



GWICH'IN LAND AND WATER BOARD

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Reason for Decision

Issued pursuant to paragraph 40(2)(c) of the *Mackenzie Valley Land Use Regulations* (MVLUR)

File Number:	G13H004	Type:	"A" Land Use Permit - Extension
Applicant:	GNWT Department of Infrastructure		
Activity:	Fuel Storage and Operation of Jams Creek Highway Maintenance Camp		
Board Meeting:	September 14, 2018		

BACKGROUND

On August 12, 2013 the Gwich'in Land and Water Board issued Land Use Permit G13H004 to the Government of the Northwest Territories Department of Transportation (now GNWT Department of Infrastructure (INF)) for the purpose of fuel storage and the operation of a highway maintenance camp at km 14, Dempster Highway #8. G13H004 replaced permits G06H008 and G99H005, each of which had been issued for camp and fuel storage operations at this location.

On July 31, 2018, GNWT INF submitted a request to extend Land Use Permit G13H004 for a period of two years. The reason for this extension was to continue operations of the existing camp and fuel storage area.

DECISION

After reviewing the evidence and submissions of the Applicant, the Inspector comments and submissions received by the Board, and the Staff Report prepared for the Board, the Board, having due regard to the facts, circumstances, the merits of the submissions made to it, and to the purpose, scope, and intent of the MVRMA and Regulations made thereunder, has determined that Land Use Permit G13H004 may be extended for an additional term of two years, subject to the term and conditions contained therein. The new expiration date is August 11, 2020.

The Board's reasons for this decision are as follows:

Subsection 26(6) of the Mackenzie Valley Land Use Regulations (MVLUR) states that the Board may extend the term of a permit for an additional period not exceeding two years, upon written request from the permittee prior to the expiration of the permit. Because the Permit was not set to expire until August 11, 2018, the Applicant's request was determined compliant with the MVLUR, and was considered by

the Board without requiring a new application. However, the Applicant was advised that no work was to take place on location after August 11, 2018, until such a time as a new permit was issued by the Board.

CONCLUSION

Land Use Permit G13H004 contains provisions that the Board feels necessary to ensure and monitor compliance with the MVRMA and the Regulations made thereunder and to provide appropriate safeguards in respect of the Applicant's use of the land affected by the Permit. The Board will provide additional referenced material or documents if requested in writing to do so.

SIGNATURE



Elizabeth Wright
Chair, Gwich'in Land and Water Board

September 14, 2018

Date