



**Mackenzie Valley Land and Water Board**  
**7th Floor - 4922 48th Street**  
**P.O. Box 2130**  
**YELLOWKNIFE NT X1A 2P6**  
**Phone (867) 669-0506**  
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January 17, 2019

File: MV2009L3-0007

Mr. Rene Hawkes  
Public Works and Engineering  
City of Yellowknife  
P.O. Box 580  
YELLOWKNIFE NT X1A 2N4

Email: [rhawkes@yellowknife.ca](mailto:rhawkes@yellowknife.ca)

Dear Mr. Hawkes:

**Re: Request for monthly Yellowknife Bay water withdrawal  
City of Yellowknife – Municipal Water Licence MV2009L3-0007**

The Mackenzie Valley Land and Water Board (MVLWB or the Board) met on January 17, 2019 and reviewed your Request for Monthly Yellowknife Bay Water Withdrawal, which was submitted to the Board to address non-emergency water withdrawal of Yellowknife Bay water on December 29, 2017.

The Board hereby approves the City of Yellowknife's request to withdraw approximately 300 m<sup>3</sup> of water from Yellowknife Bay once per month for the purpose of monthly maintenance required for the Yellowknife Bay emergency pumps at Pumphouse #1. Please include a summary of dates, duration, and volumes of Yellowknife Bay water withdrawn for emergency pump maintenance, along with any other relevant information, in quarterly SNP reports.

The Board would like to remind the City of Yellowknife that Licence MV2009L3-0007 expires on May 30, 2022. It is recommended that Licensees submit their renewal application submission at least nine months prior to the expiry date in order for the City of Yellowknife to continue to use water and deposit waste.

The full cooperation of the City of Yellowknife is anticipated and appreciated. If you have any questions or concerns, please contact Erica Janes at (867) 766-7466 or email [ejanes@mvlwb.com](mailto:ejanes@mvlwb.com).

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Mavis Cli-Michaud".

Mavis Cli-Michaud  
MVLWB, Chair

Copied to: Distribution List  
Nahum Lee, GNWT-Water Inspector

Attached: Reasons for Decision



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**Reasons for Decision**

Issued pursuant to section 72.25 of the *Mackenzie Valley Resource Management Act* and Section 54 of the *Waters Act*

<b>Water Licence – Submission</b>	
<b>Preliminary Screener</b>	MVLWB
<b>Reference/File Number</b>	MV2009L3-0007
<b>Company</b>	City of Yellowknife
<b>Project</b>	Request for monthly Yellowknife Bay water withdrawal, Yellowknife, NT
<b>Date of Decision</b>	January 17, 2019

These Reasons for Decision set out the Mackenzie Valley Land and Water Board’s (the Board or MVLWB) decision on a Submission made by the City of Yellowknife (City) to the Board on December 29, 2017 for Water Licence (Licence) MV2009L3-0007.

**1.0 Background**

On December 29, 2017, the City of Yellowknife (City) submitted a request to the Board for monthly water withdrawal from Yellowknife Bay for the purpose of maintenance required for the water pumps at Pumphouse #1. The requirement to test the pumps is outlined in the Equipment Supplier’s Operations and Maintenance Manual to ensure they are working properly in the case of an emergency. If a municipal emergency were to occur, Pumphouse #1 would be used due to a higher flow rate of pumps than of those at Pumphouse #2, on the Yellowknife River, which is the primary raw water source for MV2009L3-0007. The City has indicated that the pumps are required to be run for approximately 1 hour per month and will withdraw approximately 300 m<sup>3</sup> of water from Yellowknife Bay.

**2.0 Public Review**

By January 25, 2018 comments and recommendations on the Submission were received from Fisheries and Oceans Canada: Triage Group Fisheries Protection Program, Lois Little (general public), Robert Stephen (general public), Wayne Balanoff (general public), the Government of the Northwest Territories Department of Environment and Natural Resources (GNWT-ENR), North Slave Metis Alliance (NSMA), and Yellowknives Dene First Nation (YKDFN). The City responded on February 16, 2018.

