



File No.: **8BW-LUP1924**

December 04, 2019

Kenny Ruptash  
Nahanni Construction Ltd.  
PO Box 2076  
Yellowknife, NT, X1A 2P6

Email: [kenny@nahannincl.com](mailto:kenny@nahannincl.com)

**RE: NWB Licence No. 8BW-LUP1924**

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Dear Mr. Ruptash:

Please find attached the Licence No. **8BW-LUP1924** issued to Nahanni Construction Ltd. (NCL) by the Nunavut Water Board (NWB) pursuant to its authority under Article 13 of the *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in Right of Canada (Nunavut Agreement)*. The terms and conditions of the attached Licence related to Water use and Waste deposit are an integral part of this approval.

If the Licensee contemplates the continuing of this Undertaking after the Water Licence expires, it is the responsibility of the Licensee to apply to the NWB for a renewal water Licence. The past performance of the Licensee, new documentation and information, and issues raised during a public hearing, if the NWB is required to hold one, will be used to determine the terms and conditions of the renewal Water Licence. Note that if the Licence expires before the NWB issues a new one, then the use of Water and the deposit of Waste must cease, or the Licensee may be in contravention of the *Nunavut Agreement* and the *Nunavut Waters and Nunavut Surface Rights Tribunal Act (NWNSRTA)*. However, the expiry or cancellation of a Licence does not relieve the holder from any obligations imposed by the Licence. The NWB recommends that an application for the renewal of this Licence be filed at least **three (3) months** prior to the Licence expiry date. It should be noted that in accordance with s. 75(1)(a) of the *Nunavut Planning and Project Assessment Act (NuPPAA)*, the Board is not allowed to issue a permit or authorization for any project proposal that has not been submitted to the Nunavut Planning Commission (NPC) in accordance with s. 76 of *NuPPAA*.

If the Licensee contemplates or requires an amendment to this licence, the NWB may decide, in the public's interest, to hold a public hearing. The Licensee should submit applications for amendment as soon as possible to give the NWB sufficient time to go through the amendment process. The process and timing may vary depending on the scope of the amendment; however, a minimum of **sixty (60) days** is required from time of acceptance by the NWB. It is the

responsibility of the Licensee to ensure that all application materials have been received and are acknowledged by the Manager of Licensing.

Sincerely,

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Lootie Toomasie  
Nunavut Water Board  
Chair

LT/dd/kc

Enclosure:    Licence No. **8BW-LUP1924**  
                 Comments – CIRNA

Cc:    Kitikmeot Distribution List

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## **I. PROJECT OVERVIEW**

The objective of the project is to construct and operate a transboundary winter ice road from the Ekati Mine turnoff on Lac de Gras in the Northwest Territories to the Lupin Mine in Nunavut, traversing 95 km in the Northwest Territories and 118 km in Nunavut (213 km in total), along the previously established Tibbitt to Contwoyo Winter Road route, effectively connecting the Lupin Mine to the city of Yellowknife, and with the ultimate purpose of assisting in the final closure and remediation of the Lupin Mine. The winter ice road will be constructed for two (2) years, commencing in January 2020 and recurring in 2022, however, as a contingency, use over a five (5) year period is being sought in the event of unforeseen delays or schedule changes.

Note that the Licensee currently holds for these activities, an approval for Water use without a Licence (1WLC-LUP1920) that allows for Water use of up to 49 cubic metres per day, which will be considered as cancelled with the issuance of this Licence.

## **II. PROCEDURAL HISTORY**

The Nunavut Water Board (NWB or Board) received the complete application and supporting information (the Application) from Nahanni Construction Ltd. (NCL) on October 9, 2019. The NWB distributed the Application on October 18, 2019, and received comments on November 18, 2019, from Crown-Indigenous Relations and Northern Affairs (CIRNA) indicating that they have no issues with the project as proposed.

In addition, following the initial receipt of the application NCL provided communication to the NWB on October 23, 2019, requesting that the NWB consider their financial information, in its entirety, as confidential in accordance with the relevant provisions of section 20 (1) of the federal *Access to Information Act*. The NWB provided a positive response on October 24, 2019, and the financial information was subsequently received and reviewed.

