



Mackenzie Valley Land and Water Board
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Staff Report

Applicant: Nahanni Construction Ltd.	
Location: Ekati Diamond Mine to NWT/NU Border	File Number: MV2018F0024
Date Prepared: February 25, 2019	Date of Board Meeting: February 28, 2019
Subject: New Land Use Permit Application	

1. Purpose

The purpose of this Report is to present to the Mackenzie Valley Land and Water Board (MVLWB/the Board):

- a) A new Land Use Permit (Permit) Application submitted by Nahanni Construction Ltd. (Nahanni);
- b) Seek transboundary determination;
- c) Consider the Preliminary Screening;
- d) Consider the Waste Management Plan;
- e) Consider the Spill Contingency Plan;
- f) Consider the Engagement Plan.

2. Background

- December 17, 2018 – Application received;
- December 27, 2018 – Application deemed incomplete;
- January 17, 2019 – Additional information submitted by Nahanni;
- January 25, 2019 – Application deemed complete and review commenced;
- February 14, 2019 – Reviewer comments and recommendations due and received;
- February 15, 2019 – Responses due and received; and
- **February 28, 2019 – Application presented to the Board for decision; and**
- March 7, 2019 end of the 42-day timeline.

3. Discussion

Project Description

Nahanni has submitted an application for a land use permit to construct a winter road from the Ekati Mine turnoff from Lac de Gras in the Northwest Territories to the Lupin Mine in Nunavut.

The program will extend from Lac de Gras to Lupin along the existing Tibbitt to Contwoyto Winter Road, traversing 95 km in the Northwest Territories and 118 km in Nunavut. Mobilization to construct and

operate this portion of the winter road will occur from the existing winter road constructed and operated by the Joint Venture Management Committee.

The construction of the winter road will commence in Nunavut and work towards the Ekati Mine turnoff. As available, crews may also start simultaneously at Lac de Gras and work towards the Nunavut NWT Border. Nahanni has submitted an application for road construction to the regulators in Nunavut.

Water will be taken from the lakes along the route to support the construction of the winter road as well as the use of the mobile camp. The amount of water that is anticipated to be used is below the trigger for a water licence under the Water Regulations.

Nahanni has been granted permission to transport waste back to the Lupin mine site in Nunavut (attached).

Nahanni has been in communication with the Joint Venture Management Committee relating to the use of the winter road from Yellowknife up to the Ekati Mine turnoff.

Management Plans

A Waste Management Plan and Spill Contingency Plan were included with the Application. Board staff suggest that these Plans meet applicable guidelines and sufficiently reflect the scope of the proposed activities.

Engagement

An Engagement Log and Engagement Plan were included in the Application. Nahanni noted they engaged with the following parties:

- Akaitcho Territory Government
- Deninu Kue First Nation
- CanNor
- Department of Fisheries and Oceans Canada
- Crown Indigenous Relations and Northern Affairs Canada
- Government of the Northwest Territories
- Kitikmeot Inuit Association
- Kugluktuk Hunters and Trappers Organization
- Land user
- Lutsel'Ke Dene First Nation
- Mackenzie Valley Land and Water Board
- Northwest Territories Metis Nation
- Nunavut Impact Review Board
- Nunavut Tunngavik Inc.
- Nunavut Water Board
- Tibbitt to Contowyo Joint Venture
- Tlicho Government
- Yellowknives Dene First Nation

Nahanni initiated engagement with the above noted organizations on November 13, 2018, which included a summary of the application as well as a history of the operation. Nahanni reached out to the organization again on various dates ranging from November 15, 2018 to January 15, 2019 to inquire if there were any comments or concerns. From January 17, 2019 to the submission date, Nahanni did not receive any further queries or feedback on the project.

During the engagement conducted by Nahanni, additional information and clarification was requested from the following:

- Joint Venture Management Committee (working together);
- Deninu Kue First Nation (employment opportunities, caribou protection, spill contingency);
- NWT Metis Nation (caribou protection);
- Kugluktuk Hunters and Trappers Organization (caribou protection);
- Contwoyto Lake resident (caribou protection); and
- GNWT – ENR (wildlife research).

No other organizations followed up with Nahanni through the period identified above.

Eligibility

Nahanni indicated that they were eligible as per as per subsection 18(b) of the MVLUR: "...has the right to occupy the land and either contracts to have the land-use operation carried out or is the person who is to carry out the operation."

Board staff followed up with GNWT-Lands on December 19, 2018 requesting clarification on the position of the GNWT relating to the eligibility of Nahanni Construction to obtain a permit and whether 18(b) of the Mackenzie Valley Land Use Regulations apply as Nahanni is the contractor to conduct the operation (attached).

On December 21, 2018, the Board received notification from Mandalay Resources that Nahanni has been chosen as the preferred bidder for the construction of the winter road (attached).

On February 8, 2019, the Board received comments from the GNWT– Lands which states that the contracts that Nahanni holds for the reclamation of portions of the Lupin Mine site satisfies the requirement to demonstrate eligibility (included in the comment summary table).

Type of Area

This Project is located in a non-federal area.

Transboundary Project

In the approved Transboundary Application Policy (approved October 26, 2005), staff are directed to include the interdependence, linkage, or impacts of the proposed work. Definitions for Interdependence and linkage are below.

Interdependence: a development is interdependent if it is located, or is to be located, either within a settlement area or outside a settlement area, but the development could not proceed without: (a) the use of land or water located in a different area; or (b) making a waste deposit within a different area.

Staff confirm that this application is transboundary (project description attached). The interdependence is that the exercises cannot be completed without crossing from the Akaitcho into the Wekeezhii Management Area and also with Nunavut.

Linkage: a development has linkage if the development decision to use land or waters or deposit waste within one settlement area, or outside a settlement area, makes: (a) a decision to undertake the use of land or waters located within a different area inevitable; or (b) a waste deposit within a different area inevitable.

Fees

The required Application Fee of \$150.00 was included with the Application (attached).

Term

Nahanni has applied for a term of 5 years.

Board staff note that permits can be granted for a period of five years, plus a two-year extension (for a total of seven years).

4. Comments

Triggers

The activities as described trigger a Type A permit as per paragraph 4(a) of the Mackenzie Valley Land Use Regulations:

- (4) No person shall, without a Type A permit, carry on any activity that involves*
- (a) on land outside the boundaries of a local government,*
 - (ii) the use of a vehicle or machine of a weight equal to or exceeding 10 t, other than on a road or on a community landfill, quarry site or airport,*
 - (iii) the use of a single container for the storage of petroleum fuel that has a capacity equal to or exceeding 4 000L,*
 - (iv) the use of a self-propelled motorized machine for moving earth or clearing land.*
 - (v) the leveling, grading, clearing, cutting or snowploughing of a line, trail or right-of-way, other than a road or existing trail to a building, that exceeds 1.5 m in width or 4 ha in area, for the purpose other than the grooming of recreational trails; or*

No water licence is triggered because there is no direct water use or deposit of waste.

5. Public Review

By February 14, 2019, comments and recommendations on the Application were received from 6 reviewers:

- Nahanni Construction Ltd.;
- Environment and Climate Change Canada;
- GNWT-ECE;
- GNWT-ENR;
- GNWT-Lands (Inspector); and
- GNWT-Lands.

Nahanni responded by February 15, 2019. The Review Summary and Attachments (attached) present the concerns identified through this review.

There were no concerns identified during the review of this Application.

GNWT– Inspector submitted recommendations to the Board on the draft conditions. These recommendations are outlined in the draft Permit and Licence (attached).

Preliminary Screening

The draft Preliminary Screening (attached) contains information from the Application/Amendment Application and public review regarding environmental and socio-economic concerns, along with mitigations, and is for the Board's consideration.

Draft Permit

The draft Permit (attached) contains recommended conditions based the standard Permit conditions list and reflects concerns and recommendations raised during the public review.

6. Security

Legislative Requirements

The Board may require security as per section 32 of the Mackenzie Valley Land Use Regulations, which state:

- 32(1) The Board may require security to be posted in an amount not exceeding the aggregate of the costs of*
- (a) Abandonment of the land-use operation;*
 - (b) Restoration of the site of the land-use operation; and*
 - (c) Any measures that may be necessary after the abandonment of the land-use operation.*
- 32(2) In setting the amount of security pursuant to subsection (1), the Board may consider*
- (a) The ability of the applicant or prospective assignee to pay the costs referred to in that subsection;*
 - (b) The past performance of the applicant or prospective assignee in respect of any other permit;*
 - (c) The prior posting of security by the applicant pursuant to other federal legislation in relation to the land-use operation; and*
 - (d) The probability of environmental damage or significance of any environmental damage.*

Security Estimate Calculations

Nahanni completed the Board's reclamation security worksheet submitted similar information in the Application and determined a total reclamation cost of \$20,888.09. The GNWT-Inspector did not recommend security during the public review. Board staff have completed the reclamation security worksheet and have calculated that the cost to remediate the site would be \$34,783.59.

Table 1: Board staff's security estimate:

Line Item	Nahanni Construction estimate	MVLWB Staff estimate	Notes
Camp	\$200.00	\$2,775.00	Nahanni did not include the number of person days
Regulated/Hazardous Material	\$0	\$6,000.00	Nahanni missed a line item
Hydrocarbon Storage and Transfer	\$1,593.75	\$1,593.75	n/a
Land Disturbance	\$3,500.00	\$4,000.00	Nahanni did not include the line item for "Off-Road Activities"
Equipment	\$16,550.00	\$16,550.00	n/a
Total	\$20,888.09	\$34,783.59	The multipliers were different between both estimates. Nahanni included a multiplier for the completion of the terms of a land use permit. Board staff have reviewed the public registry and have not found a permit where Nahanni has completed the terms.

