



## **GWICH'IN LAND AND WATER BOARD**

**Box 2018 Inuvik NT X0E 0T0**

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**www.glwb.com**

### **Land Use Permit**

**Permit Number: G 07 Q 007**

**Permit Class: A**

Subject to the Mackenzie Valley Resource Management Act, the Mackenzie Valley Land Use Regulations and the Conditions Annexed To and Forming Part of this Land Use Permit, the Gwich'in Land and Water Board (hereinafter referred to as the Board) hereby grants authority to:

**Arctic Tire (1980) Ltd**  
**P.O. Box 3190 Inuvik NT X0E 0T0**  
(hereinafter referred to as the Permittee)

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

**Applicant: Brian McCarthy**  
**Date Application Received: Thursday, May 31, 2007**  
**Date Application Accepted: Monday, June 4, 2007**  
**Type of Land Use Operation: Drill, blast, excavate, stockpile, load and remove material from quarry located at kilometre 251.2 of the Dempster Highway.**  
**Location: km 251.2 Dempster Highway**  
**Date Application Valid: Wednesday, June 20, 2007**  
**Date Application Expires: Wednesday, June 20, 2012**

It is a condition of this Land Use Permit that the Permittee comply with the Conditions Annexed To and Forming Part of this Land Use Permit, and with any and all other applicable Acts, Regulations, Ordinances, By-Laws or Orders. Default thereof may result in the suspension or cancellation of this Land Use Permit.

This Land Use Permit may be Amended, Renewed, Suspended or Cancelled pursuant to the Mackenzie Valley Land Use Regulations.

Signed and Issued in Inuvik in the Northwest Territories this 20<sup>th</sup> day of June, 2007.

**Willard Hagen**  
**Chair**  
**Gwich'in Land and Water Board**

**CONDITIONS ANNEXED TO AND FORMING PART OF LAND USE PERMIT: G07Q006**

**PART A: SCOPE OF LAND USE PERMIT**

1. This Land Use Permit entitles **Arctic Tire (1980) Ltd** to conduct the following activities:  
  
Drill, blast, excavate, stockpile, load and remove material from quarry located at kilometre 251.2 of the Dempster Highway.
2. This Land Use 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 Land Use Permit.
3. Compliance with the terms and conditions of this Land Use Permit does not absolve the Permittee from responsibility for compliance with the requirements of all applicable Federal, Territorial and Municipal legislation.

**PART B: DEFINITIONS**

"Act" means the Mackenzie Valley Resource Management Act.

"Board" means the Gwich'in Land and Water Board established under Part 3 of the Mackenzie Valley Resource Management Act.

"Land Use Inspector" means an Inspector designated by the Minister under the Mackenzie Valley Resource Management Act.

**PART C: CONDITIONS OF PERMIT**

**26 (1) (A) THE LOCATION AND AREA OF LANDS THAT MAY BE USED IN THIS LAND-USE OPERATION**

- |   |                                     |
|---|-------------------------------------|
| <b>1.</b> The Permittee shall not conduct this land use operation on any lands not designated in the accepted application, unless otherwise authorized in writing by the Board.   | <b>PLANS</b>                        |
| <b>2.</b> The Permittee shall not conduct any part of this land use operation within three hundred (300) metres of any privately owned land or structure, unless otherwise authorized in writing by a Land Use Inspector. | <b>PRIVATE PROPERTY</b>             |
| <b>3.</b> The Permittee shall remove from all lands all scrap metal, discarded machinery and parts, barrels and kegs, buildings and building materials.   | <b>REMOVE WASTE MATERIAL</b>        |
| <b>4.</b> The Permittee shall not conduct a quarry operation within one hundred (100) metres of the normal high water mark of any water body, unless otherwise authorized in writing by a Land Use Inspector.             | <b>LOCATION OF QUARRY OPERATION</b> |
| <b>5.</b> The Permittee shall only excavate and stockpile in areas designated in the accepted application, unless otherwise authorized in writing by a Land Use Inspector.  | <b>EXCAVATE AND STOCKPILE</b>       |

