



7th Floor - 4922 48th Street
PO Box 2130, Yellowknife NT X1A 2P6

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

November 8, 2022

File: MV2022I0013

Patrick Smith, Environmental Licensing Analyst
Northwest Territories Power Corporation
4 Capital Drive,
Hay River NT X0E1G2

Sent by email

Dear Patrick Smith,

Re: Northwest Territories Power Corporation – Taltson Powerline Maintenance – Issuance Package – Land Use Permit MV2022I0013 – Taltson, Fort Smith, Pine Point, Fort Resolution, NT

The Mackenzie Valley Land and Water Board (Board) met on October 27, 2022 and considered the Application Package from the Northwest Territories Power Corporation (NTPC) for Land Use Permit (Permit) MV2022I0013 for the Taltson Powerline Maintenance (Project) in accordance with the *Mackenzie Valley Resource Management Act* (MVRMA).

The Board has approved Land Use Permit MV2022I0013 (attached) for a term of five years, effective November 8, 2022 and expiring November 7, 2027. The Permit is supported by the Board's Reasons for Decision. These documents are posted to the Board's Public Registry.¹

Submission Requirements

The Board's decisions on submissions that were considered in conjunction with the Application Package are set out below.

Management Plans – Approved

The Board has approved the following Plans:

Condition Number and Title	Title of Plan (Version)
39, WASTE MANAGEMENT	Waste Management Plan (V1.1) ²
57, SPILL CONTINGENCY PLAN	Spill Contingency Plan (V1.1) ³
78, ENGAGEMENT PLAN	Engagement Plan (V1) ⁴
21, EROSION AND SEDIMENT CONTROL PLAN	Erosion and Sediment Control Plan (V1) ⁵

¹ See MVLWB Online Registry [www.mvlwb.com] for [MV2022I0013](#)

² See MVLWB Online Registry for [NTPC – Taltson – Waste Management Plan V1.1 Sept19 22](#)

³ See MVLWB Online Registry for [NTPC – Taltson – Spill Contingency Plan V1.1 – Sept19 22](#)

⁴ See MVLWB Online Registry for [NTPC- Taltson – Engagement Plan – Sept19 22](#)

⁵ See MVLWB Online Registry for [NTPC - Taltson – Erosion and Sediment Control Plan – Sept19 22](#)

Inspectors

The Inspectors referred to in the Permit can be contacted at the following:

- 1) the regional GNWT-Lands offices,⁶ and
- 2) Crown-Indigenous Relations and Northern Affairs Canada

P.O. Box 1500
4923 – 52nd Street
Yellowknife NT X1A 2R3
Phone: 867-669-2442 or 867-669-2466
Fax: 867-669-2702

Permit Processes and Additional Information

Sections 5 and 6 of the Board's *Guide to the Land Use Permitting Process*⁷ (Guide) contain detailed information on permit enforcement and potential post-issuance processes, such as amendments to conditions, and assignment to another company. Please be familiar with these sections of the Guide and reach out to Board staff with any questions about Board processes related to the Permit.

Full cooperation of NTPC is anticipated and appreciated. Please contact [Andrew Wheeler](#) via email or at (867) 766-7467 with any questions or concerns regarding this letter.

Yours sincerely,



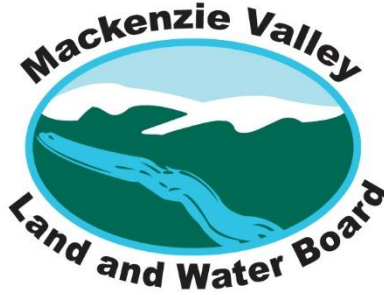
Mavis Cli-Michaud
Chair, Mackenzie Valley Land and Water Board

BCC'd to: Akaitcho Distribution List
Katie White – Inspector, GNWT-Lands
David Monroe, GNWT-Lands
Tim Morton – Inspector, CIRNAC
Mike Roesch, CIRNAC

Attached: Land Use Permit MV2022I0013
Reasons for Decision

⁶ See GNWT-Lands Inspection and Enforcement webpage (<https://www.lands.gov.nt.ca/en/services/inspections-and-enforcement>) for regional contact information.

⁷ See [MVLWB] Policies and Guidelines webpage for MVLWB [Guide to the Land Use Permitting Process](#).



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**Northwest Territories Power Corporation
Land Use Permit MV2022I0013**

Pursuant to the *Mackenzie Valley Resource Management Act* and Mackenzie Valley Land Use Regulations, the Mackenzie Valley Land and Water Board grants this Land Use Permit to:

Northwest Territories Power Corporation
(Permittee)

of 4 Capital Drive, Hay River, NT, X0E 1G2
(Mailing Address)

hereinafter called the Permittee, to proceed with the following land-use operation, subject to the annexed definitions and conditions contained therein:

Location:	Taltson Powerlines
Purpose:	Powerlines - use of heavy equipment and machinery within existing rights-of-ways for the purpose of clearing and maintenance, and to carry out an anchor assessment and drilling operation to identify causes of anchor degradation.
Type:	Type A
Effective Date:	November 8, 2022
Expiry Date:	November 7, 2027

Handwritten signature of Mavis Cli-Michaud in blue ink.

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

Handwritten signature of Amanda Gauthier in black ink.

Amanda Gauthier, Witness

Conditions Annexed to and Forming Part of Land Use Permit # MV2022I0013

Part A: Scope of Permit

1. This Permit entitles the Permittee to conduct the following land-use operation:
 - a) Use of vehicles and machines;
 - b) Drilling;
 - c) Clearing vegetation; and
 - d) Progressive Reclamation and Associated Closure and Reclamation activities.
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, Tłı̨chǫ, or Municipal laws.

Part B: Definitions (defined terms are capitalized throughout the Permit)

Act - the *Mackenzie Valley Resource Management Act*.

