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July 28, 2020

File: W2017L3-0001

Mark Cliffe-Phillips
Mackenzie Valley Environmental Impact Review Board
200 Scotia Centre
Box 938, 5102-50th Avenue
Yellowknife, NT X1A 2N7

Sent by email

Dear Mark Cliffe-Phillips,

Re: Notice of Preliminary Screening Determination – Amendment for Water Licence W2017L3-0001 – [Community Government of Wekweètì, NT]

The Wek'èezhì Land and Water Board (Board) met on July 28, 2020 and considered an amendment to the Community Government of Wekweètì's Type B Water Licence (Licence) W2017L3-0001 in accordance with the *Mackenzie Valley Resource Management Act* (MVRMA).

The Board conducted a preliminary screening based on the public record for the proceeding. Based on the evidence provided, the Board is satisfied the screening has been completed according to section 125 of the MVRMA and has decided **not to refer** the project to environmental assessment. The Board's reasons for decision, as required by section 121 of the MVRMA, are provided below.

If the Board does not receive notice of referral to environmental assessment, it will continue the Water Licensing process.

Our Board and staff look forward to continued communications throughout the pause period. If you have any questions or concerns regarding this letter, please contact Chris Hotson at (867) 766-7459 or email chotson@mvlwb.ca.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Joseph Mackenzie".

Joseph Mackenzie
Chair, Wek'èezhì Land and Water Board

Copied to: Wek'èezhì East Distribution List



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Reasons for Decision

Reference/File Number:	W2017L3-0001 (Type B Water Licence)
Licensee:	Community Government of Wekweèti (CGW)
Subject:	Water Licence Amendment Preliminary Screening – Waste from Water Supply Facility

Decision from the Wek'èezhì Land and Water Board Meeting of July 28, 2020

1.0 Decision

While the Amendment to the Water Licence W2017L3-0001 is a result of the Board's own motion, rather than an Application by the Licensee, the Board has conducted a preliminary screening in accordance with section 124(1) of the *Mackenzie Valley Resource Management Act* (MVRMA). The preliminary screening identifies potential impacts and mitigations for the proposed activities. The test within the preliminary screening is to determine whether the project is 'likely have a significant adverse impact on the air, water, or renewable resources' or 'might be a cause for public concern.' The Board completed a Preliminary Screening of this request on July 28, 2020, and based on the evidence provided, it is the Board's view that the Waste produced by the new Water Supply Facility is not likely to have a significant adverse impact on the air, water or renewable resources, or be a cause for public concern as set out in paragraph 125(2)(a) of the MVRMA. Therefore, the Board has decided to **not to refer** the Project to Environmental Assessment.

In accordance with paragraph 125(3)(a) of the MVRMA, the Board shall not issue a licence, permit, or other authorization for the development before the end of 10 days after the day on which the Review Board received the report of the determination. If no referral to environmental assessment is received by August 7, 2020, the Board will continue the Water Licensing process.

2.0 Background

The Community Government of Wekweètì (CGW), with assistance from the Government of the Northwest Territories Department of Municipal and Community Affairs (GNWT-MACA), AWC Water Solutions Ltd., and Stantec, plans to replace its Water Supply Facility (WSF) in 2020. The Board understands that the new WSF is necessary to come into compliance with the new Canadian Drinking Water Quality Guidelines and recognizes that a functioning WSF is essential for the community in order to have access to drinking water.

The WSF generates two types of Waste: backwash is generated by water being pumped backwards through filters to remove accumulated particles such as sand and dirt and is discharged onto land; and Wastewater is generated from in-plant processes (such as a membrane cleaning process, testing and general housekeeping) and is Discharged to the Wastewater Tank that is to be regularly drained for disposal to the Sewage Disposal Facility (SDF) (i.e., sewage lagoon).

