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NUNAVUT WATER BOARD
NUNAVUT IMALIRIYIN KATIMAYIT
OFFICE DES EAUX DU NUNAVUT

File: 3BM-BAK1015/Amendment No.1

October 14, 2011

Dennis Zettler
Senior Administrative Officer
Hamlet of Baker Lake
P.O. Box 149
Baker Lake, NU X0C 0A0
E-mail: blsao@qiniq.com

RE: 3BM-BAK1015 Type “B”– Amendment No.1

Dear Mr. Zettler:

Please find attached, Amendment No.1 to Licence No. 3BM-BAK1015 Type “B” issued to the Hamlet of Baker Lake by the Nunavut Water Board (NWB or Board) (**Motion 2011-15-L03**) pursuant to its authority under Article 13 of the *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in Right of Canada* and the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*. The terms and conditions of the original Licence related to water use and waste disposal remain an integral part of this approval. The Licensee should note that this approval encompasses the activities proposed in the amendment application as well as a number of Plans requiring acceptance and/or approval under the current licence

The NWB strongly recommends that the Licensee consult the comments received from interested parties on the issues identified. Aboriginal Affairs and Northern Development Canada (AANDC) and Environment Canada (EC) provided specific recommendations with respect to improving the overall effectiveness of the Plans. Government of Nunavut-Department of Culture, Elders, Language and Youth (GN-CLEY) states that the proponent has a responsibility to ensure that no heritage resource sites are disturbed in the course of their activities.

In addition to amendment application and associated plans, the Board reviewed the Annual Reports submitted for the periods 2006, 2007, 2008, 2009 and 2010 and recommends, where applicable, that current and/or future reports address the following items:

2006, 2007, 2008, 2009 and 2010 Annual Reports

- Information pertaining to the monthly quantities of fresh water obtained at the Water Supply Facilities should be provided as required under Part B, Item 1(c) in the Licence. Only annual quantities were provided in the annual reports.
- An explanation should be provided as to why the sampling frequency at Monitoring Stations BAK-1, BAK-2, BAK-3, BAK-4 and BAK-5 differ from that outlined under Part

H, Item 1 in the Licence.

- An explanation should be provided as to why relevant Chains of Custody (CoC) records or forms were not included as appendices with analytical results.

2007 Annual Report

- Information on procedures implemented to ensure that the water quantity results for Monitoring Station Number BAK-1 is always available for reporting purposes, as required under Part B, Item 1(c) of the Licence. The report mentioned that computer related issues contributed to a lack of available information during certain reporting periods.
- Confirmation of dates on which samples were obtained should be provided.

2008 Annual Report

- Confirmation should be provided for the amount of water used for the reporting period because the amount provided seems relatively low compared to typical annual demand.

2010 Annual Report

- As-Built drawings signed and stamped by an Engineer should be provided for the Baker Lake Sewage System Improvements, as required under Part E, Item 5.

Should you have any questions, please contact the Nunavut Water Board at your earliest convenience.

Sincerely,



Thomas Kabloona
Nunavut Water Board
Chair

TK/sj/pb

Enclosure: Licence No. **3BM-BAK1015-Amendment No.1**
Comments – AANDC, EC, GN-CLEY, DFO

cc: Distribution –Kivalliq

LICENCE AMENDMENT No. 1

Licensee:	Hamlet of Baker Lake
Licence No:	3BM-BAK1015 Type "B"
Licence Issued:	June 23, 2010
Effective Date:	October 12, 2011

Background

The Nunavut Water Board (NWB or Board) issued, on June 23, 2010 a five-year, renewal water Licence, 3BM-BAK1015, to the Hamlet of Baker Lake for a Municipal Undertaking.

As part of the terms and conditions under which the Licence 3BM-BAK1015 was issued, the Hamlet was required to provide a number of submissions including the following for approval and/or review by the Board:

- a. A revised Operation and Maintenance Manual, for approval by the Board, within ninety (90) days following renewal of the Licence, which takes into consideration relevant comments received during the application review process, required under Part F, Item 1;
- b. An Abandonment and Restoration Plan, for approval by the Board, within six (6) months following issuance of the renewal, abandonment and restoration details of the previous waste oil pit and an Abandonment and Restoration Plan for all abandoned water and waste facilities within the Hamlet boundaries, required under Part G, Item 1 of the Licence; and
- c. A Quality Assurance/Quality Control Plan, for review by the Board, within ninety (90) days following issuance of the renewal, required under Part H, Item 8 in the Licence.

Current Application

On June 9, 2011, the NWB received from FSC Architects & Engineers, on behalf of the Hamlet of Baker Lake, an application to amend Licence 3BM-BAK1015 to allow the Hamlet to upgrade its existing Water Supply Facilities. On June 23, 2011, the Board Acknowledged receipt and distributed the application to interested parties for a thirty (30) day comment and/or review period, with the deadline for comments being set for July 23, 2011. Comments¹ were received from Aboriginal Affairs and Northern Development Canada (AANDC), Environment Canada (EC), Government of Nunavut-Department of Culture, Language, Elders and Youth (GN-CLEY) and the Department of Fisheries and Ocean Canada (DFO). Although none of the parties objected in principle to a potential Board decision favoring issuance of the Amendment, a number of recommendations were presented for consideration in parties' submissions.

