



SAHTU Land & Water Board



Fort Good Hope, Northwest Territories

**Land Use Permit Process
(Draft)**

Revised May 19, 2004

Disclaimer

In case of any inconsistency or conflict between this summary and the ***Mackenzie Valley Resource Management Act*** (MVRMA) and the Mackenzie Valley Land Use Regulations (MVLUR), the MVRMA and MVLUR shall prevail.

This document is not intended to provide legal advice or opinion. Rather it is prepared for general information only.

The Sahtu Land and Water Board is located at:

**P.O. Box 1
Fort Good Hope, NT X0E 0H0**

**Telephone: (867) 598-2413
Fax: (867) 598-2325
E-mail: sahtuadm@allstream.net
Website: www.slwb.com**

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SAHTU Land & Water Board

Land Use Permit Process

Introduction

The ***Mackenzie Valley Resource Management Act*** (MVRMA) empowers the SAHTU Land & Water Board (**SLWB**) to regulate the use of land by issuing, amending, renewing and suspending land use permits on all Crown, settlement, or privately owned land in the settlement area. The MVRMA prescribes the Mackenzie Valley Land Use Regulations (MVLUR) as the regulatory instrument for the SAHTU Land & Water Board to use when considering land use matters. Where conflicts arise the Sahtu Dene and Metis Land Claims Agreement takes precedence over the MVRMA and Regulations.

This document summarizes, some of the features of the:

- ***Mackenzie Valley Resource Management Act*** (MVRMA)
- Mackenzie Valley Land Use Regulations (MVLUR)
- Land Use Permit application process.
- Sahtu Dene and Metis Comprehensive Land Claim Agreement (Claim)
- activities that require a Land Use Permit
- activities that do not require a Land Use Permit
- general conditions related to land use activity and
- actual Land Use Permit Process

Copies of the Acts and Regulations

Some of the acts and regulations pertaining to a Land Use Permit are as follows:

- ***Mackenzie Valley Resource Management Act*** (MVRMA)
- Mackenzie Valley Land Use Regulations (MVLUR)

Copies of these acts and regulations can be obtained from the SLWB, the Queen's Printer, or from the federal or territorial government department responsible for the act or regulations.

Land Use Regulations/Permits

- All lands in the Sahtu settlement area (Crown lands, Sahtu settlement lands and private lands) are subject to the Mackenzie Valley Land Use Regulations and respective Land Use Permit application processes.
- Holders of interests in land, e.g. Leases, rights-of-way, quarry permits, etc., are subject to the Mackenzie Valley Land Use Regulations and may require a Land Use Permit to use land in connection with that interest.

In order to be eligible for a permit, the following criteria apply:

- Approval of a Land Use Permit application is largely dependent on a preliminary screening or other environmental assessment process that looks at the proposed land use activity to determine if it might have significant adverse environmental impacts or be a source of public concern (MVRMA Sections 62 and 124).
- Dependent on type of land use activity being proposed the Board may issue 2 types of permits, Type A or Type B. (MVLUR Sections 4 and 5)
- Land use permits may be issued for up to 5 years, (MVLUR Section 26 (5)) and may be extended once (MVLUR Section 26 (6)) for up to 2 years for a maximum duration of 7 years.
- Fees are payable to the Receiver General of Canada for the application, use of land exceeding 2 hectares in area and other services. (MVLUR section 41)
- Terms and conditions may be applied to any permit issued. (MVLUR Section 26)
- The Board may request security to be posted in accordance with the Regulations. (MVLUR Section 32)
- Contravention of the Regulations or of the terms and conditions of a permit, depending on the severity, can result in a fine of up to \$ 15,000/day or imprisonment or both. (MVRMA Section 92(1)) Inspections can be made before, during and after a permit is issued. (MVRMA Section 85(1) (a))
- Dependent on the type of land use activity being proposed, other authorizations from other federal or territorial government agencies may be required.

What Activities Do Not Require a Land Use Permit?

