



Indigenous and
Northern Affairs Canada

Affaires autochtones
et du Nord Canada

Land Administration
P.O. Box 100
IQALUIT, NU X0A 0H0
Phone: 867-975-4283
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Email: landsmining@aandc.gc.ca

August 8th, 2017

Environment & Climate Change Canada
160 Chemin Tour de L'isle
Montreal, QC
H3C 4G8

Dear Jean Philippe Cloutier-Dussault,

Re: Land Use Permit #N2017N0017
Type of Operation: Research Facility
Location: Eureka, Baffin, NU, NTS 49G

Enclosed is your copy of Land Use permit number N2017N0017, authorizing your project as described in your application dated July 4th, 2017. This permit replaces permit N2012N0012. Please note that all obligations and liabilities held under this permit have now been transferred to your new permit.

Your application has received a wide distribution to other Federal departments, Government of the Nunavut departments, communities in the area of your operation and concerned Inuit groups. In distributing your application the Nunavut Impact Review Board (NIRB) sought comments from these various agencies based on their area of expertise that will help ensure minimum negative impact on the environment. The issuance of this permit indicates that as a result of the NIRB environmental screening process it was decided that the potentially adverse environmental effects that may be caused by your proposal are mitigable with known technology and are not significant. The terms and conditions in the permit will, in our opinion, provide the necessary protection to the environment.

Please ensure that you adhere to the operating conditions, including all reporting requirements, annexed to your permit. Should you have any questions regarding any conditions of this permit, please contact Karen McIntyre at (867)-975-4283 or email landsmining@aandc.gc.ca.

Sincerely,

Tracey McCaie
Manager, Land Administration

cc: Manager, Field Operations
RMO - Baffin



**LAND USE PERMIT
NORTHERN AFFAIRS PROGRAM**

**PERMIS D'UTILISATION DES TERRES
PROGRAMME DES AFFAIRES DU NORD**

Permit Class - Permis Catégorie

A

Permit No - NE de permis

N2017N0017

Subject to the Territorial Land Use Regulations and the terms and conditions in this permit, authority is hereby granted to:

Sous réserve du Règlement sur l'utilisation des terres territoriales et des conditions de ce permis:

Environment & Climate Change Canada

Permittee - Détenteur de permis

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

Est autorisé à entreprendre les travaux d'exploitation des terres décrits dans la demande de permis du:

Signature

Jena-Philippe Cloutier-Dussault

Date

July 4th, 2017

Type of Land Use Operation - Genre de travaux d'exploitation des terres

Research Facility

Location - Emplacement

Eureka, Baffin, NU, NTS 49G

The conditions attached to this permit are incorporated into and form an integral part of the permit.

Les conditions attachées à ce permis en font partie intégrante.

This permit may be assigned, extended, discontinued, suspended or cancelled pursuant to the Territorial Land Use Regulations.

Ce permis peut faire l'objet d'une cession, d'une prolongation d'une cessation d'une suspension ou d'une annulation, en vertu du Règlement sur l'utilisation des terres territoriales.

Dated at

Date à

Iqaluit

Engineer

Ingénieur

This

Ce

8th

Day of

Jour de

August, 2017.

Commencement Date

Date du début des travaux **July 4th, 2017**

Expiry Date

Date d'achèvement **July 3rd, 2022**

NOTE

REMARQUE

IT IS A CONDITION OF THIS PERMIT THAT THE PERMITTEE COMPLY WITH ANY OTHER APPLICABLE ACT, REGULATION, ORDINANCE BY - LAW OR ORDER DEFAULT HEREOF MAY RESULT IN SUSPENSION OR CANCELLATION OF THIS PERMIT.

LE DÉTENTEUR DU PRÉSENT PERMIS DOIT SE CONFORMER À TOUT AUTRE RÈGLEMENT, LOI, DÉCRET RÈGLEMENT MUNICIPAL OU ARRÊTÉ APPLICABLE. LE MANQUEMENT À CETTE OBLIGATION POURRAIT DONNER LIEU À LA SUSPENSION OU À L'ANNULATION DU PERMIS.

