

NUNAVUT WATER BOARD

Hamlet of Pangnirtung

Type "A" Water Licence Application No. 3AM-PAN----

PUBLIC HEARING

VOLUME 2

Pangnirtung, Nunavut

March 22, 2018

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1 Proceedings taken at Pangnirtung Community Centre,
2 Pangnirtung, Nunavut.

3

4 March 22, 2018

5

6 NUNAVUT WATER BOARD

7 L. Toomasie Chair of Hearing

8 M. Mrazek Panel Member

9 M. Nortok Panel Member

10

11 NUNAVUT WATER BOARD STAFF

12 T. Meadows Legal Counsel

13 S. Autut Executive Director

14 D. Hohnstein Director of Technical Services

15 B. Kogvik Director of Board

16 Administration and

17 Communications

18 K. Kharatyan Acting Manager of Licensing

19 R. Dwyer Licensing Administrator

20 A. Kubeisinova Technical Advisor

21

22 HAMLET OF PANGNIRTUNG

23 R. Ladd Senior Administrative Officer

24 B. Roy Municipal Planning Engineer

25 S. Bliss Senior Process Engineer

26

1 INTERVENERS

2

3 FISHERIES AND OCEANS CANADA

4 R. Janusz Senior Fisheries Protection
 5 Biologist
 6 J. Moyer Fisheries Protection Biologist

7

8 ENVIRONMENT AND CLIMATE CHANGE CANADA

9 G. Bernard-Lacaille Acting Senior Environmental
 10 Assessment Coordinator
 11 A. Wilson Senior Water Quality Expert

12

13 INDIGENOUS AND NORTHERN AFFAIRS CANADA

14 I. Parsons Acting Manager of Water
 15 Resources
 16 S. Forte Water Management Specialist
 17 L. Bachellier Water Resource Technician

18

19 INTERPRETERS/TRANSLATORS

20 B. Kogvik Inuktitut Language Translator
 21 W. Kilabuk Inuktitut Language Translator
 22 M. Qumuatuq Inuktitut Language Translator

23

24 T. Huynh, PSR(A) Official Court Reporter

25

26 I. Mablick Sound Technician

1

2 (PROCEEDINGS COMMENCED AT 9:04 AM)

3 Opening Remarks by the Nunavut Water Board Chair

4 THE CHAIR: Good morning. We reconvene
5 from yesterday's setting. Before we do that, I'd like
6 have an opening prayer. Let's stand.

7 (OPENING PRAYER)

8 THE CHAIR: Thank you, everyone, for
9 coming back here in the room. We will be starting the
10 closing procedures for hearings. But before then, the
11 staff of NWB will do a presentation, will have some
12 comments. Teresa will start.

13 Discussion

14 MS. MEADOWS: Thank you, Mr. Chair. Teresa
15 Meadows, legal counsel for the Nunavut Water Board.
16 So, Mr. Chair, we've had discussions with the Hamlet,
17 based on some followup to the question that INAC had
18 asked with respect to the culverts that they observed
19 when they were out walking around and doing a bit of a
20 site visit.

21 So my apologies to the people on the phone for
22 Environment and Climate Change Canada. We don't have
23 it an electronic version yet, but it's coming, and we
24 will forward it to you as soon as we get it.

25 But, Mr. Chair, with your permission. I'd like to
26 turn it over to the Hamlet to sort of explain and walk

1 us through the picture that all of the participants
2 here now have in front of them. Thank you, Mr. Chair.

3 EXHIBIT 11 - Hard Copy of a Picture of
4 Culverts Constructed by DFO

5 THE CHAIR: Thank you. Thank you, Teresa.
6 Hamlet?

7 MR. LADD: Hi. Ron, Hamlet of
8 Pangnirtung. So I've given a picture of the culvert
9 road that was inherited from a project that Small Craft
10 Harbours, DFO, did for the new harbour here we have.
11 And so, basically, it shows a low tide, and it shows
12 when the river is low. So, basically, there is a --
13 two upper culverts; they're about 5 feet around. And
14 there's four lower culverts that are 5 feet around. So
15 in total, there's six culverts.

16 And so in the spring, as I heard to yesterday --
17 yesterday, is, we have a drill bit. We drill a small
18 hole through the middle of that culvert, maybe a little
19 1-inch hole. The water then swells into a circle and
20 creates the hole to make it bigger. And then the ice
21 that's built up over the winter -- the six culverts
22 with the 5 feet of ice, 15 or 20 feet long, releases
23 the water. If not, then the road would be washed out
24 every year. Thank you.

25 THE CHAIR: Thank you.
26 Anything further?

1 MR. HOHNSTEIN: Thanks, Mr. Chair. David
2 Hohnstein, Nunavut Water Board. I just wanted to
3 follow up with INAC, if, you know, the information
4 provided was adequate to answer the questions, you
5 know, any further comments or questions from INAC.

6 MR. PARSONS: Thank you. Ian Parsons,
7 Indigenous and Northern Affairs Canada. No, that
8 picture and description clears up any concerns that we
9 would have had. Thank you.

