



P.O. Box 119
GJOA HAVEN, NU X0B 1J0
TEL: (867) 360-6338
FAX: (867) 360-6369

ᓄᓇᓂᓪ ᐃᓕᓕᓂᓪ ᑲᑎᓕᓂᓪ
NUNAVUT IMALIRIYIN KATIMAYINGI
NUNAVUT WATER BOARD
OFFICE DES EAUX DU NUNAVUT

File No: 3BC-TER----

July 22, 2008

Mark Mallory
Environment Canada CWS
PO Box 1714
Iqaluit NU X0A 0H0
E-mail : mark.mallory@ec.gc.ca

Subject: Environment Canada – Tern Island Project – New – Type “B”

Dear Mr. Mallory:

The Nunavut Water Board (“NWB”) acknowledges receipt on May 1, 2008, of a new application for a type “B” water license for water use and waste disposal associated with research activities in the Qikiqtani region of Nunavut. The application can be obtained from our ftp site, User name: public, Password: registry at the following link:

<ftp://nunavutwaterboard.org/> or by contacting our office.

The Board specifically requests comments from interested parties as to whether the water use and deposition of waste described in the attached application constitutes "domestic use" pursuant to section 13.7.1 of the Nunavut Land Claims Agreement (NLCA), such that the proposed use and deposition is exempt from the requirement for a water licence.

The NWB undertook a preliminary review of your application and concluded that it meets the requirements of section 48(1) of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* (“Act”). However, the NWB retains the right to request additional information and studies pursuant to sections 48(2) of the Act or to issue guidelines for the provision of information pursuant to section 48(3) of the Act. A NWB Technical Advisor may be in touch with you to clarify any technical details related to your application.

In accordance with S.11.5.10 of the *Agreement Between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in Right of Canada* (“NLCA”), prior to the application being fully processed by the NWB the project proposal shall be reviewed by the Nunavut Planning Commission (“NPC”), to determine whether the project proposal is in conformity with an approved land use plan. By copy of this letter, the NWB requests the NPC provide its determination and recommendations to the NWB pursuant to Sections 13.4.2 through 13.4.5 of the NLCA, or written confirmation that the project proposal falls outside the boundaries of an approved land use plan. Also, by copy of this letter to the Nunavut Impact Review Board (“NIRB”), the NWB requests that if the project proposal

requires screening, the NIRB provide the NWB with a determination pursuant to Section 13.5.1 of the NLCA. If the project proposal is exempt from screening pursuant to Schedule 12-1 of the NLCA, the NWB requests written confirmation from the NIRB of the exemption.

To ensure this application is dealt with in a timely fashion, the NWB forwards notice of all documentation to regulators and council of the municipality(ies) most affected by the project, inviting interested parties to make representation directly to the NWB **within 30 days from the date of this letter.** The NWB may provide additional procedural instructions once the application has been reviewed by interested parties.

Subject to Sections 12.10.2 and 13.5.5 of the NLCA, where a review is required pursuant to Article 12, the NWB shall not approve any water application that forms part of that review until Article 12 has been complied with.

Sincerely,

Original Signed By:

Richard Dwyer
Licensing Administrator

Enclosure: Notice of Application

Cc: NPC Conformity
Leslie Payette - NIRB
Distribution List – Kitikmeot