



105 Veterans Way,
P.O. Box 2018, Inuvik, NT X0E 0T0

Tel: 867-777-4954 Fax: 867-777-2304
www.glwb.com

March 28, 2022

File: G21S003

Fred Bailey
EGT Northwind
PO BOX 1700
INUVIK, NT X0E 0T0

sent via email

Dear Mr. Bailey:

Re: Issuance of Type A Land Use Permit for Inuvik Geotechnical Drilling Program

Attached is Type A Land Use Permit G21S003 granted by the Gwich'in Land and Water Board (GLWB or the Board) in accordance with the *Mackenzie Valley Resource Management Act* (MVRMA). This Permit has been approved for a period of two (2) months effective March 28, 2022 and Expiring May 31, 2022. Please read the conditions carefully and reach out to Board Staff should you have any questions.

Discontinuance

Should you wish to discontinue your land-use operation at any time prior to the expiry date set out in the Permit, a written notice of discontinuance is required as per section 37 of the MVLUR. A final plan is also required; this plan summarizes your actual land use and must be submitted within 60 days of the end of your land use operations, or the expiry of your permit, whichever comes first.

Public Registry

A copy of this Permit and all related correspondence and documents has been filed on the GLWB online Public Registry. Please be advised that this letter, with its attached procedures, inspection reports, and related correspondence is part of the Public Registry and is intended to keep all interested parties informed of the manner in which the Permit requirements are being met.

The full cooperation of EGT Northwind is anticipated and appreciated. If you have any questions or concerns, please contact Regulatory Specialist AlecSandra Macdonald by phone or email.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Elizabeth Wright', with a stylized flourish at the end.

Elizabeth Wright,
Chair, Gwich'in Land and Water Board

Copied to: GLWB Distribution List
Michael Fabijan, EGT Northwind



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LAND USE PERMIT

Permit Class	Permit No	Amendment No
A	G21S003	-

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:

EGT Northwind Ltd.

(Permittee)

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

Signature Fred Bailey	Date December 7, 2021
Type of Land use Operation Geotechnical Drilling	
Location Inuvik Waste Disposal Site, Airport Road, Inuvik NT	

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

Dated at Inuvik this 28 day of March , 2022

Chair – Elizabeth Wright

Witness – Alec Sandra Macdonald

Commencement Date

 March 28 2022

Expiry Date

 May 31, 2022

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 # G21S003

Part A: Scope of Permit

1. This Permit entitles the Permittee to conduct the following land-use operations:
 - a) Use of earth-drilling machinery for the purpose of geotechnical investigations at the Town of Inuvik historic landfill site.
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 laws.

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.

Borehole - a hole that is made in the surface of the ground by drilling or boring.

Drilling Waste - all materials or chemicals, solid or liquid, associated with drilling, including drill cuttings and Drilling Fluids.

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.

Flowing Artesian Well - a well in which water:

- a) Naturally rises above the ground surface or the top of any casing; and
- b) Flows naturally, either intermittently or continuously.

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.

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.

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 - 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 complete application. | LOCATION OF ACTIVITIES |
| 2. | The Permittee shall not conduct any part of the land-use operation within 150 metres of any privately owned or leased land or structures, including cabins used for traditional activities, unless otherwise approved by the Board. | PRIVATE PROPERTY SETBACK |
| 3. | The Permittee shall, within 90 days of completion of drilling, submit the final drill locations on a 1:50,000-scale map with coordinates and map datum to the Board and an Inspector. | DRILL LOCATIONS |

26(1)(b) Time

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| 4. | 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) 777-8900. | INITIAL NOTIFICATION – CONTACT INSPECTOR |
| 5. | 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:
<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). | IDENTIFY AGENT |
| 6. | At least ten days prior to the completion of the land-use operation, the Permittee shall advise an Inspector of:
<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. | REPORTS BEFORE FINAL REMOVAL |
| 7. | 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 |

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

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| 8. | The Permittee shall only use equipment of a similar type, size, and number to that listed in the complete application. | USE APPROVED EQUIPMENT |
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26(1)(d) Methods and Techniques

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

9. 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

10. The land-use operation shall not cause obstruction to any natural drainage. **NATURAL DRAINAGE**
11. The Permittee shall, where flowing water from a Borehole is encountered: **FLOWING ARTESIAN WELL**
- a) plug the Borehole in such a manner as to permanently prevent any further outflow of water; and
 - b) immediately report the occurrence to the Board and an Inspector.
12. The Permittee shall apply appropriate mitigation at the first sign of erosion. **REPAIR EROSION**
13. The Permittee shall prevent water from entering boreholes by covering them with fill upon completion of drilling. **COVER BOREHOLES**

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

14. 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**
15. The Permittee shall not allow any Drilling Waste to spread to the surrounding lands or Watercourses. **DRILLING WASTE CONTAINMENT**
16. The Permittee shall remove all Drilling Waste containing Toxic Material to an approved disposal facility. **DRILLING WASTE DISPOSAL**

26(1)(h) Wildlife and Fish Habitat

17. 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

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| 18. | The Permittee shall keep all garbage and debris in a secure container until disposal. | GARBAGE
CONTAINER |
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26(1)(j) Protection of Historical, Archaeological, and Burial Sites

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| 19. | At least ten 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 (POWNHC), unless otherwise advised by the POWNHC that no further archaeological work is required; in this case the Permittee shall submit written confirmation to the Board prior to the commencement of activities. | ARCHAEOLOGICAL
OVERVIEW |
| 20. | 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 |
| 21. | The Permittee shall not knowingly remove, disturb, or displace any archaeological specimen or site. | SITE DISTURBANCE |
| 22. | 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) 777-4954 or an Inspector at (867) 777- 8900 and the Prince of Wales Northern Heritage Centre at 767-9347 ext. 71250 or ext. 71251. | SITE DISCOVERY AND
NOTIFICATION |

