

## Rhonda Miller - MVLWB

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**From:** Lindsey Cymbalisky [lindsey@mvlwb.com]  
**Sent:** April-14-11 9:11 AM  
**To:** 'Shirley Standafer-Pfister'  
**Cc:** permits@mvlwb.com  
**Subject:** Peregrine - LUP Renewal Application - Lac De Gras Area - MV2011C0005  
**Attachments:** Comment Table - Type A Land Use Permit Application - MV2011C0005 - Peregrine Response.xls

Hi Shirley,

The review period for your application ended yesterday, and I have compiled all of the comments received from reviewers into the attached table. Please note that, as part of the review, Draft Land Use Permit Conditions based on your previous permit (MV2004C0001) were included for reviewer consideration. All of these conditions are listed in this comment summary table; however, comments were not received on all conditions.

At this time, you have the opportunity to respond to these comments before the application is presented to the Board for a determination. If you wish to do so, please provide your comments in the attached comment table by **April 10, 2011**.

Lindsey Cymbalisky  
Regulatory Officer  
Mackenzie Valley Land and Water Board  
7th Floor, 4922 48th St, PO Box 2130 | Yellowknife, NT | X1A 2P6  
ph 867.766.7471 | fax 867.873.6610  
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## Rhonda Miller - MVLWB

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**From:** Shirley Standafer-Pfister [shirley@pdiam.com]  
**Sent:** April-14-11 9:26 AM  
**To:** Lindsey Cymbalistry  
**Cc:** permits@mvlwb.com  
**Subject:** RE: Peregrine - LUP Renewal Application - Query about Deadline Date

Greetings, Lindsey, Is there a typo in your comment deadline of 10 April 2011? Your e-mail was not sent until today, 14 April 2011. Is the date perhaps 10 May 2011? Best regards, and thank you, -- ssp

**Shirley Standafer-Pfister** | Manager – Regulatory and Environmental Affairs

### PEREGRINE

#### DIAMONDS LTD.

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**From:** Lindsey Cymbalistry [mailto:lindsey@mvlwb.com]  
**Sent:** 14 April 2011 8:11  
**To:** Shirley Standafer-Pfister  
**Cc:** permits@mvlwb.com  
**Subject:** Peregrine - LUP Renewal Application - Lac De Gras Area - MV2011C0005

Hi Shirley,

The review period for your application ended yesterday, and I have compiled all of the comments received from reviewers into the attached table. Please note that, as part of the review, Draft Land Use Permit Conditions based on your previous permit (MV2004C0001) were included for reviewer consideration. All of these conditions are listed in this comment summary table; however, comments were not received on all conditions.

At this time, you have the opportunity to respond to these comments before the application is presented to the Board for a determination. If you wish to do so, please provide your comments in the attached comment table by **April 10, 2011**.

