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September 2, 2020

File: MV2015W0018

Bob Head, Manager
Digaa Enterprises Ltd.
P.O Box 269
Fort Providence, NT X0E 0L0

Send via Email

Dear Bob Head:

**Re: Land Use Permit – Approval of Extension of Term
Wood Operations – Fort Providence, NT**

On August 27, 2020, the Mackenzie Valley Land and Water Board (MVLWB) extended the term for Land Use Permit (Permit) MV2015W0018 as per your June 1, 2020 request, and in accordance with subsection 26(6) of the Mackenzie Valley Land Use Regulations.

Attached is the updated Permit MV2015W0018, which now expires on December 2, 2022. A copy of this Permit and all related correspondence and documents have been filed on the [Public Registry](#) at the MVLWB office.

If you have any questions or concerns, please contact Sean Joseph at (867) 766-7469 or email sjoseph@mvlwb.com.

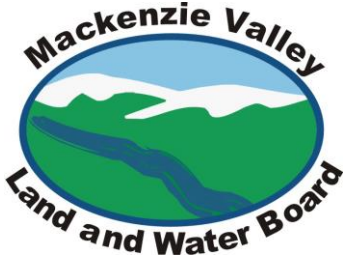
Yours sincerely,

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 MV2015W0018



**Land Use Permit
Extension**

Permit Class	Permit No	Amendment No
A	MV2015W0018	-

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

Digaa Enterprises Ltd.

Permittee

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

Signature Mr. Patrick Bryant	Date October 13, 2015
Type of Land Use Operation Woods Operations	
Location Fort Providence, Northwest Territories	

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

Dated at Yellowknife this 2 day of September, 2020

Signature Chair

Signature Witness

Mavis Cli-Michaud

Amanda Gauthier

Commencement Date

Expiry Date

December 3, 2015

December 2, 2022

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.

Conditions Annexed to and Forming Part of Land Use Permit # MV2015W0018

Part A: Scope of Permit

1. This Permit entitles Digaa Enterprises Ltd. to conduct the following land-use operation:
 - a) use of equipment and vehicles;
 - b) road construction, maintenance and reclamation;
 - c) timber harvesting;
 - d) construction and operation of camp facilities; and
 - e) storage of fuel and hazardous materials.

All activities under this Permit are to take place between 60° 59' N 117° 6' W and 61° 23' N 119° 30' W

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*.

Archaeological Impact Assessment - as defined by the Prince of Wales Northern Heritage Centre – Guidelines for Developers.

Archaeological Overview - as defined by the Prince of Wales Northern Heritage Centre – Guidelines for Developers.

Board - the Mackenzie Valley Land and Water Board established under Part 4 of the Act.

Dogleg – the clearing of a line, trail, or right-of-way that is curved sufficiently so that no part of the clearing beyond the curve is visible when approached from either direction.

Durable Land - land that is able to withstand repeated use, such as gravel or sand with minimal vegetative cover.

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.

Fuel Storage Container - a container for the storage of petroleum or allied petroleum products with a capacity of less than 230 litres.

Fuel Storage Tank - a closed container for the storage of petroleum or allied petroleum products with a capacity of more than 230 litres.

Greywater - all liquid wastes from showers, baths, sinks, kitchens, and domestic washing facilities but not including toilet wastes.

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 Lands – Government of the Northwest Territories.

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.

Sewage - all toilet wastes and Greywater.

Sewage Disposal Facilities - Sump(s) and/or Sewage collection tank(s) and/or storage containers designed to hold Sewage.

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.

Sump - a man-made pit or natural depression in the earth's surface used for the purpose of depositing waste that does not contain Toxic Material, such as non-toxic Drilling Waste or Sewage, therein.

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.

Waste Management Plan - a document, developed in accordance with the Board’s *Guidelines for Developing a Waste Management Plan*, that describes the methods of waste management from waste generation to final disposal.

