



Mr. Paul Sullivan
Chair
Gwich'in Land and Water Board
P.O. BOX 2018
INUVIK NT X0E 0T0

Dear Mr. Sullivan:

Amendment to the Terms and Conditions of Water Licences G15L8-001 and G15L8-002

Thank you for your letter dated November 30th, 2015, notifying the Department of Transportation of the issuance of the above noted water licences. As you may be aware, the Ferry Landings and the two Ferries are of strategic importance to the people and economic community in the Inuvik Region. The amount of comments and discussion generated by our application demonstrates how passionate the people of the region are about the ferry landings. Maintaining and operating the ferry landings also enables the Department to carry out its mandate for the safe and efficient movement of people and goods throughout the NWT. To better address local concerns and to ensure DOT meets its mandate, please accept this letter and the attached application to amend water licences G15L8-001 and G15L8-002.

RE: The LAMP Report - Part B Sections 6 and 7

During the previous water licence term, DOT stepped up communications with communities and monitoring efforts on the rivers. Community meetings were held on an annual basis in order to discuss the LAMP results and any concerns the communities may have had with ferry landing maintenance and operations. The most commonly heard concerns were about fish habitat and fish health around the ferry landings and the potential for sedimentation occurring down river as a result of landing activities. Because of these concerns DOT designed and put into place the Local Area Monitoring Program (LAMP). The specific goals of the LAMP were to get feedback on the health of

.../2

the fish, using traditional knowledge and community feedback, and to try and get a picture of the river bottoms upstream and downstream of the landings, twice per year, through a bathymetric survey. While it can be said that the report on the whole was a success, field data pertaining to, and community feedback on, fish habitat and fish health proved to be the most positive and successful portion of the report. The five years of bathymetry information does not indicate any effects from the ferry landings on the overall geomorphology of the rivers. As such DOT is re-evaluating options to evaluate for any potential sediment issues arising from the ferry landings.

DOT recognizes the importance of good communication and has indicated that communication with communities will be stepped up again so that annual community meetings will be augmented by some form of communication in between, such as a newsletter, a formal letter, or speaking at a community meeting.

The following discussion looks at Section 6 a) and c) of the Licence and the following points that the Department wishes to clarify:

- *Section 6 – The Licensee shall submit to the Board, by March 31, 2016, a summary report of the 2011-2015 [LAMP] for the [Peel and Mackenzie] River ferry landings. This report shall include but not be limited to:*
 - a) *an analysis of the suite of bathymetric maps, including a discussion of the changes in river morphology (if any) that have taken place near the ferry landings in the past 5 years, and a comparison to any changes at upstream control sites.*

The Department is able to discuss the bathymetric maps that were produced for the LAMP report, however we are unable to speak to changes in river morphology and to any changes which may or may not have occurred upstream. This request falls outside of the scope of the original LAMP and the maps which we have produced will not contribute to the kind of discussion being sought by this section.

- c) *a discussion of the effectiveness of aerial imagery as a means to identify changes in river morphology. Include 3D riverbed images and/or aerial image overlays from ferry landing sites, and a comparison of imagery from control areas.*

The Department is not in possession of aerial imagery of the landings. We have initiated dialogue with others within the Territorial government to acquire any aerial photographs of the landing sites. Due to the timelines associated with searching for and acquiring any aerial photographs of the landing sites, and then analyzing them to determine any changes in river morphology due to the ferry landings, DOT is requesting an extension to the timelines to December 31, 2016. DOT is not in possession of any 3D models as this was outside the scope of the original LAMP, therefore DOT cannot produce this information.

- Section 7 – *The Licencee shall, in consultation with the [GRRB], the Gwichya Gwich'in [RRC] and/or the Tetlit Gwich'in [RRC], submit to the Board for approval, by March 31, 2016, an updated version of the [LAMP] for the [Peel and Mackenzie] River ferry landings.*

Given the short timeline between the Licence issuance date and March 31st, 2016 and in order to ensure that the monitoring program is as effective as possible, an extension to the deadline is required. Building upon the success of the first five years of reporting under the LAMP, the Department is developing an updated LAMP program aimed at further clarifying the ferry landings and their place within the river environment. DOT is currently evaluating options to evaluate sediment movement that may involve measuring and monitoring of total suspended solids or turbidity rather than bathymetry. DOT is also exploring the cooperation and coordination of activities with other specialized GNWT staff and Departments. DOT is also working on continuing with highly successful and informative community participation and survey methods and how that knowledge can be applied in the future. DOT is seeking a one year extension to this requirement, during which time current LAMP activities and reporting will continue. DOT is requesting Section 7 be modified to March 31, 2017 rather than 2016.

