

## **DIGAA ENTERPRISES LTD REPLIES TO MVLWB April 29 CLARIFICATION REQUESTS:**

May 2, 2022

### **INTRODUCTION:**

The MVLWB requested (by e-mail) clarification of the following 3 items identified in their review of Digaa Enterprises Ltd (Digaa) LUP Renewal Application, in order for it to proceed to the next stage of the review process:

1. Confirm the scope of the renewal Application relative to the application scope for Permit MV2015W0018;
2. Update the map(s) entitled "Planned Harvest Sequence" to include potential location(s) of camp(s) and other relevant features identified in the legend and not included on the map(s);
3. Confirm the changes included in the security worksheet for the renewal Application versus the worksheet submitted for Permit MV2015W0018; and
  - C1 –The "Security Worksheet" for the renewal Application lists 5 trailers as being required for the project whereas the "Security Worksheet" for Permit MV2015W0018 listed 7 trailers.
  - R1 – The "Security Worksheet for the renewal Application states that the "Used oil, lubes, and antifreeze" line item is "Not Applicable" to the application whereas the "Security Worksheet" for Permit MV2015W0018 listed 13 pieces of equipment for this line item. Further, Table 6-2 of the "Spill Contingency Plan" provides quantities of material under this line item that will be stored in the Fuel Storage Area.
  - E1–The "Security Worksheet" for the renewal Application lists 23 pieces of equipment whereas the "Security Worksheet for Permit MV2015W0018 listed 30 pieces of equipment. A small pump/generator is included on the worksheet for the renewal application only.

### **CLARIFICATIONS OFFERED:**

- 1. Confirm the scope of the renewal Application relative to the application scope for Permit MV2015W0018**

The Project Description and Scope of the renewal Application is intended to be the same as that of LUP MV2015W0018.

The Scope of the renewal Application was described in "Section 8 Project Description" as follows:

"Digaa Enterprises Ltd. (Digaa), a business partnership between the Deh Gah Got'ie First Nation and the Fort Providence Métis Council, has established a 25-year Forest Management Agreement (FMA) with the Government of the Northwest Territories to enable development of a forest biomass industry in the region.

This is an LUP renewal application (original permit - MV2015W0018) to access timber harvest areas for approximately 87,200 m<sup>3</sup>/year of logs (64,900 m<sup>3</sup>/year conifer and 22,300 m<sup>3</sup> / year of deciduous) over a period of approximately 7-years. Harvesting will occur throughout the FMA held by Digaa (overview maps provided in the documents) and logs will be transported from each harvest block to a manufacturing facility .

A more complete summary of operations is provided in the accompanying LUP Application Renewal – Five Year Timber Harvest Plan document. “ *End quote.*

For clarity, the Project Description and Scope of the renewal Application is intended to be the same as the LUP MV2015W0018 application, quoted below for reference.

“5. a) Summary of operation (Describe purpose, nature and location of all activities.)

“Digaa Enterprises Ltd. (Digaa), a business partnership between the Deh Gah Got’ie First Nation and the Fort Providence Métis Council, has established a 25-year Forest Management Agreement (FMA) with the Government of the Northwest Territories to enable development of a forest biomass industry in the region.

This application is to access timber harvest areas for approximately 87,200 m<sup>3</sup>/year of logs (64,900 m<sup>3</sup>/year conifer and 22,300 m<sup>3</sup>/ year of deciduous) over a period of approximately 7-years. Harvesting will occur throughout the FMA held by Digaa (see map) and logs will be transported from each harvest block to a mill site.

A more complete summary of operations is provided in the attached LUP Application Document (Section 3).

Activity	Description
field planning	road and block layout; timber cruise; assessments as required
camp	small stationary camp for up to 25 personnel
mobilization and demobilization of logging equipment	transport equipment exceeding 10 tonnes to and from harvest areas
road building, maintenance and deactivation	develop new access routes and improve existing ones for mostly winter roads (some all-season where appropriate); includes installation of structures required to traverse water courses
timber harvesting	tree felling; skidding; processing; decking; loading; hauling logs
slash piling/burning	Pile branches and tops not utilized and burn per ENR approval “ <i>End quote.</i>

Consistent with the information provided in MV2015W0018, the details of these above listed Activities are contained in the renewal Application as well; specifically, in the renewed “Five Year Timber Harvest Plan”, quoted below for reference.

## “1 Introduction

In accordance with the Mackenzie Valley Resource Management Act and subject to regulations, terms and conditions, a Land Use Permit (LUP) MV2015W0018 was granted to Digaa by the Mackenzie Valley Land and Water Board (MVLWB) on December 3, 2015, for a period of five years. As there were no operations during the five-year period, Digaa applied for and received a two year extension to the permit in 2020.

Digaa is now applying for a LUP renewal and resubmitting the Five Year Timber Harvest Plan. It is substantially the same as Digaa's previous plan that the MVLWB Board approved under the previous LUP.

### 1.1 LUP APPLICATION

The Land Use Permit (LUP) application is a key component to this submission of a Five-Year Timber Harvest Plan (THP) (2022-2026) required for the Fort Providence FMA. This application was developed using various guidelines provided by the Mackenzie Valley Land and Water Board (MVLWB), Indigenous and Northern Development Canada (INDC), the Government of NWT (GNWT), Department of Environment and Natural Resources (ENR) and the GNWT Department of Lands (LANDS). This document provides a Summary of Operations including a description of the planning process and details of proposed forest operation. This document is 1 of 7 as part of the application, with the others listed below and accompanying the application:

- 1 of 7: Five Year Timber Harvest Plan
- 2 of 7: Camp Plan
- 3 of 7: Waste Management Plan
- 4 of 7: Spill Contingency Plan
- 5 of 7: Forest Fire Suppression and Prevention Plan
- 6 of 7: Wildlife and Wildlife Habitat Protection Plan
- 7 of 7: Engagement Plan and Engagement Record

Since large scale timber harvesting applications are new to the NWT, many aspects of forest management are included in this application for context only. Forest management is regulated by the Forest Management Act and its regulations. This legislation is administered through the ENR's Forest Management Division.

