

Note: Conditions highlighted in green are non-standard, or modified from the standard, or brought forward from the permits being consolidated.

Conditions or parts of conditions that are highlighted in yellow are those for which Board staff are seeking clarification or review.

Conditions Annexed to and Forming Part of Land Use Permit # S20X-006

Part A: Scope of Permit

1. This Permit entitles the Permittee to conduct the following land-use operation for the Slater River Project area on EL494, 40 km SSE of Norman Wells, NWT, that consolidates project activities previously authorized under land use permits S13X-003, S13A-002 and S12X-006 that support progressive reclamation and closure of specific components, and long-term care and maintenance activities for key Project components and infrastructure:
 - a) use of heavy equipment;
 - b) transfer, storage and use of fuel;
 - c) use and long-term care and maintenance of winter access roads, security area and construction camp; the all-weather access road (AWAR), barge landing and AW staging areas, AW base camp and storage sites; and quarry M;
 - d) monitoring, inspections, and maintenance of bridges, culverts, and project components.
 - e) revegetation, erosion and sediment control activities;
 - f) progressive reclamation at quarry B and airstrip access road;
 - g) waste management during active operations.
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, Tłıchǫ, Deline, 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.

Care and Maintenance – For the purposes of this Project, Husky's CRP defines this term as maintaining key Project components and infrastructure in an operable state for the life of the program in order to continue to support the proposed Significant Discovery Licence (SDL) into the future. This requires ongoing monitoring and maintenance such as, but not limited to, installation or repair of rip-rap as well as re-grading or contouring of roads or pad areas.

Closure and Reclamation - the process and activities that facilitate the return of areas affected by the

Durable Land - land that is able to withstand repeated use, such as gravel or sand with minimal vegetative cover.

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.

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.

Greywater – all liquid wastes from showers, baths, sinks, kitchens, and domestic washing facilities but not including toilet wastes.

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.

Progressive Reclamation - Closure and Reclamation activities conducted during the operating phase of the project.

Reclamation – For the purposes of this Project, Husky's CRP defines reclamation as returning previously used work areas and components, that are no longer needed for the Project, to a natural state or equivalent land use that is stable with satisfactory vegetative growth. All Project components under reclamation will eventually be relinquished.

Safety Data Sheet - a technical document, typically written by the manufacturer or supplier of a chemical, that provides information about the hazards associated with the product, advice about safe handling and storage, and emergency response procedures.

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.

Sewage - all toilet wastes and Greywater

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

Spring Break-up – March 31 – April 15 each year, for the purpose of this operation.

Safety Data Sheet - a technical document, typically written by the manufacturer or supplier of a chemical, that provides information about the hazards associated with the product, advice about safe handling and storage, and emergency response procedures.

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)

26(1)(a) Location and Area

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| 1. | The Permittee shall only conduct this land-use operation on lands designated in the application. | LOCATION OF ACTIVITIES |
| 2. | The Permittee shall use an existing campsite, as described in the complete application. | USE EXISTING CAMP |
| 3. | The Permittee shall not conduct a quarry operation within 100 metres of the Ordinary High Water Mark of any Watercourse, unless otherwise authorized in writing by an Inspector. | QUARRY SETBACK |
| 4. | The Permittee shall confine the width of the right-of-way to a maximum of 10 metres. | WIDTH RIGHT-OF-WAY |

26(1)(b) Time

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| 5. | At least 48 hours prior to returning to the worksite following a seasonal Shut Down Period, the Permittee's Field Supervisor shall notify the Board and contact an Inspector at (867) 587-7206. | SEASONAL NOTIFICATION – CONTACT INSPECTOR |
| 6. | At least ten days prior to Spring Break-up when maintenance activities that required heavy equipment and fuel storage were completed, the Permittee shall advise an Inspector of:
a) the plan for removal or storage of equipment and materials. | REPORTS BEFORE SEASONAL REMOVAL |

26(1)(c) Type and Size of Equipment

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| 7. | The Permittee shall only use equipment of a similar type, size, and number to that listed in the complete application. | USE APPROVED EQUIPMENT |
| 8. | The Permittee shall use portable ramps during loading or unloading of ships or barges. | PORTABLE RAMPS |
| 9. | The Permittee shall maintain fire-fighting equipment at the site. | FIRE-FIGHTING EQUIPMENT |

26(1)(d) Methods and Techniques

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| 10. | The Permittee shall construct and maintain the overland portion of winter roads with a minimum of 10 cm of packed snow and/or ice at all times during this land-use operation. | WINTER ROADS |
| 11. | The Permittee shall not erect camps or store material, other than that required for immediate use, on the ice surface of a Watercourse. | STORAGE ON ICE |

