

**Conditions Annexed to and Forming Part of Land Use Permit #MV2021D0009**

**Part A: Scope of Permit**

1. This Permit entitles the Permittee to conduct the following land-use operation: Mining and directly associated activities on the De Beers Canada Inc. Gahcho Kué Project (the Project) and includes the following:

- i. dykes and berms to facilitate the Dewatering of Kennady Lake;
- ii. Open Pit mining of the Hearne, 5034 and Tuzo kimberlite pipes;
- iii. milling facilities and infrastructure;
- iv. ore and low grade ore stockpiles;
- v. a Fine Processed Kimberlite Containment Facility;
- vi. a Coarse Processed Kimberlite and Mine Rock Pile;
- vii. a West Mine Rock Pile;
- viii. a South Mine Rock Pile;
- ix. deposition of kimberlite and Waste Rock into the Hearne and 5034 Open Pits;
- x. quarrying;
- xi. the existing exploration camp, winter access spur road camp, and a mining camp;
- xii. fuel, lubricant, and glycol storage facilities and laydown areas;
- xiii. explosives storage facilities and use of explosives;
- xiv. a Landfarm;
- xv. Construction and Operation of the winter access spur road;
- xvi. site facilities and infrastructure including but not limited to the Water supply facility, Sewage Treatment Plant, pipelines, incinerator, site roads, all-season airstrip and apron, power plant, solar farm, electrical distribution, and material storage and sorting facilities; and
- xvii. use of equipment, vehicles, and machines.

All Activities will be bounded by the following locations:

63° 25' 12.5" N, 109° 06' 13.7" W and 63° 58' 49.3" N, 110° 17' 59.7" 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.

**Commented [Staff1]:** Please note that these terms and conditions were updated to reflect the Standard Land Use Permit Conditions Template (Template). Those that deviate from the Template have comments bubbles that either:  
a) provide details on what changed,  
b) is newly added, or  
c) seeking input from Parties.

**Commented [Staff2]:** Board staff added to match associated Licence MV2005L2-0015.

## Part B: Definitions

### 2. Definitions

**Act** - the *Mackenzie Valley Resource Management Act*.

**Archaeological Impact Assessment** - a study of archaeological sites as defined by the Prince of Wales Northern Heritage Centre *Guidelines for Developers for the Protection of Archaeological Sites in the Northwest Territories*.

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

**Coarse Processed Kimberlite and Mine Rock Pile** - the constructed facility designed to store mine rock and material that is generally 0.25 mm to 6 mm in diameter, rejected from the process plant after the recoverable diamonds have been extracted.

**Construction** - any activities undertaken to construct or build any components of, or associated with, the development of the Project, including any Construction activities undertaken during Operations and closure phases of the Project.

**Controlled Area** - the isolated subwatersheds within Kennady Lake watershed after dewatering and Drawdown, where mining activities will be undertaken and Water associated with mining activities will be managed. Specifically, areas 1 through 7.

**Drawdown** - the removal of Water from Kennady Lake. This excludes withdrawals from the Water Management Pond.

**Drilling Fluids** - any liquid mixture of Water, sediment, drilling muds, chemical additives or other Wastes that are pumped down hole while drilling and are specifically related to drilling activity.

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

**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 *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.

**Engineered Structure** - any structure or facility related to Water Use or the deposit of Waste that is normally designed and approved by a Professional Engineer, that are associated with the Construction, Operation, Closure and Reclamation of the Project, including but not limited to, the dykes and berms, Fine Processed Kimberlite Containment Facility, Coarse Processed Kimberlite and Mine Rock Pile, West Mine Rock Pile, South Mine Rock Pile, and the Landfarm.

**Environmental Impact Review** - means the totality of the Mackenzie Valley Environmental Impact Review Board Public Registry, for Environmental Impact Review 06070-001, as established under the authority of Part 5 of the Act for this Permit application. This includes, without limiting the foregoing, all documents, records, and materials of any kind submitted to the Mackenzie Valley Environmental Impact Review Board Public Registry which are relevant to Land Use Permit Application MV2005C0032 and MV2021D0009 made by De Beers Canada Inc.

**Commented [Staff3]:** Updated to account for previous MV2005C0032 and new MV2021D0009 Permits.

**Fine Processed Kimberlite Containment Facility** - the constructed facility designated to store material that is generally less than 0.25 mm in diameter, rejected from the process plant after the recoverable diamonds have been extracted.

