

**Northwest Territories Water Board  
Reasons for Decisions**

Issued pursuant to section 26 of the  
*Northwest Territories Waters Act, Chap 39, R.S.C.*

Water Licence Number: N7L3-0714 (Type B)

This is the decision of the Northwest Territories Water Board for an application for a Renewal of Water Licence dated June 29, 2009, made by:

Hamlet of Tuktoyaktuk  
P.O. Box 120  
Tuktoyaktuk, NT X0E 1C0

The Hamlet of Tuktoyaktuk applied for a Renewal of Licence N7L3-0714 for water use and disposal of waste for municipal undertakings as described in the Water Licence Application, supplementary *information*, and the record of this proceeding. The Hamlet of Tuktoyaktuk is located at Latitude 69° 27' North and Longitude 133° 02' West, Northwest Territories.

**Background:**

The Hamlet of Tuktoyaktuk applied to the Northwest Territories Water Board (the Board) for a renewal of Water Licence N7L3-0714 to use water and deposit waste associated with municipal undertakings. The application for this undertaking was filed with the Board on August 28<sup>th</sup>, 2009. The Board accepted the Application as complete on November 30<sup>th</sup>, 2009.

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 as required by the *Canadian Environmental Assessment Act* (CEAA).

The Water Licence Application, supplementary information and a draft water licence were distributed to interested parties on December 4<sup>th</sup>, 2009 and the deadline for reviewer comments was set as February 15<sup>th</sup>, 2010. The interested parties included Indian and Northern Affairs Canada (INAC), Environment Canada (EC), Department of Fisheries and Oceans (DFO), Environment and Natural Resources – Government of the Northwest Territories (ENR – GNWT), Municipal and Community Affairs (MACA – GNWT) and the Inuvialuit Land Administration (ILA). Comments on the application were received from all parties with the exception of MACA.

The Board considered all submitted comments at a meeting held in Yellowknife on March 22<sup>nd</sup> & 23<sup>rd</sup>, 2010. The Board made some modification to the drafted licence before it was approved by the Chair.

**Scope of the Licence:**

Upon review of the application and evidence in the public registry, the Board has determined that the scope of the undertakings covered by the Water Licence includes water withdrawal for municipal purposes, operation of municipal water supply facilities, operation of municipal solid waste disposal facilities, operation of municipal sewage treatment facilities, and any abandonment and restoration activities associated with the aforementioned facilities.

**Requirements of the *Northwest Territories Waters Act*:**

The Board, as required by section 5 of the *Northwest Territories Waters Act*, has notified the Applicant of their obligation to comply by other legislation associated with this Water Licence.

The Board is in accordance with subsection 14(4)(a) of the *Northwest Territories Waters Act* by ensuring that the granting of the Water Licence to the Hamlet of Tuktoyaktuk 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 Board does not believe that any users or persons listed in subsection 14(4)(b) of the *Northwest Territories Waters Act* will be adversely affected by the use of waters or 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 Board 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 14(4)(c) (i) of the *Northwest Territories Waters Act*.

The Board is satisfied that the effluent standards set out in the Terms and Conditions of the Water Licence are consistent with subsection 14(4)(c)(ii) of the *Northwest Territories Waters Act* and will protect the receiving waters and environment.

The Hamlet of Tuktoyaktuk has provided the Board with its Schedule 3 application and supporting information for its consideration as required by section 16 of the *Northwest Territories Waters Act*.

**Decision to Issue:**

There is an obvious requirement that the Hamlet of Tuktoyaktuk provide municipal water, solid waste and sewage services to its residents.

The use of water proposed by the Licensee is of a nature contemplated by the *Northwest Territories Waters Act*.

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

Water Licence Number N7L3-0714 contains Terms and Conditions the Board feels necessary to ensure compliance with the *Northwest Territories Waters Act* and the *Northwest Territories Waters Regulations*, and to provide appropriate safeguards for the Hamlet of Tuktoyaktuk's use of the water and deposit of waste associated with municipal undertakings.

The Board can issue this Water Licence in accordance with subsection 14(6)(b)(i) of the *Northwest Territories Waters Act*.

The Board has reviewed the Water Licence Application and the written comments received by the Board. Upon consideration of the facts and circumstances, the merits of the submissions made to it and the purpose, scope and intent of the *Northwest Territories Waters Act* and the *Northwest Territories Waters Regulations*, the Board has determined that it can issue the Water Licence N7L3-0714 to the Hamlet of Tuktoyaktuk subject to the Terms and Conditions contained therein.

For all of the above reasons the Board has determined to issue the Renewal of Licence N7L3-0714 to the Hamlet of Tuktoyaktuk in accordance with section 15 of the *Northwest Territories Waters Act* for the use of water and the deposit of wastes.

**Term of the Water Licence:**

The Board has determined that the term of the Water Licence will be for three years.

**SIGNED** this 27<sup>th</sup> day of May, 2010 on behalf of the Northwest Territories Water Board.

  
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**Chair, Northwest Territories Water Board**