



**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**

March 7, 2019

File: MV2019Q0001

Mr. Shawn Carter  
Carter Industries Ltd.  
40 Studney Drive  
Hay River NT X0E 0R6

Email: lisa@carterindustries.ca

Dear Mr. Carter:

**Issuance of Type A Land Use Permit  
Quarry Operation – Highway 5 km 7.9**

Attached is Type A Land Use Permit MV2019F0001 granted by the Mackenzie Valley Land and Water Board (MVLWB or the Board) in accordance with the *Mackenzie Valley Resource Management Act* (MVRMA). This Permit has been approved for a period of five (5) years effective March 7, 2019 and expiring March 6, 2024.

Preliminary Screening

Based on the evidence provided, the Board has also confirmed that the Application is exempt from preliminary screening as per Schedule 1, Paragraph 2 of the Exemption List Regulations of the MVRMA which states:

A development, or part thereof, for which renewal of a permit, licence or authorization is requested that

- a) Has not been modified; and
- b) Has fulfilled the requirements of the environmental assessment process established by the *Mackenzie Valley Resource Management Act*, the *Canadian Environmental Assessment Act* or the *Environmental Assessment Review Process Guidelines Order*.

Permit Conditions

Please read all conditions carefully. For the purpose of submitting plans in accordance with this Permit, the date of this letter, March 7, 2019, is the effective date.

Reclamation Security

In accordance with Permit condition 30, a security deposit in the amount of \$2,868.75 shall be posted with the Minister and copied to the Board prior to the start of the operation under section 32 of the Mackenzie Valley Land Use Regulations. As delegated under Schedule A of the Delegation Instrument under the MVRMA, this security deposit, **payable to the Government of the Northwest Territories** in the amount of \$2,868.75, shall be submitted to: the Government of the Northwest Territories, Department of Lands, North Slave Regional Office, 140 Bristol Avenue, Yellowknife NT, X1A 3T2.

.../2

For more information about posting security with the GNWT, please contact Charlene Coe, Land Use Advisor, at (867) 767-9187 (ext. 24194). Please send a copy of the receipt for the security deposit to the MVLWB office prior to the start of your operation.

Management Plans - Approved

The Board hereby approves the following Plans as summarized in Table 1:

**Table 1: Plans**

| <b>Condition Number</b> | <b>Title of Plan/Program/Report</b> | <b>Date Received</b> |
|-------------------------|-------------------------------------|----------------------|
| 37                      | Spill Contingency Plan              | January 11, 2019     |
| 50                      | Engagement Plan                     | January 25, 2019     |

Discontinuance

Should you wish to discontinue your land-use operation at any time prior to the expiry date set out in the Permit, a written notice of discontinuance is required as per section 37 of the MVLUR, in addition to the submission of a final plan.

Public Registry

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

The full cooperation of RTL Robinson Enterprises Ltd. is anticipated and appreciated. If you have any questions or concerns, please contact Tyree Mullaney at (867) 766-7464 or email [tyree@mvlwb.com](mailto:tyree@mvlwb.com).

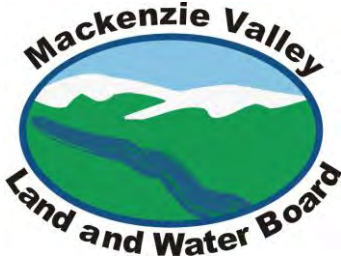
Yours sincerely,



Mavis Cli-Michaud  
MVLWB, Chair

Copied to: Distribution List

Attached: Land Use Permit MV20019Q0001  
Reasons for Decision



**Land Use Permit**

|              |             |              |
|--------------|-------------|--------------|
| Permit Class | Permit No   | Amendment No |
| A            | MV2019Q0001 |              |

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

Carter Industries Ltd.

Permittee

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

|  |                         |
|--|-------------------------|
| Signature<br>Mr. Shawn Carter                  | Date<br>January 7, 2019 |
| Type of Land Use Operation<br>Quarry Operation |                         |
| Location<br>Highway 5, km 7.9                  |                         |

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

Dated at Yellowknife this 7 day of March, 2019

Signature Chair

Signature Witness

Mavis Cli-Michaud

Amanda Gauthier

Effective Date:  
March 7, 2019

Expiry Date:  
March 6, 2024

**ATTENTION**

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

## Conditions Annexed to and Forming Part of Land Use Permit # MV2019Q0001

### Part A: Scope of Permit

1. This Permit entitles the Permittee to conduct the following land-use operation:
  - a) Operation of a quarry;
  - b) Use of equipment, vehicles, and machinery;
  - c) Storage and use of fuel; and
  - d) Clearing of brush.
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, 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.