Copies of intervener's submissions as well as information submitted in support of the application can be accessed through the NWB's public registry and ftp site using the following link:

<ftp://ftp.nwb-oen.ca/registry/8%20MISCELLANEOUS/8B/8BW%20-%20Watercourse/8BW-LUP1924%20Nahanni%20Construction%20Ltd/>

## **III. GENERAL CONSIDERATIONS**

### **Term of Licence**

In accordance with the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* s. 45, the NWB may issue a licence for a term not exceeding twenty-five (25) years. The Applicant requested a five (5) year term for the licence to allow for the construction of a winter road for the *Lupin Winter Access Project*. The Board views the term requested for the project appropriate and has granted this term. The Licensee should note that the Licence is granted solely for the construction and operation of the winter road within the Nunavut territory. Upon completion of the Project, the reclamation responsibility remains the responsibility of the Licensee.

## **Annual Report**

As a requirement of section 14(1) of the *Nunavut Waters Regulations* and similar to the terms and conditions generally included in all licences issued by the Board, the NWB has included under Part B, Item 1 of this Licence, requirements for the Licensee to submit to the Board for review, prior to the 31<sup>st</sup> of March, annually, a report detailing Water use and/or Waste deposit activities for the undertaking for the preceding year. The submission of Annual Reports ensure that the NWB has on file accurate updates of all Water use and/or Waste deposit activities related to an undertaking for any particular year preceding one in which the report is filed.

The Board provides public access to the information submitted in licensees' annual reports through its ftp site as well as upon request from interested parties.

The NWB has included on its website a standardized form for reporting that licensees can use to submit annual reporting information, supplemented by other relevant details. Copies of the NWB's generic Annual Reporting form can be obtained from the NWB's public registry and FTP site using the following Link:

<ftp://ftp.nwb-oen.ca/other%20documents/>

## **Use of Water**

The Licensee has indicated that Water use in Nunavut will be from Contwoyto Lake, Pellatt Lake, or smaller water bodies proximal to land portages, will be less than 10% of the waterbodies available water, and will be less than two hundred and ninety nine (299) cubic metres per day. Water will be frozen onto the surface of the lakes and remain in the waterbody following thaw. Portages between water bodies may require snow fill and/or ice bridges.

Water and land use in the Northwest Territories will be covered under the Makenzie Valley Land and Water Boards permit no. MV2018F0024.

## **Deposit of Waste**

The Applicant indicated that personnel associated with the project will reside at the Lupin Mine site or at temporary mobile camps constructed in the Northwest Territories; therefore, there will be no deposit of Waste at the project site and no camp infrastructure will be established. With respect to the construction waste generated by the project, all waste will be backhauled to a approved landfill facility for disposal.

## **Spill Contingency Planning**

The Licensee submitted a spill contingency plan as part of the Application, and the Board approves this plan under the Part G, Item 1 of the Licence.

## **Closure and Reclamation**

A closure and reclamation plan was submitted to the Board and is being approved with the issuance of this Licence. To ensure that the project work site is reclaimed in an appropriate manner, the NWB has imposed appropriate terms and conditions under Part H of the Water Licence.

## **Monitoring**

To ensure impacts from construction are detected in a timely fashion, the NWB has imposed appropriate terms and conditions under Part I of the Water Licence.

# **DECISION**

## **LICENCE NUMBER: 8BW-LUP1924**

This is the decision of the Nunavut Water Board (NWB) with respect to an application dated October 7, 2019, for a Water Licence made by:

### **NAHANNI CONSTRUCTION LTD**

to allow for the construction of a winter road and associated water crossings proposed by the Nahanni Construction Ltd. (NCL) for the Lupin Winter Access Project, located approximately 300 Southeast of Kugluktuk and 450 km Southwest of Cambridge Bay, in the Kitikmeot Region, Nunavut, within the following geographic coordinates:

Latitude: 65° 46' 45.0156" N	Longitude: 111° 14' 2.9724" W
Latitude: 65° 01' 50.9802" N	Longitude: 109° 43' 9.9726" W

### **DECISION**

After having been satisfied that the Application was for a proposal that was previously reviewed by the Nunavut Planning Commission<sup>1</sup> (NPC) for which the conformity determination, dated January 14, 2019, remains applicable, and falls outside of an area with an approved land use plan. The Proposal was subject to a 12.4.4(a) Screening Decision by the Nunavut Impact Review Board<sup>2</sup>, and as determined by the Nunavut Impact Review Board (NIRB), a review of the Project was not required in accordance with s. 92(1)(a) of NuPPAA. The NWB therefore determined that the application could proceed through the regulatory process. In accordance with s. 55.1 of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* (NWNSRTA or Act) and Article 13 of the *Nunavut Agreement*, public notice of the Application was given and interested persons were invited to make representations to the NWB.

