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NUNAVUT WATER BOARD
NUNAVUT IMALIRIYIN KATIMAYINGI
OFFICE DES EAUX DU NUNAVUT

June 2, 2016

Erik Allain,
Manager, Field Operations
Indigenous and Northern Affairs Canada
969 Qimugjuk Building
Iqaluit, Nunavut X0A 0H0

Email: Erik.Allain@aandc-aadnc.gc.ca

Re: Inspector's Direction Pursuant to Section 87(1) of the Nunavut Waters and Nunavut Surface Rights Tribunal Act, S.C. 2002, c. 10

Dear Mr. Allain,

Thank you for copying the Nunavut Water Board (NWB or Board) with the Inspector's Direction (Direction) issued on June 2, 2016 regarding the expansion to the existing Water Storage Reservoir (Reservoir) in the Hamlet of Igloolik (Hamlet).

With respect to the Reservoir expansion, as you may be aware, the NWB recently received an application for an amendment to the Hamlet's Type "B" Water Licence No. 3BM-IGL1520 related to the expansion to the Reservoir and associated increased water use.

While the Board fully supports the Hamlet taking the immediate actions considered necessary to prevent any threat to public health and safety due to the lack of water availability in the Reservoir, the Board seeks clarification from the Inspector with respect to a key regulatory issue. The Direction as currently drafted does not explicitly reference the regulatory requirement that the Hamlet continue with the amendment process that is underway with the NWB and that, in the Board's view, will be required to authorize the continued water use associated with the expansion of the Reservoir once construction is complete. While we recognize that the Direction may have been focused on the immediate authorization for construction, it may be confusing to the Hamlet, the community members and the general public that the Direction does not reference the appropriate regulatory process for complying with the requirements of the Nunavut Land Claims Agreement and *Nunavut Waters and Nunavut Surface Rights Tribunal Act* in respect of the on-going water use and management. Confirmation that the Hamlet is required to continue with the amendment application associated with the Reservoir expansion, notwithstanding the Inspector's Direction, would greatly assist in affirming the importance of compliance with the regulatory process in the long-term as well.

I would also like to bring to your attention the fact that the Review section of the Direction states that the relevant Minister is the Minister of Aboriginal Affairs and Northern Development Canada. It is the Board's understanding that since November the Ministry has been renamed and so the reference should now be to the Minister of Indigenous and Northern Affairs Canada.

We appreciate your consideration and response to the Board's request for clarification and the Board's comment on the relevant Ministry. If you wish to discuss this matter further, please contact me by email at stephanie.autut@nwb-oen.ca or by phone at (867) 360 – 6338.

Regards,

NUNAVUT WATER BOARD

Stephanie Autut
Executive Director

CC: Justine Lywood, Community and Government Services
Roy Bhabesh, Community and Government Services
Senior Administrative Officer, Hamlet of Igloolik