



**GWICH'IN LAND AND WATER BOARD**  
**Box 2018 Inuvik, NT X0E 0T0**  
**Ph: 867-777-4954**  
**Fx: 867-777-2304**  
**www.glwb.com**

---

November 30, 2015

File: G15L8-001  
G15L8-002

GNWT Department of Transportation  
Attention Gurdev Jagpal  
Box 2038  
Inuvik, NT X0E 0T0

**Re: Water Licences G15L8-001 (G99L8-001 Renewal - Peel River Ferry Landings)  
and G15L8-002 (G99L8-002 Renewal - Mackenzie River Ferry Landings)**

Mr. Jagpal,

Attached are duplicates of Water Licences No. G15L8-001 and G15L8-002, granted to the GNWT Department of Transportation (DOT) by the Gwich'in Land and Water Board (GLWB) in accordance with the *Waters Act* and the *Mackenzie Valley Resource Management Act* and Regulations. The original documents have been filed in the Registry, and copies have been placed in the Public Register at the GLWB office in Inuvik, NT.

Also attached are general procedures for the administration of Water Licences in the Northwest Territories. We request that you review these and address any questions to the Board's office.

Please be advised that this letter with attached procedures, all inspection reports, and correspondence related thereto are part of the Public Water Register, and are intended to keep all interested parties informed of the manner in which the Licence requirements are being met.

Letters of advice from Environment Canada, Fisheries and Oceans Canada, GNWT Environment and Natural Resources, the Gwich'in Social and Cultural Institute, the Gwich'in Renewable Resources Board, the Gwich'in Tribal Council, the Gwich'ya Gwich'in Council, the Hamlet of Fort McPherson, the Tetlit Gwich'in Council, and the Tetlit Renewable Resources Council have been forwarded to you. We trust you have reviewed these documents as they do provide information regarding legal requirements under the

jurisdiction of the respective departments, as well as stated preferences and requests by the reviewers for your consideration.

In considering the above letters of advice, along with compliance records and historic performance, the Board has updated the Licence Terms and Conditions to include the following:

A number of suggestions in the above letters of advice suggest improvements to the DOTs Spill Contingency Plan (SCP). Please review these comments, and if applicable, modify the SCP accordingly. The Board appreciates DOTs commitment to work with the GRRB and local RRCs to develop a method for the effective and timely notification of residents and traditional land users in the event of a spill. This information, along with the details provided by DOT outlining the training received by landing workers should be included. This updated SCP should be submitted to the Board for approval alongside the Annual Report by March 31, 2016.

The buildup of silt and sandbars downstream of ferry landing operations continues to be an area of concern for traditional land users. Water Licence inspection reports indicate that DOT has been in non-compliance with the requirement to use sediment control measures, while Annual Reports contest their effectiveness and practicability. The Board thus requests a brief report which outlines the types of sediment control measures that were employed over the course of the last Licence period, a discussion of their effectiveness, and DOT's plans to address sediment control over the upcoming renewal term. This report should also include background information on natural sedimentation in the Peel and Mackenzie Rivers, and a discussion on the cumulative effects of sediment deposition into the river systems by various sources, including ferry landing operations. The Board Requests that this information be submitted for approval alongside the Annual Report by March 31, 2016.

Several of the reviewing organizations have recommended improvements to, and an expansion of, the Local Area Monitoring Plan. In order to determine the effectiveness of the current Monitoring Program, the Board is requesting a summary report which highlights the results of the 5 year program. This report should address the objectives of the original Plan, including an analysis of the changes in river morphology (if any) that have been observed at the ferry landing locations and a comparison to any changes at upstream control sites; a summary of fish harvesting statistics; comments on the effectiveness of aerial imaging to track changes to river morphology; and a section on lessons learned and suggestions for improvement to study design. The Board Requests that this information be submitted for approval alongside the Annual Report by March 31, 2016.

The Board also asks that DOT use the results of the summary report, along with advice received in consultation with the Gwich'in Renewable Resources Board, the Gwichya Gwich'in Renewable Resources Council and the Tetlit Gwich'in Renewable Resources

Council, to develop an updated version of the Local Area Monitoring Plan. It is expected that this updated Plan take into consideration Traditional as well as scientific knowledge, and effectively capture both quantitative and qualitative data as a means to assess fish health. The Board Requests that this information be submitted for approval alongside the Annual Report by March 31, 2016.

