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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	W2023J0005
Company	Government of the Northwest Territories Environment and Climate Change
Project	Tundra Ecosystem Research Station (TERS)
Location	Daring Lake, NT
Activity	Camp
Date of Decision	March 11, 2024

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On February 29, 2024, the Wek'èezhìi Land and Water Board (WLWB or Board) met and considered the Application made by Government of the Northwest Territories Environment and Climate Change (GNWT-ECC) (Applicant) to the Board on December 19, 2023 for Land Use Permit (Permit) W2023J0005 for the Tundra Ecosystem Research Station (the Project) in the Daring Lake, NT. 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 W2023J0005 for a term of 5 years;
- 2) To approve Version 3.0 of the Waste Management Plan;
- 3) To approve Version 4.0 of the Spill Contingency Plan.
- 4) To approve Version 2.0 of the Engagement 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	Government of the Northwest Territories Environment and Climate Change
Application	The complete application package submitted by the Applicant for Land Use Permit W2023J0005.
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-ECC	Government of the Northwest Territories – Environment and Climate Change
IR	Information request
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
MVRMA	Mackenzie Valley Resource Management Act
Minister	Minister of the Government of the Northwest Territories – Environment and Climate Change
ORS	Online Review System (https://new.onlinereviewssystem.ca/reviews)
Party	As per the LWB Rules of Procedure , an applicant, a person, or an organization participating in this regulatory process.
Permit	Land Use Permit W2023J0005
Project	TERS Project, the undertaking as described in Part A of the Permit.
Review Board	Mackenzie Valley Environmental Impact Review Board
SCP	Spill Contingency Plan
Standard Permit Conditions	LWB Standard Land Use Permit Conditions Template
TG	Tłı̨chǫ Government
WLWB or Board	Wek'èezhì Land and Water Board
WMP	Waste Management Plan

2.0 Summary of Application

The WLWB originally issued Land Use Permit W2009J0006 for the TERS Project on November 11, 2009 for a term of five years, with the expiry date of November 10, 2014. On October 29, 2014, the Board approved a two-year extension to the Permit (W2009J0006) setting the expiry date to November 10, 2016. The Permit was for the Operation and Maintenance of a Research Camp, including Fuel Storage at Daring Lake, NT.

¹ To access the Distribution List, see the LWBs' Online Review System for [GNWT-ECC – TERS – Land Use Permit Renewal Application – Jan 12 24](#).

On November 4, 2016, the Board issued a renewal to the Permit (W2016J0008) with the expiry date of November 3, 2021.

On November 17, 2021, the Board approved a two-year extension to the Permit (W2016J0008) setting the expiry date to November 3, 2023. Land Use Permit W2016J0008 has reached the term normally applied to a Permit and can no longer be extended.

On September 21, 2023, prior to the expiring date of the Permit, GNWT-ECC applied for a Storage Authorization. The Board approved the Storage Authorization effective November 4, 2023 and expiring May 3, 2024.

The purpose of this Application (W2023J0005) is to continue the use of a campsite and establishment of a petroleum fuel storage facility at Daring Lake, NT. The GNWT has operated the Tundra Ecosystem Research Station (TERS) at Daring Lake near the Yamba Lake area, NT since 1994. These activities are located within the Wek'èezhì Resource Management Area.

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.

3.0 Main Issues Raised During the Regulatory Proceeding

These Reasons for Decision focus primarily on the following key issues raised during this regulatory proceeding:

- 1) Mark Containers and Tanks
- 2) No Clearing
- 3) Natural Vegetation

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 October 13, 2023, the Applicant submitted the Application, which was deemed incomplete on October 24, 2023.² On December 19, 2023, additional information was received,³ and the Application was subsequently deemed complete and circulated to the Distribution List for public review on January 12, 2024, on the Online Review System (ORS).⁴

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 February 5, 2024, the Board received comments and recommendations regarding the Application and the draft Permit from the following Parties: Government of the Northwest Territories Environment and Climate Change (GNWT-ECC)'s Inspectors. Board staff also submitted comments and questions for the purposes of clarification. On February 12, 2024, the Applicant responded to the Parties' comments and recommendations.⁵

On February 29, 2024, the Board met and made its preliminary screening determination for the Project.⁶ Following this determination, the Board made its 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](#).

² See WLWB Online Registry for [GNWT-ECC – TERS – LUP Application – Deemed Incomplete – Oct 24 23](#).

³ See WLWB Online Registry for [GNWT-ECC – TERS – LUP Application – Dec 19 23](#); [GNWT-ECC – TERS – Engagement Summary and Record – Dec 19 23](#).

⁴ See WLWB Online Review System for [GNWT-ECC – TERS – Land Use Permit Renewal Application – Jan 12 24](#).

⁵ See WLWB Online Registry for [GNWT-ECC – TERS – Land Use Permit Renewal Application – Jan 12 24](#).

⁶ See WLWB Online Registry for [GNWT-ECC - TERS - Notification and Determination Preliminary Screening - Feb 29 24.pdf](#).

