

NUNAVUT WATER BOARD

Type "A" Water Licence Renewal Application 3AM-GRA1015

HEARING

VOLUME 2

Rankin Inlet, Nunavut

March 17, 2016

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1 Proceedings taken at Rankin Inlet, Nunavut

2

3 March 17, 2016

4

5 NUNAVUT WATER BOARD

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26 Affairs Canada

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1 (PROCEEDINGS COMMENCED AT 9:08 AM)

2 THE CHAIR: Good morning and welcome back.

3 I guess we're on our agenda Item Number 8 of this
4 public hearing. Like I indicated last night, we'll be
5 back here this morning with the closing remarks by the
6 applicant, INAC, ECCC. I guess we'll do our closing
7 remarks.

8 CGS?

9 Closing Remarks by Community and Government Services

10 MS. LUSTY: Megan Lusty, CGS. Thank you
11 to the Board, Nunavut Water staff, INAC, Environment
12 Canada for all participating in this public hearing and
13 throughout the entire renewal process.

14 GN-CGS is requesting the renewal of our Type "A"
15 Water Licence 3AM-GRA1015 for the use of water and
16 operation of the water supply facilities, utilidor, and
17 sewage treatment facility in the Hamlet of Rankin for a
18 term of eight years.

19 CGS is currently authorized to withdraw 850,000
20 cubic metres annually from Nipissar Lake and transfer
21 3,485 cubic metres per day from Char River to Nipissar
22 Lake which was authorized under Amendment Number 1.
23 CGS has not requested changes to these volumes during
24 the licence renewal, as the water use is not projected
25 to exceed this volume until beyond 2024.

26 CGS submitted to the Nunavut Water Board the

1 Golder Associates report, Nipissar Lake and Lower
2 Landing Lake water balance assessment, and the
3 technical memorandum Char River theoretical rating
4 curve based on field data in February -- sorry, my
5 apologies -- submitted in February 2016.

6 The Char River rating curve study allows CGS to
7 conduct the seasonal hydrological monitoring of Char
8 River that needs to be provided under the Amendment
9 Number 1 for the water pumping adaptive management
10 plan. This plan will be continued to be reviewed and
11 updated annually for submission to the Nunavut Water
12 Board with the annual report as per Part C, Item 14 of
13 Amendment Number 1. Future updates will include a
14 summary from the Golder tool kit which is currently
15 being developed to incorporate current water levels and
16 seasonal barometric data. The tool kit will input
17 information that CGS staff will read from the staff
18 gauges that measure the water depth in Nipissar Lake,
19 Char River, and Lower Landing Lake, and also input the
20 water use. Then the tool kit will be able to output
21 the current water volumes in the lake and the volume of
22 water that will be needed to recharge Nipissar Lake to
23 meet the natural recharge deficit for that year.

24 The water balance assessment and the technical
25 memo outline that while it is possible to pump water
26 from Char River within the conditions of the licence,

1 which are 10 percent of the flow rate and a minimum
2 water depth of .5 metres, on an average year, it will
3 only be possible to pump for approximately 50 days.
4 This water volume is not sufficient for the long-term
5 water consumption of Rankin Inlet.

6 Char River and Lower Landing Lake are
7 hydrologically connected and are within the same
8 watershed. The water balance assessment accounts for
9 the impacts on Char River if water is instead drawn
10 from Lower Landing Lake. The Char River pumping
11 conditions will be met if pumping occurs from Lower
12 Landing Lake, but pumping would be able to occur for a
13 longer period of time. The volume of water that could
14 be pumped from Lower Landing Lake to recharge Nipissar
15 Lake would support Rankin Inlet well into the future
16 until approximately 2062.

17 Throughout the entire renewal process, it has been
18 CGS's intention to move the resupply pipeline intake
19 from Char River to Lower Landing Lake once there was
20 sufficient information supporting sustainability of
21 Lower Landing Lake as a water source and once we
22 received all appropriate approvals.

