

Mackenzie Valley Land and Water Board
7th Floor - 4910 50th Avenue
P.O. Box 2130
YELLOWKNIFE NT X1A 2P6
Phone (867) 669-0506
FAX (867) 873-6610

WEBSITE: www.mvlwb.ca

Application for:

New Land Use Permit

Amendment

Replaces LUP # MV2005Q0003

1. Applicant's Name and Mailing Address: LOCUST MOWING P.O. BOX 1195 FORT SMITH, NT. X0E 0P0	Fax Number: (867) 872-4357
2. Head Office Address: (SAME) Field Supervisor: KEVIS LYS, OWNER/OP. Radiotelephone:	Telephone Number: (867) 872-4357 Fax Number: SAME Telephone Number: SAME
3. Other Personnel (subcontractor, contractors, company staff etc.) ONE OR TWO TRUCK/LOADER OPERATORS AT A TIME. TOTAL: (Number of persons on site)	
4. Eligibility: (Refer to section 18 of the Mackenzie Valley Land Use Regulations) a)(i) X a)(ii) a)(iii) b)(i) b)(ii)	
5. a) Summary of Operation (Describe purpose, nature and location of all activities.) THE USE OF HEAVY EQUIPMENT IS REQUIRED TO QUARRY, STOCKPILE & HAUL GRAVEL FROM AN EXISTING GRAVEL QUARRY ON NORTH OF HWY.#5 NEAR KM. 233. THE GRAVEL WILL BE USED FOR BOTH PRIVATE AND PUBLIC RE-SALE USE IN THE FORT SMITH COMMUNITY. b) Please Indicate if a Camp is to be set up. (Please provide details on a separate page, if necessary.) A CAMP IS NOT REQUIRED	

Mackenzie Valley Land & Water Board

File

FEB 09 2011

Application # MV2005Q0003

Copied To Ken Reg

6. Summary of Potential Environmental and Resource Impacts (describe the effects of the proposed land-use operation on land, water, flora & fauna and related socio-economic impacts). Use separate page if necessary.

POTENTIAL ENVIRONMENTAL AND RESOURCE IMPACTS WILL BE VERY LOW TO NON-EXISTENT, AS THIS GRAVEL QUARRY SITE HAS BEEN EXISTING FOR MANY YEARS AS WELL AS THE ACCESS ROAD TO IT.

7. Proposed Restoration Plan (please use a separate page if necessary).

BURN OR BURY ANY ACCUMULATED BRUSH AND SLOPE QUARRY SITE BANKS, AS PER THE LAND USE PERMIT CONDITIONS.

8. Other Rights, Licences or Permits Related to this Permit Application (mineral rights, timber permits, water licences, etc.)

EXISTING QUARRY PERMIT NO. 2011QP0078 – EXPIRES JUNE 23/2012 – SEE ATTACHED COPY.

Roads: Is this to be a pioneered road? Has the route been laid out or ground truthed?

N/A – ALL SALT MNT. QUARRY SITES HAVE EXISTING ACCESS FROM HWY. # 5 VIA THE FOXHOLE ROAD.

9. Proposed Disposal Methods.

- a) Garbage: REMOVE DAILY, AS REQUIRED c) Brush & Trees: AS PER LUP CONDITIONS
 b) Sewage (Sanitary & Grey Water): N/A d) Overburden (Organic soils, waste material, etc.): N/A

10. Equipment (includes drills, pumps, etc.) (Please use separate page if necessary.)

Type & Number	Size	Proposed Use
2 – DUMP TRUCKS	10 CU. YD. BOX	HAULING PIT RUN/GRAVEL
1 – 4-WH.DR. INDUSTRIAL LOADER 1 – INDUSRIAL BACK-HOE	2-YD. BUCKET 1-YD. BUCKET	QUARRY/LOAD GRAVEL DEVELOPE QUARRY PIT
1 – GRAVEL CRUSHER 1 – CAT/LOADER	INDUSTRIAL INDUSTRIAL	CRUSH GRAVEL LOAD GRAVEL/DEVELOPE SITE

11. Fuels	()	Number of Containers	Capacity of Containers	Location
Diesel	X	ONE OR TWO	150 GAL.	SERVICE TRUCK
Gasoline	X	ONE OR TWO	150 GAL.	SERVICE TRUCK
Aviation fuel				
Propane				
Other				

12. Containment Fuel Spill Contingency Plans. (Please attach separate contingency plan if necessary).

N/A – NO FUEL WILL BE STORED ON-SITE AT ANY TIME

13. Methods of Fuel Transfer (to other tanks, vehicles, etc.)

A COMMERCIAL OR SERVICE FUEL TRUCK PUMP.