RE: Sedimentation and Sediment Control Report – Part B: Section 8

The Land and Water Board has asked that DOT produce a report pertaining to sedimentation and sediment control methods on the river and at the ferry landings, by March 31, 2016. The Department of Transportation wishes to address these

requirements here and asks that the licence then be amended to remove this requirement.

a) The types of sediment control measures that were employed over the course of the 2010-2015 Licence period and a discussion of their effectiveness;

As was noted during the Licence renewal period, DOT utilizes granular material which is both clean and local, having come from a quarry not far from either set of ferry landings. This material was chosen at the outset of ferry landing operations because of the anticipated limited effects on the river environment.

Further, the aggregate placed on the landings is sloped such that movement is minimized. DOT disagrees with the statement saying the Water Licence Inspection Reports indicated DOT was in non-compliance with the requirement to use sediment controls. It is not uncommon for large powerful rivers to have limited sediment and erosion control options when working in-water. DOT is utilizing practicable erosion and sediment controls and is actively involved as erosion and sediment control practitioners, which can be seen by the development of our own Erosion and Sediment Control Manual for use both internally and by our contractors. DOT is always open to any suggestions as to feasible and functional erosion and sediment control methodologies at the ferry landings.

b) Plans to address sediment control in the upcoming renewal period;

It is DOT's position that current methods have been effective at controlling sediment from the landings. Inspection reports have consistently noted that sediment control measures are effective. Taking readings of TSS at strategically placed stations as a part of an updated LAMP may also help identify whether further actions need to be taken with regards to sediment control, including during any specific in-water activities or works. DOT will also continue the practice of ensuring stockpiled aggregate is stored above the ordinary high water mark.

c) Background information on natural sedimentation in the Peel and Mackenzie Rivers; and,

- d) *A discussion on the cumulative effects of sediment deposition into the river systems by various sources, including ferry landing operations.*

Since these two requirements are similar, they will both be addressed here. As indicated in the licence, there are various natural sources which contribute to the high sediment load of both rivers. There are also a number of reports dating back to the 1980's which have attempted to quantify the amount of sediment in the river system of the Mackenzie Delta (eg. greater than 100 million tonnes per year). It is DOT's position that the amount of clean, locally sourced material that DOT uses on the landing is insignificant compared with the amount of naturally occurring sediment already present in the rivers and the sheer number of naturally occurring contributors to the sediment load of the river.

It is worth noting that DOT has operated and maintained the ferry landings for 20+ years and while there has been continued concern as to the effect the landings are having, studies and observations continue to indicate that the landings are not negatively affecting the rivers. Studies on this topic include:

- Geo North Aquatic Effects Study for the Ferry Crossing near Tsiigehtchic and Fort McPherson, NT, 2002-2003

An aquatic effects study completed in 2002-2003 by GeoNorth-AMEC-Ross titled Geo North Aquatic Effects Study for the Ferry Crossings near Tsiigehtchic and Fort McPherson, NT, uses traditional knowledge to demonstrate low environmental impacts to the Mackenzie and Arctic Red River associated with this water use. The Study provides information and background with regards to traditional use, cabins, and traditional fishing focusing on the areas mainly surrounding the ferry landings. The general findings of the report are that the ferry landing operations are not having a significant impact on fish populations (consistent with DOT's LAMP Report findings; see below) and siltation impacts are comparable to natural processes. The report, which was also submitted with the 2010 renewal application, is available on request for review and consideration.

- Structural Alternatives Study; DOT's Water Licence; Peel River (G99L8-001) and Mackenzie River (G99L8-002) 2003; updated in 2010.

The purpose of this study was to investigate alternatives to the current ferry

landing construction practices at the ferry crossings near Tsiigehtchic and Fort McPherson. The intent was to identify suitable alternatives that may eliminate

the need to continuously build up the ferry landing with gravel. The study found that as a result of unique geological and hydrological features in the area including permafrost, extreme debris and ice flows, cold temperatures, and rapidly fluctuating water levels the feasibility of other construction options are limited. DOT produced and submitted an updated report in 2010.

- Local Area Monitoring Program (LAMP) Report, 2010-2014.

In 2010 DOT was asked to carry out a 5 year monitoring program to further try and identify effects on the River and the community fisheries created by the ferry landings. The program, called the Local Area Monitoring Program (LAMP), currently in its final year, involves taking depth readings from a boat twice a year once in the summer and once in the fall, and also involves gathering traditional fishing information from community members in the form of a survey; twice annually as well. All data is gathered with, and would not be possible without, assistance from the community members and the local Renewable Resource Council (RRC). To date, data gathered has shown the continued existence of a strong, healthy and resilient fishery. The final 2015 LAMP report will be released in March 2016.

