



**NUNAVUT WATER BOARD**

**WATER LICENCE NO: 3AM-GRA1015**

**REASONS FOR DECISION  
INCLUDING RECORD OF PROCEEDINGS**

# NUNAVUT WATER BOARD



In the Matter of:

Applicant: Government of Nunavut, Department of Community and Government Services (Application prepared and submitted by Stantec Architecture Ltd. on behalf of Government of Nunavut)

Subject: Application for Amendment to Existing Type “A” Water Licence 3AM-GRA1015

Date: December 23, 2014

Precedence: Where there is any inconsistency or conflict between the *Nunavut Land Claims Agreement* and the *Nunavut Waters and Nunavut Surface Rights Tribunal Act (NWNSRTA)*, the Agreement prevails to the extent of the inconsistency or conflict. Where there is any inconsistency or conflict between the *NWNSRTA* and any other act of Parliament, except the *Nunavut Land Claims Agreement Act*, the *NWNSRTA* prevails to the extent of the inconsistency or conflict.



## **RECORD OF PROCEEDINGS**

Applicant: Government of Nunavut, Department of Community and Government Services

Address: Kivalliq Region  
Government of Nunavut, Department of Community and Government Services  
P.O. BAG 002, GN, Rankin Inlet, NU X0C 0G0

Purpose: Application for Amendment of Type “A” Water Licence 3AM-GRA1015 Municipal Undertaking

Application Received on: August 14, 2012

Application Received from: GN-CGS duly authorized consultant, Stantec Architecture Ltd.

Date of Public Hearing: Thursday, September 25, 2014

Date Board Confirmed Public Hearing Record Closed: Friday, October 24, 2014

Nunavut Water Board Panel Members (Panel P10 Rankin Inlet):

Chairman	T. Kabloona
Member	D. Aglukark, Sr.
Member	R. Mrazek

Nunavut Water Board Staff:

Executive Director	D. Côté
Board Secretary/Interpreter	B. Kogvik
Director Technical Services	D. Hohnstein
Technical Advisor	K. Kharatyan
Technical Advisor	C. Ene
Technical Advisor	B. MacCarl
Licensing Administrator	R. Ikkutislu
Legal Counsel	C. Boyer (Shores Jardine LLP)

Interpreter: M. Angoshadluk

Court Reporter: C. Longacre, CSR(A), Dicta Court Reporting, Inc.

Sound Technician: R. Dempster, PIDO Productions

**Applicant:**  
Government of Nunavut,  
Department of Community and Government Services

**Parties:**  
Hamlet of Rankin Inlet

M. Lusty, Municipal Planning Engineer, GN-CGS  
J. Acorn, Team Lead, Environmental Management, (Stantec)

J. Merritt, Senior Administrative Officer  
T. Tungilik, Hamlet Councillor



Aboriginal Affairs and Northern  
Development Canada

K. Costello, Director of Resource Management  
I. Parsons, Regional Coordinator

Fisheries and Oceans Canada

J. Dahl, Regional Manager, Fisheries Protection Program

Participants Appearing at Public  
Hearing:

A. Aliyak  
A. Ipkornerk  
P. Ipkornerk  
R. Oolooyuk

Written Record of Submissions:

Available from the Board's public registry using the following  
(username: public, password: registry):

[ftp://ftp.nwb-  
oen.ca/1%20PRUC%20PUBLIC%20REGISTRY/3%20MUNICIP  
AL/3A/3AM%20-%20Municipality/3AM-  
GRA1015/2%20ADMIN/4%20HEARINGS/2%20HEARING/](ftp://ftp.nwb-oen.ca/1%20PRUC%20PUBLIC%20REGISTRY/3%20MUNICIPAL/3A/3AM%20-%20Municipality/3AM-GRA1015/2%20ADMIN/4%20HEARINGS/2%20HEARING/)



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## **REASONS FOR DECISION**

### **Executive Summary**

This decision is in relation to an Application before the Nunavut Water Board (NWB or Board), by the Government of Nunavut, Department of Community and Government Services (GN-CGS), as presented by Stantec Architecture Ltd., requesting an amendment to the existing Type “A” Water Licence 3AM-GRA1015 (the Amendment Application) which authorizes the use of water for a municipal undertaking. The Amendment Application requests the NWB to allow GN-CGS to withdraw water from the upper Char River just below the point of exit at the southern end of Lower Landing Lake and pump it via pipeline to Nipissar Lake for the purposes of community supply.

Given the obvious public interest in the Amendment Application and the public hearing requirements associated with an application for amendment of a Type “A” Water licence, the Board conducted an in-person Public Hearing in respect of the Amendment Application in Rankin Inlet on September 25, 2014. At the Public Hearing GN-CGS requested, and the NWB’s decision-making Panel P10 (Panel) for the Amendment Application granted a request, to keep the Hearing Record open to allow for the filing of additional information in relation to new information provided by Fisheries and Oceans Canada at the Public Hearing.

Subsequently, the NWB also identified that additional information regarding water chemistry within Lower Landing Lake and the Char River that was supposed to have been filed with the Board by the GN-CGS in the late summer had not yet been received. On October 6, 2014 the Board indicated that the Hearing Record would remain open until such time as the additional information regarding water chemistry was received and the intervening parties had an opportunity to provide any addition comments on that information.

The additional information and comments on that information were eventually received and the Hearing Record was closed on October 24, 2014. After the Hearing Record closed, the matter was remitted to the Panel. On the basis of the Amendment Application, written submissions of the parties and evidence heard by the Panel at the Public Hearing and additional information received before the Hearing Record closed, the Board has decided the following:

- To grant GN-CGS’ request to amend the existing type “A” Water licence in accordance with the terms and conditions outlined in the attached decision and amendment to the Licence;
- The Amendment to the Licence would authorize the withdrawal of water from the Char River at the point below the exit from Lower Landing Lake, but to ensure that this withdrawal is sustainable and does not compromise the in-stream flow needs of the Char River, the Board has determined that several amendments and additions will be made to the existing terms and conditions of Type “A” Water Licence 3AM-GRA1015, including the following:



- Amendment to the definition of water supply facilities;
- Amendment to the defined fresh water source for the community;
- Additions to the required reports and plans to be filed with the Board;
- To require GN-CGS to measure the daily flow of the Char River during pumping, to maintain in-stream flow objectives for the Char River;
- Amendments and additions to add monitoring program stations and annual sampling of the Char River and Lower Landing Lake; and
- Amendments to require GN-CGS to keep records of daily, monthly and annual quantities of water extracted from the Char River and pumped to Nipissar Lake.



## **SECTION I**                      **BACKGROUND AND REGULATORY HISTORY**

### **Application**

The Amendment Application before the NWB, submitted by Stantec Architecture Ltd. on behalf of GN-CGS (the Applicant), is for an amendment to the Hamlet of Rankin Inlet's Municipal Type "A" Water Licence 3AM-GRA1015 (the Licence) for an authorization to seasonally replenish Nipissar Lake, which is the Hamlet's water supply lake, from the Char River exiting Lower Landing Lake for a period of up to approximately 125 days annually.

