



7<sup>th</sup> Floor - 4922 48th Street,  
P.O. Box 2130, Yellowknife NT X1A 2P6

Tel: 867-669-0506 Fax: 867-873-6610  
[www.mvlwb.com](http://www.mvlwb.com)

February 12, 2021

File: MV2015Q0022

Trudy Walsh  
Rowe's Construction  
25 Studney Drive  
HAY RIVER NT X0E 0R6

Sent by email

Dear Trudy Walsh:

**Land Use Permit – Approval of Extension  
Quarry Operation – Highway #1, km 191.6**

On February 11, 2021, the Mackenzie Valley Land and Water Board (MVLWB) extended the term for Land Use Permit (Permit) MV2015Q0022 as per your January 13, 2021 request, and in accordance with subsection 26(6) of the Mackenzie Valley Land Use Regulations.

Attached is the updated cover page and Permit, which now expires on February 17, 2023. A copy of this Permit and all related correspondence and documents has been filed on the [Public Registry](#) at the MVLWB office.

If you have any questions or concerns, please contact Tyree Mullaney at (867) 766-7464 or email [tyree@mvlwb.com](mailto:tyree@mvlwb.com)

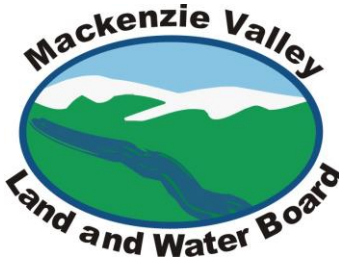
Yours sincerely,

A handwritten signature in blue ink, appearing to read "Mavis Cli-Michaud".

Mavis Cli-Michaud  
MVLWB, Chair

Copied to: Distribution List

Attached: Land Use Permit MV2015Q0022



**Land Use Permit –  
Extension**

Permit Class	Permit No	Amendment No
A	MV2015Q0022	

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

Rowe's Construction

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Permittee

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

Signature Trudy Walsh	Date December 21, 2015
Type of Land Use Operation Quarry Operation	
Location Highway #1, km 191.6	

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

Dated at Yellowknife this 12 day of February, 2021

Signature Chair

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Mavis Cli-Michaud

Signature Witness

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Amanda Gauthier

Effective Date

February 18, 2016

Expiry Date

February 17, 2023

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**ATTENTION**

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.

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## Conditions Annexed to and Forming Part of Land Use Permit # MV2015Q0022

### Part A: Scope of Permit

1. This Permit entitles the Permittee to conduct the following land-use operation:
  - a) Quarry operation at NWT Highway #1, km 191.6
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 Mackenzie Valley Land and Water Board established under Part 4 of the Act.

**Engagement Plan** – a document, developed in accordance with the Board’s June 2013, or amended editions, *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 *Mackenzie Valley Resource Management 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** – Rowe’s Construction.

**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** – 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 complete application.                                    | <b>Location of Activities</b> |
| 2. | Prior to the commencement of the land-use operation, the Permittee shall mark each corner of the land use area.                                     | <b>Mark Area</b>              |
| 3. | The Permittee shall maintain the corner markings until the area is reclaimed.   | <b>Corner Posts</b>           |
| 4. | Prior to the commencement of the land-use operation, the Permittee shall accompany an Inspector during an inspection of the proposed land use area. | <b>Inspect Locations</b>      |

**26(1)(b) Time**

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|----|---|-------------------------------|
| 5. | At least 48 hours prior to the commencement of this land-use operation, the Permittee's Field Supervisor shall contact an Inspector at (867) 874-6994.  | <b>Contact Inspector</b>      |
| 6. | At least 48 hours prior to commencement of this land-use operation, the Permittee shall provide the following information, in writing, to the Board <u>and</u> an Inspector:<br><ul style="list-style-type: none"> <li>a) the name(s) of the person(s) in charge of the field operation;</li> <li>b) alternates; and</li> <li>c) all methods for contacting the above person(s).</li> </ul> | <b>Identify Agent</b>         |
| 7. | At least ten days prior to the completion of the land-use operation, the Permittee shall advise an Inspector of:<br><ul style="list-style-type: none"> <li>a) the plan for removal or storage of equipment and materials; and</li> <li>b) when final cleanup and reclamation of the land used will be completed.</li> </ul>   | <b>Reports Before Removal</b> |

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

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| 8. | The Permittee shall not use any equipment except of a similar type, size, and number to that listed in the complete application. | <b>Only Approved Equipment</b> |
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**26(1)(d) Methods and Techniques**

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| 9. | The Permittee shall leave a buffer strip of undisturbed vegetation at least 30 metres in width between cleared areas and public roads. | <b>Tree Screen</b> |
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**26(1)(e) Type, Location, Capacity, and Operation of All Facilities**

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|-----|---|------------------------|
| 10. | The Permittee shall ensure that the land use area is kept clean at all times. | <b>Clean Work Area</b> |
|-----|---|------------------------|

