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March 24, 2025

File: MV2024L7-0010

Stephane Millette  
Town of Hay River  
100 – 62 Woodland Drive  
Hay River NT XOE 1G1

Sent by email

Dear Stephane Millette,

**Re: Porritt Landing Dredging Project – Renewal Issuance Package – Water Licence MV2024L7-0010 – Hay River, NT**

The Mackenzie Valley Land and Water Board (Board) met on March 20, 2025 and considered the renewal Application Package from the Town of Hay River for Water Licence MV2024L7-0010 for the Porritt Landing Renewal Project in accordance with the *Waters Act*.

The Board has approved Water Licence (Licence) MV2024L7-0010 (attached) for a term of 25 years, effective March 24, 2025 and expiring March 23, 2050. The Licence is supported by the Board's Reasons for Decision. These documents are posted to the Board's Public Registry.<sup>1</sup>

Submission Requirements

The Board's decisions on submissions that were considered in conjunction with the Application Package are set out below.

*Management Plans – Approved*

The Board has approved the following Plans:

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<sup>1</sup> See MVLWB Online Registry [www.mvlwb.com](http://www.mvlwb.com) for [MV2024L7-0010](#).

Condition Number and Title	Title of Plan (Version)	Date Approved
Part H, Condition #2, SPILL CONTINGENCY PLAN	Spill Contingency Plan (V4) <sup>2</sup>	March 20, 2025

### *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 Licensee receives written confirmation of conformity from Board staff. Until the revised Plans are approved, the Licensee may not commence the activities associated with the revisions and must comply with the Engagement Plan, Version 1, Waste Management Plan Version 4 and Erosion and Sedimentation Management Plan Version 2, as approved under Licence MV2018L7-0002.

Condition Number and Title	Title of Plan (Version)	Version and Date Revision Due
Part B, Condition 17, ENGAGEMENT PLAN	Engagement Plan (V1) <sup>3</sup>	<b>V1.1; within 30 days of issuance</b>
Part F, Condition 2, WASTE MANAGEMENT PLAN	Waste Management Plan (V4) <sup>4</sup>	<b>V4.1; within 30 days of issuance</b>
Part F, Condition 3, EROSION AND SEDIMENTATION MANAGEMENT PLAN	Erosion and Sedimentation Management Plan (V2) <sup>5</sup>	<b>V2.1; within 30 days of issuance</b>

### Inspectors

The Inspectors referred to in the Licence can be contacted at the regional GNWT-ECC offices.<sup>6</sup>

### Licence Processes and Additional Information

Sections 5 and 6 of the Land and Water Board (LWB) *Guide to the Water Licensing Process*<sup>7</sup> (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 LWB processes related to the Licence.

<sup>2</sup> See MVLWB Online Registry for [Town of Hay River – Porritt Landing – Renewal – Spill Contingency Plan v4.0 – Nov25 24](#).

<sup>3</sup> See MVLWB Online Registry for [Town of Hay River – Porritt Landing – Renewal – Engagement Plan v1.0 – Nov25 24](#).

<sup>4</sup> See MVLWB Online Registry for [Town of Hay River – Porritt Landing – Renewal – Waste Management Plan v4.0 – Nov25 24](#).

<sup>5</sup> See MVLWB Online Registry for [Town of Hay River – Porritt Landing – Renewal – Erosion and Sedimentation Management Plan v2.0 – Nov25 24](#).

<sup>6</sup> See GNWT-ECC Regional Offices webpage (<https://www.ecc.gov.nt.ca/en/regional-offices>) for regional contact information.

<sup>7</sup> See MVLWB Policies and Guidelines webpage for LWB [Guide to the Water Licensing Process](#).

Full cooperation of the Town of Hay River is anticipated and appreciated. Please contact Tom Turoczi via [email](#) or at (867) 766-7452 with any questions or concerns regarding this letter.

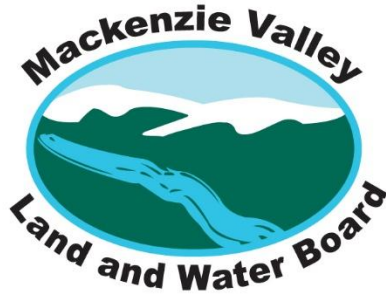
Yours sincerely,



Tanya MacIntosh  
Chair, Mackenzie Valley Land and Water Board

BCC'd to:       Dehcho Distribution List  
                  Stephane Millette – Recreation Director, Town of Hay River  
                  Josh Gauthier– Water Resources Officer, GNWT-ECC  
                  Norm McCowan – Lands Inspector, GNWT-ECC  
                  Jayda Robillard – Lands Inspector, GNWT-ECC  
                  Rick Walbourne – Director, Regulatory and Permitting – GNWT-ECC  
                  Scott Stewart – GNWT-ECC

Attached:       Water Licence MV2024L7-0010  
                  Reasons for Decision



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**Town of Hay River**

**Water Licence MV2024L7-0010**

Pursuant to the *Waters Act* and the Waters Regulations,  
the Mackenzie Valley Land and Water Board grants this Water Licence to:

Town of Hay River

(Licensee)

of 100 – 62 Woodland Drive

(Mailing Address)

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

<b>Location:</b>	Porritt Landing, Hay River, NT
<b>Water Management Area:</b>	1
<b>Purpose:</b>	Recreation – to use water and dispose of waste and associated uses
<b>Type:</b>	Type B
<b>Quantity of Water not to be exceeded:</b>	N/A
<b>Effective Date:</b>	March 24, 2025
<b>Expiry Date:</b>	March 23, 2050

Handwritten signature of Tanya MacIntosh in blue ink.

Tanya MacIntosh, Chair  
Mackenzie Valley Land and Water Board

Handwritten signature of Amanda Gauthier in blue ink.

Amanda Gauthier, Witness

# Type B Water Licence MV2024L7-0010

## Town of Hay River – Porrit Landing Renewal

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**Part A: Scope and Defined Terms**

**Scope:**

- 1. This Licence entitles the Licensee to use Water and deposit Waste for recreational undertakings at Porritt Landing in Hay River, Northwest Territories. **SCOPE**  
The scope of this Licence includes the following:
  - a) Installation, operation, and maintenance of the Porritt Landing boat launch, gabion retaining structure, and sheet pile retaining wall;
  - b) Dredging and sediment removal;
  - c) Site grading; and
  - d) Deposit of Waste at Lot 1057, Plan 977, Hay River, NT.
  
