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NUNAVUT IMALIRIYIN KATIMAYINGI
NUNAVUT WATER BOARD
OFFICE DES EAUX DU NUNAVUT

January 6, 2011

File Number: 8BW-REP----

Ms. Carey Sibbald, B.Sc.,EPt
Environmental Biologist
Nunami Stantec
5021 – 49th Street
Yellowknife, NT X1A 2N4
Email: Carey.Sibbald@stantec.com

Subject: Municipality of Repulse Bay – Construction of Proposed North Pole River Access Road to Granular Resources - Request to Cancel Application

Dear Ms. Sibbald:

On February 3, 2009 the Nunavut Water Board (“NWB”) received an incomplete application for a water license for activities relating to the development of a road from the Hamlet of Repulse Bay to access identified granular resource sites located northwest of the community. On December 17, 2010 the NWB received notification from Nunami Stantec, on behalf of the Municipality of Repulse Bay, that this application is now cancelled.

Nunami Stantec and the Municipality are reminded that in accordance with Article 13.7.1 of the Nunavut Land Claims Agreement “With the exception of domestic or emergency use of waters as set out in Section 5 of the *Northern Inland Waters Act RSC 1985, c. N-25*, no person may use water or dispose of waste into water without the approval of the NWB”.

Furthermore, Section 90. (1) of the *Nunavut Waters and Nunavut Surface Right Tribunal Act* states...”Any person who contravenes subsection 11(1) or section 12, or fails to comply with subsection 11(3) or with a direction given by an inspector under subsection 87(1), is guilty of an offence and liable on summary conviction to a fine not exceeding \$100,000 or to imprisonment for a term not exceeding one year, or both.”

The NWB has now closed this file. However, if Numami Stantec, on behalf of the Municipality pursues this same activity for 2011, please ensure that a water license application is submitted within a timeframe of three to six months prior to start-up of activities, so that all regulators and interested parties have the opportunity to provide comments, and the NWB has issued the necessary license authorizing the use of water and/or deposit of waste.

Please do not hesitate to contact our office should you require further clarification.

Sincerely,

Original signed by:

Phyllis Beaulieu
Manager of Licensing

/pb

Cc: Kivalliq Dist. List
Nick Lawson, Nunami Stantec