

DRAFT Type B Water Licence #MV2018L7-0002
Town of Hay River – Porritt Landing Dredging Project

Part A: Scope and Definitions

1. Scope

- a) This Licence entitles the Licensee to use Water and dispose of Waste for the purpose of recreational undertaking located at Porritt Landing dock of Hay River, Northwest Territories. This undertaking is described in the Application submitted on June 12, 2018 and includes the following:
 - i. Dredge material at the Porritt Landing dock; and
 - ii. Stockpile dredged material at designated area.
- b) This Licence is issued subject to the conditions contained herein with respect to the taking of Water and the depositing of Waste of any type in any Waters or in any place under any conditions where such Waste or any other Waste that results from the deposit of such Waste may enter any Waters. Whenever new Regulations are made or existing Regulations are amended by the Commissioner in Executive Council under the Act, or other statutes imposing more stringent conditions relating to the quantity or type of Waste that may be so deposited or under which any such Waste may be so deposited this Licence shall be deemed, upon promulgation of such Regulations, to be automatically amended to conform with such Regulations.
- c) Compliance with the term and conditions of this Licence does not relieve the Licensee from responsibility for compliance with the requirements of all applicable Federal, Territorial or municipal legislation.
- d) The Licensee shall take every reasonable precaution to protect the environment.
- e) In conducting its activities under this Licence, the Licensee shall make best efforts to consider and incorporate any scientific and Traditional Knowledge that is made available to the Licensee.

2. Definitions

Act - the *Waters Act*, S.N.W.T. 2014, c.18.

Board - the Mackenzie Valley Land and Water Board established by subsection 99(1) of the *Mackenzie Valley Resource Management Act*;

Construction - any activities undertaken to construct or build any components of, or associated with, the undertaking.

Discharge - the direct or indirect release of any Water or Waste to the Receiving Environment.

Engagement Plan - a document, developed in accordance with the Board's June 2013 *Engagement and Consultation Policy* and the *Engagement Guidelines for Applicants and Holders of Water Licences and Land Use Permits* describes proposed engagement activities during the life of the undertaking.

Engineered Structures - any structure or facility related to Water Use or the deposit of Waste that is designed and approved by a Professional Engineer.

Inspector - an Inspector designated by the Minister under subsection 65(1) of the Act.

Licensee – Town of Hay River

Minister - a duly appointed member of the Executive Council who is responsible for the *Waters Act* or the department responsible for administering that Act.

Modification - a change, other than an expansion, that does not alter the purpose or function of a structure.

Professional Engineer - a person who is registered with the Northwest Territories and Nunavut Association of Professional Engineers and Geoscientists in accordance with the *Engineering and Geoscience Professions Act*. S.N.W.T. 2006, V.16, as a Professional Engineer, and whose principal field of specialization is appropriate to address the components of the undertaking at hand.

Receiving Environment - the aquatic environment that receives any Water or Waste released from the undertaking.

Reclamation - activities which facilitate the return of areas affected by the undertaking to viable and, wherever practicable, self-sustaining ecosystems that are compatible with a healthy environment, human activities, and the surrounding environment.

Regulations - Regulations promulgated pursuant to section 63 of the Act.

Spill Contingency Plan - a document, developed in accordance with Indian and Northern Affairs Canada's April 2007 *Guidelines for Spill Contingency Planning*, that describes the set of procedures to be implemented to minimize the effects of a spill.

Traditional Knowledge - the cumulative collective body of knowledge, experience and values built up by a group of people through generations of living in close contact with nature. It builds upon the historic experiences of a people, and adapts to social, economic, environmental, spiritual and political change.

Unauthorized Discharge - a Discharge or spill of any Water or Waste not authorized under this Licence.

Waste – any Waste as defined in section 1 of the Act.

Wastewater - any Water that is generated by activities or originates on site and contains Waste and includes, but is not limited to, runoff, Seepage, or Minewater.

Waste Management Plan - a document, developed in accordance with the Board's March 2011 *Guidelines for the Development of a Waste Management Plan* which describes the methods of Waste management from Waste generation to final disposal.

Water - any Water as defined in section 1 of the Act.