26(1)(e) Type, Location, Capacity, and Operation of All Facilities

12. 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

13. The Permittee shall install and maintain culverts such that scouring does not occur. **CULVERT SIZE**
14. The Permittee shall insulate the ground surface beneath all structures associated with this land-use operation to prevent: **PERMAFROST PROTECTION**
- a) any vegetation present from being removed;
 - b) the melting of Permafrost; and
 - c) the ground settling and/or eroding.
15. The land-use operation shall not cause obstruction to any natural drainage. **NATURAL DRAINAGE**
16. The Permittee shall install and maintain suitable erosion control structures as the land-use operation progresses. **PROGRESSIVE EROSION CONTROL**
17. The Permittee shall apply appropriate mitigation at the first sign of erosion. **REPAIR EROSION**
18. The Permittee shall only conduct off-road vehicle travel on snow-covered surfaces. **OFF-ROAD VEHICLE TRAVEL**
19. The Permittee shall prepare the site in such a manner as to prevent rutting or gouging of the ground surface. **PREVENTION OF RUTTING**
20. The Permittee shall suspend overland travel of equipment or vehicles at the first sign of rutting or gouging. **SUSPEND OVERLAND TRAVEL**
21. 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**
22. The Permittee shall only use clean water and snow in the construction of ice bridges and snow fills. **CONSTRUCT ICE BRIDGES/ SNOWFILLS**
23. Prior to Spring Break-up or completion of the land-use operation, the Permittee shall clean up and either remove or v-notch all ice bridges and snowfills from stream crossings, unless otherwise authorized in writing by an Inspector. **REMOVE ICE BRIDGES/ SNOWFILLS**

24. The Permittee shall slope the sides of Waste material piles, excavations, and embankments — except in solid rock — to a minimum ratio of 2:1 vertical, unless otherwise authorized in writing by an Inspector.

EXCAVATION AND EMBANKMENTS

25. The Permittee shall not quarry to a depth below the water table.

QUARRY DEPTH

Commented [BB1]: This non-standard condition was carried over from S13X-003.

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

26. The Permittee shall dispose of all Toxic Material as described in the approved Waste Management Plan.

WASTE CHEMICAL DISPOSAL

27. The Permittee shall dispose of all combustible Waste petroleum products by removal to an approved disposal facility.

WASTE PETROLEUM DISPOSAL

26(1)(h) Wildlife and Fish Habitat

28. The Permittee shall take all reasonable measures to prevent damage to wildlife and fish Habitat during this land-use operation.

HABITAT DAMAGE

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

29. The Permittee shall dispose of all Waste as described in 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

30. The Permittee shall keep all garbage and debris in a secure container until disposal.

GARBAGE CONTAINER

31. The Permittee shall dispose of all Sewage and Greywater as described in the approved Waste Management Plan.

SEWAGE DISPOSAL - PLAN

32. The Permittee shall, during the forest fire season (May 1 to September 30) contact the Regional Department of Environment and Natural Resources office in Norman Wells prior to any burning to determine forest fire risk and adhere to any conditions or restrictions that may be in effect at the time.

BURNING RESTRICTIONS

Commented [BB2]: This non-standard condition was carried over from S13X-003

33. The Permittee shall use a two-stage forced-air, fuel-fired incinerator to burn all combustible garbage except plastics and heavy metals. The Permittee shall select a unit that is capable of meeting an emission concentration limit for dioxins and furans of 80 picogram Toxic Equivalency/cubic meter (80 pg TEQ/m³).

INCINERATORS

Commented [BB3]: This condition was taken from MV2017D0032 De Beers – Snap Lake

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

34. The Permittee shall not operate any vehicle or equipment within 150 metres of a known or suspected historical or archaeological site or within 500 metres of a known burial ground.

ARCHAEOLOGICAL BUFFER

35. The Permittee shall not knowingly remove, disturb, or displace any archaeological specimen or site.

SITE DISTURBANCE

36. The Permittee shall, where a suspected archaeological or historical site, or burial ground is discovered:

SITE DISCOVERY AND NOTIFICATION

- a) immediately suspend operations on the site; and
- b) notify the Board at (867) 598-2413 or an Inspector at (867) 587-7206 and the Prince of Wales Northern Heritage Centre at 767-9347 ext. 71251 or ext. 71255.

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

37. The Permittee shall limit vehicle use on the all-weather access road to light vehicles < 10 t between May 1 and June 20 of each year.

BUFFER / NO ACTIVITY

Commented [BB4]: This non-standard condition carried over from S13X-003

26(1)(l) Security Deposit

38. 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

Commented [BB5]: RECLAIM security estimate provided in the Applicant's ICRP.

39. All costs to remediate the area under this Permit are the responsibility of the Permittee.

RESPONSIBILITY FOR REMEDIATION COSTS

26(1)(m) Fuel Storage

40. The Permittee shall:

REPAIR LEAKS

- a) examine all Fuel Storage Containers and Tank for leaks; and
- b) repair all leaks immediately.

41. The Permittee shall place Fuel Storage Containers and or Tanks a minimum of 100 metres from the Ordinary High Water Mark of any Watercourse, unless otherwise authorized in writing by an Inspector.