- The Mackenzie Valley Land Use Regulations do not apply to use of previously cleared land now authorized for grazing or agricultural purposes subsequent to its initial clearing. (MVLUR Section 2)

Unless materials and equipment for Type A or Type B Land Use Permits (MVLUR Sections 4 or 5) are required (Appendix A) these regulations also do not apply to the following activities:

- Harvesting and the construction and occupation of cabins and camps for the purpose of harvesting, within the meaning of the Sahtu Dene and Metis Comprehensive Land Claim Agreement (MVLUR Section 2 (3)(a))
- Hunting, trapping or fishing (MVLUR Section 2 (3)(b))
- Anything done in the course of prospecting, staking or locating a mineral claim (MVLUR Section 2 (3)(c))

What Activities Require a Land Use Permit?

In the Sahtu Region there are three types of land use activities permitted:

- those permitted without a Land Use Permit (activities under the threshold limits listed in Appendix A)
- smaller developments requiring a Type B Land Use Permit (MVLUR Section 5)
- larger developments requiring a Type A Land Use Permit (MVLUR Section 4)

Activities that require a Land Use Permit include:

- Use of Explosives
- Use of Vehicles
- Drilling
- Hydraulic Prospecting
- Earth Moving and Clearing
- Campsites
- Fuel Caches
- Fuel Containers
- Building Construction
- Preparation of Lines, Trails or Rights-of-Way

Refer to Appendix A for detailed information on the various land use activities requiring a Land Use Permit.

What General Conditions Relate to Land Use Activity?

The regulations provide for a number of general conditions that must be adhered to when engaged in land use activity. The conditions apply to the following activities:

- Excavations (MVLUR Section 8)
- Watercourse Crossings (MVLUR Section 9)
- Clearing of Lines, Trails, ROW's (MVLUR Section 10)
- Campsites (MVLUR Section 14)
- Restoration of Permit Areas (MVLUR Section 15)
- Removal of Buildings and Equipment (MVLUR Section 16)
- Work near Monuments (MVLUR Section 11)
- Work near Historical and Archaeological Sites & Burial Grounds (MVLUR Section 12)

The specific conditions that apply to these activities are listed in Appendix B.

Information That Should Accompany an Application For a Land Use Permit

The applicant should fill out an application form as contained in Schedule 2 of the MVLUR, available directly by mail from our office or from our web page on the Internet **www.SLWB.com**. Applications may be for a new Land Use Permit, a renewal or an amendment to a permit. The SLWB will only process complete applications, so all relevant information, mapping and fees should be included with the application. Additional maps and applications may be required for distribution to referral agencies. Sufficient copies of the application should be supplied, as required by the Board. **Please contact the SLWB prior to application submission for a list of referral contacts.**

An application will be evaluated for completeness. In addition time is required to determine if there will be negative impacts on the environment or significant public concern. Please submit the applications in plenty of time to allow the SLWB to process and issue a permit.

The SLWB requires information or proof of undertaking from the applicant related to several concerns:

Consultations/Permission to Use Land

- Status of permission from landowner should be confirmed relative to access and occupation of the land with terms & conditions. (Sahtu Comprehensive Dene & Metis Claim - Section 21.1.7)
- The landowner must be notified,
 - Crown land is administered by Department of Indian Affairs and Northern Development
 - Commissioner's land is administered by Government of the Northwest Territories
 - Sahtu settlement lands (land owned by the Sahtu Dene and Metis) are administered by the district land corporations.
- For oil and gas exploration on Sahtu Lands, the applicant has to have a signed Agreement for Access (Claim - Section 21.1.2)
- Which organizations and individuals have been consulted (including the dates of any meetings held in local communities)? What action was undertaken as a result of the consultations? Any future meetings and proposed dates should also be referenced. Community consultation is an important and necessary part of the Land Use Permit Process. Consultation is defined in the Sahtu Dene and Metis Comprehensive Land Claim Agreement (Claim - Section 2.1.1) as:
 - (a) the provision, to the party to be consulted, of notice of a matter to be decided in sufficient form and detail to allow that party to prepare its views on the matter,
 - (b) the provision of a reasonable period of time in which the party to be consulted may prepare its views on the matter, and provision of an opportunity to present such views to the party obliged to consult, and

(c) full and fair consideration by the party obliged to consult of any views presented.