Archaeological Impact Assessment - archaeological research as defined by the Prince of Wales Northern Heritage Centre *Guidelines for Developers for the Protection of Archaeological Sites in the Northwest Territories*.

Archaeological Overview - a study of archaeological sites as defined by the Prince of Wales Northern Heritage Centre *Guidelines for Developers for the Protection of Archaeological Sites in the Northwest Territories*.

Board - the Mackenzie Valley Land and Water Board established under Part 4 of the Act.

Borehole - a hole that is made in the surface of the ground by drilling or boring.

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.

Drilling Fluid - any liquid mixture of water, sediment, drilling muds, chemical additives or other wastes that are pumped down hole while drilling and are specifically related to drilling activity.

Drilling Waste - all materials or chemicals, solid or liquid, associated with drilling, including drill cuttings and Drilling Fluids.

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.

Flowing Artesian Well - a well in which water:

- a) Naturally rises above the ground surface or the top of any casing; and
- b) Flows naturally, either intermittently or continuously.

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.

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.

Sump - a human-made pit or natural depression in the earth's surface used for the purpose of depositing Waste that does not contain Toxic Material, such as non-toxic Drilling Waste or Sewage, therein.

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

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| 1. | The Permittee shall only conduct this land-use operation on lands designated in the application. | LOCATION OF ACTIVITIES |
| 2. | Prior to the commencement of drilling, the Permittee shall submit the target areas and final drill hole locations on a 1:50,000-scale map with coordinates and map datum to the Board and an Inspector. | DRILL LOCATIONS |
| 3. | The Permittee shall not conduct a drilling operation or construct an adit or drill site within 100 metres of the Ordinary High Water Mark of any Watercourse, unless otherwise authorized in writing by an Inspector. | DRILLING/ ADIT SETBACK |
| 4. | The Permittee shall not locate any Sump within 100 metres of the Ordinary High Water Mark of any Watercourse, unless otherwise authorized in writing by an Inspector. | SUMP SETBACK |
| 5. | The Permittee shall locate all lines, trails, and rights-of-way to be constructed parallel to any Watercourse a minimum of 100 metres from the Ordinary High Water Mark, except at crossings. | PARALLEL WATERCOURSE SETBACK |
| 6. | The Permittee shall confine the width of the rights-of-way to a maximum of 60 metres. | WIDTH RIGHT-OF-WAY |
| 7. | Prior to the commencement of the land-use operation, the Permittee shall accompany an Inspector during an inspection of the proposed land use area. | INSPECT LOCATIONS |

26(1)(b) Time

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| 8. | At least 48 hours prior to the initial commencement of the land-use operation, the Permittee's Field Supervisor shall notify the Board and contact a GNWT Inspector at (867) 872-2558 ext. 25, and a CIRNAC Inspector at 867-669-2442. | INITIAL NOTIFICATION – CONTACT INSPECTOR |
| 9. | 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: | IDENTIFY AGENT |
| | 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). | |

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| 10. | When requested by the Inspector, the Permittee shall advise an Inspector of: | REPORTS BEFORE
REMOVAL |
| | a) the plan for removal or storage of equipment and materials; and
b) when cleanup and Progressive Reclamation of the land used will be completed. | |

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| 11. | At least ten days prior to the completion of the land-use operation, the Permittee shall advise an Inspector of: | REPORTS BEFORE
FINAL REMOVAL |
| | 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. | |

26(1)(c) Type and Size of Equipment

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| 12. | The Permittee shall only use equipment of a similar type, size, and number to that listed in the complete application. | USE APPROVED
EQUIPMENT |
| 13. | The Permittee shall maintain fire-fighting equipment at the site. | FIRE-FIGHTING
EQUIPMENT |

26(1)(d) Methods and Techniques

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| 14. | Prior to the movement of any vehicle that exerts pressure on the ground in excess of 35 kPa, the Permittee shall scout proposed lines and routes to select the best location for crossing streams and avoiding terrain obstacles. | DETOURS AND
CROSSINGS |
| 15. | 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. | EXCAVATED
MATERIAL
TEST PITS |

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

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| 16. | The Permittee shall ensure that the land use area is kept clean at all times. | CLEAN WORK AREA |
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26(1)(f) Control or Prevention of Ponding of Water, Flooding, Erosion, Slides, and Subsidence of Land

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| 17. | The Permittee shall insulate the ground surface beneath all structures associated with this land-use operation to prevent: | PERMAFROST
PROTECTION |
| | a) any vegetation present from being removed;
b) the melting of Permafrost; and
c) the ground settling and/or eroding. | |

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| 18. | The land-use operation shall not cause obstruction to any natural drainage. | NATURAL
DRAINAGE |
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| 19. | The Permittee shall install and maintain suitable erosion control structures as the land-use operation progresses. | PROGRESSIVE
EROSION CONTROL |
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| 20. | The Permittee shall apply appropriate mitigation at the first sign of erosion. | REPAIR
EROSION |
| 21. | The Permittee shall comply with the Erosion and Sedimentation Control 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. | EROSION AND
SEDIMENTATION
CONTROL PLAN |
| 22. | The Permittee shall, where flowing water from a Borehole is encountered:
a) plug the Borehole in such a manner as to permanently prevent any further outflow of water; and
b) immediately report the occurrence to the Board and an Inspector. | FLOWING
ARTESIAN WELL |
| 23. | The Permittee shall prepare the site in such a manner as to prevent rutting or gouging of the ground surface. | PREVENTION OF
RUTTING |
| 24. | The Permittee shall suspend overland travel of equipment or vehicles at the first sign of rutting or gouging. | SUSPEND
OVERLAND TRAVEL |
| 25. | The Permittee shall not move any equipment or vehicles unless the ground surface is in a state capable of fully supporting the equipment or vehicles without rutting or gouging. | VEHICLE
MOVEMENT
FREEZE-UP |
| 26. | The Permittee shall not cut any stream bank, unless otherwise authorized in writing by an Inspector. | STREAM BANKS |
| 27. | 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. | EXCAVATION AND
EMBANKMENTS |
| 28. | The Permittee shall not remove vegetation or operate heavy equipment within 100 metres of the Ordinary High Water Mark of any Watercourse. | EQUIPMENT:
WATERCOURSE
BUFFER |
| 29. | 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. | EXCAVATION
SETBACK |
| 26(1)(g) Use, Storage, Handling, and Ultimate Disposal of Any Chemical or Toxic Material | | |
| 30. | 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. | CHEMICALS |

