

Review Comment Table

Board:	MVLWB
Review Item:	Communication Sites - Land Use Permit Application (MV2020L0014)
File(s):	MV2020L0014
Proponent:	NorthwestTel
Document(s):	Land Use Permit Application (8811 KB) MV2016L0034 Preliminary Screening (302.11 KB) MV2013L0015 Exemption Determination (86.87 KB) MV2006L0015 Preliminary Screening (242 KB) Draft Permit Conditions (245 KB)
Item For Review Distributed On:	Dec 10 at 17:19 Distribution List
Reviewer Comments Due By:	Jan 4, 2021
Proponent Responses Due By:	Jan 11, 2021
Item Description:	<p>Dec 11 Update - Board staff have added the Draft Permit Conditions for reviewers consideration.</p> <hr/> <p>Dec 10 - NorthwestTel Inc. (the Applicant) has submitted a complete application for a type A land use permit (permit). The purpose of this Application is to continue operations and maintenance activities at five microwave repeater stations (located near Paterson Lake, Brown Lake, Mackay Lake, Courageous Lake, and Anarin Lake). Each site has a tower, two 3.048 m x 6.096 m pre-fabricated buildings and two 13,600 L double wall fuel tanks. The Applicant has also requested an exemption from preliminary screening because the Applicant believes that the development has not been modified since it was previously permitted (merger of Permit MV2013L0015 and MV2016L0034).</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>Board staff agree the Application may be exempt from preliminary screening in accordance with the Exemption List Regulations. If you believe a preliminary screening is required, please describe your rationale and provide comments and recommendations (e.g., on impacts and mitigation measures) to assist with the Board's preliminary screening determination. The most recent preliminary screening that was approved by the Board is located under Document(s) below.</p> <p>Please note that all standard land use permit conditions in the Draft Land Use Permit (Permit), to be uploaded shortly, will have been updated based on the MVLWB's current Standard Land Use Permit Conditions Template. Older conditions that are no longer on</p>

the Standard Land Use Permit Conditions Template list will not be included. Non-standard conditions specific to this previously permitted land use operation will be included, as is applicable. All non-standard conditions will be shown in green. The purpose of this draft Permit is to allow reviewers to comment on possible conditions. These draft materials are not intended to limit in any way the scope of reviewers' comments. The Board is not bound by the contents of the draft Permit and will make its decision at the close of the proceeding on the basis of all the evidence and arguments filed by all parties.

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.

Contact Information: Angela Love 867-766-7456
Jen Potten 867-766-7468

Comment Summary

GNWT - Lands - North Slave Region: Brandon Bradbury				
ID	Topic	Reviewer Comment/Recommendation	Proponent Response	Board Staff Analysis
1	Land Use Permit Type	<p>Comment The Type B land use permit application has been reviewed and must be changed to a Type A Land Use Permit.</p> <p>Recommendation Since all 5 tower locations have a combined total of 136,000l of fuel being stored under one permit, a Type A land use permit is the correct type of permit to be approved since a petroleum fuel storage facility with a capacity equal to or exceeding 80,000l is being permitted. Section 4(b)(iii) of the Mackenzie Valley Land Use Regulations. Therefore, the Type B land use permit must be changed to a Type A land use permit.</p>	<p>Jan 8: It is acknowledged that a single container for the storage for fuel exceeds 4,000L and the total fuel to be stored exceeds 80,000L. As such, this Land Use Permit Application is for a Type A.</p>	Noted.
2	Spill Contingency Plan - Immediately Reportable Spill Quantities	<p>Comment (doc) The Spill Contingency Plan has been reviewed.</p> <p>Recommendation The attached Immediately Reportable Spill Quantities list must be included into the approved Spill Contingency Plan.</p>	<p>Jan 8: (doc) Added Immediately Reportable Spill Quantities list and the NT-NU Spill Report Form. Added the Inspectors contact details.</p>	Noted.
3	Spill Contingency Plan - NT-NU Spill Report Form	<p>Comment (doc) The Spill Contingency Plan has been reviewed.</p> <p>Recommendation The attached NT-NU Spill Report Form must be included into the approved Spill Contingency Plan.</p>	<p>Jan 8: Acknowledge</p>	Noted.

4	Spill Contingency Plan - GNWT-Lands Inspector Contact Information	<p>Comment The Spill Contingency Plan has been reviewed.</p> <p>Recommendation Please include the GNWT - Department of Lands Inspectors name (Clint Ambrose) and phone number (867)-767-9188 to the approved Spill Contingency Plan. It is imperative to ensure the GNWT Inspectors contact information is included so that the proponent can notify in a timely manner in the event of a spill.</p>	Jan 8: Acknowledge	Noted.
5	Draft Land Use Permit Conditions - Part C: 26(1)(b) Notification-Contact Inspector	<p>Comment The Draft Land Use Conditions have been reviewed.</p> <p>Recommendation Please include the GNWT - Department of Lands Inspectors phone number to the above noted condition (867)-767-9188</p>	Jan 8: Acknowledge	Noted.
7	Draft Land Use Permit Conditions - Part C: 26(1)(j) Site Discovery & Notification	<p>Comment The Draft Land Use Permit Conditions have been reviewed.</p> <p>Recommendation The GNWT - Department of Lands Inspector's phone number is (867)-767-9188. Please include this information in the above noted condition.</p>	Jan 8: Acknowledge	Noted.
8	Draft Land Use Permit Conditions - Part C: 26(1)(l) Security Deposit	<p>Comment The Draft Land Use Permit Conditions have been reviewed.</p> <p>Recommendation The Security for this land use permit will be determined by the Mackenzie Valley Land and Water Board.</p>	Jan 8: Acknowledge	Noted.
9	Draft Land Use Permit Conditions - Part C: 26(1)(j) Archaeological Buffer	<p>Comment The Draft Land Use Permit Conditions have been reviewed.</p> <p>Recommendation As per Naomi Smethurst's comments, the Inspector agree's that this condition must be changed from 150 meters to 30 Meters since a known Archaeological Site is approximately 73m from the Courageous Lake Tower.</p>	Jan 8: Agree with the recommendation.	Noted.
9	Draft Land Use Permit Conditions - Part C: 26(1)(m)	<p>Comment The Draft Land Use Permit Conditions have been reviewed.</p> <p>Recommendation The Maximum fuel on site condition appears to be acceptable and the Inspector has no</p>	Jan 8: Acknowledge	Noted.