Several review comments indicated concerns with the withdrawal of water from Yellowknife Bay for maintenance of the Pumphouse #1 pumps. These concerns were primarily associated with the fact that Yellowknife Bay water will be processed through the water treatment plant (WTP) and distributed in the same manner as water from the Yellowknife River. Some of the reviewers specifically expressed uncertainty regarding Yellowknife Bay water being a safe drinking water source given legacy arsenic contamination and other known contaminants associated with former mining operations at the Giant Mine Site.

### 3.0 Adequacy of Submission

Table 1 below lists the components of the Submission as required by the Licence and a Board directive to the City issued on April 18, 2016. An analysis by Board staff of the adequacy of the submission is also provided.

**Table 1: Submission adequacy compared to Licence MV2009L3-0007 and the Board’s April 18, 2016 directive**

	Submission components required by the Board	Adequacy of the Submission
1.	<p><i>Part C, condition 1: The Licensee shall obtain all Waters from the Yellowknife River using the Water Supply Facilities for municipal undertakings as described in the Water Licence Application received by the Board on July 10, 2009 or as otherwise approved by the Board.</i></p>	<p>The City’s Water Licence Application referenced in Part C, condition 1 included reference to Yellowknife Bay as an alternative source of raw water. The City’s current request for monthly Yellowknife Bay water withdrawal will result in approximately 300 m<sup>3</sup> of water a month being used as a source of raw water that will be processed through the WTP.</p> <p>The City’s Water Licence Application referenced in Part C, condition 1 also included a description of Pumphouse #1, indicating that it would be used to draw water from Yellowknife Bay in an emergency. The current request to withdraw water from Yellowknife Bay for pump maintenance is for emergency preparedness.</p>
2.	<p>April 18, 2016 Board letter: <i>Should the City find it necessary to withdraw water from Yellowknife Bay for use in a non-emergency situation in the future, the City is required to submit a written request for approval, for the Board’s consideration, a minimum of 40 days prior to the commencement of the withdrawal. The request should include the following information:</i></p> <ul style="list-style-type: none"> <li><i>a) The proposed use for the water;</i></li> <li><i>b) The rationale for requiring Yellowknife Bay as the source; and</i></li> <li><i>c) The estimated duration and quantity of water to be used.</i></li> </ul>	<p>In the City’s December 29, 2017 request to the Board to withdraw water from Yellowknife Bay, the City provided information to address the requirements (a-c) outlined by the Board in their April 18, 2016 letter.</p> <p>Reviewers brought up several concerns associated with the City’s request to withdraw Yellowknife Bay water. Although drinking water quality is not under the Board’s jurisdiction, public concern was addressed through an Information Request (IR) on March 5, 2018 to the Chief Environmental Health Officer (CEHO). The CEHO and Chief Public Health Officer have indicated they have no concerns with the quantity or quality of water that the City is requesting to withdraw from Yellowknife Bay for maintenance of the pumps at Pumphouse #1. To address public concern, the City provided additional information on December 21, 2018 regarding new arsenic detection equipment, along with procedural documentation for use by their staff. The City stated in their submission that they will test Yellowknife Bay water before any volume is withdrawn, and that if arsenic concentrations above 10 µg/L are detected, water will not be withdrawn, and the Inspector, Public Health Officer, and Environmental Health Officer will be notified immediately. The City has committed to including a summary of dates, duration and volumes of Yellowknife Bay water withdrawn for emergency pump maintenance, along with any other relevant information, in subsequent quarterly SNP reports.</p>

### 4.0 Decision

After reviewing the submission of the City, the written comments received by the Board and the Staff Report prepared for the Board, the Board, having due regard to the facts, circumstances, the merits of the

submissions made to it, and to the purpose, scope, and intent of the MVRMA and *Waters Act* and Regulations made thereunder, has determined that the Submission from the City, as well as the follow-up information, adequately fulfill the requirements of the Licence. Furthermore, the request from the City for non-emergency use of water from Yellowknife Bay meets the information requirements set out in the Board's April 18, 2016 letter, and, in response to public concern, the City will implement a water sampling and analysis protocol to ensure pump testing does not occur if arsenic concentrations are found to exceed the Health Canada guideline. For these reasons, the Board has decided to approve the City's request.

