



Land Administration
P.O. Box 100
IQALUIT, NU X0A 0H0
Phone: 867-975-4283
FAX: 867-975-4286

February 10, 2016

AANDC-Contaminated Sites
10th floor, 25 Eddy Street
Gatineau, QC
K1A 0H4

Dear Mark Yetman,

Re: Land Use Permit #N2016U0001
Type of Operation: Site Remediation
Location: Fox-D, Baffin, NU, NTS 26P

Enclosed is your copy of Land Use permit number N2016U0001, authorizing your project as described in your application dated September 22nd, 2015. 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.

The issuance of this permit indicates that as a result of Nunavut's regulatory review 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, along with the Archaeological Palaeontological terms and conditions, annexed to your permit. Should you have any questions regarding any conditions of this permit, please contact our office.

Sincerely,

Nicholas Kavanagh
Land Administrator Specialist

cc: Manager, Field Operations
RMO-Baffin
NIRB
NPC

**CONDITIONS ANNEXED TO AND FORMING PART
OF LAND USE PERMIT NUMBER N2016U0001**

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 not conduct any part of the land use operation within 300 metres of any privately owned land or structure unless otherwise authorized in writing by the Engineer.	PRIVATE PROPERTY
4.	The Permittee shall bury all scrap metal, discarded machinery and parts, barrels and kegs at a site, once depolluted and in a manner designated by a Land Use Inspector in writing.	BURY WASTE MATERIAL
5.	(a) The Permittee shall offset vehicle travel in areas without a snow covered surface. (b) The Permittee shall confine the line to a maximum width of 10 metres unless otherwise authorized in writing by a Land Use Inspector.	OFFSET VEHICLE TRAVEL
6.	The Permittee shall locate all camps on gravel, sand or other durable land.	CAMP LOCATION

31 (1) (b) – Time

7.	The Permittee's Field Supervisor shall contact or meet with a Land Use Inspector at the Iqaluit office of Indigenous and Northern Affairs Canada, phone number (867)975-4295, at least 48 hours prior to the commencement of this land use operation.	CONTACT INSPECTOR
8.	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
9.	The Permittee shall complete all clean-up and restoration of the lands used prior to the expiry date of this permit.	CLEAN-UP

10.	The Permittee shall submit an annual report to the Engineer by March 30 th of each year of permitted activities. The annual report must contain, but not limited to, the following information: (a) A summary of activities undertaken for the year including (b) A map showing the following items with exact coordinates (degrees/min/sec, in NAD 83): i. All drilling locations; ii. All fuel caches; iii. Any other location where activities were conducted. (c) A work plan for the following year, including any progressive reclamation work undertaken.	ANNUAL REPORT
11.	The Permittee's Field Supervisor shall provide notification of commencement of the land use operation 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
12.	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

13.	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
14.	The Permittee shall keep all garbage and debris in a covered metal "Bear Proof" container until disposed of.	GARBAGE CONTAINERS

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

15.	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

16.	The Permittee shall remove any obstruction to natural drainage caused by any part of this land use operation.	NATURAL DRAINAGE
17.	The Permittee shall not cut any stream bank unless authorized in writing by a Land Use Inspector.	STREAM BANKS
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 prepare the site in such a manner as to prevent rutting of the ground surface.	PREVENTION OF RUTTING
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 not use the following materials during the drilling operation without the prior written approval of the Engineer. Chlorinated phenols (Dowicide B, etc.) Compounds composed primarily of heavy metals Asbestos	PROHIBITED CHEMICALS
23.	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
24.	The Permittee shall dispose of all combustible waste petroleum products by removal.	WASTE PETROLEUM DISPOSAL
25.	The Permittee shall dispose of all toxic or persistent substances in a manner as approved in writing by the Engineer.	WASTE CHEMICAL DISPOSAL
26.	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

27.	The Permittee shall not unnecessarily damage wildlife habitat in conducting this land use operation.	HABITAT DAMAGE
28.	The Permittee shall not obstruct the movement of fish while conducting this land use operation.	FREE FISH MOVEMENT
29.	The Permittee shall not detonate explosives within fifteen (15) metres of any body of water which is not completely frozen to the bottom.	EXPLOSIVES WATER
30.	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 Environment at (867) 934-2075.	BEAR/MAN CONFLICT

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

31.	The Permittee shall not feed wildlife.	NO FEEDING WILDLIFE
-----	--	---------------------

31 (1) (k) - Petroleum Fuel Storage

32.	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 using the Format Lat/Long hddd* mm' ss.s" under datum NAD83.	REPORT FUEL LOCATIONS
33.	The Permittee shall not place any petroleum fuel storage containers within 31 metres of the normal high water mark of any stream.	FUEL BY STREAM
34.	The Permittee shall provide approved Secondary Containment for all Fuels stored associated with this Land Use Permit.	APPROVED SECONDARY CONTAINMENT
35.	The Permittee shall not allow petroleum products to spread to surrounding lands or into water bodies.	FUEL CONTAINMENT
36.	The Permittee shall provide approved covered secondary containment for all fuels stored associated with this Land Use Permit.	SECONDARY CONTAINMENT
37.	The Permittee shall maintain a watchman at the site at all times when fuel is stored on site.	WATCHMAN
38.	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
39.	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
40.	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
41.	The Permittee shall seal all container outlets except the outlet currently in use.	SEAL OUTLET
42.	The Permittee shall mark all fuel containers with the Permittee's name.	MARK CONTAINERS

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

43.	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
44.	The Permittee shall keep on hand, at all times during this land use operation, a copy of the Land Use Permit.	COPY OF PERMIT
45.	<p>The Permittee shall provide in writing to the Lands Inspector, at least forty-eight (48) hours prior to commencement of this land use operation, the following information:</p> <ul style="list-style-type: none"> (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
46.	The Permittee shall, while conducting the operation, make every effort to avoid covering or destroying traps or snares that may be found along these routes.	TRAPS PROTECTION
47.	<ul style="list-style-type: none"> (a) During migration of caribou, the Permittee shall not locate any operation so as to block or cause substantial diversion of migration. (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 	CARIBOU PROTECTION MIGRATION
48.	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		
49.	<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>	DEFINITIONS

	<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. 	
50.	The Permittee shall avoid any known or suspected archaeological and/or paleontological sites.	AVOIDANCE OF ARCHAEOLOGICAL AND/OR PALEONTOLOGICAL SITES
51.	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
52.	<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 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>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
53.	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

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 Organization with Lead Management Responsibility
Eskimo Curlew	Endangered	Schedule 1	EC
Ivory Gull	Endangered	Schedule 1	EC
Ross's 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 Knot (<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 (Eastern 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

Updated: January 2012