*multipliers have not been included please see the Security Worksheet attached below

7. Conclusion

The draft Permit conditions are based upon the standard condition list, public review, and Board staff recommendations. Board staff concludes that the conditions contained within this draft Permit should mitigate the potential environmental impacts this development may have on the land and water.

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

8. Recommendation

Board staff recommend the Board:

- a) **Confirm the Application for Land Use Permit MV2018F0024 from Nahanni Construction Ltd is transboundary as outlined in the Transboundary Application Policy (approved October 26, 2005).**
- b) **Make a motion to approve the preliminary screening** of the Application for Land Use Permit MV2018F0024 from Nahanni Construction Ltd.
- c) **Make a motion to approve the Type A Land Use Permit MV2018F0024** for a term of 5 years and associated Reasons for Decision.
- d) **Make a motion to approve the Waste Management Plan** as required by Land Use Permit MV2018F0024.
- e) **Make a motion to approve the Spill Contingency Plan** as required by Land Use Permit MV2018F0024.

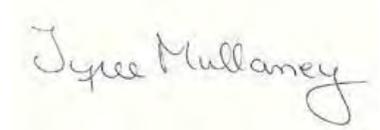
f) **Make a motion to approve the Engagement Plan** as required by Land Use Permit MV2018F0024.

A draft decision letter is attached.

9. Attachments

- [Application](#)
 - [Permission to use solid waste facility](#)
 - [Waste Management Plan](#)
 - [Abandonment and Restoration Plan](#)
 - [Spill Contingency Plan](#)
 - [Wildlife Protection Plan](#)
 - [Security Worksheet Submitted by Nahanni](#)
 - Engagement Plan
 - Engagement Log
 - [Fee Receipt](#)
- [December 19, 2018 – Letter to GNWT – Lands regarding Eligibility](#)
- [December 21, 2018 – Confirmation that Nahanni Construction has been awarded the reclamation contract](#)
- Review Summary and Attachments
- Draft Preliminary Screening
- Security Estimate
- Draft Land Use Permit Cover Page
- Draft Land Use Permit Conditions
- Draft Decision Letter from the Board

Respectfully submitted,

A handwritten signature in black ink that reads "Tyree Mullaney". The signature is written in a cursive style and is positioned above the typed name and title.

Tyree Mullaney
Regulatory Specialist

Review Comment Table

Board:	MVLWB
Review Item:	MV2018F0024 - Nahanni Construction Ltd. - New Land Use Permit Application
File(s):	MV2018F0024
Proponent:	Nahanni Construction Ltd.
Document(s):	Application (1 MB) Engagement Plan (1 MB) Engagement Summary (1 MB) Spill Contingency Plan (1 MB) Waste Management Plan (1 MB) Permission to use solid waste facilities (1 MB) Abandonment and Restoration Plan (1 MB) Wildlife Protection Plan (1 MB) Security Estimate completed by Nahanni Construction Ltd. (1MB) Draft Land Use Permit Conditions (1 MB)
Item For Review Distributed On:	Jan 25 at 11:38 Distribution List
Reviewer Comments Due By:	Feb 14, 2019
Proponent Responses Due By:	Feb 20, 2019
Item Description:	<p>Nahanni Construction Ltd. (Nahanni) has submitted a complete application for a type A land use permit (permit). The purpose of this Application is to obtain access to a portion of the Tibbitt to Contwoyto Winter Road (TCWR) route from the Ekati Mine turnoff on Lac de Gras in the Northwest Territories (NT); Lac de Gras) to the Lupin Mine in Nunavut (NU; Lupin) in order to construct and operate this portion of the TCWR to mobilize and demobilize equipment and supplies that may be used for ongoing reclamation of Lupin in the Kitikmeot Region of Nunavut (the Program). It is understood that the Tibbitt to Contwoyto Joint Venture (TCJV) currently holds a licence of occupation for the entire winter road route; conversations with TCJV personnel indicate that there are no current plans to construct the segment of the TCWR extending from Lac de Gras to Lupin and so there are no known conflicts with this aspect of the land use.</p> <p>Location: The Program will extend from Lac de Gras to Lupin along the existing TCWR route, traversing 95 km in NT and 118 km in NU (213 km in total). Mobilization to construct and operate this portion of the winter road will occur from the existing seasonally constructed portion of the TCWR from Yellowknife to Lac De Gras, and/or from Lupin. As the route crosses the NT/NU border, this is a transboundary project.</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 proponent prior to submitting comments and recommendations.</p>

	<p>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>Please provide comments and recommendations on the:</p> <ul style="list-style-type: none"> • Application; • Draft Security Estimate (Your comments will be considered to help the Board calculate security for the land-use operation.); • Engagement Record; • Engagement Plan; • Waste Management Plan; • Abandonment and Restoration Plan • Spill Contingency Plan; and • Draft Land Use Permit. <p>Please note that the draft Permit has been developed using the MVLWB’s current Standard Land Use Permit Conditions Template. The purpose of this draft Permit is to allow parties to comment on possible conditions. These draft materials are not intended to limit in any way the scope of parties’ comments. The Board is not bound by the contents of the draft Permit and will make its decision at the close of the proceeding on the basis of all the evidence and arguments filed by all parties.</p> <p>Under the Preliminary Screening Requirement Regulations of the Mackenzie Valley Resource Management Act (MVRMA), the Board must conduct a preliminary screening for an application for a proposed development that requires a land use permit, unless it is exempt from Part 5 of the MVRMA. Reviewers are encouraged to provide comments and recommendations (e.g. on impacts and mitigation measures) to assist with the completion of the preliminary screening.</p> <p>Please be advised that comments made by reviewers regarding impacts of this project to wildlife and wildlife habitat in this preliminary screening will inform the GNWT Minister of Environment and Natural Resources’ determination regarding whether a Wildlife Management and Monitoring Plan will be required for this project as per Section 95 of the Wildlife Act.</p>
<p>General Reviewer Information:</p>	<p>The review has also been faxed to the following:</p> <p>NWT Metis Nation Tim Heron NWTMN IMA Coordinator (867)872-3586; rcc.nwtmn@northwestel.net;</p>
<p>Contact Information:</p>	<p>Jen Potten 867-766-7468 Tyree Mullaney 867-766-7464</p>

Comment Summary

Nahanni Construction Ltd. (Proponent)				
ID	Topic	Reviewer Comment/Recommendation	Proponent Response	Board Response
1	General File	<p>Comment (doc) Permittee comments on draft land use licence conditions.</p> <p>Recommendation</p>		The Board has reviewed the recommendations from Nahanni.
Environment and Climate Change Canada: Richard Bingley				
ID	Topic	Reviewer Comment/Recommendation	Proponent Response	Board Response
1	ECCC review	<p>Comment Environment and Climate Change Canada has reviewed the materials provided for MV2018F0024 - Nahanni Construction Ltd. - New Land Use Permit Application in accordance with the department's mandate and has no comments at this time.</p> <p>Recommendation N/A</p>	Feb 15: Noted.	The Board determined that the Proponent response is satisfactory.
GNWT - ECE: Glen Mackay				
ID	Topic	Reviewer Comment/Recommendation	Proponent Response	Board Response
1	Avoidance of Archaeological Sites	<p>Comment There are numerous recorded archaeological sites located near the existing route of the TCWR between Lac de Gras and the NWT border. Nahanni Construction should be aware of the locations of these sites to ensure that they are avoided during construction and operation of the road</p> <p>Recommendation The Culture and Heritage Division of ECE requests that Nahanni Construction obtain archaeological site data for their project area through our licence agreement process. The required information and forms are available at: https://www.pwnhc.ca/cultural-places/archaeology-program/#tab-id-2</p>	Feb 15: Site data has been requested. The Permittee plans to avoid known archaeological sites.	The Board determined that the Proponent response is satisfactory.
2	Draft Condition 30: Archaeological Buffer	<p>Comment Many of the sites along the existing route of the TCWR between Lac de Gras and the NWT border are within 150 m of the road route. Given that the road will follow the established route, which avoids known sites, a 30 m buffer will be sufficient for archaeological site protection.</p>	Feb 15: The Permittee agrees, a 30 m buffer is appropriate.	The Board determined that the Proponent response is satisfactory.

