July 9, 2001

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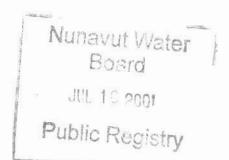
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## ምበዣው Kitikmeot

A'ba' D'f d'e Cambridge Bay Ma' A'b Gra Haven d'Ar' 44° Pelly Bay Ca' 44° Taloverk Hon. Robert Nault, Minister
Department of Indian and Northern Affairs
10 Wellington Street, 21st floor
Hull, Quebec K1A 0H4

Dear Minister Nault:



# re: Iqaluit Water Licence

We have received a copy of Mr. Paul Smith's June 22, 2001 letter to the Nunavut Water Board, in which DIAND makes submissions respecting the City of Iqaluit's request for an amendment of its January 2001 water licence.

The NWB issued a one-year licence to Iqaluit in December 1999, copy to DIAND. It issued a renewed licence on January 1, 2001, copy to DIAND. While maintaining that your approval is a pre-condition to the validity of the NWB's licences, you have failed to either approve or reject the Iqaluit water licence.

DIAND is responsible for enforcement of NWB licences under the NWT Waters Act, which continues to apply in Nunavut where not inconsistent with the Nunavut Land Claims Agreement. The City of Iqaluit has not complied in all respects with the NWB licence, and has questioned the validity of the licence in the absence of the Minister's approval.

While continuing to deny the validity of the NWB licence, your Department's submission to the NWB "supports granting [Iqaluit] extensions of time for the fulfilment of [NWB licence] conditions," thereby tacitly acknowledging the validity of the licence. Meanwhile, the City of Iqaluit's water licence continues to be (a) unrejected and (b) unenforced by DIAND.

As you know, NTI maintains that Ministerial approval of NWB water licences is not required under the NLCA. Whether or not you accept this, you have a legal, political and moral obligation to the people of Iqaluit, Nunavut, and Canada, to take action and to enforce water licences in Nunavut.

DIAND's failure to do so renders the NWB ineffectual and makes a mockery of water licencing in Nunavut.

We look forward to your prompt action on this matter.

Sincerely yours,

James Betoolook
Acting President

ce: Thomas Kudloo, Chairperson, Nunavut Water Board John Matthews, Mayor of Iqaluit Stephen Traynor, Director of Operations, DIAND, Iqaluit



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# **FACSIMILE TRANSMISSION**

James Eetoolook

1<sup>st</sup> Vice President

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Comments:_			

Number of pages including cover: