

**Type B Water Licence MV2017L8-0006**  
**Department of Indian Affairs and Northern Development – Contaminants and Remediation Division**  
**Miscellaneous Use**  
**UBC Bridge Replacement – Giant Mine Site**

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## Part A: Scope and Definitions

### 1. Scope

- a) This Licence entitles the Licensee to conduct Watercourse crossings, including the construction of a bridge, located at the Giant Mine Site, including the following:
  - i. Removal of the existing bridge;
  - ii. Construction and installation of a new bridge;
  - iii. Installation and maintenance of erosion control measures; and
  - iv. Other related activities, including Reclamation.
- b) This Licence is issued subject to the conditions contained herein with respect to Watercourse crossings and related activities. Whenever new Regulations are made or existing Regulations are amended by the Commissioner in Executive Council under the Act, or other statutes imposing more stringent conditions relating to Watercourse crossings and related activities, this Licence shall be deemed, upon promulgation of such Regulations, to be automatically amended to conform with such Regulations.
- c) The Licensee shall take every reasonable precaution to protect the environment.
- d) 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.
- e) Compliance with the term and conditions of this Licence does not excuse the Licensee from its obligation to comply with the requirements of any applicable Federal, Territorial, or Municipal laws.

### 2. Definitions

In this Licence: MV2017L8-0006

**Act** - the *Mackenzie Valley Resource Management Act, S.C. 1998, c. 25*.

**Board** - the Mackenzie Valley Land and Water Board established by subsection 99(1) of the Act.

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

**Engagement Plan** - a document, developed in accordance with the Board's June 2013 *Engagement and Consultation Policy and the Engagement Guidelines for Applicants and Holders of Water Licences and Land Use Permits* describes proposed engagement activities during the life of the undertaking.

**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.

**Inspector** - an Inspector designated by the Minister under subsection 84(1) of the Act.

**Licensee** - the holder of this Licence.

**Minister** - means the Minister of Indian Affairs and Northern Development Canada.

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

**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).

**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 undertaking described in Part A, item 1.

**Receiving Environment** - the environment that receives any Water or Waste released from the undertaking.

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

**Regulations** - Regulations promulgated pursuant to section 90.3 of the Act.

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

**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.

**Unauthorized Discharge** - a 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 the Project or originates on-site and contains Waste that requires treatment or any other Water management activity.

**Waste Management Plan** - a document, developed in accordance with the Board’s March 2011 *Guidelines for the Development of a Waste Management Plan* which describes the methods of Waste management from Waste generation to final disposal.

**Water** - any Water 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 B: General Conditions

1. The Licensee shall ensure a copy of this Licence is maintained on site at all times.
2. 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.
3. 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 wherein the pertinent requirements of this Licence are addressed.
4. The Licensee shall operate in accordance with approved plans referred to in this Licence, including such revisions as may be made pursuant to the conditions of this Licence and as approved by the Board. If any plan is not approved by the Board, the Licensee shall revise the plan as directed and resubmit it to the Board for approval.
5. The Licensee shall annually review the plans referred to in this Licence and make any necessary revisions to reflect changes in operations, or as directed by the Board. All revisions to plans shall include a brief summary of the changes made, be in a format consistent with the Board's *Standard Outline for Management Plans*, and be submitted to the Board for approval at least 60 days prior to any proposed changes to the requirements in the approved plans.
6. Any compliance dates specified in this Licence may be changed at the discretion of the Board. If any date for any submission falls on a weekend or holiday, the item shall be submitted on the following business day.
7. The Licensee shall act in accordance with the **Engagement Plan**, once approved by the Board.
8. Beginning March 31, 2018, and no later than every March 31st thereafter, the Licensee shall submit to the Board an **Annual Water Licence Report**, which shall include, but not be limited to the following information and activities undertaken during the previous calendar year:
  - a) A summary of engagement activities conducted in accordance with the approved **Engagement Plan**, required in Part B of this Licence, and shall include a brief description of activities planned for the forthcoming year;
  - b) A summary of **Construction** activities conducted in accordance with Part C of this Licence;
  - c) A summary of **Modifications** conducted in accordance with Part D of this Licence, and/or major maintenance work carried out;
  - d) A summary of activities conducted in accordance with the approved **Waste Management Plan**, required in Part E of this Licence;
  - e) A summary of activities conducted in accordance with the approved **Spill Contingency Plan**, required in Part F of this Licence, including:
    - i. A list and description for all Unauthorized Discharges that occurred during the previous calendar year, including the date, NWT spill number, volume, location, summary of the circumstances and follow-up actions taken, and status (i.e. open or closed), in accordance with the reporting requirements in Part I of this Licence; and
    - ii. An outline of any spill training and communications exercises carried out during the previous calendar year.

- f) A summary of **Closure and Reclamation** activities conducted in accordance with Part G of this Licence;
- g) A summary of activities pertaining to **Watercourses**, conducted in accordance with Part H of this Licence;
- h) A summary of actions taken to address concerns, non-conformances, or deficiencies in any reports filed by an Inspector; and
- i) Any other details requested by the Board by November 1st of the year being reported.

### **Part C: 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 escape of Waste to the Receiving Environment.
2. The Licensee shall ensure that all Engineered Structures are constructed and maintained following the recommendations of the Professional Engineer responsible for the design, including but not limited to, recommendations regarding field supervision and inspection requirements.
3. The Licensee shall maintain Construction records and geochemical records of Construction materials for all Engineered Structures and make them available at the request of the Board or an Inspector.
4. The Licensee shall install and maintain sediment and erosion control measures prior to commencing removal of the existing structure, to the satisfaction of the Inspector and in such a way as to prevent fish entrapment within the area.