14. Period of Operation (includes time to cover all phases of project work applied for, including restoration)

QUARRY OPERATIONS ARE MAINLY DURING SUMMER AND FALL MONTHS EACH YEAR.

15. Period of Permit (up to five years, with maximum of two years of extension).

A 5-YEAR PERMIT IS REQUIRED

16. Location of activities by Map Co-ordinates (attach maps and sketches) - NAD83 (Centre 60°00'39.9"N & 112°25'50.5"W)

Minimum Latitude (degrees, minutes, seconds)
60° 00' 38.1" N

Maximum Latitude (degrees, minutes, seconds)
60° 00' 42.7" N

Minimum Longitude (degrees, minutes, seconds)
112° 25' 45.6" W

Maximum Longitude (degrees, minutes, seconds)
112° 25' 55.7" W

Map Sheet No. 85A/1

17. Applicant
Print Name In Full

KEVIN DANIEL LYS


Signature

Date JANUARY 30/2012

18. Fees Type A - \$150.00 **

Type B - \$150.00 ** (**Application Fees are Non-Refundable**)

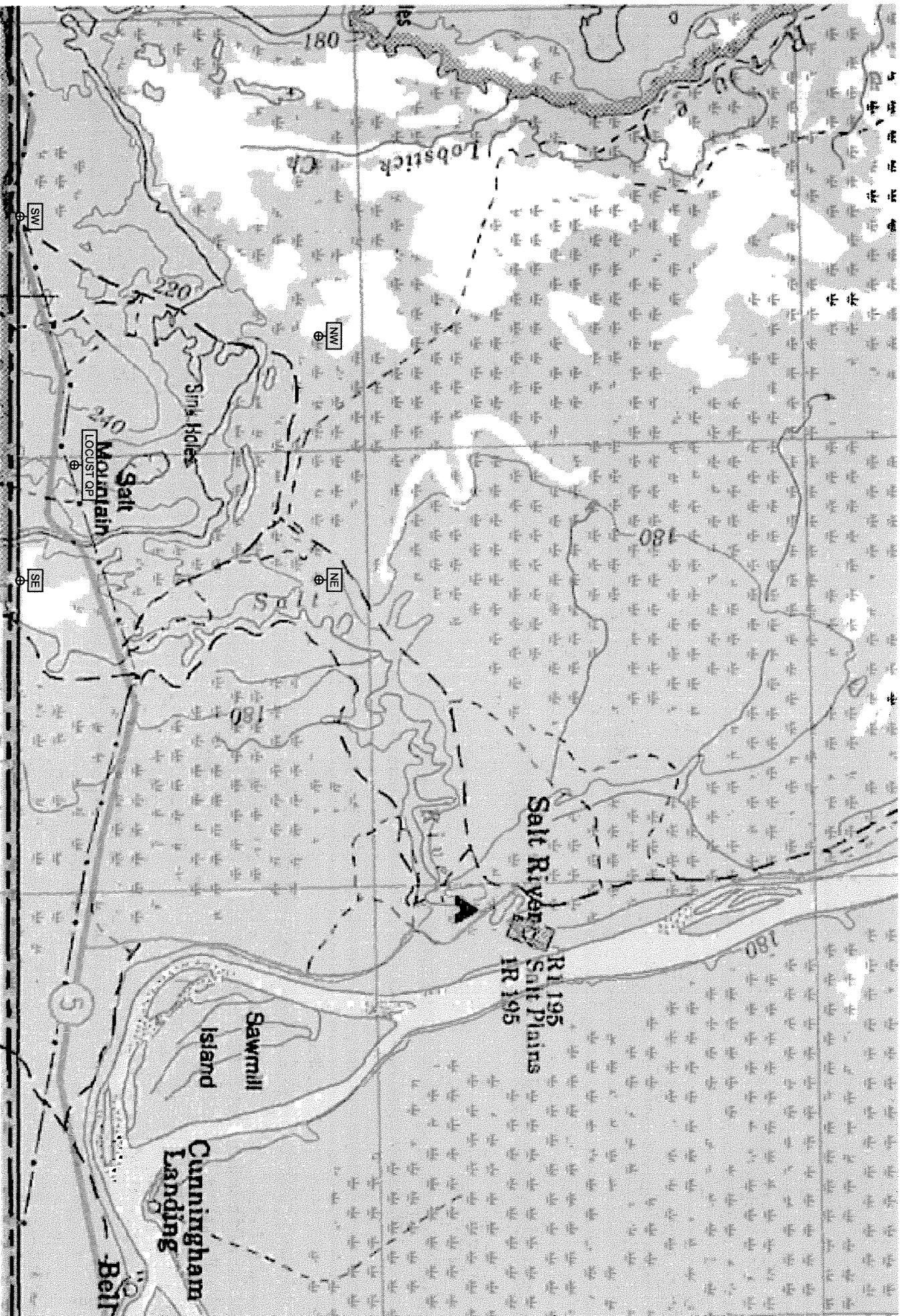
Land Use Fee: APPROX. 2 HA

Hectares @ \$50.00/Hectare
Assignment Fee \$50.00

\$ 150.00
\$ _____

Total Application And Land Use Fees \$ 150.00

Please make all cheques payable to: "Receiver General For Canada"



NORTH

SCALE 1:250,000



TERRITORIAL QUARRYING REGULATIONS

QUARRY PERMIT No. 2011QP0078

Permit Fee	\$ 150.00	Permittee: Locust Mowing
Royalty at \$1.50 per cu. metre	\$ 750.00	Address: P.O. Box 1195 Fort Smith, NT X0E 0P0
Receipt No. C147684	TOTAL \$ 900.00	Phone: (867) 872-4357

Is hereby authorized to take: **500 cubic metres of gravel**
From the lands described as follows: **North Side of Highway #5, Near Km 233, Salt Mountain – Existing Pit**

SUBJECT TO THE FOLLOWING CONDITIONS:

1. This permit shall expire when the quantity of material or substance mentioned in the permit has been quarried or removed, or on the expiry of one year from the date of issue of the permit, whichever is the earlier.
2. This permit does not grant to the Permittee an exclusive right or leasehold interest in the land described herein.
3. This permit shall not be assigned.
4. All quarrying under this permit shall be carried out in accordance with the approved Quarry Operations Plan, if applicable.
5. The Permittee will identify the work area to the satisfaction of the Land Use Inspector prior to the removal of any material and any change in location will require prior approval of the Land Use Inspector.
