

Draft Land Use Permit Conditions – Nighthawk Gold Corp. Indin Lakes Project.

Conditions Annexed to and Forming Part of Land Use Permit # W2021C0009

Part A: Scope of Permit

1. This Permit entitles the Permittee to conduct the following land-use operation in the Damoti Lake and Colomac Mine areas:
 - a) Mineral Exploration including diamond drilling;
 - b) Construction, maintenance, and use of winter road and access roads;
 - c) Use and storage of fuel;
 - d) Use and storage of explosives;
 - e) Operation of a camp(s); and
 - f) Use of vehicles and equipment.
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

Act - the *Mackenzie Valley Resource Management Act*.

Archaeological Overview - as defined by the Prince of Wales Northern Heritage Centre – *Guidelines for Developers for the Protection of Archaeological Sites in the Northwest Territories*.

Archaeological Impact Assessment - 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, or the Wek'èezhii Land and Water Board established under Part 3 of the Act, as the case may be.

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

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.

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.

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.

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*.

Minister - the Minister of ~~Crown-Indigenous Relations and Northern Affairs Canada~~~~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.

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

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.

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)

26(1)(a) Location and Area

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| 1. The Permittee shall operate in accordance with the requirements of the Colomac Site Restrictions annexed to this permit, and any revisions to the Colomac Site Restrictions as and when approved by the Board. | COLOMAC SITE RESTRICTIONS |
| 2. The Permittee shall not conduct any part of the land-use operation within <u>300</u> metres of any privately owned or leased land or structure, unless otherwise authorized in writing by the Board. | PRIVATE PROPERTY |
| 3. The Permittee shall locate all camps on Durable Land or previously cleared areas. | CAMP LOCATION |
| 4. The Permittee shall use an existing campsite, as described in the complete application. | EXISTING CAMP |
| 5. Prior to the commencement of drilling, the Permittee shall submit the drill target locations on a 1:50,000-scale map with coordinates and map datum to the Board and an Inspector. | DRILL LOCATIONS |
| 6. The Permittee shall not construct parallel lines or roads, unless an existing line or road cannot be used. | PARALLEL ROADS |
| 7. The Permittee shall not conduct this land-use operation on any lands not designated in the complete application. | LOCATION OF ACTIVITIES |
| 8. The Permittee shall confine the width of the right of way to a maximum of ten (10) metres, unless otherwise authorized in writing by a Land Use Inspector. The Permittee shall not clear a right-of-way that is wider than 12 metres. | WIDTH RIGHT-OF-WAY |

9. 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

Commented [PD1]: Moved to 26(1)(a) from 26(1)e to conform with the Standard Conditions.

26(1)(b) Time

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| 9.1 At least 48 hours prior to the commencement of the land-use operation, the Permittee's Field Supervisor shall contact a GNWT Inspector at (867) 767-9188 or a federal Inspector at (867) 669-2442 or (867) 669-2468. | CONTACT INSPECTOR |
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10. 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 Inspectors from both CIRNAC and the GNWT:
- 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

12. At least ten days prior to the Shut Down Period, the Permittee shall advise an Inspector of:

REPORTS BEFORE SEASONAL REMOVAL

Commented [PD2]: New Standard condition added to differentiate between seasonal shut-down and final closure (the following condition)

- a) the plan for removal or storage of equipment and materials; and
- b) when cleanup and Progressive Reclamation of the land used will be completed.

11. At least ten days prior to the completion of the land-use operation, the Permittee shall advise Inspectors from both CIRNAC and the GNWT of:

REPORTS BEFORE REMOVAL

- 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; and
- b)c) when the Final Plan will be submitted.

Commented [PD3]: Added for compliance with the Standard Conditions.

12. The Board, for the purpose of this operation, designates April 15 as spring break-up.

SPRING BREAK-UP

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

- 13. The Permittee shall not use any equipment except of a similar type, size, and number to that listed in the complete application.
- 14. The Permittee shall maintain fire-fighting equipment at the site in accordance with the *Government of the Northwest Territories' Forest Fire Prevention and Suppression Guidelines for Industrial Activities.*

ONLY APPROVED EQUIPMENT

FIRE-FIGHTING EQUIPMENT

26(1)(d) Methods and Techniques

- 15. The Permittee shall Dogleg lines, trails and right-of-ways that approach Watercourses or public roads.
- 16. As the land-use operation progresses, the Permittee shall refill and restore craters caused by explosives.
- 17. Immediately upon completion of operations at each Borehole, the Permittee shall remove or cut off and seal each drill casing at ground level.

DOGLEG APPROACHES

REFILL CRATERS

MINERAL EXPLORATION DRILL CASINGS

~~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.

