



Gwich'in Land and Water Board

Box 2018 Inuvik NT X0E 0T0

PH 867 777 7960 FX 867 777 7970

Land Use Permit

Permit Number: G 08 Q 001

Permit Class: Type 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:

**Mackenzie Valley Construction Ltd.
Box 2238 – 74 Navy Road
Inuvik NT X0E 0T0**

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

Applicant: James B. Firth

Type of Land Use Operation: Quarry

**Location: Kilometre 44 of the Dempster Highway
Midway Lake
N 67 13 29 W 135 25 23**

Date Permit Valid: Thursday, April 3, 2008
Date Permit Expires: Wednesday, April 3, 2013

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 permit.

This 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 2nd day of April 2008.

**Paul Sullivan
Acting Chair
Gwich'in Land and Water Board**

PART A: SCOPE OF LAND USE PERMIT

1. This Land Use Permit entitles **Mackenzie Valley Construction Ltd.** to conduct the following activities:

Excavate and remove material from the quarry located at kilometre 44 of the Dempster Highway known as the Midway Lake Pit as per authorization from the Gwich'in Tribal Council - Lands.
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 LAND USE PERMIT

1.0 26 (1) (a) – LOCATION AND AREA

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| 1.1 | The Permittee shall only conduct this land use operation on lands designated in the accepted application, unless otherwise authorized in writing by the Board. | LANDS
USED |
| 1.2 | The Permittee shall not conduct any part of this land use operation within three hundred (300) metres of any privately owned or leased land or structure, unless otherwise authorized in writing by the Board. | PRIVATE
PROPERTY |
| 1.3 | The Permittee shall only excavate and stockpile in areas designated in the accepted application, or as authorized by the Land Use Inspector. | EXCAVATE
STOCKPILE |

2.0 26 (1) (b) – TIME

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| 2.1 | The Permittee's Field Supervisor shall contact or meet with a Land Use Inspector at the Department of Indian Affairs and Northern Development in Inuvik (Phone (867) 777-3361) at least forty-eight (48) hours prior to the commencement of this land use operation. | CONTACT
INSPECTOR |
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2.2	The Permittee shall provide to the Land Use Inspector, in writing, at least forty-eight (48) hours prior to the commencement of this land use operation, the following: (a) the person, or persons, in charge of the field operation to whom notices, orders, and reports may be served; (b) alternates; and (c) all methods for contacting the above person(s).	IDENTIFY AGENT
2.3	The Permittee shall advise the Land Use Inspector at least ten (10) days prior to the completion of this land use operation of: (a) their 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
2.4	The Board reserves the right to impose closure of any area to the Permittee during periods when dangers to natural resources are severe.	CLOSURE
3.0	26 (1) (c) – TYPE AND SIZE OF EQUIPMENT	
3.1	The Permittee shall only use equipment 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
3.2	The Permittee shall ensure a garbage container is on site.	GARBAGE
4.0	26 (1) (d) – METHODS AND TECHNIQUES	
	Not applicable.	
5.0	26 (1) (e) –TYPE, LOCATION, CAPACITY AND OPERATION OF FACILITIES	
5.1	The Permittee shall ensure that the land use area is kept clean and tidy at all times.	CLEAN WORK AREA
5.2	The Permittee shall adhere to all mitigation measures in the accepted application.	MITIGATION
6.0	26 (1) (f) – CONTROL OR PREVENT PONDING, FLOODING, EROSION, SLIDES AND SUBSIDENCE OF LAND	
6.1	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
6.2	The Permittee shall slope the sides of waste material piles to a gradient specified in writing by a Land Use Inspector.	WASTE MATERIAL

		PILES
6.3	The Permittee shall ensure the land use operation does not cause any obstruction to any natural drainage.	NATURAL DRAINAGE
6.4	The Permittee shall install erosion control structures as the land use operation progresses, unless otherwise authorized by a Land Use Inspector.	PROGRESSIVE EROSION CONTROL
7.0	26 (1) (g) – USE, STORAGE, HANDLING AND ULTIMATE DISPOSAL OF CHEMICAL OR TOXIC MATERIAL	
7.1	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 SPILLS
8.0	26 (1) (h) – PROTECTION OF WILDLIFE AND FISHERIES HABITAT	
8.1	The Permittee shall not unnecessarily damage wildlife habitat in conducting this land use operation.	HABITAT DAMAGE
8.2	The Permittee shall not harass wildlife during this land use operation.	NO WILDLIFE HARASSMENT
8.3	The Permittee shall not remove vegetation or soil, or operate heavy equipment within one hundred (100) meters of any watercourse, unless otherwise authorized in writing by Land Use Inspector.	HABITAT DAMAGE
8.4	The Permittee shall not quarry to a depth below that of the water table. Do not quarry below existing pit floor.	QUARRY DEPTH
8.5	The Permittee shall cease operations when caribou are in the vicinity of any area where work is proceeding.	CARIBOU HARASSMENT
8.6	Your operation is in an area where bears may be encountered. Proper food handling and garbage disposal procedures will lessen the likelihood of bears being attracted to your operation. Information about the latest bear detection and deterrent techniques can be obtained from the Environment and Natural Resources at (867) 777-7308.	BEAR/MAN CONFLICT
8.7	The Permittee shall not feed wildlife.	NO FEEDING WILDLIFE
9.0	26 (1) (i) – STORAGE. HANDLING AND DISPOSAL OF REFUSE OR SEWAGE	
9.1	The Permittee shall keep all garbage and debris in a covered metal container until disposed of.	GARBAGE CONTAINER
9.2	The Permittee shall remove all garbage and debris from the area of the land use operation to a disposal site approved in writing by a Land Use Inspector.	REMOVE GARBAGE

