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To: Sahtu Land & Water Board

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North Mackenzie District

Subject:

L.U.P. Appl'n 503A-008 CONDITIONS

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From the desk of...

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**CONDITIONS ANNEXED TO AND FORMING PART OF
LAND USE PERMIT NUMBER S03A-008**

26 (1) (A) - LOCATION AND AREA

- 1.1 The Permittee shall not conduct this land use operation on any lands not designated in the accepted application, unless otherwise authorized in writing by the S.L.W.B. **PLANS**
- 1.2 The Permittee shall not conduct any part of the land use operation within three hundred (300) metres of any privately owned land or structure, unless otherwise authorized in writing by the S.L.W.B. **PRIVATE PROPERTY**

26 (1) (B) - TIME

- 2.1 The Permittee's Field Supervisor shall contact or meet with a Land Use Inspector at the Norman Wells office of the Department of Indian Affairs and Northern Development, telephone number (867) 587 - 2911, at least 48 hours prior to the commencement of this land use operation. **CONTACT INSPECTOR**
- 2.2 The Permittee shall advise a Land Use Inspector at least ten (10) days prior to the completion of the land use operation of (a) his plan for removal or storage of equipment and materials, and (b) when final clean-up and restoration of the lands used will be completed. **REPORTS BEFORE REMOVAL**
- 2.4 The Permittee shall notify a Land Use Inspector at least ten (10) days prior to backfilling any sump. **BACKFILLING NOTIFICATION**
- 2.5 The Permittee shall not conduct any overland movement of equipment or vehicles before 0800 hours local time on Nov 31, ~~2003~~, unless otherwise authorized in writing by a Land Use Inspector. **START-UP DATE**
- 2.6 The Permittee shall not conduct any over land movement of equipment and vehicles after 0800 hours local time on March 31, ~~2004~~, unless otherwise authorized in writing by a Land Use Inspector. **SHUT-DOWN DATE**
- 2.9 The S.L.W.B., for the purpose of this operation, designates March 31, as spring break-up. **SPRING BREAK-UP**

- 2.11 The Permittee shall remove all snow fills from stream crossings prior to spring break-up or completion of the land use operation, unless otherwise approved in writing by a Land Use Inspector **REMOVE SNOW FILLS**
- NEW The Permittee shall use only clean snow in the construction of crossings. **CLEAN SNOW**
- 2.12 The Permittee shall restore all sumps prior to spring break-up, unless otherwise authorized in writing by a Land Use Inspector. **SUMPS/SPRING BREAK-UP**
- 2.13 The S.L.W.B. reserves the right to impose closure of any area **CLOSURE** to the Permittee in periods when dangers to natural resources are severe.
- 2.14 The Permittee shall complete all clean-up and restoration of the lands used prior to the expiry date of this Permit. **CLEAN-UP**
- 26 (1) (C) - EQUIPMENT**
- 3.1 The Permittee shall not use any equipment except of the type, size, and number that is listed in the accepted application, unless otherwise authorized in writing by the Land Use Inspector. **ONLY APPROVED EQUIPMENT**
- 3.2 The Permittee shall equip bulldozer blades used in this operation with "mushroom" type shoes or a similar type of device which shall be extended 15 centimetres below the cutting edge of the blade. **BULLDOZER BLADES AND SHOES**
- 3.3 The Permittee shall use a forced-air, fuel-fired incinerator to incinerate all combustible garbage and debris. **INCINERATORS**
- 26 (1) (D) - METHODS AND TECHNIQUES**
- 4.2 The Permittee shall construct and maintain winter roads with a minimum of ten (10) centimetres packed snow at all times during this land use operation. If this cannot be done, then the Permittee shall construct Ice Roads in a manner approved by a Land Use Inspector. **SNOW ROADS/ ICE ROADS**

4.13 The Permittee shall not erect camps or store material on the surface ice of streams. **STORAGE ON ICE**

26 (1) (E) - TYPE, LOCATION, CAPACITY AND OPERATION OF FACILITIES

5.1 The Permittee shall not locate any sump within one hundred (100) metres of the normal high water mark of any stream. **SUMPS FROM WATER**

5.2 The Permittee shall maintain all drill wastes at least 1.2 metres below the lowest elevation of contiguous surrounding ground surface at all times. **SUMPS FREEBOARD**

5.3 The Permittee shall backfill and restore all sumps prior to the expiry date of this Permit. **BACKFILL SUMPS**

5.4 The Permittee shall backfill all sumps in such a manner that drill waste is maintained below the 1.2 metre freeboard. **BACKFILL SUMPS-HOW**

5.5 The Permittee shall:
 (a) Place all excavated material over the sump area to ensure ponding does not occur. **BACKFILL SUMP OVERLAP**

(b) Overlap the material a minimum of two (2) metres beyond the edges of the existing sump wall.

