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## Completing and Submitting a Water Licence Application for a New Licence

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NUNAVUT WATER BOARD

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## LIST OF NWB GUIDANCE DOCUMENTS

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Guide 2 – Terminology and Definitions  
Guide 3 – Activities that Require a Water Licence and Types of Water Licences  
Guide 4 – Completing and Submitting a Water Licence Application for a New Licence  
Guide 5 – Processing a Water Licence Application  
Guide 6 – Electronic Documentation: Submission and Registry  
Guide 7 – Licensee Requirements following the Issuance of a Water Licence  
Guide 8 – Community Consultation (under development)  
Rules of Practice and Procedure for Public Hearings  
Water Licensing Process Flowcharts and Time Charts (in colour and black and white)

## Important Notes

1. *This Guide presents information about the Nunavut Water Board (NWB or Board) and its process in a plain language format for the purpose of public education and assistance to parties involved in the process. However, it should be noted that the legal responsibilities of parties involved in the water licensing process are as established under the Nunavut Land Claims Agreement (NLCA), the Nunavut Waters and Nunavut Surface Rights Tribunal Act (NWNSRTA or Act), and the applicable regulations. All parties are responsible for ensuring they comply with the applicable legal responsibilities imposed under these provisions. To the extent that this Guide is inconsistent or in conflict with the applicable legal requirements, the obligations as set out in the relevant acts and regulations shall govern. Any descriptions of the responsibilities of the parties contained in this Guide are of a general nature only and are not offered or intended as a substitute for professional legal advice or the specific direction of the NWB in any given case.*
2. *In the event of a conflict between the Guides and the NLCA, the NWNSRTA or the applicable regulations, the NLCA, NWNSRTA, and the applicable regulations prevail.*
3. *The abbreviations ‘NWB’ and ‘Board’ are used interchangeably throughout this document to refer to the Nunavut Water Board.*
4. *Versions of the NWB Guides are available in English from the NWB electronic public registry. Translated versions will be made available upon request. (See NWB Contact Information at the end of this Guide.)*

## PART 1: COMPLETING A WATER LICENCE APPLICATION

### 1. What is a water licence application?

A water licence application is a written request to the Board to exercise its powers under the *Nunavut Waters Nunavut Surface Rights Tribunal Act* (NWNSRTA or Act) and the *Northwest Territories Water Regulations* (NTWR or Regulations). A complete application consists of the specific forms and supporting documents to address the NWB's information requirements as outlined in this Guide. The applicant is referred to the NWB's *Guide 3-Activities that Require a Water Licence and Types of Water Licences* for assistance in determining whether a water licence application is required for an activity.

A complete application must be submitted to the NWB to allow the Board to process the application as described in the NWB's *Guide 5 – Processing Water Licence Applications* (also refer to the NWB's *Water Licensing Process Flowcharts and Time Charts*). The applicant cannot proceed with the proposed activity until the NWB's approval has been granted and a licence has been issued.

### 2. Why is it important to submit a complete water licence application?

The completeness of an application directly impacts the length of time to process a water licence application. As shown in the NWB's *Water Licensing Process Flowcharts and Time Charts*, there are a number of steps where the applicant may be required to submit additional information following receipt of the initial application, either in response to the NWB's completeness check or in response to parties' review comments.

Typically, upon receipt of any additional information related to a water licence that is being processed by the Board, the information must be made available to the public for a review period appropriate to the volume of additional information submitted. The additional time required to allow the applicant to respond with additional information and for parties to review the additional information lengthens the overall time it will take to process the water licence application.

### 3. What are the legislated information requirements for a complete water licence?

The legislated information requirements for a complete water licence include:<sup>1</sup>

- a) The description of the use of waters, deposit of waste or appurtenant undertaking, as the case may be;

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<sup>1</sup> Section 48(2) and section 48(3) of the *Nunavut Waters Nunavut Surface Waters Tribunal Act* (NWNSRTA) and consistent with section 13.8.1 of the *Nunavut Land Claims Agreement* (NLCA).

- b) The qualitative and quantitative effects of the use of waters or the deposit of waste on the drainage basin where the use is to be undertaken or the deposit is to be made, and the anticipated impact of the use or deposit on other users;
- c) The measures the applicant proposed to take to avoid or mitigate any adverse impact of the use of waters or the deposit of waste;
- d) The measures the applicant proposes to take to compensate persons, including the Designated Inuit Organization, who are adversely affected by the use of waters or deposit of waste;
- e) The program the applicant proposes to undertake to monitor the impact of the use of waters or the deposit of waste;
- f) The interests in and rights to lands and waters that the applicant has obtained or seeks to obtain;
- g) The options available for the use of waters or the deposit of waste; and
- h) Any other matters that the NWB considers relevant.

To provide further guidance for these requirements, the NWB has developed minimum information requirements and a General Water Licence Application form as described in the first two sections of this Guide. At the time of writing this Guide, the NWB is in the process of developing Supplemental Information Guidelines (SIG) for specific classifications of undertakings as described in section 6. Depending upon the complexity of the project and the completeness of the information received with the initial application, the Board may also issue application specific guidelines.

In addition to the requirements of the Act, applications submitted to the NWB must contain the information identified in section 6 of the Regulations as outlined in section 7.

4. What are the minimum information requirements for a complete water licence?

**Applications that do not include all of the following checklist items will be returned to the applicant as incomplete with a request for the deficient information.**

**Table 1: Application Checklist**

<input type="checkbox"/>	Completion of the <b><u>General Water Licence Application Form</u></b> in accordance with the guidance provided in section 5.
<input type="checkbox"/>	Information that satisfies the checklist requirements outlined in any <b><u>Supplemental Information Guidelines</u></b> that are relevant to the project as described in section 6 as well as information required to complete <b><u>Plans, including Designs and Reports</u></b> as described in section 7.
<input type="checkbox"/>	<b><u>Executive Summary</u></b> of the application in English as described in section 9.
<input type="checkbox"/>	<b><u>Translated Executive Summary</u></b> of the application into the appropriate language and dialect depending upon the applicable region as described in section 10.
<input type="checkbox"/>	<b><u>Application Fee</u></b> in accordance with section 11.
<input type="checkbox"/>	<b><u>Water use fee</u></b> deposit accordance with section 11.

In addition, the applicant must consider the following in the development of the application package:

- The application must address the **full scope of water use and waste deposition** of the primary undertaking, and also related activities for all phases of the project;
- Information between all documents that make up the application package must be **consistent** including information in the *General Water Licence Application*, information addressing the Supplemental Information Guideline, any supporting plans, including designs and reports, as well as the executive summary;
- Information between documents must be accurately **cross-referenced**; and
- The application must distinguish between **recommendations or options and actual commitments** to chosen alternatives.

## 5. How do I complete the general water licence application form?

The *General Water Licence Application* form must be completed for a new water licence application meaning an application for an undertaking which has not previously been licensed by an applicant or another party. Applications for a water licence renewal, amendment, assignment, or cancellation are addressed in the NWB's *Guide 7: Licensee Requirements following the Issuance of a Water Licence*.

The following sections correspond to specific blocks within the *General Water Licence Application* form provided in Appendix A of this Guide. In all cases, additional pages or documents should be attached to the application form where necessary.

### **Block 1- Applicant (Proposed Licensee) Contact Information**

The full name of the applicant, meaning the person or associated registered company (in good standing) proposed as the holder of the water licence ("licensee") must be provided including that person's or company's mailing address, telephone number, facsimile number and electronic mail (e-mail) address. Initials are not acceptable.

Corporations, limited companies or other business entities must provide a list of the officers of the company and a copy of the Certificate of Incorporation or evidence of registration of the company name. Non-profit organizations must provide proof that they are a registered society or organization.

### **Block 2- Applicant Representative Contact Information**

The name and contact information of any party submitting a licence application on behalf of the applicant must be provided. Furthermore, the applicant must submit a signed letter which authorizes a party to be the applicant's representative in the licensing process.

### **Block 3- Name of Project**

The applicant must indicate the name of the project associated with the proposed undertaking if applicable.

### **Block 4- Location of Undertaking**

The applicant must indicate the coordinates (degrees, minutes, seconds) of the project area extents (NE, NW, SE, SW) taking into consideration any areas or sites of investigation, locations of proposed infrastructure and activities, and the boundaries of any associated land use authorizations. The coordinates of camp locations must also be provided.

