



Gwich'in Land and Water Board

Box 2018 Inuvik NT X0E 0T0

PH 867 777 7860 FX 867 777 7870

WATER LICENCE

Pursuant to the *Mackenzie Valley Resource Management Act*, and the *Northwest Territories Waters Act and Regulations*, the Gwich'in Land and Water Board (hereinafter referred to as the Board) hereby grants to:

GNWT DEPARTMENT OF TRANSPORTATION

(hereinafter referred to as the Licensee)

P.O. Box 1320 Yellowknife, NT X1A 2L9

(Mailing Address)

the right to watercourse crossing, watercourse training, and temporary diversion of water subject to the restrictions and conditions contained in the *Mackenzie Valley Resource Management Act*, the *Northwest Territories Waters Act and Regulations* made thereunder, and subject to and in accordance with the conditions specified in this licence.

Licence Number: **G08L8-001**

Licence Type: **"B"**

Location: **Caribou Creek / Dempster Highway km 220.8
Latitude 68°05'20" N, Longitude 133°29'35" W**

Water Management Area **NORTHWEST TERRITORIES 03**

Purpose: **Installation of a permanent bridge and removal of a culvert**


Quantity of Water Not to Exceed: **n/a**


Effective Date of Licence: **February 29, 2008**

Expiry Date of Licence: **September 30, 2009**

This Licence, issued and recorded at Inuvik NT, includes and is subject to the annexed conditions.

Signed the 28th day of February, 2008 on behalf of the GWICH'IN LAND AND WATER BOARD



Robert A. Alexie, Witness

Paul Sullivan, Chair (acting)

PART A: SCOPE AND DEFINITIONS

1. Scope

- a) This Licence entitles GNWT Department of Transportation to install a permanent bridge and remove a temporary culvert at Caribou Creek / Dempster Highway km 220.8, Latitude 68.089, Longitude -133.493, Northwest Territories.
- b. This Licence is issued subject to the conditions contained herein with respect to watercourse crossing, watercourse training and temporary diversion of waters. Whenever new Regulations are made or existing Regulations are amended by the Governor in Council under the *Northwest Territories Waters Act*, or other statutes imposing more stringent conditions relating to the licensed activities, this Licence shall be deemed, upon promulgation of such Regulations, to be automatically amended to conform to such Regulations.
- c. Compliance with the terms and conditions of this Licence does not absolve the Licensee from responsibility for compliance with the requirements of all applicable Federal, Territorial and Municipal legislation.

2. Definitions

In this Licence: **G08L8-001**

“**Act**” means the *Northwest Territories Waters Act*,

“**Regulations**” means Regulations proclaimed pursuant to Section 33 of the *Northwest Territories Waters Act*,

“**Minister**” means the Minister of Indian Affairs and Northern Development;

“**Board**” means the Gwich'in Land and Water Board established under Part 3 of the *Mackenzie Valley Resource Management Act*;

“**Inspector**” means an Inspector designated by the Minister under Section 35(1) of the *Northwest Territories Waters Act*,

“**Licensee**” means the holder of this Licence:

“**Modification**” means an alteration to a physical work that introduces a new structure or eliminates an existing structure and does not alter the purpose or function of the work, but does not include an expansion.

“**Sewage**” means all toilet wastes and greywater;

“**Waste**” means waste as defined by Section 2 of the *Northwest Territories Waters Act*;

“**Waste Disposal Facilities**” mean all facilities designated for the disposal of Waste.

“**Waters**” means any Waters as defined by Section 2 of the *Northwest Territories Waters Act*.

