



105 Veterans Way
PO Box 2018, Inuvik NT X0E 0T0

Tel: 867-777-4954 Fax 867-777-2304
www.glwb.com

July 29, 2022

File: G22L3-004 and G22H003

Sharla Greenland, COO
Gwich'in Tribal Council
PO BOX 1509
Inuvik, NT X0E 0T0

Sent by email

Dear Sharla,

Re: Rachel Reindeer Wellness Camp – Renewal Issuance Package – Water Licence G22L3-004 and Land Use Permit G22H003

The Gwich'in Land and Water Board (Board) met on July 28, 2022 and considered the Application Package submitted by the Gwich'in Tribal Council, for the renewal of Water Licence G13L3-001 (former G08L3-002) and Permit H15001 (former G08H004) for the Rachel Reindeer Wellness Camp.

The Board has approved Water Licence (Licence) G22L3-004 (attached) for a term of seven (7) years, effective July 28, 2022, and expiring July 27 2029. The Licence is supported by the Board's Reasons for Decision. These documents are posted to the Board's Public Registry.¹

The Board has approved Land Use Permit (Permit) G22H003 (attached) for a term of five (5) years, effective July 28, 2022 and expiring July 27 2027. The Permit is supported by the Board's Reasons for Decision. These documents are posted to the Board's Public Registry.²

Submission Requirements

Please refer to Annex B of the Licence and Annex B of the Permit for a complete summary and timetable of submissions required for this Project. The Board's decisions on submissions that were considered in conjunction with the renewal Application Package are set out below.

¹ See GLWB Online Registry for [G22L3-004](#)

² See GLWB Online Registry for [G22H003](#)

Management Plans – Revisions Required

The Board requires that the following Plans be revised to include all changes detailed in the Reasons for Decision and submitted by the dates outlined in the following table. The revised Plans will be considered approved when the Permittee receives written confirmation of conformity.

<i>Plan</i>	<i>Requirement</i>
Waste Management Plan	Submit Revised Waste Management Plan Version 3, for Board approval within 60 days of issuance.
Spill Contingency Plan	Submit Revised Spill Contingency Plan Version 3, for Board approval within 60 days of Issuance.

Contact information for Inspectors and Analyst

Please note that the Inspectors referred to in the Licence can be contacted at the regional GNWT-ENR offices.³ The Analyst referred to in the Surveillance Network Program annexed to the Licence can be contacted at the Taiga Environmental Laboratory.⁴

Processes and Additional Information

Sections 5 and 6 of the Board's *Guide to the Water Licensing Process*⁵ (Guide) contain detailed information on licence enforcement and potential post-issuance processes, such as amendments to conditions, and assignment to another company. Please be familiar with these sections of the Guide and reach out to Board staff with any questions about Board processes related to the Licence.

Sections 5 and 6 of the Board's *Guide to the Land Use Permitting Process*³ (Guide) contain detailed information on permit enforcement and potential post-issuance processes, such as amendments to conditions, and assignment to another company. Please be familiar with these sections of the Guide and reach out to Board staff with any questions about Board processes related to the Permit.

Compliance and Environmental Protection

The Board underscores the importance of operating in compliance with the terms and conditions of the Land Use Permit and Water Licence, including SNP monitoring, annual reporting and adherence to approved management plans. The Board acknowledges that the Rachel Reindeer Wellness Camp has not been in operation for several years and that this may have affected compliance performance. Past environmental inspection reports were particularly concerning to the Board as they noted the unacceptable and ongoing storage of hazardous wastes on site between 2013 and 2019.⁴

It is understood that a revitalization effort is underway at the Rachel Reindeer Camp with re-opening planned for 2022. The Board is supportive of the Project, which will allow for Gwich'in People to connect with the land in a healing environment, and practice traditional and Indigenous skills. Deeply rooted in

³ See GLWB Policies and Guidelines webpage for MVLWB [Guide to the Land Use Permitting Process](#).

⁴ See GLWB Online Registry for [G13L3-001 - ENR Inspection Report - Jul14 16](#); [G15H001 - Inspection Report - Mar27 19](#); [G15H001 - Inspection Report - May30 19](#)

these traditions is environmental stewardship, and we trust that GTC will carry out its operations in a manner that reflect the importance of land and water protection.

Full cooperation of The Gwich'in Tribal Council with the terms and conditions of the Licence and Permit is thus anticipated and appreciated. Please contact Regulatory Specialist AlecSandra Macdonald at 867-777-4954 with any questions or concerns regarding this letter.

Yours sincerely,



Elizabeth Wright
Chair, Gwich'in Land and Water Board

BCC'd to: GLWB Distribution List

Attached: Water Licence G22L3-004, Permit G22H003 and Reasons for Decision

² See GLWB Policies and Guidelines webpage for MVLWB [Engagement and Consultation Policy](#) and [Engagement Guidelines for Applicants and Holders of Water Licences and Land Use Permits](#).

³ See GNWT-ENR Regional Offices webpage (<https://www.enr.gov.nt.ca/en/regional-offices>) for regional contact information.

⁴ See GNWT-ENR Taiga Environmental Laboratory webpage (<https://www.enr.gov.nt.ca/en/services/taiga-environmental-laboratory>) for contact information.

⁵ See GLWB Policies and Guidelines webpage for MVLWB [Guide to the Water Licensing Process](#).



105 Veterans Way
PO Box 2018, Inuvik NT X0E 0T0

Tel: 867-777-4954 Fax 867-777-2304
www.glwb.com

Water Licence G22L3-004

Pursuant to the *Waters Act* and the Waters Regulations,
the Gwich'in Land and Water Board grants this Water Licence to:

The Gwich'in Tribal Council

(Licensee)

of PO BOX 1509, Inuvik NT X0E0T0

(Mailing Address)

hereinafter called the Licensee, to proceed with the following undertaking, subject to the annexed definitions and conditions contained therein:

Location:	Rachel Reindeer Wellness Camp (Mackenzie River East Channel, 10 km south of Inuvik, NT)
Water Management Area:	Northwest Territories 03
Purpose:	Municipal Water Use and Deposit of Waste
Type:	B Renewal
Quantity of Water not to be exceeded:	2,000 m ³ per year
Effective Date:	July 28, 2022
Expiry Date:	July 27, 2029

Elizabeth Wright, Chair
Gwich'in Land and Water Board

Alec Sandra Macdonald, Witness

Type B Water Licence G22L3-004

Gwich'in Tribal Council Rachel Reindeer Wellness Camp – Type B Water Licence

Table of Contents

Part A: Scope and Defined Terms

Part B: General Conditions

Part C: Security

Part D: Water Use

Part E: Construction

Part F: Waste and Water Management

Part G: Aquatic Effects Monitoring

Part H: Spill Contingency Planning

Part I: Closure and Reclamation

Schedules

Schedule 1: Annual Water Licence Report (Part B)

Annex A: Surveillance Network Program

Annex B: Concordance Table of Items Requiring Submission

Annex C: Table of Revision History

Part A: Scope and Defined Terms

Scope:

		Condition Title
1.	<p>This Licence entitles the Licensee to carry out Water Use and the deposit of Waste for municipal purposes at the Rachel Reindeer Wellness Camp</p> <p>The scope of this Licence includes the following:</p> <ul style="list-style-type: none">a) Withdrawal of up to 2,000 m³ freshwater per year from the Mackenzie River East Channel;b) Deposit of Waste to the Sewage Disposal Facilities; andc) Deposit of Waste ash from burn barrel.	SCOPE
2.	<p>This Licence is issued subject to the conditions contained herein with respect to the use of Water and the deposit of Waste in any Waters or in any place under any conditions where such Waste or any other Waste that results from the deposits of such Waste may enter any Waters. Any change made to the <i>Waters Act</i> and/or the Waters Regulations that affects licence conditions and defined terms will be deemed to have amended this Licence.</p>	LEGISLATION SUBJECT TO CHANGE
3.	<p>Compliance with this Licence does not relieve the Licensee from responsibility for compliance with the requirements of any applicable federal, territorial, or municipal legislation.</p>	LEGISLATIVE COMPLIANCE

Defined Terms

Analyst – an Analyst designated by the Minister under subsection 65(1) of the *Waters Act*.

Board – Gwich'in Land and Water Board, established under Part 3 of the *Mackenzie Valley Resource Management Act*.

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

Closure and Reclamation Plan (CRP) – a document, developed in accordance with this Licence, that clearly describes the Closure and Reclamation for the Project.

Construction – any activities undertaken during any phase of the Project to construct or build any structures, facilities or components of, or associated with, the development of the Project.

Discharge – a direct or indirect deposit or release of any Water or Waste to the Receiving Environment.

Effluent – a Wastewater Discharge.

Effluent Quality Criteria (EQC) – numerical or narrative limits on the quality or quantity of the Waste deposited to the Receiving Environment.

Engagement Plan – a document, developed in accordance with the MVLWB *Engagement and Consultation Policy* and the *Engagement Guidelines for Applicants and Holders of Water Licences and Land Use Permits*, that clearly describes how, when, and which engagement activities will occur with an affected party during the life of the Project.

Groundwater – as defined in section 1 of the Waters Regulations: all water in a zone of saturation below the land surface, regardless of its origin.

Greywater – all liquid Waste from showers, baths, sinks, kitchens, and domestic washing facilities, but does not include Toilet Waste.

Inspector – an Inspector designated by the Minister under subsection 65(1) of the *Waters Act*.

Licensee – the holder of this Licence.

Minister – the Minister of the Government of the Northwest Territories – Environment and Natural Resources.

Ordinary High-Water Mark – the usual or average level to which a Watercourse rises at its highest point and remains for sufficient time so as to change the characteristics of the land. In flowing Watercourses (rivers, streams), this refers to an active channel/bank-full level, which is often the 1:2-year flood flow return level. In inland lakes, wetlands or marine environments, it refers to those parts of the Watercourse bed and banks that are frequently flooded by Water so as to leave a mark on the land and where the natural vegetation changes from predominantly aquatic vegetation to terrestrial vegetation (excepting Water tolerant species). For reservoirs, this refers to normal high operating levels (full supply level).

Progressive Reclamation – Closure and Reclamation activities conducted during the operating phase of the Project.

Project – the undertaking described in Part A, Condition 1.

Receiving Environment – the natural environment that, directly or indirectly, receives any deposit of Waste from the Project.

Sewage Disposal Facilities – the area(s) and structures designated to contain and treat Sewage.

Spill Contingency Plan (SCP) – a document developed for the Project in accordance with INAC's *Guidelines for Spill Contingency Planning*.

Surveillance Network Program (SNP) – a monitoring program required by this Licence and detailed in Annex A.

Toilet Wastes – all human excreta and associated products, not including Greywater.

Traditional Knowledge – As defined by Gwich'in Tribal Council's *Working with Gwich'in Traditional Knowledge In The Gwich'in Settlement Region*, that body of knowledge, values, beliefs and practices passed from one generation to another by oral means or through learned experience, observation and spiritual teachings, and pertains to the identity, culture and heritage of the Gwich'in. This body of knowledge reflects many millennia of living on the land. It is a system of classification, a set of empirical observations about the local environment, and a system of self-management that governs the use of resources and defines the relationship of living beings with one another and with their environment.

Unauthorized Discharge – a Discharge of any Water or Waste not authorized under this Licence

Waste – as defined in section 1 of the *Waters Act*:

- a) a substance that, if added to water, would degrade or alter or form part of a process of degradation or alteration of the quality of the water to an extent that is detrimental to its use by people or by an animal, fish or plant, or

- b) water that contains a substance in such a quantity or concentration, or that has been so treated, processed or changed, by heat or other means, that it would, if added to other water, degrade or alter or form part of a process of degradation or alteration of the quality of that water to the extent described in paragraph (a) and includes
- c) a substance or water that, for the purposes of the *Canada Water Act*, is deemed to be waste,
- d) a substance or class of substances prescribed by regulations made under subparagraph 63(1)(b)(i),
- e) water that contains a substance or class of substances in a quantity or concentration that is equal to or greater than a quantity or concentration prescribed in respect of that substance or class of substances by regulations made under subparagraph 63(1)(b)(ii), and
- f) water that has been subjected to a treatment, process or change prescribed by regulations made under subparagraph 63(1)(b)(iii).

Waste Management Plan (WMP) – a document, developed in accordance with the MVLWB *Guidelines for Developing a Waste Management Plan*, that describes the methods of Waste management for the Project from Waste generation to final disposal.

Wastewater Treatment Facilities – the area(s) and structures designated for the treatment of Wastewater.

Water – as defined in section 1 of the *Waters Act*: water under the administration and control of the Commissioner, whether in a liquid or frozen state, on or below the surface of land.

Watercourse – as defined in section 1 of the *Waters Regulations*: a natural watercourse, body of Water or Water supply, whether usually containing Water or not, and includes Groundwater, springs, swamps, and gulches.

Water Management Area – a geographical area of the Northwest Territories established by section 2 and Schedule A of the *Waters Regulations*.

Waters Regulations – the regulations proclaimed pursuant to section 63 of the *Waters Act*.

Water Supply Facilities – the area(s) and structures designed to collect, treat, and supply Water for the Project.

