

**Conditions Annexed to and Forming Part  
of Land Use Permit # S19S-002**

**Part A: Scope of Permit**

1. This Permit entitles Permittee to conduct the following land-use operation:
  - a) Geotechnical/environmental borehole drilling field investigations within the Hamlet of Tulita at locations specified in the application;
  - b) use of equipment
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, Tłı̨chǫ, or Municipal laws.

**Part B: Definitions** (defined terms are capitalized throughout the Permit)

**Act** - the *Mackenzie Valley Resource Management Act*.

**Board** - the Sahtu Land and Water Board established under Part 3 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 *Mackenzie Valley Resource Management 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.

**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.

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**Part C: Conditions Applying to All Activities** (headings correspond to subsection 26(1) of the Mackenzie Valley Land Use Regulations)

**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. | <b>Drill Locations</b>        |
| 2. | The Permittee shall not conduct this land-use operation on any lands not designated in the complete application.   | <b>Location of Activities</b> |

**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) 587-7206.   | <b>Contact Inspector</b>      |
| 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 <u>and</u> an Inspector:<br>(a) the name(s) of the person(s) in charge of the field operation;<br>(b) alternates; and<br>(c) all methods for contacting the above person(s). | <b>Identify Agent</b>         |
| 5. | At least ten days prior to the completion of the land-use operation, the Permittee shall advise an Inspector of:<br>(a) the plan for removal or storage of equipment and materials; and<br>(b) when final cleanup and reclamation of the land used will be completed.  | <b>Reports Before Removal</b> |

**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. | <b>Only Approved Equipment</b> |
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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. | <b>Clean Work Area</b> |
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**26(1)(f) Control or Prevention of Ponding of Water, Flooding, Erosion, Slides, and Subsidence of Land**

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| 8.  | The land-use operation shall not cause obstruction to any natural drainage.  | <b>Natural Drainage</b>           |
| 9.  | The Permittee shall, where flowing water from a Borehole is encountered:<br>(a) plug the Borehole in such a manner as to permanently prevent any further outflow of water; and<br>(b) immediately report the occurrence to the Board and an Inspector. | <b>Flowing Artesian Well</b>      |
| 10. | 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.   | <b>Vehicle Movement Freeze-up</b> |

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

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| 11. | 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:<br>(a) immediately report each spill to the 24-hour Spill Report Line (867) 920-8130;<br>(b) report each spill to an Inspector within 24 hours; and<br>(c) submit, to the Board and an Inspector, a detailed report on each spill within 30 days. | <b>Report Spills</b> |
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**26(1)(h) Wildlife and Fish Habitat**

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| 12. | The Permittee shall take all reasonable measures to prevent damage to wildlife and fish Habitat during this land-use operation. | <b>Habitat Damage</b> |
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**26(1)(i) Storage, Handling, and Disposal of Refuse or Sewage**

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| 13. | The Permittee shall keep all garbage and debris in a secure container until disposal. | <b>Garbage Container</b> |
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| 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. | <b>Remove Garbage</b> |
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**26(1)(j) Protection of Historical, Archaeological, and Burial Sites**

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| 15. | The Permittee shall not operate any vehicle or equipment within 150 metres of a known or suspected historical or archaeological site or burial ground. | <b>Archaeological Buffer</b> |
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| 16. | <p>The Permittee shall not knowingly remove, disturb, or displace any archaeological specimen or site.</p> <p><b>26(1)(k) Objects and Places of Recreational, Scenic, and Ecological Value</b></p> <p><i>Intentionally left blank</i></p> <p><b>26(1)(l) Security Deposit</b></p>                                       | <b>Site Disturbance</b>                     |
| 17. | <p>All costs to remediate the area under this Permit are the responsibility of the Permittee.</p> <p><b>26(1)(m) Fuel Storage</b></p>   | <b>Responsibility for Remediation Costs</b> |
| 18. | <p>The Permittee shall set up all refueling points with Secondary Containment.</p>  | <b>Secondary Containment - Refueling</b>    |
| 19. | <p>The Permittee shall not allow petroleum products to spread to surrounding lands or Watercourses.</p>   | <b>Fuel Containment</b>                     |
| 20. | <p>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.</p> | <b>Spill Contingency Plan</b>               |
| 21. | <p>Prior to commencement of operations, the Permittee shall ensure that spill-response equipment is in place to respond to any potential spills.</p>  | <b>Spill Response</b>                       |
| 22. | <p>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.</p>  | <b>Drip Trays</b>                           |
| 23. | <p>The Permittee shall clean up all leaks, spills, and contaminated material.</p> <p><b>26(1)(n) Methods and Techniques for Debris and Brush Disposal</b></p> <p><i>Intentionally left blank</i></p> <p><b>26(1)(o) Restoration of the Lands</b></p>  | <b>Clean Up Spills</b>                      |
| 24. | <p>Prior to the expiry date of this Permit, the Permittee shall complete all cleanup and restoration of the lands used.</p>   | <b>Final Cleanup and Restoration</b>        |

**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. **Resubmit Plan**

27. 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**

28. All revised plans submitted to the Board shall include a brief summary of the changes made to the plan. **Summary of Changes**

**Signed on behalf of the Sahtu Land and Water Board**

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**Witness**

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**(Chair)**