As you can see, DOT has sought confirmation and with the help of community members and consulting firms specializing in aquatic environments, has provided studies and reports showing that the landings are not having an effect and that there still exists a healthy and vibrant local fishery unaffected by the landings.

That being said, DOT commits to an appropriately scaled monitoring program to continue to ensure the ferry landings are not negatively affecting the environment.

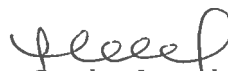
DOT recognizes and respects the Gwich'in Comprehensive Land Claim Agreement, however DOT does not see any rationale to discuss Chapter 19.1.12 of the land claim agreement with the Gwich'in Tribal Council at this time.

In your cover letter, there is mention of compliance records and historic performance. Our records indicate a good compliance history and that any issues were addressed appropriately and in a timely manner. The DOT Regional office encourages the Board to engage us on this topic if warranted.

DOT is also seeking an extension to *Part B: Section 5*, the requirement to meet with the communities of Tsiigehtchic and Fort McPherson during the current reporting period. Current operational requirements are such that DOT staff are unable to attend these valuable community meetings at the time stated in the licences. DOT would like to utilize annual travel plans already in place for the LAMP during the end of June/early July and hold the meetings during that time. Community concerns, observations, and suggestions from the meetings will be sent by DOT to the GLWB after the summer meetings. Further, DOT has committed to providing a newsletter to both communities, twice per year, updating them on activities at the ferry landings. One such letter will be sent to both communities prior to ferry operations getting underway this year; any questions, comments, and concerns the community may have can be forwarded to the Department via the contact number on the newsletter. The Department is not seeking to absolve themselves of this requirement but rather to postpone it to a time with less demanding operational requirements and to utilize travel efficiencies.

The Department of Transportation appreciates your consideration and cooperation with the requested amendment.

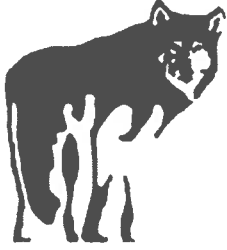
Sincerely,



Gurdev Jagpal
Regional Superintendent - Inuvik
Department of Transportation

c. AlecSandra Macdonald
Regulatory Specialist
Gwich'in Land and Water Board

Rhonda Batchelor
Director, Environmental Affairs
Department of Transportation



Gwich'in Land and Water Board

Box 2018 Inuvik NT X0E 0T0

PH 867 777 7860 FX 867 777 7970

SCHEDULE III

(Subsection 6(1) of the Northwest Territories Water Regulations)

APPLICATION FOR WATER LICENCE, AMENDMENT OF LICENCE OR RENEWAL OF LICENCE

APPLICATION/LICENCE NO: G15L8-001

AMENDMENT

1. NAME AND MAILING ADDRESS OF APPLICANT

Applicant's Name: Gurdev Jagpal, Regional Superintendent
Department of Transportation, Government of the Northwest Territories

Mailing Address: PO Box 2038

Community: Inuvik

Prov/Terr: NT

Postal Code: X0E 0T0

Telephone: 867-777-7343

Fax: 867-777-4290

Email Gurdev_jagpal@gov.nt.ca

Other: n/a

2. ADDRESS OF HEAD OFFICE IN CANADA IF INCORPORATED

Mailing Address: PO Box 2038

Community: Inuvik

Prov/Terr: NT

Postal Code X0E 0T0

Telephone: 867-777-7343

Fax 867-777-4290

3. LOCATION OF UNDERTAKING

The amendment does not require a location but is for the above noted water licence which was granted to DOT for ferry landing operations located at the Peel River, along Highway 8 (Dempster highway).

Ferry crossing at the Peel River near Fort McPherson, along Highway 8 (Dempster highway)

KM 74.5 (67°34'08N, 134.8703W)

KM 74.3 (67°33'48N, 134.8791W)

4. DESCRIPTION OF UNDERTAKING

The amendment being applied for is to the following terms and conditions of the Water Licence:

- Part B: Section 5;
- Part B: Section 6 (a) and (c);
- Part B: Section 7; and,
- Part B: Section 8.

Please see the attached cover letter and table for further information.

5. TYPES OF UNDERTAKING

- 1- Industrial
- 2- Mining and milling
- 3- Municipal
- 4- Power
- 5- Agriculture
- 6- Conservation
- 7- Recreation
- 8- Miscellaneous (describe) **X Maintenance of existing ferry landings**

6. WATER USE

To obtain water
Flood control
To cross a water course
To divert water
To modify the bed or bank of a watercourse **X**
To alter the flow or, or store, water
Other

7. QUANTITY OF WATER INVOLVED

No water will be used for this amendment.

8. WASTE DEPOSITED

No waste will be generated or deposited for this amendment.

9. OTHER PERSONS OR PROPERTIES AFFECTED BY THIS UNDERTAKING

No persons or properties are anticipated to be affected by this amendment.

