

**LAND USE PERMIT TERMS AND CONDITIONS**

**NAME OF PERMITTEE: ENERGY, MINES and RESOURCES - FOREST MANAGEMENT BRANCH**

The following terms and conditions are made pursuant to Section 31 (1) of the Territorial Land Use Regulations and are hereby annexed to and form part of Permit **YA5E243**.

**3.0 PLANS**

- |    |   |                                   |
|----|---|-----------------------------------|
| 1. | The Permittee's field supervisor shall contact or meet with the Land Use Inspector at the Haines Junction Office of Client Services and Inspections. Phone 867-634-2256 at least 48 hours prior to the commencement of this Land Use Operation. | <b>CONTACT INSPECTOR</b>          |
| 2. | 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.  | <b>PLANS</b>                      |
| 3. | The Permittee shall, in accordance with Section 32 of the Land Use Regulation submit a Final Plan.  | <b>FINAL PLAN</b>                 |
| 4. | The Permittee shall at all times conform to all applicable Federal, Territorial or local regulations, ordinances or by-laws.  | <b>CONFORM TO APPLICABLE LAWS</b> |
| 5. | The Permittee shall not conduct any part of the Land Use Operation within 30 metres of any privately owned land or structure unless otherwise authorized in writing by the Engineer.  | <b>PRIVATE PROPERTY</b>           |
| 6. | The Permittee shall advise the Head, Land Use of the total amount of material actually used upon completion of this operation.  | <b>QUARRY RETURN</b>              |
| 7. | The Permittee shall, prior to commencing this Land Use Operation, submit a plan of all campsites to the Engineer for approval.  | <b>CAMPSITE PLAN</b>              |

8. The Permittee shall advise the Inspector prior to construction which roads will be constructed to a 20 m standard.

**ADVISE INSPECTOR  
STANDARD ROADS**

**4.0 NOTICES / REPORTS**

1. The Permittee shall provide in writing to the Land Use Inspector the following information at least 10 days prior to completion of the Land Use Operation:

**REPORTS  
BEFORE  
REMOVAL**

- (a) the plan for removal or storage of equipment and materials; and
- (b) when final clean-up and restoration of the lands used will be completed.

OR

The Permittee shall, at least 10 days prior to the completion of the Land Use operation, provide the information of when final clean-up and restoration of the lands used will be completed in writing to the Land Use Officer.

**REPORTS  
BEFORE  
REMOVAL**

2. The Permittee shall provide in writing to the Engineer, at least 48 hours prior to commencement of this Land Use Operation, the following information:

**IDENTIFY  
AGENT**

- (a) person, or persons, in charge of the field operation to whom notices, orders, and reports may be served; and
- b) alternates; and
- c) all the methods for contacting the above person(s).

3. The Permittee shall contact the Land Use Inspector not less than 5 days prior to start-up during each season during which work will be undertaken; including changes to equipment, contractors or method of operation.

**SEASONAL  
START-UP**

4. The Permittee shall supply a Campsite Development Plan at least 5 days prior to camp establishment. The plan will include a map of the camp, proximity to water, location of sewage/grey water facilities, and a copy of the Health Canada Septic Disposal Permit if applicable.

**CAMPSITE  
DEVELOPMENT  
PLAN**

**5.0 DISPLAY PERMIT / INSTRUCT EMPLOYEES AND CONTRACTORS**

1. The Permittee shall display a copy of this permit on the permit site.
2. The Permittee shall ensure that a copy of this Permit, operating conditions and definitions is provided to and understood by all contractors and sub-contractors prior to the start-up of this Land Use Operation.

**DISPLAY  
PERMIT**

**PERMIT  
CONTRACTORS  
& SUB-  
CONTRACTORS**

**6.0 EQUIPMENT**

1. 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 or the Engineer.

**ONLY  
APPROVED  
EQUIPMENT**

**7.0 PETROLEUM**

1. The Permittee shall clearly mark with stakes or flags the location of any spill of any petroleum and forthwith report the time, manner, location, amount and type of spill to the Engineer and Environmental Protection Service. (Environmental Protection Service can be contacted by Phone (867)-667-7244, or Fax (867) 667-7962 in Whitehorse, Yukon).
2. The Permittee shall not place any petroleum fuel storage containers within 30 metres of the normal high water mark of any stream.
3. The Permittee shall not allow petroleum products to spread to surrounding lands or into water bodies.

