

**Northwest Territories Water Board Annual Report
April 1, 2009 – March 31, 2010**

1.0 Overview

The Northwest Territories Water Board (NWTWB) was established under Section 7 of the *Northern Inland Waters Act* (NIWA) proclaimed on February 28, 1972. The NIWA was repealed in June 1992 and replaced with the current *Northwest Territories Waters Act* (NWTWA).

The mandate of the Water Board is described in the *NWT Waters Act* (S. 12): “*To provide for the conservation, development and utilization of waters in a manner that will provide the optimum benefit therefrom for all Canadians and for the residents of the Northwest Territories in particular.*”

The Water Board is guided by the *NWT Waters Act and Regulations*, *The Canadian Environmental Assessment Act (1995) (CEAA)* and the *Inuvialuit Final Agreement (1984) (IFA)*. Before the Water Board may issue a water licence, it must first assess the environmental and socio-economic impacts of an application, as set out in CEAA. The Water Board uses the results of the assessment to decide whether the proposed project may proceed through the licensing process. The assessment is also used to determine any terms and conditions to be applied to water licences issues by the Water Board for the project.

2.0 NWT Water Board Establishment and Appointments

The Water Board consists of four to nine members who are each appointed by the Minister of Indian Affairs and Northern Development (DIAND). The membership of the Board shall include at least one nominee presiding over each of the departments of the Government of Canada that are, in the opinion of the Governor-in-Council, most directly concerned with the management of waters in the Inuvialuit Settlement Region (ISR) of the Northwest Territories. At least three (3) members are nominees of the Government Leader of the Northwest Territories. The *NWT Waters Act* specifies that the Minister of DIAND shall designate two (2) members of the Board as Chairperson and Vice-Chairperson, respectively.

As of March 31, 2010, with one vacancy, the members of the NWT Water Board were:

Mr. Eddie Dillon – Chair (DIAND)
Mr. Rudy Cockney – Vice-Chair (DIAND)
Dr. David Emery – (GNWT)
Mr. Emery Paquin – (GNWT)
Mr. Mark Cleveland – (HC)
Mr. Peter Bannon – (EC)
Vacant – GNWT

3.0 NWT Water Board Office Location and Staffing Plan

As of January 2008, the Water Board support staff reports administratively to Corporate Services of DIAND. The Department provides the Water Board with required support for financial and human resources. As of June 2008 the Water Board opened its main office in Inuvik to better serve its area of responsibility. A small office is also maintained in Yellowknife.

The Water Board submits an annual budget request to DIAND and, in turn, receives funding from the Department based on a Contribution Agreement. The Board completes an annual budget for submission to DIAND. The current auditors are Mackay LLP chartered accountants located in Yellowknife, NT.

In the fall of 2008, the Inuvik Office was staffed with an Executive Director and an Office and Finance Administrator. In early 2009, a Regulatory Coordinator was hired and in January 2010 a Regulatory Officer was also hired. There remains an Office Manager in the Yellowknife Office. The main office is now located in Inuvik with the Public Registry being maintained in Yellowknife.

Current support staff include:

Mike Harlow – Executive Director
Sarah McKenzie – Regulatory Coordinator
Veronique D’Amours-Gauthier – Regulatory Officer
Freda Wilson – Office and Finance Administrator
Liz Castaneda – Office Manager (Yellowknife)

4.0 NWT Water Board Core Activities 2009-2010

4.1

The Water Board issues Type A and Type B water licences. In general, Type A licences are for larger undertakings and Type B licences are for smaller projects.

The Board presently issues water licences to two primary types of proponents in the Inuvialuit Settlement Region (ISR):

- Municipalities: These have type B water licences in the ISR.
- Oil and Gas Exploration and Development companies: These generally have Type B licences associated with smaller-scale exploration projects, although some projects may differ and may require a Type A licence.

Licences may also be sought by other users, such as mineral developers and authorities charged with the cleanup and remediation of certain sites in the ISR.

4.2

The licensing and regulatory process for Type A and Type B water licence applications require three reviews. These reviews involve the NWT Water Board, the Environmental Impact Screening Committee (EISC) and the Canadian Environmental Assessment Agency (CEAA).

The EISC and CEAA screenings cover the project description as a whole, not just the water portion of the application. They provide copies of their recommendations and decision to the Water Board. The Water Board cannot begin a licence issuance process until such time as the EISC and CEAA processes have been completed. It should be noted that projects with trans-boundary implications may also be subject to other environmental and technical screening processes.