PART B: GENERAL CONDITIONS

1. The Licensee shall file a Report with the Board not later than October 31, 2008, which shall contain the following information:
 - a) details of the work completed;
 - b) a summary of any restoration work completed, and an outline of any further restoration work anticipated;
 - c) any revisions to the approved Restoration Plan;
 - d) a summary of all wastes generated as part of the undertaking, and the disposal thereof;
 - e) a list of unauthorized discharges;
 - f) an outline of any spill training and communications exercises carried out;
 - g) any revisions to the approved Contingency Plan;
 - h) a summary of any studies requested by the Board during the term of this Licence

2. The Licensee shall ensure a copy of this Licence is maintained at the site of operation at all times.

PART C: CONDITIONS APPLYING TO WATER USE

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PART D: CONDITIONS APPLYING TO WASTE DISPOSAL

1. The Licensee shall ensure that any wastes associated with the "B" undertaking do not enter any waters, and that they are disposed of at approved Waste Disposal Facilities.

PART E: CONDITIONS APPLYING TO MODIFICATIONS

1. The Licensee may carry out modifications to the planned undertakings:
 - a) without written approval from the Board, provided that such modifications are consistent with the terms of this Licence and the Licensee has notified the Board and an Inspector in writing of such modifications at least five (5) days prior to beginning the modifications; or
 - b) with the written approval of the Board and under such conditions decided by the Board.

PART F: CONDITIONS APPLYING TO CONTINGENCY PLANNING

1. Ensure all personnel, including all contractors on site, are familiar with the Spill Contingency Plan,

and are adequately trained in the response procedures outlined in the Plan.

2. Utilize drip mats or drip pans when refuelling equipment, and when storing equipment on site.
3. Ensure all vehicles are equipped with the appropriate spill containment and management equipment, and that adequate supplies of spill containment and management equipment are available on site.
4. If, during the period of this Licence, an unauthorized discharge of waste occurs, or if such a discharge is foreseeable, the Licensee shall:
 - a) initiate the appropriate response , as outlined in the Spill Contingency Plan;
 - b) report the incident immediately via the 24 Hour NWT Spill Report Line. Currently the number is (867) 920-8130; and
 - c) submit to an Inspector, a detailed report on each occurrence not later than thirty (30) days after initially reporting the event.
5. The Licensee shall employ, and maintain, appropriate erosion control measures to prevent sediment from entering any watercourse, or water body, as a result of any activities associated with the proposed undertaking.
6. It is the responsibility of the Licensee to ensure that the information provided in the Spill Contingency Plan is accurate and current.

PART G: CONDITIONS APPLYING TO ABANDONMENT AND RESTORATION


1. The Licensee shall submit to the Board, for approval, a Restoration Plan by March 21, 2008. The Plan shall include, but not be limited to:
 - a) outline of measures to ensure stability of creek banks;
 - b) outline of measures for the re-establishment of vegetation in disturbed areas;
 - c) maintenance and monitoring requirements for the measures described in clauses a) and b)
2. Notwithstanding the time schedule referred to in the Restoration Plan, the Licensee shall endeavour to carry out progressive restoration as appropriate.
3. The Licensee shall complete the restoration work within the time schedule specified in the Plan, or as subsequently revised and approved by the Board.
4. Compliance with the Restoration Plan specified in this Licence does not limit the legal liability of the Licensee, other than liability arising from provisions of the *Act* and its Regulations.

PART H: CONDITIONS APPLYING TO CONSTRUCTION

1. Prior to construction of any dams, dykes or any other structures, intended to contain, withhold, divert or retain water or wastes other than as contemplated in the Contingency Plan, the Licensee shall submit design drawings to the Board for approval.
2. Construction of designed structures shall be carried out as approved by the Board.
3. Fill materials, used in any part of this undertaking, must be obtained from an approved source, be clean, non acid generating, and free of contaminants.

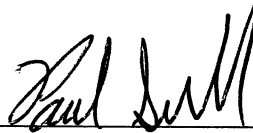
PART I: CONDITIONS APPLYING TO OPERATION AND MAINTENANCE

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Robert Alexie, Witness

GWICH'IN LAND AND WATER BOARD



Paul Sullivan, Chair (acting)