10 THE CHAIR: Thank you. So that's more
11 like updating from yesterday's issue.

12 So I think we can start -- move on with our agenda
13 for today. Now, we are moving on to the last stage of
14 the hearing, the closing remarks. We'll step in to
15 closing remarks in our agenda. So I'd like to call
16 upon -- for closing remarks from the interveners.
17 Fisheries and Oceans, come to the table for your
18 closing remarks.

19 Closing Remarks by Fisheries and Oceans Canada

20 MR. JANUSZ: Fisheries and Oceans Canada,
21 Richard Janusz. We'd like to thank the Nunavut Water
22 Board for considering our recommendations. And also,
23 we'd like to thank the Hamlet of Pangnirtung for
24 confirming with us that they have considered our
25 recommendations as well and will be implementing them
26 to the best of their ability. And we'll be obviously

1 talking more about that, as we get the opportunity.

2 So if it's possible and you could consider our
3 recommendations, if they are applied, implemented
4 effectively, then Fisheries and Oceans Canada would
5 support the Type "A" water licence. Thank you.

6 THE CHAIR: Thank you, Fisheries and
7 Oceans Canada, for your closing remarks.

8 I'll call the next intervener, Environment and
9 Climate Change Canada. Have your closing remarks.
10 Okay, just bear with me, that -- try to get them on the
11 air.

12 (ADJOURNMENT)

13 THE CHAIR: Environment and Climate Change
14 Canada, we thought you were on the air at the
15 beginning. But -- so we learned that you were not
16 connected at the -- when we started. So Teresa, our
17 legal counsel, will update you, a short version, before
18 do closing remarks.

19 MS. MEADOWS: Thank you, Mr. Chair. Teresa
20 Meadows, legal counsel for the Nunavut Water Board.

21 So for the benefit of Environment and Climate
22 Change Canada, we started this morning with the Hamlet
23 walking us through a picture of the culverts that were
24 referenced yesterday by INAC and then again by
25 Fisheries and Oceans Canada and explained in the
26 community session by the Hamlet.

1 So we have a picture that has been circulated
2 here, and the Hamlet gave an explanation of how the
3 culverts are maintained, especially during freshet.
4 But we will try and get you an electronic copy of the
5 picture. And if you have any questions, if you would
6 like to address those to the Hamlet before we begin
7 your open -- your closing remarks, rather, then please
8 feel free to ask questions if you have any. But,
9 largely, the response was prepared in response to
10 INAC's question.

11 Thank you, Mr. Chair.

12 THE CHAIR: Thank you, Teresa.

13 Environment and Climate Change Canada, you have a
14 question?

15 MR. BERNARD-LACAILLE: This is Gabriel with
16 Environment and Climate Change Canada. I don't think
17 I'll have any questions about the culverts before my
18 closing remarks.

19 THE CHAIR: Thank you. Now you may do
20 your closing remarks. I call upon Environment and
21 Climate Change Canada. Now you're ready for your
22 closing remarks.

23 Closing Remarks by Environment and Climate Change
24 Canada

25 MR. BERNARD-LACAILLE: This is Gabriel with
26 Environment and Climate Change Canada. So in the -- in

1 closing, I'd just like to thank the Board and the
2 Hamlet of Pangnirtung for hosting this meeting. I'd
3 like to thank the Hamlet for responding to our
4 recommendations and to all other parties for their
5 interest in this review. Thank you.

6 THE CHAIR: Thank you.

7 Now I call -- I'd like to call Indigenous and
8 Northern Affairs Canada for closing remarks.
9 Closing Remarks by Indigenous and Northern Affairs
10 Canada

11 MR. PARSONS: Thank you, Mr. Chair. Ian
12 Parsons, Indigenous and Northern Affairs Canada. Good
13 morning, everyone. I'd just like to start by extending
14 a thanks to the Hamlet of Pangnirtung for walking us
15 through their community and hosting the public hearing
16 and providing us with a great venue.

17 The department would like to thank the Nunavut
18 Water Board, Board members, and staff for facilitating
19 this hearing process. The department also thanks the
20 applicant for their responses to our concerns.

21 In closing, the department would like to state
22 that there's been some good discussions during the
23 hearing process and that the decision to have a hearing
24 process was very constructive and effective in this
25 case. So great -- the applicant has committed to
26 undertaking a hydrology study as well as commitments to

1 improving the drainage ditch around the metal dump, as
2 well as undertaking some additional sampling. The
3 department looks forward to seeing all these
4 commitments.

5 Finally, the department would like to state that
6 we support the Hamlet of Pangnirtung's 15-year licence
7 term and looks forward -- and looks forward to the
8 future amendment process for the commissioning of its
9 new landfill that we've heard so much about, in 2024.
10 Thank you.

11 THE CHAIR: Thank you, INAC, for your
12 closing remarks.

13 Now I'll turn to applicant. Please have your
14 closing remarks. Or you need a little bit of time
15 or -- you may go ahead. Go ahead.

