

DRAFT Type B Water Licence G18L8-001
NWT Energy Corporation (03) Ltd. – Inuvik Wind Project

Table of Contents

Part A:	Scope and Definitions
Part B:	General Conditions <i>Annual Report – Schedule 1</i>
Part C:	Conditions Applying to Water Use
Part D:	Conditions Applying to Construction
Part E:	Conditions Applying to Waste and Water Management
Part F:	Conditions Applying to Contingency Planning
Part G:	Conditions Applying to Closure and Reclamation

Schedules:

Schedule 1:	Annual Report
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Part A: Scope and Definitions

1. Scope

- a) This Licence entitles the Licensee to use Water and dispose of Waste for the Inuvik Wind Project, near Inuvik, Northwest Territories. This undertaking is described in the Complete Application and includes the following:
 - i. Water withdrawal for Wind turbine construction, road Construction, and dustsuppression; and
 - ii. Watercourse training for the purpose of culvert installation.
- b) This Licence is issued subject to the conditions contained herein with respect to the taking of Water and the depositing of Waste of any type in any Waters or in any place under any conditions where such Waste or any other Waste that results from the deposit of such Waste may enter any Waters. Whenever new Regulations are made, or existing Regulations are amended by the Governor in Council under the Act, or other statutes imposing more stringent conditions relating to the quantity or type of Waste that may be so deposited or under which any such Waste may be so deposited this Licence shall be deemed, upon promulgation of such Regulations, to be automatically amended to conform with such Regulations.
- c) Compliance with the terms and conditions of this Licence does not relieve the Licensee from responsibility for compliance with the requirements of all applicable Federal, Territorial or municipal legislation.

2. Definitions

Act - the *Waters Act* S. N.W.T. 2014, C.18.

Analyst - an Analyst designated by the Minister in accordance with subsection 65(1) of the Act.

Board - the Gwich'in Land and Water Board, established under subsection 99(1) of the *Mackenzie Valley Resource Management Act*.

Complete Application - the complete Type A Land Use Permit Application and Type B Water Licence Application and attachments as submitted to the Board on XXX.

Construction - any activities undertaken to construct or build any components of, or associated with, the Project.

Discharge - the direct or indirect release of any Water or Waste to the Receiving Environment.

Drilling Fluids - any liquid mixture of Water, sediment, drilling muds, chemical additives or other wastes that are pumped down hole while drilling and are specifically related to drilling activity.

Drilling Waste - all materials or chemicals, solid or liquid, associated with drilling, including drill cuttings and Drilling Fluids.

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 engagement activities during the life of the Project.

Engineered Structures - any structure or facility and the associated area related to Water Use or the deposit of Waste that is designed and approved by a Professional Engineer.

Groundwater - all Water below the ground surface.

Inspector - an Inspector designated by the Minister under subsection 65(1) of the Act.

Licensee - the holder of this Licence.

Minister - a duly appointed member of the Executive Council who is responsible for the *Waters Act* or the department responsible for administering that Act.

Modification - a change, other than an expansion, that does not alter the purpose or function of a structure.

Professional Engineer - a person who is registered with the Northwest Territories and Nunavut Association of Professional Engineers and Geoscientists in accordance with the *Engineering and Geoscience Professions Act*. S.N.W.T. 2006, c.16, as a Professional Engineer, and whose principal field of specialization is appropriate to address the components of the undertaking at hand.

Project - the Inuvik Wind Project as described in Part A, item 1 of this Licence.

Receiving Environment - the natural environment that receives any Water or Waste released from the Project.

Reclamation - activities which facilitate the return of areas affected by the Project to viable and, wherever practicable, self-sustaining ecosystems that are compatible with a healthy environment, human activities, and the surrounding

environment.

Regulations - the *Waters Regulations*, promulgated under section 63 of the Act.

