

REASONS FOR DECISION

WATER USE APPLICATION MN09-080 (AMENDMENT 3 OF MN00-031)

City of Whitehorse
Whitehorse, YT

The Yukon Water Board (“the Board”) has concluded deliberations pertaining to Water Use Application MN09-080 to amend Type A Licence MN00-031 for a municipal undertaking.

Under licence MN00-031, the City of Whitehorse (“the City”) may collect sewage in the Crestview, Whitehorse, and Livingston Trail facilities, and may discharge sewage from the Crestview and Livingston Trail (via Pot Hole Lake) facilities under controlled circumstances and subject to the specific effluent quality standards.

In making licensing decisions pertaining to this application, the Board took into account the *Waters Act*, *Waters Regulation*, the application, the Board's standard licence requirements, the YESAA Decision Document, Chapter 14 of the Umbrella Final Agreement (“UFA”) and Board policies.

Application

The purpose of application MN09-080 is to extend the annual discharge period for treated effluent to the Yukon River from September 1 to December 15. This would allow flexibility in discharging treated effluent in the event that unexpected conditions arise. The previous licence allowed discharge to occur from September 1 to October 31.

Public Hearing

Notice of this application was provided in accordance with the requirements of the *Waters Act*. In response, the Board did not receive any interventions, nor did it receive a request for a public hearing by the requested deadline. The *Act* provides that the Board may cancel a hearing where no party indicates an intention to participate. For this application, the Board determined that a public hearing would not be beneficial, and the hearing was cancelled.

Environmental Assessment

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 that is included in the water use register. As per section 86 of YESAA, the Board is also satisfied that the issuance of Amendment 3 of water use licence MN00-031 is not contrary to the terms and conditions included in the YESAA Decision Document.

Flow Rates in the Yukon River

The YESAB Evaluation Report is included in the register under exhibit 9.1. The Board reviewed section 5.2.1 relating to shore erosion and changing water levels. The maximum flow rate to be discharged from the lagoons is 1.3 cubic metres per second (cms). The average flow rate of the Yukon River in December is 131 cms. The proposed discharge represents an equivalent of less than 1% of the average December flow of the Yukon River. The Licensee confirmed in exhibit 1.2 that the maximum flow rate from the long term storage pond to the Yukon River is 1.3 cms.

Conclusion

The Board reviewed the materials filed on the register and concluded that the additional discharge period will not result in any additional negative impacts on the Yukon River. Neither the amount of water use nor the effluent discharge standards will change as a result of this amendment. It was agreed that the discharge period to the Yukon River will be extended annually from September 1 to December 15.

The Board has relied on the representations, warranties and undertakings provided by the Licensee in the material filed in the application. The Board has approved the issuance of Amendment 3 of water use licence MN00-031.



Chairperson
Yukon Water Board

August 25, 200

Date