



Inuvialuit Water Board Annual Report April 1, 2017 – March 31, 2018

1.0 Overview

The mandate of the Inuvialuit Water Board (IWB) is described in the *Waters Act* (s. 24) as being: *“To provide for the conservation, development and utilization of waters in a manner that will provide the optimum benefit for all Canadians in general and, in particular, for the residents of the portion of the Inuvialuit Settlement Region located in the Northwest Territories for which the Board is authorized to issue licences.”*

While the IWB operates within the authority and direction of the *Waters Act* and *Waters Regulations*, its activities are also subject to the requirements of the *Canadian Environmental Assessment Act 2012* (CEAA) and the *Inuvialuit Final Agreement* (IFA). Before the IWB may issue a water licence, the environmental and socio-economic impacts of any proposed development must be assessed as set out in CEAA and the IFA. The results of these assessment processes are used by the IWB members in their consideration of water licence applications and the potential terms and conditions to be included.

It is important to note that while the IWB issues water licences, it is not responsible for the enforcement of the terms and conditions included in those licences. Enforcement of the terms and conditions of water licences is the responsibility of the Government of the Northwest Territories (GNWT) Department of Environment and Natural Resources (ENR).

2.0 IWB Board Membership and Operations

The IWB is composed of a Board, made up of five members including a Chairperson, and an administrative structure established to support the IWB’s mandated activities. Board members are appointed by the GNWT Minister of ENR. Two members of the Board are appointed based upon nominations from the Inuvialuit Regional Corporation, and one member of the Board is appointed on the nomination of the authorized federal Minister. All members of the Board hold office for a term of three years.

The Chairperson of the Board serves as the Chief Executive Officer of the IWB.

As of March 31, 2018, the members of the IWB were:

- Mr. Roger Connelly, Chairperson
- Mr. Richard Binder, member
- Mr. Mark Cleveland, member
- Mrs. Elizabeth Arey, member
- Mr. Louis Covello, alternate member

During the year the Board met six (6) times as follows:

Meeting 431	July 13, 2017	Teleconference
Meeting 432	August 20 – 22, 2017	Inuvik, NT
Meeting 433	November 16, 2017	Teleconference
Meeting 434	December 19, 2017	Teleconference
Meeting 435	January 19, 2018	Teleconference
Meeting 436	February 22 – 23, 2018	Inuvik, NT

3.0 IWB Operations

Based in Inuvik, NT, the IWB administrative personnel are members of the GNWT Public Service. The staff members are:

- Mardy Semmler – Executive Director
- Freda Wilson – Office Administrator
- Bijaya Adhikari, PhD – Science and Regulatory Coordinator

The IWB also utilized casual staff during the fiscal year who contributed to the ongoing daily activities of the IWB. The casual staff were:

- Kendra Tingmiak – Summer Student Administrative Assistant; and
- Delores Harley – Administrative Assistant – Office move support.

Core funding of IWB activities is provided through a contribution agreement between the GNWT (ENR) and the IWB. In addition, in any particular year, the IWB may also receive financial support from various organizations and/or governments for specific projects or activities. During 2017/2018 the IWB received \$913,000 under the contribution agreement with ENR. In addition, non cash contribution for office facilities with a value of \$48,000 was provided by GNWT. Financial details related to IWB activities during the past year are outlined in the IWB's 2017/2018 audited financial statements. The financial statements are enclosed with this report.

IWB's auditor for the 2017/2018 year was the firm of Crowe MacKay LLP, chartered accountants, located in Yellowknife, NT.

In support of its mandate, the IWB has established standardized licensing rules and procedures. These include documentation to guide administrative licensing matters as well as specific rules to guide the conduct of water licence application reviews and assessments.

To promote public understanding of the mandate and ongoing activities of the IWB, a newsletter is published on a periodic basis. The IWB Newsletters – July 2017 and April 2018 – were distributed to GNWT and Federal departments, Inuvialuit organizations and other stakeholders. The newsletters can also be viewed on the IWB website (www.inuvwb.ca).

4.0 IWB Water Licensing Activities 2017 – 2018

Water Licensing

The IWB issues Type A and Type B Water Licences. A determination of the type of licence to be issued is largely dependent upon the volume of water and waste involved.

In general terms:

- Type A Water Licences - larger scale industrial and commercial developments such as the Inuvik to Tuktoyaktuk Highway
- Type B Water Licences - Municipalities Water/Waste Services and smaller scale developments such as many environmental clean-ups

As of March 31, 2018, there were thirty-five (35) water licences recorded in the area for which the IWB holds responsibility. Of this number, twelve (12) were considered active licences with the remainder, although expired, have not been closed pending a required final inspection.