- Any environmental and socio-economic impacts. The environmental impact concerns include potential environmental impacts, cumulative impacts, the effects of accidents or malfunctions, an explanation of any past, proposed or ongoing baseline studies, proposed mitigation reclamation, restoration or abandonment plans, and any effect on land, water, or air. For socio-economic impacts some of the concerns will include business and employment opportunities.
- Where applicable, any proposed agreement(s) between the community and applicant. (Claim - Section 22.1.2 and Section 22.1.3)

Conformity with Land Use Plan

- Applicants should check that their proposed land use activity/development conforms with the approved land use plan for the Sahtu settlement area (MVRMA Section 61). The Sahtu Land Use Planning Board is the responsible agency for the Sahtu Region. It is located in Fort Good Hope also and may be contacted at (867) 598-2055.
- Where a proposed land use activity does not conform to the applicable land use plan and the Sahtu Land Use Planning Board has granted no exemption, the application will be returned to the applicant.

Description of Development

- A complete description of the nature, purpose and location of all proposed activities. (MVLUR Section 19 (30)(b)).
- All other acts and regulations must be complied with. Developers should be aware that they may be required to obtain additional licences, permits or authorizations from other regulatory agencies before proceeding.

Environmental/Resource Impacts

- The effects of the proposed activities on land, air, water, and flora & fauna (MVLUR Section 21)
- Use of Traditional/Local Environmental Knowledge and Scientific Knowledge is required. Traditional knowledge must be current, practical and site-specific and must be sourced from elders and others who have an intimate knowledge of the proposed project areas. When collecting TEK, be careful not to collect or duplicate TEK from other sources. (Refer to SLWB papers "TEK Workshop held in Deline, NT, Jan. 1998" and "Traditional Environmental Knowledge (Draft) - March 7, 2002 available at our office).
- Examples of relevant information may include how fishing and trapping lines might be affected, burial sites, cabins being affected, indicators of environmental degradation from past developments in the area (i.e. fuel spills, etc.).

- Elements that may be considered under Traditional/Local Environmental Knowledge base include:
 - Spatial elements (use of the land by which clans or families; traditional boundaries; how land is used for hunting, fishing, peace and quiet)
 - Topography
 - Soils/Geology (including any permafrost considerations)
 - Climate –(time/dates)
 - Vegetation (traditional uses, the land, by which clan or family)
 - Water use/potential impacts (if quality or quantity altered)
 - Stream Flow (as it affects stream crossings, freeze-up, spawning areas)
 - Renewable Resources Board inputs (wildlife considerations)
 - Annual and seasonal trends (related to wildlife, climate, etc.)
 - Transportation (routes related to traplines, access to the land)
 - Burial sites, archaeological significance
 - Importance (Why land is important)/ Beliefs/need for respect
 - Concepts (traditional names, concepts that are unique to the Sahtu)

- Proposed mitigation or remedial measures for all disturbances and impacts (MVLUR section 21(1))

Maps/Plans

- An area map at 1: 250,000 scale and a map at 1: 50,000 scale showing the lands proposed to be used in the development and an estimate of their area. Locations must also be referenced by geographic co-ordinates (MVLUR Section 30)

- Plans or drawings indicating the approximate location of existing or new lines, trails, rights-of-way and cleared areas proposed to be used in the land-use operation. The approximate location of all buildings, structures, campsites, air landing strips, air navigation aids, fuel and supply storage sites, waste disposal sites, excavations and other works and places proposed to be constructed/used in the land-use operation or affected by the land-use operation must also be shown (MVLUR Section 19).

Fees

- A cheque made payable to the Receiver General of Canada must be included with the completed application to the SLWB. An application fee for \$150 plus land use fees in respect of the number of hectares of land used at a rate of \$50/hectare for each hectare or part thereof will apply. (MVLUR Schedule 2).

What Happens After The Application Has Been Submitted?

(Note: Numbered statements correspond to the flow diagram in Figure 1)

1. Permission of Landowner, Consultation and TEK gathering undertaken by Applicant

2. Application submitted by applicant to the SLWB

3. Application Reviewed for Completeness

The SLWB reviews the application to ensure that all necessary information and mapping is included and classifies it as a Type A or Type B permit.

