

**Northwest Territories Water Board Annual Report
April 1, 2013 – March 31, 2014**

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 The NIWA was repealed in June 1992 and replaced with the current *Northwest Territories Waters Act* (NWTWA).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, 2014, with one vacancy, 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

Mr. Louis Covello – Environment Canada

Vacant – Government of the Northwest Territories

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 AANDC and, in turn, receives funding from the Department based on a Contribution Agreement.

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 (resigned April 12, 2013).

Dr. Ron Wallace - Interim Executive Director (contract - April 18, 2013 - October 31, 2013).

Freda Wilson – Office Administrator (Inuvik)

Liz Castaneda – Administrative Coordinator (Yellowknife)

Vacant – Regulatory Coordinator and Regulatory Officer (Inuvik)

The staffing process for the Executive Director position is currently underway.

4.0 NWT Water Board Core Activities 2013-2014

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 Environmental Assessment processes as described in the IFA and CEAA 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 2013-2014 fiscal year Contribution Agreement for funds totaling \$1,080,000; an additional agreement for \$5,000 to participate in consultations regarding amendments to the *Mackenzie Valley Resource Management Act*, the *Northwest Territories Waters Act* and the *Territorial Lands Act*, and a final agreement for \$52,000 to cover the cost of the Inuvik to Tuktoyaktuk Highway Public Hearings.

In June 2013, the Board received an application for a Type A water licence from GNWT-DOT for the Inuvik to Tuktoyaktuk Highway Project (ITH). As part of the application process, the

Board held a Pre-Hearing Conference in September followed by Public Hearings in Inuvik and Tuktoyaktuk in October. On December 12, 2013, the Board issued a Type A water licence, with Ministerial approval, to GNWT-DOT.

During the period April 1, 2013 to March 31, 2014, the Water Board had the following water licence activity:

Type A or B water licences issued:

There were two water licence applications received by the Board:

- Type A Licence N7L1-1835 was issued to GNWT-DOT for the ITH Project.
- Type B Licence N7L1-1836 was issued to Imperial Oil Resources for the BAR-C Project.

Type A or B water licences renewed:

An application from Tuktoyaktuk to renew Licence N7L3-0714 was received and the Board approved the renewal for the period November 21, 2013 to June 30, 2014.

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

No water licences required or licensees applied for closure.

The NWT Water Board held fifteen (15) meetings during the 2013-2014 fiscal year as follows:

Meeting 392	April 3, 2013	Teleconference
Meeting 393	April 18, 2013	Teleconference
Meeting 394	May 17, 2013	Teleconference
Meeting 395	June 6, 2013	Teleconference
Meeting 396	June 10, 2013	Teleconference

Meeting 397	July 18, 2013	Teleconference
Meeting 398	August 21 and 23, 2013	Inuvik, NT
Meeting 399	September 18, 2013	Teleconference
Meeting 400	November 7, 2013	Teleconference
Meeting 401	November 10, 2013	Teleconference
Meeting 402	November 12, 2013	Via Email
Meeting 403	December 5, 2013	Teleconference
Meeting 404	January 6, 2014	Teleconference
Meeting 405	January 28, 2014	Teleconference
Meeting 406	March 19, 2014	Yellowknife, NT

6.0 Public Awareness and Communications

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

- Community visits to Sachs Harbour and Tuktoyaktuk on August 22, 2013.
- The Board had planned to facilitate a Sewage Management Workshop in late 2013 but due to the increased workload and schedule conflicts related to the GNWT-DOT ITH application, the Board decided to reschedule this workshop to the 2014-15 fiscal year.