23 In May two thousand -- sorry, in May 15th, 2015,
24 in CGS's response to the completeness check and initial
25 technical review comments, specifically in response to
26 AANDC's, now INAC's, comments Number 5 and 6, the

1 submission stated that Lower Landing Lake, also known
2 as First Landing Lake, has been chosen as an
3 alternative source water for Rankin Inlet. The project
4 to locate alternative sources of drinking water for
5 each Nunavut hamlet prepared by Williams Engineering in
6 2014 identified Lower Landing Lake an alternative
7 source for Rankin Inlet, and lab analysis confirmed
8 that the water quality was similar to that of Nipissar
9 Lake.

10 Additionally, a bathymetric study was done in 2009
11 by Natural Resources Canada and determined the volume
12 of Lower Landing Lake to be 4.2 million cubic metres,
13 approximately 1.5 times the volume of Nipissar Lake,
14 which was determined in the same study. To confirm
15 that Lower Landing Lake will be a sufficient
16 supplemental water source for Nipissar Lake as a
17 population and subsequent water consumption of Rankin
18 Inlet grows --

19 THE CHAIR: Megan, could you please slow
20 down?

21 MS. LUSTY: My apologies. Sorry.

22 Continuing this quotation from the May 2015
23 submission, to confirm that Lower Landing Lake will be
24 a sufficient supplemental water source for Nipissar
25 Lake, as the population and subsequent water
26 consumption of Rankin Inlet grows, a hydrological study

1 will be completed of Lower Landing Lake during summer
2 2015. Once this hydrological study is complete, design
3 of the resupply pumpline extension from Char River to
4 Lower Landing Lake will begin. Upon design completion,
5 approval from the Nunavut Water Board will be sought
6 prior to construction of the resupply pipeline
7 extension. Again, that's the end of the quote there,
8 and that was what was submitted in May 2015 as what CGS
9 saw the plan for when the intake pipeline would be
10 moved. All information available to support the use of
11 Lower Landing Lake as a supplementary water source has
12 already been submitted to the Nunavut Water Board.

13 CGS is in agreement with INAC that Lower Landing
14 Lake is a more adequate choice for supplementary water
15 source, and we would like to move the intake as soon as
16 possible; however, we acknowledge that the proper
17 procedures must be followed. This current application
18 was submitted to renew the licence term so that CGS
19 would be holding a valid water licence.

20 The supporting information that we have now from
21 the Golder report in February 2016 was not available
22 one year ago when the water licence application was
23 submitted, and as such, we could not substantiate the
24 request to move the intake at that time. With the
25 information now available, CGS will move forward to get
26 the appropriate approvals to be able to move the intake

1 pipeline to Lower Landing Lake.

2 The other topic that has been discussed in this
3 public hearing is the sewage discharge to the marine
4 environment that's outside the jurisdiction of the
5 Nunavut Water Board. CGS has agreed with Environment
6 Canada for additional effluent sampling, including
7 reporting of the already analyzed CBOD and total oil
8 and grease and additional sampling for hydrocarbons.
9 CGS will continue to work with the community to promote
10 diversion of oil and grease from the sewage stream and
11 have it deposited at the Hamlet solid waste site as
12 required.

13 CGS will have a multiyear study conducted on the
14 sewage effluent characterization and the impact on the
15 surrounding environment. This Rankin Inlet wastewater
16 effluent assessment will be completed by December 31st,
17 two thousand and -- sorry, December 31st, 2017.

18 The northern performance standards for wastewater
19 effluent are currently being developed; however, the
20 wastewater system effluent regulations, or WSER, do not
21 currently apply to the north, as it was recognized in
22 the CCME Canada-wide strategy for management of
23 municipal wastewater effluent that, due to extreme
24 climate conditions and the remoteness of Canada's far
25 north, a viable means to improve human health and
26 environmental protection needs to be carefully

1 considered.

2 As far-north performance standards have not yet
3 been proposed, there is no treatment target currently
4 in place. As these regulations come into place in the
5 future and the effluent assessment is completed, CGS
6 will be able to develop a plan for secondary treatment,
7 and we foresee the development of this beginning in
8 2018.