3. (a) Application Deemed "Not Complete"

If the application is found lacking, the applicant is advised in writing within 10 days of receipt of a Type A application that:

- (a) the application is not in accordance with the MVLUR or that further information is required. The reasons will be itemized in the letter of acknowledgement (MVLUR Section 22)

3. (b) Application Deemed Complete

If the application is **complete**, the applicant is advised in writing within 10 days of receipt of a Type A application that:

- (b) that the application was received on a certain date and that the Board will take one of the following measures within 42 days of receipt of the application (MVLUR Section 22):

- issue a Type A permit subject to various conditions
- order that a hearing be held or further studies or investigations be made respecting the lands proposed to be used in the land use operation (reasons will be noted)
- refer the application to the Mackenzie Valley Environmental Impact Review Board for an environmental assessment (reasons will be noted)

Within 15 days after receipt of an application for a Type B permit the Board will take one of the following three actions (MVLUR Section 23):

- issue a Type B permit subject to various conditions
- refuse to issue a permit and notify applicant in writing with reasons for same
- advise the applicant that the Board requires more than 15 days to gather the socio-economic, scientific or technical information needed in respect of the application and as such will treat the application in a manner similar to a Type A permit

Application Circulated to Referral List

The Board circulates all Type A applications to other regulatory agencies, affected communities, and designated Sahtu organizations for information and comment. Type B permits may have a lesser distribution subject to the activity being proposed. (MVRMA Section 63 and Section 64)

4. (a) Development is Transboundary - MVLWB Assumes Jurisdiction

The Mackenzie Valley Land and Water Board is on the referral list for all applications. They are responsible for issuing Land Use Permits for all developments having transboundary impacts and become the lead organization for projects of this nature. A transboundary development relates to activities on the land with the potential for impacts beyond the boundaries of the Sahtu region. The SLWB will inform the applicant of any transfer in jurisdiction to the MVLWB (MVRMA Section 103)

4. Conformity to Approved Land Use Plan

The Land Use Permit application must conform to an approved Land Use Plan. Conformity is determined upon referral to the Sahtu Land Use Planning Board (SLUPB). (MVRMA Section 61)

5. (a) Application "does not" conform to Approved Land Use Plan

If the application is rejected because it is not in conformity to the approved Land Use Plan, the applicant must apply to the SLUPB for an exemption or an amendment and get approval before resubmitting it to the SLWB.

5. (b) Application Conforms to the Approved Land Use Plan

If the application is in conformity to the approved Land Use Plan or an amendment is granted, the process moves forward.

6. Information Received from Referral List Organizations

Information and recommendations received from referral organizations are reviewed by the SLWB for technical accuracy and public concern. A panel of experts or Technical Advisory Committee (TAC) will be struck to confer on points requiring clarification if the Board deems it necessary. Responses will be actively solicited by the SLWB from referral organizations not responding by the deadline date.

7. Preliminary Screening

Relevant information received is used to undertake a Preliminary Screening of the application. Preliminary Screening is a means of identifying any significant adverse environmental impacts or significant public concerns that might arise as a result of the development. (MVRMA Section 62 and 124).

8. Staff Report, Draft Preliminary Screening, Terms and Conditions and Reasons for Decision Reviewed by Board

These documents are reviewed by the Board for potential adverse environmental impacts and public concerns and changes are made where necessary.

8. (a) No Potential Environmental Impacts or Public Concerns

The Board has the option to call a local hearing if it deems such action necessary for public consultation. Otherwise the Board will approve the Preliminary Screening, which is then sent to the MVEIRB with the staff report for review. If no response is received within 3 days, the Land Use Permit is issued within the 42-day time limit with associated Terms and Conditions and Reasons for Decision.