Water Use – as defined in section 1 of the *Waters Act*: a direct or indirect use of any kind, including, but not limited to,

- a) a diversion or obstruction of waters,
- b) an alteration of the flow of waters, and
- c) an alteration of the bed or banks of a river, stream, lake or other body of water, whether or not the body of water is seasonal, but does not include a use connected with shipping activities that are governed by the *Canada Shipping Act, 2001*.

	Condition	Condition Title
--	-----------	-----------------

Part B: General Conditions		
1.	The Licensee shall ensure a copy of this Licence is maintained on site at all times.	COPY OF LICENCE
2.	The Licensee shall take every reasonable precaution to protect the environment.	PRECAUTION TO PROTECT ENVIRONMENT
3.	In conducting its activities under this Licence, the Licensee shall make every reasonable effort to consider and incorporate any scientific information and Traditional Knowledge that is made available to the Licensee.	INCORPORATE SCIENTIFIC INFORMATION AND TRADITIONAL KNOWLEDGE
4.	In each submission required by this Licence or by any directive from the Board, the Licensee shall identify all recommendations based on Traditional Knowledge received, describe how the recommendations were incorporated into the submission, and provide justification for any recommendation not adopted.	IDENTIFY TRADITIONAL KNOWLEDGE
5.	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 noted.	REFERENCES
6.	The Licensee shall ensure all submissions to the Board: <ul style="list-style-type: none"> a) Are in accordance with the MVLWB <i>Document Submission Standards</i>; b) Include a conformity statement or table which identifies where the requirements of this Licence, or other directives from the Board, are addressed; and c) Include any additional information requested by the Board. 	SUBMISSION FORMAT AND CONFORMITY
7.	The Licensee shall ensure management plans are submitted to the Board in a format consistent with the MVLWB <i>Standard Outline for Management Plans</i> , unless otherwise specified.	MANAGEMENT PLAN FORMAT
8.	The Licensee shall comply with all management plans - including revisions, approved pursuant to the conditions of this Licence.	COMPLY WITH SUBMISSIONS AND REVISIONS

9.	The Licensee shall conduct an annual review of all approved plans and make any revisions necessary to reflect changes in operations, contact information, or other details.	ANNUAL REVIEW
10.	The Licensee may, at any time, propose changes to any plan by submitting revisions to the Board, for approval, a minimum of 90 days prior to the proposed implementation date for the changes. The Licensee shall not implement the changes until approved by the Board.	REVISIONS
11.	The Licensee shall revise any submission and submit it as per the Board's directive.	REVISE AND SUBMIT
12.	If any date for any submission falls on a weekend or holiday, the Licensee may submit the item on the following business day.	SUBMISSION DATE
13.	The Licensee shall comply with the Schedules , which are annexed to and form part of this Licence, and any updates to the Schedules as may be made by the Board.	COMPLY WITH SCHEDULE(S)
14.	The Schedules, the Surveillance Network Program, and any compliance dates specified in this Licence may be updated at the discretion of the Board.	UPDATES TO COMPLIANCE DATE(S)
15.	The Licensee shall comply with all directives issued by the Board in respect of the implementation of the conditions of this Licence.	COMPLY WITH BOARD DIRECTIVES
16.	The Licensee shall ensure signs are posted for all active Surveillance Network Program stations. All sign(s) shall be located and maintained to the satisfaction of an Inspector.	POST SURVEILLANCE NETWORK PROGRAM SIGNS
17.	The Licensee shall install, operate, and maintain meters, devices, or other such methods for measuring the volumes of Water used and Waste discharged, to the satisfaction of an Inspector.	MEASURE WATER USE AND WASTE DEPOSITED

18.	Beginning March 31, 2023 and no later than every March 31 thereafter, the Licensee shall submit an Annual Water Licence Report to the Board and an Inspector. The Report shall be in accordance with the requirements of Schedule 1, Condition 1.	ANNUAL WATER LICENCE REPORT
19.	The Licensee shall comply with the Engagement Plan , once approved.	ENGAGEMENT PLAN
20.	A minimum of ten day prior to the initial commencement of Project activities, the Licensee shall provide written notification to the Board and an Inspector. Notification shall include the commencement date, and the name and contact information for the individual responsible for overseeing the Project. Written notification shall be provided to the Board and an Inspector if any changes occur.	NOTIFICATION – COMMENCEMENT
21.	The Licensee shall immediately provide written notification to the Board and an Inspector of any non-compliance with the conditions of this Licence.	NOTIFICATION – NON-COMPLIANCE
22.	The Licensee shall ensure that a copy of any written authorization issued to the Licensee by an Inspector is provided to the Board.	COPY – WRITTEN AUTHORIZATION
	Part C: Security	
	<i>Section Intentionally left blank.</i>	
	Part D: Water Use	
1.	<u>Option 1:</u> The Licensee shall only obtain Water for the Project from the Mackenzie River, East Branch. The Licensee may withdraw up to 2,000m ³ per year from this source.	WATER SOURCE AND MAXIMUM VOLUME
2.	The Licensee shall only withdraw Water using the Water Supply Facilities, unless otherwise authorized temporarily in writing by an Inspector.	WATER WITHDRAWAL – FACILITIES

3.	The Licensee shall construct and maintain the Water intake(s) with a screen designed to prevent impingement or entrapment of fish.	WATER INTAKE SCREEN
	Part E: Construction	
1.	The Licensee shall ensure that all structures intended to contain, withhold, divert, or retain Water or Waste are designed, constructed, and maintained to minimize the escape of Waste to the Receiving Environment.	OBJECTIVE – CONSTRUCTION
	Part F: Waste and Water Management	
1.	The Licensee shall manage Waste and Water with the objective of minimizing the impacts of the Project on the quantity and quality of Water in the Receiving Environment through the use of appropriate mitigation measures, monitoring, and follow-up actions.	OBJECTIVE – WASTE AND WATER MANAGEMENT
2.	The Licensee shall deposit all Waste as described in the approved Waste Management Plan .	WASTE MANAGEMENT PLAN
3.	Within 60 days following the effective date of the Licence, the Licensee shall submit to the Board, for approval, a revised Waste Management Plan .	REVISED WASTE MANAGEMENT PLAN
4.	The Licensee shall discharge all Effluent from the Sewage Treatment Facility to the discharge location described in the approved Waste Management Plan .	EFFLUENT DISCHARGE LOCATION
5.	The Licensee shall not discharge Waste, including Wastewater, to any Watercourse, or to the ground surface within 100 metres of the Ordinary High-Water Mark of any Watercourse.	EFFLUENT DISCHARGE SETBACK

6.	<p>The Licensee shall ensure that Effluent from Sewage Treatment Facility at Surveillance Network Program station G22L3004-1 meets the following Effluent Quality Criteria (EQC):</p> <table border="1" data-bbox="459 196 1331 440"> <thead> <tr> <th data-bbox="459 196 896 256">PARAMETER</th> <th data-bbox="896 196 1331 256">MAXIMUM CONCENTRATION</th> </tr> </thead> <tbody> <tr> <td data-bbox="459 256 896 316">Suspended Solids</td> <td data-bbox="896 256 1331 316">25 mg/L</td> </tr> <tr> <td data-bbox="459 316 896 376">CBOD₅</td> <td data-bbox="896 316 1331 376">25 mg/L</td> </tr> <tr> <td data-bbox="459 376 896 440">Faecal Coliforms</td> <td data-bbox="896 376 1331 440">200 cfu/100mL</td> </tr> </tbody> </table> <p>The Waste discharged shall have a pH between 6 and 9, and no visible sheen of oil and grease.</p>	PARAMETER	MAXIMUM CONCENTRATION	Suspended Solids	25 mg/L	CBOD ₅	25 mg/L	Faecal Coliforms	200 cfu/100mL	EFFLUENT QUALITY CRITERIA
PARAMETER	MAXIMUM CONCENTRATION									
Suspended Solids	25 mg/L									
CBOD ₅	25 mg/L									
Faecal Coliforms	200 cfu/100mL									
Part G: Aquatic Effects Monitoring										
<i>Section Intentionally Left Blank</i>										
Part H: Spill Contingency Planning										
1.	The Licensee shall ensure that Unauthorized Discharges associated with the Project do not enter any Waters.	OBJECTIVE – PREVENT WASTE INTO WATER								
2.	The Licensee shall comply with the Spill Contingency Plan , once approved.	SPILL CONTINGENCY PLAN								
3.	Within 60 days following the effective date of the Licensee shall submit to the Board, for approval, a revised Spill Contingency Plan .	SPILL CONTINGENCY PLAN – REVISED								
4.	<p>If a spill or an Unauthorized Discharge occurs or is foreseeable, the Licensee shall:</p> <p>a) Implement the approved Spill Contingency Plan referred to in Part H, Condition x;</p> <p>b) Report it immediately using the NU-NT Spill Report Form by one of the following methods:</p> <ul style="list-style-type: none"> • Telephone: (867) 920-8130 • Fax: (867) 873-6924 • E-mail: spills@gov.nt.ca 	REPORT SPILLS								

	<ul style="list-style-type: none"> • Online: Spill Reporting and Tracking Database <p>c) Notify the Board and an Inspector immediately; and</p> <p>d) Within 30 days of initially reporting the incident, or within a timeframe authorized by an Inspector, submit a detailed report to the Board and an Inspector, including descriptions of causes, response actions, and any changes to procedures to prevent similar occurrences in the future. Written notification shall be provided to the Board and an Inspector if any changes occur.</p>	
5.	The Licensee shall ensure that spill prevention infrastructure and spill response equipment is in place prior to commencement of the Project.	SPILL PREVENTION AND RESPONSE EQUIPMENT
6.	The Licensee shall restore all areas affected by spills and Unauthorized Discharges to the satisfaction of an Inspector.	CLEAN UP SPILLS
7.	The Licensee shall not establish any fuel storage facilities or refueling stations, or store chemicals or Wastes within 100 metres of the Ordinary High-Water Mark of any Watercourse, except as described in the application.	MATERIAL STORAGE – ORDINARY HIGH-WATER MARK
	Part I: Closure and Reclamation	
1.	The Licensee shall comply with the Interim Closure and Reclamation Plan , once approved.	INTERIM CLOSURE AND RECLAMATION PLAN
2.	A minimum of 18 months prior to the final decommissioning and closure, the Licensee shall submit a FINAL CLOSURE AND RECLAMTION PLAN to the Board, for approval.	FINAL CLOSURE AND RECLAMATION PLAN

Schedule 1 Annual Water Licence Report

1.	The Annual Water Licence Report referred to Condition ANNUAL REPORT of this Licence shall include, but not be limited to, the following information about activities conducted during the previous calendar year:
	a) The monthly and annual quantities in cubic metres of fresh Water obtained from all sources, as required in Part D, Condition 1 of this Licence;
	b) A summary of the calibration and status of the meters and devices referred to in Part B, Condition 17 of this Licence;
	c) A summary of major maintenance activities conducted in accordance with this Licence;
	d) A summary of activities conducted in accordance with the approved Spill Contingency Plan , referred to in Part H, Condition 2 of this Licence, including: <ul style="list-style-type: none"> i. A list and description for all Unauthorized Discharges, 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, Condition 4 of this Licence; and ii. An outline of any spill training carried out
	e) A summary of any updates or revisions to the Spill Contingency Plan, Engagement Plan, and Waste Management Plans, conducted under the Annual Review referred to in Part B Condition 9.
	f) A summary of engagement activities conducted in accordance with the approved Engagement Plan, referred to in Part B, Condition 20 of this Licence
	g) A summary of how any Traditional Knowledge, referred to in Part B Condition 4, was incorporated into decision making;
	h) Tabular summaries of all data and information generated under the SNP annexed to this Licence, in Excel format;
	i) A list of any non-compliance(s) with the conditions of this Licence or any directive from the Board pursuant to the conditions of this Licence;
	j) A summary of results and any action taken as a result of any inspections;

	e) A summary of actions taken to address concerns, non-conformances, or deficiencies in any reports filed by an Inspector;
	f) A summary of any studies requested by the Board that relate to Waste disposal, Water Use or Reclamation, and a brief description of any future studies planned.
	g) Any other details requested by the Board by December 31 of the year being reported.

Annex A: Surveillance Network Program (SNP)

Table of Contents:

Part A: Reporting Requirements

Part B: Sampling and Analysis Requirements

Part C: Surveillance Network Program Station Descriptions

Part A: Reporting Requirements

1. The effective date of this Surveillance Network Program (SNP) is July 28, 2022.
2. The Licensee shall include all of the data and information required in Part C of this Annex in the Annual Water Licence Report, as specified in Condition ANNUAL WATER LICENCE REPORT of this Licence.
3. The Licensee shall also provide SNP data at other times, if requested by an Inspector or the Board.

Part B: Sampling and Analysis Requirements

1. More frequent sample collection or provision of data may be required at the request of an Inspector.
2. The location of sampling stations is subject to the approval of an Inspector. The Licensee shall work with an Inspector to determine suitable locations for sampling stations.
3. All sample collection, sample preservation, and analyses shall be conducted in accordance with methods prescribed in the current edition of American Public Health Association's (APHA) Standard Methods for the Examination of Water and Wastewater at the time of analysis, or by other such methods approved by an Analyst.
4. All analyses shall be performed in a laboratory accredited by the Canadian Association for Laboratory Accreditation (CALA) for the specific analyses to be performed or as approved by an Analyst.

