Conditions Annexed to and Forming Part of Land Use Permit # MV2024C0013

Part A: Scope of Permit

- 1. This Permit entitles the Permittee to conduct the following land-use operation:
 - a) Construction, operation, maintenance, and reclamation of a remote camp;
 - b) Mineral Exploration including drilling;
 - c) Construction, operation, and maintenance of winter road from Tibbitt Lake to sunrise Lake and use of site roads and trails;
 - d) Use and storage of fuel and lubricants; and
 - e) Use of equipment, vehicles, and machines.
- 2. This 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.
- Compliance with the terms and conditions of this Permit does not excuse the Permittee from its
 obligation to comply with the requirements of any applicable Federal, Territorial, Deline, Tłicho, or
 Municipal laws.

Part B: Definitions (defined terms are capitalized throughout the Permit)

Act - the Mackenzie Valley Resource Management Act.

Board - the Mackenzie Valley Land and Water Board established under Part 4 of the Act.

Borehole - a hole that is made in the surface of the ground by drilling or boring.

Closure and Reclamation - the process and activities that facilitate the return of areas affected by the Project to viable and, wherever practicable, self-sustaining ecosystems that are compatible with a healthy environment, human activities, and the surrounding environment.

Drilling Fluid - any liquid mixture of water, sediment, drilling muds, chemical additives or other wastes that are pumped down hole while drilling and are specifically related to drilling activity.

Drilling Waste - all materials or chemicals, solid or liquid, associated with drilling, including drill cuttings and Drilling Fluids.

Durable Land - land that is able to withstand repeated use, such as gravel or sand with minimal vegetative cover.

Engagement Plan - a document, developed in accordance with the Board's Engagement and Consultation Policy and the Engagement Guidelines for Applicants and Holders of Water Licences and Land Use Permits, that clearly describes how, when, and which engagement activities will occur with an affected party during the life of the project.

Flowing Artesian Well - a well in which water:

- a) Naturally rises above the ground surface or the top of any casing; and
- b) Flows naturally, either intermittently or continuously.

Fuel Storage Container - a container for the storage of petroleum or allied petroleum products with a capacity of less than 230 litres.

Fuel Storage Tank - a closed container for the storage of petroleum or allied petroleum products with a capacity of more than 230 litres.

Greywater - all liquid wastes from showers, baths, sinks, kitchens, and domestic washing facilities but not including toilet wastes.

Habitat - the area or type of site where a species or an individual of a species of wildlife naturally occurs or on which it depends, directly or indirectly, to carry out its life processes.

Inspector - an Inspector designated by the Minister under the Act.

Minister - the Minister of Indian Affairs and Northern Development Canada or the Minister of the Government of the Northwest Territories – Department of Lands, as the case may be.

Ordinary High-Water Mark - 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. In flowing waters (rivers, streams) this refers to the "active channel/bank-full level" which is often the 1:2 year flood flow return level. In inland lakes, wetlands, or marine environments, it refers to those parts of the Watercourse bed and banks that are frequently flooded by water so as to leave a mark on the land and where the natural vegetation changes from predominately aquatic vegetation to terrestrial vegetation (excepting water tolerant species). For reservoirs, this refers to normal high operating levels (full supply level).

Permittee - the holder of this permit.

Permafrost - ground (soil or rock) that remains at or below 0°C for at least two consecutive years.

Progressive Reclamation - Closure and Reclamation activities conducted during the operating phase of the project.

Secondary Containment - containment that prevents liquids that leak from Fuel Storage Tanks or containers from reaching outside the containment area and includes double-walled Tanks, piping, liners, and impermeable barriers.

Sewage - all toilet wastes and Greywater.

Shut Down Period - The period of time between [May and December] each year, for the purpose of this operation.

Commented [RP1]: Board staff have recommend these dates based on description in submitted application.

Spill Contingency Plan - a document, developed in accordance with Aboriginal Affairs and Northern Development Canada's *Guidelines for Spill Contingency Planning* that describes the set of procedures to be implemented to minimize the effects of a spill.

Spring Break-up - April 15 each year, for the purpose of this operation.

Safety Data Sheet - a technical document, typically written by the manufacturer or supplier of a chemical, that provides information about the hazards associated with the product, advice about safe handling and storage, and emergency response procedures.

Sump - a human-made pit or natural depression in the earth's surface used for the purpose of depositing Waste that does not contain Toxic Material, such as non-toxic Drilling Waste or Sewage, therein.