- 2. The scope of the Project is as described in the Preliminary Screening Determination for MV2018L7-0002, dated June 21, 2022. **SCOPE – PRELIMINARY SCREENING**
  
- 3. 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 Deposit of such Waste may enter any Waters. Any change made to the *Waters Act* and Waters Regulations that affects licence conditions and defined terms will be deemed to have amended this Licence. **LEGISLATION SUBJECT TO CHANGE**
  
- 4. Compliance with this Licence does not relieve the Licensee from responsibility for compliance with the requirements of any applicable federal, territorial, or municipal legislation. **LEGISLATIVE COMPLIANCE**

## Defined Terms <sup>1</sup>

**Action Level** – a predetermined qualitative or quantitative trigger which, if exceeded, requires the Licensee to take appropriate actions.

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

**Board** – the Mackenzie Valley Land and Water Board established under subsection 99(1) of the *Mackenzie Valley Resource Management Act*.

**Closure Criteria** - standards that measure the success of selected closure activities in meeting closure objectives. Closure criteria may have a temporal component (e.g., a standard may need to be met for a pre-defined number of years). Closure criteria can be site-specific or adopted from territorial/federal or other standards and can be narrative statements or numerical values.

**Closure Objectives** - statements that describe what the selected closure activities are aiming to achieve; they are guided by the closure principles. Closure objectives are typically specific to project components, are measurable and achievable, and allow for the development of closure criteria.

**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, build, upgrade, or replace any structures, facilities, or components of, or associated with, the Project.

**Deposit of Waste** – a deposit of Waste in any Water or in any other place under conditions in which the Waste, or any other Waste that results from the deposit of that Waste, may enter any Waters.

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

**Engagement Plan** – a document, developed in accordance with the LWB *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.

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

**Licensee** – the holder of this Licence.

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<sup>1</sup> Defined terms are capitalized throughout the License, including when used in other definitions.

## Defined Terms<sup>1</sup>

**Minister** - the Minister of the Government of the Northwest Territories – Department of Lands.

**Professional Engineer** – a person registered with the Northwest Territories and Nunavut Association of Professional Engineers and Geoscientists to practice as a Professional Engineer in the Northwest Territories as per the territorial *Engineering and Geoscience Professions Act* and whose professional field of specialization is appropriate to address the components of the Project at hand.

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

**Project** – the undertaking described in Part A, Conditions 1 and 2.

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

**Remediation** – the removal, reduction, or neutralization of substances, Wastes, or hazardous materials from a site in order to prevent or minimize any adverse effects on the environment and public safety, now or in the future.

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

**Traditional Knowledge** – the cumulative, collective body of knowledge, experience and values built up by a group of people through generations of living in close contact with nature. It builds upon the historic experiences of a people and adapts to social, economic, environmental, spiritual, and political change.

**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.



## Defined Terms <sup>1</sup>

**Wastewater** – any Water that is generated by Project activities or originates on-site, and which contains Waste, and may include, but is not limited to, Runoff, Seepage, Sewage, Minewater, and Effluent.

**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.

**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*.

## Part B: General Conditions

Condition	Condition Title
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"> <li>a) Are in accordance with the LWB <i>Document Submission Standards</i> and, if applicable, <i>Geospatial Data Submissions Standards</i>; and</li> <li>b) Include any additional information requested by the Board.</li> </ul>	SUBMISSION FORMAT
7. The Licensee shall ensure management plans are submitted to the Board in a format consistent with the LWB <i>Standard Outline for Management Plans</i> , unless otherwise specified.	MANAGEMENT PLAN FORMAT
8. The Licensee shall comply with all plans, programs, 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 plans, programs, and make any revisions necessary to reflect changes in operations, contact information, or other details. No later than March 31 each year, the Licensee shall send a notification letter to the Board, listing the documents that have been reviewed and do not require revisions.	ANNUAL REVIEW
10. The Licensee may propose changes at any time by submitting revised plans, programs 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.	<b>REVISE AND SUBMIT</b>
12. If any date for any submission falls on a weekend or holiday, the Licensee may submit the item on the following business day.	<b>SUBMISSION DATE</b>
13. The Licensee shall comply with the <b>Schedules</b> , which form part of this Licence, and any updates to the Schedules as may be made by the Board.	<b>COMPLY WITH SCHEDULE(S)</b>
14. The Licensee shall comply with all directives issued by the Board in respect of the implementation of the conditions of this Licence.	<b>COMPLY WITH BOARD DIRECTIVES</b>
15. The Licensee shall install, operate, and maintain meters, devices, or other such methods for measuring the volumes of Water used and Waste disposed of to the satisfaction of an Inspector.	<b>MEASURE WATER USE AND WASTE DISCHARGED</b>
16. Beginning March 31, 2026, and no later than every March 31 thereafter, the Licensee shall submit an <b>Annual Water Licence Report</b> to the Board and an Inspector. The Report shall be in accordance with the requirements of Schedule 1, Condition 1.	<b>ANNUAL WATER LICENCE REPORT</b>
17. Within 30 days following the effective date of this Licence, the Licensee shall submit to the Board, for approval, a revised <b>Engagement Plan</b> . The Licensee shall not commence Project activities prior to Board approval of the Plan.	<b>ENGAGEMENT MANAGEMENT PLAN - REVISED</b>
18. A minimum of ten days 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.	<b>NOTIFICATION – COMMENCEMENT</b>
19. A minimum of ten days prior to re-commencement of Project activities following a temporary shut-down period, 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.	<b>NOTIFICATION – RE- COMMENCEMENT</b>
20. The Licensee shall immediately provide written notification to the Board and an Inspector of any non-compliance with the conditions of this Licence.	<b>NOTIFICATION – NON-COMPLIANCE WITH CONDITIONS</b>
21. The Licensee shall immediately provide written notification to the Board of any non-compliance with a Board directive issued in respect of the implementation of the conditions of this Licence.	<b>NOTIFICATION – NON-COMPLIANCE WITH DIRECTIVES</b>

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**

23. The Licensee shall submit a current Project schedule to the Board and an Inspector upon request. **SUBMIT CURRENT PROJECT SCHEDULE**

### **Part C: Security**

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### **Part D: Water Use**

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### **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**

2. The Licensee shall only use material that is clean and free of contaminants and that has been authorized in writing by an Inspector. **CONSTRUCTION MATERIAL – SOURCE(S)**

3. The Licensee shall maintain records of Construction materials for all structures and make them available at the request of the Board or an Inspector. **CONSTRUCTION RECORDS**

4. A minimum of ten days prior to the commencement of Construction of any structure(s) intended to contain, withhold, divert, or retain Water or Wastes, the Licensee shall provide written notification to the Board and an Inspector. Notification shall include the Construction commencement date, and the name and contact information for the individual responsible for overseeing the Construction. Written notification shall be provided to the Board and an Inspector if any changes occur. **NOTIFICATION – 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**