Locations and boundaries must be provided by **latitude and longitude**. If available, Universal Transverse Mercator (UTM) coordinates should also be provided.

### **Block 5- Map**

A map at a 1:50,000 scale based on the National Topographic Series (NTS) must be provided, indicating the location of the undertaking described in Block 4 as well as watercourses and the location of any proposed waste deposits. In addition to the 1:50,000 scale map, additional maps at various scales may be provided if those maps will provide additional information or clarification. All maps must indicate the scale, and map sheet number.

### **Block 6- Nature of Interest in the Land**

The applicant must indicate the nature of the interest in the land associated with the proposed undertaking by **checking at least one of the boxes** provided in the *General Water Licence Application* form. Such interests may include sub-surface leases from Nunavut Tunngavik Incorporated (NTI) and/or Indian and Northern Affairs Canada (INAC) as well as surface authorizations from INAC for crown land use, a Designated Inuit Organization (DIO) for Inuit Owned Land (IOL) use, or the Government of Nunavut for Commissioner's land use.

The applicant must also provide the name of the entity(s) that hold the interest(s) in the land.

### **Block 7- Nunavut Planning Commission (NPC) Determination**

The applicant must provide written confirmation from the NPC confirming that NPC's requirements under the *Nunavut Land Claims Agreement* (NLCA) regarding land use plan conformity (Article 11 of the NLCA) have been addressed. Refer to section 1 of the NWB's *Guide 5: Processing a Water Licence Application* for more information regarding the requirements of NPC.

The NWB will not approve an application until NPC requirements have been met.

### **Block 8- Nunavut Impact Review Board (NIRB) Determination**

The applicant must provide written confirmation from the NIRB confirming that NIRB's requirements under the NLCA regarding development impact assessment (Article 12 of the NLCA) have been addressed. Refer to section 1 of the NWB's *Guide 5: Processing a Water Licence Application* for more information regarding the requirements of NIRB.

The NWB will not approve an application until NIRB requirements have been met.

### **Block 9- Description of Undertaking**

The applicant must include either a complete description of the undertaking with detailed site plans attached or the project proposal submitted to NIRB.

### **Block 10- Options**

The applicant must provide a brief explanation of the alternative methods or locations that were considered in carrying out the project.

### **Block 11- Classification of Primary Undertaking**

The applicant must check the appropriate box to indicate the classification of the primary undertaking being applied for. Only one box can be selected. Descriptions of these undertakings are provided in section 3 Table 1 of the NWB's *Guide 3: Activities that Require a Water Licence and Types of Water Licences*, as well as Schedule II of the Regulations.

The applicant must also check the appropriate boxes to indicate which Supplemental Information Guidelines (SIG) are applicable to the proposed undertaking.

### **Block 12- Water use**

The applicant must check the appropriate box(es) to indicate the type of water use(s) involved in the application.

All forms of water consumption must be described in detail. Particular attention must be given to categorizing water consumption under industrial and domestic uses including camps.

### **Block 13- Quantity and Quality of Water Involved**

The applicant must indicate the following for each type of water use described in Block 11:

- The source of water including the name of the water body and the location of the water source as shown on a map;
- A description of the quality of the water from the source as well as the available capacity of the water source;
- The estimated amount of water to be taken from each source and the method of extraction including specific pumping rates, pumping procedures and potential for draw down;
- The estimated amount of water to be returned to the source; and
- Methods to ensure the quality of the water returned to source is of a quality acceptable to the NWB.

### **Block 14- Waste**

The applicant must check the appropriate box(s) to indicate the type of waste(s) generated and/or to be deposited.

### **Block 15- Quantity and Quality of Waste Involved**

The applicant must describe for each type of waste generated, its composition, quantity (cubic meters per day), method of treatment and disposal. This includes:

- Systems for the treatment/disposal of solid wastes, liquid effluent, and gaseous materials expected from the operation, including any measures proposed to minimize the production of wastes; and
- Substances and their amounts that will be released to the environment as a result of the project, method of release, and any associated control technology.

### **Block 16- Other Authorizations**

In addition to the NWB's requirements, an applicant may be required to obtain permits, licences, or other forms of approvals from territorial or federal departments or agencies with regulatory authorities in relation to certain aspects of a proposed undertaking. For example:

- Authorization for Works or Undertakings Affecting Fish Habitat from Department of Fisheries and Oceans;
- Works in Navigable Waters from Transport Canada; and/or
- Crown, Inuit Owned Land, and/or Commissioners land leases and/or permits as described in Block 6.

A licence from the NWB does not absolve the applicant from obtaining other authorizations. Similarly, an authorization from another regulatory authority does not absolve the applicant from obtaining a licence from the NWB.

The applicant must inform the NWB of any additional authorizations required and how they may affect the NWB's water licensing process in its application to the NWB.

### **Block 17- Predicted environmental impacts of undertaking and proposed mitigation measures**

The applicant must describe the environmental and resource impacts on, but not limited to, the following:

- Groundwater and surface water including changes to flow, quantity and quality;
- Land, including geologic structure change, soil contamination, compaction/settling/erosion, alteration of the permafrost regime and riparian zone loss;
- Vegetation, including species composition and abundance, non-native species introduction, or accumulation of toxins/heavy metals (in relation to remediation objectives for closure); and
- Aquatic ecosystem including fish, benthic invertebrates, and plankton.

This includes a description of all proposed environmental management systems and monitoring programs for all significant impacts, and a description of all mitigations and/or remediation included in the application.

The applicant must provide information from and notice of any environmental screening or assessment completed on the project, including the determinations of significance and mitigation. If an environmental review was completed, reference screening decisions and project certificates, including terms and conditions.

### **Block 18- Existing and Other User Water rights**

The Board may not issue a licence where an existing user holds a licence for the use of water in precedence to the applicant, unless the applicant satisfies the Board that the use of water or deposit of waste would:

- Have no adverse effect on another person entitled to use waters in precedence to the applicant;
- Any adverse effects caused by the use of waters or the deposit of waste would not be significant, and the applicant has paid or undertaken to pay the compensation the Board considers appropriate to that person; or
- The applicant has entered into an agreement to compensate that person for any adverse effects.

Furthermore, the Board may not issue a licence unless the applicant satisfies the Board that compensation the Board considers appropriate has been or will be paid under terms of an agreement by the applicant to other users who would be adversely affected by the proposed use of waters or deposition of waste and at the time of filing the application:

- Used waters for a domestic purpose in the Northwest Territories or in Nunavut;
- Held a licence under the NWNSRTA or the *Northwest Territories Waters Act* to deposit waste in the Northwest Territories or in Nunavut;
- Was an instream user in the Northwest Territories or in Nunavut,
- Was, as authorized by Regulations, using waters or depositing waste in the Northwest Territories or in Nunavut without a licence;
- Was an owner or an occupier of land in the Northwest Territories or in Nunavut; or
- Was a holder of an outfitting concession, a registered trapline or other rights of a similar nature in the Northwest Territories or in Nunavut.

Other users meeting the requirements set out above must respond to the notice of the application published by the Board within the time frame specified by the Board in order to give the applicant and the Board notification of their compensation claim. A failure to do so may disqualify their compensation claim. Claimants are required to complete and submit the *Application for Compensation Claim* form contained in Appendix B of this Guide.

In determining whether compensation for existing or other user claimants is appropriate, the Board will take into consideration all relevant factors including:

- Provable loss or damage;
- Potential loss or damage;
- Any adverse effect on the quality, quantity or flow of waters;
- The extent of the use of waters by persons who would be adversely affected;
- Any nuisance, inconvenience or disturbance, including noise; and

- The cumulative effects of the use of waters or deposits of waste proposed by the applicant and any existing uses of waters and deposits of waste.

The applicant must provide the Board with the names, addresses and nature of use for any known person or property that may be adversely affected by the proposed undertaking, including anyone that holds a licence for water use in precedent to the application, domestic users, in-stream users, authorized waste depositors, owners of property, occupiers of property, and/or holders of outfitting concessions, registered trapline holders, and holders of other rights of a similar nature. The applicant must also advise the Board if compensation has been paid and/or agreement(s) for compensation have been reached with any existing or other users.

### **Block 19- Inuit Water Rights**

In relation to IOL, any existing use of waters by Inuit has priority over any licensed use or deposit of waste by any person who has a mineral right.

