

Mackenzie Valley Land and Water Board  
 7th Floor - 4910 50th Avenue  
 P.O. Box 2130  
 YELLOWKNIFE NT X1A 2P6  
 Phone (867) 669-0506  
 FAX (867) 873-6610

FILE NUMBER MV2013L0015

Date: October 11, 2013

To: Ms. Shannon Gibson

Organization: NorthwesTel Inc.

Email: sgibson@nwtel.ca

Copied to: Distribution List

From: Amanda for Willard Hagen, Chair

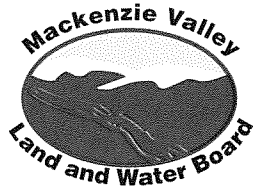
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**Remarks:**

- Enclosures
- For your information
- For your comment
- For your action
- For your approval

<u>Delivered by</u>	<u>Date</u>
<input type="checkbox"/> Mail	_____
<input checked="" type="checkbox"/> Email/Fax	<u>Oct. 11/13</u>
<input type="checkbox"/> Hand Delivered	_____
Sent by:	<u>AG</u>

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**Mackenzie Valley Land and Water Board**

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October 10, 2013

File: MV2013L0015

Ms. Shannon Gibson  
Property Management Assistant  
Northwestel Inc.  
Box 2727  
WHITEHORSE YT Y1A 4Y4

Email: [sgibson@nwtel.ca](mailto:sgibson@nwtel.ca)

Dear Ms. Gibson:

**Issuance of Type A Land Use Permit  
Communication Sites - Paterson, Brown, Mackay and Courageous Lakes**

Attached is Land Use Permit MV2013L0015 granted by the Mackenzie Valley Land and Water Board (MVLWB) in accordance with the *Mackenzie Valley Resource Management Act*. The MVLWB has approved this Permit for a period of 5 years commencing October 10, 2013 and expiring October 9, 2018.

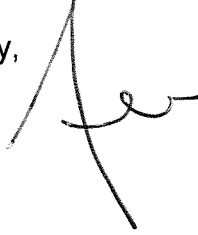
Please read all conditions carefully making particular note of Land Use Permit condition 16 regarding the posting of a security deposit. Pursuant to section 32 of the Mackenzie Valley Land Use Regulations, this deposit, **payable to the Receiver General for Canada** in the amount of \$40,000.00, shall be posted with Aboriginal Affairs and Northern Development Canada, #16 Yellowknife Airport, Yellowknife, NT, X1A 3T2. Attention: District Manager. Please copy to the MVLWB office prior to the start of your operation.

A copy of all related correspondence and documents has been filed on the Public Registry at the office of the MVLWB. Please be advised that this letter, its attached procedures, inspection reports, and related correspondence is part of the Public Registry and is intended to keep all interested parties informed of the manner in which the Permit's requirements are being met. All Public Registry material will be considered if an amendment to the Permit is requested.

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The full cooperation of NorthwesTel Inc. is anticipated and appreciated. If you have any questions or concerns, please contact Angela Love at (867) 766-7456 or email [angela.love@mvlwb.com](mailto:angela.love@mvlwb.com).

Yours sincerely,

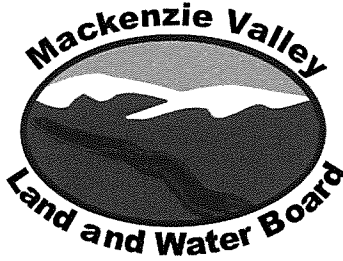
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Willard Hagen  
Chair

Copied to: Distribution List

Attachments:

**Land Use Permit**



Permit Class	Permit No	Amendment No
A	MV2013L0015	

Subject to the Mackenzie Valley Land Use Regulations and the terms and conditions in this Permit, authority is hereby granted to:

NorthwestTel Inc.

Permittee

to proceed with the land use operation described in the Application of:

Signature Ms. Shannon Gibson	Date July 9, 2013
Type of Land Use Operation Communication Sites	
Location Paterson Lake Site 62°53'40.9" N, 113°01'31.3" W Brown Lake Site 63°25'57.7" N, 112°37'45.7" W Mackay Lake Site 63°47'28.5" N, 111°52'24.8" W Courageous Lake Site 64°14'35.1" N, 110°56'48.1" W	

This Permit may be assigned, extended, discontinued, suspended, or cancelled pursuant to the Mackenzie Valley Land Use Regulations.

