

Land and Water Boards of the Mackenzie Valley



LAND USE PERMIT APPLICATION FORM

Subsection 19(2) and Schedule 2 of the [Mackenzie Valley Land Use Regulations](#)

Use an "X" to indicate which Board the Application is being made to:	Mackenzie Valley Land and Water Board:	<input checked="" type="checkbox"/>	Sahtu Land and Water Board:	
	Wek'èezhìi Land and Water Board:		Gwich'in Land and Water Board:	

To complete this Form, please refer to the MVLWB [Guide to the Land Use Permitting Process](#) (Guide) and fill in the grey fields; attach additional pages, as necessary. Indicate N/A in the grey fields for Items or parts of Items that are not applicable. An application package checklist is provided in the Guide. Review the following MVLWB guidance for formatting your Application Package:

- [Document Submission Standards](#)
- [Standard Outline for Management Plans](#)



Received: October 24, 2023

File #: MV2023C0035

Copied to: TM / Registry

If applicable, provide the existing or current Land Use Permit file number:	MV2016C0033, MV2022C0019		
Use an "X" to indicate if this Application is accompanied by an Application for a Water Licence:	Water Licence – in a non-federal area:	<input checked="" type="checkbox"/>	
	Water Licence – in a federal area:		

1. NAME AND CONTACT INFORMATION – APPLICANT

Applicant's Name:	Kennady Diamonds Inc.		
Position:			
Company Name:	Kennady Diamonds Inc.		
Mailing Address:	161 Bay Street, Suite 1410		
Community:	Toronto	Telephone:	1-416-361-3562
Prov/Terr:	ON	Email:	info@mountainprovince.com
Postal Code:	M5J 2S1	Other:	

2. NAME AND CONTACT INFORMATION – APPLICANT’S HEAD OFFICE

Include a Certificate of Corporate Registration from the Government of the Northwest Territories in your Application Package.

Use an “X” to indicate this information is the same as Item 1 above:			
Name:	Matthew MacPhail		
Position:	Chief Technical & Sustainability Officer		
Company Name:	Mountain Province Diamonds Inc.		
Mailing Address:	161 Street, Suite 1410		
Community:	Toronto		
Prov/Terr:	ON	Telephone:	+1 416 605 2879
Postal Code:	M5J 2S1	Email:	m.macphail@mountainprovince.com
Field Supervisor:		Other:	

3. NAME AND CONTACT INFORMATION – CONTRACTORS AND SUB-CONTRACTORS

Include relevant names, responsibilities, and contact information. An additional table should be added for each contractor and sub-contractor.

Name:	Katsky Venter		
Position:	Director and Snr Consultant; Prepared this application		
Company Name:	RainCoast Environmental Services Ltd.		
Mailing Address:	221 Trincomali Heights		
Community:	Salt Spring Island	Telephone:	1-250-538-2306
Prov/Terr:	BC	Email:	katsky.venter@gmail.com
Postal Code:	V8K 1M9	Other:	

	Use an “X” to indicate that contractor and/or subcontractor information is not available at this time.
--	--

Name:	Gary Vivian, Chris Hrkac		
Position:	Chairman and Senior Project Manager; Project Geologist and Program Manager		
Company Name:	Aurora Geosciences Ltd.		
Mailing Address:	3506 McDonald Drive		
Community:	Yellowknife	Telephone:	867-920-2729
Prov/Terr:	NT	Email:	gary.vivian@aurorageosciences.com
Postal Code:	X1A 2H1	Other:	chris.hrkac@aurorageosciences.com

	Use an “X” to indicate that contractor and/or subcontractor information is not available at this time.
--	--

4. LOCATION OF ACTIVITIES

Use the grey fields below to provide or reference the following information:

Traditional Place Name:	Gahcho Kué
-------------------------	------------

Maps and Geographic Information System (GIS) Data: Include a map in your Application Package identifying local geographic features, watercourses and water sources, project structures, and location(s) of any proposed waste deposits. Provide geographic coordinates (latitude and longitude) of project features, and

the maximum and minimum project boundary in degrees, minutes, seconds, or decimal degrees. Include GIS data in your Application Package, if applicable. Refer to the MVLWB [Geospatial Data Submission Standards](#) for providing geographic information.

