

Elaine Briere - MVLWB

From: Shannon Hayden - MVLWB [shayden@mvlwb.com]
Sent: Monday, March 15, 2010 1:12 PM
To: permits@mvlwb.com
Subject: FW: MVL2009L3-0005 - Town of Hay River's Additional Comments to Draft Water Licence
Attachments: MV2009L3-0005 Mar1310 Draft Licence Additional Comments Hay River Final.pdf

For the registry please
Thanks

From: Michael Richardson [mailto:mrichardson@hayriver.com]
Sent: Saturday, March 13, 2010 1:03 PM
To: 'Shannon Hayden - MVLWB'
Cc: Terry Molenkamp; 'Ron Kent'
Subject: MVL2009L3-0005 - Town of Hay River's Additional Comments to Draft Water Licence

Shannon,

<<...>>

Please find attached the Town of Hay River's additional comments with respect to the Mackenzie Valley Land and Water Board's draft water licence.

Thank you,

Michael Richardson
Director of Public Works & Planning
Town of Hay River

73 Woodland Dr.
Hay River, NT X0E 1G1
T: 867-874-6522 x 217 C: 867-875-7365
mrichardson@hayriver.com



Town of Hay River
73 Woodland Drive
Hay River, NT X0E 1G1
Phone: 867-874-6522
Fax: 867-874-3237
townhall@hayriver.com

March 13, 2010

Shannon Hayden, Regulatory Officer
Mackenzie Valley Land & Water Board
Box 2130
7th floor, 4910 50th Avenue
Yellowknife, NT X1A 2P6

By Email: SHAYDEN@MVLWB.COM

Re: Water Licence MV2009L3-0005
Additional Comments Regarding Draft Licence

Dear Ms. Hayden,

Please accept the following as additional commentary based on the draft water licence proposed by the Mackenzie Valley Land and Water Board. This follows our original comments submitted to the Board on March 8, 2010. Based on new information from Board staff, the Town also requested an extension by email (to Monday, March 15) to the deadline for comments.

Firstly, our request for a three-week extension to the commenting period was denied based on the somewhat arbitrary work plan developed many months ago. The work plan in and of itself should not command such importance, as it exists only to provide structure to the water licence renewal process. Issues such as those raised by the Town deserve more than a simple dismissal based on a work plan. We believe a temporary extension to the current licence to accommodate our request could have been granted.

The Town of Hay Rivers renews our request for an extension.

Secondly, based on telephone discussions with you on the afternoon of March 8, the intended meaning of clause D12 was clarified as you understood it. As we now understand from you, the clause is meant to regulate new types of industrial or agricultural wastes without precedent in the Town of Hay River.

Notwithstanding the above and notwithstanding that the clause appeared in our previous licence, we maintain that a clause similar to D12 is not present in recently issued draft and final licences (Yellowknife and Enterprise, respectively) and it should not be present in our licence.

The Town strongly requests that clause D12 be removed from our licence. We do not believe that the Board should have the power to arbitrarily regulate economic development in the Town of Hay River.

If for whatever reason the Board deems to continue to impose this clause on the Town remains, and if the intent of the clause is correct as you stated, then we request that a new draft of clause D12 be written to reflect this intent. Further, if such a clause is to remain, we request that the rewritten clause specify the quality and quantity of proposed industrial or agricultural wastes that would trigger an intervention by the Board. As required by the Public Process, the rewritten clause must be submitted for public consultation and given a reasonable period of time for comments by the Town and interveners.

We appreciate the opportunity to submit additional comments and await the Board's response.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael Richardson". The signature is written in a cursive, flowing style.

Michael Richardson
Director of Public Works and Planning
Town of Hay River
mrichardson@hayriver.com