



Box 32, Wekweètì, NT X0E 1W0
Tel: 867-713-2500 Fax: 867-713-2502

#1-4905 48th Street, Yellowknife, NT X1A 3S3
Tel: 867-765-4592 Fax: 867-669-9593
www.wlwb.ca

Reasons for Decision

Issued pursuant to paragraph 40(2)(c) of the *Mackenzie Valley Land Use Regulations* (MVLUR)

Land Use Permit Application	
Preliminary Screener	WLWB
Reference/File Number	W2015C0002
Applicant	Adamera Minerals Corp.
Project	Mineral Exploration

Decision from Wek'èezhii Land and Water Board

Meeting of

March 26, 2015

With respect to this application, notice was given in accordance with sections 63 and 64 of the MVRMA. There was no public hearing held in association with this application.

1.0 Background

Adamera Minerals Corp. submitted a renewal application for a Land Use Permit on February 11, 2015.¹ Adamera was originally granted mineral exploration LUP W2006C0005 on May 31, 2006 for a term of five years;² a new LUP W2009C0003 was issued on February 26, 2009 because additional drill targets were added to operations.³ A two year LUP extension to this Permit was granted on February 1, 2011, expiring May 29, 2013.⁴ A storage authorization was issued to Adamera Minerals on Mar 27, 2013.⁵ Adamera minerals applied for and was granted an extension to its storage authorization on May 29, 2014.⁶

¹ See WLWB (www.wlwb.ca) Online Registry for [Hepburn Lake Project – Land Use Permit – Type B - Review summary and attachments – Mar 26 15.pdf](#). for e-mail correspondence confirming submission of Adamera's LUP application.

² See WLWB (www.wlwb.ca) Online Registry for [W0605 – Issuance LUP - May 06.pdf](#).

³ Additional drill targets were scoped into the project. See WLWB (www.wlwb.ca) Online Registry for [Hepburn Lake Project – Land Use Permit – Terms and Conditions – Replaces W2006C0005 – Feb 23 09.pdf](#).

⁴ See WLWB (www.wlwb.ca) Online Registry for [Hepburn Lake Project - 2 Year Extension Approved – Feb 1 11.pdf](#).

⁵ See WLWB (www.wlwb.ca) Online Registry for [W2009C0003 – Adamera – Storage Authorization – Issuance – Mar 27 13.pdf](#).

⁶ See WLWB (www.wlwb.ca) Online Registry for [W2009C0003 – Adamera – Storage Authorization Extension – May 29 14.pdf](#).

Adamera's LUP renewal application⁷ was deemed complete on February 20, 2015. The WLWB distributed this application for comment and review on February 20, 2015. Comments were submitted by Environment Canada, GNWT-Environment and Natural Resources, GNWT – Lands, and Board staff, prior to March 11, 2015. Reviewer responses were received on Mar 17, 2015.

2.0 Decision

Section 124 of the *Mackenzie Valley Resource Management Act* (MVRMA) provides for exemption from preliminary screening for applications specified by regulations made under section 143(1)(c). As per Schedule 1 (section 2), Part 1, Paragraph 2 of the *Exemption List Regulations*, an exemption from preliminary screening is applicable if:

“A development, or a 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 MVRMA, CEAA [Canadian Environmental Assessment Act] or the Environmental Assessment Review Process Guidelines Order.”*

The project was screened by the WLWB on February 23, 2009, prior to issuance of Land Use Permit W2009C0003.⁸ The scope of the project described in Adamera's renewal application includes the same activities screened on February 23, 2009; the February 23, 2009 Preliminary screening determined that:

- any potential adverse environmental effects are insignificant or mitigable with known technology; and,
- the project is not likely to be a source of significant public concern.

Therefore, it is the Board's position that Adamera's LUP application is exempt from preliminary screening pursuant to Part 1(2) of Schedule 1 (section 2) of the *Exemptions List Regulations*.

After reviewing the submission of the Applicant, the written comments received by the Board and the Staff Report prepared for the Board, the Board, having due regard to the facts and 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 W2015C0002 be issued subject to the terms and conditions contained therein.

The Board's reasons for this decision are as follows:

- The Board is satisfied that adequate consultation has been conducted and that advice has been sought and considered in accordance with sections 63 and 64 of the MVRMA.

⁷ See the WLWB (www.wlwb.ca) Online Registry for [Hepburn Lake Project – Land Use Permit Application – Feb 12_15.pdf](#).

⁸ See the WLWB (www.wlwb.ca) Online Registry for [Hepburn Lake Project – LUP Application – Preliminary Screening – Replaces W2006C0005 – Feb 23_09.pdf](#)

- No significant or unmitigable public concern was made known to the Board.
- 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 Staff Report dated March 13, 2015 regarding environmental impacts and/or public concerns.
- It is the opinion of the Board that the terms and conditions attached to W2015C0001, pursuant to the MVRMA, will prevent or mitigate any potential significant environmental impacts which might result from the mineral exploration.

3.0 Discussion

LUP W2015C0002 allows Adamera to conduct prospecting activities including site visits, mapping, and possible ground geophysics at seven lease areas. Adamera's operation will use a crew of 3-5 people, and would use its previously established campsite and fuel cache, located at Hepburn Lake. Field work is to be completed four weeks per year, during the open-water season. No drilling is being applied for with this application. All access to the campsite and leases will be via helicopter.

