

YUKON WATER BOARD

Pursuant to the Yukon Waters Act and Regulation, the Yukon Water Board, hereinafter referred to as the Board, hereby grants to

TOWN OF FARO
Box 580, Faro, Yukon Y0B 1K0

hereinafter called the Licensee, the right to alter, divert or otherwise use water subject to the restrictions and conditions contained in the Yukon Waters Act and Regulation made thereunder and subject to and in accordance with the conditions specified in this Licence:

Licence Number: MN05-058

Water Management Area: 02 Yukon

Licence Type: A

Nature of Undertaking: Municipal

Location: Pelly River at Faro

Purpose: To obtain, store, and return a flow of water for municipal water supply, and to operate a wastewater treatment and disposal system.

Quantity: Water consumption at a maximum rate of 4,545 cubic metres per day.

The Effective Date of this Licence shall be the date on which the signature of the Minister, Executive Council Office, is affixed.

Expiry Date: September 30, 2009

Dated this ____ day of _____, 2006

YUKON WATER BOARD

*original signed by Bruce Willis
September 8, 2006*

Witness

Chairperson

APPROVED

This ____ day of _____, 2006

Witness

Minister, Executive Council Office

PART A - GENERAL CONDITIONS

1. Definitions

- a) "Act" means the *Waters Act* and any amendments thereto.
- b) "Application" and "Water Use Application" mean Water Use Application MN05-058, including any additional submissions and/or revisions, submitted to the Board by the Licensee, up to the date of the Board's decisions.
- c) "Board" means the Yukon Water Board.
- d) "Deleterious Substance" means deleterious substance as defined in Section 34(1) of the *Fisheries Act*.
- e) "Inspector" means any person designated as an Inspector under the *Act*.
- f) "Natural Boundary" means the visible high water mark of any lake, stream or other body of water where the presence and action of water is so common and usual and so long continued as to mark upon the soil of the bed of the lake, river or other body of water a character distinct from that of the banks thereof, both in respect to vegetation and in respect to the nature of the soil itself. In addition, the best estimates of the edge of dormant or old side channels and marsh areas are considered to be Natural Boundaries.
- g) "Regulation" means the *Waters Regulation* made under the *Act*.
- h) "Spill Contingency Plan" means the Town of Faro Spill Contingency Plan 2002, which was submitted to the Yukon Water Board April 29, 2002 and included in water use register MN05-058 as exhibit 8.1.
- i) "Waste" means any substance defined in Section 1 of the *Act*.
- j) "Watercourse" means any stream, lake, pond, river, creek, spring, ravine or swamp whether ordinarily containing water or not.

Representations, Warranties and Undertakings

- 2. The Board has relied on the representations, warranties and undertakings provided by the applicant in the material filed in the Application. Such representations, warranties and undertakings are considered by the Board to be a part of the licence, but shall be subject to, and may be modified by, the terms and conditions of the licence.
- 3. Where there is a discrepancy between the Application and the terms and conditions of this licence, then the terms and conditions of this licence shall prevail.
- 4. If, subsequent to the issuing of this licence, the Licensee uses water and/or deposits Waste in one or more ways not authorized in this licence, and the combined effect of those uses and/or deposits of Waste, as determined by an Inspector:

- a) has no potential for significant adverse environmental effects; and
- b) does not interfere with existing rights of other water users or Waste depositors; and
- c) satisfies the criteria set out in Column 2 of Schedule 8 of the Regulation,

no amendment to this licence will be required for that use of water and/or deposit of Waste.

Other Laws

- 5. No term or condition of this licence limits the application of any federal, territorial or first nation or municipal legislation.
- 6. All work authorized by this licence shall occur on property that the Licensee has the right to enter upon and use for that purpose.
- 7. The Licensee shall comply with the requirements of the Yukon Regulation Respecting Public Health, pursuant to the Public Health and Safety Act, including, but not limited to, any orders issued by the Medical Officer of Health for drinking water quality and drinking water sampling and analysis.

Correspondence

- 8. Where any direction, notice, order or report under this licence is required to be in writing, it shall be given:
 - a) To the Licensee, if delivered, faxed or mailed by registered mail to the following address:

Town of Faro.
P.O. Box 580
Faro, YT Y0B 1K0
Fax: 867 994 3154

and shall be deemed to have been given to the Licensee on the day it was delivered or faxed, or 7 days after the day it was mailed, as the case may be.

