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September 13, 2021

File: MV2016Q0024

Don Plante
Cherdon Enterprises Ltd.
Box 1500
Fort Providence NT X0E0L0

Sent by email

Dear Don Plante,

Re: Cherdon Enterprises Ltd. – Extension Issuance Package – Land Use Permit MV2016Q0024 – Quarry Operation – Highway #1 km 188.9

The Mackenzie Valley Land and Water Board (Board) met on September 9, 2021 and considered Cherdon Enterprises Ltd's (Cherdon) request to extend Land Use Permit (Permit) MV2016Q0024 for the Quarry Operation in accordance with the *Mackenzie Valley Resource Management Act* (MVRMA).

The Board has approved the Permit extension. The Permit (attached) now expires on November 2, 2023. These documents are posted on the Board's Public Registry.¹

Inspectors

The Inspectors referred to in the Permit can be contacted at the regional GNWT-Lands offices.²

Permit Processes and Additional Information

Sections 5 and 6 of the Board's *Guide to the Land Use Permitting Process*³ (Guide) contain detailed information on permit enforcement and potential post-issuance processes, such as amendments to conditions, and assignment to another company. Please be familiar with these sections of the Guide and reach out to Board staff with any questions about Board processes related to the Permit.

¹ See MVLWB Online Registry www.mvlwb.com – MV2016Q0024.

² See GNWT-Lands Inspection and Enforcement webpage (<https://www.lands.gov.nt.ca/en/services/inspections-and-enforcement>) for regional contact information.

³ See MVLWB Policies and Guidelines webpage for MVLWB [Guide to the Land Use Permitting Process](#).

Full cooperation of Cherdon is anticipated and appreciated. Please contact Tyree Mullaney at (867) 766-7464 with any questions or concerns regarding this letter.

Yours sincerely,



Mavis Cli-Michaud
Chair, Mackenzie Valley Land and Water Board

BCC'd to: Dehcho Distribution List
 Norm McCowan – Inspector, GNWT-Lands

Attached: Land Use Permit MV2016Q0023



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Cherdon Enterprises Ltd.
Land Use Permit MV2016Q0024

Pursuant to the *Mackenzie Valley Resource Management Act* and Mackenzie Valley Land Use Regulations, the Mackenzie Valley Land and Water Board grants this Land Use Permit to:

Cherdon Enterprises Ltd.

(Permittee)

of _____
Box 1500 Fort Providence NT X0E0L0

(Mailing Address)

hereinafter called the Permittee, to proceed with the following land-use operation, subject to the annexed definitions and conditions contained therein:

Location:	Km 188.9 Hwy #1, NT
Purpose:	Quarry Operation
Type:	Type A
Effective Date:	November 3, 2016
Expiry Date:	November 2, 2023

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

Mavis Cli-Michaud, Chair
Mackenzie Valley Land and Water Board

A handwritten signature in blue ink, appearing to read "Amanda Gauthier".

Amanda Gauthier, Witness

Conditions Annexed to and Forming Part of Land Use Permit # MV2016Q0024

Part A: Scope of Permit

1. This Permit entitles the Permittee to conduct the following land-use operation:
 - A quarry operation near km 188.9 on Hwy #1 within Quarry Management Blocks 1 (a, b, c, and d) and 2 (a and b).
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, Tłıchǫ, 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 Licence 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.

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 Indian Affairs and Northern Development 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 - means 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.

Sewage - all toilet wastes and Greywater.

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.

