

**CONDITIONS ANNEXED TO AND FORMING PART
OF LAND USE PERMIT NUMBER N2011X0030.**

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 infrastructures related to this project in Latitude and Longitude from a GPS within thirty (30) days of the establishment of the infrastructure and fuel caches 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	<p>The Permittee shall advise a Land Use Inspector at least 10 days prior to the completion of the land use operation of ;</p> <p>a) his plan for removal or storage of equipment and materials, and</p> <p>b) when final clean-up and restoration of the lands used will be completed.</p>	REPORTS BEFORE REMOVAL
7	The Permittee shall submit a progress report to the Engineer every ten (10) days during this land use operation.	PROGRESS
8	The Permittee shall complete all clean-up and restoration of the lands used prior to the expiry date of this permit.	CLEAN-UP
9	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

10	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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11	The Permittee shall use a forced-air fuel-fired incinerator to incinerate all combustible garbage and debris.	INCINERATORS
12	The Permittee shall burn all combustible garbage and debris in a container acceptable to a Land Use Inspector, and remove the ash from incineration activities and non-combustible wastes from the project site to an approved facility for disposal.	INCINERATION
13	The Permittee shall keep all garbage and debris in a covered metal container until disposed of. All such wastes shall be kept inaccessible to wildlife at all times.	GARBAGE CONTAINERS

31 (1) (d) - Methods and Techniques

14	The Permittee shall scout proposed lines and routes to select the best location for crossing streams and avoiding terrain obstacles prior to the movement of any vehicle that exerts pressure on the ground in excess of 35 K pa.	DETOURS & CROSSINGS
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31 (1) (e) - Type, Location, Capacity and Operation of Facilities

15	The Permittee shall not erect camps or store material on the surface ice of streams.	STORAGE ON ICE
16	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

17	The Permittee shall prepare the site in such a manner as to prevent rutting of the ground surface.	PREVENTION OF RUTTING
18	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
19	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

20	The Permittee shall remove all non-combustible 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
21	The Permittee shall dispose of all combustible waste petroleum products by removal.	WASTE PETROLEUM DISPOSAL

22	The Permittee shall ensure that all personnel are properly trained in fuel and hazardous waste handling procedures, as well as spill response procedures.	PERSONNEL TRAINING
23	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

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

24	The Permittee shall not unnecessarily damage wildlife habitat in conducting this land use operation.	HABITAT DAMAGE
25	The Permittee shall restrict aircraft/helicopter activity related to the project to a minimum altitude of 610 m above ground level unless there is a specific requirement for low-level flying, which does not disturb wildlife and migratory birds. Ensure that aircraft maintain a vertical distance of 1000 m and a horizontal distance of 1500 m from any observed groups (colonies) of migratory birds. It is recommended aircraft avoid critical and sensitive wildlife areas at all times by choosing alternate flight corridors. The Permittee shall also advise all pilots of relevant flight restrictions and enforce their application over the project area and flight paths to/from the project area.	LOW LEVEL FLIGHT RESTRICTIONS
26	During the period of May 15 to July 15 when caribou are observed within 1 km of project operations, the Permittee shall suspend all operations, including low-level over flights, blasting, and use of snow mobiles and all terrain vehicles outside the immediate vicinity of the camps. Following July 15, if caribou cows or calves are observed within 1 km of project operations, the Proponent shall also suspend all operations in the vicinity, including low-level over flights, blasting, and use of snow mobiles and all terrain vehicles, until caribou are no longer in the immediate area.	WILDLIFE SENSITIVITIES
27	<p>a) During migration of caribou, the Permittee shall not locate any operation so as to block or cause substantial diversion of migration.</p> <p>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</p>	CARIBOU PROTECTION MIGRATION
28	Prior to significant operational movements (i.e. before moving drill rigs), the proponent should undertake high altitude (>610 m) aerial reconnaissance with the assistance of an independent wildlife monitor, to determine whether caribou cows and calves are present within a 20 km radius of the camp or drill sites, or if caribou are migrating close by. If caribou are observed the monitor will instruct the proponent to suspend any activities within 10 km of the sightings.	RESTRICTION ON OPERATIONAL MOVEMENT

29	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.	BEAR/MAN CONFLICT
30	The Permittee shall 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 metre buffer around the nests). If active nests of any birds 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.	NO DISTURBING NESTS

31 (1) (i) - Objects and Places of Recreational, Scenic and Ecological Value

31	The Permittee shall not feed wildlife.	NO FEEDING WILDLIFE
32	The Permittee shall not harass wildlife. This includes persistently worrying or chasing animals, or disturbing large groups of animals.	NO HARASSING WILDLIFE
33	The Permittee shall ensure that all project personnel are made aware of the measures to protect wildlife and are provided with training and/or advice on how to implement these measures.	WILDLIFE PROTECTION MEASURES

31 (1) (k) - Petroleum Fuel Storage

34	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
35	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
36	The Permittee shall ensure the re-fuelling of all equipment occur a minimum of thirty-one (31) metres away from the high water mark of any water body.	RE-FUELLING BY STREAM
37	The Permittee shall use adequate secondary containment or a surface liner (e.g., self supporting insta-berms and fold-a-tanks) at all re-fuelling stations. Appropriate spill response equipment and clean-up materials (e.g., shovels, pumps, barrels, drip pans, and absorbents) must be readily available during any transfer of fuel or hazardous substances, as well as at vehicle maintenance areas.	SECONDARY CONTAINMENT
38	The Permittee shall store all fuel and chemicals in such a manner that they are inaccessible to wildlife.	FUEL INACCESSIBLE TO WILDLIFE
39	The Permittee shall locate mobile fuel facilities on land when stationary for any period of time exceeding twelve (12) hours.	FUEL ON LAND
40	The Permittee shall not allow petroleum products to spread to surrounding lands or into water bodies.	FUEL CONTAINMENT

41	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
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 mark all stationary petroleum products storage facilities with flags, posts or similar devices so that they are at all times plainly visible to local vehicle travel.	MARK FUEL LOCATION
44	The Permittee shall seal all container outlets except the outlet currently in use.	SEAL OUTLET
45	The Permittee shall mark all fuel containers with the Permittee's name.	MARK CONTAINERS

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

46	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
47	The Permittee shall keep on hand, at all times during this land use operation, a copy of the Land Use Permit.	COPY OF PERMIT
48	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: a) person, or persons, in charge of the field operation to whom notices, orders, and reports may be served; b) alternates; c) all the indirect methods for contacting the above person(s).	IDENTIFY AGENT
49	The Permittee shall conspicuously display the land use permit number on all vehicles and equipment.	DISPLAY PERMIT NUMBER
50	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.	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"> a) natural casts b) preserved tracks, coprolites and plant remains; and c) the preserved shells and exoskeletons of invertebrates and the eggs, teeth and bones of vertebrates. 	DEFINITIONS
52	The Permittee shall avoid any known or suspected archaeological and/or paleontological sites.	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"> a) Survey b) Inventory and documentation of the archaeological or paleontological resources of the land use area c) Assessment of potential for damage to archaeological or paleontological sites d) Mitigation e) Marking boundaries of archaeological or paleontological sites f) Site restoration 	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
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