Toxic Material - any substance that enters or may enter the environment in a quantity or concentration or under conditions such that it:

- Has or may have an immediate or long-term harmful effect on the environment or its biological diversity;
- b) Constitutes or may constitute a danger to the environment on which life depends; or
- c) Constitutes or may constitute a danger in Canada to human life or health.

Waste - any garbage, debris, chemical, or Toxic Material to be used, stored, disposed of, or handled on land, and also as defined in section 51 of the Act.

Waste Management Plan - a document, developed in accordance with the Board's Guidelines for Developing a Waste Management Plan, that describes the methods of Waste management from Waste generation to final disposal.

Watercourse - 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 (headings correspond to subsection 26(1) of the Mackenzie Valley Land Use Regulations)

	Condition	Category
	26(1)(a) Location and Area	
1.	The Permittee shall only conduct this land-use operation on lands designated in the application.	LOCATION OF ACTIVITIES
2.	The Permittee shall locate all camps on Durable Land or previously cleared areas, and a minimum of 100 metres from the Ordinary High-Water Mark.	CAMP SETBACK
3.	Prior to the commencement of drilling, the Permittee shall submit the target areas and final drill hole locations on a 1:50,000-scale map with coordinates and map datum to the Board and an Inspector.	DRILL LOCATIONS
4.	The Permittee shall not conduct a drilling operation or construct an adit or drill site within 100 metres of the Ordinary High-Water Mark of any Watercourse, unless otherwise authorized in writing by an Inspector.	DRILLING/ ADIT SETBACK
5.	The Permittee shall not locate any Sump within 100 metres of the Ordinary High-Water Mark of any Watercourse, unless otherwise authorized in writing by an Inspector.	SUMP SETBACK
6.	The Permittee shall not construct parallel lines or roads, unless an existing line or road cannot be used.	PARALLEL ROADS
	26(1)(<i>b</i>) Time	
7.	At least 48 hours prior to the initial commencement of the land-use operation, the Permittee's Field Supervisor shall notify the Board and contact an Inspector at (867)	INITIAL NOTIFICATION – CONTACT INSPECTOR
8.	At least 48 hours prior to returning to the worksite following a seasonal Shut Down Period, the Permittee's Field Supervisor shall notify the Board and contact an Inspector at (867)	SEASONAL NOTIFICATION – CONTACT INSPECTOR
9.	The Permittee shall advise the Joint Venture Management Committee at least 48 hours prior to the commencement of the land use operation.	JVMC NOTIFICATION – WINTER ROAD
10	. At least 48 hours prior to commencement of the land-use operation, the Permittee shall provide the following information, in writing, to the Board and an Inspector:	OPERATIONS IDENTIFY AGENT

- a) the name(s) of the person(s) in charge of the field operation;
- b) alternates; and
- c) all methods for contacting the above person(s).
- 11. At least ten days prior to the Shut Down Period or Spring Break-up, the Permittee shall advise an Inspector of:

REPORTS BEFORE SEASONAL REMOVAL

- a) the plan for removal or storage of equipment and materials; and
- b) when cleanup and Progressive Reclamation of the land used will be completed.
- REPORTS BEFORE FINAL REMOVAL
- 12. At least ten days prior to the completion of the land-use operation, the Permittee shall advise an Inspector of:
 - a) the plan for removal or storage of equipment and materials;
 - when final cleanup and reclamation of the land used will be completed; and
 - c) when the Final Plan will be submitted.

26(1)(c) Type and Size of Equipment

13. The Permittee shall only use equipment of a similar type, size, and number to that listed in the complete application.

USE APPROVED EQUIPMENT

26(1)(d) Methods and Techniques

14. Immediately upon completion of operations at each Borehole, the Permittee shall remove or cut off and seal each drill casing at ground level.

MINERAL EXPLORATION DRILL CASINGS

15. The Permittee shall construct and maintain the overland portion of winter roads with a minimum of 10 cm of packed snow and/or ice at all times during this land-use operation.

WINTER ROADS

- 16. The Permittee shall not erect camps or store material, other than that required for immediate use, on the ice surface of a Watercourse.
- STORAGE ON ICE
- 17. Prior to the expiry end of the land-use operation, the Permittee shall replace all excavated material, unless otherwise authorized in writing by an Inspector.

