



MUNICIPALITY OF IQALUIT

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OFFICE OF THE MAYOR
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September 25, 2001

Mr. Thomas Kudloo
Chair
Nunavut Water Board
P.O. Box 119
GJOA HAVEN NU X0B 1J0

Dear Sir:

Re: Iqaluit Water Licence NWB31 QA0103

I am writing once again regarding our Water Licence.

We understand that the issue of whether or not your Licence must be approved by the Minister will now be determined by the Federal Court. We look forward to greater certainty on this issue.

We are advised that NTI's application does not deal directly with the question of how far the Board may go in imposing conditions. In particular, the Federal court is not being asked directly to comment on whether the Board has jurisdiction to control burning. We are concerned with a further lengthy period of uncertainty following a decision of the Federal Court.

I am advised that the Board has the jurisdiction under the *Federal Court Act* to refer any question or issue of jurisdiction to the Court for hearing and determination. I request that the Board give serious consideration to doing so now with respect to the other jurisdictional issues. The two matters might then be dealt with at the same time by the Federal Court.

The benefits of this approach are obvious and compelling. It would permit one proceeding that would determine all of the issues. We could all avoid a further period of uncertainty after the Federal Court rules on the approval issue.

We would be pleased to provide our suggestions regarding the questions to be posed to the Federal Court.

While I appreciate that the status of the current Licence is currently an open question, we remain willing to do what we can to address the Board's



requirements. I note that the Board did not wish us to use our current landfill site beyond October 31, 2001. As requested, we have submitted a contingency plan for enough landfill capacity to get us through to the opening of new solid waste disposal facilities. We would appreciate the Board's earliest consideration of that plan.

Sincerely,

A handwritten signature in black ink, appearing to read "John Matthews", with a long horizontal flourish extending to the right.

John Matthews
Mayor of Iqaluit