**26 (1) (B) THE TIMES AT WHICH ANY PORTION OF THIS LAND-USE OPERATION MAY BE CARRIED ON**

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|--|------------------------------------|
| <b>6.</b> The Permittee's Field Supervisor shall contact or meet with a Land Use Inspector at the Inuvik office of the Department of Indian Affairs and Northern Development, - (867) 777-3361 - and the Gwich'in Land and Water Board, - (867) 777-7960 - at least forty-eight (48) hours prior to the commencement of any part of this land use operation.   | <b>CONTACT INSPECTOR AND BOARD</b> |
| <b>7.</b> The Permittee shall provide, in writing, to a Land Use Inspector and the Board, at least forty-eight (48) hours prior to commencement of any part of this land use operation, the following information:<br>(a) person, or persons, in charge of the field operation to whom notices, orders, and reports may be served;<br>(b) alternates; and<br>(c) all methods for contacting the above person(s). | <b>IDENTIFY AGENT</b>              |
| <b>8.</b> The Permittee shall advise a Land Use Inspector and the Board at least ten (10) days prior to the completion of any part of this land use operation of:<br>(a) the plan for removal or storage of equipment and materials; and<br>(b) when final clean-up and restoration of the land used will be completed.  | <b>REPORTS BEFORE REMOVAL</b>      |
| <b>9.</b> The Permittee shall complete all clean-up and restoration of the lands used prior to the expiration date of this Land Use Permit.  | <b>CLEAN-UP</b>                    |
| <b>10.</b> The Land Use Inspector and/or the Board reserve the right to impose closure of any area to the Permittee in periods when dangers to natural resources are severe.   | <b>CLOSURE</b>                     |

**26 (1) (C) THE TYPE AND SIZE OF EQUIPMENT THAT MAY BE USED IN THIS LAND-USE OPERATION**

- 11. 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 a Land Use Inspector. **ONLY APPROVED EQUIPMENT**

**26 (1) (D) METHODS AND TECHNIQUES TO BE EMPLOYED BY THE PERMITTEE IN CARRYING OUT THIS LAND-USE OPERATION**

- 12. The Permittee shall dispose of all overburden as instructed by a Land Use Inspector. **DISPOSAL OF OVERBURDEN**
- 13. The Permittee shall slope the sides of excavations and embankments, except in solid rock, to a horizontal/vertical ratio of 2:1, unless otherwise authorized in writing by a Land Use Inspector. **EXCAVATIONS AND EMBANKMENTS**
- 14. The Permittee shall slope the sides of waste material piles to a gradient specified in writing by a Land Use Inspector. **WASTE MATERIAL PILES**
- 15. Stripping of overburden must be approved by a Land Use Inspector prior to commencement of the quarrying operation. **STRIPPING OF OVERBURDEN**

**26 (1) (E) THE TYPE, LOCATION, CAPACITY AND OPERATION OF ALL FACILITIES TO BE USED BY THE PERMITTEE IN THIS LAND-USE OPERATION**

- 16. The Permittee shall adhere to all mitigation measures in the accepted application. **MITIGATION MEASURES**
- 17. The Permittee shall ensure that the land use area is kept clean at all times. **CLEAN WORK AREA**

**26 (1) (F) METHODS TO BE USED TO CONTROL OR PREVENT PONDING OF WATER, FLOODING, EROSION, SLIDES AND THE SUBSIDENCE OF LAND**