9 INAC has also brought forward that the requirement
10 of the GN Department of Health to provide approval by
11 the Chief Medical Officer of Health for the sewage
12 discharge falls under the Arctic Waters Pollution
13 Prevention Act. CGS has begun preliminary discussions
14 with the Department of Health, and discussions with
15 Department of Health, Environment Canada, and INAC will
16 continue on outside of this public hearing and outside
17 of the scope of the licence.

18 CGS will once again like to thank the Board for
19 considering this renewal application and for all of the
20 intervenors for participating in this hearing. Thank
21 you.

22 THE CHAIR: Thank you.

23 Next we have INAC.

24 Closing Remarks by Indigenous and Northern Affairs
25 Canada

26 MR. BURGESS: Good morning. Scott Burgess

1 with Indigenous and Northern Affairs Canada.

2 Thank you, Mr. Chair, Board members and staff, CGS
3 staff, and other intervenors and the public.

4 Indigenous and Northern Affairs Canada would like to
5 start by stating that the applicant has adequately
6 addressed our concerns to date. This was achieved
7 either through written correspondence through the
8 Board's licencing process or via emails and telephone
9 conversations with the applicant. At this time, the
10 latest documents submitted by CGS adequately address
11 INAC's concern of a sustainable water source to
12 replenish Nipissar Lake. Our submission on February
13 26th, 2016, addresses this concern and provides a
14 recommendation. As such, we will have no further -- we
15 will have no further submissions.

16 Coming into the public hearing, the Department
17 only had one concern remaining, this being the adequacy
18 of the Char River being able to seasonally replenish
19 Nipissar Lake now and into the future. In reviewing
20 the documents submitted by the applicant in February of
21 2016, namely the water balance assessment report and
22 the water pumping adaptive management plan, it is clear
23 that Char River is not an adequate source for
24 replenishment of Nipissar Lake based on projections of
25 water use requirements and population growth in Rankin
26 Inlet. CGS's evidence given yesterday supports this.

1 The two documents I just referred to indicate that
2 the only alternative long-term replenishment source is
3 Lower Landing Lake. The document showed that Lower
4 Landing Lake would be able to seasonally replenish
5 Nipissar Lake for many years to come based on the
6 withdrawal rates of the current licence.

7 Given this information, the movement of the
8 pumping station and water intake from the Char River to
9 Lower Landing Lake is necessary to meet the town's
10 water demands in the future. The Board will, of
11 course, have to decide how it wishes to proceed with
12 the movement of the water source and intake point. It
13 is the understanding of INAC that the Board raised the
14 possibility that this could be done within this
15 licencing process.

16 It is normal that projects change during the
17 assessment and approval processes. The original
18 project description and the original licence
19 application materials do not always represent the
20 optimal configuration for the project. That is why
21 assessment procedures encourage alternatives
22 assessments and encourage proponents to learn from
23 these alternative assessments and incorporate newer and
24 better approaches.

25 Sometimes a modification is significant enough to
26 require that the process revert to an earlier stage,

1 but not every modification is significant enough to
2 merit restarting the process from this earlier stage.
3 Sometimes a change can be dealt with by giving notice
4 of a potential change and giving interested parties the
5 opportunity to respond to the potential change.

6 It is the Board -- it is for the Board to
7 determine how it will deal with this. It would be
8 optimal if this process could accommodate the change in
9 a procedurally appropriate manner, while also being
10 attentive to the amount of resources that all parties
11 invest in a licencing process.

12 Lastly, the Department has no objection to the
13 proposed term of eight years for the renewal of this
14 licence.

15 Thank you to the applicant, to the Board, and to
16 everybody else for allowing us to read these concluding
17 remarks. Thank you.

18 THE CHAIR: Next we have Environment
19 Canada Climate Change.

20 Closing Remarks by Environment and Climate Change
21 Canada

22 MS. WILSON: Good morning. It's Anne
23 Wilson with Environment and Climate Change Canada, and
24 I'll provide the closing remarks on behalf of Bradley
25 Summerfield and myself for our department.