		Recommendation The Archaeological Buffer in Draft Condition 30 should be adjusted to 30 m.		The Board has incorporated the 30m buffer into the conditions.
GNWT - ENR: Central Email GNWT				
ID	Topic	Reviewer Comment/Recommendation	Proponent Response	Board Response
15	General File	Comment (doc) ENR Letter with Comments and Recommendations Recommendation		
1	Topic 1: Hazardous Waste Management	Comment All Proponents that generate hazardous wastes must be registered as a generator of hazardous waste in the NWT. The Guideline for the General Management of Hazardous Waste in the NWT defines hazardous waste and outlines the roles and responsibilities of generators, carriers, and receivers of hazardous waste in the NWT. The ENR, Environment Division (ED) registers generators, carriers, receivers, and tracks the disposal of hazardous waste generated in the NWT to registered receiving facilities on hazardous waste movement documents (manifest). The definition of hazardous waste includes all waste materials that are 'dangerous goods' according to the Transportation of Dangerous Goods Regulations, and any additional waste of special concern that the ED has determined hazardous until proven otherwise, including but not limited to: a) incinerator waste and/or residuals (including bottom ash and fly ash); b) any liquid or solid wastes contaminated with refined petroleum products; c) bilge wastes; d) vehicle or vessel servicing wastes e) drilling wastes; f) produced fluids (Glycol / Hydrocarbon / Inorganic Mixtures); g) tailings; and h) any hydrocarbon, lead, mercury or other forms of contaminated soils. The Guideline for the General Management of Hazardous Waste in the NWT and the Transportation of Dangerous Good Regulations may be found at the following sites: http://www.enr.gov.nt.ca/sites/enr/files/guidelines/general_management.pdf http://www.tc.gc.ca/eng/tdg/clear-menu-497.htm Recommendation 1) If the Proponent is using	Feb 15: The Permittee does not plan to generate hazardous waste.	The Board determined that the Proponent response is satisfactory.

		<p>or generating hazardous waste, they must register as a generator of hazardous waste in the NWT and track the disposal of hazardous waste from the site activities to registered receivers on hazardous waste movement documents provided by ENR. Please contact the Environment Division, ENR to register or for more information contact Mr. Lee Ross, Hazardous Materials Management Specialist, Environment Division by email (Lee_Ross@gov.nt.ca or by phone (867) 767-9236 extension 53187.</p>		
2	Topic 2: Fuel Storage and Spill Contingency Planning and Reporting	<p>Comment ENR acknowledges the proponent's Spill Contingency Plan. In addition, the Proponent should also follow best practices for fuel storage and spill containment during project activities which may include the following recommendations.</p> <p>Recommendation 1) To assist in spill contingency planning, information is provided in EPA Spill Contingency Planning and Reporting Regulations found here: https://www.justice.gov.nt.ca/en/files/legislation/environmental-protection/environmental-protection.r2.pdf If clarification or further information is needed please contact the Environment Division, ENR directly to aid in the development of the Plan</p>	Feb 15: Noted.	The Board determined that the Proponent response is satisfactory.
3	None	<p>Comment None</p> <p>Recommendation 2) In accordance with the Spill Contingency Planning and Reporting Regulations Section 10, all spills in accordance with Schedule B must be reported immediately to the 24-hour Spill Report Line (867) 920-8130.</p>	Feb 15: Noted.	The Board determined that the Proponent response is satisfactory.
4	None	<p>Comment None</p> <p>Recommendation 3) With respect to the Environmental Protection Act Section 5 (1b) all spills, regardless of amount, must be cleaned up, and contaminated materials disposed of at an approved facility, or in an approved manner. Additionally, as indicated in Section 5(1c) all reasonable efforts must be made to notify any parties affected or potentially affected by the spill.</p>	Feb 15: Noted.	The Board determined that the Proponent response is satisfactory.
5	None	<p>Comment None</p> <p>Recommendation 4) Fuel storage areas should be greater than 100m distance from</p>	Feb 15: Noted. Fuel storage areas are not contained within	The Board determined that the Proponent

		the ordinary high water mark of a water body and not located in a drainage channel.	the scope of the project.	response is satisfactory. The recommendation from the GNWT-ENR is addressed in the conditions.
6	None	Comment None Recommendation 5) All fuel or storage vessels containing hazardous substances left for extended periods of time (including overnight in vehicles), should be stationed in an area that contains sufficient secondary containment (i.e. Drip pans, lined bermed areas, double walled enviro-tanks etc.).	Feb 15: Noted. The Permittee does not plan to store hazardous substances for an extended period of time.	The Board determined that the Proponent response is satisfactory. The recommendation from the GNWT-ENR is addressed in the conditions.
7	None	Comment None Recommendation 6) It is recommended spill kits be provided. Personnel should be trained to ensure that in the event of a spill it is contained and remediated appropriately to industry-accepted best practices and regulatory approval. In case refuelling takes place near water, in water spill planning should be considered to prevent inadvertent releases.	Feb 15: Noted. Each vehicle will contain a spill kit. The Spill Contingency Plan will be updated to reflect this. All personnell will be trained in spill response as outlined in the Spill Contingency Plan. Given the seasonal nature of the project, being winter, refuelling near open water is not expected to occur.	The Board determined that the Proponent response is satisfactory. The recommendation from the GNWT-ENR is addressed in conditions, specifically the requirement of the Spill Contingency Plan.
8	None	Comment None Recommendation 7) ENR recommends, for the operators convenience and increased environmental protection, that all heavy equipment and refuelling vehicles carry portable spill kits that include items such as absorbent pads, containment booms, and spill pool catchment receptacles. Readily	Feb 15: Each vehicle will contain a spill kit. The Spill Contingency Plan will be updated to reflect this.	The Board determined that the Proponent response is satisfactory. The recommendation from the GNWT-

		available and fully stocked spill kits can effectively mitigate potential spills.		ENR is addressed in conditions, specifically the requirement of the Spill Contingency Plan.
9	Topic 3: Wildlife Attractants and Waste Management	<p>Comment Subject to sub-section 66(1) of the Wildlife Act no person shall store food, waste, or other substances in a manner that may attract big game or other prescribed wildlife and put people, domestic animals, or wildlife in danger. Subject to sub-section 65(1) of the Wildlife Act, it is illegal to intentionally feed big game, furbearers or other prescribed wildlife. Schedule A - Part 2 of the Wildlife General Regulations sets out the species prescribed as fur-bearers.</p> <p>Recommendation 1) The Proponent should utilize food and garbage handling and storage procedures that will minimize the attraction of wildlife.</p>	Feb 15: Noted.	<p>The Board determined that the Proponent response is satisfactory.</p> <p>The recommendation from the GNWT-ENR is addressed in conditions, specifically the requirement of the Waste Management Plan.</p>
10	None	<p>Comment None</p> <p>Recommendation 2) The Proponent should store all food, waste, washed recyclables and debris that may attract wildlife within sealed animal proof containers until final disposal.</p>	Feb 15: Noted.	<p>The Board determined that the Proponent response is satisfactory.</p> <p>The recommendation from the GNWT-ENR is addressed in conditions, specifically the requirement of the Waste Management Plan.</p>
11	None	<p>Comment None</p> <p>Recommendation 3) The Proponent should ensure that sealed animal proof containers are cleaned once emptied to minimize the attraction of wildlife.</p>	Feb 15: Noted.	<p>The Board determined that the Proponent response is satisfactory.</p> <p>The recommendation from the GNWT-ENR is addressed in conditions,</p>

				specifically the requirement of the Waste Management Plan.
12	None	<p>Comment None</p> <p>Recommendation 4) The Proponent should remove all waste petroleum products including used oil filters, rags, scrap metal, discarded machinery, parts, drums, barrels, or plastics to an approved waste disposal facility.</p>	Feb 15: Noted.	<p>The Board determined that the Proponent response is satisfactory.</p> <p>The recommendation from the GNWT-ENR is addressed in conditions, specifically the requirement of the Spill Contingency Plan.</p>
13	Topic 4: Wildlife: NWT Listed and Pre-listed Species at Risk	<p>Comment Sections 76 and 77 of the Species at Risk (NWT) Act require the Minister of Environment and Natural Resources to make a submission to the body responsible for assessing the potential impacts of a proposed development, or for considering a Land Use Permit or Water Licence application, respecting the potential impacts of the proposed development, Permit or Licence application on a NWT-listed or pre-listed species or its habitat. NWT-listed species are those that are on the NWT List of Species at Risk. Pre-listed species are those that have been assessed by the NWT Species at Risk Committee (SARC) but have not yet been added to the NWT List of Species at Risk. The Proponent should be aware that NWT-listed or pre-listed species at risk and their habitat may also be subject to protection under existing sections of the NWT Wildlife Act. As a best practice, ENR encourages the Proponent to consider potential impacts, mitigation measures and monitoring requirements for species at risk listed under the federal Species at Risk Act, as well as those designated as at risk by the Committee on the Status of Endangered Wildlife in Canada (COSEWIC) that may occur in the project area, and the prohibitions that may apply to these species</p>	Feb 15: Noted.	The Board determined that the Proponent response is satisfactory.