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ID	TOPIC	COMMENT	RECOMMENDATION
	General Comments		
DFO	Mineral Exploration Activities	Impacts to fish and fish habitat can occur during mineral exploration activities through loss of riparian habitat during site clearing, erosion and sedimentation, release of drilling fluids and cuttings into aquatic environments, disturbance to fish and fish habitat during sensitive life stages, and water withdrawals, particularly during low water periods, associated with drilling, surface stripping and camp operations.	Adhere to the DFO Mineral Exploration Operational Statement available at: <a href="http://www.dfompo.gc.ca/regions/central/habitat/os-ee/provinceterritories-territoires/nt/os-ee24-eng.htm">http://www.dfompo.gc.ca/regions/central/habitat/os-ee/provinceterritories-territoires/nt/os-ee24-eng.htm</a>
DFO	Surficial Sediment Sampling	In correspondence dated March 28th, 2011, Peregrine Diamonds Ltd. provided additional information to the Board on "surficial sediment sampling." This activity has the potential to include excavations ranging from 30-70 cm in shallow streams. The activity described has the potential to create sediment disturbance downstream and could be especially harmful to fish during sensitive life stages.	Additional activity specific mitigation measures/techniques should be required by the field crew to ensure that these impacts are minimized.
DFO	Water Withdrawal	Water withdrawn from ice-covered waterbodies can impact fish through oxygen depletion, loss of overwintering habitat and/or reductions in littoral habitat.	Adhere to the DFO Protocol for Winter Water Withdrawal from Ice-Covered Waterbodies in the NWT and Nunavut (attached)
DFO	Water Withdrawal	Fish screens at freshwater intakes have the potential to result in direct impacts to fish as a result of entrainment or impingement	Adhere to DFO's Freshwater Intake End-of-Pipe Fish Screen Guideline, available at: <a href="http://www.dfompo.gc.ca/library/223669.pdf">http://www.dfompo.gc.ca/library/223669.pdf</a>
DFO	Timing Windows	Restricted timing windows have been identified for NWT lakes, rivers, and streams to protect fish during spawning, incubation periods when spawning fish, eggs and fry and vulnerable to disturbance or sediment.	Adhere to DFO's Timing Windows Operational Statement, available at: <a href="http://www.dfompo.gc.ca/regions/central/habitat/os-ee/provinceterritories-territoires/nt/pdf/os-ee21_e.pdf">http://www.dfompo.gc.ca/regions/central/habitat/os-ee/provinceterritories-territoires/nt/pdf/os-ee21_e.pdf</a>
EC	Species at risk	The following species at risk as assessed by COSEWIC and/or listed on Schedule 1 of the Federal Species at Risk Act (SARA) may be encountered in the project area: Peregrine Falcon Tundris subspecies, Eskimo Curlew, Short-eared Owl, Boreal Woodland Caribou, Grizzly Bear and Wolverine. Refer to species status reports and other information on the Species at Risk registry at <a href="http://www.sararegistry.gc.ca">www.sararegistry.gc.ca</a> for information on specific species as well as the booklet "Species at Risk in the Northwest Territories" (2010 Edition) available at <a href="http://www.enr.gov.nt.ca/_live/pages/wpPages/Species_at_Risk.aspx">http://www.enr.gov.nt.ca/_live/pages/wpPages/Species_at_Risk.aspx</a> .	<ul style="list-style-type: none"> <li>• If Species at Risk are encountered or affected, the primary mitigation measure should be avoidance. The proponent should avoid contact with or disturbance to each species, its habitat and/or its residence</li> <li>• Monitoring should be undertaken by the proponent to determine the effectiveness of mitigation and/or identify where further mitigation is required. As a minimum, this monitoring should include recording the locations and dates of any observations of Species at Risk, behaviour or actions taken by the animals when project activities were encountered, and any actions taken by the proponent to avoid contact or disturbance to the species, its habitat, and/or its residence. This information should be submitted to the appropriate regulators and organizations with management responsibility for that species, as requested.</li> <li>• For species primarily managed by the Territorial Government (Rusty Blackbird, Boreal Woodland Caribou, Western Toad, Horned Grebe, Short-eared Owl, Grizzly Bear and Wolverine), the Territorial Government should be consulted to identify other appropriate mitigation and/or monitoring measures to minimize effects to these species from the project.</li> </ul>