Part C: SNP Station Descriptions and Monitoring Requirements

SNP station	Location	Coordinates	Sampling Frequency	Sampling Parameters
G22L3004-1	Forested Area, located a minimum of 50 meters from the wastewater treatment facility building and a minimum 100 meters from the OHWM of any watercourse.	*To be Confirmed	Bi-weekly during periods of operation	<ul style="list-style-type: none"> •Suspended Solids •CBOD5 •Faecal Coliforms •Oil/Grease •pH

Annex B: Concordance Table

Annexed to Water Licence G22L3 -004- Items Requiring Submission

This table summarizes the information the Licensee is required to submit as per the Water Licence conditions. It supplements the Water Licence. If there are any discrepancies between this table and the body of the Water Licence, the Water Licence conditions prevail.

Table 1: Concordance Table of Items Requiring Submission

Condition	Requirement	Submission Timeline
ANNUAL REVIEW (B.9)	Conduct an annual review of all plans, programs, manuals, and studies and make any revisions necessary to reflect changes in operations, contact information, or other details.	No later than March 31 each year.
REVISIONS (B.10)	Submit revised plans, programs, manuals, and studies to the Board, for approval.	A minimum of 90 days prior to the proposed implementation date for the changes.
ANNUAL WATER LICENCE REPORT (B.17)	Submit an Annual Water Licence Report to the Board and an Inspector, in accordance with the requirements of Schedule 1, Condition 1.	Beginning March 31, 2023, and no later than every March 31 thereafter.
NOTIFICATION – NON-COMPLIANCE (B.20)	Notify Board and Inspector of any non-compliance with the Licence	Immediately
REVISED WASTE MANAGEMENT PLAN (F3)	Submit to the Board for approval, a revised Waste Management Plan	Within 60 days of Licence issuance
REVISED SPILL CONTINGENCY PLAN (H3)	Submit to the Board for approval, a revised Spill Contingency Plan	Within 60 days of Licence issuance
CLOSURE AND RECLAMATION PLAN (I.2)	Submit to the Board, for approval, a Final Closure And Reclamation Plan	A minimum of six months prior to commencing permanent Closure and Reclamation

Annex B: Revision History table

Table 1: Updates and changes that have been made to Licence G22L3-004 since issuance.

Date	Location of Change	Description of Change



105 Veterans Way
PO Box 2018, Inuvik NT X0E 0T0

Tel: 867-777-4954 Fax 867-777-2304
www.glwb.com

Land Use Permit G22H003

Pursuant to the *Mackenzie Valley Resource Management Act* and Mackenzie Valley Land Use Regulations, the Gwich'in Land and Water Board grants this Land Use Permit to:

The Gwich'in Tribal Council

(Permittee)

of PO Box 1509, Inuvik NT X0E0T0
(Mailing Address)

hereinafter called the Permittee, to proceed with the following land-use operation, subject to the annexed definitions and conditions contained therein:

Location:	Rachel Reindeer Wellness Camp (Mackenzie River East Channel, 10 km south of Inuvik, NT)
Purpose:	Fuel Storage
Type:	Type A
Effective Date:	July 28, 2022
Expiry Date:	July 27, 2027

Elizabeth Wright, Chair
Gwich'in Land and Water Board

AlecSandra Macdonald, Witness

Conditions Annexed to and Forming Part of Land Use Permit # _____ G22H003 _____

Part A: Scope of Permit

1. This Permit entitles the Permittee to conduct the following land-use operation:
 - a) Operation and Maintenance of the Rachel Reindeer Wellness Camp including:
 - a. Fuel Storage
2. This Permit is issued subject to the conditions contained herein with respect to the use of land for the activities and area identified in Part A, item 1 of this Permit.
3. Compliance with the terms and conditions of this Permit does not excuse the Permittee from its obligation to comply with the requirements of any applicable Federal, Territorial, or Municipal laws.

Part B: Definitions (defined terms are capitalized throughout the Permit)

Act - the *Mackenzie Valley Resource Management Act*.

Board - the Gwich'in Land and Water Board established under Part 3 of the Act.

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

Engagement Plan - a document, developed in accordance with the Board's *Engagement and Consultation Policy* and the *Engagement Guidelines for Applicants and Holders of Water Licences and Land Use Permits*, that clearly describes how, when, and which engagement activities will occur with an affected party during the life of the project.

Fuel Storage Container - a container for the storage of petroleum or allied petroleum products with a capacity of less than 230 litres.

Fuel Storage Tank - a closed container for the storage of petroleum or allied petroleum products with a capacity of more than 230 litres.

Greywater - all liquid wastes from showers, baths, sinks, kitchens, and domestic washing facilities but not including toilet wastes.

Habitat - the area or type of site where a species or an individual of a species of wildlife naturally occurs or on which it depends, directly or indirectly, to carry out its life processes.

Inspector - an Inspector designated by the Minister under the Act.

Minister - the Minister of Indian Affairs and Northern Development Canada or the Minister of the Government of the Northwest Territories – Department of Lands, as the case may be.

Ordinary High-Water Mark - the usual or average level to which a body of water rises at its highest point and remains for sufficient time so as to change the characteristics of the land. In flowing waters (rivers, streams) this refers to the “active channel/bank-full level” which is often the 1:2 year flood flow return level. In inland lakes, wetlands, or marine environments, it refers to those parts of the Watercourse bed and banks that are frequently flooded by water so as to leave a mark on the land and where the natural vegetation changes from predominately aquatic vegetation to terrestrial vegetation (excepting water tolerant species). For reservoirs, this refers to normal high operating levels (full supply level).

Permittee - the holder of this permit.

Permafrost - ground (soil or rock) that remains at or below 0°C for at least two consecutive years.

Progressive Reclamation - Closure and Reclamation activities conducted during the operating phase of the project.

Secondary Containment - containment that prevents liquids that leak from Fuel Storage Tanks or containers from reaching outside the containment area and includes double-walled Tanks, piping, liners, and impermeable barriers.

Sewage - all toilet wastes and Greywater.

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

Safety Data Sheet - a technical document, typically written by the manufacturer or supplier of a chemical, that provides information about the hazards associated with the product, advice about safe handling and storage, and emergency response procedures.

Toxic Material - any substance that enters or may enter the environment in a quantity or concentration or under conditions such that it:

- a) Has or may have an immediate or long-term harmful effect on the environment or its biological diversity;
- b) Constitutes or may constitute a danger to the environment on which life depends; or
- c) Constitutes or may constitute a danger in Canada to human life or health.

Waste - any garbage, debris, chemical, or Toxic Material to be used, stored, disposed of, or handled on land, and also as defined in section 51 of the Act.

Waste Management Plan - a document, developed in accordance with the Board’s Guidelines for Developing a Waste Management Plan, that describes the methods of Waste management from Waste generation to final disposal.

Watercourse - a natural body of flowing or standing water or an area occupied by water during part of the year, and includes streams, springs, swamps and gulches but does not include groundwater.

Part C: Conditions Applying to All Activities (headings correspond to subsection 26(1) of the Mackenzie Valley Land Use Regulations)

26(1)(a) Location and Area

- | | |
|--|---------------------------------|
| 1. The Permittee shall only conduct this land-use operation on lands designated in the application. | LOCATION OF ACTIVITIES |
| 2. The Permittee shall not conduct any part of the land-use operation within 300 metres of any privately owned or leased land or structures, including cabins used for traditional activities, unless otherwise approved by the Board. | PRIVATE PROPERTY SETBACK |

26(1)(b) Time

- | | |
|--|---|
| 3. <u>Option 1:</u>
At least 48 hours prior to the initial commencement of the land-use operation, the Permittee's Field Supervisor shall notify the Board and contact an Inspector at (867) 777-8900 | INITIAL NOTIFICATION – CONTACT INSPECTOR |
| 4. At least 48 hours prior to commencement of the land-use operation, the Permittee shall provide the following information, in writing, to the Board and an Inspector:
a) the name(s) of the person(s) in charge of the field operation;
b) alternates; and
c) all methods for contacting the above person(s). | IDENTIFY AGENT |
| 5. At least ten days prior to the completion of the land-use operation, the Permittee shall advise an Inspector of:
a) the plan for removal or storage of equipment and materials;
b) when final cleanup and reclamation of the land used will be completed; and
c) when the Final Plan will be submitted. | REPORTS BEFORE FINAL REMOVAL |

26(1)(c) Type and Size of Equipment

- | | |
|---|-------------------------------|
| 6. The Permittee shall only use equipment of a similar type, size, and number to that listed in the complete application. | USE APPROVED EQUIPMENT |
|---|-------------------------------|

26(1)(d) Methods and Techniques

This section intentionally left blank

26(1)(e) Type, Location, Capacity, and Operation of All Facilities

- | | |
|--|------------------------|
| 7. The Permittee shall ensure that the land use area is kept clean at all times. | CLEAN WORK AREA |
|--|------------------------|

26(1)(f) Control or Prevention of Ponding of Water, Flooding, Erosion, Slides, and Subsidence of Land

- | | | |
|-----|--|------------------------------------|
| 8. | The Permittee shall insulate the ground surface beneath all structures associated with this land-use operation to prevent: | PERMAFROST PROTECTION |
| | a) any vegetation present from being removed; | |
| | b) the melting of Permafrost; and | |
| | c) the ground settling and/or eroding. | |
| 9. | The Permittee shall install and maintain suitable erosion control structures as the land-use operation progresses. | PROGRESSIVE EROSION CONTROL |
| 10. | The Permittee shall apply appropriate mitigation at the first sign of erosion. | REPAIR EROSION |
| 11. | The Permittee shall not move any equipment or vehicles unless the ground surface is in a state capable of fully supporting the equipment or vehicles without rutting or gouging. | VEHICLE MOVEMENT FREEZE-UP |

26(1)(g) Use, Storage, Handling, and Ultimate Disposal of Any Chemical or Toxic Material

- | | | |
|-----|--|---|
| 12. | The Permittee shall dispose of all Toxic Material as described in the approved Waste Management Plan. | WASTE CHEMICAL DISPOSAL |
| 13. | The Permittee shall dispose of all combustible Waste petroleum products by removal to an approved disposal facility.
this purpose, as described in the approved Waste Management Plan. | WASTE PETROLEUM DISPOSAL |
| 14. | The Permittee shall provide written notification to the Board and Inspector a minimum of 10 days prior to the initial deposit of Waste, demonstrating that the licenced disposal facility has agreed to accept the Waste and has the capacity to receive the volumes of Waste requested. | NOTIFICATION OF SOLID WASTE DISPOSAL |

26(1)(h) Wildlife and Fish Habitat

- | | | |
|-----|---|-----------------------|
| 15. | The Permittee shall take all reasonable measures to prevent damage to wildlife and fish Habitat during this land-use operation. | HABITAT DAMAGE |
|-----|---|-----------------------|

26(1)(i) Storage, Handling, and Disposal of Refuse or Sewage

- | | | |
|-----|--|------------------------------|
| 16. | The Permittee shall dispose of all Waste as described in the Waste Management Plan , once approved, 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. Revisions to the plan shall be submitted to the Board for approval. | WASTE MANAGEMENT PLAN |
|-----|--|------------------------------|

17. Within 60 days following the commencement date of the Permit, the Permittee shall submit to the Board, for approval, a revised Waste Management Plan .	REVISED WASTE MANAGEMENT PLAN
18. The Permittee shall dispose of all Sewage and Greywater as described in the approved Waste Management Plan.	SEWAGE DISPOSAL - PLAN
26(1)(j) Protection of Historical, Archaeological, and Burial Sites	
19. The Permittee shall not operate any vehicle or equipment within 150 metres of a known or suspected historical or archaeological site or burial ground.	ARCHAEOLOGICAL BUFFER
20. The Permittee shall not knowingly remove, disturb, or displace any archaeological specimen or site.	SITE DISTURBANCE
21. The Permittee shall, where a suspected archaeological or historical site, or burial ground is discovered: a) immediately suspend operations on the site; and b) notify the Board at (867) 777-4954 or an Inspector at (867) 777-8900, and the Prince of Wales Northern Heritage Centre at (867) 767-9347 ext. 71251 or ext. 71255.	SITE DISCOVERY AND NOTIFICATION
26(1)(k) Objects and Places of Recreational, Scenic, and Ecological Value	
The Permittee shall take all reasonable precautions to prevent impacts to traditional harvesting activities.	TRADITIONAL USE
26(1)(l) Security Deposit	
22. All costs to remediate the area under this Permit are the responsibility of the Permittee.	RESPONSIBILITY FOR REMEDIATION COSTS
26(1)(m) Fuel Storage	
23. The Permittee shall: a) examine all Fuel Storage Containers and Tank for leaks; and b) repair all leaks immediately.	REPAIR LEAKS
24. The Permittee shall place Fuel Storage Containers and or Tanks a minimum of 100 metres from the Ordinary High-Water Mark of any Watercourse, except as described in the application and approved by the Board, or as authorized in writing by an Inspector.	FUEL STORAGE SETBACK
25. The Permittee shall ensure that all fuel caches have adequate Secondary Containment.	FUEL CACHE SECONDARY CONTAINMENT