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| 31. | When drilling within 100 metres of the Ordinary High Water Mark of any Watercourse, and when drilling on ice, the Permittee shall contain all drill water and Drilling Waste in a closed circuit system for reuse, off-site disposal, or deposit into a land-based Sump or natural depression. | DRILLING NEAR
WATER OR ON ICE |
| 32. | The Permittee may deposit Drilling Waste that does not contain Toxic Material in a Sump. Any Sumps or natural depressions used to deposit Drilling Waste must be located at least 100 metres from the Ordinary High Water Mark of any Watercourse, unless otherwise authorized in writing by an Inspector. | DRILLING WASTE |
| 33. | The Permittee shall remove all Drilling Waste containing Toxic Material to an approved disposal facility. | DRILLING WASTE
DISPOSAL |
| 34. | The Permittee shall not allow any Drilling Waste to spread to the surrounding lands or Watercourses. | DRILLING WASTE
CONTAINMENT |
| 35. | The Permittee shall dispose of all Toxic Material as described in the approved Waste Management Plan. | WASTE CHEMICAL
DISPOSAL |
| 36. | The Permittee shall dispose of all combustible Waste petroleum products by removal to an approved disposal facility. | WASTE
PETROLEUM
DISPOSAL |
| 37. | The Permittee shall provide written notification to the Board and Inspector a minimum of 10 days prior to the initial deposit of Waste, demonstrating that the licenced disposal facility has agreed to accept the Waste and has the capacity to receive the volumes of Waste requested. | NOTIFICATION OF
SOLID WASTE
DISPOSAL |

26(1)(h) Wildlife and Fish Habitat

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| 38. | 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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| 39. | 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 |
| 40. | The Permittee shall keep all garbage and debris in a secure container until disposal. | GARBAGE
CONTAINER |
| 41. | The Permittee shall dispose of all Sewage and Greywater as described in the approved Waste Management Plan. | SEWAGE DISPOSAL
- PLAN |

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

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| 42. The Permittee shall not operate any vehicle or equipment within 150 metres of a known or suspected historical or archaeological site or burial ground, except for the previously recorded sites JfPn-1, JfPn-2, JfPo-3, JfPo-4, JfPo-5, and JfPp-1, which should be avoided by 30 m from their respective site boundaries. | ARCHAEOLOGICAL
BUFFER |
| 43. The Permittee shall not knowingly remove, disturb, or displace any archaeological specimen or site. | SITE DISTURBANCE |
| 44. 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) 766-7467, a GNWT Inspector at (867) 872-2558 or CIRNAC Inspector at (867-669-2442) and the Prince of Wales Northern Heritage Centre at 767-9347 ext. 71251 or ext. 71255. | SITE DISCOVERY
AND NOTIFICATION |
| 45. At least 60 days prior to any new land disturbance, including new drill sites, the Permittee shall conduct an Archaeological Overview to identify areas of high and low potential for archaeological and burial sites and shall submit a summary report to the Board and the Prince of Wales Northern Heritage Centre. | ARCHAEOLOGICAL
OVERVIEW |
| 46. Prior to disturbance in areas of high potential for archaeological or burial sites identified in the Archaeological Overview, the Permittee shall conduct an Archaeological Impact Assessment of the sites where disturbance is planned and shall submit a summary report to the Board and the Prince of Wales Northern Heritage Centre. | AIA – HIGH
POTENTIAL |

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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| 47. All costs to remediate the area under this Permit are the responsibility of the Permittee. | RESPONSIBILITY
FOR REMEDIATION
COSTS |
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26(1)(m) Fuel Storage

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| 48. The Permittee shall:

a) examine all Fuel Storage Containers and Tank for leaks; and
b) repair all leaks immediately. | REPAIR LEAKS |
| 49. 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 |

50.	The Permittee shall ensure that all fuel caches have adequate Secondary Containment.	FUEL CACHE SECONDARY CONTAINMENT
51.	The Permittee shall set up all refueling points with Secondary Containment.	SECONDARY CONTAINMENT – REFUELING
52.	The Permittee shall not allow petroleum products to spread to surrounding lands or Watercourses.	FUEL CONTAINMENT
53.	The Permittee shall locate mobile fuel facilities on land when the facilities are stationary for more than 12 hours.	FUEL ON LAND
54.	The Permittee shall mark all Fuel Storage Containers and Tanks with the Permittee's name.	MARK CONTAINERS AND TANKS
55.	The Permittee shall mark all stationary fuel caches and fuel storage facilities with flags, posts, or similar devices so that they are at all times plainly visible to local vehicle travel.	MARK FUEL LOCATION
56.	The Permittee shall have a maximum of 200 litres of fuel stored on the land use site at any time, unless otherwise approved by the Board.	MAXIMUM FUEL ON SITE
57.	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
58.	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
59.	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
60.	The Permittee shall clean up all leaks, spills, and contaminated material immediately	CLEAN UP SPILLS
61.	During the period of this Permit, if a spill occurs or is foreseeable, the Permittee shall: <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> 	REPORT SPILLS