CONDITIONS ANNEXED TO AND FORMING PART OF LAND USE PERMIT NUMBER N2017N0017

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 land(s) not designated in the accepted application, unless otherwise authorized in writing by the Engineer.	AUTHORIZED AREA OF ACTIVITY
2.	<p>a) The Permittee shall offset vehicle travel in areas without a snow covered surface.</p> <p>b) The Permittee shall confine the line to a maximum width of 10 metres unless otherwise authorized in writing by a Land Use Inspector.</p>	OFFSET VEHICLE TRAVEL
3.	The Permittee shall locate all camps on gravel, sand or other durable land.	CAMP LOCATION
4.	The Permittee shall use existing campsite.	CAMP LOCATION
5.	The Permittee shall locate all lines, trails and rights-of-way to be constructed parallel to streams a minimum of thirty one (31) meters from any stream except at crossings unless otherwise authorized in writing by a Land Use Inspector.	PARALLELLING STREAMS
6.	The Permittee shall not erect camps or store/stage material on the surface of frozen streams or lakes including the immediate banks except what is for immediate use.	STORAGE ON ICE

31 (1) (b) – Time

7.	The Permittee's Field Supervisor shall contact or meet with a Land Use Inspector at the Department of Indigenous and Northern Affairs Canada, phone number (867) 975-4517; at least 48 hours prior to the commencement of this land use operation.	CONTACT INSPECTOR
8.	<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) a 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
9.	The Permittee's Field Supervisor shall provide notification of commencement of the land use operation within 10 days, to the Engineer at the Iqaluit office of the Department of Indigenous and Northern Affairs Canada either by emailing landsmine@aandc.gc.ca or by telephone at (867) 975-4283.	NOTICE TO ENGINEER

10.	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, and; c) all the indirect methods for contacting the above person(s).	IDENTIFY AGENT
11.	The Permittee shall submit an annual report to the Engineer by March 30 of each year of permitted activities. The annual report must contain, but not limited to, the following information: a) a technical summary of the activities undertaken for the year, b) a table and map showing the following items, if applicable, with exact coordinates in degree/min/sec format, in NAD 83: i. All drilling locations ii. All fuel caches iii. Any other locations where activities were conducted c) a work plan for the following year, d) any progressive reclamation work undertaken.	ANNUAL REPORTING
12.	The Permittee shall complete all clean-up and restoration of the lands used prior to the expiry date of this permit.	CLEAN-UP
13.	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

14.	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
15.	The Permittee shall use a forced-air fuel-fired incinerator to incinerate all combustible garbage and debris. If no incinerator is being established on site, garbage must be backhauled to an approved disposal facility.	INCINERATORS
16.	The Permittee shall keep all garbage and debris in a covered container until disposed of at an approved facility. Garbage must be stored in such a manner as to prevent access by wildlife.	GARBAGE CONTAINERS
17.	The Permittee shall ensure that 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 fuel caches and drill sites. All activities should be conducted according to the approved Spill Response Plan.	SPILL RESPONSE KIT

31 (1) (e) - Type, Location, Capacity and Operation of Facilities

18.	The Permittee shall not locate any sump within thirty one (31) metres of the normal high water mark of any water body. Sumps and areas designated for waste disposal shall be sufficiently bermed or otherwise contained to ensure that substances do not enter a waterway unless otherwise authorized.	SUMPS FROM WATER
19.	The Permittee shall backfill and restore all sumps prior to the expiry date of this permit or immediately following completion of activity.	BACKFILL SUMPS
20.	The Permittee shall: a) backfill sumps with sufficient material to ensure that no hollows or cavities result from settling of the material; b) Overlap the replaced material a minimum of one (1) metre beyond the edges of the existing sump wall.	BACKFILL SUMP OVERLAP
21.	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

22.	The Permittee shall remove any obstruction to natural drainage caused by any part of this land use operation.	NATURAL DRAINAGE
23.	The Permittee shall not use the bed of streams for access routes except for the purpose of crossing the streams unless otherwise authorized by a Land Use Inspector.	STREAM BEDS ACCESS
24.	The Permittee shall install erosion and sediment mitigation measures on disturbed areas before, during and after construction and as the land use operation progresses.	EROSION CONTROL
25.	The Permittee shall prepare the site in such a manner as to prevent rutting of the ground surface.	PREVENTION OF RUTTING
26.	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
27.	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

28.	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
29.	The Permittee shall deposit all sewage into a sump.	SEWAGE DISPOSAL

