



**Mackenzie Valley Land and Water Board**  
**7th Floor - 4922 48th Street**  
**P.O. Box 2130**  
**YELLOWKNIFE NT X1A 2P6**  
**Phone (867) 669-0506**  
**FAX (867) 873-6610**

**Staff Report**

<b>Applicant:</b> Procore Drilling Ltd.	
<b>Location:</b> NWT Hwy #5, KM 34.1	<b>File Number:</b> MV2013Q0017
<b>Date Prepared:</b> July 30, 2019	<b>Date of Board Meeting:</b> August 8, 2019
<b>Subject:</b> Permit Extension Request	

**1. Purpose**

The purpose of this Report is to present to the Mackenzie Valley Land and Water Board (MVLWB/the Board) a request to extend the term of Land Use Permit (Permit) MV2013Q0017 for an additional two years submitted by Procore Drilling Ltd. (Procore).

**2. Background**

- May 22, 2014 – Issuance of Permit MV2013Q0017;
- January 9, 2019 – Extension Request received;
- January – May, 2019 – Emails and phone calls with Procore regarding engagement requirements;
- April 24, 2019 – Incomplete letter sent to Procore;
- May 21, 2019 – Permit expiry;
- May 28, 2019 – Response to Incomplete Letter (engagement log) received;
- May 30, 2019 – Engagement deemed inadequate by Board staff;
- June 20, 2019 – Updated Engagement Log received;
- June 24, 2019 – Extension Request deemed complete and distributed for review;
- July 9, 2019 – Review comments due and received;
- July 16, 2019 – Proponent responses due;
- **August 8, 2019 – Extension Request presented to the Board for decision.**

**3. Discussion**

Description of Extension Request

Procore has requested a two-year extension to the Permit in accordance with Subsection 26 (6) of the Mackenzie Valley Land Use Regulations (MVLUR), to continue Quarrying operations. Procore noted that their Quarry Permit (2017QP0025) remains valid and expires on August 31, 2020. No changes to operations under the existing Permit are proposed in the Request. Board staff have confirmed with the Government of the Northwest Territories Corporate Registries that Procore is a registered business in good standing.

### Engagement

Board staff worked extensively with the proponent to assist in understanding and meeting the Board's engagement requirements. Ultimately, an Engagement Record was provided which Board staff determined met the requirements of the Board's Engagement and Consultation Policy. Procore noted they engaged with the following parties:

- Deninu Kue First Nation;
- Fort Resolution Metis Council;
- Hay River Metis Council;
- Katlodeeche First Nation;
- Northwest Territory Metis Nation;
- Salt River First Nation; and
- Fort Smith Metis Council.

No concerns were raised by the above-noted parties during engagement by the proponent, or during review of the Request.

### Eligibility

As noted above, Procore holds Quarry Permit 2017QP0025, and is therefore eligible for a permit as per subsection 18(a)(i) of the Mackenzie Valley Land Use Regulations:

*18) A person is eligible for a permit who*

*(a) Where the proposed land-use operation is in the exercise of a right to search for, win or exploit minerals or natural resources,*

*(i) holds the right*

### Type of Area

This Project is located in a non-federal area.

## **4. Comments**

The Board will note the Permit expired on May 21, 2019. Since the Extension Request was received prior to the expiration of the Permit, the Board can consider the two-year Extension Request as per subsection 26 (6) of the MVLUR:

26 (6) On receipt of a written request from a permittee, prior to the expiration of the permit, for an extension of the term of the permit, the Board may extend the term of the permit for an additional period not exceeding two years, subject to any conditions referred to in subsection (1).

## **5. Public Review**

By July 9, 2019 comments on the Request were received from 1 reviewer:

- Government of the Northwest Territories – Environment and Natural Resources (GNWT-ENR).

GNWT-ENR noted they had no comments or recommendations. As such, no response was required or received from the Proponent.

## Draft Permit

The Board does not make changes to Permit conditions when considering extension requests. As such, the draft Permit contains the original Permit conditions.

### **6. Security**

The status of security for this Project will not be affected by the Board's decision related to the Extension Request. Security is not required by the Permit.

### **7. Conclusion**

Board staff conclude there are no outstanding issues or concerns with this Request.

### **8. Recommendation**

Board staff recommend the Board **make a motion to approve the extension to term of Land Use Permit MV2013Q0017** for an additional two years.

A draft decision letter is attached.

