

7th Floor - 4922 48th Street,
P.O. Box 2130, Yellowknife NT X1A 2P6

Tel: 867-669-0506 Fax: 867-873-6610
www.mvlwb.com

January 28, 2021

File: MV2020L0014

Tricia McIntyre
Northwestel Inc.
Bag 2727, 183 Range Road
Whitehorse YT Y1A 3E5

Sent by e-mail

Dear Tricia McIntyre,

Re: Northwestel Inc. – Issuance Package – Land Use Permit MV2020L0014 – Communication Repeater Stations (microwave repeater stations located at: Paterson Lake, Brown Lake, Mackay Lake, Courageous Lake, and Anarin Lake, NT)

The Mackenzie Valley Land and Water Board (Board) met on January 21, 2021 and considered the Application from Northwestel Inc. (Northwestel) for Land Use Permit (Permit) MV2020L0014 for the five microwave repeater stations located at Paterson Lake, Brown Lake, Mackay Lake, Courageous Lake, and Anarin Lake, in accordance with the *Mackenzie Valley Resource Management Act* (MVRMA).

Land Use Permit MV2020L0014 (attached) has been granted for a term of five years, effective January 28, 2021 and expiring January 27, 2026 and is supported by the Board's Reasons for Decision. These documents are posted to the Board's Public Registry.¹

Security Deposit

A security deposit is due within 90 days of the effective date of the Permit, as per Condition 15. The security deposit is **payable to the Government of the Northwest Territories (GNWT)** and submitted to the following individual, to whom questions regarding security should also be directed:

Charlene Coe, Land Use Advisor
GNWT-Lands – North Slave Region – Yellowknife
140 Bristol Avenue
Yellowknife, NT X1A 3T2
Phone: (867) 767-9187 (ext. 24194)

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¹ See MVLWB Online Registry for MV2020L0014 ([hyperlink](#)).

Management Plans – Approved

The Board has approved the following Plans:

Condition Number	Title of Plan (Version)
10	Waste Management Plan (V2) ²
24	Spill Contingency Plan (V2) ³
36	Engagement Plan (V1) ⁴

Inspectors:

The office of the Inspectors responsible for this Permit can be contacted using the following link: <https://www.lands.gov.nt.ca/en/services/inspections-and-enforcement>.

Permit Lifecycle

Sections 5 and 6 of the Board's *Guide to the Land Use Permitting Process*⁵ (Guide) contains detailed information on enforcement of this Permit, and processes which may occur post-issuance, such as amendments to conditions, and assignment to another company. Please be familiar with this section of the Guide and reach out to Board staff with any questions about Board processes related to this Permit.

Full cooperation of Northwestel is anticipated and appreciated. Please contact [Angela Love](#) at (867) 766-7456 with any questions or concerns regarding this letter.

Yours sincerely,



Mavis Cli-Michaud
Mackenzie Valley Land and Water Board, Chair

Copied to: Charlene Coe, GNWT-Lands
Clint Ambrose – Inspector, GNWT-Lands

Bcc'd to: Akaitcho – Distribution List
Wek'eezhii – Distribution List

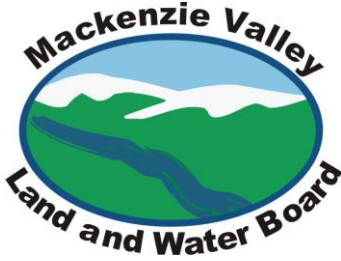
Attached: Land Use Permit MV2020L0014

² See MVLWB Online Registry for Waste Management Plan – Version 2 – November 30, 2020 ([hyperlink](#)).

³ See MVLWB Online Registry for Spill Contingency Plan – Version 2 – January 8, 2021 ([hyperlink](#)).

⁴ See MVLWB Online Registry for Engagement Plan – Version 1 – November 30, 2020 ([hyperlink](#)).

⁵ See MVLWB Website >> Apply for Permit/Licence >> *Guide to the Land Use Permitting Process* ([hyperlink](#)) (2020).



Land Use Permit

Permit Class	Permit No	Amendment No
A	MV2020L0014	

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

Northwestel Inc.