		<p>under federal legislation. The project area overlaps with the ranges of the following NWT-listed and/or pre-listed species: . Boreal Caribou - Threatened in the NWT . Barren-ground Caribou - Threatened in the NWT . Grizzly Bear - Special Concern in NWT . Little Brown Myotis (bat) - Special Concern in the NWT</p> <p>Recommendation 1) Although the project overlaps with the range(s) of the species listed above, ENR is of the opinion that the scope, nature, areal extent, scale and/or timing of the proposed project are such that the likelihood of impacts to NWT-listed or pre-listed species at risk is minimal.</p>		
14	Topic 5: Cumulative Effects Tracking	<p>Comment Keeping track of the disturbance footprint of development activities is an important component of tracking and informing the management of cumulative effects on wildlife and wildlife habitat.</p> <p>Recommendation 1) The Proponent should submit the bounding coordinates or geospatial data for the proposed project footprint and for the completed project footprint to the Land and Water Board for placement on the public registry. The Mackenzie Valley Land and Water Board Standards for Geographic Information Systems (GIS) Submissions should be followed when submitting spatial data.</p>	<p>Feb 15: Noted. Shapefiles were provided to the MVLWB prior to the commencement of the public comment period. The activities occur within an existing disturbance footprint.</p>	<p>The Board determined that the Proponent response is satisfactory.</p> <p>Board staff have confirmed that the Shape files have been submitted to the Board with the initial application.</p>
GNWT - Lands - North Slave Region: Brandon Bradbury				
ID	Topic	Reviewer Comment/Recommendation	Proponent Response	Board Response
1	Land Use Permit Application	<p>Comment (doc) The land use permit application has been reviewed.</p> <p>Recommendation As seen in part 6 (b) of the attached land use permit application, no camp is being proposed for this land use operation. The Permittee must confirm camp locations if they want provisions in this land use permit to occupy any potential camps with their mobile emergency shelter.</p>	<p>Feb 15: Other than use of the emergency shelter in an emergency, there are no plans to occupy a camp with this shelter.</p>	<p>The Board determined that the Proponent response is satisfactory.</p>
2	Draft Land Use Conditions	<p>Comment (doc) The attached draft land use conditions have been reviewed.</p> <p>Recommendation Please incorporate the Inspectors recommendations to the approved land use conditions</p>	<p>Feb 15: Noted.</p>	<p>The Board determined that the Proponent response is satisfactory.</p>

				Board has included the recommendations from the Inspector in the conditions.
3	26(1)(a) Location and Area	Comment An additional condition must be added to this section of the land use permit. Recommendation Please include the Condition Parallel Roads in part C 26(1)(a) to the approved land use permit. The permittee shall not construct parallel lines or roads, unless an existing line or road cannot be used	Feb 15: Noted.	The Board determined that the Proponent response is satisfactory. Board has included the recommendations from the Inspector in the conditions.
4	26(1)(a) Location and Area - Condition #3 - Width Right-Of-Way	Comment The winter road width is approximately 12 metres and the re-wording of this condition is consistent with land use permit MV2014F0007. Recommendation Please update this condition to read the following; Prior to clearing a right-of-way that is wider than 10 metres, the Permittee shall provide written notification to an Inspector. The Permittee shall not clear a right-of-way that is wider than 12 metres. (Width Right-Of-Way)	Feb 15: The Permittee plans to construct the winter road to an average width of 50 m on lakes and up to 15 m wide on portages. The Permittee will notify the Inspector prior to the start of construction.	The Board determined that the Proponent response is satisfactory. Board has included the recommendations from the Inspector in the conditions.
5	26(1)(b) Time	Comment An additional condition must be added to this section of the land use permit. Recommendation Please include the following Condition Timing of Operation into part C 26(1)(b) of the approved permit; The Permittee shall not conduct this land use operation during the period of the Licence of Occupation activities conducted by the Joint Venture Management Committee on the Tibbitt to Contwoyto Winter Road (Timing of Operation).	Feb 15: To clarify, the Permittee requests that the MVLWB consider the following revised wording: "The Permittee shall not conduct this land use operation during the period of the Licence of Occupation activities	The Board determined that the Proponent response is satisfactory. Board has included the recommendations from the Inspector in the conditions.

			conducted by the Joint Venture Management Committee on the same portion of Tibbitt to Contwoyto Winter Road that is currently in use."	
6	26(1)(b) Time - Condition #4 - Contact Inspector	<p>Comment Since the permit covers the same area as the TCWR this condition must be included and is consistent with the condition in land use permit MV2014F0007.</p> <p>Recommendation Please change Condition #4 to the following; Prior to the commencement of the land use operation: (1) the Permittee shall notify an Inspector at (867) 767 9188,(2) an inspection shall be conducted, and (3) the Permittee must obtain written authorization from an Inspector to commence the land use operation (Contact Inspector).</p>	Feb 15: Noted.	<p>The Board determined that the Proponent response is satisfactory.</p> <p>Board has included the recommendations from the Inspector in the conditions.</p>
7	26(1)(b) Time - Condition #7 - Reports Before Removal	<p>Comment Since the permit covers the same area as the Licence of Occupation this condition is required.</p> <p>Recommendation Please change Condition #7 to the following; Upon completion of the land use operation; (1) the Permittee shall notify an Inspector, (2) an inspection shall be conducted, (3) any Inspector comments shall be addressed as required, and (4) the Permittee shall notify the Joint Venture Management Committee (Reports Before Removal).</p>	Feb 15: Noted.	<p>The Board determined that the Proponent response is satisfactory.</p> <p>Board has included the recommendations from the Inspector in the conditions.</p>
8	26(1)(e) Type, Location, Capacity, and Operation of all Facilities	<p>Comment An additional condition must be added to this section of the land use permit.</p> <p>Recommendation Please include the Condition Sumps From Water; to part C 26(1)(e) of the approved permit; The Permittee shall not locate any sump within 100 meters of the Ordinary High Water Mark of any watercourse, unless otherwise authorized in writing by an Inspector.</p>	Feb 15: The Permittee does not plan to construct any sumps as a part of the undertaking.	<p>The Board determined that the Proponent response is satisfactory.</p> <p>Board has included the recommendations from the Inspector in the conditions.</p>

9	26(1)(j) Protection of Historical, Archaeological and Burial Sites - Condition #30	Comment Numerous Archaeological Impact Assessments (AIAs) have been conducted along the entire winter road corridors. Recommendation The distance in this condition must be changed to 30 metres since there are known archaeological sites within 150 metres of the winter road right-of-way; This distance is consistent for other land use permits that cover the same area, MV2014F0007 and MV2016X0032.	Feb 15: The Permittee agrees, a 30 m buffer is appropriate.	The Board determined that the Proponent response is satisfactory. Board has included the recommendations from the Inspector in the conditions.
10	26(1)(o) Restoration of the Lands	Comment An additional condition must be added to this section of the land use permit. Recommendation Please include the condition Backfill Sumps; into part C 26(1)(o) of the approved permit. The Permittee shall backfill and restore all sumps prior to the expiry date of this Permit	Feb 15: The Permittee does not plan to construct any sumps as a part of the undertaking.	The Board determined that the Proponent response is satisfactory. Board has included the recommendations from the Inspector in the conditions.
11	26(1)(q) Biological and Physical Protection of the Land - Condition #46	Comment The Wildlife Act is the correct legislation to mitigate potential concerns with wildlife and if deemed necessary, GNWT-ENR will require the Applicant to submit a WMMP (Section 95); Therefore this condition must be removed from the land use permit. Recommendation This condition must be removed from the land use permit.	Feb 15: A Wildlife Protection Plan was submitted with the application.	The Board determined that the Proponent response is satisfactory.
GNWT - Lands - North Slave Region: Cheryl Larocque				
ID	Topic	Reviewer Comment/Recommendation	Proponent Response	Board Response
1	LUPA MV2018F0024	Comment (doc) Please see attached formal letter Recommendation Permit be granted	Feb 15: Noted.	The Board determined that the Proponent response is satisfactory.



February 7, 2019

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

Dear Ms. Potten,

**Re: Nahanni Construction Ltd.
Land Use Permit Application – MV2018F0024
TCWR - Winter Road Construction -from the Ekati Mine turnoff on
Lac de Gras in the NWT - Lac de Gras) to the Lupin Mine in
Nunavut
Request for Review and Comments**

The Department of Environment and Natural Resources (ENR), Government of the Northwest Territories has reviewed the application 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 provides the following comments and recommendations for the consideration of the Board and the Proponent.

Topic 1: Hazardous Waste Management

Comment(s):

All Proponents that generate hazardous wastes must be registered as a generator of hazardous waste in the NWT.

The Guideline for the General Management of Hazardous Waste in the NWT defines hazardous waste and outlines the roles and responsibilities of generators, carriers, and receivers of hazardous waste in the NWT. The ENR, Environment Division (ED) registers generators, carriers, receivers, and tracks the disposal of hazardous waste generated in the NWT to registered receiving facilities on hazardous waste movement documents (manifest). The definition of hazardous waste includes all waste materials that are 'dangerous goods' according to the Transportation of

Dangerous Goods Regulations, and any additional waste of special concern that the ED has determined hazardous until proven otherwise, including but not limited to:

- a) incinerator waste and/or residuals (including bottom ash and fly ash);
- b) any liquid or solid wastes contaminated with refined petroleum products;
- c) bilge wastes;
- d) vehicle or vessel servicing wastes
- e) drilling wastes;
- f) produced fluids (Glycol / Hydrocarbon / Inorganic Mixtures);
- g) tailings; and
- h) any hydrocarbon, lead, mercury or other forms of contaminated soils.

The Guideline for the General Management of Hazardous Waste in the NWT and the Transportation of Dangerous Good Regulations may be found at the following sites:

http://www.enr.gov.nt.ca/sites/enr/files/guidelines/general_management.pdf

<http://www.tc.gc.ca/eng/tdg/clear-menu-497.htm>

Recommendation(s):

- 1) If the Proponent is using or generating hazardous waste, they must register as a generator of hazardous waste in the NWT and track the disposal of hazardous waste from the site activities to registered receivers on hazardous waste movement documents provided by ENR. Please contact the Environment Division, ENR to register or for more information contact Mr. Lee Ross, Hazardous Materials Management Specialist, Environment Division by email (Lee.Ross@gov.nt.ca) or by phone (867) 767-9236 extension 53187.