Engagement began on February 23, 2016 in order to notify stakeholders of the amendment application.

The following table identifies the complete listing of parties identified for engagement:

- Gwich'in Tribal Council, Lands & Resources;
- Nihtat Gwich'in Council , DGO;
- Nihtat Renewable Resource Council;
- Inuvik Native Band;
- Tetlit Gwich'in Council, DGO;
- Tetlit Renewable Resource Council;
- Tetlit Gwich'in Band;
- Gwichya Gwich'in Band;

- Gwichya Renewable Resource Council;
- Gwichya Gwich'in Council, DGO;
- Ehdiitat Gwich'in Council, DGO;
- Ehdiitat Renewable Resource Council;
- Aklavik Indian Band;
- Gwich'in Social and Cultural Institute;
- Gwich'in Renewable Resource Board;
- Gwich'in Land Use Planning Board;
- Town of Inuvik;
- Hamlet of Fort McPherson;
- Hamlet of Aklavik; and,
- Charter Community of Tsiigehtchic.

10. PREDICTED ENVIRONMENTAL IMPACTS OF UNDERTAKING AND PROPOSED MITIGATION

There are no predicted environmental impacts or required mitigations for this amendment.

11. CONTRACTOR AND SUB-CONTRACTORS

There have been no contractors identified for this amendment.

12. STUDIES UNDERTAKEN TO DATE

- Geo North Aquatic Effects Study for the Ferry Crossing near Tsiigehtchic and Fort McPherson, NT, 2002-2003
 - An aquatic effects study completed in 2002-2003 by GeoNorth-AMEC-Ross titled Geo North Aquatic Effects Study for the Ferry Crossings near Tsiigehtchic and Fort McPherson, NT, uses traditional knowledge to demonstrate low environmental impacts to the Mackenzie and Arctic Red River associated with this water use. The Study provides information and background with regards to traditional use, cabins, and traditional fishing focusing on the areas mainly surrounding the ferry landings. The general findings of the report are that the ferry landing operations are not having a significant impact on fish populations and siltation impacts are comparable to natural processes. The report, which was also submitted with the 2010 renewal application, is available on request for review and consideration.
- Structural Alternatives Study; DOT's Water Licence; Peel River (G99L8-001) and Mackenzie River (G99L8-002) 2003 and an update to the report submitted in 2010.
 - The purpose of this study was to investigate alternatives to the current ferry landing construction practices at the ferry crossings near Tsiigehtchic and Fort McPherson. The intent was to identify suitable alternatives that may eliminate the need to continuously build up the ferry landing with gravel. The study found that as a result of unique geological and hydrological features in the area including permafrost, extreme debris and ice flows, cold temperatures, and rapidly fluctuating water levels the feasibility of other construction options are limited.
- Local Area Monitoring Program (LAMP) Report, 2010-2014.
 - In 2010 DOT was asked to carry out a 5 year monitoring program to further try and identify effects on the River and the community fisheries created by the ferry landings. The program, called the Local Area Monitoring Program (LAMP), currently in its final year, involves taking depth readings from a boat twice a year once in the summer and once in the fall, and also involves gathering traditional fishing information from community members in the form of a survey; twice annually as well. All data is gathered with, and would not be possible without, assistance from the community members and the local Renewable Resource Council (RRC). To date, data gathered has shown the continued existence of a strong, healthy and resilient

fishery. The final 2015 LAMP report will be released in March 2016.

13. PROPOSED TIME SCHEDULE

The amendment can be completed during the term of water licence G15L8-001; November 30th, 2015 – November 30th, 2020.

Name: Gurdev Jagpal

Title: Regional Superintendent – Inuvik Region, DOT

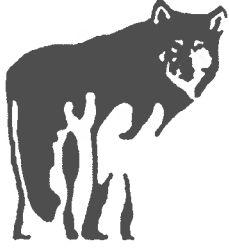

Signature:

Date: March 04, 2016

FOR OFFICE USE ONLY

Application Fee Amount: \$ Receipt No.:

Water Use Deposit Amount: \$ Receipt No.:



Gwich'in Land and Water Board

Box 2018 Inuvik NT X0E 0T0

PH 867 777 7860 FX 867 777 7870

SCHEDULE III

(Subsection 6(1) of the Northwest Territories Water Regulations)

APPLICATION FOR WATER LICENCE, AMENDMENT OF LICENCE OR RENEWAL OF LICENCE

APPLICATION/LICENCE NO: G15L8-002

AMENDMENT

1. NAME AND MAILING ADDRESS OF APPLICANT

Applicant's Name: Gurdev Jagpal, Regional Superintendent
Department of Transportation, Government of the Northwest Territories

Mailing Address: PO Box 2038

Community: Inuvik

Prov/Terr: NT

Postal Code: X0E 0T0

Telephone: 867-777-7343

Fax: 867-777-4290

Email Gurdev_jagpal@gov.nt.ca

Other: n/a

2. ADDRESS OF HEAD OFFICE IN CANADA IF INCORPORATED

Mailing Address: PO Box 2038

Community: Inuvik

Prov/Terr: NT

Postal Code X0E 0T0

Telephone: 867-777-7343

Fax 867-777-4290

3. LOCATION OF UNDERTAKING

The amendment does not require a location but is for the above noted water licence which was granted to DOT for ferry landing operations located at the Mackenzie River, along Highway 8 (Dempster highway).