Spill Contingency Plan - a document, developed in accordance with this Licence and Indian and Northern Affairs Canada's *Guidelines for Spill Contingency Planning*, that clearly describes the activities required when <https://jobs.raytheon.com/location/inuvik-northwest-territories-canada-jobs/4679/6251999-6091069-5983607/4a> spill or Unauthorized Discharge occurs during the life of the Project.

Sump - a man-made pit or natural depression in the earth's surface used for the purpose of depositing Waste that does not contain Toxic Material, such as non-toxic drilling Waste or Sewage, therein.

Traditional Knowledge - the cumulative collective body of knowledge, experience and values built up by a group of people through generations of living in close contact with nature. It builds upon the historic experiences of a people, and adapts to social, economic, environmental, spiritual and political change.

Toxic Material - any 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.

Unauthorized Discharge - the release, Discharge or spill of any Water or Waste not authorized under this Licence.

Waste - any Waste as defined in section 1 of the Act.

Wastewater - the Water that is generated by Project activities or originates on-site and contains Waste and includes, but is not limited to, runoff, Seepage, or Minewater.

Waste Management Plan - a document, developed in accordance with the Board's *Guidelines for the Development of a Waste Management Plan* which describes the methods of Waste management from Waste generation to final disposal.

Water(s) - any Water as defined by section 1 of the Act.

Water Use - a use of Water as defined by section 1 of the Act.

Water Use Fee - a fee for the use of Water set out in section 8 of the Regulations.

Part B: General Conditions

1. The Licensee shall ensure a copy of this Licence is maintained on-site at all times.
2. The **Water Use Fee** shall be paid annually in advance of any Water Use, in accordance with the Mackenzie Valley Land and Water Board's *Water Use Fee Policy*.
3. All references to policies, guidelines, codes of practice, statutes, Regulations or other authorities shall be read as a reference to the most recent versions, unless otherwise denoted.
4. All information submitted to the Board, as required by this Licence, shall:
 - a) Be submitted in a form acceptable to the Board;
 - b) Be in accordance with the Board's *Document Submission Standards*; and
 - c) Include a section within each submission which identifies where the pertinent requirements of the Licence are addressed.
5. The Licensee shall operate in accordance with any approved plans, programs, studies and manuals referred to in this Licence, including such revisions as may be made to these documents pursuant to the conditions of this Licence and as approved by the Board.
6. The Licensee shall review the plans, programs, studies and manuals referred to in Item 5 annually, or as directed by the Board, and make any necessary revisions to reflect changes in operations. All revised plans, programs, studies and manuals shall be submitted to the Board, for approval, at least 60 days, unless otherwise specified, prior to implementing any proposed updates or changes in the approved plan, program, study or manual, and shall be accompanied by a brief summary of the changes made. All revised plans, programs, studies, and manuals shall be presented in a format consistent with the Board's *Standard Outline for Management Plans*.
7. If any submission is not approved by the Board, the Licensee shall revise the submission according to the Board's direction and resubmit it for approval.
8. The Licensee shall comply with the Schedules, which are annexed to and form part of this Licence, and any changes to the Schedules as may be made from time to time by the Board.
9. Beginning March 31, 2020, and no later than every March 31 thereafter, the Licensee shall submit an **Annual Water Licence Report** to the Board. The Report shall be in accordance with Schedule 1, item 1.
10. In conducting its activities under this Licence, the Licensee shall make best efforts to consider and incorporate any scientific and Traditional Knowledge that is made available to the Licensee.

Part C: Conditions Applying to Water Use

1. The Licensee shall obtain all Water from Dolomite Lake and Campbell Creek.
2. The total quantity of Water withdrawn from all Water bodies shall not exceed 110 cubic metres per day.
3. Meters, devices, or other such methods used for measuring the volumes of Water used a shall be installed, operated, and maintained by the Licensee to the satisfaction of an Inspector.
4. The Licensee shall maintain a record of Water withdrawals, which is to be made available to the Inspector on request.
5. The Licensee shall construct and maintain the Water intake(s) with a fish screen designed to prevent impingement and/or entrainment of fish, to the satisfaction of an Inspector.

