



## **NUNAVUT WATER BOARD**

# **SHORT-TERM RENEWAL OF WATER LICENCE NO: 3AM-IQA1626**

## **REASONS FOR DECISION**



# NUNAVUT WATER BOARD

In the Matter of:

Applicant: City of Iqaluit

Subject: Application for a Short-Term Renewal of up to 180 days to Existing Type A Water Licence No: 3AM-IQA1626

Date: April 21, 2026

Precedence: Where there is any inconsistency or conflict between the *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in Right of Canada (Nunavut Agreement)* and the *Nunavut Waters and Nunavut Surface Rights Tribunal Act (NWNSRTA)*, the *Nunavut Agreement* prevails to the extent of the inconsistency or conflict. Where there is any inconsistency or conflict between the *NWNSRTA* and any other act of Parliament, except the *Nunavut Land Claims Agreement Act*, the *NWNSRTA* prevails to the extent of the inconsistency or conflict.



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## **REASONS FOR DECISION**

### **SECTION I: BACKGROUND AND REGULATORY HISTORY**

#### **Application**

This decision is in relation to an Application filed by City of Iqaluit (City or Applicant) requesting that the existing type A Water Licence No: 3AM-IQA1626 (the Existing Water Licence) be renewed for a short term of up to 180 days from the current expiry date of June 16, 2026 to December 13, 2026 (the STR Application). The Applicant currently has a long-term (20-year term requested by City) full Renewal Application before the Nunavut Water Board (NWB or Board) that was received on December 31, 2025. During the Completeness Check phase of the full Renewal Application, the Board advised the Applicant to consider applying for a short-term renewal of the Existing Water Licence to bridge the gap between the expiry of the Existing Water Licence and the completion of the NWB's licensing process and Minister's decision-making in relation to the full Renewal Application.

As per NWB's advice, on March 13, 2026 the Applicant submitted the STR Application to the Board. The STR Application requested the renewal of the Existing Water Licence on the following basis:

- No changes to the Existing Water Licence (administrative or otherwise) are being requested by the City of Iqaluit;
- The term of the STR Water Licence would not exceed 180 days from the date on which the Existing Water Licence expires (June 16, 2026), and the STR Water Licence would expire on the earlier of December 13, 2026 OR the Minister's completion of decision-making for the full Renewal Application (and if approved by the Minister, the issuance of a long-term renewed licence);
- No plans, studies, reports, or designs would be submitted in support of the STR Application as this information has already been provided, or will be provided during the Board's processing of the full Renewal Application; and
- The NWB's consideration of the full renewal application would continue in as timely and efficient manner as possible.

On March 16, 2026 the NWB provided notice of the STR Application as required under s. 55 of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*, S.C. 2002 (*NWNSRTA* or *Act*) and invited comment on the STR Application within thirty (30) days (April 15, 2026). As set out in the *NWNSRTA* (s. 55), the Board is required to provide at least 30 days' notice of the STR Application before acting on the STR Application. In addition, as permitted under s. 9(1)(b) of



the *Regulations*, the STR Application was processed by the Board without a Public Hearing once the 30-day time period elapsed.

Following the review of comments received during the thirty (30) day comment period, and pursuant to Article 13 Clause 13.3.6 of the *Nunavut Agreement* and s. 29 of the *NWNSRTA* the members of the City of Iqaluit Panel (P6), on April 17, 2026, by Panel Motion No. 2026-01-P6-03 approved the grant of the STR Application. The Panel authorized the issuance of a single renewal of the Existing Water Licence, being a change to the expiry date of the Licence to add a further term of up to 180 days. The Short Term Renewal Licence (STR Water Licence) will take effect at the expiry of Existing Water Licence on June 16, 2026 and will expire on the earlier of the Minister's completion of decision-making for the full Renewal Application (and if approved by the Minister, the issuance of a long-term renewed licence) or December 13, 2026 (180 days after the Existing Water Licence expires).

### **Application and Supporting Materials Submitted by the Applicant**

The following documents were included with the STR Application:

1. Cover Letter; and
2. Completed Application form for the STR Water Licence.

The Application and supporting documentation were placed on the Board's Public Registry and are available for access at the following link:

[City of Iqaluit Short Term Water Licence Renewal Application](#)

### **Existing Water Licence History**

The existing type A Water Licence No: 3AM-IQA1626 was issued by the NWB on June 17, 2016 (the Existing Water Licence). The Existing Water Licence was subsequently approved by the Minister of Indigenous and Northern Affairs Canada (as the Minister was known then, now Minister of Northern and Arctic Affairs) on July 19, 2016 and is set to expire on June 16, 2026. The Existing Water Licence authorizes the use of water and deposit of waste in support of a Municipal Undertaking for the City of Iqaluit Project (Project) located within the Qikiqtani Region of Nunavut.

Following the issuance of the Existing Water Licence in 2016, the Board issued seven amendments to authorize the City of Iqaluit to obtain water from additional sources among other amendments



to Existing Licence. Out of the seven amendments issued, five were processed by the Board on an emergency basis. Amendment No. 5 obtained in 2021 also approved the construction and operation of new solid waste facilities, including the New North Landfill, a waste transfer station and other associated infrastructure.