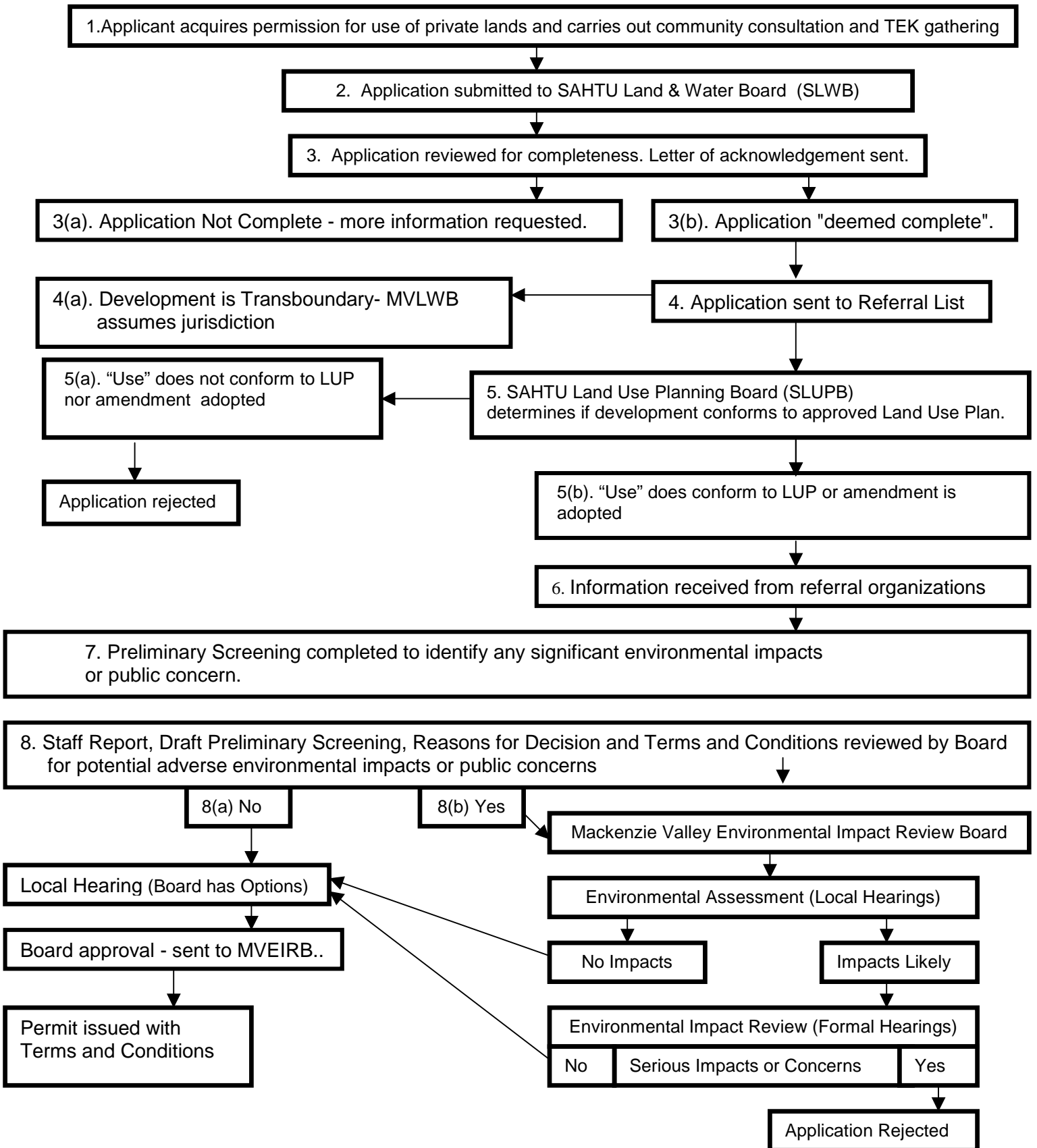
8. (b) Potential for Significant Environmental Impacts or Public Concerns Exists

The application will be sent to the MVEIRB for Environmental Assessment. No permit will be issued unless further study is required. If this is the case the MVEIRB will launch a full Environmental Impact Review. Should the development fail to meet the criteria of this phase of review, the application will be rejected.

Inspections

- Inspections are made before a permit is issued and will be conducted by the Land Use Inspector from the Department of Indian and Northern Affairs and Northern Development (DIAND) (MVRMA Section 84). The Inspector reports to the Board with information related to the existing biological and physical characteristics of the lands proposed to be used and the surrounding lands. They also indicate any disturbances and associated biological characteristics that the proposed land use operation may cause.(MVLUR Section 21(2)(a)(b))
- The Land Use Inspector will ensure compliance with legislation, regulations and all terms and conditions of the permit.
- Inspectors may also recommend how identified disturbances may be minimized and controlled (MVLUR Section 21 (2)(c))
- These reports are available to the applicant upon request (MVLUR Section 21(3))
- The Inspector may issue a "Field Modification" to the permittee upon written application to the Board. (MVLUR Section 26(2))
- In all cases where permits are issued, either Type A or B, comprehensive land use inspections are carried out during the operation and at its conclusion to ensure the operation has been conducted according to the conditions of the permit and that -the site has been properly restored (MVLUR Section 15)
- Contraventions of the Regulations or of the Terms and Conditions of the Permit may result in a Cessation of Land Use Operation Order (MVLUR Section 34), a Suspension of Permit Order (MVLUR Section 35) or a Cancellation of Permit Order (MVLUR Section 36).
- Letters of Clearance are issued subject to the submission of a Final Plan by the permittee (MVLUR Section 29) and a final inspection by the Land Use Inspector confirming compliance with all Terms and Conditions of the permit (MVLUR Section 33)

