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January 11, 2012

File: W2011F0006

Ms. Grace Angel - SAO  
Community Government of Wekweètì  
Box 69  
Wekweètì, NT X0E 1W0

Fax: (867) 713-2030

Dear Ms. Angel:

**ISSUANCE OF A TYPE "A" LAND USE PERMIT**

Attached is Land Use Permit No. W2011F0006 granted by the Wek'èezhìi Land and Water Board (WLWB) in accordance with the *Mackenzie Valley Resource Management Act*. A copy of this Permit has been filed in the Public Registry at the office of the WLWB. The WLWB approved Land Use Permit W2011F0006 for a period of five (5) years commencing January 9, 2012 and expiring January 8, 2017.

Please be advised that this letter, with attached procedures, all inspection reports, and correspondence related thereto, are part of the Public Registry, and are intended to keep all interested parties informed of the manner in which the Permit requirements are being met. All Public Registry material will be considered if an amendment to the Permit is requested.

The Board requires the Community Government of Wekweètì to submit an updated Operations and Maintenance Plan, in accordance with Part I, Item 1, of Municipal Water Licence W2007L3-0001. Please contact Regulatory Specialist Brett Wheler ([brett@wlb.ca](mailto:brett@wlb.ca); 765-4590) as soon as possible to ensure that this requirement is met in a timely manner.

The full cooperation of the Community Government of Wekweètì is anticipated and appreciated.

Yours sincerely,

A handwritten signature in black ink, appearing to read "V. Blondin".

Violet Camsell-Blondin  
Interim Chair

Copy to: Charlene Coe for Scott Stewart, South Mackenzie District, AANDC  
Wek'èezhii West Distribution List



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(BHPB & Diavik)

LAND USE PERMIT	<u>Permit Class</u>	<u>Permit No</u>	<u>Amendment No</u>
	A	W2011F0006	

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

**Tlicho Community Government of Wekweètì**

Permittee

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

<b>Signature:</b> Grace Angel, Senior Administrative Office, Wekweètì	<b>Date:</b> November 29, 2011
<b>Type of Land use Operation:</b> Construction of winter access route and use of drilling and other equipment to support bridge construction across Snare Lake narrows.	
<b>Location:</b> Community of Wekweeti, NWT	

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

Dated at Yellowknife this 11 day of January, 2012

Signature Chair

Signature Witness

Commencement Date  
January 9, 2012

Expiry Date  
January 8, 2017

**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 NUMBER W2011F0006**

**Part A: Scope of Permit**

1. This permit entitles Community Government of Wekweètì to conduct the following activities:
  - a) Construction of winter access route and use of drilling and other equipment to support bridge construction at approximately:  

Minimum Latitude: 64°11'50.60"	Maximum Latitude: 64°11'55.14"
Minimum Longitude: 114°14'20.12"	Maximum Longitude: 114°14' 26.87"
2. The 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 responsibility for compliance with the requirements of all applicable Federal, Territorial, Tlicho, and Municipal legislation.

**Part B: Definitions**

**“Act”** means the *Mackenzie Valley Resource Management Act*,

**“Board”** means the Wek'èezhì Land and Water Board established under Part 4 of the *Mackenzie Valley Resource Management Act*,

**“Drill Waste”** means all materials or chemicals, solid or liquid, associated with the drilling of boreholes and includes borehole cuttings;

**“Inspector”** means an Inspector designated by the Minister under the *Mackenzie Valley Resource Management Act*,

**“Sump”** means a man-made pit, trench hollow or cavity in the earth's surface used for the purpose of depositing waste material therein;

“**Watercourse**” means 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 (the headings correspond to Subsection 26 of the Mackenzie Valley Land Use Regulations)**

**26(1)(a) LOCATION AND AREA**

- |    |                                                                                                                                                                                                                |                          |
|----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| 1. | The Permittee shall not conduct this land use operation on any lands not designated in the accepted application.                                                                                               | PLANS                    |
| 2. | The Permittee shall use existing lines and roads to the extent identified in the accepted application, unless otherwise authorized in writing by an Inspector.                                                 | EXISTING LINES AND ROADS |
| 3. | When the Permittee is drilling within one hundred (100) metres of the ordinary high water mark of a watercourse, they must employ a recirculating drill and ensure that cuttings do not enter any watercourse. | LOCATION OF DRILLSITES   |

**26(1)(b) TIME**

- |    |                                                                                                                                                                                                                                                                                                                                |                               |
|----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|
| 4. | The Permittee's Field Supervisor shall contact an Inspector at (867) 669-2794 at least forty-eight (48) hours prior to the commencement of this land use operation.                                                                                                                                                            | CONTACT INSPECTOR             |
| 5. | The Permittee shall advise an Inspector at least ten (10) days prior to the completion of the land use operation of (a) the plan for removal or storage of equipment and materials, and (b) when final clean-up and restoration of the land used will be completed.                                                            | REPORTS BEFORE REMOVAL        |
| 6. | The Permittee shall provide in writing to the Inspector and the Board, at least forty-eight (48) hours prior to commencement of this land use operation, the following information:<br>(a) person, or persons, in charge of the field operation;<br>(b) alternates; and<br>(c) all methods for contacting the above person(s). | IDENTIFY AGENT                |
| 7. | Ice bridges and snow fills shall be v-notched or completely removed before spring break-up to facilitate natural flow.                                                                                                                                                                                                         | ICE BRIDGE / SNOWFILL REMOVAL |

