



Land Administration
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January 12, 2017

Indigenous and Northern Affairs Canada
10th Floor, 25 Eddy Street
Gatineau, QC
K1A 0H4

Dear Mark Yetman:

Re: Land Use Permit #N2016U0013
Type of Operation: Site Remediation
Location: Contwoyto Lake Area, Kitikmeot, NU, NTS 76E, 76L

Enclosed is your copy of Land Use permit number N2016U0013 authorizing your project as described in your application dated September 9, 2016.

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 Isa Qamaniq-Mason at 867-975-4566, or email landsmining@inac.gc.ca.

Our office would like to ensure that you are aware of the land use planning process that is currently underway in Nunavut. The Nunavut Planning Commission, under the authority of the *Nunavut Planning and Project Assessment Act*, is working to develop a land use plan that would apply throughout the Nunavut Settlement Area and the Outer Land Fast Ice Zones, as those terms are defined in the *Nunavut Land Claims Agreement*.



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A new land use plan has the potential to affect both your existing activities and your plans for future activities. Therefore, we encourage you to become familiar with the *Nunavut Planning and Project Assessment*, the Commission's planning process, and to review the draft Nunavut Land Use Plan and other documentation available through the Nunavut Planning Commission to ensure you are aware of how the proposed plan might affect you. A revised version of the Nunavut Planning Commission's Draft Nunavut Land Use Plan is available at <http://nunavut.ca>. Also on that website you will find notices from the Commission about the planning process and other important information, including how to get involved.

Two regional land use plans, the Keewatin and North Baffin Regional Land Use Plans, remain in effect. Under the Act, there can be only one plan applicable in a planning region. Therefore, in the event a territory-wide land use plan is approved the two regional plans would be repealed.

If you have questions or comments about the land use plan, please do not hesitate to contact Tracey McCaie, Manager, Land Administration at (867)975-4280. For information about the land use planning process and how to get involved, please contact the Nunavut Planning Commission.

Sincerely,

Karen McIntyre
Land Administration Specialist

cc: Manager, Field Operations
RMO - Kitikmeot

**CONDITIONS ANNEXED TO AND FORMING PART
OF LAND USE PERMIT NUMBER N2016U0013
INAC Contaminated Sites Jericho Site Stabilization**

~~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 materials, to an approved landfill or disposal facility.	REMOVE WASTE MATERIAL
3.	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
4.	The Permittee shall locate all camps on gravel, sand or other durable land.	CAMP LOCATION
5.	The Permittee shall notify a Land Use Inspector, within 10 days of the Camp being set up, of the exact GPS Co-ordinates of the Camp's Location.	CAMP LOCATION

31 (1) (b) – Time

6.	The Permittee's Field Supervisor shall contact or meet with a Land Use Inspector at the Kugluktuk, NU office of the Department of Indian Affairs and Northern Development, phone number (867) 982-4306, at least 48 hours prior to the commencement of this land use operation.	CONTACT INSPECTOR
7.	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 landsmining@aandc.gc.ca or by telephone at (867) 975-4283.	NOTICE TO ENGINEER
8.	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: <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

9.	The Permittee shall provide updated locations of the following activities, if applicable, related to this project to the Inspector and Engineer within 10 days of establishment : a) Campsite b) Fuel caches c) Airstrip d) Drill laydown area e) Quarry locations All coordinates must be provided in degree/min/sec format in NAD 83.	UPDATE LOCATIONS
10.	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 camp locations ii. Air strip and landing location iii. All drilling locations iv. All fuel caches v. Any other locations where activities were conducted vi. All active and backfilled sumps, c) a work plan for the following year, d) any progressive reclamation work undertaken.	ANNUAL REPORTING
11.	The Permittee shall notify the Engineer within 10 days, of seasonal closure of the land use area.	SEASONAL SHUTDOWN
12.	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
13.	The Permittee shall complete all clean-up and restoration of the lands used prior to the expiry date of this permit.	CLEAN-UP
14.	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