This LUP application addresses plans to access timber harvesting areas (i.e., blocks) with respect to road building, maintenance and reclamation." *End quote.*

For comparative purposes, the "Five Year Timber Development Plan" information provided in the LUP MV2015W0018 is essentially the same as the renewal Application. MV2015W0018 is quoted below as follows:

### "2 Introduction

The Land Use Permit (LUP) application is a key component to this submission of a [Subject] (THP) (2015-2020) required for the Fort Providence FMA. This application was developed using various guidelines provided by the Mackenzie Valley Land and Water Board (MVLWB), Aboriginal Affairs and Northern Development Canada (AANDC), the Government of NWT (GNWT), Department of Environment and Natural Resources (ENR) and the GNWT Department of Lands (LANDS). Accordingly, this document describes plans, equipment and materials used for:

- a) developing and reclaiming access roads and structures;
- b) harvesting merchantable timber;
- c) camp operations;
- d) waste management;
- e) fuel and hazardous materials;

- f) spill contingency and reporting;
- g) forest fire prevention and suppression;
- h) wildlife and wildlife habitat protection;
- i) mitigating potential environmental and resource impacts; and
- j) engaging Aboriginal peoples and stakeholders.

Forest management is regulated by the Forest Management Act and its regulations. This legislation is administered through the ENR's Forest Management Division.

This Five Year Timber Harvesting Plan (5 year Plan) application generally provides information to access and log timber harvesting areas (i.e., cutblocks).

- a. A map of the areas to be logged
- b. An outline of proposed roads and buildings to be constructed and materials and equipment to be placed within the area
- c. The timing and sequence of logging operations
- d. The mill site
- e. A plan for the prevention and suppression of forest fires
- f. A reforestation plan
- g. A restoration plan
- h. An environmental protection plan." *End quote.*

In conclusion, the renewal Application is intended to be consistent with, and has the same Project Description (Scope), as MV2015W0018.

**2. Update the map(s) entitled "Planned Harvest Sequence" to include potential location(s) of camp(s) and other relevant features identified in the legend and not included on the map(s):**

There is one camp location, which is identified in Figure 1.1 of the "Five Year Timber Harvest Plan", and Figure 1 in the "Camp Plan" of the renewal Application. This detail was not within the intent of the "Planned Harvest Sequence", but has been added as requested.

**3. Confirm the changes included in the security worksheet for the renewal Application versus the worksheet submitted for Permit MV2015W0018:**

**C1 –The "Security Worksheet" for the renewal Application lists 5 trailers as being required for the project whereas the "Security Worksheet" for Permit MV2015W0018 listed 7 trailers:**

This is a "down -grade" from MV2015W0018 Scope. The number of pieces of equipment required for the operations was reduced from MV2015W0018. It is unlikely the camp will be required to house more than 16-20 people at any given time; therefore, the number of trailers was reduced from 7 to 5.

**R1 – The "Security Worksheet for the renewal Application states that the "Used oil, lubes, and antifreeze" line item is "Not Applicable" to the application whereas the "Security Worksheet" for Permit MV2015W0018 listed 13 pieces of equipment for this line item. Further, Table 6-2 of the "Spill**

**Contingency Plan” provides quantities of material under this line item that will be stored in the Fuel Storage Area:**

As stated in both MV2015W0018 and the renewal Application, the equipment is expected to be maintained off-site. In the event a piece of equipment requires maintenance on-site, the *used* oil, lubes, or antifreeze will be stored in appropriate containers, and removed for disposal in a timely fashion.

Digaa believes that the **“Used oils, lubes, and antifreeze” line item** is a matter of interpretation, and Digaa believes they made an incorrect interpretation in their MV2015W0018 calculation. The reason for Digaa’s change of interpretation, was based upon the R1 calculation being given a value of “zero” in the following Security Deposit calculations on the MVLWB Registry:

- LUP MV2015W0018, Lands Inspector valuation in the Security Deposit discussion.
- LUP MV2021W0016 .

**The intent of Table 3.2** is to identify the quantity of *new* oils, lubes, and antifreeze being brought to the site. They are in their original packaging, and are to be kept in the Fuel Storage Area. They are for identified because of their use in routine machine greasing, and oil and antifreeze top-ups. Table 3.2 is not intended to identify materials that are classified as “*used*” materials generated from machine maintenance.

**E1–The “Security Worksheet” for the renewal Application lists 23 pieces of equipment whereas the “Security Worksheet for Permit MV2015W0018 listed 30 pieces of equipment. A small pump/generator is included on the worksheet for the renewal application only:**

This is a “down -grade” from MV2015W0018 Scope. The number of pieces of equipment required for the operations was reduced from MV2015W0018. A review of the equipment needed to support the Scope of the operations was conducted for the renewal Application. The number of pieces of equipment required for some phases was reduced to better reflect the operation.

For example, it was determined that only one lowbed and grader is needed, not 2. Only two feller bunchers, loaders, processors, and skidders are required, not 3. No snow cat is required, and an excavator was added.

The generator in question was previously referred to as the “camp generator” in MV2015W0018.

**SUMMARY:**

Digaa has believes that it has clarified that the Scope of the LUP renewal Application has not changed significantly from LUP MV2015W0018.

Furthermore, Digaa believes it has addressed the concerns of the MVLWB queries. If further clarification is required, please contact us.

J C Bartlett  
Contract Woods Manager  
Digaa Enterprises Ltd.