

**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: N3L3-0570 (Type B)

This is the decision of the Inuvialuit Water Board, made on December 1, 2014 regarding an application made by:

The Hamlet of Aklavik
P.O. Box 88
Aklavik, NT X0E 0T0

for a renewal of Water Licence N3L3-0570.

The Hamlet of Aklavik applied for a renewal of Water Licence N3L3-0570 for disposal of Waste for municipal undertakings as described in the Water Licence Application, supplementary information, and the record of this proceeding.

Background:

The Hamlet of Aklavik applied to the Inuvialuit Water Board (IWB) for a renewal of Water Licence N3L3-0570 to deposit Waste associated with municipal undertakings. The application was filed with the IWB on September 15, 2014. The application included a supplementary report titled 'Background Report for Water Licence Renewal' prepared on behalf of the Hamlet of Aklavik by AECOM Canada Ltd. The IWB accepted the Application as complete on October 20, 2014.

Since this application is for a Licence renewal, there was no submission made to the Environmental Impact Screening Committee (EISC), as per section 11 of the *Inuvialuit Final Agreement (IFA)*, for determination of potential environmental impacts; nor was there an environmental screening of the proposed project under the *Canadian Environmental Assessment Act 2012 (CEAA 2012)* as CEAA 2012 is only required for Federal undertakings.

The Water Licence Application and supplementary information were distributed to interested parties for a 19 day review period (October 21, 2014 – November 17, 2014). The interested parties included Department of Lands (DOL – GNWT), Environment and Natural Resources Water Resources Division (ENR WRD - GNWT), Environment Canada (EC), Fisheries and Oceans Canada (DFO), Municipal and Community Affairs (MACA – GNWT), Health and Social Services (H&SS - GNWT) and the Inuvialuit Land Administration (ILA). Comments on the application were received from EC, DFO and ENR.

On October 27, 2014 the IWB gave notice, 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 Aklavik. There was no public hearing held in connection with this application.

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 operation of municipal Solid Waste Disposal Facilities, operation of municipal Sewage treatment facilities, and any closure and reclamation activities associated with the aforementioned facilities.

The use of water and operation of municipal water supply facilities for the Hamlet of Aklavik are licensed separately by the Gwich'in Land and Water Board Licence G99L3-003.

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 Aklavik 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 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 Aklavik has provided the IWB with its Schedule C application 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 Aklavik provides municipal solid Waste and sewage services to its residents.

The disposal of Waste proposed by the Licensee is of a nature contemplated by the *Waters Act*.

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 the 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 N3L3-0570 to the Hamlet of Aklavik subject to the Terms and Conditions contained therein.

Water Licence Number N3L3-0570 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 Aklavik's deposit of Waste associated with municipal undertakings.

For all of the above reasons the IWB has issued Licence N3L3-0570 to the Hamlet of Aklavik in accordance with section 27 of the *Waters Act* for the 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 1st day of December, 2014 on behalf of the Inuvialuit Water Board.



Chair, Inuvialuit Water Board