FUEL STORAGE SETBACK

42. The Permittee shall ensure that all fuel caches have adequate Secondary Containment.

FUEL CACHE SECONDARY CONTAINMENT

43. The Permittee shall set up all refueling points with Secondary Containment.

SECONDARY CONTAINMENT - REFUELING

44. The Permittee shall not allow petroleum products to spread to surrounding lands or Watercourses.

FUEL CONTAINMENT

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| 45. The Permittee shall locate mobile fuel facilities on land when the facilities are stationary for more than 12 hours. | FUEL ON LAND |
| 46. The Permittee shall mark all Fuel Storage Containers and Tanks with the Permittee's name. | MARK CONTAINERS AND TANKS |
| 47. The Permittee shall mark all stationary fuel caches and fuel storage facilities with flags, posts, or similar devices so that they are at all times plainly visible to local vehicle travel. | MARK FUEL LOCATION |
| 48. The Permittee shall have a maximum of 20,000 litres of fuel stored on the land use site at any time, unless otherwise approved by the Board. | MAXIMUM FUEL ON SITE |
| 49. Within ten days of the establishment of any fuel cache, the Permittee shall report the location and quantity of the cache in writing to the Board and an Inspector. | REPORT FUEL LOCATION |
| 50. The Permittee shall seal all outlets of Fuel Storage Containers and store the containers on their sides with the outlets located at 3 and 9 o'clock, except for containers currently in use. | SEAL OUTLET |
| 51. The Permittee shall comply with 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 |
| 52. 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 |
| 53. 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 |
| 54. The Permittee shall clean up all leaks, spills, and contaminated material immediately | CLEAN UP SPILLS |
| 55. During the period of this Permit, if a spill occurs or is foreseeable, the Permittee shall: <ul style="list-style-type: none"> a) implement the approved Spill Contingency Plan; b) report it-immediately using the NU-NT Spill Report Form by one of the following methods: <ul style="list-style-type: none"> • Telephone: (867) 920-8130 • Fax: (867) 873-6924 • E-mail: spills@gov.nt.ca • Online: Spill Reporting and Tracking Database | REPORT SPILLS |

- c) within 24 hours, notify the Board and an Inspector; and
- d) within 30 days of initially reporting the incident, submit a detailed report to the Board and an Inspector, including descriptions of causes, response actions, and any changes to procedures to prevent similar occurrences in the future. Any updates to this report shall be provided to the Board and an Inspector in writing as changes occur.

26(1)(n) Methods and Techniques for Debris and Brush Disposal

- 56. The Permittee shall progressively dispose of all brush and trees; all disposal shall be completed prior to the end of this land use operation **BRUSH DISPOSAL/ TIME**

26(1)(o) Restoration of the Lands

- 57. All outstanding liabilities and obligations of the Permittee in relation to work performed or required to be performed under Land Use Permits S13X-003 and S13A-002 and S12X-006 are fully incorporated into and subsumed under this Permit, and the Permittee must therefore complete the restoration and other obligations set out in or incurred under Permits S13X-006, S13A-002 and S12X-006 as well as such further obligations as may be set out in or incurred under this Permit. **TRANSFER OF LIABILITIES**

- 58. All areas affected by construction or removal activities shall be stabilized and landscaped to their pre-construction profiles, unless otherwise authorized in writing by an Inspector. **PRE-CONSTRUCTION PROFILES**

- 59. The Permittee shall save the organic soil stripped from the land use area and shall use the organic soil for reclamation as approved by the Board, or otherwise authorized in writing by an Inspector. **SAVE AND PLACE ORGANIC SOIL**

- 60. Prior to the end of the land-use operation, the Permittee shall level all stockpiles of granular material located within the land use area. **LEVEL STOCKPILES**

- 61. Prior to the end of the land-use operation, the Permittee shall complete all cleanup and restoration of the lands used. **FINAL CLEANUP AND RESTORATION**

- 62. Prior to the end of the land-use operation, the Permittee shall initiate active revegetation of disturbed areas **where natural revegetation methods are not successful.** **ACTIVE REVEGETATION**

- 63. The Permittee shall carry out approved Progressive Reclamation of disturbed areas as soon as it is practical to do so. **PROGRESSIVE RECLAMATION**

- 64. The Permittee shall adhere to the **Closure and Reclamation Plan**, once approved. Revisions to the Plan shall be submitted to the Board, for approval, every 3 years, or as directed by the Board. **CLOSURE AND RECLAMATION (INTERIM)**

65. The Permittee shall submit to the Board, for approval, an **Annual Closure and Reclamation Monitoring and Maintenance Progress Report** documenting all monitoring, progressive reclamation and/or care and maintenance activities completed during previous summer and/or winter monitoring cycles, with the first report due in November 15, 2021.

**ANNUAL CLOSURE AND
RECLAMATION
MONITORING AND
MAINTENANCE
PROGRESS REPORT**

26(1)(p) Display of Permits and Permit Numbers

66. 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

67. If nesting areas are encountered during the course of operations, the Permittee shall minimize all activity so as to not disturb them.

**MIGRATORY BIRD
NEST DISTURBANCE**

68. 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

69. The Permittee shall comply with 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

70. All revised plans submitted to the Board shall include a brief summary of the changes made to the plan.

SUMMARY OF CHANGES