

**CONDITIONS ANNEXED TO AND FORMING PART  
OF LAND USE PERMIT NUMBER N2012N0018 – AMENDED March 27, 2015**

Failure to comply with any term and condition issued as part of this permit is an offence under the Territorial Lands Act. Every person who commits an offence is liable, on summary conviction, for a first offence, to a fine not exceeding \$100 000, and for a second or subsequent offence, to a fine not exceeding \$200 000. Please note that an offence that is committed on more than one day constitutes a separate offence for each day on which it is committed or continued.

**31 (1) (a) - Location and Area**

1.	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 Engineer.	PLANS
2.	The Permittee shall remove from Territorial Lands, all scrap metal, discarded machinery and parts, barrels and kegs, buildings and building material.	REMOVE WASTE MATERIAL
3.	The Permittee shall locate all camps on gravel, sand or other durable land.	CAMP LOCATION
4.	The Permittee shall provide updated locations of all fuel caches related to this project in Latitude and Longitude from a GPS within 30 days of the establishment to the Inspector and Engineer.	UPDATE LOCATIONS

**31 (1) (b) – Time**

5.	The Permittee's Field Supervisor shall contact or meet with a Land Use Inspector at the Iqaluit office of the Department of Indian Affairs and Northern Development, phone number (867)975-4296, at least 48 hours prior to the commencement of this land use operation.	CONTACT INSPECTOR
6.	The Permittee shall advise a Land Use Inspector at least 10 days prior to the completion of the land use operation of ;  a) his plan for removal or storage of equipment and materials, and  b) when final clean-up and restoration of the lands used will be completed.	REPORTS BEFORE REMOVAL
7.	The Permittee shall complete all clean-up and restoration of the lands used prior to the expiry date of this permit.	CLEAN-UP
8.	The Engineer reserves the right to impose closure to any area to the Permittee in periods when dangers to natural resources are severe.	CLOSURE

**31 (1) (c) - Equipment**

9.	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 the Land Use Inspector.	ONLY APPROVED EQUIPMENT
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10.	The Permittee shall use a forced-air fuel-fired incinerator to incinerate all combustible garbage and debris.	INCINERATORS
11.	The Permittee shall keep all garbage and debris in a covered metal container until disposed of.	GARBAGE CONTAINERS
12.	The Permittee shall, in camps of five (5) personnel or less, maintain the following fire fighting equipment in the base camp and in active readiness:  (a) Two (2) back-pack bags or cans complete with hand pumps.  (b) At least one of each of the following;  pulaskis, axes, shovels.	FIRE FIGHTING EQUIPMENT

**31 (1) (d) - Methods and Techniques**

13.	The Permittee shall not erect camps or store material on the surface ice of streams.	STORAGE ON ICE
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**31 (1) (e) - Type, Location, Capacity and Operation of Facilities**

14.	The Permittee shall not locate any sump within thirty-one (31) metres of the normal high water mark of any water body.	SUMPS FROM WATER
15.	The Permittee shall backfill and restore all sumps prior to the expiry date of this permit.	BACKFILL SUMPS
16.	The Permittee shall:  (a) place all excavated material over the sump area.  overlap the replaced material a minimum of two (2) metres beyond the edges of the existing sump wall.	BACKFILL SUMP OVERLAP
17.	The Permittee shall ensure that the land use area is kept clean and tidy at all times.	CLEAN WORK AREA

**31 (1) (f) - Control or Prevention of Flooding, Erosion and Subsidence of Land**

18.	The Permittee shall prepare the site in such a manner as to prevent rutting of the ground surface.	PREVENTION OF RUTTING
19.	The Permittee shall not move any equipment or vehicles unless the ground surface is in a state capable of fully supporting the equipment or vehicles without rutting or gouging.	VEHICLE MOVEMENT FREEZE-UP
20.	The Permittee shall suspend overland travel of equipment or vehicles if rutting occurs.	SUSPEND OVERLAND TRAVEL