**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 Act.

**Landfarm** - the lined, Engineered Structure designed to contain and treat hydrocarbon contaminated materials.

**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.

**Open Pit(s)** - the Hearne, Tuzo, and 5034 pits created by the extraction of Overburden and Waste Rock to mine the kimberlite ore.

**Operations** - the activities which occur following the commencement of mining ore for milling in the process plant.

**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).

**Overburden** - the materials (i.e., lake-bottom sediments and till) that overlie the Waste Rock and kimberlite deposit.

**Permittee** - the holder of this permit.

**Permafrost** - ground (soil or rock) that remains at or below 0°C for at least two consecutive years.

**Professional Engineer** - a person registered with the Northwest Territories and Nunavut Association of Professional Engineers and Geoscientists to practice as a Professional Engineer in the Northwest Territories as per the territorial *Engineering and Geoscience Professions Act*, and whose professional field of specialization is appropriate to address the components of the Project at hand.

**Project** - the Gahcho Kué diamond mine operation in its entirety as described in Part A, Condition 1 of this Permit.

**Reclamation** - activities which facilitate the return of areas affected by the Project to viable and, wherever practicable, self-sustaining ecosystems that are compatible with a healthy environment, human activities, and the surrounding environment.

**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.

**Seepage** - Water or Waste that drains through or escapes from any structure designed to contain, withhold, divert or retain Water or Waste.

**Sewage** - all toilet Wastes and Greywater.

**Sewage Treatment Plant** - the treatment plant that is designed to contain and treat Sewage.

**South Mine Rock Pile** - the structure designed to contain Waste Rock constructed immediately south of area 6.

**Spill Contingency Plan** - a document, developed in accordance with Aboriginal Affairs and Northern Development Canada's *Guidelines for Spill Contingency Planning* that describes the set of procedures to be implemented to minimize the effects of a spill.

**Spring Break-up** - April 25 each year, for the purpose of this operation.

**Commented [Staff4]:** Definition added. Was condition 11 in the MV2005C0032 Permit.

**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.

**Wastewater** - the Water that is generated by Project activities or originates on site and contains Waste and includes but is not limited to runoff, Seepage, or minewater.

**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.

**Waste Rock** - all unprocessed rock materials that are produced as a result of the Project. This material has been referred to as "mine rock" during the Environmental Impact Review and in the application and supporting materials documents.

**Water(s)** - any Waters as defined by section 1 of the *Waters 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.

**Water Management Pond** - areas 3 and 5 of Kennady Lake after milling commences, where Wastewater will be collected and stored from various locations and sources within the Controlled Area.

**Water Use** - a use of Water as defined by section 1 of the *Waters Act*.

**West Mine Rock Pile** - the structure designed to contain Waste Rock constructed within the catchment of the Water Management Pond in areas 3 and 5.

DRAFT

**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**

- |    |   |                                     |
|----|---|-------------------------------------|
| 1. | The Permittee shall locate all camps on Durable Land or previously cleared areas.   | <b>CAMP LOCATION</b>                |
| 2. | The Permittee shall use an existing campsite, as described in the complete application.   | <b>USE EXISTING CAMP</b>            |
| 3. | 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.              | <b>QUARRY SETBACK</b>               |
| 4. | The Permittee shall not construct parallel lines or roads, unless an existing line or road cannot be used.  | <b>PARALLEL ROADS</b>               |
| 5. | The Permittee shall locate all lines, trails, and right-of-ways to be constructed parallel to any Watercourse a minimum of 100 metres from the Ordinary High-Water Mark, except at crossings. | <b>PARALLEL WATERCOURSE SETBACK</b> |
| 6. | The Permittee shall only conduct this land-use operation on lands designated in the application.  | <b>LOCATION OF ACTIVITIES</b>       |
| 7. | 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**

- |     |  |   |
|-----|--|---|
| 8.  | At least 48 hours prior to winter road activities, the Permittee's Field Supervisor shall notify the Board and contact an Inspector at (867) 767-9187 ext. 24192.  | <b>NOTIFICATION – CONTACT INSPECTOR</b> |
| 9.  | At least 48 hours prior to commencement of this land-use operation, the Permittee shall provide the following information, in writing, to the Board and an Inspector:<br>a) the name(s) of the person(s) in charge of the field operation;<br>b) alternates; and<br>c) all methods for contacting the above person(s). | <b>IDENTIFY AGENT</b>                   |
| 10. | At least ten days prior to Spring Break-up, the Permittee shall advise an Inspector of:<br>a) the plan for removal or storage of equipment and materials; and<br>b) when cleanup and Reclamation of the land used will be completed.   | <b>REPORTS BEFORE SEASONAL REMOVAL</b>  |
| 11. | At least ten days prior to the completion of the land-use operation, the Permittee shall advise an Inspector of:<br>a) the plan for removal or storage of equipment and materials;<br>b) when final cleanup and Reclamation of the land used will be completed; and<br>c) when the Final Plan will be submitted.       | <b>REPORTS BEFORE FINAL REMOVAL</b>     |