**26(1)(f) Control or Prevention of Ponding of Water, Flooding, Erosion, Slides, and Subsidence of Land**

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|-----|---|-------------------------|
| 11. | The land-use operation shall not cause obstruction to any natural drainage. | <b>Natural Drainage</b> |
|-----|---|-------------------------|

12.	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.	<b>Excavation and Embankments</b>
<b>26(1)(g) Use, Storage, Handling, and Ultimate Disposal of Any Chemical or Toxic Material</b>		
13.	The Permittee shall dispose of all combustible waste petroleum products by removal to an approved disposal facility.	<b>Waste Petroleum Disposal</b>
<b>26(1)(h) Wildlife and Fish Habitat</b>		
14.	The Permittee shall take all reasonable measures to prevent damage to wildlife and fish Habitat during this land-use operation.	<b>Habitat Damage</b>
<b>26(1)(i) Storage, Handling, and Disposal of Refuse or Sewage</b>		
15.	The Permittee shall keep all garbage and debris in a secure container until disposal.	<b>Garbage Container</b>
16.	The Permittee shall dispose of all garbage, Waste, and debris as described in the accepted application, unless otherwise authorized in writing by an Inspector.	<b>Remove Garbage</b>
17.	The Permittee shall remove all scrap metal, discarded machinery, parts, barrels and kegs, buildings and building material to an approved disposal facility.	<b>Remove Waste Material</b>
<b>26(1)(j) Protection of Historical, Archaeological, and Burial Sites</b>		
18.	The Permittee shall not knowingly remove, disturb, or displace any archaeological specimen or site.	<b>Site Disturbance</b>
19.	The Permittee shall, where a suspected archaeological or historical site, or burial ground is discovered:	<b>Site Discovery and Notification</b>
	<ul style="list-style-type: none"> <li>a) immediately suspend operations on the site; and</li> <li>b) notify the Board at (867) 669-0506 or an Inspector at (867) 874-6994, and the Prince of Wales Northern Heritage Centre at (867) 920-6182 or 873-7688.</li> </ul>	
<b>26(1)(k) Objects and Places of Recreational, Scenic, and Ecological Value</b>		
<i>Intentionally left blank</i>		
<b>26(1)(l) Security Deposit</b>		
20.	All costs to remediate the area under this Permit are the responsibility of the Permittee.	<b>Responsibility for Remediation Costs</b>

**26(1)(m) Fuel Storage**

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| 21. | The Permittee shall set up all refueling points with Secondary Containment.  | <b>Secondary Containment – Refueling</b> |
| 22. | The Permittee shall not allow petroleum products to spread to surrounding lands or Watercourses.   | <b>Fuel Containment</b>                  |
| 23. | The Permittee shall adhere to the <b>Spill Contingency Plan</b> , 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. | <b>Spill Contingency Plan</b>            |
| 24. | Prior to commencement of operations, the Permittee shall ensure that spill-response equipment is in place to respond to any potential spills.  | <b>Spill Response</b>                    |
| 25. | All equipment that may be parked for two hours or more, shall have a haz-mat/drip tray under it or be sufficiently diapered. Leaky equipment shall be repaired immediately.  | <b>Drip Trays</b>                        |
| 26. | The Permittee shall clean up all leaks, spills, and contaminated material.   | <b>Clean Up Spills</b>                   |

**26(1)(n) Methods and Techniques for Debris and Brush Disposal**

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| 27. | The Permittee shall progressively dispose of all brush and trees and shall complete all brush disposal; all disposal shall be completed prior to the expiry date of this Permit. | <b>Brush Disposal/ Time</b>  |
| 28. | The Permittee shall not clear areas larger than identified in the complete application.  | <b>Minimize Area Cleared</b> |
| 29. | The Permittee shall salvage all portions of trees cleared that are larger than 13cm in diameter at locations authorized in writing by an Inspector.                              | <b>Salvage Timber</b>        |

**26(1)(o) Restoration of the Lands**

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|-----|--|--------------------------------------|
| 30. | The Permittee shall dispose of all overburden as instructed by an Inspector.   | <b>Disposal of Overburden</b>        |
| 31. | The Permittee shall store overburden and use it to recontour the site after operations are complete, unless otherwise authorized in writing by an Inspector. | <b>Save and Place Organic Soil</b>   |
| 32. | The Permittee shall level all stockpiles of granular material located within the land use area prior to the expiry date of this Permit.                      | <b>No Stockpiles</b>                 |
| 33. | Prior to the expiry date of this Permit, the Permittee shall complete all cleanup and restoration of the lands used.   | <b>Final Cleanup and Restoration</b> |
| 34. | Prior to the expiry date of this Permit, the Permittee shall prepare the site in such a manner as to facilitate natural revegetation.                        | <b>Natural Vegetation</b>            |
| 35. | The Permittee shall carry out progressive reclamation of disturbed areas as soon as it is practical to do so.  | <b>Progressive Reclamation</b>       |

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

36. 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**

37. 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**

38. The Permittee shall adhere to the **Engagement Plan**, once approved, and shall annually review the plan and make any necessary revisions to reflect changes in operations or as directed by the Board. Revisions to the plan shall be submitted to the Board for approval. **Engagement Plan**

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