- | | |
|--|---|
| 26. The Permittee shall set up all refueling points with Secondary Containment. | SECONDARY
CONTAINMENT -
REFUELING
FUEL
CONTAINMENT |
| 27. The Permittee shall not allow petroleum products to spread to surrounding lands or Watercourses. | |
| 28. The Permittee shall have a maximum of 35,000 litres of diesel fuel, 13,500 litres of propane and 23 litres of gasoline stored on the land use site at any time, unless otherwise approved by the Board. | MAXIMUM FUEL
ON SITE |
| 29. The Permittee shall comply with the Spill Contingency Plan , once approved, 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. Revisions to the plan shall be submitted to the Board for approval. | SPILL
CONTINGENCY
PLAN |
| 30. Within 60 days following the commencement date of the Permit, the Permittee shall submit to the Board, for approval, a revised Spill Contingency Plan. | REVISED SPILL
CONTINGENCY
PLAN |
| 31. Prior to commencement of the land-use operation the Permittee shall ensure that spill-response equipment is in place to respond to any potential spills. | SPILL RESPONSE |
| 32. All equipment that may be parked for two hours or more, shall have a hazmat/drip tray under it or be sufficiently diapered. Leaky equipment shall be repaired immediately. | DRIP TRAYS |
| 33. The Permittee shall clean up all leaks, spills, and contaminated material immediately | CLEAN UP SPILLS |
| 34. During the period of this Permit, if a spill occurs or is foreseeable, the Permittee shall: <ol style="list-style-type: none"> a) implement the approved Spill Contingency Plan; b) report it-immediately using the NU-NT Spill Report Form by one of the following methods: <ul style="list-style-type: none"> • Telephone: (867) 920-8130 • Fax: (867) 873-6924 • E-mail: spills@gov.nt.ca • <u>Online: Spill Reporting and Tracking Database</u> c) within 24 hours, notify the Board and an Inspector; and d) within 30 days of initially reporting the incident, submit a detailed report to the Board and an Inspector, including descriptions of causes, response actions, and any changes to procedures to prevent similar occurrences in the future. Any updates to this report shall be provided to the Board and an Inspector in writing as changes occur. | REPORT SPILLS |

26(1)(n) Methods and Techniques for Debris and Brush Disposal

- | | |
|---|----------------------------------|
| 35. The Permittee shall not clear areas larger than identified in the complete application. | MINIMIZE AREA
CLEARED |
|---|----------------------------------|

26(1)(o) Restoration of the Lands

- | | |
|--|------------------------------------|
| 36. All outstanding liabilities and obligations of the Permittee in relation to work performed or required to be performed under Land Use Permit G15H001 are fully incorporated into and subsumed under this Permit, and the Permittee must therefore complete the restoration and other obligations set out in or incurred under Permit G15H001 as well as such further obligations as may be set out in or incurred under this Permit. | TRANSFER OF
LIABILITIES |
|--|------------------------------------|

- | | |
|---|--|
| 37. Prior to the end of the land-use operation, the Permittee shall complete all cleanup and restoration of the lands used. | FINAL CLEANUP
AND RESTORATION |
|---|--|

- | | |
|---|------------------------------------|
| 38. The Permittee shall carry out Progressive Reclamation of disturbed areas as soon as it is practical to do so. | PROGRESSIVE
RECLAMATION |
|---|------------------------------------|

26(1)(p) Display of Permits and Permit Numbers

- | | |
|---|-----------------------|
| 39. The Permittee shall keep a copy of this Permit on hand at all times during this land-use operation. | COPY OF PERMIT |
|---|-----------------------|

26(1)(q) Biological and Physical Protection of the Land

- | | |
|--|--|
| 40. If nesting areas are encountered during the course of operations, the Permittee shall minimize all activity so as to not disturb them. | MIGRATORY BIRD
NEST
DISTURBANCE |
|--|--|

- | | |
|--|----------------------|
| 41. If any plan is not approved by the Board, the Permittee shall revise the plan according to the Board's direction and re-submit it to the Board for approval. | RESUBMIT PLAN |
|--|----------------------|

- | | |
|---|----------------------------|
| 42. The Permittee shall comply with the Engagement Plan , once approved, and shall annually review the plan and make any necessary revisions to reflect changes in operations or as directed by the Board. Revisions to the plan shall be submitted to the Board for approval. | ENGAGEMENT
PLAN |
|---|----------------------------|

- | | |
|---|-------------------------------|
| 43. All revised plans submitted to the Board shall include a brief summary of the changes made to the plan. | SUMMARY OF
CHANGES |
|---|-------------------------------|



105 Veterans Way
PO Box 2018, Inuvik NT X0E 0T0

Tel: 867-777-4954 Fax 867-777-2304
www.glwb.com

Reasons for Decision

Issued pursuant to paragraphs 22(2)(a) and 40(2)(c) of the Mackenzie Valley Land Use Regulations (MVLUR) and section 72.25 of the *Mackenzie Valley Resource Management Act* (MVRMA) and subsection 26(1) of the *Waters Act*.

Water Licence and Land Use Permit Applications	
File Number	G22L3-004 and G22H003
Company	Gwich'in Tribal Council
Project	Rachel Reindeer Wellness Camp
Location	Mackenzie River East Channel, 10 km south of Inuvik ,NT
Activity	Operation of Wellness Camp – Including Municipal Water Use and Waste Deposit and Fuel Storage
Date of Decision	July 28, 2022

Table of Contents

1.0 DECISIONS4

2.0 REGULATORY PROCESS5

 2.1 Summary of Applications 5

 2.2 Proceeding Timeline 7

 2.3 Public Review Comments..... 8

3.0 REASONS - Legislative Requirements Related to Licence and Permit Issuance9

 3.1 Consultation, Engagement, and Public Notice..... 9

 3.2 Eligibility for Land Use Permit..... 10

 3.3 Land Use Plan Conformity..... 11

 3.4 Land Use Fees 12

 3.5 Water Use Fees 12

 3.6 Existing Licences..... 12

 3.7 Compensation to Existing Water Users 12

 3.8 Water Quality Standards..... 12

 3.9 Effluent Quality Standards 13

 3.10 Financial Responsibility 13

 3.11 Minimization of Adverse Effects 14

 3.12 Time Limit..... 14

 3.13 Environmental Review (Part 5 of the MVRMA) - Preliminary Screening 14

4.0 REASONS – Water Licence G22L3-00415

 4.1 Term of Licence 16

 4.2 Part A: Scope and Defined Terms 17

 4.2.1 Scope..... 17

 4.2.2 Defined Terms..... 18

 4.3 Part B: General Conditions and Schedule 1 18

 4.4 Part C: Conditions Applying to Security Requirements..... 20

 4.5 Part D: Conditions Applying to Water Use..... 20

 4.6 Part E: Conditions Applying to Construction..... 20

 4.7 Part F: Conditions Applying to Waste and Water Management 20

 4.8 Part G: Conditions Applying to Aquatic Effects Monitoring Program..... 23

 4.9 Part H: Conditions Applying to Contingency Planning..... 23

 4.10 Part I: Conditions Applying to Closure and Reclamation 25

 4.11 Annex A: Surveillance Network Program 25

 4.12 Annex B: Table of Submissions 26

 4.13 Annex C: Table of Revision History 26

5.0 Reasons – Land Use Permit [File Number].....26

 5.1 Term of Permit 27

 5.2 Part A: Scope of Permit 27

 5.3 Part B: Definitions 28

 5.4 Part C: Conditions Applying to All Activities 28

 26(1)(a) Location and Area 28

 26(1)(b) Time 28

26(1)(c) Type and Size of Equipment.....	28
26(1)(d) Methods and Techniques	28
26(1)(e) Type, Location, Operation of All Facilities	29
26(1)(f) Control or Prevention of Ponding of Water, Flooding, Erosion, Slides, and Subsidence of Land.....	29
26(1)(g) Use, Storage, Handling, and Ultimate Disposal of Any Chemical or Toxic Material.....	29
26(1)(h) Wildlife and Fish Habitat.....	29
26(1)(i) Storage, Handling, and Disposal of Refuse or Sewage	29
26(1)(j) Protection of Historical, Archaeological, and Burial Sites.....	31
26(1)(k) Objects and Places of Recreational, Scenic, and Ecological Value.....	31
26(1)(l) Security Deposit	31
26(1)(m) Fuel Storage	32
26(1)(n) Methods and Techniques for Debris and Brush Disposal.....	33
26(1)(o) Restoration of the Lands.....	34
26(1)(p) Display of Permits and Permit Numbers	34
26(1)(q) Biological and Physical Protection of the Land.....	34
6.0 Conclusion.....	35

1.0 DECISIONS

On July 28, 2022, the Gwich'in Land and Water Board (GLWB or Board) met and considered the Applications made by the Gwich'in Tribal Council (GTC or Applicant) to the Board on May 3, 2022 for Water Licence (Licence) G22L3-004 and Land Use Permit (Permit) G22H003 for the use of land, water and the deposit of Waste for the Rachel Reindeer Wellness Camp (Project) at the Mackenzie River East Channel, located 10.4 km south/southwest of Inuvik. After reviewing the Applications and the evidence gathered during the regulatory proceeding, the Board has made the following decisions:

- 1) To issue Water Licence G22L3-004 for a term of 7 years;
- 2) To issue Land Use Permit G22H003 for a term of 5 years;
- 3) To approve Version 1 of the Engagement Plan;
- 4) To not approve Version 2 of the Waste Management Plan, and require GTC to submit Waste Management Plan Version 3 for Board approval within 60 days of Licence issuance;
- 5) To not approve Version 2 of the Waste Management Plan, and require GTC to submit Waste Management Plan Version 3 for Board approval within 60 days of Licence issuance; and
- 6) To approve Version 1 of the Closure and Reclamation Plan as an interim submission and require that a Final Closure and Reclamation Plan be submitted to the Board for approval, a minimum of 18 months prior to the final closure and decommissioning.

These Reasons for Decision set out the Board's regulatory process for the Applications and rationale for decisions regarding the Licence and Permit.

2.0 REGULATORY PROCESS

2.1 Summary of Applications

The Gwich'in Tribal Council submitted applications to renew Licence G13L3-001 and Permit G15H001 for the operation and maintenance of the Rachel Reindeer Wellness Camp, for a period of five years each. A water licence is required because GTC will be withdrawing water and depositing waste, and a land use permit is required because GTC will be storing fuel on site. These activities are carried out on Gwich'in Private Lands located on the East Channel of the Mackenzie River, approximately 10 km south of Inuvik, as described below.

Description of Undertaking

The purpose of operating the Wellness Camp is to provide social and cultural programming, to rebuild the confidence of Gwich'in persons and their families and to extend their participation in healing processes. Camp services and workshops involve Traditional and Indigenous programming and include Elders, youth and families. Sessions help families learn about traditional skills and traditional healthy lifestyles. All activities take place in and around the Wellness Camp site, which contains five buildings: The main building (approximately 400 m²); the power plant (approximately 60 m²); the drinking water treatment plant (approximately 30 m²); the wastewater treatment plant (approximately 30 m²); and the maintenance person's living quarters (approximately 50 m²).

The following activities are described in the application:

1. Water Withdrawal from the Water Treatment Facilities

- Up to 20,000 cubic meters of water per year will be withdrawn from the East Channel of the Mackenzie River. Water is treated using a Filterboxx Water Treatment System.

2. Deposit of Waste to the Receiving Environment

- Sewage waste will be treated using a Filterboxx Wastewater Treatment System. The system includes a 7,200 L sewage holding tank, a 4,400 L ultrafiltration tank, a 3,200 L effluent tank, and 3,600 L sludge tank. During the treatment process, waste liquids are separated from waste solids. Liquid waste undergoes filtration and disinfection before it is discharged to ground, in a wooded area located 50 meters East of the camp buildings. Solids will be pumped out by vac truck and deposited to the Town of Inuvik Waste Water Treatment Facilities.

- A burn barrel may be used to burn paper, cardboard and untreated wood in accordance with ENR Guidelines for Municipal Solid Waste Burning. Residual ash will be scattered on site.

3. *Fuel Storage*

- The following volumes of fuel will be stored on site: One (1) 35,000 L double-walled 'Enviro-Tank' fuel storage tank for diesel fuel storage and three (3) 4,500 L propane tanks for the kitchen stoves.

Contents of Applications G22L3-004 and G22H003

1. [Cover Letter](#)
2. [Licence Application Form](#) (and [Revised Licence Application Form](#))
3. [Permit Application Form](#) (and [Revised Permit Application Form](#))
4. [Project Description Report](#)
5. [Engagement Record and Plan](#)
6. [Spill Contingency Plan](#) (and [Revised Spill Contingency Plan Version 2](#))
7. [Waste Management Plan](#) (and [Revised Waste Management Plan Version 2](#))
8. [Drinking Water Treatment Manual](#)
9. [Wastewater Treatment Plant Manual](#)
10. [Targeted Energy Audit](#)
11. [Closure and Reclamation Plan](#)

2.2 Proceeding Timeline

On May 3, 2022, the Applicant submitted the Applications to the Board. These were deemed complete and circulated to the Distribution List for public review on the Online Review System (ORS) on May 20, 2022.¹ As part of the public review, Board staff requested comments and recommendations to assist the Board in reaching its preliminary screening determination and developing appropriate terms and conditions for the licence

Public notice of the Applications was published in *Inuvik Drum* during the week of June 2 2022 to fulfill paragraph 43(1)(a) of the [Waters Act](#).²

By June 10, 2022, the Board received comments and recommendations regarding the Application from the following Parties: Gwich'in Tribal Council – Dept of Cultural Heritage (GTC DCH), and GNWT Environment and Natural Resources (GNWT ENR). GTC did not provide responses to reviewer comments by the June 17, 2022 response deadline.