DRAFT

Part B: General Conditions

1. The Licensee shall ensure a copy of this Licence is maintained on site at all times.
2. All references to policies, guidelines, codes of practice, statutes, Regulations or other authorities shall be read as a reference to the most recent versions, unless otherwise denoted.
3. All information submitted to the Board, as required by this Licence, shall:
 - a) Is in a form acceptable to the Board;
 - b) Be in accordance with the Mackenzie Valley Land and Water Board's *Document Submission Standards*; and
 - c) Include a section within each submission which identifies where the pertinent requirements of the Licence are addressed.
4. The Licensee shall operate in accordance with any approved plans, programs, studies, and manuals referred to in this Licence, including such revisions as may be made pursuant to the conditions of this Licence and as approved by the Board. If any plan is not approved by the Board, the Licensee shall revise the plan as directed and resubmit it to the Board for approval.
5. The Licensee shall review the approved plans annually, or as directed by the Board, and make any necessary revisions to reflect changes in operations. All revised plans shall be submitted to the Board, for approval, at least 60 days, unless otherwise specified, prior to implementing any proposed updates or changes in the approved plan, and shall be accompanied by a brief summary of the changes made. All revised plans shall be presented in a format consistent with the Board's Standard Outline for Management Plans.
6. If any date for any submission falls on a weekend or holiday, the Licensee may submit the item on the following business day.
7. Meters, devices, or other such methods used for measuring the volumes of Water used and Waste Discharged shall be installed, operated, and maintained by the Licensee to the satisfaction of an Inspector.
8. The Licensee shall act in accordance with the approved Engagement Plan.
9. Beginning March 31, 2019, and no later than every March 31 thereafter, the Licensee shall submit an **Annual Water Licence Report** to the Board. The Report shall be in accordance with Schedule 1, condition 1.
10. The Licensee shall comply with the Schedules, which are annexed to and form part of this Licence, and any changes to the Schedules as may be made by the Board.
11. The Schedules and any compliance dates specified in this Licence may be changed at the discretion of the Board.

Part C: Conditions Applying to Security Deposit

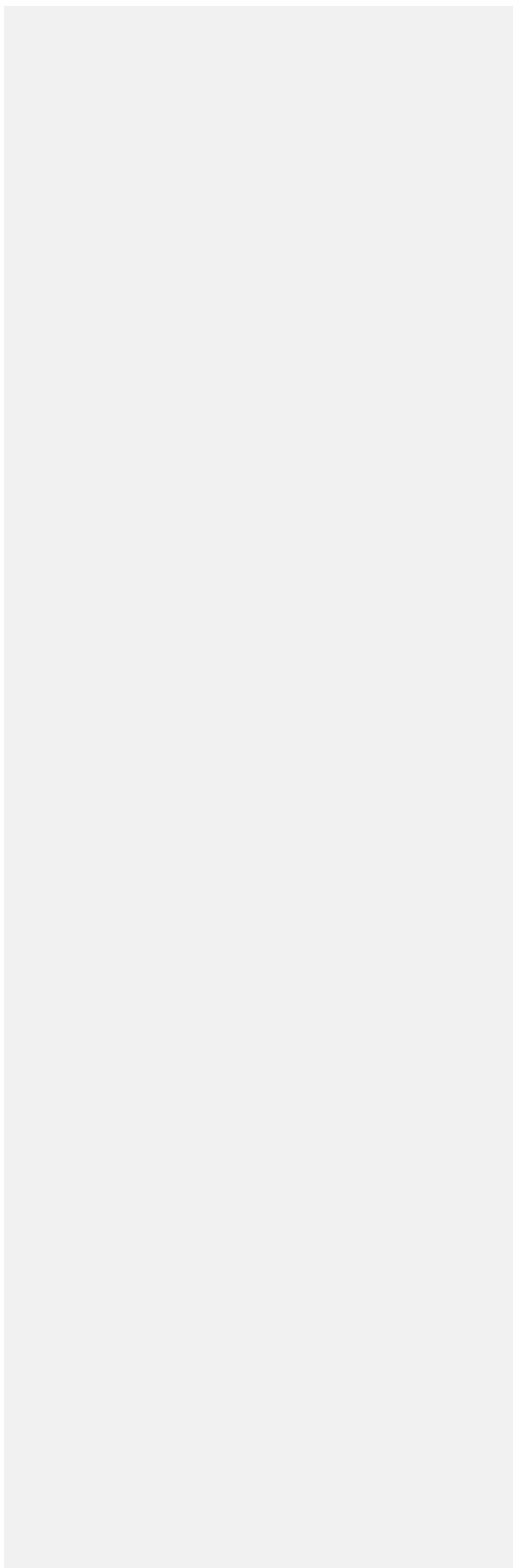
Intentionally left blank

DRAFT

Part D: Conditions Applying to Water Use

Intentionally left blank

DRAFT



Part E: Conditions Applying to Construction

1. The Licensee shall ensure that all structures intended to contain, withhold, divert, or retain Water or Wastes are designed, constructed, and maintained to prevent escape of Waste to the Receiving Environment.
2. The Licensee shall ensure that all Engineered Structures are constructed and maintained following the recommendations of the Professional Engineer responsible for the design, including but not limited to, recommendations regarding field supervision and inspection requirements.