30.	The Permittee shall store all fuel and chemicals in such a manner as to prevent access by wildlife	STORAGE
31.	The Permittee shall incinerate all combustible wastes daily and remove ash from incineration activities.	GARBAGE DISPOSAL
32.	The Permittee shall backhaul and dispose all combustible waste petroleum products at an approved disposal facility unless there is an approved waste oil burner on site.	WASTE PETROLEUM DISPOSAL
33.	The Permittee shall backhaul and dispose of all hazardous wastes at an approved waste disposal facility.	WASTE CHEMICAL DISPOSAL
34.	The Permittee shall report all spills immediately in accordance with instructions contained in "NT-NU Spill Report" form and to the twenty four (24) hour spill report line (867)920-8130.	REPORT CHEMICAL AND PETROLEUM SPILLS
35.	The Permittee shall not allow petroleum products or chemicals to spread to surrounding lands or into water bodies.	CONTAINMENT OF PETROLEUM PRODUCTS AND CHEMICALS

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

36.	The Permittee shall not unnecessarily damage wildlife habitat in conducting this land use operation.	HABITAT DAMAGE
37.	The Permittee shall not obstruct the movement of fish while conducting this land use operation.	FREE FISH MOVEMENT
38.	The Permittee shall not harass wildlife. This includes persistently worrying, chasing, or disturbing large groups of animals.	HARASSMENT OF WILDLIFE
39.	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 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
40.	The Permittee shall not touch, feed or entice wildlife to approach by holding out of setting out decoys or any such devise, foodstuffs or bait of any kind.	WILDLIFE INTERACTIONS

31 (1) (k) - Petroleum Fuel Storage

41.	The Permittee shall not place any petroleum fuel storage containers within thirty-one (31) metres of the normal high water mark of any water body.	FUEL STORAGE
42.	The Permittee shall locate mobile fuel facilities on land when stationary for any period of time exceeding twelve (12) hours.	FUEL ON LAND

43.	The Permittee shall not allow petroleum products to spread to surrounding lands or into water bodies.	FUEL CONTAINMENT
44.	The Permittee shall: a) examine all fuel storage containers for leaks a minimum of once every seven (7) days during operations; b) repair all leaks immediately; c) examine all fuel storage containers for leaks immediately upon delivery.	CHECK FOR LEAKS
45.	The Permittee shall construct a dyke around each stationary fuel container where any one container, or group of fuel containers piped together, has a capacity exceeding 50,000 litres.	DYKE FUEL CONTAINERS
46.	The Permittee shall line the dyke and area enclosed by the dyke with a type of plastic film liner approved by the Engineer.	LINE DYKE
47.	The Permittee shall ensure that the dyke and the area enclosed by the dyke shall be impermeable to petroleum products at all times.	IMPERMEABLE DYKE
48.	The Permittee shall seal all container outlets except the outlet currently in use.	SEAL OUTLET
49.	The Permittee shall mark all fuel containers with the Permittee's name and the Land Use Permit number.	MARK CONTAINERS
50.	The Permittee shall use adequate secondary containment or a surface liner (e.g. self-supporting insta-berms and fold-a-tanks), when storing barrelled fuel and chemicals at all locations as well as re-fuelling stations. The volume of the berm area shall be 10% greater than the capacity of the largest fuel container placed therein.	SECONDARY CONTAINMENT
51.	The Permittee shall remove and treat hydrocarbon contaminated soils on site or transport them to an approved disposal site for treatment.	CONTAMINATED SOIL

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

52.	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
53.	The Permittee shall keep on hand, at all times during this land use operation, a copy of the Land Use Permit.	COPY OF PERMIT
54.	The Permittee shall conspicuously display the land use permit number on all vehicles and equipment.	DISPLAY PERMIT NUMBER
55.	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

