

**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: N3L8-1844 (Type B)

This is the decision of the Inuvialuit Water Board, made on February 17, 2020 regarding an application made by:

**Northwestel Inc.**

**183 Range Rd.  
P.O. Box 1320  
Whitehorse, Yukon, Y1A 2C6**

for the issuance of a Water Licence to use water for a miscellaneous undertaking for asset removal at the Taglu microwave tower site as described in the Water Licence application, project description reports, supplementary information, and the record of this proceeding.

**Background:**

Northwestel Inc. (NWTel) applied to the Inuvialuit Water Board (IWB) for the issuance of a Water Licence to use water associated with asset removal at the Taglu microwave tower site approximately 120 km north of Inuvik and 300m from the bank of the Mackenzie River, NWT. The application was filed with the IWB on December 20, 2019. The application included a project description report "Project Description for the Water Licence Application: Asset Removal at the Taglu Microwave Tower Site, Northwestel Inc., Project No. 103980-01, December 18, 2019" prepared on behalf of NWTel by Hemmera Envirochem Inc. The IWB accepted the application as complete on January 7, 2020.

The IWB gave public notice on January 13, 2020 and January 16, 2020, 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 NWTel.

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); 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), Tuktoyaktuk Community Corporation (TCC), Tuktoyaktuk Hunters and Trappers Committee (THTC), Inuvik Hunters and Trappers Committee (IHTC), Inuvik Community Corporation (ICC), Aklavik Community Corporation (ACC), Aklavik Hunters and Trappers Committee (AHTC) for a 32 day review period (January 7, 2020 – February 7, 2020). Responses regarding the application were received from DFO 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 water use associated with a miscellaneous undertaking at the Taglu microwave tower site approximately 120 km north of Inuvik and 300m from the bank of the Mackenzie River, in the Inuvialuit Settlement Region (ISR) of the NWT with coordinates 69° 22' 15" North and 134° 53' 15" West.

**Requirements of the *Waters Act*:**

NWTel 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 NWTel 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 associated with asset removal at the Taglu microwave tower site 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 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*.

**Decision to Issue:**

Water use associated with the asset removal at the Taglu microwave tower site proposed by the applicant is of a nature contemplated by the *Waters Act*.

The EISC issued a decision document signed on 8<sup>th</sup> day of January 2020 stating "The development, if authorized subject to environmental terms and conditions recommended by the Screening Committee, will have no such significant negative impact and may proceed without environmental impact assessment and review under the Inuvialuit Final Agreement (IFA) 11.(17)(b)". Any recommendations relating to water use and waste disposal are included within the terms and conditions of the Water Licence.

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 N3L8-1844 to Northwestel Inc. subject to the terms and conditions contained therein.

Water Licence Number N3L8-1844 contains terms and conditions the IWB considers necessary to ensure compliance with the *Waters Act* and the Waters Regulations and provides appropriate safeguards for Northwestel Inc.'s water use and asset removal associated with the miscellaneous undertaking.

For all of the above reasons the IWB has issued Licence N3L8-1844 to Northwestel Inc. in accordance with section 27 of the *Waters Act* for the water use associated with asset removal at the Taglu microwave tower site.

**Term of the Water Licence:**

The IWB has determined that the term of the Water Licence will be for February 20, 2020 to February 19, 2021.

**SIGNED** this 17<sup>th</sup> day of February, 2020 on behalf of the Inuvialuit Water Board.

  
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**Chairperson, Inuvialuit Water Board**