



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

**Permit Number:** G 15 H 001

**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:** Robert Charlie  
**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 133 46 20 W on the west side of the East Branch of the Mackenzie River approximately 10.4 kilometres south-southwest of Inuvik NT  
**Date Permit Valid:** May 7, 2015  
**Date Permit Expires:** May 6, 2020

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 07 day of May, 2015.

**Paul Sullivan**  
Chair  
Gwich'in Land and Water Board

## **CONDITIONS ANNEXED TO AND FORMING PART OF LAND USE PERMIT: G15H001**

### **PART A: SCOPE OF LAND USE PERMIT**

1. This Land Use Permit entitles "**Gwich'in Tribal Council**" to conduct the following activities:  
  
To operate and maintain a diesel fuel storage facility with a capacity of 35,000 litres and three (3) 4,500 litre propane tanks at the Wellness Camp located on Gwich'in private lands at 68 16 02 N 133 46 20 W on the west side of the East Branch of the Mackenzie River approximately 10.4 kilometres south-southwest of Inuvik NT.
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" - the Mackenzie Valley Resource Management Act.

"Archaeological Overview" – as defined by the Prince of Wales Northern Heritage Centre – Guidelines for Developers.

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

"Fuel Storage Container" – a container for the storage of petroleum or allied petroleum products with a capacity of less than 230 litres.

"Fuel Storage Tank" – a closed container for the storage of petroleum or allied petroleum products with a capacity of more than 230 litres.

"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.

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

"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).

"Permafrost" – ground (soil or rock) that remains at or below 0°C for at least two consecutive years.

"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 Indian and Northern Affairs 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.

"Waste" – any garbage, debris, chemical, or Toxic Material to be used, stored, disposed of, or handled on land, and also as defined in section 51 of the Act.

"Waste Management Plan (WMP)" – a document, developed in accordance with the Board's Guidelines for Developing a Waste Management Plan that describes the methods of waste management from waste generation to final disposal.

"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 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 complete application. **LOCATION OF ACTIVITIES**
- 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 the Board. **PRIVATE PROPERTY**
- 3. 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) THE TIMES AT WHICH ANY PORTION OF THIS LAND-USE OPERATION MAY BE CARRIED ON**

- 4. At least forty-eight (48) hours prior to the commencement of this land use operation, the Permittee's Field Supervisor shall contact a Land Use Inspector at the Inuvik office of the GNWT – (867) 777-8906. **CONTACT INSPECTOR**
- 5. At least ten (10) days prior to the completion of the land use operation, the Permittee shall advise a Land Use Inspector of:
  - (a) The plan for removal or storage of equipment and materials; and
  - (b) When final clean-up and reclamation of the land used will be completed.**REPORTS BEFORE REMOVAL**
- 6. At least forty-eight (48) hours prior to commencement of this land use operation, the Permittee shall provide the following information, in writing, to the Board and an Inspector: (a) the names of the person, or persons, in charge of the field operation; (b) alternates; and (c) all methods for contacting the above person(s). **IDENTIFY AGENT**

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

- 7. The Permittee shall maintain the following fire-fighting equipment at the site:
  - a) Four backpack bags complete with hand pumps; and
  - b) a minimum of two pieces of each of the following equipment: pulaskis, axes, and shovels.**FIRE-FIGHTING EQUIPMENT**

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

- 8. The Permittee shall not erect camps or store material, other than that required for immediate use, on the ice surface of a Watercourse. **STORAGE ON ICE**

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

- 9. The Permittee shall ensure that the land use area is kept clean at all times. **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**

- 10. The land use operation shall not cause obstruction to any natural drainage. **NATURAL DRAINAGE**
- 11. 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. **VEHICLE MOVEMENT FREEZE-UP**
- 12. The Permittee shall insulate the ground surface beneath all structures associated with this land use operation to prevent: a) any vegetation present from being removed; b) the melting of Permafrost; and c) the ground settling and/or eroding. **PERMAFROST PROTECTION**

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

- 13. The Permittee shall dispose of all combustible waste petroleum products by removal to an approved disposal facility. **WASTE PETROLEUM DISPOSAL REPORT SPILLS**
- 14. The Permittee shall maintain a record of all spills. For all reportable spills, in accordance with the GNWT *Spill Contingency Planning and Reporting Regulations*, 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.

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

- 15. The Permittee shall take all reasonable measures to prevent damage to wildlife and fish Habitat during this land use operation. **HABITAT DAMAGE**
- 16. The Permittee shall not feed or harass wildlife. **NO FEEDING OR HARRASSING WILDLIFE**

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

- 17. The Permittee shall adhere to the Waste Management Plan, once approved, 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. Revisions to the plan shall be submitted to the Board for approval. **WASTE MANAGEMENT**

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

- 18. The Permittee shall not operate any vehicle or equipment within thirty (30) metres of a known or suspected historical or archaeological site or burial ground site. **ARCHAEOLOGICAL BUFFER**