The Board approved Design Drawings for the new WSF for Wekweètì on July 2, 2019.¹ As per paragraph 72.12(1)(b) of the MVRMA and paragraph 36(b) of the *Waters Act*, the Board may amend the conditions of a Water Licence on its own motion if it appears to the Board to be in the public interest. When the Board approved the Design Drawings, the Board decided that Water Licence Amendment processes for both W2017L3-0001 (Gamètì) and W2017L3-0001 (Wekweètì) were required to address the gaps related to discharge from, and the operations and maintenance of, the WSF. The Board amended the Water Licence for the Community Government of Gamètì (W2018L3-0001) in August of 2019.²

CGW planned to replace its treatment plant during the summer of 2020, and so Board staff distributed a Draft Water Licence for public review with suggested amendments to reflect the Board's July 2, 2019 (Design Drawings) and August 19, 2019 (Gamètì Amendment) Reasons for Decisions (RFDs).³ This was distributed for public review on May 14, 2020. Review comments were due by June 4, 2020 and responses were due by June 10, 2020.

Comments and recommendations were received by Environment and Climate Change Canada (ECCC), Government of the Northwest Territories Department of Environment and Natural Resources (GNWT-ENR), and the Tlicho Government (TG). The Wek'èezhìi Renewable Resources Board (WRRB) indicated it had no comments or recommendations at the time. Board staff also submitted questions during the public review. Responses were received by the deadline from Stantec on behalf of the CGW.

It is noted that Version 3.0 of Wekweètì's Operation and Maintenance Plan for the WSF is relevant to the Waste produced by the WSF and was required to be approved by the Board prior to the operation of the

¹ See WLWB (www.wlwb.ca) Online Registry for [Wekweeti – Water Treatment Plant – Design Drawings – Reasons for Decision – Jul 2 19](#)

² See WLWB Online Registry for [Gameti – Water Licence – Amendment – Reasons for Decision – Aug 19 19](#)

³ See WLWB Online Registry for [Wekweeti – Amendment – Draft Water Licence – May 14 20](#)

new WSF.⁴ This Plan was distributed for public review around the same time as the Water Licence amendment and is currently under consideration by the Board. Comments and recommendations related to this plan are referenced as appropriate in the discussion of potential impacts and mitigations. Reviewer comments and proponent responses for each submission are available on the Board's Public Registry.^{5,6}

3.0 Reasons for Decision

3.1 Preliminary Screening

A preliminary screening of activities related to the CGW's Water Licence was completed on September 26, 2007.⁷ At the time, the Board did not refer the project to Environmental Assessment. As per subsection 125(2) of the MVRMA, the Board is required to determine "...whether, in its opinion, the development is likely to have a significant adverse impact on air, water, or renewable resources or might be a cause of public concern".

⁴ See WLWB Online Registry for [Wekweeti – Water Treatment Plant – Design Drawings – Reasons for Decision – Jul 2 19](#)

⁵ See WLWB Online Registry for [Wekweeti – Amendment – Review Summary and Attachments – Jun 10 20](#)

⁶ See WLWB Online Registry for [Wekweeti – O and M Plan – WSF – V3.0 – Review Summary and Attachments – Jul 17 20](#)

⁷ See WLWB Online Registry for [W2007L3-0001 – Wekweeti – Water Licence – Reasons for Decision – Sep 28 07](#)

The Board has conducted its own analysis of potential impacts and proposed mitigations of the Amendment in Table 1 below:

Table 1: Summary of Potential Impacts of the proposed Amendment and proposed Mitigations