15.	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
16.	The Permittee shall use a forced-air fuel-fired incinerator to incinerate all combustible garbage and debris.	INCINERATORS
17.	The Permittee shall burn all combustible garbage and debris in a container acceptable to a Land Use Inspector.	INCINERATION

18.	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
19.	The Permittee shall use portable ramps during loading or unloading ships or barges.	PORTABLE RAMPS
20.	The Permittee shall not place dirt or debris into streams to serve as ramps for loading or unloading ships or barges, unless authorized in writing by a Land Use Inspector.	DIRT RAMPS
21.	The Permittee shall, in camps of more than five (5) personnel, maintain the following fire-fighting equipment in the base camp and in active readiness: (a) Four (4) backpack bags or cans complete with hand pumps. (b) A minimum of two pieces of each of the following: pulaskis, axes, shovels	FIRE FIGHTING EQUIPMENT
22.	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

23.	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
24.	The Permittee shall not move any equipment or vehicles without prior testing of the thickness of the ice to ensure the lake is in a state capable of fully supporting the equipment or vehicles.	TESTING OF ICE THICKNESS
25.	The Permittee shall backfill and restore all sumps prior to the expiry date of this permit or immediately following completion of activity.	BACKFILL SUMPS
26.	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
27.	The Permittee shall ensure that the land use area is kept clean and tidy at all times.	CLEAN WORK AREA

28.	The Permittee shall only treat petroleum and hydrocarbon contaminated soils at the landfarm facility. Materials contaminated with other substances must not be stored at the land farm and must be disposed of at an authorized facility.	LANDFARM OPERATIONS
29.	The Permittee shall ensure that all equipment used for aeration in the landfarm operation has been cleaned off within the landfarm facilities prior to exiting.	LANDFARM EQUIPMENT
30.	The Permittee shall ensure that the land use area is kept clean and tidy at all times.	CLEAN WORK AREA
31.	The Permittee shall select a winter route that maximizes the use of frozen water bodies.	WINTER TRAIL & ICE ROAD ROUTE

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

32.	The Permittee shall remove any obstruction to natural drainage caused by any part of this land use operation.	NATURAL DRAINAGE
33.	The Permittee shall not cut any stream bank unless authorized in writing by a Land Use Inspector.	STREAM BANKS
34.	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
35.	The Permittee shall ensure that bank disturbances are avoided and no mechanized clearing carried out immediately adjacent to any watercourse.	AVOID BANK DISTURBANCES
36.	The Permittee shall ensure that stream crossings and/or temporary crossings constructed from ice and snow, which may cause jams, flooding, or impede fish passage and/or water flow are removed or notched prior to Spring break-up.	STREAM CROSSINGS
37.	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
38.	The Permittee shall not construct interceptor or off-shoot drainage ditches unless approved in writing by the Land Use Inspector.	DITCHES
39.	The Permittee shall prepare the site in such a manner as to prevent rutting of the ground surface.	PREVENTION OF RUTTING
40.	The Permittee shall avoid disturbance on slopes prone to natural erosion, and alternative locations shall be utilized.	DISTURBANCE TO SLOPES

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

41.	The Permittee shall not use chemicals in connection with the land use operation without the prior approval of the Engineer.	APPROVAL OF CHEMICALS
42.	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
43.	The Permittee shall deposit all sewage into a sump.	SEWAGE DISPOSAL
44.	(a) The Permittee shall treat all sewage in a treatment plant capable of extracting eighty-five to ninety (85-90%) per cent of the biodegradable solids. (b) The Permittee shall place all remaining solids in a sump.	SEWAGE DISPOSAL
45.	The Permittee shall incinerate all combustible wastes daily and remove ash from incineration activities.	GARBAGE DISPOSAL
46.	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
47.	The Permittee shall dispose of all combustible waste petroleum products by removal.	WASTE PETROLEUM DISPOSAL
48.	The Permittee shall dispose of all toxic or persistent substances in a manner as approved in writing by the Engineer.	WASTE CHEMICAL DISPOSAL
49.	The Permittee shall store all hazardous chemicals in such a manner as to prevent access by wildlife.	HAZARDOUS CHEMICAL STORAGE
50.	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
51.	The Permittee prior to the discharge of fluids from any sump, shall carry out an analysis of the fluids in a manner prescribed by the Engineer and obtain his written approval to discharge.	SUMP DISCHARGE