- 18. The Permittee shall remove any obstruction to natural drainage caused by any part of this land use operation. **NATURAL DRAINAGE**
- 19. The Permittee shall establish vegetation on all areas stripped of vegetation during this land use operation to a minimum of seventy per cent (70%) ground cover, unless otherwise authorized in writing by a Land Use Inspector. **REVEGETATE STRIPPED AREA**
- 20. The Permittee shall apply grass seed and fertilizer to areas designated in writing by a Land Use Inspector. **REPLANT DESIGNATED AREAS**
- 21. The Permittee shall, when clearing land, save all vegetation removed from the land use area and place the vegetation over the land use area prior to the expiration date of this Land Use Permit. **SAVE VEGETAION**
- 22. The Permittee shall save the organic soil stripped from the excavation area. **SAVE ORGANIC SOIL**
- 23. The Permittee shall place the organic soil over the disturbed area prior to the expiration date of this Land Use Permit. **PLACE ORGANIC SOIL**

24. The Permittee shall not clear areas larger than identified in the accepted application. **MINIMIZE AREA CLEARED**

25. The Permittee shall install erosion control structures as this land use operation progresses, unless otherwise authorized in writing by a Land Use Inspector. **PROGRESSIVE EROSION CONTROL**

**26 (1) (G) THE USE, STORAGE, HANDLING AND ULTIMATE DISPOSAL OF ANY CHEMICAL OR TOXIC MATERIAL TO BE USED IN THIS LAND-USE OPERATION**

26. The Permittee shall not use chemicals in connection with this land use operation without the prior approval of a Land Use Inspector. **APPROVAL OF CHEMICALS**

27. The Permittee shall not, in any circumstances, deposit or allow the deposit of any deleterious substances (including but not limited to fuels, lubricants, hydraulics, and coolants) of any type into any waters, or in any place under any conditions where the deleterious substances may enter any waters **DEPOSITING DELETERIOUS SUBSTANCES**

28. The Permittee shall remove all garbage and debris from the land use area as specified in the accepted application, or as authorized in writing by a Land Use Inspector. **REMOVE GARBAGE**

29. The Permittee shall remove all garbage and debris from the land use area to a disposal site approved in writing by a Land Use Inspector. **REMOVE GARBAGE**

30. The Permittee shall dispose of all combustible waste petroleum products by incineration or removal. **WASTE PETROLEUM DISPOSAL**

31. The Permittee shall immediately report all spills to the 24 hour Spill Report Line (867) 920-8130 in accordance with instructions contained in the NWT SPILL REPORT form NWT 1752/0202. **REPORT CHEMICAL AND PETROLEUM SPILLS**

**26 (1) (H) PROTECTION OF WILDLIFE AND FISH HABITAT**

32. The Permittee shall not unnecessarily damage wildlife habitat in conducting this land use operation. **HABITAT DAMAGE**

33. The Permittee shall not feed or harass wildlife. **NO FEEDING OR HARRASSING WILDLIFE**

34. The Permittee shall not remove vegetation or soil, or operate heavy equipment within one hundred (100) meters of any water body, unless otherwise authorized in writing by a Land Use Inspector. **HABITAT DAMAGE**

35. The Permittee shall use food handling and garbage disposal procedures that do not attract bears. Information about the latest bear detection and deterrent techniques can be obtained from Environment and Natural Resources in Inuvik at (867) 777-7308. **BEAR/MAN CONFLICT**

36. The Permittee shall not quarry to a depth below that of the water table. For greater certainty, the Permittee shall not quarry below existing pit floor. **QUARRY DEPTH**

37. The Permittee shall have all waste water clarified in settling ponds prior to its being returned to the stream, and all settling ponds shall be located above the high water mark of the stream. **SETTLING PONDS**

38. If migratory birds or their nesting areas, or any species at risk are encountered during the course of this land use operation, the Permittee will minimize all activity so as to not disturb these animals. **MINIMIZE ACTIVITY**

39. The Permittee shall cease operations when caribou are in the immediate vicinity of any area where this land use operation is being conducted. **CARIBOU HARRASSMENT**

