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May 9, 2005

Manager of Licensing
Nunavut Water Board
P.O. Box 119
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Your file - Votre référence
NWB3IQA

Our file - Notre référence
9545-3-3-IQA-G

Via electronic mail to:
licensing@nwb.nunavut.ca

Re: NWB3IQA - Licensing of the North 40 Metal Dump

On behalf of Indian and Northern Affairs Canada (INAC), I would like to thank the Nunavut Water Board (NWB) for the opportunity to be involved in the City of Iqaluit (the City) water licensing process. In advance of the technical meeting and pre-hearing scheduled for May 12, 2005, INAC would like to take this opportunity to seek clarity on the issue of water licensing of the North 40 site.

At the September, 2004, pre-hearing, INAC recommended that the City of Iqaluit seek a separate, Type "B" Water Licence for activities at the North 40 site. This recommendation was based on INAC's understanding that the City required the licensing of the North 40 site to occur in as expeditious a manner as possible.

Following a meeting on February 4, 2005 involving Carl McLean, A/Director of Operations, INAC, Doug Sitland, Government of Nunavut-Community Government Services, and Brad Sokach, City of Iqaluit, the recommendation that the City proceed with a Type "B" Water Licence application was again provided to the City in a letter of February 25, 2005 from INAC to the City. On March 24, 2005, Carl McLean received an email from Geoff Baker, City of Iqaluit, indicating that the North 40 water licence application was complete and was expected to be submitted by April 1, 2005.

INAC representatives met once again with Mr. Sokach on April 21, 2005. At this meeting Mr. Sokach reiterated the City's intention to file a Type "B" water licence application for the North 40 site.

To date, INAC is unaware of any correspondence from the City of Iqaluit to the NWB that formally requests the North 40 be removed from the City's Type "A" Water Licence application and/or be considered as a separate Type "B" application.

The Abandonment and Restoration Plan for the North 40 Metals Dump: Introduction and Table of Contents is included in the material circulated for review for the City's Type "A" Water Licence application. This would indicate that the North 40 remains a component of the Type "A" application.

The licensing of the North 40, particularly as it pertains to the continued extraction of granular material from the site, has considerable ramifications with respect to human and environmental health in and around Iqaluit. It is therefore critical that no ambiguity exists with respect to the process under which the review and potential licensing of the North 40 site is to occur.

INAC does not have an inherent preference as to the type of water licence the City chooses to pursue for the North 40 site and associated activities. It must be clear to interested parties, however, when and how they will have the opportunity to provide comment on the potential licencing of the North 40 site and associated activities.

INAC recommends that unless the NWB receives correspondence from the City formally requesting the removal of the North 40 from the Type "A" application, **on or before May 12, 2005**, then the North 40 site should henceforth remain a component of the City's Type "A" Water Licence application.

INAC thanks the NWB for their attention to this matter. Please do not hesitate to contact the undersigned if there are any questions or concerns with respect to this submission.

Best regards,

Original signed by:

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cc: Brad Sokach, City of Iqaluit
Doug Sitland, Community and Government Services, Government of Nunavut