DRAFT

Part F: Conditions Applying to Modifications

1. The Licensee may, without written approval from the Board, carry out Modifications to the Water Supply and Waste Disposal Facilities provided the following requirements are met:
 - a) The Licensee has notified the Board and an Inspector in writing of such proposed Modifications at least sixty (60) days prior to beginning the Modifications;
 - b) The Modifications do not place the Licensee in contravention of either the Licence or the Act;
 - c) The Board has not, during the sixty (60) days following notification of the proposed Modifications, informed the Licensee that review of the proposal will require more than sixty (60) days;
 - d) An Inspector has authorized the proposed Modifications and provided a letter of notification to the Board; and,
 - e) The Board has not rejected the proposed Modifications.
2. Modifications for which all of the conditions referred to in Part E, item 1, have not been met, may be carried out only with written approval from the Board.
3. Within ninety (90) days of the completion of Modification referred to in Part F, item 1, the Licensee shall submit to the Board as-built plans and drawings stamped by a Professional Engineer.

Part G: Conditions Applying to Water and Waste Management

1. The Licensee shall manage Water and Waste with the objectives of minimizing impacts on the quantity and quality of Water in the Receiving Environment through the use of appropriate mitigation measures, monitoring, and follow-up actions.

Management Plans

2. The Licensee shall act in accordance with the **Waste Management Plan** in the accepted application, until a revised plan has been approved by the Board.

OR

Within TIME (#) days following issuance of this Licence, the Licensee shall submit to the Board, for approval, a revised **Waste Management Plan**. The Licensee shall not commence construction until the Board has approved the Plan. The Plan shall also address the following items:
a) *...(optional if brought up during the review process)*

Commented [JH1]: Pending reviewer comments

Disposal Requirements

3. The Licensee shall direct all dredged material to the designated stockpile area, as described in the approved Waste Management Plan referred to in Part G, condition 2, or as authorized by the Inspector.
4. Dredged material shall not be discharged or decanted to any Waterbody, Watercourse, or to the ground surface within 100 metres of the Normal High Water Mark of any Waterbody or Watercourse.
5. Prior to disposing dredged material at the designated stockpile area, the Licensee shall submit sediment analysis results to the Inspector.
6. The dredged material for disposal at the designated stockpile area shall meet the criteria in Schedule 2, condition 1.

Commented [JH2]: Board staff is seeking input on the parameters and requirements for the dredged material

Part H: Conditions Applying to Contingency Planning

1. The Licensee shall act in accordance with the **Spill Contingency Plan** in the accepted application, until a revised plan has been approved by the Board.
2. The Licensee shall act in accordance with the approved Spill Contingency Plan and shall annually review the Plan and make any necessary revisions to reflect changes in operations, technology, chemicals, or fuels, or as directed by the Board. The revised Plan shall include a brief summary of the changes made, and shall be submitted to the Board, for approval, at least sixty (60) days prior to any proposed changes to the requirements in the approved Plan.
3. If, during the period of this Licence, a spill or an Unauthorized Discharge occurs or is foreseeable, the Licensee shall:
 - a) Implement the Spill Contingency Plan;
 - b) Report the incident immediately via the 24 Hour Spill Reporting Line (867) 920-8130 in accordance with the instructions contained in the Spill Report Form NWT 1752/0593 or subsequent editions;
 - c) Report each spill and Unauthorized Discharge to the Board and an Inspector within 24 hours; and,
 - d) Submit a detailed report on each spill and Unauthorized Discharge, including descriptions of root causes, response actions and any changes to procedures to prevent similar occurrences in the future, to the Board within thirty (30) days.
4. All spills and Unauthorized Discharges of Water or Waste shall be reclaimed to the satisfaction of an Inspector.