Part D: Conditions Applying to Construction

1. The Licensee shall ensure that all structures intended to contain, withhold, divert, or retain Water or Waste are designed, constructed, and maintained to prevent impacts to the Receiving Environment.
2. Fill material used must be clean and free of contaminants, and from a source that has been approved in writing by an Inspector.

Part E: Conditions Applying to Water and Waste Management

1. The Licensee shall manage Water and Waste with the objective of minimizing the impacts of the Project on the quantity and quality of Water in the Receiving Environment through the use of appropriate mitigation measures, monitoring, and follow-up actions.
2. The Licensee shall operate in accordance with the **Waste Management Plan** once approved.
3. Prior to the commencement of Construction, the Licensee shall submit to the Board for approval a **Sediment and Erosion Control Plan**.
4. The Licensee shall minimize erosion by implementing suitable erosion control measures that shall be in accordance with the Sediment and Erosion Control Plan, as described in Part E, Condition 2. These measures shall be located and maintained to the satisfaction of an Inspector.
5. Prior to the commencement of activities, the Licensee shall submit to the Board, written authorization from the Town of Inuvik and an Inspector, approving the disposal of Waste at the Town of Inuvik Municipal Solid Waste Disposal Facilities.
6. Waste not authorized for disposal at the Town of Inuvik Municipal Solid Waste Disposal Facilities shall be hauled out for disposed of at an approved facility.

Part F : Conditions Applying to Contingency Planning

1. The Licensee shall operate in accordance with the **Spill Contingency Plan**, once approved.
2. If, during the period of this Licence, an Unauthorized Discharge occurs or is foreseeable, the Licensee shall:
 - a) Implement the Spill Contingency Plan;
 - b) Report the incident immediately via the 24-Hour Spill Reporting Line (867) 920-8130 in accordance with the instructions contained in the Spill Report Form NWT 1752/0593 or subsequent editions;
 - c) Report each spill and Unauthorized Discharge to an Inspector and the Board within 24 hours; and
 - d) Submit a detailed report on each spill and Unauthorized Discharge, including descriptions of root causes, response actions and any changes to procedures to prevent similar occurrences in the future, to the Board within 30 days.
3. All spills and Unauthorized Discharges of Water or Waste shall be reclaimed to the satisfaction of an Inspector.

Part G: Conditions Applying to Closure and Reclamation

1. A minimum of 12 months prior to the end of operations, the Licensee shall submit a **Closure and Reclamation Plan** to the Board for approval.

Schedule 1
Attached to Water Licence G18L8-001
NWT Energy Corporation (03) Ltd. - Inuvik Wind Project

Part B: General Conditions – Annual Water Licence Report

1. The **Annual Water Licence Report** referred to in Part B of this Licence shall include, but not be limited to, the following information:
 - a) The monthly and annual quantities in cubic metres of fresh Water obtained from each source;
 - b) A summary of any updates or revisions to the Engagement Plan, Spill Contingency Plan, Waste Management Plan, or Closure and Reclamation Plan; and
 - c) A summary of any studies requested by the Board that relate to Waste management or Water Use, and a brief description of any future studies planned by the Licensee;
 - d) A list and description of all Unauthorized Discharges that occurred during the previous calendar year, including the date, NWT spill number, volume, location, and summary of the circumstances and follow-up actions taken, and the status (i.e. open or closed), in accordance with the reporting requirements referred to in Part H of this Licence;
 - e) A summary of the calibration and status of the meters and devices referred to in Part B of this Licence;
 - f) A summary of actions taken to address concerns, non-conformances, or deficiencies in any reports filed by an Inspector;
 - g) An updated schedule of activities for the Project; and
 - h) Any other details on Waste management or Water Use requested by the Board.