



**Mackenzie Valley Land and Water Board**  
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**Staff Report**

<b>Applicant:</b> Northwest Territories Power Corporation and the Carter Family	
<b>Location:</b> Nonacho Lake, NT	<b>Application:</b> MV2011L4-0002
<b>Date Prepared:</b> August 4, 2017	<b>Meeting Date:</b> August 10, 2017
<b>Subject:</b> Taltson Twin Gorges Hydroelectric Generating Station, NT – Compensation Claim Board Decision	

**1. Purpose**

The Purpose of this Report is to provide the Board with the Reasons for Decision based on discussions and final decisions dictated to Board staff during Board deliberations on July 11 and 13, 2017.

**2. Background**

Compensation Re-Hearing Process:

- November 26, 2016 – Final record for the compensation Re-Hearing established;
- January 24, 2017 – Compensation Re-Hearing Work Plan Distributed;
- February 17, 2017 – Carter Family legal counsel submits Expert Reports and an extension request to the submission date;
- March 3, 2017 – Updated Re-Hearing Work Plan distributed;
- March 13, 2017 – Taltson Re-Hearing Advertised in News North;
- March 17, 2017 – NTPC advises Board of intentions to cross-examine Carter Family witnesses;
- April 19, 2017 – Final Written Submission due and received from each party;
- April 20, 2017 – Re-Hearing Agenda distributed;
- May 3, 2017 – Pre-Hearing Conference;
- May 11, 2017 – Re-Hearing Presentations due;
- May 16-17, 2017 – Claim for Compensation Re-Hearing;
- May 26, 2017 – Undertakings due (questions);
- June 9, 2017 – Responses to Undertakings due;
- June 16, 2017 – Carter Family closing remarks due;
- June 23, 2017 – NTPC closing remarks due;
- July 11-13, 2017 – Board deliberations and decision; and
- **August 10, 2017 – Reasons for Decision on the Carter Family Claim for Compensation presented to the Board for consideration.**

### 3. Conclusion

After carefully reviewing the evidence available on the record and the written submissions from the Carter Family and NTPC, and 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 *Mackenzie Valley Resource Management Act* and the *Waters Act* and the regulations made thereunder, the Board has determined that part of the Carter Family Claim for Compensation has merit and that an appropriate amount to be paid is \$100,000. The Board's determination and reasons for its decision are set out in the attached Reasons for Compensation Decision.

### 4. Recommendation

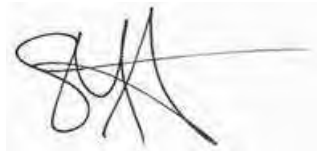
Board staff recommend the Board move to:

- Approve, with the associated Reasons for Decision, that \$100,000 in compensation should be paid to the Carter Family by the Northwest Territories Power Corporation under paragraph 26(5)(b) of the *Waters Act* for Water Licence MV2011L4-0002;
- Accept the attached Notice of the Board's Recommendation to the Minister addressed to the Northwest Territories Power Corporation, with attached Reasons for Decision and updated Water Licence;
- Accept the attached Decision Letter to the Minister, with attached Reasons for Decision and updated Water Licence; and
- Accept the attached Letter to the Northwest Territories Power Corporation providing the Board's decision on compensation and updated Water Licence (for after Ministerial approval).

### 5. Attachments

- DRAFT Reasons for Decision
- DRAFT Notice of the Board's Recommendation to the Minister – letter to NTPC
- DRAFT Decision Letter to the Minister
- DRAFT Letter to the Northwest Territories Power Corporation regarding the Board's decision on compensation and updated Water Licence
- DRAFT Updated Water Licence Cover Page
- DRAFT Updated Water Licence MV2011L4-0002

Respectfully submitted,



Shannon Allerston  
Regulatory Specialist