



PO Box 32, Wekweètì NT X0E 1W0
Tel: 867-713-2500 Fax: 867-713-2502

#1-4905 48th Street, Yellowknife NT X1A 3S3
Tel: 867-765-4592 Fax: 867-765-4593
www.wlwb.ca

Reasons for Decision

Issued pursuant to section 72.25 of the *Mackenzie Valley Resource Management Act* (MVRMA) and section 36 of the *Waters Act*.

Water Licence Amendment on Board's Own Motion	
File Number	W2018L3-0001
Company	Community Government of Gamètì
Project	Municipal operations
Location	Gamètì, NT
Activity	Municipal
Date of Decision	January 30, 2025

Table of Contents

1.0	List of Defined Terms and Abbreviations.....	3
2.0	Summary of Application.....	4
3.0	Main Issues Raised During the Regulatory Proceeding	5
4.0	Regulatory Process.....	5
5.0	Legislative Requirements Related to Licence Issuance	6
5.1	Consultation, Engagement, and Public Notice.....	6
5.2	Water Use Fees	7
5.3	Existing Licences.....	7
5.4	Compensation to Existing Water Users	7
5.5	Water Quality Standards.....	8
5.6	Effluent Quality Standards.....	8
5.7	Financial Responsibility.....	8
5.8	Minimization of Adverse Effects	9
5.9	Time Limit.....	9
5.10	Environmental Review (Part 5 of the MVRMA)	9
5.10.1	Preliminary Screening	9
6.0	Decision – Water Licence W2018L3-0001	9
6.1	Part A: Scope and Defined Terms	10
6.1.1	Scope.....	10
6.1.2	Defined Terms.....	10
6.2	Part B: General Conditions and Schedule 1	10
6.3	Conditions Applying to Security Requirements	11
6.4	Part C: Conditions Applying to Water Use	11
6.5	Part D: Conditions Applying to Waste and Water Management and the Surveillance Network Program.....	11
6.5.1	Conditions authorizing Discharge of Waste.....	11
6.5.2	Faecal Coliforms.....	13
6.6	Part E: Conditions Applying to Construction.....	14
6.7	Part F: Conditions Applying to Modifications	14
6.8	Conditions Applying to AEMP	14
6.9	Part G: Conditions Applying to Spill Contingency Planning	15
6.10	Part H: Conditions Applying to Operation and Maintenance	15
6.11	Part I: Conditions Applying to Closure and Reclamation and Schedule 3.....	15
6.12	Other Comments.....	16
6.13	Attachment A: Concordance Table of Submissions.....	16
6.14	Attachment B: Revision History Table	16
7.0	Conclusion	16

On January 30, 2025, the Wek'èezhìi Land and Water Board (WLWB or Board) met and considered the Amendment to the Community Government of Gamètì's (the Community) W2018L3-0001 Water Licence (the Licence) for the use of water and the deposit of waste for municipal purposes in the Community of Gamètì (the Project) in the Wek'èezhìi region. The Board decided to commence a proceeding to amend the Community's Licence, on its own initiative, to address the gap about discharging Clean-In-Place waste from the Water Supply Facilities (WSF) to the Receiving Environment.¹ After reviewing the evidence gathered during the regulatory proceeding, the Board has made the following decisions:

- 1) To amend Water Licence W2018L3-0001;
- 2) To add SNP 003-05 for CIP Waste Discharge to the Surveillance Network Program annexed to Licence W2018L3-0001;
- 3) To direct Gamètì to submit Version 1.2 of the WSF Characterization and Testing Plan within 90 days of the amended Licence issuance to reflect Revisions 1 and 2; and
- 4) To direct Gamètì to submit Version 3.3 of the WSF Operation and Maintenance Plan within 90 days of the amended Licence issuance to reflect Revisions 1 and 2 from the July 29, 2024 Reasons for Decision.

