



November 8, 2013

Phyllis Beaulieu  
Manager of Licensing  
Nunavut Water Board  
Gjoa Haven, NU X0E 1J0

Our reference  
IQALUIT-#751653

Your reference  
3AM-IQA0611

**Re: Completeness Assessment**

**Water Licence #3AM-IQA0611 – Renewal and Amendment Application for  
the City of Iqaluit Type ‘A’ Municipal Water Licence**

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Dear Ms. Beaulieu,

Thank you for your email of October 21, 2013, concerning the above mentioned water licence renewal and amendment application.

A memorandum is provided for the Nunavut Water Board's consideration. Comments have been provided pursuant to the Department's mandated responsibilities under the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* and the *Department of Indian Affairs and Northern Development Act*.

Please do not hesitate to contact me by telephone at 867-975-4555 or email at [david.abernethy@aadnc-aadnc.gc.ca](mailto:david.abernethy@aadnc-aadnc.gc.ca) for further information.

Regards,

David Abernethy  
Regional Coordinator  
Water Resources Division  
Resource Management Directorate  
Aboriginal Affairs and Northern Development Canada  
Iqaluit, NU X0A 0H0

Encl.

c.c.: Murray Ball, Manager of Water Resources, AANDC-NU  
Erik Allain, Manager of Field Operations, AANDC-NU  
Karen Costello, Director of Resource Management, AANDC-NU

## Memorandum

<b>TO</b>	Phyllis Beaulieu Manager of Licensing Nunavut Water Board	OUR REFERENCE IQALUIT-#751653
<b>FROM</b>	David Abernethy Water Resources Regional Coordinator Aboriginal Affairs and Northern Development Canada	YOUR REFERENCE 3AM-IQA0611  DATE November 8, 2013
<b>SUBJECT</b>	<b>Completeness Assessment</b>  <b>Water Licence #3AM-IQA0611 – Renewal and Amendment Application for the City of Iqaluit Type ‘A’ Municipal Water Licence</b>	

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### A. BACKGROUND

On October 21, 2013, the Nunavut Water Board (NWB or Board) distributed the City of Iqaluit's application to amend and renew its Type 'A' Municipal Water Licence, #3AM-IQA0611, to interested parties for review. The application was received under two separate submissions dated November 13, 2012 and August 30, 2013. Interested parties were asked to perform the following tasks by November 8, 2013:

1. Review the scope of the information provided and identify any deficiencies that require additional information or further response from the City of Iqaluit (i.e., a completeness assessment); and
2. Provide comments on the type of technical meeting, pre-hearing conference, and public hearing to be held (i.e., written, by teleconference, or in person)

The City of Iqaluit is requesting a five year renewal term with amendments to licence terms and conditions identified in an email that it sent to the NWB on September 27, 2013<sup>1</sup>.

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<sup>1</sup> City of Iqaluit. *Re: City of Iqaluit License No. 3AM-IQA0611 Renewal Application Addendum*. Email correspondence from Mr. John Hussey of the City of Iqaluit to Mr. Sean Joseph of the Nunavut Water Board. September 27, 2013.

## B. RESULTS OF REVIEW

The following comments/recommendations are submitted for the Board's consideration,

### Information Requests

#### Compliance

1. A stand-alone Compliance Assessment / Summary Report should be provided pursuant to Block 23 of the NWB's Application for Water Licence Renewal Form. This submission should identify measures taken to address any non-compliance with the water licence terms and conditions and/or the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* (the Act).

Context: A stand-alone Compliance Assessment / Summary Report would provide a clear record of the City of Iqaluit's compliance status as noted above (including any issues noted by Aboriginal Affairs and Northern Development Canada (AANDC) Inspectors). Although pertinent information is provided in the 2006 to 2012 Annual Reports, an October 2, 2012 concordance table of licence conditions (Appendix A-11 of the application), an October 2, 2012 follow-up memo to the July 3, 2012 AANDC Inspection Report (Appendix A-11 of the application), and various email correspondence between the City of Iqaluit and the NWB, an up to date stand-alone Compliance Assessment / Summary Report should be provided because the submitted information is now dated and not consolidated into a single document.

#### Solid Waste Management

2. A Long-term Solid Waste Management Plan prepared in accordance with Part E, Item 10 of the licence should be included in the application review. The City of Iqaluit has committed to provide this plan by November 30, 2013.<sup>2</sup>
3. An Updated Operation and Maintenance Manual for the West 40 Landfill prepared in accordance with Part E, Items 12 and 15 of the licence should be included in the application review. The City of Iqaluit has committed to provide this plan by November 30, 2013.<sup>3</sup>
4. An Abandonment and Restoration Plan for the West 40 Landfill prepared in accordance with Part J, Item 1 of the licence should be included in the

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<sup>2</sup> City of Iqaluit. *Re: City of Iqaluit Outstanding Items Submission*. Email correspondence from Mr. John Hussey of the City of Iqaluit to Ms. Phyllis Beaulieu of the Nunavut Water Board. August 30, 2012.

<sup>3</sup> Ibid.

application review. The City of Iqaluit has committed to provide this plan by November 30, 2013.<sup>4</sup>

## **Other Considerations**

### Quarry Operation and Management

- The scope of the water licence should be amended to include the development, operation, and closure of quarries. Consequently, the renewed water licence should include applicable terms and conditions specific to the use of water and deposit of waste into or near water.

Context: Quarries can negatively impact water sources through inadequate site selection (i.e., metal leachate and acid rock generation), sedimentation, and petroleum hydrocarbon spills. It is not uncommon for licenses issued for mining undertakings to include terms and conditions specific to the development, operation, and closure of quarries (e.g., management plans, monitoring requirements, and closure planning). Similar requirements should be applied to municipal undertakings.

Currently, the City of Iqaluit is excavating aggregate from the Trail Area Deposit, crushing and sorting this material at the North 40 site (former quarry and metal dump), and is planning to develop the Northwest Quarry, as referenced in the June 2013 Iqaluit Waste Management Project newsletter.<sup>5</sup>

On April 2, 2008, the NWB issued a Type 'B' Industrial Water Licence to the City of Iqaluit, #8BC-TAD0811, to allow for access road construction, water course crossings, and quarrying operations associated with the Trail Area Deposit. This licence expired on March 31, 2011. When applying for this licence the City of Iqaluit recommended that it be granted a three year term as opposed to a five year term (typical duration) because it intended to "roll the operation of the Trail Area Deposit into its Type 'A' Municipal Water Licence."<sup>6</sup> The City of Iqaluit may have overlooked the inclusion of this quarry in its application as it is not referenced in the submitted documentation.

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<sup>4</sup> Ibid.

<sup>5</sup> [http://iqaluitwasteproject.files.wordpress.com/2013/06/iqaluit-newsletter-3-final\\_eng.pdf](http://iqaluitwasteproject.files.wordpress.com/2013/06/iqaluit-newsletter-3-final_eng.pdf)

<sup>6</sup> City of Iqaluit. *Trail Area Deposit Executive Summary*. Memo submitted to the Nunavut Water Board. May 7, 2007.

### **Type of Technical Meeting, Pre-Hearing Conference, and Public Hearing**

The technical meeting, pre-hearing conference, and public hearing should be held in person. This is because of the scale the City of Iqaluit's municipal water and waste management facilities, the need for clarity on the scope of licensed activities, documented non-compliance with licence terms and conditions, and anticipated public concern.

Prepared by David Abernethy