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RE: Grise Fiord Secondary Water Source

Hello Mr. Bhabesh,

As per our discussion, after digesting the information presented on July 30, 2020, a review of *the Nunavut Waters, and Nunavut Surface Tribunal Act, The Nunavut Land Claims Agreement*, CGS letter for Grise Fiord Water Supply. It was determined that an Inspector's Direction is not warranted.

Nunavut Waters and Nunavut Surface Rights Tribunal Act.(NWNSRTA)

11(1) Subject to subsection (2), no person shall use, or permit the use of, waters in Nunavut except in accordance with the conditions of a license.

Exceptions (2) Subsection (1) does not apply in respect of

(a) Any unlicensed use of waters that is authorized by the regulations;

(b) The use of waters.

(i) for domestic purpose, or

(ii) for the purpose of extinguishing a fire or, on an emergency basis, controlling or preventing a flood; or the use of waters in a national park.

The above subsection of NWNSRTA states that nobody can authorize the use of water except the Nunavut Water Board. The exception states that unless for the purposes of fire extinguishing a fire or, on an emergency basis, controlling or preventing a flood.

This means that fire fighters can withdrawal water for use, to extinguish a fire without authorization. The storage of water generally falls under the use of water.

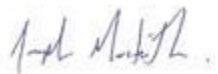
As per your summary presented on July 30, 2020. "GN's Tentative Action Plan #3", "If water is drawn from a secondary uncertified water source, this water will be stored completely and designated for fire demand and other non-potable uses.". If the withdrawal of water is only for fire extinguishment, no authorization is required. But, if it also to be used for "non-potable uses". The water cannot be withdrawn, until an amendment is issued.

Over the course of the presentation it was suggested that an amendment to the water license will take place to capture the Airport River as a secondary water source for the community. I would recommend that application for the amendment be submitted.

I would also suggest, withdrawing water from the Airport River for purposes of fire extinguishment only. Until the amendment to water license is issued to include Airport River as a secondary water source.



Regards,



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