**Management and Monitoring Plans**

- |  |  |
|--|--|
| <p>2. Within 30 days following the effective date of this Licence, the Licensee shall submit to the Board, for approval, a revised <b>Waste Management Plan</b>. The Licensee shall not commence Project activities prior to Board approval of the Plan.</p>   | <p><b>WASTE<br/>MANAGEMENT<br/>PLAN – REVISED</b></p>          |
| <p>3. Within 30 days following the effective date of this Licence, the Licensee shall submit to the Board, for approval, a revised <b>Erosion and Sedimentation Management Plan</b>. The Plan shall be in accordance with the requirements of Schedule 3, Condition 1. The Licensee shall not commence Project activities prior to Board approval of the Plan.</p> | <p><b>EROSION AND<br/>SEDIMENTATION<br/>PLAN – REVISED</b></p> |

**Discharge Locations**

- |   |  |
|---|--|
| <p>4. The Licensee shall direct all dredged material as described in the approved Waste Management Plan referred to in Part F, Condition 2, or as authorized by the Inspector.</p>          | <p><b>DREDGED WASTE<br/>DISPOSAL</b></p>   |
| <p>5. A minimum of ten days prior to depositing any Waste into a licenced municipal facility, the Licensee shall provide written notification to the Board and an Inspector.</p>            | <p><b>NOTIFICATION<br/>– WASTE<br/>DISPOSAL</b></p>                              |
| <p>6. The Licensee shall not dispose of Waste, including Wastewater, to any Watercourse, or to the ground surface within 100 metres of the Ordinary High-Water Mark of any Watercourse.</p> | <p><b>DISPOSAL<br/>LOCATION –<br/>ORDINARY HIGH-<br/>WATER MARK</b></p>          |
| <p>7. Prior to disposing dredged material as described in the Waste Management Plan, the Licensee shall submit analytical results to the Board and the Inspector.</p>                       | <p><b>SUBMIT ANALYSIS<br/>PRIOR TO<br/>DREDGED<br/>MATERIAL<br/>DISPOSAL</b></p> |
| <p>8. The Licensee shall obtain representative samples of dredged material as per the following, or as authorized by an Inspector:</p>  | <p><b>DREDGED<br/>MATERIAL<br/>SAMPLING<br/>REQUIREMENTS</b></p>                 |

Volume of Soil (m <sup>3</sup> )	Number of Composite Samples Required
1 - 50	1
51 - 500	2
501 - 1000	3
1001 - 2000	4
2001 - 4000	5
Each additional 1000	1 additional

- |  |   |
|--|---|
| <p>9. Representative samples of the dredged material shall meet the <i>Government of the Northwest Territories’ Environmental Guideline for Contaminated Site Remediation</i> prior to disposal.</p> | <p><b>ENVIRONMENTAL<br/>GUIDELINE FOR<br/>CONTAMINATED<br/>SITE REMEDIATION</b></p> |
|--|---|

10. Prior to disposing dredged material to an appropriate final disposal location, the Licensee shall notify the Board and the Inspector.

**NOTIFICATION –  
FINAL DISPOSAL**

## **Part G: Aquatic Effects Monitoring**

*Intentionally left blank.*

## **Part H: Spill Contingency Planning**

- |    |  |   |
|----|--|---|
| 1. | The Licensee shall ensure that Unauthorized Releases associated with the Project do not enter any Water.   | <b>OBJECTIVE –<br/>PREVENT WASTE<br/>INTO WATER</b>             |
| 2. | The Licensee shall comply with the <b>Spill Contingency Plan</b> , once approved.  | <b>SPILL<br/>CONTINGENCY<br/>PLAN</b>                           |
| 3. | The Licensee shall ensure that spill prevention infrastructure and spill response equipment is in place prior to commencement of the Project.  | <b>SPILL PREVENTION<br/>AND RESPONSE<br/>EQUIPMENT</b>          |
| 4. | The Licensee shall restore all areas affected by spills and Unauthorized Releases to the satisfaction of an Inspector.   | <b>CLEAN UP SPILLS</b>  |
| 5. | 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. | <b>MATERIAL<br/>STORAGE –<br/>ORDINARY HIGH-<br/>WATER MARK</b> |

## **Part I: Closure and Reclamation**

- |    |   |   |
|----|---|---|
| 1. | Six months prior to the closure and reclamation of the Project, the Licensee shall submit to the Board, for approval, a final <b>Closure and Reclamation Plan</b> . The Plan shall be in accordance with the requirements of Schedule 4, Condition 1. | <b>CLOSURE AND<br/>RECLAMATION<br/>PLAN – FINAL</b> |
| 2. | The Licensee shall endeavor to carry out Progressive Reclamation as soon as is reasonably practicable.  | <b>PROGRESSIVE<br/>RECLAMATION</b>                  |

## Schedule 1: Annual Water Licence Report

### Condition

1. The **Annual Water Licence Report** referred to in Part B, Condition 16 of this Licence shall include, but not be limited to, the following information about activities conducted during the previous calendar year:
  - a) A brief summary of Project activities;
  - b) An updated Project schedule;
  - c) A summary of engagement activities conducted in accordance with the approved **Engagement Plan**, referred to in Part B, Condition 17 of this Licence;
  - d) A summary of Construction activities conducted in accordance with Part E of this Licence;
  - e) A summary of major maintenance activities conducted in accordance with this Licence;
  - f) A summary of activities conducted in accordance with the approved **Waste Management Plan**, referred to in Part F, Condition 2 of this Licence, including but not limited to:
    - i. A summary of approved updates or changes to the process or facilities required for the management of Waste; and
    - ii. Monthly and annual quantities, in cubic metres, of dredge material disposed of, by location;
  - g) A summary of activities conducted in accordance with the approved **Erosion and Sedimentation Management Plan**, referred to in Part F, Condition 3 of this Licence, including:
    - i. A summary of approved updates or changes to the process or facilities required for the management of erosion and sedimentation;
    - ii. A description of any erosion susceptible areas encountered;
    - iii. A summary of activities undertaken to prevent or mitigate erosion;
    - iv. A report of the performance of mitigations applied to each area;
    - v. A summary and interpretation of monitoring results, including any Action Level exceedances; and
    - vi. A description of actions taken in response to any Action Level exceedances.
  - h) A summary of the results and any actions taken as a result of the following inspections:
    - i. Inspections conducted to fulfill Part F of this Licence; and
    - ii. Inspections conducted under the Erosion and Sedimentation Management Plan, required under Part F of this Licence;
  - i) A summary of activities conducted in accordance with the approved **Spill Contingency Plan**, referred to in Part H, Condition 2 of this Licence, including:
    - i. A list and description for all Spills and Unauthorized Releases, 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 2 of this Licence; and
    - ii. An outline of any spill training carried out;

## Condition

- j) A summary of activities conducted in accordance with the **Closure and Reclamation Plan**, referred to in Part I, Condition 1 of this Licence, including:
  - i. Details of any Progressive Reclamation undertaken;
  - ii. A discussion on whether planning and implementation remains on schedule, and a summary of any new scheduling setbacks; and
  - iii. A summary of engagement conducted regarding Closure and Reclamation;
- k) 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;
- l) A summary of actions taken to address concerns, non-conformances, or deficiencies in any reports filed by an Inspector;
- m) Any other details requested by the Board by November 1 of the year being reported.



