



PO Box 1500
Yellowknife, NT X1A 2R3

File: N7-1-1835

September 27, 2013

Ron Wallace
Interim Executive Director
NWT Water Board
Suite 302, Professional Building
125 Mackenzie Rd.
Box 2531
Inuvik, NT X0E 0T0

Mr. Wallace,

**Re: N7-1-1835 – Inuvik to Tuktoyaktuk Highway, Public Hearing
Participation**

Aboriginal Affairs and Northern Development Canada (AANDC) will not be submitting a written intervention and will not formally intervene at the Public Hearing for the Inuvik to Tuktoyaktuk Highway (ITH) scheduled for October 7, 2013 in Inuvik. However, the Department intends to continue participating in the regulatory process through review of the Draft Water Licence and associated management plans.

AANDC's decision not to formally intervene is based upon the commitments provided by the Developer at the Pre-hearing Conference (PHC) held on September 16, 2013. During the PHC, AANDC received a strong commitment from the Developer to provide a number of updated plans including:

- Sediment and Erosion Control Plan;
- Spill Contingency and Response Plan;
- Waste Management Plan;
- Explosive Management Plan;
- Fish and Fish Habitat Protection Plan;
- Emergency Management Plan;
- Aquatic Effects Monitoring Plan; and
- Safe handling practices related to re-fuelling and fuel management.

Further, AANDC did not receive any objection from the Developer that these plans would form part of a Water Licence and be subject to Board approval.

In our September 18, 2013 PHC follow up letter, AANDC reserved the right to provide comments to the Board on the topic of water withdrawals since this information forms a critical component of a water licence and has only become available recently (September 20, 2013). AANDC has reviewed the September 20, 2013 water withdrawal information provided by the Developer and finds the volumes appear reasonable and suitable for inclusion in the terms and conditions of a Water Licence.

Also included with our September 18, 2013 letter were examples of SNP programs that have formed part of highway related projects in the North Slave region. AANDC expects that an SNP program will also form part of a Water Licence for the ITH, but the details of such a program can be developed as part of the licence drafting process.

In response to your September 24, 2013 letter, AANDC staff will attend the Public Hearing and will respond to points of clarification the Board may require on AANDC submissions to date. AANDC understands that Rules of Procedure will apply and, since AANDC will not be a formal intervener, the Department acknowledges that it will not have the right to cross examine the Developer or other formal interveners.

The following staff will be in attendance at the October 7, 2013 Public Hearing: Mr. Jan Davies, Water Resource Officer, will attend in Inuvik; and Mr. Nathen Richea, A/Manager, Water Resources Division, Mr. Paul Green, A/Head Water Resources Division, and Ms. Jeanne Arsenault, Pollution Control Specialist, will attend via teleconference.

Thank you for providing AANDC with the opportunity to participate in this licencing process. If you have any questions or concerns, please contact Conrad Baetz at Conrad.Baetz@aandc.gc.ca or 777-8901, or the undersigned at Nathen.Richea@aandc.gc.ca or 669-2657.

Sincerely,



Nathen Richea
A/Manager, Water Resources Division
Aboriginal Affairs and Northern Development Canada