

Part A: Scope of Permit

1. This Permit entitles the Permittee to conduct the following land-use activities:
 - a) construct and maintain an all-season access road;
 - b) construct and maintain a wind turbine and associated infrastructure; and
 - c) install and maintain a powerline.
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 Mackenzie Valley Land and Water Board established under Part 4 of the Act, or the [INSERT NAME OF REGIONAL PANEL] Board established under Part 3 of the Act, as the case may be.

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

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 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.

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.

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.

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).

Permittee - the holder of this permit.

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 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.

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.

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.

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 - 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 Applying to All Activities (headings correspond to subsection 26(1) of the Mackenzie Valley Land Use Regulations)

Condition	Category
26(1)(a) Location and Area	
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 confine the width of the right of way to a maximum of ten (10) metres, unless otherwise authorized in writing by a Land Use Inspector. The Permittee shall not clear a right-of-way that is wider than 12 metres.	WIDTH RIGHT-OF-WAY
26(1)(b) Time	
3. At least 48 hours prior to the commencement of the land-use operation, the Permittee's Field Supervisor shall contact an Inspector at (867) _____.	CONTACT INSPECTOR
4. At least 48 hours prior to commencement of the 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	
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
26(1)(d) Methods and Techniques	
7. Prior to the movement of any vehicle that exerts pressure on the ground in excess of 35 kPa, the Permittee shall scout proposed lines and routes to select the best location for crossing streams and avoiding terrain obstacles.	DETOURS AND CROSSINGS
26(1)(e) Type, Location, Capacity, and Operation of All Facilities	
8. The Permittee shall ensure that the land use area is kept clean at all times.	CLEAN WORK AREA
26(1)(f) Control or Prevention of Ponding of Water, Flooding, Erosion, Slides, and Subsidence of Land	

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| 9. | The Permittee shall insulate the ground surface beneath all structures associated with this land-use operation to prevent: | PERMAFROST PROTECTION |
| | a) vegetation present from being removed; | |
| | b) the melting of Permafrost; and | |
| | c) the ground settling and/or eroding. | |
| 10. | The land-use operation shall not cause obstruction to any natural drainage. | NATURAL DRAINAGE |
| 11. | The Permittee shall install and maintain culverts such that scouring does not occur. | CULVERT SIZE |
| 12. | The Permittee shall minimize erosion by installing erosion control structures as the land-use operation progresses. | PROGRESSIVE EROSION CONTROL |
| 13. | 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. | |
| 14. | The Permittee shall prepare the site in such a manner as to prevent rutting of the ground surface. | PREVENTION OF RUTTING |
| 15. | The Permittee shall suspend overland travel of equipment or vehicles at the first sign of rutting. | SUSPEND OVERLAND TRAVEL |
| 16. | 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 |
| 17. | The Permittee shall not cut any stream bank, unless otherwise authorized in writing by an Inspector. | STREAM BANKS |
| 18. | The Permittee shall not excavate land within 100 metres of the Ordinary 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 | |
| 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. | DEPOSITING DELETERIOUS SUBSTANCES |

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| 20. | At least seven days prior to the use of any chemicals that were not identified in the complete application, the MSDS sheets must be provided to the Board and an Inspector. | CHEMICALS |
| 21. | The Permittee may deposit Drilling Waste that does not contain Toxic Material in a Sump or natural depression. Any Sumps or natural depressions used to deposit Drilling Waste must be located at least 100 metres from the Ordinary High Water Mark of any Watercourse, unless otherwise authorized in writing by an Inspector. | DRILLING WASTE |
| 22. | The Permittee shall remove all Drilling Waste containing Toxic Material to an approved disposal facility. | DRILLING WASTE DISPOSAL |
| 23. | The Permittee shall not allow any Drilling Waste to spread to the surrounding lands or Watercourses. | DRILLING WASTE CONTAINMENT |
| 24. | The Permittee shall maintain a record of all spills. For all reportable spills, in accordance with the GNWT <i>Spill Contingency Planning and Reporting Regulations</i> , the Permittee shall: <ul style="list-style-type: none"> 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 |

26(1)(h) Wildlife and Fish Habitat

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| 25. | The Permittee shall take all reasonable measures to prevent damage to wildlife and fish Habitat during this land-use operation. | HABITAT DAMAGE |
| 26. | The Permittee shall suspend construction activities temporarily if one or more caribou are spotted within five hundred (500) metres of the work site. | CARIBOU DISTURBANCE |
| 27. | 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 |

26(1)(i) Storage, Handling, and Disposal of Refuse or Sewage

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| 28. | 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 |
| 29. | The Permittee shall dispose of all garbage, Waste, and debris as described in the approved Waste Management Plan, unless otherwise authorized in writing by an Inspector. | REMOVE GARBAGE |

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

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| 30. | The Permittee shall not operate any vehicle or equipment within 150 metres of a known or suspected historical or archaeological site or burial ground. | ARCHAEOLOGICAL
BUFFER |
| 31. | The Permittee shall not knowingly remove, disturb, or displace any archaeological specimen or site. | SITE DISTURBANCE |
| 32. | 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) _____ or an Inspector at (867) _____, and the Prince of Wales Northern Heritage Centre at 767-9347 ext. 71250 or ext. 71251. | SITE DISCOVERY AND
NOTIFICATION |

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

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| 33. | The Permittee shall take all reasonable precautions to avoid impacts to traditional harvest activities. | TRADITIONAL USE |
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26(1)(l) Security Deposit

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| 34. | Prior to the commencement of the land-use operation, the Permittee shall deposit with the Minister a security deposit in the amount of \$_____. | SECURITY DEPOSIT |
| 35. | All costs to remediate the area under this Permit are the responsibility of the Permittee. | RESPONSIBILITY FOR
REMEDICATION
COSTS |

26(1)(m) Fuel Storage

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| 36. | The Permittee shall set up all refueling points with Secondary Containment. | SECONDARY
CONTAINMENT –
REFUELING |
| 37. | The Permittee shall not allow petroleum products to spread to surrounding lands or Watercourses. | FUEL CONTAINMENT |
| 38. | 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. | SPILL CONTINGENCY
PLAN |
| 39. | Prior to commencement of the land-use operation the Permittee shall ensure that spill-response equipment is in place to respond to any potential spills. | SPILL RESPONSE |

40.	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
41.	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		
42.	The Permittee shall not clear areas larger than identified in the complete application.	MINIMIZE AREA CLEARED
26(1)(o) Restoration of the Lands		
43.	The Permittee shall dispose of all overburden as instructed by an Inspector.	DISPOSAL OF OVERBURDEN
44.	Prior to the expiry date of this Permit, the Permittee shall complete all cleanup and restoration of the lands used.	FINAL CLEANUP AND RESTORATION
45.	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
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) Display of Permits and Permit Numbers		
47.	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		
48.	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.	RESUBMIT PLAN
49.	The Permittee shall adhere to 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.	ENGAGEMENT PLAN
50.	All revised plans submitted to the Board shall include a brief summary of the changes made to the plan.	SUMMARY OF CHANGES