



August 24, 2020

To the Chairs of the Land and Water Boards of the Mackenzie Valley:

- Mavis Cli-Michaud, Mackenzie Valley Land and Water Board
- Joseph Mackenzie, Wek'èezhìi Land and Water Board
- Elizabeth Wright, Gwich'in Land and Water Board
- Larry Wallace, Sahtu Land and Water Board

Att: Ms. Sheila Montgomery, Mackenzie Valley Land and Water Board

Re: ***COVID-19 Impacts and Request for Deferrals or Extensions - Regulatory Conditions***

Please pass on our thank-you to the Board Chairs for their letter of August 10 regarding our July 14 letter requesting deferrals or extensions for land use permits.

Their letter suggests that the current legislation does not allow a land use permit to be extended more than once for a two-year period. We agree that may be true of the *Northwest Territories Land Use Regulations* and the federal *Territorial Land Use Regulations*, which both expressly state that a permit can only be extended once. However, the *Mackenzie Valley Land Use Regulations* (MVLUR) contain no such restriction, and accordingly, the MVLUR allow the Board to extend land use permits more than once.

As you are aware, across the country many in the mineral industry, particularly smaller developers and exploration companies, have not been able to maintain their anticipated schedules due to pandemic circumstances far beyond their control. Governments across the country are being proactive in trying to moderate the hardships the industry is facing because of the COVID-19 pandemic. The situation is the same in the NWT, where many land use permit holders under the MVLUR have been severely affected by the pandemic. Many have been forced to suspend or curtail operations that were planned at the time permit applications were made.

The Chamber understands that the Board will evaluate each land use permit extension application on its own merits.

As a general comment, however, we would note that a more flexible approach to extend applications would be an excellent way for the Boards to demonstrate the message they have been giving the Chamber over the past year, that you are looking for ways to be more accommodating in ways that do not require legislative change.

In addition to the individual reasons that a permittee might provide on any given extension application, the Chamber offers the following general reasons as to why it may be in the best interests of the residents of the NWT – whose best interests must by statute be central to any Board decision – to grant a permit extension:

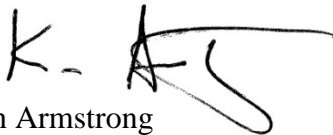
- The UN Secretary General warns that the “The current coronavirus outbreak is the biggest challenge for the world since World War Two”.
- According to World Bank forecasts, the global economy will shrink by 5.2% this year and represent the deepest recession since the Second World War, with the largest fraction of economies experiencing declines in per capita output since 1870.
- Canada’s budget deficit is now forecast to hit C\$343.2 billion, the largest shortfall since the Second World War, amid record emergency aid spending in response to the COVID-19 pandemic.

These are significant headwinds for an already embattled industry. Providing assistance with permit extensions is one way that the Board can help the industry, NWT, and Canada to rejuvenate the economy responsibly and highlight regulatory leadership.

The Chamber asks that the MVLWB make a timely announcement that land use permits may be extended more than once per the *Mackenzie Valley Land Use Regulations*.

Yours sincerely,

NWT & NUNAVUT CHAMBER OF MINES



Ken Armstrong
President

c.c.:

- Hon. Shane Thompson, NWT Minister for Environment & Natural Resources, for Lands, and for Industry, Tourism & Investment
- Hon. Dan Vandal, Federal Minister of Northern Affairs
- Hon. Michael McLeod, Member of Parliament for the Northwest Territories
- NWT Senator Margaret Dawn Anderson
- Ms. Paula Isaak, President of Canadian Northern Development Agency
- Pamela Strand, Deputy Minister, GNWT – Industry, Tourism & Investment
- Serge Beaudoin, Assistant Deputy Minister – Northern Affairs, CIRNAC
- Matthew Spence, Regional Director General, CIRNAC