**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.

**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.

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

**Permittee** - the holder of this permit.

**Sewage** - all toilet wastes and Greywater.

**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.

**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.

**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 not conduct a quarry operation within 100 metres of the Ordinary High Water Mark of any Watercourse, unless otherwise authorized in writing by an Inspector. | <b>QUARRY SETBACK</b>         |
| 2. | The Permittee shall not conduct this land-use operation on any lands not designated in the complete application.   | <b>LOCATION OF ACTIVITIES</b> |
| 3. | Prior to the commencement of the land-use operation, the Permittee shall mark each corner of the land-use area.  | <b>MARK AREA</b>              |
| 4. | The Permittee shall maintain the corner markings until the area is reclaimed.  | <b>CORNER POSTS</b>           |
| 5. | Prior to the commencement of the land-use operation, the Permittee shall accompany an Inspector during an inspection of the proposed land use area.                              | <b>INSPECT LOCATIONS</b>      |

**26(1)(b) Time**

- |    |   |                               |
|----|---|-------------------------------|
| 6. | At least 48 hours prior to the commencement of the land-use operation, the Permittee's Field Supervisor shall contact an Inspector at (867) 874-6995.   | <b>CONTACT INSPECTOR</b>      |
| 7. | 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:<br><ul style="list-style-type: none"> <li>a) the name(s) of the person(s) in charge of the field operation;</li> <li>b) alternates; and</li> <li>c) all methods for contacting the above person(s).</li> </ul> | <b>IDENTIFY AGENT</b>         |
| 8. | At least ten days prior to the completion of the land-use operation, the Permittee shall advise an Inspector of:<br><ul style="list-style-type: none"> <li>a) the plan for removal or storage of equipment and materials; and</li> <li>b) when final cleanup and reclamation of the land used will be completed.</li> </ul>   | <b>REPORTS BEFORE REMOVAL</b> |

**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. | <b>ONLY APPROVED EQUIPMENT</b> |
|----|--|--------------------------------|

**26(1)(d) Methods and Techniques**

10. Prior to the expiry date of this Permit, the Permittee shall replace all excavated material, unless otherwise authorized in writing by an Inspector. **TEST PITS**

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

11. 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**

12. The land-use operation shall not cause obstruction to any natural drainage. **NATURAL DRAINAGE**

13. The Permittee shall minimize erosion by installing erosion control structures as the land-use operation progresses. **PROGRESSIVE EROSION CONTROL**

14. The Permittee shall suspend overland travel of equipment or vehicles at the first sign of rutting. **SUSPEND OVERLAND TRAVEL**

15. 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**

16. The Permittee shall not ford wet streams. **NO FORDING OF STREAMS**

17. The Permittee shall slope the sides of Waste material piles, excavations, and embankments — except in solid rock — to a minimum ratio of 2:1 vertical, unless otherwise authorized in writing by an Inspector. **EXCAVATION AND EMBANKMENTS**

18. The Permittee shall not remove vegetation or operate heavy equipment within 100 metres of the Ordinary High Water Mark of any Watercourse. **WATERCOURSE BUFFER**

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

19. At least seven days prior to the use of any chemicals that were not identified in the complete application, the MSDS sheets must be provided to the Board and an Inspector. **CHEMICALS**

