



Box 32, Wekweètì, NT X0E 1W0
 Tel: 867-713-2500 Fax: 867-713-2502

#1-4905 48th Street, Yellowknife, NT X1A 3S3
 Tel: 867-765-4592 Fax: 867-765-4593
 www.wlwb.ca

LAND USE PERMIT

Permit Class	Permit No	Amendment No
A	W2019S0001	

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

Government of the Northwest Territories –
 Environment and Natural Resources

Permittee

To proceed with the land use operation described in application of:

Signature Glenn Bourke	Date May 14, 2019
Type of Land use Operation Geotechnical Drilling	
Location Lot 5 and 6 (Block 16 and Plan 1803), Behchokq, NT	

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

Dated at Yellowknife this 28th day of June, 2019

Signature Chair

Signature Witness

Effective Date
July 9, 2019

Expiry Date
July 8, 2024

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 by the Board.

Conditions Annexed to and Forming Part of Land Use Permit # W2019S0001

Part A: Scope of Permit

1. This Permit entitles the Permittee to conduct the following land-use operation:
 - a) Use of power-driven, earth drilling machinery for the purpose of a geotechnical investigation
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, Tłı̨chǫ, or Municipal laws.

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

Act - the *Mackenzie Valley Resource Management Act*.

Board - the Wek'èezhìi Land and Water Board established under Part 3 of the Act.

Borehole - a hole that is made in the surface of the ground by drilling or boring.

Closure and Reclamation - the process and activities that 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.

Drilling Fluid - 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.

Flowing Artesian Well - a well in which water:

- a) Naturally rises above the ground surface or the top of any casing; and
- b) Flows naturally, either intermittently or continuously.

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.

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.

Minister - the Minister of Indian Affairs and Northern Development Canada or the Minister of the Government of the Northwest Territories – Department of Lands, as the case may be.

Ordinary High-Water Mark - the usual or average level to which a body of water rises at its highest point and remains for sufficient time so as to change the characteristics of the land. In flowing waters (rivers, streams) this refers to the “active channel/bank-full level” which is often the 1:2 year flood flow return level. In inland lakes, wetlands, or marine environments, it refers to those parts of the Watercourse bed and banks that are frequently flooded by water so as to leave a mark on the land and where the natural vegetation changes from predominately aquatic vegetation to terrestrial vegetation (excepting water tolerant species). For reservoirs, this refers to normal high operating levels (full supply level).

Permittee - the holder of this permit.

Progressive Reclamation - Closure and Reclamation activities conducted during the operating phase of the project.

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* that describes the set of procedures to be implemented to minimize the effects of a spill.

Safety Data Sheet - a technical document, typically written by the manufacturer or supplier of a chemical, that provides information about the hazards associated with the product, advice about safe handling and storage, and emergency response procedures.

Toxic Material - any substance that enters or may enter the environment in a quantity or concentration or under conditions such that it:

- a) Has or may have an immediate or long-term harmful effect on the environment or its biological diversity;
- b) Constitutes or may constitute a danger to the environment on which life depends; or
- c) Constitutes or may constitute a danger in Canada to human life or health.

Waste - any garbage, debris, chemical, or Toxic Material to be used, stored, disposed of, or handled on land, and also as defined in section 51 of the Act.

Watercourse - a natural body of flowing or standing water or an area occupied by water during part of the year, and includes streams, springs, swamps and gulches but does not include groundwater.

Part C: Conditions Applying to All Activities (headings correspond to subsection 26(1) of the Mackenzie Valley Land Use Regulations)

26(1)(a) Location and Area

- | | |
|--|-------------------------------|
| 1. The Permittee shall only conduct this land-use operation on lands designated in the application. | LOCATION OF ACTIVITIES |
| 2. Prior to the commencement of drilling, the Permittee shall submit the target areas and final drill hole locations on a 1:50,000-scale map with coordinates and map datum to the Board and an Inspector. | DRILL LOCATIONS |
| 3. Prior to the commencement of the land-use operation, the Permittee shall accompany an Inspector during an inspection of the proposed land use area. | INSPECT LOCATIONS |

26(1)(b) Time

- | | |
|--|---|
| 4. At least 48 hours prior to the initial-commencement of the land-use operation, the Permittee's Field Supervisor shall contact an Inspector at (867) 767-9188. | INITIAL NOTIFICATION – CONTACT INSPECTOR |
| 5. At least 48 hours prior to commencement of the land-use operation, the Permittee shall provide the following information, in writing, to the Board and 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 |
| 6. 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;
b) when final cleanup and reclamation of the land used will be completed; and
c) when the Final Plan will be submitted. | REPORTS BEFORE FINAL REMOVAL |