**31 (1) (g) - Use, Storage, Handling and Disposal of Chemical or Toxic Material**

21.	The Permittee shall not use chemicals in connection with the land use operation without the prior approval of the Engineer.	APPROVAL OF CHEMICALS
22.	The Permittee shall deposit all sewage into a sump.	SEWAGE DISPOSAL
23.	The Permittee shall store all garbage in such a manner as to prevent access by wildlife.	GARBAGE STORAGE
24.	The Permittee shall burn all garbage and debris at least daily.	GARBAGE DISPOSAL
25.	The Permittee shall remove all non-combustible garbage and debris from the land use area to a disposal site approved in writing by a Land Use Inspector.	REMOVE GARBAGE
26.	The Permittee shall dispose of all combustible waste petroleum products by removal.	WASTE PETROLEUM DISPOSAL
27.	The Permittee shall report all spills immediately in accordance with instructions contained in "Spill Report" form NWT 1752(05/93). Twenty four (24) hour spill report line (867)920-8130.	REPORT CHEMICAL AND PETROLEUM SPILLS
28.	The Permittee shall ensure that appropriate spill kits are located at every fuel storage location.	SPILL KITS
29.	The Permittee shall ensure that all personnel are properly trained in fuel and hazardous waste handling procedures as well as spill response procedures.	SPILL RESPONSE TRAINING

**31 (1) (h) - Wildlife and Fisheries Habitat**

30.	The Permittee shall not unnecessarily damage wildlife habitat in conducting this land use operation.	HABITAT DAMAGE
31.	The Permittee shall not harass wildlife. This includes persistently worrying, chasing, disturbing large groups of animals.	HARASSMENT OF WILDLIFE
32.	The Permittee not disturb or destroy the nests or eggs of any birds. If nests are encountered and/or identified, the Permittee shall take precaution to avoid further interaction and/or disturbance (e.g. a 100 meter buffer around the nests). If active nests are discovered (i.e. with eggs or young) the Permittee shall avoid these areas until nesting is complete and the young have left the nest.	WILDLIFE SENSITIVITY
33.	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 Department of Renewable Resources.	BEAR/MAN CONFLICT

34.	The Permittee shall not feed wildlife.	NO FEEDING WILDLIFE
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**31 (1) (k) - Petroleum Fuel Storage**

35.	The Permittee shall report in writing to a Land Use Inspector the location and quantity of all petroleum fuel caches within ten (10) days after the establishment.	REPORT FUEL LOCATION
36.	The Permittee shall not place any petroleum fuel storage containers within thirty-one (31) metres of the normal high water mark of any stream.	FUEL BY STREAM
37.	The Permittee shall store all fuel and chemicals in such a manner as to prevent access by wildlife.	FUEL STORAGE
38.	The Permittee shall not allow petroleum products to spread to surrounding lands or into water bodies.	FUEL CONTAINMENT
39.	The Permittee shall have one extra fuel storage container on site equal to, or greater than, the size of the largest fuel container.	FUEL EXTRA CONTAINER
40.	The Permittee shall store all fuel in secondary containment and covered containment is required if fuel is to be not monitored for any length of time.	FUEL STORAGE
41.	The Permittee shall use adequate secondary containment or a surface liner (eg. Self supporting insta-berms and fold-a-tanks) when storing barrelled fuel and chemicals at all locations as well as re-fueling stations.	SECONDARY CONTAINMENT
42.	The Permittee shall:  a) examine all fuel storage containers for leaks a minimum of once every day.  (b) repair all leaks immediately.	CHECK FOR LEAKS
43.	The Permittee shall seal all container outlets except the outlet currently in use.	SEAL OUTLET
44.	The Permittee shall mark all fuel containers with the Permittee's name.	MARK CONTAINERS

**31 (1) (m) - Matters Not Inconsistent with the Regulations**

45.	The Permittee shall display a copy of this permit in a conspicuous place in each campsite established to carry out this land use operation.	DISPLAY PERMIT
46.	The Permittee shall keep on hand, at all times during this land use operation, a copy of the Land Use Permit.	COPY OF PERMIT