**5.0 Conclusion**

Water Licence MV2009L3-0007 contains provisions that the Board deems necessary to ensure and monitor compliance with the MVRMA and the *Waters Act* and the Regulations made thereunder, and to provide appropriate safeguards in respect of the City's use of the waters and deposit of waste. The Board will provide additional referenced material or documents if requested in writing to do so.

SIGNATURE

Mackenzie Valley Land and Water Board



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Mavis Cli-Michaud, Chair

January 17, 2019

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Date

**From:** [Amanda Gauthier](mailto:Amanda.Gauthier@yellowknife.ca)  
**To:** [rhawkes@yellowknife.ca](mailto:rhawkes@yellowknife.ca)  
**Cc:** [Erica Janes](mailto:Erica.Janes@aadnc.ntcard.aandc@canada.ca); [aadnc.ntcard.aandc@canada.ca](mailto:aadnc.ntcard.aandc@canada.ca); [admin@dkfn.ca](mailto:admin@dkfn.ca); [adrian.paradis@canada.ca](mailto:adrian.paradis@canada.ca); [Alexis Campbell](mailto:Alexis.Campbell@gov.nt.ca); [barryt@arcticsafaris.ca](mailto:barryt@arcticsafaris.ca); [bill.pain@gov.nt.ca](mailto:bill.pain@gov.nt.ca); [boydw@bathurstinlet.com](mailto:boydw@bathurstinlet.com); [Bradley.Summerfield@canada.ca](mailto:Bradley.Summerfield@canada.ca); [Carolc.lands@gmail.com](mailto:Carolc.lands@gmail.com); [Charlene.Coe@gov.nt.ca](mailto:Charlene.Coe@gov.nt.ca); [cheryl.larocque@gov.nt.ca](mailto:cheryl.larocque@gov.nt.ca); [chief.lkdfn@gmail.com](mailto:chief.lkdfn@gmail.com); [chief.srfn@northwestel.net](mailto:chief.srfn@northwestel.net); [clint.ambrose@gov.nt.ca](mailto:clint.ambrose@gov.nt.ca); [dave.white@aurorageosciences.com](mailto:dave.white@aurorageosciences.com); [Diep.Duong@gov.nt.ca](mailto:Diep.Duong@gov.nt.ca); [ead@hc-sc.gc.ca](mailto:ead@hc-sc.gc.ca); [ec.ea.nwt.ec@canada.ca](mailto:ec.ea.nwt.ec@canada.ca); [Environmental.health@gov.nt.ca](mailto:Environmental.health@gov.nt.ca); [esangris@ykdene.com](mailto:esangris@ykdene.com); [exec@slema.ca](mailto:exec@slema.ca); [executivedirector@miningnorth.com](mailto:executivedirector@miningnorth.com); [fisheriesprotection@dfo-mpo.gc.ca](mailto:fisheriesprotection@dfo-mpo.gc.ca); [Gary.Woo@neb-one.gc.ca](mailto:Gary.Woo@neb-one.gc.ca); [Glen.Mackay@gov.nt.ca](mailto:Glen.Mackay@gov.nt.ca); [gnwt\\_ea@gov.nt.ca](mailto:gnwt_ea@gov.nt.ca); [Heather.Scott](mailto:Heather.Scott); [Heather.Beck@gov.nt.ca](mailto:Heather.Beck@gov.nt.ca); [Hilary.machtans@golder.com](mailto:Hilary.machtans@golder.com); [ima@dkfn.ca](mailto:ima@dkfn.ca); [info@forwardmining.ca](mailto:info@forwardmining.ca); [Iqbal.Arshad@gov.nt.ca](mailto:Iqbal.Arshad@gov.nt.ca); [Jayda.Robillard@gov.nt.ca](mailto:Jayda.Robillard@gov.nt.ca); [jblack@ykdene.com](mailto:jblack@ykdene.com); [Jeanne.Arsenault@gov.nt.ca](mailto:Jeanne.Arsenault@gov.nt.ca); [jhood@fortsmith.ca](mailto:jhood@fortsmith.ca); [joe.heron@gov.nt.ca](mailto:joe.heron@gov.nt.ca); [johnny.lennie@gov.nt.ca](mailto