

GWICH'IN LAND AND WATER BOARD

P.O. Box 2018, Inuvik, NT X0E 0T0

☎ 867-777-4954

📠 867-777-2304

🌐 glwb.com

June 10, 2019

File: G14Q003

Attention: Brian McCarthy
Arctic Tire (1980) Ltd.
P.O. Box 3190
Inuvik, NT X0E 0T0

Re: Extension of Land Use Permit G14Q003 – Quarrying at km 251

Mr. McCarthy,

The Gwich'in Land and Water Board has approved Arctic Tire's request to extend the above Land Use Permit for quarrying, at km 251 Dempster Highway #8. The permit, with attached conditions, has been extended for an additional two years and will now expire on June 22, 2021.

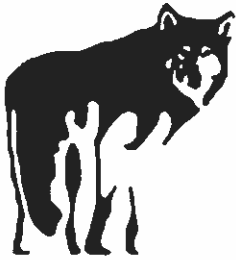
Please be advised that a copy of this letter, along with the Land Use Permit, all inspection reports and correspondence related thereto, will be filed in the Public Registry at the offices of the Gwich'in Land and Water Board in Inuvik, NT, as per the Mackenzie Valley Resource Management Act. This is intended to keep all interested parties informed of the manner in which the Land Use Permit requirements are being met.

Should you have questions regarding this decision, please contact AlecSandra Macdonald by email at amacdonald@glwb.com or by phone at (867) 777-4954.

Sincerely,

Elizabeth Wright
Chair, Gwich'in Land and Water Board

CC: Dan Carmichael – Superintendent – GNWT Department of Lands, Beaufort Delta



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LAND USE PERMIT

| | | |
|--------------|-----------|--------------|
| Permit Class | Permit No | Amendment No |
| A | G14Q003 | - |

Subject to the Mackenzie Valley Resource Management Act, the Mackenzie Valley Land Use Regulations and the terms and conditions in this Permit, authority is hereby granted to:

Arctic Tire (1980) Ltd.

(Permittee)

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

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| Signature Brian McCarthy | Date May 30, 2014 |
| Type of Land Use Operation Quarrying | |
| Location Km 251, Dempster Highway #8. (67.307214, -133.327795) | |

This permit may be assigned, extended, discontinued, suspended or cancelled pursuant to the Mackenzie Valley Land Use Regulations.

Dated at Inuvik this 10 day of June , 2019

Witness - Leonard DeBastien

Chair - Elizabeth Wright

Commencement Date

 June 23, 2014

Expiry Date

 June 22, 2021

Note: It is a condition of this Permit that the Permittee comply with the provisions of the *Mackenzie Valley Resource Management Act* and Regulations and the terms and conditions set out herein. A failure to comply may result in suspension or cancellation of this Permit.

Conditions Annexed to and Forming Part of Land Use Permit # G14Q003

Part A: Scope of Permit

1. This Permit entitles Arctic Tire (1980) Ltd. to conduct the following land-use operation:
 - a) Blast, excavate, crush and remove rock at km 251 Quarry
(68.307214°N / 133.327795°W)
2. This 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 Permit.
3. Compliance with the terms and conditions of this Permit does not absolve the Permittee from the responsibility for compliance with the requirements of all applicable federal, territorial, and municipal legislation.

Part B: Definitions (defined terms are capitalized throughout the permit)

Act - the *Mackenzie Valley Resource Management Act*.

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

Habitat - the area or type of site where a species or an individual of a species of wildlife naturally occurs or on which it depends, directly or indirectly, to carry out its life processes.

Inspector - an Inspector designated by the Federal Minister under the *Mackenzie Valley Resource Management Act*.

Federal Minister - the Minister of Indian Affairs and Northern Development.

Ordinary High Water Mark - the usual or average level to which a body of water rises at its highest point and remains for sufficient time so as to change the characteristics of the land. In flowing waters (rivers, streams) this refers to the "active channel/bank-full level" which is often the 1:2 year flood flow return level. In inland lakes, wetlands, or marine environments, it refers to those parts of the Watercourse bed and banks that are frequently flooded by water so as to leave a mark on the land and where the natural vegetation changes from predominately aquatic vegetation to terrestrial vegetation (excepting water tolerant species). For reservoirs, this refers to normal high operating levels (full supply level).

Secondary Containment - containment that prevents liquids that leak from Fuel Storage Tanks or containers from reaching outside the containment area and includes double-walled tanks, piping, liners, and impermeable barriers.