The Applicant indicated that it has become necessary to seek the Board's authorization to allow the Applicant to withdraw water from the Char River to replenish Nipissar Lake because the volumes of water required by the community and withdrawn from Nipissar Lake are exceeding the natural replenishment of Nipissar Lake by an estimated 225,000 to 300,000 cubic metres on an annual basis. Consequently, the Applicant indicated that Nipissar Lake cannot continue to meet the water use needs of the community without replenishment from an additional external source.

### **The Current Licence**

The Licence was issued by the NWB on June 9, 2010 to the GN-CGS to authorize the use of water and the deposit of waste associated with the operation of the water supply facilities, utilidor and sewage treatment facility required by the Hamlet of Rankin Inlet. The Licence allows for the use of 850,000 cubic metres of water on annual basis and the source of the water used for this purpose is Nipissar Lake. The Licence expires on May 31, 2015.

### **Regulatory History of the Amendment Application**

On August 14, 2012, the Board received the Amendment Application from Stantec Architecture Ltd. (Stantec) filed on behalf of the GN-CGS. The Amendment Application sought to allow for additional Water to be withdrawn from the Char River exiting Lower Landing Lake to be pumped into Nipissar Lake during freshet and on-going during the summer. The reason for the request was that over the last few years the volume of water withdrawn from Nipissar Lake, under the Licence is exceeding the natural replenishment of Nipissar Lake. Consequently, without the addition of another source of water to supplement natural replenishment/recharge of Nipissar Lake, the rate of withdrawal for the community is unsustainable.

In reviewing the materials in support of the initial Amendment Application, the NWB concluded that additional information was necessary to properly consider the request. After receiving additional information from GN-CGS and providing opportunities to interveners and the public to comment on the completeness of the application and request additional information, the NWB issued a Notice of the Amendment Application on November 19, 2013, as required by s. 55(1) of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*, S.C. 2002, c. 10 (NWNSTRA) and invited parties to provide technical review comments on the Amendment Application.





Pursuant to Article 13 Clause 13.3.6 of the Nunavut Land Claims Agreement (NLCA) and s. 29<sup>1</sup> of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* (NWNSRTA), the Board delegated its power to dispose of all matters relating to the Application, including the conduct of the Public Hearing, to a Panel of the Board.

On December 11, 2013, the Nunavut Planning Commission (NPC) provided the NWB with a positive conformity determination for the Amendment Application under the Keewatin Regional Land Use Plan.<sup>2</sup> Following the NPC's positive conformity determination, the Amendment Application was referred to the Nunavut Impact Review Board (NIRB), who on December 17, 2013 requested that GN-CGS provide additional information to the NIRB in order to permit a proper screening of the Amendment Application. The GN-CGS was unable to provide the requested information to the NIRB in advance of the NWB's Technical Meeting (TM) and Pre-hearing Conference (PHC) for the Amendment Application, which took place on January 14 and 15, 2014 in Rankin Inlet, Nunavut.

Following the direction from the Board Panel, the TM and PHC were conducted by the Board staff and the Panel members were not present. The TM was chaired by the Board's Director of Technical Services, David Hohnstein and the PHC was chaired by the Board's Executive Director, Damien Côté. The purpose of these meetings was to bring together the Applicant, intervening parties and the NWB technical staff to discuss issues raised during the technical review of the Application and determine the next steps in the licensing process, the Public Hearing.

At the TM on January 14, 2014, the NWB learned that the pipeline, pump and associated infrastructure that would allow the Applicant to withdraw water from the Char River had already been constructed, but was not yet operational.

As noted above, when the NWB issued the TM and PHC Report on January 28, 2014 (the PHC Report) GN-CGS had not supplied the NIRB with the information required for the NIRB to complete its screening of the Amendment Application. Consequently, the Board noted in the PHC Report that until such time as the NIRB's assessment requirements had been met, the NWB would not be able to schedule a Public Hearing for the Amendment Application.

Based on the Amendment Application materials, written submissions received and the information exchanged as part of the TM and PHC and commitments, the NWB staff identified the following as issues that remained to be addressed at the Public Hearing:

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<sup>1</sup> Section 29 of the NWNSRTA states:

(1) The Board may establish panels of the Board and delegate any of its powers, duties and functions to them.

<sup>2</sup> See Article 13, Part 4, Section 13.4.6 of the Nunavut Land Claims Agreement (NLCA).



1. Char River daily flow potential monitoring during pumping and annual reporting
2. Lower Landing Lake, Char River and Nipissar Lake water chemistry sampling in 2014 to determine potential impacts on Nipissar Lake water quality
3. Adaptive management plan for Nipissar Lake Replenishment including:
  - a. Char River monitoring, and
  - b. Mitigation when Char River flow is insufficient for pumping
4. Nipissar Lake replenishment and preventing continued decrease of the lake's water level
5. Long-term alternative source assessment for Nipissar Lake replenishment; and
6. Erosion management at the pipeline low drain point

On June 26, 2014, the NIRB issued its Screening Decision Report stating the proposal may be processed without a review under Part 5 or 6, and recommending project-specific terms and conditions. In particular, the NWB notes the following terms and conditions from the NIRB Screening Decision Report<sup>3</sup> that are relevant to the water licensing process (note that the paragraph numbering and the terms and conditions below are quoted from the NIRB Screening Decision Report):

3. The Proponent shall operate in accordance with all commitments stated in correspondence provided to the NIRB and comprising its project proposal (NIRB Part 1 form, May 23, 2014, Nunavut Planning Commission Questionnaire, December 11, 2013) and the Nunavut Water Board (Amendment Application, September 3, 2014).
4. The Proponent shall operate the site in accordance with all applicable Acts, Regulations and Guidelines.
5. The Proponent shall not extract water from any fish-bearing water body unless the water intake hose is equipped with a screen of appropriate mesh size to ensure that there is no entrapment of fish. Small lakes or streams should not be used for water withdrawal unless approved by the Nunavut Water Board.
6. The Proponent shall not use water, including constructing or disturbing any stream, lakebed or the banks of any definable water course unless approved by the Nunavut Water Board.
8. Unless authorized, the Proponent shall locate all fuel and other hazardous materials a minimum of thirty-one (31) metres away from the high water mark of

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<sup>3</sup> Screening Decision Report, from NIRB to the Honourable Bernard Valcourt (AANDC), dated June 26, 2014.



any water body and in such a manner as to prevent their release into the environment.

9. Unless authorized, the Proponent shall ensure that re-fuelling of all equipment occurs at a minimum of thirty-one (31) metres away from the high water mark of any water body.
11. The Proponent shall use adequate secondary containment or a surface liner when storing barreled fuel and chemicals at all locations. Appropriate spill response equipment and clean-up materials (e.g., shovels, pumps, barrels, drip pans, and absorbents) must be readily available during any transfer of fuel or hazardous substances, as well as at vehicle-maintenance areas and the pump area.
12. The Proponent shall ensure that all personnel are properly trained in fuel and hazardous waste handling procedures, as well as spill response procedures. All spills of fuel or other deleterious materials of any amount must be reported immediately to the 24 hour Spill Line at (867) 920-8130.
21. Unless authorized, the Proponent shall ensure there is no obstruction of natural drainage, flooding or channel diversion from the pipeline and other structures or facilities.
22. The Proponent shall implement suitable erosion and sediment suppression measures on disturbed areas before, during and after construction in order to prevent sediment from entering any water body.
25. The Proponent shall select a winter route that maximizes the use of frozen water bodies and shall ensure that no disturbance of the stream bed or banks of any definable watercourse be permitted.
26. The Proponent shall not move any equipment or vehicles without prior testing the thickness of the ice to ensure the lake is in a state capable of fully supporting the equipment or vehicles without rutting or gouging.
27. The Proponent shall ensure that winter lake and/or stream crossings are located to minimize approach grades and constructed entirely of ice and snow materials. Ice or snow free of sediment should be the only materials used to construct temporary crossings over any ice-covered watercourse.
28. The Proponent shall ensure that bank disturbances are avoided, and no mechanized clearing carried out immediately adjacent to any watercourse.



