

Rhonda Miller - MVLWB

From: Elaine Briere - MVLWB [elaine@mvlwb.com]
Sent: March-14-11 4:43 PM
To: Rmiller@mvlwb.com; 'Shannon Hayden'
Subject: FW: Land Use Permit Application - MV2011C0002 - Alex Debogorski
Attachments: MV11C002-DEBOGORSKI.DOC

From: Shannon Hayden [mailto:shayden@mvlwb.com]
Sent: Friday, March 11, 2011 3:39 PM
To: permits@mvlwb.com
Subject: FW: Land Use Permit Application - MV2011C0002 - Alex Debogorski

From: Clint Ambrose [mailto:Clint.Ambrose@inac-ainc.gc.ca]
Sent: March-11-11 3:25 PM
To: Shannon Hayden
Cc: louise@iceroadtrucker.ca; Charlene Coe; Marcy Paykeekoot; Nahum Lee
Subject: Land Use Permit Application - MV2011C0002 - Alex Debogorski

Good afternoon Shannon,

Thank you for the opportunity to review the above noted land use permit application for Mr. Alex Debogorski.

One concern noted in the application was with section 7, proposed restoration plan which the applicant stated: "*Any ruts will be back bladed*".

As the rutting of the ground surface with equipment is prohibited on all land use operations, the Inspector wants the applicant to be aware of operating conditions that must be employed to prevent this concern from arising, #11 and #20-#23.

The attached list of Inspector recommended operating conditions should mitigate the potential for environmental concerns to arise throughout this land use operation.

Other comments from INAC will come under separate cover, and please confirm receipt of this email.

If you have any questions or concerns, please do not hesitate to contact Nahum Lee at 669.2757 or myself at the numbers below.

Regards,

Clint

Clint Ambrose
Resource Management Officer III
South Mackenzie District
Indian and Northern Affairs Canada
TEL: (867) 669-2794
CELL: (867) 446-0769
FAX: (867) 669-2720
clint.ambrose@inac.gc.ca

#16 Yellowknife Airport (Mailing)
140 Bristol Ave. (Street)
Yellowknife, NT
X1A 3T2

**CONDITIONS ANNEXED TO AND FORMING PART
OF LAND USE PERMIT NUMBER MV2011C0002**

Part A: Scope of Permit

1. This permit entitles Alex Debogorski to conduct the following activities:
 - a) Diamond drilling, use of equipment, construction of access trails and storage of fuel southeast of Burnt Island on Great Slave Lake, NT.

Minimum Latitude: 62° 06.06' Minimum Longitude: 113° 45.36'
Maximum Latitude: 62° 07.89' Maximum Longitude: 113° 51.32'
2. The Permit is issued subject to the conditions contained herein with respect to the use of land for the activities and area identified in Part A, Item 1 of this permit.
3. Compliance with the terms and conditions of this permit does not absolve the Permittee from responsibility for compliance with the requirements of all applicable Federal, Territorial and Municipal legislation.

Part B: Definitions

“Act” means the *Mackenzie Valley Resource Management Act*;

“Artesian Aquifer” means a water-bearing stratum, which when encountered during drilling operations, produces a pressurized flow of groundwater that reaches an elevation above the ground surface;

“Board” means the Mackenzie Valley Land and Water Board established under Part 4 of the *Mackenzie Valley Resource Management Act*;

“Drill Waste” means all materials or chemicals, solid or liquid, associated with the drilling of boreholes and includes borehole cuttings;

“Inspector” means an Inspector designated by the Minister under the *Mackenzie Valley Resource Management Act*;

“Stream” means any lake, river, pond, swamp, marsh, channel, gully, coulee or draw that continuously or intermittently contains water;

“Sump” means a man-made pit, trench hollow or cavity in the earth's surface used for the purpose of depositing waste material therein;

“Watercourse” means a natural body of flowing or standing water or an area occupied by water during part of the year, and includes streams, springs, swamps and gulches but does not include groundwater;

Part C: Conditions Applying to All Activities (the headings correspond to Subsection 26 of the Mackenzie Valley Land Use Regulations)

26(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 an Inspector. | PLANS |
| 2. | The Permittee shall not conduct any part of the land use operation within three hundred (300) metres of any privately owned or leased land or structure. | PRIVATE PROPERTY |
| 3. | When the Permittee is drilling within one hundred (100) metres of the ordinary high water mark of a watercourse, they must employ a recirculating drill and ensure that cuttings do not enter any watercourse. | LOCATION OF DRILLSITES |
| 4. | The Permittee shall use an existing campsite. | CAMP LOCATION |
| 5. | The Permittee shall locate all lines, trails, rights-of-way to be constructed parallel to streams a minimum of thirty (30) meters from any stream except at crossings unless otherwise authorized in writing by an Inspector. | PARALLEL STREAMS |
| 6. | Prior to the commencement of diamond drilling the Permittee shall submit to the Inspector, proposed drill targets on a 1:50,000-scale map with coordinates and map datum. | DRILL LOCATIONS |