When a use of waters or deposit of waste may substantially affect the quality, quantity or flow of waters flowing through IOL, the Board is prohibited from issuing a licence unless:

- The applicant has entered into an agreement with the DIO to pay compensation for any loss or damage; or
- Where negotiations have been undertaken in good faith and no agreement is reached, the Board has, on the request of the applicant or the DIO, made a determination of the appropriate compensation.

The applicant must advise the Board of any substantial affect of the quality, quantity or flow of waters flowing through IOL, and advise the Board if negotiations have commenced or an agreement to pay compensation for any loss or damage has been reached with one or more DIO.

In circumstances where the NWB is required to determine the appropriate amount of compensation, the Board will take into consideration the following factors:

- The adverse effects of the change in the quality, quantity, or flow of waters on the IOL;
- The nuisance, inconvenience, or disturbance, including noise, caused by the change;
- The cumulative effects of the change and of any existing uses of waters and deposits of waste;
- The cultural attachment of Inuit to the IOL, including waters;
- The peculiar and special value of the IOL including waters; and
- Any interference with Inuit rights derived from the NLCA, or otherwise.

Unless otherwise agreed upon by the applicant and the DIO, where the Board has made a determination regarding the appropriate amount of compensation, the Board will provide for the periodic review, for the purpose of adjustments, and periodic payment of that compensation. In addition, the costs incurred by the DIO in the determination process will be borne by the applicant. These provisions will be made conditions of any approval and licence issued by the Board.

## **Block 20- Consultation**

The applicant must provide a summary of any consultation meetings including when the meetings were held, where and with whom. The summary must include a list of concerns expressed and measures proposed to address concerns.

## **Block 21- Security**

The Board is permitted to require an applicant to furnish security with the Minister to:

- Compensate eligible persons where a compensation agreement has not been made; and
- Provide for abandonment of the undertaking, restoration of the site of the undertaking, and any ongoing measures required after the abandonment of the undertaking.

The Board requires an applicant to submit a financial security assessment for all water licence applications (regardless of the project size). Where applicable, this assessment should be prepared in a manner consistent with principles respecting mine site reclamation and implementation found in the *Mine Site Reclamation Policy for Nunavut*, Indian and Northern Affairs Canada, 2002. This document is available from the NWB's FTP site at <ftp://nunavutwaterboard.org/> as well as the following link: [http://www.ainc-inac.gc.ca/ps/nap/recpolnuna\\_e.pdf](http://www.ainc-inac.gc.ca/ps/nap/recpolnuna_e.pdf).

The financial security assessment must provide an estimate of the total financial security for final reclamation equal to the total outstanding reclamation liability for land and water combined sufficient to cover the highest liability over the life of the undertaking. For purposes of financial security assessment, estimates of reclamation costs must be based on the cost of having the necessary reclamation work done by a third-party contractor if the operator defaults. The estimate must also include contingency factors appropriate to the particular work to be undertaken.

For mining projects, the recognized methodology for calculating reclamation costs for purposes of financial security assessment is the RECLAIM or other similar, appropriate model. The RECLAIM model is available from the NWB FTP site.

## **Block 22- Financial information**

The Board may not issue a licence unless the applicant satisfies the Board that the financial responsibility of the applicant, taking into account past performance, is adequate for:

- The completion of the appurtenant undertaking;
- Such measures as may be required in mitigation of any adverse impact; and
- The satisfactory maintenance and restoration of the site in the event of any future closing or abandonment of that undertaking.

The Board requires each applicant to submit a statement of financial responsibility to satisfy this requirement. If the applicant is an entity for which audited financial

statements are issued, a copy of the most recent audited financial statements must be attached to the statement of financial responsibility.

Before issuing a water licence in the name of a corporation, limited company or other business entity, the NWB also requires a list of the officers of the company and a copy of the Certificate of Incorporation or evidence of registration of the company name. Non profit organizations must provide proof that they are a registered society or organization.

All financial information submitted with the application will be accessible to the public unless the applicant applies to the Board for protection of information. See section 8 of this Guide for more information regarding how to apply for protection of information.

### **Block 23- Studies undertaken**

The applicant must provide a list of information and studies concerning the use of waters or the deposit of waste that are required for the Board to evaluate the qualitative and quantitative effects of the use or the deposit on waters and include an electronic copy of each study in accordance with the NWB's *Guide 6 – Electronic Documentation: Submissions and Registry*.

### **Block 24- Proposed time schedule**

The applicant must indicate the proposed start and completion dates for each phase of development (construction, operation, closure and post closure) and indicate any anticipated periods of seasonal shut down.

### **Block 25- Proposed Term of Licence**

The applicant must propose a term of licence by indicating the expected date of licence issuance and the expected date of licence expiry. The term of licence cannot exceed 25 years.

In proposing a licence term, the applicant should consider the reasonably foreseeable life of the project. If, for example, an exploration project is anticipated to continue over a period of several years at a relatively consistent level of use with no significant changes anticipated, the applicant should apply for a multi-year licence to avoid the burden of preparing and filing an annual renewal application. In doing so, it is understood, that if project plans should change, an application may be made to amend or cancel the water licence.

In proposing the expected date of licence issuance, applicants should allow approximately three (3) months for processing of a type “B” application and one year for a type “A” application. The onus rests with the applicant to ensure the application is submitted with sufficient time for processing by the NWB.

### **Block 26- Annual Reporting**

The applicant must provide detailed information regarding the expected content of annual reports and a proposed outline or template of the annual report.

## **Block 27- Checklist**

A checklist for applicants is provided to confirm that minimum information requirements are met. The onus rests with the applicant to confirm receipt of the application by the NWB and all required minimum information requirements (if submitted separately) have been received.

## **Block 28- Signature**

The applicant must print their name and title at the end of the form and the representative who has the authority to sign on behalf of the applicant **must sign** the application.

If the application is being filed by another party on behalf of the applicant or proposed licensee, the application must also include a letter outlining the relationship between the parties as well as confirmation in writing by the applicant that the other person or company is working on its behalf.

Signatures, whether electronic or written, must be included on electronic applications and any electronic copies of the application.

## **6. How do I complete the Supplemental Information Guidelines?**

Supplemental information is required as part of the water licence application in accordance with section 48(2) of the Act which states:

*“An application, except in relation to a cancellation, shall be accompanied by the information and studies concerning the use of waters or the deposit of waste that are required for the Board to evaluate the qualitative and quantitative effects of the use or the deposit on waters.”*

To provide further guidance for these requirements, the NWB is, at the time of writing this guide, in the process of developing a Supplemental Information Guidelines (SIG) for specific classifications of undertakings taking into consideration the requirements of sections 48 (2) and (3) of the Act and section 6(2) of the Regulations.

It is anticipated that the provision of supplemental information requested by the guidelines will reduce delays that may arise from the Board having to solicit information after an application has already been submitted. At the time of writing this Guide, the following SIGs listed in Table 2 are under development.

**Table 2: Supplemental Information Guidelines**

<b>CLASSIFICATION OF UNDERTAKING</b>	<b>SUPPLEMENTAL INFORMATION GUIDELINE</b>	<b>REFERENCE</b>
<u>Industrial (I) Undertaking</u> meaning any industrial undertaking other than mining and milling, including manufacturing processes, hydrostatic testing, fluming, the exploration for, and production and transportation of oil and gas, cooling systems, food processing, tanneries, smelters, sawmills, pulp mills, metal finishing and tailings reprocessing.	Hydrostatic Testing	I1
	Tannery	I2
	Landfarm & On-Site Storage of Hydrocarbon Contaminated Soil	I3
	Onshore Oil and Gas Exploration Drilling	I4
<u>Mining and Milling (MM) Undertaking</u> meaning operation of a mine within the meaning of the <i>Canadian Mining Regulations</i> or the <i>Territorial Coal Regulations</i> , and any associated milling.	Mineral Exploration / Remote Camp	MM1
	Advanced Exploration	MM2
	Mine Development	MM3
<u>Municipal (MU) Undertaking</u> meaning any activity (a) in a municipality, or in a settlement comprising a multiplicity of residential units, that uses only a municipal water and sewage system, including domestic, horticultural, fire protection, commercial or industrial activities, or (b) in a camp or lodge.	Municipal	MU1
<u>Power (P)</u> meaning an authorized hydro or geothermal electrical generation of Class 0-6.	Hydro Power	P1
<u>Recreational (R)</u> meaning a commercial or public recreational development.	Camp (Remote or Tourist)	R1
<u>Miscellaneous (M)</u> meaning any other undertaking.	General Water Works	M1

Depending upon the scope of the project and the classification of undertaking under consideration, the applicant must provide supplemental information as part of its water licence application that addresses the most relevant SIG, recognizing that in certain circumstances more than one SIG may apply.