### **Regulatory History of the STR Application**

On March 16, 2026, the Board issued Notice of the STR Application and commenced a thirty (30) day technical review and comment period, which closed on April 15, 2026.

It should be noted that for the full Renewal Application, the Board had delegated its power to dispose of all matters in relation to this Licence, to the duly constituted City of Iqaluit Panel (P6 or the Panel) of the Board, and this Panel was also responsible for considering the STR Application.

Following the review of technical comments received during the thirty (30) day comment period, and pursuant to Article 13 Clause 13.3.6 of the *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in Right of Canada (Nunavut Agreement)* and s. 29<sup>1</sup> of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act, S.C. 2002, c. 10 NWNSRTA* the members of the City of Iqaluit Panel, on April 17, 2026, by Panel **Motion #2026-01-P6-03** approved the grant of the STR Application and issuance of the Short-Term Renewal Licence (STR Water Licence) as described above.

## **SECTION II: SUMMARY OF COMMENT SUBMISSIONS OF THE PARTIES**

### **Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC)**

Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) has a broad mandate for the co-management of water resources and management of Crown land in Nunavut. With respect to the STR Application, CIRNAC provided their comments pursuant to the following applicable law and policy: the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*<sup>2</sup> and the *Department*

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<sup>1</sup> Section 29 of the NWNSRTA states:

(1) The Board may establish panels of the Board and delegate any of its powers, duties and functions to them.

<sup>2</sup> S.C. 2002, c. 10.



of *Indian Affairs and Northern Development Act*<sup>3</sup>. CIRNAC's submission<sup>4</sup> regarding the STR Application indicated: "CIRNAC has no comments on the short term renewal application."

### **Environment and Climate Change Canada (ECCC)**

The focus of Environment and Climate Change Canada's (ECCC) involvement in respect of the STR Application is based on their jurisdiction under the *Department of the Environment Act*,<sup>5</sup> *Canadian Environmental Protection Act, 1999*,<sup>6</sup> *Fisheries Act*,<sup>7</sup> *Migratory Birds Convention Act*,<sup>8</sup> and *Species at Risk Act*.<sup>9</sup> On April 08, 2026, ECCC indicated<sup>10</sup>: "ECCC has reviewed this file in accordance with our mandate and we have no comments at this time."

### **Fisheries and Oceans Canada (DFO)**

The focus of Fisheries and Oceans Canada's (DFO) involvement in respect of the Renewal Application is based on their jurisdiction under the *Fisheries Act* and the *Species at Risk Act*. On April 15, 2025, DFO indicated<sup>11</sup>: "The Department of Fisheries and Oceans Canada, Fish and Fish Habitat Protection Program (DFO-FFHPP) has reviewed the Short-Term Renewal for City of Iqaluit Water Licence Application in accordance with DFO's mandate and has no comments or recommendations at this time."

## **SECTION III: SUBMISSIONS BY OTHER INTERVENING PARTIES OR MEMBERS OF THE PUBLIC**

There were no submissions on the STR Application provided to the Board by any other intervening parties or members of the public.

## **SECTION IV: JURISDICTION OF THE BOARD**

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<sup>3</sup> R.S.C. 1985, c. I-6.

<sup>4</sup> Letter from M. Blade, Regulatory and Science Advisor, CIRNAC, to R. Dwyer, NWB; Re: Crown-Indigenous Relations and Northern Affairs Canada's review of the City of Iqaluit Short-Term Renewal application for Type A Water Licence No. 3AM-IQA1626 in the Qikiqtani Region of Nunavut; dated April 01, 2026.

<sup>5</sup> R.S.C., 1985, c E-10.

<sup>6</sup> S.C. 1999, c. 33.

<sup>7</sup> R.S.C. 1985, c. F-14.

<sup>8</sup> S.C. 1994, c. 22.

<sup>9</sup> S.C. 2002, c. 29.

<sup>10</sup> Email from K. Mok, Environmental Assessment Officer, ECCC, to R. Dwyer, NWB; dated April 08, 2026

<sup>11</sup> Letter from N. Grishaber, Biologist, DFO, Re: Short-Term Renewal for City of Iqaluit Water Licence



The Board has jurisdiction over the STR Application pursuant to Division 2 of the *NWNSRTA*.<sup>12</sup> Relevant sections in that Division allow the Board to renew a licence<sup>13</sup> on application or on the Board's own initiative. As required by ss. 55(1) and (4) of the *NWNSRTA*, the Board provided notice of the STR Application on March 16, 2026 and invited interested persons to provide their comments on or before April 15, 2026.

### *The Nunavut Waters Regulations*

As set out in s. 9(1)(b) of the *Nunavut Waters Regulations*,<sup>14</sup> because the STR Application involves a short-term renewal not exceeding 180 days, the Board was not required to hold a Public Hearing in respect of the STR Application. It should also be noted that no submissions were received during the comment period for the STR Application that identified an interest in a Public Hearing being held. Consequently, the NWB processed the STR Application solely in writing and without a Public Hearing.

