

From: [Valerie Meeres](#)
To: [MVLWB Permit](#)
Subject: FW: Town of Hay River - MV2009L3-0005 - Timeline/Preliminary Screening Requirement
Date: Wednesday, August 12, 2009 1:22:58 PM
Attachments: [08-12-09 - ENR Comments on Draft Timeline - Town of Hay River - MV2009L3-0005 - Draft Timeline Review.docx](#)

From: Patrick Clancy [mailto:Patrick_Clancy@gov.nt.ca]
Sent: Wednesday, August 12, 2009 11:01 AM
To: Valerie Meeres
Subject: Town of Hay River - MV2009L3-0005 - Timeline/Preliminary Screening Requirement

Hi Valerie,

Please find attached ENR's comments on the subject items.

Thank you,

Patrick Clancy
Environmental Regulatory Analyst
Environmental Assessment and Monitoring
Environment and Natural Resources
GNWT
Work: (867) 920-6591
Fax: (867) 873-4021

August 12, 2009

Valerie Meeres
Regulatory Officer
Mackenzie Valley Land and Water Board
7th Floor – 4910 50th Avenue
P.O. Box 2130
Yellowknife, NT
X1A 2P6

Dear Ms. Meeres,

**Re: Town of Hay River
 MV2009L3-0005
 Preliminary Screening Exemption
 Draft Timeline
 Request for Review and Comments**

The Department of Environment and Natural Resources (ENR) has reviewed the above noted project based on its mandated responsibilities under the *Environmental Protection Act*, the *Forest Management Act*, the *Forest Protection Act* and the *Wildlife Act* and provides the following comments and recommendations for consideration by the Board.

ENR understands that the MVWLB has requested comments from interveners on the Draft Work Plan (the Plan) for the Town of Hay River Water Licence Renewal. ENR understands that the intent of the Plan is to lay out the steps and key dates for the MVLWB regulatory process for a type A Water Licence Renewal which includes a public hearing.

Discussion

ENR has reviewed the Plan and finds that it contains several issues relating to the timing of events and several Tasks that require clarification.

1. Clarification on Technical Meeting

As stated in the Plan:

- Task - Technical Meeting
- Date Completed – Nov 12-13, 2009

ENR requests the Plan be updated to clarify the Purpose/Scope of the Technical meeting, and who is expected to attend.

2. Clarification on Pre-hearing Conference

As stated in the Plan:

- Task – Pre-hearing conference
- Date Completed – Jan 5-7, 2010

ENR requests the Plan be updated to clarify the Purpose/Scope of the Pre-hearing conference, and who is expected to attend.

3. Clarification on IR's, multiple requests

The current Plan states:

- Task - Hearing presentations and intervention IRs due
- Date Completed – Jan 7, 2010

ENR seeks to clarify why intervention IRs are listed in the Plan as due on two separate deadlines, Jan 4, 2010 and Jan 14, 2010.

4. Intervener Arguments, time constraints

The Plan states that Final Intervener Arguments are due Feb 10, 2009. However the due date for Proponent Undertakings is Feb 4, 2010. This would allow only 4 days for Interveners to receive and assess the response to Undertakings. ENR recommends that more time is required this step; for example 2 weeks is a reasonable timeframe to receive, review, and provide comments on this information.

5. Clarification on proponent final argument due date

As stated in the Plan:

- Task – Final Argument due, Proponent
- Date Completed – Feb 12, 2010

ENR notes that the Proponent's final argument due date is Feb 12 while for Interveners it is Feb 10. ENR wishes clarification on why the Proponent is given additional time for preparing final arguments?

Preliminary Screening

- It is ENR's position that decisions pertaining to the determination of the requirement for preliminary screening rest with the Land and Water Board.
- Given the above, we will not be providing comments on this matter.

Comments and recommendations were provided by ENR technical experts in the Environment Division, Forest Management Division, Wildlife Division and/or the South Slave Region, and were coordinated and collated by the Environmental Assessment and Monitoring Section (EAM). Should you have any questions or concerns please do not hesitate to contact Patrick Clancy, Environmental Regulatory Analyst, at (867) 920-6591 or patrick.clancy@gov.nt.ca

Sincerely,



Patrick Clancy
Environmental Regulatory Analyst
Environmental Assessment and Monitoring