40. The Permittee shall not, during the migration of caribou, locate any operation so as to block or cause substantial diversion of the migration, and shall cease any activity that may interfere with the migration, such as airborne surveys, or movement of equipment, until such time as the major migration has been completed. **CARIBOU MIGRATION**

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

41. The Permittee shall remove all scrap metal, discarded machinery, parts, barrels and kegs, plastics, and buildings and building material to an approved waste disposal facility. **REMOVE WASTE MATERIAL**

**26 (1) (J) PROTECTION OF HISTORICAL AND ARCHAEOLOGICAL SITES AND BURIAL GROUNDS**

42. The Permittee shall not knowingly operate any vehicle within thirty (30) metres of a known or suspected historical or archaeological site or burial ground site. **OPERATE VEHICLE**

43. The Permittee shall not knowingly remove, disturb, or displace any known or suspected historical or archaeological site or specimen or burial ground. **DISTURBANCE OF SITE**

44. The Permittee shall immediately cease any activity which disturbs an historical or archaeological site or specimen or burial ground, and shall contact the Gwich'in Land and Water Board at (867) 777-7960, or the Prince of Wales Northern Heritage Centre at (867) 920-6182, and shall not continue without written authorization from the Board. **CONTACTS**

**26 (1) (K) PROTECTION OF OBJECTS AND PLACES OF RECREATIONAL, SCENIC OR ECOLOGICAL VALUE**

This section intentionally left blank.

**26 (1) (L) POSTING OF SECURITY IN ACCORDANCE WITH SECTION 32**

45. The Permittee shall deposit with the Minister a security deposit in the amount **SECURITY DEPOSIT**

of \$0.00 pursuant to Section 32 of the Mackenzie Valley Land Use Regulations.

46. The Permittee shall be liable for any cost of damages over and above the amount of the security deposit. **LIABILITY FOR DAMAGES**
47. The Permittee shall be responsible for all costs to remediate the land used in this Land Use Permit. **RESPONSIBILITY FOR REMEDIATION COSTS**

**26 (1) (M) THE ESTABLISHMENT OF PETROLEUM FUEL STORAGE FACILITIES**

48. The Permittee shall not allow petroleum products to spread to surrounding lands or into water bodies. **FUEL CONTAINMENT**
49. The Permittee shall ensure that adequate contingency plans and spill kits are in place, prior to commencement of this land use operation, to respond to any potential spills. **SPILL RESPONSE**

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

50. The Permittee shall not clear any trees. **NO CLEARING**

**26 (1) (O) RESTORATION OF LANDS**

51. The Permittee shall save the organic soil stripped from the excavation area and place the organic soil over the disturbed area prior to the completion of this land use operation or the expiration date of this Land Use Permit. **SAVE AND PLACE ORGANIC SOIL**

**26 (1) (P) THE DISPLAY OF PERMITS AND PERMIT NUMBERS**

52. The Permittee shall, at all times during the course of this land use operation, keep on hand a copy of this Land Use Permit. **COPY OF PERMIT**

**26 (1) (Q) ANY OTHER MATTERS NOT INCONSISTENT WITH THE REGULATIONS, FOR THE PROTECTION OF THE BIOLOGICAL OR PHYSICAL CHARACTERISTICS OF THE LANDS**

53. The Permittee shall ensure that all persons working under the authority of this Land Use Permit are aware of and will adhere to the conditions as stated herein. **NOTIFICATION TO ALL EMPLOYEES/ CONTRACTORS**
54. The Permittee shall not remove any material from below the normal high water mark of any water body, unless otherwise authorized in writing by a Land Use Inspector. **WORK IN WATER BODIES**

**55.** The Permittee shall utilize avoidance cutting techniques to the greatest extent possible.

***AVOIDANCE  
CUTTING***

**56.** The Permittee shall not remove any material from below the normal high water mark of any stream without first obtaining written permission from a Land Use Inspector.

***APPROVAL  
NEEDED***