

**Inuvialuit Water Board
Reasons for Decision**

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

Water Licence Number: N3L1-1839 (Type B)

This is the decision of the Inuvialuit Water Board, made on December 19, 2017 regarding an application made by:

**Hamlet of Aklavik
PO Box 88
Aklavik, NT X0E 0A0**

for the issuance of a Water Licence for the crossing of a watercourse, taking of water and disposal of waste for an industrial undertaking as described in the Water Licence Application, Project Description Reports, supplementary information, and the record of this proceeding.

Background:

The Hamlet of Aklavik applied to the Inuvialuit Water Board (IWB) for the issuance of a Water Licence to cross a watercourse, use water and deposit waste associated with a bridge construction and culvert installation project at the western outskirts of the Hamlet of Aklavik along the Aklavik Traditional Trail. The application was filed with the IWB on July 21, 2017. The application included a 'Project Description Report for the Design and Construction of the Proposed Aklavik Bridge – Updated September 2017, File: N3L1-1839 (14101360.007)' and "Project Description Report: Culvert Installation Project – Aklavik Traditional Trail, September 27, 2017; File: 704-TRN.VHY03035-01" prepared on behalf of the Hamlet of Aklavik by NEHTRUH – EBA Consulting Ltd. The IWB accepted the Application as complete on November 1, 2017.

A copy of the Water Licence application and supplementary information was provided to the Environmental Impact Screening Committee (EISC, a body created by the Inuvialuit Final Agreement), as required under section 3.2.7 of their Environmental Impact Screening Guidelines. Copies were also provided to the Government of the Northwest Territories, Departments of: Lands (DOL), Environment and Natural Resources (ENR), Municipal and Community Affairs (MACA), Health and Social Services (H&SS), Infrastructure (INF); as well as Environment and Climate Change Canada (ECCC), Fisheries and Oceans Canada (DFO), the Canadian Northern Economic Development Agency (CanNor), Inuvialuit Land Administration (ILA), Inuvialuit Regional Corporation (IRC), Inuvialuit Game Council (IGC), Wildlife Management Advisory Council (NWT) (WMAC – NWT), Fisheries Joint Management Committee (FJMC), Aklavik Community Corporation (ACC), Aklavik Hunters and Trappers Committee (AHTC) and Gwich'in Tribal Council (GTC) for a 23 day review period (November 2, 2017 – November 24, 2017). Responses regarding the application were received from DFO, ENR and ECCC and taken into consideration by the Board during its decision-making related to Licence issuance.

Between November 9, 2017 and November 24, 2017, the IWB gave public notice, in accordance with subsections 43 (1)(a) and 43 (1)(b) of the *Waters Act*, that it received a Type B Licence Application from the Hamlet of Aklavik. There was no public hearing held in connection with this application.

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 a watercourse crossing, to use water and the deposit of waste associated with an industrial undertaking for bridge construction and culvert installation activities at the western outskirts of the Hamlet of Aklavik along the Aklavik Traditional Trail in the Inuvialuit Settlement Region (ISR) of the Northwest Territories with coordinates 68° 13' 57" North and 135° 10' 16" West (bridge site); and 68° 13' 52.3" North and 135° 9' 38.87" West (culvert site) .

Requirements of the *Waters Act*:

The Hamlet of Aklavik has provided the IWB with an application and supporting information for its consideration as required by section 34(1) of the *Waters Act*.

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

The IWB is in accordance with subsection 26(5)(a) of the *Waters Act* by ensuring that the granting of a Water Licence to the Hamlet of Aklavik will not adversely affect, in a significant way, any existing Licensee, providing the conditions of the Licence are met. There are no other applicants with precedence.

The IWB does not believe that any users or persons listed in subsection 26(5)(b) of the *Waters Act* will be adversely affected by the use of water and 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 subsection 26(5)(c)(i) of the *Waters Act*.

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

Decision to Issue:

The watercourse crossing, water use and disposal of waste proposed by the Applicant is of a nature contemplated by the *Waters Act*.

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

In accordance with 37 (b) (i) of the *Waters Act* the IWB has the authority to issue 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 issue Water Licence N3L1-1839 to the Hamlet of Aklavik subject to the Terms and Conditions contained therein.

Water Licence Number N3L1-1839 contains Terms and Conditions the IWB considers necessary to ensure compliance with the *Waters Act* and the Waters Regulations, and provides appropriate safeguards for the Hamlet of Aklavik's watercourse crossing, use of water and deposit of waste associated with the industrial undertaking.

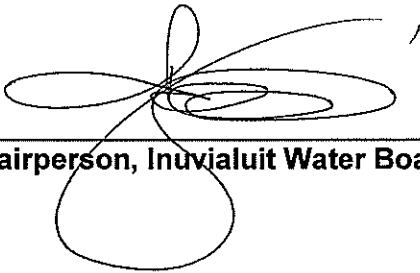
With one exception, the recommendations of the Environmental Impact Screening Committee are included in the terms and conditions of the water licence. Although the EISC had recommended the licence include the requirement for a comprehensive development plan for the entire Aklavik Traditional Trail Project, the Board determined it could only consider the scope of work as outlined in the application, and as such, this specific recommendation was set aside.

For all of the above reasons the IWB has issued Licence N3L1-1839 to the Hamlet of Aklavik in accordance with section 27 of the *Waters Act* for the watercourse crossing, 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 December 20, 2017 to December 19, 2022.

SIGNED this 19th day of December 2017 on behalf of the Inuvialuit Water Board.



Chairperson, Inuvialuit Water Board