

**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 December 3, 2018 regarding an application made by:

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

for a renewal of Water Licence N5L3-0714.

The Hamlet of Tuktoyaktuk applied for a renewal of Water Licence N5L3-0714 for the use of water and the deposit of waste for municipal undertakings 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 renewal of Water Licence N5L3-0714 to use water and deposit waste associated with municipal undertakings. The application was filed with the IWB on September 28, 2018. The application included Schedule C, Questionnaire for Municipal Undertaking and supporting information for the Water Licence Renewal. The IWB accepted the application as complete on October 5, 2018.

The IWB issued a public notice between October 11, 2018 and October 15, 2018, 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 Tuktoyaktuk. There was no public hearing held in connection with this application.

A copy of the Water Licence application and supplementary information was provided to the Environmental Impact Screening Committee (EISC) as required under section 3.2.7 of their Environmental Impact Screening Guidelines. Copies were also provided to the Government of the Northwest Territories (GNWT), Department of Lands (DOL), Environment and Natural Resources (ENR), Municipal and Community Affairs (MACA), Health and Social Services (H&SS), Department of Infrastructure (INF), Environment and Climate Change Canada (ECCC), Fisheries and Oceans Canada (DFO), Inuvialuit Land Administration (ILA), Inuvialuit Regional Corporation (IRC), Inuvialuit Game Council (IGC), Wildlife Management Advisory Council (NWT), Fisheries Joint Management Committee (FJMC), Tuktoyaktuk Community Corporation, Tuktoyaktuk Hunters and Trappers Committee, and the Canadian Northern Economic Development Agency (CanNor) for a thirty-two (32) day review period (October 9, 2018 – November 9, 2018). Comments on the application were received from ENR and ECCC on November 9, 2018 and taken into consideration by the Board for determination of the Licence renewal.

Comments were received from the EISC on October 16, 2018 indicating the Hamlet of Tuktoyaktuk had not completed the EISC process as per the Inuvialuit Final Agreement S. 11.(16) (IFA). As a result of this delay, the IWB Board passed a motion on November 20, 2018 to extend the Hamlet of Tuktoyaktuk's Municipal Water Licence to allow the Hamlet to complete the EISC process. The Hamlet of Tuktoyaktuk fulfilled this requirement and the EISC provided a copy of the EISC decision document for the Hamlet of Tuktoyaktuk on November 30, 2018.

**Scope of the Licence:**

Upon review of the application and evidence in the public register, the IWB has determined that the scope of the undertakings 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 section 4 of the *Waters Act*, 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 subsection 26(5)(a) of the *Waters Act* 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 users or persons listed in subsection 26(5)(b) of the *Waters Act* will be adversely affected by 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 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.

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 section 34(1) of the *Waters Act*.

**Decision to Issue:**

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

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

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 any 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 to the Hamlet of Tuktoyaktuk subject to the Terms and Conditions contained therein.

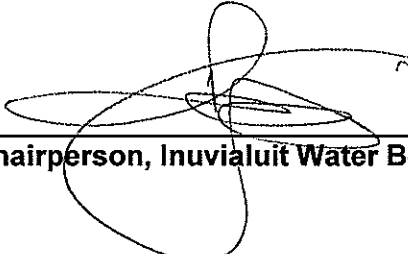
Water Licence Number N5L3-0714 contains Terms and Conditions the IWB considers necessary to ensure compliance with the *Waters Act* and the Waters Regulations and provide appropriate safeguards for the Hamlet of Tuktoyaktuk's water use and deposit of waste associated with municipal undertakings.

For all of the above reasons the IWB has renewed Water Licence N5L3-0714 to the Hamlet of Tuktoyaktuk in accordance with section 27 of the *Waters Act* 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 five (5) years.

**SIGNED**, this 4<sup>th</sup> day of December, 2018 on behalf of the Inuvialuit Water Board.



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**Chairperson, Inuvialuit Water Board**