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NUNAVUT WATER BOARD  
NUNAVUT IMALIRIYIN KATIMAYINGI  
OFFICE DES EAUX DU NUNAVUT

**File: 3AM-PAN----(3BM-PAN1417/  
Renewal / Amendment)**

October 30, 2017

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GN – Community and Government Services  
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**RE: 3AM-PAN---- (3BM-PAN1417 renewal), Type “A” Municipal Water Licence –  
Amendment Application, Hamlet of Pangnirtung, NU; Technical Meeting and Pre-  
Hearing Conference**

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Dear Messrs. Roy and Ladd:

On August 4, 2017, the Nunavut Water Board (NWB or Board) issued correspondence requesting that the Government of Nunavut – Community and Government Services (GN-CGS) provide its response(s), on behalf of the Hamlet of Pangnirtung (the Licensee or Proponent), to interveners’ technical review comments, filed with respect to the Application to renew and amend Licence No. 3BM-PAN1417 (the Application).

Accordingly, on August 21, 2017, the GN-CGS provided a response to interveners’ comments, and following that, intervening parties confirmed their satisfaction with the GN-CGS’ response. Access to the comments provided by intervening parties as well as the GN-CGS’ response can be obtained through the NWB’s Public Registry and FTP site using the following link:

<http://www.nwb-oen.ca/public/registry/3%20MUNICIPAL/3A/3AM%20-%20Municipality/3AM-PAN----/2%20ADMIN/3%20SUBMISSIONS/2017%20Renewal%20Amendment/>

Based on the scope of the Application, extent of interveners’ technical review comments, response to interveners’ technical review comments, and outcome of the NWB’s internal review process, the Board has decided that the Application can now proceed to the next stage of the water licensing process, which involves a Technical Meeting and Pre-Hearing Conference (TM and PHC).

The purpose of the Technical Meeting (TM) is to informally discuss and resolve any outstanding technical matters related to the Application that have been identified at this stage of the review process, particularly those matters that could affect the Board’s determination on any Pre-

Hearing Conference issues. After the technical issues are discussed at the TM the Pre-Hearing Conference (PHC) portion of the meeting follows. The purpose of the PHC is to address procedural matters leading into the next step in the Board's consideration of the Application, including discussions about the potential technical and procedural matters associated with the NWB conducting a Public Hearing in respect of the Application. Within 10-15 days after the TM/PHC concludes, the NWB will issue the Board's PHC Decision. If the Board determines that the Application is ready to proceed to the next stage of the licensing process, a Public Hearing, the Board's PHC decision will include a timetable for the exchange of any written information required, filing of evidence for any Public Hearing scheduled for the Application, and the Board issuing notice of a Public Hearing in accordance s. 55(2) of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*, S.C. 2002, c. 10.

In accordance with Rule 14.1 of the Board's *Rules of Practice and Procedure for Public Hearings*, and by Motion No.: 2017-13-F1-04, the Panel duly appointed to consider the Application met on October 26 and delegated to the Board's staff the authority to conduct the Technical Meeting and Pre-Hearing Conference for the Application. At that meeting, the Panel also directed that the TM/PHC will be conducted by **teleconference** during the week of **December 4th.** After reviewing logistics and the existing schedule of Board events, **the Board has tentatively scheduled the TM/PHC to extend over two days, on December 5 and 6, 2017.**

In preparation for the TM and PHC, the Board has attached a copy of a draft agenda and requests that interested persons provide relevant comments to the NWB's Licensing Department at [licensing@nwb-oen.ca](mailto:licensing@nwb-oen.ca) by **3:00 p.m., MST, Monday November 27, 2017.** In addition to comments on the agenda and technical comment submissions, interested parties are asked to also provide the following information along with their submissions:

- confirm the attendance of their organization, group or individual;
- provide the names of the individuals who will be participating on their behalf in the TM and PHC respectively; and
- Identify whether they wish to make a formal presentation of their submissions during the TM/PHC.

Following receipt of this information the NWB will distribute, a final version of the agenda, in advance of the TM and PHC, as well as the names of the participating organizations and/or persons who have confirmed their attendance.