Permittee

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

Signature Tricia McIntyre	Date October 22, 2020
Type of Land Use Operation Communication Sites	
Location Patterson Lake, Brown Lake, Mackay Lake, Courageous Lake, and Anarin Lake, NT	

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

Dated at Yellowknife this 28 day of January, 2021

Signature Chair

Signature Witness

Mavis Cli-Michaud

Amanda Gauthier

Effective Date:
January 28, 2021

Expiry Date:
January 27, 2026

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 # MV2020L0014

Part A: Scope of Permit

1. This Permit entitles the Permittee to conduct the following land-use operation:
 - a) Operation and maintenance of microwave repeater stations;
 - b) Storage of fuel; and
 - c) 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, Deline, 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.

Fuel Storage Container - a container for the storage of petroleum or allied petroleum products with a capacity of less than 230 litres.

Fuel Storage Tank - a closed container for the storage of petroleum or allied petroleum products with a capacity of more than 230 litres.

Greywater - all liquid wastes from showers, baths, sinks, kitchens, and domestic washing facilities but not including toilet wastes.

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.

Permafrost - ground (soil or rock) that remains at or below 0°C for at least two consecutive years.

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

Secondary Containment - containment that prevents liquids that leak from Fuel Storage Tanks or containers from reaching outside the containment area and includes double-walled Tanks, piping, liners, and impermeable barriers.

Sewage - all toilet wastes and Greywater.

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.

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.

Waste Management Plan - a document, developed in accordance with the Board’s Guidelines for Developing a Waste Management Plan, that describes the methods of Waste management from Waste generation to final disposal.

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)

26(1)(a) Location and Area		
1.	The Permittee shall only conduct this land-use operation on lands designated in the application.	LOCATION OF ACTIVITIES
26(1)(b) Time		
2.	At least 48 hours prior to returning to the worksite to conduct refueling activities, the Permittee's Field Supervisor shall notify the Board and contact an Inspector at (867) 767-9188.	NOTIFICATION – CONTACT INSPECTOR
3.	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"> a) the name(s) of the person(s) in charge of the field operation; b) alternates; and c) all methods for contacting the above person(s). 	IDENTIFY AGENT
4.	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"> a) the plan for removal or storage of equipment and materials; b) when final cleanup and reclamation of the land used will be completed; and c) when the Final Plan will be submitted. 	REPORTS BEFORE FINAL REMOVAL
26(1)(c) Type and Size of Equipment		
5.	The Permittee shall only use equipment of a similar type, size, and number to that listed in the complete application.	USE APPROVED EQUIPMENT
26(1)(d) Methods and Techniques		
<i>Intentionally left blank</i>		
26(1)(e) Type, Location, Capacity, and Operation of All Facilities		
6.	The Permittee shall ensure that the land use area is kept clean at all times.	CLEAN WORK AREA
26(1)(f) Control or Prevention of Ponding of Water, Flooding, Erosion, Slides, and Subsidence of Land		
7.	The land-use operation shall not cause obstruction to any natural drainage.	NATURAL DRAINAGE

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

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| 8. | The Permittee shall dispose of all combustible Waste petroleum products by removal to an approved disposal facility. | WASTE PETROLEUM
DISPOSAL |
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26(1)(h) Wildlife and Fish Habitat

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| 9. | The Permittee shall take all reasonable measures to prevent damage to wildlife and fish Habitat during this land-use operation. | HABITAT DAMAGE |
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26(1)(i) Storage, Handling, and Disposal of Refuse or Sewage

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| 10. | The Permittee shall dispose of all Waste as described in the Waste Management Plan , 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. | WASTE
MANAGEMENT |
| 11. | The Permittee shall keep all garbage and debris in a secure container until disposal. | GARBAGE
CONTAINER |

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

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| 12. | The Permittee shall not operate any vehicle or equipment within 30 metres of a known or suspected historical or archaeological site or burial ground. | ARCHAEOLOGICAL
BUFFER |
| 13. | The Permittee shall not knowingly remove, disturb, or displace any archaeological specimen or site. | SITE DISTURBANCE |
| 14. | The Permittee shall, where a suspected archaeological or historical site, or burial ground is discovered:

a) immediately suspend operations on the site; and
b) notify the Board at (867) 669-0506 or an Inspector at (867) 767-9188, and the Prince of Wales Northern Heritage Centre at 767-9347 ext. 71251 or ext. 71255. | SITE DISCOVERY AND
NOTIFICATION |