EC		Hazardous Waste Management	Section 36(3) of the Fisheries Act pertaining to deleterious substances entering fish bearing waters	The proponent shall ensure that any chemicals, fuel or wastes associated with the proposed activities do not enter waters frequented by fish. It is a requirement of <b>Section 36(3)</b> of the <b>Fisheries Act</b> that all effluent discharged into water frequented by fish, be non-deleterious.
EC		Incinerator	The proponent states that they will be using the Inciner8 incinerator to burn combustible garbage and debris. It is uncertain if the incinerator is capable of meeting the CCME Canada-wide Standards for Dioxins and Furans.	The proponent should provide information from the manufacturer demonstrating that the incinerator is capable of meeting the CCME Canada-wide Standards for Dioxins and Furans.
PWNHC		Archaeological Impact Assessment	The PWNHC's records indicate that an archaeological impact assessment (AIA) was conducted for portions of the proponent's Lac De Gras East claim blocks and a winter spur road in 2006. This AIA did not include the proposed drilling areas in the Lac De Gras West claim blocks. Due to the high density of archaeological sites in the Lac De Gras area, the PWNHC is concerned that unrecorded archaeological sites may exist in the Lac De Gras West claim blocks.	The PWNHC recommends that the proponent conduct an AIA of proposed drilling areas in the Lac De Gras West claim blocks prior to the commencement of development activities.
WRRB		caribou	The proposed drilling and geophysical program is located within Bathurst caribou, wolverine, and grizzly bear range. These species are of particular management concern. Barren ground caribou are listed as Sensitive by Department of Environment and Natural Resources (ENR) General Status Ranks. <sup>[1]</sup> Most mainland herds of barren ground caribou are at a low point in the population cycle making them vulnerable to further environmental or disturbance related stresses. The Bathurst herd, in particular, has decreased in number from a high of 472 000 in the mid 1980s to a low of 32 000 in 2009. ENR research shows that the herd is also being influenced by industrial development manifesting as reduced use of habitat within 20km of the Diavik and Ekati mine sites. <sup>[2]</sup>	WRRB recommends that Peregrine Diamonds Ltd. shut down operations when caribou are within one kilometer of any project activities.
WRRB		carnivores	Grizzly bear and wolverine are categorized as Special Concern by the Committee on the Status of Endangered Wildlife in Canada (COSEWIC). MVEIRB Draft Guidelines for Considering Wildlife at Risk in Environmental Impact Assessment <sup>[1]</sup> (including preliminary screening) suggest that COSEWIC listed species be treated in a similar fashion to species listed under the federal Species at Risk Act (SARA). Essentially under SARA (s. 79), impacts to species at risk are to be identified, mitigated and monitored. The greatest potential impact of exploration camps to carnivores such as wolverine and grizzly bear is the attraction of these animals and subsequent interaction with humans due to improper food and waste handling. More problem kills, or animals that end up being destroyed as a result of habituation to camp food and food wastes, can increase risks of population decline. <sup>[2]</sup>	WRRB recommends food and food waste is stored in such a manner as to be inaccessible to carnivores and that waste is fully incinerated in an incinerator appropriate to the volume and type of waste generated
WRRB		fish	The drawdown of water from various lakes in the project area has the potential to affect fish and fish habitat by entrapping fish in intake pipes, to raise turbidity levels of the lakes and to deplete oxygen levels in the water under	WRRB recommends Department of Fisheries & Oceans (DFO) approved screens will be placed on all water intake pipes to prevent the uptake of fish. The Board will also support recommendations made by the DFO regarding the mitigation of other project-related impacts to fish and fish habitat.