On June 22, 2022, the Board decided to invoke 22(2)(b) of the [MVLUR](#) in order to pause the permit timeline and align it with the licence , so both applications could be processed concurrently.³

On June 22, Board staff circulated a Draft Water Licence and Draft Land Use Permit for review. By July 4 comments and recommendations were received from GNWT ENR. By July 8 GTC provided updated Spill contingency plan, waste management plan, and permit and licence application forms in response to reviewer comments. On July 11 Board staff requested clarification on the updates, and on July 19 GTC provided a revised water licence application form.⁴

On July 28, 2022 the Board met and determined that the Project was exempt from preliminary screening, as per the exemption list regulations. The Board then proceeded to make decisions regarding the Applications. These decisions and related reasons are described in sections [3.0](#), [4.0](#), and [5.0](#) below.

¹ See GLWB Online Review System for [GTC - Type A Permit and Type B Licence renewal \(G22H003 G22L3-004\)](#)

² See GLWB Online Registry for [GTC - Rachel Reindeer Wellness Camp - NNSL Notice of Application - Jun03 22](#)

³ See GLWB Online Registry for [GTC - Rachel Reindeer Wellness Camp - Notice of 22.2.b Timeline Pause - Jun23 22](#)

⁴ GLWB Online Review System for [GTC Camp - Draft Licence and Permit for Review \(G22L3-004 G22H003\)](#)

2.3 Public Review Comments

During the public review of the Licence and Permit applications, comments and recommendations were received from the Government of the Northwest Territories Department of Environment and Natural Resources (GNWT ENR). Gwich'in Tribal Council Department of Cultural Heritage (GTC DCH) also provided a submission indicating it had no comments.⁵

GNWT ENR requested GTC clarify whether it was requesting 2,000 m³ per year (as was carried over from existing Licence G13L3-001) or 2,000 m³ per day (as was indicated on the renewal application form) (ENR#1). ENR recommended updates to impacts and mitigation table include potential surface water impacts (ENR#2). ENR noted that only water withdrawal was indicated on the application form and recommended that waste deposit also be included in the licence (ENR#3). ENR recommended that the Waste Management Plan (WMP) and Spill Contingency Plan (SCP) have an effective date (ENR#4). ENR recommended that the SCP be updated to include the contents of the spill kits and the contact number for project supervisors (ENR#5, ENR#6). ENR Recommended that the WMP be updated with a map indicating locations of outhouses and point of wastewater discharge (ENR#7); ENR also recommended that GTC categorize its waste streams, clarify what is meant by "other" waste and ensure that hazardous wastes are managed in accordance with ENR Guidelines (ENR#8). ENR recommended that GTC provide additional details regarding waste storage capacity and the use of its burn barrel (ENR#9, ENR #11). ENR recommended GTC clarify the use and location of the outhouse and/or honey buckets that will be used when the WWTP is not in operation (ENR#10, ENR#11). ENR recommended GTC provide confirmation that a contractor is a-willing to accept waste oil from the project (ENR#13).

During the Public review of the Draft Water Licence comments and recommendations were received from GNWT ENR. ⁶

GNWT ENR noted inconsistencies in the application and Licence and recommended that GTC confirm whether it was applying to withdraw 2,000 m³/ year or 2,000 m³/day (ENR#1). ENR recommended that the Licence be updated to consider the disposal waste ash from the burn barrel (ENR#2). ENR recommended GTC provide additional details regarding the sewage discharge location, including a map and confirmation that the discharge location is located a minimum of 100 meters from the ordinary high water mark (OHWM) of any watercourse (ENR#3). ENR recommended GTC confirm whether any of its fuel storage locations are located within 100 m of the ordinary high-water mark of any watercourse (ENR#4). ENR recommended that the Annual Report requirements be expanded to include a summary of updates to the WMP (ENR#5, ENR#6).

⁵ See GLWB Online Review System for [GTC - Type A Permit and Type B Licence renewal \(G22H003 G22L3-004\)](#)

⁶ See GLWB Online Review System for [GTC Camp - Draft Licence and Permit for Review \(G22L3-004 G22H003\)](#)

ENR recommended that a SNP be annexed to the Licence, and include details on the locations, sampling frequencies, and sampling parameters (ENR#7).

GTC responded to the comments and recommendations by submitting updates to the permit application form,⁷ licence application form,⁸ WMP,⁹ and SCP.¹⁰

3.0 REASONS - Legislative Requirements Related to Licence and Permit Issuance

This Project is subject to the [MVRMA](#), the [Waters Act](#), and the [Waters Regulations](#) with respect to licensing, because it is located in a non-federal area, within the Mackenzie Valley, NWT. With respect to permitting, the [MVRMA](#) and the [MVLUR](#) apply.

As per the [Waters Regulations](#) and the [MVLUR](#), the proposed use of land and water, and the deposit of waste for this Project require a licence and a permit. Accordingly, the Board has jurisdiction to issue the Licence and Permit as per subsection 59(1) and section 102 of the [MVRMA](#).

In conducting its regulatory process for the Applications (as described in sections [2.0](#) above), the Board has ensured that section 62 of the [MVRMA](#) and all applicable legislative requirements have been satisfied as outlined in the subsections below. The Board has considered the people and users of the land and water in the Mackenzie Valley, and any Traditional Knowledge and scientific information that was made available to the Board during the regulatory proceeding, as per section 60.1 of the [MVRMA](#). The consideration of information provided to the Board is discussed in detail below and in sections 4.0 and 5.0.

3.1 Consultation, Engagement, and Public Notice

As per paragraph 60.1(a) of the [MVRMA](#), in exercising its authority, the Board must consider the importance of conservation to the well-being and way of life of Indigenous peoples of Canada, specifically those to whom section 35 of the *Constitution Act*, 1982, applies and who use an area of the Mackenzie Valley. Accordingly, the Board works with applicants, affected parties (including Indigenous governments and organizations), and

⁷ See GLWB Online Registry for [GTC Wellness Camp - Revised Permit Application Form - Jul08_22](#)

⁸ See GLWB Online Registry for [GTC Wellness Camp - Revised Licence Application Form - Jul19_22](#)

⁹ See GLWB Online Registry for [GTC Wellness Camp - Waste Management Plan - Version 2- Jul08_22.pdf](#)

¹⁰ See GLWB Online Registry for [GTC Wellness Camp - Spill Contingency Plan - Version 2 - Jul08_22.pdf](#)

other parties (such as other boards and regulators) to ensure that potential impacts of proposed projects, including impacts on rights under section 35, are understood and carefully considered before decisions are made with respect to the issuance of permits and licences.

The Board's requirements for engagement are set out in the LWBs' [Engagement and Consultation Policy](#) and [Engagement Guidelines for Applicants and Holders of Water Licences and Land Use Permits](#). The Policy and Guidelines were developed to ensure that the Board's obligations for achieving meaningful consultation (as set out by land claims and applicable legislation) with all affected parties, including Indigenous groups in the Mackenzie Valley, are met and engagement and consultation results clearly articulated. The Applicant undertook pre-submission engagement beginning in October 2021. In accordance with the Policy and Guidelines, the Applicant's engagement efforts and proposed procedures are detailed in the Engagement Record and Plan (Version 1), respectively,¹¹ submitted with the Applications. The Board has approved the Applicant's Engagement Plan (Version 1), and the Board's reasons for this decision are described below in [section 4.3](#). Following issuance, the Applicant must continue engagement efforts as outlined in the Engagement Plan, once approved, and as required in the Licence and Permit.

The Applications were posted to the Board's Public Registry and distributed through the ORS. As the Project is located in the Gwich'in Settlement Area, the appropriate organizations, governments, First Nations, and Indigenous organizations were included in the Distribution List.¹² The Distribution List was used throughout this proceeding to circulate submissions, information, and updates relevant to the proceeding; the List was updated if needed, and (if requested) individuals with specific interests in the Project were added. More information about the proceeding for the Applications is provided above in [section 2.0](#).

In accordance with sections 63 and 64 of the [MVRMA](#), the Board is satisfied that notice of and access to copies of the Applications was provided, and that a reasonable amount of time was given to communities, First Nations, and the public to participate in this proceeding and make submissions to the Board.

3.2 Eligibility for Land Use Permit

As per section 18 of the [MVLUR](#), eligibility must be determined before the Board can issue a permit. In accordance with paragraph 18b of the MVLUR, the Applicant provided evidence of Gwich'in Tribal Council Government Lease GTC12L004, which is valid until 2040. No issues were raised

¹¹ See GLWB Online Registry for [GTC - Rachel Reindeer Wellness Camp - Engagement Record and Plan - May03 22](#)

¹² To access the Distribution List, see the LWBs' Online Review System for [GTC - Type A Permit and Type B Licence renewal \(G22H003 G22L3-004\)](#)

regarding eligibility during this proceeding. Based on the supporting information provided, the Board concludes that eligibility requirements under section 18 of the MVLUR have been satisfied.

3.3 Land Use Plan Conformity

As per section 61 of the [MVRMA](#), where an approved Land Use Plan (GLUP) applies, the Board must confirm conformity with the Land Use Plan before issuing a permit or licence.

The Gwich'in Land Use Plan (GLUP) considers all lands within the Gwich'in Settlement Area.¹³ The Rachel Reindeer Wellness Camp is located within the Campbell Hills Special Management Zone (CHSMZ) of the GLUP. The zone, which is located 20 km southeast of Inuvik, encompasses Campbell Lake and the Campbell Hills west of the lake. The goal of the CHSMZ is to protect the peregrine falcons and other raptors, waterfowl, fish and heritage resources found in the Campbell Hills area.

Activities taking place in the CHSMZ between the Peel River and Mackenzie River must conform to the following conditions pertaining to raptors and waterfowl:

- 1) Activities should demonstrate that there will be no adverse effects on raptor nesting sites from the beginning of March to the end of August.
- 2) Raptor nesting sites should be avoided by a minimum of 250 metres.
- 3) Aircraft should maintain a minimum altitude of 650 metres when flying over areas likely to have nesting raptors;
- 4) Activities requiring permits, licences or authorizations should demonstrate that there will be no adverse effects on waterfowl nesting and staging sites.

In its application to the Board, GTC acknowledged conformity with the Land Use Plan. No new disturbances are proposed as part of this renewal application and no adverse effects on raptor or waterfowl nesting sites are anticipated. The Board is satisfied that the project is in conformity with the Gwich'in Land Use Plan.

¹³ See gwichinplanning.nt.ca for [Nanh' geenjit gwitr'it t'igwaa'in/Working for the Land - Gwich'in Land Use Plan](#)

3.4 Land Use Fees

The Project is located wholly outside of federal areas, so no land-use fees apply.

3.5 Water Use Fees

The Board has not set Water Use Fees for this Licence. This is consistent with the requirements of past Licences G13L3-001 and G08L3-001. During the public review period no comments or recommendations regarding water use fees were submitted to the Board. Municipal water use is exempt from water use fees, and the Board has determined that this exemption is appropriate for the proposed water use activities.

3.6 Existing Licences

During the time period established in the Notice of Applications, no licensees or applicants contacted the Board to identify potential effects from the Project on other projects, and there are no other applicants with precedence. Accordingly, with respect to paragraph 26(5)(a) of the [Waters Act](#) the Board is satisfied that issuing the Licence to the Applicant will not adversely affect, in any significant way, any existing licensee or any other applicant, provided the Applicant complies with the conditions of the Licence.

3.7 Compensation to Existing Water Users

Paragraph 26(5)(b) of the [Waters Act](#) prohibits the issuance of the Licence unless the Board is satisfied that appropriate compensation has been or will be paid by the Applicant to persons who would be adversely affected by the use of waters, or deposit of waste proposed by the Applicant, at the time when the Applicant filed the Applications with the Board.

The Board received no claims for compensation either during the time period established in the Notice of Applications, or during the remainder of the proceeding. Provided the Applicant complies with the Licence conditions, the Board is satisfied there are no water users or persons listed in paragraph 26(5)(b) of the [Waters Act](#) of waste.

3.8 Water Quality Standards

With regards to subparagraph 26(5)(c)(i) of the [Waters Act](#), no water quality standards have been prescribed in the [Waters Regulations](#) however, the LWBs' [Water and Effluent Quality Management Policy](#) applies to the Licence, and the primary objective of the Policy is "protection of water

quality in the receiving environment.” This objective is directly reflected in the Licence Condition OBJECTIVE – WATER AND WASTE MANAGEMENT, and in accordance with the Policy and this objective, the Board has set out conditions in the Licence regarding effluent quality criteria, water and waste management, and management plan requirements. The Board is satisfied that the conditions set out in the Licence are consistent with the Policy and compliance with these conditions will ensure that waste will be collected and disposed of in a manner that will be protective of water quality in the receiving environment. These conditions and detailed rationale are described in [section 4.7](#).