Spill Contingency Plan - a document, developed in accordance with Aboriginal Affairs and Northern Development Canada's *Guidelines for Spill Contingency Planning* (April 2007), that describes the set of procedures to be implemented to minimize the effects of a spill.

Toxic - a substance that enters or may enter the environment in a quantity or concentration or under conditions such that it:

- a) Has or may have an immediate or long-term harmful effect on the environment or its biological diversity;
- b) Constitutes or may constitute a danger to the environment on which life depends; or
- c) Constitutes or may constitute a danger in Canada to human life or health.

Watercourse - a natural body of flowing or standing water or an area occupied by water during part of the year, and includes streams, springs, swamps and gulches but does not include groundwater.

Part C: Conditions Applying to All Activities (headings correspond to subsection 26(1) of the Mackenzie Valley Land Use Regulations)

26(1)(a) Location and Area

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| 1. | The Permittee shall not conduct a quarry operation within 100 metres of the Ordinary High Water Mark of any Watercourse, unless otherwise authorized in writing by an Inspector. | Quarry Setback |
| 2. | The Permittee shall not conduct this land-use operation on any lands not designated in the accepted application. | Location of Activities |
| 3. | Prior to the commencement of the land-use operation, the Permittee shall mark each corner of the land use area. | Mark Area |
| 4. | The Permittee shall maintain the corner markings until the area is reclaimed. | Corner Posts |
| 5. | Prior to the commencement of the land-use operation, the Permittee shall accompany an Inspector during an inspection of the proposed land use area. | Inspect Locations |

26(1)(b) Time

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| 6. | At least 48 hours prior to the commencement of this land-use operation, the Permittee's Field Supervisor shall contact an Inspector at (867) 777-8900. | Contact Inspector |
| 7. | At least 48 hours prior to commencement of this land-use operation, the | Identify Agent |

Permittee shall provide the following information, in writing, to the Board and an Inspector:

- (a) the name(s) of the person(s) in charge of the field operation;
- (b) alternates; and
- (c) all methods for contacting the above person(s).

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| 8. | At least ten days prior to the completion of the land-use operation, the Permittee shall advise an Inspector of: (a) the plan for removal or storage of equipment and materials; and (b) when final cleanup and reclamation of the land used will be completed. | Reports Before Removal |
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26(1)(c) Type and Size of Equipment

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| 9. | The Permittee shall not use any equipment except of a similar type, size, and number to that listed in the accepted application. | Only Approved Equipment |
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26(1)(d) Methods and Techniques

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| 10. | As the land-use operation progresses, the Permittee shall refill and restore craters caused by explosives. | Refill Craters |
| 11. | Prior to the expiry of this Permit, the Permittee shall replace all excavated material, unless otherwise authorized in writing by an Inspector. | Excavated Material |

26(1)(e) Type, Location, Capacity, and Operation of All Facilities

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| 12. | The Permittee shall ensure that the land use area is kept clean at all times. | Clean Work Area |
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26(1)(f) Control or Prevention of Ponding of Water, Flooding, Erosion, Slides, and Subsidence of Land

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| 13. | The land-use operation shall not cause obstruction to any natural drainage. | Natural Drainage |
| 14. | The Permittee shall slope the sides of waste material piles, excavations, and embankments — except in solid rock — to a minimum ratio of 2:1 vertical, unless otherwise authorized in writing by an Inspector. | Excavation and Embankments |
| 15. | The Permittee shall not excavate land within 100 metres of the high water mark of any Watercourse, unless otherwise authorized in writing by an Inspector. | Excavate Near Watercourse |

26(1)(g) Use, Storage, Handling, and Ultimate Disposal of Any Chemical or Toxic Material