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

- | | |
|---|-------------------------------|
| 7. 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

Intentionally Left Blank

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

8. 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

9. The land-use operation shall not cause obstruction to any natural drainage. **NATURAL DRAINAGE**

10. The Permittee shall, where flowing water from a Borehole is encountered: **FLOWING ARTESIAN WELL**
- a) plug the Borehole in such a manner as to permanently prevent any further outflow of water; and
 - b) immediately report the occurrence to the Board and an Inspector.

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

11. 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. **CHEMICALS**

12. When drilling within 100 metres of the Ordinary High-Water Mark of any Watercourse, and when drilling on ice, the Permittee shall contain all drill water and Drilling Waste in a closed circuit system for reuse, off-site disposal, or deposit into a land-based Sump or natural depression. **DRILLING NEAR WATER OR ON ICE**

26(1)(h) Wildlife and Fish Habitat

13. 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

14. The Permittee shall keep all garbage and debris in a secure container until disposal. **GARBAGE CONTAINER**

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

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

<p>16. The Permittee shall, where a suspected archaeological or historical site, or burial ground is discovered:</p> <p>a) immediately suspend operations on the site; and</p> <p>b) notify the Board at (867) 765-4592 or an Inspector at (867) 767-9188, and the Prince of Wales Northern Heritage Centre at 767-9347 ext. 71250 or ext. 71251.</p>	<p>SITE DISCOVERY AND NOTIFICATION</p>
<p>26(1)(k) Objects and Places of Recreational, Scenic, and Ecological Value <i>Intentionally Left Blank</i></p>	
<p>26(1)(l) Security Deposit</p>	
<p>17. All costs to remediate the area under this Permit are the responsibility of the Permittee.</p>	<p>RESPONSIBILITY FOR REMEDIATION COSTS</p>
<p>26(1)(m) Fuel Storage</p>	
<p>18. The Permittee shall set up all refueling points with Secondary Containment.</p>	<p>SECONDARY CONTAINMENT - REFUELING</p>
<p>19. The Permittee shall mark all Fuel Storage Containers and Tanks with the Permittee's name.</p>	<p>MARK CONTAINERS AND TANKS</p>
<p>20. 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.</p>	<p>SPILL CONTINGENCY PLAN</p>
<p>21. Prior to commencement of the land-use operation the Permittee shall ensure that spill-response equipment is in place to respond to any potential spills.</p>	<p>SPILL RESPONSE</p>
<p>22. 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.</p>	<p>DRIP TRAYS</p>
<p>23. The Permittee shall clean up all leaks, spills, and contaminated material immediately</p>	<p>CLEAN UP SPILLS</p>
<p>24. During the period of this Permit, if a spill occurs or is foreseeable, the Permittee shall:</p> <p>a) implement the approved Spill Contingency Plan;</p> <p>b) report it-immediately using the NU-NT Spill Report Form by one of the following methods:</p> <ul style="list-style-type: none"> • Telephone: (867) 920-8130 • Fax: (867) 873-6924 	<p>REPORT SPILLS</p>

- E-mail: spills@gov.nt.ca
 - [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

- | | |
|---|----------------------------------|
| 25. The Permittee shall progressively dispose of all brush and trees; all disposal shall be completed prior to the end of this land use operation | BRUSH DISPOSAL/ TIME |
| 26. The Permittee shall not clear areas larger than identified in the complete application. | MINIMIZE AREA
CLEARED |

26(1)(o) Restoration of the Lands

- | | |
|---|--|
| 27. Prior to the end of the land-use operation, the Permittee shall complete all cleanup and restoration of the lands used. | FINAL CLEANUP AND
RESTORATION |
| 28. The Permittee shall carry out Progressive Reclamation of disturbed areas as soon as it is practical to do so. | PROGRESSIVE
RECLAMATION |

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

- | | |
|---|-----------------------|
| 29. 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

- | | |
|--|----------------------------|
| 30. Prior to the commencement of the land-use operation, the Permittee shall submit a revised Spilled Contingency Plan to the Board for approval. | SUBMIT REVISED PLAN |
| 31. 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 |
| 32. All revised plans submitted to the Board shall include a brief summary of the changes made to the plan. | SUMMARY OF CHANGES |