



The following guide describes the general process in which the proponent of a development project proposed on IOL may gain surface right to these lands.

The proponent must notify the KIA of their proposed development project by completing an *Application for Access to Inuit Owned Land*. This application form may be downloaded using the following link. (Insert link)

Based on the activities proposed for the project, the proponent will be applying for a Class I, Class II or Class III Land Use Licence or Commercial lease.

The Class of the **Land Use Licence** or **Commercial Lease** will be determined by the following criteria, which is subject to change:

### **Land Use Licence**

#### **The following activities require a person to obtain a Class 3 Land Use Licence:**

- the use, in any 30 day period, of more than 50 kg (110 lbs.) of explosives;
- the use, except on a public road or trail subject to a Right-of-Way Agreement, of any vehicle that exceeds 5 t (5.5 tons) net vehicle weight or the use of any vehicle of any weight that exerts pressure on the ground in excess of 35 k pa (5.08 psi);
- the use of any power driven machinery for earth drilling purposes whose operating weight, excluding the weight of drill rods or stems, bits, pumps and other ancillary equipment, exceeds 500 kg (1,102lbs.);
- the establishment of any campsite that is to be used for more than 100 person-days;
- the establishment of any petroleum fuel storage facility exceeding 4,000 l (880 gal) capacity or the use of a single container for the storage of petroleum fuel that has a capacity exceeding 2,000 l (440 gal);
- the levelling, grading, clearing, cutting or snow ploughing of any line, trail or right-of way exceeding 1.5 m (5 ft.) in width but not exceeding 4 ha (10 acres) in area.
- the use of any self-propelled power driven machine for moving earth or clearing land of vegetation;
- the use of any stationary power driven machine for hydraulic prospecting,

moving earth or clearing land, other than a power saw.

**The following activities require a person to obtain a Class 2 Land Use Licence:**

- the use of any vehicle other than a snowmobile or four wheel recreational vehicle (all terrain vehicle);
- the establishment of a campsite to be used for up to 100 person-days (i.e., 4 people for 25 days);
- the use of any explosives;
- the use of any power driven machinery for drilling, digging, grading, or removal of earth or clearing or cutting of brush;
- the placement or storage on the land of any fuel in connection with commercial activity;
- the establishment of scientific instruments or the carrying on of scientific investigations;
- the surveying of lands or the prospecting or exploration for or extraction of any specified substances;
- the construction of any dwelling or object;
- crossing of Inuit Owned Lands for commercial purposes to exercise rights of a casual nature, relating to investigative and preliminary work on non-Inuit Owned Lands; and
- any other commercial activity not related to recreational use.

**The following activities require a person to obtain a Class 1 Land Use Licence:**

- the prospecting or preliminary exploration for minerals, including staking, with the special provision that the application need only specify the location(s) of the planned activities by listing which 1:50,000 National Topographical System quadrant(s) and Inuit Owned Land parcel identifier cover the area of interest;
- the carrying out of investigative or preliminary work for possible later development activities, including staking prior to entering into a Quarry Concession Agreement;
- the commercial guiding of tourists, hunters, fishermen, or scientists.

## **Commercial Lease**

### **A Class 3 Commercial Lease is required for anyone of:**

- the construction and/or operation of facilities (other than oil and gas wells) for the extraction, compression, separation, processing, refining, liquefaction, transportation or other treatment or shipment of petroleum, coal, minerals or their by-products.
- the storage of more than 8000 litres of fuel;
- the storage of any radioactive, toxic, combustible or other hazardous goods or materials;
- the construction and/or operation of a wharf or docking facility for the movement of goods and materials;
- the construction and/or operation of an airfield or landing site for fixed or rotary wing aircraft;
- the generation of more than 100 kilowatt hours (kWh) of electric power;
- the storage of more than one thousand (1000) tonnes of any materials, goods or inventories;
- the construction or operation of a building or number of buildings with a total floor space exceeding 2,000 square metres (m<sup>2</sup>);
- the use of a surface land area exceeding four (4) hectares for activities related to the support of wildlife harvesting or tourism; or
- the employment of more than 100 persons, whether occasional, permanent or contracted employees, during the operation of facilities, works or undertaking.

### **A Class 2 Commercial Lease is required for anyone of:**

- the storage of more than 4,000 litres but less than 8,000 litres of fuel;
- the construction or operation of a building or number of buildings with a total floor space exceeding 500 square metres (m<sup>2</sup>) but less than 2,000 m<sup>2</sup> ;
- the use of a surface land area exceeding one (1) hectare but less than four (4) hectares, other than for an oil or gas well, wildlife harvesting support, or tourism development; or

- the employment of more than 10 but fewer than 100 person, whether occasional, permanent or contracted employees, during the operation of facilities, works, or undertaking.

**A Class 1 Commercial Lease is required for:**

- any commercial activity that otherwise would require a Class 2 or a Class 3 Commercial Lease. It is intended exclusively for the support of wildlife harvesting, renewable resource or tourism development.

Application fees and water use application fees vary depending on the class of the Land use Licence or Commercial Lease being applied for. Fees are listed on the IOL Land Use Application form and are to be paid to the KIA at the time of application.

In addition to the above, the following may also be applied for: **Residential/ Recreational Lease, Quarry Permit and Quarry Concession Agreement.** Additional information requirements are listed in the *Application for Access to Inuit Owned Land.*

Applications are reviewed upon receipt. The KIA will at this time decide if the application is complete and proposed activities are acceptable and can be considered for a KIA Land Use Licence or Commercial Lease. If the project proposal is deemed acceptable it is then forwarded to NIRB for their determination under Article 12.4.1 of the NLCA, whether it requires review under part 5 or 6.