Minimum latitude:	62° 33' 00" N	Maximum latitude:	64° 03' 03" N
Minimum longitude:	107° 18' 26" W	Maximum longitude:	110° 19' 43" W

NTS Map Sheet No.: Provide the map sheet number:

The 50K NTS Sheets that overlap the Kennady North Project include:

075J11	075K15	075N03	075N13	075O13
075J12	075K16	075N04	075N14	075O14
075J13	075L09	075N05	075N15	076B03
075J14	075L16	075N06	075N16	076B04
075K09	075M01	075N07	075O03	076C01
075K10	075M08	075N08	075O04	076C02
075K11	075M09	075N09	075O05	076C03
075K12	075M16	075N10	075O06	076C04
075K13	075N01	075N11	075O11	076D01
075K14	075N02	075N12	075O12	

Land Types: Use an “X” to indicate the type(s) of the land on which the activities are proposed:

Free Hold/ Private:	<input type="checkbox"/>	Commissioner’s/ Territorial Lands:	<input checked="" type="checkbox"/>	Federal Land:	<input type="checkbox"/>	Municipal Land:	<input type="checkbox"/>
------------------------	--------------------------	---------------------------------------	-------------------------------------	---------------	--------------------------	-----------------	--------------------------

5. ELIGIBILITY

Refer to section 18 of the [Mackenzie Valley Land Use Regulations](#). Use an “X” to indicate which one applies:

18(a)(i):	<input checked="" type="checkbox"/>	18(a)(ii):	<input type="checkbox"/>	18(a)(iii):	<input type="checkbox"/>	18(b):	<input type="checkbox"/>
-----------	-------------------------------------	------------	--------------------------	-------------	--------------------------	--------	--------------------------

6. RIGHTS AND/OR CONTRACTS TO SUPPORT ELIGIBILITY

Contact Indigenous, federal, and territorial governments, and other parties to ensure all appropriate rights, authorizations, permissions, dispositions, and contracts have been obtained or are in the process of being obtained (e.g., mineral exploration rights, quarry permits, licences of occupation, leases, access agreements and authorizations, etc.). List and provide confirmation of other authorizations that relate to the proposed activities; reference these in your Application Package (e.g., rights, permits, licences, etc.).

A list of claims and leases associated with the Kennady North Advanced Exploration Project and Regional Exploration Project is included with this Application (see *Eligibility*).

7. PERMIT TYPE AND CRITERIA

Refer to sections 4 and 5 of the [Mackenzie Valley Land Use Regulations](#). Use an “X” to indicate which permitting criteria apply:

Type A		Type B			Type C				
4(a)(i):	<input checked="" type="checkbox"/>	4(b)(i):	<input checked="" type="checkbox"/>	5(a)(i):	<input type="checkbox"/>	5(b)(i):	<input type="checkbox"/>	(SLWB and WLWB only):	<input type="checkbox"/>
4(a)(ii):	<input checked="" type="checkbox"/>	4(b)(ii):	<input checked="" type="checkbox"/>	5(a)(ii):	<input type="checkbox"/>	5(b)(ii):	<input type="checkbox"/>		
4(a)(iii):	<input checked="" type="checkbox"/>	4(b)(iii):	<input checked="" type="checkbox"/>	5(a)(iii):	<input type="checkbox"/>				
4(a)(iv):	<input checked="" type="checkbox"/>	4(b)(iv):	<input type="checkbox"/>	5(a)(iv):	<input type="checkbox"/>				

4(a)(v):	<input checked="" type="checkbox"/>	5(a)(v):	<input type="checkbox"/>
		5(a)(vi):	<input type="checkbox"/>

8. PROJECT DESCRIPTION

Include a project description in your Application Package, or for small-scale projects, describe the proposed activities in the grey field provided below. Include the name and type (e.g., lake, river) of water source(s), and the purpose and quantity of water to be used (rates, volumes (m³/day)). Indicate the total number of hectares to be used in each phase of the project, as well as through the life of the project.

See the Project Description for the Kennady North Project, attached.

9. CAMP

Describe the proposed camp size and layout. Indicate the number of person-days; explain, with rationale, any variations in the number of people that may be on site over the life of the project.

The KNP has two approved and existing camps (Bob Camp and Kelvin Camp) and is additionally approved under the AEP to construct and use a 'New Kelvin Camp'. Current as well as approved-but-not-yet-constructed camp layouts are provided in the Project Description. No change is being requested to the camps or the number of person days. As per the 2016 AEP application, up to 250 people may be housed on site, which includes 140 people at the New Kelvin Camp, 75 at Old Kelvin, and up to 35 at Bob Camp. Person days will vary throughout the year, based on project activity being conducted.

10. ROADS AND ACCESSES

Provide detailed information about the construction, location, and decommissioning of any roads and accesses.

