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Your file - Votre référence

3BM-PEL

Our file - Notre référence

9545-1-3PELG / CIDMS 151841

June 6th, 2007

Phyllis Beaulieu
Licensing Administrator
Nunavut Water Board
P.O. Box 119
Gjoa Haven, NU, X0A 1J0

**Re: 3BM-PEL, Hamlet of Kugaaruk, Sewage Lagoon Upgrades,
Water Licence Application**

The Water Resources Division of Indian and Northern Affairs Canada (INAC) has performed a review of the water licence application submitted to the Nunavut Water Board (NWB) for the Hamlet of Kugaaruk. In conducting our review INAC Water Resources has made reference to all documents located on the Nunavut Water Board's FTP-site under 3BM-PEL.

INAC recommends the NWB require the applicant submit additional information and clarify what information interveners should review during their analysis. Files located on the NWB FTP-site do not paint a clear picture of this project. For instance why is file 060531 3BM-PEL Sewage Lagoon Specs 05-4755 included in the application? Is INAC intended to provide comments on both the tender specifications (060808 3BM-PEL Tech Drawings-ILAE) and preliminary specifications (060531 3BM-PEL Sewage Lagoon Diagrams 05-4755)? INAC would prefer to review one comprehensive document which clearly references supporting information. INAC suggests the NWB remind the applicant to use its judgment to determine what information is relevant to the scope of the Application, taking into account the information and studies concerning the use of waters or the deposit of waste that are required for the Board to evaluate the qualitative and quantitative effects of the use or the deposit on waters, in accordance with **Section 48(2)** of the Nunavut Waters and Surface Rights Tribunal Act. Currently, the water licence application and associated documents posted on the FTP-site are difficult to follow and included minimal cross referencing. INAC suggests the NWB inform the applicant to guide the NWB and regulatory bodies through its application in a fluid logical manner.

The 3BM-PEL file contains two documents authored by the NWB and addressed to Dillon Consulting Limited (060621 3BM-PEL9803 NWB Technical Concerns and Meeting Discussion-OTAE and 061114 3BM-PEL9803 Response to Kugaaruk for Amendment Application-OT4E). Based on the information contained in the 3BM-PEL file it appears the applicant has yet to address concerns raised by the NWB in these two documents. INAC shares many of the concerns raised in these documents and requests the NWB and the

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applicant provide further documentation pertaining to issues raised in these two documents. Additionally, it appears the FTP-site does not contain all the material referenced in 061114 3BM-PEL9803 Response to Kugaaruk for Amendment Application-OT4E. For instance Geotechnical Considerations and Phase II Pre-Design Report are not included in the information listed on the FTP-site. Should the proponent submit further information, or should the NWB upload additional information to the 3BM-PEL file, INAC requests the opportunity to review such information in advance of a licence being issued.

Finally, INAC encourages the applicant to develop design and water management beyond the conceptual and intermediate phases before the submittal of a water licence application. INAC recommends the NWB require the applicant file final design plans, stamped and signed by a qualified professional, with the NWB in advance of project implementation. INAC also recommends the NWB require the applicant to file final as-built designs, stamped and signed by a qualified professional, with the NWB after implementation.

Should you have any questions or comments, please do not hesitate to contact me at (867) 975-4548 or by email at BathoryS@ainc-ianc.gc.ca.

Sincerely,

Original Signed By

Stephen Bathory
Regional Coordinator