

GWICH'IN LAND AND WATER BOARD
Box 2018 Inuvik NT X0E 0T0
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Land Use Permit

Permit Number: G 08 H 004

Permit Class: A

Subject to the Mackenzie Valley Resource Management Act, the Mackenzie Valley Land Use Regulations and the conditions annexed to and forming part of this Land Use Permit, the Gwich'in Land and Water Board (hereinafter referred to as the Board) hereby grants authority to:

Gwich'in Tribal Council
Box 1509 Inuvik NT X0E 0T0
(hereinafter referred to as the Permittee)


To proceed with the land use operation described in the application of:

Applicant: Freddy Carmichael
Type of Land Use Operation: Camp and Fuel Storage
Location: The Gwich'in Camp is located on Gwich'in private lands at 68 16 02 N 135 46 20 W on the east side of the East Branch of the Mackenzie River approximately 10.4 kilometres south-southwest of Inuvik NT
Date Permit Valid: May 20, 2008
Date Permit Expires: May 20, 2013

It is a condition of this Land Use Permit that the Permittee comply with the conditions annexed to and forming part of this Land Use Permit, and with any and all other applicable Acts, Regulations, Ordinances, By-Laws or Orders. Default thereof may result in the suspension or cancellation of this Land Use Permit.

This Land Use Permit may be amended, renewed, suspended or cancelled pursuant to the Mackenzie Valley Land Use Regulations.

Signed and issued in Inuvik in the Northwest Territories this 16th day of May, 2008.



Paul Sullivan
Acting Chair
Gwich'in Land and Water Board

CONDITIONS ANNEXED TO AND FORMING PART OF LAND USE PERMIT: xx

PART A: SCOPE OF LAND USE PERMIT

1. This Land Use Permit entitles the **Gwich'in Tribal Council** to conduct the following activities:

To operate and maintain a Wellness Camp located on Gwich'in private lands at 68 16 02 N 135 46 20 W on the east side of the East Branch of the Mackenzie River approximately 10.4 kilometres south-southwest of Inuvik NT.

The camp includes the main building (approx 400 m²), a power generating plant (approx 60 m²), a water treatment plant (approx 30 m²), a water purification plant (approx 30 m²), and a living quarters for the Camp Maintainer (approx 50 m²).

The camp also has a diesel fuel storage facility with a capacity of 35,000 litres and three (3) 4,500 litre propane tanks.

2. This Land Use Permit is issued subject to the conditions contained herein with respect to the use of land for the activities and area identified in Part A, Item 1 of this Land Use Permit.
3. Compliance with the terms and conditions of this Land Use Permit does not absolve the Permittee from responsibility for compliance with the requirements of all applicable Federal, Territorial and Municipal legislation.

PART B: DEFINITIONS

"Act" means the Mackenzie Valley Resource Management Act.

"Board" means the Gwich'in Land and Water Board established under Part 3 of the Mackenzie Valley Resource Management Act.

"Land Use Inspector" means an Inspector designated by the Minister under the Mackenzie Valley Resource Management Act.

"Sewage" means all toilet wastes and grey water.

"Sewage Disposal Facilities" means sump(s) and/or sewage collection tank(s) designed to hold sewage.

PART C: CONDITIONS OF PERMIT

26 (1) (A) THE LOCATION AND AREA OF LANDS THAT MAY BE USED IN THIS LAND-USE OPERATION

1. The Permittee shall not conduct this land use operation on any lands not designated in the accepted application, unless otherwise authorized in writing by the Board.
2. The Permittee shall not conduct any part of this land use operation within three hundred (300) metres of any privately owned land or structure, unless otherwise authorized in writing by a Land Use Inspector.

PLANS

PRIVATE PROPERTY

26 (1) (B) THE TIMES AT WHICH ANY PORTION OF THIS LAND-USE OPERATION MAY BE CARRIED ON

3. The Permittee's Field Supervisor shall contact or meet with a Land Use Inspector at the Inuvik office of the Department of Indian Affairs and Northern Development, - (867) 777-3361 - and the Gwich'in Land and Water Board, - (867) 777-7960 - at least forty-eight (48) hours prior to the commencement of this land use operation.

