



March 17, 2016

MV2013J0006

Mr. Gary Jaeb
General Manager
True North Safaris Ltd.
Box 26, 132 Enterprise Drive
YELLOWKNIFE NT X1A 2N1

Email: gary@truenorthsafaris.com

Dear Mr. Jaeb:

Re: Request to store/stage, on a temporary basis, empty fuel tanks at Mackay Lake Lodge

Thank you for your March 11, 2016 letter requesting clarification on the regulatory process that would apply to store/stage empty fuel tanks on a temporary basis at the Mackay Lake Lodge. The background you provided is helpful in understanding the request.

After review of the pertinent legislation, your existing land use permit, and the information that supports your existing land use permit (the application, the preliminary screening, and the reasons for decision), the Board offers the following clarification on the regulatory process that applies to your request.

If the activity you wish to conduct is to support your existing land use operation, for which you have a land use permit, the proposed activity is something different than what was contemplated in your original application. In order to include the proposed activity in your existing permit, an amendment application is required as per subsection 26(2) of the Mackenzie Valley Land Use Regulations (MVLUR). The amended activities may be subject to preliminary screening, and may result in an adjustment to your security requirements.

If the activity you wish to conduct is not connected to your existing land use permit (i.e. does not support the activities that were considered in your application, preliminary screening, or land use permit scope), then True North Safaris Ltd. must seek permission from the land owner to store/stage these tanks. The Board does not have the authority to grant *permission* for land use, rather, the Board regulates the use of lands, primarily through conditions contained in land use permits.

Please note that this clarification only considers the temporary storage of *clean and empty* fuel tanks. It is important to clarify that the use of a single container for the storage of petroleum fuel that has a capacity equal to or exceeding 4,000L requires a permit. It is the permittee's responsibility to ensure that unless otherwise authorized by a permit, after completing a land-use operation, a permittee shall restore the permit area to substantially the same condition as it was prior to the commencement of the operation as per section 15 of the MVLUR. Furthermore, should any direct or indirect deposit of waste occur, a water licence may be required (see section 4 of the *Waters Act* for more information).

If you have any questions, please contact Miki Ehrlich at (867) 766-7469 or via email at mehrlich@mvlwb.com.

Sincerely,

A handwritten signature in black ink, appearing to read "F. M. Adlem", with a stylized flourish at the end.

Floyd Adlem
MVLWB, A/Chair

Copied to:

Annette Hopkins, Assistant Deputy Minister, Operations – Lands, GNWT
Scott Stewart, Regional Superintendent – Lands, GNWT