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19 June 2014

Eddie T. Dillon  
Chairperson  
Inuvialuit Water Board  
PO Box 2351  
INUVIK, NT  
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Dear Chairperson Dillon  
**Re: N7L3-0714 – Hamlet of Tuktoyaktuk Water Licence**

The Hamlet Council reviewed your letter of response stating that the IWB will not support a further extension being granted to Tuktoyaktuk's Water Licence and the factors leading to this decision. The Council does not dispute any of the factors given for this refusal to consider our request.

However, our situation has changed. I was elected as Mayor in December 2013 and 2014-15 is my first term of office. The previous Senior Administrative Officer (SAO), Mr. Tom Matus, left in September 2013. From September to the end of February 2014, the Council operated the municipality without senior management. I cannot speak to why the previous Mayor, Council and SAO seemed to ignore such an important deadline. I was a Councillor for some time during this inactivity but I do not recall being made aware of this pending issue during my time on Council. As to the information about the meeting between our SAO and your Executive Director in August, 2013, to the best of my knowledge, Council was never informed of this meeting. In my opinion and in the time I served as Councillor when the past SAO was our employee, I am not aware of when the Council was ever directly informed that the Water Licence expired in June 2014.

It is evident that Council has had difficulties with recruiting a new SAO. The Hamlet went through a period of 5 months (October 13 to February 14) without an experienced SAO. Fortunately, in February this year, the Council retained the services of Mr. Terry Testart and he started working in Tuk in the last week of February. Even more fortunately for the community, Mr. Testart lived in Tuk for many years and has been in and out of the community since he left in 1990. He is familiar with us and we are familiar with him.

Council has directed me to again request to the IWB if they would reconsider the decision based on the following:

- The SAO has fully briefed me and Council on the statutory requirement to have a current Water Licence. This was done shortly after starting his position;
- The SAO has informed the Council that the Hamlet is not compliant with all of the terms and conditions of its Water Licence; and
- The AANDC Inspector had written to the previous SAO that there were 'terms and conditions of (the) Water Licence that are being neglected resulting in non-compliance/violations'. I still believe that this report was never submitted to Council.

The new SAO has now provided Council with 2 AANDC inspection reports: one being the September 2011 inspection date of the water supply, the Waste Disposal and the Lagoon; the other being from Aug 2013 on the Kudlak Lake water supply. The result of that inspection seems to indicate that the WTP was in very good operating condition, as well the sewage lagoon was acceptable to the Inspector. The existing Landfill Site/Solid Waste Site (SWS) required attention. The Hamlet has not complied with the AANDC Inspection requirement to complete a Municipal Solid Waste Operations and Maintenance Plan that was required by June 2012.

Council has now instructed the SAO to consider the SWS Relocation Project by March 31, 2015 as his top priority. This is a Federal program requirement for our major source of funding. If Council does not finish the Project by the due date, they lose the funding.

Mr. Testart has completed the following:

- ✓ AECOM in Yellowknife has prepared the design and site of the new SWS. Council has approved the final design, with support of the Project from TCC and THTC.
- ✓ A land application has been submitted to ILA and the SAO has discussed this project with the Chief Lands Administrator, Mike Harlow.
- ✓ The Spill Containment Plan document is completed.
- ✓ The final Project Description and Design should be published this week.
- ✓ Construction is planned for after freeze up.
- ✓ The SAO is preparing a Water Licence Application, based on using the new SWS. (Council was informed in March by MACA that the old landfill site is being placed on the GNWT contaminated site list, which removes the Hamlet's responsibility for decommissioning the old site. The SAO has asked for confirmation from MACA in writing.)

Council understands the seriousness of their inattention to this matter. We do want to satisfy the requirements of the Licence. However, for the benefit of our residents, we do not want to unnecessarily expend funds to make 2 applications, with one being based on the use of the old landfill site and another based on the use of the new SWS. Council wants to do it right this time. The SAO and Foreman are currently reviewing the 2005 Operations and Maintenance Manual for the landfill site and are expected to make recommendations at the next Council meeting. Council will seriously consider their recommendations to make changes to how we operate the existing landfill.

Please review this letter with your Board and consider that the Council will comply with the current WL, as much as practical and affordable. Our wish is that MACA assumes responsibility for the old landfill site and the Hamlet can proceed with an application for the WL based on using the new SWS and not decommissioning the old landfill site.

I thank you in advance for considering Council's request.

Yours truly,



Darrel Nasogaluak  
Mayor

- c. Hamlet Council
  - SAO, Hamlet of Tuktoyaktuk
  - Ms. Mardy Semmler, Executive Director, IWB
  - Ms. Lori Fyfe, Inuvik Regional Superintendent, MACA
  - Mike Harlow, ILA