3.9 Effluent Quality Standards

With regards to subparagraph 26(5)(c)(ii) of the [Waters Act](#), no effluent quality standards have been prescribed in the [Waters Regulations](#) however, as noted in section 5.9 above, the LWBs’ [Water and Effluent Quality Management Policy](#) applies to the Licence. In the absence of prescribed standards, the Policy sets out when and how the Board will include EQC in a licence to protect water quality in the receiving environment, and Appendix 2 of the LWB/GNWT [Guidelines for Mixing Zones](#) describes the general principles and standard process the Land and Water Boards (LWBs) will apply in setting EQC for a project. The Board established the EQC for the Project based on both the evidence gathered during the proceeding and in accordance with the Policy and the principles and processes described in the Guidelines. Accordingly, the Board is satisfied that compliance with these criteria and associated conditions will ensure that effluent from the Project is disposed of in a manner that will be protective of water quality in the receiving environment. These conditions and criteria, and detailed rationale, are further discussed below in [section 4.7](#).

3.10 Financial Responsibility

Under paragraph 26(5)(d) of the [Waters Act](#)/72.03(5)(d) of the [MVRMA](#), before the Board can issue the Licence, it must be satisfied that the Applicant’s financial responsibility is adequate to complete the Project, including any required mitigation measures, and the closure and reclamation of the site.

The Applicant is an indigenous government, and in its applications GTC indicated that it is “well funded organization with 2021/2021 source revenues of over 4 Million in addition to over \$250,000 in profits from business investments.”¹⁴ The Board is thus confident that the Applicant is capable of meeting any financial obligations set out in the [Waters Act](#) and Licence. As a result, and for the reasons set out above, the Board is satisfied that the legislated requirement to establish the financial responsibility of the Applicant for the Project has been met.

¹⁴ See GLWB Online Registry for [GTC - Rachel Reindeer Wellness Camp - Licence Application Form - May03_22.pdf](#)

3.11 Minimization of Adverse Effects

With regards to subsection 27(2) of the [Waters Act](#), the Board must ensure that the Licence conditions minimize potential adverse effects on other water and land users from the proposed use of water and deposit of waste. As discussed above in [section 5.1](#), the Applicant conducted pre-application engagement, and the Board also provided opportunities for potentially affected parties to make submissions to the Board during the regulatory proceeding. The Board did not receive notice of potentially adverse effects on other users of the water and lands in the Project area. The Board has also confirmed that the Project conforms with the Gwich'in Land Use Plan.

Regardless, as noted above in sections 3.9 and 3.10, and as detailed in [section 4](#), the Board has set conditions in the Licence to regulate waste management for the purpose of protecting the receiving environment. Additionally, as described in [section 4.5](#), based on the evidence, the Board has set conditions regarding the use of water for the Project, including limitations on the sources and volumes of water the Licensee can use. It is the opinion of the Board that compliance with the Licence conditions that have been set to protect the water sources and the receiving environment will also minimize any potential adverse effects on other water and land users in the Project area.

3.12 Time Limit

As required under section 48(1) of the [Waters Act](#), the Board made its decision on the Licence within nine months after receiving the complete Applications. As per section 22 of the [MVLUR](#), the Board is required to make its decision on a permit within 42 days of receiving a complete application. On June 22, 2022, the Board met and decided to apply paragraph 22(2)(b) of the [MVLUR](#), in order to process the permit and licence applications concurrently.¹⁵

3.13 Environmental Review (Part 5 of the MVRMA) - Preliminary Screening

Preliminary Screening is the first level of Environmental Impact Assessment in the Mackenzie Valley; it is an initial examination of a proposed development's potential to cause significant adverse impacts on the environment and/or public concern. Section 125 of the [MVRMA](#), governs how a preliminary screener makes decisions. In most cases, the preliminary screener must "determine and report to the Review Board whether, in its opinion, the development might have a significant adverse impact on the environment or might be a cause of public concern." Proposed

¹⁵ See GLWB Online Registry for [GTC - Rachel Reindeer Wellness Camp - Notice of 22.2.b Timeline Pause - Jun23_22.pdf](#)

developments that might cause a significant adverse impact on the environment – or might cause significant public concern, and which cannot be mitigated through further studies or public hearings – must be referred to the Mackenzie Valley Environmental Review Board for an Environmental Assessment. The GLWB may not issue a licence or permit for the carrying out of a proposed development unless the requirements of Part 5 of the [MVRMA](#), have been met. As a screener, the Board must ensure that the concerns of Aboriginal people and the general public are taken into account, and must consider the protection of the social, cultural, and economic well-being of residents of the Mackenzie Valley. In exercising its powers, the Board must also consider the importance of conservation to the well-being and way of life of the Aboriginal peoples of Canada to whom section 35 of the Constitution Act, 1982 applies.

On July 28, 2022, the Board met and confirmed that the activities associated with the Renewal Application were exempt from preliminary screening based on Part 1, Schedule 1, section 2.1 of the Exemption List Regulations to the MVRMA. Under these regulations, a Project only needs to undergo preliminary screening once, at the time of initial application, provided that the scope and footprint of the Project have not changed. The Board reviewed the preliminary screening report for this project dated May 12, 2008, and is satisfied that the requirements of Part 5 of the [MVRMA](#) have been met for the Project¹⁶. Consequently, no preliminary screening was conducted for application G22L3-004.

The Board is satisfied that the requirements of Part 5 of the [MVRMA](#) have been met for the Project.

4.0 REASONS – Water Licence G22L3-004

Having due regard to the facts, circumstances, and the merits of the submissions made to it, and to the purpose, and provisions of the [MVRMA](#) and the [Waters Act](#), the Board has determined that Licence G22L3-004 should be issued, subject to the scope, defined terms, conditions, and term contained therein. The Board’s determinations and reasons for this decision are set out below.

The Licence has been developed to address the Board’s statutory responsibilities; to protect the receiving environment and minimize potential adverse effects on other water users; and to address issues within the Board’s jurisdiction that were identified and investigated during the regulatory proceeding.

¹⁶See GLWB Online Registry for [G08H004 - Prelim Screening Report GTC - May 12 08](#)

In developing the Licence, the Board considered the LWBs' [Standard Water Licence Conditions Template](#) (Standard Licence Conditions) and included a number of these standard conditions that are relevant to the Project. As noted in [section 4.0](#), Board staff circulated a draft Licence for review to allow Parties to provide specific input to the Board on possible conditions, and the Board considered these review comments and recommendations in making its determination on the Licence conditions.

The Standard Licence Conditions have been established by the Land and Water Boards (LWBs) based on information from LWB policies and guidelines, other applicable guidelines and best practices, meetings with Inspectors, input from LWB staff, and feedback from a public review. Each standard condition has been evaluated against the following characteristics of an ideal condition:

- Clearly part of LWBs' authority;
- Has a clear purpose and rationale;
- Is practical and enforceable; and
- Does not conflict with existing legislation (i.e., is not less stringent).

As noted in [section 3.0](#), Board staff circulated a draft Licence for review. The Draft Licence was developed using previous Licence G13L3-001, the MVLWB Standard Water Licence Conditions Template, and in consideration of comments and recommendations submitted to the Board during the Application review process. The intent of the draft licence to allow Parties to provide specific input to the Board on possible conditions, and the Board considered these review comments and recommendations in making its determination on the Licence conditions. The Standard Licence Conditions include general rationale for each standard condition, and as such, the language of any standard condition included in the Licence is only discussed in detail in the following sections of these Reasons for Decision when it specifically relates to concerns or recommendations raised during the regulatory proceeding. The Board's reasons for developing and including Project-specific conditions, including discussion of any concerns and recommendations raised regarding these conditions, are detailed in the relevant sections below.

4.1 Term of Licence

The Applicant has applied for a term of five (5) years for the Licence. Subsection 26(2) of the [Waters Act](#) allows for a licence term of not more than 25 years for a type B licence. After reviewing the submissions made during this regulatory process, and taking into consideration the closely linked

Permit, the Board decided to continue the practice of setting the Licence term to coincide with that of the Permit, and therefore set the term of the Licence for seven (7) years from the date of issuance which takes into account the five-year term of the Permit, plus the possibility of a two-year extension of the Permit's term.¹⁷ This will allow the Board and all parties to consider any future permit or licence renewal application in the context of the intricately linked nature of the two authorizations.

4.2 Part A: Scope and Defined Terms

Part A of the Licence contains the scope and the defined terms used throughout the Licence.

4.2.1 Scope

The scope of the Licence is written to ensure the Licensee is entitled to conduct activities which have been applied for and have been subject to Part 5 of the [MVRMA](#). In setting out the scope of the Licence, the Board endeavoured to provide enough detail to identify and describe the authorized activities, without being unduly restrictive or prescriptive, and to allow for Project flexibility, as contemplated in the Application, throughout the term of the Licence.

Based on the activities described in the Licence Application and on the scope outlined in the Standard Licence Conditions, Board staff included a draft scope in the draft Licence that was circulated for public review. During the public review of the draft Water Licence, GWNT ENR submitted recommendations that the Board update the scope to include the deposit of waste ash from the facility burn barrel, which may be used to burn paper and cardboard waste.¹⁸ The Board Subsequently updated Licence Part A, Condition 1 (c) to reflect this recommendation.

The conditions in Part A are consistent with the Standard Licence Conditions. These conditions ensure that the scope of the authorization includes all water uses and/or deposits of waste associated with the Project, and also clarify that the Licensee must comply with applicable legislation, including any changes to legislation that are deemed to automatically amend the Licence.

¹⁷ See GLWB Policies and Guidelines webpage to access the LWBs' [Reasons for Decision on the Interpretation of Subsection 26\(6\) of the Mackenzie Valley Land Use Regulations](#).

¹⁸ See Online Review System for [GTC Camp - Draft Licence and Permit for Review \(G22L3-004 G22H003\)](#)

4.2.2 Defined Terms

The Board defined certain terms in the Licence to ensure a common understanding of the conditions, to avoid future differences in interpretation of the Licence, to reflect Project-specific evidence, and to support consistency across licences and permits issued by the LWBs. For the most part, the Board selected applicable defined terms relevant to the Project from the Standard Licence Conditions.

4.3 Part B: General Conditions and Schedule 1

Part B of the Licence primarily contains general administrative conditions regarding implementation of the Licence, and compliance with the Licence conditions, Board directives, and LWB policies and procedures. This section also details compliance requirements and review and revision procedures for submissions required under the Licence. These conditions are consistent with the Standard Licence Conditions and are applicable to all licences.

Part B: UPDATES TO COMPLIANCE DATES

Compliance dates are included in the Licence conditions for various submissions and other requirements, and Schedules and a Surveillance Network Program (SNP) are appended to the Licence to set out the detailed requirements associated with specific conditions in the main body of the Licence. The purpose of the Schedules is to provide greater clarity and to aid in interpretation of Licence conditions.

This standard Condition is included in the Licence to clarify that the Board may, at its discretion, update compliance dates, the Schedules, and the SNP, and that such updates are not considered amendments to the Licence, unless otherwise directed by the Board. Such updates may be requested by the Licence in writing at least 90 days in advance, or may be initiated by the Board based on the information available to it, and will undergo the Board's public review process before being considered by the Board.

Part B: ANNUAL WATER LICENCE REPORT

The requirements for the Annual Water Licence Report are outlined in Part B: ANNUAL LICENCE REPORT, and Schedule 1, Condition E. The purpose of the Annual Water Licence Report is to provide the Board and all interested parties the opportunity to be annually updated on Project components and activities and compliance with Licence conditions, and to provide a platform for interested parties to submit comments,

observations, feedback, and questions as necessary. The Report is also an important tool for evaluating the effectiveness of the Licence conditions.

In establishing the Annual Report requirements in the Licence, the Board primarily included requirements from the Standard Licence Conditions that are applicable to the Project and reflect the Licence conditions. All of these requirements are intended to provide clarity and summarize information already captured through existing submissions; they are not meant to be onerous. The Board organized these requirements to coincide with the layout of the Licence and to be consistent with the Standard Licence Conditions.

For clarity, Annual Water Licence Reports are required each year, regardless of whether the Licensee has conducted any activity during the reporting year.

Part B: ENGAGEMENT PLAN

The Board assesses engagement adequacy through the LWBs' [Engagement and Consultation Policy](#) and [Engagement Guidelines for Applicants and Holders of Water Licences and Land Use Permits](#). In accordance with the Policy and Guidelines, the Applicant included an Engagement Record and Plan in the Applications,¹⁹ and these documents were distributed for public review with the Applications.

The Permit also includes conditions regarding the Engagement Plan, and the Board mirrored these Licence and Permit conditions as much as possible to ensure one submission will satisfy the requirements of both authorizations.

No comments or recommendations regarding engagement were submitted to the Board during the public review periods.

The Board has approved the Engagement Plan, Version 1 because it meets the requirements of the Policy and Guidelines and is appropriate for the Project activities.

¹⁹ See GLWB Online Registry for [GTC - Rachel Reindeer Wellness Camp - Engagement Record and Plan - May03_22](#)

4.4 Part C: Conditions Applying to Security Requirements

The Board did not include security requirements in the Licence because the Applicant is the Gwich'in Tribal Council and the project is taking place on Gwich'in Private Lands. As per section 94 of the [MVRMA](#), territorial and federal governments are not required to post security for permits; although this exemption does not apply to indigenous governments or licences, it has been Board practice to not require security for municipal projects when the applicant is a community or Indigenous government. No security has been required for the project under past authorizations, and the Board did not receive comments or recommendations regarding security during the public review. Board is satisfied that the Licensee will be accountable for carrying out closure and reclamation, even though a security deposit is not required.