29. The Proponent shall ensure that stream crossings and/or temporary crossings constructed from ice and snow, which may cause jams, flooding or impede fish passage and or water flow, are removed or notched prior to spring break-up.
30. The Proponent shall implement sediment and erosion control measures prior to, and during operations to prevent sediment entry into the water during the spring thaw. This includes ensuring that a sufficient thickness of snow and ice is present on the winter road to prevent unnecessary erosion of the underlying ground surface and impact on underneath vegetation.
31. The Proponent shall implement a clean-up and reclamation stabilization plan which should include, but is not limited to, re-vegetation and/or stabilization of exposed soil in road bed.”

Following the issuance of the NIRB Screening Decision Report, the NWB published the Notice of Public Hearing on July 7, 2014, in local newspapers, and on bulletin boards in affected communities identifying that the Public Hearing associated with the Amendment Application would be conducted in person, in Rankin Inlet on September 25 and 26, 2014. The Board requested that the written submissions of interested parties, complete with an executive summary in English and Inuktitut, be filed with the Board by August 28, 2014. Written submissions regarding the Amendment Application were received from AANDC on August 27, 2014.

The Hearing was conducted in Rankin Inlet on September 25 and 26, 2014. A copy of the Agenda for the Public Hearing is provided in Appendix A. Sign-in sheets indicating the list of participants at the Public Hearing is provided in Appendix E.

The NWB noted in the PHC Report that Environment Canada (EC) and the Department of Fisheries and Oceans, Canada (DFO) did not send any representative to participate in the TM and PHC. While the DFO did send a representative to participate in the Public Hearing, the DFO did not provide any written materials to the NWB in advance of the Public Hearing. As a result, the GN-CGS did not have any prior notice of the content of the submissions of the DFO in advance of the Public Hearing. After the DFO representative had presented her oral submissions at the Public Hearing, the GN-CGS advised that it would like to provide specific information from a fish biologist in response, but that it would require additional time to be able to do so. On this basis, the GN-CGS requested at the close of the Public Hearing that the Board keep the Public Hearing Record open in order to allow the GN-CGS time to respond to the submissions of the DFO representative made at the Public Hearing. The Board granted the request of the GN-CGS to keep the Public Hearing Record open until October 3, 2014 to respond to the DFO's presentation at the Public Hearing.

In addition, during the Community Session held on the evening of September 25, 2014, the NWB received comments from the public about concerns for the water quality in Lower Landing Lake due to possible fuel contamination from float planes. During the Public Hearing earlier in the day on September 25, 2014, the GN-GCS had also advised that it planned to do water



sampling in the fall of 2014 following the Public Hearing. The NWB noted that information regarding recent water quality analysis for Nipissar Lake, Lower Landing Lake and the Char River had not been provided by the GN-CGS at or before the Public Hearing as had been expected, given that it was one of the commitments of the Applicant following the TM and PHC.

On October 1, 2014 the NWB received a further request from the GN-CGS to keep the Public Hearing Record open beyond October 3, 2014 to allow for the GN-CGS to provide their response to the DFO's submissions. On October 6, 2014 the NWB issued correspondence which granted the GN-CGS extension request, but which also included the request to the GN-CGS:

*"To provide additional information on water chemistry within Lower Landing Lake and Char River to determine whether or not it is substantially different from Nipissar Lake, outlining any potential impacts water transfers will have on water quality of the source and discharge water-bodies."*

On October 10, 2014, Stantec Consulting, on behalf of the GN-CGS provided a response to specific information in DFO's presentation. In addition, the GN-CGS provided initial water chemistry analysis for Nipissar Lake and the Char River on October 9 and 10, 2014. The final certificate of analysis was provided by the GN-CGS on October 22, 2014. The NWB gave all parties notice on October 24, 2014 that the Record of the Public Hearing was closed on that date.

A complete list of submissions and correspondence in support of this Application is provided in Appendix D. A list of Exhibits from the Public Hearing is provided in Appendix B. All listed submissions, correspondence, exhibits and transcripts of the Public Hearing have been placed on the Board's public registry and are available from the NWB's ftp site using the access username of "public" and the password of "registry" (without the quotes) at the following link

<ftp://ftp.nwben.ca/1%20PRUC%20PUBLIC%20REGISTRY/3%20MUNICIPAL/3A/3AM%20-%20Municipality/3AM-GRA1015/>

## **SECTION II**      **SUMMARY OF FINAL HEARING SUBMISSIONS OF THE PARTIES**

### **Aboriginal Affairs and Northern Development Canada (AANDC)**

AANDC has a broad mandate for the co-management of water resources and the management of Crown land in Nunavut under the following applicable law and policy: the *Department of Indian Affairs and Northern Development Act*,<sup>4</sup> the *Nunavut Land Claims Agreement* and the *Nunavut Land Claims Agreement Act*;<sup>5</sup> the *Territorial Lands Act*<sup>6</sup> and applicable *Regulations*;<sup>7</sup> the

<sup>4</sup> R.S.C. 1985, c. I-6.

<sup>5</sup> S.C. 1993, c. 29.

<sup>6</sup> R.S.C. 1985, c. T-7.



*Nunavut Waters and Nunavut Surface Rights Tribunal Act*;<sup>8</sup> and the *Nunavut Waters Regulations*.<sup>9</sup> AANDC administers Crown land and resources and enforces regulatory permits affecting land and water resources in Nunavut.

In the various written submissions and responses to the submission of supplementary information by GN-CGS, AANDC identified several issues for consideration by the NWB. During the Public Hearing, AANDC confirmed that it supported the Application subject to its recommendations to the NWB that:

1. The Applicant be required to undertake a multi-year seasonal flow monitoring of the Char River to;
  - a. Clarify the viability of the Char River to meet community water needs;
  - b. Support adaptive management of water withdrawals;
  - c. Establish in-stream flow objectives.
2. The Applicant be required to develop an adaptive management plan accounting for the Char River flow availability and variability.
3. The Applicant should conduct a more robust assessment of alternative supplementary community water sources.
4. The Applicant be required to place structures at the pipeline drain point to prevent erosion during discharge.

### **Fisheries and Oceans Canada (DFO)**

At the Public Hearing, the DFO stated that it supported the Amendment Application provided that proposed avoidance and mitigation measures are fully developed and effectively carried out. On that basis, the DFO felt that there was a low probability of detectable impacts to the Char River in terms of its ability to support commercial, recreational and Aboriginal fisheries. Accordingly, a *Fisheries Act* authorization would not be required. The DFO emphasized that monitoring and adaptive management were important. The DFO also emphasized the uncertainty regarding the ability of the Char River to meet the community's water use needs.