KM 143.6

Inuvik side (67.4571N, 133.7611W)

Ft. McPherson side (67.4467N, 133.7444W)

Tsiigehtchic side (67.4470N, 133.7397W)

4. DESCRIPTION OF UNDERTAKING

The amendment being applied for is to the following terms and conditions, only, of the Water Licence:

- Part B: Section 5;
- Part B: Section 6 (a) and (c);
- Part B: Section 7; and,
- Part B: Section 8.

Please see the attached cover letter and table for further information.

5. TYPES OF UNDERTAKING

- 1- Industrial
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- 8- Miscellaneous (describe) **X Maintenance of existing ferry landings**

6. WATER USE

To obtain water
Flood control
To cross a water course
To divert water
To modify the bed or bank of a watercourse **X**
To alter the flow or, or store, water
Other

7. QUANTITY OF WATER INVOLVED

No water will be used for this amendment.

8. WASTE DEPOSITED

No waste will be generated or deposited for this amendment.

9. OTHER PERSONS OR PROPERTIES AFFECTED BY THIS UNDERTAKING

No persons or properties are anticipated to be affected by this amendment.

Engagement began on February 23, 2016 in order to notify stakeholders of the amendment application.

The following table identifies the complete listing of parties identified for engagement:

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- Tetlit Gwich'in Council, DGO;

- Tetlit Renewable Resource Council;
- Tetlit Gwich'in Band;
- Gwichya Gwich'in Band;
- Gwichya Renewable Resource Council;
- Gwichya Gwich'in Council, DGO;
- Ehdiiat Gwich'in Council, DGO;
- Ehdiiat Renewable Resource Council;
- Aklavik Indian Band;
- Gwich'in Social and Cultural Institute;
- Gwich'in Renewable Resource Board;
- Gwich'in Land Use Planning Board;
- Town of Inuvik;
- Hamlet of Fort McPherson;
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- Charter Community of Tsiigehtchic.

10. PREDICTED ENVIRONMENTAL IMPACTS OF UNDERTAKING AND PROPOSED MITIGATION

There are no predicted environmental impacts or required mitigations for this amendment.

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There have been no contractors identified for this amendment.

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- Structural Alternatives Study; DOT's Water Licence; Peel River (G99L8-001) and Mackenzie River (G99L8-002) 2003 and an update to the report submitted in 2010.
 - The purpose of this study was to investigate alternatives to the current ferry landing construction practices at the ferry crossings near Tsiigehtchic and Fort McPherson. The intent was to identify suitable alternatives that may eliminate the need to continuously build up the ferry landing with gravel. The study found that as a result of unique geological and hydrological features in the area including permafrost, extreme debris and ice flows, cold temperatures, and rapidly fluctuating water levels the feasibility of other construction options are limited.
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well. All data is gathered with, and would not be possible without, assistance from the community members and the local Renewable Resource Council (RRC). To date, data gathered has shown the continued existence of a strong, healthy and resilient fishery. The final 2015 LAMP report will be released in March 2016.

13. PROPOSED TIME SCHEDULE

The amendment can be completed during the term of water licence G15L8-002; November 30th, 2015 – November 30th, 2020.

Name: Gurdev Jagpal

Title: Regional Superintendent – Inuvik Region, DOT

Signature:



Date:

March 04, 2016

FOR OFFICE USE ONLY

Application Fee Amount: \$

Receipt No.:

Water Use Deposit Amount: \$

Receipt No.:

