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NUNAVUT WATER BOARD
NUNAVUT IMALIRIYIN KATIMAYINGI
OFFICE DES EAUX DU NUNAVUT

File No. 3AM-IQA1626 / Amendment No. 4

September 4, 2019

By Courier, Email and Regular Mail

Honourable Carolyn Bennett, PC, MP
Minister of Crown-Indigenous Relations and Northern Affairs
21st Floor, 10 Wellington, North Tower
Gatineau, QB, K1A 0H4

Email: Carolyn.bennett@parl.gc.ca; minister@aadnc-aandc.gc.ca

Subject: Licence No. 3AM-IQA1626 – City of Iqaluit; Amendment No. 4 – Seasonal Replenishment of Lake Geraldine Reservoir from the Niaqunguk River (Apex River)

Dear Honourable Minister Bennett:

Please find attached a copy of Amendment No. 4 to Type “A” Water Licence No. 3AM-IQA1626 (the “Licence”), duly issued by the Nunavut Water Board to the City of Iqaluit (the “City”) for a Municipal undertaking in accordance with Schedule 1 of the *Nunavut Waters Regulations*. The above mentioned Amendment primarily addresses changes to terms and conditions within Part D: Conditions Applying to the Use of Waters and Water Management Plans contained in Licence No. 3AM-IQA1626 to allow for a seasonal annual pumping of water from Niaqunguk River (Apex River) to Geraldine Lake and associated monitoring.

In its decision to issue the Licence and consistent with the *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in Right of Canada (Nunavut Agreement)*, the Board considered the outcome of its review process as well as the determinations made by the Nunavut Planning Commission (NPC) and the Nunavut Impact Review Board (NIRB) with respect to the undertaking. The NPC in its January 11, 2019 correspondence¹ confirmed that the undertaking proposed by the City was outside of an area with an applicable regional land use plan,

¹ Nunavut Planning Commission (NPC) Conformity Determination; NPC File # 149007 [City of Iqaluit - Apex River Drinking Water Supply], January 11, 2019.

that the Nunavut Impact Review Board (NIRB) previously screened the works and activities associated with the current proposal, and that the undertaking required screening by the Nunavut Impact Review Board (NIRB) under section 12.4.3 of the *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada (Nunavut Agreement)* as amended and ss. 145 and 146 of the *Nunavut Planning and Project Assessment Act*, S.C. 2013, c. 14, s. 2 (NuPPAA) because it is for a activity that was not part of the original or previously amended proposal and its inclusion is a significant modification of the project. On April 17, 2019, the NIRB issued its Screening Decision Report² (NIRB File No. 19WA006, previously NIRB File No. 13UN034) associated with the Application, stating that a further review of the project is not required in accordance with Article 12 of the Nunavut Agreement and s. 92(1)(a) of the *NuPPAA*.

On the basis of the NPC's consideration of the project and the NIRB's screening of the project, the NWB concluded that the land use planning and environmental assessment requirements for the Application under Articles 10-13 of the *Nunavut Agreement*, Part 3 of the *NuPPAA*, and ss. 38 and 39 of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*, S.C. 2002, c. 10 (*NWNSRTA*) have been met and the Application could be considered by the NWB.

In accordance with s. 56 of the *NWNSRTA*, the above referenced amendment to the Licence requires your approval and, as such, the NWB submits the attached Reasons for Decision including the Record of Proceedings along with a copy of Amendment No. 4 to Licence No. 3AM-IQA1626 for your consideration.

Should you have any questions, require clarification with respect to the above or wish to discuss further, please contact the undersigned in writing at your earliest convenience.

Sincerely,

Lootie Toomasie
Nunavut Water Board, Chair
LT/dd/rqd

Enclosure: **Licence No. 3AM-IQA1626 – Amendment No. 4**

cc. Amy Elgersma, City of Iqaluit
Matthew Hamp, City of Iqaluit
Iqaluit Distribution List

² NIRB Screening Decision Report, NIRB File No.: 19WA006 (previously NIRB File No. 13UN034), April 17, 2019.