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 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 LWB [Engagement and Consultation Policy](#) and [Engagement Guidelines for Applicants and Holders of Water Licences and Land Use Permits](#).⁷ 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. In accordance with the Policy and Guidelines, the Applicant's engagement efforts and proposed procedures are detailed in the Engagement Record and Plan (Version 2), respectively,⁸ submitted with the Application. The Board has approved the Applicant's Engagement Plan (Version 2), and the Board's reasons for this decision are described below in [section 6.3](#). 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 Wek'èezhì Resource Management Area, the appropriate organizations, governments, First Nations, and Indigenous organizations were included in the Wek'èezhì Distribution List.⁹ The Wek'èezhì 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.

⁷ See WLWB Policies and Guidelines webpage to access the LWB [Engagement and Consultation Policy](#) and [Engagement Guidelines for Applicants and Holders of Water Licences and Land Use Permits](#).

⁸ See WLWB Online Registry for [GNWT-ECC – TERS – Engagement Summary and Record – Dec 19 23](#) and [GNWT-ECC – TERS – Engagement Plan – Version 2.0 – Dec 19 23](#).

⁹ To access the Distribution List, see the LWBs' Online Review System for [GNWT-ECC – TERS – Land Use Permit Renewal Application – Jan 12 24](#).

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 confirmation of access rights granted to GNWT in 1994, section 6 of the Application Package (i.e., GNWT Reserve 76D/13-1) 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 wholly outside of federal areas, so no land-use fees apply.

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. The Board met and made its decision on the Permit within 42 days of receiving the complete application.

5.6 Environmental Review (Part 5 of the MVRMA)

5.6.1 Preliminary Screening

On February 29, 2024, the Board met and reviewed all the evidence received during the regulatory process with respect to the Preliminary Screening of the proposed changes to the Project. Based on the evidence, it is the Board's opinion that the proposed changes to the Project will not have a significant adverse impact on the environment or be a cause of public concern, as set out in paragraph 125(1)(a) of the MVRMA. The Board has therefore decided not to refer the proposed changes to the Project to Environmental Assessment.¹⁰

In accordance with section 125 of the [MVRMA](#), the Board notified the Review Board of its preliminary screening determination, 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.

¹⁰ See WLWB Online Registry for [GNWT-ECC - TERS - Notification and Determination Preliminary Screening - Feb 29 24.pdf](#) .

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

6.0 Decision – Land Use Permit W2023J0005

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 W2023J0005 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 existing Land Use Permit W2016J0008 and 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 five years for the Permit. Subsection 26(5) of the [MVLUR](#) allows for a Permit term of not more than five years. There were no concerns raised by Parties during the public review regarding the term of the Permit. After reviewing the submissions made during this regulatory proceeding, the Board has determined an appropriate term for the Permit is five 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 LWB [Waste and Wastewater Management Policy](#) applies to the Permit, and the objectives of the Policy are protection of water quality in the receiving environment, waste prevention/minimization, and minimization of the amount of waste disposed to the receiving environment.¹¹ The Permit does not authorize any deposit of waste to water; however, in accordance with the Policy and these objectives, the Permit includes many conditions that are, directly or indirectly, intended to meet the objectives of the Policy. The Board is satisfied that the conditions set out in the Permit are consistent with the Policy and compliance with these conditions will ensure that waste will be minimized, managed, and disposed of in a manner that will be protective of the receiving environment. These conditions and detailed rationale are described in the sections below.

¹¹ See WLWB Policies and Guidelines webpage to access the LWB [Waste and Wastewater Management Policy](#).

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 LWB Standard Permit Conditions. No comments or recommendations regarding conditions in this section were received.

26(1)(b) Time

The conditions included in this section are all consistent with the LWB Standard Permit Conditions. No comments or recommendations regarding conditions in this section were received.

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

The conditions included in this section are all consistent with the LWB Standard Permit Conditions. No comments or recommendations regarding conditions in this section were received.

26(1)(d) Methods and Techniques

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

The conditions included in this section are all consistent with the LWB Standard Permit Conditions. No comments or recommendations regarding conditions in this section were received.

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

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

The conditions included in this section are all consistent with the LWB Standard Permit Conditions. No comments or recommendations regarding conditions in this section were received.

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-ECC 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 Board maintained Condition 11 (HABITAT DAMAGE) 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 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 LWB Standard Permit Conditions. No comments or recommendations regarding conditions in this section were received.

WASTE MANAGEMENT PLAN

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 LWB [Guidelines for Developing a Waste Management Plan](#),¹² 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.¹³ The Board considered this Plan as part of the Application Package, and its decision on the Plan is set out below.

No comments were received during the Public Review that indicated that a revision to the Plan was needed. Thus, the Board has approved the Waste Management Plan, Version 3.0 because it is appropriate for the Project activities. Condition 12 (WASTE MANAGEMENT) requires the Permittee to comply with the approved Plan.

