

March 4, 2010

Lynn Carter  
Regulatory Officer  
Mackenzie Valley Land and Water Board  
7<sup>th</sup> Floor – 4910 50<sup>th</sup> Avenue  
P.O. Box 2130  
Yellowknife, NT  
X1A 2P6

Dear Ms. Carter,

**Re: City of Yellowknife  
Water Licence Renewal  
MV2009L3-0007  
Review of Draft Terms and Conditions  
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.

### **1. Topic: Use of the Term Engineer**

#### **Comment**

Throughout the draft Water Licence, references are made to particular tasks that an “engineer” is required to complete (i.e. inspect, review, design, etc.). Certain Terms refer to the Term “engineer” while other terms refer to a “qualified engineer”.

## **Recommendation**

For consistency, ENR recommends that all Terms should use the standard Term “by a qualified engineer” as opposed to referring to either “engineer” or a “a qualified engineer”.

## **2. Topic: Part F: Conditions Applying to Abandonment and Restoration**

### **Comment**

ENR notes that Conditions, Part F, Items, 1, 2, 3, and associated Schedule F pertain to Abandonment and Restoration. However, does not include a “*Landfill Gas Monitoring Plan*” and an “*Annual Reporting of the Findings of the Landfill Gas Monitoring Plan*”, which was recommended by ENR and agreed to by the City of Yellowknife.

### **Recommendation**

ENR recommends that Part F include the requirements for:

- A “*Landfill Gas Monitoring Plan*”, and
- An “*Annual Reporting of the Findings of the Landfill Gas Monitoring Plan*”.

## **3. Topic: Surveillance Network Program, Part B: Sampling and Analysis Requirements, Section 3.**

### **Comments**

ENR notes that a list of parameters has been updated for the analysis of runoff and seepage from the Solid Waste Disposal Facility (SWDF). However, it is plausible that a strict adherence to testing for those parameters for seepage and leachate may not be warranted over the entire term of the Water Licence.

### **Recommendation**

ENR recommends that the parameter list be flexible to accommodate and adapt to future information. For example, information provided by the results of the SWDF Drainage Study (Section j.), may assist to define appropriate parameters for seepage and leachate testing that more accurately reflect issues of concern from the SWDF.

Comments and recommendations were provided by ENR technical experts in the Environment Division, Wildlife Division and the North Slave Region, and were coordinated and collated by the Environmental Assessment and Monitoring Section (EAM).

Should you have any questions or concerns with regards to ENR's comments and recommendations, please do not hesitate to contact me at (867) 920-6591, or email at [patrick.clancy@gov.nt.ca](mailto:patrick.clancy@gov.nt.ca).

Sincerely,

A handwritten signature in black ink, appearing to read 'P. Clancy', written in a cursive style.

Patrick Clancy  
Environmental Assessment Analyst  
Environmental Assessment and Monitoring  
Department of Environment and Natural Resources