



June 3, 2024

Mr. Leonard DeBastien
Executive Director
Gwich'in Land and Water Board
PO Box 2018
Inuvik NT X0E 0T0

Dear Mr. DeBastien,

Updated Information Request re: Rachel Reindeer Wellness Camp

On November 7, 2023, the Gwich'in Land and Water Board (GLWB) issued an Information Request to the Government of the Northwest Territories (GNWT) – Environment and Climate Change (ECC) related to the Gwich'in Tribal Council's (GTC) request to cancel type B Water Licence G22L3-004. GNWT-ECC provided a response on November 16, 2023, in which additional information was requested from the GTC. This information was provided by the GTC to the GLWB on May 14, 2024, and sent to GNWT-ECC on May 15, 2024 with a revised information request to GNWT-ECC.

The information request from the GLWB requests that GNWT-ECC indicate why, in GNWT-ECC's view, the deposit of waste licensing criteria described in Schedule F, Item 3(b), Column III of the Waters Regulations is based on the maximum capacity of people that could be at a camp at the same time (i.e., total possible on-site capacity and why it is not limited to the capacity of overnight occupants nor to the actual number of people that will be on site (as described in an application)).

GNWT-ECC does note that there is some ambiguity in regard to the *Waters Regulations*, as Schedule F, Item 3(b), Column II references that "a camp or lodge **servicing** 50 or fewer people" could occur without a licence whereas Schedule F, Item 3(b), Column III references that "camp or lodge with **capacity** of more than 50 occupants" would require a water licence (emphasis added). While the terminology here varies somewhat, there is no reference within Schedule F, Item 3(b), Columns II or III to there being a requirement for "overnight" as indicated in the Information Request from the GLWB. Further, the prevailing issue that was noted by GNWT-ECC in our initial comments on GTC's request to cancel Water Licence G22L3-004 was that the accompanying land use permit application indicated the potential for up to 140 people to be on-site. The request for additional information was to confirm the capacity of the camp to aid in making a determination in that regard.

In their response, GTC outlined that the number of beds at the Camp would be forty-two (42), and that with respect to day use, "the Camp primarily serves transient clients (namely Participants to the *Gwich'in Comprehensive Land Claim Agreement*) and their visitors. Occasionally, this may result in the presence of more than forty-two (42) occupants on any given day for day use **only**, although such instances are infrequent and limited."

Though Schedule F, Item 3(b) is ambiguous and with different facts GNWT-ECC's interpretation of whether a licence is required may differ, GNWT-ECC is of the opinion that a water licence is not required for the camp in question based upon the information provided by GTC. As noted in GTC's response to the GLWB, there will not be more than fifty people staying at the site and the presence of more than fifty people at the site during the day will be infrequent and limited .

If you require further information, please contact Rick Walbourne, Director, Regulatory and Permitting at [Rick Walbourne@gov.nt.ca](mailto:Rick.Walbourne@gov.nt.ca).

Sincerely,



Rick Walbourne
Director
Regulatory and Permitting
Environment and Climate Change