The water licence application must also include a concordance table that cross references the requirements of the SIG(s) with the documents that make up the water licence application. This will direct reviewers to the specific location in the water licence application package where the information required by the SIG can be found. The reference locations must be indicated by document and section number as appropriate. All documents referenced in the concordance table must be submitted as part of the overall water licence application and it is critical that information provided in all documentation is consistent.

Where the supplemental information addressing the SIG serves to satisfy the information requested on the *General Water Licence Application* form (located in Appendix A of this Guide), a note must be made on the *General Water Licence Application* form indicating as such.

The applicant should address the SIG to the best of their ability, recognizing that some of the information requested may not be relevant to the project under consideration. If specific information is requested by the SIG that does not relate to the project, the applicant is requested to indicate “N/A” (Not Applicable) in the concordance table and provide a justification.

Applicants must decide what level of detail is required in responding to the SIG, while realizing that if the NWB determines that information is lacking, the NWB may request additional information. Furthermore, depending upon the specific circumstances of a particular application, the NWB may request additional information that goes beyond the scope of the SIG. Most importantly, applicants should consider the use of water and disposal of waste related to the proposed activity as well as the qualitative and quantitative effects of the use of waters and deposit of waste.

Applicants should contact the NWB for specific guidance if seeking a licence for a classification of undertaking or activity for which an SIG has not been developed.

7. What information is required to complete plans including designs and reports required by the Regulations and the SIGs?

Applications submitted to the NWB must contain the information identified in section 6 of the Regulations as outlined in the following Table 3.

**Table 3: Requirements of section 6 of the Regulations**

Proposed Undertaking	Requirements
Dam	Plan showing the length, height, cross-sections and elevation of the dam and the location preliminary designs of spillways, canals, sluice pipes and any other outlet works.
	Data respecting the type and composition of the material to be used in the construction of the data.
Storage Reservoir	An estimate of the number of hectares of land to be flooded, the surface area in hectares, of the reservoir when filled and the contemplated total storage capacity of the reservoir.
	A plan showing representative cross-sections of the reservoir.
Watercourse Crossing	A plan of the crossing showing cross-sections and elevations.
	A description of the existing bed and banks of the watercourse.
	Any available data on the water flow of the watercourse.
Water use in respect of a municipal undertaking, a camp, lodge, municipality or settlement	A plan showing the location of the camp or lodge or the location, area and boundaries of the municipality or settlement.
	An indication of the approximate capacity of the camp or lodge or population of the municipality or Settlement.
	A plan of the intended water or sewage system, showing cross-sections and elevations.
Water use for an Industrial or Mining and Milling undertaking	Description of the undertaking and of all wastes produced and chemicals used in the operation of the undertaking.
Deposit of Waste	The location, rate, timing, frequency and duration of the deposit.
	The anticipated constituents of the deposit and the concentration thereof.
	The methods proposed for the storage and treatment thereof.
	An assessment of the qualitative and quantitative effects on the waters into which the waste is to be deposited.
Handling or Storage of Petroleum Products or Hazardous Materials	A plan for the safe handling, storage and disposal thereof.
	A contingency plan for containment and for the clean-up thereof in the event of a spill.
All	Plans for the abandonment, or any temporary closing, of the proposed undertaking.

Further to the provisions of the Regulations, the applicant must provide plans where the use of water and/or the deposit of waste is proposed, including where there is a potential impact on water through the deposition of waste. The applicant should provide measures to avoid or mitigate any adverse impact of the use of waters or the deposit of waste, as well as monitoring and management plans where appropriate. Site specific study reports must also be provided to support design and management plans.

Generally the NWB requires final plans to be submitted for review and approval. Submissions may be approved either as part of the water licence application or prior to construction as a condition of an approved water licence. Depending upon the complexity of the technical issues associated with a proposed undertaking, the NWB may request final plans to be submitted as part of the water licensing approval process.

The NWB requires plans, including design drawings and reports requiring the application of engineering principles to be developed to professional engineering standards and under the professional responsibility of individuals and firms registered with the Northwest Territories and Nunavut Association of Professional Engineers and Geoscientists (NAPEG).

When submitting engineering plans, including drawings and reports, the NWB encourages applicants to reference the NAPEG document entitled “*A Guideline to the Use of Stamps*”. As such, final drawings required by the NWB must be considered complete and include the statement “Issued for Construction” or other similar statement. Final drawings developed by a single engineering discipline must be signed, stamped and dated by a responsible design engineer and/or approving engineer registered with NAPEG. Final drawings developed by multiple engineering disciplines must be signed and stamped by a design engineer for each discipline and an approving engineer registered with NAPEG. Detailed drawings containing information from more than one discipline should be stamped by the working level professional for each discipline and the stamps should be qualified by the professionals involved. Registered firms must also include their NAPEG permit stamp on final drawings.

Final reports, including letter reports, required by the NWB, must be signed, stamped and dated by the responsible engineer and/or approving engineer and include the NAPEG permit stamp of the registered firm where appropriate.

Preliminary plans including drawings and reports are not normally stamped by a professional engineer, but should include the statement “Preliminary – Not for Construction” or other similar statement. The Board will not grant approval to proceed with a component of the undertaking for which only preliminary plans have been submitted.

Further guidance regarding the specific information required to complete plans including designs and reports for specific classifications of undertakings will be outlined in the forthcoming NWB’s SIGs as described in section 6 of this Guide.

## 8. How do I apply for protection of information submitted to complete my water licence application?

The Board may exempt from disclosure on the public registry information submitted to complete a water licence that has been identified by the applicant and determined by the Board to be confidential information (for example, information that is a trade secret, financial, commercial, scientific or technical information treated consistently in a confidential manner by the applicant, information the disclosure of which could threaten security, cause material financial loss or prejudice to the competitive position of parties or interfere with contractual relationships or negotiations).

An applicant who wishes to exempt confidential information from being posted on the public registry must:

- provide a version of their submission to be posted on the public registry that does not include the confidential information;
- provide the Board with a version of the submission that includes the confidential information deleted from the public version, with the confidential information separated from the remainder of the submission and marked “confidential”; and
- provide a written request to the Board outlining the basis of the applicant’s request for the exemption.

## 9. How do I complete an executive summary of my water licence application?

The Board requires a one page detailed executive summary of the application to be filed. The executive summary must emphasize the qualitative and quantitative effects of the proposed use of waters or the deposit of waste on the drainage basin where the use is to be undertaken or the deposit is to be made as well as the anticipated impact of the use or deposit on other users. The summary must include statements summarizing the following sections of the *General Water Licence Application*:

- Location of the undertaking;
- Description of the undertaking;
- Water use;
- Quantity of water involved;
- Waste;
- Other persons or properties affected by the undertaking;
- Predicted environmental impacts of the undertaking and proposed mitigation measures;
- Water rights; and
- Proposed time schedule.

## 10. How do I translate the executive summary of my water licence application?

The Board requires the executive summary of the application referred to in section 9 of this Guide to be translated into the appropriate language and dialect of the region where the undertaking is located. Translation of the executive summary is a minimum requirement to ensure that communities most affected by a potential undertaking are properly informed and have the opportunity to meaningfully participate in the application review process. Additional translation of the documents comprising the application may be required upon request. Communities east of Cambridge Bay require translation into Inuktitut, and communities west of and including Cambridge Bay require translation into both Inuktitut and Inuinnaqtun.

A list of translators is available from the NWB's Manager of Licensing (see contact information in part 2 section 4 of this Guide). The applicant is also encouraged to seek local translation advice and services where possible,

The Board is also required to conduct its business in both of the official languages of Canada in accordance with the *Official Languages Act* and any directives of the Minister. Therefore, the Board may also require translation of executive summaries into French.

## 11. What fees are required as part of my water licence application?

As shown in *Table 1: Application Checklist*, an application must include payment of two separate fees; (1) an application fee as described in section 11.1 of this Guide and (2) a water use fee as described in section 11.2 of this Guide.

