



## **YUKON WATER BOARD “REVIEW AND APPROVAL” PROCEDURE**

### **BACKGROUND**

This process has been established to provide for the review and approval of post-licensing submissions that are required to be approved by the Board prior to implementation, without the necessity of requiring an application for amendment of a licence.

Pursuant to section 13(1)(d) of the *Waters Act*, the Yukon Water Board (the “Board”) may include in a licence any conditions that it considers appropriate, including, conditions relating to studies, plans or other documents to be submitted by the Licensee to the Board after a licence has been issued.

This process ensures that the parties who intervened on an initial licence application are given an opportunity to review draft documents and submit comments to the Licensee and the Board. The Licensee in turn will be granted an opportunity to respond to the comments from the interveners, prior to the Board making a decision.

Once the document has been approved by the Board, the approved document forms part of the licence and must be implemented as specified in the licence.

### **TYPES OF LICENCE SUBMISSIONS ‘FOR REVIEW AND APPROVAL’**

Since each project is unique, the Board will determine on a case by case basis when deliberating on an application whether a particular plan or document will require a review by interveners and subsequent approval by the Board prior to implementation.

### **PROCESS STEPS**

<b>#</b>	<b>Step</b>	<b>Process Details</b>
<b>1</b>	Licensee uploads draft document (must be a redline version, if applicable) to Waterline, selecting proper report type. Rationale must be provided for any additional changes to the document.	A notification will go to the Licensing Officer (LO) that is assigned to the licence (and admin staff) that a document has been uploaded and is ready for review.
<b>2</b>	LO assigns a timeline for interveners to comment, and notifies the interveners (by e-mail) that it is open for comment, and the deadline.	The LO and/or Technical Advisor (TA) will review the document to determine if the licence conditions have been satisfied, and to check for changes to the document.

3	<p>Interveners provide comments to the general YWB e-mail and respond "to all" to provide a copy to the LO, other interveners and the Licensee.</p> <p>The Licensee can respond to those comments by e-mail (copying the Parties) within a timeline determined by the LO, prior to the Board's review of the comments.</p>	<p>If a party feels that the draft document is significantly deficient and/or conflicts with the licence, the party can request that the Board require the document to be submitted as an amendment to the licence.</p> <p>The LO shall establish a timeline for the Licensee to respond to comments received.</p>
4	<p>The LO and TA assemble all comments and the Licensee's response for the Board's review. Includes the opportunity for the Board to engage with the Licensee for further information and/or clarification.</p>	<p>This is the same process as for a regular application.</p>
5	<p>Based on the comments received and the Board's review of the submission, the Board may determine that:</p> <p>a) the document can be approved as submitted;</p> <p>b) the document requires changes to be incorporated before it can be approved; or</p> <p>c) the document must be processed as an amendment.</p>	<p>If the Board determines that the draft document requires changes, the LO will inform the Licensee of the changes required, and provide a date for submission of the revised document.</p> <p>If the Board determines that the document contains significant changes to the use of water, deposit of waste, or protection of water, the Board can direct the Licensee to submit the plan as an amendment, or the Board will initiate an amendment.</p>
6	<p>a) In the case of 5a), the licensee submits the approved document (with "draft" references removed). The final document and Reasons for Decision are uploaded to Waterline, and the parties and Inspections are informed.</p> <p>b) In the case of 5b), The Licensee will be informed of the changes that are required to be incorporated into the document, and a deadline for the revised</p>	<p>The Reasons for Decision will state that the document has been approved. The original submission and comments are placed on file, and the final document and reasons are available on Waterline.</p> <p>If a party feels that the approved document is still significantly deficient the party can submit a 3<sup>rd</sup> party application for amendment.</p>

	<p>document to be submitted. When the revised document is submitted, the Board will either:</p> <ul style="list-style-type: none"> <li>• approve it and proceed as in 6a); or</li> <li>• issue Reasons for Decision for not approving the document.</li> </ul> <p>c) In the case of 5c), if the licensee does not submit an application for amendment, the Board initiates an amendment of the licence for the plan submission.</p>	<p>If the revised document is not approved, the Reasons for Decision will be uploaded to Waterline with the most recently submitted document, and GY will be informed of the decision separately in addition to the automatic notification to all parties by Waterline.</p>
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These procedures were approved by the Yukon Water Board on February 4, 2016.

  
 Lorelee Johnstone, Chairperson

April 6, 2016  
 Date

# Workflow for "Review and Approval" Procedure