26 Environment and Climate Change Canada's

1 recommendations for the renewal licence included
2 monitoring of effluent quality in support of a separate
3 process for addressing treatment upgrades. This
4 includes maintaining the quarterly reporting of
5 parameters listed in the expiring licence with the
6 addition of the carbonaceous biological oxygen demand,
7 lab measurements of oil and grease, and total petroleum
8 hydrocarbons. We'd also requested minor corrections to
9 the quality assurance/quality control plan, which can
10 be addressed in the next update of that plan rather
11 than requiring resubmission of a new plan.

12 The other item was compliance promotion for oil
13 and grease disposal, and ECCC commends the GN for
14 already working to address this.

15 The issue of future infrastructure upgrades to
16 achieve secondary treatment will be discussed outside
17 the water licence, as noted by the GN, and we feel
18 without the need for licence conditions in the renewal
19 licence. ECCC appreciates the cooperative and
20 collaborative approach being taken by the GN-CGS on
21 this issue.

22 With respect to moving the water withdrawal
23 intake, ECCC has no objection to including the use of
24 Lower Landing Lake in this renewal process if the Board
25 so feels it is appropriate.

26 ECCC concurs with the eight-year licence term, and

1 in concluding, we'd like to say a big thank you to the
2 Nunavut Water Board and to their staff for the
3 opportunity to participate in this process, and we'd
4 like to thank the other parties for a very
5 collaborative and cooperative constructive process.
6 Thank you.

7 THE CHAIR: We'll take a five-minute
8 break, and then we'll go on to my closing remarks.

9 (ADJOURNMENT)

10 THE CHAIR: Welcome back. I did skip one
11 too many earlier, so I should've -- my apologies for
12 skipping on the agenda earlier. So I will give the
13 applicant a chance to reply to the presentation closing
14 remarks by INAC and AANDC. Do you have any concerns
15 over that?

16 Closing Remarks by Community and Government Services

17 MS. LUSTY: Thank you, Mr. Chairman. This
18 is Megan Lusty, CGS. I don't have any concerns with
19 the closing statements by either INAC or Environment
20 Canada. I feel that we are all on the same page with
21 the concerns that were addressed during the public
22 hearing, so I don't have any further comments. Thank
23 you.

24 Closing Remarks by the Chair

25 THE CHAIR: Thank you.

26 The Board takes this opportunity to thank the

1 parties, especially the applicant; Government of
2 Nunavut, Community and Government Services;
3 intervenors, Indigenous and Northern Affairs Canada,
4 Environment and Climate Change Canada; NWB staff and
5 legal counsel, Cindy Kieu; interpreters, Mary Rose
6 Angoshadlok and John Ayaruaq; court reporter, Christy
7 Longacre; Pido Productions, Ryan Dempster; all the
8 community members and elders for their valued
9 participation in this hearing. Thanks also to the
10 caterers and the Hamlet of Rankin Inlet for their
11 outstanding hospitality and patience with the Board.

12 As we are at the close of the hearing, I will make
13 some comments to let parties know what happens next for
14 the application.

15 First, I now close the hearing record for the Type
16 "A" Renewal Water Licence 3AM-GRA1015 submitted by
17 Government of Nunavut, Community and Government
18 Services for the Hamlet of Rankin Inlet. What this
19 means is that no additional information will be
20 accepted on this application prior to the Board making
21 a final decision on the application. The Board
22 anticipates making a decision on the application in
23 approximately 30 to 45 days.

24 Have a good morning. Safe travels home to all
25 visitors to Rankin Inlet. The hearing is now adjourned
26 in accordance with these instructions, and I would like

1 to ask David Aglukarq Sr. to do the closing prayer.

2 Closing Prayer

3 THE CHAIR: Thank you.

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5 PROCEEDINGS CONCLUDED

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1 CERTIFICATE OF TRANSCRIPT:
2

3 I, Christy Longacre, certify that the foregoing
4 pages are a complete and accurate transcript of the
5 proceedings, taken down by me in shorthand and
6 transcribed from my shorthand notes to the best of my
7 skill and ability.

8 Dated at the City of Calgary, Province of Alberta,
9 this 21st day of March 2016.

10

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14 Christy Longacre, RPR, CSR(A)

15 Official Court Reporter
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