



Sahtu Land and Water Board

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November 19, 2020

File: S20E-005/S20L8-002

Sonya Saunders,
Director, Strategic Infrastructure
Department of Infrastructure
Government of the Northwest Territories
PO Box 1320
YELLOWKNIFE, NT X1A 2L9

Sent by Email

Dear Ms. Saunders:

Issuance of Type A Land Use Permit and Type B Water Licence: Construction of the Canyon Creek to Prohibition Creek All Season Access Road, Tulita, Northwest Territories.

Attached is Type A Land Use Permit (LUP) S20E-005 and Water Licence (WL) S20L8-002 granted by the Sahtu Land and Water Board (SLWB or the Board) in accordance with the Mackenzie Valley Resource Management Act. This Permit has been approved for a period of five years commencing November 19, 2020 and expiring November 18, 2025.

Preliminary Screening Report

SLWB has screened the activities under Prohibition Creek Access Road (PCAR) Construction Project and the preliminary screening was approved and forwarded to the Mackenzie Valley Environment Review Board (MVEIRB) on October 28, 2020. No referral to Environmental Assessment was received by the end of the 10-day pause period, and therefore the Board issue the Land Use Permit and Water Licence.

LUP, WL and Reasons for Decision

The Board has issued a type A Land Use Permit S20E-005 and a type B Water Licence S20L8-002 with a term of five years commencing November 19, 2020 and expiring November 18, 2025 (attached) with supporting Reasons for Decision (attached). The Board directs GNWT-INF to ensure compliance with Permit S20E-005 and Licence S20L8-002 and all applicable Federal, Territorial, self-government, and municipal legislation.

Security

As per section 94 of *Mackenzie Valley Resource Management Act (MVRMA)*, the territorial government shall not be required to post security pursuant to section 71 of MVRMA.

Management Plan- Approved

The Board hereby approves the Engagement Plan and Record, as submitted on Sep 14, 2020.

Management Plans – Requiring Revision Before Road Construction Activities

Following management plans are **conditionally approved** and they require revisions prior to the start of PCAR construction project. Once received, Board Staff will confirm the conformity to the following conditions to approve the revisions.

Relevant Conditions	Title of Plan	Due Date	Revisions Required
LUP: conditions 56, 73 WL: Part H (2) and (3) Part B (7)	Spill Contingency Plan	Feb 18, 2021	a) Amount and location of stored fuel; b) Spill Response Organizational Chart under section 5 (Spill Action Plans); and c) Complete list of equipment with the number, size and weight of the same.
LUP: conditions 38, 73 WL: Part F (3) and (4) Part B (7)	Waste Management Plan	Feb 18, 2021	a) Clearly explain handling methods for all types of wastes; b) Indicate disposal locations for all types of wastes, especially hazardous waste; and c) Provide volume/mass estimates for different types of waste.

Plan Requiring Major Revision

Following management plan is **not approved**; must be revised and submitted **60 days prior** to the start of the PCAR Construction activities. QOP Ver 2 require public review and SLWB approval.

Relevant Conditions	Title of Plan	Revisions Required
LUP: condition 73 WL: Part B, items 5, 6, 7	Quarry Operations Plan (QOP)	<ul style="list-style-type: none">• QOP has to be more user friendly to the on-site personnel with instructions and warnings for different quarry operations; QOP has to be a functional user manual similar to SCP.• Schematic diagrams for quarry development/operation similar to that provided in the <i>Department of Lands (Lands) Northern Land Use Guidelines: Pits and Quarries (Lands 2015)</i> may be added.• QOP has to incorporate the Quarry impacts and mitigation measures discussed in the PDR; this is in line with the directions in the guidelines; an impacts and mitigations table must be added to make the QOP more

Relevant Conditions	Title of Plan	Revisions Required
		<p>functional.</p> <ul style="list-style-type: none"> • QOP has to incorporate a Blasting Management Plan. • The finalized QOP may undergo a public review before the start of construction activities. • It must be mentioned in section 3.6 of the plan about how hazardous and non-hazardous waste will be stored separately.

Pending Documents to be Submitted to SLWB

As per LUP Condition 74 and WL Part B Condition 6, the following management plans and studies must be submitted **60 days prior** to the start of the PCAR Construction activities, for public review and Board Approval.

- Wildlife Management and Monitoring Plan (WMMP)
- Permafrost Erosion Plan (PEP)
- Sediment and Erosion Control Plan (SECP)

Other Pending Documents to be Submitted for Information

As per LUP Condition 75, the following reports/studies and studies must be submitted for information, **prior to** the start of the PCAR Construction activities.

- Thermal Assessment
- Archeological Impact Assessments (AIA),
- Hydrology and Fish Assessments
- Topographic Survey
- Final Engineering Design for PCAR Construction.

Additional Geotechnical Drilling

Any outstanding/unforeseen geotechnical work related to this project have to be dealt with under other existing (S20S-001) or new authorizations, as applicable.

Other Authorizations Supporting the Project

The PCAR Construction Project will be utilizing a single borrow source, Edie Lake Quarry, which was commissioned and developed under the land use permit S15E-004. Outstanding geotechnical work on the PCAR alignment would be dealt with under the land use permit S20S-001.

Public Registry

A copy of this Permit and Licence has been filed on the Public Registry at the SLWB office. Please be advised that this letter, with its attached procedures, inspection reports, and related correspondence is

part of the Public Registry and is intended to keep all interested parties informed of the manner in which the Permit and Licence requirements are being met.

The full cooperation of GNWT-INF is anticipated and appreciated. If you have any questions or concerns, please contact Aswathy Mary Varghese, Regulatory Specialist, at (867) 598-2413 ext. 223, or e-mail ash.varghese@slwb.com.

Yours Sincerely,

A handwritten signature in blue ink, appearing to read 'Larry Wallace', with a large, stylized initial 'L'.

Larry Wallace
Chair

Attachments: Reasons for Decision – S20E-005
Reasons for Decision – S20L8-002

Copied to: Patricia Coyne, GNWT-INF
Jonathan Gillingham, GNWT-Lands (Sahtu)
Erin Goose, GNWT-ENR (Sahtu)
Tulita Distribution List