The DFO recommended specific mitigation criteria being that;

1. No more than 10% of the instantaneous flow in the Char River would be withdrawn at any given time.
2. Instantaneous flows would be monitored in a way to ensure withdrawal does not exceed 10% of the flow.
3. Appropriately developed and located low flow cut-off criteria would be used to ensure minimum water depths were maintained.

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<sup>7</sup> See for example *Territorial Land Use Regulations*, C.R.C. c. 1524 and the *Northwest Territories and Nunavut Mining Regulations*, C.R.C. c. 1516.

<sup>8</sup> S.C. 2002, c. 10.

<sup>9</sup> S.O.R./2013-69.





4. A compliant fish screen on the intake was in place.

The DFO also emphasized the Applicant's due diligence to comply with the *Fisheries Act*. This included that the Applicant has the duty to notify the DFO if the Applicant has caused, or is about to cause, serious harm to fish that are part of or support a commercial, recreational or Aboriginal fishery.

During the TM, there was concern raised that the Application could possibly impact on a fish management agreement concerning the Char River. At the Public Hearing, the DFO confirmed that there was no fish management agreement relating to the Char River, or fish habitat compensation works constructed, being monitored, or being planned for the Char River.

### **Environment Canada (EC)**

The primary relevant legislation and standards that EC administers or adheres to and that are applicable to the Amendment Application are the *Department of the Environment Act*,<sup>10</sup> *Canadian Environmental Protection Act, 1999*<sup>11</sup> and the pollution prevention provisions of the *Fisheries Act*.<sup>12</sup> EC is a science-based Department responsible for leading implementation of the Government of Canada's environmental agenda that is committed to contributing to the realization of sustainable development in Canada's north. The Department focuses on the provision of scientific expertise for incorporation into decisions on developments, such that all parties, by working together, can ensure that there is minimal impact on the natural environment and that ecosystem integrity is maintained and preserved for future generations.

EC provided initial technical comments in respect of the Amendment Application but did not participate in the TM or the PHC held in respect of the Amendment Application, did not provide any further written submission in advance of the Public Hearing, and did not appear at the Public Hearing. The Board wishes to emphasize that it relies upon the expertise and experience of interested parties, such as EC, to ensure all technical issues are defined and provide a full and proper assessment of the Amendment Application both at the TM/PHC and at the Public Hearing stages of the Board's licensing process. A lack of participation and limits on the contributions of these parties is a serious concern to the NWB and threatens the achievement of the Board's objectives of a comprehensive, thorough, integrated and timely licensing process.

### **SECTION III                      SUBMISSIONS BY OTHER INTERVENING PARTIES OR MEMBERS OF THE PUBLIC**

At the Public Hearing, members of the public were given specific opportunities to ask questions of the Applicant and the interveners and to provide the Board with their views, identify issues,

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<sup>10</sup> R.S.C. 1985, c. E-10.

<sup>11</sup> S.C. 1999, c. 33.

<sup>12</sup> R.S.C. 1985, c. F-14.



express concerns and provide any other comments relevant to the Application. In addition, on the evenings of September 25, 2014 the NWB held a Community Information session that consisted of brief presentations from the Board, the Applicant and the Interveners followed by the opportunity for members of the public in attendance at the session to ask questions of all the parties.

At the Public Hearing, the following issues were generally identified by members of the public from Rankin Inlet:

1. Concern about petroleum contamination in Lower Landing Lake due to float planes that have used the lake for take-off and landing.
2. Concern that as the population of Rankin Inlet grows and its water needs increase, the level of Nipissar Lake will continue to drop.
3. Concern for the significant drop in the level of Nipissar Lake over the past few years.
4. The need to identify new sources of water (i.e. Meliadine Lake) for the community if the seasonal pumping from the Char River is not enough.

Questions were also raised about the pipeline material, how durable the pipeline would be and how long the pipeline would last. According to some community representatives although the Char River had a lot of fish in the past, the *“fish in Lower Landing Lake were landlocked now for the last 20 years”*<sup>13</sup>. Concerns were also raised with respect to climate change, with one participant observing: *“every year the northern waters are drying up more while there are more floods down south...”*<sup>14</sup>.

#### **SECTION IV**                      **JURISDICTION OF THE BOARD**

This Board has jurisdiction over this Application pursuant to Division 2 of the NWNSRTA.<sup>15</sup> Relevant sections in that Division allow the Board to amend a licence.<sup>16</sup> In considering whether to grant the Amendment the Board must meet its statutory duty to make *all* reasonable efforts to minimize *any* adverse effects on aquatic ecosystems. Reading several of the Articles of the NLCA together,<sup>17</sup> the Board relies on the broad definition of “ecosystemic” found in Article 12, Section 12.1.1. of the NLCA, requiring not only the NIRB but also the NWB to ensure that all components of the ecosystem, such as fish and fish habitat, are protected within the parameters of s. 71 of the NWNSRTA.

As with all applications considered by the Board, the burden of proof rests with the Applicant to demonstrate that the Applicant’s request for an amendment to a water licence should be granted.

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<sup>13</sup> See page 78, lines 1-3 of Public Hearing Transcripts.

<sup>14</sup> See page 80, lines 11-13 of Public Hearing Transcripts.

<sup>15</sup> Sections 42-81 of the NWNSRTA.

<sup>16</sup> See s. 43(1)(b) of the NWNSRTA.

<sup>17</sup> This approach is consistent with the direction provided in Article 2, section 2.9.1 of the NLCA.





In addition, the NWB Rules of Practice state: “Any party offering evidence before the Board shall have the burden of introducing sufficient and appropriate evidence to support its position.”<sup>18</sup>

## **SECTION V**                      **REQUIREMENTS OF THE NWNSRTA, NWR AND NLCA**

### **Objects of the Board and its Relationship to other Bodies**

#### **Land Use Planning**

As noted in the discussion of the regulatory history, the NPC provided the NWB with a positive conformity for the Amendment Application under the Keewatin Regional Land Use Plan. On this basis, the NWB considered the requisite land use planning requirements of the NLCA<sup>19</sup> and the NWNSRTA<sup>20</sup> to be fulfilled such that the NWB could process the Amendment Application.

#### **Environmental Assessment**

As identified in the discussion of the regulatory history, GN-CGS was unable to fully address the assessment requirements of the NIRB prior to the NWB’s Technical Meeting/Pre-hearing Conference in January 2014 and this created a regrettable delay between the conclusion of the TM/PHC and the Public Hearing. As established under the NLCA, Article 13, Sections 13.5.1 and 13.5.3 and s. 39 of the NWNSRTA, as the Amendment Application was not exempt from screening, the NWB could not issue an amendment to the current Licence until the NIRB had completed the screening and issued a Screening Decision Report. The NWB reminds GN-CGS that ideally the assessment requirements (screening and, if determined to be necessary by the NIRB and the Minister, a review) associated with an application to renew or amend the current Licence should be completed prior to the NWB commencing to process that application.

## **SECTION VI**                      **DECISION TO ISSUE**

On the basis of the Amendment Application, the written materials filed with the Board, the Public Hearing and the further information filed by the Applicant and the interveners prior to the close of the Hearing Record, the Board has decided to issue the Amendment to Water Licence 3AM-GRA1015 subject to the conditions set out below.