### 11.1 Application fee

A fee of thirty dollars (\$30.00) Canadian (CDN) is required for **all** applications upon submission of an application in relation to a licence except where the Applicant is Her Majesty in Right of Canada, who is not required to pay any fees prescribed by the Regulations.

### 11.2 Water use fee

Water use fees of varying amounts are required depending upon the classification of the undertaking and the amount of water authorized for use (not to be confused with the amount of water actually used or the amount applied for). Section 9 of the Regulations outlines the fees payable by a licensee for the right to the use of water, calculated on an annual basis according to the classification of undertaking. The fees payable are the greater of the basic water use fee and the aggregate of the quantity based fee listed in the following Table 4.

**Table 4: Annual Water Use Fees**

Classification of Undertaking	Basic Water Use Fee (CDN)	Quantity Based Fee (CDN)
Industrial <sup>a</sup>	\$30.00	\$1.00/100m <sup>3</sup> /day for the first 2,000 m <sup>3</sup> /day \$1.50/100m <sup>3</sup> /day for quantities between 2,000 m <sup>3</sup> /day and 4,000m <sup>3</sup> /day \$2.00/100m <sup>3</sup> /day for quantities greater than 4,000m <sup>3</sup> /day
Mining and/or Milling <sup>a</sup>	\$30.00	Same as industrial
Municipal	-	-
Power <sup>b</sup>		
Class 0	-	Nil
Class 1	-	\$1,500
Class 2	-	\$4,000
Class 3	-	\$10,000
Class 4	-	\$30,000
Class 5	-	\$80,000
Class 6	-	\$90,000 for the first 100,000 kW of authorized production and \$1,000 for each 1,000 kW of authorized production in excess of 100,000 kW
Agricultural	\$30.00	\$0.15 for each 1,000m <sup>3</sup>
Conservation	-	-
Recreational	-	-
Miscellaneous <sup>a</sup>	\$30.00	Same as industrial

Notes:

- a) Where a licence authorizes the use of water on a basis other than a daily basis, the licence fee payable is calculated by converting the rate of authorized use to an equivalent daily rate.
- b) Classes of Power undertakings are defined in the NWB's *Guide 3 – Activities Requiring a Water Licence and Types of Water Licences*.
- c) Applies to Table: Where the volume of water is specified in a licence to be total watercourse flow, the licence fee will be calculated using the mean daily flow of the watercourse, calculated on an annual basis.
- d) Applies to Table: No fees are payable in respect of a diversion of water where the water is not otherwise used.
- e) Applies to Table: Licence fees are payable only for the portion of the year during which the licence is in effect.

To clarify the water use fee calculation set out in the Regulations, the following examples are provided for industrial undertakings.

**Example 1: Annual Water Use Fee Calculation (provided by INAC)**

Example #1) A 4785 m<sup>3</sup>/day or 1,746,525 m<sup>3</sup>/year industrial undertaking

1<sup>st</sup> 2000 m<sup>3</sup>/day @ rate of \$1.00 per 100 m<sup>3</sup>/day = \$20.00 per day

$$2000 \text{ m}^3/\text{day} \div 100 \text{ m}^3/\text{day} = 20 \text{ units of } 100 \text{ m}^3/\text{day}$$

$$20 \text{ units of } 100 \text{ m}^3/\text{day} \times \$1.00 \text{ for each } 100 \text{ m}^3/\text{day} = \$20.00 \text{ per day}$$

2<sup>nd</sup> 2000 m<sup>3</sup>/day (for water use between 2000 and 4000 m<sup>3</sup>/day) @ rate of \$1.50 per 100 m<sup>3</sup>/day = \$30.00 per day

$$2000 \text{ m}^3/\text{day} \div 100 \text{ m}^3/\text{day} = 20 \text{ units of } 100 \text{ m}^3/\text{day}$$

$$20 \text{ units of } 100 \text{ m}^3/\text{day} \times \$1.50 \text{ for each } 100 \text{ m}^3/\text{day} = \$30.00 \text{ per day}$$

The remaining 785 m<sup>3</sup>/day (for water use greater than 4,000 m<sup>3</sup>/day) @ rate of \$2.00 per 100 m<sup>3</sup>/day = \$15.70 per day

$$785 \text{ m}^3/\text{day} \div 100 \text{ m}^3/\text{day} = 7.85 \text{ units of } 100 \text{ m}^3/\text{day}$$

$$7.85 \text{ units of } 100 \text{ m}^3/\text{day} \times \$2.00 \text{ for each } 100 \text{ m}^3/\text{day} = \$15.70 \text{ per day}$$

Therefore the total daily rate is \$65.70 per day

$$\$20.00 + \$30.00 + \$15.70 = \$65.70 \text{ per day}$$

Thus for a full year of 365 days, the annual fee is \$23,980.50

$$\$65.70 \text{ per day} \times 365 \text{ days} = \$23,980.50 \text{ per year}$$

Example #2) A 20 m<sup>3</sup>/day or 7,300 m<sup>3</sup>/year industrial undertaking

20 m<sup>3</sup>/day (for water use less than 2,000 m<sup>3</sup>/day) at rate of \$1.00 per 100 m<sup>3</sup>/day = \$0.20 per day

$$20 \text{ m}^3/\text{day} \div 100 \text{ m}^3/\text{day} = 0.2 \text{ units of } 100 \text{ m}^3/\text{day}$$

$$0.2 \text{ units of } 100 \text{ m}^3/\text{day} \times \$1.00 \text{ for each } 100 \text{ m}^3/\text{day} = \$0.20 \text{ per day}$$

The other rates do not apply because no water is being used in those quantities.

Therefore the total daily rate is \$0.20 per day

$$\$0.20 \text{ per day} + \$0.00 \text{ for other water rates} = \$0.20 \text{ per day}$$

Thus for a full year of 365 days, the annual fee is \$73.00

$$\$0.20 \times 365 \text{ days} = \$73.00$$

A water use fee deposit of thirty dollars (\$30.00) Canadian (CDN) is required for all applications upon submission of an application in relation to a licence, except where the applicant is Her Majesty in Right of Canada or where the application is related to a municipal, conservation or recreational classification of undertaking.

The actual annual water use fee will be calculated by the NWB based upon the amount of water authorized for use in accordance with the Regulations at the time of issuance of the licence. The balance owing will be identified and due upon receipt of the licence. If the annual water use fee payable upon licence approval is less than the amount of the deposit, the difference will be refunded accordingly.

Where a licence is issued for a term of more than one year, the water use fee for the first year of the licence is either paid or refunded at the time the licence is issued (as described above), and the fee for each subsequent year of the licence, or for any portion of the final year of the licence, is due in advance, on or before the anniversary of the date of the issuance of the licence. When submitting water use fees, the period of applicability for the fee payment must be clearly defined, preferably in the cover letter to the submission. The Board does not send invoices for water use fee payment. It is the applicant's responsibility to make payments in a timely manner.

All fees must be submitted to the NWB in the form of a cheque, money order, or credit card information and made payable to the Receiver General for Canada. Do not send cash.

## 12. What happens if the NWB determines that my application is incomplete?

Once the NWB has received the application, the NWB conducts an internal preliminary check of the application for completeness to ensure that the information requirements set out above have been addressed. If the application is determined to be materially incomplete (ie. any item included in Table 1: Application Checklist is missing) the applicant will be informed by the NWB that their application has been rejected. In other cases, NWB staff will correspond with the applicant to resolve deficiencies before proceeding. A complete application will be assigned a NWB file number.

If the NWB has corresponded with the applicant to resolve deficiencies in the application and the application has remained deficient for an extended period of time, the NWB may contact the applicant to close the file.

## PART 2: SUBMITTING A WATER LICENCE APPLICATION

### 1. How do I submit my water licence application?

The applicant should follow steps 1 to 4 when submitting an application.

#### **Step 1: Check that the application is complete**

The applicant should ensure that the application has been completed in accordance with Part 1 of this guide and that it includes all the items listed in Table 1: Application Checklist.

#### **Step 2: Sign the application**

That applicant or its representative must sign the application. Unsigned applications will not be accepted.

#### **Step 3: Prepare copies of the application**

For all applications, the NWB requires at least one hardcopy and one electronic copy of the complete application package including all documents and forms.

In some cases, particularly for applications that require a type A licence or applications that warrant a public hearing (refer to the NWB's *Guide 3 – Activities the Require a Water Licence and Types of Water Licences*) the NWB may require additional copies of the application for interveners and interested parties to the public hearing process.