Dated at Yellowknife this 10 day of October, 2013

Signature Chair

Signature Witness

Commencement Date

October 10, 2013

Expiry Date

October 9, 2018

**ATTENTION**

It is a condition of this Permit that the Permittee comply with the provisions of the *Mackenzie Valley Resource Management Act* and Regulations and the terms and conditions set out herein. A failure to comply may result in suspension or cancellation of this Permit.

## Conditions Annexed to and Forming Part of Land Use Permit # MV2013L0015

### Part A: Scope of Permit

1. This permit entitles NorthwesTel Inc. to conduct the following activities:  
Construct four (4) microwave repeater stations and store fuel at the following locations:
  - Paterson Lake Site (62°53'40.9" N, 113°01'31.3" W)
  - Brown Lake Site (63°25'57.7" N, 112°37'45.7" W)
  - Mackay Lake Site (63°47'28.5" N, 111°52'24.8" W)
  - Courageous Lake Site (64°14'35.1" N, 110°56'48.1" W)
2. This Permit is issued subject to the conditions contained herein with respect to the use of land for the activities and area identified in Part A, item 1 of this Permit.
3. Compliance with the terms and conditions of this Permit does not absolve the Permittee from the responsibility for compliance with the requirements of all applicable federal, territorial, and municipal legislation.

### Part B: Definitions

**Act** – the *Mackenzie Valley Resource Management Act*.

**Board** – the Mackenzie Valley Land and Water Board established under Part 4 of the *Mackenzie Valley Resource Management Act*.

**Fuel Storage Container** – a container for the storage of *petroleum* or *allied petroleum products* with a capacity of less than 230 litres.

**Fuel Storage Tank** – a closed container for the storage of *petroleum* or *allied petroleum products* with a capacity of more than 230 litres.

**Inspector** – an Inspector designated by the Minister under the *Mackenzie Valley Resource Management Act*.

**Ordinary High Water Mark** – the usual or average level to which a body of water rises at its highest point and remains for sufficient time so as to change the characteristics of the land. In flowing waters (rivers, streams) this refers to the "active channel/bank-full level" which is often the 1:2 year flood flow return level. In inland lakes, wetlands, or marine environments, it refers to those parts of the Watercourse bed and banks that are frequently flooded by water so as to leave a mark on the land and where the natural vegetation changes from predominately aquatic vegetation to terrestrial vegetation (excepting water tolerant species). For reservoirs, this refers to normal high operating levels (full supply level).

**Spill Contingency Plan** – a document, developed in accordance with Aboriginal Affairs and Northern Development Canada’s *Guidelines for Spill Contingency Planning* (April 2007), that describes the set of procedures to be implemented to minimize the effects of a spill.

**Watercourse** – a natural body of flowing or standing water or an area occupied by water during part of the year, and includes streams, springs, swamps and gulches but does not include groundwater.

**Part C: Conditions Applying to All Activities**

**26(1)(a) Location and Area**

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| 1. | The Permittee shall not conduct this land-use operation on any lands not designated in the accepted application. | <b>Location of Activities</b> |
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**26(1)(b) Time**

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| 2. | At least 48 hours prior to the commencement of this land-use operation, the Permittee's Field Supervisor shall contact an Inspector at (867) 669-2794. | <b>Contact Inspector</b> |
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| 3. | At least 48 hours prior to commencement of this land-use operation, the Permittee shall provide the following information, in writing, to the Board <u>and</u> an Inspector:<br>a) the name(s) of the person(s) in charge of the field operation;<br>b) alternates; and<br>c) all methods for contacting the above person(s). | <b>Identify Agent</b> |
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| 4. | At least ten days prior to the completion of the land-use operation, the Permittee shall advise an Inspector of:<br>a) the plan for removal or storage of equipment and materials; and<br>b) when final cleanup and reclamation of the land used will be completed. | <b>Reports Before Removal</b> |
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**26(1)(c) Type and Size of Equipment**

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| 5. | The Permittee shall not use any equipment except of a similar type, size, and number to that listed in the accepted application. | <b>Only Approved Equipment</b> |
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**26(1)(d) Methods and Techniques**

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**26(1)(e) Type, Location, Capacity, and Operation of All Facilities**