**Commented [Staff5]:** Board staff are seeking input on the proposed new wording.

**Commented [Staff6]:** Added condition from the Standard Land Use Permit Template to distinguish between seasonal and final removal.

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

12. The Permittee shall only use equipment of a similar type, size, and number to that listed in the complete application. **USE APPROVED EQUIPMENT**

**26(1)(d) Methods and Techniques**

13. Prior to the movement of any vehicle that exerts pressure on the ground in excess of 35 kPa, the Permittee shall scout proposed lines and routes to select the best location for crossing streams and avoiding terrain obstacles. **DETOURS AND CROSSINGS**
14. 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. **WINTER ROADS**
15. The Permittee shall not erect camps or store material, other than that required for immediate use, on the ice surface of a Watercourse. **STORAGE ON ICE**

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

16. The Permittee shall ensure that the land-use area is kept clean at all times. **CLEAN WORK AREA**
17. 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. **SUMPS FROM WATER**

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

18. The Permittee shall install and maintain culverts such that scouring does not occur. **CULVERT SIZE**
19. The Permittee shall, where Permafrost exists, insulate the ground surface beneath all structures associated with this land-use operation to prevent:  
a) any vegetation present from being removed;  
b) the melting of Permafrost; and  
c) the ground settling and/or eroding. **PERMAFROST PROTECTION**
20. The land-use operation shall not cause obstruction to any natural drainage. **NATURAL DRAINAGE**
21. The Permittee shall install and maintain suitable erosion control structures as the land-use operation progresses. **PROGRESSIVE EROSION CONTROL**
22. The Permittee shall only conduct off-road vehicle travel on snow-covered surfaces. **OFF-ROAD VEHICLE TRAVEL**
23. The Permittee shall prepare the site in such a manner as to prevent rutting or gouging of the ground surface. **PREVENTION OF RUTTING**
24. The Permittee shall suspend overland travel of equipment or vehicles at the first sign of rutting or gouging. **SUSPEND OVERLAND TRAVEL**

25.	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.	<b>VEHICLE MOVEMENT FREEZE-UP</b>
26.	The Permittee shall only use clean Water and snow in the construction of ice bridges and snowfills.	<b>CONSTRUCT ICE BRIDGES/ SNOWFILLS</b>
27.	Prior to Spring Break-up or completion of the land-use operation, the Permittee shall clean up and either remove or v-notch all ice bridges and snowfills from stream crossings, unless otherwise authorized in writing by an Inspector.	<b>REMOVE ICE BRIDGES/ SNOWFILLS</b>
28.	The Permittee shall not cut any stream bank, unless otherwise authorized in writing by an Inspector.	<b>STREAM BANKS</b>
29.	The Permittee shall minimize approach grades on all Watercourse crossings.	<b>MINIMIZE APPROACH</b>
30.	The Permittee shall use temporary bridges or dry fording when crossing streams.	<b>DRY FORDING</b>
31.	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>
32.	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.	<b>EXCAVATION SETBACK</b>
33.	The Permittee shall comply with the <b>Erosion and Sediment Management Plan</b> , once approved, and shall annually review the plan and make revisions to reflect any changes in Operations, or as directed by the Board. Revisions of the plan shall be submitted to the Board for approval.	<b>EROSION AND SEDIMENT MANAGEMENT PLAN</b>
<b>26(1)(g) Use, Storage, Handling, and Ultimate Disposal of Any Chemical or Toxic Material</b>		
34.	At least seven days prior to the use of any chemicals that were not identified in the complete application, the Safety Data Sheets must be provided to the Board and an Inspector.	<b>CHEMICALS</b>
35.	Prior to the expiry date of this Permit or the end of the land-use Operation whichever comes first, the Permittee shall backfill and restore all Sumps, unless otherwise authorized in writing by an Inspector.	<b>RECLAIM NON-OIL AND GAS SUMPS</b>
36.	The Permittee shall dispose of all Toxic Material as described in the approved Waste Management Plan.	<b>WASTE CHEMICAL DISPOSAL</b>
37.	The Permittee shall dispose of all Waste petroleum products by removal to an approved disposal facility or by incineration in a device designed for this purpose, as described in the approved Waste Management Plan.	<b>WASTE PETROLEUM DISPOSAL</b>