- 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

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| 62. | 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 |
| 63. | The Permittee shall not clear areas larger than identified in the complete application. | MINIMIZE AREA
CLEARED |
| 64. | The Permittee shall clear by hand all trees and brush a minimum distance of 10 metres from the top edge of all stream banks and top edge of slopes. | CLEARING
SENSITIVE AREA |

26(1)(o) Restoration of the Lands

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| 65. | All areas affected by construction or removal activities shall be stabilized and landscaped to their pre-construction profiles, unless otherwise authorized in writing by an Inspector. | PRE-
CONSTRUCTION
PROFILES |
| 66. | The Permittee shall dispose of all overburden as approved by the Board, or as otherwise authorized in writing by an Inspector. | DISPOSAL OF
OVERBURDEN |
| 67. | 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. | SAVE AND PLACE
ORGANIC SOIL |
| 68. | Prior to the end of the land-use operation, the Permittee shall level all stockpiles of granular material located within the land use area. | LEVEL STOCKPILES |
| 69. | 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 |
| 70. | 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 |
| 71. | The Permittee shall carry out Progressive Reclamation of disturbed areas as soon as it is practical to do so. | PROGRESSIVE
RECLAMATION |
| 72. | Prior to the end of the land-use operation, the Permittee shall restore any trails impacted by the land-use operation by removing fallen trees and any other obstructions from the trails. | TRAILS
RESTORATION |

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

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|-----|--|-----------------------|
| 73. | The Permittee shall display a copy of this Permit in each campsite established to carry out this land-use operation. | DISPLAY PERMIT |
| 74. | The Permittee shall keep a copy of this Permit on hand at all times during this land-use operation. | COPY OF PERMIT |

26(1)(q) Biological and Physical Protection of the Land

- | | | |
|-----|---|--|
| 75. | If nesting areas are encountered during the course of operations, the Permittee shall minimize all activity so as to not disturb them. | MIGRATORY BIRD
NEST DISTURBANCE |
| 76. | 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 |
| 77. | 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 |
| 78. | All revised plans submitted to the Board shall include a brief summary of the changes made to the plan. | SUMMARY OF
CHANGES |

Annex A: Concordance Table of Items Requiring Submission

Supplemental information to be submitted by Permittee as required through Land Use Permit Conditions.

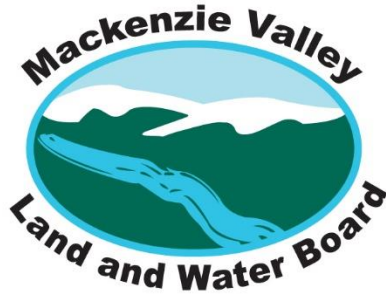
Disclaimer: If there are any discrepancies between this table and the body of the Permit, the Permit conditions prevail.

Permit Condition(s)	Report, Plan or Program Required	Due Date
EROSION AND SEDIMENTATION CONTROL PLAN	The Permittee 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.	N/A
WASTE MANAGEMENT	The Permittee 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.	N/A
SPILL RESPONSE PLAN	The Permittee 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.	N/A
ENGAGEMENT PLAN	The Permittee 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.	N/A

Annex B: Revisions to Land Use Permit MV2022I0013

List of changes that have been made to the Land Use Permit since issuance.

Date	Location of change	What has changed



7th Floor - 4922 48th Street
 PO Box 2130, Yellowknife NT X1A 2P6

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

Reasons for Decision

Issued pursuant to paragraphs 22(2)(a) and 40(2)(c) of the Mackenzie Valley Land Use Regulations (MVLUR).

Land Use Permit Application	
File Number	MV2022I0013
Company	Northwest Territories Power Corporation
Project	Powerline brushing and maintenance
Location	Taltson, Fort Smith, Pine Point, Fort Resolution, NT
Activity	Powerlines
Date of Decision	October 27, 2022

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On October 27, 2022, the Mackenzie Valley Land and Water Board MVLWB or Board met and considered the Application made by Northwest Territories Power Corporation (NTPC) (Applicant) to the Board on September 19, 2022 for Land Use Permit (Permit) MV2022I0013 for the powerline brushing and maintenance (the Project) in [the location/area]. After reviewing the Application and the evidence gathered during the regulatory proceeding, the Board has made the following decisions:

- 1) To issue Land Use Permit MV2022I0013 for a term of 5 years;
- 2) To approve Version 1 of the Engagement Plan;
- 3) To approve Version 1.1 of the Waste Management Plan;
- 4) To approve Version 1.1 of the Spill Contingency Plan; and
- 5) To approve Version 1 of the Sediment and Erosion Control Plan.

These Reasons for Decision set out the Board’s regulatory process for the Application and rationale for decisions regarding the Permit. A summary of the Application and the main issues identified during the proceeding is provided in sections [2.0](#) and [3.0](#) below, followed by an outline of the regulatory process for the Application in [section 4.0](#). [Section 5.0](#) describes how the applicable legislative requirements have been met. The Board’s decisions and supporting rationale regarding the Permit are set out in [section 6.0](#).

1.0 List of Defined Terms and Acronyms

Applicant/Permittee	Northwest Territories Power Corporation
Application	The complete application package submitted by the Applicant for Land Use Permit MV2022I0013
CRP	Closure and Reclamation Plan
Distribution List	The list of individuals and organizations to whom materials from this regulatory proceeding were circulated. ¹
EA	Environmental Assessment
ECCC	Environment and Climate Change Canada
GNWT	Government of the Northwest Territories
GNWT-ENR	Government of the Northwest Territories – Environment and Natural Resources
GNWT-PWNHC	Government of the Northwest Territories Prince of Wales Northern Heritage Centre
Inspector	An Inspector designated under subsection 84(1) of the Mackenzie Valley Resource Management Act
LWBs	Land and Water Boards of the Mackenzie Valley
MVLUR	Mackenzie Valley Land Use Regulations
MVLWB or Board	Mackenzie Valley Land and Water Board
MVRMA	Mackenzie Valley Resource Management Act
Minister	Minister of the Government of the Northwest Territories (GNWT) – Lands
ORS	Online Review System (https://new.onlinereviewsystem.ca/reviews)
Permit	Land Use Permit MV2022I0013
Project	Taltson powerline brushing and maintenance, the undertaking as described in Part A of the Permit.