Topic 2: Fuel Storage and Spill Contingency Planning and Reporting

Comment(s):

ENR acknowledges the proponent's Spill Contingency Plan.

In addition, the Proponent should also follow best practices for fuel storage and spill containment during project activities which may include the following recommendations.

Recommendation(s):

- 1) To assist in spill contingency planning, information is provided in EPA *Spill Contingency Planning and Reporting Regulations* found here:

<https://www.justice.gov.nt.ca/en/files/legislation/environmental-protection/environmental-protection.r2.pdf>

If clarification or further information is needed please contact the Environment Division, ENR directly to aid in the development of the Plan

- 2) In accordance with the *Spill Contingency Planning and Reporting Regulations Section 10*, all spills in accordance with Schedule B must be reported immediately to the 24-hour Spill Report Line (867) 920-8130.
- 3) With respect to the *Environmental Protection Act Section 5 (1b)* all spills, regardless of amount, must be cleaned up, and contaminated materials disposed of at an approved facility, or in an approved manner. Additionally, as indicated in *Section 5(1c)* all reasonable efforts must be made to notify any parties affected or potentially affected by the spill.
- 4) Fuel storage areas should be greater than 100m distance from the ordinary high water mark of a water body and not located in a drainage channel.
- 5) All fuel or storage vessels containing hazardous substances left for extended periods of time (including overnight in vehicles), should be stationed in an area that contains sufficient secondary containment (i.e. Drip pans, lined bermed areas, double walled enviro-tanks etc.).
- 6) It is recommended spill kits be provided. Personnel should be trained to ensure that in the event of a spill it is contained and remediated appropriately to industry-accepted best practices and regulatory approval. In case refuelling takes place near water, in water spill planning should be considered to prevent inadvertent releases.
- 7) ENR recommends, for the operator's convenience and increased environmental protection, that all heavy equipment and refuelling vehicles carry portable spill kits that include items such as absorbent pads, containment booms, and spill pool catchment receptacles. Readily available and fully stocked spill kits can effectively mitigate potential spills.

Topic 3: Wildlife Attractants and Waste Management

Comment(s):

Subject to sub-section 66(1) of the *Wildlife Act* no person shall store food, waste, or other substances in a manner that may attract big game or other prescribed wildlife and put people, domestic animals, or wildlife in danger.

Subject to sub-section 65(1) of the *Wildlife Act*, it is illegal to intentionally feed big game, furbearers or other prescribed wildlife. Schedule A – Part 2 of the *Wildlife General Regulations* sets out the species prescribed as fur-bearers.

Recommendation(s):

- 1) The Proponent should utilize food and garbage handling and storage procedures that will minimize the attraction of wildlife.
- 2) The Proponent should store all food, waste, washed recyclables and debris that may attract wildlife within sealed animal proof containers until final disposal.
- 3) The Proponent should ensure that sealed animal proof containers are cleaned once emptied to minimize the attraction of wildlife.
- 4) The Proponent should remove all waste petroleum products including used oil filters, rags, scrap metal, discarded machinery, parts, drums, barrels, or plastics to an approved waste disposal facility.

Topic 4: Wildlife: NWT Listed and Pre-listed Species at Risk

Comment(s):

Sections 76 and 77 of the *Species at Risk (NWT) Act* require the Minister of Environment and Natural Resources to make a submission to the body responsible for assessing the potential impacts of a proposed development, or for considering a Land Use Permit or Water Licence application, respecting the potential impacts of the proposed development, Permit or Licence application on a NWT-listed or pre-listed species or its habitat. NWT-listed species are those that are on the NWT List of Species at Risk. Pre-listed species are those that have been assessed by the NWT Species at Risk Committee (SARC) but have not yet been added to the NWT List of Species at Risk.

The Proponent should be aware that NWT-listed or pre-listed species at risk and their habitat may also be subject to protection under existing sections of the *NWT Wildlife Act*.

As a best practice, ENR encourages the Proponent to consider potential impacts, mitigation measures and monitoring requirements for species at risk listed under the federal *Species at Risk Act*, as well as those designated as at risk by the Committee on the Status of Endangered Wildlife in Canada (COSEWIC) that may occur in the project area, and the prohibitions that may apply to these species under federal legislation.

The project area overlaps with the ranges of the following NWT-listed and/or pre-listed species:

- [Boreal Caribou](#) – Threatened in the NWT
- [Barren-ground Caribou](#) - Threatened in the NWT
- [Grizzly Bear](#) – Special Concern in NWT
- [Little Brown Myotis](#) (bat) – Special Concern in the NWT

Recommendation(s):

- 1) Although the project overlaps with the range(s) of the species listed above, ENR is of the opinion that the scope, nature, areal extent, scale and/or timing of the proposed project are such that the likelihood of impacts to NWT-listed or pre-listed species at risk is minimal.

Topic 5: Cumulative Effects Tracking

Comment(s):

Keeping track of the disturbance footprint of development activities is an important component of tracking and informing the management of cumulative effects on wildlife and wildlife habitat.

Recommendation(s):

- 1) The Proponent should submit the bounding coordinates or geospatial data for the proposed project footprint and for the completed project footprint to the Land and Water Board for placement on the public registry. The Mackenzie Valley Land and Water Board's "*Standards for Geographic Information Systems (GIS) Submissions*" should be followed when submitting spatial data.

Comments and Recommendations Directed to the Proponent

The following comments are directed to the applicant of the Land Use Permit and are provided based on ENR's 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*.

The following comments and recommendations are for the information, consideration, and appropriate action of the Proponent and as they are applicable to project activities.

Legislative and Regulatory Requirements

Topic 1: Wildlife Disturbance and Harassment

Comment(s):

Unless authorized by a Licence or Permit, paragraphs 52(a) and (b) of the *Wildlife Act* prohibit engaging in an activity that is likely to result in significant disturbance to big game or other prescribed wildlife, or to unnecessarily chase, fatigue, disturb, torment or otherwise harass game or other prescribed wildlife.

Schedule A – Part 1 of the *Wildlife General Regulations*, sets out the species prescribed as big game, and Schedule B sets out prescribed wildlife for the purpose of paragraphs 52(a) and (b) of the *Wildlife Act*.

Disturbance to wildlife from sources such as noise, light, vibrations, and human presence can result in energetic stress, avoidance of key habitat, loss of reproductive fitness, injury or mortality of wildlife. Activities that may cause sensory disturbance to wildlife include vehicle traffic, stationary machinery, noise from blasting, excavation, crushing, seismic testing, vegetation clearing, and lighting or flaring.

Recommendation(s):

- 1) The Proponent should be aware that no wildlife should be disturbed, chased, or harassed by human beings on foot, in a motorized vehicle, or by aircraft. Unless authorized by a Licence or Permit, paragraphs 52(a) and (b) of the *Wildlife Act* prohibit engaging in an activity that is likely to result in significant disturbance to big game or other prescribed wildlife, or to unnecessarily chase, fatigue, disturb, torment or otherwise harass game or other prescribed wildlife. However, subject to section 55 of the *Wildlife Act* a person may chase wildlife away from a camp or work site if doing so is necessary to prevent injury or death to a person or damage to property.
- 2) Wildlife shall be given the right of way at all times.
- 3) Suspend activities temporarily if one or more individuals of a big game species are spotted within five hundred (500) metres of the work site.

Topic 2: Reporting Wildlife Sighting

Comment(s):

Proponents are encouraged to record wildlife sightings and to submit these records to ENR's WMIS. Wildlife sightings data provides useful information for assessing

changes in species distribution and the timing and location of different life history events such as migration, denning, nesting, calving, etc.

Recommendation(s):

- 1) Submit information about wildlife sightings (species, date, time, location, number of individuals, sex, behaviour, etc.) to WMIS at WMISTeam@gov.nt.ca. For further information on the WMIS consult:

<http://www.enr.gov.nt.ca/programs/wildlife-research/wildlife-management-information-services>

- 2) Contact the regional ENR office to obtain blank wildlife sightings forms.

Topic 3: Reporting Wildlife Defence/Property Kills and Wildlife Incidents

Comment(s):

Subject to paragraph 57(a) of the *Wildlife Act*, any big game or other prescribed wildlife that is killed to prevent injury or death to a person or damage to property must be reported to ENR as soon as is practicable. Section 7 of the *Wildlife General Regulations* describes what information must be included in the report.

Subject to section 58 of the *Wildlife Act* and sub-section 8(1) of the *Wildlife General Regulations*, any person who accidentally kills or seriously wounds big game or other prescribed wildlife with a motorized vehicle on a highway must report the event to an officer within 24 hours after the incident.

Recommendation(s):

- 1) Report all sightings of bears in and around the project location to your local ENR office. Any defence of life and property kills must be reported to the appropriate ENR office immediately. Please contact the following Regional Office as required:

- North Slave Region Wildlife Emergency Line at (867) 873-7181

- 2) Ensure all field personnel have completed a bear safety training course to decrease the risk of attracting bears to work sites and threats to human safety, learn how to respond to bear encounters, and decrease the risk of wildlife mortality resulting from kills in defence of life and property.

