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www.mvlwb.com

November 13, 2019

File: MV2019Q0023

Ms. Trudie Walsh  
Rowe's Construction  
25 Studney Drive  
Hay River NT X0E 0R6

Sent via Email

Dear Ms. Walsh:

**Issuance of Type A Land Use Permit  
Quarrying – Highway #2, KM 15.7, near Hay River, NT**

Attached is Type A Land Use Permit MV2019Q0023 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 November 13, 2019 and expiring November 12, 2024.

Preliminary Screening Exemption Confirmation

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, November 13, 2019, is the date of commencement.

Reclamation Security

In accordance with Permit condition #23, a security deposit in the amount of \$14,000.00 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 \$14,000.00, shall be submitted to: the Government of the Northwest Territories, Department of Lands, North Slave Regional Office, 140 Bristol Avenue, Yellowknife NT, X1A 3T2. 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: Management Plans**

<b>Condition Number</b>	<b>Title of Plan/Program/Report</b>	<b>Date Received</b>
26	Spill Contingency Plan	September 9, 2019

Management Plans – Resubmission Required

The Board hereby requires that Rowe’s resubmit the Engagement Plan in accordance with comments made during this review, as summarized in Table 2. This Plan will be considered to be approved, conditionally upon receipt of this information and written conformity of confirmation from Board staff.

**Table 2: Management Plans Requiring Resubmission**

<b>Condition Number</b>	<b>Title of Plan/Program/Report</b>	<b>Date Received</b>	<b>LUP Requirement</b>
41	Engagement Plan	September 9, 2019	Confirmation of engagement with Dehcho First Nations (DFN) is required within 60 days of issuance. Board staff confirmation of conformity with the Board decision is required.

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 Rowe's Construction is anticipated and appreciated. If you have any questions or concerns, please contact David Finch at (867) 766-7467 or email [dfinch@mvlwb.com](mailto:dfinch@mvlwb.com).

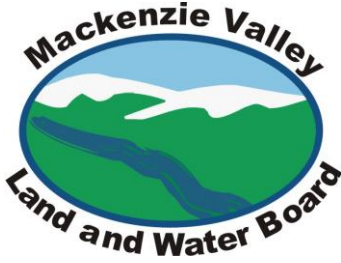
Yours sincerely,



Mavis Cli-Michaud  
MVLWB, Chair

Copied to: Distribution List  
Charlene Coe, GNWT, Land Use Advisor

Attached: Land Use Permit MV2019Q0023  
Reasons for Decision



**Land Use Permit**

Permit Class	Permit No	Amendment No
A	MV2019Q0023	

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

Rowe's Construction

Permittee

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

Signature Ms. Trudie Walsh	Date September 6, 2019
Type of Land Use Operation Quarrying	
Location Highway #2, KM 15.7, near Hay River, NT	

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

Dated at Yellowknife this 13 day of November, 2019

Signature Chair

Mavis Cli-Michaud

Signature Witness

Amanda Gauthier

Effective Date:  
November 13, 2019

Expiry Date:  
November 12, 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 # MV2019Q0023

### Part A: Scope of Permit

1. This Permit entitles the Permittee to conduct the following land-use operation:
  - a) a quarry operation at Hwy #2, km 15.7; and
  - b) use of equipment.
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, Tłıchǫ, 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.

**Closure and Reclamation** - the process and activities that facilitate the return of areas affected by the Project to viable and, wherever practicable, self-sustaining ecosystems that are compatible with a healthy environment, human activities, and the surrounding environment.

**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.

**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.

**Progressive Reclamation** - Closure and Reclamation activities conducted during the operating phase of the project.

**Spill Contingency Plan** - a document, developed in accordance with Aboriginal Affairs and Northern Development Canada's *Guidelines for Spill Contingency Planning* that describes the set of procedures to be implemented to minimize the effects of a spill.

**Safety Data Sheet** - a technical document, typically written by the manufacturer or supplier of a chemical, that provides information about the hazards associated with the product, advice about safe handling and storage, and emergency response procedures.

