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December 7, 2023

File: W2023L4-0001

To the Parties of the Northwest Territories Power Corporation (NTPC) - Water Licence Renewal - Snare Hydroelectric Facilities - Proceeding,

**Re: Undertakings from the NTPC Water Licence Renewal – Snare Hydroelectric Facilities Public Hearing**

The Wek'èezhì Land and Water Board (WLWB) would like to thank all Parties who participated in the recent public hearing in Behchokò, NT on December 6, 2023 to discuss NTPC's Water Licence Renewal Application for the Snare Hydroelectric Facilities. The public hearing was beneficial in helping to identify and clarify several issues raised by interveners and the public.

There were undertakings requested in order to ensure additional evidence is on the record for this proceeding, which will allow Parties to refine their positions within their closing arguments, and to allow the Board to make an informed decision. The WLWB is requesting the following information from Parties:

**Undertaking #1 to NTPC**

NTPC to provide a table outlining the potential impacts and associated mitigations for the following water uses included in its application: Rapids Camp; Day Use Buildings; Roads and Site Maintenance; and Winter Road Construction and Maintenance.

**Undertaking #2 to NTPC**

In the Draft licence provided with the application, NTPC included definitions for the Datum points for three of the four facilities; Snare Cascades did not have a datum point definition. NTPC to provide a definition for the Datum at Snare Cascades.

**Undertaking #3 to NTPC**

NTPC to explain, with rationale, whether it would have any objections to submitting for Board approval a Design and Construction Plan to address any changes to the existing structures?

For context, the current Licences (N1L4-0150 and W2014L4-0001) include conditions related to modifications of the existing structures/facilities. The modifications section is no longer standard for Licences, and has been replaced with the revisions condition under Part B. In the draft Licence, NTPC has included the revisions condition, but has not specified a specific design plan for where those revisions would be included and submitted to the Board for approval.

**Undertaking #4 to NTPC**

NTP to provide a comprehensive list of equipment capable of withdrawing water for consideration in a definition of “Water Supply Facilities”.

**Undertaking #5 to DFO**

- (a) Based on information available to date, does DFO agree with NTPC’s proposed minimum water levels during the proposed timing windows (May 1 to Oct 31 for Snare Falls and Apr 15 to Aug 15 for Snare Rapids). If not, can DFO propose alternative minimum water levels and/or windows?
- (b) If the Board decides to lower the minimum water levels in the water licence, can DFO state its opinion on whether NTPC should be allowed to use the minimum level multiple years in a row.

**All information requested in Undertakings #1-5 must be submitted to the WLWB electronically on or before Thursday, December 14, 2023.** All parties are encouraged to communicate with one another to ensure fulsome understanding of the information being requested. All information received through these Undertakings will be circulated to the NTPC Distribution List and posted on the WLWB’s Online Registry as soon as possible.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Ryan Fequet', with a stylized, cursive script.

Ryan Fequet, Executive Director  
Wek’èezhìi Land and Water Board

B’ccd: NTPC Distribution List