5.7 The Permittee shall ensure that the land use area is kept clean and tidy at all times. **CLEAN WORK AREA**

26 (1) (F) - CONTROL OR PREVENTION OF FLOODING, EROSION AND SUBSIDENCE OF LAND

6.2 The Permittee shall remove any obstruction to natural drainage caused by any part of this land use operation. **NATURAL DRAINAGE**

6.3 The Permittee shall not cut any stream bank unless authorized in writing by a Land Use Inspector. **STREAM BANKS**

6.4 The Permittee shall not use any material other than water in the construction of ice bridges **ICE BRIDGE MATERIAL**

6.5 The Permittee shall not allow any ice bridge to hinder the flow of water in any stream. **ICE BRIDGE**

6.6 The Permittee shall install culverts or bridges as construction of the road progresses, unless otherwise authorized in writing by a Land Use Inspector. **INSTALLATION
CULVERTS**

NEW All culverts placed in crossings must be marked with a pole which extrudes from the crossing surface to a minimum of 8 feet.

NEW All locations of culverts must be reported to the Inspector within 48 hours of their placement.

NEW All culverts must be removed prior to the demobilization of men and equipment from the permitted area.

6.10 The Permittee shall not ford wet streams, unless authorized in writing by a Land Use Inspector. **NO FORDING
OF STREAMS**

6.20 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. **VEHICLES
MOVEMENT
FREEZE-UP**

6.21 The Permittee shall suspend overland travel of equipment or vehicles if rutting occurs. **SUSPEND
OVERLAND
TRAVEL**

6.23 The Permittee shall place the trees and debris in a windrow on the downhill side of the clearing. **WINDROW
PLACEMENT**

**26 (1) (G) - USE, STORAGE, HANDLING AND DISPOSAL
OF CHEMICAL OR TOXIC MATERIAL**

7.2 The Permittee shall not use the following materials during the drilling operation without the prior written approval of the S.L.W.B.: **PROHIBITED
CHEMICALS**

- Chlorinated phenols (Dowicide B, etc.)
- Compounds composed primarily of heavy metals
- Asbestos

7.3 The Permittee shall submit to the S.L.W.B. a contingency plan, for chemical spills, for use during the construction and operation of the winter road and associated facilities. **CONTINGENCY
PLAN**

NEW The Permittee shall deposit all gel\chem drill waste into a sump. **DRILL WASTE
DISPOSAL**

- NEW All Invert Muds and cuttings produced during the use of this mud must be removed for disposal to an approved waste disposal facility.
- 7.6 The Permittee shall not allow any drilling waste to spread to the surrounding lands. **DRILL WASTE CONTAINMENT**
- NEW The Permittee shall not deposit at any time invert drill waste into a sump. **DRILL WASTE**
- NEW The Permittee shall not allow any drilling waste to escape containment. **DRILL WASTE CONTAINMENT**
- 7.7 The Permittee shall dispose of all toxic or persistent substances in a manner as approved, in writing, by the S.L.W.B. **WASTE CHEMICAL**
- NEW The Permittee shall remove all fluids used to wash machinery and equipment. **RIG WASH DISPOSAL**
- 7.9 The Permittee shall report all spills immediately in accordance with instructions contained in "Spill Report" form N.W.T. 1086(10/79). 24 hour spill report line (867)920-8130. **REPORT CHEMICAL AND PETROLEUM SUMP DISCHARGE**
- 7.10 The Permittee, prior to the discharge of fluids from any sump, shall carry out an analysis of the fluid in a manner prescribed by the S.L.W.B. and obtain their written approval to discharge.
- 26 (1) (H) - WILDLIFE AND FISHERIES HABITAT**
- 8.1 The Permittee shall not unnecessarily damage wildlife habitat in conducting this land use operation. **HABITAT DAMAGE**
- 8.6 The Permittee shall not destroy or damage beaver dams. **BEAVER DAMS**
- 8.7 The Permittee shall not destroy or damage muskrat lodges. **MUSKRAT LODGES**
- 26 (1) (I) THE STORAGE, HANDLING,, AND DISPOSAL OF REFUSE OR SEWAGE**
- 9.1 The Permittee shall deposit all sewage into a sump or as directed by a Land Use Inspector. **SEWAGE DISPOSAL**
- 9.4 The Permittee shall keep all garbage and debris in a covered metal container until disposed of. This container shall be marked with the Permittee's name. **GARBAGE CONTAINERS**