The Board acknowledges that due to Rankin Inlet’s population growth and high water use numbers, Nipissar Lake’s volume has been dropping considerably over the last several years. In

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<sup>18</sup> Section 23.1 of the Nunavut Water Board “Rules of Practice and Procedure for Public Hearing” (May 11, 2005).

<sup>19</sup> As established by sections 11.5.10 and 13.4.5 of the Nunavut Land Claims Agreement (NLCA).

<sup>20</sup> Section 38.



order to ensure Rankin Inlet has a sustainable water source, the community needs to find an additional water source to replenish the Lake.

The Board was advised by community members that there was concern of possible hydrocarbon contamination in Lower Landing Lake, however, water chemistry analysis provided by GN-CGS on October 22, 2014 indicated that no hydrocarbon contamination was present in water samples from Lower Landing Lake, Char River and Nipissar Lake. In addition, the water chemistry analysis indicated that the water quality for all three locations was similar and within Guidelines for Canadian Drinking Water Quality<sup>21</sup>.

The Board also recognizes that the replenishment of Nipissar Lake needs to be undertaken without creating significant and irreversible impacts on other water-bodies, and that the potential of for any impacts should be minimized. Therefore the Amendment to the Licence not only authorizes the use of water from the Char River to seasonally replenish Nipissar Lake, but also contains terms and conditions necessary to protect the environment, conserve the water resources, and provide appropriate safeguards in respect of the use of Waters.

The Board has included a condition requiring that no more than 10% of the instantaneous flow in the Char River be withdrawn at any time as committed to by the Applicant. The Applicant has also committed to cease pumping once the minimum depth in the river is 0.5m<sup>22</sup>. The Board has included a condition to require that when the future hydrological study establishes the in-stream flow objectives for the Char River that a flow-based low cut-off limit be defined and requires that when this low flow cut-off limit is reached, no further water can be withdrawn from the Char River.

While community members raised concerns regarding the material and durability of pipeline, the Board is satisfied with the evidence provided by the GN-CGS within the Amendment Application that the pipeline was appropriately designed and constructed.

In deciding to grant the Amendment Application, the Board is however troubled by the fact that the GN-CGS had constructed the pipeline, pump and associated infrastructure to support the withdrawal of water from the Char River prior to the Amendment Application even being considered by the NPC, the NIRB or the Board. As noted in previous decisions of the NWB, while the Board understands that licensing considerations are but one factor considered by the GN-CGS in proceeding with the capital expenditures associated with improvements to municipal infrastructure, commencing construction without having the appropriate conformity, project assessment and regulatory authorizations in place is not permitted under the NWNSRTA and should obviously not be the rule.

This approach to regulation “after the fact” clearly should be avoided and creates significant risk to the project, as regulators must be free in every case to exercise their discretion to consider

<sup>21</sup> Letter to Thomas Kabloona, Chairperson, NWB, from Megan Lusty (GN-CGS), dated October 22, 2014, Re: Final Water Chemistry Information.

<sup>22</sup> See page 44, lines 3-10 of Public Hearing Transcripts.



whether to approve, require modification or outright reject the project as proposed. For the regulatory process to have integrity and the confidence of the public, regulators must not be viewed as simply “rubber stamping” already constructed infrastructure regardless of its environmental effects, sustainability and consistency with water management objectives. The ability of the Board, and indeed all participants in Nunavut’s integrated regulatory process, including enforcement agencies, to ensure that project approvals are only granted when they are consistent with the NLCA and that approvals that are granted contain the terms and conditions necessary to reflect continued compliance with the NLCA, can be seriously compromised when project construction precedes authorization.

As stated above and pursuant to s. 42(1) of the NWNSRTA, the Board has decided to issue the Amendment to the Licence subject to the terms and conditions set out therein and explanations provided herein. In issuing the Amendment to the Licence, the Board is satisfied that the Application contains the required information and is in the proper form having regard to the requirements of the NWNSRTA<sup>23</sup> and associated regulations.<sup>24</sup>

### **Assumptions**

When faced with choices regarding monitoring requirements such as standards or parameters to be imposed under the Amendment to the Licence, the Board has opted to maintain stringent monitoring requirements in an effort to ensure that the Applicant meets their on-going environmental protection obligations and that the proposed withdrawals are sustainable

### **Application to Amend or Application for Future Modifications**

In relation to future applications to amend or modify the Project, the Board reminds the GN-CGS that it must comply with all requirements of the NLCA<sup>25</sup> and NWNSRTA<sup>26</sup> where applicable.

### **Cancellation or Expiry of the Licence**

The Board notes that s. 46 of the NWNSRTA states: “The expiry or cancellation of a licence does not relieve the holder from any obligations imposed by the licence.” The Board notes that typically the NWB expects to receive the renewal application for Type “A” Water Licences at least 9 - 12 months prior to expiry. On average, given the Public Hearing requirements associated with the Board’s processing of Type “A” Water Licences, it takes approximately 9 months from the receipt of a complete application to process a renewal. The GN-CGS is also reminded that the renewal of a type “A” water licence must undergo assessment by the Nunavut Impact Review Board unless the NIRB confirms that the Renewal Application is exempt from screening under Article 12 of the NLCA. Recognizing that the current Licence will expire in

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<sup>23</sup> See s. 48 of the NWNSRTA.

<sup>24</sup> *Nunavut Waters Regulations*, SOR/2013-69, April 18, 2013.

<sup>25</sup> See Article 12, Clause 12.4.3 (b) of the NLCA.

<sup>26</sup> See s. 43 of the NWNSRTA.



May 2015, the Board urges the GN-CGS to prepare and submit a complete renewal application as soon as possible.

In addition the Board advises the GN-CGS that based on the Board's authority under s. 43(1)(c)(iii) of the NWNSRTA, the Board may, on application by a licensee, or on its own motion, cancel a licence when the Board considers the cancellation to be in the public interest.

## **SECTION VII**      **WATER LICENCE 3AM-GRA1015 AMENDED TERMS AND CONDITIONS**

The Amendments to the Licence do not take effect until approval of the Minister is given or deemed to have been given pursuant to s. 56 of the NWNSRTA.<sup>27</sup> As indicated in Section VI, the Panel, by way of Motion #2014-23-P10-03 has decided to issue the amendment to Water Licence No. 3AM-GRA1015 as set out below.

### **Part A: Scope, Definitions and Enforcement**

#### **Amendment to the Definition of Water Supply Facilities**

The Board has revised the definition of "Water Supply Facilities" to reflect the addition of features and infrastructure needed to be used for the replenishment of Nipissar Lake based on the Application information, to include the Water intake and pumping facilities at the Char River along with the associated pipeline extending to Nipissar Lake.

### **Part C: Conditions Applying to Water Use and Management**

Having considered the Amendment Application and the comments received, the Board authorizes the GN-CGS to seasonally pump water from the Char River to Nipissar Lake, for replenishment of the Hamlet's Water Supply due to the increased demand of the Hamlet and lack of natural seasonal replenishment.

Taking into consideration the DFO's concerns, the Board has included additional requirements to protect the aquatic environment. The Board has included requirements that the GN-CGS carry out, complete and file with the Board, a hydrological study in addition to desktop studies, to be included as a guidance document for seasonal withdrawal from the Char River. The Board has also included a requirement to cease the pumping activities should In-stream Flow Objectives, as per the Water Pumping Adaptive Management Plan, within the Char River defined by DFO's

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<sup>27</sup> Section 56 of the NWNSRTA states:

The issuance, amendment, renewal and cancellation of a type A licence, and if a public hearing is held, a Type B licence are subject to the approval of the Minister.