**REPORT  
PETROLEUM  
SPILLS**

**FUEL  
BY STREAM**

**FUEL  
CONTAINMENT**

- |    |   |   |
|----|---|---|
| 4. | The Permittee shall dispose of all combustible waste petroleum products as per the Special Waste Regulations of the Yukon Environment Act.  | <b>WASTE<br/>PETROLEUM<br/>DISPOSAL</b>     |
| 5. | The Permittee shall at all times have on site sufficient oil spill clean-up equipment and material in readiness to clean-up all petroleum which may be spilled.   | <b>OIL SPILL<br/>CLEAN-UP<br/>EQUIPMENT</b> |
| 6. | The Permittee shall have a Spill Contingency Plan in place or ensure that the haul contractor has a Spill Contingency Plan in place to provide for response to and clean-up of any spills of fuel or other hazardous materials. | <b>SPILL<br/>CONTINGENCY<br/>PLAN</b>       |

**9.0 WILDLIFE HABITAT**

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|----|---|-------------------------------------|
| 1. | The Permittee shall take every precaution to ensure that wildlife habitat is not damaged.   | <b>HABITAT<br/>DAMAGE</b>           |
| 2. | The Permittee shall, while preparing the access road, make every effort to avoid covering or destroying traps or snares that may be found along these routes.   | <b>TRAPS<br/>PROTECTION</b>         |
| 3. | Encounters with wildlife are to be reported to T. J. Grantham, the Conservation Officer in Haines Junction at (867)634-2247.  | <b>ENCOUNTERS<br/>WITH WILDLIFE</b> |
| 4. | The Permittee shall restore any trails used by trappers or hunters along access routes by slashing any and all trees that may fall across these paths or trails and by removing any other obstructions such as snow piles or debris that may be pushed across the trails. | <b>TRAILS<br/>RESTORATION</b>       |
| 5. | The Permittee shall leave standing dead trees with cavities for bird nesting.   | <b>NESTING<br/>TREES</b>            |
| 6. | The Permittee shall contact the trapper, 10 days prior to the start of this Land Use Operation.   | <b>CONTACT<br/>TRAPPER</b>          |

**10.0 TRAVEL RESTRICTIONS**

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|----|---|-------------|
| 1. | The Permittee shall not use any equipment except of the type, | <b>ONLY</b> |
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size and number that is listed in the accepted application unless otherwise authorized in writing by the Land Use Inspector or the Engineer.

**APPROVED  
EQUIPMENT**

**11.0 LINES, TRAILS AND RIGHT OF WAYS**

1. The Permittee shall prior to commencing construction of the road, line, trail or right-of-way clearly mark on the ground the whole route to be used for approval by the Land Use Inspector.

**MARK ROUTE**

2. The Permittee shall not construct parallel lines or roads unless authorized in writing by the Engineer.

**PARALLEL  
ROADS**

3. The Permittee shall not construct earth approaches abutted to the roadbed on any public highway or road, without prior written approval of the Highways and Public Works, Government of Yukon.

**HIGHWAY  
APPROACHES**

4. The Permittee shall use existing accesses where possible.

**USE EXISTING  
ACCESSES**

5. The Permittee shall not conduct the Land Use Operation within 30 metres of any terrace (s) or ridge(s).

**ARCHAEOLOGICAL  
BUFFER**

6. The Permittee shall immediately suspend the Land Use operation on the site and notify the Land Use Inspector of the location of the site and nature of any unearthed materials, structures or artifacts.

**ARCHAEOLOGICAL  
SITES AND/OR  
BURIAL GROUNDS**

7. The Permittee shall construct and maintain winter roads with a minimum of 10 centimetres packed snow at all times during this Land Use Operation.

**SNOW ROADS**

8. The Permittee shall dogleg lines, trails and rights-of-way that approach lakes, streams or public roads, as specified in writing by the Land Use Inspector.