¹ To access the Distribution List, see the LWBs’ [Online Review System for NTPC Taltson Powerline Maintenance](#)

Review Board	Mackenzie Valley Environmental Impact Review Board
SCP	Spill Contingency Plan
Standard Permit Conditions	LWBs' Standard Land Use Permit Conditions Template
WMP	Waste Management Plan

2.0 Summary of Application

On September 19, 2022, the Applicant submitted an application for a new Permit MV2022I0013 (the Application).² The Application is to conduct powerline brushing and maintenance, and to carry out an anchor assessment and drilling operation to identify the main cause(s) of anchor degradation. These activities are located within the Akaitcho Region. The activities trigger a Type A Permit under subparagraphs 4(a)(ii)(iv)(v) of the Mackenzie Valley Land Use Regulations.

In making its decision and preparing these Reasons for Decision, the Board has reviewed and considered:

- 1) The Permit Application as submitted by the Applicant for the Project;
- 2) The evidence and submissions received by the Board from the Applicant in relation to the Permit; and
- 3) The comments and recommendations, evidence, and submissions received by the Board from Parties during this regulatory proceeding.

A Wildlife Avoidance and Mitigation Plan was included with the Application though not included as a condition in the Permit. A condition requiring the Wildlife Avoidance and Mitigation Plan was deemed not necessary given the work area was previously disturbed and the Applicant committed to following the mitigations described therein.

3.0 Main Issues Raised During the Regulatory Proceeding

These Reasons for Decision focus primarily on applicability of Permit conditions as recommended by GNWT-Lands.

Issues that were resolved by Parties to the Board's satisfaction during the proceeding are not addressed in detail in these Reasons.

4.0 Regulatory Process

On September 7, 2022, the Applicant submitted the Application, which was deemed incomplete on September 12, 2022.³ On September 19, 2022, additional information was received,⁴ and the Application

² See MVLWB Online Registry for [NTPC - Taltson - New Type A LUP Application - Sep19_22](#)

³ See MVLWB Online Registry for [NTPC - New Permit Application - Incomplete - Sept12_22](#)

⁴ See MVLWB Online Registry for [NTPC - Taltson - New Type A LUP Application - Sep19_22](#)

was subsequently deemed complete and circulated to the Distribution List for public review on the Online Review System (ORS).⁵

As part of the public review, Board staff requested comments and recommendations to assist with the Board's preliminary screening determination. To assist the Board in making its decision on the Permit, Board staff also circulated a draft Permit for review with the Application to allow all Parties the opportunity to comment on the specific wording of the draft conditions.

By October 7, 2022, the Board received comments and recommendations regarding the Application and the draft Permit from the following Parties: Environment and Climate Change Canada (ECCC), Government of the Northwest Territories Department of Lands (GNWT-Lands), GNWT Department of Environment and Natural Resources (GNWT-ENR), and GNWT Prince of Wales Northern Heritage Centre (GNWT-PWNHC). On October 14, 2022, the Applicant responded to the Parties' comments and recommendations.⁶

On October 27, 2022, the Board met and made its preliminary screening determination⁷ and to its make decisions regarding the Application. These decisions and related reasons are described in sections [5.0](#) and [6.0](#) below.

5.0 Legislative Requirements Related to Permit Issuance

The Project is subject to the [MVRMA](#) and the [MVLUR](#). As per the [MVLUR](#), the proposed use of land for the Project requires a permit. Accordingly, the Board has jurisdiction to issue the Permit as per subsection 59(1) and section 102 of the [MVRMA](#).

In conducting its regulatory process for the Application (as described in sections [3.0](#) and [4.0](#) above), the Board has ensured that section 62 of the [MVRMA](#) and all applicable legislative requirements have been satisfied as outlined in the subsections below. The Board has considered the people and users of the land and water in the Mackenzie Valley, and any Traditional Knowledge and scientific information that was made available to the Board during the regulatory proceeding, as per section 60.1 of the [MVRMA](#). The consideration of information provided to the Board is discussed in detail below and in section [6.0](#).

5.1 Consultation, Engagement, and Public Notice

As per paragraph 60.1(a) of the [MVRMA](#), in exercising its authority, the Board must consider the importance of conservation to the well-being and way of life of Indigenous peoples of Canada, specifically those to whom section 35 of the *Constitution Act, 1982*, applies and who use an area of the Mackenzie Valley. Accordingly, the Board works with applicants, affected parties (including Indigenous governments and organizations), and other parties (such as other boards and regulators) to ensure that potential

⁵ See MVLWB Online Review System for [Taltson Powerline ROW Brushing, Maintenance, and Anchor Assessment – Sept19 22](#)

⁶ See MVLWB Online Registry for [MV2022I0013](#) Review Comment Summary Table

⁷ See MVLWB Online Registry for [MV2022I0013](#) Preliminary Screening Determination and RFD

impacts of proposed projects, including impacts on rights under section 35, are understood and carefully considered before decisions are made with respect to the issuance of permits and licences.