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| 6. | The Permittee shall ensure that the land use area is kept clean at all times. | <b>Clean Work Area</b> |
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**26(1)(f) Control or Prevention of Ponding of Water, Flooding, Erosion, Slides, and Subsidence of Land**

7. The land-use operation shall not cause obstruction to any natural drainage. **Natural Drainage**

**26(1)(g) Use, Storage, Handling, and Ultimate Disposal of Any Chemical or Toxic Material**

8. The Permittee shall maintain a record of all spills. For all reportable spills, as defined in the *NT-NU Spill Report Form*, the Permittee shall: **Report Spills**

- a) immediately report each spill to the 24-hour Spill Report Line (867) 920-8130;
- b) report each spill to an Inspector within 24 hours; and
- c) submit, to the Board and an Inspector, a detailed report on each spill within 30 days.

9. The Permittee shall dispose of all combustible waste petroleum products by removal to an approved disposal facility. **Waste Petroleum Disposal**

**26(1)(h) Wildlife and Fish Habitat**

10. The Permittee shall take all reasonable measures to prevent damage to wildlife and fish Habitat during this land-use operation. **Habitat Damage**

**26(1)(i) Storage, Handling, and Disposal of Refuse or Sewage**

11. The Permittee shall keep all garbage and debris in a secure container until disposal. **Garbage Container**

12. The Permittee shall remove all garbage, waste, and debris to a licenced disposal facility, unless otherwise authorized in writing by an Inspector. **Remove Garbage**

**26(1)(j) Protection of Historical, Archaeological, and Burial Sites**

13. The Permittee shall not operate any vehicle or equipment within 30m metres of a known or suspected historical or archaeological site or burial ground. **Archaeological Buffer**

14. The Permittee shall not knowingly remove, disturb, or displace any archaeological specimen or site. **Site Disturbance**

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| 15. | The Permittee shall, where a suspected archaeological or historical site, or burial ground is discovered:  | <b>Site Discovery and Notification</b> |
|     | <ul style="list-style-type: none"> <li>a) immediately suspend operations on the site; and</li> <li>b) notify the Board at (867) 669-0506 or an Inspector at (867) 669-2794, and the Prince of Wales Northern Heritage Centre at (867) 920-6182 or 873-7688.</li> </ul> |  |

**26(1)(k) Objects and Places of Recreational, Scenic, and Ecological Value**

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**26(1)(l) Security Deposit**

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| 16. | Prior to commencement of the land-use operation, the Permittee shall deposit with the Minister a security deposit in the amount of \$40,000.00. | <b>Security Deposit</b> |
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| 17. | All costs to remediate the area under this Permit are the responsibility of the Permittee. | <b>Responsibility for Remediation Costs</b> |
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**26(1)(m) Fuel Storage**

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| 18. | The Permittee shall ensure that all Fuel Storage Tanks with a capacity exceeding 4,000 litres are double-walled tanks. | <b>Double-walled Tanks</b> |
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| 19. | The Permittee shall not place any Fuel Storage Containers or tanks within 100 metres of the Ordinary High Water Mark of any Watercourse, unless otherwise authorized in writing by an Inspector. | <b>Fuel Near Water</b> |
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| 20. | The Permittee shall set up all refueling points with secondary containment. | <b>Secondary Containment – Refueling</b> |
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| 21. | The Permittee shall not allow petroleum products to spread to surrounding lands or Watercourses. | <b>Fuel Containment</b> |
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| 22. | The Permittee shall mark all Fuel Storage Containers and tanks with the Permittee's name. | <b>Mark Containers</b> |
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| 23. | The Permittee shall adhere to the approved Spill Contingency Plan and shall annually review the plan and make any necessary revisions to reflect changes in operations, technology, chemicals, or fuels, or as directed by the Board. Revisions to the plan shall be submitted to the Board for approval. | <b>Spill Contingency Plan</b> |
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| 24. | Prior to commencement of operations, the Permittee shall ensure that spill-response equipment is in place to respond to any potential spills. | <b>Spill Response</b> |
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25. The Permittee shall clean up all leaks, spills, and contaminated material. **Clean Up Spills**

**26(1)(n) Methods and Techniques for Debris and Brush Disposal**

26. The Permittee shall progressively dispose of all brush and trees and shall complete all brush disposal; all disposal shall be completed prior to the expiry date of this permit. **Brush Disposal/ Time**