Under s. 56(2.2) if the Minister does not issue a decision within 45 days of receiving the Licence from the Board, (or within 90 days if the Minister has extended the decision-making period by an additional 45 days) the Minister is deemed to have approved the Licence.



“Framework for Assessing the Ecological Flow Requirements to Support Fisheries in Canada”, (DFO 2013, or more recent), not be met. In accordance with this requirement, withdrawal of water shall not exceed 10 % of the instantaneous flow of the Char River.

The Board was advised by community members that Char River flow is generally low, and pumping from the Char River may not be a sustainable solution to replenish Nipissar Lake. If the GN-CGS determines a need for additional water sources for the community, the Board recommends that a Water Balance Study(ies) be completed.

The activities are governed in the Licence through the addition of several conditions under, Part C, Items 11-16. The issues addressed in Part C include the changes to the Freshwater source, reports and plans to be filed with the Board and In-Stream Flow Objectives for the Char River.

### **Part F: Conditions Applying to Operations and Maintenance**

To reflect the changes proposed within the Amendment Application, the GN-CGS included as additional information, an Addenda to the Operations and Maintenance Plan for the Water Supply Facility and to the Spill Contingency Plan. The Board has found the changes to the Plans to be acceptable and has approved the changes through the issuance of the Amendment to the Licence.

### **Part H: Conditions Applying to the Monitoring Program**

In its submission of October 10, 2014, the GN-CGS confirmed that water quality samples obtained from Nipissar Lake, the Char River and Lower Landing Lake and analyzed for the required parameters, fall within the maximum acceptable concentrations, as well as aesthetic objectives and operational guidance values, of the Guidelines for Canadian Drinking Water Quality, and “suggested that the water chemistry of these three sources continues to be monitored on an annual basis”. Water will be sampled annually during spring freshet from Nipissar Lake, Char River and Lower Landing Lake, and analyzed for conventional parameters, solids, metals, TPH and BTEX in accordance with the Canadian Council of Ministers of the Environment (CCME, 2013) Water Quality Guidelines for the Protection of Freshwater Aquatic Life.

The Board has also included a requirement to measure by instrument on a daily basis, water pumped from the Char River to Nipissar Lake in order to comply with certain conditions of the Licence and determine the present and future water use requirements of the Hamlet.



## **APPENDIX A—Agenda For Public Hearing**

### **AGENDA**

#### **Public Hearing**

#### **Amendment to the Hamlet of Rankin Inlet Type “A” Water Licence (NWB LICENCE NO. 3AM-GRA1015)**

**September 25-26, 2014 – Rankin Inlet Community Hall  
8:30 a.m. – 5:00 p.m.**

Evening Session: **September 25, 2014, 7:00 pm** (presentation by Applicant followed by questions from the Public)

1. Opening Prayer;
2. Opening Remarks by the Chairperson, which shall include the purpose of the Hearing and the scope of matters which will be considered by the Board;
3. Introduction of the Board Members and staff;
4. Identification and introduction of the Parties;
5. Introduction of the Elders and their role in the Hearing;
6. Introduction and Identification of the persons, associations, agencies, etc., who have not submitted interventions but who have expressed a desire to speak at the Hearing;
7. Identification of any Motions or any objections;
8. Presentation by the Applicant;
9. Questioning of the Applicant by Parties respecting the Applicant’s presentation;
10. Questioning by the Board staff and Panel Members
11. Presentation by Interveners;
12. Questioning of Interveners by Parties;
13. Questioning by the Board staff and Panel Members;
14. Presentation by any other persons, associations, agencies, etc. who have advised the Chairperson that they wish to speak;



15. Questioning of other persons, associations, agencies, etc. by Parties;
16. Question by the Board staff and Panel Members;
17. Upon completion of presentations by all Parties, the Board will give the Applicant the opportunity to reply. Then all Parties will have the opportunity to make final closing statements taking into account matters raised at the Hearing;
18. Closing remarks by the Chairperson; and
19. Closing Prayer.



## **APPENDIX B—Exhibit List**

<b>Exhibit</b>	<b>Exhibit Description</b>	<b>From</b>
1	Agenda for Public Hearing - English	NWB
2	Agenda for Public Hearing - Inuktitut	NWB
3	Power Point presentation by Stantec/GN-CGS (English)	GN-CGS
4	Summary of Applicant's presentation by GN-CGS (English and Inuktitut)	GN-CGS
5	Power Point presentation by AANDC (English and Inuktitut)	AANDC
6	Written Executive Summary from AANDC (English)	AANDC
7	Written Executive Summary from AANDC (Inuktitut)	AANDC
8	Power Point presentation by DFO (English)	DFO
9	Written Submissions by DFO (English)	DFP
10	Power Point presentation by NWB (English)	NWB
11	Letter dated February 7, 2014 from GN-CGS and enclosed flow data and emails	GN-CGS
12	Letter dated May 9, 2014 from Stantec Consulting Ltd.	GN-CGS
13	Letter dated August 27, 2014 from AANDC	AANDC
14	Letter dated September 11, 2014 from Stantec Consulting Ltd.	GN-CGS
15	Environmental Screening Report by Stantec Consulting Ltd. May 2014 (587 pgs)	GN-CGS
16	Addendum to Operations and Maintenance Plan by Stantec May 2014 (129 pgs)	GN-CGS
17	Spill Contingency Plan by Stantec Consulting Ltd. May 2014 (48 pgs)	GN-CGS
18	Community Session Presentation by GN-CGS	GN-CGS
19	Letter dated October 3, 2014 from Stantec Consulting Ltd.	GN-CGS





## **APPENDIX C—List of Acronyms**

AANDC	Aboriginal Affairs and Northern Development Canada	□□□□ □□□□□□□□□□ □□□□□□□□
DFO	Fisheries and Oceans Canada	□□□□□□□□□□
EC	Environment Canada	□□□□ □□□□□□□□
EMP	Environmental Management Plan	□□□□□□□□□□ □□□□□□□□□□ □□□□□
GN	Government of Nunavut	□□□□ □□□□
NIRB	Nunavut Impact Review Board	□□□□ □□□□□□□□□□ □□□□□□
NLCA	Nunavut Land Claims Agreement	□□□□□□ □□□□□□□□□□ □□□□□
NPC	Nunavut Planning Commission	□□□□□□ □□□□□□□□
NWB	Nunavut Water Board	□□□□ □□□□□□□□ □□□□□□□□
PHC	Pre Hearing Conference	□□□□□□□□□□ □□□□ □□□□□□□□□□□□□□□□ □□□□□□
TDS	Total Dissolved Solids	□□□□□□□ □□□□□□□□ □□□□□□□□



## **APPENDIX D – List of Submissions and Correspondence**

### **Application:**

1. Cover Letter and Initial submission of Amendment Application for water licence by Stantec Architecture Ltd (Stantec) – Arlen Foster, EIT, dated August 14, 2012.