- 3) Consult the “Safety in Grizzly Bear and Black Bear Country” brochure, available at:

http://www.enr.gov.nt.ca/sites/enr/files/resources/safety_in_grizzly_and_black_bear_country_english.pdf

- 4) Report to an ENR officer as soon as is practicable any wildlife that is killed to prevent injury or death to a person or damage to property.
- 5) Report to an ENR officer any big game or other prescribed wildlife that is killed or seriously wounded by a motorized vehicle on a highway within 24 hours after the incident.
- 6) Reports must include at minimum the name of the person who killed or injured the wildlife, an explanation of the incident, the time, date and location of the incident, the species or quantity involved, and any other information requested by the wildlife officer.
- 7) Contact the North Slave Regional ENR office to obtain blank wildlife incident forms.

Topic 4: Wildlife Attractants and Waste Management

Comment(s):

Subject to sub-section 66(1) of the *Wildlife Act* no person shall store food, waste, or other substances in a manner that may attract big game or other prescribed wildlife and put people, domestic animals or wildlife in danger.

Subject to sub-section 65(1) of the *Wildlife Act*, it is illegal to intentionally feed big game, furbearers or other prescribed wildlife. Schedule A – Part 2 of the *Wildlife General Regulations* sets out the species prescribed as fur-bearers.

Recommendation(s):

- 1) Waste being stored on site prior to being transported to a municipal landfill site, or disposed by other methods, must be stored in a manner that minimizes the attraction of wildlife, as it is a violation of *Section 66(1) of the Wildlife Act*. An animal proof, sealed container must be used for storing waste onsite to minimize wildlife being attracted to odours. For reference please refer to the following guidance document “Safety in Grizzly and Black Bear Country”

http://www.enr.gov.nt.ca/sites/enr/files/resources/safety_in_grizzly_and_black_bear_country_english.pdf

- 2) Project personnel should not intentionally feed wildlife or purposefully encourage wildlife to habituate to human presence.

Topic 5: Advice for NWT Listed and Pre-listed Species at Risk

Comment(s):

Sections 76 and 77 of the *Species at Risk (NWT) Act* requires the Minister of Environment and Natural Resources to make a submission to the body responsible for assessing the potential impacts of a proposed development, or for considering a Land Use Permit or Water Licence application, respecting the potential impacts of the proposed development, Permit or Licence application on a NWT-listed or pre-listed species or its habitat. NWT-listed species are those that are on the NWT List of Species at Risk. Pre-listed species are those that have been assessed by the NWT Species at Risk Committee (SARC) but have not yet been added to the NWT List of Species at Risk.

The Proponent should be aware that NWT-listed or pre-listed species at risk and their habitat may also be subject to protection under existing sections of the *NWT Wildlife Act*.

As a best practice, ENR encourages the Proponent to consider potential impacts, mitigation measures and monitoring requirements for species at risk listed under the federal *Species at Risk Act*, as well as those designated as at risk by the Committee on the Status of Endangered Wildlife in Canada (COSEWIC) that may occur in the project area, and the prohibitions that may apply to these species under federal legislation.

The project area overlaps with the ranges of the following NWT-listed and/or pre-listed species:

- [Boreal Caribou](#) – Threatened in the NWT
- [Barren-ground Caribou](#) - Threatened in the NWT
- [Grizzly Bear](#) – Special Concern in NWT
- [Little Brown Myotis](#) (bat) – Special Concern in the NWT

Recommendation(s):

1) For information on NWT species at risk in the project area please consult:

- <http://www.nwt-species-at-risk.ca/SpeciesAtRisk>
- <http://www.nwt-species-at-risk.ca/ToolsForDevelopers>
- [Species at Risk in the NWT - 2016 Edition](#)

The Proponent should be aware of the prohibitions that may apply to the species that occur in your area. Check the *Species at Risk (NWT) Act* regulations webpage (<http://www.nwt-species-at-risk.ca/ToolsForDevelopers>) to see if there are any

applicable regulations or agreements with land owners that must be followed for NWT-listed or pre-listed species at risk.

- 2) For information and legislative requirements related to federally-listed species at risk, consult the Species at Risk Public Registry (www.sararegistry.gc.ca) or contact Environment and Climate Change Canada or the Department of Fisheries and Oceans.
- 3) Ensure that employees and contractors are aware of the species at risk that might occur in the project area. This includes species that are pre-listed or listed under the *Species at Risk (NWT) Act*, species listed under the federal *Species at Risk Act*, and species designated as at risk by COSEWIC.
- 4) If species at risk are encountered during project undertakings, the primary mitigation measure should be avoidance. The Proponent should avoid contact with or disturbance to each species, its habitat and/or its residence.
- 5) Monitoring should be undertaken by the Proponent to determine the effectiveness of mitigation and/or identify where further mitigation is required. As a minimum, monitoring should include recording the locations and dates of any observations of species at risk, behaviour or actions taken by the animals when project activities were encountered, and any actions taken by the Proponent to avoid contact with or disturbance to the species, its habitat, and/or its residence.
- 6) Submit sightings of species at risk and monitoring information to ENR's Wildlife Management Information System (WMIS) and to other appropriate regulators and organizations with management responsibility for the species as may be necessary at:

<http://www.enr.gov.nt.ca/programs/wildlife-research/wildlife-management-information-services>

Further information on the WMIS can be found at:

<http://www.enr.gov.nt.ca/programs/wildlife-research/wildlife-management-information-services>

Topic 6: Cumulative Effects Tracking

Comment(s):

Keeping track of the disturbance footprint of development activities is an important component of tracking and informing the management of cumulative effects on wildlife and wildlife habitat.

Recommendation(s):

- 1) The Proponent should submit the bounding coordinates, or geospatial data for the proposed project footprint and for the completed project footprint to the Land and Water Board for placement on the public registry. The MVLWB's "Standards for Geographic Information Systems (GIS) Submissions" should be followed when submitting spatial data.

Topic 7: Spill Contingency Planning

Recommendation(s):

- 1) In accordance with the *Spill Contingency Planning and Reporting Regulations Section 10*, all spills in accordance with Schedule B must be reported immediately to the 24-hour Spill Report Line (867) 920-8130.
- 2) With respect to the *Environmental Protection Act Section 5 (1b)* all spills regardless of amount must be cleaned up, and contaminated materials disposed of at an approved facility, and as per *Section 5(1c)* all reasonable efforts must be made to notify any parties affected or potentially affected by the spill.
- 3) ENR recommends, for increased environmental protection, that all heavy equipment and refuelling vehicles carry portable spill kits that include items such as absorbent pads, containment booms and spill pool catchment receptacles. Readily available and fully stocked spill kits can effectively mitigate potential spills.

ENR reminds the Proponent that references to applicable statutes and regulations are to be considered as advice only, and should not be construed as permission to contravene any other applicable statutes and regulations not mentioned in this letter.

Comments and recommendations were provided by ENR technical experts in Environment Division and the North Slave Region and were coordinated and collated by the Environmental Assessment and Monitoring Section (EAM), Environmental Stewardship and Climate Change Division.

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.

Sincerely,

A handwritten signature in black ink, appearing to read 'P. Clancy', written in a cursive style.

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



February 8, 2019

Tyree Mullaney
Mackenzie Valley Land and Water Board (MVLWB)
7th Floor, 4922-48th Street
YELLOWKNIFE, NT X1A 2P6

Dear Ms. Tyree Mullaney:

Land Use Permit Application: MV2018F0024 – Nahanni Construction Ltd.
Type of Operation: Winter Road
Location: Lac de Gras to Lupin

The Government of the Northwest Territories (GNWT) reviewed Land Use Permit Application MV2018F0024 and recommends that the permit be granted.

Our Inspector Brandon Bradbury will provide his comments and recommendations for your consideration, via the LWB Online Review System.

Comments received from Territorial Lands Administration indicate that other than the road license shared between Diavik Diamond Mines (2012) Inc., Dominion Diamond Ekati ULC, and DeBeers Canada Inc., there are no other dispositions in this area and therefore they have no concerns.

Comments from The Mining Recorder's Office indicate no concerns.

As per the boards letter of December 19, 2018 addressed to the undersigned, the contracts held by Nahanni Construction Ltd. to reclaim portions of the Lupin Mine Site which is the termination of the Tibbitt to Contwoyto Winter Road (TCWR), satisfy the requirement to demonstrate eligibility for a Land Use Permit. This permit allows Nahanni Construction Ltd. to construct the portion of the TCWR North from portage 56 on Lac de Gras to the NWT Border shared with Nunavut. In constructing this portion of the winter road, Nahanni must ensure that they don't interfere with the operations of the Joint Venture and operate in accordance with the Terms and Conditions of the Land Use Permit.

Thank you for the opportunity to comment on this application. Should you have any questions or concerns regarding our comments, please contact our Inspector, Brandon Bradbury, at (867) 767-9187 ext. 24193.

Sincerely,



Scott Stewart
Regional Superintendent
North Slave Region

c. North Slave Region (Yellowknife), Department of Lands, GNWT

Land Administration (Yellowknife), Department of Lands, GNWT

Mining Recorder's Office (Yellowknife), Department of Industry, Tourism &
Investment, GNWT

cml

GENERAL INSTRUCTIONS FOR EXCEL TEMPLATE:

1. Do not leave blank rows above or between comments.
2. Do not modify or delete the instructions or the column headings (*i.e.* the grey areas).
3. Each comment must have an associated topic and recommendation.
4. All formatting (*i.e.* bullets) will be lost when this file is uploaded to the Online Comment Table.
5. If necessary, adjust the cell width and height in order to view all text.
6. Cutting and pasting comments from WORD documents cannot include hard returns (spaces between paragraphs).
7. If you would like to create paragraphs within a single cell, please use a proper carriage return (ALT & ENTER).