The Board's requirements for engagement are set out in the LWBs' [Engagement and Consultation Policy](#) and [Engagement Guidelines for Applicants and Holders of Water Licences and Land Use Permits](#). The Policy and Guidelines were developed to ensure that the Board's obligations for achieving meaningful consultation (as set out by land claims and applicable legislation) with all affected parties, including Indigenous groups in the Mackenzie Valley, are met and engagement and consultation results clearly articulated. The Applicant began engaging potentially affected parties on August 4, 2022. In accordance with the Policy and Guidelines, the Applicant's engagement efforts and proposed procedures are detailed in the Engagement Record and Plan (Version 1), respectively,⁸ submitted with the Application. The Board has approved the Applicant's Engagement Plan (Version 1), and the Board's reasons for this decision are described below in [section 6.4](#). Following issuance, the Applicant must continue engagement efforts as outlined in the Engagement Plan, once approved, and as required in the Permit.

The Application was posted to the Board's Public Registry and distributed through the ORS. As the Project is located in the Akaitcho Region, the appropriate organizations, governments, First Nations, and Indigenous organizations were included in the Distribution List.⁹ The Distribution List was used throughout this proceeding to circulate submissions, information, and updates relevant to the proceeding; the List was updated if needed, and (if requested) individuals with specific interests in the Project were added. More information about the proceeding for the Application is provided above in [section 4.0](#).

In accordance with sections 63 and 64 of the [MVRMA](#), the Board is satisfied that notice of and access to copies of the Application were provided, and that a reasonable amount of time was given to communities, First Nations, and the public to participate in this proceeding and make submissions to the Board.

In accordance with the Northwest Territories Métis Nation Interim Measures Agreement, the Northwest Territories Métis Nation was notified of the Application through the ORS distribution. The Board did not receive any evidence from the Northwest Territories Métis Nation during the proceeding.

In accordance with the Minister's 2004 [Policy Direction to the MVLWB regarding the Akaitcho Territory Dene First Nations](#), the Akaitcho Dene First Nation was notified of the Application through the ORS distribution. The Board did not receive any evidence from the Akaitcho Dene First Nation member nations during the proceeding.

⁸ See MVLWB Online Registry for [NTPC – Taltson – Engagement Log – Sept19 22](#) and [NTPC- Taltson – Engagement Plan – Sept19 22](#)

⁹ To access the Distribution List, see the [LWBs' Online Review System for NTPC Taltson Powerline Maintenance](#)

5.2 Eligibility for Land Use Permit

As per section 18 of the MVLUR, eligibility must be determined before the Board can issue a permit. The Applicant provided Easement Agreements 75D/3-2-5, 85A/13-4-5, 85A/2-23 to demonstrate eligibility under paragraph 18(b)] of the [MVLUR](#). No issues were raised regarding eligibility during this proceeding. Based on the supporting information provided, the Board concludes that the eligibility requirements under section 18 of the MVLUR have been satisfied.

5.3 Land Use Plan Conformity

As per section 61 of the [MVRMA](#), where an approved Land Use Plan applies, the Board must confirm conformity with the Land Use Plan before issuing a permit or licence.

No approved Land Use Plans apply in the Project area.

5.4 Land Use Fees

The Project is located partially within a federal area. On May 4, 1988, NTPC was witnessed as a crown corporation when the Northern Canada Power Commission was acquired from Her Majesty the Queen in Right of Canada by the Government of the Northwest Territories. As a Crown Corporation, NTPC has been previously exempted from paying fees.

5.5 Time Limit

As per section 22 of the [MVLUR](#), the Board is required to make its decision on a permit within 42 days of receiving a complete application.

5.6 Environmental Review (Part 5 of the MVRMA)

5.6.1 Preliminary Screening

On October 27, 2022, the Board met and decided not to refer the proposed Project to the Mackenzie Valley Environmental Impact Review Board (the Review Board) for Environmental Assessment.¹⁰

In accordance with section 125 of the [MVRMA](#), the Board notified the Review Board of its preliminary screening determination,¹¹ and in the ten days following the Board's preliminary screening determination notification to the Review Board, the Board did not receive notice of referral to environmental assessment (EA). Subsequently, the Board proceeded with issuing the Permit.

The Board is satisfied that the requirements of Part 5 of the [MVRMA](#) have been met for the Project.

¹⁰ See MVLWB Online Registry for [MV2022I0013](#) Preliminary Screening Determination and RFD

¹¹ See MVLWB Online Registry for [MV2022I0013](#) Notice of Preliminary Screening Determination

6.0 Decision – Land Use Permit MV2022I0013

Having due regard to the facts, circumstances, and the merits of the submissions made to it, and to the purpose, scope, and intent of the [MVRMA](#), the Board has determined that Permit MV2022I0013 should be issued, subject to the scope, definitions, conditions, and term contained therein. The Board's determinations and reasons for this decision are set out below.

The Permit has been developed to address the Board's statutory responsibilities, to protect the receiving environment, and to address issues within the Board's jurisdiction that were identified and investigated during this regulatory proceeding.

In developing the Permit, the Board considered the LWBs' [Standard Land Use Permit Conditions Template](#) (Standard Permit Conditions) and included a number of these standard conditions that are relevant to the Project. As noted in [section 4.0](#), Board staff circulated a draft Permit for review to allow Parties to provide specific input to the Board on possible conditions, and the Board considered these review comments and recommendations in making its determination on the Permit conditions.

The Standard Permit Conditions have been established by the LWBs based on information from LWB policies and guidelines, other applicable guidelines and best practices, meetings with Inspectors, input from LWB staff, and feedback from a public review. Each standard condition has been evaluated against the following characteristics of an ideal condition:

- Clearly part of LWBs' authority;
- Has a clear purpose and rationale;
- Is practical and enforceable;
- Matches the scale of the project; and
- Does not conflict with existing legislation (i.e., is not less stringent).

The Standard Permit Conditions include general rationale for each standard condition, and as such, the language of any standard condition included in the Permit is only discussed in detail in the following sections of these Reasons for Decision when it specifically relates to concerns or recommendations raised during the regulatory proceeding. The Board's reasons for developing and including project-specific conditions, including discussion of any concerns and recommendations raised regarding these conditions, are detailed in the relevant sections below.

