



## **Inuvialuit Water Board Annual Report April 1, 2015 – March 31, 2016**

### **1.0 Overview**

The IWB's main office is located in Inuvik and a satellite Public Register office was located in Yellowknife up until January 18, 2016. Since that date all IWB operations are conducted through the Inuvik office.

The mandate of the IWB is described in the *Waters Act* (s. 24) as being: *“To provide for the conservation, development and utilization of waters in a manner that will provide the optimum benefit for all Canadians in general and in particular, for the residents of the portion of the Inuvialuit Settlement Region located in the Northwest Territories for which the Board is authorized to issue licences.”*

While the IWB operates within the authority and direction of the *Waters Act* and *Waters Regulations*, its activities are also subject to the requirements of the *Canadian Environmental Assessment Act 2012* (CEAA) and the *Inuvialuit Final Agreement* (IFA). Before the IWB may issue a water licence, the environmental and socio-economic impacts of any proposed development must be assessed as set out in CEAA and the IFA. The IWB considers the results of these assessments in determining whether the proposed development may proceed through the licensing process. The results of these assessment processes are also used by the IWB members in their consideration of potential terms and conditions to be included in a water licence.

It is important to note that while the IWB is tasked with issuing water licences, it is not responsible for the enforcement of the terms and conditions included in licences. Enforcement of IWB approved terms and conditions is the responsibility of the Government of the Northwest Territories (GNWT) Department of Environment and Natural Resources (ENR).

### **2.0 IWB Board Membership and Operations**

The IWB is composed of a Board and an administrative structure established to support the IWB's mandated activities. The Board of the IWB consists of five members, including the Chairperson. Board members are appointed by the GNWT Minister of ENR. Two members of the Board are appointed based upon nominations from the Inuvialuit Regional Corporation, and one member of the Board is appointed on the nomination of the federal Minister. All members of the Board hold office for a term of three years.

The Chairperson of the Board serves as the chief executive officer of the IWB.

As of March 31, 2016, the members of the IWB were:

Mr. Roger Connelly, Chairperson  
Mr. Mark Cleveland, member – reappointed June 19, 2015  
Mrs. Elizabeth Arey, member – appointed January 12, 2016  
Mr. Richard Binder, member  
Mr. Louis Covello, member

Retiring Member(s) - Ms. Mina McLeod – term expired October 16, 2015

During the year the Board met seven (7) times as follows:

Meeting 414	August 10 – 12, 2015	Inuvik, NT
Meeting 415	October 30, 2015	Teleconference
Meeting 416	November 9, 2015	Teleconference
Meeting 417	December 17, 2015	Teleconference
Meeting 418	December 21, 2015	Teleconference
Meeting 419	January 22, 2016	Teleconference
Meeting 420	February 12, 2016	Teleconference
Meeting 421	March 7, 2016	Teleconference

In addition, the audited financial statements for the 2014/2015 fiscal year were formally approved by the IWB members through email between June 8, 2015 and June 12, 2015 prior to submission to the Minister of ENR on June 26, 2015.

### **3.0 IWB Operations**

The IWB administrative staff are members of the GNWT Public Service. The staff members are:

- Mardy Semmler – Executive Director (Inuvik)
- Freda Wilson – Office Administrator (Inuvik)
- Dr. Bijaya Adhikari – Science and Regulatory Coordinator (Inuvik)
- Liz Castenada – Public Registry Assistant (Yellowknife) to January 15, 2016

Primary funding of IWB activities is provided through a contribution agreement between the GNWT (ENR) and the IWB. In addition, in any particular year, the IWB may also receive financial support for specific projects or activities from various organizations and/or governments. During 2015/2016 the IWB received \$913,000 under the contribution agreement with ENR and \$8,900 in revenues from other sources. Financial details related to IWB activities during the past year are outlined in the IWB's 2015/2016 audited financial statements.

IWB's auditors for the 2015/2016 year were Crowe MacKay LLP, chartered accountants, located in Yellowknife, NT.

In support of its mandate the IWB has established standardized licensing rules and procedures. These include documentation to guide administrative licensing matters as well as specific rules to guide the conduct of water licence application reviews and assessments.

To promote public understanding of the mandate and ongoing activities of the IWB, a newsletter is published on a periodic basis. The IWB Newsletters – April 2015 and October 2015 were distributed to GNWT and Federal departments, Inuvialuit organizations and other stakeholders and also can be viewed on the IWB Website ([www.inuvwb.ca](http://www.inuvwb.ca)).

#### **4.0 IWB Water Licensing Activities 2015 – 2016**

##### **Water Licensing**

The IWB issues Type A and Type B Water Licences. A determination of the type of licence to be issued is largely based on the volume of water and waste involved.

In general terms:

- Municipalities Water/Waste Services: Type B Water Licences; and
- Industry: Type B Licences are associated with smaller-scale developments (such as many environmental clean-ups). However, large scale industrial developments require a Type A Licence (such as the Inuvik to Tuktoyaktuk Highway).