- |     |   |  |
|-----|---|--|
| 20. | The Permittee shall maintain a record of all spills. For all reportable spills, in accordance with the <i>GNWT Spill Contingency Planning and Reporting Regulations</i> , the Permittee shall:  | <b>REPORT SPILLS</b>                   |
|     | <ul style="list-style-type: none"> <li>a) immediately report each spill to the 24-hour Spill Report Line (867) 920-8130;</li> <li>b) report each spill to an Inspector within 24 hours; and</li> <li>c) submit, to the Board and an Inspector, a detailed report on each spill within 30 days.</li> </ul> |  |
| 21. | The Permittee shall dispose of all Toxic Material as described in the accepted application.   | <b>WASTE CHEMICAL DISPOSAL</b>         |
| 22. | The Permittee shall dispose of all Waste petroleum products by removal to an approved disposal facility or by incineration in a device designed for this purpose, as described in the accepted application.   | <b>WASTE PETROLEUM DISPOSAL</b>        |
|     | <b>26(1)(h) Wildlife and Fish Habitat</b>   |  |
| 23. | The Permittee shall take all reasonable measures to prevent damage to wildlife and fish Habitat during this land-use operation.   | <b>HABITAT DAMAGE</b>                  |
|     | <b>26(1)(i) Storage, Handling, and Disposal of Refuse or Sewage</b>   |  |
| 24. | The Permittee shall keep all garbage and debris in a secure container until disposal.   | <b>GARBAGE CONTAINER</b>               |
| 25. | The Permittee shall dispose of all garbage, Waste, and debris as described in the accepted application, unless otherwise authorized in writing by an Inspector.   | <b>REMOVE GARBAGE</b>                  |
|     | <b>26(1)(j) Protection of Historical, Archaeological, and Burial Sites</b>  |  |
| 26. | The Permittee shall not operate any vehicle or equipment within 150 metres of a known or suspected historical or archaeological site or burial ground.  | <b>ARCHAEOLOGICAL BUFFER</b>           |
| 27. | The Permittee shall not knowingly remove, disturb, or displace any archaeological specimen or site.   | <b>SITE DISTURBANCE</b>                |
| 28. | The Permittee shall, where a suspected archaeological or historical site, or burial ground is discovered:   | <b>SITE DISCOVERY AND NOTIFICATION</b> |
|     | <ul style="list-style-type: none"> <li>a) immediately suspend operations on the site; and</li> <li>b) notify the Board at (867) 669-0506 or an Inspector at (867) 874-6995, and the Prince of Wales Northern Heritage Centre at 767-9347 ext. 71250 or ext. 71251.</li> </ul>                             |  |



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

*Intentionally left blank*

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

29. Prior to the commencement of the land-use operation, the Permittee shall deposit with the Minister a security deposit in the amount of \$2,868.75. **SECURITY DEPOSIT**

30. All costs to remediate the area under this Permit are the responsibility of the Permittee. **RESPONSIBILITY FOR REMEDIATION COSTS**

**26(1)(m) Fuel Storage**

31. The Permittee shall: **CHECK FOR LEAKS**  
a) examine all Fuel Storage Containers and Tank for leaks a minimum once per day; and  
b) repair all leaks immediately.

32. The Permittee shall set up all refueling points with Secondary Containment. **SECONDARY CONTAINMENT – REFUELING**

33. The Permittee shall not allow petroleum products to spread to surrounding lands or Watercourses. **FUEL CONTAINMENT**

34. The Permittee shall mark all Fuel Storage Containers and Tanks with the Permittee's name. **MARK CONTAINERS AND TANKS**

35. The Permittee shall mark all stationary fuel caches and fuel storage facilities with flags, posts, or similar devices so that they are at all times plainly visible to local vehicle travel. **MARK FUEL LOCATION**

36. 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**

37. Prior to commencement of the land-use operation the Permittee shall ensure that spill-response equipment is in place to respond to any potential spills. **SPILL RESPONSE**

38. 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**

|  |   |  |
|--|---|--|
| 39.  | The Permittee shall clean up all leaks, spills, and contaminated material.  | <b>CLEAN UP SPILLS</b>                       |
| <b>26(1)(n) Methods and Techniques for Debris and Brush Disposal</b> |   |  |
| 40.  | Prior to the expiry date of this Permit, the Permittee shall progressively dispose of all brush and trees and shall complete all brush disposal; all disposal shall be completed.   | <b>BRUSH DISPOSAL/<br/>TIME</b>              |
| 41.  | The Permittee shall not clear areas larger than identified in the complete application.   | <b>MINIMIZE AREA<br/>CLEARED</b>             |
| <b>26(1)(o) Restoration of the Lands</b>                             |   |  |
| 42.  | The Permittee shall dispose of all overburden as instructed by an Inspector.  | <b>DISPOSAL OF<br/>OVERBURDEN</b>            |
| 43.  | The Permittee shall store overburden and use it to recontour the site after operations are complete, unless otherwise authorized in writing by an Inspector.  | <b>SAVE AND PLACE<br/>ORGANIC SOIL</b>       |
| 44.  | Prior to the expiry date of this Permit, the Permittee shall complete all cleanup and restoration of the lands used.  | <b>FINAL CLEANUP<br/>AND<br/>RESTORATION</b> |
| 45.  | Prior to the expiry date of this Permit, the Permittee shall prepare the site in such a manner as to facilitate natural revegetation.   | <b>NATURAL<br/>VEGETATION</b>                |
| 46.  | The Permittee shall carry out progressive reclamation of disturbed areas as soon as it is practical to do so.   | <b>PROGRESSIVE<br/>RECLAMATION</b>           |
| <b>26(1)(p) Display of Permits and Permit Numbers</b>                |   |  |
| 47.  | The Permittee shall keep a copy of this Permit on hand at all times during this land-use operation.   | <b>COPY OF PERMIT</b>                        |
| <b>26(1)(q) Biological and Physical Protection of the Land</b>       |   |  |
| 48.  | 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.  | <b>RESUBMIT PLAN</b>                         |
| 49.  | The Permittee shall adhere to the <b>Engagement Plan</b> , 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. | <b>ENGAGEMENT<br/>PLAN</b>                   |
| 50.  | All revised plans submitted to the Board shall include a brief summary of the changes made to the plan  | <b>SUMMARY OF<br/>CHANGES</b>                |