WINTER ROADS

~~19.~~ 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

~~20.~~ Prior to the expiry date of this Permit, the Permittee shall replace all excavated material, unless otherwise authorized in writing by an Inspector.

EXCAVATED MATERIAL

~~21.~~ 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

~~22.~~ The Permittee shall ensure that the land use area is kept clean at all times.

CLEAN WORK AREA

~~23.~~ ~~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~~

Commented [PD4]: Moved to 26(1)(a) as per Standard Conditions

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

~~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, 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.

~~27.~~ The Permittee shall not conduct off-road vehicle travel in areas without snow-covered surfaces.

OFF-ROAD VEHICLE TRAVEL

~~28.~~ The Permittee shall prepare the site in such a manner as to prevent rutting of the ground surface.

PREVENTION OF RUTTING

~~29.~~ The Permittee shall suspend overland travel of equipment or vehicles at the first sign of rutting or gouging.

SUSPEND OVERLAND TRAVEL

Commented [PD5]: Updated for alignment with Standard Conditions.

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| 30. 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 |
| 31. The Permittee shall not use any material other than clean water and snow in the construction of ice bridges. | ICE BRIDGE MATERIALS |
| 32. The Permittee shall not use any materials other than clean snow and water in the construction of snow fills. | SNOWFILL MATERIALS |
| 33. 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 |
| 34. 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 |
| 35. The Permittee shall minimize approach grades on all Watercourse crossings. | MINIMIZE APPROACH |
| 36. 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 |
| 37. 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 | |
| 38. At least seven days prior to the use of any chemicals that were not identified in the complete application, the MSDS Safety Data Sheets must be provided to the Board and an Inspector. | CHEMICALS |
| 39. 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 |
| 40. The Permittee may deposit Drilling Waste that does not contain Toxic Material in a Sump or natural depression. Any Sumps or natural depressions used to deposit Drilling Waste must be located at least | DRILLING WASTE |

100 metres from the Ordinary High Water Mark of any Watercourse, unless otherwise authorized in writing by an Inspector.

- 41. The Permittee shall remove all Drilling Waste containing Toxic Material to an approved disposal facility.
- 42. The Permittee shall not allow any Drilling Waste to spread to the surrounding lands or Watercourses.
- 43. 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.
- 44. ~~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:
 - 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.~~

- 45. The Permittee shall dispose of all Toxic Material as described in the approved **Waste Management Plan**.
- 46. The Permittee shall dispose of all combustible Waste petroleum products by removal to an approved disposal facility.

26(1)(h) Wildlife and Fish Habitat

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

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

- 48. 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.
- 49. The Permittee shall keep all garbage and debris in a secure container until disposal.

DRILLING WASTE DISPOSAL

DRILLING WASTE CONTAINMENT

BACKFILL SUMPS

REPORT SPILLS

Commented [PD6]: Moved to section 26(1)(m) and with updated condition text, as per the Standard Conditions.

WASTE CHEMICAL DISPOSAL

WASTE PETROLEUM DISPOSAL

HABITAT DAMAGE

WASTE MANAGEMENT

GARBAGE CONTAINER

50. 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

51. The Permittee shall dispose of all Sewage and Greywater as described in the approved **Waste Management Plan**, unless otherwise authorized in writing by an Inspector. SEWAGE DISPOSAL – PLAN

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

52. 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

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

54. 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) 713-2500, a GNWT Inspector at (867) 767 9188 or a federal Inspector at (867) 669-2442 or (867) 669-2468, and the Prince of Wales Northern Heritage Centre at 767-9347 ext. 71250 or ext. 71251.

55. At least 30 days prior to any new land disturbance, including new drill sites, 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

56. 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. AIA – HIGH POTENTIAL

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

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26(1)(l) Security Deposit

57. Prior to the commencement of the land-use operation on non-federal lands, the Permittee shall deposit with the Minister a security deposit in the amount of \$XXXX. SECURITY DEPOSIT

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| <p>58. Prior to the commencement of the land-use operation on federal lands, the Permittee shall deposit with the Minister a security deposit in the amount of \$XXXX.</p> | <p>SECURITY DEPOSIT</p> |
| <p>59. 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>60. The Permittee shall:</p> <ul style="list-style-type: none"> a) examine all Fuel Storage Containers and Tank for leaks regularly; and b) repair all leaks immediately. | <p>CHECK FOR LEAKS</p> |
| <p>61. 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.</p> | <p>FUEL NEAR WATER</p> |
| <p>62. The Permittee shall ensure that all fuel caches have adequate Secondary Containment.</p> | <p>FUEL CACHE SECONDARY CONTAINMENT</p> |
| <p>63. The Permittee shall set up all refueling points with Secondary Containment.</p> | <p>SECONDARY CONTAINMENT – REFUELING</p> |
| <p>64. The Permittee shall not allow petroleum products to spread to surrounding lands or Watercourses.</p> | <p>FUEL CONTAINMENT</p> |
| <p>65. The Permittee shall locate mobile fuel facilities on land when the facilities are stationary for more than 12 hours.</p> | <p>FUEL ON LAND</p> |
| <p>66. The Permittee shall mark all Fuel Storage Containers and Tanks with the Permittee's name.</p> | <p>MARK CONTAINERS AND TANKS</p> |
| <p>67. 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.</p> | <p>MARK FUEL LOCATION</p> |
| <p>68. The Permittee shall have a maximum of 1,255,830 litres of fuel stored on the land use site at any time, unless otherwise authorized in writing by the Board.</p> | <p>MAXIMUM FUEL ON SITE</p> |
| <p>69. 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.</p> | <p>REPORT FUEL LOCATION</p> |