Paper hardcopies must be formatted in a form easily copied by standard office reproduction equipment using either legal or letter sized paper. Electronic copies must be formatted in Portable Document Format (PDF) readable by Adobe Acrobat version 4.

The following must be considered upon submission:

1. The electronic application must be submitted either on a standard formatted CD or through an e-mail attachment.
2. The application must be accompanied by a cover letter that lists the documents comprising the application.
3. The hardcopy must include a cover page that states the following: "This document is reproduced electronically and contains ### pages including the cover page. The electronic document is contained in the following PDF files:"
  - and list them in the same order as the printed hard copy;
4. If any discrepancies are found between the hard copy and the electronic copy, the electronic copy will be considered to be the authoritative copy.

5. All paper copies must contain a reference to the electronic file in the footer of each page.
6. If a signature is required on the document submitted, an electronic signature is acceptable provided that:
  - the person providing the electronic signature is readily identifiable;
  - the electronic signature is reliably linked to the document submitted; and
  - the electronic signature is protected such that it cannot be altered after filing.
7. Once an electronic file has been received and made public it cannot be edited and resubmitted. However amendments can be submitted under a separate file name.
8. Electronic file names cannot be re-used. Once issued, the file name becomes a permanent record identifier and will permanently be linked to the information.
9. Once an electronic file has been received and acknowledged by the NWB, any subsequent files received with the same name will be rejected unless the file originally received has been corrupted or only partially received. If a file is received and the NWB later determines that it does not conform to its guidelines outlined in section 3 of the NWB's *Guide 6: Electronic Documentation: Submission and Registry*, then the file may be uploaded to the electronic public registry or it may be noted as "replaced by file number" and a new file may be inserted.
10. The onus rests with the applicant to confirm receipt of documents by the NWB. This may be accomplished through the request for a read receipt when submitting documents via electronic mail.

Additional considerations are provided in the NWB's *Guide 6: Electronic Documentation: Submissions and Registry*.

#### **Step 4: Submit the application**

The complete, signed application and its copies must be received by the NWB Manager of Licensing. While courier or Canada Post is the most acceptable method of submitting an application, the NWB will also accept submission via e-mail provided that all the documents that make up the application are transmittable. When submitting an application via e-mail, the e-mail must reference the application number, the project name, as well as the applicant's name in the e-mail subject line. Referral to an applicant's FTP site is not an acceptable means of submission. (Applicants are advised that in the north, courier service may not be as efficient as Canadian Post.)

The applicant is advised that the NWB is not responsible for delays caused by circumstances outside of its control, such as postal delays, labour disputes, or weather conditions. The responsibility for ensuring that an application has been received by the NWB rests with the applicant. Therefore, applicants should confirm receipt with the Manager of Licensing following the submission of the application. This may be accomplished through the request for a read receipt when submitting applications via e-mail.

## 2. When should I submit my water licence application?

The applicant should plan on submitting their water licence application as soon as possible to give the NWB sufficient time to go through the water licensing process described in the NWB's *Guide 5: Processing a Water Licence Application*.

The amount of time required depends upon whether the application requires a land use plan conformity determination from NPC, whether the application requires an environmental assessment by NIRB, and whether the application is for a type A or B water licence.

## 3. Who do I contact about submitting my water licence application?

In addition to the Nunavut Water Board (NWB), applicants are encouraged to contact the Nunavut Planning Commission (NPC) regarding conformity with land use plans, the Nunavut Impact Review Board (NIRB) regarding development impact assessment requirements, and other Authorizing Agencies (AAs) with authority over certain aspects of the proposed undertaking. Refer to the NWB's *Guide 5: Processing a Water Licence Application* for more information regarding the NPC and NIRB requirements.

## 4. How do I contact the NWB?

If you have any questions regarding the content of this Guide contact the NWB. The NWB's Licensing Administration department is the first point of contact and will direct inquiries accordingly. The NWB's contact information is:

Nunavut Water Board  
P.O. Box 119  
Gjoa Haven, Nunavut  
X0B 1J0

Phone: (867) 360-6338  
Fax: (867) 360-6369  
E-mail: [licensing@nunavutwaterboard.org](mailto:licensing@nunavutwaterboard.org)  
Website: <http://www.nunavutwaterboard.org/>

All correspondence with the NWB related to a water licence application or approved licence must reference the application or licence number, the project name and the applicant's name. E-mail correspondence must include this information in the e-mail subject line.

FTP Site: <a href="ftp://nunavutwaterboard.org/">ftp://nunavutwaterboard.org/</a> Username: public Password: registry
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## APPENDIX A

### General Water Licence Application Form



P.O. Box 119  
 GJOA HAVEN, NU X0B 1J0  
 TEL: (867) 360-6338  
 FAX: (867) 360-6369

NUNAVUT WATER BOARD  
 OFFICE DES EAUX DU NUNAVUT

**GENERAL WATER LICENCE APPLICATION FORM**

<b>LICENCE NO:</b> (for NWB use only)	
<b>1. APPLICANT (PROPOSED LICENSEE) CONTACT INFORMATION</b>  Phone: _____ Fax: _____ e-mail: _____	<b>2. APPLICANT REPRESENTATIVE CONTACT INFORMATION</b>  Phone: _____ Fax: _____ e-mail: _____ <b>(attach authorization letter)</b>
<b>3. NAME OF PROJECT</b>	
<b>4. LOCATION OF UNDERTAKING</b>	
<b>Project Extents</b>  NW: Latitude: ( ° ' " N)                      Longitude: ( ° ' " W) NE: Latitude: ( ° ' " N)                      Longitude: ( ° ' " W) SE: Latitude: ( ° ' " N)                      Longitude: ( ° ' " W) SW: Latitude: ( ° ' " N)                      Longitude: ( ° ' " W)	
<b>Camp Location(s)</b>  Latitude: ( ° ' " N)                      Longitude: ( ° ' " W)	
<b>5. MAP - Attach a topographical map, indicating the main components of the undertaking</b>	
NTS Map Sheet No. _____                      Scale: _____	

**6. NATURE OF INTEREST IN THE LAND** - Check any of the following that are applicable to the proposed undertaking (at least one box must be checked)

**Sub-surface**

Mineral Lease from Nunavut Tunngavik Incorporated (NTI)  
 Date (expected date) of issuance: \_\_\_\_\_ Date of expiry: \_\_\_\_\_

Mineral Lease from Indian and Northern Affairs Canada (INAC)  
 Date (expected date) of issuance: \_\_\_\_\_ Date of expiry: \_\_\_\_\_

**Surface**

Crown Land Use Authorization from Indian and Northern Affairs Canada (INAC)  
 Date (expected date) of issuance: \_\_\_\_\_ Date of expiry: \_\_\_\_\_

Inuit Owned Land (IOL) Authorization from Kitikmeot Inuit Association (KIA)  
 Date (expected date) of issuance: \_\_\_\_\_ Date of expiry: \_\_\_\_\_

IOL Authorization from Kivalliq Inuit Association (KivIA)  
 Date (expected date) of issuance: \_\_\_\_\_ Date of expiry: \_\_\_\_\_

IOL Authorization from Qikitani Inuit Association (QIA)  
 Date (expected date) of issuance: \_\_\_\_\_ Date of expiry: \_\_\_\_\_

Commissioner's Land Use Authorization  
 Date (expected date) of issuance: \_\_\_\_\_ Date of expiry: \_\_\_\_\_

Other \_\_\_\_\_

Date (expected date) of issuance: \_\_\_\_\_ Date of expiry: \_\_\_\_\_

Name of entity(s) holding authorizations: \_\_\_\_\_

**7. NUNAVUT PLANNING COMMISSION (NPC) DETERMINATION**

Indicate the land use planning area in which the project is located

- |                                       |   |
|---------------------------------------|---|
| <input type="checkbox"/> North Baffin | <input type="checkbox"/> Keewatin       |
| <input type="checkbox"/> South Baffin | <input type="checkbox"/> Sanikiluaq     |
| <input type="checkbox"/> Akunnig      | <input type="checkbox"/> West Kitikmeot |

Is a land use plan conformity determination required?

- Yes  No

If Yes, indicate date issued and attach copy \_\_\_\_\_

If No, provide written confirmation from NPC confirming that a land use plan conformity review is not required.