- 9.5 The Permittee shall burn all garbage and debris at least daily. **GARBAGE DISPOSAL**
- 9.7 The Permittee shall remove all noncombustible garbage and debris from the land use area to a disposal site approved in writing by a Land Use Inspector. **REMOVE GARBAGE**
- 9.11 The Permittee shall remove from the "Mackenzie Valley", all scrap metal, discarded machinery and parts, barrels and kegs, buildings and building material. **REMOVE WASTE MATERIAL**
- 9.12 The Permittee shall dispose of all combustible waste petroleum products by incineration or removal. **WASTE PETROLEUM DISPOSAL**

26 (I) (J) - HISTORICAL AND ARCHAEOLOGICAL SITES AND BURIAL GROUNDS

- 10.1 The permittee shall not operate any machinery or equipment within (150) metres of any known Historical or Archaeological Site and Burial Ground. **NO ACTIVITY**
- 10.2 The permittee shall make every effort to ensure that no Historical or Archaeological Site or Burial Ground will be affected by this operation. **SITES PROTECTION**

26 (1) (M) - PETROLEUM FUEL STORAGE

- 13.1 The Permittee shall report in writing to a Land Use Inspector the location and quantity of all petroleum fuel caches within ten (10) days after the establishment. **REPORT FUEL LOCATION**
- 13.2 The Permittee shall not place any petroleum fuel storage containers within one hundred (100) metres of the normal high water mark of any stream. **FUEL BY STREAM**
- NEW The Permittee shall locate mobile fuel facilities on land. **FUEL ON LAND**
- 13.4 The Permittee shall not allow petroleum products to spread to surrounding lands or into water bodies. **FUEL CONTAINMENT**
- NEW Any fuel storage container or group of containers (sloops) that do not have secondary containment shall have one extra fuel storage container on site equal to, or greater than, the size of the largest fuel container. **FUEL/EXTRA CONTAINER**

This does not include 45 gallon drums.

- 13.6 The Permittee shall construct a dyke around each stationary fuel container or group of stationary fuel containers where any one container has a capacity exceeding 4 000 litres. **DYKE/FUEL CONTAINERS**
- 13.7 The Permittee shall line the dyke and area enclosed by the dyke with a type of plastic film liner approved by the Land Use Inspector. **LINE DYKE**
- 13.8 The volume of the dyked area shall be 10% greater than the capacity of the largest fuel container placed therein. **CAPACITY**
- 13.9 The Permittee shall ensure that the dyke and the area enclosed by the dyke shall be impermeable to petroleum products at all times. **IMPERMEABLE DYKE**
- 13.10 The Permittee shall: **CHECK FOR LEAKS**
 - (a) examine all fuel storage containers for leaks a minimum of once every day.
 - (b) repair all leaks immediately.
- 13.11 The Permittee shall maintain a watchman at the site at all times when fuel is stored on site. **WATCHMAN**
- 13.12 The Permittee shall submit to the S.L.W.B. a contingency plan, for petroleum spills, for use during the construction and operation of the winter road and associated facilities. **CONTINGENCY PLAN**
- 13.13 The Permittee shall not use bladders for storing petroleum products. **BLADDERS PROHIBITED**
- 13.14 The Permittee shall not use bladders for transporting petroleum products. **BLADDERS PROHIBITED**
- 13.16 The Permittee shall seal all container outlets except the outlet currently in use. **SEAL OUTLET**

26 (1) (N) - DEBRIS AND BRUSH DISPOSAL

- 14.1 The Permittee shall dispose of all debris and brush by: **BRUSH DISPOSAL**
 - (a) windrowing the debris and brush to the side of the line, and

- (b) making breaks in the windrow of at least seven (7) metres wide at intervals of not more than three hundred and thirty (330) metres.

