

## Northwest Territories Water Board Annual Report April 1, 2010 – March 31, 2011

### 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 The NIWA was repealed in June 1992 and replaced with the current *Northwest Territories Waters Act* (NWTWA).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 issued 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, 2011, with two vacancies, the members of the NWT Water Board were:

Mr. Eddie Dillon – Chair (DIAND)  
Mr. Rudy Cockney – Vice-Chair (DIAND)  
Mr. Emery Paquin – (GNWT)  
Mr. Mark Cleveland – (HC)  
Mr. Peter Bannon – (EC)  
Vacant – GNWT  
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. The Regulatory Coordinator resigned her position on April 1, 2010, leaving that position unfilled but the intention is to staff it right away. There remains an Office Administrator in the Yellowknife Office. The main office is now located in Inuvik with the Public Registry being maintained in Yellowknife.

Current support staff includes:

Mike Harlow – Executive Director  
Freda Wilson – Office and Finance Administrator  
Veronique D’Amours Gauthier – Regulatory Officer (will not be with the NWTWB as of April 1, 2011)  
Liz Castaneda – Office Administrator (Yellowknife)  
Vacant – Regulatory Coordinator

## **4.0 NWT Water Board Core Activities 2010-2011**

### **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 Inuvialuit Final Agreement Environmental Assessment processes and the Canadian Environmental Assessment Agency (CEAA).

The IFA 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 The Workload of the NWT Water Board**

The NWT Water Board signed two 2010-2011 fiscal year Contribution Agreements for funds totaling \$1,125,000, consisting of \$1,080,000 Core and \$45,000 NRCan funding. The money allocated from NRCan was used for the development of a new Website and the continuation of the development of an Information Management System.

From April 1, 2010 to March 31, 2011, the Board dealt with the following water licences:

Type B water licences issued:

March 11, 2011	N7L1-1831 – Industrial	Shell Canada Ltd.
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Type B water licences renewed:

April 22, 2010	N7L3-0714 – Municipal	Tuktoyaktuk
April 22, 2010	N7L3-1525 – Municipal	Ulukhaktok
October 28, 2010	N7L1-1762 – Industrial	Shell Canada Ltd.

Type B water licences assigned:

August 26, 2010	N7L1-1795 – Industrial	MGM Energy Corp.
August 26, 2010	N7L1-1800 – Industrial	MGM Energy Corp.

Type B water licences cancelled:

August 26, 2010	N7L1-1827 – Industrial	MGM Energy Corp.
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Type B water licences amended:

September 27, 2010	N7L1-1802 – Industrial	MGM Energy Corp.
January 25, 2011	N7L1-1762 – Industrial	Shell Canada Ltd.

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

January 25, 2011	N7L1-1774 – Industrial	Petro Canada
January 25, 2011	N7L1-1795 – Industrial	MGM Energy Corp.

The NWT Water Board held ten (10) meetings during the 2010-2011 fiscal year, as follows:

Meeting 373	April 22-23, 2010	Yellowknife, NT
Meeting 374	May 28, 2010	Teleconference
Meeting 375	August 26, 2010	Yellowknife, NT
Meeting 376	September 27, 2010	Inuvik, NT
Meeting 377	October 28, 2010	Yellowknife, NT
Meeting 378	November 22, 2010	Yellowknife, NT
Meeting 379	January 25, 2011	Teleconference

Meeting 380	February 22, 2011	Teleconference
Meeting 381	March 11, 2011	Teleconference
Meeting 382	March 23-24, 2011	Yellowknife, NT

## **6.0 Public Awareness and Communications**

In order to promote the Board and its activities the following activities were undertaken this year:

- Spill Contingency Workshop
- Tour of Aklavik landfill Site
- Development of a new website
- Continuation of the development of an Information Management System (IMS)