<b>8.</b>	<p><b>NUNAVUT IMPACT REVIEW BOARD (NIRB) DETERMINATION</b></p> <p>Is an Article 12 Part 4 screening determination required?</p> <p><input type="checkbox"/> Yes <span style="margin-left: 200px;"><input type="checkbox"/> No</span></p> <p>If Yes, indicate date issued and attach copy _____          If No, provide written confirmation from NIRB confirming that a screening determination is not required.</p>		
<b>9.</b>	<p><b>DESCRIPTION OF UNDERTAKING - Attach plans and drawings or project proposal</b></p>		
<b>10.</b>	<p><b>OPTIONS – Provide a brief explanation of the alternative methods or locations that were considered to carry out the project.</b></p>		
<b>11.</b>	<p><b>CLASSIFICATION OF PRIMARY UNDERTAKING - Indicate the primary classification of undertaking by checking one of the following boxes</b></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <input type="checkbox"/> Industrial  <input type="checkbox"/> Mining and Milling (includes exploration/drilling/exploration camps)  <input type="checkbox"/> Conservation  <input type="checkbox"/> Municipal (includes camps/lodges)  <input type="checkbox"/> Power         </td> <td style="width: 50%; vertical-align: top;"> <input type="checkbox"/> Agricultural  <input type="checkbox"/> Recreational  <input type="checkbox"/> Miscellaneous (describe below): _____         </td> </tr> </table> <p>See Schedule II of <i>Northwest Territories Waters Regulations</i> for Description of Undertakings</p> <p>Information in accordance with applicable Supplemental Information Guidelines (SIG) must be submitted with an application for undertaking. Indicate which SIG(s) are applicable to your application.</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Hydrostatic Testing</li> <li><input type="checkbox"/> Tannery</li> <li><input type="checkbox"/> Tourist / Remote Camp</li> <li><input type="checkbox"/> Landfarm &amp; On-Site Storage of Hydrocarbon Contaminated Soil</li> <li><input type="checkbox"/> Onshore Oil and Gas Exploration Drilling</li> <li><input type="checkbox"/> Mineral Exploration / Remote Camp</li> <li><input type="checkbox"/> Advanced Exploration</li> <li><input type="checkbox"/> Mine Development</li> <li><input type="checkbox"/> Municipal</li> <li><input type="checkbox"/> General Water Works</li> <li><input type="checkbox"/> Power</li> </ul>	<input type="checkbox"/> Industrial <input type="checkbox"/> Mining and Milling (includes exploration/drilling/exploration camps) <input type="checkbox"/> Conservation <input type="checkbox"/> Municipal (includes camps/lodges) <input type="checkbox"/> Power	<input type="checkbox"/> Agricultural <input type="checkbox"/> Recreational <input type="checkbox"/> Miscellaneous (describe below): _____
<input type="checkbox"/> Industrial <input type="checkbox"/> Mining and Milling (includes exploration/drilling/exploration camps) <input type="checkbox"/> Conservation <input type="checkbox"/> Municipal (includes camps/lodges) <input type="checkbox"/> Power	<input type="checkbox"/> Agricultural <input type="checkbox"/> Recreational <input type="checkbox"/> Miscellaneous (describe below): _____		
<b>12.</b>	<p><b>WATER USE - Check the appropriate box(s) to indicate the type(s) of water use(s) being applied for.</b></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <input type="checkbox"/> To obtain water for domestic purposes  <input type="checkbox"/> To obtain water for industrial purposes  <input type="checkbox"/> To cross a watercourse  <input type="checkbox"/> To alter the flow of, or store water         </td> <td style="width: 50%; vertical-align: top;"> <input type="checkbox"/> Flood control  <input type="checkbox"/> To divert a watercourse  <input type="checkbox"/> To modify the bed or bank of a watercourse  <input type="checkbox"/> Other: _____         </td> </tr> </table>	<input type="checkbox"/> To obtain water for domestic purposes <input type="checkbox"/> To obtain water for industrial purposes <input type="checkbox"/> To cross a watercourse <input type="checkbox"/> To alter the flow of, or store water	<input type="checkbox"/> Flood control <input type="checkbox"/> To divert a watercourse <input type="checkbox"/> To modify the bed or bank of a watercourse <input type="checkbox"/> Other: _____
<input type="checkbox"/> To obtain water for domestic purposes <input type="checkbox"/> To obtain water for industrial purposes <input type="checkbox"/> To cross a watercourse <input type="checkbox"/> To alter the flow of, or store water	<input type="checkbox"/> Flood control <input type="checkbox"/> To divert a watercourse <input type="checkbox"/> To modify the bed or bank of a watercourse <input type="checkbox"/> Other: _____		

**13. QUANTITY AND QUALITY OF WATER INVOLVED** - For each type of water use indicated in Block 11, indicate the source of water, the quality of the water source and available capacity, the estimated quantity to be used in cubic meters per day as well as the quantities and qualities of water to be returned to source.

Name of water source(s): \_\_\_\_\_  
(show location(s) on map)

Describe the quality of the water source(s) and the available capacity: \_\_\_\_\_  
\_\_\_\_\_

Estimated quantity(s) of water to be used from each source:

- 100m<sup>3</sup>/day or less
- Greater than 100m<sup>3</sup>/day

Indicate the estimated quantities to be used for each purpose (camp, drilling, etc.)

\_\_\_\_\_

Describe the method of extraction: \_\_\_\_\_

Estimated quantity(s) of water returned to source(s) \_\_\_\_\_ m<sup>3</sup>/day

Describe the quality of water returned to source(s): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**14. WASTE** – Check the appropriate box(s) to indicate the types of waste(s) generated and deposited

- |  |   |
|--|---|
| <input type="checkbox"/> Sewage                  | <input type="checkbox"/> Waste oil                      |
| <input type="checkbox"/> Solid Waste             | <input type="checkbox"/> Greywater                      |
| <input type="checkbox"/> Hazardous               | <input type="checkbox"/> Sludges                        |
| <input type="checkbox"/> Bulky Items/Scrap Metal | <input type="checkbox"/> Contaminated soil and/or water |
| <input type="checkbox"/> Animal Waste            |   |
| <input type="checkbox"/> Other                   |   |

(describe): \_\_\_\_\_

**15. QUANTITY AND QUALITY OF WASTE INVOLVED** – For each type of waste indicated in Block 13, describe its composition, quantity in cubic meters/day, method of treatment and method of disposal.

Type of Waste	Composition	Quantity Generated	Treatment Method	Disposal Method

**16. OTHER AUTHORIZATIONS** – In addition to the sub-surface and surface land use authorizations provided in Block 6, indicate any other authorizations required in relation to the proposed undertaking. For each provide the following:

Authorization: \_\_\_\_\_

Administering Agency: \_\_\_\_\_

Project Activity: \_\_\_\_\_

Date (expected date) of issuance: \_\_\_\_\_ Date of expiry: \_\_\_\_\_

**17. PREDICTED ENVIRONMENTAL IMPACTS OF UNDERTAKING AND PROPOSED MITIGATION MEASURES** - Describe direct, indirect, and cumulative impacts

**18. WATER RIGHTS OF EXISTING AND OTHER USERS OF WATER**

Provide the names, addresses and nature of use for any known persons or properties that may be adversely affected by the proposed undertaking, including those that hold licences for water use in precedent to the application, domestic users, in-stream users, authorized waste depositors, owners of property, occupiers of property, and/or holders of outfitting concessions, registered trapline holders, and holders of other rights of a similar nature.

Advise the Board if compensation has been paid and/or agreement(s) for compensation have been reached with any existing or other users.

**19. INUIT WATER RIGHTS**

Advise the Board of any substantial affect of the quality, quantity or flow of waters flowing through Inuit Owned Land (IOL), and advise the Board if negotiations have commenced or an agreement to pay compensation for any loss or damage has been reached with one or more Designated Inuit Organization (DIO).

20.	<b>CONSULTATION</b> – Provide a summary of any consultation meetings including when the meetings were held, where and with whom. Include a list of concerns expressed and measures to address concerns,
21.	<b>SECURITY INFORMATION</b>  Provide a financial security assessment prepared in a manner consistent with the principals respecting mine site reclamation and implementation found in the <i>Mine Site Reclamation Policy for Nunavut</i> , Indian and Northern Affairs Canada, 2002.  Provide an estimate of the total financial security for final reclamation equal to the total outstanding reclamation liability for land and water combined sufficient to cover the highest liability over the life of the undertaking. <u>Estimates of reclamation costs must be based on the cost of having the necessary reclamation work done by a third party contractor if the operator defaults.</u>
22.	<b>FINANCIAL INFORMATION</b> Provide a statement of financial responsibility.  If the applicant is a business entity, provide a list of the officers of the company.  If the applicant is a business entity attach a copy of the Certificate of Incorporation or evidence of registration of the company name.
23.	<b>STUDIES UNDERTAKEN TO DATE</b> - List and attach copies of studies, reports, research, etc.