ARCHAEOLOGICAL & PALEONTOLOGICAL TERMS AND CONDITIONS

	<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. 	<p>DEFINITIONS</p>
	<p>The Permittee shall avoid any known or suspected archaeological and/or paleontological sites.</p>	<p>AVOIDANCE OF ARCHAEOLOGICAL AND/OR PALEONTOLOGICAL SITES</p>
	<p>The Permittee shall not remove, disturb, or displace any archaeological artifact or site, or any paleontological site or fossil.</p>	<p>DISTURBANCE OF ARCHAEOLOGICAL AND/OR PALEONTOLOGICAL SITE</p>
	<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.</p> <p>The Permittee is required to immediately contact the Land Administration division at Indigenous and Northern Affairs Canada at (867) 975-4283 or (867) 975-4285 or (867) 975-4280 as well as the Department of Culture and Heritage at (867) 934-2046 or (867) 975-5500 or 1 (866) 934-2035.</p>	<p>CEASE OPERATION OF LAND USE ACTIVITY</p>

	<p>Permission to resume land use operation 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 (c) Paleontological resources of the land use area (d) Assessment of potential for damage to archaeological or paleontological sites (e) Mitigation (f) Marking boundaries of archaeological or paleontological sites (g) Site restoration 	
	<p>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.</p>	<p>KNOWLEDGE OF ARCHAEOLOGICAL AND PALEONTOLOGICAL TERMS AND CONDITIONS</p>

Species at Risk in Nunavut

This list includes species listed on one of the Schedules of SARA (Species at Risk Act) and under consideration for listing on Schedule 1 of SARA. These species have been designated as at risk by COSEWIC (Committee on the Status of Endangered Wildlife in Canada). This list may not include all species identified as at risk by the Territorial Government.

a) Schedule 1 is the official legal list of Species at Risk for SARA. SARA applies to all species on Schedule 1. The term “listed” species refers to species on Schedule 1.

(b) Schedule 2 and 3 of SARA identify species that were designated at risk by the COSEWIC prior to October 1999 and must be reassessed using revised criteria before they can be considered for addition to Schedule 1.

(c) Some species identified at risk by COSEWIC are “pending” addition to Schedule 1 of SARA. These species are under consideration for addition to Schedule 1, subject to further consultation or assessment.

Schedules of SARA are amended on a regular basis so it is important to periodically check the SARA registry (www.sararegistry.gc.ca) to get the current status of a species.

Terrestrial Species at Risk	COSEWIC Designation	Schedule of SARA	Government with Lead Management Responsibility
Eskimo Curlew	Endangered	Schedule 1	EC
Ivory Gull	Endangered	Schedule 1	EC
Ross' Gull	Threatened	Schedule 1	EC
Harlequin Duck (Eastern Population)	Special Concern	Schedule 1	EC
Rusty Blackbird	Special Concern	Schedule 1	Government of Nunavut
Felt-leaf Willow	Special Concern	Schedule 1	Government of Nunavut
Peregrine Falcon	Special Concern (<i>anatum-tundrius</i> complex)	Schedule 1 (<i>anatum</i>) Schedule 3 (<i>tundrius</i>)	Government of Nunavut
Short-eared Owl	Special Concern	Schedule 3	Government of Nunavut
Peary Caribou	Endangered	Schedule 1	Government of Nunavut
Barren-ground Caribou (Dolphin and Union population)	Special Concern	Schedule 1	Government of Nunavut
Polar Bear	Special Concern	Schedule 1	Government of Nunavut
Red Knott (<i>rufa</i> subspecies)	Endangered	Pending	EC
Red Knot (<i>islandica</i> subspecies)	Special Concern	Pending	EC
Porsild's Bryum	Threatened	Pending	GN
Horned Grebe (Western population)	Special Concern	Pending	EC
Grizzly Bear	Special Concern	Pending	Government of Nunavut
Wolverine (Western Population)	Special Concern	Pending	Government of Nunavut
Atlantic Cod, Arctic Lakes	Special Concern	No Schedule	DFO
Atlantic Walrus	Special Concern	Pending	DFO
Beluga Whale (Cumberland Sound population)	Threatened	Pending	DFO
Beluga Whale (Hudson Bay population)	Endangered	Pending	DFO
Beluga Whale (Western Hudson Bay population)	Special Concern	Pending	DFO
Beluga Whale (Eastern High Arctic – Baffin Bay population)	Special Concern	Pending	DFO
Bowhead Whale (Eastern Canada – West Greenland population)	Special Concern	Pending	DFO
Killer Whale (Northwest Atlantic / Eastern Arctic populations)	Special Concern	Pending	DFO
Narwhal	Special Concern	Pending	DFO