As of March 31, 2016, there are thirty-six (36) water licences recorded in the area for which the IWB is responsible. Of this number, nine (9) are considered to be active licences with the remainder, although inactive, subject to sump monitoring, annual reporting and/or requiring final inspection and closure.

##### ***Type A or B Water Licences Issued (New)***

- No new water licences were issued this fiscal year.
- The IWB received several water licence enquiries and applications for new water licences during the year. Upon review, none of these enquiries and applications met the criteria, described in Water Regulations Schedule D through H, that would make it necessary for a water licence to be issued.

##### ***Type A or B Water Licences Issued (Renewed):***

- Type B Licence N7L3-1619, and the related Reasons for Decision, was issued to the Hamlet of Paulatuk on November 9, 2015. This licence renewed a prior licence and authorized the use of water and the deposit of waste, including both solid waste and sewage in established facilities operated by the Hamlet.

It should be noted that prior to licence renewal the IWB Board and senior staff members visited the community of Paulatuk, toured the fresh water lake and solid waste and sewage disposal facilities and met with the Mayor, hamlet councillors and staff to discuss a broad range of issues related to the provision of water and waste services in their community.

### ***Type A or B Water Licence Assignment, Cancellation, Amendment or Closure***

- The IWB received no requests during the year for any licence assignment, cancellation, or amendment.
- The IWB received a request for closure of two (2) water licences issued to Contaminants and Remediation Directorate – Indian and Northern Affairs Canada (now Indigenous and Northern Affairs Canada). Following consideration of inspection reports and recommendations from the GNWT Water Resources Officer, these licences were closed through a board motion on October 30, 2015.

### ***Type A or B Water Licences Expiring During the Year***

- Type B Water Licence N7L3-0714 - Hamlet of Tuktoyaktuk – The municipal water licence for the community (for water use and the deposit of waste) expired on June 30, 2014. The Hamlet was notified in advance on several occasions that the licence was to expire. The licence subsequently expired. The Hamlet filed an application for a new licence on September 17, 2015. The new application was not deemed to be complete until March 7, 2016.

Prior to the submission of the new licence application, the Hamlet, ENR and the Department of Municipal and Community Affairs (MACA) were advised that the community was in violation of the requirements of the *Waters Act*.

### **Licence Management Activities**

In addition to processing licence applications, the IWB is charged with reviewing and approving management plans associated with licences as well as reviewing annual reports and inspection reports on licence holders.

#### ***Management Plan Review and Approval During the Year***

#### **Licence N7L1-1835 – GNWT – Department of Transportation (DOT) – Inuvik to Tuktoyaktuk (ITH) Highway**

- 2014/2015 Annual Report
- Pit Development Plans for Borrow Source 312 West, Borrow Source GSC4
- Surveillance Network Program and Aquatic Effects Monitoring Program – Annual Sampling Report
- Notice of Plan Changes – Water Crossings – 15b and 15c

#### **Licence N7L1-1836 – Imperial Oil Resources – Bar C DEW Line / Tununuk Point Remediation Project**

- 2015 Annual Report
- 2015 As Built Drawings

### ***Annual and Sump Monitoring Reports Reviewed***

- N7L1-1787 – Chevron Canada Ltd (submitted by MGM Energy Corporation) – 2015 Environmental Site Monitoring Report
- N7L1-1797 – MGM Energy Corporation – 2015 Environmental Site Monitoring Report
- N7L1-1802 – MGM Energy Corporation – 2015 Environmental Site Monitoring Report
- N7L1-1815 – MGM Energy Corporation – 2015 Environmental Site Monitoring Report
- N7L1-1817 – Aurora Research Institute – Mallik 7 Year Drilling Waste Sump Monitoring Program Summary Final Report
- N7L1-1834 – Shell Canada Energy – Updated Camp Farewell 2015 Closure and Reclamation Plan
- N7L1-1834 – Shell Canada Energy – Camp Farewell 2014/2015 Annual Report

### ***Inspection Reports Received and Reviewed***

- N7L1-1814 – Contaminants and Remediation Directorate – INAC – Johnson Point
- N7L1-1824 – Contaminants and Remediation Directorate – INAC – Johnson Point
- N7L1-1835 – GNWT – DOT – ITH – seven (7) inspections between January 20, 2016 – March 31, 2016

## **5.0 Other IWB Activities**

During the year the IWB was engaged in a number of additional activities in support of its mandate and its 5 Year 2014 – 2019 Strategic Plan. These included:

### ***IWB Communication Strategy***

The tasks associated with the IWB's 5 Year Strategic Plan includes the development of a Communications Strategy. The IWB contracted Kellett Communications to develop a draft strategy for the Board's consideration. The Terms of Reference for the Communication Strategy indicated that the strategy, when implemented, would ensure that all participants in water licensing processes, including communities, industry and governments, had a sound understanding of water licensing requirements, the Board's mandate and procedures and the responsibilities of applicants and licence holders. The Communications Strategy was completed on March 24, 2016 and an implementation schedule is currently under development.