5.0 Workload of the NWT Water Board

The NWT Water Board signed three 2009-2010 fiscal year Contribution Agreements for funds totalling \$1,310,000: \$1,080,000 Core funding, \$185,000 MGP funding and \$45,000 NRCan funding.

From April 1, 2009 to March 31, 2010, the Board dealt with the following water licenses:

Type A water licenses:

At a Board meeting held on May 8, 2009, a motion was passed to forward the MGM Energy Corp. Aput Licence N7L1-1828 to the DIAND Minister for approval. The Minister approved the Type A licence on August 27, 2009 for a period of five years.

Type B water licenses issued:

May 8, 2009	N7-1-1826 - Umiak Seismic	MGM Energy Corp.
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Type B water licenses renewed:

June 25, 2009	N3L3-0570 - Municipal	Aklavik
June 25, 2009	N7L3-1531 - Municipal	Sachs Harbour
November 18, 2009	N7L3-1619 – Municipal	Paulatuk

Type B water licenses amended:

June 25, 2009	N7L3-0714 – Municipal	Tuktoyaktuk
December 16, 2009	N7L3-0714 – Municipal	Tuktoyaktuk
December 16, 2009	N7L3-1525 – Municipal	Ulukhaktok

Type B water licenses cancelled:

November 18, 2009	N7L1-1822	MGM Energy Corp.
November 18, 2009	N7L1-1821	MGM Energy Corp.
February 26, 2010	N7L1-1805	Chevron
February 26, 2010	N7L1-1806	Chevron

Type B water licenses closed (i.e. licenses that had previously expired but whose files had not been 'closed' by the Board):

October 6, 2009	N7L1-1807	Chevron
October 6, 2009	N7L1-1799	Chevron
October 6, 2009	N7L1-1796	Chevron
October 6, 2009	N7L1-1801	Chevron
October 6, 2009	N7L1-1778	EnCana
October 6, 2009	N7L1-1789	Devon
October 6, 2009	N7L1-1760	EnCana
October 6, 2009	N7L1-1781	EnCana
February 26, 2010	N7L1-1808	Chevron
February 26, 2010	N7L1-1765	Chevron
February 26, 2010	N7L1-1816	Shell Canada

February 26, 2010	N7L1-1791	Shell Canada
February 26, 2010	N7L1-1766	Petro Canada
February 26, 2010	N7L1-1780	Petro Canada
February 26, 2010	N7L1-1793	E. Gruben's Transport
February 26, 2010	N7L1-1761	Burlington Resources

The NWT Water Board held ten (10) meetings during the 2009-2010 fiscal year, as follows:

Meeting 363	May 5, 2009	Teleconference
Meeting 364	June 25, 2009	Tuktoyaktuk, NT
Meeting 365	August 25-27, 2009	Inuvik, NT
Meeting 366	October 6, 2009	Yellowknife, NT
Meeting 367	November 18, 2009	Yellowknife, NT
Meeting 368	December 16, 2009	Teleconference
Meeting 369	January 20, 2010	Yellowknife, NT
Meeting 370	February 26, 2010	Yellowknife, NT
Meeting 371	March 10, 2010	Inuvik, NT
Meeting 372	March 26, 2010	Teleconference

6.0 Public Awareness and Communications

Over the 2009-10 fiscal year the NWTWB completed the following additional activities to improve public awareness and communication:

- Development of a Strategic Plan – 2010 to 2013. The Board met in August in a strategic planning session to create a Strategic Plan. The plan describes the Board's mandate, vision, goals and associated strategies
- 2 major workshops: 1) Downhole Injection in the Inuvialuit Settlement Region (June 2009) and 2) Fuel Storage in Ice Bound Barges in the Inuvialuit Settlement Region (October 2009). These sessions were designed to help regional regulatory bodies and co-management agencies better understand issues so as to make better informed decisions in the future. Both workshops were held in Inuvik and were very well attended.
- Mock Hearing. The Board conducted a mock hearing to better for potential public hearings.
- Community Tours – Tuktoyaktuk (June 25), Paulatuk (March 8), Sachs Harbour (March 9) and Ulukhaktok (March 11). The Board met with Hamlet Councilors and staff, toured community facilities currently regulated under their respective water licenses (i.e. water intake facility, sewage lagoon and solid waste facility) and held public sessions. The purpose was to introduce the NWTWB and support staff to hamlet governments and citizens and to demonstrate how the Board impacts hamlets and its citizens.