## Schedule 2: Conditions Applying to Construction

### Condition

1. The **Design and Construction Plans** referred to in Part E, Condition 5 shall include, but not be limited to, the following:
  - a) Information regarding the design of the facilities:
    - i. A description of the facilities to be constructed;
    - ii. The proposed location(s) of the facilities, with GPS coordinates and a map to scale;
    - iii. Relevant background information for the area beneath the footprint of the facilities, as deemed adequate by the Professional Engineer responsible for the design, including:
      - a. the results and data from geotechnical and geochemical investigations; hydrogeological investigations; and programs to characterize soil, rock, Groundwater, ground ice, and ground temperature conditions to the depth expected to be affected by the facilities; and
      - b. any other relevant information.
    - iv. A design alternatives analysis;
    - v. Design specifications and performance parameters;
    - vi. Stability analyses;
    - vii. A description of how the design has been optimized for Closure and Reclamation;
    - viii. A description of how climate change projections and considerations have been incorporated into the design;
    - ix. A description of any instrumentation that will be installed as part of the facilities, including locations and rationale; and
    - x. A description of any operations and maintenance requirements associated with the design of the facilities.
  - b) Information regarding the Construction of the facilities:
    - i. A Construction schedule, including sequencing information;
    - ii. A description of the materials required for Construction, including, but not limited to:
      - a. sources;
      - b. quantities;
      - c. physical characteristics; and
      - d. geochemical characteristics.
    - iii. A description of any potential effects on the Receiving Environment associated with Construction of the facilities; and
    - iv. A description of any mitigation measures that will be undertaken to minimize the potential impacts identified above.
  - c) Information regarding monitoring during Construction, including:
    - i. A description of any monitoring that will be conducted to detect potential impacts to the Receiving Environment and evaluate the effectiveness of the mitigation measures described above, including, but not limited to:
      - a. locations;
      - b. parameters;
      - c. frequencies; and

## Condition

- d. rationale.
- ii. Linkages to other monitoring programs required in this Licence
- d) Information regarding responses to monitoring results during Construction, including:
  - i. Definitions, with rationale, for Action Levels applicable to the performance of the mitigation measures; and
  - ii. For each Action Level, a description of how exceedances of the Action Level will be assessed and, generally, which types of actions may be taken by the Licensee if the Action Level is exceeded.
- e) A **Quality Control Plan** stamped by a Professional Engineer, a component of which includes a plan for a Professional Engineer to supervise and field check Construction activities.

## Schedule 3: Waste and Water Management

### Condition

1. The **Erosion and Sedimentation Management Plan** referred to in Part F, Condition 3 shall include, but not be limited to, the following information:
  - a) Information regarding erosion, sedimentation, and permafrost degradation potential and management, including:
    - i. A summary of the areas identified as susceptible to erosion, sedimentation, and permafrost degradation;
    - ii. Maps and/or diagrams, including:
      - a. Locations of areas susceptible to erosion, sedimentation, and permafrost degradation;
      - b. Locations of erosion and sedimentation management structures;
      - c. Locations of erosion and sedimentation control equipment and supplies; and
      - d. Monitoring locations.
    - iii. A description of the process and criteria for assessing the risk of erosion, sedimentation, and/or permafrost degradation;
    - iv. A description of the best management practices that will be employed for different levels of assessed risk;
    - v. A description of Water management during sediment removal, deposit of waste, as well as installation of Gabion retaining wall and site grading;
    - vi. A description of how climate change has been considered, including any linkages to other plans required under this Licence; and
    - vii. Any other information required to describe how erosion and sediment release into the Receiving Environment, and permafrost degradation will be minimized.
  - b) Information regarding monitoring, including:
    - i. Details of the monitoring, including rationale, that will be undertaken with respect to the effectiveness and maintenance of erosion and sediment management practices, including:
      - a. monitoring locations, parameters, frequencies, methods, and types of instrumentation; and
      - b. predicted performance values for monitoring parameters based on expected facility design.
    - ii. Linkages to other monitoring programs required under this Licence; and
    - iii. Any other information about monitoring that will be performed to meet the objectives in Part F, Condition 1.
  - c) Information regarding responses to monitoring results, including:
    - i. A description of how the Licensee will link the results of monitoring to those corrective actions necessary to ensure that the objectives listed in Part F, Condition 1 are met. This description shall include:
      - a. Definitions, with rationale, for Action Levels applicable to the performance of erosion and sedimentation control measures; and

## Condition

- b. For each Action Level, a description of how exceedances of the Action Level will be assessed and generally, which types of actions will be taken for the Action Levels exceeded.
- d) Information regarding contingency planning, including:
- i. A description of reasonably foreseeable scenarios; and
  - ii. For each scenario identified in (d)(i) above:
    - a. A description of response action options; and
    - b. A risk-based analysis of response action options, identifying preferred options and alternate options.

## Schedule 4: Conditions Applying to Closure and Reclamation

### Condition

1. The **Closure and Reclamation Plan** referred to in Part I, Condition 1 of this Licence shall include, but not be limited to the following information:
  - a) A description of the overall goals for Closure and Reclamation of the Project, including expected future land use;
  - b) A description of engagement related to Closure and Reclamation planning, including a summary of completed and planned engagement, and links to the **Engagement Plan** referred to in Part B, Condition 17 for the Project;
  - c) A list of any other regulatory authorizations required for Closure and Reclamation of the Project;
  - d) A description of the pre-existing and current Project environment, including, but not limited to:
    - i. climatic conditions;
    - ii. physical conditions;
    - iii. chemical conditions;
    - iv. biological conditions;
    - v. any physical or chemical assessments of soil, water, and permafrost; and
    - vi. traditional uses.
  - e) A description of the Project, including, but not limited to:
    - i. site history;
    - ii. Project development;
    - iii. current status of the Project;
    - iv. maps delineating all disturbed areas, borrow material locations, site facilities, hydrological features, and elevation contours; and
    - v. photographs.

A description of ii. areas affected by spills or Unauthorized Releases; and

    - iii. other areas affected by Project activities.
  - f) For the Project site, a description of Closure and Reclamation plans, including, but not limited to:
    - i. preferred Closure and Reclamation option and method for each Project component identified in Condition (f) above;
    - iii. Water management and restoration of natural drainage;
    - v. predicted environmental effects during and after Closure and Reclamation activities;
    - vi. post-closure monitoring, maintenance, and reporting;
    - vii. uncertainties and contingencies; and
    - viii. climate change considerations.
  - g) A description of any planned Progressive Reclamation;

**Condition**

- h) implementation schedule that includes Progressive Reclamation and final Closure and Reclamation activities; and
- i) A Closure Cost Estimate.

