



Box 32, Wekweètì, NT X0E 1W0
 Tel: 867-713-2500 Fax: 867-713-2502

#1-4905 48th Street, Yellowknife, NT X1A 3S3
 Tel: 867-765-4592 Fax: 867-765-4593
 www.wlwb.ca

Permit Class	Permit No	Amendment No
A	W2015X0006	

LAND USE PERMIT – EXTENSION

Subject to the Mackenzie Valley Land Use Regulations and the terms and conditions in this Permit, authority is hereby granted to:

Crown Indigenous Relations and Northern Affairs Canada – Contaminants and Remediation Division

Permittee

To proceed with the land use operation described in application of:


Signature Ron A. Breadmore	Date June 26, 2015
Type of Land use Operation Assessment and Remediation	
Location Sherman Lake, NT	

This permit may be assigned, discontinued, suspended or cancelled pursuant to the Mackenzie Valley Land Use Regulations.

Dated at Yellowknife this 6 day of May, 2020

Signature Chair

Signature Witness





Effective Date
August 14, 2015

Expiry Date
August 13, 2022

Attention

It is a condition of this Permit that the Permittee comply with the provisions of the *Mackenzie Valley Resource Management Act* and regulations and the terms and conditions set out herein. A failure to comply may result in suspension or cancellation of this Permit by the Board.





**CONDITIONS ANNEXED TO AND FORMING PART
OF LAND USE PERMIT NUMBER W2015X0006**

Part A: Scope of Permit

1. This Permit entitles Crown Indigenous Relations and Northern Affairs Canada - Contaminants and Remediation Directorate (CIRNAC-CARD) to conduct the following activities associated with the Assessment and Remediation of the abandoned Rayrock Mine site (63°27'0" N / 116°32'57" W):

Assessment Activities

- a) Use of machinery for site assessment and identification of borrow sources;
- b) Storage of fuels;

Remediation Activities

- c) Use of machinery for site remediation;
 - d) Quarry operations;
 - e) Construction of a winter road connecting the Rayrock site to winter road alignments with crossings at either the Emile (north of Wek'weeti/Gameti junction) or Marian river;
 - f) Upgrade of existing on-site roads and trails;
 - g) Storage of fuel; and,
 - h) Establishment of camp.
2. The 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 absolve the Permittee from responsibility for compliance with the requirements of all applicable Federal, Territorial, Tłıchǝ, and Municipal legislation.

Part B: Definitions

Act - the *Mackenzie Valley Resource Management Act*.

Archaeological Overview - as defined by the Prince of Wales Northern Heritage Centre – Guidelines for Developers.

Archaeological Impact Assessment - as defined by the Prince of Wales Northern Heritage Centre – Guidelines for Developers.



Assessment Activities – activities conducted to characterize the condition of the Project site prior to remediation, as permitted by Part A, Item 1 (a) and (b).

Board - the Mackenzie Valley Land and Water Board established under Part 4 of the Act.

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 Land Use Permits and Water Licences*, 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 *Mackenzie Valley Resource Management Act*.

Minister - the Minister of Indian Affairs and Northern Development.

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).

Remedial Action Plan - a document developed through site assessment and consultation with affected parties which describes the planned Remediation Activities for the Project site.

Remediation Activities - activities conducted to remediate the Project site outlined in the approved Remedial Action Plan, as permitted by Part A, Item 1 (c) through (h).

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* (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 (WMP) - 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 locate all camps on Durable Land or previously cleared areas. | Camp Location |
| 2. | 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 |
| 3. | The Permittee shall not construct parallel lines or roads, unless an existing line or road cannot be used. | Parallel Roads |
| 4. | The Permittee shall locate all lines, trails, and right-of-ways to be constructed parallel to any Watercourse a minimum of 100 metres from the Ordinary High Water Mark, except at crossings. | Parallel Watercourse |
| 5. | The Permittee shall not conduct this land-use operation on any lands not designated in the complete application. | Location of Activities |