Figure 1
SAHTU Land & Water Board Land Use Permit Application Process



Appendix A

Activities Requiring A Land Use Permit

Activity	Type A Permit	Type B Permit
Explosives	Use equal to or exceeding 150 kg. in any 30 day period.	Use equal to or exceeding 50 kg. but less than 150 kg. in any 30 day period.
Use of Vehicles	Any vehicle or machine of a weight equal to or exceeding 10 tonne net weight, other than on a road or on a community landfill, quarry site or airport.	Any vehicle of 5 to less than 10 tonne net weight or exerting a pressure of more than 35 kPa, other than on a road or within a community landfill, quarry site or airport.
Drilling	Use of equipment with an operating weight equal to or exceeding 2.5 tonne not including drill rods, bits, pumps, etc. other than within the boundaries of a local government for the purposes of drilling holes for building piles or utility poles or the setting of explosives.	Use of equipment with an operating weight equal to or exceeding 500 kg. but less than 2.5 t excluding drill rods, etc other than within the boundaries of a local government for the purposes of drilling holes for building piles or utility poles or the setting of explosives.
Campsites	Use of a campsite outside a territorial park for a duration of or exceeding 400 person days.	Use of a campsite outside a territorial park for a duration of or exceeding 200 person-days but less than 400 person-days.
Fuel Caches	The establishment of a petroleum fuel storage facility with a capacity equal to or exceeding 80,000 L.	Outside the boundaries of a local government the establishment of a petroleum storage facility with a capacity that equals or exceeds 4,000L but does not exceed 80,000L (1)
Fuel Containers	Outside the boundaries of a local government the use of a single container for the storage of petroleum fuel that has a capacity equal to or exceeding 4,000 L	The use of a single container for the storage of petroleum fuel that has a capacity that equals or exceeds 2,000 L but does not exceed 4,000 L

Activity	Type A Permit	Type B Permit
Building Construction	N/A	Outside the boundaries of a local government construction of a building with a footprint of more than 100 m ² and a height of more than 5m.
Hydraulic Prospecting	Use of a stationary power-driven machine, other than a power saw, for hydraulic prospecting, moving earth or clearing land.	N/A
Earth moving and clearing	Outside the boundaries of a local government use of any self-propelled power-driven machine for moving earth or clearing land	N/A
Preparation of lines, trails or rights-of-way	Levelling, grading, clearing, cutting or snowploughing of a line, trail or right-of-way , other than a road or existing access trail to a building that exceeds 1.5m in width and 4 ha in area for a purpose other than the grooming of recreational trails.	Levelling, grading, clearing, cutting or snowploughing of any line, trail or right-of-way, other than a road or existing access trail to a building that exceeds 1.5m in width but does not exceed 4 ha in area for a purpose other than the grooming of recreational trails.

- (1) Every person who establishes a fuel cache, outside the boundaries of a local government of a volume that equals or exceeds 410 L but does not exceed 4,000 L (less than or equal to 19 barrels) shall within 30 days after its establishment give the Board written notice of the location, amount and type of fuel, the size of containers used, the method of storage and the proposed date of removal of the cache. (MVLUR Section 7).