Use an "X" to indicate if this is to be a pioneered road or access:	Yes	<input checked="" type="checkbox"/>	Use an "X" to indicate if the route has been laid out or ground-truthed:	Yes	<input checked="" type="checkbox"/>
	No	<input type="checkbox"/>		No	<input type="checkbox"/>

Overland winter access may occur to move heavy equipment and samples around during the winter. Preliminary routes have been mapped out and have been assessed in the field for potential impacts to heritage resources. Preliminary routes have been selected to minimize overland travel, maximize access to Project area extents and connect to existing established winter roads associated with the AEP; actual routing may vary depending on conditions experienced in the field.

11. PROPOSED WASTE MANAGEMENT METHODS

Use the grey fields below to provide or reference the following information:

Waste Management Plan: Include a Waste Management Plan in your Application Package, if applicable, or for small-scale projects, describe the proposed waste management activities in the grey fields provided below. A template for the Plan can be found in the MVLWB [Guidelines for Developing a Waste Management Plan](#).

****Please see the Waste Management Plan submitted with this application. ****

Waste Type	Management Method(s)
Garbage:	
Sewage (Sanitary and greywater):	
Brush and trees:	
Overburden (Organic soils, waste material, etc.):	
Other (describe):	

Off-site Disposal: If waste is proposed to be disposed of off-site within the NWT, written confirmation (e.g., an email, letter, etc.) from the facility/facilities indicating they will accept the waste is required. Include it/these in your Application Package. Please note this information will be required by the Board prior to commencement of activities.

****Please see Appendix A of the Waste Management Plan submitted with this application. ****

12. EQUIPMENT

Identify the types of equipment proposed to be used.

****Please see Appendix A, Table 2, of the Project Description submitted with this application. ****

Number	Type/Description	Size (weight in tonnes)	Proposed use

13. FUEL

Identify all fuel types proposed to be used.

****Please see Appendix A, Table 3, of the Project Description submitted with this application. ****

Type of Fuel	Number of containers	Capacity of containers (e.g., litres, pounds)	Type of container (e.g., barrel, tank, tidy-tank)	Proposed storage or staging location(s)
Diesel:				
Gasoline:				
Aviation Fuel:				
Propane:				
Other: (describe)				

14. METHODS OF FUEL TRANSFER

Describe the proposed methods to transfer fuel.

Fuel will be transferred by pump under direct supervision of the person conducting the transfer

15. SPILL CONTINGENCY PLAN

Include a Spill Contingency Plan in your Application Package, if applicable, or for small-scale projects, provide relevant details in the grey field provided below. An example of this Plan can be found in the INAC [Guidelines for Spill Contingency Planning](#).

Please see Spill Contingency Plan submitted with this application

16. PROPOSED PROJECT SCHEDULE AND TERM

Indicate the proposed project start and completion dates and the time of year the project activities are planned to occur. Describe any anticipated temporary closure(s) or seasonal shutdowns. Indicate the term requested.

Start Date:	February 15, 2024	Completion Date:	February 15, 2031
The Program is planned to commence on the expiry of MV2016C0030 and following receipt of approvals, and is expected to be seasonal, although year-round operation is possible depending on conditions.			

Term of Permit Requested:	5 years (with intention too ask for a 2 year extension)
---------------------------	---

17. POTENTIAL ENVIRONMENTAL IMPACTS OF THE PROJECT AND PROPOSED MITIGATIONS

If the proposed project, or parts of the proposed project, may be exempt from preliminary screening, describe the rationale for the exemption in the grey field below. Include the date of the most recent screening, and/or the environmental assessment or impact review number.

The Project is exempt from preliminary screening as the scope of work is the same as that previously screened. No changes in scope or activities are being requested from those already approved under the AEP and REP. Applicable screenings include:

- MV2008C0021, Nov. 7, 2008;
- MV2012C0010, Jun.7, 2012;
- MV2013C0023, MV2013L2-0005, Feb. 27, 2014;
- MV2013L2-0005, MV2016C0030, Dec. 19, 2016.

Unless the project could be exempt from preliminary screening, using the Impact-Mitigation Table below, or the more detailed Table in Appendix D of the [Guide](#), identify all potential impacts and possible mitigations that are relevant to the proposed project, and indicate whether any of the mitigation measures have been developed as a result of input from affected parties. Possible potential impacts are listed below; however, these lists are not exhaustive and may not apply to all projects. All information provided should reflect the size, scale, and nature of the proposed project. Cumulative impacts and climate change must be considered. Attach additional pages if needed.

