

**Inuvialuit Water Board
Reasons for Decision**

Renewed pursuant to Section 48 (1) of the
Waters Act, S.N.W.T. 2014, c.18

Water Licence Number: N5L3-0714 (Renewal)

This is the decision of the Inuvialuit Water Board (IWB) made on February 13, 2024 regarding an application made by the:

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

for a Renewal of Type B Water Licence N5L3-0714.

The Hamlet of Tuktoyaktuk applied for Type B Water Licence N5L3-0714 Renewal for the use of water and the deposit of waste for municipal undertaking as described in the Water Licence application, supplementary information and the record of this proceeding.

Background:

The Hamlet of Tuktoyaktuk applied to the IWB for a Type B Water Licence N5L3-0714 Renewal to use water and deposit waste associated with a municipal undertaking. The application was filed with the IWB on October 18, 2023. The package included Schedule C - Application, Questionnaire for Municipal Undertaking and supporting information for the Water Licence Renewal. Additional information in support of the application was requested by the IWB and the application was subsequently accepted as complete by the IWB on November 15, 2023.

In accordance with *Waters Act* Subsection 43. (1)(a), the IWB issued Public Notices on November 27, 2023 (News North) and November 29, 2023 (Inuvik Drum) indicating that it received a Type B Water Licence Renewal Application from the Hamlet of Tuktoyaktuk. There was no public hearing held in connection with this application.

A copy of the Water Licence renewal application and supplementary information was distributed to the Environmental Impact Screening Committee (EISC), Government of the Northwest Territories (GNWT) Departments of Environment and Climate Change (ECC), Municipal and Community Affairs (MACA), Health and Social Services (H&SS), Industry, Tourism and Investment (ITI) as well as the Federal Departments of Fisheries and Oceans Canada (DFO), Canadian Northern Economic Development Agency (CanNor), Environment and Climate Change Canada (ECCC), and the Inuvialuit Land Administration (ILA), Inuvialuit Regional Corporation (IRC), Tuktoyaktuk Community Corporation (TCC), Tuktoyaktuk Hunters and Trappers Committee (THTC) and the Joint Secretariat Co Management Boards - Inuvialuit Game Council (IGC), Wildlife Management Advisory Council (NWT) and Fisheries Joint Management Committee (FJMC) for a fifty-seven (57) day review and comment period (November 17, 2023 – January 12, 2024). Comments were received from DFO and ECCC on December 13,

2023 and January 12, 2024, respectively and taken into consideration by the Board during the Water Licence Renewal proceedings.

Scope of the Licence:

Upon review of the application and evidence in the public register, the IWB has determined that the scope of the undertaking covered by the Water Licence includes the use of water to be taken from Kudlak Lake, operation of the municipal Solid Waste Disposal Facilities, operation of the municipal Sewage Waste Disposal Facilities and any closure and reclamation activities associated with the aforementioned facilities.

Requirements of the *Waters Act*:

The IWB, as required by the *Waters Act* Section 4, has notified the Applicant of their obligation to comply with any and all other legislation pertinent to the activities authorized under this licence.

The IWB is in accordance with the *Waters Act* Subsection 26. (5)(a) by ensuring that the granting of the Water Licence to the Hamlet of Tuktoyaktuk will not adversely affect, in a significant way, any existing Licensee, providing the conditions of the Licence are met.

The IWB does not believe that any other users or persons listed in the *Waters Act* Subsection 26. (5)(b) and 27. (2) will be adversely affected by the use of waters or the deposit of waste proposed by the Licensee provided that the Licensee operates in accordance with the Terms and Conditions of the Water Licence.

The IWB is of the view that compliance with the Water Licence Terms and Conditions will ensure that the waste produced by the undertaking will be treated and deposited in a manner that will maintain water quality in the area and will be consistent with applicable water quality standards in accordance with the *Waters Act* Subsection 26. (5)(c)(i).

The IWB is satisfied that the effluent standards set out in the Terms and Conditions of the Water Licence are consistent with the *Waters Act* Subsection 26. (5)(c)(ii) and will protect the receiving waters and environment.

The Hamlet of Tuktoyaktuk has provided the IWB with its Schedule C Application, Questionnaire for a Municipal Undertaking and supporting information for its consideration as required by the *Waters Act* Section 34. (1).

Decision to Renew:

Under the authority of the *Hamlets Act* the Hamlet of Tuktoyaktuk provides potable water and municipal solid and sewage waste services to its residents.

The EISC issued a decision document to the Hamlet of Tuktoyaktuk on August 11, 2023 stating *"The EISC has reviewed your project summary and has determined that your project does meet the definition of development as defined under the Inuvialuit Final Agreement, but your project qualifies for an exemption from environmental impact screening under Exclusion Item # 1 of the EISC Guidelines."*

The water use and disposal of waste proposed by the Licensee is of a nature contemplated by the *Waters Act*.

In accordance with the *Waters Act* Section 37. (b)(i) the IWB has the authority to renew this Water Licence.

The IWB has reviewed the Water Licence application and all written comments received by the IWB. Upon consideration of the facts and circumstances, the merits of the submissions made to it and the purpose, scope and intent of the *Waters Act* and the Waters Regulations, the IWB has determined that it can renew Water Licence N5L3-0714 for the Hamlet of Tuktoyaktuk subject to the Terms and Conditions contained therein.

Water Licence Number N5L3-0714 contains Terms and Conditions the IWB considers necessary to ensure compliance with the *Waters Act* and the Waters Regulations and provide appropriate safeguards for the Hamlet of Tuktoyaktuk's water use and deposit of waste associated with the municipal undertaking.

For all of the above reasons the IWB has renewed Water Licence N5L3-0714 for the Hamlet of Tuktoyaktuk in accordance with the *Waters Act* Sections 26. (2)(a), 27. and 37. for the use of water and deposit of wastes.

Term of the Water Licence:

The IWB has determined that the Term of the Water Licence will be for February 21, 2024 to November 20, 2028.

SIGNED, this 14th day of February 2024 on behalf of the Inuvialuit Water Board.



**Chairperson
Inuvialuit Water Board**