical review phase, interested parties are encouraged to work cooperatively with GN-CCS to discuss issues in advance of the proposed Technical Meeting / Pre-hearing Conference. The NWB, however, requests to be kept informed of any issues and any agreement reached between the parties on specific issues related to the Application. The Board also asks that all technical review comments, particularly for matters such as air quality, noise, and wildlife, be provided within the limits of the NWB's jurisdiction over the use of waters and the deposit of waste in waters or that may enter waters.

All parties participating in the technical review of the Application are required to file documentation in accordance with the timelines set out in table above. The Board highlights that parties, wishing to file technical review comments pertaining to the Application, should file their comment submissions with the NWB's Manager of Licensing by email to licensing@nwb-oen.ca by December 7, 2020 (3:00 p.m., MST).

If you have any questions regarding procedural matters related to the file, please contact Richard Dwyer, Licensing Manager, at richard.dwyer@nwb-oen.ca or by phone at (867) 360-6338 (ext. 27). For any technical inquiries, please contact Derek Donald, Technical Advisor at derek.donald@nwb-oen.ca or by phone at 867-360-6338, ext. 32.

Sincerely,

Stephanie Autut
Executive Director
NUNAVUT WATER BOARD

SA/dd/rqd

Cc: Distribution List – Kivalliq