WRRB		Invasive vegetation	With the mobilization of heavy equipment and transportation from southern locations to the project site, comes the risk of introducing invasive species. As seeds, pollen, spores and other plant structures can be adhered to mud and earth on the equipment.	WRRB recommends all equipment be cleaned prior to relocation from a southern location to the project site to aid in the prevention of the spread of invasive vegetation species.
WRRB		Traditional land use	The project area has traditionally been well used by the Tâichô. Trails, place names, caribou distribution, and land use have been documented consistently since the 1970s during the Dene-Métis Mapping Project, Trail of the Ancestors Program and the Tâichô Traditional Knowledge Research Program. Resulting information relevant to your project can be found in Habitat of Dogrib Traditional Territory: Placenames as Indicators of Biogeographical Knowledge and Caribou Migration and the State of Their Habitat. [1] Nevertheless, additional Tâichô knowledge studies need to be carried out to adequately understand the unique features of this landscape and the environment for future monitoring.	The WRRB requests that Peregrine Diamonds Ltd. contact the Tâichô Government to further establish the ecological significance of this region from a Tâichô perspective. The WRRB also requests that Peregrine Diamonds Ltd. notify all Tâichô communities through posters, advertisements and radio prior to the commencement and upon completion of activities each season.
WRRB		Monitoring	Lastly, the WRRB views monitoring as a key component of responsible development as a test and potential confirmation of the success of mitigation measures and permit terms and conditions. It is also a requirement under SARA and considered best practice under MVEIRB's guidelines for assessing impacts to wildlife at risk.	The WRRB requests that Peregrine Diamonds Ltd. engage the Tâichô Government and WRRB in developing a wildlife monitoring program that meets the above stated criteria for their proposed program. WRRB recommends that Peregrine Diamonds Ltd. commit to hiring and training a Tâichô Wildlife Monitor to monitor project activities and to provide advice on mitigation measures that might lessen impacts to wildlife in the area and on the environment in general.
WRRB		References	[1] Dogrib Treaty 11 Council. 2001. Habitat of Dogrib Traditional Territory: Placenames as Indicators of Biogeographical Knowledge. and Caribou Migration and the State of Their Habitat. Yellowknife: West Kitikmeot Slave Study Society.	N/A
WRRB		References	[1] <a href="http://www.enr.gov.nt.ca/_live/pages/wpPages/General_Status_Ranking_Program.aspx">http://www.enr.gov.nt.ca/_live/pages/wpPages/General_Status_Ranking_Program.aspx</a>	N/A
WRRB		References	[2] <a href="#">Boulanger, J., Poole, K., Fournier, B., Wierzchowski, J., Ganes, T., and A. Gunn. 2004. Assessment of Bathurst caribou movement &amp; distribution in the slave geological province. Department of Resources, Wildlife and Economic Development, Government of Northwest Territories. Manuscript Report No. 158.</a>	N/A
INAC		Lapse of Mineral Claims	Comments received from the Mining Recorder's Office indicate that claims F65072-MLT12 and F75701-AFR1 have lapsed.	
<b>Terms and Conditions of Draft Land Use Permit MV2011C0005</b>				
<b># Part A: Scope of Permit</b>				

INAC Inspector	1	<p>This Permit entitles Peregrine Diamonds Ltd. to conduct the following activities:</p> <p>Mineral exploration, including till sampling, mapping, trenching, and diamond drilling of up to 32 holes and the establishment of support infrastructure including a camp at Lac de Gras Lake and fuel caches in the Lac de Gras, MacKay Lake, and Thonokied Lake areas.</p> <p>Location: Minimum latitude: 64°05' N; Maximum latitude: 64°37' N Minimum longitude: 109°15' W; Maximum longitude: 111°16'48.74" W</p>	<p>If the number of drill holes is stated within the scope of a land use permit, it wouldn't allow for an amendment to the permit, but rather the requirement to submit a new application. The Wek'eezhii Land and Water Board has encountered concerns with number of drill holes in a scope of a permit, and can confirm what is being stated by the Inspector. If a restriction on number of drill setups is desired, it would be better suited in a condition of permit for the above reason, allowing Board or Inspector approval for additional drill setups.</p>	<p>This permit entitles Peregrine Diamonds Ltd. to conduct the following activities:</p> <p>a) Mineral Exploration including trenching and diamond drilling;</p> <p>b) Establishment of a camp and support infrastructure; and</p> <p>c) Establishment of Fuel Caches.</p> <p>Minimum Latitude: 64° 04' 49.5" Maximum Latitude: 64° 34' 56.3" Minimum Longitude: 109° 14' 08.8" Maximum Longitude: 111° 16' 48.7"</p>
	2	<p>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.</p>		
	3	<p>Compliance with the terms and conditions of this Permit does not absolve the Permittee from the responsibility for compliance with the requirements of all applicable federal, territorial, and municipal legislation.</p>		
<b>Part B: Definitions</b>				
		<p>"Act" means the Mackenzie Valley Resource Management Act.</p>		
		<p>"Artesian Aquifer" means a water-bearing stratum which, when encountered during drilling operations, produces a pressurized flow of groundwater that reaches an elevation above the ground surface.</p>		
		<p>"Board" means the Mackenzie Valley Land and Water Board established under Part 4 of the Mackenzie Valley Resource Management Act.</p>		
		<p>"Drill Waste" means all materials or chemicals, solid or liquid, associated with the drilling of boreholes and includes borehole cuttings.</p>		
		<p>"Inspector" means an Inspector designated by the Minister under the Mackenzie Valley Resource Management Act.</p>		
INAC Inspector				<p>Add definition: "Stream" means any lake, river, pond, swamp, marsh, channel, gully, coulee or draw that continuously or intermittently contains water;</p>
		<p>"Sewage" means all toilet wastes and graywater.</p>		