**26(1)(c) TYPE AND SIZE OF EQUIPMENT**

- |    |                                                                                                                                                                                   |                         |
|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|
| 8. | The Permittee shall not use any equipment except of the type, size and number that is listed in the accepted application, unless otherwise authorized in writing by an Inspector. | ONLY APPROVED EQUIPMENT |
|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|

**26(1)(d) METHODS AND TECHNIQUES**

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|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| 9.  | The Permittee shall not conduct vehicle travel in areas without snow-covered surfaces.                                                                                                                                                                                      | VEHICLE TRAVEL           |
| 10. | The Permittee shall construct and maintain winter roads with a minimum of ten (10) centimetres packed snow at all times during this land use operation. If this cannot be done, then the Permittee shall construct <u>Ice Roads</u> in a manner authorized by an Inspector. | SNOW ROADS/<br>ICE ROADS |
| 11. | The Permittee shall not store material other than that required for immediate use on the ice surface of water bodies.                                                                                                                                                       | STORAGE ON<br>ICE        |

**26(1)(e) TYPE, LOCATION, CAPACITY AND OPERATION OF ALL FACILITIES**

- |     |                                                                               |                    |
|-----|-------------------------------------------------------------------------------|--------------------|
| 12. | The Permittee shall ensure that the land use area is kept clean at all times. | CLEAN WORK<br>AREA |
|-----|-------------------------------------------------------------------------------|--------------------|

**26(1)(f) CONTROL OR PREVENTION OF PONDING OF WATER, FLOODING, EROSION, SLIDES AND SUBSIDENCE OF LAND**

- |     |                                                                                                                                                                                                                                   |                               |
|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|
| 13. | The land use operation shall not cause obstruction to any natural drainage.                                                                                                                                                       | NATURAL DRAINAGE              |
| 14. | The Permittee shall ensure that flow within Snare Lake Narrows is maintained at all times during and after construction.                                                                                                          | NATURAL DRAINAGE              |
| 15. | Where snow is used on a watercourse crossing, the Permittee shall ensure that only clean snow is used and that no debris is left on the surface of the crossing.                                                                  | SNOW FILLS                    |
| 16. | The Permittee shall not allow any ice bridge to hinder the flow of water.                                                                                                                                                         | ICE BRIDGE                    |
| 17. | The Permittee shall not operate any heavy equipment or use pile-driving equipment within the high-water mark of any watercourse during ice-free conditions, unless otherwise authorized in writing by the Board and an Inspector. | STREAM BEDS –<br>ACCESS       |
| 18. | The Permittee shall prepare the site in such a manner as to prevent rutting of the ground surface.                                                                                                                                | PREVENTION<br>OF RUTTING      |
| 19. | The Permittee shall suspend overland travel of equipment or vehicles at the first sign of rutting.                                                                                                                                | SUSPEND<br>OVERLAND<br>TRAVEL |

**26(1)(g) USE, STORAGE, HANDLING AND ULTIMATE DISPOSAL OF ANY CHEMICAL OR TOXIC MATERIAL**

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|-----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|
| 20. | The Permittee shall not use chemicals in connection with the land use operation that were not identified in the accepted application unless the MSDS sheets are provided to an Inspector and the Board and usage of the chemical(s) is authorized in writing by an Inspector. | APPROVAL OF CHEMICALS                |
| 21. | The Permittee shall deposit all non-toxic drill waste into a sump or natural depression at least one hundred metres above the ordinary high water mark of any watercourse, or as authorized in writing by an Inspector.                                                       | DRILL WASTE                          |
| 22. | The Permittee shall remove all drill waste off ice surfaces.                                                                                                                                                                                                                  | DRILL WASTE DISPOSAL                 |
| 23. | The Permittee shall not allow any drilling waste to spread to surrounding lands or into water bodies.                                                                                                                                                                         | DRILL WASTE CONTAINMENT              |
| 24. | When drilling on ice, the Permittee shall use a closed circuit drilling system with the disposal of cuttings into a land-based sump.                                                                                                                                          | DRILLING ON ICE                      |
| 25. | The Permittee shall dispose of all combustible waste petroleum products as specified in the accepted application.                                                                                                                                                             | WASTE PETROLEUM DISPOSAL             |
| 26. | The Permittee shall report all spills immediately to the 24 hour Spill Report Line (867) 920-8130 in accordance with instructions contained in "NT-NU Spill Report" form.                                                                                                     | REPORT CHEMICAL AND PETROLEUM SPILLS |