After reviewing the submission of the Applicant and considering the representations made by interested persons, the NWB, having given due regard to the facts and circumstances, the merits of the submissions made to it and to the purpose, scope and intent of the *Nunavut Agreement* and of the *Act*, waived the requirement to hold a public hearing, and determined that:

**Licence No. 8BW-LUP1924 be issued subject to the terms and conditions contained therein. (Motion #: 2019-B1-026)**

Signed this 04<sup>th</sup> day of December, 2019 at Gjoa Haven, NU.

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Lootie Toomasie  
Nunavut Water Board, Chair

LT/dd/kc

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<sup>1</sup> Nunavut Planning Commission (NPC), Land Use Conformity Determination, September 27, 2019.

<sup>2</sup> Nunavut Impact Review Board (NIRB), Screening Determination, March 4, 2019.



## NUNAVUT WATER BOARD WATER LICENCE

**Licence No. 8BW-LUP1924**

Pursuant to the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* and the *Agreement Between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada*, the Nunavut Water Board, hereinafter referred to as the Board, hereby grants to

**NAHANNI CONSTRUCTION LTD.**

(Licensee)

**P.O. BOX 2076 YELLOWKNIFE, NT, X1A 2P6**

(Mailing Address)

hereinafter called the Licensee, the right to alter, divert or otherwise use Water or dispose of Waste for a period subject to restrictions and conditions contained within this Licence:

Licence Number/Type: **8BW-LUP1924 TYPE "B"**

Water Management Area: **QUEEN MAUD GULF WATERSHED (30) & BACK WATERSHED (31)**

Location: **KITIKMEOT REGION, NUNAVUT**

Classification: **OTHER UNDERTAKING**

Purpose: **WINTER ICE ROAD CONSTRUCTION**

Quantity of Water use not to Exceed: **TWO HUNDRED AND NINTY NINE (299) CUBIC METRES PER DAY**

Date of Licence Issuance: **DECEMBER 04, 2019**

Expiry of Licence: **DECEMBER 03, 2024**

This Licence, issued and recorded at Gjoa Haven, Nunavut, includes and is subject to the annexed conditions.

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**Lootie Toomasie  
Nunavut Water Board, Chair**

## **PART A: SCOPE, DEFINITIONS AND ENFORCEMENT**

### **1. Scope**

This Licence allows for the use of Water associated with the construction of a winter ice road for an Undertaking classified as Other as per Schedule 1 of the *Regulations* for the Lupin Winter Access Project, located in the Kitikmeot Region, Nunavut. The scope of the Licence does not include the operation of the proposed road and/or the development of the quarry or granular sources, which the Board may potentially consider under a future amendment to the Licence.

- a. This Licence is issued subject to the conditions contained herein with respect to the use of Water and the depositing of Waste of any type in any Waters or in any place under any conditions where such Waste or any other Waste that results from the deposits of such Waste may enter any Waters. Whenever new *Regulations* are made or existing *Regulations* are amended by the Governor in Council under the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*, or other statutes imposing more stringent conditions relating to the quantity or type of Waste that may be so deposited or under which any such Waste may be so deposited, this Licence shall be deemed, upon promulgation of such *Regulations*, to be subject to such requirements; and
- b. Compliance with the terms and conditions of this Licence does not absolve the Licensee from responsibility for compliance with the requirements of all applicable Federal, Territorial, and Municipal legislation.

### **2. Definitions**

**“Act”** means the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*;

**“Addendum”** means the supplemental text that is added to a full plan or report usually included at the end of the document and is not intended to require a full resubmission of the revised report;

**“Amendment”** means a change to original terms and conditions of this Licence requiring correction, addition or deletion of specific terms and conditions of the Licence; modifications inconsistent with the terms of the set terms and conditions of the Licence;

**“Analyst”** means an Analyst designated by the Minister under Section 85 (1) of the Act;

**“Applicant”** means the Licensee;

**“Appurtenant Undertaking”** means an undertaking in relation to which a use of water or a deposit of waste is permitted by a licence issued by the Board;

**“Board”** means the Nunavut Water Board established under the *Nunavut Agreement*

and the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*;

**“Engineer”** means a professional engineer registered to practice in Nunavut in accordance with the *Consolidation of Engineers and Geoscientists Act S. Nu 2008, c.2* and the *Engineering and Geoscience Professions Act S.N.W.T. 2006, c.16 Amended by S.N.W.T. 2009, c.12*;

**“High Water Mark”** means the usual or average level to which a body of water rises at its highest point and remains for sufficient time so as to change the characteristics of the land (ref. Department of Fisheries and Oceans Canada, Operational Statement: Mineral Exploration Activities);

