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## Reasons for Decision

Issued pursuant to paragraph 40(2)(c) of the *Mackenzie Valley Land Use Regulations* (MVLUR)

Land Use Permit Application	
Preliminary Screener	MVLWB
Reference/File Number	W2015C0003
Applicant	GGL Resources Corp.
Project	CH Project - Mineral Exploration at Courageous Lake and Starfish Lake, NT

### Decision from Wek'èezhii Land and Water Board Meeting of April 17, 2015

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With respect to this application, notice was given in accordance with sections 63 and 64 of the MVRMA. There was *no* public hearing held in association with this application.

#### **1.0 Background**

GGL currently holds LUP W2008C0004, for their CH Mineral Exploration Project, located at Courageous Lake and Starfish Lake, NT. The Mackenzie Valley Land and Water Board (MVLWB) originally issued LUP MV2001C0007 to GGL Diamonds on February 28, 2001, for their CH Mineral Exploration Project. On April 5, 2002 GGL applied to amend the Permit to expand their project area; the MVLWB approved the amendment after conducting a preliminary screening on May 13, 2002. A two-year extension was granted in 2006. In 2008, GGL split its land use permit application into two separate Project areas, the Providence Greenstone Belt (PGB) and the CH Project. The PGB Project is permitted under LUP W2015C0001 and maintains the camp used by both the PGH and CH projects. This CH LUP was issued on April 21, 2008. The Board approved a two-year extension to the CH Project Permit on March 1, 2013.

The CH Project continues to conduct diamond exploration. On February 26, 2015, GGL applied for a renewal of the CH Land Use Permit (W2015C0003) to continue conducting mineral exploration activities in its current lease area, which covers approximately 4,200 hectares southwest of Lac de Gras, NT. The location of the Project is approximately 250 km north of Yellowknife and all access to the sites will be via helicopter. GGL requires a Type A Land Use Permit as the proposed activities include the use of drilling equipment with a weight that exceeds or equals the threshold of 2.5 t, as outlined in Section 4 (b)(i) of the *Mackenzie Valley Land Use Regulations*.

Board staff deemed GGL's LUP application complete on March 9, 2015. The WLWB distributed the application for comment and review on March 9, 2015. Reviewer comments were due by March 30, 2015; comments were submitted by Environment Canada, GNWT-Environmental and Natural Resources, GNWT-Lands Inspector and staff, and the Wek'èezhii Renewable Resources Board. Board staff also provided comments to GGL during the review period. Proponent responses were received April 6, 2015.

## **2.0 Decision**

Section 124 of the *Mackenzie Valley Resource Management Act* (MVRMA) provides for exemption from preliminary screening for applications specified by regulations made under section 143(1)(c). As per Schedule 1 (section 2), Part 1, Paragraph 2 of the *Exemption List Regulations*, an exemption from preliminary screening is applicable if:

*"A development, or a part thereof, for which renewal of a permit, licence or authorization is requested that:*

- a) Has not been modified; and,*
- b) Has fulfilled the requirements of the environmental assessment process established by the MVRMA, CEAA [Canadian Environmental Assessment Act] or the Environmental Assessment Review Process Guidelines Order."*

The Project was screened by the Mackenzie Valley Land and Water Board (MVLWB) on [May 13, 2002](#)<sup>1</sup>, prior to issuance of Land Use Permit MV2001C0007. The scope of the project described in GGL's renewal application has not changed since this Preliminary Screening was completed; therefore, this application is exempt from preliminary screening pursuant to Part 1(2) of Schedule 1 (Section 2) of the *Exemptions List Regulations*. The May 13, 2002 Preliminary screening determined that:

- any potential adverse environmental effects are insignificant or mitigable with known technology; and,
- the project is not likely to be a source of significant public concern.

After reviewing the submission of the Applicant, the written comments received by the Board and the Staff Report prepared for the Board, the Board, having due regard to the facts and circumstances, the merits of the submissions made to it, and to the purpose, scope, and intent of the MVRMA and Regulations made thereunder, has determined that:

**Land Use Permit W2015C0003 be issued subject to the terms and conditions contained therein.**

The Board's reasons for this decision are as follows:

- The Board is satisfied that adequate consultation has been conducted and that advice has been sought and considered in accordance with sections 63 and 64 of the MVRMA.
- No significant or unmitigable public concern was made known to the Board.

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<sup>1</sup> See the WLWB ([www.wlwb.ca](http://www.wlwb.ca)) Online Registry for [MV2001C0007 – GGL – Land Use Permit – Preliminary Screening – May 13 02](#)

- The use of land proposed by the Applicant is of a nature contemplated by the MVRMA.
- The operation will likely contribute to the socio-economic well-being and economic development of the region.
- The Board has reviewed the information contained in the Staff Report dated April 17, 2015 regarding environmental impacts and/or public concerns.
- It is the opinion of the Board that the terms and conditions attached to W2015C0003, pursuant to the MVRMA, will prevent or mitigate any potential significant environmental impacts which might result from the mineral exploration.