These Reasons for Decision set out the Board's regulatory process for the Application and rationale for decisions regarding the amended 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 Abbreviations**

Licensee	Community Government of Gamètì
CanNor	Canadian Northern Economic Development Agency
CIRNAC	Crown-Indigenous Relations and Northern Affairs Canada
CIP	Clean-In-Place
CRP	Closure and Reclamation Plan
DFO	Fisheries and Oceans Canada
DIAND	Department of Indigenous Affairs and Northern Development
Distribution List	The list of individuals and organizations to whom materials from the regulatory proceeding were circulated. ²
EA	Environmental Assessment
ECCC	Environment and Climate Change Canada
GLWB or Board	Gwich'in Land and Water Board

¹ See WLWB Online Registry (www.wlwb.ca) for [Gamètì - WSF CTP V1.1 and O and M Plan V3.2 - Reasons for Decision - Jul 29 24](#)

² To access the Distribution List, see the LWBs' Online Review System for [Community of Gameti – Licence Amendment on Board's Own Motion – Aug 28 24](#)

GNWT	Government of the Northwest Territories
GNWT-ECC	Government of the Northwest Territories – Environment and Climate Change
IR	Information Request
Inspector	An Inspector designated under subsection 65(1) of the Waters Act
Licence	Water Licence W2018L3-0001
LWBs	Land and Water Boards of the Mackenzie Valley
MVEIRB	Mackenzie Valley Environmental Impact Review Board
MVLUR	Mackenzie Valley Land Use Regulations
MVLWB or Board	Mackenzie Valley Land and Water Board
MVRMA	Mackenzie Valley Resource Management Act
Minister	Minister of the Government of the Northwest Territories – Environment and Climate Change
ORS	Online Review System (www.new.onlinereviewssystem.ca)
Party	As per the LWB Rules of Procedures , an applicant, a person, or an organization participating in this regulatory process.
Project	Gamèti, the undertaking as described in Part A of the Licence.
Review Board	Mackenzie Valley Environmental Impact Review Board
SCP	Spill Contingency Plan
SLWB or Board	Sahtu Land and Water Board
Standard Licence Conditions	LWB Standard Water Licence Conditions Template
TG	Tłı̨chǫ Government
WLWB or Board	Wek'èezhìi Land and Water Board
WMP	Waste Management Plan

2.0 Summary of Application

On July 29, 2024, the Board decided to commence a proceeding to amend the Community's Licence, on its own initiative, to address the gap about discharging Clean-In-Place waste from the Water Supply Facilities (WSF) to the Receiving Environment.³ These activities are located outside of federal areas and within the Wek'èezhìi Management Area.

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

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

³ See WLWB Online Registry for [Gamèti - WSF CTP V1.1 and O and M Plan V3.2 - Reasons for Decision - Jul 29 24](#)
W2018L3-0001 – Community Government of Gamèti – Gamèti

3.0 Main Issues Raised During the Regulatory Proceeding

There were very few substantive issues raised during the proceeding. Therefore, these Reasons for Decision focus primarily on the steps of the renewal process and the evidence used by the Board to develop the conditions of Licence W2018L3-0001.

4.0 Regulatory Process

On July 29, 2024, the Board, pursuant to subparagraph 36(1)(a)(ii) of the *Waters Act*, considered, on its own initiative, amending Water Licence W2018L3-0001.⁴ This section of the *Act* states:

36. (1) Subject to subsections (2) and (3), the Board may [...]

(b) amend, for a specified term or otherwise, any condition of a licence [...]

(iii) in any other case, where the amendment appears to the Board to be in the public interest; [...]

On July 29, 2024, the Board wrote to the Community to indicate that it intended to consider, on its own initiative, the amendment of the Community of Gameti's (Community) Water Licence W2018L3-0001.⁵

On August 28, 2024, the Board's intention to amend the Community's Licence on its own motion was distributed for public review; the Distribution List for public review is available on the Online Review System (ORS).⁶ Public notice of the Application was published in *News North* during the week of September 2, 2024 to fulfill paragraph 43(1)(a) of the [Waters Act](#).⁷

As part of the public review, Board staff circulated a draft amended Licence for review with the Application to allow all Parties the opportunity to comment on the specific wording of the draft changes in order to assist the Board in making its decision on the amended Licence.

By October 9, 2024, the Board received comments and recommendations regarding the Application and the draft Licence from the following Parties: Government of Northwest Territories – Environment and Climate Change (GNWT-ECC). Board staff also submitted comments and questions for the purposes of clarification. On October 23, 2024, the Applicant responded to the Parties' comments and recommendations.⁸

⁴ See WLWB Online Registry for [Gamèti - WSF CTP V1.1 and O and M Plan V3.2 - Reasons for Decision - Jul 29 24](#)

⁵ *Ibid.*

⁶ See WLWB Online Review System for [Community of Gameti – Licence Amendment on Board's Own Motion – Aug 28 24](#)

⁷ See WLWB Online Registry for [Gameti – Amendment – Newspaper Notice of Amendment Proceeding – Sep 2 24](#)

⁸ See WLWB Online Review System for review comments - [Gameti – Licence Amendment on Board's Own Motion – Draft Licence Conditions](#)

On January 30, 2025, the Board met and made its preliminary screening determination for the proposed changes to the Project.⁹ Following this determination, the Board made its 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.