**26(1)(o) Restoration of the Lands**

27. Prior to the expiry date of this Permit, the Permittee shall complete all cleanup and restoration of the lands used. **Final Cleanup and Restoration**

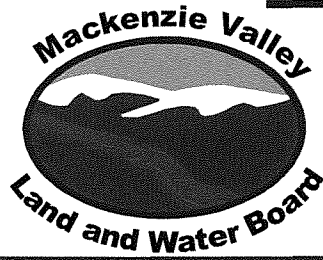
28. The Permittee shall carry out progressive reclamation of disturbed areas as soon as it is practical to do so. **Progressive Reclamation**

**26(1)(p) Display of Permits and Permit Numbers**

29. The Permittee shall keep a copy of this permit on hand at all times during this land-use operation. **Copy of Permit**

**26(1)(q) Biological and Physical Protection of the Land**

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## Reasons for Decision

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

Land Use Permit Application	
Preliminary Screener	MVLWB
Reference/File Number	MV2013L0015
Applicant	NorthwesTel Inc.
Project	Communications Sites

### Decision from Mackenzie Valley Land and Water Board Meeting of

October 10, 2013

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With respect to this Application, notice was given in accordance with sections 63 and 64 of the MVRMA. There was *no* public hearing held in association with this Application.

#### Decision

The Board is satisfied that:

- the development was screened by the MVLWB on August 11, 2006 pursuant to subsection 124(1) of the MVRMA and has therefore been exempt from screening pursuant to Part 1(2) of Schedule 1 (Section 2) of the Exemption List Regulations;
- any potential adverse environmental effects are insignificant or mitigable with known technology; and
- there is no likelihood that the proposed development might be a cause of public concern.

After reviewing the submissions of the Applicant, the written comments received by the Board and the Staff Report prepared for the Board, the Board, having due regard to the facts and 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 MV2013L0015 be issued subject to the terms and conditions contained therein.

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

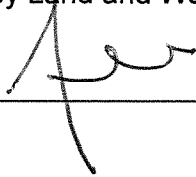
- The Board is satisfied that appropriate consultation has been conducted and that advice has been sought and considered, in accordance with sections 63 and 64 of the MVRMA.
- It is the opinion of the Board that the terms and conditions attached to MV2013L0015, pursuant to the MVRMA, will ensure that any potential environmental impacts resulting from this development are not significant.
- The use of land proposed by the Applicant is of a nature contemplated by the MVRMA.
- The Board has notified the Applicant, through a statement included in the scope of this Permit, that compliance with the terms and conditions of this Permit has no effect on the Permittee's responsibility for compliance with the requirements of any other legislation.
- The operation will likely contribute to the socio-economic well-being and economic development of the region.

Land Use Permit MV2013L0015 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.

SIGNATURE

Mackenzie Valley Land and Water Board

\_\_\_\_\_  
Chair

A handwritten signature in black ink, appearing to be 'A. W.', written over a horizontal line.