- b) To the Board, if delivered, faxed or mailed by registered mail to the following address:

Yukon Water Board
Suite 106, 419 Range Road
Whitehorse, YT Y1A 3V1
Fax: 867 456 3890

and shall be deemed to have been given to the Board on the day it was delivered or faxed, or 7 days after the day it was mailed, as the case may be.

Non-Compliance

9. In the event that the Licensee fails to comply with any provision or condition of this licence, the Board may, subject to the *Act*, cancel the licence.

Deleterious Substances

10. Subject to the provisions of this licence, deleterious substances shall be used, transported, stored and disposed of in such a manner that they are not deposited in, or allowed to be deposited in, any waters.

Water Use

11. Subject to the terms of this licence, the Licensee is hereby authorized to:

- a) obtain water for municipal purposes at a total maximum rate of 4,545 cubic metres per day from Wells 1, 2 and 3 located near the Pelly River; and
- b) collect, store and treat sewage at an existing wastewater treatment facility; and
- c) discharge treated effluent from the wastewater treatment facility to the Pelly River,

all as described in the Application, but subject to the terms and conditions of this licence. Where there is any discrepancy between the Application and this licence, the terms of this licence shall prevail.

Temporary Containment Pond

12. During annual maintenance procedures, the Licensee may store sewage in a temporary containment pond, as previously authorized in water use licence MN00-030, and subject to this licence.

Term of Licence

13. The term of this licence is from the effective date to September 30, 2009.

Reports

14. All monitoring data and reports shall be submitted to the Board in an unbound printed form that is reproducible by standard photocopier and shall be accompanied by five (5) copies.
15. All monitoring data and reports shall also be submitted in digital form, on diskette or by email, using a format that is readable using commonly available software.

Annual Reports

16. Annual reports shall be submitted to the Board by the Licensee. The first report shall be cover the period from the effective date of this licence to December 31, 2006, and shall be

submitted to the Board on or before March 31, 2007. Subsequent reports shall cover the period from January 1 to December 31, and shall be submitted to the Board on or before March 31 of each year.

17. Annual reports shall include the information required by this licence and by the Regulation, including, but not necessarily limited to:
 - a) data collected according to the monitoring and surveillance requirements of this licence;
 - b) details of the methods, procedures and standards used in the data collection and sample testing;
 - c) an analysis and interpretation of the collected data by an individual qualified to do so;
 - d) a detailed record of the operation of the water supply, sewage collection and sewage treatment works, including operational difficulties, non-routine maintenance work and modifications;
 - e) inspection reports, including recommendations for maintenance, repairs and improvements to the physical works associated with the water supply, sewage collection and sewage treatment facilities;
 - f) a description of repairs completed to the sewage collection system during the previous year, an explanation of any repairs identified as required but not completed, and an identification of additional work to be undertaken in the next year; and
 - g) any other information or reports required by this licence or the Regulation.

Spills and Unauthorized Discharges

18. The Licensee shall immediately contact the 24-hour Yukon Spill Report telephone number (867) 667-7244 and implement the Spill Contingency Plan should a spill or an unauthorized discharge occur. A detailed written report on any such event, including but not limited to, dates, quantities, parameters, causes and other relevant details and explanations, shall be submitted to the Board not later than 10 days after its occurrence.

PART B - OPERATING CONDITIONS

19. All water supply, water distribution, sewage collection, sewage treatment and solid waste disposal systems shall be maintained in good repair and in a manner which is consistent with generally accepted municipal practices for the types of systems being used.
20. No solid waste disposal site shall be operated within 100 horizontal metres of the high water mark of any watercourse or within 1.5 vertical metres of the groundwater table and shall ensure that no waste material enters any watercourse as a result of any solid waste management operation carried out by the Licensee.

21. Fuel, lubricants, hydraulic fluids, coolants and similar substances shall be stored and/or transferred a minimum of 30 metres from the Natural Boundary of any Watercourse, in such a way that said substances are not deposited in, or allowed to be deposited in, water.
22. An environmental protection protocol for the draining of gravity siphons shall be submitted to the Board no later than 30 days prior to any draining. The protocol must explain the measures that will be taken to prevent waste from the draining operation from entering any water.
23. The Licensee shall construct and maintain fencing, at a minimum height of 1.8 metres, surrounding Cell 1 and Cell 2.