<u>TOPIC</u>	<u>COMMENT</u>	<u>RECOMMENDATION</u>
<i>Be as specific as you think is appropriate; for example a section or page of the document, a recommendation #, general comment, etc.</i>	<i>Comments should contain all the information needed for the proponent and the Board to understand the rationale for the accompanying recommendation.</i>	<i>Recommendations can be for the proponent or for the Board. Recommendations should be as specific as possible, relating the issues raised in the "comment" column to an action that you believe is necessary.</i>
Draft Condition #8 Spring Breakup	The Permittee wishes to have the option to access the winter road late in the season, as safe conditons permit.	The Permittee requests that April 30 be designated for spring break-up.
Draft Conditions #17 and 18 Ice Bridge and Snow Fill Materials	The Permittee may, depending on conditions experinced on site, temp	The Permittee requests that temporary use of rig mats on ice ridges be permitted to support safe passage on lakes.
Draft Condition #46 Caribou Distance	The Permittee considers a 200 m buffer from caribou preferable to a 5	The Permittee requests a distance of 200 m between caribou and equipment.

Conditions Annexed to and Forming Part of Land Use Permit # MV2018F0024

Part A: Scope of Permit

1. This Permit entitles the Permittee to conduct the following land-use operation:
 - a) Use of vehicles, machinery and equipment;
 - b) Use and storage of fuel; and
 - c) Use of mobile campsite.
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 excuse the Permittee from its obligation to comply with the requirements of any applicable Federal, Territorial, Tłıchǫ, or Municipal laws.

Part B: Definitions (defined terms are capitalized throughout the Permit)

Act - the Mackenzie Valley Resource Management Act.

Board - the Mackenzie Valley Land and Water Board established under Part 4 of the Act, or the Mackenzie Valley Land and Water Board established under Part 3 of the Act, as the case may be.

Durable Land - land that is able to withstand repeated use, such as gravel or sand with minimal vegetative cover.

Engagement Plan - a document, developed in accordance with the Board's Engagement and Consultation Policy and the Engagement Guidelines for Applicants and Holders of Water Licences and Land Use Permits, that clearly describes how, when, and which engagement activities will occur with an affected party during the life of the project.

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.

Greywater - all liquid wastes from showers, baths, sinks, kitchens, and domestic washing facilities but not including toilet wastes.

Habitat - the area or type of site where a species or an individual of a species of wildlife naturally occurs or on which it depends, directly or indirectly, to carry out its life processes.

Inspector - an Inspector designated by the Minister under the Act.

Minister - the Minister of Indian Affairs and Northern Development Canada or the Minister of the Government of the Northwest Territories – Department of Lands, as the case may be.

Permittee - the holder of this permit.

Sewage - all toilet wastes and Greywater.

Sewage Disposal Facilities - Sump(s) and/or Sewage collection tank(s) and/or storage containers designed to hold Sewage.

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.

Sump - a man-made pit or natural depression in the earth's surface used for the purpose of depositing Waste that does not contain Toxic Material, such as non-toxic Drilling Waste or Sewage, therein.

Toxic Material - any substance that enters or may enter the environment in a quantity or concentration or under conditions such that it:

- a) Has or may have an immediate or long-term harmful effect on the environment or its biological diversity;
- b) Constitutes or may constitute a danger to the environment on which life depends; or
- c) Constitutes or may constitute a danger in Canada to human life or health.

Waste - any garbage, debris, chemical, or Toxic Material to be used, stored, disposed of, or handled on land, and also as defined in section 51 of the Act.

Waste Management Plan - a document, developed in accordance with the Board's Guidelines for Developing a Waste Management Plan, that describes the methods of Waste management from Waste generation to final disposal.

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 (headings correspond to subsection 26(1) of the Mackenzie Valley Land Use Regulations)

	26(1)(a) Location and Area	
1.	The Permittee shall locate all camps on Durable Land or previously cleared areas.	CAMP LOCATION
2.	The Permittee shall not conduct this land-use operation on any lands not designated in the complete application.	LOCATION OF ACTIVITIES
3.	The Permittee shall confine the width of the right of way to a maximum of ten (10) metres, unless otherwise authorized in writing by a Land Use Inspector. The Permittee shall not clear a right-of-way that is wider than 12 metres.	WIDTH RIGHT-OF-WAY
	26(1)(b) Time	
4.	At least 48 hours prior to the commencement of the land-use operation, the Permittee's Field Supervisor shall contact an Inspector at (867) 767-9188.	CONTACT INSPECTOR
5.	At least 48 hours prior to commencement of the land-use operation, the Permittee shall provide the following information, in writing, to the Board and an Inspector: a) the name(s) of the person(s) in charge of the field operation; b) alternates; and c) all methods for contacting the above person(s).	IDENTIFY AGENT
6.	The Permittee shall advise the Joint venture Management Committee (JVMC) at least 48 hours prior to the commencement of the land use operation.	JVMC NOTIFICATION
7.	At least ten days prior to the completion of the land-use operation, the Permittee shall advise an Inspector of: a) the plan for removal or storage of equipment and materials; and b) when final cleanup and reclamation of the land used will be completed.	REPORTS BEFORE REMOVAL
8.	The Board, for the purpose of this operation, designates April 15, as spring break-up.	SPRING BREAK-UP
	26(1)(c) Type and Size of Equipment	
9.	The Permittee shall not use any equipment except of a similar type, size, and number to that listed in the complete application.	ONLY APPROVED EQUIPMENT

Commented [BB1]: Please include the Condition "Parallel Roads" in part C 26(1)(a) to the approved land use permit.

"The permittee shall not construct parallel lines or roads, unless an existing line or road cannot be used"

Commented [BB2]: Please update this condition to read the following;

"Prior to clearing a right-of-way that is wider than 10 metres, the Permittee shall provide written notification to an Inspector. The Permittee shall not clear a right-of-way that is wider than 12 metres. (Width Right-Of-Way)."

Commented [BB3]: Please include the following Condition "Timing of Operation" into part C 26(1)(b) of the approved permit;

"The Permittee shall not conduct this land use operation during the period of the Licence of Occupation activities conducted by the Joint Venture Management Committee on the Tibbitt to Contwoyto Winter Road (Timing of Operation)."

Commented [BB4]: Please change Condition #4 to the following;

"Prior to the commencement of the land use operation: (1) the Permittee shall notify an Inspector at (867) 767 9188, (2) an inspection shall be conducted, and (3) the Permittee must obtain written authorization from an Inspector to commence the land use operation (Contact Inspector)."

Commented [BB5]: Please change Condition #7 to the following;

"Upon completion of the land use operation; (1) the Permittee shall notify an Inspector, (2) an inspection shall be conducted, (3) any Inspector comments shall be addressed as required, and (4) the Permittee shall notify the Joint Venture Management Committee (Reports Before Removal)."

	26(1)(d) Methods and Techniques	
10.	The Permittee shall construct and maintain the overland portion of winter roads with a minimum of 10 cm of packed snow and/or ice at all times during this land-use operation.	WINTER ROADS
11.	The Permittee shall not erect camps or store material, other than that required for immediate use, on the ice surface of a Watercourse.	STORAGE ON ICE
	26(1)(e) Type, Location, Capacity, and Operation of All Facilities	
12.	The Permittee shall ensure that the land use area is kept clean at all times.	CLEAN WORK AREA
	26(1)(f) Control or Prevention of Ponding of Water, Flooding, Erosion, Slides, and Subsidence of Land	
13.	The land-use operation shall not cause obstruction to any natural drainage.	NATURAL DRAINAGE
14.	The Permittee shall not conduct off-road vehicle travel in areas without snow-covered surfaces.	OFF-ROAD VEHICLE TRAVEL
15.	The Permittee shall suspend overland travel of equipment or vehicles at the first sign of rutting.	SUSPEND OVERLAND TRAVEL
16.	The Permittee shall not move any equipment or vehicles unless the ground surface is in a state capable of fully supporting the equipment or vehicles without rutting or gouging.	VEHICLE MOVEMENT FREEZE-UP
17.	The Permittee shall not use any material other than clean water and snow in the construction of ice bridges.	ICE BRIDGE MATERIALS
18.	The Permittee shall not use any materials other than clean snow and water in the construction of snow fills.	SNOWFILL MATERIALS
19.	Prior to spring break-up or completion of the land-use operation, the Permittee shall clean up and either remove or v-notch all snowfills from stream crossings, unless otherwise authorized in writing by an Inspector.	REMOVE OR V-NOTCH SNOWFILLS
20.	Prior to spring break-up or completion of the land-use operation, the Permittee shall clean up and v-notch all ice bridges, unless otherwise authorized in writing by an Inspector.	V-NOTCH ICE BRIDGES
21.	The Permittee shall not cut any stream bank, unless otherwise authorized in writing by an Inspector.	STREAM BANKS

Commented [BB6]: Please include the Condition "Sumps From Water" to part C 26(1)(e) of the approved permit;

"The Permittee shall not locate any sump within 100 meters of the Ordinary High Water Mark of any watercourse, unless otherwise authorized in writing by an Inspector."