CONTACT INSPECTOR AND BOARD

4. The Permittee shall advise a Land Use Inspector and the Board at least ten (10) days prior to the completion of this land use operation of:
(a) the plan for removal or storage of equipment and materials; and
(b) when final clean-up and restoration of the land used will be completed.

REPORTS BEFORE REMOVAL

5. The Permittee shall provide, in writing, to a Land Use Inspector and the Board, at least forty-eight (48) hours prior to commencement of this land use operation, the following information:
(a) person, or persons, in charge of the field operation to whom notices, orders, and reports may be served;
(b) alternates; and
(c) all methods for contacting the above person(s).

IDENTIFY AGENT

6. The Permittee shall submit a progress report to a Land Use Inspector and the Board every six (6) months during the course of this land use operation.

PROGRESS

7. The Board, for the purpose of this land use operation, designates March 31st as spring break-up, unless otherwise authorized in writing by a Land Use Inspector.

SPRING BREAK-UP

8. The Land Use Inspector and/or the Board reserve the right to impose closure of any area to the Permittee in periods when dangers to natural resources are severe.

CLOSURE

26 (1) (C) THE TYPE AND SIZE OF EQUIPMENT THAT MAY BE USED IN THIS LAND-USE OPERATION

9. The Permittee shall not use any equipment except of the type, size, and number that is listed in the accepted application, unless otherwise authorized in writing by a Land Use Inspector.

ONLY APPROVED EQUIPMENT

10. The Permittee shall not place dirt or debris into streams to serve as ramps for loading or unloading ships or barges, unless authorized in writing by a Land Use Inspector.

DIRT RAMPS

11. The Permittee shall ensure garbage containers are on site.

GARBAGE

CONTAINER

26 (1) (D) METHODS AND TECHNIQUES TO BE EMPLOYED BY THE PERMITTEE IN CARRYING OUT THIS LAND-USE OPERATION

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26 (1) (E) THE TYPE, LOCATION, CAPACITY AND OPERATION OF ALL FACILITIES TO BE USED BY THE PERMITTEE IN THIS LAND-USE OPERATION

12. The Permittee shall adhere to all mitigation measures in the accepted application.
13. The Permittee shall ensure that the land use area is kept clean at all times.

**MITIGATION
MEASURES**

**CLEAN WORK
AREA**

26 (1) (F) METHODS TO BE USED TO CONTROL OR PREVENT PONDING OF WATER, FLOODING, EROSION, SLIDES AND THE SUBSIDENCE OF LAND

14. The Permittee shall not use any material other than water and/or clean snow in the construction of ice bridges, ramps and snow fills.
15. The Permittee shall ensure that this land use operation does not cause obstruction to any natural drainage.
16. The Permittee shall not cut any stream bank, unless otherwise authorized in writing by a Land Use Inspector.
17. The Permittee shall suspend overland travel of equipment or vehicles if rutting occurs.
18. The Permittee shall not move any equipment or vehicles unless the ground surface is in a state capable of fully supporting the equipment or vehicles without rutting or gouging.

**ICE BRIDGE
MATERIALS**

**NATURAL
DRAINAGE**

STREAM BANKS

**SUSPEND
OVERLAND
TRAVEL**

**VEHICLE
MOVEMENT
FREEZE-UP**

26 (1) (G) THE USE, STORAGE, HANDLING AND ULTIMATE DISPOSAL OF ANY CHEMICAL OR TOXIC MATERIAL TO BE USED IN THIS LAND-USE OPERATION

19. The Permittee shall not, in any circumstances, deposit or allow the deposit of any deleterious substances (including but not limited to fuels, lubricants, hydraulics, and coolants) of any type into any waters, or in any place under any conditions where the deleterious substances may enter any waters.
20. The Permittee shall immediately report all spills to the 24 hour Spill Report Line (867) 920-8130 in accordance with instructions contained in the NWT SPILL REPORT form NWT 1752/0202.