October 10, 2013

\_\_\_\_\_  
Date

**AKAITCHO REGION DISTRIBUTION LIST**

Organization	Contact Name	Contact Position/Title	Email/Fax
Akaitcho Screening Board	Stephanie Poole	Screening Officer	<a href="mailto:screeningofficer@eastarm.com">screeningofficer@eastarm.com</a> ;
Akaitcho Screening Board	Vacant	IMA Implementation Officer	
City of Yellowknife	Mark Heyck, c/o Judy Brennan	Mayor, c/o Executive Secretary	<a href="mailto:jbrennan@yellowknife.ca">jbrennan@yellowknife.ca</a> ;
City of Yellowknife	Robert Long	City Administrator	<a href="mailto:rlong@yellowknife.ca">rlong@yellowknife.ca</a> ;
Dene Nation	Lee Mandeville	Lands Program Coordinator	<a href="mailto:lmandeville@denenation.com">lmandeville@denenation.com</a> ;
Dene Nation	Camillia-Zoe Chocolate	Director of Lands and Environment Secretariat	<a href="mailto:czoechoocolate@denenation.com">czoechoocolate@denenation.com</a> ;
Deninoo Community Council	Carol Collins	Lands Officer	<a href="mailto:Carolc.lands@gmail.com">Carolc.lands@gmail.com</a> ;
Deninu K'ue First Nation	Emile Bjornson	IMA Coordinator	<a href="mailto:ima_dkfn@northwestel.net">ima_dkfn@northwestel.net</a> ;
Deninu K'ue First Nation	Chief Louis Balsillie	Chief	<a href="mailto:admin_dkfn@northwestel.net">admin_dkfn@northwestel.net</a> ;
DFO	Regional Triage Group	Habitat Biologist	<a href="mailto:fisheriesprotection@dfo-mpo.gc.ca">fisheriesprotection@dfo-mpo.gc.ca</a> ;
Enterprise Settlement Corporation	Mike St. Amour	Mayor	<a href="mailto:sao@enterprise-nt.ca">sao@enterprise-nt.ca</a> ;
Environment Canada	Not applicable	Central email	<a href="mailto:ec.ea.nwt@ec.gc.ca">ec.ea.nwt@ec.gc.ca</a> ;
Fort Resolution Métis Council	Gary Bailey	President	<a href="mailto:Frmc53@yahoo.ca">Frmc53@yahoo.ca</a> ;
Hamlet of Fort Resolution	Carol Collins	Lands Officer	<a href="mailto:Carolc.lands@gmail.com">Carolc.lands@gmail.com</a> ;
Fort Resolution Métis Council	Kara King	President	<a href="mailto:fmrc@northwestel.net">fmrc@northwestel.net</a> ;
Fort Resolution Métis Council	Trudy King	Member	<a href="mailto:fieldworker.frmc53@northwestel.net">fieldworker.frmc53@northwestel.net</a> ;
Fort Smith Métis Council	Ken Hudson	President	<a href="mailto:fortsmithmetiscouncil@northwestel.net">fortsmithmetiscouncil@northwestel.net</a> ;
Fort Smith Métis Council			
Fort Resolution Métis Council	Trudy King		(867)394-3322;
GNWT	Not applicable	Central email	<a href="mailto:Gnwt_ea@gov.nt.ca">Gnwt_ea@gov.nt.ca</a> ;
GNWT – DOT	Rhonda Batchelor	Environmental Affairs Analyst	<a href="mailto:Rhonda_Batchelor@gov.nt.ca">Rhonda_Batchelor@gov.nt.ca</a> ;
GNWT – ENR	Patrick Clancy	Environmental Regulatory Analyst	<a href="mailto:Patrick_Clancy@gov.nt.ca">Patrick_Clancy@gov.nt.ca</a> ;
GNWT – ENR	Sean Whitaker	Industrial Specialist - Mining	<a href="mailto:Sean_Whitaker@gov.nt.ca">Sean_Whitaker@gov.nt.ca</a> ;
GNWT – HEALTH	Duane Fleming	Chief Environmental Health Officer	<a href="mailto:Duane_Fleming@gov.nt.ca">Duane_Fleming@gov.nt.ca</a> ;
GNWT – HEALTH	Doug Carr	Environmental Health officer	<a href="mailto:doug_carr@gov.nt.ca">doug_carr@gov.nt.ca</a> ;
GNWT – HEALTH	Jeremy Roberts	Environmental Health officer	<a href="mailto:Jeremy_roberts@gov.nt.ca">Jeremy_roberts@gov.nt.ca</a> ;
GNWT – HEALTH	Steven Shen	Environmental Health officer	<a href="mailto:Steven_shen@gov.nt.ca">Steven_shen@gov.nt.ca</a> ;