47.	<p>The Permittee shall provide in writing to the Engineer, at least forty-eight (48) hours prior to commencement of this land use operation, the following information:</p> <ul style="list-style-type: none"> <li>a) person, or persons, in charge of the field operation to whom notices, orders, and reports may be served;</li> <li>b) alternates;</li> <li>c) all the indirect methods for contacting the above person(s).</li> </ul>	IDENTIFY AGENT
48.	<p><b>Part 1 - In this Permit:</b></p> <p>"sump" means a man-made pit, trench hollow or cavity in the earth's surface used for the purpose of depositing waste material therein.</p>	
49.	<ul style="list-style-type: none"> <li>a) During migration of caribou, the Permittee shall not locate any operation so as to block or cause substantial diversion of migration.</li> <li>b) The Permittee shall cease activities that may interfere with migration, such as airborne geophysics surveys or movement of equipment, until the migrating caribou have passed</li> </ul>	CARIBOU PROTECTION MIGRATION
50.	<p>The Permittee shall abide by and comply with all applicable lawful rules, acts, regulations, and by-laws of Canada, Nunavut, any Municipal or regulatory body or authority having jurisdiction, the Nunavut Land Claim Agreement, and all other agreements, permits, licenses, and other instruments whatsoever related to the project.</p>	ADHERENCE TO LAWFUL RULES, ACTS, REGS & BYLAWS
51.	<p>"archaeological site" means a place where an archaeological artifact is found.</p> <p>"archaeological artifact" means any tangible evidence of human activity that is more than 50 years old and in respect of which an unbroken chain of possession or regular pattern of usage cannot be demonstrated, and includes a Denesuline archaeological specimen referred to in section 40.4.9 of the Nunavut Land Claims Agreement.</p> <p>"paleontological site" means a site where a fossil is found.</p> <p>"fossil" includes:</p> <ul style="list-style-type: none"> <li>(a) natural casts</li> <li>(b) preserved tracks, coprolites and plant remains; and</li> <li>(c) the preserved shells and exoskeletons of invertebrates and the eggs, teeth and bones of vertebrates.</li> </ul>	DEFINITIONS
52.	<p>The Permittee shall avoid any known or suspected archaeological and/or paleontological sites.</p>	AVOIDANCE OF ARCHAEOLOGICAL AND/OR PALEONTOLOGICAL SITES

53.	The Permittee shall not remove, disturb, or displace any archaeological artifact or site, or any paleontological site or fossil.	DISTURBANCE OF ARCHAEOLOGICAL AND/OR PALEONTOLOGICAL SITE
54.	<p>The Permittee shall immediately cease any activity should a suspected archaeological, paleontological, or burial site be discovered during the course of a land use operation. The Permittee is required to immediately contact the Land Administration division at Indian and Northern Affairs Canada at (867)975-4283 or (867)975-4285 or (867)975-4280 as well as the Department of Culture, Language, Elders and Youth at (867)934-2046 or (867)975-5500 or 1(866)934-2035.</p> <p>Permission to resume land use operations must be obtained from the Engineer. At such time the Engineer may, at his/her discretion, require that you have an archaeologist or palaeontologist perform the following functions:</p> <ul style="list-style-type: none"> <li>(a) Survey</li> <li>(b) Inventory and documentation of the archaeological or paleontological resources of the land use area</li> <li>(c) Assessment of potential for damage to archaeological or paleontological sites</li> <li>(d) Mitigation</li> <li>(e) Marking boundaries of archaeological or paleontological sites</li> <li>(f) Site restoration</li> </ul>	CEASE OPERATION OF LAND USE ACTIVITY
55.	The Permittee shall ensure that all persons working under the authority of the permit are aware of these conditions pertaining to archaeological sites and artifacts as well as paleontological sites and fossils.	KNOWLEDGE OF ARCHAEOLOGICAL AND PALEONTOLOGICAL TERMS AND CONDITIONS