In addition, the Licensee and intervening parties intending to make presentations during the TM/PHC must provide to the NWB, for public distribution and posting on the Board's registry, copies of their presentation materials (including the Licensee's and Interveners' presentations). These materials should be provided in English and Inuktitut along with a summary in French, preferably in PDF/PowerPoint format, less than 3 MB/file size), no later than **2:00 p.m. MST, December 1, 2017.**

As the date for the TM and PHC approaches, the NWB will take steps to keep interested persons in the Hamlet informed and will work to promote and encourage full participation in the process. The NWB also takes this opportunity to invite the Hamlet (and the Government of Nunavut, Community Government Services on behalf of the Hamlet) to actively work with the Board to

ensure that community members are engaged in the process and are invited and able to participate and contribute to the NWB's licensing process, through the TM/PHC.

If any parties/persons have questions or require clarification with respect to the above, please contact Sean Joseph, Senior Technical Advisor by email at [sean.joseph@nwb-oen.ca](mailto:sean.joseph@nwb-oen.ca) or David Hohnstein, Director of Technical Services, by e-mail to [david.hohnstein@nwb-oen.ca](mailto:david.hohnstein@nwb-oen.ca) for any technical inquiries. For procedural and administrative inquiries please contact Karen Kharatyan, Acting Manager of Licensing, by phone at (867) 360-6338 or by e-mail to [licensing@nwb-oen.ca](mailto:licensing@nwb-oen.ca).

Sincerely,

Stephanie Autut  
Executive Director

SA/sj/rd

Attachment: Draft TM/PHC Agenda

Cc: Qikiqtani Distribution List



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## **DRAFT AGENDA**

### **TECHNICAL MEETING AND PRE-HEARING CONFERENCE HAMLET OF PANGNIRTUNG**

#### **WATER LICENCE RENEWAL/AMENDMENT (TYPE “A” LICENCE 3AM-PAN----**

**DECEMBER 5-6, 2017**

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#### **Technical Meeting**

**Date: December 5-6, 2017**

**Time: 8:00 AM – 3:00 PM (MT)**

**Location: Via Teleconference (Conference call in numbers and information will be provided with the final agenda)**

1. Introduction/Registration
2. Opening remarks/Application to the Board (15 Minutes)
  - a. Overview of scope and procedural history of the application
3. Purpose of the Technical Meeting and Pre-hearing Conference
4. Technical Review of the Application
  - a. Introduction of Participants
  - b. Presentation by Applicant (Hamlet/GNCGS) (45 minutes, excluding time for questions and answers)
    - i. Questions from Parties, other conference call participants and the NWB regarding the GN-CGS's Presentation
  - c. Identification of interested parties
  - d. Presentations by interested parties (20 minutes, excluding time for questions and answers )
    - i. Presentation by Indigenous and Northern Affairs Canada (INAC)
    - ii. Presentation by Environment and Climate Change Canada (ECCC)
    - iii. Presentation by the Department of Fisheries and Ocean Canada (DFO)
    - iv. Presentation by other Interested Parties / Persons wanting to make representations
  - e. Formulation of outstanding issues
  - f. Identification of the parties' commitments to resolve relevant technical issues, service of documents to parties (deadline, public registry, form)
5. Closing of Technical Meeting (*May continue to the next day if required*)



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## **DRAFT AGENDA (Cont.)**

### **TECHNICAL MEETING AND PRE-HEARING CONFERENCE HAMLET OF PANGNIRTUNG**

#### **WATER LICENCE RENEWAL/AMENDMENT (TYPE “A” LICENCE 3AM-PAN----**

**DECEMBER 5-6, 2017**

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**Date: December 5-6, 2017**

**Time: 8:00 AM –3:00 PM (MT)**

**Location: Via Teleconference (Conference information to be provided with final agenda)**

#### **6. Continuation of Technical Meeting if required**

#### **Pre-Hearing Conference**

##### **7. Pre-Hearing Conference**

- a. Identify issues that may prevent the Application from proceeding to a Public Hearing
- b. Discuss form, timing, and location of a potential Public Hearing for the Application
- c. Establish timetable for the pre-hearing exchange of information including:
  - i preparation and filing of additional documents by the parties (deadlines, form, public registry)
  - ii document-translation requirements
  - iii documentation to be included in the Public Hearing Record
- d. Finalize list of issues to be addressed at the Public Hearing
- e. Identify interested parties / parties that should be invited to participate in the Public Hearing
- f. Identify any changes required to the Application for the purposes of clarification
- g. Final procedures to be followed at the Public Hearing including:
  - i requested modifications to the applicable NWB Rules of Practice and Procedure for Public Hearing (May 2005)
  - ii language requirements at the Public Hearing
- h. Consideration of any other matters that may aid in the simplification and disposition of the Application at the Public Hearing

##### **8. Other issues**

##### **9. Closing of the meetings.**