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NUNAVUT WATER BOARD  
NUNAVUT IMALIRIYIN KATIMAYINGI  
OFFICE DES EAUX DU NUNAVUT

**File: 3BM-IGL1520**

June 16, 2015

VIA EMAIL [igloolik@magma.ca](mailto:igloolik@magma.ca)

Hamlet of Igloolik  
P.O. Box 30  
Igloolik, Nunavut  
X0A 0A0

Attention: Mr. Brian Flemming  
Senior Administrative Officer

**Subject: 3BM-IGL1520 Follow Up Regarding Hamlet's Request for Urgent Amendment to Source Water from Fish Lake**

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Dear Sir:

Please find enclosed a response and request for clarification from the Nunavut Water Board (Board or NWB) as a follow up to your conversation with Cynthia Ene, the Board's Technical Advisor on this file this morning, the correspondence issued by Erik Allain, Manager of Field Operations for Aboriginal Affairs and Northern Development Canada on June 15, 2015, your original email of June 11, 2015 and its enclosures and the Board's correspondence of June 12.

At the outset, the Board would like to confirm the factual basis of the Hamlet's requested amendment to amend the source of freshwater under Type "B" Licence 3BM-IGL1520 to include Fish Lake as a secondary water source. As the Board recognizes that this is a very dynamic situation and that the Hamlet may be experiencing some challenges in having the time to submit this information in writing to the Board, the Board provides the following summary of the situation as we understand it to date. This information is based on Ms. Ene's conversation with you this morning; please advise us if our understanding is not accurate or if circumstances change significantly.

At present, it is our understanding that:

- Water has been trucked from Fish Lake to the Hamlet's reservoir on an ice road since sometime last week and the water has been pumped from the trucks into the reservoir;
- As is the normal practice for the Hamlet, water withdrawn from the reservoir is chlorinated prior to public distribution;
- Water quality sampling results for Fish Lake are pending;
- There has been some ice melt in the reservoir and there is about 2-3 feet of water under

the ice;

- The use of water trucks and travel on the ice road is not sufficient to supply the reservoir, and pumping from Fish Lake via a water line into the reservoir is required; and
- The infrastructure required (pumps, lines and other components) to set up the water line and pumping from Fish Lake has arrived and should be set up and operational by this Friday, June 19.

Based on the letter issued by Mr. Allain late yesterday, AANDC has expressed the view that the water use from Fish Lake does not require authorization by the Board as an exempted “domestic use”. However, the Board wishes to remind the Hamlet, and all municipal licensees, that as stated in the Board’s correspondence of June 12, 2015, and the Board’s decision granting the Licence 3BM-IGL1520<sup>1</sup> (the Existing Licence), with respect to all of the Hamlet’s municipal water uses and deposits of waste, the Board does not view the Board’s role in licensing as licensing solely the withdrawal of water from Fish Lake as an individual domestic water use. Rather, the Board views that the Existing Licence authorizes all water uses and deposits of waste associated with the Hamlet’s conduct of a “municipal undertaking” (defined under Schedule 1 of the *Nunavut Waters Regulations*, SOR/2013-69 as a waste disposal or water system for a municipality). Consequently, in the Board’s view the Existing Licence, is authorizing the operation of the Hamlet’s water system rather than an individual water use. The Existing Licence Part C, Condition #1 states that the specific source of freshwater to be used under the Existing Licence is South Lake. Under that condition of the Existing Licence, unless this condition is amended, or the source is otherwise approved by the Board in writing, all freshwater used under the Licence and stored in the Hamlet’s Reservoir will be withdrawn from South Lake.

While the Board recognizes that in AANDC’s view the Hamlet may proceed with the pumping activities from Fish Lake without further consideration from the Board, it is the Board’s view that given the facts as known and in the interests of being prepared to address this type of issue as it may arise in future years, it is still warranted for the Board to consider this requested change to the water source as an amendment to Part C, Item 1 of the Existing Licence, either on an emergency basis (if the Hamlet wishes to have this request considered immediately) or as an independent amendment to the Existing Licence in non-emergency circumstances. Both of these options are as set out in the Board’s June 12, 2015 correspondence. As is obvious, if the Hamlet wishes the Board to proceed with this request as an emergency amendment application, please advise the Board immediately so that we can follow up with you as quickly as possible.

Although the Board recognizes that the Hamlet may be satisfied that AANDC’s letter addresses the immediate short term requirements associated with the Hamlet putting the temporary infrastructure in place to access Fish Lake this week, nonetheless, the Board encourages the Hamlet to ultimately request an amendment to the Existing Licence to authorize access to a secondary source in the event South Lake becomes unsuitable once again at some time in the future. As stated previously, in order to consider such an amendment, the Board would expect the Hamlet to submit an amendment application and supporting information including:

- i. Water quality information from Fish Lake;

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<sup>1</sup> Nunavut Water Board, NWB Renewal Licence No. 3BM-IGL1520, March 31, 2015.

- ii. Technical information regarding the typical flow and volume of Fish Lake during the season(s) when water would be used by the Hamlet to fill the Hamlet Reservoir; and
- iii. The amount of water expected to be required from Fish Lake to supply the Hamlet Reservoir and the intended “lake draw-down” flow rate.

Reflecting the Board’s views that an amendment to the Licence is preferable to clearly allow for the Hamlet to replenish the reservoir from a source other than South Lake, the Board seeks clarification from the Hamlet **on or before June 26, 2015** (the closing of the comment period for the current amendment to the Existing Licence) as to whether the Hamlet intends to seek an amendment to Part C: Condition #1. In the interim, the Board remains available to discuss the requirements for such an amendment with you, and also appreciates being kept informed of developments while the withdrawals from Fish Lake continue.

In closing, the Board also wishes to clarify for the public, the media and the parties involved that with respect to drinking water, the Board’s jurisdiction is limited to licensing on the basis of responsible freshwater management and source protection of drinking water sources, but does not extend to regulating the human health aspects of the Hamlet supplying drinking water. As the Board knows you are aware, but as may not be obvious to the residents of Igloolik, addressing issues such as whether the water coming from a given municipal water system is fit for human consumption is the responsibility of the Government of Nunavut, Departments of Environment, Health and Community and Government Services working together. The Board understands that the Hamlet is currently working closely with these Departments to address any human health concerns that have been identified and the Board appreciates being kept informed about any developments in this regard.

If you have questions regarding this matter, please follow up with myself or with Cynthia Ene, Technical Advisor ([Cynthia.Ene@nwb-oen.ca](mailto:Cynthia.Ene@nwb-oen.ca)) and [licensing@nwb-oen.ca](mailto:licensing@nwb-oen.ca)

Sincerely,

David Hohnstein  
Director of Technical Services

Cc: Erik, Allain, AANDC Field Operations