38. The Permittee shall comply with the **Explosives Management Plan**, once approved, and shall annually review the plan and make revisions to reflect any changes in Operations, technology, chemicals, or as directed by the Board. Revisions of the plan shall be submitted to the Board for approval.

**EXPLOSIVES  
MANAGEMENT  
PLAN**

**26(1)(h) Wildlife and Fish Habitat**

39. The Permittee shall take all reasonable measures to prevent damage to wildlife and fish Habitat during this land-use operation.

**HABITAT DAMAGE**

40. Prior to the commencement of the land-use operation, the Permittee shall submit a **Wildlife and Wildlife Habitat Protection Plan (WWHPP)** to the Board. The Permittee shall not commence this land-use operation until the Habitat protection measures outlined in the Plan have been approved by the Board.

**SUBMIT WWHPP**

41. The Permittee shall operate in accordance with the Habitat protection measures in the Wildlife and Wildlife Habitat Protection Plan, once approved, and shall annually review the Plan and make any necessary revisions to reflect any changes in Operations or as directed by the Board. Revisions to the Plan shall be submitted to the Board and any revisions to the Habitat protection measures outlined in the Plan shall be for approval by the Board.

**WWHPP**

**Commented [Staff7]:** Board staff are seeking comment on removal of these conditions in light of a new requirement for a WMMP under section 95 of the Wildlife Act.

**26(1)(i) Storage, Handling, and Disposal of Refuse or Sewage**

42. The Permittee shall dispose of all Waste as described in 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**

43. The Permittee shall keep all garbage and debris in a secure container until disposal.

**GARBAGE  
CONTAINER**

44. The Permittee shall dispose of all Sewage and Greywater as described in the approved Waste Management Plan.

**SEWAGE DISPOSAL  
– PLAN**

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

45. The Permittee shall not operate any vehicle or equipment within 30 metres of a known or suspected historical or archaeological site or burial ground.

**ARCHAEOLOGICAL  
BUFFER**

46. The Permittee shall not knowingly remove, disturb, or displace any archaeological specimen or site.

**SITE DISTURBANCE**

47. The Permittee shall, where a suspected archaeological or historical site, or burial ground is discovered:

- a) immediately suspend Operations on the site; and
- b) notify the Board at (867) 669-0506 or an Inspector at (867) 767-9187 ext. 24192, and the Prince of Wales Northern Heritage Centre at (867) 767-9347 ext. 71251 or ext. 71255.

**SITE DISCOVERY  
AND NOTIFICATION**

48. Prior to any new land disturbance, 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.

AIA

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

*Intentionally left blank.*

**26(1)(l) Security Deposit**

49. Pursuant to section 32 of the Mackenzie Valley Land Use Regulations, the Permittee shall post security totaling \$42,346,192 based on the schedule set out below:
- a) prior to the commencement of Construction, the Permittee shall post and maintain a total security deposit of \$11,816,392;
  - b) prior to Year 1 of Operations, the Permittee shall post an additional security deposit in the amount of \$2,001,471 to maintain a total security deposit of \$13,817,863;
  - c) prior to conducting activities identified in the January 19, 2017 Amendment Application for MV2005C0032, the Permittee shall post an additional security deposit in the amount of \$26,233 to maintain a total security deposit of \$13,844,096;
  - d) prior to Year 5 of Operations, the Permittee shall post an additional security deposit in the amount of \$24,675,843 to maintain a total security deposit of \$38,519,939;
  - e) within 90 days following approval of the Amendment #5 Application for MV2005C0032, the Permittee shall post an additional security deposit in the amount of \$524,878 to maintain a total security deposit of \$39,044,817; and
  - f) prior to Year 11 of Operations, the Permittee shall post an additional security deposit in the amount of \$3,301,375 to maintain a total security deposit of \$42,346,192.

SECURITY DEPOSIT

Commented [Staff8]: Clarity was added to link the previous Permit into the security triggers.

