

**Northwest Territories Water Board Annual Report  
April 1, 2012 – March 31, 2013**

## **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 The NIWA was repealed in June 1992 and replaced with the current *Northwest Territories Waters Act* (NWTWA).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 Aboriginal Affairs and Northern Development Canada. 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 Indian Affairs and Northern Development shall designate two (2) members of the Water Board as Chairperson and Vice-Chairperson, respectively.

As of March 31, 2013, with two vacancies, the members of the NWT Water Board were:

Mr. Eddie Dillon – Chairperson - Aboriginal Affairs and Northern Development Canada

Mr. Roger Connelly – Vice-Chairperson - Aboriginal Affairs and Northern Development Canada

Mr. Mark Cleveland – Health Canada

Mr. Emery Paquin – Government of the Northwest Territories

Ms. Mina McLeod – Government of the Northwest Territories

Vacant – Government of the Northwest Territories

Vacant – Environment Canada

### **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 Aboriginal Affairs and Northern Development Canada (AANDC). AANDC 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 the Department of Indian Affairs and Northern Development (DIAND) and, in turn, receives funding from the Department based on a Contribution Agreement. The Water Board completes an annual budget for submission to DIAND. The current auditors are MacKay LLP, chartered accountants, located in Yellowknife, NT.

The NWTWB initiated a competition for a Regulatory Officer in the 2010-11 fiscal year which has not yet been completed. The main reason for this is due to the Federal Government's Deficit Reduction Action Plan.

Current support staff includes:

Mike Harlow – Executive Director (Departed April 12, 2013).

Dr. Ron Wallace of Wolfwillow Ltd. was appointed as Interim Executive Director effective April 18, 2013 to complete hiring of new staff

Freda Wilson – Office and Finance Administrator (Inuvik)

Liz Castaneda – Office Administrator (Yellowknife)

Vacant – Regulatory Coordinator and Regulatory Officer (Inuvik)

## **4.0 NWT Water Board Core Activities 2012-2013**

### **4.1 Licensing Types**

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

The Water 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 Licensing Process**

The licensing and regulatory process for Type A and Type B water licence applications require three (3) reviews. These reviews involve the NWT Water Board, reviews considered under the Inuvialuit Final Agreement (IFA) and the Canadian Environmental Assessment Agency (CEAA).

The IFA and CEAA screenings cover the project description as a whole, and are not limited to the uses of water or disposal of wastes. Review agencies provide copies of their recommendations and decisions to the Water Board. The Water Board cannot issue a licence 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 one 2012-2013 fiscal year Contribution Agreement for funds totaling \$1,080,000.

During the period April 1, 2012 to March 31, 2013, the Water Board had the following water licence activity:

**Type A or B water licences issued:**

There were three water licence applications received by the Board:

- Type B Licence N7L1-1834 was issued to Shell Canada – Camp Farewell.
- Two applications received from Utilities Group Facilities Inc. – one for periodic construction of temporary winter access to Ikhil (Type B) and one for drilling and facilities tie-in program for O2/J-35 offset well at Ikhil (Type A) - were suspended.

**Type A or B water licences renewed:**

An application from Sachs Harbour to renew Licence N7L1-1531 was received and the Board approved the renewal for a period of five years beginning November 21, 2012.

**Type A or B water licences assigned:**

No water licences required or licensees applied for assignment.

**Type A or B water licences cancelled:**

No water licences required or licensees applied for cancellation.

**Type A or B water licences amended:**

No water licences required or licensees applied for amendment.

**Type A or B water licences closed**

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

Three applications for licence closure were received by the Board:

- The Board approved closure of Licence N7L1-1762 – Camp Farewell,
- Licence N7L1-1800 – Chevron Canada Resources Ellice/Taktuk and
- Licence N7L1-1818 – CARD Atkinson Point.

**Preparation for applications:**

- The NWTWB support staff, in anticipation of the potential Inuvik to Tuktoyaktuk Highway Project (ITH), attended the Environmental Impact Review Board (EIRB) hearings and completed work updating NWTWB process and the Rules of Procedure.

The NWT Water Board held five (5) meetings during the 2012-2013 fiscal year as follows:

Meeting 387	July 10, 2012	Teleconference
Meeting 388	October 17, 2012	Teleconference
Meeting 389	November 6, 2012	Yellowknife, NT
Meeting 390	November 6, 2012	Yellowknife, NT
Meeting 391	March 4-5, 2013	Inuvik, NT

## **6.0 Public Awareness and Communications**

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

- Continuation of the development and testing of an Information Management System (IMS).
- Attempted community meeting in Sachs Harbour – failed due to weather.