The Licence for this Project is within the Board's jurisdiction as per subsections 60(1.1) and 102(2) 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 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](#).¹⁰ 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 are clearly articulated. The Board's Engagement Policy does not require municipalities to conduct pre-application engagement. However, parties are notified of the Amendment proceeding through a newspaper advertisement and via the ORS.

⁹ See WLWB Online Registry for [Gameti – WL Amendment – PS Determination and Notification – Jan 31 25](#)

¹⁰ See WLWB 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](#).

The Application was posted to the Board's Public Registry and distributed through the ORS. As the Project is located in the Wek'èezhì Management Area, the appropriate organizations, governments, First Nations, and Indigenous organizations were included in the Distribution List.¹¹ 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.

5.2 Water Use Fees

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

5.3 Existing Licences

During the time period established in the Notice of Application, no licensees or applicants contacted the Board to identify potential effects from the proposed changes to 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 amended 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.

5.4 Compensation to Existing Water Users

Paragraph 26(5)(b) of the [Waters Act](#) prohibits the issuance of the amended 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 Application with the Board.

The Board received no claims for compensation related to the proposed amendment either during the time period established in the Notice of Amendment proceeding, 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 use of waters or deposit of waste.

¹¹ To access the Distribution List, see the LWBs' Online Review System for [Community of Gameti – Licence Amendment on Board's Own Motion – Aug 28 24](#)

5.5 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 the primary objective of the Policy is “protection of water quality in the receiving environment.”¹² In accordance with the Policy and this objective, the Board has revised conditions in the Licence regarding waste and wastewater management, and management plan requirements. The Board is satisfied that the conditions set out in the amended Licence 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 water quality in the receiving environment. These conditions and detailed rationale are described in [section 6.6](#) (Licence).

5.6 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](#). In the absence of prescribed standards, the Board established effluent quality criteria (EQC) for the Project as described in the Board’s December 21, 2018 Reasons for Decision.¹³

There was one recommendation regarding EQC from the GNWT-ECC made in the review of the draft Licence; however, it was unclear to the Board if the recommendation was specifically recommending a change to EQC with this amendment proceeding. The Board decided not to include the recommendation, please refer to section 6.5.2 for discussion of this EQC recommendation. Accordingly, the Board is satisfied that compliance with the existing EQC 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.

5.7 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 the proposed changes), 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.

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.

¹² See WLWB Policies and Guidelines webpage to access the LWB [Waste and Wastewater Management Policy](#).

¹³ See WLWB Online Registry for: [Gameti – Type B Water Licence – Reasons for Decision Dec 21 18](#)

5.8 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 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 from the proposed amendments on other users of the water and lands in the Project area.

Regardless, as noted in sections 5.5 and 5.6, and as detailed in [section 6](#) and the Board's December 21 2018 and August 19, 2019 Reasons for Decision,¹⁴ the Board has set conditions in the Licence to regulate waste management for the purpose of protecting the receiving environment. Additionally, as described in the Board's December 21, 2018 Reasons for Decision¹⁵, 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.

5.9 Time Limit

As required under section 48(1) of the [Waters Act](#), the Board made its decision on the Licence within nine months initiating the proceeding on its own motion.

5.10 Environmental Review (Part 5 of the MVRMA)

5.10.1 Preliminary Screening

On January 30, 2025, the Board met and decided not to refer the proposed changes to the Project to the Mackenzie Valley Environmental Impact Review Board for Environmental Assessment.¹⁶

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

6.0 Decision – Water Licence W2018L3-0001

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 the amended Licence W2018L3-0001 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.

¹⁴ See WLWB Online Registry for: [Gameti – Type B Water Licence – Reasons for Decision Dec 21 18](#); [Gameti – Water Licence – Amendment – Reasons for Decision – Aug 19 19](#)

¹⁵ See WLWB Online Registry for [Gameti – Type B Water Licence – Reasons for Decision Dec 21 18](#)

¹⁶ See WLWB Online Registry for [Gameti – WL Amendment – PS Determination and Notification – Jan 31 25](#)

The amended 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 amending the Licence, the Board kept the Licence format and layout largely unchanged. As noted in [section 4.0](#) above, Board staff circulated a draft amended Licence for review to allow Parties to provide specific input to the Board on the possible amendments and updates to the conditions, and the Board considered these review comments and recommendations in making its determination on the amended Licence conditions.