### **Submissions Related to Amendment Application**

1. Submitted August 14, 2012 by GN-CGS. Authorization letter for Stantec to act on Behalf of Community Government Services (CGS); Cover Letter Summary Reference: Rankin Inlet Water Licence Amendment Application 3AM-GRA1015 Summary – English and Inuktitut; Design of Pipeline System to Augment Natural Replenishment of Nipissar Lake Rankin Inlet, Nunavut, Canada; and Pipeline Site Plan - Map Drawing 1; Pipeline & Screen Details – Map Drawing 2
2. Letter to Arlen Foster (Stantec) from Karen Kharatyan (NWB), dated September 14, 2012, Re: Deficiencies in Submission of Amendment Application re: Licence No. 3AM-GRA1015
3. Stantec letter to NWB dated November 6, 2012 Reference: Licence No 3AM-GRA1015 – Amendment Application Denial
4. Submitted on November 6, 2012 by Stantec Schematic Design Report: Pipeline System to Augment Natural Replenishment of Nipissar Lake Appendix B – Issued for Review Design Drawings; and Nipissar Lake Volume Study and Environmental Variable Study
5. Letter to Arlen Foster (Stantec) and GN-CGS, from Karen Kharatyan (NWB) dated November 27, 2012, Re: Request for Additional Information re: Amendment Application for Licence No. 3AM-GRA1015
6. Letter to NWB, Karen Kharatyan dated June 26, 2013 Response to Submission Amendment Application
7. Submitted on August 12, 2013 by Arlen Foster (Stantec). CGS water licence letter – To continue discussions regarding the Amendment Application for Licence No. 3AM-GRA1015
8. NWB Letter dated August 23, 2013 to Jason Tologanak (CGS) and Arlen Foster (Stantec) Licence No. 3AM-GRA1015, Government of Nunavut, Department of Community and Government Services (GN-CGS), Hamlet of Rankin Inlet: Amendment Application – Seasonal Replenishment of Nippisar Lake - Amendment Completeness and Information Request
9. Submitted August 23, 2013, by DFO. Comments on Amendment Application



10. Letter to Arlen Foster (Stantec) from NPC, dated September 10, 2013, Re: Conformity Required before NIRB Screening
11. Letter to NWB Robin Ikkutisluk dated September 12, 2013 Re: Extension Request
12. Submitted September 13, 2013 by AANDC. Request for Extension – Information Requests by Parties for Amendment Application 3AM-GRA1015 – GN-CGS Hamlet of Rankin Inlet
13. Notice of Extension for Information Requests Granted, to Arlen Foster and parties, from Phyllis Beaulieu (NWB), dated September 13, 2013
14. Letter to NWB from Sophia Granchinho (NIRB), dated September 13, 2013, Re: Extension for Information Requests
15. Letter to NWB Robin Ikkutisluk dated September 16, 2013 Re: Questions/Comments in support of the Nunavut Water Boards request for Information Request due September 20, 2013
16. Submitted September 20, 2013 by AANDC Comments on Amendment Application
17. EC Comments Amendment, from EC to Phyllis Beaulieu (NWB), dated September 20, 2013
18. Letter to Phyllis Beaulieu (NWB) from EC, dated September 23, 2013. Clarification on Submission
19. Receipt of Amendment Application for Type A to Jason Tologanak (GN0CGS) and Arlen Foster (Stantec), dated September 24, 2013, from Karen Kharatyan (NWB)
20. Letter from NWB related to IR Response and Questions, dated October 11, 2013
21. Letter to NWB from Tara Arko (NIRB), dated October 21, 2013, Re: Waiting on NPC Determination to Continue NIRB Review
22. Notice of Additional Information Received, from Damien Cote (NWB) to all parties, dated November 19, 2013
23. Public Notice of Amendment Application, from NWB to all parties, dated December 2, 2013
24. Updated Public Announcement Notice for Technical Meeting & Pre-Hearing Conference from Phyllis Beaulieu (NWB), dated December 4, 2013



25. Letter to NPEC from Damien Cote (NWB), dated December 10, 2013, Re: Waiting on NPC Determination for NIRB Pre-Hearing Conference
26. Submitted December 11, 2013, by NPC. Conformity Transmittal
27. Proof of Public Notice I in Nunatsiaq News for Amendment Application to a Type “A” Licence 3AM-GRA1015, dated December 16, 2013
28. Receipt of application Acknowledgement and Information Request, by NIRB to Kassandra De Francis (Stantec), dated December 17, 2013
29. Submitted December 18, 2013, by AANDC. Comments and Technical Review, and Executive Summary Technical Review
30. Submitted December 20, 2013, by NIRB to Bernard Valcourt (AANDC). Extension Request for NIRB Screening of GN-CGS’ “Hamlet of Rankin Inlet: Amendment Application – Seasonal Replenishment of Nipissar Lake” Project Proposal
31. Request for DFO Comments, from Karen Kharatyan (NWB) to Elizabeth Patreau (DFO) , dated December 20, 2013
32. Letter to Kassandra De Francis (Stantec) from Damien Cote (NWB), dated December 20, 2013, Re: Amendment Confirmation of TM-PHC
33. Submitted January 6, 2014, by AANDC. Executive Summary for Rankin Inlet TM-PHC
34. Letter to Robin Ikkutisluk (NWB), from Brian Duguay (GN-CGS) dated January 6, 2014, Re: Updated Notice of Technical Meeting and Pre-Hearing Conference
35. Letter to Phyllis Beaulieu (NWB), from Ian Parsons (AANDC) , dated January 9, 2014, Re: #3AM-GRA1015 – Technical Meeting and Pre-Hearing Conference Agenda and Number of Attendees
36. Amendment Application Power-point Presentation for TM PHC, AANDC, dated January 14, 2014
37. Submitted NWB Communication Presentation Type “A” Water Licence Amendment for Hamlet of Rankin Inlet, dated January 14, 2014, English Final Version
38. NWB Pre-Hearing Conference Decision Regarding Application for Amendment, distributed January 28, 2014, to Rankin Inlet Distribution List.



39. Letter to Phyllis Beaulieu (NWB) from Enamuel Haque (GN-CGS), dated February 7, 2014, Re: Commitments by GN-CGS regarding 3AM-GRA1015 Type “A” – Licence Amendment Application
40. NWB letter to all parties, dated February 21, 2014, Re: Extension Request to Commitment List Deadline – GN-CGS – Rankin Inlet
41. Receipt of Stantec Request for Extension, dated February 21, 2014 from Robin Ikkutisluk (NWB)
42. Receipt of GN-CGS Request for Extension, dated April 4, 2014 from Robin Ikkutisluk (NWB)
43. Letter to Phyllis Beaulieu (NWB) from Joe Acorn (Stantec), date May 9, 2014, Re: Submission of Additional Information for Amendment Application
44. Submitted May 23, 2014 by Stantec. Environmental Screening Report; Addendum to Operations and Maintenance Plan for Water Supply Facility, Char River, Rankin Inlet, Nunavut; Spill Contingency Plan for Water Supply and Sewage Treatment Facilities Rankin Inlet, Nunavut
45. Notice of Part 4 Screening and Comment Request, from NIRB to Joe Acorn (Stantec) and all parties, dated May 29, 2014
46. Notice of Indication, from NIRB to Tracey McCaie (AANDC) and Phyllis Beaulieu (NWB), dated June 26, 2014
47. Screening Decision Report, from NIRB to the Honourable Bernard Valcourt (AANDC), dated June 26, 2014
48. Notice of Public Hearing, from Damien Cote (NWB) to all parties, dated July 7, 2014
49. Request to Post Notices for Public Hearing, from NWB to Hamlet of Rankin Inlet, KIA, HTO, Northern Store, Kissarvik Co-op, dated July 7, 2014
50. Submitted August 27, 2014, by AANDC. AANDC Comments – Seasonal Replenishment of Nipissar Lake, from AANDC to Phyllis Beaulieu (NWB)
51. Letter to Damien Cote, from Joe Acorn (Stantec), dated September 11, 2014, Re: Response to AANDC Comments
52. NWB Public Hearing Agenda, English and Inuktituk Versions, dated September 17, 2014