G15L8-001 and G15L8-002 Amendment Table

Section	Terms and Conditions to be amended	Comment	Rationale
<p>Part B: Section 6</p> <p>The Licensee shall submit to the Board, by March 31, 2016, a summary report of the 2011-2015 [LAMP] for the [Peel and Mackenzie] River ferry landings. This report shall include but not be limited to:</p>	<p>a) an analysis of the suite of bathymetric maps, including a discussion of the changes in river morphology (if any) that have taken place near the ferry landings in the past 5 years, and a comparison to any changes at upstream control sites.</p>	<p>The Department is able to discuss the bathymetric maps that were produced for the LAMP report, however we are unable to speak to changes in river morphology and to any changes which may or may not have occurred upstream.</p>	<p>This request falls outside of the scope of the original LAMP and the maps which we have produced will not contribute to the kind of discussion being sought by this section.</p>
	<p>c) a discussion of the effectiveness of aerial imagery as a means to identify changes in river morphology. Include 3D riverbed images and/or aerial image overlays from ferry landing sites, and a comparison of imagery from control areas.</p>	<p>Due to the timelines associated with searching for and acquiring any aerial photographs of the landing sites, and then analyzing them to determine any changes in river morphology due to the ferry landings, DOT is requesting an extension to the timelines to December 31, 2016.</p> <p>The 3D imagery requirement should be removed from the Licence.</p>	<p>The Department is not in possession of aerial imagery of the landings. We have initiated dialogue with others within the Territorial government to acquire any aerial photographs of the landing sites.</p> <p>DOT is not in possession of any 3D models as this was outside the scope of the original LAMP, this is also a costly requirement, therefore DOT cannot produce this information.</p>
<p>Part B: Section 7</p> <p>The Licencee shall, in consultation with the [GRRB], the Gwichya Gwich'in [RRC] and/or the Tetlit Gwich'in [RRC], submit to the Board for approval, by March 31, 2016, an updated version of the [LAMP] for the [Peel and Mackenzie] River ferry landings.</p>		<p>Given the short timeline between the Licence issuance date and March 31st, 2016 and in order to ensure that the monitoring program is as effective as possible, an extension to the deadline is required.</p>	<p>Building upon the success of the first five years of reporting under the LAMP, the Department is developing an updated LAMP program aimed at further clarifying the ferry landings and their place within the river environment. DOT is currently evaluating options to evaluate sediment movement that may involve measuring and monitoring of total suspended solids or turbidity rather than bathymetry. DOT is also exploring the cooperation and coordination of activities with other specialized GNWT staff and Departments. DOT is also working on continuing with highly successful and informative community participation and survey methods and how that knowledge can be applied in the future. DOT is seeking a one year extension to this requirement, during which time current LAMP activities and reporting will continue. DOT is requesting Section 7 be modified to March 31, 2017 rather than 2016.</p>

<p>Part B: Section 8</p> <p>The Licencess shall submit to the Board for approval, by March 31, 2016, a report pertaining to sedimentation and sediment control methods. This report shall address, but not be limited to:</p>	<p>a) The types of sediment control measures that were employed over the course of the 2010-2015 Licence period and a discussion of their effectiveness;</p>	<p>DOT requests that this requirement is removed from the Licence.</p>	<p>As was noted during the Licence renewal period, DOT utilizes granular material which is both clean and local, having come from a quarry not far from either set of ferry landings. This material was chosen at the outset of ferry landing operations because of the anticipated limited effects on the river environment. Further, the aggregate placed on the landings is sloped such that movement is minimized. DOT disagrees with the statement saying the Water Licence Inspection Reports indicated DOT was in non-compliance with the requirement to use sediment controls. It is not uncommon for large powerful rivers to have limited sediment and erosion control options when working in-water. DOT is utilizing practicable erosion and sediment controls and is actively involved as erosion and sediment control practitioners, which can be seen by the development of our own Erosion and Sediment Control Manual for use both internally and by our contractors. DOT is always open to any suggestions as to feasible and functional erosion and sediment control methodologies at the ferry landings.</p>
	<p>b) Plans to address sediment control in the upcoming renewal period;</p>	<p>DOT requests that this requirement is removed from the Licence.</p>	<p>It is DOT's position that current methods have been effective at controlling sediment from the landings. Inspection reports have consistently noted that sediment control measures are effective. Taking readings of TSS at strategically placed stations as a part of an updated LAMP may also help identify whether further actions need to be taken with regards to sediment control, including during any specific in-water activities or works. DOT will also continue the practice of ensuring stockpiled aggregate is stored above the ordinary high water mark.</p>
	<p>c) Background information on natural sedimentation in the Peel and Mackenzie Rivers; and, d) A discussion on the cumulative effects of sediment deposition into the river systems by various sources, including ferry landing operations.</p>	<p>DOT requests that this requirement is removed from the Licence.</p>	<p>Since these two requirements are similar, they will both be addressed here. As indicated in the licence, there are various natural sources which contribute to the high sediment load of both rivers. There are also a number of reports dating back to the 1980's which have attempted to quantify the amount of sediment in the river system of the Mackenzie Delta (eg. greater than 100 million tonnes per year). It is DOT's position that the amount of clean, locally sourced material that DOT uses on the landing is insignificant compared with the amount of naturally occurring sediment already present in the rivers and the sheer number of naturally occurring contributors to the sediment load of the river.</p>