		"Sump" means a man-made pit, trench, hollow, or cavity in the earth's surface used for the purpose of depositing waste material therein.		
INAC Inspector				Add definition: "Watercourse" means 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.
		<b>Part C: Conditions Applying to All Activities (the headings correspond to subsection 26(1))</b>		
		<b>26(1)(a) Location and area</b>		
INAC Inspector	1	The Permittee shall not conduct this land use operation on any lands not designated in the accepted application.	The addition of the following statement will allow flexibility during the course of the operation. An example would be if the Permittee was to work the eastern portion of the claim block, they would have the ability to use an existing camp site (ie: North end of Afridi lake) in their land use area.	Add "unless otherwise authorized by the writing by an Inspector."
INAC Inspector				Add condition: "The Permittee shall not conduct any part of the land use operation within three hundred (300) metres of any privately owned or leased land or structure, unless otherwise authorized in writing by an Inspector."
INAC Inspector	2	When the Permittee is drilling within one hundred 100 m of the ordinary high water mark of a water body, they must employ a recirculating drill and ensure that cuttings do not enter any water body.		Replace "water body" with "watercourse".
INAC Inspector	3	The Permittee shall use an existing campsite.	The addition of the following statement would allow for the construction of a satellite camp in the land use area.	Add "unless otherwise authorized by the writing by an Inspector."
INAC Inspector	4	Prior to the commencement of diamond drilling, the Permittee shall submit to the Inspector and the Board proposed drill targets on a 1:50,000-scale map with a list of collar coordinates attached.		Replace "proposed drill targets on a 1:50,000-scale map with a list of collar coordinates attached" with "proposed drill targets on a 1:50,000-scale map with coordinates and map datum"
		<b>26(1)(b) Time</b>		
INAC Inspector	5	The Permittee's Field Supervisor shall <u>first</u> contact an Inspector at (867) 669-2757 and <u>then</u> the Board at (867) 669-0506 at least 48 hours prior to the commencement of this land use operation.		Change Inspector's phone number to (867)-669-2794.
	6	The Permittee shall advise an Inspector at least ten days prior to the completion of the land use operation of: a) The plan for removal or storage of equipment and materials; and b) When final clean-up and restoration of the land used will be completed.		