**Signed on behalf of the Mackenzie Valley Land and Water Board**



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**Tanya MacIntosh, Chair**



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**Amanda Gauthier, Witness**

## Attachments

### Attachment A – Concordance Table of Items Requiring Submission

The table below summarizes the items the Licensee is required to submit as per the Licence conditions. In the event of a discrepancy between this table and the Licence conditions, the Licence conditions shall prevail.

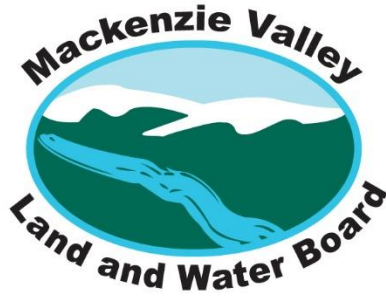
Condition Location	Item	Date
Part B, Condition 9	Conduct Annual Review of all Plans	March 31 each year
Part B, Condition 16	Submit Annual Water Licence Report	Beginning March 31, 2025 and every March 1 thereafter
Part B, Condition 17	Submit revised Engagement Plan	Within 30 days of Licence effective date
Part B, Condition 19	Notification of re-commencement of activities following a temporary shut-down	Minimum 10 days prior to re-commencement
Part B, Condition 20	Notification of non-compliance with Licence condition(s)	Immediately
Part B, Condition 21	Notification of non-compliance with Board directive(s)	Immediately
Part E, Condition 4	Notification of commencement of structure(s) intended to contain, withhold, divert, or retain Water or Wastes	Minimum of 10 days prior to commencement of Construction
Part F, Condition 2	Submit revised Waste Management Plan	Within 30 days of Licence effective date
Part F, Condition 3	Submit revised Erosion and Sediment Management Plan	Within 30 days of Licence effective date
Part F, Condition 6	Submit written notification demonstrating that a licenced municipal facility agrees to accept Waste	Minimum of 10 days prior to first disposal of each calendar year
Part F, Condition 7	Submit analytical results of dredged material to the Board and the Inspector	Prior to disposing dredged material
Part F, Condition 10	Notification of final disposal	Prior to disposing dredged material to a final disposal location
Part I, Condition 1	Submit Closure and Reclamation Plan	Six months prior to closure and reclamation of Project

## Attachment B – Revision History Table

The table below summarizes revisions made to the Licence since its effective date (as set out on the Cover Page).

Date	Location of Change	Description of Change





7th Floor - 4922 48th Street  
PO Box 2130, Yellowknife NT X1A 2P6

Tel: 867-669-0506 Fax: 867-873-6610  
www.mvlwb.com

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## Reasons for Decision

Issued pursuant to section 72.25 of the *Mackenzie Valley Resource Management Act* (MVRMA) and subsection 26(1) of the *Waters Act*.

Water Licence Application	
<b>File Number</b>	MV2024L7-0010
<b>Company</b>	Town of Hay River
<b>Project</b>	Porritt Landing Dredging Project
<b>Location</b>	Porritt Landing, Hay River, NT
<b>Activity</b>	Recreational
<b>Date of Decision</b>	March 20, 2025

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After reviewing the Application and the evidence gathered during the regulatory proceeding, the Board has made the following decisions:

- 1) To issue Water Licence MV2024L7-0010 for a term of 25 years;
- 2) To approve Version 4 of the Spill Contingency Plan;
- 3) To require revisions to Version 1 of the Engagement Plan, which the Applicant must submit as Version 1.1 of the Plan within 30 days of the effective date of the Licence for confirmation of conformity from Board staff;
- 4) To require revisions to Version 4 of the Waste Management Plan, which the Applicant must submit as Version 4.1 of the Plan within 30 days of the effective date of the Licence for confirmation of conformity from Board staff; and
- 5) To require revisions to Version 2 of the Erosion and Sediment Management Plan, which the Applicant must submit as Version 2.1 of the Plan within 30 days of the effective date of the Licence for confirmation of conformity from Board Staff.

These Reasons for Decision set out the Board’s regulatory process for the Applications and rationale for decisions regarding the Licence. A summary of the Application and the main issues identified during the proceeding is provided in sections [2.0](#) and [3.0](#) below, followed by an outline of the regulatory process for the Application in [section 4.0](#). [Section 5.0](#) describes how the applicable legislative requirements have been met. The Board’s decisions and supporting rationale are set out in [section 6.0](#) for the Licence.

## 1.0 **List of Defined Terms and Acronyms**

Applicant/Licensee	Town of Hay River
Application	The complete application package submitted by the Applicant for Water Licence MV2024L7-0010.
DFO	Fisheries and Oceans Canada
Distribution List	The list of individuals and organizations to whom materials from the regulatory proceeding were circulated. <sup>1</sup>
ECCC	Environment and Climate Change Canada
GNWT	Government of the Northwest Territories
GNWT-ECC	Government of the Northwest Territories – Environment and Climate Change
Inspector	An Inspector designated under subsection 65(1) of the <a href="#">Waters Act</a>
Licence	Water Licence MV2024L7-0010.
LWBs	Land and Water Boards of the Mackenzie Valley
MVLUR	<a href="#">Mackenzie Valley Land Use Regulations</a>
MVLWB or Board	Mackenzie Valley Land and Water Board
MVRMA	<a href="#">Mackenzie Valley Resource Management Act</a>
Minister	Minister of the Government of the Northwest Territories – Environment and Climate Change
ORS	Online Review System ( <a href="https://new.onlinereviewsystem.ca/reviews">https://new.onlinereviewsystem.ca/reviews</a> )

<sup>1</sup> To access the Distribution List, see the LWBs’ Online Review System for [Town of Hay River – Porritt Landing Dredging Project – Type B Water Licence Renewal – Dec6 24](#).

Party	As per the LWB <a href="#">Rules of Procedure</a> , an applicant, a person, or an organization participating in this regulatory process.
Project	Porritt Landing Dredging Project, the undertaking as described in Part A of the Licence.
SCP	Spill Contingency Plan
Standard Licence Conditions	LWB <a href="#">Standard Water Licence Conditions Template</a>
WMP	Waste Management Plan

**2.0 Summary of Application**

On November 25, 2024, the Applicant submitted a complete application for renewed Licence MV2024L7-0010 (the Application).<sup>2</sup> The aim of the renewal application is continued work and maintenance to ensure there is adequate water depth to safely launch and dock recreational watercraft at Porritt Landing, a recreational facility that is operated and maintained by the Town of Hay River. The requested licence term is 25 years.

The Applicant has also requested an exemption from preliminary screening because the Applicant believes that the development has not been modified since it was previously licensed.