**“Inspector”** means an Inspector designated by the Minister under Section 85 (1) of the *Act*;

**“Licensee”** means the holder of this Licence;

**“Modification”** means an alteration to a physical work that introduces a new structure or eliminates an existing structure and does not alter the purpose or function of the work, but does not include an expansion;

**“Monitoring Program”** means a monitoring program established to collect data on surface water and groundwater quality to assess impacts to the freshwater aquatic environment of an appurtenant undertaking;

**“Nunavut Agreement”** means the *“Agreement Between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada”*, including its preamble and schedules, and any amendments to that agreement made pursuant to it;

**“Regulations”** means the *Nunavut Waters Regulations SOR/2013-69* 18<sup>th</sup> April, 2013;

**“Secondary Containment”** means an impermeable structure, external to and separate from primary containment, which prevents unplanned spills of hazardous materials and provides a minimum capacity of 110% of the original vessel. Where multiple vessels are stored within the containment, it must provide a minimum capacity equal to the sum of the largest vessel and 10% of the aggregate volume of all other vessels located in the containment. This structure shall also provide containment and control of hoses and nozzles;

**“Spill Contingency Plan”** means a Plan developed to deal with unforeseen petroleum and hazardous materials events that may occur during the operations conducted under the Licence;

**“Waste”** means, as defined in S.4 of the *Act*, any substance that, by itself or in combination with other substances found in water, would have the effect of altering the quality of any water to which the substance is added to an extent that is detrimental to its use by people or by any animal, fish or plant, or any water that would have that effect

because of the quantity or concentration of the substances contained in it or because it has been treated or changed, by heat or other means;

**“Water” or “Waters”** means waters as defined in section 4 of the Act.

### 3. **Enforcement**

- a. Failure to comply with this Licence will be a violation of the *Act*, subjecting the Licensee to the enforcement measures and the penalties provided for in the *Act*;
- b. All inspection and enforcement services regarding this Licence will be provided by Inspectors appointed under the *Act*; and
- c. For the purpose of enforcing this Licence and with respect to the use of water and deposit or discharge of waste by the Licensee, Inspectors appointed under the *Act*, hold all powers, privileges and protections that are conferred upon them by the *Act* or by other applicable law.

### **PART B: GENERAL CONDITIONS**

1. The Licensee shall file an Annual Report on the Appurtenant Undertaking with the Board no later than March 31<sup>st</sup> of the year following the calendar year being reported, containing the following information:
  - a. Summary report of all winter ice road construction and operation activities;
  - b. All monitoring information required under Part I;
  - c. A list of unauthorized discharges and summary of follow-up action taken;
  - d. A summary of any abandonment and restoration work completed during the year and an outline of any work anticipated for the next year;
  - e. Any revisions to approved plans and manuals as required by Part B, Item 9, submitted in the form of an addendum;
  - f. A summary of any studies or reports requested by the Board that relate to Water use and Waste disposal or restoration, and a brief description of any future studies planned; and
  - g. Any other details on Water Use and/or Waste disposal requested by the Board by the 1<sup>st</sup> of November of the year being reported.
2. The Licensee shall notify the NWB of any changes in operating plans or conditions associated with this project at least thirty (30) days prior to any such change.
3. The Licensee shall comply with the Monitoring Program described in this Licence, and any amendments to the Monitoring Program as may be made from time to time, pursuant to the condition of this Licence.
4. The Monitoring Program and compliance dates specified in the Licence may be modified at the discretion of the Board.