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| 19. The Permittee shall not knowingly remove, disturb, or displace any archaeological specimen or site.   | <b>SITE<br/>DISTURBANCE</b>                            |
| 20. 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 Gwich'in Land and Water Board at (867)777-7960, or an Inspector at (867)777-8906, and the Prince of Wales Northern Heritage Centre at (867)920-6182. | <b>SITE DISCOVERY<br/>AND<br/>NOTIFICATION</b>         |
| 21. At least sixty (60) days prior to any new land disturbance, the Permittee shall conduct an Archaeological Overview to identify areas of high and low potential for archaeological and burial sites and shall submit a report to the Board and the Prince of Wales Northern Heritage Centre.                                     | <b>ARCHAEOLOGICAL<br/>OVERVIEW</b>                     |
| <b>26 (1) (K) PROTECTION OF OBJECTS AND PLACES OF RECREATIONAL, SCENIC OR ECOLOGICAL VALUE</b>  |  |
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| <b>26 (1) (L) POSTING OF SECURITY IN ACCORDANCE WITH SECTION 32</b>   |  |
| 22. Prior to the commencement of the land use operation, the Permittee shall deposit with the Minister a security deposit in the amount of \$0.00.  | <b>SECURITY<br/>DEPOSIT</b>                            |
| 23. All costs to remediate the area under this Permit are the responsibility of the Permittee.  | <b>RESPONSIBILITY<br/>FOR<br/>REMEDIAION<br/>COSTS</b> |
| <b>26 (1) (M) THE ESTABLISHMENT OF PETROLEUM FUEL STORAGE FACILITIES</b>  |  |
| 24. Within ten (10) days of the establishment of any fuel cache, the Permittee shall report the location and quantity of the cache in writing to a Land Use Inspector and the Board.  | <b>REPORT FUEL<br/>LOCATION</b>                        |
| 25. The Permittee shall not place any Fuel Storage Containers or Tanks within thirty (30) metres of the Ordinary High Water Mark of any watercourse unless otherwise authorized in writing by a Land Use Inspector.   | <b>FUEL NEAR<br/>WATER</b>                             |
| 26. The Permittee shall not allow petroleum products to spread to surrounding lands or into Watercourses.   | <b>FUEL<br/>CONTAINMENT</b>                            |
| 27. The Permittee shall locate mobile fuel facilities on land when the facilities are stationary for more than twelve (12) hours.   | <b>FUEL ON LAND</b>                                    |
| 28. The Permittee shall: a) examine all fuel storage tanks and containers for leaks a minimum of once every month; and b) repair all leaks immediately.   | <b>CHECK FOR<br/>LEAKS</b>                             |
| 29. The Permittee shall not allow petroleum products to spread to surrounding lands or Watercourses.  | <b>FUEL<br/>CONTAINMENT</b>                            |
| 30. The Permittee shall mark all stationary fuel caches and fuel storage facilities   | <b>MARK FUEL<br/>LOCATION</b>                          |

with flags, posts, or similar devices so that they are at all times plainly visible to local vehicle travel.

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| 31. The Permittee shall have a maximum of 35,000 litres of fuel and 13,500 litres of propane and 23 litres of gasoline stored on the land use site at any time, unless otherwise authorized in writing by the Board.   | <b>MAXIMUM FUEL<br/>ON SITE</b>                  |
| 32. The Permittee shall seal all outlets of Fuel Storage Containers and store the containers on their sides with the outlets located at 3 and 9 o'clock, except for containers currently in use.   | <b>SEAL OUTLET</b>                               |
| 33. The Permittee shall mark all Fuel Storage Containers and Tanks with the Permittee's name.  | <b>MARK<br/>CONTAINERS</b>                       |
| 34. The Permittee shall only use stands approved by a Land Use Inspector for supporting Fuel Storage Containers that are in use.   | <b>FUEL CONTAINER<br/>STANDS</b>                 |
| 35. The Permittee shall ensure that all fuel caches have adequate Secondary Containment.   | <b>FUEL CACHE<br/>SECONDARY<br/>CONTAINMENT</b>  |
| 36. The Permittee shall set up all refueling points with Secondary Containment.  | <b>SECONDARY<br/>CONTAINMENT –<br/>REFUELING</b> |
| 37. The Permittee shall adhere to the Spill Contingency Plan, once approved, 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. Revisions to the plan shall be submitted to the Board for approval. | <b>SPILL<br/>CONTINGENCY<br/>PLAN</b>            |
| 38. Prior to commencement of operations, the Permittee shall ensure that spill response equipment is in place to respond to any potential spills.  | <b>SPILL RESPONSE</b>                            |
| 39. All equipment that may be parked for two hours or more, shall have a hazmat/drip try under it or be sufficiently diapered. Leaky equipment shall be repaired immediately.  | <b>DRIP TRAYS</b>                                |
| 40. The Permittee shall clean up all leaks, spills, and contaminated material.   | <b>CLEAN UP SPILLS</b>                           |

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

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| 41. The Permittee shall not clear any vegetation. | <b>NO CLEARING</b> |
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**26 (1) (O) RESTORATION OF LANDS**

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| 42. Prior to the expiry date of this Permit, the Permittee shall complete all cleanup and restoration of the lands used.  | <b>FINAL CLEANUP<br/>AND<br/>RESTORATION</b> |
| 43. 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. | <b>PRE-<br/>CONSTRUCTION<br/>PROFILES</b>    |
| 44. Prior to the expiry date of this Permit, the Permittee shall prepare the site in such a manner as to facilitate natural revegetation.   | <b>NATURAL<br/>VEGETATION</b>                |

45. Prior to the expiry date of this Permit, the Permittee shall initiate active revegetation of disturbed areas. **ACTIVE REVEGETATION**

46. The Permittee shall carry out progressive reclamation of disturbed areas as soon as it is practical to do so. **PROGRESSIVE RECLAMATION**

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

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

48. The Permittee shall keep a copy of this Permit on hand at all times during this land use operation. **COPY OF PERMIT**

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

49. If any plan is not approved by the Board, the Permittee shall revise the plan according to the Board's direction and resubmit it to the Board for approval. **RESUBMIT PLAN**

50. All revised plans submitted to the Board shall include a brief summary of the changes made to the plan. **SUMMARY OF CHANGES**