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)

Condition	Category
26(1)(a) Location and Area	
1. The Permittee shall not conduct any part of the land-use operation within 100 metres of any privately owned or leased land or structure, unless otherwise authorized in writing by the Board.	PRIVATE PROPERTY
2. The Permittee shall not conduct any part of the land-use operation within 100 metres of a cabin used for traditional activities, including trapping, hunting, or fishing, unless otherwise authorized in writing by the Board.	AVOID CABINS
3. The Permittee shall locate all camps on Durable Land or previously cleared areas.	CAMP LOCATION
4. The Permittee shall not construct parallel lines or roads, unless an existing line or road cannot be used.	PARALLEL ROADS
5. The Permittee shall locate all lines, trails, and right-of-ways to be constructed parallel to any Watercourse a minimum of: a) Lakes larger than 16 ha: 100m buffer. b) Lakes 1ha to 16 ha area: 30m buffer c) Ponds less than 1 ha in area: 10m buffer. d) Large permanent rivers: 100m buffer. e) Medium permanent rivers: 60m f) Small permanent rivers and streams: 10m buffer.	PARALLEL WATERCOURSE
6. The Permittee shall not conduct this land-use operation on any lands not designated in the complete application.	LOCATION OF ACTIVITIES
26(1)(b) Time	
7. At least 48 hours prior to the commencement of this land-use operation, the Permittee's Field Supervisor shall contact an Inspector at (867) 867-874-6995.	CONTACT INSPECTOR
8. 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: 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
9. A pre-inspection of a new access road and development of a new landing must be conducted by an Inspector, with the Permittee and Field Supervisor, prior to the commencement of any land use activity.	PRE-INSPECTION
10. The Permittee shall submit a progress report to the Board and the Inspector every 10 days during this land use operation.	PROGRESS REPORT

<p>11. The Permittee shall submit an Annual Report to the Board and Inspector not later than June 30th of the year following the year reported (April 1-March 31) which shall contain the following information:</p> <p>a) A map, normally at scale of 1:50,000 showing the location of all access roads and trails, landings, camps and cut block boundaries harvested that year; and</p> <p>b) A summary of the hectares utilized in each aspect of the land use operation for the operating season.</p>	<p>ANNUAL REPORT</p>
<p>12. 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.</p>	<p>REPORTS BEFORE REMOVAL</p>
<p>26(1)(c) Type and Size of Equipment</p>	
<p>13. The Permittee shall not use any equipment except of a similar type, size, and number to that listed in the complete application.</p>	<p>ONLY APPROVED EQUIPMENT</p>
<p>14. The Permittee shall maintain fire-fighting equipment at the site in accordance with the <i>Government of the Northwest Territories' Forest Fire Prevention and Suppression Guidelines for Industrial Activities</i>.</p>	<p>FIRE-FIGHTING EQUIPMENT</p>
<p>26(1)(d) Methods and Techniques</p>	
<p>15. The Permittee shall Dogleg new lines, trails and right-of-ways that approach Watercourses or public roads.</p>	<p>DOGLEG APPROACHES</p>
<p>16. The Permittee shall construct meandering access routes with a maximum line of site views between 500-700 meters unless otherwise instructed by an inspector.</p>	<p>MEANDERING ACCESS</p>
<p>17. Prior to the movement of any vehicle or equipment, the Permittee shall scout proposed lines and routes to select the best location for crossing streams and avoiding terrain obstacles.</p>	<p>DETOURS AND CROSSINGS</p>
<p>18. The Permittee shall construct and maintain the overland portion of winter roads with a minimum of 10 cm of packed snow and/or ice at all times during this land-use operation.</p>	<p>WINTER ROADS</p>
<p>19. The Permittee shall not erect camps or store material, other than that required for immediate use, on the ice surface of a Watercourse.</p>	<p>STORAGE ON ICE</p>
<p>20. The Permittee shall leave a buffer strip of undisturbed vegetation at least 30 metres in width between cleared areas and public roads.</p>	<p>TREE SCREEN</p>
<p>26(1)(e) Type, Location, Capacity, and Operation of All Facilities</p>	
<p>21. The Permittee shall ensure that the land use area is kept clean at all times.</p>	<p>CLEAN WORK AREA</p>
<p>22. The Permittee shall not locate any Sump within 100 metres of the Ordinary High Water Mark of any Watercourse, unless otherwise authorized in writing by an Inspector.</p>	<p>SUMPS FROM WATER</p>

