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March 11, 2024

File: W2023J0005

Colin Modeste-Burgin
Government of the Northwest Territories
Environment and Climate Change
PO Box 1320
Yellowknife, NT X1A 2L9

Sent by email

Dear Colin Modeste-Burgin,

Re: Government of the Northwest Territories Environment and Climate Change – Renewal Issuance Package – Land Use Permit W2023J0005 – Camp – Daring Lake, NT

The Wek'èezhì Land and Water Board (Board) met on February 29, 2024 and considered the renewal Application Package from Government of the Northwest Territories Environment and Climate Change (GNWT-ECC) for Land Use Permit W2016J0008 for the Tundra Ecosystem Research Station at Daring Lake, NT (Project) in accordance with the *Mackenzie Valley Resource Management Act* (MVRMA).

The Board has approved Land Use Permit (Permit) W2023J0005 (attached) for a term of five years, effective March 11, 2024 and expiring March 10, 2029. The Permit is supported by the Board's Reasons for Decision. These documents are posted to the Board's Public Registry.¹

Management Plans – Approved

The Board has approved the following Plans:

Condition Number and Title	Title of Plan (Version)
12, WASTE MANAGEMENT PLAN	Waste Management Plan (V3.0) ²
28, SPILL CONTINGENCY PLAN	Spill Contingency Plan (V4.0) ³

¹ See WLWB Online Registry (www.wlwb.ca) for [W2023J0005](#).

² See WLWB Online Registry for [GNWT-ECC – TERS – Waste Management Plan – Version 3.0 – Dec 19 23](#).

³ See WLWB Online Registry for [GNWT-ECC – TERS – Spill Contingency Plan – Version 4.0 – Dec 19 23](#).

Inspectors

The Inspectors referred to in the Permit can be contacted at the regional GNWT-ECC offices.⁵

Permit Processes and Additional Information

Sections 5 and 6 of the Land and Water Board (LWB) *Guide to the Land Use Permitting Process*⁶ (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 LWB processes related to the Permit.

Full cooperation of GNWT-ECC is anticipated and appreciated. Please contact Roberta Judas via [email](#) or at (867) 713-2501 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
 Heather Sayine-Crawford, GNWT-ECC
 Clint Ambrose – Inspector, GNWT-ECC
 Scott Stewart– GNWT-ECC

Attached: Land Use Permit W2023J0005

⁴ See WLWB Online Registry for [GNWT-ECC – TERS – Engagement Plan – Version 2.0 – Dec 19 23](#).

⁵ See GNWT-ECC Regional Offices webpage (<https://www.ecc.gov.nt.ca/en/regional-offices>) for regional contact information.

⁶ See WLWB Policies and Guidelines webpage for LWB [Guide to the Land Use Permitting Process](#).



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**Government of the Northwest Territories,
Environment and Climate Change
Land Use Permit W2023J0005**

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

Government of the Northwest Territories,
Environment and Climate Change

(Permittee)

of _____ PO 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:	March 11, 2024
Expiry Date:	March 10, 2029

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

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

A handwritten signature in black ink, appearing to read "Anneli Jokela".

Anneli Jokela, Witness

Conditions Annexed to and Forming Part of Land Use Permit # W2023J0005

Part A: Scope of Permit

1. This Permit entitles the Permittee to conduct the following land-use operation:
 - a) Use of a campsite; and
 - b) Establishment of a petroleum fuel storage facility.
2. This Permit is issued subject to the conditions contained herein with respect to the use of land for the activities and area identified in Part A, item 1 of this Permit.
3. Compliance with the terms and conditions of this Permit does not excuse the Permittee from its obligation to comply with the requirements of any applicable Federal, Territorial, Tłıchǫ, or Municipal laws.

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

Act - the *Mackenzie Valley Resource Management Act*.

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

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.

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.

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 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.

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.