:johnny.lennie@gov.nt.ca); [Jon.Posynick@gov.nt.ca](mailto:Jon.Posynick@gov.nt.ca); [Jen.Potten](mailto:Jen.Potten); [kate.hillman-barnes@canada.ca](mailto:kate.hillman-barnes@canada.ca); [katie.rozestraten@gov.nt.ca](mailto:katie.rozestraten@gov.nt.ca); [katrina.nokleby@woodplc.com](mailto:katrina.nokleby@woodplc.com); [kfnchief@katlodeeche.com](mailto:kfnchief@katlodeeche.com); [land@wpfn.ca](mailto:land@wpfn.ca); [lands@denenation.com](mailto:lands@denenation.com); [laurie.mcgregor@gov.nt.ca](mailto:laurie.mcgregor@gov.nt.ca); [Lindsay.Armer@gov.nt.ca](mailto:Lindsay.Armer@gov.nt.ca); [lkdfnlands@gmail.com](mailto:lkdfnlands@gmail.com); [loislutra@ssimicro.com](mailto:loislutra@ssimicro.com); [mauge@yellowknife.ca](mailto:mauge@yellowknife.ca); [Melanie.Murphy@wscn.nt.ca](mailto:Melanie.Murphy@wscn.nt.ca); [Mike.Vassal@gov.nt.ca](mailto:Mike.Vassal@gov.nt.ca); [Nahum.Lee@gov.nt.ca](mailto:Nahum.Lee@gov.nt.ca); [Nathen.Richea@gov.nt.ca](mailto:Nathen.Richea@gov.nt.ca); [Norman.McCowan@gov.nt.ca](mailto:Norman.McCowan@gov.nt.ca); [Olivia.Lee@gov.nt.ca](mailto:Olivia.Lee@gov.nt.ca); [patrick.clancy@gov.nt.ca](mailto:patrick.clancy@gov.nt.ca); [Paul.Green@gov.nt.ca](mailto:Paul.Green@gov.nt.ca); [Pauline.DeJong@gov.nt.ca](mailto:Pauline.DeJong@gov.nt.ca); [Permits](mailto:Permits); [Peter.Fast@gov.nt.ca](mailto:Peter.Fast@gov.nt.ca); [preliminaryscreening@reviewboard.ca](mailto:preliminaryscreening@reviewboard.ca); [rhawkes@yellowknife.ca](mailto:rhawkes@yellowknife.ca); [Rick.Walbourne@gov.nt.ca](mailto:Rick.Walbourne@gov.nt.ca); [Robert.Jenkins@gov.nt.ca](mailto:Robert.Jenkins@gov.nt.ca); [Sam.Kennedy@canada.ca](mailto:Sam.Kennedy@canada.ca); [Scott.Stewart@gov.nt.ca](mailto:Scott.Stewart@gov.nt.ca); [screeningofficer@eastarm.com](mailto:screeningofficer@eastarm.com); [Sarah.Elsasser](mailto:Sarah.Elsasser); [shin.shiga@nsma.net](mailto:shin.shiga@nsma.net); [stu.niven@gov.nt.ca](mailto:stu.niven@gov.nt.ca); [Tasha.Hall@golder.com](mailto:Tasha.Hall@golder.com); [tim.heron@nwtmetis.ca](mailto:tim.heron@nwtmetis.ca); [tim.morton@canada.ca](mailto:tim.morton@canada.ca); [trudy.king@nwtmetis.ca](mailto:trudy.king@nwtmetis.ca); [walexander@yellowknife.ca](mailto:walexander@yellowknife.ca); [Wendy.Bidwell@gov.nt.ca](mailto:Wendy.Bidwell@gov.nt.ca); [ww.symbion@shawbiz.ca](mailto:ww.symbion@shawbiz.ca)  
**Subject:** MV2009L3-0007 - City of Yellowknife - Approval - Monthly Yellowknife Bay Water Withdrawal  
**Date:** January 21, 2019 1:01:04 PM  
**Attachments:** [MV2009L3-0007 - City of Yellowknife - Approval - Monthly Yellowknife Bay Water Withdrawal.pdf](#)

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Good day,

Please see the attached document. if you have any questions, please contact Erica Janes at (867) 766-7466 or email [ejanes@mvlwb.com](mailto:ejanes@mvlwb.com).

Regards,

Amanda Gauthier

Executive Coordinator

Mackenzie Valley Land and Water Board

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