26(1)(b) TIME

- | | | |
|----|--|------------------------|
| 7. | The Permittee's Field Supervisor shall contact an Inspector at (867) 669-2794 at least forty-eight (48) hours prior to the commencement of this land use operation. | CONTACT INSPECTOR |
| 8. | The Permittee shall advise an Inspector at least ten (10) days prior to the completion of the land use operation of (a) the plan for removal or storage of equipment and materials, and (b) when final clean-up and restoration of the land used will be completed. | REPORTS BEFORE REMOVAL |
| 9. | The Permittee shall provide in writing to the Inspector, 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;
(b) alternates; and
(c) all methods for contacting the above person(s). | IDENTIFY AGENT |

26(1)(c) TYPE AND SIZE OF EQUIPMENT

- | | | |
|-----|---|-------------------------------|
| 10. | The Permittee shall not use any equipment except of the type that is listed in the accepted application unless otherwise authorized in writing by an Inspector. | ONLY
APPROVED
EQUIPMENT |
|-----|---|-------------------------------|

26(1)(d) METHODS AND TECHNIQUES

- | | | |
|-----|--|--|
| 11. | The Permittee shall not conduct vehicle travel in areas without snow-covered surfaces, unless otherwise authorized in writing by an Inspector. | VEHICLE
TRAVEL |
| 12. | The Permittee shall leave a buffer strip of undisturbed vegetation at least thirty (30) metres in width between cleared areas and navigable waterways, unless otherwise authorized in writing by an Inspector. | TREE SCREEN |
| 13. | The Permittee shall not clear areas larger than identified in the accepted application. | MINIMIZE AREA
CLEARED |
| 14. | The Permittee shall not store material other than that required for immediate use on the ice surface of watercourses. | STORAGE ON
ICE |
| 15. | The Permittee shall remove or cut off and seal all drill casings at ground level immediately upon completion of drilling. | REMOVAL AND
SEALING OF
DRILL CASINGS |

26(1)(e) TYPE, LOCATION, CAPACITY AND OPERATION OF ALL FACILITIES

- | | | |
|-----|--|---------------------|
| 16. | The Permittee shall not locate any sump within one hundred (100) metres of the ordinary high water mark of any watercourses, unless otherwise authorized in writing by an Inspector. | SUMPS FROM
WATER |
| 17. | The Permittee shall ensure that the land use area is kept clean at all times. | CLEAN WORK
AREA |

26(1)(f) CONTROL OR PREVENTION OF PONDING OF WATER, FLOODING, EROSION, SLIDES AND SUBSIDENCE OF LAND

- | | | |
|-----|--|--------------------------|
| 18. | The Permittee shall, where flowing water from bore holes is encountered, (1) plug the bore hole in such a manner as to permanently prevent any further outflow of water; and (2) report the artesian occurrence to an Inspector immediately. | PLUG ARTESIAN
WELLS |
| 19. | The land use operation shall not cause obstruction to any natural drainage. | NATURAL
DRAINAGE |
| 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 suspend overland travel of equipment or vehicles at the first sign of rutting. | SUSPEND
OVERLAND
TRAVEL |
| 22. | 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 |

26(1)(g) USE, STORAGE, HANDLING AND ULTIMATE DISPOSAL OF ANY CHEMICAL OR TOXIC MATERIAL

- | | | |
|-----|---|---|
| 23. | The Permittee shall not use chemicals in connection with the land use operation that were not identified in the accepted application unless the MSDS sheets are provided to an Inspector and the Board and usage of the chemical(s) is authorized in writing by an Inspector. | APPROVAL OF
CHEMICALS |
| 24. | The Permittee shall remove all drill waste containing poisonous or persistent chemical additives to an approved disposal facility. | DRILL WASTE
DISPOSAL |
| 25. | The Permittee shall deposit all drill waste into a natural depression or sump. | DRILL WASTE |
| 26. | The Permittee shall remove all drill waste off ice surfaces. | DRILL WASTE
DISPOSAL |
| 27. | The Permittee shall not allow any drilling waste to spread to the surrounding lands or watercourses. | DRILL WASTE
CONTAINMENT |
| 28. | When drilling on ice, the Permittee shall use a closed circuit drilling system with the disposal of cuttings into a land-based sump. | DRILLING ON
ICE |
| 29. | The Permittee shall dispose of all combustible waste petroleum products by incineration removal. | WASTE
PETROLEUM
DISPOSAL |
| 30. | The Permittee shall report all spills immediately to the 24 hour Spill Report Line (867) 920-8130 in accordance with instructions contained in "NT-NU Spill Report" form. | REPORT
CHEMICAL AND
PETROLEUM
SPILLS |