Type A or B Water Licences Issued (New)

- The IWB issued one (1) new water licence during the 2017/18 fiscal year:
 - N3L1-1839 – Hamlet of Aklavik – Bridge Construction and Culvert Installation – Bickish Road
- The IWB received several other water licence enquiries and applications for new water licences during the year. Upon review by the IWB, none of these enquiries and applications met the criteria described in Water Regulations Schedule D through H that would make it necessary for a water licence to be obtained.

Type A or B Water Licences Issued (Renewed):

- Type B Licence N7L3-1531, issued with a related Reasons for Decision to the Hamlet of Sachs Harbour on November 17, 2017. This licence renewed a prior licence and authorized the use of water and the deposit of waste, including both solid waste and sewage in established facilities operated by the Hamlet.

Prior to licence renewal the IWB Board and senior staff members visited the community of Sachs Harbour, toured the fresh water intake, solid waste and sewage disposal facilities and met with the Mayor, hamlet councillors and staff to discuss a broad range of issues related to the provision of water and waste services in their community. The ENR Environmental Protection Officer also accompanied the Board on the community tour.

Type A or B Water Licence Assignment, Cancellation, Amendment or Closure

- The IWB received one amendment application during the 2017/2018 fiscal year:
 - N7L1-1834 – Shell Canada, Camp Farewell – Request for Extension

Following consideration of the comments received from reviewing bodies, the IWB members approved the amendment request extending the licence to July 17, 2029 which includes eight years of monitoring following closure and reclamation.

- The IWB received a request for closure of three (3) water licences:
 - N7L1-1826 – MGM Energy Corporation, Umiak, N-05 Seismic Program;
 - N7L1-1828 – MGM Energy Corporation, Aput C-43 Site; and
 - N7L1-1829 – MGM Energy Corporation, West Langley Drilling Program.

Following consideration of final inspection reports and recommendations from the GNWT Water Resources Officer, these licences were closed through Board motion on November 16, 2017.

Type A or B Water Licences Expiring During the Year

- Other than the licence renewals noted above, no Type A or B Water Licences expired during this fiscal year.

Licence Management Activities

In addition to processing licence applications, the IWB is charged with reviewing and approving management plans associated with licences as well as reviewing water licence inspection reports and annual reports from licence holders.

Management Plan reviews and approvals

N7L1-1835 – GNWT – Department of Transportation (DOT) – Inuvik to Tuktoyaktuk (ITH) Highway

- Embankment Height Modification - Long Term Impacts and Mitigative Measures
- 2016 - 2017 ITH Annual Report

N5L8-1837 – Repsol Oil and Gas Canada Inc. – Prince Patrick Island – Site Remediation

- SNP Plan
- Spill Contingency Plan
- Pre-Design, Construction Specifications – Quality Assurance and Quality Control (QA/QC) Plan
- Reclamation, Closure and Monitoring Plan
- Remedial Action Plan
- SNP QA/QC Plan
- Waste Management Plan - revised

- Trench Design Deviation documents
- Design Change of Containment Structure - Notice of Modifications
- 2017 Annual Report

N3L8-1838 – Northwest Territories Power Corporation, Aklavik Former Site Remediation Project

- SNP QA/QC Plan – Analyst approved
- Bio-Augmentation documents
- Remediation and Reclamation Action Plan
- Effluent Criteria Change request
- 2017 Annual Report

Annual and Sump Monitoring Reports Reviewed

- N3L3-0570 – Hamlet of Aklavik – 2016 Annual Report – additional information
- N3L3-0570 – Hamlet of Aklavik – 2017 Annual Report
- N5L3-0714 – Hamlet of Tuktoyaktuk – 2016 Annual Report
- N7L3-1525 – Hamlet of Ulukhaktok – 2016 Annual Report
- N7L3-1619 – Hamlet of Paulatuk – 2016 Annual Report
- N7L3-1619 – Hamlet of Paulatuk – Sewage Waste Disposal Facility Operation and Maintenance Plan - revised
- N7L3-1619 – Hamlet of Paulatuk – Solid Waste Disposal Facility Operation and Maintenance Plan - revised
- N7L3-1619 – Hamlet of Paulatuk – Spill Contingency Plan – revised
- N7L1-1834 – Shell Canada, Camp Farewell – 2016 Annual Report
- N7L1-1836 – Imperial Oil Resources, Bar “C” - 2017 Annual Report
- N7L1-1836 – Imperial Oil Resources, Bar “C” – Site Remediation Closure Report
- N7L1-1787 – Chevron Canada Ltd (submitted by MGM Energy Corporation) – 2016 Environmental Site Monitoring Report
- N7L1-1797 – MGM Energy Corporation – 2016 Environmental Site Monitoring Report
- N7L1-1802 – MGM Energy Corporation – 2016 Environmental Site Monitoring Report
- N7L1-1815 – MGM Energy Corporation – 2016 Environmental Site Monitoring Report
- N7L1-1835 – GNWT – Department of Transportation (DOT) ITH - 2016/2017 Annual Report, including SNP Results