In accordance with the *Mackenzie Valley Land Use Regulations* (MVLUR)⁹ section 5(a)(iii), a Type B LUP is required to permit storage of the fuel quantities identified in Adamera's LUP application. No other identified activities require a Permit. The 42-day timeline for review of a Type A LUP (section 22(2) of the MVLUR) has been implemented in review of this Land Use Permit application to ensure that sufficient opportunity for engagement to occur has been provided, as is allowed by section 23(b)(iii) of the MVLUR.¹⁰

GNWT-Lands has recommended issuance of this Permit, and the GNWT-Lands Inspector has stated agreement with the terms and conditions contained with Land Use Permit W2015C0002 (Comments #1, for both GNWT-Lands and GNWT-Lands: Joseph Heron). No additional comments were received from reviewers regarding the terms and conditions contained within Land Use Permit.

3.1 Management Plans

Since Adamera's previous LUP was issued (W2009C0003), the Mackenzie Valley Land and Water Board (MVLWB) has implemented standards for the development of Waste Management and Engagement Plans for holders of Water Licences and Land Use Permits. As a result, this is the first time Adamera has been required to develop a Waste Management and an Engagement Plan for Board approval. Land Use Permit W2015C0002 includes standard conditions, regulating submission, implementation, and revision of these plans.

⁹ See WLWB (www.wlwb.ca), Acts and Regulations, [Mackenzie Valley Land Use Regulations](#).

¹⁰ See WLWB (www.wlwb.ca), Policies and Guidelines, Appendix D – Supporting Engagement Documents and Guidelines, of the [MVLWB's Engagement Guidelines for Applicants and Holders of Water Licences and Land Use Permits](#).

Adamera submitted Version 1.0 of its Engagement Plan with its application, developed in accordance with the MVLWB's *Engagement Guidelines for Applicants and Holders of Water Licences and Land Use Permits*. During the review process, Adamera outlined its conflict resolution process and confirmed its availability for community meetings, when appropriate (response to WLWB comments #1 and #2).

Adamera also submitted Version 1.0 of its Waste Management Plan with its application, developed in accordance with the MVLWB's *Guidelines for Developing a Waste Management Plan*. The Inspector required DDEC to update its Waste Management Plan to clarify that "only cardboard and lumber may be incinerated onsite" (see GNWT-Lands comment #3). Adamera also clarified the number of structures present on site (see WLWB comment #4). The GNWT-Environment and Natural Resources Department submitted several additional comments with respect to proper waste management on site (ENR#1-7, 10); Adamera has committed to submitting an updated Waste Management Plan prior to commencement of operations to reflect commitments made during the review process (see response to WLWB comment #4).

Finally, Adamera submitted Version 2.0 of its Spill Contingency Plan with its application, developed in accordance with Aboriginal Affairs and Northern Development Canada's (AANDC) *Spill Contingency Guidelines* (2007). Several comments were submitted by reviewers requesting updates to Adamera's Spill Contingency Plan (see comments EC#10, EC#11, and ENR#9), and administrative updates including contact information of various parties (see comments EC #9 and GNWT-Lands #2). Adamera has accepted all reviewer recommendations and has committed to submitting Version 2.1 of its Spill Contingency Plan, prior to commencement of operations (see response to GNWT-Lands #2).

The Board has determined Versions 1.0 of both Adamera's Engagement and Waste Management Plans, and Version 2.0 of Adamera's Spill Contingency Plan, in combination with responses provided during the review process, satisfy the respective management plan Guidelines. The Board supports Adamera's commitment to update its Waste Management and Spill Contingency Plans to reflect commitments made during the review process. In addition, Adamera is to include its conflict resolution process and commitment to community meetings in an updated Engagement Plan. Adamera is to submit Versions 1.1 of its Waste Management and Engagement Plans and 2.1 of the Spill Contingency Plan to the Board for a conformity check, by May 1, 2015.

3.2 Security

Adamera posted \$15,000 in security on June 22, 2006¹¹ with LUP W2006C0005, which was subsequently transferred to LUP W2009C0003 on April 20, 2009.¹² The board has completed a security estimate in consideration of the activities described within the Land Use Permit application. The decisions and assumptions used in completing this security estimate are consistent with those recently used in determining security for mineral exploration projects of similar size. Pursuant to section 32 of the *Mackenzie Valley Land Use Regulations*, the Board has determined that a security fee of \$17,723.14 for Adamera's Hepburn Lake Project permitted in issuance of LUP W2015C0002 (Condition #23).

¹¹ See WLWB (www.wlwb.ca) Online Registry for [W06C05 – Receipt-SecurityDeposit-June06.pdf](#).

¹² See WLWB (www.wlwb.ca) Online Registry for [W2009C0003 – Adamera – Security Deposit – Letter from INAC Re Transaction – Apr 20 09.pdf](#).

3.3 Additional Reviewer Recommendations and Commitments made by the Proponent

Environment Canada submitted several standard recommendations during the review period notifying Adamera of the *Migratory Birds Convention Act*, the *Species at Risk Act*, and *Migratory Bird Regulations*, informing Adamera of its legal obligations to adhere to these acts and regulations. Adamera has acknowledged Environment Canada's recommendations and committed to complying with these acts regulations, and communicating wildlife sightings to GNWT-ENR at the end of each field season.

Adamera has also committed to submitting an updated Safety Manual and a Wildlife and Wildlife Habitat Plan, prior to commencement of operations in response to Environment Canada's comment #12, and GNWT – Environment and Natural Resources Department's comment #8, respectively.

4.0 Conclusion

The Board has determined that Land Use Permit W2015C0002 contains the provisions necessary to ensure and monitor compliance with the MVRMA and the Regulations made thereunder and provides appropriate safeguards in respect of the Applicant's use of the lands impacted by the requested Permit. The Board will provide additional referenced material or documents upon written request.

SIGNATURE

Wek'èezhìi Land and Water Board



Violet Camsell-Blondin, Chair

March 26, 2015

Date