INAC Inspector	7	The Permittee shall provide in writing to the Board and Inspector, at least 48 hours prior to commencement of this land use operation, the following information: (a) Name(s) of person, or persons, in charge of the field operation to whom notices, orders, and reports may be served; (b) Names of alternates; and (c) All methods for contacting the above person(s).	Notices and orders are issued and delivered to the Permittee and not the Field Supervisor.	Remove "to whom notices, orders, and reports may be served".
INAC Inspector	8	To prevent disturbance to breeding migratory birds, the Permittee shall not conduct any activity associated with the land use operation between May 1 and July 31 of any year unless otherwise authorized by an Inspector.	The extended time frame in this condition provides detrimental limitations to a land use operation and is referencing wildlife, not their habitat. Condition #31 and #34 address the intent of this condition.	Remove condition.
INAC Inspector	9	The Board and/or Inspector reserve the right to impose closure of any area to the Permittee in periods when dangers to natural resources are severe.	Provisions in the MVRMA (s.86) and MLUR (s.34-36) cover the intent of this condition, and therefore duplication is not required.	Remove condition.
		<b>26(1)(c) Type and size of equipment</b>		
INAC Inspector	10	The Permittee shall not use any equipment except of the type, size, and number that is listed in the accepted application.	The addition of this statement allows for minor equipment changes, for example if a different type of diamond drill, Boyles 37 to a Hydracore 2000. Contractor availability will dictate what type of equipment will be utilized, and therefore restrictions could hinder the operation.	Replace with: "The Permittee shall not use any equipment except of the type that is listed in the accepted application unless otherwise authorized in writing by an Inspector."
		<b>26(1)(d) Methods and techniques</b>		
INAC Inspector	11	The Permittee shall not conduct vehicle travel in areas without snow-covered surfaces.	Overland movement of equipment is not proposed in the accepted application and this condition is used typically for winter roads and overland movement of drills.	Remove condition.
INAC Inspector	12	The Permittee shall replace all excavated material from the test trenches prior to the expiry of this Permit.	Section 8 of the MVLUR addresses this condition, and therefore duplication of the regulations is not required.	Remove condition.
INAC Inspector	13	The Permittee shall not erect camps or store material on the surface ice of streams.	Condition #3 speaks to camps, and Condition #14 addresses storing materials on a watercourse.	Remove condition.
INAC Inspector	14	The Permittee shall not store material other than that required for immediate use on the ice surface of water bodies.		Replace "water body" with "watercourse".
	15	The Permittee shall remove or cut off and seal all drill casings at ground level immediately upon completion of drilling.		
INAC Inspector	16	The Permittee shall use drip pans when transferring fuel between storage containers and machinery.	Removes the specifics, but ensures adherence to the intent of this condition.	Replace "drip pans" with "secondary containment"
		<b>26(1)(e) Type, location, capacity, and operation</b>		



of all facilities			
INAC Inspector	17	The Permittee shall not locate any sump within 100 m of the ordinary high water mark of any water body unless otherwise authorized in writing by an Inspector.	Replace "water body" with "watercourse".
	18	The Permittee shall ensure that the land use area is kept clean at all times.	
<b>26(1)(f) Control or prevention of ponding of water, flooding, erosion, slides, and</b>			
	19	(a) The Permittee shall, where flowing water from bore holes is encountered, plug the bore hole in such a manner as to permanently prevent any further outflow of water; and (b) The artesian occurrence shall be reported to the Inspector immediately.	
INAC Inspector	20	The Permittee shall not use the bed of streams for access routes except for the purpose of crossing the streams.	No overland movement of equipment was proposed in the accepted application. Remove condition.
INAC Inspector	21	The Permittee shall suspend overland travel of equipment or vehicles at the first sign of rutting.	No overland movement of equipment was proposed in the accepted application. Remove condition.
INAC Inspector	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.	No overland movement of equipment was proposed in the accepted application. Remove condition.
<b>26(1)(g) Use, storage, handling, and ultimate disposal of any chemical or toxic material</b>			
INAC Inspector	23	The Permittee shall not use chemicals in connection with the land use operation that were not identified in the accepted application unless otherwise authorized by an Inspector.	Wording developed by the WLWB, and self explanatory. Replace with: "The Permittee shall not use chemicals in connection with the land use operation that were not identified in the accepted application unless the MSDS sheets are provided to an Inspector and the Board and usage of the chemical(s) is authorized in writing by an Inspector."
	24	The Permittee shall remove all Drill Waste containing poisonous or persistent chemical additives to an approved disposal facility.	
INAC Inspector	25	The Permittee shall deposit all non-toxic Drill Waste into a Sump.	Excavation of a sump in permafrost regions is not recommended for the minimal amount of drill waste produced by a diamond drill. Replace with: "The Permittee shall deposit all drill waste into a natural depression or sump."
	26	The Permittee shall remove all Drill Waste from ice surfaces.	
INAC Inspector	27	The Permittee shall not allow any Drill Waste to spread to the surrounding lands or water bodies.	Replace "water body" with "watercourse".
	28	When drilling on ice, the Permittee shall use a closed circuit drilling system with the disposal of cuttings into a land-based Sump.	

