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**August 12, 2008**

**Mr. Dennis Zettler**  
**Senior Administrative Officer**  
**Municipality of Baker Lake, Nu**  
**Box 149**  
**Baker Lake, Nunavut, XOC OAO**  
[\*\*blsao@qiniq.com\*\*](mailto:blsao@qiniq.com)

**- Inspector's Direction -**

I, Andrew Keim; a duly designated Inspector pursuant to subsection 85 (1) *Nunavut Waters and Nunavut Surface Rights Tribunal Act*, attempted to conduct, on July 29<sup>th</sup>, 2008 an Inspection of the Municipality of Baker Lake in the Kivalliq Region Nunavut, Canada. This inspection is an annual inspection of the Municipal facilities and infrastructure within the community of Baker Lake. The inspection is conducted to determine and verify compliance with the Nunavut Water and Nunavut Surface Rights Tribunals Act.

On July 28<sup>th</sup>, 2008 the Inspector contact the Senior Administrative Officer, Mr. Dennis Zettler to arrange a time to conduct the inspection the following day. During this time the Inspector confirmed receipt of an e-mail and fax notifying the Hamlet of the planned dates of Inspection originally sent to the Municipal offices in the weeks leading up to the Inspection.

On July 29<sup>th</sup>, 2008 at 15:26 in the afternoon the Inspector contact Mr. Zettler again to arrange to meet with the Municipal foreman and his staff to conduct the inspection of the municipal water treatment, waste, and waste water management facilities. Following this conversation no employee of the municipality arrived to accompany the Inspector and provide access to the sites scheduled for inspection.

As stipulated in section 86 (4) of the *Act*,

The owner or person in charge of any place referred to in this section and every person found in the place shall give an inspector all reasonable assistance to enable the inspector to carry out the inspector's functions under this Part, and shall furnish the inspector with such information for purposes of the administration of this Part as the inspector may reasonably request.



By copy of this Order and under the authority vested in me pursuant to subsection 87 (1) (ii) of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*, the *Municipality of Baker Lake* is directed as follows;

- To immediately upon receipt of this Direction make contact Mr. Bernie Mac Isaac, Manager of Field Operations, Indian and Northern Affairs Canada in Iqaluit, Nunavut to make arrangements for an Inspector to attend the community of Baker Lake to conduct the Municipal Inspection.

The Municipality of Baker Lake is reminded that;

As stipulated in subsection 11(1) of the *Act* : Subject to subsection (2), no person shall use, or permit the use of, waters in Nunavut except in accordance with the conditions of a licence.

And,

As stipulated in subsection 12 1(b) of the *Act* : Except in accordance with the conditions of a License, no person shall deposit or permit the deposit of waste in any other place in Nunavut under conditions in which the waste, or any waste that results from the deposit of that waste, may enter waters in Nunavut.

At the time of the drafting of this direction the Municipality of Baker Lake is in contravention of both subsections 11(1) and 12 1 (b) of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*.

Failure to comply fully or in part with an **Inspector's Direction** constitutes a offence under subsection 90 (1) of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* and entails, upon summary conviction, a fine of \$100,000 or to imprisonment for a term of one year, or both.

Further pursuant to subsection 90 (4) of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*, each day on which the **Inspector's Direction** is not complied with shall be considered a separate offence.

Andrew Keim

Inspector

cc.

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Inspector's Signature

Nunavut Water Board, Gjoa Haven

Robert Eno, Government of Nunavut

Bernie Mac Isaac, Manager – Field Operations INAC