Appendix B

General Conditions for Land Use Activities

Activity	Conditions
Excavation	Every permittee shall replace all materials removed by the permittee in the course of excavating, other than rock trenching, and shall level and compact the area of the excavation (1)
Watercourse Crossings	<p>No person shall deposit material or debris in a watercourse contrary to the Northwest Territories Waters Act or the Fisheries Act, or any regulations made under these acts.</p> <p>Every permittee shall, before the completion of the land-use operation or the commencement of spring break-up whichever occurs first;</p> <ul style="list-style-type: none"> ◆ Remove any material or debris deposited in a watercourse in the course of a land-use operation, whether for the purpose of constructing a crossing or otherwise (1) ◆ Restore the channel and bed of the watercourse to their original alignment and cross-section.(1)
Clearing of Lines, Trails, ROW	<p>No permittee shall clear a new line, trail or right-of-way where an existing line, trail or right-of-way can be used (2)</p> <p>No permittee shall clear a line, trail or right-of-way that is wider than 10m (2)</p> <p>No permittee shall on clearing a line, trail or right-of-way, leave leaners or debris in standing timber (2)</p>
Campsites	<p>Every permittee shall dispose of all garbage, waste and debris from any campsite used in connection with a land-use operation by removal, burning or burial (1)</p> <p>Sanitary sewage produced in connection with a land-use operation shall be disposed of in accordance with the Public Health Act of the NWT, R.S.N.W.T. 1988, c. p-12 and any regulations made under that Act.</p>
Restoration of Permit Areas	After completing a land-use operation, a permittee shall restore the permit area to substantially the same condition as it was prior to the commencement of the operation (1)
Removal of Buildings and Equipment	On completing a land-use operation, a permittee shall remove all structures, temporary buildings, machinery, equipment, materials, fuel drums and other storage containers and any other items used with the operation (3)
Historical and Archaeological Sites and Burial Grounds	If during the course of a land-use operation a suspected historical or archaeological site or burial ground is discovered the permittee shall immediately suspend operations on the site or burial ground and notify the Board or an inspector.

Monuments	<p>Where a boundary monument is damaged, destroyed, moved or altered during a land-use operation, a permittee shall report the fact immediately to the Surveyor General.</p> <p>Where a topographic or geodetic monument is damaged, destroyed or altered during a land-use operation, the permittee shall report the fact immediately to the Dominion Geodesist.</p>
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- (1) Conditions may be authorized/alterd by a permit or in writing by an inspector
- (2) May be authorized by a permit
- (3) Subject to various authorizations or approvals

**General Procedures
For the Administration of Land Use Permits Issued Under
The Mackenzie Valley Resource Management Act (MVRMA)
and The Mackenzie Valley Land Use Regulations (MVLUR)**

1. When the Land Use Permit is issued, a copy of the Permit is placed in the Public Registry in the office of the Sahtu Land & Water Board (SLWB) in Fort Good Hope, NT. All documents in the Public Registry are available to the public.
2. The Minister of Indian Affairs and Northern Development has appointed inspectors to enforce the terms and conditions of the Land Use Permit in accordance with Sections 84(1) and 85(1) of the Mackenzie Valley Resource Management Act (MVRMA). The inspector for the Norman Wells Sub-District who is responsible for Land Use Permit inspections coordinates his activities with the SLWB.
3. To keep the SLWB and the public informed of the Permittee's compliance with the Terms and Conditions of the Land Use Permit, the inspector prepares reports detailing how each item in the Permit has been met. The reports are forwarded to the Permittee with a covering letter indicating the actions, if any, which must be taken. These documents are placed in the Public Registry along with any responses received from the Permittee pertaining to the inspection reports. It is necessary for the Permittee to act upon the inspector's recommendations immediately in order to prevent further action by the inspector.
4. If an amendment to the Land Use Permit is required, a written request must be made to the SLWB stating the conditions that the Permittee wishes to have amended, the nature of the proposed amendment and the reasons for the proposed amendment, in accordance with Section 26(2) of the MVLUR. The Board must notify the Permittee of its decision and the reasons therefor within 10 days of receipt of the request. If the land use requested in the proposed amendment is not within the scope of the original land use for which the permit was issued, the request will be treated as a new application for a Land Use Permit. If the following criteria remain unchanged:
 - Areal extent of project
 - Type of development (activities to be carried out)
 - Time frame

The amendment request will be deemed to be within the scope of the original permit and a field modification can be issued by the land use inspector upon written request.
5. Subject to Section 29(1) of the MVLUR every Permittee must submit to the SLWB within 60 days of expiry of the permit or at the completion of the project (whichever comes first) a final plan, stating the lands on which the land use operation was conducted and the locations of all site- specific areas of the operation and a calculation of the area of the lands used in the operation. A letter requesting a final plan is sent to every Permittee, 30 days prior to the expiry date of their permit. Upon receipt of the final plan, copies are sent, to the inspector and a copy is put in the Public Registry. A Letter of Clearance is issued to the Permittee upon inspection and recommendation by the inspector.