6. Pre and post surveys, if required, must be conducted by a certified Canada Land Surveyor or certified engineering technician or as approved by the land use inspector.
7. Pre-surveys, if required, must be submitted to the land use inspector, 10 days prior to the commencement of operations, for approval.
8. Post-surveys, if required, must be submitted to the land use inspector within 60 days of completion of the operation.
9. Quarry operations in all crown pits, including multi user pits, must be coordinated by the Land Use Inspector and be conducted as per the quarry permit application and/or Quarry Operations Plan.
10. The Permittee will not work any area worked by any other Permittee except as co-ordinated by the Land Use Inspector.
11. Prior to the tenth day of each month, the Permittee shall submit a report to the Land Use Inspector at fax number (867) 872-3472, indicating the quantity of material quarried and the quantity of material removed from the site. Failure to submit the monthly report within indicated time frames may result in cancellation of this permit as per section 12 (5) of the regulations.
12. Upon expiry of the permit, the Permittee must submit a Final Plan to the Land Use Inspector for reconciliation and approval. Failure to submit a Final Plan within 60 days of project completion may result in rejection of future Quarry Permit Applications until rectified.
13. A permittee who over-quarries may be ineligible for future quarry permits for a twelve month period and additional legal action may be taken by the Land Use Inspector under the Territorial Quarrying Regulations.
14. This permit is subject to the provisions of the Territorial Quarrying Regulations and the conditions set out herein. Failure to comply with the provisions of the Regulations and the conditions prescribed in this permit may result in cancellation of the permit in accordance with Section 12(5) of the Territorial Quarrying Regulations without prior notice to the Permittee.
15. Upon expiration of this Permit, as prescribed in Condition One, the Permittee shall carry out the reclamation activities within timelines as approved by the Inspector in the Quarry Operations Plan.