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

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26(1)(l) Security Deposit

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| 15. | Within 90 days of the effective dates of the Permit, the Permittee shall deposit with the Minister a security deposit in the amount of \$86,000.00. | SECURITY DEPOSIT |
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16.	All costs to remediate the area under this Permit are the responsibility of the Permittee.	RESPONSIBILITY FOR REMEDICATION COSTS
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26(1)(m) Fuel Storage		
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| 17. | The Permittee shall:
a) examine all Fuel Storage Containers and Tank for leaks; and
b) repair all leaks immediately. | REPAIR LEAKS |
| 18. | The Permittee shall place Fuel Storage Containers and or Tanks a minimum of 100 metres from the Ordinary High-Water Mark of any Watercourse, unless otherwise authorized in writing by an Inspector. | FUEL STORAGE
SETBACK |
| 19. | The Permittee shall ensure that all fuel caches have adequate Secondary Containment. | FUEL CACHE
SECONDARY
CONTAINMENT |
| 20. | The Permittee shall set up all refueling points with Secondary Containment. | SECONDARY
CONTAINMENT –
REFUELING |
| 21. | The Permittee shall not allow petroleum products to spread to surrounding lands or Watercourses. | FUEL CONTAINMENT |
| 22. | The Permittee shall mark all Fuel Storage Containers and Tanks with the Permittee's name. | MARK CONTAINERS
AND TANKS |
| 23. | The Permittee shall have a maximum of 27,200 litres of fuel stored at each microwave repeater stations, for a maximum total of 136,000 litres of fuel at any time, unless otherwise approved by the Board. | MAXIMUM FUEL ON
SITE |
| 24. | The Permittee shall comply with the Spill Contingency Plan , 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. | SPILL CONTINGENCY
PLAN |
| 25. | 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. | SPILL RESPONSE |
| 26. | 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. | DRIP TRAYS |
| 27. | The Permittee shall clean up all leaks, spills, and contaminated material immediately | CLEAN UP SPILLS |

28.	During the period of this Permit, if a spill occurs or is foreseeable, the Permittee shall:	REPORT SPILLS
	<ul style="list-style-type: none"> a) implement the approved Spill Contingency Plan; b) report it-immediately using the NU-NT Spill Report Form by one of the following methods: <ul style="list-style-type: none"> • Telephone: (867) 920-8130 • Fax: (867) 873-6924 • E-mail: spills@gov.nt.ca • <u>Online: Spill Reporting and Tracking Database</u> c) within 24 hours, notify the Board and an Inspector; and 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. 	

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

29.	The Permittee shall progressively dispose of all brush and trees; all disposal shall be completed prior to the end of this land use operation.	BRUSH DISPOSAL/ TIME
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26(1)(o) Restoration of the Lands

30.	All outstanding liabilities and obligations of the Permittee in relation to work performed or required to be performed under Land Use Permit MV2013L0015 and MV2016L0034 are fully incorporated into and subsumed under this Permit, and the Permittee must therefore complete the restoration and other obligations set out in or incurred under Permit MV2013L0015 and MV2016L0034, as well as such further obligations as may be set out in or incurred under this Permit.	TRANSFER OF LIABILITIES
31.	Prior to the end of the land-use operation, the Permittee shall complete all cleanup and restoration of the lands used.	FINAL CLEANUP AND RESTORATION
32.	Prior to the end of the land-use operation, the Permittee shall prepare the site in such a manner as to facilitate natural revegetation.	NATURAL VEGETATION
33.	The Permittee shall carry out Progressive Reclamation of disturbed areas as soon as it is practical to do so.	PROGRESSIVE RECLAMATION

26(1)(p) Display of Permits and Permit Numbers

34.	The Permittee shall keep a copy of this Permit on hand at all times during this land-use operation.	COPY OF PERMIT
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26(1)(q) Biological and Physical Protection of the Land

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| 35. | 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. | RESUBMIT PLAN |
| 36. | The Permittee shall comply with the Engagement Plan , 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. | ENGAGEMENT PLAN |
| 37. | All revised plans submitted to the Board shall include a brief summary of the changes made to the plan. | SUMMARY OF CHANGES |