### ***Municipal Wastewater Management Workshop***

In recognition of the ongoing challenges faced by municipal governments in the provision of water and waste services, the IWB held a Municipal Wastewater Management Workshop February 24 – 25, 2016 attended by representatives from the Hamlets of Aklavik, Sachs Harbour, Paulatuk, Ulukhaktok and Tuktoyaktuk. GNWT departmental representatives from MACA, ENR, and Health and Social Services (H&SS) provided presentations related to their roles and responsibilities in water licensing in the ISR. The workshop assisted Hamlet mayors and municipal front-line staff in having a better

understanding of the water licensing process in the ISR, the terms and conditions attached to water licences and in enhancing their capacity to maintain compliance with their municipal water licence. The workshop was successful in bringing together all the parties involved in the provision of municipal water and waste services and in identifying areas of concern and subsequent actions to be undertaken by the parties in attendance at the workshop.

### ***Roles and Responsibilities – Community Water and Wastewater Management***

In concert with all parties involved in the provision of water and waste services, the IWB developed a document to assist municipal governments, government staff and regulators in understanding municipal water/waste roles and responsibilities within the ISR - from water intake at source to sewage outflow. This document serves, on an on-going basis, as an easy reference tool for all involved parties.

### ***Review of Waters Act (NWT)***

To assist in gaining a full and accurate understanding of its mandate and authorities, the IWB undertook a thorough review of the *Waters Act*. This review identified several areas of concern or areas of the legislation in which further clarification is required. The IWB will be in contact with the Department of ENR regarding the findings of this review.

### ***Involvement in Meetings and Conferences***

IWB Board members and staff are regularly asked to participate in meetings and conferences related to the IWB mandate. Some of the meetings and conferences attended in the past year include:

- ITH Regulatory meetings – monthly
- ITH Working Group meetings – June and November 2015
- Imperial Oil Resources meetings – Bar C/Tununuk Point Remediation Project, July 2015
- Pan Territorial Regulatory Forum – January 2016
- NWT Board Forum – February 2016
- Arctic Oil and Gas Symposium – March 16 – 17, 2016

### ***Activities with other Regulatory Boards within the NWT***

The IWB has been in discussions and is actively working with the Mackenzie Valley Land and Water Board to formalize templates related to matters identified during the February 2015 and February 2016 Municipal Wastewater Management Workshops.

### ***Other Administrative and Board Activities***

The IWB successfully closed the Yellowknife office as of January 18, 2016. The Public Registry Assistant based in the Yellowknife office was able to secure permanent employment within the GNWT beginning January 18, 2016. With the closure of the Yellowknife office, the IWB was also able to successfully convert the IWB's emails from Tamarack Services based in Yellowknife to Microsoft Cloud. The conversion included a new email extension to inuvwb.ca and a new website address to <http://inuvwb.ca>.

The IWB website was updated. Contact lists were revised to ensure current email addresses and all references to the Yellowknife office were removed. Updates also included new Board member names being added and others removed.

The IWB maintains a Public Register (all documents related to all water licence applications, licensing and reporting). The Public Register was transferred to the Inuvik office in September 2015. The IWB also maintains a copy of the Public Register on-line. The Public Register can be accessed through the IWB website. All documents are posted on a timely basis.

## **6.0 Areas of Focus for 2016/2017**

During the 2016/2017 year the IWB will focus on the following priorities:

- As per Goal one (1) of the IWB Strategic Plan, all requests for water licences, amendments to water licences and requests for water licence cancellation will be processed efficiently and effectively in accordance with established IWB rules and in accordance with established timeframes.
- As per Goal two (2) of the IWB Strategic Plan, the IWB will implement the communications strategy to ensure all parties are aware of the IWB's processes, decisions and actions and the responsibilities of applicants and licence holders.
- As per Goal three (3) of the IWB Strategic Plan, the IWB will circulate the roles and responsibilities document to assist municipal governments, government departments and regulators in understanding municipal water/waste roles and responsibilities within the ISR from water intake at source to sewage outflow. The document will be used as a reference tool by all involved parties.
- As per Goal four (4) of the IWB Strategic Plan, the IWB will review its staffing requirements including a reassessment of the position associated with the closure of the Yellowknife office.
- Follow up on commitments made during the 2016 Municipal Water and Waste Management Workshop and planning for the next Water and Waste Management Workshop in February 2017.
- In advance of considering a renewal of their water licence (that expires in November 2016), Board members and senior staff will visit the community of Ulukhaktok to tour the municipal water and waste management facilities and meet with the Mayor, Council members and senior staff to discuss issues related to the provision of water and waste services in their community.

## **7.0 Conclusion**

The 2015/2016 year continued to be a year of transition for the IWB with the closure of the Yellowknife office, completion of a legislation review, development of a Communications Strategy and the documentation of water and waste roles and

responsibilities and other activities to ensure that the IWB was in full compliance with the new legislative framework. All of these activities were successfully achieved in parallel with the IWB's mandated responsibilities for licensing the use of water and the deposit of wastes in the Inuvialuit Settlement Region.

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