### **3.0 Discussion**

#### **3.1 Conditions**

The MVLWB Standard LUP Conditions Template<sup>2</sup> was used to develop LUP W2015C0003. Conditions for mineral exploration activities including drilling, fuel storage, and waste management, have been included. Conditions for development of and updates to required management plans have been included to reflect MVLWB standards for the development of Waste, Engagement, and Spill Contingency Plans<sup>3</sup>. A draft LUP was included with the LUP application for review. All recommendations provided by the GNWT-Lands Inspector were reviewed and included in LUP W2015C0003. GNWT-Lands reviewed the application, had no concerns, and recommended issuance of LUP W2015C0003.

#### **3.2 Security**

On June 19, 2008, Indian Affairs and Northern Development Canada confirmed that GGL posted \$30,000.00 in security for the CH Project as required by Land Use Permit W2008C0004<sup>4</sup>. The Board has implemented the Standard Land Use Permit Security Template,<sup>5</sup> and pursuant to Section 32 of the *Mackenzie Valley Land Use Regulations*, the Board has determined that a security fee of \$30,000.00 shall be posted for Land Use Permit W2015C0003 (Condition #32).

#### **3.3 Management Plans**

GGL submitted Version 1.0 of its Engagement Plan for the CH Project, developed in accordance with the MVLWB's *Engagement Guidelines for Applicants and Holders of Water Licences and Land Use Permits*. The Board determined that the Plan satisfies the Guidelines and has approved Version 1.0 of GGL's Engagement Plan.

GGL submitted Version 1.0 of its Spill Contingency Plan for the CH Project, developed in accordance with AANDC's *Guidelines for Spill Contingency Plan*, 2007. Several recommendations were submitted by Environment Canada, the GNWT-Lands Inspector, and Board staff (see comments EC#8, #9; GNWT-Lands #1; WLWB #1, and #2). GGL has accepted all recommendations and has submitted an updated Spill

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<sup>2</sup> See WLWB ([www.wlwb.ca](http://www.wlwb.ca)) Policies and Guidelines for [Standard Land Use Permit Conditions Template](#).

<sup>3</sup> See WLWB ([www.wlwb.ca](http://www.wlwb.ca)) Policies and Guidelines for [Waste, Engagement](#), and [Spill Contingency](#) Plan Guidelines.

<sup>4</sup> See WLWB ([www.wlwb.ca](http://www.wlwb.ca)) Online Registry for [W2008C0004 – Letter from INAC regarding Security Deposit – Jun 24 08.pdf](#).

<sup>5</sup> See WLWB ([www.wlwb.ca](http://www.wlwb.ca)) 'Apply for Permit/Licence' for [Land Use Permit Security Template](#).

Contingency Plan Version 1.1 (see Proponents response to GNWT-Lands #1). The Board has determined that the Plan satisfies the Guidelines and has approved Version 1.1 of GGL's Spill Contingency Plan.

GGL submitted Version 1.1 of its Waste Management Plan on March 5, 2015 which includes waste management practices encompassing all activities permitted under its three active LUPs W2015C0001 (PGB), W2015C0003 (CH), and W2015C0004 (Fishback). The Plan was developed in accordance with the MVLWB's *Guidelines for Developing a Waste Management Plan*, 2011. The Board has determined that the contents of the Plan together with GGL's commitments made in responses to reviewer comments, satisfies the Board's Guidelines for Developing a Waste Management Plan. The Board has approved GGL's Waste Management Plan Version 1.1 in combination with all commitments made during the review process.

GGL has developed a Waste Management Plan for all three Permits, but maintains separate Engagement and Spill Contingency Plans for each of the different projects – PGB, CH, and Fishback. When asked by Board staff why GGL has separated its Spill Contingency and Engagement Plans, GGL responded there is no advantage to having a separate plans, only time constraints resulted in the submission of separate plans. The Board directs GGL to submit combined Spill Contingency and Engagement Plans for all three Projects, when it completes its next annual review, in accordance with respective LUP conditions.

#### 3.4 Additional Reviewer Recommendations and Commitments made by the Proponent

Environment Canada submitted several standard recommendations during the review period notifying GGL of the *Migratory Birds Convention Act*, the *Species at Risk Act*, and *Migratory Bird Regulations*. GNWT-Environmental and Natural Resources submitted their concern in regards to the protection of barren ground caribou. The Wek'èezhìi Renewable Resources Board also submitted concerns and recommendation in regards to wildlife. GGL has acknowledged Environment Canada's recommendation and committed to complying with the cited acts and regulations and to communicating with ENR on wildlife sightings, at the end of each field season. GGL has also committed to submitting a Wildlife Habitat Protection Plan at a later date in response to the Government of Northwest Territories Department of Environment and Natural Resources' comment #1.

#### **4.0 Conclusion**

Land Use Permit W2015C0003 contains provisions that the Board feels necessary to ensure and monitor compliance with the MVRMA and the Regulations made thereunder and to provide appropriate safeguards in respect of the Applicant's use of the land affected by the Permit. The Board will provide additional referenced material or documents upon written request.

SIGNATURE

Wek'èezhìi Land and Water Board



Violet Camsell-Blondin, Chair

April 20, 2015

Date