INAC Inspector	29	The Permittee shall dispose of all combustible waste petroleum products by incineration or removal.	Consistent with other Federal Regulations.	Remove "by incineration".
INAC Inspector	30	The Permittee shall report all spills immediately to the 24-hour Spill Report Line (867) 920-8130, which is in accordance with instructions contained in "Spill Report" form N.W.T. 1752/0593.		Replace "instructions contained in "Spill Report" form N.W.T. 1752/0593" with "instructions contained in "NT-NU Spill Report" form".
		<b>26(1)(h) Wildlife and fish habitat</b>		
	31	The Permittee shall minimize damage to wildlife and fish habitat in conducting this land use operation.		
INAC Inspector	32	The Permittee shall use food handling and garbage disposal procedures that do not attract wildlife.	Condition #37-#39 are satisfactory to mitigate the intent of this condition.	Remove condition.
INAC Inspector	33	The Permittee shall not harass wildlife during this land use operation.	26(1)(h) of the MVLUR is specific to wildlife habitat and fish habitat.	Remove condition.
	34	The Permittee shall not destroy the nests or eggs of migratory birds.		
INAC Inspector	35	The Permittee shall cease operations when Caribou are in the immediate vicinity of an area where work is proceeding	26(1)(h) of the MVLUR is specific to wildlife habitat and fish habitat.	Remove condition.
INAC Inspector	36	During periods of caribou herd migration through the permitted area, neither drilling activities nor low-level flying shall occur within a distance of five km of any caribou water crossing, until such time as the major migration has been completed. Please contact the North Slave Regional GNWT-ENR Office at (867) 920-3049 for information regarding the locations of water crossings and sensitive caribou habitat.	26(1)(h) of the MVLUR is specific to wildlife habitat and fish habitat. The Inspector has phoned the number in this condition and has never been successful in obtaining the information. Enforceability of this condition is of concern.	Remove condition.
		<b>26(1)(i) Storage, handling, and disposal of refuse or Sewage</b>		
	37	The Permittee shall dispose of all Sewage and graywater as proposed in the accepted application.		
	38	The Permittee shall remove all non-combustible garbage and debris, including plastics, from the land use area to a disposal site as specified in the accepted application.		
	39	The Permittee shall burn all combustible garbage and debris, except plastics, daily in a container acceptable to an Inspector.		
EC	39	The Permittee shall burn all combustible garbage and debris, except plastics, daily in a container acceptable to an Inspector.	The proponent states that they will be using the Inciner8 incinerator to burn combustible garbage and debris. It is uncertain if the incinerator is capable of meeting the CCME Canada-wide Standards for Dioxins and Furans.	The proponent should provide information from the manufacturer demonstrating that the incinerator is capable of meeting the CCME Canada-wide Standards for Dioxins and Furans.

