

DRAFT Conditions Annexed to and Forming Part of Land Use Permit # G18S006

Part A: Scope of Permit

1. This Permit entitles Government of the Northwest Territories – Department of Infrastructure to conduct the following land-use operation:
 - a) Use of earth-drilling machinery for the purpose of geotechnical investigation in Inuvik, NT.
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 excuse the Permittee from its obligation to comply with the requirements of any applicable Federal, Territorial or Municipal laws.

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 4 of the Act.

Borehole - a hole that is made in the surface of the ground by drilling or boring.

Engagement Plan – a document developed in accordance with the Board's *Engagement and Consultation Policy* and the *Engagement Guidelines for Applicants and Holders of Water Licences and Land Use Permits*, that clearly describes how, when, and which engagement activities will occur with an affected party during the life of the project.

Flowing Artesian Well - a well in which water:

- a) Naturally rises above the ground surface or the top of any casing; and
- b) Flows naturally, either intermittently or continuously.

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 Minister under the Act.

Minister - the Minister of Indian Affairs and Northern Development Canada or the Minister of the Government of the Northwest Territories – Department of Lands, as the case may be.

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.

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.

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)

Condition

26(1)(a) Location and Area

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| 1. | Prior to the commencement of drilling, the Permittee shall submit the drill target locations on a 1:50,000-scale map with coordinates and map datum to an Inspector and the Board. | DRILL
LOCATIONS |
| 2. | The Permittee shall not conduct this land-use operation on any lands not designated in the complete application. | LOCATION
OF
ACTIVITIES |

26(1)(b) Time

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| 3. | 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 |
| 4. | At least 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 name(s) of the person(s) in charge of the field operation;
b) alternates; and
c) all methods for contacting the above person(s). | IDENTIFY
AGENT |
| 5. | 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 |

26(1)(c) Type and Size of Equipment

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| 6. | The Permittee shall not use any equipment except of a similar type, size, and number to that listed in the complete application. | ONLY APPROVED
EQUIPMENT |
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26(1)(d) Methods and Techniques

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

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| 7. | 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

8. The Permittee shall, where flowing water from a Borehole is encountered: **FLOWING ARTESIAN WELL**
- a) plug the Borehole in such a manner as to permanently prevent any further outflow of water; and
 - b) immediately report the occurrence to the Board and an Inspector.

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

9. The Permittee shall remove all Drilling Waste containing Toxic Material to an approved disposal facility. **DRILLING WASTE DISPOSAL**
10. The Permittee shall not allow any Drilling Waste to spread to the surrounding lands or Watercourses. **DRILLING WASTE CONTAINMENT**
11. 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: **REPORT SPILLS**
- 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) Wildlife and Fish Habitat

12. 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

13. The Permittee shall keep all garbage and debris in a secure container until disposal. **GARBAGE CONTAINER**
14. The Permittee shall dispose of all garbage, waste, and debris as described in the complete application, unless otherwise authorized in writing by an Inspector. **REMOVE GARBAGE**

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26(1)(j) Protection of Historical, Archaeological, and Burial Sites

- 15. The Permittee shall dispose of all garbage, waste, and debris as described in the complete application, unless otherwise authorized in writing by an Inspector.

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

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26(1)(l) Security Deposit

- 16. All costs to remediate the area under this Permit are the responsibility of the Permittee.

**RESPONSIBILITY
FOR REMEDIATION
COSTS**

26(1)(m) Fuel Storage

- 17. The Permittee shall set up all refueling points with Secondary Containment.

**SECONDARY
CONTAINMENT**

- 18. The Permittee shall not allow petroleum products to spread to surrounding lands or Watercourses.

**FUEL
CONTAINMENT**

- 19. The Permittee shall operate in accordance with 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.

**SPILL CONTINGENCY
PLAN**

- 20. Prior to commencement of operations, the Permittee shall ensure that spill-response equipment is in place to respond to any potential spills.

SPILL RESPONSE

- 21. All equipment that may be parked for two hours or more, shall have a haz- mat/drip tray under it or be sufficiently diapered. Leaky equipment shall be repaired immediately.

DRIP TRAYS

- 22. 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

- 23. The Permittee not clear areas larger than identified in the complete application.

**MINIMIZE AREA
CLEARED**

26(1)(o) Restoration of the Lands

24. Prior to the expiry date of this Permit, the Permittee shall complete all cleanup and restoration of the lands used.

**FINAL CLEANUP
AND
RESTORATION**

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

25. 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) Biological and Physical Protection of the Land

26. If any plan is not approved by the Board, the Permittee shall revise the plan according to the Board's direction and re-submit it to the Board for approval.
27. The Permittee shall operate in accordance with the **Engagement Plan**, once approved, and shall annually review the plan and make any necessary revisions to reflect changes in operations or as directed by the Board. Revisions to the plan shall be submitted to the Board for approval.

**RESUBMIT
PLAN**

**ENGAGEMENT
PLAN**



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