53. Request to Post Notices for Public Hearing, from NWB to Hamlet of Rankin Inlet, KIA, HTO, Northern Store, Kissarvik Co-op, dated September 18, 2014
54. Submitted AANDC Presentation Government of Nunavut Amendment Application #1 to Water Licence #3AM-GRA1015 submitted September 22, 2014, English and Inuktituk Final Version
55. Submitted NWB Public Hearing Presentation for Type A Water Licence 3AM-GRA1015 Amendment Application, dated September 25, 2014, English Version
56. Submitted NWB Public Hearing Presentation, Panel Update, dated September 25, 2014, English Version
57. AANDC Executive Summary Final Comments and Public Hearing, AANDC, dated September 25, 2014
58. Submitted September 25, 2014, by Stantec. Summary of Proponent Presentation
59. Submitted DFO Presentation to the Nunavut Water Board Hearing, submitted September 25, 2014, English Final Version
60. Submitted GN-CGS Presentation Nunavut Water Board Public Hearing, submitted September 25, 2014, English Final Version
61. Submitted Stantec NWB Hearing Presentation Type A Water Licence Amendment Application 3AM-GRA1015, submitted September 25, 2014, English Final Version
62. Letter to Damien Cote (NWB) from Joe Acorn (Stantec), dated October 1, 2014, Re: Extension Request to Closing of Public Hearing
63. Letter to Joe Acorn (Stantec), from Thomas Kabloona (NWB), dated October 6, 2014, Re: Extension Request and Record Open
64. Email to all parties from Phyllis Beaulieu (NWB), dated October 10, 2014, Re: Deadline for info on Landing Lake
65. Letter to Damien Cote (NWB) from Joe Acorn (Stantec), dated October 10, 2014, Re: CGS Response to DFO
66. Letter to Thomas Kabloona, Chairperson, NWB, from Megan Lusty (GN-CGS), dated October 10, 2014, Re: Water Chemistry Response Letter
67. Letter to Thomas Kabloona, Chairperson, NWB, from Megan Lusty (GN-CGS), dated October 22, 2014, Re: Final Water Chemistry Information



68. Letter to Phyllis Beaulieu, NWB, from Ian Parsons, AANDC, dated October 23, 2014 Re: AANDC Comments on additional information
69. NWB notice to all parties, final certificate of analysis and summary for the requested water chemistry data, dated October 23, 2014
70. Notice to all parties, Final Comments on Water Chemistry Data, dated October 24, 2014
71. Letter to Rankin Inlet Distribution List, from NWB, dated October 31, 2014, Re: 3AM GRA1015 Closing of the Public Hearing Record in Respect of the Type "A" Water Licence Amendment Application by Government of Nunavut, Community and Government Services for the Municipality of Rankin Inlet.



## **APPENDIX E – Sign-in Sheets from Public Hearing**



## Registration Form

NO.	First Name	Last Name	Organization Representing	Address	Phone	Fax	E-mail
✓1	Theresie	Tungilik	Hamlet	Rankin	2446	8454	tungilik@gmail.ca
✓2	Julie	Dahl	DEO	Winnipeg	204 9835164		julie.dahl@dtb-info.gc.ca
✓3	Joc	Acorn	Stentee-SSS	Yellowknife	867-720-2216		joesacorn@stonetec.com
✓4	Megga	Lusty	CGSS	Rankin Inlet	867-645-8176		mlusty@gov.nu.ca
✓5	Ian	Parsons	AANDC	Tegulvit	867-975-4382		ian.parsons@gov.nu.ca
✓6	Orvisky	Longacre	District Court Reporting	Calgary	(403) 860-6770		christylongacre@gmail.com
✓7	Prav	Dumpester	Indian Village	YK			
✓8	KAREN	COSTELLO	AANDC	IQALUIT	5-4546		Karen.Costello@canada.ca
✓9	MARY JOSE	Angoshaduk	Interpreter	Rankin Inlet	645-3475		maryjose - tina@kharbhal.ca
✓10	Tina Anuk	Tina Anuk	Rankin Community	Rankin Inlet	645-363		
✓11	Ralph	Ruediger	CGSS	Rankin Inlet	645-853		vrue@sig.royal.nu.ca
12	Thomas	Kabloona	NWB Board Member	Baker Lake			
13	Ross	Mrazek	NWB Board Member	Edmonton			
14	David	Ashukark	NWB Board Member	Arviat			
✓15	Craig	Boyer	Legal Counsel	Edmonton			
✓16	Damien	Cote	NWB	Gjoa Haven			
✓17	Dana	Hahnstein	NWB	Edmonton			
✓18	Karen	Kharatyan	NWB	Gjoa Haven			
✓19	Ben	Kagrik	NWB	Gjoa Haven			
✓20	Robin	Ikkitisuk	NWB	Gjoa Haven			
✓21	Cynthia	Ene	NWB	Cambridge Bay			
✓22	Brady		NWB	Gjoa Haven			
23	Wally	Morvitt	Hamlet	Rankin Inlet	2895	8196	SAU ex Rankin Inlet, CA
24	Michelle	Karlik	Local	Rankin Inlet	4794		

# Registration Form

25	ROBERT	JAMES	Wanted				
26	Peter	lokornerk	Rankin Inlet	Community	—	—	—
27	ROSIE	POLODYUK	RANKIN INLET	Community			
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# Registration Form

NO.	First Name	Last Name	Organization Representing	Address	Phone	Fax	E-mail
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7	SUSAN	SAMUELSHAK	Community	Rankin			
8	MARYKATE	Angeshadue	Interpreter	Rankin			
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10	Peter	Ipkornert	Community	Rankin Inlet			
11	Alice	Ipkornert	Community	Rankin Inlet			
12	ANDY	ALYAK	Community	Rankin Inlet	2930		
13	ROSS	SYKOOTER	Community	Rankin Inlet			
14	Damien	Cote	NWB	Cape Haven			nwb-den.ca
15	Ben	Kosvik	" "	" "			nwb-den.ca
16	Dave	Hohnskin	" "	" "			nwb-den.ca
17	Robin	Ikkytisuk	" "	" "			nwb-den.ca
18	Karen	Kharatyga	NWB	Cape Haven			
19	Craig	Boyer	Legal Counsel	Edmonton			
20	Cynthia		NWB	Cambridge Bay			
21	Brady		NWB	Cape Haven			
22	Zoffanik		Community	Rankin Inlet			
23	Bernadette	Ir Kootie	Community	Rankin Inlet			
24							