26(1)(b) Time

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| 6. | At least 48 hours prior to the commencement of this land-use operation within the Federal Exclusion Area, the Permittee's Field Supervisor shall contact an Inspector at (867) 669-2442. At least 48 hours prior to the commencement of construction of the winter road, the Permittee's Field Supervisor shall contact an Inspector at (867) 765-9188. | Contact Inspector |
| 7. | 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:
(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 |
| 8. | 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 |
| 9. | The Board, for the purpose of this operation, designates April 15, as spring break-up. | Spring Break –up |

26(1) Type and Size of Equipment

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| 10. | 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 |
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26(1)(d) Methods and Techniques

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| 11. | 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 |
| 12. | 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 |
| 13. | 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 |
| 14. | Prior to the expiry of this Permit, the Permittee shall replace all excavated material, unless otherwise authorized in writing by an Inspector. | Excavated Material |

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

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| 15. | The Permittee shall ensure that the land use area is kept clean at all times. | Clean Work Area |
| 16. | The Permittee shall not locate any Sump within 100 metres of the Ordinary High Water Mark of any Watercourse, unless otherwise authorized in writing by an Inspector. | Sumps From Water |

26(1)(f) Control or Prevention of Ponding of Water, Flooding, Erosion, Slides, and Subsidence of Land

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| 17. | The land-use operation shall not cause obstruction to any natural drainage. | Natural Drainage |
| 18. | The Permittee shall minimize erosion by installing erosion control structures as the land-use operation progresses. | Progressive Erosion Control |
| 19. | The Permittee shall not conduct off-road vehicle travel in areas without snow-covered surfaces. | Off-road Vehicle Travel |
| 20. | The Permittee shall prepare the site in such a manner as to prevent rutting of the ground surface. | Prevention of Rutting |
| 21. | The Permittee shall suspend overland travel of equipment or vehicles at the first sign of rutting. | Suspend Overland Travel |
| 22. | 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 |
| 23. | The Permittee shall not use any material other than clean water and snow in the construction of ice bridges. | Ice Bridge Materials |
| 24. | The Permittee shall not use any materials other than clean snow and water in the construction of snow fills. | Snowfill Materials |



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| 25. | Prior to spring break-up or completion of the land-use operation, the Permittee shall clean up and either remove or v-notch all snowfills from stream crossings, unless otherwise authorized in writing by an Inspector. | Remove or V-Notch
Snowfills |
| 26. | Prior to spring break-up or completion of the land-use operation, the Permittee shall clean up and v-notch all ice bridges, unless otherwise authorized in writing by an Inspector. | V-notch Ice Bridges |
| 27. | 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 |
| 28. | The Permittee shall not excavate land or remove vegetation 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 | | |
| 29. | 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 an Inspector and the Board. | Chemicals |
| 30. | 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: (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 |
| 31. | The Permittee shall dispose of all Toxic Material as described in the approved Waste Management Plan. | Waste Chemical
Disposal |
| 32. | 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 | | |
| 33. | 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 | | |
| 34. | Prior to the commencement of this land use operation, the Permittee shall submit a revised Waste Management Plan for the Project site to the Board for approval. | Waste Management
Plan - Assessment |
| 35. | A minimum of 90 days prior to the commencement of Remediation Activities, the Permittee shall submit a revised Waste Management Plan for the Project site to the Board for approval. | Waste Management
Plan - Remediation |



36. The Permittee shall operate in accordance with approved Waste Management Plan, 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**

37. 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**

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

39. The Permittee shall dispose of all Sewage and Greywater that is disposed of into a Sump at least 100 metres from the Ordinary High Water Mark of any Watercourse. **Sewage Disposal - Sump**

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

40. 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**

41. The Permittee shall not knowingly remove, disturb, or displace any archaeological specimen or site. **Site Disturbance**

42. 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) 713-2500 or an Inspector at (867) 669-2442 (within Federal Exclusion Areas) or (867) 765-6648 (on GNWT Lands), and the Prince of Wales Northern Heritage Centre at (867) 767-9347 ext. 71251 or ext. 71255. **Site Discovery and Notification**

43. At least 60 days prior to any new land disturbance, including new drill sites, the Permittee shall conduct an Archaeological Overview to identify areas of high and low potential for archaeological and burial sites and shall submit a summary report to the Board and the Prince of Wales Northern Heritage Centre. **Archaeological Overview**