**26(1)(h) WILDLIFE AND FISHERIES HABITAT**

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|-----|---------------------------------------------------------------------------------------------------------|----------------|
| 27. | The Permittee shall minimize damage to wildlife and fish habitat in conducting this land use operation. | HABITAT DAMAGE |
|-----|---------------------------------------------------------------------------------------------------------|----------------|

**26(1)(i) STORAGE, HANDLING AND DISPOSAL OF REFUSE OR SEWAGE**

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|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| 28. | The Permittee shall dispose of all sewage and grey water as specified in the accepted application.                                                                        | SEWAGE DISPOSAL   |
| 29. | The Permittee shall remove all non-combustible garbage and debris, including plastics from the land use area to a disposal site as specified in the accepted application. | REMOVE GARBAGE    |
| 30. | The Permittee shall keep all garbage and debris in a secure container that is acceptable to an Inspector until disposed of.                                               | GARBAGE CONTAINER |

- |                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                    |
|---------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------|
| 31.                                                                       | The Permittee shall dispose of all solid wastes at an approved Solid Waste Disposal Facility.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | REMOVE<br>WASTE<br>MATERIAL                        |
| <b>26(1)(j) PROTECTION OF HISTORICAL, ARCHAEOLOGICAL AND BURIAL SITES</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                    |
| 32.                                                                       | The Permittee shall not operate any vehicle or equipment within one hundred and fifty (150) of a known or suspected historical, archaeological site.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | OPERATE<br>VEHICLE                                 |
| 33.                                                                       | The Permittee shall, where a suspected archaeological or burial site is discovered: (1) immediately suspend operations on the site; and (2) notify the Board at (867) 713-2500 or an Inspector at (867) 669-2794, and the Prince of Wales Northern Heritage Centre at (867) 920-6182 or 873-7688.                                                                                                                                                                                                                                                                                                                                                 | CONTACTS                                           |
| <b>26(1)(l) SECURITY DEPOSIT</b>                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                    |
| 34.                                                                       | All costs to remediate the area under this permit are the responsibility of the Permittee.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | RESPONSIBILIT<br>Y FOR<br>REMEDIA<br>TION<br>COSTS |
| <b>26(1)(m) FUEL STORAGE</b>                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                    |
| 35.                                                                       | The Permittee shall ensure that all refuelling and storage of fuels, chemicals or deleterious substances are located a minimum of 100 metres from the Ordinary High Water Mark of any watercourse.                                                                                                                                                                                                                                                                                                                                                                                                                                                | FUEL NEAR<br>WATERCOURSE                           |
| 36.                                                                       | The Permittee shall ensure that no fuels, chemicals, or wastes associated with this undertaking spread to surrounding lands or enter any waters.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | FUEL<br>CONTAINMENT                                |
| 37.                                                                       | The Permittee shall ensure that adequate contingency plans and spill kits are in place, prior to commencement of operations, to respond to any potential spills.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | SPILL<br>RESPONSE                                  |
| 38.                                                                       | If during the period of this Permit, an unauthorized discharge of waste occurs, or if such a discharge is foreseeable, the Permittee shall:<br>a) employ the Spill Contingency Plan submitted with the accepted application;<br>b) report all spills immediately to the 24 hour Spill Report Line (867) 920-8130 in accordance with instructions contained in "NT-NU Spill Report" form;<br>c) report the unauthorized discharge of waste to the Land Use Inspector within (24) hours; and<br>d) submit to the Inspector and the Board, a detailed report on each occurrence not later than thirty (30) days after initially reporting the event. | SPILL<br>RESPONSE                                  |

**26(1)(n) METHODS AND TECHNIQUES FOR DEBRIS AND BRUSH DISPOSAL**

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|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|
| 39. | The Permittee shall dispose of all brush and debris cleared from trails and lines by:<br>(a) pushing or felling the material into the adjacent forest;<br>and<br>(b) cutting the branches from the stems, and cutting the stems into lengths so that all parts of the trees felled lie flat on the ground surface. | BRUSH<br>DISPOSAL       |
| 40. | The Permittee shall progressively complete disposal of all debris and brush.                                                                                                                                                                                                                                       | PROGRESSIVE<br>DISPOSAL |

**26(1)(o) RESTORATION OF THE LANDS**

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|-----|----------------------------------------------------------------------------------------------------------------------|----------|
| 41. | The Permittee shall complete all clean-up and restoration of the lands used prior to the expiry date of this Permit. | CLEAN-UP |
|-----|----------------------------------------------------------------------------------------------------------------------|----------|

**26(1)(p) DISPLAY OF PERMITS AND PERMIT NUMBERS**

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|-----|---------------------------------------------------------------------------------------------------------------|-------------------|
| 42. | The Permittee shall keep on hand, at all times during this land use operation, a copy of the Land Use Permit. | COPY OF<br>PERMIT |
|-----|---------------------------------------------------------------------------------------------------------------|-------------------|