16 Closing Remarks by the Hamlet of Pangnirtung

17 MR. LADD: Ron Ladd, Hamlet of
18 Pangnirtung. Thank you. I'd like to thank you for
19 being patient and having the two days of public
20 meetings. It was the first time that I've attended a
21 Water Board meeting. I found it professional, and I
22 found all of our colleagues, and federal government,
23 Water Board, and the process very understandable. So
24 we appreciate that, and we appreciate those things.

25 The comments that we've given, we do have a
26 commitment to deliver all of those comments on behalf

1 of the Hamlet, within the timelines, so we are
2 committed to doing that. We take safe water drinking
3 in the community and not polluting the environment
4 seriously, and we're committed to making sure that
5 happens.

6 On closing note, Bhabesh will wrap up with some of
7 the things that we promised and some of the things that
8 we will deliver in the timeline. So I'll put it over
9 to my colleague, our engineer, Bhabesh Roy.

10 MR. ROY: Good morning, audience. This
11 is my opportunity to say thank you, all of you, to come
12 to Pang and give us the opportunity to, face to face,
13 explain our issues and concern, discuss, and get the
14 resolution.

15 As the Hamlet and the intervener, we all are
16 agreed that the hydrology/hydraulic study of Duval
17 River, drainage study in the waste site, and the
18 monitoring of the leachate in the waste site, and also
19 decommissioning of the landfill -- existing landfill
20 site and also sewage lagoon will be commenced as we
21 promised.

22 I'm thus requesting the Board that the -- these
23 are -- I understand, these are coming as a condition of
24 the licence. So as early the licence is issued, for
25 me, it is easy for me -- or I'll be more comfortable to
26 enforce these activities to get this thing done as soon

1 as possible. So 15 years licence is a -- I must say,
2 it is a gift for us. This is the first time for us,
3 for a municipal licence, Type "A", 15 years.

4 So thank you, Board. Thank you for -- the
5 interveners and the audience for giving us the
6 opportunity for Type "A" licence for 15 years. Thank
7 you again.

8 THE CHAIR: Thank you.

9 We'll take a short recess before we -- before I do
10 my closing remarks, so at least 10 minutes or so. Take
11 a recess for now.

12 (ADJOURNMENT)

13 Closing Remarks by the Nunavut Water Board Chair

14 THE CHAIR: So this public hearing is
15 about to come to the point where we do our closing
16 remarks. So I will do my closing remarks as well.

17 As we bring this public hearing to a close, on
18 behalf of the Board and the fellow panel members, I
19 would like to thank all the parties who contributed to
20 making this public hearing and community session a
21 success, especially the applicant, Hamlet of
22 Pangnirtung, and their technical representative, the
23 Government of Nunavut Community and Government
24 Services; interveners, Indigenous and Northern Affairs
25 Canada, Climate Change Canada -- sorry, Environment and
26 Climate Change Canada, Fisheries and Oceans Canada; NWB

1 staff and legal counsel; interpreters, Ben Kogvik,
2 William Kilabuk, and Madeleine Qumuatuk; court
3 reporter, Tran; audio facilitator from Innirvik Support
4 Services, Israel Mablick; all the community members and
5 the Elders for their valued participation in this
6 hearing.

7 Thanks also to the caterers and the Hamlet of
8 Pangnirtung for their outstanding hospitality and
9 patience with the Board.

10 In closing, I want to let parties know that --
11 what's next for the application. The Board now close
12 the public hearing. What this means is that all
13 evidence with regard to this application is now before
14 the Board, and no further information will be
15 considered by the panel before they make their decision
16 about the application.

17 Now that the record is closed, the Board will
18 remit the file to the panel to decide whether or not to
19 grant the Hamlet's request for a Type "A" water
20 licence. Within 30 days to 45 days after the public
21 hearing record is closed, the NWB will issue its record
22 of proceedings and decision to the Minister of
23 Crown-Indigenous Relations and Northern Affairs. If
24 the Board decision is to grant the application, the
25 Board will also attach, for the Minister's approval, a
26 draft of the new Type "A" water licence.

1 That concludes the public hearing component of the
2 Nunavut Water Board's consideration of the Hamlet of
3 Pangnirtung's water licence application. Thank you.
4 Thank you. Now it's closed. Thank you.

5 I asked the -- one of the Elder here was here
6 earlier, but I see he stepped down for -- have a
7 closing prayer. So I'll do it, on my best. Let's
8 stand for closing prayer.

9 (CLOSING PRAYER)

10 (PROCEEDINGS ADJOURNED)

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1 CERTIFICATE OF TRANSCRIPT:
2

3 I, Tran Huynh, certify that the foregoing pages
4 are a complete and accurate transcript of the
5 proceedings, taken down by me in shorthand and
6 transcribed from my shorthand notes to the best of my
7 skill and ability.

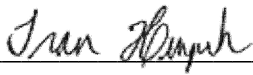
8 Dated at the City of Calgary, Province of Alberta,
9 this 2nd day of April 2018.

10

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14

Tran Huynh, PSR(A)

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Official Court Reporter

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EXHIBITS ENTERED

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EXHIBIT 11 - Hard Copy of a Picture of
Culverts Constructed by DFO

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