44. Prior to disturbance in areas of high potential for archaeological or burial sites identified in the Archaeological Overview, the Permittee shall conduct an Archaeological Impact Assessment of the sites where disturbance is planned and shall submit a summary report to the Board and the Prince of Wales Northern Heritage Centre. **AIA – High Potential**

26(1)(m) Fuel Storage

45. The Permittee shall: (a) examine all Fuel Storage Tanks and containers for leaks a minimum once per day while personnel are onsite; and (b) repair all leaks immediately. **Check for Leaks**



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| 46. | The Permittee shall not place any Fuel Storage Containers or Tanks within 100 metres of the Ordinary High Water Mark of any Watercourse, unless otherwise authorized in writing by an Inspector. | Fuel Near Water |
| 47. | The Permittee shall ensure that all fuel caches have adequate Secondary Containment. | Fuel Cache Secondary Containment |
| 48. | The Permittee shall set up all refueling points with Secondary Containment. | Secondary Containment - Refueling |
| 49. | The Permittee shall only use stands approved by an Inspector for supporting Fuel Storage Containers that are in use. | Fuel Container Stands |
| 50. | The Permittee shall not allow petroleum products to spread to surrounding lands or Watercourses. | Fuel Containment |
| 51. | The Permittee shall locate mobile fuel facilities on land when the facilities are stationary for more than 12 hours. | Fuel on Land |
| 52. | The Permittee shall mark all Fuel Storage Containers and Tanks with the Permittee's name. | Mark Containers |
| 53. | 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 |
| 54. | Within ten days of the establishment of any fuel cache, the Permittee shall report the location and quantity of the cache in writing to an Inspector and the Board. | Report Fuel Location |
| 55. | 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 |
| 56. | Prior to the commencement of this land use operation, the Permittee shall submit a revised Spill Contingency Plan for the Project site to the Board for approval. | Spill Contingency Plan – Assessment |
| 57. | A minimum of 90 days prior to the commencement of Remediation Activities, the Permittee shall submit a revised Spill Contingency Plan for the Project site to the Board for approval. | Spill Contingency Plan – Remediation |
| 58. | The Permittee shall operate in accordance with the approved Spill Contingency Plan, 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 |



59.	Prior to commencement of operations, the Permittee shall ensure that spill-response equipment is in place to respond to any potential spills.	Spill Response
60.	All equipment that may be parked for two hours or more, shall have a hazmat/drip tray under it or be sufficiently diapered. Leaky equipment shall be repaired immediately.	Drip Trays
61.	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		
62.	The Permittee shall progressively dispose of all brush and trees and shall complete all brush disposal; all disposal shall be completed prior to the expiry date of this Permit.	Brush Disposal/ Time
63.	The Permittee shall not clear areas larger than identified in the complete application.	Minimize Area Cleared
64.	The Permittee shall clear by hand all trees and brush a minimum distance of 10 metres from the top edge of all stream banks and top edge of slopes.	Clearing Sensitive Area
26(1)(o) Restoration of the Lands		
65.	The Permittee shall level all stockpiles of granular material located within the land use area prior to the expiry date of this Permit.	No Stockpiles
66.	A minimum of 90 days prior to the commencement of Remediation Activities, the Permittee shall provide a Remedial Action Plan to the Board. The Permittee shall not commence Remediation Activities until the Plan has been approved by the Board.	Remedial Action Plan
67.	The Permittee shall operate in accordance with the approved Remedial Action Plan, 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.	Remedial Action
68.	Prior to the expiry date of this Permit, the Permittee shall complete all cleanup and restoration of the lands used.	Final Cleanup and Restoration
69.	Prior to the expiry date of this Permit or the end of operations, whichever comes first, the Permittee shall backfill and restore all Sumps, unless otherwise authorized in writing by an Inspector.	Backfill Sumps
26(1)(p) Display of Permits and Permit Numbers		
70.	The Permittee shall display a copy of this Permit in each campsite established to carry out this land-use operation.	Display Permit
26(1)(q) Biological and Physical Protection of the Land		
71.	The Permittee shall operate in accordance with the approved Engagement Plan, and shall annually review the plan and make any necessary revisions to	Engagement Plan



reflect changes in operations or as directed by the Board. Revisions to the plan shall be submitted to the Board for approval.

72. 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

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

Summary of Changes