	Maximum Fuel On Site	concerns with it remaining as currently worded in the draft.		
10	Draft Land Use Permit Conditions - Part C: 26(1)(f) Removal of conditions #8 through #12	<p>Comment The Draft Land Use Permit Conditions have been reviewed.</p> <p>Recommendation Five (5) conditions in Part C: 26(1)(f) Control or prevention of ponding of water, flooding, erosion, slides, and subsidence of Land Must be removed from the approved Land Use Permit since no winter roads or overland movement of vehicles was included in this application. The conditions are as follows:&nbsp;1) Repair Erosion, 2) Off-Road Vehicle Travel, 3) Prevention of Rutting, 4) Suspend Overland Travel, 5) Vehicle Movement Freeze-Up” Please remove all of the above noted conditions from Part C: 26(1)(f) of the approved land use permit.</p>	<p>Jan 8: Agree with the recommendation. All sites will be accessed either by helicopter or by the Tibbitt to Contwoyto Winter Road. No winter roads or overland movement of vehicles were included.</p>	Noted.

GNWT - Lands - North Slave Region: Cheryl Larocque

ID	Topic	Reviewer Comment/Recommendation	Proponent Response	Board Staff Analysis
1	LUPA - MV2020L0014	<p>Comment (doc) Please see attached letter.</p> <p>Recommendation Please see attached letter.</p>	<p>Jan 8: Acknowledge</p>	Noted.

GNWT - PWNHC (Prince of Wales Northern Heritage Centre (w/in ECE)): Naomi Smethurst

ID	Topic	Reviewer Comment/Recommendation	Proponent Response	Board Staff Analysis
1	Protection of Historical, Archaeological, and Burial Sites	<p>Comment 30 m avoidance of archaeological sites is sufficient for MV2020L0014.</p> <p>Recommendation The avoidance distance listed under the Archaeological Buffer Condition (in Draft Permit Conditions) should be changed from 150 m to 30 m.</p>	<p>Jan 8: Acknowledge</p>	Noted.

MVLWB: Angela Love

ID	Topic	Reviewer Comment/Recommendation	Proponent Response	Board Staff Analysis
1	Certificate of Corporate Registration	<p>Comment A Certificate of Corporate Registration from the Government of the Northwest Territories was not included.</p> <p>Recommendation Provide the certificate.</p>	<p>Jan 5: See attached</p>	Noted.

2	Fuel onsite - Security Estimate	<p>Comment In the application, under Part 8. Project Description, it states that each of the five repeater station sites has a tower, two pre-fabricated building, and two 13,600 L double wall fuel tanks. Under Part 11. Fuel, it also states that there are two 13,600 L double wall fuel tanks. This would allow for a maximum of 136,000 L of fuel to be stored (amount calculated for the Draft Permit Condition 28). In the provided Security Estimate, the breakdown of fuel onsite is for a total 141,800 L (the Anarin Lake site is noted as having a capacity of 33,000 L while the other four sites have a total of 27,200 L).</p> <p>Recommendation Confirm the maximum amount of fuel to be stored on each of the sites.</p>	Jan 8: Confirm	<p>August 15, 2018 Inspection Report notes two 13,600 L double walled envirotanks on the Anarin Lake site. This would allow for a maximum of 136,000 L of fuel to be stored.</p>
3	Land Use Disturbance - Security Estimate	<p>Comment The application for Permit MV2020L0014 encompasses Permits MV2013L0015 and MV2016L0034. In the application, under Part 8. Project Description, it states that the sites are approximately one hectare each. Permit MV2013L0015 had a total of 3.24 Ha disturbed (covered 4 sites) and Permit MV2016L0034 had a total of 1.0 Ha disturbed (covered 1 site). In the provided Security Estimate, the total hectares disturbed is calculated at 0.5 Ha (0.1 Ha for each site).</p> <p>Recommendation Confirm the total hectare disturbed.</p>	Jan 8: Confirm	<p>Based on the final plans submitted: MV2013L0015 had a total land disturbance of 3.24 Ha and MV2016L0034 had a total land disturbance of 1 Ha.</p>
4	Temporary and Fixed Structure - Security Estimate	<p>Comment In the provided Security Estimate, fuel tanks and solar panels are under the Temporary Structure section and towers, radio equipment rooms, and helicopter pads are under the Fixed Structure section. The application states that at the end of operations, all infrastructure will be removed.</p> <p>Recommendation Clarify why towers, radio equipment rooms, and helicopter pads were added under Fixed Structure.</p>		<p>It is noted in the application that all infrastructure will be removed at the end of operations.</p>
5	Fixed Structure - Helicopter	<p>Comment In the provided Security Estimate, the fixed structure area for</p>		<p>No references can be found for the</p>

	Pad - Security Estimate	the helicopter pad at Brown Lake, Patterson Lake, and Anarin Lake are 100 m ² and at Courageous Lake it is 10 m ² . Recommendation Confirm that these dimensions are correct.		area of the helicopter pads.
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