Ongoing work to be conducted are the following:

- Installation, operation, and maintenance of the Porritt Landing boat launch, gabion retaining structure, and sheet pile retaining wall;
- Dredging and sediment removal;
- Site grading; and
- Deposit of Waste at Lot 1057, Plan 977, Hay River, NT.

These activities are located outside of federal areas within the Dehcho Region.

The Application is to replace existing Licence MV2018L7-0002, which authorized the dredging and maintenance operations at Porritt Landing. The Project triggers a type B Licence in accordance with Schedule H of the *Waters Regulations*, specifically, (2)(2) Watercourse training and (3) Deposit of waste.

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

- 1) The Application 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
- 3) The comments and recommendations, evidence, and submissions received by the Board from Parties during the regulatory proceedings.

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<sup>2</sup> See MVLWB Online Registry [www.mvlwb.com](http://www.mvlwb.com) for [Town of Hay River – Porritt Landing Dredging Project Renewal](#) – Application and Related Docs.

### **3.0 Main Issues Raised During the Regulatory Proceeding**

Issues that were resolved by Parties to the Board's satisfaction during the proceeding are not addressed in detail in these Reasons.

### **4.0 Regulatory Process**

On November 25, 2024, the Applicant submitted the Application, which was deemed complete on December 6, 2024, and review commenced on the Online Review System (ORS).<sup>3</sup> On December 19, 2024, the draft Licence Conditions was added to the public review distribution.<sup>4</sup> Public notice of the Application was published in *News North* during the week of December 16, 2024, to fulfill paragraphs 43(1)(a) of the [Waters Act](#).<sup>5</sup>

As part of the public review, Board staff requested comments and recommendations to assist with the Application review and to allow all Parties the opportunity to comment on the specific wording of the draft conditions once they were posted.

By January 16, 2025, the Board received comments and recommendations from the following Parties: Government of Northwest Territories, Department of Environment and Climate Change (GNWT-ECC) Environmental Analyst; West Point First Nation; Environment and Climate Change Canada (ECCC); Fisheries and Oceans Canada (DFO); Transport Canada; Town of Hay River (THR) – the Proponent; and Board staff. On January 30, 2025, the Applicant responded to the Parties' comments and recommendations.<sup>6</sup>

In response to their own comments on the initial draft Licence, the Applicant provided additional information to clarify the project Scope. This revision to the scope of the Project, namely the addition of boat launch installation, operation, and maintenance, was treated as new information, which warranted further public review.

On February 3, 2025, the updated draft Water Licence Conditions were distributed to facilitate public comments and recommendations on the revised scope of the Licence.<sup>7</sup> On February 7, 2025, the Review Comments and Proponent Responses due date was updated to February 20, and February 27 respectively, due to the ORS failing to distribute the initial review notifications.

By February 20, 2025, no-comment submissions were received from GNWT-ECC Environmental Analyst, ECCC, and DFO; the Town acknowledged the lack of comments on the revised Scope.

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<sup>3</sup> See MVLWB Online Review System for [Porritt Landing Dredging Project – Type B Water Licence Renewal](#).

<sup>4</sup> See MVLWB Online Registry for [Porritt Landing – Renewal – Board Staff draft Water Licence Conditions – Dec19 24](#).

<sup>5</sup> See MVLWB Online Registry for [Porritt Landing – Notification of renewal Application in News North – Dec16 24](#).

<sup>6</sup> See MVLWB Online Review System for [Porritt Landing Dredging Project – Type B Water Licence Renewal](#).

<sup>7</sup> See MVLWB Online Review System for [Town of Hay River – Porritt Landing Dredging Project – Revised draft Licence scope](#).

On March 20, 2025, the Board met to make decisions regarding the Application. These decisions and related reasons are described in sections [5.0](#), and [6.0](#) below.

## **5.0 Legislative Requirements Related to Licence Issuance**

This Project is subject to the [MVRMA](#), the [Waters Act](#), and the [Waters Regulations](#) with respect to licensing, because it is located outside of federal areas.

As per the [Waters Regulations](#) the proposed use of water, and the deposit of waste for this Project require a licence. The required authorization is within the Board's jurisdiction as per subsections 60(1.1) and 102(1) of the [MVRMA](#).

In conducting its regulatory process for the Application (as described in sections [3.0](#) and [4.0](#) 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 [6.0](#).

### **5.1 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 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 LWB [Engagement and Consultation Policy](#) and [Engagement Guidelines for Applicants and Holders of Water Licences and Land Use Permits](#).<sup>8</sup> 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 Proponent reached out to affected parties by email on November 4, 2024. Information packages were sent with project details. Follow-up phone calls were made, additional emails sent, November 18 and 19. In accordance with the Policy and Guidelines, the Applicant's engagement efforts

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<sup>8</sup> See MVLWB Policies and Guidelines webpage to access the LWB [Engagement and Consultation Policy](#) and [Engagement Guidelines for Applicants and Holders of Water Licences and Land Use Permits](#).

and proposed procedures are detailed in the Engagement Record and Plan (Version 1), respectively,<sup>9</sup> submitted with the Application. The Board has approved the Applicant's Engagement Plan (Version 1) with revisions required, and the Board's reasons for this decision are described below in [section 6.3](#). Following issuance, the Applicant must continue engagement efforts as outlined in the Engagement Plan, once approved, and as required in the Licence.

The Application was posted to the Board's Public Registry and distributed through the ORS. As the Project is located in the Dehcho Region, the appropriate organizations, governments, First Nations, and Indigenous organizations were included in the Distribution List.<sup>10</sup> 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 Application is provided above in [section 4.0](#).

In accordance with sections 63 and 64 of the [MVRMA](#), the Board is satisfied that notice of and access to copies of the Application 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.

In accordance with the [Northwest Territory Métis Nation Interim Measures Agreement](#),<sup>11</sup> the Northwest Territory Métis Nation was notified of the Application through the ORS distribution. The Board did not receive any evidence from the Northwest Territory Métis Nation during the proceeding.

In accordance with the Minister of Indian Affairs and Northern Development's 2004 [Policy Direction regarding the Deh Cho First Nations Interim Measures Agreement](#),<sup>12</sup> the Dehcho First Nation was notified of the Application through the ORS distribution. The Dehcho First Nation member nation, West Point First Nation (Hay River) participated in the proceeding, and in developing the Licence conditions, the Board considered the information and recommendations provided by this Party. More detailed information about how this evidence was specifically considered is set out in sections [6.0](#).

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<sup>9</sup> See MVLWB Online Registry for [Town of Hay River – Porritt Landing – Renewal – Engagement Log – Nov25 24](#) and [Town of Hay River – Porritt Landing – Renewal – v1.0 – Nov25 24](#).

<sup>10</sup> To access the Distribution List, see the LWBs' Online Review System for [Porritt Landing Dredging Project – Type B Water Licence Renewal – Dec6 24](#).