70. 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

71. 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

72. 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.

SPILL RESPONSE

73. 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

74. The Permittee shall clean up all leaks, spills, and contaminated material.

CLEAN UP SPILLS

77. During the period of this Permit, if a spill occurs or is foreseeable, the Permittee shall:

REPORT SPILLS

a) implement the approved Spill Contingency Plan;

b) report it-immediately using the NU-NT Spill Report Form by one of the following methods:

- Telephone: (867) 920-8130
- 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

75. Prior to the expiry date of this Permit, the Permittee shall progressively dispose of all brush and trees and shall complete all brush disposal; all disposal shall be completed.

BRUSH DISPOSAL/
TIME

76. The Permittee shall not clear areas larger than identified in the complete application.

MINIMIZE AREA
CLEARED

77. The Permittee shall clear by hand all trees and brush a minimum distance of 10 metres from the top edge of all stream banks and top edge of slopes.

CLEARING SENSITIVE
AREA

26(1)(o) Restoration of the Lands

78. 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

79. The Permittee shall dispose of all overburden as instructed by an Inspector.

DISPOSAL OF
OVERBURDEN

~~80. 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. 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

Commented [PD7]: Updated to Standard Condition

81. Prior to the expiry date of this Permit, the Permittee shall complete all cleanup and restoration of the lands used.

FINAL CLEANUP AND
RESTORATION

82. 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

83. The Permittee shall carry out progressive reclamation of disturbed areas as soon as it is practical to do so.

PROGRESSIVE
RECLAMATION

84. 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

85. 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

~~89. If nesting areas are encountered during the course of operations, the Permittee shall minimize all activity so as to not disturb them.~~

MIGRATORY BIRD
NEST DISTURBANCE

Commented [PD8]: New standard condition

86. Prior to the commencement of the land-use operation, the Permittee shall submit a revised Waste Management Plan, Spill Contingency

SUBMIT REVISED
PLAN

Commented [PD9]: These to be updated by Board prior to issuance.

Plan, and Engagement Plan in accordance with MVLWBs' Guidelines to the Board for approval.

87. 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

88. 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

89. All revised plans submitted to the Board shall include a brief summary of the changes made to the plan.

SUMMARY OF
CHANGES

COLOMAC SITE RESTRICTIONS

PERMITTEE: Nighthawk Gold Corp.

PERMIT NUMBER: W2018C0007

EFFECTIVE DATE OF COLOMAC SITE RESTRICTIONS:

Part C, Condition 1 of Land Use Permit W2018C0007 states that "The Permittee shall operate in accordance with the requirements of the Colomac Site Restrictions annexed to this permit, and any revisions to the Colomac Site Restrictions as and when approved by the Board." The specific site restrictions are as follows:

- i. To ensure the health and safety of its workers, the Permittee shall not access the Tailings Containment Facility, Tailings Containment Area access road, Open Pit Area, or Main Mine Complex areas for any purpose. Access to the airstrip access road shall be permitted.
- ii. The Permittee shall not establish any camps or store equipment, fuel, or other supplies in the aforementioned areas.
- iii. The Permittee shall not drill, trench, excavate any sump, or otherwise alter or disturb the engineered tailings cap within the Tailings Containment Area, Dam 1/Dam 1 B structures, Dyke 7 and spillway, Dam 2 discharge channel, Spruce Lake Disposal Cell, landfill cap in Zone 2.5 Pit, Primary Crusher cap, Steeves Lake Shoreline remediation area, or Hydrocarbon Soil Remediation area.
- iv. The Permittee shall not establish any camps or store equipment, fuel, or other supplies within 30 m of the south bank of the Truck Lake Channel or within 30 m of the south shore of Truck Lake.
- v. The Permittee shall not store bulk fuel north of the decommissioned Explosives Magazine area along the airstrip access road.
- vi. The Permittee shall not ford or cross the Truck Lake Channel with heavy equipment. Forging or crossing of the channel with ATVS can proceed during water-free conditions.
- vii. The Permittee shall not adversely alter the water quality within the Spanner Lake and Paddle Lake - Midgefly Lake - Lake 315 watersheds or within the drainage pathway between Tailings Lake and Indin River.
- viii. If drilling within the watershed divides, the Permittee shall contain all drill waste in a closed circuit system for reuse, off-site disposal, or deposit into a land-based sump or natural depression outside of the indicated areas.
- ix. The Permittee shall not alter or disturb the tailings water repository in Zone 2.0 Pit or in the historic Duck Lake tailings remediation area.
- x. The Permittee shall not access the warehouse building known as "Big Blue" as indicated in Colomac Site Map 1, unless otherwise authorized by the owner of the building.
- xi. The Permittee shall not impact upon caribou migration around the Colomac site.
- xii. The Permittee shall not alter, block or otherwise disturb the caribou barriers or pathways.

