



December 16, 2020

Ms. Tyree Mullaney
Regulatory Specialist
Mackenzie Valley Land and Water Board
4922 – 48TH STREET
YELLOWKNIFE, NT X1A 2P6

Dear Ms. Mullaney:

Northwest Territories Power Corporation Water Licence Renewal Application – MV2020L4-0005 Bluefish Power Generation Facility – Request for Closing Arguments

On October 20, 2020, the Government of the Northwest Territories - Department of Environment and Natural Resources (ENR) provided a written Intervention to the Mackenzie Valley Land and Water Board (MVLWB) related to the application submitted by Northwest Territories Power Corporation (NTPC) for a Water Licence renewal (MV2020L4-0005) for the continued operation of the Bluefish Hydroelectric Facility. On November 16, 2020, as no requests to appear and make representations at the public hearing had been made, the MVLWB issued a notice cancelling the hearing, according to subsection 41(3) of the *Waters Act*.

ENR provides this closing argument submission for the MVLWB's consideration. ENR appreciates the opportunity to express its concerns and provide recommendations to the MVLWB on this application.

Slimy Sculpin Mercury Monitoring

In ENR's Intervention, concerns were noted regarding mercury concentrations in fish in Bluefish Lake. Specifically, it was noted that monitoring had not been conducted since 2018 and there was a limited dataset for Northern Pike and Lake Trout. Following discussions with the Tłı̨chǫ Government (TG), ENR made recommendations to confirm the results of the monitoring program and ensure the results of the study are communicated to stakeholders. Specifically, the recommendations were as follows:

- ENR recommends NTPC conduct a Slimy Sculpin mercury monitoring study in 2021 to confirm the trends in mercury concentrations in Slimy Sculpin.
- ENR recommends the study results be submitted to the Board for approval to assist in determining whether further monitoring is warranted.



- ENR recommends NTPC engage with stakeholders to communicate the results of the Slimy Sculpin mercury monitoring study.

It is important to note that the TG made similar recommendations in their Intervention, submitted to the MVLWB. In response to the interventions submitted by ENR and TG, NTPC made the following commitments:

- An additional collection of Slimy Sculpin for mercury analyses will be completed in fall 2023 prior to the end of the open water season, and will follow the methods used in previous years and described in the Mercury Monitoring Plan (Version 6).
- The results of the Slimy Sculpin collection will be summarized in a report to be provided to MVLWB. The report will examine trends in concentrations by comparing results to previous mercury monitoring data collected at Bluefish Lake (including all data collected between 2012 and 2018).
- The outcome of the proposed monitoring study will be communicated with stakeholders, including the Yellowknives Dene First Nation, North Slave Métis Alliance, Tłı̨chǫ Government, Wek'èezhì Renewable Resources Board and Cassidy Point Association.

Based on these commitments made by NTPC and the conditions in Part G of the draft Water Licence, ENR believes the recommendations made in the Intervention have been addressed and has no outstanding concerns. Should you have any questions or concerns, please do not hesitate to contact Patrick Clancy, Environmental Regulatory Analyst at (867) 767-9233 Ext: 53096 or email patrick.clancy@gov.nt.ca.

Sincerely,

Fritz Griffith (on behalf of Patrick Clancy)
Program Coordinator, Resource Management
Environmental Impact Assessment Section
Environment and Climate Change Division
Department of Environment and Natural Resources
Government of the Northwest Territories