Part I: Conditions Applying to Closure and Reclamation

1. The Licensee shall carry out progressive Reclamation of areas as soon as is reasonably practicable.

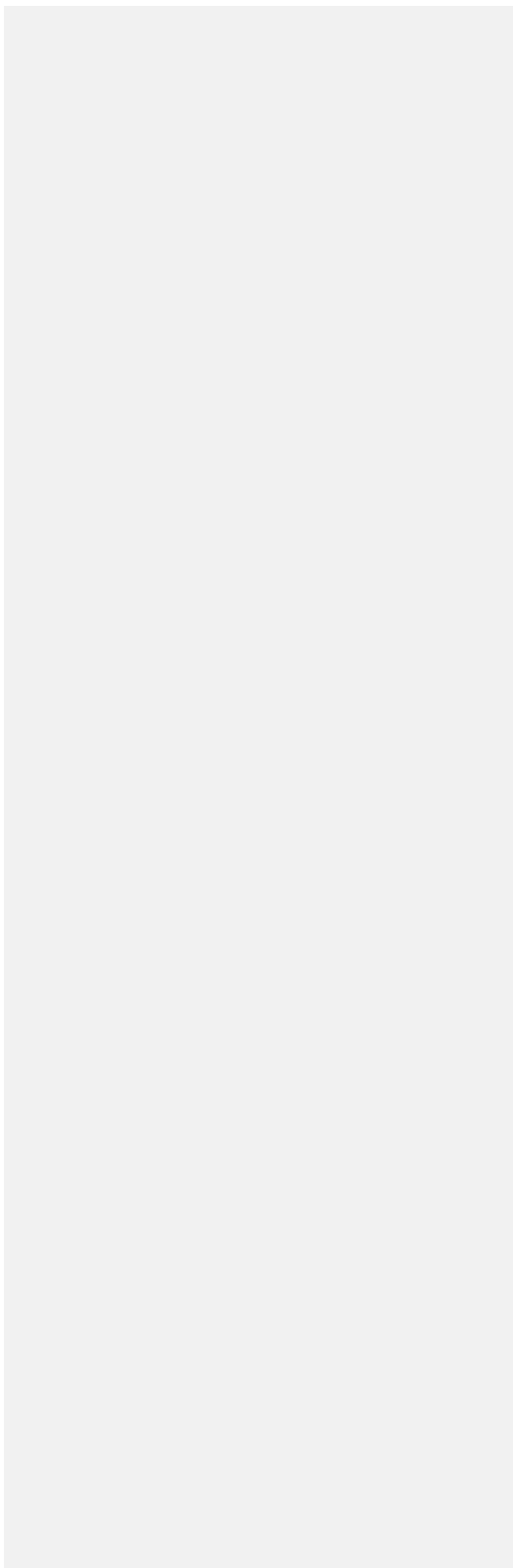
DRAFT

Signed the **XX day of XX, XXXX** on behalf of the Mackenzie Valley Land and Water Board

Mavis Cli-Michaud, Chair

Tanya Lantz, Witness

DRAFT



Schedule 1
Attached to Water Licence MV2018L7-0002 Part B, condition x
Town of Hay River – Porritt Landing Project

Part B: General Conditions – Annual Water Licence Report

1. The Annual Water Licence Report referred to in Part B of this Licence shall include, but not limited to, the following information:
 - a) A summary of the calibration and status of the meters and devices referred to in Part B of this Licence;
 - b) A summary of engagement activities conducted in accordance with the approved **Engagement Plan**, in Part B of this Licence, undertaken during the previous calendar year and shall include a brief description of activities planned for the forthcoming year;
 - c) A summary of **Construction** activities conducted in accordance with Part D of this Licence, undertaken during the previous year calendar year;
 - d) An updated schedule for the undertaking;
 - e) A summary of **Modification** activities and major maintenance work conducted in accordance with Part E of this Licence, undertaken during the previous calendar year;
 - f) A summary of activities conducted in accordance with the approved **Waste Management Plan**, required in Part F of this Licence, undertaken during the previous calendar year, including:
 - i. A summary of updates or changes to the process or facilities required for the management of Waste; and
 - ii. Daily, monthly and annual quantities in cubic metres of all solid Waste deposited, identified by location.
 - g) A description of any erosion susceptible areas encountered and a summary of activities to prevent or mitigate erosion;
 - h) A report of the performance of erosion mitigations applied in previous years;
 - i) A summary of activities conducted in accordance with the approved **Spill Contingency Plan**, required in Part G of this Licence, undertaken during the previous calendar year, including:
 - i. A list and description for all Unauthorized Discharges that occurred during the previous calendar year, including the date, NWT spill number, volume, location, summary of the circumstances and follow-up actions taken, and status (i.e. open or closed), in accordance with the reporting requirements in Part H of this Licence; and
 - ii. An outline of any spill training and communications exercises carried out during the previous calendar year.
 - j) Any other details on Water Use or Waste disposal requested by the Board by November 30 of the year being reported; and
 - k) A summary of actions taken to address concerns, non-conformances, or deficiencies in any reports filed by an Inspector.

Schedule 2
Attached to Water Licence MV2018L7-0002 Part G, condition x
Town of Hay River – Porritt Landing Project

Part G: Conditions Applying to Water and Waste Management – Disposal Requirements

1. As per Part G, condition X, all dredged material disposed at the designated stockpile area shall meeting the following Criteria:

Parameter	Criteria

Commented [JH3]: Board staff is seeking input on the parameters and requirements for the dredged material

DRAFT

Signed the **XX day of XX, XXXX** on behalf of the Mackenzie Valley Land and Water Board

Chair

Witness

DRAFT

Annex B: Table of Items Requiring Submission

Commented [JH4]: Will be updated

Supplemental information to be submitted by Licensee as required through Water Licence conditions.

Part of WL	Item	Date
B		-
B		-
B		-
C		-
E		-
E		-
E		-
E		-
E		-

DRAFT

Annex B Revisions to Water Licence # [Enter WL #]

List of changes that have been made to the Water Licence since issuance

Date	Location of Change	What has changed

DRAFT