

**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: N5L8-1840 (Type B)

This is the decision of the Inuvialuit Water Board, made on April 12, 2019 regarding an application made by:

**Environment and Climate Change Canada
Place Vincent Massey
351 Boulevard St. Joseph
Gatineau, QC K1A 0H3**

for the issuance of a Water Licence for causeway reconstruction project and the use of water and the deposit of waste for a miscellaneous undertaking as described in the Water Licence application, Project Description Reports, supplementary information, and the record of this proceeding.

Background:

Environment and Climate Change Canada (ECCC) applied to the Inuvialuit Water Board (IWB) for the issuance of a Water Licence for the causeway reconstruction connecting the former High Arctic Weather Station (HAWS) to the airstrip on the south side of Station Creek, Mould Bay, Prince Patrick Island, Northwest Territories. The application was filed with the IWB on January 15, 2019. The application included a “Supplemental Information Report for Mould Bay Causeway Reconstruction Project, December 20, 2018” and “Project Description Report for the Mould Bay Reconstruction Project, Issued for Use, December 19, 2018 – Project Number 122170258” prepared by Stantec Consulting Ltd on behalf of ECCC. The IWB accepted the application as complete on February 28, 2019.

The IWB gave public notice between March 4, 2019 and March 29, 2019, in accordance with subsections 43 (1)(a) and 43 (1)(b) of the *Waters Act*, that it received a Type B Water Licence application from ECCC.

In accordance with IWB processes, 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 the Department of Fisheries and Oceans Canada (DFO), the Canadian Northern Economic Development Agency (CanNor), Crown Indigenous Relations and Northern Affairs Canada (CIRNAC), Inuvialuit Land Administration (ILA), Inuvialuit Regional Corporation (IRC), Inuvialuit Game Council (IGC), Wildlife Management Advisory Council (NWT) (WMAC – NWT), Fisheries Joint Management Committee (FJMC), Sachs Harbour Community Corporation (SHCC), Sachs Harbour Hunters and Trappers Committee (SHTC), Ulukhaktok Community Corporation (UCC), and Ulukhaktok Hunters and Trappers Committee (UHTC) for a 30 day review period (February 28, 2019 – March 29, 2019). Responses regarding the application were received from ENR and

UCC and taken into consideration by the Board during its decision-making process related to the Licence.

Given the scope of the application and the limited public comment, the IWB determined there would be no public hearing.

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, the diversion of water and the use water and the deposit of waste associated with a miscellaneous undertaking. The activities are in support of the causeway reconstruction connecting the former High Arctic Weather Station (HAWS) to the airstrip on the south side of Station Creek, Mould Bay, Prince Patrick Island located in the Inuvialuit Settlement Region (ISR) of the Northwest Territories with coordinates 76° 14' 23.43" North and 119° 21' 17.96" West.

Requirements of the *Waters Act*:

ECCC 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 ECCC 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 activities, including the diversion of water, the use of water and 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.

Decision to Issue:

The causeway reconstruction, the use of water and the deposit of waste proposed by the Applicant is of a nature contemplated by the *Waters Act*.

The EISC issued a decision document on February 25, 2019 stating "The development, if authorized subject to environmental terms and conditions recommended by the Screening Committee, will have not such significant environmental impact and may proceed without environmental impact assessment and review under the Inuvialuit Final Agreement. (IFA 11.17(b)).

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

The application is for a Type B Water Licence in relation to a federal appurtenant undertaking. The issuance of Water Licence N5L8-1840 is in accordance with the *Northwest Territories Lands and Resources Devolution Agreement* s. 3.8 and *Waters Act*.

The IWB has reviewed the Water Licence Application and all written comments received. 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 N5L8-1840 to ECCC subject to the terms and conditions contained therein.

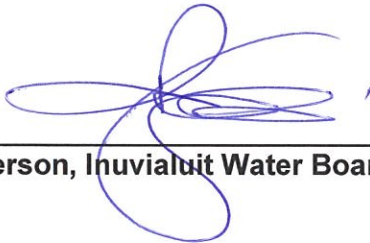
Water Licence Number N5L8-1840 contains terms and conditions the IWB considers necessary to ensure compliance with the *Waters Act* and the Waters Regulations and provides appropriate safeguards for ECCC causeway reconstruction project, the use of water and the deposit of waste associated with the miscellaneous undertaking.

For all of the above reasons the IWB has issued Licence N5L8-1840 to ECCC in accordance with section 27 of the *Waters Act* for the Causeway Reconstruction Project.

Term of the Water Licence:

The IWB has determined that the term of the Water Licence will be for one (1) year from April 15, 2019 to March 31, 2020.

SIGNED this 12th day of April 2019 on behalf of the Inuvialuit Water Board.



Chairperson, Inuvialuit Water Board