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

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| 23. | The Permittee shall take all reasonable precautions to avoid impacts to traditional harvest activities. | TRADITIONAL USE |
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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
REMEDICATION
COSTS |
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26(1)(m) Fuel Storage

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| 25. | The Permittee shall:

a) examine all Fuel Storage Containers and Tank for leaks; and
b) repair all leaks immediately. | REPAIR LEAKS |
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| 26. | The Permittee shall not allow petroleum products to spread to surrounding lands or Watercourses. | FUEL CONTAINMENT |
| 27. | 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 STORAGE
SETBACK |
| 28. | The Permittee shall set up all refueling points with Secondary Containment. | SECONDARY
CONTAINMENT –
REFUELING |
| 29. | 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 |
| 30. | 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 |
| 31. | 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 |
| 32. | The Permittee shall clean up all leaks, spills, and contaminated material. | CLEAN UP SPILLS |
| 33. | <p>During the period of this Permit, if a spill occurs or is foreseeable, the Permittee shall:</p> <p>a) implement the approved Spill Contingency Plan;</p> <p>b) report it immediately using the NU-NT Spill Report Form by one of the following methods:</p> <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 <p>c) within 24 hours, notify the Board and an Inspector; and</p> <p>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.</p> | REPORT SPILLS |
| 26(1)(n) Methods and Techniques for Debris and Brush Disposal | | |
| 34. | The Permittee shall not clear areas larger than identified in the accepted application. | MINIMIZE AREA
CLEARED |

26(1)(o) Restoration of the Lands

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| 35. | The Permittee shall carry out progressive reclamation of disturbed areas as soon as it is practical to do so. | PROGRESSIVE
RECLAMATION |
| 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

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| 37. | The Permittee shall keep a copy of this Permit on hand at all times during this land-use operation. | COPY OF PERMIT |
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26(1)(q) Biological and Physical Protection of the Land

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| 38. | The Permittee shall not move any equipment or commence any drilling when one or more caribou are within five hundred (500) metres. | CARIBOU
DISTURBANCE |
| 39. | 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 |



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Reasons for Decision

File Number:	G21S003
Applicant:	EGT Northwind
Project:	Inuvik Geotechnical Drilling Program
Subject:	Type "A" Land Use Permit Application
Meeting Date:	January 26, 2022

Issued pursuant to paragraph 40(2)(c) of the Mackenzie Valley Land Use Regulations (MVLUR) and Sections 72.25 and 121 of the *Mackenzie Valley Resource Management Act* (MVRMA)

1. Decision

On January 26, 2022, the Gwich'in Land and Water Board (GLWB or the Board) met and considered a Land Use Permit Application made by EGT Northwind for the purpose of Geotechnical Drilling in Inuvik, NT.

The Board decided to:

- Invoke MVLUR 22(2), to pause the proceeding and issue information requests to confirm the applicant's eligibility
- To continue with the issuance of Type A Land Use Permit G21S003 for a period of two months – only once evidence to support eligibility is received by the Board

2. Summary of Application

EGT Northwind is proposing an eleven-hole geotechnical drilling program in and around an historic solid waste disposal facility in Inuvik. The facility is accessed from Airport Road and is located north of the Satellite Ground Station. The proposed drilling program seeks to determine the sub-surface conditions around the site and will inform an environmental assessment. The geotechnical program will be conducted using a track-mounted geotechnical auger drill rig. The project plan is for 10 bore holes to be advanced to 15m (9 holes) and 20m (1hole) or refusal. Minimal vegetation will be cleared to allow the geotechnical drill to move from site to site. Mulching of cleared vegetation will be done as required on the access routes to the borehole locations. No camp will be

required for this project. A facility contained field trailer will be on site for crew egress, meals, washroom and first aid.

3. Regulatory Process

Table 1 Presents a tabular summary of the Regulatory Process for Applications G21S003. Table 2 Identifies the distribution list for the proceeding.

Table 1 – Regulatory Process Overview for G21S003

Date	Step in Proceeding
December 7, 2021	Application received
December 14, 2021	Application deemed complete Applications Circulated for public review Draft Permit circulated for public review
Dec 20 – Jan 3, 2022	GLWB Offices closed for Holidays
January 10, 2022	Reviewer comments due and received
January 17, 2022	Applicant comments due and received
January 18, 2022	Information Request #1 Circulated to GNWT Department of Lands
January 26, 2022	Application presented to the Board for decision <ul style="list-style-type: none"> • Preliminary Screening Determination circulated • Proceeding paused under MVLUR 22(2)b
February 2, 2022	Response to Information Request #1 received
February 3, 2022	Information Request #2 Circulated to EGT Northwind
March 25, 2022	Response to Information Request #2 received
March 28, 2022	Permit Issued

Table 2 – Distribution List for G21S003

Aklavik Indian Band
Canadian Northern Economic Development Agency
Charter Community of Tsiigehtchic
Ehdiitat Gwich'in Renewable Resources Council (Aklavik)
Ehdiitat Gwich'in Council (Aklavik)
Environment and Climate Change Canada
Fisheries and Oceans Canada
GNWT Department of Environment and Natural Resources
GNWT Department of Executive and Indigenous Affairs
GNWT Department of Health and Social Services
GNWT Department of Lands
GNWT Department of Municipal and Community Affairs
GNWT Prince of Wales Northern Heritage Centre
Government of Canada – Department of Infrastructure