### **9. Attachments**

- [Extension Request](#)
  - [January-May Emails Between Board Staff and Procore](#)
  - [April 24, 2019 Incomplete Letter](#)
  - [May 28, 2019 Engagement Log \(inadequate\)](#)
  - [May 30, 2019 Board Staff Email Regarding Engagement](#)
  - [June 20, 2019 Engagement Log \(adequate\)](#)
  - [Quarry Permit 2017QP0025](#)
- Review Summary and Attachments
- Draft Land Use Permit Cover Page
- Draft Land Use Permit Conditions
- Draft Decision Letter from the Board

Respectfully submitted,



Julian Morse  
Regulatory Specialist

### Review Comment Table

<b>Board:</b>	MVLWB
<b>Review Item:</b>	Procore Drilling Ltd. - Extension Request (MV2013Q0017)
<b>File(s):</b>	<a href="#">MV2013Q0017</a>
<b>Proponent:</b>	ProCore Drilling Ltd.
<b>Document(s):</b>	<a href="#">MV2013Q0017 - Procore - Extension Request - Jan9 19</a> (15.16KB) <a href="#">MV2013Q0017 - Procore - Revised Engagement Log - Jun20 19</a> (1.59MB)
<b>Item For Review Distributed On:</b>	June 24 at 16:59 <a href="#">Distribution List</a>
<b>Reviewer Comments Due By:</b>	July 9, 2019
<b>Proponent Responses Due By:</b>	July 16, 2019
<b>Item Description:</b>	<p>Procore Drilling Ltd. (Procore) has submitted a request to extend Land Use Permit (Permit) MV2013Q0017 for a term of two years. Procore is requesting to continue operating under their existing Permit . No new activities have been requested.</p> <p>Reviewers are invited to submit comments and recommendations using the Online Review System (ORS) by the review comment deadline specified below. If reviewers seek clarification on the submission, they are encouraged to correspond directly with the Permittee prior to submitting comments and recommendations.</p> <p>Please provide comments and recommendations on the documents linked below. Reviewers may also wish to consider providing an overarching recommendation regarding whether they are in support of the submission, to provide context for comments and recommendations and to assist the Board with its decision.</p> <p>All documents that have been uploaded to this review are also available on our public Registry. If you have any questions or comments about the ORS or this review, please contact Board staff identified below.</p>
<b>General Reviewer Information:</b>	<p>This review item has also been distributed by fax to the following organizations:</p> <p>Fort Simpson Métis Local #52 Marie Lafferty President (867)695-2040;</p> <p>Northwest Territory Métis Nation Garry Bailey c/o Tim Heron NWTMN IMA Coordinator (867)872-3586; rcc.nwtmn@northwestel.net;</p>
<b>Contact Information:</b>	<p>Jen Potten 867-766-7468</p> <p>Julian Morse 867-766-7453</p>

### Comment Summary

GNWT - ENR: Central Email GNWT				
ID	Topic	Reviewer Comment/Recommendation	Proponent Response	Board Staff Analysis
1	General File	<p><b>Comment</b> <a href="#">(doc)</a> ENR Letter - No Comments or Recommendations at this Time</p> <p><b>Recommendation</b></p>		N/A



July 8, 2019

Jen Potten  
Regulatory Officer  
Mackenzie Valley Land and Water Board  
7<sup>th</sup> Floor – 4910 50<sup>th</sup> Avenue  
P.O. Box 2130  
Yellowknife, NT  
X1A 2P6

Dear Ms. Potten,

**Re: Procore Drilling Ltd.  
Land Use Permit – MV2013Q0017  
Land Use Permit Extension Request  
Request for Comments**

The Department of Environment and Natural Resources (ENR), Government of the Northwest Territories has reviewed the extension request at reference based on its mandated responsibilities under the *Environmental Protection Act*, the *Forest Management Act*, the *Forest Protection Act*, the *Species at Risk (NWT) Act*, the *Waters Act* and the *Wildlife Act* and has no comments or recommendations for the consideration of the Board at this time.

Should you have any questions or concerns, please do not hesitate to contact Patrick Clancy, Environmental Regulatory Analyst at (867) 767-9233 Ext: 53096 or email [patrick.clancy@gov.nt.ca](mailto:patrick.clancy@gov.nt.ca).

Sincerely,

Patrick Clancy  
Environmental Regulatory Analyst  
Environmental Assessment and Monitoring Section  
Environmental Stewardship and Climate Change Division  
Department of Environment and Natural Resources  
Government of the Northwest Territories