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November 17, 2021

File: W2016J0008

Karin Clark
Department of Environment and Natural Resources
Government of the Northwest Territories
Box 1320
Yellowknife, NT X1A 2L9

Sent by email

Dear Karin Clark,

Re: The Tundra Ecosystem Research Station – Extension Issuance Package – Land Use Permit W2016J0008 – Camp – Daring Lake NT

The Wek'èezhì Land and Water Board (Board) met on November 17, 2021 and considered the Government of the Northwest Territories Department of Environment and Natural Resources (GNWT-ENR)'s request to extend Land Use Permit (Permit) W2016J0008 for the Tundra Ecosystem Research Station (TERS) (Project) in accordance with the *Mackenzie Valley Resource Management Act* (MVRMA).

The Board has approved the Permit extension. The Permit (attached) now expires on November 3, 2023. An administrative change was made to Condition 17 to update the phone number listed for the Prince of Wales Northern Heritage Center.

GNWT-ENR also submitted Version 3.1 of its Spill Contingency Plan (SCP).¹ Version 3.1 of the SCP was submitted to incorporate the updated on-site manager and the updated Wildlife and Fish Division. Version 3.1 was distributed for public review along with the extension request. The update to the Plan was administrative in nature, and no comments or recommendations on the plan were received during the public review. The Board has thus approved Version 3.1 of the SCP.

¹ See WLWB (www.wlwb.ca) Online Registry for [W2016J0008 - GNWT-ENR - TERS - Spill Contingency Plan - V3.1 - Oct 4 21](#)

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.

Full cooperation of GNWT-ENR is anticipated and appreciated. Please contact Roberta Judas at (867) 713-2500 with any questions or concerns regarding this letter.

Yours sincerely,



Mason Mantla
Chair, Wek'èezhìi Land and Water Board

BCC'd to: Wek'èezhìi Distribution List
 Clint Ambrose – Inspector, GNWT-Lands
 Patti Nightingale, GNWT-Lands

Attached: Land Use Permit [W2016J0008]

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



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**Government of the Northwest Territories
Department of Environment and Natural Resources
Land Use Permit W2016J0008**

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

Government of the Northwest Territories
Department of Environment and Natural Resources

(Permittee)

of _____
Box 1320, Yellowknife, NT X1A 2L9
(Mailing Address)

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

Location:	The Tundra Ecosystem Research Station at Daring Lake, NT
Purpose:	Operation and Maintenance of a Research Camp, Including Fuel Storage
Type:	A
Effective Date:	November 4, 2016
Expiry Date:	November 3, 2023

A handwritten signature in black ink, appearing to read "Mason Mantla".

**Mason Mantla, Chair
Wek'èezhìi Land and Water Board**

A handwritten signature in black ink, appearing to read "Roberta Judas".

Roberta Judas, Witness



**Conditions Annexed to and Forming Part
of Land Use Permit # W2016J0008**

Part A: Scope of Permit

1. This Permit entitles The Department of Environment and Natural Resources of the Government of the Northwest Territories to conduct the following land-use operation:
 - a) use of a campsite, and
 - b) establishment of petroleum fuel storage facilities.
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 absolve the Permittee from the responsibility for compliance with the requirements of all applicable federal, territorial, Tlicho and municipal legislation.

Part B: Definitions (defined terms are capitalized throughout the permit)

Act - the *Mackenzie Valley Resource Management Act*.

Board - the Wek'èezhì Land and Water Board established in subsection 57.1(1) of the *Mackenzie Valley Resource Management Act*

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

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 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).

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 material, such as non-Toxic Drilling Waste or Sewage, therein.

Toxic - a 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 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 use an existing campsite, as described in the accepted application. **Existing Camp**
- 2. The Permittee shall not conduct this land-use operation on any lands not designated in the accepted application. **Location of Activities**

26(1)(b) Time

- 3. At least 48 hours prior to the commencement of this land-use operation, the Permittee's Field Supervisor shall contact an Inspector at (867) 767-9188. **Contact Inspector**
- 4. 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: **Identify Agent**
(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).
- 5. 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**

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

- 6. The Permittee shall not use any equipment except of a similar type, size, and number to that listed in the accepted application. **Only Approved Equipment**

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

- 7. The Permittee shall ensure that the land use area is kept clean at all times. **Clean Work Area**
- 8. 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)(g) Use, Storage, Handling, and Ultimate Disposal of Any Chemical or Toxic Material

- 9. The Permittee shall maintain a record of all spills. For all reportable spills, as defined in the *NT-NU Spill Report Form*, 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**
- 10. 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

- 11. 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

- 12. The Permittee shall adhere to the approved Waste Management Plan 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**

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| 13. | 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 |
| 14. | The Permittee shall dispose of all Sewage and Greywater as described in the approved Waste Management Plan. | Sewage Disposal |
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| 26(1)(j) Protection of Historical, Archaeological, and Burial Sites | | |
| 15. | 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 |
| 16. | The Permittee shall not knowingly remove, disturb, or displace any archaeological specimen or site. | Site Disturbance |
| 17. | 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) 765-4592 or an Inspector at (867) 767-9188, and the Prince of Wales Northern Heritage Centre at (867) 767-9347 ext. 71251 or ext. 71255. | Site Discovery and Notification |
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| 26(1)(m) Fuel Storage | | |
| 18. | 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 |
| 19. | 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 |
| 20. | The Permittee shall not allow petroleum products to spread to surrounding lands or Watercourses. | Fuel Containment |
| 21. | The Permittee shall mark all Fuel Storage Containers and tanks with the Permittee's name. | Mark Containers |
| 22. | The Permittee shall operate in accordance with the approved Spill Contingency Plan 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 |
| 23. | Prior to commencement of operations, the Permittee shall ensure that spill-response equipment is in place to respond to any potential spills. | Spill Response |
| 24. | All equipment that may be parked for two hours or more, should have a haz-mat/drip tray under it or be sufficiently diapered. (Leaky equipment should be repaired immediately.) | Drip Trays |
| 25. | The Permittee shall clean up all leaks, spills, and contaminated material. | Clean Up Spills |
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| 26(1)(o) Restoration of the Lands | | |
| 26. | 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

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| 27. The Permittee shall display a copy of this Permit in each campsite established to carry out this land-use operation. | Display Permit |
| 28. 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 |
| 29. The Permittee shall operate in accordance with 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 |
| 30. All revised plans submitted to the Board shall include a brief summary of the changes made to the plan. | Summary of Changes |