Inspection Reports Received and Reviewed

- N3L3-0570 – Hamlet of Aklavik – August 24, 2017
- N5L3-0714 – Hamlet of Tuktoyaktuk – September 11, 2017
- N7L1-1769 – Japex Canada Limited, Mallik Sump – August 2, 2017
- N7L1-1797 – MGM Energy Corporation, Burnt Lake – Umiak N-16 Sump – August 2, 2017
- N7L1-1802 – MGM Energy Corporation, Umiak N-05 Drilling Sump – August 2, 2017

- N7L1-1826 – MGM Energy Corporation, Umiak Seismic Program – August 2, 2017
- N7L1-1828 – MGM Energy Corporation, Aput C-43 Well Site – August 2, 2017
- N7L1-1829 – MGM Energy Corporation, West Langley Drilling – August 2, 2017
- N7L1-1835 – GNWT – DOT – ITH – four (4) inspections between August 18, 2017 – November 22, 2017

5.0 Other IWB Activities

During the year the IWB was engaged in a number of additional activities in support of its mandate. These included:

IWB Communication Strategy

The IWB approved a Communications Strategy on March 24, 2016. The strategy, when implemented, will ensure that all participants in water licensing processes, including communities, industry and governments, have a sound understanding of water licensing requirements, the Board’s mandate and procedures, and the responsibilities of applicants and licence holders.

A major component identified in the IWB’s Communications Strategy is the restructuring and updating of the IWB website. During the fiscal year, the IWB’s website was modernized and redesigned in user-friendly format.

Municipal Water and Waste Management Workshop

The Inuvialuit Water Board (IWB) hosted the Annual Municipal Water and Waste Management Workshop in Inuvik on February 21 – 22, 2018. These annual workshops provide information to assist municipal governments in providing adequate, safe and reliable water and waste services while ensuring the provision of these services do not negatively impact waters in the receiving environment:

The specific objectives of the annual workshops are:

1. To increase the collective awareness of current issues and concerns related to the provision of municipal water and waste services;
2. To identify actions to address or mitigate these concerns (updated at each meeting);
3. To provide a forum for the exchange on evolving standards, emerging issues and new initiatives related to municipal water and waste services; and
4. To promote and support community understanding and compliance with water licensing requirements.

The 2018 workshop was attended by representatives from the Hamlets of Aklavik, Sachs Harbour, Paulatuk and Ulukhaktok. Representatives from the Hamlet of Tuktoyaktuk were also invited but could not attend due to road closures. GNWT departmental representatives from the Departments of Municipal and Community Affairs (MACA) and ENR provided presentations related to their ongoing projects and activities related to

water licensing in the region. The Northwest Territories Association of Communities also presented their work with standards development for the NWT with the Canada Standards Association.

The workshop was successful in bringing together all the parties involved in the provision of municipal water and waste services and in identifying areas of concern and subsequent actions to be undertaken by the parties in attendance at the workshop.

Roles and Responsibilities – Community Water and Waste Management

In concert with all parties involved in the provision of municipal water and waste services, from water intake at source to solid waste site runoff and sewage outflow, the IWB finalized and distributed a document that describes the respective roles and responsibilities of all organizations and agencies involved - municipal governments, GNWT departments and regulators. The document was also produced in a poster format and distributed. These documents serve, on an on-going basis, as 'easy reference' tools for all involved parties.

Devolution Agreement Chapter 6 Waste Sites Workshop

Responsibility for the ongoing management of water and waste throughout the Northwest Territories moved from the federal government to the Government of the Northwest Territories (GNWT) in 2014 through the "Land and Resources Devolution Agreement". Chapter 6 of the Agreement outlines the provisions related to waste sites identification, management and environmental remediation.

In order to ensure the IWB was fully aware of the impacts of Chapter 6 on its operations, including the need to ensure that any water licence issued by the IWB would not inadvertently effect a transfer of environmental liability from the federal government to the GNWT, the IWB requested the GNWT to develop and present an information sharing workshop on this chapter of the Agreement.

A Waste Sites workshop, coordinated by the IWB and attended by environmental review and other licensing authorities within both the Inuvialuit Settlement Region and the Gwich'in Settlement Area, was subsequently held in Inuvik on September 12, 2017 with presentations by the GNWT Department of Lands and the Department of Environment and Natural Resources.

Inuvialuit Water Board Governance and Administrative Review

As a quasi-judicial agency under GNWT legislation, the IWB recognizes the importance of ensuring the operations of both the IWB Board and administration are undertaken in an objective and efficient manner consistent with enabling legislation, regulation and Ministerial directive. To this end the IWB arranged, through a public Request for Proposal process, for an arm's length review and evaluation of the IWB activities. The review was undertaken by Avery Cooper Ltd. and completed during the period October 2017 to February 2018. A copy of the evaluation report and recommendations, along with the IWB responses to the recommendations, can be viewed on the IWB website.