<sup>11</sup> See MVLWB Land Claims, IMAs, and Land Use Plans webpage to access the [Northwest Territory Métis Nation Interim Measures Agreement](#).

<sup>12</sup> See MVLWB Land Claims, IMAs, and Land Use Plans webpage to access the [Policy Direction regarding the Deh Cho First Nations Interim Measures Agreement](#).

## 5.2 Land Use Plan Conformity

As per section 61 of the [MVRMA](#), where an approved Land Use Plan applies, the Board must confirm conformity with the Land Use Plan before issuing a permit or licence. No approved Land Use Plans apply in the Project area.

## 5.3 Water Use Fees

There are no water use fees set out in the [Waters Regulations](#) for municipal water use.

## 5.4 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.

## 5.5 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 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](#) who will be adversely affected by the proposed deposit of waste.

## 5.6 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 LWB [Waste and Wastewater Management Policy](#) applies to the Licence and Permit, and the primary objective of the Policy is “protection of water quality in the receiving environment.”<sup>13</sup> 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, waste and wastewater management, and management plan requirements. Further, the Board has established conditions in the Permit regarding waste management and management plan requirements. The Board is satisfied that the conditions set out in the Licence and Permit are consistent with the Policy and compliance with these conditions will ensure that waste will be managed and disposed of in a manner that will be protective of

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<sup>13</sup> See MVLWB Policies and Guidelines webpage to access the LWB [Waste and Wastewater Management Policy](#).



water quality in the receiving environment. These conditions and detailed rationale are described in [section 6.7](#) (Licence).

### **5.7 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 LWB [Waste and Wastewater 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 the LWB [Standard Process for Setting Effluent Quality Criteria](#) describes the general principles and standard process the Land and Water Boards (LWBs) will apply in setting EQC for a project.<sup>14</sup> 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 Standard Process. 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 6.7](#).

### **5.8 Financial Responsibility**

Under paragraph 26(5)(d) of the [Waters Act](#), 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 a public government, and the Board is confident that the Applicant is capable of meeting any financial obligations set out in the [Waters Act](#) and Licence.

### **5.9 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 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.

Regardless, as noted above in sections 5.9 and 5.10, and as detailed in [section 6](#), 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 6.5](#), 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

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<sup>14</sup> See MVLWB Policies and Guidelines webpage to access the LWB [Standard Process for Setting Effluent Quality Criteria](#).

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.

## **5.10 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.

## **5.11 Environmental Review (Part 5 of the MVRMA)**

### **5.11.1 Preliminary Screening**

On March 20, 2025, the Board met and determined that the Project is exempt from preliminary screening under Part 1, Schedule 1, section 2 of the Exemptions List Regulations.<sup>15</sup>

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

## **6.0 Decision – Water Licence MV2024L7-0010**

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 MV2024L7-0010 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.

In developing the Licence, the Board considered the LWB [Standard Water Licence Conditions Template](#) (Standard Licence Conditions)<sup>16</sup> 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;

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<sup>15</sup> See MVLWB Online Registry for [Porritt Landing – Preliminary Screening Determination – Mar24 25](#).

<sup>16</sup> See MVLWB Policies and Guidelines webpage to access the LWB [Standard Water Licence Conditions Template](#).

- Is practical and enforceable; and
- Does not conflict with existing legislation (i.e., is not less stringent).

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.

## **6.1 Term of Licence**

The Applicant has applied for a term of 25 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. The purpose of this Licence is to conduct on-going maintenance of Porritt Landing to allow for local users to have continued recreational access to the Hay River and Great Slave Lake; the Applicant has no plans to close this facility.

After reviewing the submissions made during this regulatory process, the Board has determined an appropriate term for the Licence is 25 years.

## **6.2 Part A: Scope and Defined Terms**

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

### **6.2.1 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. In response to their own comments on the initial draft Licence, the Applicant has clarified the project Scope. Board Staff treated the Scope revision, namely the addition of boat launch installation, operation, and maintenance, as new information, which warranted further public review.

The Board has decided that the scope revisions are not a material change to the potential impacts and related mitigations from this Project. As such, the application should be exempt from further screening.

The conditions in Part B are consistent with the Standard Licence Conditions. These conditions ensure that the scope of the authorization includes all water uses and 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.

### **6.2.2 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.

### **6.3 Part B: General Conditions and Schedules 1 and 2**

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 SCHEDULES AND COMPLIANCE DATES

Compliance dates are included in the Licence conditions for various submissions and other requirements, and Schedules 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 and the Schedules and that such updates are not considered amendments to the Licence, unless otherwise directed by the Board. Such updates may be requested by the Licensee 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 and Schedule 2

The requirements for the Annual Water Licence Report are outlined in Part B Condition 16 (ANNUAL WATER LICENCE REPORT), and Schedule 1, Condition 1. 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. The Board also included Project-specific requirements, brought forward from the previous Licence MV2018L7-0002. Dredged sediment quality must meet the Residential/Parkland Criteria in the Government of the Northwest Territories' *Environmental Guideline for Contaminated Site Remediation* prior to disposal at the designated stockpile area. Sediment sample results must be submitted to the Board and GNWT prior to obtaining approval to stockpile material on Commissioner's lands. All 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 – REVISED

The Board assesses engagement adequacy through the LWB [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 Application,<sup>17</sup> and these documents were distributed for public review with the Application.

During the first public review, Board staff made recommendations<sup>18</sup> for figures and labels to be more legible. The Applicant committed to updating the Plan with these changes.

The Board requires that the Licensee revise the Engagement Plan and submit Version 1.1, within 30 days of the effective date of the Licence, to reflect updates as agreed to during the regulatory proceeding, to reflect the Project activities, to meet the applicable guidelines, and to include the following:

- Make figures clearer and labels more legibly linked to mapped features.

#### **6.4 Part C: Conditions Applying to Security Requirements**

The Board did not include security requirements in the Licence. As per section 94 of the [MVRMA](#), territorial and federal governments are not required to post security for permits. Although this exemption does not include licences, it is Board practice to not require security for a water licence when the applicant is the territorial and federal government, as the liability with respect to the undertaking already rests with

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<sup>17</sup> See MVLWB Online Registry for [Town of Hay River – Porritt Landing – Renewal – Engagement Log – Nov25 24](#) and [Town of Hay River – Porritt Landing – Renewal – Engagement Plan v1.0 – Nov25 24](#).

<sup>18</sup> See MVLWB Online Review System for [Porritt Landing Dredging Project – Type B Water Licence Renewal](#); Board staff Comment ID-1.

the government. The Board is satisfied that the Licensee will be accountable for carrying out closure and reclamation even though a security deposit is not required.

#### **6.5 Part D: Conditions Applying to Water Use and Annex A**

Part D of the Licence was intentionally left blank, because the Licence does not authorize the use of water and Board did not receive any recommendations related to this section during the review.