26(1)(h) WILDLIFE AND FISHERIES HABITAT

- | | | |
|-----|---|-------------------|
| 31. | The Permittee shall minimize damage to wildlife and fish habitat in conducting this land use operation. | HABITAT
DAMAGE |
|-----|---|-------------------|

26(1)(i) STORAGE, HANDLING AND DISPOSAL OF REFUSE OR SEWAGE

- | | | |
|-----|---|--------------------|
| 32. | The Permittee shall dispose of all sewage and grey water as proposed in the accepted application. | SEWAGE
DISPOSAL |
| 33. | The Permittee shall remove all garbage and debris, including | REMOVE |

	plastics from the land use area to a disposal site as specified in the accepted application.	GARBAGE
34.	The Permittee shall remove all scrap metal, discarded machinery, parts, barrels and kegs, buildings and building material to an approved waste disposal facility.	REMOVE WASTE MATERIAL
26(1)(j) PROTECTION OF HISTORICAL, ARCHAEOLOGICAL AND BURIAL SITES		
35.	The Permittee shall not conduct a land use operation within 30 m of a known monument or a known or suspected historical, archaeological site or burial ground.	OPERATE VEHICLE
36.	The Permittee shall immediately suspend operations should a suspected historical, archaeological site or burial ground be discovered and notify the Mackenzie Valley Land and Water Board at (867)669-0506 or an Inspector at (867)669-2794.	CONTACTS
26(1)(l) SECURITY DEPOSIT		
37.	The Permittee shall deposit with the Minister a security deposit in the amount of \$ (to be determined by the MVLWB) pursuant to Section 32 of the Mackenzie Valley Land Use Regulations.	SECURITY DEPOSIT
38.	The Permittee shall be liable for any cost of damages over and above the amount of the security deposit.	LIABILITY FOR DAMAGES
26(1)(m) FUEL STORAGE		
39.	The Permittee shall report in writing to an Inspector the location and quantity of all fuel caches within ten (10) days of their establishment.	REPORT FUEL LOCATION
40.	The Permittee shall not place any fuel storage containers within one hundred (100) metres of the normal high water mark of any watercourse, unless otherwise authorized in writing by an Inspector.	FUEL BY STREAM
41.	The Permittee shall not allow petroleum products to spread to surrounding lands or into water bodies.	FUEL CONTAINMENT
42.	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
43.	The Permittee shall seal all container outlets except the outlet currently in use.	SEAL OUTLET
44.	The Permittee shall mark all fuel containers with the Permittee's name.	MARK CONTAINERS

- | | | |
|-----|--|-------------------|
| 45. | The Permittee shall ensure that adequate contingency plans and spill kits are in place, prior to commencement of operations, to respond to any potential spills. | SPILL
RESPONSE |
|-----|--|-------------------|

26(1)(n) METHODS AND TECHNIQUES FOR DEBRIS AND BRUSH DISPOSAL

- | | | |
|-----|--|-------------------|
| 46. | The Permittee shall dispose of all brush and debris cleared from trails and lines by:
(a) pushing or felling the material into the adjacent forest;
and
(b) cutting the branches from the stems, and cutting the stems into lengths so that all parts of the trees felled lie flat on the ground surface. | BRUSH
DISPOSAL |
|-----|--|-------------------|

- | | | |
|-----|--|-------------------------|
| 47. | The Permittee shall progressively complete disposal of all debris and brush. | PROGRESSIVE
DISPOSAL |
|-----|--|-------------------------|

- | | | |
|-----|--|--------------|
| 48. | The Permittee shall spread all cut debris and brush over the areas cleared, prior to completion of the operation or expiry of the Land Use Permit. | SPREAD BRUSH |
|-----|--|--------------|

26(1)(o) RESTORATION OF THE LANDS

- | | | |
|-----|--|----------|
| 49. | The Permittee shall complete all clean-up and restoration of the lands used prior to the expiry date of this Permit. | CLEAN-UP |
|-----|--|----------|

- | | | |
|-----|---|-------------------|
| 50. | The Permittee shall backfill and restore all sumps prior to the expiry date of this Permit. | BACKFILL
SUMPS |
|-----|---|-------------------|

26(1)(p) DISPLAY OF PERMITS AND PERMIT NUMBERS

- | | | |
|-----|---|-------------------|
| 51. | The Permittee shall keep on hand, at all times during this land use operation, a copy of the Land Use Permit. | COPY OF
PERMIT |
|-----|---|-------------------|