

August 10, 2020

Ken Armstrong  
President  
NWT and Nunavut Chamber of Mines  
#4, 5120 – 49th Street,  
Yellowknife, NT X1A 1P8

Sent via email

Dear Ken Armstrong,

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

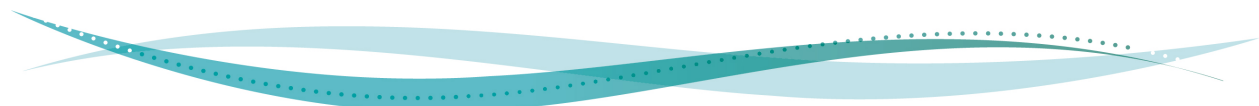
Thank you for your letter of July 14, 2020 that outlines the NWT & Nunavut Chamber of Mines' concerns and requests related to the impacts of COVID-19 on the minerals industry.

As you are aware, the Land and Water Boards of the Mackenzie Valley (LWBs) carry out their work in accordance with the applicable legislation and relevant Ministerial policy direction. The LWBs currently regulate 232 active Land Use Permits (Permits) and 98 active Water Licences (Licences) within the Mackenzie Valley. Of those, 94 Permits and 30 Licences are scheduled to expire on or before December 31, 2021, with 51 of those 94 Permits eligible for an extension of up to two years (per the current legislation). And, of those 51 Permits, 10 are related to the minerals industry. There are 6 mining-related Licences that are set to expire by the end of 2021 (2 type A and 4 type B licences), and Board staff are already working with the proponents of the type A licences on the renewal processes.

As the Chamber of Mines noted, the LWBs can renew water licences on their own initiative if the renewal is deemed to be in the public interest (noting that the Minister's approval is required for all type A licences and for type B licences where a public hearing was held). To initiate any proceeding in this regard, the Boards would consider a request from the licensee in question or seek input on a case by case basis.

In the case of land use permits, the legislative options to extend and renew those authorizations are different. According to the Mackenzie Valley Land Use Regulations (see subsection 26(6)), a permit extension requires the permittee to submit a written request prior to the expiry of the permit, and only one two-year extension can be granted. In other words, the LWBs cannot extend permits on their own initiative and cannot grant a two-year extension more than once without amendments to the legislation. If a permittee has already received a two-year extension, the legislation requires them to submit a new land use permit application to renew their permit.

The LWBs note that various proponents who are conducting exploration and project development activities have already contacted the issuing Board about their authorizations, and applications and requests are currently being processed. The LWBs also issued a general advisory in mid-March 2020 to let proponents and reviewers know that reasonable extensions for upcoming submissions would be considered. Since then several companies have submitted extension requests for annual reporting and compliance dates. For any proponents the Chamber of Mines is aware of who feel they are in need of a longer term on an authorization and haven't already been in touch with the Boards, it is recommended



# Land and Water Boards of the Mackenzie Valley

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that you reach out and encourage them to contact the relevant LWB to discuss potential options for a land use permit extension or water licence renewal or to defer the submission of annual reports.

Again, the LWBs would like to thank the Chamber of Mines for presenting your concerns and requests. Board staff would be happy to meet to discuss the concerns raised or any of the statistics we have for active authorizations. Please contact Shelagh Montgomery at [smontgomery@mvlwb.com](mailto:smontgomery@mvlwb.com) or (867) 445-2587 for any follow-up.

Sincerely,



Mavis Cli-Michaud  
Chair  
Mackenzie Valley Land and Water Board



Joseph Mackenzie  
Chair  
Wek'èzhii Land and Water Board



Larry Wallace  
Chair  
Sahtu Land and Water Board



Elizabeth Wright  
Chair  
Gwich'in Land and Water Board

Copied to: Hon. Shane Thompson, NWT Minister for Environment & Natural Resources & for Lands  
Hon. Katrina Nokleby, NWT Minister for Industry, Tourism & Investment  
Hon. Dan Vandal, Federal Minister of Northern Affairs  
Hon. Michael McLeod, Member of Parliament for the Northwest Territories  
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  
Tom Hoefler, Executive Director, NWT and Nunavut Chamber of Mines