4.5 Part D: Conditions Applying to Water Use

Part D of the Licence contains conditions related to water use for the Project. These are consistent with the Standard Licence Conditions.

The maximum quantity of water that can be withdrawn from the Mackenzie River, East Channel is 2,000 cubic meters per year. This volume is consistent with the volume authorized under G13L3-001 and G08L8-001. On the Licence application form, the Applicant indicated that 2,000 cubic meters per day was being requested; during the public review GNWT ENR recommended that GTC clarify whether 2,000 per day or year was being requested, GTC confirmed that it was requesting 2,000 per year and updated the application form accordingly.²⁰

4.6 Part E: Conditions Applying to Construction

Part of the Licence contains conditions applying to Construction activities for the Project. These are consistent with the Standard Licence Conditions.

4.7 Part F: Conditions Applying to Waste and Water Management

Part F of the Licence contain conditions applying to Waste and Water management activities for the Project. These are consistent with the Standard Licence Conditions.

²⁰ See GLWB Online Review System for GTC Responses: [GTC Camp - Draft Licence and Permit for Review \(G22L3-004 G22H003\)](#)

Part F: WASTE MANAGEMENT PLAN

All applicants must submit detailed waste management information, identifying all types of waste that will be produced by the project (including quantity and quality) and describing the disposal methods that are proposed for each type of waste. For most applicants, this will be in the form of a Waste Management Plan, developed in accordance with the LWBs' [Guidelines for Developing a Waste Management Plan](#), and licences and permits will include standard conditions regarding compliance with the Plan, as approved by the Board. The Guidelines can be applied to a wide range of projects and are intended to ensure that all waste management activities are carried out in a way that is consistent with best practices and applicable guidelines to minimize waste released from a project.

The Permit also includes conditions regarding the WMP, and the Board mirrored these Licence and Permit conditions as much as possible to ensure one submission will satisfy the requirements of both authorizations.

The Licensee included a WMP in the Applications.²¹ During the Public Review, GNWT ENR recommended that the Applicant update the WMP by: including a plan effective date; revising the map to show locations of outhouses and waste discharge points and providing details as to when the outhouses would be used; re-classifying its waste streams and removing ambiguity; ensuring hazardous waste management follows current ENR guidelines; providing additional details on the use of the burn barrel; and providing confirmation of waste oil acceptance by the local contractor.²² ENR also recommended that GTC provide additional details regarding the sewage discharge location, including confirmation that it is 100 meters from the ordinary high water mark of any watercourse, and recommended the Board Annex an SNP to the Licence.²³

In response to reviewer comments and recommendations, GTC submitted an updated Waste Management Plan (WMP V.2) to the Board.²⁴

²¹ See GLWB Online Registry for [GTC - Rachel Reindeer Wellness Camp - Waste Management Plan - May03_22.pdf](#)

²² See GLWB Online Review System for [GTC - Type A Permit and Type B Licence renewal \(G22H003 G22L3-004\)](#)

²³ See GLWB Online Review System for [GTC Camp - Draft Licence and Permit for Review \(G22L3-004 G22H003\)](#)

²⁴ See GLWB Online Registry for [GTC Wellness Camp - Revised Waste Management Plan Version 2 - Jul08_22](#)

The Board considered WMP V.2 and has determined that further revisions to the plan are required. **The Board directs GTC to submit WMP V.3 for Board approval.** WMP V.3 shall include, but not be limited to, the following revisions:

- GPS coordinates for sewage discharge Location at SNP 1557-3
- Map, with scale, that indicates the distance from the Discharge Location to the OHWM, and confirms it to be greater than 100 m
- Plans for signage and restricted access at discharge location.
- Contour map indicating natural drainage at the discharge location and the pathway that treated waste will take; and
- Contingency Plan for sewage in the event that discharge can not take place (i.e if effluent does not pass SNP criteria, system malfunction, site inaccessible etc.);

The revised plan will be considered approved upon confirmation of conformity by Board Staff.

Effluent Quality Criteria

The Board's approach to managing the deposit of waste to the receiving environment through water licence conditions is described in the LWBs' [Water and Effluent Quality Management Policy](#).

Part F: EFFLUENT QUALITY CRITERIA - SEWAGE

The Licence includes Effluent Quality Criteria (EQC) for the discharge of sewage from the Wastewater Treatment Discharge Location as per Part F: EFFLUENT QUALITY CRITERIA and Table 1 below.

Table 1: Sewage Discharge EQC for Water Licence G22L3-004

<u>Parameter</u>	<u>Maximum Concentration</u> <u>(mg/L)</u>
Faecal Coliforms	200 cfu/100mL
Suspended Solids	<u>25 mg/L</u>
CBOD	<u>25 mg/L</u>

In addition to meeting the above EQC, the Licensee shall ensure that the effluent discharged from SNP 1557-3

- a) has no visible sheen of oil and grease; and
- b) has a pH value between 6 and 9.

Determination for EQC for Sewage Discharge

Board staff carried over the Effluent Quality Criteria (EQC) from Licence G13L3-001 when developing the Draft Water Licence that was circulated for public review. During the review, the Board did not receive comments or recommendations in respect to the EQC. The Board has thus maintained the EQC for this Licence.

The Board notes that the application materials did not include precise coordinates for the Effluent Discharge Location. The Board has required that GTC update its WMP to include the GPS coordinates. The SNP will be updated to include these coordinates once received.

4.8 Part G: Conditions Applying to Aquatic Effects Monitoring Program

If applicable, Part G of a licence will contain conditions applying to an Aquatic Effects Monitoring Program (AEMP). In accordance with the LWB/GNWT [Guidelines for Aquatic Effects Monitoring Programs](#), the Board will generally require AEMPS in type A mining/milling and oil/gas production licences, but may consider requiring an AEMP for other types of licences based on the evidence. In this case, the Board did not include any AEMP requirements in the Licence, because the Board did not receive any evidence recommending or indicating that an AEMP is needed.

4.9 Part H: Conditions Applying to Contingency Planning

Part H of the Licence contains conditions related to spill contingency planning and reporting, reclamation of spills and unauthorized discharges, and emergency response for the Project. These conditions are consistent with the Standard Licence Conditions.

Part H: SPILL CONTINGENCY PLAN

All applicants must describe spill contingency planning. For most applicants, this will be in the form of a Spill Contingency Plan (SCP), developed in accordance with the INAC [Guidelines for Spill Contingency Planning](#), and licences and permits will include standard conditions regarding compliance with the Plan, as approved by the Board.

The Permit also includes conditions regarding the SCP, and the Board mirrored these Licence and Permit conditions as much as possible to ensure one submission will satisfy the requirements of both authorizations.

The Licensee included a SCP in the Applications.²⁵ During the public review, GWNT ENR recommended that GTC update the SCP to include: an effective date for the plan; an inventory of resources within its spill kits; contact information for the project supervisor.²⁶ During the review of the Draft Permit and Licence, ENR recommended that GTC clarify the distance between the fuel storage facilities and the Mackenzie River.²⁷

In response to reviewer comments and recommendations, GTC submitted an updated Spill Contingency Plan (SCP V.2) to the Board.²⁸

The Board considered SCP V.2 and has determined that further revisions to the plan are required.

The Board directs GTC to submit for SCP V.3 for Board approval. SCP V.3 shall include, but not be limited to, the following revisions:

- Map, with scale, that indicates the distance from the Fuel Storage Location to the OHWM
- If the fuel storage location is determined to be less than 100 meters from the OHWM, a plan to install a berm or other tertiary containment to prevent spills into the Mackenzie River, as recommended by ENR WRO during 2016 Inspection²⁹
- Considerations for natural events such as flooding or wildfire
- Updated contact information for the GLWB

This is consistent with recommendations submitted to the Board during ENR's most recent water licence inspection report in 2016; the report identified concerns regarding the settling of the gravel pads on site and the strain on flex pipes of pipes, which could result in leaks, particularly given the proximity of the tank to the river, the lack of monitoring due to the camp being nonoperational, and the fact that the GTC camp is directly

²⁵ See GLWB Online Registry for [GTC - Rachel Reindeer Wellness Camp - Spill Contingency Plan - May03_22.pdf](#)

²⁶ See GLWB Online Review System for [GTC - Type A Permit and Type B Licence renewal \(G22H003 G22L3-004\)](#)

²⁷ See GLWB Online Review System for [GTC Camp - Draft Licence and Permit for Review \(G22L3-004 G22H003\)](#)

²⁸ See GLWB Online Registry for [GTC - Rachel Reindeer Wellness Camp - Spill Contingency Plan Version 2 - May03_22.pdf](#)

²⁹ See GLWB Online Registry for [G13L3-001 - ENR Inspection Report - Jul14_16;](#)

upstream of the Town of Inuvik municipal water supply.³⁰

The revised plan will be considered approved upon confirmation of conformity by Board Staff.

4.10 Part I: Conditions Applying to Closure and Reclamation

Part I of the Licence contain conditions applying to closure and reclamation, including progressive reclamation of the Project. These are consistent with the Standard Licence Conditions.

Part I: CLOSURE AND RECLAMATION PLAN

All applicants must describe closure and reclamation planning. For most applicants, this will be in the form of a Closure and Reclamation Plan (CRP) and licences and permits will include standard conditions regarding compliance with the Plan, as approved by the Board.

The Licensee included a CRP in the Applications.³² The Board has approved this plan as an interim submission, because the Plan is conceptual in nature. A minimum of 18 months prior to the final decommissioning and closure of the Project, the Licensee shall submit to the Board for approval a Final CRP. The Board has included conditions INTERIM CLOSURE AND RECLAMATION PLAN and FINAL CLOSURE AND RECLAMATION PLAN to reflect this requirement.

4.11 Annex A: Surveillance Network Program

Annex A of the Licence contains conditions applying to the Surveillance Network Program (SNP). The SNP details the sampling and monitoring requirements related to compliance with several conditions in the Licence.

³⁰ See [G13L3-001 - ENR Inspection Report - Jul14_16](#)

³¹ See [G15H001 - Inspection Report - Mar27_19](#) and [G15H001 - Inspection Report - May30_19](#)

³² See GLWB Online Registry for [GTC - Rachel Reindeer Wellness Camp - Closure and Reclamation Plan - May03_22](#)

The Licensee provided a site map which identified the Effluent discharge location, however the precise coordinates were not submitted to the Board. The GLWB has directed GTC to submit WMP V3, which shall include the coordinates of the discharge location. Once the coordinates are provided, the SNP annex will be revised to include this information.

4.12 Annex B: Table of Submissions

Annex B of the Licence contains a table that summarizes the submissions required by the Licence conditions.

4.13 Annex C: Table of Revision History

Annex C of the Licence contains a table which identifies updates and tracks changes made to the Licence. This table is currently blank because this is a new Licence, but it will be updated throughout the life of the Licence.

5.0 Reasons – Land Use Permit G22H003

Having due regard to the facts, circumstances, and the merits of the submissions made to it, and to the purpose, scope, and intent of the [MVRMA](#), the Board has determined that Permit G22H003 should be issued, subject to the scope, definitions, conditions, and term contained therein. The Board's determinations and reasons for this decision are set out below.

The Permit has been developed to address the Board's statutory responsibilities, to protect the receiving environment, and to address issues within the Board's jurisdiction that were identified and investigated during the regulatory proceeding.

In developing the Permit, the Board considered the LWBs' [Standard Permit Conditions Template](#) (Standard Permit Conditions) and included a number of these standard conditions that are relevant to the Project. As noted in [section 4.0](#), Board staff circulated a draft Permit for review to allow Parties to provide specific input to the Board on possible conditions, and the Board considered these review comments and recommendations in making its determination on the Permit conditions.

The Standard Permit Conditions have been established by the LWBs based on information from LWB policies and guidelines, other applicable guidelines and best practices, meetings with Inspectors, input from LWB staff, and feedback from a public review. Each standard condition has been evaluated against the following characteristics of an ideal condition:

- Clearly part of LWBs' authority;
- Has a clear purpose and rationale;
- Is practical and enforceable;
- Matches the scale of the project; and
- Does not conflict with existing legislation (i.e., is not less stringent).

The Standard Permit Conditions include general rationale for each standard condition, and as such, the language of any standard condition included in the Licence is only discussed in detail in the following sections of these Reasons for Decision when it specifically relates to concerns or recommendations raised during the regulatory proceeding. The Board's reasons for developing and including Project-specific conditions, including discussion of any concerns and recommendations raised regarding these conditions, are detailed in the relevant sections below.

5.1 Term of Permit

The Applicant has applied for a term of 5 years for the Permit. Subsection 26(5) of the [MVLUR](#) allows for a Permit term of not more than five years. After reviewing the submissions made during the regulatory proceeding, the Board has determined an appropriate term for the Permit is five years.

5.2 Part A: Scope of Permit

The scope of the Permit ensures the Permittee is entitled to conduct activities which have been applied for and which have been subject to Part 5 of the [MVRMA](#). In setting out the scope of the Permit, the Board endeavoured to provide enough detail to identify and describe the authorized activities, without being unduly restrictive or prescriptive, and to allow for Project flexibility, as contemplated in the Application, throughout the life of the Permit.