6.1 Part A: Scope and Defined Terms

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

6.1.1 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](#). The changes to the Project are within the existing scope of the Licence, so the Board did not make any changes to the scope.

6.1.2 Defined Terms

The Licence includes defined terms 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. The Board maintained all of the defined terms in the Licence.

An administrative change was made to the “Water Supply Facilities” definition to “Water Supply Facility” as there is only one such facility. This change was reflected throughout the Licence.

6.2 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.

The Board maintained all of the conditions in this section of the Licence.

6.3 Conditions Applying to Security Requirements

As described in the Board's December 21, 2018 Reasons for Decision,¹⁷ the Licence does not include security requirements, because the Licensee is a community government and the Licence is a municipal licence. The Board remains satisfied that the Licensee will be accountable for carrying out closure and reclamation even though a security deposit is not required. Accordingly, the Board did not make any changes to this section of the Licence.

6.4 Part C: Conditions Applying to Water Use

Part C of the Licence contains conditions related to water use for the Project.

The Licensee did not propose any changes to water use, so the Board maintained all of the existing conditions in this section.

6.5 Part D: Conditions Applying to Waste and Water Management and the Surveillance Network Program

Part D of the Licence contain conditions applying to waste and water management activities for the Project, and the Surveillance Network Program outlines waste monitoring requirements.

To reflect the changes to the Project, the Board removed existing conditions, and amended existing conditions in this section of the Licence. The Board's decisions on specific conditions are set out in the subsections below.

An administrative edit was made to Part D, Condition 12 to reflect that the Waste Discharge from the Water Supply Facility must be as described in the approved Water Supply Facility Operations and Maintenance Plan. The draft condition that was distributed for review did not stipulate that the Plan needed to be approved.

6.5.1 Conditions authorizing Discharge of Waste

Authorized Discharge

In the Board's July 29, 2024 Reasons for Decision, it identified that both the Water Supply Facility (WSF) Characterizing and Testing Plan (Testing Plan) and Operations & Maintenance (O&M) Plan described that the Clean-In-Place (CIP) waste is discharged into the Receiving Environment, but there was no condition in the Licence that authorizes CIP waste discharge directly to the Receiving Environment.¹⁸ The Draft Licence distributed for this Amendment proceeding included a revision to Part D, Condition 12 to include CIP waste discharge to the Receiving Environment.

¹⁷ See WLWB Online Registry for: [Gameti – Type B Water Licence – Reasons for Decision Dec 21_18](#)

¹⁸ See WLWB Online Registry for [Gamèti - WSF CTP V1.1 and O and M Plan V3.2 - Reasons for Decision - Jul 29_24](#)

No Party commented on the proposed revised Condition. As the Board did not receive any evidence indicating concern with the proposed condition, and it reflects site practice, it has been included in the final version of the Licence.

Inspector Authorization of Discharge

The Board also noted in the July 29, 2024 Reasons for Decision that the condition allowing for Inspector authorization of Waste Discharge should be removed in the Licence amendment since it was not typical practice and there was new information available regarding the potential risks of the waste.¹⁹ The Draft Licence included tracked-change removal of the condition (previously Part D, Condition 13).

No Party commented on the proposed removal of the Condition. As the Board did not receive any evidence indicating concern with removal of the condition, it has been removed in the final version of the Licence.

Waste Monitoring and Testing

In its July 29, 2024 Reasons for Decision, the Board directed Gamèti to do annual sampling of CIP waste for at minimum, pH, TSS, and aluminum (total and dissolved), and report on sampling results in the Annual Water Licence Report required as per Part B, Condition 2.²⁰

In review of the Draft Licence, Board staff asked Gamèti if there would be any limitations or concerns with including requirements for CIP Waste monitoring in the Surveillance Network Program instead of the Characterization and Testing Plan (WLWB staff comment 1). The Licensee responded that an SNP site could be established for the CIP Discharge where it Discharges to the ground, and recommended sampling be taken on an annual basis. As the Licensee has agreed that an SNP site could be established for CIP Discharge, and other Waste monitoring requirements of the Licence are captured in the SNP, the Board has decided to include an SNP location for CIP Waste Discharge in the Licence.