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

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| 23. | The Permittee shall install and maintain culverts such that scouring does not occur. | CULVERT SIZE |
| 24. | The land-use operation shall not cause obstruction to any natural drainage. | NATURAL DRAINAGE |
| 25. | The Permittee shall minimize erosion by installing erosion control structures as the land-use operation progresses. | PROGRESSIVE EROSION CONTROL |
| 26. | The Permittee shall prepare the site in such a manner as to prevent rutting of the ground surface. | PREVENTION OF RUTTING |
| 27. | The Permittee shall suspend overland travel of equipment or vehicles at the first sign of rutting. | SUSPEND OVERLAND TRAVEL |
| 28. | 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. | VEHICLE MOVEMENT FREEZE-UP |
| 29. | The Permittee shall not use any material other than clean water and snow in the construction of ice bridges. | ICE BRIDGE MATERIALS |
| 30. | The Permittee shall not use any materials other than clean snow and water in the construction of snow fills. | SNOWFILL MATERIALS |
| 31. | Prior to spring break-up or completion of the land-use operation, the Permittee shall clean up and either remove or v-notch all snowfills from stream crossings, unless otherwise authorized in writing by an Inspector. | REMOVE OR V-NOTCH SNOWFILLS |
| 32. | Prior to spring break-up or completion of the land-use operation, the Permittee shall clean up and v-notch all ice bridges, unless otherwise authorized in writing by an Inspector. | V-NOTCH ICE BRIDGES |
| 33. | The Permittee shall not cut any stream bank, unless otherwise authorized in writing by an Inspector. | STREAM BANKS |
| 34. | The Permittee shall minimize approach grades on all Watercourse crossings. | MINIMIZE APPROACH |
| 35. | The Permittee shall not ford wet streams. | NO FORDING OF STREAMS |
| 36. | The Permittee shall not excavate land within 100 metres of the Ordinary High Water Mark of any Watercourse, unless otherwise authorized in writing by an Inspector. | EXCAVATE NEAR WATERCOURSE |

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

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| 37. | At least seven days prior to the use of any chemicals that were not identified in the complete application, the MSDS sheets must be provided to an Inspector and the Board. | CHEMICALS |
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38. Prior to the expiry date of this Permit or the end of operations, whichever comes first, the Permittee shall backfill and restore all Sumps, unless otherwise authorized in writing by an Inspector.	BACKFILL SUMPS
39. The Permittee shall maintain a record of all spills. For all reportable spills, in accordance with the GNWT <i>Spill Contingency Planning and Reporting Regulations</i> , 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
40. The Permittee shall dispose of all Toxic Material as described in the approved Waste Management Plan.	WASTE CHEMICAL DISPOSAL
41. 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	
42. The Permittee shall take all reasonable measures to prevent damage to wildlife and fish Habitat during this land-use operation.	HABITAT DAMAGE
43. The Permittee shall adhere to the Wildlife and Wildlife Habitat Protection 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.	WILDLIFE AND WILDLIFE HABITAT PROTECTION PLAN
26(1)(j) Storage, Handling, and Disposal of Refuse or Sewage	
44. Solid Waste shall be disposed of at a licensed facility that has the appropriate capacity and is in compliance with their Water Licence.	SOLID WASTE DISPOSAL
45. The Permittee shall adhere to the Waste Management Plan submitted October 13, 2015, until a Plan is approved by the Board.	WASTE MANAGEMENT PLAN
46. The Permittee shall, within 60 days of issuance of this Permit, submit to the Board for approval an updated Waste Management Plan in accordance with the <i>MVLWB's 2011 "Guidelines for Developing a Waste Management Plan"</i> .	WASTE MANAGEMENT PLAN
47. The Permittee shall adhere to the Waste Management 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.	WASTE MANAGEMENT PLAN
48. The Permittee shall keep all garbage and debris in a covered metal container, of sufficient size, on site until disposal.	GARBAGE CONTAINER
49. The Permittee shall dispose of all garbage, waste, and debris as described in the approved Waste Management Plan, unless otherwise authorized in writing by an Inspector.	REMOVE GARBAGE

50. The Permittee shall dispose of all Sewage and Greywater as described in the approved Waste Management Plan. **SEWAGE DISPOSAL**

26(1)(j) Protection of Historical, Archaeological, and Burial Sites

51. The Permittee shall not operate any vehicle or equipment within 30 metres of a known or suspected historical or archaeological site or burial ground, unless authorized in writing by the Inspector. **ARCHAEOLOGICAL BUFFER**

52. The Permittee shall not knowingly remove, disturb, or displace any archaeological specimen or site. **SITE DISTURBANCE**

53. The Permittee shall, where a suspected archaeological or historical site, or burial ground is discovered: **SITE DISCOVERY AND NOTIFICATION**

- a) immediately suspend operations on the site; and
- b) notify the Board at (867) 669-0506 or an Inspector at (867) 874-6995, and the Prince of Wales Northern Heritage Centre at (867) 920-6182 or 873-7688.