Subsequent to the receipt and distribution of the amendment application, the Board received the following documents aimed at fulfilling outstanding requirements under the terms and conditions in Licence 2BE-BAK1015:

¹ Aboriginal Affairs and Northern Development Canada (AANDC), July 22, 2011; Environment Canada (EC), July 22, 2011; Government of Nunavut Department of Culture, Language, Elders and Youth (GN-CLEY), June 30, 2011, and Department of Fisheries and Ocean Canada (DFO), July 5, 2011.

- a. Manual entitled “Operations and Maintenance Manual for the Water, Sewage and Solid Waste Facilities”, dated June 2011 – Received on June 27, 2011 and distributed for comments on June 28, 2011;
- b. Plan entitled “Abandonment and Restoration Plan for the Sewage and Solid Waste Treatment Facilities”, dated July 2011 – Received on July 25, 2011 and distributed for comments on July 29, 2011;
- c. Plan entitled “Quality Assurance/Quality Control Plan for the Hamlet of Baker Lake’s Licence Monitoring Program”, dated April 2011 – Received and distributed for information on June 28, 2011; and
- d. Annual Reports for the periods 2006, 2007, 2008, 2009 and 2010 – Received on June 27, 2011 and distributed for information on June 28, 2011.

On or before the respective deadlines for comments, submissions² pertaining to the “Operation and Maintenance Manual for the Water, Sewage and Solid Waste Facilities” and the “Abandonment and Restoration Plan” were received from two intervening parties, AANDC and EC. No comments, however, have been received to date for the Annual Reports and the Quality Assurance/Quality Control Plan.

The Board has reviewed the application and documents provided by the proponent and took into consideration relevant aspects of the submissions received from the various intervening parties in its decision to issue the Amendment No.1 to Licence 3BM-BAK1015 subject to the terms and conditions below.

Decision

Pursuant to its authority under Article 13 of the *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in Right of Canada* and the *Nunavut Waters and the Nunavut Surface Rights Tribunal Act*, with respect to the amendment application dated June 9, 2011 made on behalf of the Hamlet of Baker Lake by FSC Architects & Engineers, the Nunavut Water Board hereby grants the following Licence amendment.

The Licence issued June 23, 2010 with an expiry date of June 30, 2015 shall be amended to include the following terms and conditions with respect to use of water and deposit of waste to allow the Hamlet of Baker Lake to carry out the proposed improvements to its Water Supply Facilities located within the Kivalliq Region of Nunavut at the following general coordinates:

Latitude: 64° 19’ N and Longitude: 96° 02’ W.

PART A: SCOPE AND DEFINITION

Item 2 Definitions

Remove

“Water Supply Facilities” comprises the area and associated intake, treatment and storage infrastructure at Baker Lake, as described in the Application for Water Licence filed by the Licensee on September 19, 2008;

² Aboriginal Affairs and Northern Development Canada (AANDC), July 28, 2011, and August 26, 2011; and Environmental Canada (EC), July 28, 2011 and August 29, 2011.

Insert

“Water Supply Facilities” Comprises the area and associated intake, treatment and storage infrastructure at Baker Lake, as described in the application for Water Licence filed by the Licensee on September 19, 2008 and subsequent amendment (No. 1) application for improvements to the Water Supply Facilities filed by the FSC Architects and Engineers on Behalf of the Hamlet of Baker Lake on June 9, 2011;

PART B: GENERAL CONDITIONS

Item 1

Insert Item 1.

The monthly and annual quantities in cubic metres of backwash water disposed of at the Sewage Disposal Facility.

PART D: CONDITIONS APPLYING TO WASTE DISPOSAL

Amend Item 1

The Licensee shall direct all sewage including backwash water generated from the Water Supply Facilities to the Sewage Disposal Facility or as otherwise approved by the Board in writing.

PART E: CONDITIONS APPLYING TO MODIFICATION AND CONSTRUCTION

Insert Item 10

The Licensee is allowed to implement relevant improvements to the Water Supply Facilities as proposed by FSC Architects and Engineers on behalf of the Hamlet of Baker Lake under FSC Job Number 20070650.

Insert Item 11

The Licensee shall submit to the Board for review, as-built drawings, signed and stamped by an engineer, within ninety (90) days of completion of all improvements to the Water Supply Facilities.

Insert Item 12

The Licensee shall obtain authorization from the Department of Fisheries and Oceans Canada (DFO) prior to the construction or disturbance of any stream/lake bed or banks of any definable watercourse.

PART F: CONDITIONS APPLYING TO OPERATION AND MAINTENANCE

Amend Item 1

The Board has approved the Manual entitled “Operation and Maintenance Manual for the Water, Sewage and Solid Waste Facilities” dated June 2011.

The Licensee shall submit an addendum to the Manual to address the relevant comments and recommendations made by intervening parties including AANDC and EC during the review period.

PART G: CONDITIONS APPLYING TO ABANDONMENT AND RESTORATION

Amend Item 1

The Board has approved the Plan entitled “Abandonment and Restoration Plan for the Water, Sewage and Solid Waste Facilities”, dated July 2011.

The Licensee shall submit an addendum to the Plan to address relevant comments and recommendations made by intervening parties including AANDC and EC during the review period.

PART H: CONDITIONS APPLYING TO THE MONITORING PROGRAM

Amend Item 8

The Board has accepted the Plan entitled “Quality Assurance/Quality Control Plan for the Hamlet of Baker Lake’s Licensed Monitoring Program” dated April 2011.

All remaining terms and conditions of the Licence 3BM-BAK1015 Type ‘B’ dated June 23, 2010 still apply.

This Licence Amendment issued and recorded at Gjoa Haven, NU on October 12, 2011.

Approved by,



Thomas Kabloona
Nunavut Water Board, Chair