Based on the activities described in the Permit Application and on the scope outlined in the Standard Permit Conditions, Board staff included a draft scope in the draft Permit that was circulated for public review. The Board did not receive any comments or recommendations regarding the draft scope during the proceeding, so the Board accepted it as the scope of the Permit.

5.3 Part B: Definitions

The Board defined certain terms in the Permit to ensure a common understanding of the conditions, to avoid future differences in interpretation of the Permit, to reflect Project-specific evidence, and to support consistency across licences and permits issued by the LWBs. For the most part, the Board selected applicable definitions relevant to the Project from the Standard Permit Conditions.

5.4 Part C: Conditions Applying to All Activities

The subheadings below correspond to the headings in the conditions section of the Permit, as outlined in subsection 26(1) of the [MVLUR](#).

26(1)(a) Location and Area

The conditions included in this section are all consistent with the LWBs' Standard Permit Conditions.

26(1)(b) Time

The conditions included in this section are all consistent with the LWBs' Standard Permit Conditions.

26(1)(c) Type and Size of Equipment

The conditions included in this section are all consistent with the LWBs' Standard Permit Conditions.

26(1)(d) Methods and Techniques

The conditions included in this section are all consistent with the LWBs' Standard Permit Conditions.

26(1)(e) Type, Location, Operation of All Facilities

The conditions included in this section are all consistent with the LWBs' Standard Permit Conditions.

26(1)(f) Control or Prevention of Ponding of Water, Flooding, Erosion, Slides, and Subsidence of Land

The conditions included in this section are all consistent with the LWBs' Standard Permit Conditions.

26(1)(g) Use, Storage, Handling, and Ultimate Disposal of Any Chemical or Toxic Material

The conditions included in this section are all consistent with the LWBs' Standard Permit Conditions.

26(1)(h) Wildlife and Fish Habitat

The [MVLUR](#) includes provisions related to the protection of wildlife habitat; however, requirements for Wildlife Management and Monitoring Plans (WMMPs) are under the jurisdiction of the GNWT through the *Wildlife Act*. Accordingly, all applicants are directed to contact the GNWT-ENR to determine whether a WMMP, which details mitigations to reduce or eliminate impacts to applicable wildlife and wildlife habitat, is required for the project and should be submitted to the Board with a permit and/or licence application.

The Board included the HABITAT DAMAGE condition in the Permit, which requires the Permittee to prevent damage to wildlife and fish habitat. This is a condition from the LWBs' Standard Permit Conditions and is intended to ensure the Permittee conducts their land-use operation in such a way as to minimize disturbance to wildlife habitat.

26(1)(i) Storage, Handling, and Disposal of Refuse or Sewage

The conditions included in this section are all consistent with the LWBs' Standard Permit Conditions.

WASTE MANAGEMENT

All applicants must submit detailed waste management information, identifying all types of waste that will be produced by the project (including quantity and quality) and describing the disposal methods that are proposed for each type of waste. For most applicants, this will be in the form of a WMP, developed in accordance with the LWBs' [Guidelines for Developing a Waste Management Plan](#), and licences and permits will include

standard conditions regarding compliance with the Plan, as approved by the Board. The Plan is also required under Part F of the Licence, and the Board's reasons for decision regarding the Plan are described above in [section 6.7](#). The Board mirrored these Licence and Permit conditions as much as possible to ensure one submission will satisfy conditions of both the Licence and Permit.

The Licensee included a WMP in the Applications.³³ During the Public Review, GNWT ENR recommended that the Applicant update the WMP by: including a plan effective date; revising the map to show locations of outhouses and waste discharge points and providing details as to when the outhouses would be used; re-classifying its waste streams and removing ambiguity; ensuring hazardous waste management follows current ENR guidelines; providing additional details on the use of the burn barrel; and providing confirmation of waste oil acceptance by the local contractor.³⁴ ENR also recommended that GTC provide additional details regarding the sewage discharge location, including confirmation that it is 100 meters from the ordinary high water mark of any watercourse, and recommended the Board Annex an SNP to the Licence.³⁵

In response to reviewer comments and recommendations, GTC submitted an updated Waste Management Plan (WMP V.2) to the Board.³⁶

The Board considered WMP V.2 and has determined that further revisions to the plan are required. **The Board directs GTC to submit WMP V.3 for Board approval.** WMP V.3 shall include, but not be limited to, the following revisions:

- GPS coordinates for sewage discharge Location at SNP 1557-3;
- Map, with scale, that indicates the distance from the discharge location to the OHWM, and confirms it to be greater than 100 m;
- Plans for signage and restricted access at discharge location;
- Contour map indicating natural drainage at the discharge location and the pathway that treated waste will take; and
- Contingency Plan for sewage in the event that discharge can not take place (i.e if effluent does not pass SNP criteria, system malfunction, site inaccessible etc.)

³³ See GLWB Online Registry for [GTC - Rachel Reindeer Wellness Camp - Waste Management Plan - May03_22.pdf](#)

³⁴ See GLWB Online Review System for [GTC - Type A Permit and Type B Licence renewal \(G22H003 G22L3-004\)](#)

³⁵ See GLWB Online Review System for [GTC Camp - Draft Licence and Permit for Review \(G22L3-004 G22H003\)](#)

³⁶ See GLWB Online Registry for [GTC Wellness Camp - Revised Waste Management Plan Version 2 - Jul08_22](#)

This is consistent with recommendations submitted to the Board in during ENR's most recent water licence inspection report in 2016; the report identified concerns regarding the long term storage of sewage, waste oil and other hazardous wastes on site between 2013 and 2016 .³⁷ GNWT Lands Inspection reports from 2019 also observed that these waste barrels that had not been removed for several years .³⁸

The revised waste management plan will be considered approved upon confirmation of conformity by Board Staff.

26(1)(j) Protection of Historical, Archaeological, and Burial Sites

The conditions included in this section are all consistent with the LWBs' Standard Permit Conditions.

26(1)(k) Objects and Places of Recreational, Scenic, and Ecological Value

This section was intentionally left blank, because the Board did not require conditions in this section to satisfy its mandate and did not receive any recommendations related to this section during the review of the draft Permit.

26(1)(l) Security Deposit

The Board did not include security requirements in the Permit because GTC is carrying out these land use activities on Gwich'in Private Lands. As per section 94 of the [MVRMA](#), territorial and federal governments are not required to post security for permits; although this exemption does not apply to indigenous governments, it has been Board practice to not require security for a permit when indigenous governments are carrying out land use activities on settlement lands. The RESPONSIBILITY FOR REMEDIATION COSTS condition establishes the Permittee's responsibility for all costs to remediate the Permit area, so the Board is satisfied that the Permittee will be accountable for carrying out closure and reclamation even though a security deposit is not required.

The conditions included in this section are all consistent with the LWBs' Standard Permit Conditions.

³⁷ See [G13L3-001 - ENR Inspection Report - Jul14_16](#)

³⁸ See [G15H001 - Inspection Report - Mar27_19](#) and [G15H001 - Inspection Report - May30_19](#)

26(1)(m) Fuel Storage

The conditions included in this section are all consistent with the LWBs' Standard Permit Conditions. The standard condition FUEL STORAGE SETBACK was included in the Draft Permit. The condition had not been included in past permit G15H001. During the public review of the Draft Licence ENR recommended that GTC clarify the distance between the fuel storage facilities and the ordinary high water mark of the Mackenzie River, as it was not clear if it was within the standard 100 m setback. GTC provided an updated SCP V.2 but the Board notes it does not confirm the distance from the river.

Because this is an existing facility and the tanks are in place the Board has revised the FUEL STORAGE SETBACK condition as follows: The Permittee shall place Fuel Storage Containers and or Tanks a minimum of 100 metres from the Ordinary High-Water Mark of any Watercourse, except as described in the application and approved by the Board, or as authorized in writing by an Inspector. This is designed to prevent any future storage of fuel or hazardous materials within the standard setback distance, as consistent with Licence condition, MATERIAL STORAGE – ORDINARY HIGH-WATER MARK.

SPILL CONTINGENCY PLAN

All applicants must describe spill contingency planning. For most applicants, this will be in the form of a SCP, developed in accordance with the INAC [Guidelines for Spill Contingency Planning](#), and licences and permits will include standard conditions regarding compliance with the Plan, as approved by the Board. The Plan is also required under Part H of the Licence, and the Board's reasons for decision regarding the Plan are described above in [section 6.9](#). The Board mirrored these Licence and Permit conditions as much as possible to ensure one submission will satisfy conditions of both the Licence and Permit.

The Permittee included a SCP in the Applications.³⁹ During the public review, GWNT ENR recommended that GTC update the SCP to include: an effective date for the plan; an inventory of resources within its spill kits; contact information for the project supervisor.⁴⁰ During the review of the Draft Permit and Licence, ENR recommended that GTC clarify the distance between the fuel storage facilities and the Mackenzie River

³⁹ See GLWB Online Registry for [GTC - Rachel Reindeer Wellness Camp - Spill Contingency Plan - May03_22.pdf](#)

⁴⁰ See GLWB Online Review System for GTC - Type A Permit and Type B Licence renewal (G22H003 G22L3-004

In response to reviewer comments and recommendations, GTC submitted an updated Spill Contingency Plan (SCP V.2) to the Board.⁴¹

The Board considered SCP V.2 and has determined that further revisions to the plan are required. The Board directs GTC to submit for SCP V.3 for Board approval. SCP V.3 shall include, but not be limited to, the following revisions:

- Map, with scale, that indicates the distance from the Fuel Storage Location to the OHWM;
- If the fuel storage location is determined to be less than 100 meters from the OHWM, a plan to install a berm or other tertiary containment to prevent spills into the Mackenzie River;
- Considerations for natural events such as flooding or wildfire; and
- Updated contact information for the GLWB

This is consistent with recommendations submitted to the Board in during ENR's most recent water licence inspection report in 2016; the report identified concerns regarding the settling of the gravel pads on site and the strain on flex pipes of pipes, which could result in leaks, particularly given the proximity of the tank to the river, the lack of monitoring due to the camp being nonoperational, and the fact that the GTC camp is directly upstream of the Town of Inuvik municipal water supply.⁴² GNWT Lands Inspection reports from 2019 also observed settling, rutting and standing water on site, which could lead to ground subsidence and strain on fuel storage infrastructure.⁴³

The revised SCP will be considered approved upon confirmation of conformity by Board Staff.

26(1)(n) Methods and Techniques for Debris and Brush Disposal

The conditions included in this section are all consistent with the LWBs' Standard Permit Conditions.

⁴¹ See GLWB Online Registry for GTC Wellness Camp - Revised Waste Management Plan Version 2 - Jul08_22

⁴² See [G13L3-001 - ENR Inspection Report - Jul14_16](#)

⁴³ See [G15H001 - Inspection Report - Mar27_19](#) and [G15H001 - Inspection Report - May30_19](#)

26(1)(o) Restoration of the Lands

The conditions included in this section are all consistent with the LWBs' Standard Permit Conditions.

26(1)(p) Display of Permits and Permit Numbers

The conditions included in this section are all consistent with the LWBs' Standard Permit Conditions.

26(1)(q) Biological and Physical Protection of the Land

The conditions included in this section are all consistent with the LWBs' Standard Permit Conditions.

ENGAGEMENT PLAN

The Board assesses engagement adequacy through the LWBs' [Engagement and Consultation Policy](#), and [Engagement Guidelines for Applicants and Holders of Water Licences and Land Use Permits](#). In accordance with the Policy and Guidelines, the Applicant included an Engagement Record and Plan in the Applications.⁴⁴ The Plan is also required under Part B of the Licence, and the Board's reasons for decision regarding the Plan are described above in [section 4.3](#). The Board mirrored these Licence and Permit conditions as much as possible to ensure one submission will satisfy conditions of both the Licence and Permit.

⁴⁴ See GLWB Online Registry for [GTC - Rachel Reindeer Wellness Camp - Engagement Record and Plan - May03_22](#)

6.0 Conclusion

In making its decision and preparing these Reasons for Decision, the Board has reviewed and considered:

- 1) The Applications as submitted by the Applicant for the Project;
- 2) The evidence and submissions received by the Board from the Applicant in relation to the Licence and Permit; and
- 3) The comments and recommendations, evidence, and submissions received by the Board from Parties during the regulatory proceeding.

Subject to the scopes, definitions, conditions, and terms set out in the Licence and Permit, and for the reasons expressed herein, the GLWB is of the opinion that the activities, land and water use, and waste disposal associated with the Project can be completed by the Gwich'in Tribal Council while providing for the conservation, development, and utilization of waters in a manner that will provide the optimum benefit for all Canadians and in particular for the residents of the Mackenzie Valley.

Water Licence G22L3-004 and G22H003 contain provisions that the Board deems necessary to ensure and monitor compliance with the MVRMA, *Waters Act*, and the Regulations made thereunder, and to provide appropriate safeguards in respect of the Gwich'in Tribal Council's use of the water and land as authorized by the Licence and Permit.

SIGNATURE



July 28, 2022

**Elizabeth Wright, Chair
Gwich'in, Land and Water Board**

Date