



SAHTU Land and Water Board Water Licence

Pursuant to the Mackenzie Valley Resource Management Act, the Waters Act and Waters Regulations, the SAHTU Land and Water Board, hereinafter referred to as the Board, hereby grants to:


Suncor Energy Inc.
(Licencee)

of **P.O. Box 2844, 150 – 6 Ave S.W.**
Calgary, Alberta T2P 3E3
(Mailing Address)


hereinafter called the Licencee, the right to alter, divert or otherwise use water subject to the restrictions and conditions contained in the Mackenzie Valley Resource Management Act, the Northwest Territories Waters Act and Regulations made thereunder and subject to and in accordance with the conditions specified in this licence.

Licence Number:	<u>S14L1-004</u>
Licence Type:	<u>"B"</u>
Water Management Area:	<u>Northwest Territories 2</u>
Location:	<u>Minimum Lat. 66°56'0" N, Minimum Long. 125°55'0" W Maximum Lat. 67°00'0" N, Maximum Long. 126°10'0" W Significant Discovery Licence 024, south of Colville Lake, K'asho Got'ine District, Sahtu Settlement Area, Northwest Territories</u>
Purpose:	<u>The use of water for the construction of winter-only access road from Colville Lake to M-47 well site, well pad construction and re-suspension activities</u>
Quantity of water not to be exceeded:	<u>15,000 m³/year</u>
Effective Date of Licence	<u>November 17, 2014</u>
Expiry Date of Licence	<u>November 16, 2019</u>

This Licence issued and recorded at Fort Good Hope includes and is subject to the annexed conditions.



Witness

SAHTU Land and Water Board


Chair

**This Licence and conditions shall be kept on site.
If you have any questions please call the SAHTU Land & Water Board at
(867) 598-2413**

**Conditions Annexed to and Forming Part
of Water Licence # S14L1-004**

Part A: Scope and Definitions

1. Scope

- a) This Licence entitles Suncor Energy Inc. to use Water for the industrial undertaking, as described in the complete application dated October 1, 2014, including the following:
 - i. Withdrawal and use of water from Colville Lake;
 - ii. The use of water for the construction of 15 kilometre winter-only access road from the Government of Northwest Territories winter road to the Tweed Lake M-47 well site;
 - iii. Re-suspension of the Tweed Lake M-47 well.
- b) This Licence is issued subject to the conditions contained herein with respect to the taking 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 *Waters 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 automatically amended to conform with such Regulations.
- c) 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, Sahtu, and Municipal legislation.

2. Definitions

Act means the *Waters Act*.

Board means the Sahtu Land and Water Board established under section 56 of the *Mackenzie Valley Resource Management Act*.

Closure and Reclamation means the same as, and now replaces, the terms abandonment and restoration for the purposes of this Water Licence.

Inspector means an Inspector designated by the Minister under Section 35(1) of the Act.

Licensee means the holder of this Licence.

Management Plans means the specific plans required by the Board under this Water Licence.

Minister means a member of the Executive Council appointed as a Minister under the Legislative Assembly and Executive Council Act who is responsible for the enactment or its subject matter or the department to which its context refers.

Modification means an alteration that introduces a new structure, expands a current structure,

eliminates an existing structure, and does not alter the purpose or function of a structure, associated with water supply and Waste Disposal.

Ordinary High Water Mark means of a body of water the limit or edge of its bed and, in the case of non-tidal waters, it may be called "the bank" or "the limit of the bank".

Project means all appurtenant undertakings as described within the application dated October 1, 2014.

Regulations means Regulations proclaimed pursuant to Section 63 of the *Waters Act*.

Unauthorized Discharge means a release or Discharge of any water or Waste not authorized under this Licence.

Waste means Waste as defined by section 1 of the *Waters Act*.

Watercourse means a natural watercourse, body of water or water supply, whether usually containing water or not, and includes groundwater, springs, swamps and gulches, as defined by section 2 of the Regulations.

Waters means waters as defined by section 1 of the *Waters Act*.