5. The Licensee shall, for all Plans submitted under this Licence, include a proposed timetable for implementation. Plans submitted, cannot be undertaken without subsequent written Board approval and direction. The Board may alter or modify a Plan if necessary to achieve the legislative objectives and will notify the Licensee in writing of acceptance, rejection or alteration of the Plan.
6. In the event that a Plan is not found acceptable to the Board, the Licensee shall, within thirty (30) days of notification by the Board or as otherwise indicated in the Board's notification provide a revised version of the Plan to the Board for review and/or approval in writing.
7. The Licensee shall, for all Plans submitted under this Licence, implement the Plan as approved by the Board in writing.
8. Every Plan to be carried out pursuant to the terms and conditions of this Licence shall become a part of this Licence, and any additional terms and conditions imposed upon approval of a Plan by the Board become part of this Licence. All terms and conditions of the Licence should be contemplated in the development of a Plan where appropriate.
9. The Licensee shall review the Plans referred to in this Licence as required by changes in operation and/or technology and modify the Plans or Manuals accordingly. Revisions to the Plans or Manuals are to be submitted in the form of addendums to be included with the Annual Report required by Part B, Item 1(f), complete with a revisions list detailing where significant content changes are made
10. The Licensee shall ensure a copy of this Licence is maintained at the site of operations at all times. Any communication with respect to this Licence shall be made in writing to the attention of:
  - (a) **Manager of Licensing:**  
Nunavut Water Board  
P.O. Box 119  
Gjoa Haven, NU X0B 1J0  
Telephone: (867) 360-6338  
Fax: (867) 360-6369  
Email: [licensing@nwb-oen.ca](mailto:licensing@nwb-oen.ca)
  - (b) **Inspector Contact:**  
Manager of Field Operations, CIRNA  
Nunavut District, Nunavut Region  
P.O. Box 100  
Iqaluit, NU X0A 0H0  
Telephone: (867) 975-4295  
Fax: (867) 979-6445

11. The Licensee shall submit an electronic copy of all reports, studies, and plans to the

Board. Reports or studies submitted to the Board by the Licensee shall include a detailed executive summary in Inuktitut.

12. The Licensee shall ensure that any document(s) or correspondence submitted by the Licensee to the Board, is received by the Board and maintain on file a copy of the acknowledgment of receipt issued by the Manager of Licensing.
13. This Licence is assignable as provided for in Section 44 of the *Act*.
14. The expiry or cancellation of this Licence does not relieve the Licensee from any obligation imposed by the Licence, or any other regulatory requirement.

#### **PART C: CONDITIONS APPLYING TO WATER USE**

1. The Licensee is permitted to use up to two hundred and ninety nine (299) cubic metres of Water per day for the construction of a winter ice road.
2. The Licensee shall withdrawal no more than 10% of the available water from any water source.
3. The Licensee shall submit to the Board for approval in writing, the following information at least thirty (30) days prior to the use of Water of a sufficient volume that the source water body may be drawn down: volume required, hydrological overview of the water body, details of impacts, and proposed mitigation measures.
4. The Licensee shall equip all Water intake hoses with a screen of an appropriate mesh size to ensure that fish are not entrained and shall withdraw Water at a rate such that fish do not become impinged on the screen.
5. The Licensee shall not remove any material from below the ordinary High Water Mark of any water body unless otherwise approved by the Board in writing.
6. The Licensee shall not cause erosion to the banks of any body of water and shall provide necessary controls to prevent such erosion.
7. Sediment and erosion control measures shall be implemented prior to and maintained during the undertaking to prevent entry of sediment into Water.
8. The Licensee shall undertake appropriate corrective measures to mitigate impacts on surface drainage resulting from the Licensee's activities.
9. The Licensee shall cease activities each year prior to the start of freshet.

#### **PART D: CONDITIONS APPLYING TO WASTE DISPOSAL**

1. The Licensee is not permitted to dispose of or deposit waste along the extent of the winter road.
2. The Licensee shall backhaul all waste generated by the project to an approved waste disposal facility in the Northwest Territories, or at the Lupin Mine in Nunavut.
3. The Licensee shall remove and treat any hydrocarbon contaminated snow and soil generated by the project at an approved facility for treatment and/or disposal.
4. The Licensee shall maintain records of all Waste backhauled and records of confirmation of proper disposal of backhauled Waste. These records shall be made available to an Inspector upon request.

#### **PART E: CONDITIONS APPLYING TO CONSTRUCTION AND OPERATIONS**

1. The Licensee shall not store material on the surface of frozen streams or lakes including the immediate banks except what is for immediate use.
2. The Licensee shall notify the Board and the Inspector annually, at least 30 days prior to the start of winter road construction and following seasonal closure.
3. The Licensee shall submit to the Board for review, for-construction drawings stamped and signed by an Engineer, at least sixty (60) days prior to the construction of any dams, dykes or structures intended to contain, withhold, divert or retain Water or Wastes.
4. The Licensee shall, within ninety (90) days of completion of construction activities, submit to the Board for review a Construction Summary Report that includes as-built plans and drawings stamped and signed by an Engineer, explanation for any deviation from construction drawings, and consideration of construction and field decisions and their effects on the performance of engineered facilities.
5. The Licensee shall not mobilize heavy equipment or vehicles unless the ground surface is capable of fully supporting the equipment or vehicles without rutting or gouging. Overland travel of equipment or vehicles shall be suspended if rutting occurs.