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| 14.2 | The Permittee shall make the windrow of brush and debris lie flat and compact by: | BRUSH
DISPOSAL |
| | (a) bucking the material into suitable lengths and lopping the branches from the stem, and/or | |
| | (b) crushing with heavy machinery in order to compact the material. | |
| 14.3 | The Permittee shall ensure that windrows are separated from standing timber. | WINDROWS
LOCATION |
| 14.12 | The Permittee shall dispose of all brush and timber prior to removal of men or equipment from the land use area. | BRUSH
DISPOSAL |
| 14.13 | The Permittee shall spread all cut debris and brush over the areas cleared, prior to completion of the operation or expiry of the Land Use Permit. | SPREAD
BRUSH |
| 14.14 | The Permittee shall salvage all portions of trees cleared that are larger than thirteen (13) centimetres in diameter. | SALVAGE
TIMBER |
| 14.15 | The Permittee shall neatly pile all salvaged wood at locations specified in writing by a Land Use Inspector. | PILE
WOOD |
| 26 (1) (O) - RESTORATION OF THE LANDS | | |
| 15.1 | The Permittee shall establish vegetation on all areas stripped of vegetation during this land use operation to a minimum of seventy (70%) per cent ground cover, unless otherwise authorized in writing by the Land Use Inspector. | REVEGETATE
STRIPPED
AREA |
| 15.2 | The Permittee shall apply grass seed and fertilizer to areas designated in writing by a Land Use Inspector. | REPLANT
DESIGNATED
AREAS |
| 15.3 | The Permittee shall commence and foster Revegetation on all parts of the land used, as may be directed by a Land Use Inspector, within one year of the completion of the land use operation. | RE-ESTABLISH
VEGETATION |

- 15.4 The Permittee when clearing land shall: **SAVE VEGETATION**
- (a) Save all vegetation removed from the land use area.
 - (b) Place the vegetation over the land use area prior to expiry of the Land Use Permit.
- 15.5 The Permittee shall save the organic soil stripped from the excavation area. **SAVE ORGANIC SOIL**
- 15.6 The Permittee shall place the organic soil over the disturbed area prior to the expiry date of this Permit. **PLACE ORGANIC SOIL**
- 26 (1) (P) - DISPLAY OF PERMITS AND PERMIT NUMBERS**
- 16.2 The Permittee shall keep on hand, at all times during this land use operation, a copy of the Land Use Permit. **COPY OF PERMIT**
- 26 (1) (Q) - MATTERS NOT INCONSISTENT WITH THE REGULATIONS**
- 17.5 The Permittee shall provide in writing to the Land Use Inspector at least forty-eight (48) hours prior to commencement of this land use operation, the following information: **IDENTIFY AGENT**
- (a) person, or persons, in charge of the field operation to whom notices, orders, and reports may be served;
 - (b) alternates;
 - (c) all the indirect methods for contacting the above person(s).
- 17.6 The Permittee shall, while conducting the operation, make every effort to avoid covering or destroying traps or snares that may be found in the area. **TRAPS PROTECTION**
- 17.7 The Permittee shall restore any trails used by trappers or hunters by slashing any and all trees that may fall across these paths or trails and by removing any other obstructions such as snow piles or debris that may be pushed across the trails. **TRAILS RESTORATION**
- 17.8 The Permittee shall not feed wildlife. **NO FEEDING WILDLIFE**

17.9 **PART 1 - In this Permit:**

"sump" means a man-made pit, trench hollow or cavity in the earth's surface used for the purpose of depositing waste material therein.

"drill waste" means all materials or chemicals, solid or liquid, associated with the drilling of bore holes and includes bore hole cuttings.

"dogleg" means clearing a line, trail or right-of-way that is curved sufficiently so that no part of the clearing beyond the curve is visible when approached from either direction.

NEW The Permittee must construct fencing around the perimeter of drill waste sumps.