



June 15th, 2015

Brian Fleming
Senior Administrative Officer
Municipality of Igloolik
P.O. Box 30
Igloolik, Nunavut
X0A 0L0

Dear Mr. Fleming:

On June 12, 2015, I received a notification from your office that the municipality of Igloolik was unable to draw water from the municipal reservoir or South Lake due to unusually low water levels. It was determined by the Hamlet in collaboration with the Government of Nunavut (GN), Department of Health that in order to maintain essential drinking water delivery services, an alternate drinking water source would need to be identified. Fish Lake, located close to the community and having been previously analyzed for drinking water quality was determined by the GN Department of Health to be a suitable alternative from a human consumption perspective.

This notification was made by the Hamlet to ensure that AANDC was aware of the drinking water emergency and that water would need to be drawn from a secondary source in order to prevent disruptions of drinking water service.

Determination

It has been determined by AANDC that where services that are deemed to be essential and where preventing or delaying essential service may pose a risk, however minimal, to human health and safety within a municipality, CGS and the municipality may proceed with drawing water from a secondary source. AANDC recognizes that the Hamlet of Igloolik will be using water drawn from Fish Lake for domestic purposes pursuant to Section 11 (2)(a)(i) of the Nunavut Waters and Nunavut Surface Rights Tribunal Act which states:

“11.(1) Subject to subsection (2), no person shall use, or permit the use of, waters in Nunavut except in accordance with the conditions of a licence.

(2) subsection (1) does not apply in respect of

(a) any unlicensed use of waters that is authorized by the regulations;

(b) the use of waters

(i) for a domestic purpose

Under the Nunavut Waters and Nunavut Surface Rights Tribunal Act, “domestic purpose” means the use of waters for the following purposes:

(a) household requirements, including sanitation and fire prevention;



AANDC does request that the following requirements are met during the period of time where the municipality is drawing water from Fish Lake:

1. Provide notification to the Manager of Field Operations prior to work beginning.
2. Keep detailed records of the amount of water being drawn from Fish Lake.
3. Once the emergency is over, resume drawing from the primary source of water as soon as practicably possible and notify the Manager of Field Operations and the Nunavut Water Board.

AANDC will continue to monitor the Hamlet of Igloolik's activities to ensure compliance with the Nunavut Waters and Nunavut Surface Rights Tribunal Act.

Nothing in this letter is to be construed as an authorization to undertake any activity or as to remove liability for any act or omission that is deemed to be negligent, unreasonable, lacking in diligence or contrary to legislative requirements on the part or persons or parties involved in this undertaking.

If you have any further questions on this matter, please feel free to contact me,

Sincerely,

Erik Allain
Manager, Field Operations
Aboriginal Affairs and Northern Development Canada
Iqaluit, Nunavut.

cc. Phyllis Beaulieu, Manager of Licensing, NWB
David Hohnstein, A/Executive Director, NWB
Bhabesh Roy, Municipal Planning Engineer, CGS
Bill Westwell, Senior Manager Municipal Planning, CGS
Curtis Didham, Enforcement Officer, Environment Canada
Ralph Ruediger, Director of Community Development