

**CONDITIONS ANNEXED TO AND FORMING PART  
OF LAND USE PERMIT NUMBER N2017X0009**

**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.	<ul style="list-style-type: none"> <li>a) The Permittee shall offset vehicle travel in areas without a snow covered surface.</li> <li>b) The Permittee shall confine the line to a maximum width of 10 metres unless otherwise authorized in writing by a Land Use Inspector.</li> </ul>	OFFSET VEHICLE TRAVEL
3.	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

**31 (1) (b) - Time**

4.	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) 975-4295; email address <a href="mailto:aandc.fieldoperationslands-opsregionaletterre.aadnc@aadnc-aandc.gc.ca">aadnc.fieldoperationslands-opsregionaletterre.aadnc@aadnc-aandc.gc.ca</a> at least 48 hours prior to the commencement of this land use operation.	CONTACT INSPECTOR
5.	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 <a href="mailto:landsmining@aadnc.gc.ca">landsmining@aadnc.gc.ca</a> or by telephone at (867) 975-4283.	NOTICE TO ENGINEER
6.	<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
7.	<p>The Permittee shall advise a Land Use Inspector at least 10 days prior to the completion of the land use operation of:</p> <ul style="list-style-type: none"> <li>a) a plan for removal or storage of equipment and materials, and</li> <li>b) when final clean-up and restoration of the lands used will be completed.</li> </ul>	REPORTS BEFORE REMOVAL

8.	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
9.	The Permittee shall submit to the Engineer a Spill Contingency Plan for use during the construction and operation of the winter road, 10 days prior to the commencement of activity.	CONTINGENCY PLAN
10.	The Permittee shall complete all clean-up and restoration of the lands used prior to the expiry date of this permit.	CLEAN-UP
11.	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**

12.	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
13.	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
14.	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
15.		

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

16.	The Permittee shall slope the sides of excavations and embankments except in solid rock to a horizontal/vertical ratio of 2:1 unless otherwise authorized in writing by the Land Use Inspector.	EXCAVATIONS AND EMBANKMENTS
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**31 (1) (e) - Type, Location, Capacity and Operation of Facilities**

17.	The Permittee shall ensure that the land use area is kept clean and tidy at all times.	CLEAN WORK AREA
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**31 (1) (f) - Control or Prevention of Flooding, Erosion and Subsidence of Land**

18.	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
19.	The Permittee shall insulate the ground surface beneath all structures and facilities associated with this land use operation to:  (a) prevent the ground from settling and/or eroding; (b) prevent the melting of permafrost	INSULATE GROUND SURFACE
20.	The Permittee shall prepare the site in such a manner as to prevent rutting of the ground surface.	PREVENTION OF RUTTING
21.	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
22.	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**

23.	The Permittee shall remove all non-combustible garbage and debris from the land use area to a disposal site.	REMOVE GARBAGE
24.	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
25.	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
26.	The Permittee shall store all hazardous chemicals in such a manner as to prevent access by wildlife.	HAZARDOUS CHEMICAL STORAGE
27.	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**

28.	The Permittee shall not unnecessarily damage wildlife habitat in conducting this land use operation.	HABITAT DAMAGE
29.	The Permittee shall not obstruct the movement of fish while conducting this land use operation.	FREE FISH MOVEMENT
30.	The Permittee shall not harass wildlife. This includes persistently worrying, chasing, or disturbing large groups of animals.	HARASSMENT OF WILDLIFE
31.	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
32.	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**

33.	The Permittee shall not allow petroleum products to spread to surrounding lands or into water bodies.	FUEL CONTAINMENT
34.	The Permittee shall remove and treat hydrocarbon contaminated soils on site or transport them to an approved disposal site for treatment.	CONTAMINATED SOIL
35.	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

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

36.	The Permittee is required to immediately notify the Engineer of the transfer/sale of the property/assets authorized under this permit upon completion of transaction.	NOTICE OF SALE OR TRANSFER
37.	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
38.	The Permittee shall keep on hand, at all times during this land use operation, a copy of the Land Use Permit.	COPY OF PERMIT
39.	The Permittee shall conspicuously display the land use permit number on all vehicles and equipment.	DISPLAY PERMIT NUMBER

40.	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
<b>CARIBOU PROTECTION MEASURES</b>		
	<p>The Permittee shall not, without approval, conduct any activity between May 15 and July 15 within the Caribou Protection Areas depicted on the map certified by the Engineer as the “Caribou Protection Map” and annexed to this Land Use Permit.</p> <p>a) A Permittee may, upon approval by the Land Use Inspector, operate within the said Caribou Protection Areas beyond the May 15 deadline set out in 1 a), provided that, when monitoring information indicates that caribou cows are approaching the area of operation, the Permittee will implement 1 c).</p> <p>b) On cessation of activities pursuant to 1 a) or 1 b), the Permittee will remove from the zone all personnel who are not required for the maintenance and protection of the camp facilities and equipment, unless otherwise directed by the Land Use Inspector.</p> <p>c) The Permittee may commence or resume activities prior to July 15 within those parts of the Caribou Protection Areas released by the Land Use Inspector for the reason that caribou cows are not expected to use those parts for calving or post-calving.</p>	RESTRICTION OF ACTIVITY
	<p>a) In the event that caribou cows calve outside of the Caribou Protection Areas, the Permittee shall suspend operations within the area(s) occupied by cows and/or calves between May 15 and July 15.</p> <p>b) In the event that caribou cows and calves are present, the Permittee shall suspend:</p> <ul style="list-style-type: none"> <li>(i) blasting;</li> <li>(ii) overflights by aircraft at any altitude of less than 300 meters above ground level, and;</li> <li>(iii) the use of snowmobiles and ATVs (all-terrain vehicles) outside the immediate vicinity of the camp.</li> </ul>	SUSPENSION OF OPERATIONS
	<p>a) During migration of caribou, the Permittee shall not locate any operation so as to block or cause substantial diversion to 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 has passed.</p>	CARIBOU PROTECTION MIGRATION
	<p>a) The Permittee shall not, between May 15 and September 1, construct any camp, cache any fuel, or conduct any blasting within 10 kilometres of any “Designated Crossing” as outlined on the map certified by the Engineer as the “Caribou Protection Map” and annexed to this Land Use Permit.</p>	DESIGNATED CARIBOU CROSSINGS

	<p>b) The Permittee shall not, between May 15 and September 1, conduct any diamond drilling operation within 5 kilometres of any “Designated Crossing” as outlined on the map certified by the Engineer as the “Caribou Protection Map” and annexed to this Land Use Permit.</p>	
<p><b>ARCHAEOLOGICAL AND PALEONTOLOGICAL TERMS AND CONDITIONS</b></p>		
	<p>“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:</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>	<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 SITES</p>
	<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>
	<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"> <li>a) Survey,</li> </ul>	<p>CEASE OPERATION OF LAND USE ACTIVITY</p>

	<ul style="list-style-type: none"> <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>	
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### 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](http://www.sararegistry.gc.ca)) to get the current status of a species.

<b>Terrestrial Species at Risk</b>	<b>COSEWIC Designation</b>	<b>Schedule of SARA</b>	<b>Government with Lead Management Responsibility</b>
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