Sump - a human-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)

Condition	Category
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. The Permittee shall use an existing campsite, as described in the complete application.	USE EXISTING CAMP
3. 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.	SUMP SETBACK
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 notify the Board and 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:	IDENTIFY AGENT
<ul style="list-style-type: none"> 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). 	
6. At least ten days prior to the completion of the land-use operation, the Permittee shall advise an Inspector of:	REPORTS BEFORE FINAL REMOVAL
<ul style="list-style-type: none"> 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. 	
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	

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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

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

9. 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**
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 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**
13. The Permittee shall keep all garbage and debris in a secure container until disposal. **GARBAGE CONTAINER**
14. 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

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| 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 767-9347 ext. 71251 or ext. 71255. | SITE DISCOVERY AND
NOTIFICATION |

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

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26(1)(l) Security Deposit

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| 18. | All costs to remediate the area under this Permit are the responsibility of the Permittee. | RESPONSIBILITY FOR
REMEDICATION COSTS |
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26(1)(m) Fuel Storage

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| 19. | The Permittee shall:

a) examine all Fuel Storage Containers and Tank for leaks; and
b) repair all leaks immediately. | REPAIR LEAKS |
| 20. | 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. | FUEL STORAGE SETBACK |
| 21. | The Permittee shall ensure that all fuel caches have adequate Secondary Containment. | FUEL CACHE
SECONDARY
CONTAINMENT |
| 22. | The Permittee shall set up all refueling points with Secondary Containment. | SECONDARY
CONTAINMENT -
REFUELING |
| 23. | The Permittee shall not allow petroleum products to spread to surrounding lands or Watercourses. | FUEL CONTAINMENT |

24.	The Permittee shall locate mobile fuel facilities on land when the facilities are stationary for more than 12 hours.	FUEL ON LAND
25.	The Permittee shall mark all Fuel Storage Containers and Tanks with the Permittee's name.	MARK CONTAINERS AND TANKS
26.	The Permittee shall have a maximum of 28,800 litres of fuel and 900 kg of Propane stored on the land use site at any time, unless otherwise approved by the Board.	MAXIMUM FUEL ON SITE
27.	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
28.	The Permittee shall comply with 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
29.	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
30.	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.	DRIP TRAYS
31.	The Permittee shall clean up all leaks, spills, and contaminated material immediately.	CLEAN UP SPILLS
32.	During the period of this Permit, if a spill occurs or is foreseeable, the Permittee shall: <ul style="list-style-type: none"> a) implement the approved Spill Contingency Plan; b) report it-immediately using the NU-NT Spill Report Form by one of the following methods: <ul style="list-style-type: none"> • Telephone: (867) 920-8130 • Fax: (867) 873-6924 • E-mail: spills@gov.nt.ca • <u>Online: Spill Reporting and Tracking Database</u> 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 	REPORT SPILLS

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

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| 33. | The Permittee shall not clear any vegetation.
The Permittee shall not clear areas larger than identified in the complete application. | MINIMIZE AREA
CLEARED |
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26(1)(o) Restoration of the Lands

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| 34. | All outstanding liabilities and obligations of the Permittee in relation to work performed or required to be performed under Land Use Permit [W2016J0008] 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 [W2016J0008], as well as such further obligations as may be set out in or incurred under this Permit. | TRANSFER OF
LIABILITIES |
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| 35. | 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 |
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| 36. | Prior to the end of the land-use operation, the Permittee shall prepare the site in such a manner as to facilitate natural revegetation. | NATURAL VEGETATION |
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26(1)(p) Display of Permits and Permit Numbers

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| 37. | The Permittee shall display a copy of this Permit in each campsite established to carry out this land-use operation. | DISPLAY PERMIT |
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26(1)(q) Biological and Physical Protection of the Land

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| 38. | 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 |
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| 39. | The Permittee shall comply 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 |
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40. All revised plans submitted to the Board shall include a brief **SUMMARY OF CHANGES** summary of the changes made to the plan.