#### **PART F: CONDITIONS APPLYING TO MODIFICATIONS**

1. The Licensee may, without written approval from the Board, carry out Modifications to the Project provided that such Modifications are consistent with the terms of this Licence and the following requirements are met:
  - a. the Licensee has notified the Board in writing of such proposed Modifications at least sixty (60) days prior to beginning the modifications to include:
    - i. A description of the facilities and/or works to be constructed;

- ii. The proposed location of the structure(s);
  - iii. Identification of any potential impact to the receiving environment;
  - iv. A description of any monitoring required, including sampling locations, parameters measured and frequencies of sampling;
  - v. Schedule for construction;
  - vi. Drawings of engineered structures, signed and stamped by an Engineer; and
  - vii. Proposed sediment and erosion control measures.
- b. the proposed Modifications do not place the Licensee in contravention of the Licence or the Act;
- c. the Board has not, during the sixty (60) days following notification of the proposed Modifications, informed the Licensee that review of the proposal will require more than sixty (60) days; and
- d. the Board has not rejected the proposed Modifications.

2. Modifications for which all of the conditions referred to in Part F, Item 1, have not been met, can be carried out only with written approval from the Board.

3. The Licensee shall provide as-built plans and drawings of the Modifications referred to in this Licence, within ninety (90) days of completion of the Modification. These plans and drawings shall be stamped by an Engineer.

#### **PART G: CONDITIONS APPLYING TO SPILL CONTINGENCY PLANNING**

- 1. The Board has approved the plan entitled *Spill Contingency Plan, Lupin Winter Access, Lac de Gras, NWT to Lupin Mine, NU*, dated September 2019, which was submitted as additional information with the Application.
- 2. The Licensee shall prevent any chemicals, petroleum products or Wastes associated with the project from entering Water. All Sumps and fuel caches shall be located at a distance of at least thirty-one (31) metres above the ordinary High Water Mark of any adjacent Water body and inspected on a regular basis.
- 3. The Licensee shall ensure that any equipment maintenance and servicing is conducted a minimum of thirty-one (31) metres above the ordinary High Water Mark of any Water body and only in designated areas and shall implement special procedures (such as the use of drip pans) to manage motor fluids and other Waste, and contain potential spills.
- 4. If during the term of this Licence, an unauthorized discharge of Waste occurs, or if such a discharge is foreseeable, the Licensee shall:
  - a. Employ the Spill Contingency Plan;
  - b. Report the spill immediately to the NWT/NU 24-Hour Spill Line at (867) 920-8130 and to the Inspector at (867) 975-4295; and
  - c. For each spill occurrence, submit to the Inspector, no later than thirty (30) days after initially reporting the event, a detailed report that will include the amount and

type of spilled product, the GPS location of the spill, and the measures taken to contain and clean-up the spill site.

5. The Licensee shall, in addition to Part G, Item 4, regardless of the quantity of releases of harmful substances, report to the NWT/NU 24-Hour Spill Line if the release is near or into a Water body.

#### **PART H: CONDITIONS APPLYING TO RECLAMATION AND CLOSURE**

1. The Board has approved the plan entitled *Abandonment & Restoration Plan, Lupin Winter Access, Lac de Gras, Northwest Territories to Lupin Mine, Nunavut*, dated September 2019, which was submitted as additional information with the Application.
2. The Licensee shall complete all restoration work prior to the expiry of this Licence including the removal of all infrastructure, site materials, fuel caches, drums, barrels, and equipment from the site.
3. The Licensee shall carry out progressive reclamation of any components of the project no longer required for the Licensee's operations.
4. The Licensee shall re-establish vegetation and/or stabilize exposed soils before removing erosion control measures.
5. Measures shall be implemented to minimize erosion and sedimentation following each winter season.
6. All disturbed areas shall be contoured and stabilized upon completion of work and restored to a pre-disturbed state.

#### **PART I: CONDITIONS APPLYING TO THE MONITORING PROGRAM**

1. The Licensee shall measure and record, in cubic metres, the daily quantities of Water utilized for all purposes.
2. The Licensee shall provide the GPS co-ordinates (in degrees, minutes, and seconds of latitude and longitude) of all locations where sources of Water are utilized for all purposes.
3. The Licensee shall monitor all activities for signs of erosion and shall implement and maintain sediment and erosion control measures prior to and following the undertaking to prevent entry of sediment into any Water body.
4. The Licensee shall include in the Annual Report required under Part B, Item 2 all data, monitoring results and information required by this Part.