EXCAVATED MATERIAL TEST PITS

26(1)(e) Type, Location, Capacity, and Operation of All Facilities

18. 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

19.	The Permittee shall insulate the ground surface beneath all structures associated with this land-use operation to prevent:	PERMAFROST PROTECTION
	a) any vegetation present from being removed;b) the melting of Permafrost; andc) the ground settling and/or eroding.	
20.	The land-use operation shall not cause obstruction to any natural drainage.	NATURAL DRAINAGE
21.	The Permittee shall install and maintain suitable erosion control structures as the land-use operation progresses.	PROGRESSIVE EROSION CONTROL
22.	The Permittee shall apply appropriate mitigation at the first sign of erosion.	REPAIR EROSION
23.	The Permittee shall, where flowing water from a Borehole is encountered: a) plug the Borehole in such a manner as to permanently prevent any further outflow of water; and b) immediately report the occurrence to the Board and an Inspector.	FLOWING ARTESIAN WELL
24.	The Permittee shall only conduct off-road vehicle travel on snow-covered surfaces.	OFF-ROAD VEHICLE TRAVEL
25.	The Permittee shall prepare the site in such a manner as to prevent rutting or gouging of the ground surface.	PREVENTION OF RUTTING
26.	The Permittee shall suspend overland travel of equipment or vehicles at the first sign of rutting or gouging.	SUSPEND OVERLAND TRAVEL
27.	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
28.	The Permittee shall-only use clean water and snow in the construction of ice bridges and snow fills.	CONSTRUCT ICE BRIDGES SNOWFILLS
29.	Prior to Spring Break-up or completion of the land-use operation, the Permittee shall clean up and either remove or v-notch all ice bridges and snowfills from stream crossings, unless otherwise authorized in writing by an Inspector.	REMOVE ICE BRIDGES/ SNOWFILLS
30.	The Permittee shall not cut any stream bank, unless otherwise authorized in writing by an Inspector.	STREAM BANKS

31.	The Permittee shall minimize approach grades on all Watercourse crossings.	MINIMIZE APPROACH
32.	The Permittee shall use temporary bridges or dry fording when crossing streams.	DRY FORDING
	26(1)(g) Use, Storage, Handling, and Ultimate Disposal of Any Chemical or Toxic Material	
33.	At least seven days prior to the use of any chemicals that were not identified in the complete application, the Safety Data Sheets must be provided to the Board and an Inspector.	CHEMICALS
34.	When drilling within 100 metres of the Ordinary High-Water Mark of any Watercourse, and when drilling on ice, the Permittee shall contain all drill water and Drilling Waste in a closed circuit system for reuse, off-site disposal, or deposit into a land-based Sump or natural depression.	DRILLING NEAR WATER OR ON ICE
35.	The Permittee may deposit Drilling Waste that does not contain Toxic Material in a Sump. Any Sumps or natural depressions used to deposit Drilling Waste must be located at least 100 metres from the Ordinary High-Water Mark of any Watercourse, unless otherwise authorized in writing by an Inspector.	DRILLING WASTE
36.	The Permittee shall remove all Drilling Waste containing Toxic Material to an approved disposal facility.	DRILLING WASTE DISPOSAL
37.	The Permittee shall not allow any Drilling Waste to spread to the surrounding lands or Watercourses.	DRILLING WASTE CONTAINMENT
38.	Prior to the expiry date of this Permit or the end of the land-use operation whichever comes first, the Permittee shall backfill and restore all Sumps, unless otherwise authorized in writing by an Inspector.	RECLAIM NON-OIL AND GAS SUMPS
39.	The Permittee shall dispose of all Toxic Material as described in the approved Waste Management Plan.	WASTE CHEMICAL DISPOSAL
40.	The Permittee shall dispose of all combustible Waste petroleum products by removal to an approved disposal facility.	WASTE PETROLEUM DISPOSAL
41.	The Permittee shall provide written notification to the Board and Inspector a minimum of 10 days prior to the initial deposit of Waste, demonstrating that the licenced disposal facility has agreed to accept the Waste and has the capacity to receive the volumes of Waste requested.	NOTIFICATION OF SOLID WASTE DISPOSAL
	26(1)(h) Wildlife and Fish Habitat	