As noted above, Gamèti recommended annual sampling of the CIP waste in response to WLWB staff comment 1. Other Parties did not identify any issues with CIP Waste sampling in review of the draft Licence. The Board believes Parties were given opportunity to consider CIP Waste sampling parameters, as the July 29, 2024 Reasons for Decision also outlined these sampling parameters. As such, the Board has reflected the previously determined CIP Waste sampling requirements in SNP 003-5.

- ***Decision #2: The Board has decided to add SNP 003-5 for CIP Waste Discharge to the Surveillance Network Program annexed to Licence W2018L3-0001.***

Characterization and Testing Plan

In its review, Board staff noted the revised CTP Plan may not be required in order to reflect monitoring requirements for CIP Waste (WLWB comment 2). The Board understands this to reflect that if the CIP

¹⁹ See WLWB Online Registry for [Gamèti - WSF CTP V1.1 and O and M Plan V3.2 - Reasons for Decision - Jul 29 24](#)

²⁰ *Ibid.*

Waste monitoring requirements are in the SNP, they do not need to be duplicated in the Characterization and Testing Plan.

The Board has decided that CIP Waste monitoring and reporting will be reflected through the SNP. As such, the Characterization and Testing Plan is not needed to reflect monitoring requirements for Waste from the Water Supply Facility, as was originally proposed in the draft Licence (Part D, Condition 13 in the draft Licence). To reflect this, the Board has decided to remove this condition in the final Licence.

While the Characterization and Testing Plan is not needed to reflect monitoring requirements, Version 1.1 was not approved and there was direction from the Board to ensure the Testing Plan reflects site practices. The July 29, 2024 Reasons for Decision included direction for a revision regarding the intent of the sampling program and reporting requirements. It is unclear if complete removal of the Characterization and Testing Plan from the Licence would be beneficial for the Project, and no Parties have recommended this. Other still relevant information in the Testing Plan includes the long term water quality test plan, and the history of testing results. As such there is a lack of evidence for complete removal of the Characterization and Testing Plan. The Board has maintained the requirement for the Plan in the Licence, and requires a revised Plan to reflect previous direction and the amended Licence. Revision 1 is to reflect the SNP changes in the Licence, and Revision 2 is to reflect previous direction from the July 29, 2024 Reasons for Decision. The Plan will be considered approved upon correspondence from Board staff confirming conformity.

- ***Decision #3: The Board directs Gamètì to submit Version 1.2 of the WSF Characterization and Testing Plan within 90 days of the amended Licence issuance to reflect Revisions 1 and 2.***
- ***WSF Characterization and Testing Plan Revision #1: To revise the Plan to reflect monitoring requirements outlined in the SNP; and***
- ***WSF Characterization and Testing Plan Revision #2: To clarify: a) the purpose of the sampling program described in Section 2.0 is for comparison to the Canadian Drinking Water Quality Guidelines; and b) that the results are only reported to the Environmental Health Department.***

6.5.2 Faecal Coliforms

In review of the draft Licence, GNWT-ECC recommended that the Faecal Coliform Effluent Quality Criteria (EQC) at SNP 003-3 be lowered due to its location in a freshwater body (Rae Lake), and noted that the station had not been sampled since 2021 (GNWT-ECC comment 2). GNWT-ECC also noted other lower sewage effluent discharge EQC in other communities. GNWT-ECC also recommended more frequent sampling of SNP in order for Gamètì to demonstrate that it can meet the current EQC, and help reviewers in determining if a stricter EQC is needed. Gamètì responded that there had been significant staff turnover in the community around 2021 which potentially caused delays in SNP sampling, and that if needed the community can work with the Water Resource Officer (WRO) to ensure that samples are taken going forward.

GNWT-ECC has suggested that an increase in SNP sampling frequency could help Gamètì demonstrate that it can meet current EQC, so it is unclear to the Board if GNWT-ECC is recommending that the Faecal Coliform EQC be amended with this Licence proceeding or if more information from more frequent sampling is needed to determine if the EQC should be adjusted. The Board is of the opinion that it does not currently have evidence to support any changes to the EQC for faecal coliforms. and would suggest the Renewal of the Licence in 2028 is a more appropriate time for all Parties to consider EQC changes. Board staff have been in contact with the new Gamètì SAO throughout the fall to identify the sampling gaps. Board staff also participated in a workshop in November with representatives from the four Tłı̄chǫ communities, the Tłı̄chǫ Government, and GNWT-ECC to discuss how to address some of these challenges. As such, the Board is of the view that changes to SNP sampling frequency and/or the Faecal Coliform EQC are not needed at this time.