Potential Impact	Activity	Proposed Mitigations <i>Description of measures that can be applied to reduce potential impact, including consideration of cumulative impacts and climate change.</i>
Contamination	Disposal of wastes in the surrounding environment	<ul style="list-style-type: none"> • Concerns: <ul style="list-style-type: none"> ○ The new Water Supply Facility will produce wastewater and backwash. Wastewater is sent to the Sewage Disposal Facility and backwash water is disposed of overland. Operation of a Water Supply Facility that generates wastewater could contaminate local soils and proximate surface waterbodies ○ Contamination of soils and waterbodies may have subsequent impacts to water quality, human health, wildlife, fish, and their habitat. • Mitigations: <ul style="list-style-type: none"> ○ CGW’s current Licence requires a Spill Contingency Plan (Part G, Condition 1) and an Operations and Maintenance Plan for the Water Supply Facility (Part H, Condition 1). These plans outline waste and spill management. These plans are annually reviewed and updated to reflect changes in operation or technology, or upon the request of an Inspector or the Board and will help mitigate potential impacts associated with the operation of a new Water Supply Facility. ○ The draft Licence that was distributed for review included proposed conditions to characterize and mitigate potential impacts of the WSF Waste. Additional Water Licence Conditions can be added to address potential impacts or any remaining uncertainty related to Waste produced by the new Water Supply Facility. ○ No coagulants or flocculants are planned to be used, so no sludge will be produced (response to GNWT-ENR comment 9 of the Wekweètì WL Amendment) ○ Backwash will be directed away from the source water body and gravel and a riprap splash pad will be placed at the point of discharge to limit soil erosion (response to ECCC comment 2 of Version 3.0 of the O&M Plan for Wekweètì). ○ Wastewater held in the Wastewater Tank is disposed of in the sewage lagoon for further treatment and where Surveillance Network Program (SNP) station 001-2 and 001-3 monitor effluent quality. Effluent quality must meet the criteria set out in Part D, Conditions 4 and 5. • Board Analysis and Determination: <ul style="list-style-type: none"> ○ Based on the proponent’s responses to reviewer comments, the Board believes that additional conditions can be added to Licence W2016L8-0001 to address any remaining concerns and uncertainty related to potential impacts of waste contamination. ○ No comments by reviewers were received recommending an Environmental Assessment ○ Based on the mitigations described above and the lack of concerns raised by Parties, the Board does not believe the proposed activities will likely have a significant adverse impact on the air, water, or renewable resources or be a cause for public concern.
Introduction of deleterious substances	Deposit of waste into a watercourse	<ul style="list-style-type: none"> • Concerns: See Concerns for Potential Impact ‘Contamination’ • Mitigations: See Mitigations for Potential Impact ‘Contamination’ • Board Analysis and Determination: See Board Analysis and Determination for Potential Impact ‘Contamination’

3.1.2 Summary of Potential Environmental Impacts

The Board considered whether the Waste from the Water Supply Facility would likely have a significant adverse impact on the air, water, or renewable resources. Mitigation measures for potential impacts are identified in Table 1 above. These mitigation measures include existing Water Licence conditions, as well as response to public review comments. Where necessary, the Board believes that additional conditions can be included in an amended Water Licence to address any remaining concerns and uncertainty with respect to mitigating potential impacts.

3.1.3 Public Concern

The Board must also consider whether a proposed development might be a cause of public concern. Although public concern may be less clearly defined than the questions related to significant adverse environmental impacts, it is the Board's responsibility to evaluate public concern as a potential trigger for an Environmental Assessment.

The Board notes that no reviewers voiced public concern in review of the Amendment. In addition, in reviewing the comments provided during the public review, the Board did not identify any comments or issues that indicate a possible cause for public concern.

3.1.4 Overall Preliminary Screening Determination

The Board has reviewed all the evidence received from CGW and reviewers with respect to the Preliminary Screening of Waste produced by the new Water Supply Facility. Based on the information provided by CGW in the public review; the lack of public concern raised during the review process; and the absence of comments indicating that this Amendment should be referred to the Review Board, it is the Board's view that the Waste produced from the Water Supply Facility will not likely have a significant adverse impact on air, water, or renewable resources or be a cause of public concern.

Signed the 28th Day of July, 2020, on behalf of the Wek'èezhìi Land and Water Board



Witness



Joseph Mackenzie
Chair, Wek'èezhìi Land and Water Board