22.	The Permittee shall minimize approach grades on all Watercourse crossings.	MINIMIZE APPROACH
	26(1)(g) Use, Storage, Handling, and Ultimate Disposal of Any Chemical or Toxic Material	
23.	The Permittee shall maintain a record of all spills. For all reportable spills, in accordance with the GNWT <i>Spill Contingency Planning and Reporting Regulations</i> , the Permittee shall: 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.	REPORT SPILLS
24.	The Permittee shall dispose of all Toxic Material as described in the approved Waste Management Plan.	WASTE CHEMICAL DISPOSAL
25.	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	
26.	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	
27.	The Permittee shall adhere to the Waste Management Plan , once approved, 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.	WASTE MANAGEMENT
28.	The Permittee shall keep all garbage and debris in a secure container until disposal.	GARBAGE CONTAINER
29.	The Permittee shall dispose of all Sewage and Greywater as described in the approved Waste Management Plan.	SEWAGE DISPOSAL - PLAN
	26(1)(j) Protection of Historical, Archaeological, and Burial Sites	
30.	The Permittee shall not operate any vehicle or equipment within 150 metres of a known or suspected historical or archaeological site or burial ground.	ARCHAEOLOGICAL BUFFER

Commented [BB7]: The distance in this condition must be changed to **30** metres since there are known archaeological sites within 150 metres of the winter road right-of-way. This distance is consistent for other land use permits that cover the same area, MV2014F0007 and MV2016X0032.

31.	The Permittee shall not knowingly remove, disturb, or displace any archaeological specimen or site.	SITE DISTURBANCE
32.	The Permittee shall, where a suspected archaeological or historical site, or burial ground is discovered: a) immediately suspend operations on the site; and b) notify the Board at (867) 669-0506 or an Inspector at (867) 767-9188, and the Prince of Wales Northern Heritage Centre at 767-9347 ext. 71250 or ext. 71251.	SITE DISCOVERY AND NOTIFICATION
	26(1)(k) Objects and Places of Recreational, Scenic, and Ecological Value <i>Intentionally left blank</i>	
	26(1)(l) Security Deposit	
33.	Prior to the commencement of the land-use operation, the Permittee shall deposit with the Minister a security deposit in the amount of \$_____.	SECURITY DEPOSIT
34.	All costs to remediate the area under this Permit are the responsibility of the Permittee.	RESPONSIBILITY FOR REMEDIATION COSTS
	26(1)(m) Fuel Storage	
35.	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.	FUEL NEAR WATER
36.	The Permittee shall set up all refueling points with Secondary Containment.	SECONDARY CONTAINMENT - REFUELING
37.	The Permittee shall not allow petroleum products to spread to surrounding lands or Watercourses.	FUEL CONTAINMENT
38.	The Permittee shall locate mobile fuel facilities on land when the facilities are stationary for more than 12 hours.	FUEL ON LAND
39.	The Permittee shall adhere to the Spill Contingency Plan , once approved, 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.	SPILL CONTINGENCY PLAN
40.	Prior to commencement of the land-use operation the Permittee shall	SPILL RESPONSE

	ensure that spill-response equipment is in place to respond to any potential spills.	
41.	All equipment that may be parked for two hours or more, shall have a haz-mat/drip tray under it or be sufficiently diapered. Leaky equipment shall be repaired immediately.	DRIP TRAYS
42.	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 <i>Intentionally left blank</i>	
	26(1)(o) Restoration of the Lands	
43.	Prior to the expiry date of this Permit, the Permittee shall complete all cleanup and restoration of the lands used.	FINAL CLEANUP AND RESTORATION
	26(1)(p) Display of Permits and Permit Numbers	
44.	The Permittee shall display a copy of this Permit in each campsite established to carry out this land-use operation.	DISPLAY PERMIT
45.	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	
46.	The Permittee shall not move any equipment when one or more caribou are within five hundred (500) metres.	CARIBOU DISTURBANCE
47.	If any plan is not approved by the Board, the Permittee shall revise the plan according to the Board's direction and re-submit it to the Board for approval.	RESUBMIT PLAN
48.	The Permittee shall adhere to the Engagement Plan , once approved, and shall annually review the plan and make any necessary revisions to reflect changes in operations or as directed by the Board. Revisions to the plan shall be submitted to the Board for approval.	ENGAGEMENT PLAN
49.	All revised plans submitted to the Board shall include a brief summary of the changes made to the plan.	SUMMARY OF CHANGES

Commented [BB8]: Please include the condition "Backfill Sumps" into part C 26(1)(o) of the approved permit.

"The Permittee shall backfill and restore all sumps prior to the expiry date of this Permit"

Commented [BB9]: The *Wildlife Act* is the correct legislation to mitigate potential concerns with wildlife and if deemed necessary, GNWT-ENR will require the Applicant to submit a WMMP (Section 95). Therefore this condition must be removed from the land use permit.

Land Use Permit Security Worksheet

Application Number: MV2018F0024

Input
Amount Multiplier

Camp (C1)			
DRAFT			
Temporary Structures			
Input number of tent frames or weatherhaven (3.5m x 4.2m)	0	\$200.00	\$0.00
Input number of trailers (3.5m x 15.2m)	1	\$300.00	\$300.00
Input total square metres of other temporary structures (i.e. core shacks)	0	\$2.50	\$0.00
Fixed Structures			
Input total square metres of fixed structures	0	\$25.00	\$0.00
Solid Waste			
COPY			
For non-burnable material, input # of person days per season	1650	\$1.00	\$1,650.00
For burnable material, input # of person days per season	1650	\$0.50	\$825.00
Total C1			\$2,775.00

Regulated / Hazardous Materials (R1)			
Based upon on site volume			
Explosives; up to 500 kg (~pallet) dry explosives input 1, if none, input 0	0	\$500.00	\$0.00
Additional Explosives; input total kg >500	0	\$0.50	\$0.00
Drilling Muds (oil based); enter number of 63 m ³ (or equivalent) containers	0	\$1,000.00	\$0.00
Used Oil, Lubes and Antifreeze: enter number of pieces of heavy equipment	12	\$500.00	\$6,000.00
Other;			

Total R1			\$6,000.00

Hydrocarbon Storage and Transfer (H1)			
Based upon on site volume			
Gasoline and Diesel			
Enter total volume of gasoline&diesel <25,000 L	4250	\$0.50	\$2,125.00
Enter total volume of gasoline&fuel > 25,000 L	0	\$0.25	\$0.00
Total Gasoline and Diesel			\$2,125.00
When fuel is within bermed site or has other safety feature, enter 1, otherwise enter 0	1	25%	-\$531.25
Aviation Fuel			
Enter total volume of aviation fuel < 25,000 L	0	\$0.50	\$0.00
Enter total volume of aviation fuel > 25,000 L	0	\$0.25	\$0.00
Total Aviation Fuel			\$0.00
When fuel is within bermed site or has other safety feature, enter 1, otherwise enter 0	0	25%	\$0.00
Total H1			\$1,593.75

Land Disturbance (L1)			
Disturbed Surface Area			
<i>(Developed surface area that may require restoration through the use of scarification, reseeding, fertilizing or other similar techniques)</i>			
Enter number of hectares disturbed	0	\$1,000.00	\$0.00
Other Land Disturbances			
Creek Crossings; enter number of creek crossings	7	\$500.00	\$3,500.00
Off-Road Activities; if any activities are likely, enter 1	1	\$500.00	\$500.00
Sump Factor; enter total area occupied by sumps in m ²	0	\$10.00	\$0.00
Well Factor; enter number of wells.	0	\$25,000.00	\$0.00
Total L1			\$4,000.00

Land Use Permit Security Worksheet (continued)

Application Number: MV2018F0024

**Input
Amount Multiplier**

Equipment (E1)			
Based upon type of equipment			
Enter number of pieces of heavy equipment (i.e. dozer, forklift, large gensets)	12	\$1,000.00	\$12,000.00
Enter number of drills	0	\$1,000.00	\$0.00
Enter number of light vehicles (trucks, atvs, snowmobiles, boats)	15	\$250.00	\$3,750.00
Enter number of small generators or pumps	8	\$100.00	\$800.00
Enter number of empty fuel storage tanks	0	\$500.00	\$0.00
Total E1			\$16,550.00

Security Calculation			
Preliminary Calculation			
Enter amount from C1			\$2,775.00
Enter amount from R1			\$6,000.00
Enter amount from H1			\$1,593.75
Enter amount from L1			\$4,000.00
Enter amount from E1			\$16,550.00
Preliminary Calculation, total of above		A	\$30,918.75
Multipliers			
Site Access Multiplier. If the project has all weather road access enter 1, if ice road access enter 1.5, if air access enter 2		B	1.5
Performance Multiplier. If applicant has successfully completed the terms of a LUP enter 0.85, otherwise enter 1		C	1
Environmental Risk Factor. If location has high environmental value or unusual environmental risk enter 2. If location is previously disturbed enter 0.75. Otherwise enter 1.		D	0.75
Calculated Security			
Multiply preliminary calculation (A) by performance multipliers (B, C and D)		E	\$34,783.59
Existing Securities			
List existing associated permits and amount of overlapping security			
Permit: _____			
Overlapping Securities, total of above		F	\$0.00
Final Security Determination			
Subtract overlapping securities (F) from calculated security (E)			\$34,783.59

**DRAFT
COPY**

Comments
Calculation of person days (Jan-Mar and from April 1-20) total 110 * 15