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NUNAVUT WATER BOARD
NUNAVUT IMALIRIYIN KATIMAYINGI
OFFICE DES EAUX DU NUNAVUT

File No.: 3AM-IGL----

December 11, 2020

To: Igloolik Distribution List

Re: Closure of the Public Hearing Record in Respect of the Written Public Hearing Associated with the Nunavut Water Board's Processing of An Application 3AM-IGL---- filed by the Hamlet of Igloolik to Replace the Expired Type "B" Water Licence No. 3BM-IGL1520

Dear Parties,

This correspondence provides advice and direction regarding next steps in the Nunavut Water Board's (NWB or Board) processing of an application for a new Type "A" Water Licence 3AM-IGL----. The application was received by the Board from Government of Nunavut – Community Government Services (GN-CGS) on behalf of the Hamlet of Igloolik (Applicant) on February 25, 2020 to replace and amend the expired Type "B" Water Licence No. 3BM-IGL1520 with a new Type "A" Water Licence (the Application). Pursuant to a change to the definition of "municipal undertaking", and changes to water use thresholds under the *Nunavut Waters Regulations*¹, the GN-CGS was required to replace their expired Type "B" Licence with a new Type "A" Licence. The Application requests the new Type "A" Licence to authorize the continued use of water and deposit of waste associated with a "municipal undertaking" as defined under the *Nunavut Water Regulations*².

Although an in-person Public Hearing was scheduled to take place in Igloolik during the week of December 7-11, 2020, on November 17, 2020, in response to public health restrictions on indoor public gatherings to prevent the transmission of COVID-19 in Nunavut, and a request from the Applicant filed with the Board on November 13, 2020, the Board cancelled the in-person Public Hearing and notified parties that the form of Public Hearing would be modified to become a written

¹ As of April 2013, when the *Nunavut Waters Regulations*, SOR/2013-69 came into force, the combined effect of a revised definition of "municipal undertaking" under Schedule 1 ("a waste disposal or water system for a municipality" without reference to population size) combined with changes to the Type "A" licensing criteria for water use under Schedule 2 (storage of water in excess of 60,000 cubic metres and/or withdrawal of water exceeding 300 cubic metres per day) triggered the requirement for the Hamlet to move from a Type "B" Licence to a new Type "A" Licence.

² *Nunavut Water Regulations*, SOR/2013-69, Schedule 1.

Public Hearing. In the November 17, 2020 correspondence, the Board also advised the Applicant, Interveners and the public of revised deadlines to exchange documentation such as final written submissions and closing arguments before the Board closed the Public Hearing Record and remitted the matter for decision-making to the NWB's duly appointed Igloolik Panel.

The Board's direction reflects the Board's receipt of final written submissions from the Applicant on November 20, 2020, and from the interveners, Crown-Indigenous Relations and Northern Affairs (CIRNA) on December 08, 2020, outlining:

- all technical issues discussed during their review of the Application;
- identifying technical issues that have been resolved amongst the parties during the Board's review of the Application; and
- providing information regarding terms and conditions that could be included if the NWB recommends that a Type "A" Water Licence be granted as requested in the Application.

On November 27, 2020, by email correspondence, the Applicant confirmed that they have no additional information to submit in response to the final written submissions of the Interveners. On this basis, the Board has decided that all information required for the NWB to consider the Application has now been filed and the Board will consider the Application submitted by the Hamlet of Igloolik and technical written submissions filed to date by CIRNA and ECCC.

The Board has placed this information on its public registry and all materials filed with the Board to date will comprise the Public Hearing Record for the NWB's file in respect of the Application. Access to this information is 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----/2%20ADMIN/4%20HEARINGS/2%20HEARING/2020/>

The Board wishes to advise all interested parties that the Hearing Record for the NWB's Public Hearing, conducted in writing, to consider the Hamlet of Igloolik's Type "A" Water Licence Application 3AM-IGL---- is now **CLOSED**. Accordingly, no additional evidence in respect of the Application may be filed with the Board and the Hearing Record will consist solely of the documentation filed on or in advance of November 26, 2020.

Now that the Hearing Record has closed, the Application has been remitted to the Panel who will, in due course (typically within 30-45 days), issue a Decision Report to the Minister of Northern Affairs. In the Decision Report, the NWB will provide a recommendation to the Minister regarding whether or not to grant a Type "A" Water Licence as requested by the Applicant to replace and amend the expired Licence No. 3BM-IGL1520. If the Board's decision is to recommend that a new Type "A" Water Licence for the undertaking be issued, the Board will also attach a copy of the Water Licence to the Decision Report for the review of the Minister.

Now that the Panel is engaged in deliberations, the Board will not provide any further comment regarding the Application until the Board publicly issues the Panel's decision. In closing, the Board extends its thanks to the Applicant, CIRNA and ECCC for their participation during the NWB's consideration of this Application, including providing the Board with technical review comments, and identifying concerns and issues during the teleconference Technical Meeting and Pre-Hearing Conference. The Board also appreciates all parties working together to accommodate the modifications to the Board's planned processes required to comply with the directions of public health authorities in response to the COVID-19 pandemic during the licensing process.

Regards,

NUNAVUT WATER BOARD

Stephanie Autut
Executive Director