#### **6.6 Part E: Conditions Applying to Construction and Schedule 2**

Part E and Schedule 2 of the Licence contains conditions applying to Construction activities for the Project. These are consistent with the Standard Licence Conditions.

#### **6.7 Part F: Conditions Applying to Waste and Water Management and Schedule 3**

Part F and Schedule 3 of the Licence contain conditions applying to Waste and Water management activities for the Project. These are consistent with the Standard Licence Conditions. Project-specific conditions were developed where necessary.

#### Part F: WASTE MANAGEMENT PLAN – REVISED

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 LWB [Guidelines for Developing a Waste Management Plan](#),<sup>19</sup> 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 Licensee included a Waste Management Plan in the Application.<sup>20</sup> The Board considered this Plan as part of the Application Package. During the first public review, Board staff made recommendations<sup>21</sup> to make figures and labels more legible. The Applicant committed to updating the Plan with these changes.

The Board requires that the Licensee revise the Waste Management Plan and submit Version 4.1, within 30 days of the effective date of the Licence, to reflect updates as agreed to during the regulatory proceeding, to reflect the Project activities, to meet the applicable guidelines, and to include the following:

- Make figures clearer and labels more legibly linked to mapped features.

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<sup>19</sup> See MVLWB Policies and Guidelines webpage to access the LWB [Guidelines for Developing a Waste Management Plan](#).

<sup>20</sup> See MVLWB Online Registry for [Town of HR - Porritt Landing – Renewal – Waste Management Plan v4.0 – Nov25 24](#).

<sup>21</sup> See MVLWB Online Review System for [Porritt Landing Dredging Project – Type B Water Licence Renewal](#); Board staff Comment ID-1.

The Plan will be considered approved when the Licensee receives written confirmation of conformity from Board staff. A public review will typically not be required to confirm conformity; however, if the revised Plan includes additional information beyond what has been requested above, a public review may be required before it can be considered by the Board.

#### Part F: EROSION AND SEDIMENT MANAGEMENT PLAN – REVISED

The Licensee included an Erosion and Sediment Management Plan in the Application.<sup>22</sup> The Board considered this Plan as part of the Application Package. During the first public review, Parties noted erroneous referencing in the Plan and requested their correction.<sup>23</sup> Additionally, it was suggested that in-situ turbidity measurements be implemented<sup>24</sup> to confirm the silt curtain is performing as intended, as well as to track water quality changes in general; and for this to be reflected in the Plan. Board staff also made recommendations<sup>25</sup> to make figures and labels more legible. The Applicant committed to updating the Plan with these changes.

The Board requires that the Licensee revise the Erosion and Sediment Management Plan and submit Version 2.1, within 30 days of the effective date of the Licence, to reflect updates as agreed to during the regulatory proceeding, to reflect the Project activities, to meet the applicable guidelines, and to include the following:

- Correct erroneous referencing to the Plan as the WMP;
- Include implementation of in-situ turbidity measurements to confirm that the silt curtain is performing as intended during periods of operation; and
- Make figures clearer and labels more legibly linked to mapped features.

#### Part F: Non-standard conditions carried over from previous Licence

In previous Licence MV2018L7-0002, the Board included project-specific requirements related to sampling of dredged material prior to deposit at Lot 1057, Plan 977 in Hay River. These include: DREDGED WASTE DISPOSAL, SUBMIT ANALYSIS PRIOR TO DREDGED MATERIAL DISPOSAL, DREDGED MATERIAL SAMPLING REQUIREMENTS, ENVIRONMENTAL GUIDELINE FOR CONTAMINATED SITE REMEDIATION, and NOTIFICATION – FINAL DISPOSAL.

These non-standard conditions were carried over from the previous Licence, MV2018L7-0002. The Board typically issues similar non-standard conditions for any Project where soils are proposed for disposal or reuse at final location. These conditions ensure that the Licensee uses proper sampling, analysis, and comparison to criteria prior to disposing Dredged Material, that methods adhere to the Waste

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<sup>22</sup> See MVLWB Online Registry for [Town of HR - Porritt Landing – Renewal – Erosion and Sediment Management Plan v2.0 – Nov25 24](#).

<sup>23</sup> See Online Review System for [Porritt Landing Dredging Project – Type B Water Licence Renewal](#); Board staff Comment ID-2; ECCC Comment ID-1 .

<sup>24</sup> See Online Review System for [Porritt Landing Dredging Project – Type B Water Licence Renewal](#); ECCC Comment ID-2.

<sup>25</sup> See Online Review System for [Porritt Landing Dredging Project – Type B Water Licence Renewal](#); Board staff Comment ID-1.

Management Plan, and that the Board and Inspector are notified before material is disposed of in a final location.

#### **6.8 Part G: Conditions Applying to Aquatic Effects Monitoring Program**

Part G of the Licence was intentionally left blank, because the Board did not receive any evidence recommending or indicating that an AEMP is needed.

#### **6.9 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](#),<sup>26</sup> and licences will include standard conditions regarding compliance with the Plan, as approved by the Board.

The Licensee included a SCP in the Application.<sup>27</sup> The Board considered this Plan as part of the Application Package. The Board has approved the SCP, Version 4 because it meets the requirements of the Guidelines and is appropriate for the Project activities.

#### **6.10 Part I: Conditions Applying to Closure and Reclamation and Schedule 4**

Part I and Schedule 4 of the Licence contain conditions applying to closure and reclamation, including progressive reclamation of the Project. These are consistent with the Standard Licence Conditions.

A stand-alone **Closure and Reclamation Plan** was not included in the application. There are currently no activities proposed which require final reclamation. However, the Licensee will be bound by Part I of Licence MV2024L7-0010, which includes progressive reclamation requirements, as well as directions for timing the Closure and Reclamation Plan, if closure is contemplated during the term of this Licence.

#### **6.11 Attachment A: Concordance Table of Submissions**

Attachment A of the Licence contains a table that summarizes the submissions required by the Licence conditions.

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<sup>26</sup> See MVLWB External Policies and Guidelines webpage to access the INAC [Guidelines for Spill Contingency Planning](#).

<sup>27</sup> See MVLWB Online Registry for [Town of HR - Porritt Landing – Renewal – Spill Contingency Plan v4.0 – Nov25 24](#).



**6.12 Attachment B: Revision History Table**

Attachment B 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.

**7.0 Conclusion**

Subject to the scope, definitions, conditions, and terms set out in the Licence, and for the reasons expressed herein, the MVLWB is of the opinion that the activities, water use, and waste disposal associated with the Project can be completed by the Town of Hay River 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 MV2024L7-0010 contains 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 Town of Hay River’s use of the water as authorized by the Licence.

SIGNATURE



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**Tanya MacIntosh, Chair**  
**Mackenzie Valley Land and Water Board**

March 24, 2025

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**Date**