- xiii. The Permittee shall not impede or obstruct, in any way, the Crown's access to the site for monitoring or inspection purposes.

Description of areas referred to in the Colomac site restrictions

1. Discharge Pathway - Tailings Lake to Indin River
 - i) Spanner Lake and Paddle Lake-Midgefly Lake-315 Lake watersheds
 - ii) Surveillance Network Stations 1563-39, 1563-14, 1563-40, 1563-41, 1563-13, 1563-32
2. Tailings Containment Area
 - i) Engineered retention structures at Dam 1 / Dam 1B including thermosyphons and thermistor instrumentation strings
 - ii) Engineered tailings cap at Dam 1&2, mid-lake, Dyke 7 and causeway areas in Tailings Lake
 - iii) Engineered tailings cap in Spruce Lake
 - iv) Engineered Spruce Lake Disposal Cell (mill process waste repository)
 - v) Engineered retention and drainage structures Dyke 7, buttress and spillway
 - vi) Engineered drainage structure at Dam 2 Discharge Channel
3. Tailings Containment Area Access Road
 - i) Duck Lake crossing restoration
 - ii) Sewage lagoon and decommissioned retention berm
 - iii) Historic Duck Lake tailings remediation area (west shore)
4. Open Pit Area
 - i) Zone 2.0 Pit (treated tailings water repository)
 - ii) SNP 1563-26 in Zone 2.0 Pit
 - iii) Pressure sensor (hydrology monitoring) in Zone 2.0, 2.5, and 3.0 Pits
 - iv) Pressure sensor (hydrology monitoring) in Baton Lake
 - v) Engineered, non-hazardous landfill in Zone 2.5 Pit
 - vi) SNP 1563-29 (Baton Lake)
5. Spot Pond - Truck Lake - Steeves Lake Drainage
 - i) French drain between Baton and Spot Lake
 - ii) Engineered channel and plug at Spot Pond-Truck Lake drainage
 - iii) SNP 1563-23 (Truck Lake)
 - iv) Truck Lake re-vegetation areas along north and west shores
 - v) Engineered wetland at Truck Lake outflow to Truck Lake Channel
 - vi) Engineered Truck Lake Channel
 - vii) SNP 1563-4 (Truck Lake discharge at Steeves Lake)
6. South Waste Rock Dump Area
 - i) Hydrocarbon Soil Remediation Area
 - ii) Boneyard Remediation Area
 - iii) Engineered Primary Crusher cap
 - iv) Big Blue Warehouse

7. Main Mine Complex

- i) Camp pad (decommissioned sewage vault and pit privies)
- ii) Tank Farm Area and G Tank Remediation excavation and re-grade areas
- iii) Maintenance Shop excavation and re-grade area
- iv) Mill Facility (power house, leach tanks, thickener tank) pad and re-grade area
- v) Engineered Steeves Lake Shoreline (armour wall, attenuation and peat trench)
- vi) Hydrocarbon Monitoring and Recovery Well Field
- vii) Commissioned Land Treatment Unit (landfarm facility)
- viii) SNP Stations 1563-20 and 42 (below mill area, outside remediated shoreline)
- ix) SNP Stations 1563-46-49 (Steeves Lake east shore)
- x) Decommissioned explosives magazine area (airstrip access road)
- xi) Access to the airstrip access road shall be permitted

8. Caribou Pathways and Barriers

- i) Barrier at Ridge Lake
- ii) Pathway between Dyke Lake to Steeves Lake and ramp to Steeves Lake
- iii) Pathway between Steeves Lake to Spanner Lake
- iv) Pathway between Baton Lake and Lower Long Lake, north to Duck Lake
- v) Barrier at south end of Zone 3.0 Pit
- vi) Barrier at East Access Hill
- vii) Barriers at North Waste Dump (west accesses and northeast comer)
- viii) Pathway along ring road/trails around west and east side of TCA