Appendix E - Pre-Submission Engagement Record (Summary and Log) Template ¹³

1. Pre-Submission Engagement Summary

Name of Proponent: GNWT-DOT

Name of Affected Party: Gwich'in Tribal Council (Lands & Resources), Nihtat Gwich'in Council (DGO), Nihtat Renewable Resource Council, Inuvik Native Band, Tetlit Gwich'in Council (DGO), Tetlit Renewable Resource Council, Tetlit Gwich'in Band, Gwichya Gwich'in Band, Gwichya Renewable Resource Council, Gwichya Gwich'in Council (DGO), Ehdiiat Gwich'in Council (DGO), Ehdiiat Renewable Resource Council, Aklavik Indian Band, Gwich'in Social and Cultural Institute, Gwich'in Renewable Resource Board, Gwich'in Land Use Planning Board, Town of Inuvik, Hamlet of Fort McPherson, Hamlet of Aklavik, and Charter Community of Tsiigehtchic.

Name(s) of representative(s) from affected party who participated in engagement	Dates of Engagement (e.g. list dates or range of dates)	Reason(s) for Engagement (e.g., application for timber harvesting)	Overview of Issue(s) Resolved	Overview of Issue(s) Unresolved
Gwich'in Tribal Council (Lands & Resources)	February 23 rd , 2016 – March 4 th , 2016	To inform stakeholders of the Department's intention to amend the current water licences G15L8-001 and G15L8-002.	N/A – no comments, questions, or concerns were received.	N/A

Nihtat Gwich'in Council (DGO)	February 23 rd , 2016 – March 4 th , 2016	To inform stakeholders of the Department's intention to amend the current water licences G15L8-001 and G15L8-002.	N/A – no comments, questions, or concerns were received.	N/A
Nihtat Renewable Resource Council	February 23 rd , 2016 – March 4 th , 2016	To inform stakeholders of the Department's intention to amend the current water licences G15L8-001 and G15L8-002.	N/A – no comments, questions, or concerns were received.	N/A
Inuvik Native Band	February 23 rd , 2016 – March 4 th , 2016	To inform stakeholders of the Department's intention to amend the current water licences G15L8-001 and G15L8-002.	N/A – no comments, questions, or concerns were received.	N/A
Tetlit Gwich'in Council (DGO)	February 23 rd , 2016 – March 4 th , 2016	To inform stakeholders of the Department's intention to amend the current water licences G15L8-001 and G15L8-002.	N/A – no comments, questions, or concerns were received.	N/A

Tetlit Renewable Resource Council	February 23 rd , 2016 – March 4 th , 2016	To inform stakeholders of the Department's intention to amend the current water licences G15L8-001 and G15L8-002.	N/A – no comments, questions, or concerns were received.	N/A
Tetlit Gwich'in Band	February 23 rd , 2016 – March 4 th , 2016	To inform stakeholders of the Department's intention to amend the current water licences G15L8-001 and G15L8-002.	N/A – no comments, questions, or concerns were received.	N/A
Gwichya Gwich'in Band	February 23 rd , 2016 – March 4 th , 2016	To inform stakeholders of the Department's intention to amend the current water licences G15L8-001 and G15L8-002.	N/A – no comments, questions, or concerns were received.	N/A
Gwichya Renewable Resource Council	February 23 rd , 2016 – March 4 th , 2016	To inform stakeholders of the Department's intention to amend the current water licences G15L8-001 and G15L8-002.	N/A – no comments, questions, or concerns were received.	N/A

Gwichya Gwich'in Council (DGO)	February 23 rd , 2016 – March 4 th , 2016	To inform stakeholders of the Department's intention to amend the current water licences G15L8-001 and G15L8-002.	N/A – no comments, questions, or concerns were received.	N/A
Ehdiitat Gwich'in Council (DGO)	February 23 rd , 2016 – March 4 th , 2016	To inform stakeholders of the Department's intention to amend the current water licences G15L8-001 and G15L8-002.	N/A – no comments, questions, or concerns were received.	N/A
Ehdiitat Renewable Resource Council	February 23 rd , 2016 – March 4 th , 2016	To inform stakeholders of the Department's intention to amend the current water licences G15L8-001 and G15L8-002.	N/A – no comments, questions, or concerns were received.	N/A
Aklavik Indian Band	February 23 rd , 2016 – March 4 th , 2016	To inform stakeholders of the Department's intention to amend the current water licences G15L8-001 and G15L8-002.	N/A – no comments, questions, or concerns were received.	N/A

