



ᓄᓇᓂᓪ ᐃᓕᓕᓂᓪ ᑲᓂᓕᓂᓪ
NUNAVUT WATER BOARD
NUNAVUT IMALIRIYIN KATIMAYINGI
OFFICE DES EAUX DU NUNAVUT

**NWB File No: 3AM-IGL----
Renewal Application**

May 15, 2020

Bhabesh Roy, M.A.Sc., P.Eng
Municipal Planning Engineer, Baffin Region
P.O. Box 379
Pond Inlet, X0A 0S0
Nunavut

Email: broy@gov.nu.ca
br13858@gmail.com

Subject: Application for Renewal of Type ‘B’ Water Licence No: 3BM-IGL1520 as a Type ‘A’ Water Licence No: 3AM-RUT----; .Government of Nunavut, Community and Government Services on behalf of the Municipality of Igloolik

Dear Mr. Roy,

Further to the Nunavut Water Board (NWB or Board) correspondence¹ of March 02, 2020 with respect to the determination of completeness of the **3BM-IGL1520** Water Licence Renewal Application and supporting documentation (Application) submitted by Government of Nunavut – Community and Government Services (GN-CGS) on behalf of the Municipality of Igloolik (Applicant), for the continued use of water and deposit of waste, the Board received comments² from intervening parties including: Crown Indigenous Relations and Northern Affairs (CIRNA) and Environment and Climate Change Canada (ECCC). The NWB did not receive any indication that the Application should not proceed through the regulatory process.

The Applicant provided responses³ to CIRNA and ECCC comments related to the completeness check on April 17, 2020 and April 22, 2020 respectively. On April 27, 2020, CIRNA responded that they were satisfied by the Applicant’s response and on April 28, 2020 ECCC responded with the same ensuring that the Application can proceed to a full Technical Review stage.

¹ Letter from R. Dwyer, NWB, to B. Roy, GN-CGS, Re: 3BM-IGL1520 Hamlet of Igloolik Renewal Amendment (New Type "A" 3AM-IGL----) application completeness check, March 02, 2020;

² Email responses from Crown Indigenous Relations and Northern Affairs (CIRNA), March 24, 2020; Environment and Climate Change Canada (ECCC), March 20, 2020

³ Email responses from B. Roy, GN-CGS, to comments from CIRNA on April 17, 2020 and ECCC on April 22, 2020

Copies of the comments received from Intervening parties, 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-IGL----/1%20APPLICATION/2020%20Renewal/>

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 (*NWNSRTA*). 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, Interveners' submissions, and the Board's initial review, that the Application submitted by GN-CGS on behalf of the Municipality of Igloolik generally constitutes an administratively and materially complete Application in accordance with the Guides⁴. 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 *NWNSRTA* or to issue additional guidelines for the provision of information pursuant to s.s. 48(3) of the *NWNSRTA*, if it becomes necessary.

In accordance with s.s. 55(1) of the *NWNSRTA*, the **Board gives notice of the Application** and invites interested persons to make representation to the Board no later than **June 15, 2020** (3:00 p.m., MST). Notice of the Application will also be forwarded to the 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.s. 60(2) of the *NWNSRTA*⁵.

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 Renewal of Type "B" Water Licence 3BM-IGL1520 to a Type "A" Water Licence 3AM-IGL----, available from the NWB Public Registry or by directly contacting Bhabesh Roy, GN-CGS at broy@gov.nu.ca or br13858@gmail.com.

⁴ 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

Guide 7 – Licensee Requirements following the Issuance of a Water Licence, July 2015

⁵ 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.

Next Steps in the Process

The next steps in the Board's consideration of the Application 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

May 15, 2020	Commencement of the technical review period; parties are asked to provide their technical review comments
June 15, 2020	Submission of technical review comments and representations to the Board
June 22, 2020	Applicant to provide response(s) to technical review comments Parties given an opportunity to review responses from Applicant
June 25, 2020	Circulation of draft agenda for the Technical Meeting.
June 30, 2020	Submission of Proponent's and parties' presentations for the proposed technical meeting (including translated versions).
July 3, 2020	Circulation of final agenda for the Technical Meeting.

Steps including and following Technical Meeting

1. Technical Meeting-Pre-Hearing Conference (TM-PHC): July 7-8, 2020

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, by teleconference, in the week of **July 6, 2020** (tentatively on **July 7-8, 2020**). 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 Northern Affairs 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 the GN-CGS or Hamlet of Igloolik 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 for parties wishing to file technical review comments pertaining to the Application, parties should file their comment submissions with the NWB's Manager of Licensing by email to licensing@nwb-oen.ca prior to Monday June 15, 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 Mohammad Ali Shaikh, Technical Advisor at ali.shaikh@nwb-oen.ca or by phone at (867) 360-6338, ext. 33 or Karén Kharatyan, Director of Technical Services, by e-mail to karen.kharatyan@nwb-oen.ca.

Sincerely,

Stephanie Autut
Executive Director
NUNAVUT WATER BOARD

SA/as/rqd

Cc: Qikiqtani Distribution List