

From: [Lynn Carter - MVLWB](#)
To: dkefalas@yellowknife.ca; "[Wendy Alexander](#)"
Cc: permits@mvlwb.com
Subject: FW: Yellowknife WL
Date: Friday, October 02, 2009 1:15:42 PM
Attachments: [2009 Renewal Comments.pdf](#)

Hello –

Comments received from DFO are attached. These are late and I was not made aware of this before the comment due date as implied by the email below. However, we will be adding these comments to the public registry.

Thanks,
Lynn

Lynn Carter

Regulatory Officer
Mackenzie Valley Land and Water Board
4910 50th Avenue
P.O. Box 2130
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From: Walbourne, Rick [<mailto:Rick.Walbourne@DFO-MPO.GC.CA>]
Sent: October-02-09 9:38 AM
To: Lynn Carter - MVLWB
Cc: Sawdon, Lorraine J; Hanna, Bruce; Michael Martin; Wilson, Anne [Yel]
Subject: Yellowknife WL

Good morning Lynn,

Please find comments regarding the renewal of The City of Yellowknife's Type A Water Licence Attached. If you have any questions or comments, please contact me at your convenience.

Thanks again for the extension and enjoy your weekend,

Rick

[Rick Walbourne](#)

Habitat Biologist | Biologiste, Habitat
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Fish Habitat Management, Western Arctic Area | [Gestion de l'Habitat du Poisson, Secteur de l'Arctique de](#)

l'Ouest

Central and Arctic Region | Région Centrale et de l'Arctique

Fisheries and Oceans Canada | 301-5204 50th Ave, Yellowknife, NT, X1A 1E2

Pêches et Océans Canada | 301-5204 50^e Ave, Yellowknife, T.N.-O, X1A 1E2

Government of Canada | Gouvernement du Canada



Fish Habitat Management
Suite 101, 5204-50th Avenue
Yellowknife, Northwest
Territories
X1A 1E2

Your file *Votre référence*

MV09L3-0007

Our file *Notre référence*

SC01020

October 2, 2009

Mackenzie Valley Land and Water Board
7th Floor, 4910 – 50th Avenue
Yellowknife, NT X1A 2P6

Attention: Lynn Carter

**RE: Water License MV09L3-0007; Renewal of NIL3-0032
City of Yellowknife Municipal Water Licence**

Fisheries and Oceans Canada - Fish Habitat Management Program (DFO) received the proposal, put forth by the City of Yellowknife on July 21, 2009. The proposal has been reviewed to determine whether it is likely to result in impacts to fish and fish habitat which are prohibited by the habitat protection provisions of the *Fisheries Act* or those prohibitions of the *Species at Risk Act* that apply to aquatic species. Additionally, on September 14th, 2009, DFO staff joined Michael Martin, Water Resource Officer from Indian and Northern Affairs Canada, on a tour of the infrastructure related to this Water Licence.

From existing Water Licence NIL3-0032, we understand that the proponent plans to pump a maximum of 5,500,000 m³ of water from the Yellowknife River annually (approximate usage of 2,792,500 m³ in 2008 with an expected increase to 3,631,000 m³ by 2025) with Yellowknife Bay of Great Slave Lake designated as an emergency source. The water licence will be valid from 2010 to 2025.

DFO would like to provide the following comments regarding the Water Licence Renewal Supplementary Report:

- Page 5 - there is a proposed change to the Condition related to the Operation and Maintenance Manual. The requested change states the City will inform the Board of any significant change. A more inclusive Condition could state that the City review the manual annually and update it accordingly.
- On Page 28 - it states that "treatment options for reducing phosphorus limits are the number one priority for the city", however limited information is provided. Options that the City is considering, timelines and consultation with the appropriate stakeholders and regulators should be provided.
- The City of Yellowknife should be aware of Environment Canada's Canada-Wide Municipal Wastewater Effluent Strategy.
- Page 45 –The city should be aware that there is not a map of the new location of the snow dumping area within this report or the *Snow Disposal Siting Study*.

To reduce potential impacts to fish and fish habitat we are recommending the following mitigation measures be included in the Water Licence Conditions:

1. The Freshwater Intake End-of-Pipe Fish Screen Guideline (DFO 1995) (available at www.dfo-mpo.gc.ca/Library/223669.pdf) should be applied to all water intakes. To prevent the entrainment of fish, the mesh size should not exceed 2.54 mm. The intake should not disturb the substrate and the screen should be cleaned regularly.
2. Sediment and erosion control measures should be implemented where appropriate and maintained prior to, during and after construction to prevent entry of sediment into any water body.

Please note, if the relocation of the landfill, the new snow dumping area, or if changes to the Water Treatment Plant intake line are required, and may affect fish or fish habitat, it is recommended that the City consult with DFO to ensure the adequate protection of fish and fish habitat.

Provided that the additional mitigation measures described above continued to be incorporated into the proposed works and activities, DFO can conclude that the proposal is not likely to result in impacts to fish and fish habitat. If the plans have changed or if the description of the proposal is incomplete, the proponent should contact this office to determine if the advice in this letter still applies.

Regarding the question of exemption of this application from preliminary screening, we feel that this decision is the jurisdiction of the MVLWB based on applicable legislation. We have no comment in this regard.

Please note, any harmful alteration, disruption or destruction of fish habitat and/or deposition of deleterious substances into fish bearing waters occurring as a result of a change in plans or failing to implement the necessary mitigation measures may result in contravention of the *Fisheries Act*.

If you have any questions please contact the undersigned at (867) 669-2926, by fax at (867) 669-4940, or by email at Rick.Walbourne@dfo-mpo.gc.ca.

Yours sincerely,



Rick Walbourne
Habitat Biologist
Fish Habitat Management
Department of Fisheries and Oceans - Western Arctic Area

Cc: Bruce Hanna, DFO
Lorraine Sawdon, DFO
Michael Martin, INAC
Anne Wilson, EC

Canada