**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)

Condition	Category
<b>26(1)(a) Location and Area</b>	
1. The Permittee shall only conduct this land-use operation on lands designated in the application.	<b>LOCATION OF ACTIVITIES</b>
2. The Permittee shall not conduct any part of the land-use operation within 20 metres of any privately owned or leased land or structures, including cabins used for traditional activities, unless otherwise approved by the Board.	<b>PRIVATE PROPERTY SETBACK</b>
3. 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>
<b>26(1)(b) Time</b>	
4. At least 48 hours prior to the initial commencement of the land-use operation, the Permittee's Field Supervisor shall contact an Inspector at (867) 874-6995 ext. 24 or 22.	<b>INITIAL NOTIFICATION – CONTACT INSPECTOR</b>
5. 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: <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>
6. At least ten days prior to the completion of the land-use operation, the Permittee shall advise an Inspector of: <ul style="list-style-type: none"> <li>a) the plan for removal or storage of equipment and materials;</li> <li>b) when final cleanup and reclamation of the land used will be completed; and</li> <li>c) when the Final Plan will be submitted.</li> </ul>	<b>REPORTS BEFORE FINAL REMOVAL</b>
<b>26(1)(c) Type and Size of Equipment</b>	
7. The Permittee shall only use equipment of a similar type, size, and number to that listed in the complete application.	<b>USE APPROVED EQUIPMENT</b>

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

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| 8. | Prior to the expiry end of the land-use operation, the Permittee shall replace all excavated material, unless otherwise authorized in writing by an Inspector. | <b>EXCAVATED<br/>MATERIAL<br/>TEST PITS</b> |
| 9. | The Permittee shall leave a buffer strip of undisturbed vegetation at least 30 metres in width between cleared areas and public roads                          | <b>TREE SCREEN</b>                          |

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

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| 10. | The Permittee shall ensure that the land use area is kept clean at all times. | <b>CLEAN WORK AREA</b> |
|-----|---|------------------------|

**26(1)(f) Control or Prevention of Ponding of Water, Flooding, Erosion, Slides, and Subsidence of Land**

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|-----|--|---------------------------------------|
| 11. | The land-use operation shall not cause obstruction to any natural drainage.  | <b>NATURAL DRAINAGE</b>               |
| 12. | 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. | <b>EXCAVATION AND<br/>EMBANKMENTS</b> |
| 13. | The Permittee shall not excavate land within 100 metres of the Ordinary High Water Mark of any Watercourse, unless otherwise authorized in writing by an Inspector.  | <b>EXCAVATION<br/>SETBACK</b>         |

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

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| 14. | At least seven days prior to the use of any chemicals that were not identified in the complete application, the Safety Data Sheets must be provided to the Board and an Inspector. | <b>CHEMICALS</b>                    |
| 15. | The Permittee shall dispose of all Toxic Material as described in the application.   | <b>WASTE CHEMICAL<br/>DISPOSAL</b>  |
| 16. | The Permittee shall dispose of all combustible Waste petroleum products by removal to an approved disposal facility.   | <b>WASTE PETROLEUM<br/>DISPOSAL</b> |

**26(1)(h) Wildlife and Fish Habitat**

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| 17. | The Permittee shall take all reasonable measures to prevent damage to wildlife and fish Habitat during this land-use operation. | <b>HABITAT DAMAGE</b> |
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**26(1)(i) Storage, Handling, and Disposal of Refuse or Sewage**

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| 18. | The Permittee shall adhere to the description of Waste management activities described in the application, and shall make any necessary revisions to reflect changes in operations, technology, chemicals, or fuels, or as directed by the Board. Revisions to the proposed Waste management activities described in the application shall be submitted to the Board for approval. | <b>WASTE<br/>MANAGEMENT</b>  |
| 19. | The Permittee shall keep all garbage and debris in a secure container until disposal.  | <b>GARBAGE<br/>CONTAINER</b> |

**26(1)(j) Protection of Historical, Archaeological, and Burial Sites**

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| 20. | 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<br/>BUFFER</b>           |
| 21. | The Permittee shall not knowingly remove, disturb, or displace any archaeological specimen or site.  | <b>SITE DISTURBANCE</b>                    |
| 22. | The Permittee shall, where a suspected archaeological or historical site, or burial ground is discovered:<br><br>a) immediately suspend operations on the site; and<br>b) notify the Board at (867) 669-0506 or an Inspector at (867) 874-6995 ext. 24 or 22, and the Prince of Wales Northern Heritage Centre at 767-9347 ext. 71251 or ext. 71255. | <b>SITE DISCOVERY<br/>AND NOTIFICATION</b> |

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

*Intentionally left blank*

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

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|-----|---|---|
| 23. | Prior to the commencement of the land-use operation, the Permittee shall deposit with the Minister a security deposit in the amount of \$14,000.00. | <b>SECURITY DEPOSIT</b>                             |
| 24. | All costs to remediate the area under this Permit are the responsibility of the Permittee.  | <b>RESPONSIBILITY FOR<br/>REMEDIATION<br/>COSTS</b> |