**DOGLEG  
APPROACHES**

9. The Permittee shall locate all lines, trails and right-of-ways, to be constructed parallel to streams, a minimum of 30 metres from any stream except at crossings, unless otherwise authorized in writing by the Land Use Inspector.

**PARALLELLING  
STREAMS**

**12.0 FOREST FIRE PROTECTION**

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|----|---|--------------------------------|
| 1. | The Permittee shall ensure all fires associated with this operation are extinguished prior to the completion of the project.  | <b>EXTINGUISH FIRES</b>        |
| 2. | The Permittee is liable for any costs as a result of escape fire associated with this operation.  | <b>SUPPRESSION COSTS</b>       |
| 3. | The Permittee shall obtain a Burning Permit from the District Office in Ross River, if any burning is to be conducted between May 1 and September 30.   | <b>SUPPRESSION</b>             |
| 4. | Where burning permits are required for Land Use Operations, the Permittee shall maintain an inventory of fire-fighting equipment as stipulated by the Forest Officer.   | <b>FIRE FIGHTING EQUIPMENT</b> |
| 5. | The Permittee shall obtain a Burning Permit from the District Office in Haines Junction, prior to the commencement of any burning operations.   | <b>BURNING PERMIT</b>          |
| 6. | Where burning has taken place outside of the legislated Fire Seasons all burn piles must be worked either by hand or machinery to ensure complete extinguishment prior to the start of the appropriate Fire Season. | <b>EXTINGUISH FIRES</b>        |

**13.0 DISPOSAL - BRUSH AND TREES**

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|----|--|-----------------------|
| 1. | The Permittee shall totally dispose of all debris and brush by burning.  | <b>BURN BRUSH</b>     |
| 2. | The Permittee shall salvage all portions of trees cleared that are larger than 10 centimetres in diameter.                   | <b>SALVAGE TIMBER</b> |
| 3. | The Permittee shall neatly pile all salvaged wood at locations and in a manner specified in writing by a Land Use Inspector. | <b>PILE WOOD</b>      |
| 4. | (a) The Permittee shall not leave tree stumps exceeding 30 centimetres above the ground surface.                             | <b>TREE STUMPS</b>    |

AND/OR

- |  |                                 |
|--|---------------------------------|
| (b) The Permittee shall not leave deciduous stems exceeding 5 centimetres above the ground surface.  | <b>DECIDUOUS<br/>STEMS</b>      |
| 5. The Permittee, when burning debris and brush, shall not utilize tires in the burning process.   | <b>TIRES<br/>PROHIBITED</b>     |
| 6. The Permittee shall progressively complete disposal of all debris and brush.  | <b>PROGRESSIVE<br/>DISPOSAL</b> |
| 7. The Permittee shall cut and remove all trees of merchantable size from the trail, road, or right-of-way prior to using any self-propelled power driven machines to clear, grub and construct the trail, road or right-of-way. | <b>REMOVE TREES<br/>FIRST</b>   |

**14.0 DISPOSAL – GARBAGE AND SOLID WASTE**

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| 1. The Permittee shall burn all garbage and debris at least daily.  | <b>GARBAGE<br/>DISPOSAL</b>            |
| 2. The Permittee shall remove all non-combustible garbage and debris from the Land Use area to a disposal site approved in writing by the Land Use Inspector. | <b>REMOVE<br/>NON-<br/>COMBUSTIBLE</b> |
| 3. The Permittee shall ensure that the Land Use area is kept clean and tidy at all times.   | <b>CLEAN<br/>WORK AREA</b>             |
| 4. The Permittee shall remove all scrap metal, discarded machinery and parts, drums, buildings and building materials associated with the Land Use Operation. | <b>REMOVE WASTE<br/>MATERIAL</b>       |
| 5. The Permittee shall deposit all scrap metal, discarded machinery and parts, drums at the metal salvage site approved by the Land Use Inspector.            | <b>DEPOSIT WASTE<br/>MATERIAL</b>      |

**17.0 WATER COURSES AND FISH HABITAT**

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|---|-------------------|
| 1. The Permittee shall not use the bed of streams for access routes | <b>STREAM BED</b> |
|---|-------------------|

