

## REASONS FOR DECISION

WATER USE APPLICATION MN06-068  
First Nation of Nacho Nyak Dun  
Mayo, YT

The Yukon Water Board (“the board”) has concluded deliberations pertaining to Water Use Licence Application for a Type B Licence for a undertaking.

The purpose of the application is to obtain water for use in a geoexchange heating and cooling system, to obtain water for domestic purposes and to discharge a waste.

Notice of this application was provided in accordance with the requirements of the *Waters Act*. The board did not receive any interventions or receive a request for a public hearing.

In making licensing decisions pertaining to this application, the board took into account the *Waters Act*, *Waters Regulation*, the YESAA Decision Document, the application, the board's standard licence requirements, Territorial Resources Base Map 105M/12, Chapter 14 of the Umbrella Final Agreement (“UFA”) and board policies.

### YESAA

This application required an environmental assessment under the *Yukon Environmental and Socio-economic Assessment Act* (“YESAA”). Prior to making licensing decisions, the board reviewed the YESAA Decision Document (“Decision Document”) that is included in the water use register. The board considered those aspects of the Decision Document that are applicable to water related activities.

The Decision Document included a requirement to plug the flow of water where artesian wells are encountered and to report to an Inspector. The board included a condition in the licence to satisfy this requirement.

As per section 86 of YESAA, the board is also satisfied that the issuance of licence MS06-068 is not contrary to the terms and conditions included in the Decision Document.

### Chapter 14 of the UFA

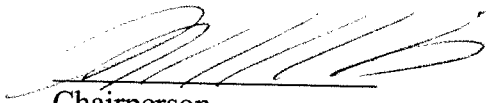
The project is located in the traditional territory of the First Nation of Nacho Nyak Dun. Territorial Resources Base Map 105M/12 is included in the First Nation of Nacho Nyak Dun Final Agreement. This map was reviewed for settlement land. The proposed operation is located within settlement land parcel C-6B. The applicant is the First Nation of Nacho Nyak Dun and they are proposing to obtain water from an aquifer located within their settlement land. Through the YESAA process the First Nation of Nacho Nyak Dun has determined that the implementation of the terms and conditions of the Decision Document will ensure that the project will not have a significant adverse effect.

Also, the applicant indicated that the aquifer has a capacity to produce 8,176 cubic metres per day and is proposing to obtain 900 cubic metres of water per day from an aquifer through a drilled well. This represents approximately 11% of the available capacity. However, the applicant is proposing to return 825 cubic metres per day to the aquifer, which will result in an overall loss of 0.9% of the available water from the aquifer. Therefore, the proposed operation will not substantially alter the quantity or rate of flow of water flowing on through or adjacent to settlement land, including the seasonal rate of flow.

The effluent discharge standards proposed by the applicant for sodium and chloride are below the Guidelines for Canadian Drinking Water Quality Standards which will ensure that the quality of water flowing on, through or adjacent to settlement land will, including the seasonal rate of flow, not be substantially altered.

Conclusion

The Board approved the issuance of Water Use Licence MN06-068



Chairperson  
Yukon Water Board

May 23, 2008  
Date