

**Conditions Annexed to and Forming Part
of Land Use Permit # G16Q001**

Permittee: L.J.'s Septic Services and Contracting Ltd.

Type of Land Use Operation: Quarrying

Location of Land Use Operation: Dempster Highway, km 126 – Frog Creek Quarry

Date Permit Issued: March 02, 2016

Start Date: March 15, 2016

Expiration Date: March 14, 2021

Part A: Scope of Permit

1. This Permit entitles L.J.'s Septic Services and Contracting Ltd. to conduct the following land-use operations:
 - a) Excavate and remove granular material from Frog Creek Quarry, km 126 Dempster Highway #8
Latitude 67° 21' 42"N / Longitude -134° 03' 46"W / Map Sheet 106M08
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, or municipal legislation.
4. This Permit is only valid in conjunction with a valid aggregate authorization from GTC Lands and Resources.

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

Act - the *Mackenzie Valley Resource Management Act*.

Board - the Gwich'in Land and Water Board established under Part 3 of the Act.

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).

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.

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 not conduct this land-use operation on any lands not designated in the accepted application, unless otherwise authorized in writing by the Board. | Location of Activities |
| 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 conduct any part of this land-use operation within 300 metres of any privately owned or leased land or structure, unless otherwise authorized in writing by the Board. | Private Property |
| 4. | The Permittee shall not conduct any part of the land-use operation within 300 metres of a cabin used for traditional activities, including trapping, hunting, or fishing, unless otherwise authorized in writing by the Board. | Avoid Cabins |
| 5. | The Permittee shall only excavate and stockpile in areas designated in the Aggregate Authorization, issued by GTC Lands and Resource, unless otherwise authorized in writing by an Inspector. | Excavate Stockpile |

26(1)(b) TIME

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| 6. | At least 48 hours prior to the commencement of this land-use operation, the Permittee's Field Supervisor shall contact or meet with an Inspector from the Government of the Northwest Territories Land Department in Inuvik (867-777-8900). | 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 and 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 and/or Inspector reserves the right to impose closure of any area to the Permittee during periods when dangers to natural resources are severe. | Closure |

26(1)(c) 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. | The Permittee shall not quarry to a depth below that of the water table. Do not quarry below existing pit floor. | Quarry Depth |
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26(1)(e) TYPE, LOCATION, CAPACITY AND OPERATION OF FACILITIES

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| 12. | The Permittee shall ensure that the land use area is kept clean at all times | Clean Work Area |
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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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| 13. | The land-use operation shall not cause obstruction to any natural drainage. | Natural Drainage |
| 14. | The Permittee shall minimize erosion by installing erosion control structures as the land-use operation progresses. | Progressive Erosion Control |
| 15. | 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 |

26(1)(g) USE, STORAGE, HANDLING, AND ULTIMATE DISPOSAL OF ANY CHEMICAL OR TOXIC MATERIAL

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| 16. | The Permittee shall maintain a record of all spills. For all reportable spills, in accordance with the GNWT Spill Contingency Planning and Reporting Regulations, 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 |
| 17. | 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

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| 18. | The Permittee shall take all reasonable measures to prevent damage to wildlife and fish Habitat during this land-use operation. | Habitat Damage |
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26(1)(j) STORAGE, HANDLING, AND DISPOSAL OF REFUSE OR SEWAGE

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| 19. | The Permittee shall keep all garbage and debris in a secure container until disposal. | Garbage Container |
| 20. | The Permittee shall remove all garbage and debris from the area of the land use operation to a disposal site approved in writing by an Inspector. | Remove Garbage |

26(1)(j) PROTECTION OF HISTORICAL, ARCHAEOLOGICAL, AND BURIALSITES

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| 21. | 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 |
| 22. | The Permittee shall not knowingly remove, disturb, or displace any archaeological specimen or site. | Site Disturbance |
| 23. | 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) 777-7960 or an Inspector at (867) 777-3361, and the Gwich'in Social and Cultural Institute at (867) 952-2524 and the Prince of Wales Northern Heritage Centre at (867) 920-6182 or 873-7688. | Site Discovery and Notification |

26 (1) (k) PROTECTION OF OBJECTS AND PLACES OF RECREATIONAL, SCENIC OR ECOLOGICAL VALUE

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26(1)(l) SECURITY DEPOSIT

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| 24. | All costs to remediate the area under this Permit are the responsibility of the Permittee. | Responsibility for Remediation Costs |
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26(1)(m) FUEL STORAGE

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| 25. | The Permittee shall not allow petroleum products to spread to surrounding lands or Watercourses. | Fuel Containment |
| 26. | The Permittee shall not store any fuel on site during this land use operation. | Fuel Storage |
| 27. | The Permittee shall set up all refueling points with Secondary Containment. | Refueling |
| 28. | All equipment that may be parked for two hours or more, shall have a drip tray under it or be sufficiently diapered. Leaky equipment shall be repaired immediately. | Drip Trays |

29.	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.	Spill Contingency Plan
30.	Prior to commencement of operations, the Permittee shall ensure that spill-response equipment is in place to respond to any potential spills.	Spill Response
31.	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		
32.	The Permittee shall not clear areas larger than identified in the accepted application.	Minimize Area Cleared
 26(1)(o) RESTORATION OF THE LANDS		
33.	Stripping of overburden must be approved in writing by an Inspector prior to commencement of the quarrying operation .	Stripping of Overburden
34.	The Permittee shall dispose of all overburden as instructed by an Inspector.	Disposal of Overburden
35.	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
36.	Prior to the expiry date of this Permit, 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		
37.	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		
38.	The Permittee shall suspend activities temporarily if one or more caribou are spotted within five hundred (500) metres of the work site.	Caribou Disturbance
39.	If migratory birds or their nesting areas, or any species at risk are encountered during the course of operations, the Permittee shall minimize all activity so as to not disturb these animals.	Migratory Bird Disturbance