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| unless authorized in writing by the Land Use Inspector.  | <b>ACCESS</b>  |
| 2. The Permittee shall not enter watercourses by crossing the natural boundaries of streams with machinery unless authorized in writing by the Land Use Inspector.   | <b>STREAM<br/>CROSSINGS</b>                          |
| 3. The Permittee shall not clear or otherwise remove any vegetation within 30 metres of the natural boundary of any watercourse except by hand.  | <b>HAND CLEARING</b>                                 |
| 4. The Permittee shall not in any circumstances allow the deposit of any unauthorized soils or debris in any watercourse, or in any location where these materials could be deposited into any watercourse.  | <b>DEPOSITING<br/>SOIL IN STREAMS<br/>PROHIBITED</b> |
| 5. The Permittee shall not in any circumstances deposit or allow the deposit of any deleterious substances (including but not limited to fuels, lubricants, hydraulics, and coolants) of any type into any waters, or in any place under any conditions where the deleterious substances may enter any waters. | <b>DEPOSITING<br/>DELETERIOUS<br/>SUBSTANCES</b>     |
| 6. The Permittee shall install culverts or bridges as construction of the road progresses, unless authorized in writing by the Land Use Inspector.   | <b>INSTALLATION<br/>CULVERTS/<br/>BRIDGES</b>        |
| 7. The Permittee shall on all streams, design, install and maintain culverts in such a manner that there is no increased downstream erosion and subsequent deposit of sediment into fish bearing waters.   | <b>CULVERTS</b>                                      |
| 8. The Permittee shall design, construct, maintain and decommission all temporary and permanent structures placed in streams which may be frequented by fish in such a manner that the up or downstream passage of fish is not obstructed either entirely or in part.  | <b>FISH<br/>PASSAGE</b>                              |
| 9. The Permittee shall ensure that any equipment with obvious leakage problems from the engine crankcase and/or fuel and hydraulic systems be serviced prior to entering the wetted perimeter of any water courses.  | <b>LEAKAGE FROM<br/>EQUIPMENT</b>                    |
| 10. The Permittee shall remove all ice bridges and snow fills from stream crossings prior to spring break-up or completion   | <b>REMOVE<br/>ICE BRIDGES</b>                        |



of the Land Use Operation unless instructed in writing by the Land Use Inspector.

**AND SNOW FILLS**

**19.0 RESTORATION**

1. The Permittee shall dispose of all overburden as instructed in writing by the Land Use Inspector.
2. The Permittee shall save the organic soil stripped from the excavation area.
3. The Permittee shall remove any obstruction to natural drainage caused by any part of this Land Use Operation.
4. The Permittee shall complete all clean-up and restoration of lands used, prior to the expiry date of this permit and/or any corrective action date given by a Land Use Inspector, whichever comes first.

**DISPOSAL OF  
OVERBURDEN**

**SAVE  
ORGANIC SOIL**

**NATURAL  
DRAINAGE**

**CLEAN-UP  
PRIOR TO  
EXPIRY**

**21.0 OTHER MATTERS**

1. The Engineer reserves the right to close any area to the Permittee during periods when dangers to natural resources are severe.
2. The Permittee shall be liable for any costs of clean-up resulting from this Land Use operation.
3. The Permittee shall file a Remediation Plan for contaminated soils, with the Engineer, if, contamination of the site is evident.
4. The Permittee shall not fence any part of the Land Use area.
5. The Permittee shall prior to commencing the Land Use operation, file a Reclamation Plan with the Land Use Engineer.
6. The Permittee shall not construct any structures of a permanent nature in conjunction with this Land Use Operation.

**CLOSURE**

**CLEAN-UP  
LIABILITY**

**REMEDICATION  
PLAN**

**FENCE  
PROHIBITED**

**RECLAMATION  
PLAN**

**NO PERMANENT  
STRUCTURES**

7. The Permittee shall ensure that living accommodations are mobile. This includes trailers on wheels, skid shacks c/w skids, campers and tent or tent frames. All accommodations must be removed upon expiry of your Timber and Land Use Permits.

**LIVING  
ACCOM-  
MODATIONS**

M. White  
Manager, Land Use