HABITAT DAMAGE 42. The Permittee shall take all reasonable measures to prevent damage to wildlife and fish Habitat during this land-use operation. 26(1)(i) Storage, Handling, and Disposal of Refuse or Sewage 43. The Permittee shall dispose of all Waste as described in the Waste WASTE MANAGEMENT Management Plan, once approved, and shall annually review the plan and PLAN make any necessary revisions to reflect changes in operations, technology, chemicals, or fuels, or as directed by the Board. Revisions to the plan shall be submitted to the Board for approval. **GARBAGE** 44. The Permittee shall keep all garbage and debris in a secure container until CONTAINER disposal. 45. The Permittee shall dispose of all Sewage and Greywater as described in SEWAGE DISPOSAL the approved Waste Management Plan. 26(1)(j) Protection of Historical, Archaeological, and Burial Sites 46. The Permittee shall not operate any vehicle or equipment within 150 **ARCHAEOLOGICAL** BUFFFR metres of a known or suspected historical or archaeological site or burial 47. The Permittee shall not knowingly remove, disturb, or displace any SITE DISTURBANCE archaeological specimen or site. 48. The Permittee shall, where a suspected archaeological or historical site, or SITE DISCOVERY AND burial ground is discovered: NOTIFICATION a) immediately suspend operations on the site; and b) notify the Board at (867) 669-0506 or an Inspector at (867) _____, and Commented [RP5]: Board staff are seeking Inspectors input. the Prince of Wales Northern Heritage Centre at 767-9347 ext. 71251 or ext. 71255. 26(1)(k) Objects and Places of Recreational, Scenic, and Ecological Value Intentionally left blank. 26(1)(/) Security Deposit 49. Prior to the commencement of the land-use operation, the Permittee shall SECURITY DEPOSIT deposit with the Minister a security deposit in the amount of \$_ Commented [RP6]: Board will make a determination based on evidence submitted RESPONSIBILITY 50. All costs to remediate the area under this Permit are the responsibility of the Permittee REMEDIATION COSTS 26(1)(m) Fuel Storage

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51.	The Permittee shall:	REPAIR LEAKS	
	a) examine all Fuel Storage Containers and Tank for leaks; andb) repair all leaks immediately.		
52.	The Permittee shall place Fuel Storage Containers and or Tanks a minimum of 100 metres from the Ordinary High-Water Mark of any Watercourse, unless otherwise authorized in writing by an Inspector.	FUEL STORAGE SETBACK	
53.	The Permittee shall ensure that all fuel caches have adequate Secondary Containment.	FUEL CACHE SECONDARY CONTAINMENT	
54.	The Permittee shall set up all refueling points with Secondary Containment.	SECONDARY CONTAINMENT – REFUELING	
55.	The Permittee shall not allow petroleum products to spread to surrounding lands or Watercourses.	FUEL CONTAINMENT	
56.	The Permittee shall locate mobile fuel facilities on land when the facilities are stationary for more than 12 hours.	FUEL ON LAND	
57.	The Permittee shall mark all Fuel Storage Containers and Tanks with the Permittee's name.	MARK CONTAINERS AND TANKS	
58.	The Permittee shall mark all stationary fuel caches and fuel storage facilities with flags, posts, or similar devices so that they are at all times plainly visible to local vehicle travel.	MARK FUEL LOCATION	
59.	The Permittee shall have a maximum of 50,000 litres of fuel stored on the	MAXIMUM FUEL	Comm
	land use site at any time, unless otherwise approved by the Board.	ON SITE	Diesel - Gasolin
60.	Within ten days of the establishment of any fuel cache, the Permittee shall report the location and quantity of the cache in writing to the Board and an Inspector.	REPORT FUEL LOCATION	Aviation TOTAL Board s
61.	The Permittee shall seal all outlets of Fuel Storage Containers and store the containers on their sides with the outlets located at 3 and 9 o'clock, except for containers currently in use.	SEAL OUTLET	250.0
62.	The Permittee shall comply with the Spill Contingency Plan , once approved, and shall annually review the plan and make any necessary revisions to reflect changes in operations, technology, chemicals, or fuels	SPILL CONTINGENCY PLAN	

ommented [RP7]: Board staff calculated fuel stored based on;

Diesel --> 200 containers * 210 Litres = 42,000 Litres Gasoline --> 15 containers * 210 Litres = 3,150 Litres Aviation Fuel --> 10 containers * 210 Litres = 2,100 Litres

TOTAL FUEL STORAGE = 47,250 Litres

Board staff are requesting input on the above calculation.

Board for approval.

revisions to reflect changes in operations, technology, chemicals, or fuels, or as directed by the Board. Revisions to the plan shall be submitted to the

PLAN

63. Prior to commencement of the land-use operation the Permittee shall ensure that spill-response equipment is in place to respond to any potential spills.

