



October 31, 2008

Northern Research Institute
Yukon College
Box 2799
Whitehorse, YT Y1A 5K4

Attention: Clint Sawicki

RE: Water Use Application MS08-273, Salmon Incubation & Rearing

Thank you for the additional clarification that you provided in response to my September 10, 2008 letter to you. I have reviewed the information and I would like to confirm the information that remains outstanding in order to continue to process your application is as follows:

1. The supplementary information that you provided on October 17, 2008 indicates a note on the last page that is addressed to yourself suggesting an increase in water use. The Schedule 4 Application form has not been updated to reflect the suggested increased water use. If you wish the Board to consider an increased water use please confirm by updating the Schedule 4 Application form and include the months for which the increased quantity of water will be obtained as the note that was addressed to you has differing dates that what is on the Schedule 4 Application. A copy of the current form has been provided for your convenience.
2. Provide the required documentation outlined in item 13 of the Information Sheet, from the City of Whitehorse that pertains to your right to use the property for this project.
3. Your previous water use licence required you to neutralize iodine prior to discharge into McIntyre Creek and stipulated that the maximum of 0.1 mg/L of iodine may be contained in the discharge.
 - a) Please confirm whether you still intend to neutralize iodine prior to discharging to McIntyre Creek and provide the maximum amount that will be discharged (measured in mg/L).
 - b) I noted the website address that you provided in item 6 of your supplemental information. Please provide a print out of the material contained on that website. All applicants are responsible for providing the required documentation as part of the application.

4. In regards to your proposed monitoring of Total Phosphorus, which includes the added proposal for an effluent quality discharge standard, I did a further review of the information that the Board previously considered for MS02-209 and I would like to note for you that under application MS02-209, the Board determined that although Government of Yukon-Water Resources proposed an effluent quality discharge standard for phosphorus, sufficient rationale was not provided by GY at that time to conclude that phosphorus should be a concern at your site. As a result, licence MS02-209 only required sampling for phosphorus. Based on this information:
- a) Please confirm if you wish for the Board to review your proposal to include an effluent quality standard of 0.065 mg/L of Total Phosphorus as part of your application. If not, please request in writing that references to this be disregarded for licensing purposes.
 - b) If you do wish the Board consider the proposal for an effluent quality discharge standard, you are required to identify that "last point of control" prior to the release of effluent from this facility. This means that you must be able to stop the flow at this site, if the effluent exceeds the proposed concentration that you have proposed.
5. In review of the supplemental information that you have provided you have specified three different YESAB file numbers. In light that there have now been several environmental assessments conducted by YESAB Designated Offices for the same facility and each of these assessments identify different sources of eggs and release sites, I am requesting that you clearly indicate all watercourses that you intend to retrieve pacific salmon eggs from and if those resulting fry will be returned to those natal watercourses.

For clarity, the Evaluation Report for YESAB file number 2006-0189 applies to salmon eggs taken from Tatchun Creek and Takhini River and later released as fry back to those watercourses. A Decision Document has been issued.

Evaluation Report for YESAB file number 2008-0058 applies to salmon eggs taken from the Yukon River at the Whitehorse Fish Ladder, which will later be released as fry to Fox Creek. A Decision Document has been issued.

Evaluation Report for YESAB file number 2008-0193 applies to salmon eggs taken from Tatchun Creek and later released as fry back to that creek. A Decision Document has not been issued.

Please be advised that as of today's date, the status indicated on the YESAB online registry for file 2008-0193 shows that the recommendations (the evaluation report) have been sent to the government Decision Body. The government Decision Body that is identified in the evaluation report is Fisheries and Oceans Canada (DFO). You are required to review all Decision Documents that apply to this undertaking prior to completing the Water Board's project confirmation form. If you have not yet received the DFO Decision Document for YESAB file number 2008-0193, you may contact that office at 393-6722 to make enquiries as to the status of that document. I have attached another copy of the Project Confirmation form. Please do not sign and submit it to the Water Board office until you have completed the above. If all three of the YESAA file numbers apply to this undertaking, please include all three numbers on the form.

If you have any questions or wish to meet to discuss your application further, please do not hesitate to contact me at 456-3890.

Sincerely,



Kelly Boutilier
Licensing Officer

C: Register MS08-273, Exhibit 4.2

Encl: Copy of Schedule 4 Application form, date stamped 08.10.17
Project Confirmation Form