

Conditions Annexed to and Forming Part of Land Use Permit # W2020F0004

Part A: Scope of Permit

1. This Permit entitles the Permittee to conduct the following land-use operation:
 - a) to build a parking lot at Km 292 on Highway #3.
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 Wek'èezhìi Land and Water Board established under Part 3 of the Act.

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.

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.

Permittee - the holder of this permit.

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.

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.

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

Condition	Category
26(1)(a) Location and Area	
The Permittee shall only conduct this land-use operation on lands designated in the application.	LOCATION OF ACTIVITIES
Prior to the commencement of the land-use operation, the Permittee shall accompany an Inspector during an inspection of the proposed land use area.	INSPECT LOCATIONS
26(1)(b) Time	
<u>Option 1:</u>	
At least 48 hours prior to the initial commencement of the land-use operation, the Permittee's Field Supervisor shall notify the Board and contact an Inspector at (867) 767-9188.	INITIAL NOTIFICATION – CONTACT INSPECTOR
At least 48 hours prior to commencement of the land-use operation, the Permittee shall provide the following information, in writing, to the Board and an Inspector:	IDENTIFY AGENT
<ul style="list-style-type: none"> 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). 	
At least ten days prior to the completion of the land-use operation, the Permittee shall advise an Inspector of:	REPORTS BEFORE FINAL REMOVAL
<ul style="list-style-type: none"> a) the plan for removal or storage of equipment and materials; b) when final cleanup and reclamation of the land used will be completed; and c) when the Final Plan will be submitted. 	
26(1)(c) Type and Size of Equipment	
The Permittee shall only use equipment of a similar type, size, and number to that listed in the complete application.	USE APPROVED EQUIPMENT

26(1)(d) Methods and Techniques

The Permittee shall leave a buffer strip of undisturbed vegetation at least 30 metres in width between cleared areas and public roads

TREE SCREEN

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

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

The land-use operation shall not cause obstruction to any natural drainage.

NATURAL DRAINAGE

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

At least seven days prior to the use of any chemicals that were not identified in the complete application, the Safety Data Sheets must be provided to the Board and an Inspector.

CHEMICALS

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

WASTE CHEMICAL DISPOSAL

Option 1:

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

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

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

GARBAGE CONTAINER

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

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

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

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

SITE DISTURBANCE

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) 765-4592 or an Inspector at (867) 767-9188, and the Prince of Wales Northern Heritage Centre at 767-9347 ext. 71251 or ext. 71255.

At least 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

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

AIA – HIGH POTENTIAL

submit a summary report to the Board and the Prince of Wales Northern Heritage Centre.

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

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26(1)(l) Security Deposit

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

RESPONSIBILITY FOR REMEDIATION COSTS

26(1)(m) Fuel Storage

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

FUEL CONTAINMENT

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

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

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

The Permittee shall clean up all leaks, spills, and contaminated material immediately

CLEAN UP SPILLS

During the period of this Permit, if a spill occurs or is foreseeable, the Permittee shall:

REPORT SPILLS

- a) implement the approved Spill Contingency Plan;
- b) report it-immediately using the NU-NT Spill Report Form by one of the following methods:
 - Telephone: (867) 920-8130

- Fax: (867) 873-6924
 - E-mail: spills@gov.nt.ca
 - Online: Spill Reporting and Tracking Database
- 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

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

The Permittee shall not clear areas larger than identified in the complete application.

MINIMIZE AREA CLEARED

26(1)(o) Restoration of the Lands

The Permittee shall dispose of all overburden as approved by the Board, or as otherwise authorized in writing by an Inspector.

DISPOSAL OF OVERBURDEN

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

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

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

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

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

SUMMARY OF CHANGES

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