Gwich'in Social and Cultural Institute	February 23 rd , 2016 – March 4 th , 2016	To inform stakeholders of the Department's intention to amend the current water licences G15L8-001 and G15L8-002.	N/A – no comments, questions, or concerns were received.	N/A
Gwich'in Renewable Resource Board	February 23 rd , 2016 – March 4 th , 2016	To inform stakeholders of the Department's intention to amend the current water licences G15L8-001 and G15L8-002.	N/A – no comments, questions, or concerns were received.	N/A
Gwich'in Land Use Planning Board	February 23 rd , 2016 – March 4 th , 2016	To inform stakeholders of the Department's intention to amend the current water licences G15L8-001 and G15L8-002.	N/A – no comments, questions, or concerns were received.	N/A
Town of Inuvik	February 23 rd , 2016 – March 4 th , 2016	To inform stakeholders of the Department's intention to amend the current water licences G15L8-001 and G15L8-002.	N/A – no comments, questions, or concerns were received.	N/A

Hamlet of Fort McPherson	February 23 rd , 2016 – March 4 th , 2016	To inform stakeholders of the Department’s intention to amend the current water licences G15L8-001 and G15L8-002.	N/A – no comments, questions, or concerns were received.	N/A
Hamlet of Aklavik	February 23 rd , 2016 – March 4 th , 2016	To inform stakeholders of the Department’s intention to amend the current water licences G15L8-001 and G15L8-002.	N/A – no comments, questions, or concerns were received.	N/A
Charter Community of Tsiigehtchic.	February 23 rd , 2016 – March 4 th , 2016	To inform stakeholders of the Department’s intention to amend the current water licences G15L8-001 and G15L8-002.	N/A – no comments, questions, or concerns were received.	N/A

Signature of Proponent (representative): _____

Signature of Affected Party (representative): ¹⁴ _____

¹³ A summary sheet for each affected party should accompany the log (which may be a chronological list of all engagement with all parties).


¹⁴ These signatures represent agreement on the contents of the log and record, but do not necessarily imply that the parties agree on the topics that were discussed.

2. Pre-Submission Engagement Log

Please see attached Consultation Overview

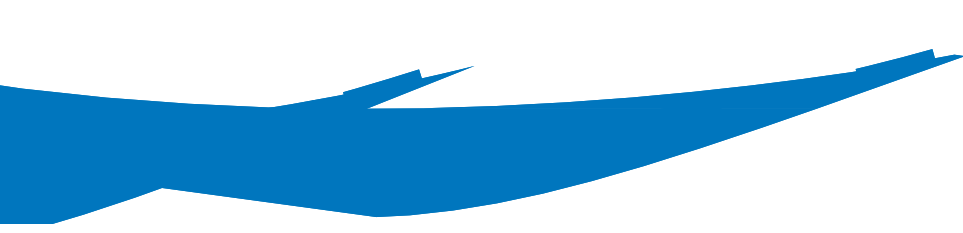
Date	Attendees ¹⁵	Engagement Activity Type (e.g., written notification, face-to-face, workshop, etc.)	Issue(s) Raised by Affected Party	Recommendation From Affected Party	Proponent Response to issue - indicate if issue(s) was resolved or	Information materials provided to affected party (Y/N) ¹⁶	Written correspondence, meeting notes, and/or minutes (Y/N) ¹⁷

¹⁵ Note all parties present including government departments. If members of the public were present, please note this, but individual members of the public do not need to be named.



¹⁶ Not required to be submitted with application; however, may be requested by the Board.

¹⁷ Not required to be submitted with application; however, may be requested by the Board.





February 24, 2016

Via Email

Distribution List:

Water Licence Amendment Pre-submission Review; Mackenzie and Peel Rivers Ferry Landing Licences - G15L8-001 and G15L8-002

We wish to advise you that the Department of Transportation will be submitting an amendment request to existing Water Licences for the operations and maintenance of the ferry landings on the Mackenzie and Peel Rivers near the communities of Tsiigehtchic and Fort McPherson.

DOT is seeking a one year extension to Part B: section 7 of the licence, from March 31, 2016 to March 31, 2017 to produce an updated Local Area Monitoring Program (LAMP), as well as an amendment to Part B: section 6 summary reporting for the LAMP. The Department is also seeking an amendment to the Sedimentation and Sediment Control Report from Part B: section 8 of the Licence.

The amendment application will be sent to the Gwich'in Land and Water Board on March 4th, 2016, at which time you will have a chance to review the information and provide comments through their comment and review process.

Any comments and feedback you may have regarding the forthcoming amendment may be forwarded to me by email at Gurdev_Jagpal@gov.nt.ca.

Sincerely,

Gurdev Jagpal
Regional Superintendent
Department of Transportation –
Inuvik Region

- c. Ms. AlecSandra MacDonald, Regulatory Specialist, GLWB
Mr. Jon Posynick, Environmental Analyst, DOT