



Aboriginal Affairs and
Northern Development Canada

Affaires autochtones et
Développement du Nord Canada

MEMORANDUM OF UNDERSTANDING

**FOR A FRAMEWORK TO CO-OPERATE AND COORDINATE EFFORTS FOR
WATER MANAGEMENT, LICENSING AND ENFORCEMENT IN THE
NUNAVUT SETTLEMENT AREA**

BETWEEN:

THE NUNAVUT WATER BOARD (THE NWB)

AND:

**THE DEPARTMENT OF ABORIGINAL AFFAIRS AND
NORTHERN DEVELOPMENT CANADA (AANDC)**

PREAMBLE

WHEREAS the NWB and AANDC (the Parties) have interrelated regulatory co-management powers and duties under the *Nunavut Land Claims Agreement (NLCA)* and the *Nunavut Waters and Nunavut Surface Rights Tribunal Act (NWSRTA)*.

WHEREAS the NWB and AANDC are establishing a non-binding cooperative management framework to assist in discharging their respective water management, licensing and enforcement mandates efficiently and effectively.

WHEREAS this initiative must not fetter the statutory authority, discretion, powers or functions of either the NWB or AANDC. Likewise, it must not improperly influence any particular administrative process or decision before any statutory actor.

THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1.0 COORDINATION ACTIVITIES AND PROCESSES

1.1 All coordination activities and processes under this MOU shall:

- (a) respect the authority and reflect the decision-making powers of AANDC's Minister as set out in the *NWNSRTA*;
- (b) establish and implement efficient coordination mechanisms to: streamline procedures and policies; minimize duplication of administrative functions, technical assessment (where appropriate) and assessment; implement strategic water management initiatives; and provide consistent direction to stakeholders on any jurisdictional issues;
- (c) support positive interaction and open communication between the personnel responsible for water management in Nunavut and ensure consistent dialogue and communication between the Parties on water management, licensing, technical, enforcement and financial issues;
- (d) work together to improve how compliance with water licensing terms and conditions is verified in support of inspections, licensing and enforcement activities;
- (e) work together to improve governance, transparency and involvement of stakeholders in the design, implementation and monitoring of water licenses;
- (f) work together on water and waste education initiatives and enhance the information and education on strategic water management initiatives to the public;
- (g) work cooperatively to assess needs and to modernize the technological support systems in place for water license administration;
- (h) work together under the MOU in a manner that is consistent with the *NLCA* and give due regard and weight to Inuit, customs and knowledge; and
- (i) improve support for national efforts on water management issues as they relate to the North.

2.0 LABORATORY SERVICES

- 2.1 The Head of Laboratory Services for AANDC will continue to be the "Analyst" as defined in the *NWNSRTA* and as appointed by the Minister of AANDC.

3.0 REPORTING

- 3.1 Each of the Parties will also develop internal mechanisms to document and track their progress in respect of coordination initiatives adopted under this MOU and will provide a progress report on these initiatives during the Parties' bi-annual meeting.

4.0 RESOURCE COMMITMENT

- 4.1 The costs of the NWB shall be the responsibility of AANDC. The NWB shall prepare an annual budget, subject to review and approval by AANDC.

5.0 PRIMARY CONTACTS

The primary contacts for the Parties under this MOU are as follows:

(a) For Governance or Executive matters:

NWB Contact

Executive Director
PO Box 119
Gjoa Haven, NU X0B 1J0

Tel: 867-360-6338
Fax: 867-360-6369
Email: dionne@nuanvutwaterboard.org

AANDC Contact

Regional Director General
PO Box 2200
Iqaluit, NU X0A 0H0

Tel: 867-975-4501
Fax: 867-975-4560
Email: robin.aitken@aandc.gc.ca

(b) For matters related to licence applications, or licensing process:

NWB Contact

Manager of Licensing
PO Box 119
Gjoa Haven, NU X0B 1J0

Tel: 867-360-6338
Fax: 867-360-6369
Email: licensing@nuanvutwaterboard.org

AANDC Contact

Manager, Water Resources
PO Box 2200
Iqaluit, NU X0A 0H0

Tel: 867-975-4550
Fax: 867-975-4585
Email: david.abernethy@aandc.gc.ca

(c) For matters related to water licence compliance, inspection and/or enforcement:

NWB Contact

Director of Technical Services
PO Box 119
Gjoa Haven, NU X0B 1J0

Tel: 867-360-6338
Fax: 867-360-6369
Email: dts@nunavutwaterboard.org

AANDC Contact

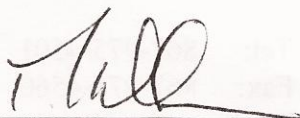
Manager, Field Operations
PO Box 2200
Iqaluit, NU X0A 0H0

Tel: 867-975-4550
Fax: 867-975-4585
Email: bernie.macisaac@aandc.gc.ca

6.0 MEETINGS/BI-ANNUAL REVIEW

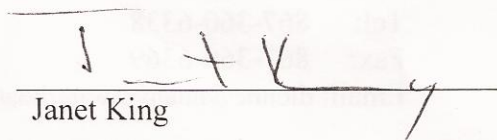
- 6.1 The Parties agree to meet in person at least twice annually (wherever possible, these meetings will be scheduled to coincide with other activities to minimize costs) to review the status of initiatives taken under this MOU and to undertake the joint planning necessary to review implementation issues and identify future initiatives necessary to comply with the spirit and intent of this MOU.

IN WITNESS WHEREOF, the Parties to this Memorandum of Understanding have signed on the 20 day of April, 2012.



Thomas Kabloona

Chairman
Nunavut Water Board



Janet King

Assistant Deputy Minister,
Northern Affairs Organization
Aboriginal Affairs and Northern
Development Canada