**24. PROPOSED TIME SCHEDULE** – Indicate the proposed start and completion dates for each applicable phase of development (construction, operation, closure, and post closure)

Construction  
 Proposed Start Date: \_\_\_\_\_ Proposed Completion Date: \_\_\_\_\_  
 (month/year) (month/year)

Operation  
 Proposed Start Date: \_\_\_\_\_ Proposed Completion Date: \_\_\_\_\_  
 (month/year) (month/year)

Closure  
 Proposed Start Date: \_\_\_\_\_ Proposed Completion Date: \_\_\_\_\_  
 (month/year) (month/year)

Post - Closure  
 Proposed Start Date: \_\_\_\_\_ Proposed Completion Date: \_\_\_\_\_  
 (month/year) (month/year)

For each applicable phase of development indicate which season(s) activities occur

Construction  
 Winter  Spring  Summer  Fall  All season

Operation  
 Winter  Spring  Summer  Fall  All season

Closure  
 Winter  Spring  Summer  Fall  All season

Post - Closure  
 Winter  Spring  Summer  Fall  All season

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**25. PROPOSED TERM OF LICENCE**

Number of years (maximum of 25 years): \_\_\_\_\_ years

Proposed Date of Issuance: \_\_\_\_\_ Proposed Expiry Date: \_\_\_\_\_  
 (month/year) (month/year)

---

**26. ANNUAL REPORTING** – Provide details regarding the content of annual reports and a proposed outline or template of the annual report.

**27. CHECKLIST** – The following must be included with the application for the water licensing process to begin

Written confirmation from the NPC confirming that NPC’s requirements regarding land use plan conformity have been addressed.

Yes                       No                      If no, date expected \_\_\_\_\_

Written confirmation from the NIRB confirming that NIRB’s requirements regarding development impact assessment have been addressed.

Yes                       No                      If no, date expected \_\_\_\_\_

Completed General Water Licence Application form

Yes                       No                      If no, date expected \_\_\_\_\_

Information addressing Supplemental Information Guideline (SIG) , where applicable (see Block 10)

Yes                       No                      If no, date expected \_\_\_\_\_

English Summary of Application

Yes                       No                      If no, date expected \_\_\_\_\_

Inuktitut and/or Inuinnaqtun Summary of Application

Yes                       No                      If no, date expected \_\_\_\_\_

Application fee of \$30.00 CDN (Payee Receiver General for Canada)

Yes                       No                      If no, date expected \_\_\_\_\_

Water Use fee of \$30.00 CDN (Payee Receiver General for Canada)

Yes                       No                      If no, date expected \_\_\_\_\_

**28. SIGNATURE**

Name (Print)	Title (Print)	Signature	Date
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**For Nunavut Water Board office use only**

**APPLICATION FEE**            Amount: \$ \_\_\_\_\_            Receipt No.: \_\_\_\_\_

**WATER USE DEPOSIT**    Amount: \$ \_\_\_\_\_            Receipt No.: \_\_\_\_\_

## APPENDIX B

### Application for Compensation Claim form



P.O. Box 119  
 GJOA HAVEN, NU X0B 1J0  
 TEL: (867) 360-6338  
 FAX: (867) 360-6369

NUNAVUT WATER BOARD  
 OFFICE DES EAUX DU NUNAVUT

### COMPENSATION CLAIM FORM

A person intending to make a claim for compensation under ss. 47, 58 or 60 of the Nunavut Waters and Nunavut Surface Rights Tribunal Act must fill out this form. Please attach additional pages where necessary.

<b>1. WATER LICENCE APPLICATION RESULTING IN CLAIM:</b>	
Application number: _____	
Date Application was filed with the NWB: _____	
Location and description of the proposed water licence application:	
<input type="checkbox"/> Nunavut <input type="checkbox"/> Northwest Territories	
<b>2. CLAIMANT INFORMATION</b>	
NAME AND MAILING ADDRESS OF CLAIMANT     Phone: _____ Fax: _____ e-mail: _____	SECONDARY NAME AND ADDRESS OF CLAIMANT (if applicable)     Phone: _____ Fax: _____ e-mail: _____
<b>3. BASIS FOR THE COMPENSATION CLAIM</b>	
Are you claiming compensation under sections 47 and 58 of the <i>Nunavut Waters and Nunavut Surface Waters Tribunal Act</i> ? :	
<input type="checkbox"/> Yes <input type="checkbox"/> No	
Are you claiming compensation as under section 60 of the <i>Nunavut Waters and Nunavut Surface Waters Tribunal Act</i> ? :	
<input type="checkbox"/> Yes <input type="checkbox"/> No	

<p>Will you be represented by anyone? If so, who will represent you and how can they be contacted?</p> <p>Name: _____ Mailing Address: _____</p> <p>Phone: _____ Fax: _____ e-mail: _____</p>
<p><b>4. INFORMATION ABOUT THE COMPENSATION CLAIM</b></p>
<p>Are you a licensed water user? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, indicate your licence number: _____</p>
<p>Are you a water licence applicant with an application currently under consideration by the Board?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, indicate your licence number: _____</p>
<p>Describe in detail the nature of your water use or proposed water use. Provide a map showing the location of your water use:</p>
<p>Please check any of the following that apply or applied to you or your organization at the time the water licence application resulting in the claim was filed:</p> <ul style="list-style-type: none"><li><input type="checkbox"/> I used water for domestic purposes in Nunavut</li><li><input type="checkbox"/> I held a licence under the NWNSRTA to deposit waste in Nunavut</li><li><input type="checkbox"/> I was an instream user in Nunavut</li><li><input type="checkbox"/> I was, as authorized by regulations made under the NWNSRTA, using water or depositing waste without a licence in Nunavut</li><li><input type="checkbox"/> I was an owner or occupier of land in Nunavut</li><li><input type="checkbox"/> I was a holder of an outfitting concession</li><li><input type="checkbox"/> I was a holder of a registered trapline</li><li><input type="checkbox"/> I was a holder of similar rights in Nunavut. Specify: _____</li></ul>
<p>If you own or occupy property along a watercourse affected by the licence under consideration, describe the nature of your holding and the use you make of it. Please indicate how long you have held the property interest. Give appropriate detail.</p>
<p>If you hold an outfitting, trapping or other right of similar nature, describe the nature of your interest and the use you make of the area. Please indicate how long you have held this interest. Give appropriate detail.</p>
<p>Describe how the proposed licence will affect your water use giving appropriate detail and provide a map of the affected area.</p>

Explain how the proposed licence will cause the above effects on your water use. Provide technical documents to support your explanation where appropriate.

Have you taken any steps to avoid or mitigate these effects? If so, describe them. Could you do anything more to avoid these effects? Please explain.

#### 5. INFORMATION ABOUT DAMAGES OR LOSS

Where the proposed licence may cause a change in water quality, quantity or flow, check any of the following indirect effects that may be caused by the change:

- nuisance
- inconvenience
- disturbance, including noise

Describe the indirect effect, indicating on a map where the indirect effect would occur.

Explain how the indirect effect would occur and how the proposed licence would cause the indirect effect?

What costs or damages have you suffered to date? Give details and indicate how you have come to any estimates of damages.

What damages or costs would you expect to suffer on an ongoing basis if the proposed licence is approved? Explain in detail how you have estimated these damages.

Have you applied for, or are you collecting compensation from any other source?

Yes                       No

If yes, give appropriate details:

If the Board makes a determination of compensation, do you have a preference in terms of the way it is paid? (ie. lump sum, periodic payment)

Would you prefer to receive compensation in another form? If so, describe.

**6. OTHER INFORMATION**

If there is any additional information that you can provide to assist the Board in making a determination on your claim, please provide it here.

**SIGNATURE**

\_\_\_\_\_

**Name (Print)**

\_\_\_\_\_

**Title (Print)**

\_\_\_\_\_

**Signature**

\_\_\_\_\_

**Date**