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### Reasons for Decision

Issued pursuant to paragraph 40(2)(c) of the Mackenzie Valley Land Use Regulations (MVLUR) and section 121 of the *Mackenzie Valley Resource Management Act* (MVRMA)

| Land Use Permit Application  |  |
|------------------------------|--|
| <b>Preliminary Screener</b>  | MVLWB                                    |
| <b>Reference/File Number</b> | MV2019Q0001                              |
| <b>Company</b>               | Carter Industries Ltd.                   |
| <b>Project</b>               | Quarry Operation – Highway 5, km 7.9, NT |
| <b>Date of Decision</b>      | March 7, 2019                            |

These Reasons for Decision set out the Mackenzie Valley Land and Water Board’s (the Board or MVLWB) decision on an Application made by Carter Industries Ltd. (Carter) to the Board on January 11, 2019 for Land Use Permit (Permit) MV2019Q0001.

#### 1.0 Background

The application as submitted to the Board, is for the continued operation of quarry sites on the south side of Highway 5 at km 7.9 The two sites are identified as Site A and Site B. Carter has been operating in these quarries since January 2012.

The operation is small in scale, there will be no camp set up and no fuel stored on site. Refueling will take place from a tidy tank in the back of a pick-up truck. There will be secondary containment used when refueling machinery. All wastes will be taken back to the main office in the Town of Hay River. Carter disposes their waste with the Town of Hay River.

This site was also previously developed and cleared by other developers who have had previous authorizations for the area.

As this site has been previously disturbed, the environmental risk surrounding the site is anticipated to be minimal.

Carter requested a term of five years.

#### 2.0 Public Review

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

- Environment and Climate Change Canada;
- GNWT-ECE;

- GNWT-ENR (Central Email);
- GNWT-Lands (Inspector);
- GNWT-Lands; and
- Katlodeeche First Nation

Carter responded by February 25, 2019. The Review Summary and Attachments presented the concerns identified through this review.

### 3.0 Adequacy of Management Plans

A Spill Contingency Plan, and Engagement Plan were included with the Application.

### 4.0 Security

Carter did not complete the Board’s reclamation security worksheet. The GNWT-Inspector did recommend security during the public review which is estimated to be \$2,868.75. Board staff have completed the reclamation security worksheet and have calculated that the cost to remediate the site would be \$2,868.75. The previous Permit did not require security to be posted.

**Table 1: Board staff’s security estimate:**

| Line Item                        | GNWT -Lands (Inspector) estimate | MVLWB Staff estimate | Notes   |
|----------------------------------|----------------------------------|----------------------|---|
| Camp                             | \$0.00                           | \$0.00               | Board staff and the Inspector agree on the calculation of reclamation security. |
| Regulated/Hazardous Material     | \$1,500.00                       | \$1,500.00           | Board staff and the Inspector agree on the calculation of reclamation security. |
| Hydrocarbon Storage and Transfer | \$0.00                           | \$0.00               | Board staff and the Inspector agree on the calculation of reclamation security. |
| Land Disturbance                 | \$0.00                           | \$0.00               | Board staff and the Inspector agree on the calculation of reclamation security. |
| Equipment                        | \$3,000.00                       | \$3,000.00           | Board staff and the Inspector agree on the calculation of reclamation security. |
| <b>Total</b>                     | <b>\$2,868.75</b>                | <b>\$2,868.75</b>    |   |

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

## 5.0 Decision

In rendering its decision, the Board is satisfied that:

- notice of the Application was given in accordance with sections 63 and 64 of the MVRMA. The Board is satisfied that a reasonable period of notice was given to communities and First Nations so comments could be provided to the Board;
- the development was screened by the MVLWB on January 18, 2012 pursuant to subsection 124(1) of the MVRMA and has therefore been exempt from screening pursuant to Part 1(2) of Schedule 1 (Section 2) of the Exemption List Regulations;
- any potential adverse environmental effects are insignificant or mitigable with known technology; and,
- there is no likelihood that the proposed development might be a cause of public concern.