SPILL RESPONSE

64. All equipment that may be parked for two hours or more, shall have a hazmat/drip tray under it or be sufficiently diapered. Leaky equipment shall be repaired immediately. **DRIP TRAYS**

65. The Permittee shall clean up all leaks, spills, and contaminated material immediately

CLEAN UP SPILLS

66. During the period of this Permit, if a spill occurs or is foreseeable, the Permittee shall:

REPORT SPILLS

- a) implement the approved Spill Contingency Plan;
- b) report it-immediately using the NU-NT Spill Report Form by one of the following methods:

• Telephone: (867) 920-8130

• Fax: (867) 873-6924

- E-mail: spills@gov.nt.ca
- Online: Spill Reporting and Tracking Database
- c) within 24 hours, notify the Board and an Inspector; and
- d) within 30 days of initially reporting the incident, submit a detailed report to the Board and an Inspector, including descriptions of causes, response actions, and any changes to procedures to prevent similar occurrences in the future. Any updates to this report shall be provided to the Board and an Inspector in writing as changes occur.

26(1)(n) Methods and Techniques for Debris and Brush Disposal

67. The Permittee shall progressively dispose of all brush and trees; all disposal shall be completed prior to the end of this land use operation

BRUSH DISPOSAL/ TIME

68. The Permittee shall not clear areas larger than identified in the complete application.

MINIMIZE AREA CLEARED

26(1)(o) Restoration of the Lands

69. All outstanding liabilities and obligations of the Permittee in relation to work performed or required to be performed under Land Use Permit MV2016C0022 are fully incorporated into and subsumed under this Permit, and the Permittee must therefore complete the restoration and other obligations set out in or incurred under Permit MV2016C0022, as well as such further obligations as may be set out in or incurred under this Permit.

TRANSFER OF LIABILITIES

 All areas affected by construction or removal activities shall be stabilized and landscaped to their pre-construction profiles, unless otherwise authorized in writing by an Inspector. PRE-CONSTRUCTION PROFILES 71. Prior to the end of the land-use operation, the Permittee shall complete all **FINAL CLEANUP** AND cleanup and restoration of the lands used. RESTORATION 72. The Permittee shall carry out Progressive Reclamation of disturbed areas **PROGRESSIVE** RECLAMATION as soon as it is practical to do so. **TRAILS** 73. Prior to the end of the land-use operation, the Permittee shall restore any RESTORATION trails impacted by the land-use operation by removing fallen trees and any other obstructions from the trails. 26(1)(p) Display of Permits and Permit Numbers 74. The Permittee shall display a copy of this Permit in each campsite **DISPLAY PERMIT** established to carry out this land-use operation. **COPY OF PERMIT** 75. The Permittee shall keep a copy of this Permit on hand at all times during this land-use operation. 26(1)(q) Biological and Physical Protection of the Land MIGRATORY BIRD 76. If nesting areas are encountered during the course of operations, the Permittee shall minimize all activity so as to not disturb them. NEST DISTURBANCE 77. Prior to the commencement of the land-use operation, the Permittee shall SUBMIT REVISED PLAN submit a revised Plan (e.g. Waste Management or Spill Contingency or Engagement Plan) in accordance with _____ Guidelines (e.g. MVLWB's "Guidelines for Developing a Waste Management Plan" or Aboriginal Affairs and Northern Development Canada's "Guidelines for Spill Contingency Planning" or MVLWB's "Engagement Guidelines for Applicants and Holders if Water Licences and Land Use Permits") to the Board for approval. 78. If any plan is not approved by the Board, the Permittee shall revise the RESUBMIT PLAN plan according to the Board's direction and re-submit it to the Board for approval. **ENGAGEMENT** 79. The Permittee shall comply with the Engagement Plan, once approved, PLAN and shall annually review the plan and make any necessary revisions to reflect changes in operations or as directed by the Board. Revisions to the plan shall be submitted to the Board for approval. 80. All revised plans submitted to the Board shall include a brief summary of **SUMMARY OF CHANGES** the changes made to the plan.

Attachment A: Concordance Table for MV2024C0013 of Items Requiring Submission

 $Supplemental\ information\ to\ be\ submitted\ by\ Permittee\ as\ required\ through\ Land\ Use\ Permit\ Conditions.$

Disclaimer: If there are any discrepancies between this table and the body of the Permit, the Permit conditions prevail.

Permit Condition(s)	Report, Plan or Program Required	When Required
_	_	-



Attachment B: MV2024C0013 - Table of Revision History

Date	Change	Date Approved
-	-	-