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

The conditions included in this section are all consistent with the LWB Standard Permit Conditions. No comments or recommendations regarding conditions in this section were received.

¹² See WLWB Policies and Guidelines webpage to access the LWB [Guidelines for Developing a Waste Management Plan](#).

¹³ See WLWB Online Registry for [GNWT-ECC – TERS – Waste Management Plan – Version 3.0 – Dec 19 23](#).

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 LWB Standard Permit Conditions.

The Board did not include security requirements in the Permit because, as per section 94 of the [MVRMA](#), the territorial government is not required to post security for permits. Condition 18 (RESPONSIBILITY FOR REMEDIATION COSTS) 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

During the Public Review, Government of the Northwest Territories Environment and Climate Change (GNWT-ECC)'s Inspector commented that the condition MARK CONTAINERS AND TANKS from the Standard Land Use Permit Conditions Template should be included in the permit (GNWT-ECC Inspector comment 1). The Applicant responded that it will ensure that containers and tanks are marked. Since the Applicant agreed to mark its containers and tanks, the MARK CONTAINERS AND TANKS condition was added to the Permit.

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](#).¹⁴ 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 with the Application.¹⁵ The Board considered the Plan as part of the Application Package, and its decision on the Plan is set out below.

¹⁴ See WLWB External Policies and Guidelines webpage to access the INAC [Guidelines for Spill Contingency Planning](#).

¹⁵ See WLWB Online Registry for [GNWT-ECC – TERS – Spill Contingency Plan – Version 4.0 – Dec 19 23](#).

No comments were received during the Public Review that indicated that a revision to the Plan was needed. Thus, the Board has approved the Spill Contingency Plan, Version 4.0 because it is appropriate for the Project activities. Condition 28 (SPILL CONTINGENCY PLAN) requires the Permittee to comply with the approved Plan.

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

The NO CLEARING condition was included in the draft Permit that was circulated for Public Review; this is a Standard Condition and was not in the previous permit. During the public review the WLWB staff commented with regards to the inclusion of this condition and recommended that GNWT-ECC identify and explain if there were any potential implications or issues with the inclusion of this condition (WLWB staff comment 1). The Applicant responded that TERS operates with an electric fence surrounding camp along with the infrastructure currently on site. The Applicant further stated that the no clearing condition may cause some issues concerning safety and certain operations and that vegetation is trimmed along the electric fence line and within the compound (fenced in camp) and dock areas for maintenance. To avoid preventing the limited clearing necessary for the project, the Board has not included the NO CLEARING condition. Instead, the Board included the MINIMIZE CLEARED AREA condition as a way to minimize the disturbed area.

26(1)(o) Restoration of the Lands

The NATURAL VEGETATION condition was included in the draft Permit that was circulated for Public Review, this is a Standard Condition and was not in the previous permit. During the public review, the WLWB staff commented with regards to the inclusion of this condition and recommended that GNWT-ECC identify and explain if there were any potential implications or issues with the inclusion of this condition (WLWB staff comment 2). The Applicant responded that there were no issues with the inclusion of this condition. The Applicant further stated that if TERS ceases its land use operations, then every measure to restore the land use area will be made to clean up and prepare the site in such a manner as to facilitate natural revegetation. Thus, this condition was kept in the Permit.

CLOSURE AND RECLAMATION PLAN

All applicants must describe closure and reclamation planning. For most applicants, this will be in the form of a Closure and Reclamation Plan (CRP), and licences and permits will include standard conditions regarding compliance with the Plan, as approved by the Board.

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 to section 18 of the Application. No comments were received during the public review that indicated more information should be captured in a separate plan. There are standard conditions in the Permit that relate to closure and reclamation of the site that, in the Board's view, are sufficient for this Project.

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

The conditions included in this section are all consistent with the LWB Standard Permit Conditions. No comments or recommendations regarding conditions in this section were received.

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

The conditions included in this section are all consistent with the LWB Standard Permit Conditions. No comments or recommendations regarding conditions in this section were received.

ENGAGEMENT PLAN

The Board assesses engagement adequacy through the LWB [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,¹⁶ and these documents were distributed for public review with the Application. The Board considered the Plan as part of the Application Package.

No comments were received during the Public Review that indicated that a revision to the Plan was needed. Thus, the Board has approved Version 2.0 of the Engagement Plan because it is appropriate for the Project activities.

7.0 Conclusion

Subject to the scope, definitions, conditions, and term set out in the Permit, and for the reasons expressed herein, the WLWB is of the opinion that the activities and land use associated with the Project can be completed by GNWT-ECC 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 W2023J0005 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 GNWT-ECC's use of the land as authorized by the Permit.

¹⁶ See WLWB Online Registry for [GNWT-ECC – TERS – Engagement Plan – Version 2.0 – Dec 19 23](#) and [GNWT-ECC – TERS – Engagement Summary and Record – Dec 19 23](#).

SIGNATURE



Mason Mantla, Chair
Wek'èezhìi Land and Water Board

March 11, 2024

Date