After reviewing the evidence and submissions of the Applicant, the written comments and submissions received by the Board and the Staff Report prepared for the Board, the Board, having due regard to the facts, circumstances, the merits of the submissions made to it, and to the purpose, scope, and intent of the MVRMA and Regulations made thereunder, has determined that Land Use Permit MV2019Q0001 be issued subject to the term, scope, definitions, and conditions contained therein. The Board's determinations and reasons for this decision are set out below.

- The Board is satisfied that appropriate consultation has been conducted and that advice has been sought and considered, in accordance with sections 63 and 64 of the MVRMA.
- The use of land proposed by the Applicant is of a nature contemplated by the MVRMA.
- The operation will likely contribute to the socio-economic well-being and economic development of the region.
- The Board has reviewed the information contained in the February 25, 2019 Staff Report regarding environmental impacts and/or public concerns.
- The scope of the Permit ensures Carter Industries Ltd. is entitled to conduct activities which have been applied for and screened by the Board. In setting the scope, the Board endeavored to provide enough detail to identify and describe the authorized activities without being unduly restrictive or prescriptive, and to allow for project flexibility throughout the life of the Permit.
- The conditions set forth in the Permit have been imposed to address the Board's statutory responsibilities and ensure the land-use operation is conducted in a manner which ensures impacts to surrounding lands and waters are minimized.
- The Board has approved the Spill Contingency, and Engagement Plans because they meet the applicable guidelines and sufficiently reflects the scope of the proposed activities.
- The definitions and conditions in the Permit are from the MVLWB's *Standard Land Use Permit Conditions Template* (Standard Template) and are not discussed in detail in these reasons unless notable due to recommendations or concerns raised by reviewers. After considering the information gathered through the public review, the Board made the following changes, with rationale, to the conditions:

| <b>Condition</b>            | <b>Change</b> | <b>Rationale</b>   |
|-----------------------------|---------------|--|
| Spring Break Up             | Removed       | The Board has removed this condition based on the recommendation from the Inspector as it applies to winter roads and not to the operation of the quarry.  |
| Dogleg Approaches           | Removed       | The Board has removed this condition based on the recommendation from the Inspector as there will be no winter roads and the site is accessible year-round.  |
| Winter Roads                | Removed       | The Board has removed this condition based on the recommendation from the Inspector as there will be no winter roads and the site is accessible year-round.  |
| Excavated Material          | Modified      | The Board has changed the name of the condition as recommended by the Inspector as the operator would not be able to replace all the excavated material. However, they would be able to fill in the test pits. |
| Ice Bridge Materials        | Removed       | The Board has removed this condition based on the recommendation from the Inspector as there will be no winter roads and the site is accessible year-round.  |
| Snowfill Materials          | Removed       | The Board has removed this condition based on the recommendation from the Inspector as there will be no winter roads and the site is accessible year-round.  |
| Remove or V-Notch Snowfills | Removed       | The Board has removed this condition based on the recommendation from the Inspector as there will be no winter roads and the site is accessible year-round.  |
| V-Notch Ice Bridges         | Removed       | The Board has removed this condition based on the recommendation from the Inspector as there will be no winter roads and the site is accessible year-round.  |
| Stream Banks                | Removed       | The Board has removed this condition based on the recommendation from the Inspector as there are no streams in the area.   |
| Minimize Approach           | Removed       | The Board has removed this condition based on the recommendation from the Inspector as there are no streams in the area.   |
| Security Deposit            | Added         | Based on the evidence provided in Section 4 above the Board has applied a reclamation security in the amount of \$2,868.75.  |
| Fuel Near Water             | Removal       | The Board has removed this condition based on the recommendation from the Inspector as there will not be any fuel stored on site.  |

**6.0 Conclusion**

Land Use Permit MV2019Q0001 contains provisions that the Board deems necessary to ensure and monitor compliance with the MVRMA and the Regulations made thereunder, and to provide appropriate safeguards in respect of Carter Industries Ltd.'s use of the land affected by the Permit.

SIGNATURE

Mackenzie Valley Land and Water Board



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Mavis Cli-Michaud, Chair

March 7, 2019

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Date