6.6 Part E: Conditions Applying to Construction

Part E of the Licence contains conditions related to Construction for the Project. The Licensee did not propose any changes that affect the conditions in this section, so the Board maintained all of the existing conditions.

6.7 Part F: Conditions Applying to Modifications

Part F of the Licence contains conditions related to modifications for the Project. The Licensee did not propose any changes that affect the conditions in this section, so the Board maintained all of the existing conditions.

6.8 Conditions Applying to AEMP

If applicable, Part G of a licence will contain conditions applying to an Aquatic Effects Monitoring Program (AEMP). An AEMP was not previously required under the Licence, so there were no conditions in this section. In accordance with the LWB/GNWT [Guidelines for Aquatic Effects Monitoring Programs](#),²¹ the Board may consider new AEMP requirements during an amendment proceeding based on the evidence presented; however, during this proceeding, the Board did not receive any evidence recommending or indicating that an AEMP is needed for the Project. Accordingly, the Board has not included any conditions in this section of the Licence.

²¹ See WLWB Policies and Guidelines webpage to access the LWB/GNWT [Guidelines for Aquatic Effects Monitoring Programs](#).

6.9 Part G: Conditions Applying to Spill Contingency Planning

Part G of the Licence contains conditions related to spill contingency planning and reporting, reclamation of spills and unauthorized discharges, and emergency response for the Project. The Licensee did not propose any changes that affect the conditions in this section, so the Board maintained all of the existing conditions.

Part G: SPILL CONTINGENCY PLAN

The Licensee has an approved Spill Contingency Plan (SCP), Version 2 in place under the Licence.²² The Board did not receive any evidence indicating that revisions to the SCP are needed at this time, so the Board is satisfied that this version of the SCP is still appropriate for the Project activities, including the proposed changes to the Project.

6.10 Part H: Conditions Applying to Operation and Maintenance

Part H of the Licence contains conditions applying to the Operation and Maintenance Plans for the Sewage and Solid Waste Disposal Facilities and Water Supply Facility.

In the July 29, 2024 Reasons for Decision, the Board directed Gamèti to submit Version 3.3 of the Water Supply Facility Operation and Maintenance Plan, with specified revisions, after conclusion of the Licence Amendment. Board staff asked Gamèti what time frame would be reasonable for submission (WLWB staff comment 3). Gamèti responded that it would be provided by December 15, 2024. The Board has not yet received the revised Plan, and directs Gamèti to submit Version 3.3 of the Plan, with the revisions outlined in the July 29, 2024 Reasons for Decision. The Plan will be considered approved upon correspondence from Board staff confirming conformity.

- ***Decision #4: The Board directs Gamèti to submit Version 3.3 of the WSF Operation and Maintenance Plan within 90 days of the amended Licence issuance to reflect Revisions 1 and 2 from the July 29, 2024 Reasons for Decision.***

6.11 Part I: Conditions Applying to Closure and Reclamation and Schedule 3

Part I and Schedule 3 of the Licence contain conditions applying to closure and reclamation, including progressive reclamation of the Project. The Licensee did not propose any changes that affect the conditions in this section, so the Board maintained all of the existing conditions.

²² See WLWB] Online Registry for [Gameti – Operation and Maintenance Plan – Spill Contingency Plan V2 – Aug 1 18](#)
W2018L3-0001 – Community Government of Gamèti – Gamèti

6.12 Other Comments

Other comments submitted during the public review are not discussed in this Reasons for Decision because in the Board's view they were identified as not requiring a response. These comments include DFO comment 1, GNWT-ECC comments 1 and 3, and Tłjchq Government comment 1.

6.13 Attachment A: Concordance Table of Submissions

Attachment A to the Licence contains a table that summarizes the submissions required by the Licence conditions. This table has been added to reflect the amended Licence.

6.14 Attachment B: Revision History Table

Attachment B to the Licence contains a table which identifies updates and tracks changes made to the Licence. This table has been updated to reflect the amended Licence.

7.0 Conclusion

Subject to the scope, definitions, conditions, and term set out in the amended Licence, and for the reasons expressed herein, the WLWB is of the opinion that the activities, water use, and waste disposal associated with the Project can be completed by the Community Government of Gamètì 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 W2018L3-0001 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 Community Government of Gamètì's use of the water as authorized by the Licence.



Mason Mantla
On behalf of the Wek'èezhìi Land and
Water Board

January 30, 2025

Date