54. At least 60 days prior to any new land disturbance, 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. **ARCHAEOLOGICAL OVERVIEW**

55. Prior to disturbance in areas of high potential for archaeological or burial sites identified in the Archaeological Overview, the Permittee shall conduct an Archaeological Impact Assessment of the sites where disturbance is planned and shall submit a summary report to the Board and the Prince of Wales Northern Heritage Centre. **ARCHAEOLOGICAL IMPACT ASSESSMENT**

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

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26(1)(l) Security Deposit

56. Prior to the commencement of the land-use operation, the Permittee shall deposit with the Minister a security deposit in the amount of \$79,000. **SECURITY DEPOSIT**

57. All costs to remediate the area under this Permit are the responsibility of the Permittee. **RESPONSIBILITY FOR REMEDIATION COSTS**

26(1)(m) Fuel Storage

58. The Permittee shall: **CHECK FOR LEAKS**
- a) examine all Fuel Storage Tanks and containers for leaks a minimum of once per day; and
 - b) repair all leaks immediately.

59. 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 NEAR WATER**

60. The Permittee shall construct an impermeable dyke around each stationary **DYKE FUEL CONTAINERS**

fuel container or a group of stationary containers where any one container has a capacity exceeding 230 litres.

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| 61. | The volume of the dyke area shall be 10 percent greater than the capacity of the largest fuel container placed therein. | CAPACITY |
| 62. | A certified double walled tank that has a top feed system will be deemed to satisfy requirements of an impermeable dyke. | DOUBLE-WALLED TANK |
| 63. | The Permittee shall set up all refueling points with Secondary Containment. | SECONDARY CONTAINMENT – REFUELING |
| 64. | The Permittee shall not allow petroleum products to spread to surrounding lands or Watercourses. | FUEL CONTAINMENT |
| 65. | The Permittee shall locate mobile fuel facilities on land when the facilities are stationary for more than 12 hours. | FUEL ON LAND |
| 66. | The Permittee shall mark all stationary fuel caches and fuel storage facilities with flags, posts, or similar devices so that they are at all times plainly visible to local vehicle travel. | MARK FUEL LOCATION |
| 67. | The Permittee shall have a maximum of 45,000 litres of fuel stored on the land use site at any time, unless otherwise authorized in writing by the Board. | MAXIMUM FUEL ON SITE |
| 68. | Within ten days of the establishment of any fuel cache, the Permittee shall report the location and quantity of the cache in writing to an Inspector and the Board. | REPORT FUEL LOCATION |
| 69. | The Permittee shall seal all outlets of Fuel Storage Containers and store the containers on their sides with the outlets located at 3 and 9 o'clock, except for containers currently in use. | SEAL OUTLET |
| 70. | 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 |
| 71. | Prior to commencement of operations, the Permittee shall ensure that spill-response equipment is in place to respond to any potential spills. | SPILL RESPONSE |
| 72. | 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. | DRIP TRAYS |
| 73. | 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 | | |
| 74. | The Permittee shall progressively dispose of all brush and trees as instructed by the Inspector; all disposal shall be completed prior to the expiry date of this Permit. | BRUSH DISPOSAL/ TIME |

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| 75. | The Permittee shall not clear areas larger than identified in the complete application. | MINIMIZE AREA
CLEARED |
| 76. | The Permittee shall ensure that windrows are separated from standing timber. | WINDROWS/
LOCATION |
| 77. | The Permittee shall spread the windrow of brush and debris over the access as instructed by the Inspector. | RESTRICT ACCESS |
| 78. | The Permittee shall minimize the clearing width of the access right-of-way to a maximum of twenty (20) metres. | RIGHT-OF-WAY
CLEARING |

26(1)(o) Restoration of the Lands

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| 79. | 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 |
| 80. | Prior to the expiry date of this Permit, the Permittee shall complete all cleanup and restoration of the lands used. | FINAL CLEANUP
AND RESTORATION |
| 81. | Prior to the expiry date of this Permit, the Permittee shall prepare the site in such a manner as to facilitate natural revegetation. | NATURAL
VEGETATION |
| 82. | The Permittee shall carry out progressive reclamation of disturbed areas as soon as it is practical to do so. | PROGRESSIVE
RECLAMATION |
| 83. | The Permittee shall restore any trails impacted by the land-use operation by removing fallen trees and any other obstructions from the trails. | TRAILS
RESTORATION |

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

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| 84. | The Permittee shall display a copy of this Permit in each campsite established to carry out this land-use operation. | DISPLAY PERMIT |
| 85. | 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

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| 86. | 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 |
| 87. | 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, technology, chemicals, or fuels, or as directed by the Board. Revisions to the plan shall be submitted to the Board for approval. | ENGAGEMENT
PLAN |
| 88. | All revised plans submitted to the Board shall include a brief summary of the changes made to the plan. | SUMMARY OF
CHANGES |