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| 16. | At least seven days prior to the use of any chemicals that were not identified in the accepted application, the MSDS sheets must be provided to an Inspector and the Board. | Chemicals |
| 17. | The Permittee shall maintain a record of all spills. For all reportable spills, as defined in the <i>NT-NU Spill Report Form</i> , the Permittee shall: (a) immediately report each spill to the 24-hour Spill Report Line (867) 920-8130; (b) report each spill to an Inspector within 24 hours; and (c) submit, to the Board and an Inspector, a detailed report on each spill within 30 days. | Report Spills |
| 18. | The Permittee shall dispose of all Toxic substances by removal to an approved disposal facility. | Waste Chemical Disposal |
| 19. | The Permittee shall dispose of all combustible waste petroleum products by removal to an approved disposal facility. | Waste Petroleum Disposal |
| 26(1)(h) Wildlife and Fish Habitat | | |
| 20. | The Permittee shall take all reasonable measures to prevent damage to wildlife and fish Habitat during this land-use operation. | Habitat Damage |
| 26(1)(i) Storage, Handling, and Disposal of Refuse or Sewage | | |
| 21. | The Permittee shall dispose of all garbage, waste, and debris as described in the approved application, unless otherwise authorized in writing by an Inspector. | Remove Garbage |
| 26(1)(j) Protection of Historical, Archaeological, and Burial Sites | | |
| 22. | The Permittee shall not operate any vehicle or equipment within 150 metres of a known or suspected historical or archaeological site or burial ground. | Archaeologica l Buffer |
| 23. | The Permittee shall not knowingly remove, disturb, or displace any archaeological specimen or site. | Site Disturbance |
| 24. | The Permittee shall, where a suspected archaeological or historical site, or burial ground is discovered: (a) immediately suspend operations on the site; and (b) notify the Board at (867) 777-4954 or an Inspector at (867) 777-8900; and (c) notify the Prince of Wales Northern Heritage Centre at (867) 920-6182 or 873-7688 and the Gwich'in Social and Cultural Institute at (867) 952-2524. | Site Discovery and Notification |

26(1)(k) Objects and Places of Recreational, Scenic, and Ecological Value

This section intentionally left blank

26(1)(l) Security Deposit

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| 25. | Prior to commencement of the land-use operation, the Permittee shall deposit with the Minister a security deposit in the amount of \$ 0.00. | Security Deposit |
| 26. | All costs to remediate the area under this Permit are the responsibility of the Permittee. | Responsibility for Remediation Costs |

26(1)(m) Fuel Storage

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| 27. | The Permittee shall set up all refueling points with secondary containment. | Secondary Containment - Refueling |
| 28. | The Permittee shall not allow petroleum products to spread to surrounding lands or Watercourses. | Fuel Containment |
| 29. | The Permittee shall submit a Spill Contingency Plan to the Board for approval by <u>July 15, 2014</u> . The Permittee shall adhere to the approved Spill Contingency Plan and shall annually review the plan and make any necessary revisions to reflect changes in operations, technology, chemicals, or fuels, or as directed by the Board. | Spill Contingency Plan |
| 30. | Prior to commencement of operations, the Permittee shall ensure that spill-response equipment is in place to respond to any potential spills. | Spill Response |
| 31. | All equipment that may be parked for two hours or more, should have a haz-mat/drip tray under it or be sufficiently diapered. (Leaky equipment should be repaired immediately.) | Drip Trays |
| 32. | The Permittee shall clean up all leaks, spills, and contaminated material. | Clean Up Spills |

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

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| 33. | The Permittee shall progressively dispose of all brush and trees and shall complete all brush disposal; all disposal shall be completed prior to the expiry date of this permit. | Brush Disposal/ Time |
| 34. | The Permittee shall not clear areas larger than identified in the accepted application. | Minimize Area Cleared |

26(1)(o) Restoration of the Lands

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| 35. All areas affected by construction or removal activities shall be stabilized and landscaped to their pre-construction profiles, unless otherwise authorized in writing by an Inspector. | Pre-construction Profiles |
| 36. The Permittee shall store overburden and use it to recontour the site after operations are complete, unless otherwise authorized in writing by an Inspector. | Save and Place Organic Soil |
| 37. The Permittee shall level all stockpiles of granular material located within the land use area prior to the expiry date of this Permit. | No Stockpiles |
| 38. Prior to the expiry date of this Permit, the Permittee shall complete all cleanup and restoration of the lands used. | Final Cleanup and Restoration |
| 39. Prior to the expiry date of this Permit, the Permittee shall prepare the site in such a manner as to facilitate natural revegetation. | Natural Vegetation |
| 40. The Permittee shall carry out progressive reclamation of disturbed areas as soon as it is practical to do so. | Progressive Reclamation |

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

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| 41. The Permittee shall keep a copy of this permit on hand at all times during this land-use operation. | Copy of Permit |
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26(1)(q) Biological and Physical Protection of the Land

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| 42. The Permittee shall not commence any drilling or move any equipment within five hundred (500) metres of one or more caribou. | Caribou Disturbance |
| 43. If migratory birds or their nesting areas, or any species at risk are encountered during the course of operations, the Permittee shall minimize all activity so as to not disturb these animals. | Migratory Bird Disturbance |