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Staff Report

Applicant: South Nahanni Outfitters Ltd.	
Location: Root River, near Wrigley, NT	File Number(s): MV2015J0001
Date Prepared: January 8, 2021	Date of Board Meeting: January 14, 2021
Subject: Extension Request for Type A Land Use Permit	

1. Purpose

The purpose of this Report is to present to the Mackenzie Valley Land and Water Board (MVLWB/the Board) a request by South Nahanni Outfitters Ltd. (SNOL or Permittee) to extend the term of Land Use Permit MV2015J0001 (Permit) for an additional two years.

2. Background

- January 7, 2016 – Issuance of Permit MV2015J0001;
- December 12, 2020 – Extension Request received;
- December 15, 2020 – Review commenced;
- December 17, 2021 – Response deadline changed from January 19, 2021 to January 11, 2021;
- January 7, 2021 – Comments and recommendations due and received;
- January 8, 2021 – SNOL indicates they will not respond to comments and recommendations;
- January 11, 2021 – Responses due;
- **January 14, 2021 – Extension Request presented to the Board for decision;** and
- January 6, 2021 – Expiration of Permit MV2015J0001.

3. Discussion

The Board issued Type A Land Use Permit MV2015J0001 on January 7, 2015 to South Nahanni Outfitters Ltd. (SNOL). The Permit allows SNOL to operate and maintain existing camp facilities at their Root River base camp, as well as use equipment for the operation and maintenance of the camp and existing airstrip, and to store fuel.

Since the Permit was issued, SNOL has continued to operate the Root River base camp in accordance with Permit conditions. To ensure SNOL maintains an active authorization for their activities, SNOL has applied for a two-year extension to MV2015J0001.

The Permit extension request (attached) was received December 12, 2020, following an extended period of communication between SNOL and Board staff regarding engagement requirements for the extension application. The extension application was distributed for public review on December 15, 2020. On December 17, 2020, SNOL provided updated engagement information, in the form of a revised Engagement Log and letter of support from Łíídlıı Kúé First Nation (attached). Also on December 17, 2020, Board staff revised the comment response deadline for SNOL in order to bring the extension application before the Board earlier. On that same day, Board staff sent a notification to the distribution list regarding the additional information and change in response deadline.

Engagement

As noted above, an Engagement Log was included in the extension application. SNOL noted they engaged with the following Parties:

- Dehcho First Nations (DFN);
- Łíídlıı Kúé First Nation (LKFN);
- Pedzéh Kı First Nation (PKFN); and
- Fort Simpson Metis Nation (FSMN).

A letter of support for SNOL's extension application was received from LKFN on December 16, 2020, and included in the updated Engagement Log.

Eligibility

As per section 18 of the Mackenzie Valley Land Use Regulations (MVLUR), eligibility must be determined before the Board can issue a permit. Board staff have confirmed that eligibility for a permit under 18(a)(i) of the *Mackenzie Valley Land Use Regulations* has been satisfied:

*18) A person is eligible for a permit who
(a) Where the proposed land-use operation is in the exercise of a right to search for, win or exploit minerals or natural resources,
(i) holds the right*

Type of Area

This Project is in a non-federal area.

Fees

Not applicable.

Term

South Nahanni Outfitters has applied for a two year extension to their Permit.

4. Comments

Subsection 26(6) of the Mackenzie Valley Land Use Regulations (MVLUR) states that an extension may be granted to the term of a permit if a written request is received prior to the Permit's expiry. In accordance with this requirement, the Permittee submitted its extension request for the Board's consideration in advance of its permit's expiry.

Staff review of the request and supporting information confirmed that there are no major issues of concern associated with the request. In addition, the Inspector confirmed that there are no concerns with the extension request (attached).

Inspection Reports

Board staff have reviewed the recent Inspection Reports on the public registry. A minimal fuel leak was noted in the August 21, 2018 Inspection Report (attached), but no concerns were raised in the Inspection Report from September 2020 (attached).

5. Public Review

By January 7, 2021, comments and recommendations on the permit extension request were received from the Government of the Northwest Territories Department of Land (GNWT-Lands), which indicated they had no comments or recommendations at this time.