Definitions:

- **Quarrying:** the acts of blasting, ripping, excavating and piling material
- **Work area:** that area designated in the quarry application to be used for the extraction of material or substance and for further processing thru screening or crushing.
- **Opening Up** - The preparation of a pit or quarry site from an undisturbed condition for the working and extraction of material and includes surface clearing and overburden removal and placement.
- **Quarry Material** - Material including limestone, granite, slate, marble, gypsum, loam, marl, gravel, sand, clay, stone, or volcanic ash.
- **Quarry Operation** - Means activities at a pit or quarry associated with the opening up of the site or any portion thereof, or the extraction, processing, stockpiling or removal of materials from the site, or the restoration of the site, and includes any works, machinery, plant, buildings and premises belonging to or used in connection with the pit or quarry.

Issued at Yellowknife, this 24th day of June, 2011.



Land Agent

Canada

LOCUST MOWING

P.O. Box 1195
Fort Smith, NT.
XOE OPO

FUEL SPILL CONTINGENCY PLAN - GRAVEL QUARRYING, SALT MNT,NT.

SINCE NO FUEL WILL BE STORED ON-SITE, THE WORST CASE SCENARIO IS THAT A CAT OR LOADER HOSE COULD RUPTURE SPILLING NO MORE THAN A FEW LITRES OF HYDROLIC OIL OR THE HOSE FROM THE SERVICE TRUCK TANK RE-FILLING THE LOADER COULD RUPTURE SPILLING A LITRE OR TWO OF DIESEL FUEL. THE FUEL WOULD SPILL ON GRAVEL/SAND WITHIN THE QUARRY PIT/SITE, SO WOULD BE CONTAINED ALMOST IMMEDIATELY AFTER THE SPILL OCCURRED. A SHOVEL TO CLEAN UP A SMALL SPILL LIKE THIS IS CARRIED ON THE LOADER & THE FUEL SERVICE TRUCK, SO WOULD BE THERE ON-SITE.

Fuel Transfer Methods Used:

- Hand or Electric Pump from Tidy Tank of a Service Truck

Initial Contact List:

LOCUST MOWING		<u>Office</u>	<u>Home</u>	<u>Cell Ph</u>
1) Kevin LYS	(867)	872-4357	872-4357	None
2) Earl Evans		872-4357	872-2217	None

Outside Agencies:

- | | | | | |
|---------------------------------|-------|----------------|--|--|
| 1) AANDC, RMO, Ft. Smith | (867) | 872-2558 | | |
| 2) GNWT-ENR, Ft. Smith | | 872-6400 | | |
| 3) NWT-24 Hr. Spill Report Line | | 920-8130 (Ph) | | |
| | | 873-6924 (Fax) | | |

At The Spill Scene:

- 1) Stop work & eliminate danger to the public & environment
- 2) Stop flow of product spilled if safe to do so
 - shut off pump &/or close tank valve
- 3) Eliminate Sources of Ignition
 - no smoking, open flames or electrical equipt. that may cause sparks
- 4) Contain spill if possible
 - make berm with shovel using dirt, gravel, sand, etc.
- 5) Advise local agencies, ie. AANDC or GNWT-ENR
- 6) Obtain assistance as the situation warrants
- 7) Remove spilled product & contaminated material to an approved waste disposal site, as per AANDC's or ENR's instructions.

Note - Trucks and Loaders are available at #13 Ptarmigan St. in Fort Smith for contaminated material clean-up, as and when required.