INAC Inspector	40	The Permittee shall keep all garbage and debris in a covered metal container on site until disposed of.		Replace with "The Permittee shall keep all garbage and debris in a secure container that is acceptable to an Inspector until disposed of".
INAC Inspector	41	The Permittee shall remove all scrap metal, discarded machinery, parts, barrels and kegs, plastics, and building materials as specified in the accepted application.		Replace "as specified in the application" with "to an approved waste disposal facility".
		<b>26(1)(j) Protection of historical, archaeological, and burial sites</b>		
INAC Inspector	42	The Permittee shall not operate any vehicle within 30 m of a known or suspected archaeological site.		Replace with: "The Permittee shall not conduct a land use operation within 30 m of a known monument or a known or suspected historical, archaeological site or burial ground."
PWNHC	42	The Permittee shall not operate any vehicle within 30 m of a known or suspected archaeological site.	The best practice for archaeological site protection in the NWT requires a 150 m setback for archaeological sites.	The PWNHC recommends that the Board increase the setback to 150 m.
INAC Inspector	43	The Permittee shall not knowingly remove, disturb, or displace any archaeological specimen or site.		Remove condition.
INAC Inspector	44	The Permittee shall immediately cease any activity which disturbs an archaeological, historical, and/or burial site and shall contact the Mackenzie Valley Land and Water Board at (867) 669-0506 should an archaeological site or specimen be encountered or disturbed by any land use activity.	Make this condition consistent with s.12 of the MVLUR.	Replace with: "The Permittee shall immediately suspend operations should a suspected historical, archaeological site or burial ground be discovered and notify the Mackenzie Valley Land and Water Board at (867)669-0506 or an Inspector at (867)669-2794."
INAC Inspector	45	The Permittee shall ensure that all persons working under authority of the Permit are aware of these conditions concerning archaeological land use activity.		Remove condition.
		<b>26(1)(k) Objects and places of recreational, scenic, and ecological value.</b>		
		Intentionally left blank		
		<b>26(1)(l) Security deposit</b>		
INAC Inspector	46	The Permittee shall deposit, with the Minister, a security deposit in the amount of \$ 9,000 pursuant to section 32 of the Mackenzie Valley Land Use Regulations.		Amount to be determined by the MVLWB.
	47	The Permittee shall be liable for any cost of damage over and above the amount of the security deposit.		
	48	All costs to remediate the area under this Permit are the responsibility of the Permittee.		
		<b>26(1)(m) Fuel storage</b>		
INAC Inspector	49	The Permittee shall store no more than 4000 L of fuel on site at any time as specified in the accepted application, unless otherwise authorized by an Inspector.	Specifying quantity of fuel can cause limitations to a land use operation. The Permittee should not be restricted to quantities lower than what is stated in the application.	Remove condition.

	50	The Permittee shall report in writing to an Inspector the location and quantity of all fuel caches within ten days of their establishment.		
INAC Inspector	51	The Permittee shall not place any fuel storage containers within 100 m of the normal high water mark of any water body, unless otherwise authorized in writing by an Inspector.		Replace "water body" with "watercourse".
INAC Inspector	52	The Permittee shall locate mobile fuel facilities on land when stationary for any period of time exceeding 12 hours.	This condition is intended for winter road operations.	Remove condition.
INAC Inspector	53	The Permittee shall not allow petroleum products to spread to surrounding lands or into water bodies.		Replace "water body" with "watercourse".
	54	The Permittee shall mark all stationary petroleum products storage facilities with flags, posts, or similar devices so that they are at all times plainly visible to local vehicle travel.		
INAC Inspector	55	The Permittee shall mark all fuel containers, including 205-L drums, with the Permittee's name and permit number.	Permittee name is sufficient to satisfy the intent of this condition, identifying ownership.	Remove "and permit number".
Inspector	56	The Permittee shall ensure that all fuel caches have adequate secondary containment as approved by an Inspector.		Remove condition.
INAC Inspector				Add condition: "The Permittee shall seal all container outlets except the outlet currently in use."
INAC Inspector	57	The Permittee shall submit to the Board, prior to commencement of operations, a revised Spill Contingency Plan for chemical and petroleum spills.	Spill Contingency plan was already submitted with the application.	Remove condition
	58	The Permittee shall submit to the Board an update of the Spill Contingency Plan if there are any changes in the operation during the life of the permit.		
	59	The Permittee shall ensure that adequate contingency plans and spill kits are in place, prior to commencement of operations, to respond to any potential spills.		
		<b>26(1)(n) Methods and techniques for debris and brush removal</b>		
		<b>26(1)(o) Restoration of the lands</b>		
	60	The Permittee shall complete all clean-up and restoration of the lands used prior to the expiry date of this Permit.		
	61	The Permittee shall backfill and restore all Sumps prior to the expiry date of this Permit.		
		<b>26(1)(p) Display of permits and permit numbers</b>		

