

REASONS FOR DECISION

AG91-001, JERRY REID

The Yukon Territory Water Board ("the Board") received an application to use water for agricultural purposes from the Yukon River at a rate of 20 acre feet per year. Notice of public hearing was provided in the Canada Gazette and two local newspapers. When no interventions were received, the public hearing was cancelled.

The following government department submitted letters of comment for the Board's consideration.

Environmental Protection ("EPS")
Indian and Northern Affairs Canada ("DIAND")
Fisheries and Oceans Canada ("DFO")

Both DIAND and DFO attached copies of the Environmental Assessment Review Process ("EARP") screening reports to their comments.

The Board agreed to the recommendation of DFO and DIAND regarding the requirement to install appropriate fish screens on the intake to the irrigation system. The Licensee is urged to contact DFO regarding the appropriate specifications of the screening and must contact an inspector prior to commencement of irrigation.

The Board agreed with DIAND's recommendation that fuel storage must be set back from and located above the ordinary high water mark of any water course and that the Licensee must report annually on the rate, type and amount of fertilizers.

EPS recommended that the use of herbicides and pesticides should be reported to the Board annually. DIAND recommended that these should be prohibited. DFO did not make any recommendation on this subject. The Board noted that the Licensee did not make any reference to herbicides or pesticides in the water use application and therefore the license does not permit the use of either.

With regard to the term of the license, the Licensee requested a term of twenty-five years in the application and twenty-three years on the schedule II. DIAND, DFO and EPS did not make any recommendation regarding the term. The Board agreed that the proposed expiry date on the schedule II could reasonably be considered a mathematical error and has approved a twenty-five year license, which is consistent with other agricultural licenses.



Grant Livingston, Chairman