Organization	Contact Name	Contact Position/Title	Email/Fax
GNWT – HEALTH	Tim Hibbs	Environmental Health officer	<a href="mailto:Tim_hibbs@gov.nt.ca">Tim_hibbs@gov.nt.ca</a> ;
GNWT – ITI	Amy Lizotte	Senior Analyst	<a href="mailto:Amy_Lizotte@gov.nt.ca">Amy_Lizotte@gov.nt.ca</a> ;
GNWT – ITI	Russell Teed	Mineral and Petroleum Development Impact Analyst	<a href="mailto:Russell_Teed@gov.nt.ca">Russell_Teed@gov.nt.ca</a> ;
GNWT – ITI	Peter Fast	Land and Environmental Assessment Specialist	<a href="mailto:Peter_fast@gov.nt.ca">Peter_fast@gov.nt.ca</a> ;
GNWT – MACA	Emerald Murphy	Director – Lands Administration	<a href="mailto:Emerald_Murphy@gov.nt.ca">Emerald_Murphy@gov.nt.ca</a> ;
GNWT – MACA	Mark Davy	Senior Environmental Planner	<a href="mailto:Mark_Davy@gov.nt.ca">Mark_Davy@gov.nt.ca</a> ;
GNWT – PWNHC	Glen Mackay	Assessment Archaeologist	<a href="mailto:Glen_Mackay@gov.nt.ca">Glen_Mackay@gov.nt.ca</a> ;
Hay River Métis Government Council	George Lafferty		<a href="mailto:hrmc@northwestel.net">hrmc@northwestel.net</a> ;
Hay River Metis Council	Wally Shuman	President	(867)874-4472; <a href="mailto:hrmc@northwestel.net">hrmc@northwestel.net</a> ;
AANDC – Intergovernmental Affairs	Not applicable	Central email	<a href="mailto:intergov@aandc.gc.ca">intergov@aandc.gc.ca</a> ;
AANDC – Mineral & Petroleum Resources Directorate			<a href="mailto:MDD@aandc.gc.ca">MDD@aandc.gc.ca</a> ; <a href="mailto:PDD@aandc.gc.ca">PDD@aandc.gc.ca</a> ;
AANDC – Aboriginal and Territorial Relations	Not applicable	Central email	<a href="mailto:consultationsupportunit@aandc.gc.ca">consultationsupportunit@aandc.gc.ca</a> ;
AANDC – Environment and Conservation	Julian Kanigan	A/Head, Environmental Assessment and Agreement	<a href="mailto:Julian.Kanigan@aandc.gc.ca">Julian.Kanigan@aandc.gc.ca</a> ;
AANDC – Environment and Conservation	Laurie McGregor	Environmental Scientist	<a href="mailto:Laurie.McGregor@aandc.gc.ca">Laurie.McGregor@aandc.gc.ca</a> ;
AANDC – South Mackenzie District Office	Scott Stewart – Email only	District Manager	<a href="mailto:Scott.Stewart@aandc.gc.ca">Scott.Stewart@aandc.gc.ca</a> ;
AANDC – South Mackenzie District Office	Clint Ambrose	Resource Management Officer	<a href="mailto:Clint.ambrose@aandc.gc.ca">Clint.ambrose@aandc.gc.ca</a> ;
AANDC – South Mackenzie District Office	Charlene Coe – Email only	Land Use Administrator	<a href="mailto:Charlene.Coe@aandc.gc.ca">Charlene.Coe@aandc.gc.ca</a> ;
AANDC- RSA Section	Nathen Richea	A/Head	<a href="mailto:Nathen.Richea@aandc.gc.ca">Nathen.Richea@aandc.gc.ca</a> ;
AANDC	Not applicable		<a href="mailto:CAU-UCA@aandc.gc.ca">CAU-UCA@aandc.gc.ca</a> ;
Katlodeeche First Nation	Roy Fabian c/o Victoria St. Jean	Chief c/o Lands and Resources Manager	<a href="mailto:landsnresources@katlodeeche.com">landsnresources@katlodeeche.com</a> ;
Lutselk'e Dene First Nation	Dora Enzoë	Chief	<a href="mailto:Chief.lkdfn@gmail.com">Chief.lkdfn@gmail.com</a> ;
LKDFN	Mike Tollis	Wildlife, Lands and Environment Manager	<a href="mailto:lkdfnlands@gmail.com">lkdfnlands@gmail.com</a> ;
Manitoba Denesuline c/o Symbion Consultants	Wayne Wysocki		<a href="mailto:ww.symbion@shawbiz.ca">ww.symbion@shawbiz.ca</a> ;
MVEIRB	Vern Christensen	Executive Director	<a href="mailto:vchristensen@reviewboard.ca">vchristensen@reviewboard.ca</a> ;
MVEIRB		Environmental Assessment Officer	<a href="mailto:preliminaryscreening@reviewboard.ca">preliminaryscreening@reviewboard.ca</a> ;
MVLWB Public Registry	Not applicable	Registry Clerk	<a href="mailto:permits@mvllwb.com">permits@mvllwb.com</a> ;
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