Waste Management Plan (WMP) - 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 a quarry operation within 100 metres of the Ordinary High Water Mark of any Watercourse, unless otherwise authorized in writing by an Inspector.	Quarry Setback
2. The Permittee shall not construct parallel lines or roads, unless an existing line or road cannot be used.	Parallel Roads
3. The Permittee shall not conduct this land-use operation on any lands not designated in the complete application.	Location of Activities
4. Prior to the commencement of the land-use operation, the Permittee shall mark each corner of the land use area.	Mark Area
5. The approved corner posts of the land use area shall not be disturbed or moved during the land use operation.	Area
26(1)(b) Time	
6. 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.	Contact Inspector
7. At least 48 hours prior to commencement of this land-use operation, the Permittee shall provide the following information, in writing, to the Board <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
8. At least ten days prior to the completion of the land-use operation, the Permittee shall advise an Inspector of: a) the plan for removal or storage of equipment and materials; and b) when final cleanup and reclamation of the land used will be completed.	Reports Before Removal
9. The 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.	Closure
26(1)(c) Type and Size of Equipment	
10. The Permittee shall not use any equipment except of a similar type, size, and number to that listed in the complete application.	Only Approved Equipment
26(1)(d) Methods and Techniques	
11. The Permittee shall leave a buffer strip of undisturbed vegetation at least 30 metres in width between cleared areas and public roads.	Tree Screen

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

12. 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

13. The Permittee shall minimize erosion by installing erosion control structures as the land-use operation progresses. **Progressive Erosion Control**
14. The Permittee shall slope the sides of waste material piles, excavations, and embankments — except in solid rock — to a minimum ratio of 2:1 vertical, unless otherwise authorized in writing by an Inspector. **Excavation and Embankments**
15. The Permittee shall not remove vegetation or operate heavy equipment within 100 metres of the Ordinary High Water Mark of any Watercourse. **Watercourse Buffer**
16. 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

17. The Permittee shall maintain a record of all spills. For all reportable spills, in accordance with the GNWT *Spill Contingency Planning and Reporting Regulations*, the Permittee shall: **Report Spills**
- 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.

18. 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

19. 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

20. 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**
21. The Permittee shall keep all garbage and debris in a secure container until disposal. **Garbage Container**

22. 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**

23. 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

24. 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**

25. The Permittee shall not knowingly remove, disturb, or displace any archaeological specimen or site. **Site Disturbance**

26. 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) 873-0506 or an Inspector at (867) 874-6994, and the Prince of Wales Northern Heritage Centre at (867) 767-9347 ext. 71251 or 71250.

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

Intentionally left blank.

26(1)(l) Security Deposit

27. All costs to remediate the area under this Permit are the responsibility of the Permittee. **Responsibility for Remediation Costs**

26(1)(m) Fuel Storage

28. The Permittee shall set up all refueling points with Secondary Containment. **Secondary Containment – Refueling**

29. The Permittee shall not allow petroleum products to spread to surrounding lands or Watercourses. **Fuel Containment**

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 operations, the Permittee shall ensure that spill-response equipment is in place to respond to any potential spills. **Spill Response**

32. 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**

33.	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		
34.	The Permittee shall totally dispose of all debris and brush by burning. Burns shall be controlled and monitored so as not to spread to surrounding lands.	Burn Brush
35.	The Permittee shall maintain fire-fighting equipment at the site in accordance with the Government of the Northwest Territories' <i>Forest Fire Prevention and Suppression Guidelines for Industrial Activities</i> .	Fire-Fighting Equipment
36.	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.	Brush Disposal/ Time
37.	The Permittee shall salvage all portions of trees cleared that re larger than 13 centimetres in diameter and shall pile all salvaged wood at locations authorized in writing by an Inspector.	Salvage Timber
38.	The Permittee shall not clear areas larger than identified in the complete application.	Minimize Area Cleared
26(1)(o) Restoration of the Lands		
39.	The Permittee shall store overburden and use it to recontour the site after operations are complete, unless otherwise authorized in writing by an Inspector.	Save and Place Organic Soil
40.	Prior to the expiry date of this Permit, the Permittee shall complete all cleanup and restoration of the lands used.	Final Cleanup and Restoration
26(1)(p) Display of Permits and Permit Numbers		
41.	The Permittee shall keep a copy of this Permit on hand at all times during this land-use operation.	Copy of Permit
26(1)(q) Biological and Physical Protection of the Land		
42.	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
43.	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
44.	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
45.	All revised plans submitted to the Board shall include a brief summary of the changes made to the plan.	Summary of Changes