NWT Board Forum

The IWB and the Gwich'in Land and Water Board co-hosted the 23rd meeting of the NWT Board Forum in Inuvik from November 27 - 30, 2017. The Board Forum provides an opportunity for senior representatives of regional and territorial environmental review, licensing/permitting, wildlife management and land use planning authorities to meet and discuss a broad range of issues related to their collective mandates.

Common Objectives include:

- a. Increasing mutual awareness among Forum members regarding their respective activities;
- b. Identifying and developing collaborative approaches to resolve issues of common concern;
- c. Collaborating on strategic and operational planning initiatives;
- d. Identifying opportunities to share resources and expertise;
- e. Providing a venue for Forum members to hear from industry, governments and other interested parties on issues of common interest; and
- f. Pursuing collaborative training and development initiatives.

Participants also enjoyed the opportunity to view first hand two significant development activities - the newly constructed Inuvik Water Treatment Plant and a drive on the recently opened Inuvik to Tuktoyaktuk all weather highway.

Review of Waters Act (NWT)

To assist in gaining a full and accurate understanding of its mandate and authorities, the IWB undertook a thorough review of the current *Waters Act and Waters Regulations*. This review identified several areas of the legislation in which further clarification may be required to ensure accurate and consistent application of the law. The findings of this review were forwarded to the Department of ENR. Correspondence and discussions between the IWB and ENR related to this review continued during the fiscal year. A Technical Working Group has now been established by GNWT to review the *Waters Act and Regulations* and the IWB has been participating as the review progresses.

Involvement in Meetings and Conferences

IWB Board members and staff are regularly asked to participate in meetings and conferences related to the IWB mandate. Some of the meetings and conferences attended in the past year include:

- ITH Regulatory meetings – April to November 2017
- ITH Working Group meetings – April and November 2017
- Imperial Oil Resources meetings – Bar C / Tununuk Point Remediation Project, December 2017
- Pan Territorial Regulatory Forum – August 2017
- NWT Board Forum – November 27 – November 30, 2017
- Arctic Oil and Gas Symposium – March 2018
- Waters Act Legislation review – June - March 2018

Activities with other Regulatory Boards within the NWT

The IWB has been in discussions and is participating with the Mackenzie Valley Land and Water Board and ENR in the development of Hydrocarbon Contaminated Soil Treatment Facilities Guidelines.

Other Administrative and Board Activities

The IWB maintains a Public Register (all documents related to all water licence applications, licensing and reporting). The Public Register is housed in the Inuvik IWB office. The IWB maintains a copy of the Public Register on-line and can be accessed through the IWB website (www.inuvwb.ca). All documents related to a water licence application or licence are posted on a timely basis.

IWB Office Relocation

The IWB office facilities are provided in kind by the GNWT Department of Infrastructure. Due to space availability, the IWB relocated offices from the Professional Building to the Mack Travel Building in March 2018.

6.0 Areas of Focus for 2018/2019

During the 2018/2019 year the IWB will focus on the following priorities:

- As per Goal 1 of the IWB Strategic Plan, the IWB will make efficient, effective and timely decision in all licensing processes: will develop clear policies and procedures that are generally consistent with other jurisdictions and reflect best practices; and will engage in regulatory improvement processes and discussions related to water and waste management.
- As per Goal 2 of the IWB Strategic Plan, the IWB will implement the communications strategy to ensure all parties are aware of the IWB's processes, decisions and actions and the responsibilities of applicants and licence holders - including but not limited to the development of fact sheets and brochures for general distribution.
- As per Goal 3 of the IWB Strategic Plan, the IWB will continue to work in partnership with government, resource management boards and communities with the aim of collaboratively improving community capacity in water use management.
- As per Goal 4 of the IWB Strategic Plan, the IWB will review its staffing requirements including a reassessment of the positions required to ensure the IWB is functioning efficiently and effectively.
- Follow up on commitments made during the 2018 Municipal Water and Waste Management Workshop and planning for the next Water and Waste Management Workshop in February 2019.

- In advance of considering a renewal of the community of Tuktoyaktuk water licence (that expires in November 2018), Board members and senior staff will tour the communities municipal water and waste management facilities and meet with the Mayor, Council members and senior staff to discuss issues related to the provision of water and waste services in their community.

7.0 Conclusion

In addition to fulfilling its core-mandated responsibilities, the IWB channelled significant time and effort throughout the year in communicating with and discussing issues of shared interest or concern with other regional and territorial parties holding contributing responsibilities in the overall management of the regional and territorial environment. This beneficial sharing of information and coordination of approach and effort will continue throughout 2018.

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