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

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| 25. | The Permittee shall not allow petroleum products to spread to surrounding lands or Watercourses.   | <b>FUEL CONTAINMENT</b>           |
| 26. | The Permittee shall adhere to the <b>Spill Contingency Plan</b> , 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. | <b>SPILL CONTINGENCY<br/>PLAN</b> |

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| 27. | 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.  | <b>SPILL RESPONSE</b>  |
| 28. | 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.   | <b>DRIP TRAYS</b>      |
| 29. | The Permittee shall clean up all leaks, spills, and contaminated material immediately.  | <b>CLEAN UP SPILLS</b> |
| 30. | During the period of this Permit, if a spill occurs or is foreseeable, the Permittee shall: <ul style="list-style-type: none"> <li>a) implement the approved Spill Contingency Plan;</li> <li>b) report it-immediately using the NU-NT Spill Report Form by one of the following methods: <ul style="list-style-type: none"> <li>• Telephone: (867) 920-8130</li> <li>• Fax: (867) 873-6924</li> <li>• E-mail: <a href="mailto:spills@gov.nt.ca">spills@gov.nt.ca</a></li> <li>• Online: <a href="#">Spill Reporting and Tracking Database</a></li> </ul> </li> <li>c) within 24 hours, notify the Board and an Inspector; and</li> <li>d) within 30 days of initially reporting the incident, submit a detailed report to the Board and an Inspector, including descriptions of causes, response actions, and any changes to procedures to prevent similar occurrences in the future. Any updates to this report shall be provided to the Board and an Inspector in writing as changes occur.</li> </ul> | <b>REPORT SPILLS</b>   |

**26(1)(n) Methods and Techniques for Debris and Brush Disposal**

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| 31. | The Permittee shall progressively dispose of all brush and trees; all disposal shall be completed prior to the end of this land use operation. | <b>BRUSH DISPOSAL/<br/>TIME</b>  |
| 32. | The Permittee shall not clear areas larger than identified in the complete application.  | <b>MINIMIZE AREA<br/>CLEARED</b> |

**26(1)(o) Restoration of the Lands**

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| 33. | The Permittee shall dispose of all overburden as approved by the Board, or as otherwise authorized in writing by an Inspector.   | <b>DISPOSAL OF<br/>OVERBURDEN</b>        |
| 34. | The Permittee shall save the organic soil stripped from the land use area and shall use the organic soil for reclamation as approved by the Board, or otherwise authorized in writing by an Inspector. | <b>SAVE AND PLACE<br/>ORGANIC SOIL</b>   |
| 35. | Prior to the end of the land-use operation, the Permittee shall level all stockpiles of granular material located within the land use area.  | <b>LEVEL STOCKPILES</b>                  |
| 36. | Prior to the end of the land-use operation, the Permittee shall complete all cleanup and restoration of the lands used.  | <b>FINAL CLEANUP AND<br/>RESTORATION</b> |

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|-----|---|--|
| 37. | The Permittee shall carry out Progressive Reclamation of disturbed areas as soon as it is practical to do so.<br><b>26(1)(p) Display of Permits and Permit Numbers</b>  | <b>PROGRESSIVE RECLAMATION</b>         |
| 38. | The Permittee shall keep a copy of this Permit on hand at all times during this land-use operation.<br><br><b>26(1)(q) Biological and Physical Protection of the Land</b>   | <b>COPY OF PERMIT</b>                  |
| 39. | If nesting areas are encountered during the course of operations, the Permittee shall minimize all activity so as to not disturb them.  | <b>MIGRATORY BIRD NEST DISTURBANCE</b> |
| 40. | 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>                   |
| 41. | 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 PLAN</b>                 |
| 42. | All revised plans submitted to the Board shall include a brief summary of the changes made to the plan.   | <b>SUMMARY OF CHANGES</b>              |



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### Reasons for Decision

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

Land Use Permit Application	
Preliminary Screener	MVLWB
Reference/File Number	MV2019Q0023
Company	Rowe's Construction
Project	Quarrying, Highway #2, KM 15.7, near Hay River, NT
Date of Decision	November 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 Rowe's Construction (Rowe's) to the Board on November 7, 2019 for Land Use Permit (Permit) MV2019Q0023.

#### 1.0 Background

Rowe's Construction (Rowe's) applied to conduct quarrying activities at south of Hay River, NT at Highway #2, KM 15.7. The stated intention was to quarry extract clay and sand for local use. The approximate area of the quarry is 17.6 hectares, with no camp proposed. No water sources are found on the project footprint. Site access was via an existing road from Highway #2. The term requested is five years (with the option of applying for a two-year extension).

