



GWICH'IN LAND AND WATER BOARD

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LAND USE PERMIT

| Permit Class | Permit No | Amendment No |
|--------------|-----------|--------------|
| A | G16Q004 | - |

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

Bob's Welding Ltd. (Box 2644 Inuvik NT X0E 0T0)

(Permittee)

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

| | |
|--|------------------------------------|
| Signature Bob Gully | Date May 4 th , 2016 |
| Type of Land use Operation Quarrying | |
| Location Km 251, Dempster Hwy #8 (68°18'25"N / 133°19'28"W) | |

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

Dated at Inuvik this 26th day of May , 2016



 Witness – Leonard DeBastien



 Chair – Paul Sullivan

Commencement Date

 May 26, 2016

Expiry Date

 May 25, 2021

Note: 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.

**Conditions Annexed to and Forming Part
of Land Use Permit # G16Q004**

Permittee: Bob's Welding Ltd.
Type of Land Use Operation: Quarrying
Location of Land Use Operation: Dempster Highway, km 251

Date Permit Issued: May 26, 2016
Start Date: May 26, 2016
Expiration Date: May 25, 2021

Part A: Scope of Permit

1. This Permit entitles the Bob's Welding Ltd. to conduct the following land-use operations:
 - a) Drilling, blasting, crushing, temporary stockpiling and hauling of granular material from the quarry at km 251, Dempster Highway #8.
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 Quarry Permit from the GNWT Department of Lands

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 Quarry Permit issued by GWNT Department of Lands, 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 Lands 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 Permittee shall complete all clean up and restoration of the lands used prior to the expiration date of this Land Use Permit | Clean-up |
| 10. | 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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| 11. | 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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| 12. | The Permittee shall not quarry to a depth below that of the water table. Do not quarry below existing pit floor. | Quarry Depth |
| 13. | The Permittee shall not clear areas larger than identified in the accepted application. | Minimize Area Cleared |
| 14. | Stripping of overburden must be approved in writing by an Inspector prior to commencement of the quarrying operation. Overburden shall be stored and used to recontour the site after operations are complete, unless otherwise authorized in writing by an Inspector. | Stripping of Overburden |

26(1) (e) TYPE, LOCATION, CAPACITY AND OPERATION OF FACILITIES

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| 15. | 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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| 16. | The land-use operation shall not cause obstruction to any natural drainage. | Natural Drainage |
| 17. | 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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| 18. | The Permittee shall not, in any circumstances, deposit or allow the deposit of any deleterious substances (including but not limited to fuels, lubricants, hydraulics, and coolants) of any type into any waters, or in any place under any conditions where the deleterious substances may enter any waters. | Depositing Deleterious Substances |
| 19. | 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 |

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| 20. | The Permittee shall dispose of all combustible waste petroleum products by removal to an approved disposal facility. | Waste Petroleum Disposal |
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| 26(1)(h) WILDLIFE AND FISH HABITAT | | |
| 21. | 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)(i) STORAGE, HANDLING, AND DISPOSAL OF REFUSE OR SEWAGE | | |
| 22. | The Permittee shall keep all garbage and debris in a secure container until disposal. | Garbage Container |
| 23. | 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 |
| 24. | The Permittee shall dispose of all sewage and grey water as proposed in the accepted application, or in a manner approved by an Inspector. | Sewage Disposal |
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| 26(1)(j) PROTECTION OF HISTORICAL, ARCHAEOLOGICAL, AND BURIALSITES | | |
| 25. | The Permittee shall not operate any vehicle or equipment within thirty (30) metres of a known or suspected historical or archaeological site or burial ground. | Archaeological Buffer |
| 26. | The Permittee shall not knowingly remove, disturb, or displace any archaeological specimen or site. | Site Disturbance |
| 27. | 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 |
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| 26 (1) (k) PROTECTION OF OBJECTS AND PLACES OF RECREATIONAL, SCENIC OR ECOLOGICAL VALUE | | |
| This section left intentionally blank | | |
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| 26(1)(l) SECURITY DEPOSIT | | |
| 28. | All costs to remediate the area under this Permit are the responsibility of the Permittee. | Responsibility for Remediation Costs |

26(1)(m) FUEL STORAGE

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| 29. | The Permittee shall not allow petroleum products to spread to surrounding lands or Watercourses. | Fuel Containment |
| 30. | The Permittee shall not store any fuel on site during this land use operation. | Fuel Storage |
| 31. | The Permittee shall set up all refueling points with Secondary Containment. | Refueling |
| 32. | 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 |
| 33. | 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 |
| 34. | Prior to commencement of operations, the Permittee shall ensure that spill-response equipment is in place to respond to any potential spills. | Spill Response |
| 35. | 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

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| 36. | The Permittee shall not clear any trees. | No Clearing |
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26(1)(o) RESTORATION OF THE LANDS

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| 37. | The Permittee shall save the organic soil stripped from the excavation area and place it over the disturbed area prior to the completion of this land use operation. | Save and Place Organic Soil |
| 38. | 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 |
| 39. | Prior to the expiry date of this Permit, the Permittee shall prepare the site in such a manner as to facilitate natural revegetation, unless otherwise authorized in writing by an Inspector. | Natural Vegetation |
| 40. | 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

41. 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

42. The Permittee shall suspend activities temporarily if one or more caribou are spotted within five hundred (500) metres of the work site. **Caribou Disturbance**
43. 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**