9.3	The Permittee shall remove from all lands used in the land use operation, all scrap metal, discarded machinery and parts, barrels and kegs, buildings and building material and deposit as specified in the accepted application, or as approved in writing by a Land Use Inspector.	REMOVE DEPOSIT WASTE MATERIAL
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10.0 26 (1) (j) – PROTECTION OF HISTORICAL, ARCHAEOLOGICAL AND BURIAL SITES

10.1	The Permittee shall not knowingly operate any vehicle within thirty (30) metres of a known or suspected archaeological or burial site.	OPERATE VEHICLE
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10.2	The Permittee shall not knowingly remove, disturb or displace any archaeological specimen or site.	DISPLACE OR DISTURB
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10.3	The Permittee shall immediately cease any activity that disturbs an archaeological, historical, and/or burial site encountered during the course of this land use operation until permitted to proceed with the authorization of the Board.	STOP LAND USE ACTIVITY
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10.4	The Permittee shall contact the Board and the Prince of Wales Northern Heritage Centre should an archaeological, historical, and/or burial site be encountered or disturbed by any land use activity.	CONTACTS
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11.0 26 (1) (k) –PROTECTION OF OBJECTS AND PLACES OF RECREATIONAL, SCENIC OR ECOLOGICAL VALUE

Not applicable.

12.0 26 (1) (l) – POSTING OF SECURITY

Not applicable.

13.0 26 (1) (m) – FUEL STORAGE FACILITIES

13.1	The Permittee shall not store any fuel on site during this land use operation.	FUEL STORAGE
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13.2	The Permittee shall ensure that spill kits are in place prior to commencement of operations.	SPILL RESPONSE
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13.3	The Permittee shall not allow petroleum products to spread to surrounding lands or into water bodies.	FUEL CONTAINMENT
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14.0 26 (1) (n) – METHODS AND TECHNIQUES FOR DEBRIS AND BRUSH DISPOSAL

Not applicable.

15.0 26 (1) (o) – RESTORATION OF LANDS

15.1	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
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15.2	The Permittee shall save the organic soil stripped from the excavation area and place the organic soil over the disturbed	SAVE AND PLACE ORGANIC SOIL
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area prior to the expiry date of this Land Use Permit.

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| 15.3 | The Permittee, when clearing, land shall:

(a) save all vegetation removed from the land use area;
and

(b) place the vegetation over the land use area prior to expiry
of this Land Use Permit. | SAVE
VEGETATION |
| 15.4 | The Permittee shall complete all clean-up and restoration of the
lands used prior to the expiry date of this Land Use Permit. | CLEAN-UP |
| 15.5 | Stripping of overburden must be approved in writing by a Land
Use Inspector prior to commencement of the quarrying operation. | STRIPPING OF
OVERBURDEN |
| 15.6 | The Permittee shall dispose of all overburden as instructed in
writing by a Land Use Inspector. | DISPOSAL OF
OVERBURDEN |
| 15.7 | The Permittee shall commence and foster revegetation on the
land used as directed by a Land Use Inspector within one year
of the completion of the land use operation. | RE-ESTABLISH
VEGETATION |
| 16.0 26 (1) (p) – DISPLAY OF PERMITS AND PERMIT NUMBERS | | |
| 16.1 | The Permittee's Field Supervisor shall keep on hand, at all times
during this land use operation, a copy of this Land Use Permit. | COPY OF
PERMIT |
| 17.0 26 (1) (q) – MATTERS NOT INCONSISTENT WITH THE REGULATIONS | | |
| 17.1 | The Permittee shall at all times comply with and conform to
the requirements of all other applicable Federal, Territorial or
local acts, regulations, ordinances or bylaws. | CONFORM TO
APPLICABLE
LAWS |

Land Use Inspector
Inuvik NT
Phone (867) 777-3361

Gwich'in Land and Water Board
Inuvik NT
Phone (867) 777-7960

Prince of Wales Northern Heritage Centre
Yellowknife NT
Phone (867) 873-7551