CONSULTATION LOG

Jan. 25/12 – Mailed a cover letter c/w a copy of the LUP Appl.
to the following Fort Smith groups:

- 1) Fort Smith Metis Council, President
- 2) Fort Smith Metis Council, Lands Manager
- 3) Salt River First Nations, Chief
- 4) Smith Landing First Nations, Chief
- 5) Smith Landing First Nations, Lands Manager

Consultation Follow-Up Feedback by Phone as follows:

- Feb.01/12 - 11:45 am. - Ft. Smith Metis, Ken Hudson Ph. 621-1049
Received LUP Appl.- no problems/concerns
- Feb.01/12 - 2:00 pm. - SLFN, Cec Heron, Ph. 872-2402
Received Appl.- no problems/concerns
- Feb.01/12 – 11:15 pm. - Ft. Smith Metis, Tim Heron, Ph. 872-2770
Received LUP Appl.- no problems/concerns
with this replacement LUP, but requests the
wording be changed from consultation notice
to “Information Notice”.
- Feb.02/12 – 11:30 am. - SLFN, Cheyenne Paulette, Chief 872-4950
Received LUP Appl.- no concerns
- Feb.03/12 – 1:15 pm. - SRFN, Jeff Fraiser, Ph. 872-2986
Received Appl.- no concerns

Locust Mowing
P.O. Box 1195
Fort Smith, NT.
X0E 0P0

January 25, 2012

FORT SMITH METIS COUNCIL
Att: Ken Hudson, President
Box 1107
Fort Smith, NT.
X0E 0P0

Dear Mr. Hudson:

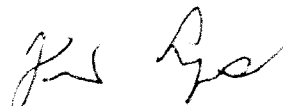
Re - Notice Of A Federal Land Use Permit Application

Please find the attached copy of a new Land Use Permit Application that I just submitted to the Mackenzie Valley Land & Water Board in Yellowknife for Gravel Quarrying at Salt Mountain on the North side of Hwy.#5 near Km 233. This is to replace old LUP #MV2005Q0003.

This is a consultation notice, as required by the Mackenzie Valley Land & Water Board in Yellowknife.

Thank you.

Sincerely,


Kevin D. Lys
Locust Mowing


cc: MVLWB

Locust Mowing
P.O. Box 1195
Fort Smith, NT.
X0E 0P0

January 25, 2012

FORT SMITH METIS COUNCIL
Att: Tim Heron, Lands Manager
Box 1107
Fort Smith, NT.
X0E 0P0

Dear Mr. Heron:

Re - Notice Of A Federal Land Use Permit Application

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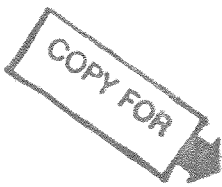
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Sincerely,



Kevin D. Lys
Locust Mowing



cc: MVLWB

Locust Mowing
P.O. Box 1195
Fort Smith, NT.
X0E 0P0

January 25, 2012

SALT RIVER FIRST NATION #195
Att: David Poitras, Chief
Box 960
Fort Smith, NT.
X0E 0P0

Dear Chief Poitras:

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Thank you.

Sincerely,



Kevin D. Lys
Locust Mowing



cc: MVLWB

Locust Mowing
P.O. Box 1195
Fort Smith, NT.
X0E 0P0

January 25, 2012

SMITH LANDING FIRST NATION
Att: Cheyenne Paulette, Chief
Box 1470
Fort Smith, NT.
X0E 0P0

Dear Chief Paulette:

Re - Notice Of A Federal Land Use Permit Application

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Thank you.

Sincerely,



Kevin D. Lys
Locust Mowing



cc: MVLWB

Locust Mowing
P.O. Box 1195
Fort Smith, NT.
X0E 0P0

January 25, 2012

SMITH LANDING FIRST NATION
Att: Cec Heron, Land & Resources Manager
Box 1470
Fort Smith, NT.
X0E 0P0

Dear Ms Heron:

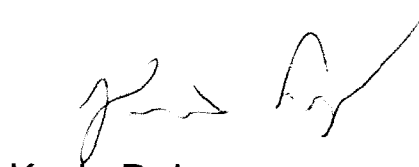
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Sincerely,



Kevin D. Lys
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cc: MVLWB