#### **Final Detailed Construction Plans and As-built Reports**

5. A minimum of 45 days prior to the commencement of Construction of any Engineered Structures, the Licensee shall submit to the Board, a **Final Detailed Construction Plan**, which include the following:
  - a. Design drawings and specification of Engineered Structures, stamped by a Professional Engineer;
  - b. Construction considerations, including timing, sequencing and a schedule; and
  - c. A Quality Control Plan stamped by a Professional Engineer, a component of which includes a plan for a Professional Engineer to supervise and filed check Construction activities; and
  - d. Operations and maintenance requirements.
6. The Licensee shall ensure that the Engineered Structures are constructed in accordance with the Final Detailed Construction Plan.
7. A minimum of 10 days prior to the commencement of Construction of the Engineered Structures identified in Part C, item 5; the Licensee shall provide written notification to the Board and an Inspector. Notification shall include the name and contact information for the site manager.
8. Within 90 days of the completion of the Construction of the Engineered Structures identified in Part C, item 5, the Licensee shall submit an **As-built Report** which shall include as-built drawings of the structures, documentation of field decisions that deviate from the Final Detailed Construction Plan, and any data used to support these decisions to the Board.

**Part D: Conditions Applying to Modifications**

1. The Licensee may, without written approval from the Board, carry out Modifications to any structures, provided the following requirements are met:
  - a) The Licensee has notified the Board and an Inspector, in writing, of such proposed Modifications at least 60 days prior to beginning the Modifications;
  - b) The Modifications do not place the Licensee in contravention of either the Licence or the Act;
  - c) The Board has not, during the 60 days following notification of the proposed Modifications, informed the Licensee that further information is required or that review of the proposal will require more than 60 days;
  - d) An Inspector has authorized the proposed Modifications and provided a letter of notification to the Board; and
  - e) The Board has not rejected the proposed Modifications.
2. Modifications for which all of the conditions referred to in Part D, item 1, have not been met, may be carried out only with written approval from the Board.
3. Within 90 days of the completion of Modification referred to in Part D, item 1, the Licensee shall submit to the Board as-built plans and drawings stamped by a Professional Engineer.

**Part E: Conditions Applying to Water and Waste Management**

1. The Licensee shall manage Water and Waste with the objectives of minimizing impacts 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 implement and maintain sediment and erosion control measures, where appropriate, to prevent entry of sediment into any Watercourse.
3. The Licensee shall inspect the sediment and erosion control measures daily during periods of flow to ensure it is working effectively and undamaged.

**Management Plans and Monitoring Programs**

4. The Licensee shall act in accordance with the **Waste Management Plan**, once approved by the Board.
5. The Licensee shall ensure that creek flow is maintained at all times during and after construction.



**Part F: Conditions Applying to Contingency Planning**

1. The Licensee shall act in accordance with the **Spill Contingency Plan**, once approved by the Board.
2. If, during the term of this Licence, a spill and/or an Unauthorized Discharge occurs or is foreseeable, the Licensee shall:
  - a) Implement the Spill Contingency Plan referred to in Part F, item 1;
  - b) Report the incident immediately via the 24-hour NWT Spill Report Line at (867) 920-8130 in accordance with the instructions contained in the Spill Report Form NWT 1752/0593;
  - c) Report each spill and/or Unauthorized Discharge to the Board and an Inspector within 24 hours; and
  - d) Submit a detailed report on each spill and/or Unauthorized Discharge, including descriptions of root causes, response actions and any changes to procedures to prevent similar occurrences in the future, to the Board and an Inspector 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. The Licensee shall endeavour to carry out progressive Reclamation of areas as soon as reasonably practicable.

**Part H: Conditions Applying to Watercourses**

1. The Licensee shall ensure materials placed below the Ordinary High Water Mark are free of any contaminants, debris or fine material.
2. The Licensee shall minimize the disturbance of riparian vegetation within the immediate boundary of any Watercourse crossing to the extent practicable.

**Signed on behalf of the Mackenzie Valley Land and Water Board**

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**, Chair**

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**, Witness**

**Annexes**  
**Annexed to Water Licence MV2017L8-0006**  
**Indigenous and Northern Affairs Canada**  
**UBC Bridge Replacement – Giant Mine Site**

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Annex A: Concordance Table of Items Requiring Submission in Water Licence MV2017L8-0006

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**Annex A: Concordance Table of Items Requiring Submission in Water Licence MV2017L8-0006**

Table 1 summarizes the information the Licensee is required to submit as per the Water Licence conditions. It supplements the Water Licence. If there are any discrepancies between Table 1 and the body of the Water Licence, the Water Licence conditions prevail.

**Table 1: Concordance Table of Items Requiring Submission**

<b>Part of Licence</b>	<b>Report Title/Require Action</b>	<b>Timeline for Submission</b>
B	Engagement Plan	- Annual revision
B	Annual Water Licence Report	- March 31 each year
C	Final Detailed Construction Plan	- 45 days prior to construction
D	Modifications - Notification	- 60 days prior to carrying out modifications
E	Waste Management Plan	- Annual revision
F	Spill Contingency Plan	- Annual revision
F	Detailed Spill and Unauthorized Discharge Report	- Within 30 days of each spill and Unauthorized Discharge

**Annex B: Table of Revision History for Water Licence MV2017L8-0006**

**Table 1: Updates and changes that have been made to the Water Licence since issuance:**

Date	Location of change	Description of change