

**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: N5L3-0714 (Type B)

This is the decision of the Inuvialuit Water Board, made on April 14, 2016 regarding an application made by:

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

for the issuance of a Water Licence for the use of water and 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 Tuktoyaktuk applied to the Inuvialuit Water Board (IWB) for the issuance of a Water Licence to use water and deposit waste associated with municipal undertakings. The existing Water Licence (formerly N7L3-0714) expired on June 30, 2014. The application filed with the IWB on September 17, 2015 was considered as a new application. The application included a supplementary report titled 'Background Report for Water Licence Renewal (2015)' prepared on behalf of the Hamlet of Tuktoyaktuk by AECOM Canada. The IWB accepted the Application as complete on March 7, 2016.

A copy of the Water Licence application and supplementary information was provided to the Environmental Impact Screening Committee (EISC), as required under section 3.2.7 of their Environmental Impact Screening Guidelines. Copies were also provided to the Government of the Northwest Territories, Department of Lands (DOL), Environment and Natural Resources (ENR), Municipal and Community Affairs (MACA), Health and Social Services (H&SS), Environment Canada (EC), Fisheries and Oceans Canada (DFO), 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, Tuktoyaktuk Hunters and Trappers Committee, and the Canadian Northern Economic Development Agency (CanNor) for a 22 day review period (March 7, 2016 – March 29, 2016). Comments on the application were received from Environment Canada (EC), Fisheries and Oceans Canada (DFO) and Environment and Natural Resources (ENR) and taken into consideration by the Board for determination of the Licence issuance.

Between March 10, 2016 and March 14, 2016 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 Tuktoyaktuk. 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 use of water, operation of a municipal Solid Waste Disposal Facility, operation of a municipal Sewage Disposal Facility, and any closure and reclamation activities associated with the aforementioned facilities.

Requirements of the *Waters Act*:

The Hamlet of Tuktoyaktuk 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 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 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 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.

Decision to Issue:

Under the authority of the *Hamlets Act* the Hamlet of Tuktoyaktuk provides water, municipal solid waste and sewage services to its residents.

The water use and disposal of waste proposed by the Applicant 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.

N5L3-0714 Hamlet of Tuktoyaktuk Municipal Water Licence Issuance

The IWB has reviewed the Water Licence Application and any 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 N5L3-0714 to the Hamlet of Tuktoyaktuk subject to the Terms and Conditions contained therein.

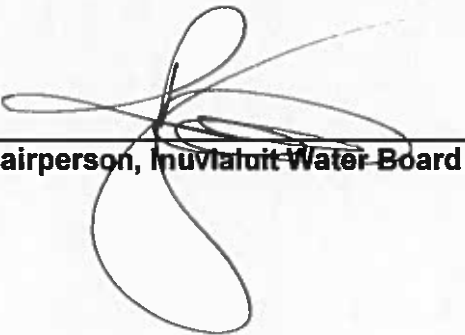
Water Licence Number N5L3-0714 contains Terms and Conditions the IWB considers necessary to ensure compliance with the *Waters Act* and the Waters Regulations, and provide appropriate safeguards for the Hamlet of Tuktoyaktuk's water use and deposit of Waste associated with municipal undertakings.

For all of the above reasons the IWB has issued Licence N5L3-0714 to the Hamlet of Tuktoyaktuk in accordance with section 27 of the *Waters Act* for the use of water and deposit of Wastes.

Term of the Water Licence:

The IWB has determined that the term of the Water Licence will be for April 15, 2016 to November 20, 2018.

SIGNED this 15 day of April, 2016 on behalf of the Inuvialuit Water Board.



Chairperson, Inuvialuit Water Board