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NUNAVUT WATER BOARD  
NUNAVUT IMALIRIYIN KATIMAYINGI

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July 11, 2001

To: Distribution List

Regarding: Iqaluit Water Licence NWB31QA0103 Decision on Submissions regarding Licence Amendments

The Board has received and reviewed all submissions regarding the above. See Appendix A for a list of respondents. The submissions include those filed late as well as a letter from the President of NTI dated July 9, 2001 and from the licence holder (per Mayor Matthews) dated July 10, 2001. Both letters are enclosed for your information.

On the matter of enforceability, we agree entirely with the NTI:

“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 . . .”[Eetoolook letter 7/9/2001, page 1]

Therefore, the Board’s position is the same as before: the Board has issued its decision in the form of a licence and whether or not DIAND or the Town agrees (see, e.g., P. Smith’s letter of June 22, 2001) does not invalidate the licence or its terms. The licence is valid until set aside by a Federal Court judge. The question of enforceability is in the hands of DIAND inspectors who should act whenever there is evidence of a breach of a licence.

In the meantime, the Board would like the Town to forward to the Board a copy of the letter of the Chief Medical Officer of Nunavut. We will copy it to each of you and will take it into account at the next hearing. Further, due to the great public interest in this Application, the Board will indeed convene a public hearing before approving any application for amendment, but will await a reasonable time before doing in respect of allowing the Hon. Robert Nault to respond to NTI’s July 9<sup>th</sup> 2001 letter.

If you have any questions, please contact our office.

Yours truly,

**ORIGINAL SIGNED BY**

Philippe di Pizzo  
Executive Director

cc: Hon. Robert Nault

## **APPENDIX A - July 11, 2001- NWB3IQA0103**

May 31, 2001 Letter from Town to the Nunavut Water Board (NWB).

### **Submissions from Interested Parties**

1. June 10, 2001 E-mail from Marcel Mason to DIAND( P. Lavallee)
2. June 15, 2001 E-mail from Robert Eno to NWB
3. June 15, 2001 Letter from NWMB to NWB
4. June 20, 2001 Letter from HSS to NWB
5. June 21, 2001 Letter from Mary Ellen Thomas to NWB
6. June 21, 2001 Letter from Language Commissioners to NWB
7. June 22, 2001 Letter from DIAND to NWB
8. June 22, 2001 Letter from Doug Workman to NWB
9. June 22, 2001 E-mail Elise Maltin to NWB
10. June 22, 2001 E-mail from HSS to NWB
11. June 22, 2001 Letter from Dept. Of Justice to NWB
12. June 22, 2001 E-mail from Lynn Peplinski to NWB
13. June 22, 2001 E-mail from Peter/Julia Krizan to NWB
14. June 22, 2001 Letter from Mary-Lou Fennell to NWB
15. June 22, 2001 Letter from DIAND to NWB
16. June 23, 2001 E-mail from Paul Crowley to NWB
17. June 27, 2001 Letter from DSD to NWB
18. June 28, 2001 Rec. Conversation from Miaili Coley
19. June 28, 2001 Rec. Conversation from Jim Little
20. June 29, 2001 Letter from Keith Hay to NWB
21. June 30, 2001 Fax from NorthWinds Arctic to NWB
22. July 1, 2001 Letter from Jim Little to NWB

### **Submissions received after July 1, 2001 deadline:**

1. July 3, 2001 email Marcel Mason to NWB
2. July 5, 2001 Letter from Environment Canada to NWB
3. July 9, 2001 Letter from NTI to Minister Nault

July 3, 2001 Letter NWB to Town of Iqaluit

July 10, 2001 Letter Town of Iqaluit to the NWB Response to submission

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July 3, 2001 Letter NWB to Town of Iqaluit

July 10, 2001 Letter Town of Iqaluit Response to submission to the NWB