50. All costs to remediate the area under this Permit are the responsibility of the Permittee.

RESPONSIBILITY FOR REMEDIATION COSTS

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

51. The Permittee shall:
- a) examine all Fuel Storage Tanks and Containers for leaks a minimum once per month; and
  - b) repair all leaks immediately.
52. The Permittee shall place Fuel Storage Containers and or Tanks a minimum of 100 metres from the Ordinary High-Water Mark of any Watercourse, unless otherwise authorized in writing by an Inspector.
53. The Permittee shall ensure that all fuel caches have adequate Secondary Containment.

REPAIR LEAKS

FUEL STORAGE SETBACK

FUEL CACHE SECONDARY CONTAINMENT

54. The Permittee shall set up all refueling points with Secondary Containment.
55. The Permittee shall only use stands approved by an Inspector for supporting Fuel Storage Containers that are in use.
56. The Permittee shall not allow petroleum products to spread to surrounding lands or Watercourses.
57. The Permittee shall locate mobile fuel facilities on land when the facilities are stationary for more than 12 hours.
58. The Permittee shall mark all Fuel Storage Tanks and Containers with the Permittee's name.
59. 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.
60. The Permittee shall have a maximum of \_\_\_\_\_ litres of fuel stored on the land-use site at any time, unless otherwise approved by the Board.
61. Within ten days of the establishment of any fuel cache, the Permittee shall report the location and quantity of the cache in writing to the Board and an Inspector.
62. 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.
63. The Permittee shall comply to the **Spill Contingency Plan**, once approved, and shall annually review the plan and make any revisions to reflect any changes Operations, technology, chemicals, or fuels, or as directed by the Board. Revisions of the plan shall be submitted to the Board for approval.
64. Prior to commencement of this land-use operation, the Permittee shall ensure that spill-response equipment is in place to respond to any potential spills.
65. All equipment that may be parked for two hours or more, shall have a hazmat/drip tray under it or be sufficiently diapered. Leaky equipment shall be repaired immediately.
66. The Permittee shall clean up all leaks, spills, and contaminated material immediately.
67. During the period of this Permit, if a spill occurs or is foreseeable, the Permittee shall:
  - implement the approved Spill Contingency Plan;
  - report it immediately using the NU-NT Spill Report Form by one of the following methods:
    - Telephone: (867) 920-8130
    - Fax: (867) 873-6924
    - E-mail: spills@gov.nt.ca

**SECONDARY  
CONTAINMENT -  
REFUELING**

**FUEL CONTAINER  
STANDS**

**FUEL  
CONTAINMENT**

**FUEL ON LAND**

**MARK CONTAINERS  
AND TANKS**

**MARK FUEL  
LOCATION**

**MAXIMUM FUEL  
ON SITE**

**REPORT FUEL  
LOCATION**

**SEAL OUTLET**

**SPILL CONTINGENCY  
PLAN**

**SPILL RESPONSE**

**DRIP TRAYS**

**CLEAN UP SPILLS**

**REPORT SPILLS**

**Commented [Staff9]:** Board staff are seeking input if this condition should remain as it was in the previous MV2005C00032 Permit but is not apart of the Standard Land Use Permit Template.

**Commented [Staff10]:** Added condition from the Standard Land Use Permit Template. Board staff are seeking input into the maximum volume of fuel that is to be stored onsite.

Based on the RECLAIM estimate, there is:

**Main Camp:**

3 x 18M litres = 54,000,000

8 x 0.5M litres = 4,000,000

10 x 0.06M litres = 600,000

**Air strip:**

3 x 0.101M litres = 303,000

**Unknown:**

2 x 0.1M litres = 200,000

1 x 0.035M litres = 35,000

1 x 0.02M litres = 20,000

18 x 0.01M litres = 180,000

Total = **59,338,000 litres**

- Online: Spill Reporting and Tracking Database
- c) within 24 hours, notify the Board and an Inspector; and
- d) within 30 days of initially reporting the incident, submit a detailed report to the Board and an Inspector, including descriptions of causes, response actions, and any changes to procedures to prevent similar occurrences in the future. Any updates to this report shall be provided to the Board and an Inspector in writing as changes occur.

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

68. The Permittee shall progressively dispose of all brush and trees; all disposal shall be completed prior to the end of this land-use operation.
69. The Permittee shall not clear areas larger than identified in the complete application.