This is a renewal of permit MV2012Q0013, which authorized Rowe's to quarry the same property as in this Application. Permit MV2012Q0013 expired on June 19, 2019, with no work having been performed under the permit. At the time of writing, an Application for Final Clearance was received by the Board.

By September 27, 2019, the information provided in the Application Package had satisfactorily fulfilled the requirements outlined in the MVLWB *Guide to the Land Use Permitting Process*.<sup>1</sup> The Application was deemed complete and processed within the timelines specified in section 22 of the MVLUR.

#### 2.0 Public Review

The Application was received by the Board on September 9, 2019. On September 13, 2019, it was deemed incomplete and Rowe's was asked to provide additional information. Additional information was submitted to the Board on September 25, 2019. On September 27, 2019, the Application was deemed

<sup>1</sup> The MVLWB [Guide to the Land Use Permitting Process](http://www.mvlwb.com) (June 1, 2013) is available at [www.mvlwb.com](http://www.mvlwb.com), within the Apply for a Permit/Licence button (red) → Land Use Permit Applications → Land Use Permit Application Security Template.

complete and posted to the Online Review System (ORS) for public review. Reviewer comments were due and received by October 17, 2019. Rowe's responded by October 24, 2019, though due to error the responses were posted internally rather than published; the published responses were available on October 28, 2019. The Application was presented to the Board for decision on November 7, 2019, which marked the end of the 42-day timeline.

### **3.0 Adequacy of Management Plans**

A Spill Contingency Plan and Engagement Plan were included with the Application. Due to the small scale of the project, Rowe's did not provide a separate Waste Management Plan; instead waste management activities were outlined in the Application.

The Board determined that the information contained in the Spill Contingency Plan was adequate.

The Engagement Plan was approved on an interim basis as the Board found that engagement was incomplete. While member communities of the Dehcho First Nations (DFN) were contacted during the application process, Rowe's did not engage directly with DFN itself.

### **4.0 Security**

Rowe's completed the Board's reclamation security worksheet and determined a total reclamation cost of \$13,929.38. As this estimate was conducted using the Board's security calculation template, it is directly comparable to the Board staff estimate. Board staff completed the reclamation security worksheet and calculated that the cost to remediate the site would be \$14,120.63. The tables below summarize the differences between these estimates.

<b>Line Item</b>	<b>MVLWB</b>	<b>Rowe's</b>	<b>Notes</b>
Camp C1	\$0.00	\$0.00	No camp proposed.
Regulated/Hazardous Materials R1	\$0.00	\$0.00	No hazardous materials expected.
Hydrocarbon Storage/Transfer H1	\$0.00	\$300.00	No fuels stored on site. However, a tidy tank will be present (estimated volume 600 L).
Land Disturbance L1	\$17,600.00	\$17,600.00	-
Equipment E1	\$4,250.00	\$4,250.00	-
<b>Total*</b>	<b>\$13,929.38</b>	<b>\$14,120.63</b>	

\*The numbers in these columns do not directly add up because of multipliers (for site access, performance, and environmental risks) in the Board's security template

Note that the previous Permit MV2012Q0013 did not require security to be posted.

The Board determined that security for Permit MV2019Q0023 would be set at \$14,000.00.

### **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, except as noted previously in these Reasons for Decision;

- the development was screened by the MVLWB on June 27, 2013 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 Rowe’s Construction, 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 MV2019Q0023 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, except as noted previously in these Reasons for Decision.
- The use of land proposed by Rowe’s Construction 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 October 28, 2019 Staff Report regarding environmental impacts and/or public concerns.
- The scope of the Permit ensures that Rowe’s Construction 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 Plan and Engagement Plan because they meet the applicable guidelines and sufficiently reflect 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:

Condition	Change	Rationale
Waste Management Plan	Removed definition.	Application did not include a Waste Management Plan. The applicant selected the option to describe waste management activity in Section 11 of their application.
Waste Chemical Disposal	Removed reference to a Waste Management Plan and referred instead to the waste management activities outlined in the complete application.	Reworded due to small-scale nature of the project.

Waste Management	Removed reference to a Waste Management Plan and referred instead to the waste management activities outlined in the complete application.	Reworded due to small-scale nature of the project.
Security Deposit	Specified security in the amount of \$14,000.00.	Amount set by Board.

**6.0 Conclusion**

Land Use Permit MV2019Q0023 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 Rowe’s Construction’s use of the land affected by the Permit.

SIGNATURE

Mackenzie Valley Land and Water Board

\_\_\_\_\_  
Mavis Cli-Michaud, Chair

November 7, 2019

\_\_\_\_\_  
Date