As indicated by the requests for a Public Hearing that were received, the Board recognizes that there is a significant amount of public concern surrounding the ferry landing operations. While, at this time the Board does not see fit to hold a hearing, it is important to the Board that the communities are kept up to date on the activities regarding the licensed undertakings, and are given an ongoing opportunity to provide feedback. The requirement for DOT to conduct annual meetings with the communities has thus been extended. The Board notes and appreciates DOTs commitment to improve communication measures by initiating a semi-annual newsletter.

Although the Board has not specifically addressed all commitments made by DOT in the course of the community meetings through the 2010-2015 Licensing period, the Board does expect DOT to follow up on and meet these commitments.

Lastly, the Board appreciates the DOTs commitment to work with the Gwich'in Tribal Council to address their request for an agreement through Chapter 19.1.15 of the Gwich'in Comprehensive Land Claim Agreement.

The full co-operation of the Department of Transportation is anticipated and appreciated.

A handwritten signature in black ink, appearing to read "Paul Sullivan". The signature is fluid and cursive, with the first name "Paul" being larger and more prominent than the last name "Sullivan".

Paul Sullivan, Chair

cC: Stephen Charlie – Regional Superintendent – ENR – Inuvik Region  
Rhonda Batchelor – Director Environmental Affairs - GNWT DOT

GENERAL PROCEDURES FOR THE ADMINISTRATION OF LICENCES  
ISSUED UNDER THE NORTHWEST TERRITORIES WATERS ACT  
IN THE NORTHWEST  
TERRITORIES

---

1. At the time of issuance, a copy of the Licences is placed on the Water Register in the office of the Gwich'in Land And Water Board (GLWB) in Inuvik, and is available to the public
2. To enforce the terms and conditions of the Licences, the Minister has appointed Inspectors in accordance with Section 65 (1) of the *Waters Act*. The Inspectors coordinate their activities with the officials of the Gwich'in Land and Water Board Staff.
3. To keep the GLWB and members of the Public informed of the Licensee's conformity to the Licence conditions, the Inspectors prepare reports, which detail observations on how each item in the Licence has been met. These reports are forwarded to the Licensee with a covering letter indicating what action, if any, should be taken. The Inspection reports and covering letters are placed on the public Water Register, as are any responses received from the Licensee, pertaining to the inspection reports. It is therefore of prime importance that you react in all areas of concern regarding all inspection reports so that these concerns may be clarified.
4. If the renewal of Licences No. G15L8-001 and G15L8-002 is contemplated; it is the responsibility of the Licensee to apply to the GLWB for renewal. The past performance of the Licensee, new documentation and information, points raised during any public hearing, if required, will be used to determine the terms and conditions of any Licence Renewal. Please note that if the Licence expires and the Licensee has not been issued a new Licence, then activities must cease, or the Licensee, would be in contravention of the Northwest Territories Water Act. It is suggested that an application for renewal of this Licence be made at least three months in advance of the Licence expiry date.

If for some reason, Licences No. G15L8-001 and G15L8-002 require an amendment, a public hearing may be required. You are reminded that applications for amendments should be submitted as soon as possible to provide the Board with ample time complete the amendment process.

5. Specific clauses of your Licence may make reference to the Board, Analyst or Inspector. The contact person, address, phone and fax number of each is:

BOARD            Leonard DeBastien, Executive Director  
                      Gwich'in Land and Water Board  
                      P.O. Box 2018  
                      INUVIK, NT X0E  
                      0T0  
                      Phone: (867) 777-6621        Fax: (867) 777-2304

INSPECTOR        Philippe Thibert-Leduc, Water Resource Officer  
                      GNWT, Environment and Natural Resources  
                      PO Box 2749  
                      Inuvik NT X0E 0T0  
                      Phone: (867) 678-6676        Fax: (867) 678-6699

ANALYST           Analyst  
                      Taiga Environmental Laboratory  
                      GNWT Environment and Natural Resources  
                      4601 - 52nd Avenue  
                      Yellowknife, NT X1A 2L9  
                      Phone: (867) 765-6645        Fax: (867) 920-8740