

Northwest Territories Water Board Reasons for Decision

Issued pursuant to section 26 of the
Northwest Territories Waters Act, Chap 39, R.S.C.

Water Licence Number: N7L3-0714 (Type B)

This is the decision of the Northwest Territories Water Board for an application for a Renewal of Water Licence received August 26, 2013, made by:

Hamlet of Tuktoyaktuk
P.O. Box 120
Tuktoyaktuk, NT X0E 1C0

The Hamlet of Tuktoyaktuk applied for a Renewal of Licence N7L3-0714 for water use and disposal of waste for municipal undertakings as described in the Water Licence Application and the record of this proceeding. The Hamlet of Tuktoyaktuk is located at Latitude 69° 27' North and Longitude 133° 02' West, Northwest Territories.

Background:

The application for this undertaking was received by the Board on August 26, 2013. The Board subsequently accepted the Application as complete.

Since this application is for a Licence renewal, there was no submission made to the Environmental Impact Screening Committee (EISC), as per section 11 of the *Inuvialuit Final Agreement* (IFA), for determination of potential environmental impacts, nor was there an environmental screening of the proposed project as required by the *Canadian Environmental Assessment Act* (CEAA).

The Water Licence Application and related information were distributed to interested parties. Comments on the application were received from a number of parties including the Department of Environment and Natural Resources of the Government of the Northwest Territories ("ENR"), the Department of Fisheries and Oceans ("DFO") and Aboriginal Affairs and Northern Development Canada ("AANDC").

The Board has reviewed the application and related documentation.

Scope of the Licence:

Upon review of the application and related material, the Board has determined that the scope of the undertakings covered by the Water Licence includes water withdrawal for municipal purposes, operation of municipal water supply facilities, operation of municipal solid waste disposal facilities, operation of municipal sewage treatment facilities, and any abandonment and restoration activities associated with these facilities.

Requirements of the *Northwest Territories Waters Act* (the “Act”):

The Board is satisfied that the requirements of s 14(4)(a), (b), (c), and (d) of the Act have been met insofar as they may be applicable to this renewal application.

Decision to Issue:

There is an obvious requirement that the Hamlet of Tuktoyaktuk provide municipal water, solid waste and sewage services to its residents.

The use of water proposed by the Licensee is of a nature contemplated by the Act.

No objection by any person to the issuance of this Licence was made known to the Board.

The Water Licence Number N7L3-0714 (as last previously renewed by this Board in 2010) contains Terms and Conditions the Board believes are necessary to ensure compliance with the Act and the Northwest Territories Waters Regulations, and to provide appropriate safeguards for the Hamlet of Tuktoyaktuk’s use of the water and deposit of waste associated with municipal undertakings.

The Board has the authority to issue this renewal of licence pursuant to section 14(6)(b)(i) of the Act.

The Board has reviewed the Water Licence Application (for renewal) and the written comments received by the Board. The Board has included conditions in the Licence addressing the concerns of ENR, DFO and AANDC. Upon consideration of the facts and circumstances, the merits of the submissions made to it and the purpose, scope and intent of the Act and the Northwest Territories Waters Regulations, the Board has decided that it is appropriate to renew Water Licence N7L3-0714 to the Hamlet of Tuktoyaktuk pursuant to section 18(1)(a)(i) of the Act and subject to the terms and conditions contained therein. It should be noted that there are a number of changes to the said licence as allowed by section 18(1)(a)(i).

Term of the Water Licence:

The Board has determined that the term of the renewed Water Licence will expire June 30, 2014. The Board is aware that the Hamlet is proceeding with the development of a new solid waste facility and before issuing a longer term licence the Board wishes to allow for the planning and assessment of the new facility. The Hamlet also needs to update its various manuals to reflect current practices prior to issuance of a longer term renewal.

SIGNED this 19th day of November, 2013, on behalf of the Northwest Territories Water Board.



Chairperson, Northwest Territories Water Board