6.1 Term of Permit

The Applicant has applied for a term of 5 years for the Permit. Subsection 26(5) of the [MVLUR](#) allows for a Permit term of not more than five years. The activities applied for are to maintain existing powerline infrastructure, which will remain long term, to provide power to communities in south Northwest Territories. After reviewing the submissions made during this regulatory proceeding, the Board has determined an appropriate term for the Permit is 5 years.

6.2 Part A: Scope of Permit

The scope of the Permit ensures the Permittee is entitled to conduct activities which have been applied for and which have been subject to Part 5 of the [MVRMA](#). In setting out the scope of the Permit, the Board endeavoured to provide enough detail to identify and describe the authorized activities, without being unduly restrictive or prescriptive, and to allow for project flexibility, as contemplated in the Application, throughout the life of the Permit.

Based on the activities described in the Permit Application and on the scope outlined in the Standard Permit Conditions, Board staff included a draft scope in the draft Permit that was circulated for public review. The Board did not receive any comments or recommendations regarding the draft scope during the proceeding, so the Board accepted it as the scope of the Permit.

6.3 Part B: Definitions

The Board defined certain terms in the Permit to ensure a common understanding of the conditions, to avoid future differences in interpretation of the Permit, to reflect Project-specific evidence, and to support consistency across licences and permits issued by the LWBs. The Board selected applicable definitions relevant to the Project from the Standard Permit Conditions.

6.4 Part C: Conditions Applying to All Activities

The subheadings below correspond to the headings in the conditions section of the Permit, as outlined in subsection 26(1) of the [MVLUR](#).

26(1)(a) Location and Area

The conditions included in this section are all consistent with the LWBs' Standard Permit Conditions.

Draft conditions PRIVATE PROPERTY SETBACK, SEASON NOTIFICATION CONTACT INSPECTOR, and SEASONAL SHUT DOWN were removed from the Permit in accordance with the Inspectors recommendation (GNWT-Lands 2).¹²

Draft condition REPORTS BEFORE REMOVAL was altered from 'At least ten days prior to the Shut Down Period, the Permittee shall advise an Inspector of...' to 'When requested by the Inspector, the Permittee shall advise an Inspector of...' to accommodate the Inspectors recommendation that a shut down period is not necessary (GNWT-Lands 2).¹³

26(1)(b) Time

The conditions included in this section are all consistent with the LWBs' Standard Permit Conditions.

¹² See MVLWB Online Registry for [MV2022I0013](#) Review Comment Table – GNWT Lands Comment 2

¹³ Ibid

26(1)(c) Type and Size of Equipment

The conditions included in this section are all consistent with the LWBs' Standard Permit Conditions.

26(1)(d) Methods and Techniques

The conditions included in this section are all consistent with the LWBs' Standard Permit Conditions.

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

The conditions included in this section are all consistent with the LWBs' Standard Permit Conditions.

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

The conditions included in this section are all consistent with the LWBs' Standard Permit Conditions.

The Applicant included an Erosion and Sediment Control Plan with the Application.¹⁴ No comments or recommendations were received during the public review pertaining to the Erosion and Sediment Control Plan. The Board has approved the Erosion and Sediment Control Plan, Version 1 because it is appropriate for the Project activities.

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

The conditions included in this section are all consistent with the LWBs' Standard Permit Conditions.

26(1)(h) Wildlife and Fish Habitat

The [MVLUR](#) includes provisions related to the protection of wildlife habitat; however, requirements for Wildlife Management and Monitoring Plans (WMMPs) are under the jurisdiction of the GNWT through the *Wildlife Act*. Accordingly, all applicants are directed to contact the GNWT-ENR to determine whether a WMMP, which details mitigations to reduce or eliminate impacts to applicable wildlife and wildlife habitat, is required for the project and should be submitted to the Board with a permit and/or licence application.

The Permittee included a Wildlife Avoidance and Mitigation Plan in the Application.¹⁵ No evidence was received pertaining to the need to include a condition requiring the Wildlife Avoidance and Mitigation Plan. The Board expects the Permittee to seek guidance from GNWT-ENR to determine whether there is a need for a WMMP.

The Board included the HABITAT DAMAGE condition in the Permit, which requires the Permittee to prevent damage to wildlife and fish habitat. This is a condition from the Board's Standard Permit

¹⁴ See MVLWB Online Registry for [NTPC - Taltson – Erosion and Sediment Control Plan – Sept19 22](#)

¹⁵ See MVLWB Online Registry for [NTPC - Taltson - Wildlife Avoidance and Mitigation - Sept19 22](#)

Conditions and is intended to ensure the Permittee conducts their land-use operation in such a way as to minimize disturbance to wildlife habitat.

26(1)(i) Storage, Handling, and Disposal of Refuse or Sewage

The conditions included in this section are all consistent with the LWBs' Standard Permit Conditions.

WASTE MANAGEMENT

All applicants must submit detailed waste management information, identifying all types of waste that will be produced by the project (including quantity and quality) and describing the disposal methods that are proposed for each type of waste. For most applicants, this will be in the form of a Waste Management Plan, developed in accordance with the LWBs' [Guidelines for Developing a Waste Management Plan](#), and licences and permits will include standard conditions regarding compliance with the Plan, as approved by the Board. The Guidelines can be applied to a wide range of projects and are intended to ensure that all waste management activities are carried out in a way that is consistent with best practices and applicable guidelines to minimize waste released from a project.

As required, the Permittee included a Waste Management Plan in the Application.¹⁶ The Board considered this Plan as part of the Application Package, and its decision on the Plan is set out below.

No comments or recommendations were received during the public review pertaining to the Waste Management Plan.

