

**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: N5L8-1841 (Type B)

This is the decision of the Inuvialuit Water Board, made on June 6, 2019 regarding an application made by:

**Imperial Oil Environmental and Property Solutions (Imperial Oil)
550 Quarry Park Blvd S.E.
Calgary, AB T2C 5N1**

for the issuance of a Water Licence for remediation of former Tuktoyaktuk Exploration Logistics Base Camp (Tuk Base) 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:

Imperial Oil Environmental and Property Solutions (Imperial Oil) applied to the Inuvialuit Water Board (IWB) for the issuance of a Water Licence to use water and deposit waste associated with the remediation of the former Tuktoyaktuk Exploration Logistics Base Camp (Tuk Base) project located on the east side of Kugmallit Bay, approximately 1.5 km southeast of Tuktoyaktuk, Northwest Territories (NT). The application was filed with the IWB on March 28, 2019. The application included a 'Project Description Report – Tuk Base Remediation – April 2019' prepared on behalf of Imperial Oil by Golder Associates Ltd. The IWB accepted the Application as complete on April 30, 2019.

The IWB gave public notice between May 6, 2019 and May 31, 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 Imperial Oil.

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 (NWTC) (WMAC – NWT), Fisheries Joint Management Committee (FJMC), Tuktoyaktuk Community Corporation (TCC), Tuktoyaktuk Hunters and Trappers Committee (THTC), for a 32 day review period (April 30, 2019 – May 31, 2019). Responses regarding the application were received from ILA and ENR 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 the use of water and the deposit of waste associated with a miscellaneous undertaking to remediate the former Tuktoyaktuk Exploration Logistics Base Camp (Tuk Base) on the east side of Kugmallit Bay, approximately 1.5 km southeast of Tuktoyaktuk in the Inuvialuit Settlement Region (ISR) of the Northwest Territories with coordinates 69° 25' 35" North and 132° 57' 20" West.

Requirements of the *Waters Act*:

Imperial Oil Environmental and Property Solutions (Imperial Oil) 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 Imperial Oil Environmental and Property Solutions (Imperial Oil) 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 Tuk Base Remediation Project, water use, and disposal of waste proposed by the Applicant is of a nature contemplated by the *Waters Act*.

The EISC issued a decision document on July 8, 2019 stating "The development, if authorized subject to environmental terms and conditions recommended by the Screening Committee, will not have 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.

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 N5L8-1841 to Imperial Oil Environmental and Property Solutions (Imperial Oil) subject to the terms and conditions contained therein.

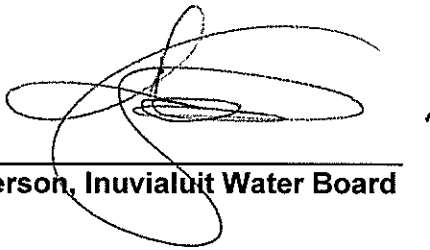
Water Licence Number N5L8-1841 contains terms and conditions the IWB considers necessary to ensure compliance with the *Waters Act* and the Waters Regulations, and provides appropriate safeguards for Imperial Oil Environmental and Property Solutions (Imperial Oil) Tuk Base Remediation Project, use of water and deposit of waste associated with the miscellaneous undertaking.

For all of the above reasons the IWB has issued Licence N5L8-1841 to Imperial Oil Environmental and Property Solutions (Imperial Oil) in accordance with section 27 of the *Waters Act* for the Tuk Base Remediation Project, 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 six (6) years from July 11, 2019 to July 10, 2025.

SIGNED this 11th day of July 2019 on behalf of the Inuvialuit Water Board.



Chairperson, Inuvialuit Water Board