Potential Impacts <i>Use an "X" to indicate which apply</i>	X	Potential Project Impacts and Proposed Mitigations <i>Describe the potential impact(s) and the proposed measure(s) to reduce each of these impacts.</i>
ABIOTIC COMPONENTS		
Land		
Soil contamination		
Soil compaction		
Destabilization/erosion		
Change in soil structure		
Inability to support vegetation		
Other		
Water		
Groundwater		
Water table alteration		
Infiltration changes		
Changes in water quality		
Temperature changes		
Other		
Permafrost		
Loss or change in extent		
Changes in seasonal fluctuations		
Change in persistence		
Other		

Potential Impacts <i>Use an "X" to indicate which apply</i>	X	Potential Project Impacts and Proposed Mitigations <i>Describe the potential impact(s) and the proposed measure(s) to reduce each of these impacts.</i>
Surface Water		
Water flow or level changes (permanent, temporary, seasonal)		
Drainage pattern changes		
Temperature changes		
Changes in water quality		
Wetland impairment		
Changes to aquatic habitat (see Biotic section below)		
Other		
Air		
Changes in air quality		
Harm to living things		
Increased greenhouse gases		
Other		
BIOTIC COMPONENTS		
Vegetation		
Direct loss of vegetation		
Loss of Species at Risk or may-be-at-risk plants		
Change in species composition		
Introduction of non-native (invasive) species		
Effects on plant health (dust, metals, toxins)		
Increased risk of fire		
Compaction of vegetation		
Other		
Terrestrial Wildlife Habitat		
Direct loss or removal of habitat, dens, or nests		
Loss or removal of keystone species and/or Species at Risk habitat		
Fragmentation of wildlife corridor		
Direct injury or mortality		
Disturbances to key lifecycle stages: breeding, feeding, nesting, staging		
Effects on population abundance		
Change in species diversity		
Effects on wildlife health (toxins, metals, etc.)		
Changes to migratory movement patterns		
Changes to predator-prey relationships		
Human-wildlife conflicts		
Other		
Aquatic Habitat		
Breeding disturbances		
Change in species diversity		
Effects on health (toxins, metals, sediment, etc.)		

Potential Impacts <i>Use an "X" to indicate which apply</i>	X	Potential Project Impacts and Proposed Mitigations <i>Describe the potential impact(s) and the proposed measure(s) to reduce each of these impacts.</i>
Changes to migratory movement patterns		
Changes to predator-prey relationships		
Effects on population abundance		
Change in species diversity		
Other		
CULTURAL COMPONENTS		
Wildlife Harvesting		
Loss or reduction in game species populations		
Effects on traditional land use, subsistence, and harvesting rights		
Other		
Cultural Integrity and Heritage Resources		
Change to or loss of cultural integrity		
Change to or loss of traditional lifestyle		
Change to or loss of heritage resource		
Other		
Social and Economic Well-being		
Increased human health hazard and risk		
Economic opportunities or losses (employment, training)		
Change in ecological, cultural, social, or economic values identified for protection in approved Land Use Plans		
Impairment of the recreational or traditional uses of the land or water		
Impairment of the aesthetic quality of the land or water		
Changes to the use of the area by other non-Indigenous people (e.g., trappers, outfitters, residents, hunters, forest harvesters, other authorized projects)		
Other		

18. CLOSURE AND RECLAMATION

Use the grey field below to provide or reference the following information:

Closure and Reclamation Plan: Include a Closure and Reclamation Plan in the Application Package, if applicable, or for small-scale projects, describe the proposed closure and reclamation activities in the grey field provided below. Describe any temporary closure(s) and seasonal shutdowns. Please also refer to the MVLWB/AANDC [Guidelines for the Closure and Reclamation of Advanced Mineral Exploration and Mine Sites in the Northwest Territories](#).

**** an updated Closure and Reclamation Plan is submitted with this application.**

Closure Cost Estimate: Prepare a Closure Cost Estimate and include it in your Application Package. Applicants are encouraged to contact Board staff, prior to applying, to determine which closure-cost-estimate template is most suited to the activities being applied for. Guidance is provided in section 2.2 of the MVLWB/INAC/GNWT [Guidelines for Closure and Reclamation Cost Estimates for Mines](#). If the

Application is submitted concurrently with a Water Licence Application, the estimate should include a breakdown of water- and land-related activities and liabilities.

Closure Cost Estimate: Staged security has been established for the AEP under MV2016C0030 and MV2013L2-0005 (Table 1). As project scope, activities, facilities, equipment and fuel are remaining the same as the approved AEP, it is proposed that these security amounts simply be adjusted for inflation at this time. KDI has discussed, and received support for, this approach with the GNWT and, at the recommendation of the GNWT, has adopted an inflation adjustment derived from Statistics Canada. 24.6% inflation has been applied to the 2016 security estimate and related staging to reflect inflation since 2014, the year in which the unit costs in RECLAIM (GNWT 2017b) were established (Table 1).