The Board has approved the Waste Management Plan, Version 1.1 because it meets the requirements of the Guidelines and is appropriate for the Project activities.

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

Based on a recommendation from the GNWT Prince of Wales Northern Heritage Centre (GNWT-PWNHC 1), draft condition ARCHAEOLOGICAL BUFFER was altered to include 'except for the previously recorded sites JfPn-1, JfPn-2, JfPo-3, JfPo-4, JfPo-5, and JfPp-1, which should be avoided by 30 m from their respective site boundaries.'¹⁷

The remaining conditions included in this section are all consistent with the LWBs' Standard Permit Conditions.

¹⁶ See MVLWB Online Registry for [NTPC – Taltson – Waste Management Plan V1.1 Sept19_22](#)

¹⁷ See MVLWB Online Registry for [MV2022I0013](#) for Review Comment Table GNWT-PWNHC comment 1

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

This section was intentionally left blank, because the Board did not require conditions in this section to satisfy its mandate and did not receive any recommendations related to this section during the review of the draft Permit.

26(1)(l) Security Deposit

This section sets out the Permittee's responsibility for all costs associated with remediation of the Project area. The conditions included in this section are all consistent with the LWBs' Standard Permit Conditions.

The Board did not include security requirements in the Permit because on May 4, 1988, NTPC was witnessed as a crown corporation when the Northern Canada Power Commission was acquired from Her Majesty the Queen in Right of Canada by the Government of the Northwest Territories. As a Crown Corporation, NTPC has been previously exempted from paying security deposits or fees. The RESPONSIBILITY FOR REMEDIATION COSTS condition establishes the Permittee's responsibility for all costs to remediate the Permit area, so the Board is satisfied that the Permittee will be accountable for carrying out closure and reclamation even though a security deposit is not required.

26(1)(m) Fuel Storage

The conditions included in this section are all consistent with the LWBs' Standard Permit Conditions.

SPILL CONTINGENCY PLAN

All applicants must describe spill contingency planning. For most applicants, this will be in the form of a Spill Contingency Plan, developed in accordance with the INAC [Guidelines for Spill Contingency Planning](#), and licences and permits will include standard conditions regarding compliance with the Plan, as approved by the Board. The Plan is intended to ensure that an action plan for responses to spills and unauthorized discharges has been established to effectively control and clean up spills and unauthorized discharges, with the goal of preventing or limiting damage to the receiving environment.

As required, the Permittee included a Spill Contingency Plan in the Application.¹⁸ The Board considered the Plan as part of the Application Package, and its decision on the Plan is set out below.

No comments or recommendations were received during the public review pertaining to the Spill Contingency Plan.

The Board has approved the Spill Contingency Plan, Version 1 because it meets the requirements of the Guidelines and is appropriate for the Project activities. The SPILL CONTINGENCY PLAN condition requires the Permittee to comply with the approved Plan.

¹⁸ See MVLWB Online Registry for [NTPC – Taltson – Spill Contingency Plan V1.1 – Sept19_22](#)

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

The conditions included in this section are all consistent with the LWBs' Standard Permit Conditions.

26(1)(o) Restoration of the Lands

The conditions included in this section are all consistent with the LWBs' Standard Permit Conditions.

All applicants must describe closure and reclamation planning. Due to the small scale of the Project, in lieu of submitting a stand-alone CRP, the Permittee described the proposed closure and reclamation activities in the Application Form. In this case, the Board considered this information equivalent to a CRP, and the Board's decision on the Plan is set out below.

The Applicant indicated that the powerline infrastructure and the need to conduct activities to maintain the infrastructure is existing and will remain in place to provide power to communities in the southern Northwest Territories. The Board decided to not require a Closure and Reclamation Plan.

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

The conditions included in this section are all consistent with the LWBs' Standard Permit Conditions.

26(1)(q) Biological and Physical Protection of the Land

The conditions included in this section are all consistent with the LWBs' Standard Permit Conditions.

ENGAGEMENT PLAN

The Board assesses engagement adequacy through the LWBs' [Engagement and Consultation Policy](#) and [Engagement Guidelines for Applicants and Holders of Water Licences and Land Use Permits](#), and an Engagement Plan is a standard requirement for land use permits issued by the Board. This Plan is intended to ensure adequate and effective engagement with potentially affected parties has occurred prior to the submission of the Application (in the form of the Engagement Record) and is planned for throughout the life of the Project.

In accordance with the Policy and Guidelines, the Applicant included an Engagement Record and Plan in the Application,¹⁹ and these documents were distributed for public review with the Application. The Board considered the Plan as part of the Application Package.

No comments or recommendations were received during the public review pertaining to the Engagement Plan.

¹⁹ See MVLWB Online Registry for [NTPC – Taltson – Engagement Plan – Sept19_22](#)

The Board has approved the Engagement Plan, Version 1 because it meets the requirements of the Policy and Guidelines and is appropriate for the Project activities.

6.5 Annex A: Table of Submissions

Annex A of the Permit contains a table that summarizes the submissions required by the Permit conditions.

6.6 Annex B: Table of Revision History

Annex B of the Permit contains a table which identifies updates and tracks changes made to the Permit. This table is currently blank because this is a new permit, but it will be updated throughout the life of the Permit.

7.0 Conclusion

Subject to the scope, definitions, conditions, and term set out in the Permit, and for the reasons expressed herein, the MVLWB is of the opinion that the activities and land use associated with the Project can be completed by the Northwest Territories Power Corporation while providing for the conservation, development, and utilization of waters in a manner that will provide the optimum benefit for all Canadians and in particular for the residents of the Mackenzie Valley.

Land Use Permit MV2022I0013 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 the Northwest Territories Power Corporation's use of the land as authorized by the Permit.

SIGNATURE



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

November 8, 2022

Date