**DEPOSITING
DELETERIOUS
SUBSTANCES**

**REPORT
CHEMICAL AND
PETROLEUM
SPILLS**

26 (1) (H) PROTECTION OF WILDLIFE AND FISH HABITAT

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| 21. The Permittee shall not unnecessarily damage wildlife habitat in conducting this land use operation. | HABITAT
DAMAGE |
| 22. The Permittee shall not feed or harass wildlife. | NO FEEDING OR
HARRASSING
WILDLIFE |
| 23. The Permittee shall construct and maintain all structures placed in streams frequented by fish, in such a manner that will not obstruct passage of fish. | FREE FISH
MOVEMENT |
| 24. The Permittee shall not obstruct the movement of fish while conducting this land use operation. | FREE FISH
MOVEMENT |
| 25. The Permittee shall not destroy or damage beaver dams. | BEAVER DAMS |
| 26. The Permittee shall not destroy or damage beaver lodges | BEAVER LODGES |
| 27. The Permittee shall use food handling and garbage disposal procedures that do not attract bears. Information about the latest bear detection and deterrent techniques can be obtained from Environment and Natural Resources in Inuvik at (867) 777-7308. | BEAR/MAN
CONFLICT |
| 28. The Permittee shall construct and maintain the water intake with an adequate screening device to prevent entrainment of fish. | PREVENT
ENTRAINMENT |
| 29. The Permittee shall construct and maintain the water intake using the Department of Fisheries and Ocean's recommended 2.54 mm fine mesh size to prevent entrainment of fish. Other dimensions must follow DFO's Freshwater Intake End-of-Pipe Fish Screen Guidelines. | PREVENT
ENTRAINMENT |
| 30. If migratory birds or their nesting areas, or any species at risk are encountered during the course of this land use operation, the Permittee will minimize all activity so as to not disturb these animals. | MINIMIZE
ACTIVITY |
| 31. The Permittee shall cease operations when caribou are in the immediate vicinity of any area where this land use operation is being conducted. | CARIBOU
HARRASSMENT |
| 32. The Permittee shall not, during the migration of caribou, locate any operation so as to block or cause substantial diversion of the migration, and shall cease any activity that may interfere with the migration, such as airborne surveys, or movement of equipment, until such time as the major migration has been completed. | CARIBOU
MIGRATION |

26 (1) (I) THE STORAGE, HANDLING AND DISPOSAL OF REFUSE OR SEWAGE

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| 33. The Permittee shall dispose of all sewage and grey water as proposed in the accepted application, or in a manner approved by a Land Use Inspector. | SEWAGE
DISPOSAL |
| 34. The Permittee shall remove all non-combustible garbage and debris, including plastics, from the land use area to a disposal site as specified in the | REMOVE
GARBAGE |

accepted application.

35. The Permittee shall incinerate all combustible garbage and debris, except plastics, daily, in a container acceptable to a Land Use Inspector.

INCINERATION

36. The Permittee shall keep all garbage and debris in a covered metal container on site until disposed of.

**GARBAGE
CONTAINER**

37. The Permittee shall remove from all lands all scrap metal, discarded machinery and parts, barrels and kegs, plastics and building materials to an approved waste disposal facility.

**REMOVE WASTE
MATERIAL**

**26 (1) (J) PROTECTION OF HISTORICAL AND ARCHAEOLOGICAL
SITES AND BURIAL GROUNDS**

38. The Permittee shall not knowingly operate any vehicle within thirty (30) metres of a known or suspected historical or archaeological site or burial ground site.

**OPERATE
VEHICLE**

39. The Permittee shall not knowingly remove, disturb, or displace any known or suspected historical or archaeological site or specimen or burial ground.

**DISTURBANCE OF
SITE**

40. The Permittee shall immediately cease any activity which disturbs an historical or archaeological site or specimen or burial ground, and shall contact the Gwich'in Land and Water Board at (867) 777-7960, or the Prince of Wales Northern Heritage Centre at (867) 920-6182, and shall not continue without written authorization from the Board.

CONTACTS

41. The Permittee shall ensure that all persons working under authority of this Land Use Permit are aware of the conditions concerning historical or archaeological sites or specimens or burial grounds.

**NOTIFICATION
TO EMPLOYEES**

**26 (1) (K) PROTECTION OF OBJECTS AND PLACES OF
RECREATIONAL, SCENIC OR ECOLOGICAL VALUE**

This section intentionally left blank.