Table 1: Current and Proposed Security

	Current Security Amount	Proposed Security
Land Use Permit Staging		
Current Security	\$250,000	\$311,500
Prior to construction of the Quarry, all season roads, pads and laydown areas, and Airstrip Phase 1	\$1,022,096	\$1,273,532
Prior to quarrying material above 200,000m ³ , to a limit of 400,000m ³ , and construction of Airstrip Phase 2	\$1,022,096	\$1,273,532
Prior to construction of Declines	\$100,000	\$124,600
Prior to construction of the Bulk Sample Process Plant	\$100,000	\$124,600
<i>TOTAL</i>	<i>\$2,494,192</i>	<i>\$3,107,763</i>
Water Licence Staging		
Prior to construction of Declines	\$883,327	\$1,100,625
Prior to construction of the Bulk Sample Process Plant	\$883,327	\$1,100,625
<i>TOTAL</i>	<i>\$1,766,654</i>	<i>\$2,201,251</i>
Total Security, Permit + Licence	\$4,260,846	\$5,309,014

19. ADDITIONAL SUPPORTING INFORMATION

Use the grey field below to provide or reference the following information:

Engagement: Conduct engagement, prepare an Engagement Record and Engagement Plan in accordance with the MVLWB [Engagement Guidelines for Applicants and Holders of Water Licences and Land Use Permits](#), and include them in your Application Package. Templates are provided in the Guidelines. Please also refer to [Information for Proponents on MVLWB's Engagement Requirements](#).

Land Use Plans: Contact the applicable Land Use Planning Board or the Tłjchq Government to discuss conformity with the relevant land use plan(s). Include a Land Use Plan Conformity Table in your Application Package, demonstrating how the project meets the requirements of the Land Use Plan, if applicable.

Traditional (Environmental) Knowledge (TEK/TK): Provision of TEK/TK is mandatory for applications to the SLWB. Other applicants are strongly encouraged to include TEK/TK.

Studies Undertaken to Date: List any relevant studies that support the proposed activities and include them in your Application Package.

Engagement:

KDI has an existing MVLWB-approved Engagement Plan (Version 4.1) updated on February 28, 2023 which applies to both the AEP and REP. An Engagement Record is appended to the Engagement Plan and updated when new versions of the Engagement Plan are submitted. Version 4.1 of the Engagement Plan was last updated to incorporate MVLWB directives resulting from the issuance of MV2022L2-0007 and MV2022C0019. KDI has made administrative updates to this Engagement Plan to reflect the consolidated KNP and to update the Engagement Record through August 2023 and has included this updated Engagement Plan (Version 5.0) with this application.

Land Use Plans:

Not applicable.

Traditional (Environmental) Knowledge (TEK/TK):

While no project-specific TEK/TK has been collected for the Kennady North Project, the Project occurs in the same area as the Gahcho Kué Mine, wherein extensive TK/TEK has been collected and ongoing related activities are undertaken by Ni Hadi Xa.

Studies Undertaken to Date:

The Kennady North Project area is well-studied, in part because of its proximity to the Gahcho Kué mine. Sources of baseline data include data that was collected for the Gahcho Kué Environmental Assessment, the ongoing environmental monitoring programs at Gahcho Kué, and the Kennady North project, specifically, in recent years. This data informs both the currently approved Project activities and will also support future permitting activities. KDI additionally continues to collect baseline environmental and socioeconomic data in preparation for future permitting activities should the Project move toward development. A summary of studies relevant to the exploration activities associated described in this application is outlined in Section 7 of the Project Description.

KDI will continue to engage with the appropriate regulatory authorities and Potentially Affected Parties regarding baseline data collection activities aimed at informing future permitting activities for mining operations, which are ongoing at this time.

20. FEES

Refer to the [Guide](#) for assistance in determining relevant fees.

Type of Fee	Amount (\$)
Application fee (if applicable):	\$150
Land-use fees (for federal areas only):	n/a
Total Fees:	\$150

21. SIGNATURE

Matthew MacPhail, on behalf of Kennady Diamonds Inc.	Chief Technical and Sustainability Officer
Applicant's Name (print) or Company Name	Position (print)

	October 17, 2023
---	------------------

Signature	Date
-----------	------

Review the application package checklist provided in the Guide, and submit completed applications to the Regulatory Manager or Executive Director identified on the “Contact Us” pages of the respective Land and Water Board (www.mvlwb.com, www.wlwb.ca, www.slwb.com, www.glwb.com).