SNOL indicated by email (attached) to Board staff that they would not be providing a response. The Review Summary and Attachments (attached) presents the lack of concerns identified through this review.

Draft Permit

Conditions in the Permit have not changed; changes to the cover page for MV2015J0001 have been drafted and attached.

6. Security

The Permittee was required to post with the Minister, a security deposit in the amount of \$30,000 prior to the start of operations, as required by Permit MV2015J0001 (attached). This extension request does not impact security requirements.

7. Conclusion

According to the information provided for the extension request and during the internal and public reviews, the continuation of SNOL's operations at the Root River camp for an additional two years is not likely to have a significant adverse impact on the environment or be a cause of public concern.

Board staff conclude there are no outstanding issues or concerns with this permit extension request.

8. Recommendation

Board staff recommend the Board **make a motion to approve an extension to the term of Land Use Permit MV2015J0001 for an additional two years.**

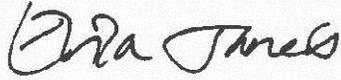
A draft decision letter is attached.

9. Attachments

- [Permit Extension Request](#)
- [Updated Engagement Log](#)
- [December 14, 2020 Email from Inspector indicating no concerns](#)
- [August 21, 2018 Inspection Report](#)
- [September 1, 2020 Inspection Report](#)

- [January 8, 2021 email from SNOL to Board staff](#)
- [April 1, 2016 Confirmation of Security Deposit](#)
- Review Summary and Attachments
- Draft Land Use Permit Cover Page
- Draft Decision Letter from the Board

Respectfully submitted,

A handwritten signature in black ink that reads "Erica Janes". The signature is written in a cursive, flowing style.

Erica Janes
Regulatory Specialist

Review Comment Table

Board:	MVLWB
Review Item:	South Nahanni Outfitters Ltd. - Permit Extension Request (MV2015J0001)
File(s):	MV2015J0001
Proponent:	South Nahanni Outfitters Ltd.
Document(s):	MV2015J0001 - South Nahanni Outfitters - Permit Extension Application - Dec12-20 (1276 KB) MV2015J0001 - South Nahanni Outfitters - Issuance Letter and Permit Conditions - Jan7-16 (402.52 KB) MV2015J0001 - South Nahanni Outfitters - Updated Engagement Log - Dec17-20 (1179 KB)
Item For Review Distributed On:	Dec 15 at 09:36 Distribution List
Reviewer Comments Due By:	Jan 7, 2021
Proponent Responses Due By:	Jan 11, 2021
Item Description:	<p>December 17, 2020 Update: South Nahanni Outfitters has provided an updated Engagement Log (see link). Also, the deadline for responses to comments has been changed to January 11, 2021.</p> <p>South Nahanni Outfitters Ltd. (the Applicant) has submitted a request to extend Land Use Permit (Permit) MV2015J0001 for a term of two years. The Applicant is requesting to continue operating under their existing Permit. No new activities have been requested.</p> <p>Using the Online Review System (ORS), reviewers are invited to submit comments and recommendations on the documents linked below by the review comment deadline specified. Reviewers may also wish to consider providing an overarching recommendation regarding whether the Board should approve the submission, to provide context for the comments and recommendations and assist the Board with its decision. If reviewers seek clarification on the submission, they are encouraged to correspond directly with the Applicant prior to submitting comments and recommendations.</p> <p>All documents that have been uploaded to this review are also available on our public Registry. If you have any questions or comments about the ORS or this review, please contact Board staff identified below.</p>
Contact Information:	Erica Janes 867-766-7466 Jen Potten 867-766-7468

Comment Summary

GNWT - Lands - Dehcho Region: Andrew Lirette				
ID	Topic	Reviewer Comment/Recommendation	Proponent Response	Board Staff Analysis
1	Inspector's Comments and Recommendations in regards to South Nahanni Outfitters - Permit Extension Request	<p>Comment Inspectors have reviewed the permit extension request and have no comments at this time.</p> <p>Recommendation Inspectors have no recommendations at this time.</p>	--	Noted.