**26 (1) (L) POSTING OF SECURITY IN ACCORDANCE WITH SECTION
32**

42. The Permittee shall be responsible for all costs to remediate the land used in this Land Use Permit.

**RESPONSIBILITY
FOR
REMEDICATION
COSTS**

26 (1) (M) THE ESTABLISHMENT OF PETROLEUM FUEL STORAGE FACILITIES

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| 43. The Permittee shall report in writing to a Land Use Inspector the location and quantity of all fuel caches within ten (10) days of their establishment. | REPORT FUEL LOCATION |
| 44. The Permittee shall not place any fuel storage containers within thirty (30) metres of the normal high water mark of any water body, unless otherwise authorized in writing by a Land Use Inspector. | FUEL BY STREAM |
| 45. The Permittee shall not allow petroleum products to spread to surrounding lands or into water bodies. | FUEL CONTAINMENT |
| 46. The Permittee shall locate mobile fuel facilities on land when stationary for any period of time exceeding twelve (12) hours. | FUEL ON LAND |
| 47. The Permittee shall examine all fuel storage containers for leaks a minimum of once every day; and repair all leaks immediately. | CHECK FOR LEAKS |
| 48. The Permittee shall maintain a watchperson at the site at all times when fuel is stored on site. | WATCHPERSON |
| 49. The Permittee shall have one extra fuel storage container on site equal to, or greater than, the size of the largest fuel container. | FUEL EXTRA CONTAINER |
| 50. The Permittee shall use containment for fuel storage between 410 and 4,000 litres that are authorized in writing by writing by the Land Use Inspector. | FUEL CONTAINMENT |
| 51. The Permittee shall construct an impermeable dyke around each stationary fuel container or group of stationary fuel containers where any one container has a capacity exceeding 4 000 litres. | DYKE FUEL CONTAINERS |
| 52. The Permittee shall ensure that the volume of the dyked area shall be ten per cent (10%) greater than the capacity of the largest fuel container placed therein. | CAPACITY |
| 53. The Permittee shall ensure that the dyke and the area enclosed by the dyke shall be impermeable to petroleum products at all times. | IMPERMEABLE DYKES |
| 54. A competent steel double-walled tank will be deemed to satisfy requirements of an impermeable dyke. | DOUBLE WALLED TANKS |
| 55. The Permittee shall mark all stationary petroleum products storage facilities with flags, posts or similar devices so that they are at all times plainly visible to local vehicle travel. | MARK FUEL LOCATION |
| 56. The Permittee shall seal all container outlets except the outlet currently in use. | SEAL OUTLET |
| 57. The Permittee shall mark all fuel containers, including 45-gallon drums, with the Permittee's name. | MARK CONTAINERS |

58. The Permittee shall only use stands approved by a Land Use Inspector for supporting fuel containers. **FUEL CONTAINER STANDS**

59. The Permittee shall ensure that all fuel caches containing more than ten (10) fuel containers have adequate secondary containment as approved by a Land Use Inspector. **FUEL CACHE SECONDARY CONTAINMENT**

60. The Permittee shall ensure that adequate contingency plans and spill kits are in place, prior to commencement of this land use operation, to respond to any potential spills. **SPILL RESPONSE**

26 (1) (N) METHODS AND TECHNIQUES FOR DEBRIS AND BRUSH DISPOSAL

This section intentionally left blank.

26 (1) (O) RESTORATION OF LANDS

This section intentionally left blank.

26 (1) (P) THE DISPLAY OF PERMITS AND PERMIT NUMBERS

61. The Permittee shall display a copy of this Land Use Permit in a conspicuous place in each campsite established to carry out this land use operation. **DISPLAY PERMIT**

26 (1) (Q) ANY OTHER MATTERS NOT INCONSISTENT WITH THE REGULATIONS, FOR THE PROTECTION OF THE BIOLOGICAL OR PHYSICAL CHARACTERISTICS OF THE LANDS

62. The Permittee shall ensure that all persons working under the authority of this Land Use Permit are aware of and will adhere to the conditions as stated herein. **NOTIFICATION TO ALL EMPLOYEES/ CONTRACTORS**

63. The Permittee shall submit to the Board an updated contingency plan, for chemical and petroleum spills, if there are any changes in the operation during the life of this Land Use Permit. **CONTINGENCY PLAN**