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

70. All outstanding liabilities and obligations of the Permittee in relation to work performed or required to be performed under Land Use Permit MV2005C0032 are fully incorporated into and subsumed under this Permit, and the Permittee must therefore complete the restoration and other obligations set out in or incurred under Permit MV2005C0032, as well as such further obligations as may be set out in or incurred under this Permit.
71. 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.
72. The Permittee shall dispose of all Overburden as approved by the Board, or as otherwise authorized in writing by an Inspector.
73. The Permittee shall save the organic soil stripped from the land-use area and shall use the organic soil for reclamation as approved by the Board, or otherwise authorized in writing by an Inspector.
74. Prior to the end of the land-use operation, the Permittee shall level all stockpiles of granular material located within the land-use area.
75. Prior to the end of the land-use operation, the Permittee shall complete all cleanup and restoration of the lands used.
76. Prior to the end of the land-use operation, the Permittee shall prepare the site in such a manner as to facilitate natural revegetation.
77. The Permittee shall carry out progressive Reclamation of disturbed areas as soon as it is practical to do so.
78. Prior to the end of the land-use operation, the Permittee shall restore any trails impacted by the land-use operation by removing fallen trees and any other obstructions from the trails.

**BRUSH DISPOSAL/  
TIME**

**MINIMIZE AREA  
CLEARED**

**TRANSFER OF  
LIABILITIES**

**Commented [Staff11]:** Added condition from the Standard Land Use Permit Template.

**PRE-  
CONSTRUCTION  
PROFILES**

**DISPOSAL OF  
OVERBURDEN**

**SAVE AND PLACE  
ORGANIC SOIL**

**LEVEL STOCKPILES**

**FINAL CLEANUP  
AND RESTORATION**

**NATURAL  
VEGETATION**

**PROGRESSIVE  
RECLAMATION**

**TRAILS  
RESTORATION**

79. The Permittee shall comply with the **Interim Closure and Reclamation Plan**, as approved by the Board, and submit any revisions upon request of the Board. Revisions of the plan shall be submitted to the Board for approval. **INTERIM CLOSURE AND RECLAMATION PLAN**
80. A minimum of two years prior to the end of commercial Operations, the Permittee shall submit a **Final Closure and Reclamation Plan** to the Board for approval. **FINAL CLOSURE AND RECLAMATION PLAN**
81. The Permittee shall implement the Final Closure and Reclamation Plan, as approved by the Board, and submit any revisions upon request of the Board. Revisions of the plan shall be submitted to the Board for approval. **FINAL CLOSURE AND RECLAMATION PLAN**
- 26(1)(p) Display of Permits and Permit Numbers**
82. The Permittee shall display a copy of this Permit in each campsite established to carry out this land-use operation. **DISPLAY PERMIT**
- 26(1)(q) Biological and Physical Protection of the Land**
83. The Permittee shall comply with the **Engagement Plan**, once approved, and shall annually review the plan and make any necessary revisions to reflect any changes in Operations or as directed by the Board. Revisions to the plan shall be submitted to the Board for approval. **ENGAGEMENT PLAN**
84. The Permittee shall comply with the **Vegetation and Soils Monitoring Program**, once approved, and shall annually review the program, and make any necessary revisions to reflect any changes in Operations or as directed by the Board. Revisions of the program shall be submitted to the Board for approval. **VEGETATION AND SOILS MONITORING PROGRAM**
85. **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**
86. All revised plans and programs submitted to the Board shall include a brief summary of the changes made to the plans and programs. **SUMMARY OF CHANGES**
87. Beginning March 31, 2015 and no later than every March 31 thereafter, the Permittee shall submit an **Annual Land Use Permit Report** to the Board, which shall contain a table detailing all commitments listed in the Report of Environmental Impact Review that are related to the content of this Permit, with descriptions of how each commitment is being or has been met. **ANNUAL REPORTING**

**Commented [Staff12]:** Added condition from the Standard Land Use Permit Template.

**Annex A: Concordance Table of Items Requiring Submission**

**Commented [Staff13]:** To be updated following Board decision.

Supplemental information to be submitted by Permittee as required through Land Use Permit Conditions.

Disclaimer: If there are any discrepancies between this table and the body of the Permit, the Permit conditions prevail.

Permit Condition(s)	Report, Plan or Program Required	Due Date
		-
		-
		-
		-
		-
		-
		-
		-
		-
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**Annex B: Revisions to Land Use Permit MV2021D0009**

*List of changes that have been made to the Land Use Permit since issuance.*

Date	Location of change	What has changed

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