

Water Licence N7L3- 1531 Hamlet of Sachs Harbour Municipal Water Licence Renewal

**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: N7L3-1531 (Type B)

This is the decision of the Northwest Territories Water Board for an application for a
Renewal of Water Licence dated April 22, 2009, made by:

Hamlet of Sachs Harbour
P.O. Box 90
Sachs Harbour, NT X0E 0Z0

The Hamlet of Sachs Harbour applied for a Renewal of Licence N7L3-1531 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 Sachs Harbour is located at Latitude 72° 51' North and Longitude 125° 14' West, Northwest Territories.

Background:

The Hamlet of Sachs Harbour applied to the Northwest Territories Water Board (the Board) for a renewal of Water Licence N7L3-1531 to use water and deposit waste associated with municipal undertakings. The application for this undertaking was filed with the Board on April 22, 2009. A request for information was sent to the applicant on May 12th, 2009 and the Hamlet Senior Administration Officer provided the requested supplementary information to the Board on May 15th, 2009. The Board accepted the Application as complete on May 15th, 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 for a 17 day review period (May 19 -- June 10, 2009). The interested parties included Indian and Northern Affairs Canada (INAC) -- North Mackenzie District Office (INAC -- NDMO), INAC -- Water Resources Division (INAC -- WRD), 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), Health and Social Services (GNWT) and the Inuvialuit Land Administration (ILA). Comments on the application were received from all parties with the exception of MACA.

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The Board gave notice, in accordance with subsections 23 (1)(a) and 23 (1)(b) of the *Northwest Territories Waters Act*, that it received a Type B Renewal of Licence Application from the Hamlet of Sachs Harbour on May 15th, 2009 to use water and deposit waste . There was no public hearing held in connection with this application.

The Board considered all submitted comments at a meeting held in Tuktoyaktuk and Inuvik NT, on June 25th & 26th, 2009. The Board determined the Water Licence as drafted could be 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 Sachs Harbour 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 Sachs Harbour 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*.

Water Licence N7L3- 1531 Hamlet of Sachs Harbour Municipal Water Licence Renewal**Decision to Issue:**

There is an obvious requirement that the Hamlet of Sachs Harbour 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 N7L3-1531 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 Sachs Harbour'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 N7L3-1531 to the Hamlet of Sachs Harbour subject to the Terms and Conditions contained therein.

For all of the above reasons the Board has determined to issue the Renewal of Licence N7L3-1531 to the Hamlet of Sachs Harbour 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 29th day of June, 2009 on behalf of the Northwest Territories Water Board.



Chair, Northwest Territories Water Board