Effluent Discharge

24. a) Effluent shall only be discharged from the wastewater treatment facility and only through the existing outfall ditch from the facility to the Pelly River.
- b) Notification shall be given to the Board by the Licensee not less than 10 days prior to the commencement of any discharge. The notice will include a confirmation that notice has also been provided to Ross River Dena Council, and to the Government of Yukon, Environment, Water Resources Division.
- c) There shall be no discharge from the wastewater treatment facility during the months of July or August.

PART C - EFFLUENT QUALITY STANDARDS

25. Any discharge from the wastewater treatment facility shall meet the following effluent quality standards at monitoring station FA-4, as described in this licence.

PARAMETER	MAXIMUM CONCENTRATION FOR ANY SAMPLE
BOD ₅	45 milligrams per litre
Suspended Solids	60 milligrams per litre
pH	6 - 9
Oil and Grease	5 milligrams per litre
Faecal Coliforms	20,000 counts/100 millilitres
Total Phosphorous	5 milligrams per litre
Bioassay (LC ₅₀ static 96 hour bioassay - 100% concentration)	non-toxic

PART D - MONITORING AND SURVEILLANCE

26. The Licensee shall comply with the following monitoring and surveillance requirements:

a) Locations of Sampling Stations

Sampling Station	Description
FA-1	Raw water supply entering intake works.
FA-3	Influent to sewage lagoon.
FA-4	Effluent discharge from sewage lagoon
FA-5	Effluent transfer from Cell #3 to Cell #4

b) Monitoring Schedule

Station Analysis	FA-1	FA-3	FA-4	FA-5
Faecal Coliforms			Q	A
Total Coliforms			Q	A
Dissolved Oxygen			Q	A
Specific Conductance			Q	A
Temperature			Q	A
BOD ₅			Q	A
Suspended Solids			Q	A
pH			Q	A
Oil and Grease			Q	A
Ammonia			Q	A
Total Phosphorous			Q	A
Bioassay - (LC ₅₀ static 96 hour bioassay - 100 %)			A	
Flow Rate	D	D	D ₁	

LEGEND: D = Daily, D₁ = Daily when discharging, Q = Quarterly when discharging,
A = Once per year when flowing

- c) Samples taken from stations FA-4 and FA-5 shall be four-hour composites.
 - d) The effluent level in the lagoons shall be measured and recorded every two weeks.
 - e) The sludge levels in the lagoons shall be measured annually.
27. All data collection and analyses shall be conducted in accordance with the most recent edition of Standard Methods for the Examination of Water and Wastewater, prepared and published jointly by the American Water Works Association and the Water Pollution Control Federation.

Physical Monitoring Program

28. The Licensee shall conduct an annual inspection of the wastewater containment and treatment facilities. The inspection shall be carried out by a qualified Professional Engineer licensed to practice in the Yukon. The engineer who completes the inspection shall prepare a report that includes an assessment of the condition and performance of the facilities, and recommendations for any maintenance, repairs or modifications. The report shall be submitted to the Board as a component of the next annual report. The Licensee shall carry out any work recommended in the report, or provide an explanation in each annual report as to why it has not been or should not be carried out.

PART E - MULTI YEAR MAINTENANCE AND UPGRADING PLAN

29. No later than September 30, 2008, the Licensee shall submit to the Board a comprehensive, detailed, multi-year maintenance and upgrading plan for the water distribution and sewage collection systems, hereinafter referred to as “the Maintenance and Upgrading Plan”.
30. The Maintenance and Upgrading Plan must describe the scope, costs, schedules and priorities of repairs and upgrades identified on the basis of information available from earlier studies and from information collected in response to an analysis of information gaps.
31. The Maintenance and Upgrading plan must include an implementation plan that is premised on long-term, sustainable operation, and the implementation plan must be carried out.
32. Progress reports on the development of the Maintenance and Upgrading Plan must be submitted on each of March 31, 2007 and September 28, 2007. The first progress report will outline the plan and schedule, and describe the associated tasks and their status. The second progress report will update the status of the work.