### Pre-licensing Considerations

#### Land Use Planning and Environmental Assessment

On April 21, 2026, the Nunavut Planning Commission (NPC) provided correspondence to the NWB<sup>15</sup> confirming that the project proposal is outside the area of an applicable regional land use plan and that the project activities were most recently reviewed by the NPC on April 23, 2025 with respect to the full Renewal Application and the project is exempt from screening by the Nunavut Impact Review Board (NIRB) because the NPC is of the understanding that it does not change the general scope of the project and the exceptions notes in Section 12.4.3 (a) and (b) of the *Nunavut Agreement* do not apply.

It should be noted that the latest NPC conformity determination from April 23, 2025<sup>16</sup>, for the full Renewal Application stated the following:

- *The NPC has completed its review of the above-noted project proposal and has determined that it is outside the area of an applicable land use plan. The works and activities associated with this proposal were previously reviewed by the NPC, including geotechnical*

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<sup>12</sup> Sections 42-81 of the *NWNSRTA*.

<sup>13</sup> See s. 43(1)(b) of the *NWNSRTA*.

<sup>14</sup> S.O.R./2013-69.

<sup>15</sup> Letter from G. Djalogue, NPC, to R. Dwyer, NPC File No: 151186 [Short-term water licence renewal] NWB, dated April 21, 2026.

<sup>16</sup> NPC Conformity Determination, April 23, 2025



*investigations. In addition, associated activities were previously screened by the Nunavut Impact Review Board (NIRB File No. 23YN040).*

- *The NPC has determined that the above-noted project proposal is a significant modification to the project because of the proposed modifications listed above in item 2. The project proposal requires screening by the NIRB under section 12.4.3 of the Nunavut Agreement as amended because it is for a component or activity that was not part of the original or previously amended proposal and its inclusion is a significant modification of the project.*

Additionally, the Nunavut Impact Review Board's Screening Decision Report issued on March 19, 2026<sup>17</sup> stated the following in relation to the full Renewal Application:

- *Subject to the Proponent's compliance with the terms and conditions as set out in below, issued in accordance with s. 92(2)(a) of NuPPAA, the NIRB is of the view that the project proposal is not likely to cause significant public concerns, and it is unlikely to result in significant adverse environmental and social impacts.*

## **SECTION V: DECISION TO GRANT THE SHORT-TERM RENEWAL**

Following the close of the comment period associated with the STR Application and for reasons elaborated further below, the Board has decided to grant the Applicant's request for the Short-Term Renewal of type A Water Licence No: 3AM-IQA1626 to extend the expiry of the Existing Water Licence by up to 180 days while the full Renewal Application is considered by the Board and Minister.

The Panel is recommending that the STR Application be granted to bridge the gap between the expiry of the existing Water Licence and the review, and if approved by the NWB and Minister, the eventual issuance of a long-term renewal of the Existing Water Licence. However, in granting the STR Water Licence, the NWB still considers itself bound by the timelines in the *NWNSRTA* and the Board will continue to process the full Renewal Application in a timely manner and encourages the Applicant, Interveners and other participants in the Board's consideration of the full Renewal Application to respond to information and comment requests in a timely fashion. The Board recognizes that it is necessary to issue a short-term renewal as the processing of the full Renewal Application will likely not be completed before the expiry of the Existing Water Licence in June.

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<sup>17</sup> NIRB Screening Decision Report, March 19, 2026



The NWB is confident that if this STR Water Licence is approved by the Minister, the City of Iqaluit will continue to meet acceptable standards for water quantity, water quality and effluent quality throughout the term of the STR Water Licence. In granting the STR Application, the Board is satisfied that the STR Application contained the required information and was in the proper form having regard to the requirements of the *NWNSRTA*<sup>18</sup> and associated regulations.<sup>19</sup>

## **SECTION VI: SHORT-TERM RENEWAL OF WATER LICENCE 3AM-IQA1626**

The Applicant is advised that the Short-Term Renewal Water Licence does not take effect until approval of the Minister is given or deemed to have been given pursuant to s. 56 of the *NWNSRTA*.<sup>20</sup>

As indicated in Section V, the Panel, by way of Motion #2026-01-P6-03 has decided to issue the requested Short-Term Renewal of Water Licence No: 3AM-IQA1626 as described above. Other than extending the term of the Existing Water Licence, all other terms and conditions of the Existing Water Licence remain.

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<sup>18</sup> See s. 48 of the *NWNSRTA*.

<sup>19</sup> *Nunavut Waters Regulations*, SOR/2013-69, April 18, 2013.

<sup>20</sup> Section 56 of the *NWNSRTA* states:

*The issuance, amendment, renewal and cancellation of a Type A licence, and if a public hearing is held, a Type B licence are subject to the approval of the Minister.*

Under s. 56(2.2) if the Minister does not issue a decision within 45 days of receiving the Licence from the Board, (or within 90 days if the Minister has extended the decision-making period by an additional 45 days) the Minister is deemed to have approved the Licence.