Date May 22, 2020

Bob McPherson, President
MYB Construction Ltd.
P.O. Box 34
Tulita, NT
X0E 0K0

Dear Mr. McPherson,

Re: MYB Construction - Land Use Permit Application Incomplete – camp adjacent to Enbridge maintenance shop facility – KP160 south side of Little Smith Creek, Tulita District NWT

On May 8, 2020, the Sahtu Land and Water Board (Board) staff received the Application for Land Use Permit (Permit) S20J-003 for the proposed camp located at KP160, south side of Little Smith Creek (Project) from MYB Construction Ltd. (MYB).

The Application has been reviewed and found to be lacking information required under section 19 and paragraph 22(1)(a) of the Mackenzie Valley Land Use Regulations (MVLUR). For the Application to be considered complete, refer to the MVLWB Guide to the Land Use Permitting Process (Guide) and submit the following information to the Board’s office:

1. **Engagement Record and Plan**: As described in section 3.1 of the Guide, each applicant must conduct engagement prior to submitting a land use permit application. The application must include an engagement record and engagement plan, prepared in accordance with section 2.1 of the MVLWB Engagement and Consultation Policy and Engagement Guidelines for Applicants and Holders of Land Use Permits and Water Licences.

2. **Land Type**: The application from incorrectly identifies the land type as “Federal Land”. The coordinates provided indicate that the proposed camp location is on Sahtu Private Lands.

3. **Eligibility** – As described in section 3.21, item 4 of the Guide, each applicant must provide information on eligibility to access the lands noted in the Application as per section 18 of the MVLUR. Provide additional information to support eligibility (access agreement with Tulita District Land Corporation to go on private lands).

4. **Application Fee** – The cheque for the Application Fee of $150.00 was incorrectly made out to the SLWB. The Application Fee is payable to “The Receiver General for Canada”. Please resubmit another cheque and indicate if you would like the SLWB to return or destroy the incorrect cheque.

5. **Permit Type and Criteria** – Board staff note the application package identified a Type B Permit for camp activity based on section 5(b)(ii) of the MVLUR, which permits use of a campsite for 200-400 person-

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1 See SLWB Online Registry for S20J-003
3 MVLWB Engagement and Consultation Policy.
4 MVLWB Engagement Guidelines for Applicants and Holders of Land Use Permits and Water Licences.
days. The application cover letter proposes the camp to be for 80 persons. If the duration of camp use will exceed 5 days, the trigger for the Type B Permit will be exceeded and a Type A Permit will be required as per 4(b)(ii). Revise the Application Form to reflect the appropriate permitting criteria for the proposed camp use based on number of person-days.

6. Project Description – Enter additional information in the grey field of the Application Form to indicate size of the camp (in hectares).

7. Camp – On the Application Form, provide more detail about the proposed camp size and layout, including:
   a) Location and distance from any waterbody;
   b) A camp layout that indicates proposed locations and total square footage occupied by structures;
   c) Number of personnel projected to be stationed in the camp and duration of occupancy (number of person-days);
   d) Time of year the Project activities are planned to occur; and
   e) Source of water to supply the camp (will water be withdrawn from nearby lakes or rivers, and if so, what quantity will be used (rate, volume (m$^3$/day)).

Explain, with rationale, any variations in the information throughout the duration of the proposed activities.

8. Waste Management Plan – On the Application Form, provide additional information about the types of waste to be generated and methods of on-site storage that will reduce any environmental effects (particularly wildlife attractants to garbage) between weekly off-site disposal.

As the Application Form indicates waste is proposed to be disposed of off-site within the NWT, it is recommended that a written confirmation (letter or email) be submitted from the facility/facilities manager indicating they will accept the waste.

9. Equipment – On the Application Form please include all equipment that will be used in the camp operation. This includes water trucks, sewage trucks, pick-up trucks, snowmobiles, etc..

10. Fuels - Revise the Application Form to indicate the number and size of any fuel containers (propane tanks; generators, tidy tanks) that will be refueled by the registered fuel carrier.

11. Spill Contingency Plan (SCP) – Revise the SCP to include a Project and site description and map showing locations of any potential spill materials and spill response resources; a description of all potential spill types, sources, sizes and potential effects specific to the Project; remove the spill reporting regulations for all but NWT; and include copy of the NWT Spill Report Form and all NWT contacts in the event of a spill; remove the potable water and well water regulations from other provinces outside NWT. Applicants are strongly encouraged to use the template provided in the INAC Guidelines for Spill Contingency Planning\(^5\).

12. Conformity with Sahtu Land Use Plan (SLUP) – Include the attached Land Use Plan Conformity Table in the Application Package, demonstrating how the proposed Project meets the requirements of the SLUP.

13. Security Estimate – Applicants are strongly encouraged to complete the attached Land Use Security Template. It will be the decision of the Board as to whether security will be required for the Project.

\(^5\) INAC Guidelines for Spill Contingency Planning
Upon receipt of this information, the Application will be reviewed as per the *Mackenzie Valley Resource Management Act* (MVRMA). If this information is not provided within 90 days of the date of this letter, staff will return the Application as per section 25 of the MVLUR.

Please contact Bonnie Bergsma at (867) 496-2778 or email bonnie.bergsma@slwb.com with any questions or concerns regarding this letter.

Yours Sincerely,

Bonnie Bergsma, M.Sc.
Regulatory Specialist

Copied to: Danny McNeely – Business Development Officer
Trevor Bremner – Manager Resource Management – GNWT-Lands Sahtu Region

Attached: Land Use Permit Security Template
Sahtu Land Use Plan Conformity Table