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

52.	The Permittee shall not unnecessarily damage wildlife habitat in	HABITAT DAMAGE
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	conducting this land use operation.	
53.	The Permittee shall not harass wildlife. This includes persistently worrying, chasing, or disturbing large groups of animals.	HARASSMENT OF WILDLIFE
54.	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
55.	During the period of May 1st to July 15th, when caribou are observed within 1 km of project operations, the Permittee shall suspend all operations, including low-level flights, blasting, and use of snowmobiles and overland vehicles outside the immediate vicinity of the camps. During the period following July 15th, if caribou cows or calves are observed within 1 km of project operations, the Permittee shall also suspend operations in the vicinity, including low-level over flights and use of all-terrain vehicles, until caribou are no longer in the immediate area.	WILDLIFE SENSITIVITY
56.	The Permittee shall cease activities that may interfere with migration or calving of caribou or muskox, such as airborne geophysical surveys, drilling, or movement of equipment of personnel until such a time that the caribou or muskox have passed.	CARIBOU/MUSKOX CALVING AND MIGRATION
57.	The Permittee shall not block or cause any diversion to caribou migration, and shall cease activities likely to interfere with migration such as airborne geophysics surveys, drilling, or movement of equipment or personnel until such time as the caribou have passed.	CARIBOU MIGRATION
58.	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 at 867-982-7450.	BEAR/MAN CONFLICT

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

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

60.	The Permittee shall report in writing to a Land Use Inspector the exact GPS location and quantity of all petroleum fuel caches within ten (10) days after the establishment.	REPORT FUEL LOCATION
61.	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

62.	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
63.	The Permittee shall not allow petroleum products to spread to surrounding lands or into water bodies.	FUEL CONTAINMENT
64.	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
65.	The Permittee shall construct a dyke around each stationary fuel container or group of stationary fuel containers where any one container has a capacity exceeding 4,000 litres.	DYKE FUEL CONTAINERS
66.	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
67.	The volume of the dyked area shall be 10% greater than the capacity of the largest fuel container placed therein.	CAPACITY
68.	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
69.	The Permittee shall: <ul style="list-style-type: none"> 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
70.	The Permittee shall ensure that re-fuelling of equipment occur a minimum of thirty-one (31) metres away from the high water mark of any water body, at a designated area. All re-fuelling and bulk fuel transfers must be conducted over a drip tray or secondary containment.	RE-FUELLING
71.	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
72.	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

73.	The Permittee shall display a copy of this permit in a conspicuous place	DISPLAY PERMIT
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	in each campsite established to carry out this land use operation.	
74.	The Permittee shall keep on hand, at all times during this land use operation, a copy of the Land Use Permit.	COPY OF PERMIT
75.	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: <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
76.	The Permittee shall conspicuously display the land use permit number on all vehicles and equipment.	DISPLAY PERMIT NUMBER
77.	Part 1 - In this Permit: "sump" means a man-made pit, trench hollow or cavity in the earth's surface used for the purpose of depositing waste material therein.	DEFINITIONS
78.	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		
79.	"archaeological site" means a place where an archaeological artifact is found. "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. "paleontological site" means a site where a fossil is found. "fossil" includes: <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
80.	The Permittee shall avoid any known or suspected archaeological and/or paleontological sites.	AVOIDANCE OF ARCHAEOLOGICAL AND/OR

		PALEONTOLOGICAL SITES
81.	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
82.	<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, Language, elders and Youth at (867) 934-2046 or (867) 975-5500 or 1 (866) 934-2035.</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) Making boundaries of archaeological or paleontological sites g) Site restoration 	CEASE OPERATION OF LAND USE ACTIVITY
83.	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