Part B: General Conditions

1. The Licensee shall ensure a copy of this Licence is maintained on site at all times.
2. The Water Use Fee shall be paid annually, totaling \$150.00, in advance of any Water use, in accordance with the Mackenzie Valley Land and Water Board's March 2013, or subsequent editions, Water Use Fee Policy.
3. All information submitted to the Board, as required by this Licence, shall:
 - a) Be in accordance with the Mackenzie Valley Land and Water Board's March 2012 *Document Submission Standards*, or subsequent editions; and
 - b) Include a section within each submission which identifies wherein the pertinent requirements of the Licence are addressed.
4. The Licensee shall comply with the terms of any Management Plans approved pursuant to the conditions of this Licence and with any revisions to the Management Plans as may be made from time to time pursuant to the conditions of this Licence and as approved by the Board.
5. The Licensee shall ensure that all Project activities are confined to locations as described in the Water Licence application.
6. The Licensee shall not operate any machinery within (500) metres of any known historical or archaeological site or burial ground.
7. The Licensee shall make every effort to ensure that no historical or archaeological site will be affected by this operation.
8. The Licensee shall file an Annual Report with the Board not later than November 1st of the year following the calendar year reported which shall contain the following information:
 - a) details of work completed, including restoration;
 - b) the monthly and annual quantities in cubic metres of water obtained from the designated source for Project activities;
 - c) a list and description, including volumes, of all Unauthorized Discharges and summaries of follow-up action taken;
 - d) flow rates, extraction/withdrawal rates, extraction dates, extraction volumes and pump types, ratings and specifications for all water sources utilized during the year being reported;
 - e) a summary of any revisions to the approved Closure and Reclamation Plan;
 - f) a summary of any Closure and Reclamation work undertaken during the year and an outline of any work anticipated for the next year;
9. The Licensee shall provide and maintain with the Minister a security deposit in the amount of \$43,734.00 pursuant to section 35 of the *Waters Act*.

10. Any failure of the mitigation measures as set out in Part H, Item 3 of this document shall be reported to the Board and the Inspector within (7) days of the discovery of said failure or failures.

Part C: Conditions Applying to Stream Crossings

1. The Licensee shall ensure that only clean snow is used on all Watercourse crossings and that no debris is left on the surfaces of the crossings.
2. Stream crossings shall be v-notched or completely removed before spring break-up to facilitate natural flow.
3. The Licensee shall not remove naturally occurring material from the bed or banks of any Watercourse below the Ordinary High Water Mark.
4. The Licensee shall not cut or modify any stream banks while constructing ice bridges.
5. The Licensee shall not ford wet Watercourses or areas of overflow, unless authorized in writing by a Water Licence Inspector.
6. The Licensee shall not destroy or damage beaver or muskrat dams or lodges, and minimize disturbance to beaver and muskrat activities.
7. The Licensee shall comply with the most recent version of the *“Department of Fisheries and Oceans Protocol for Temporary Winter Access Water Crossings in the Northwest Territories”*.

Part D: Conditions Applying to Waste Disposal

1. The Licensee shall ensure that any fuels, chemicals, or Waste(s) associated with this Project do not enter any Watercourse.
2. The Licensee shall ensure that any unauthorized Wastes associated with the Project do not enter any waters.
3. The Licensee shall not, under this Water Licence, deposit solid or liquid waste on the winter road or winter road right-of-way.
4. The Licensee shall not deposit raw, untreated sewage on the land surface.
5. The Licensee shall adhere to the approved Waste Management Plan and shall annually review the Plan and make any necessary revisions to reflect changes in operations, technology, or as requested by the Board. Revisions to the Plan shall be submitted to the Board for approval.
6. No materials cleared from the site shall be disposed of in any Watercourse. All materials shall, if necessary, be disposed of above (100) metres from the Ordinary High Water Mark of the Watercourse, and in such a manner to prevent entry into the Watercourse.

Part E: Conditions Applying to Water Use

1. The Licensee shall obtain all water for the construction and maintenance of a winter ice road, well pad construction and re-suspension activities, as described in the Water Licence application. The winter ice road shall be constructed and maintained utilizing the water sources as identified in Part A or as otherwise approved by the Board.
2. Water will be sourced from Colville Lake. The withdrawal point will be on the north end of the airport. Total quantities of water involved are as follows:

Program Activity	Approved Water Volume (m³)
Access (winter road) construction	13,800
Well pad construction	1,170
Re-suspension activities	30
Total	15,000

3. The Licensee shall maintain water uptake logs for withdrawals. The water uptake logs shall include the following information: identification of water source, volume of water withdrawn per trip in cubic meters, cumulative uptake per source, time of uptake, date of uptake, and contractor and employee identification.
4. The water intake hose used on the water pumps shall be equipped with a screen of a mesh size of 2.54 mm sufficient to ensure no entrainment of fish.
5. No more than 10% of available under ice water volume of approved waterbodies or 10% of the instantaneous flow of approved Watercourse(s) shall be removed per water source per winter season.
6. The Licensee shall comply with the most recent version of the *“Department of Fisheries and Oceans Protocol for Water Withdrawal in the Northwest Territories”*.

Part F: Conditions Applying to Modifications

1. The Licensee may, without written approval from the Board, carry out Modifications to facilities related to water use or Waste disposal 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 the proposed Modifications at least forty-five (45) days prior to beginning the Modifications;
 - b) the proposed Modifications do not place the Licensee in contravention of either the Licence or the Act;
 - c) the Board has not, during the forty-five (45) days following notification of the proposed Modifications, informed the Licensee that review of the proposal will require more than forty-five (45) days;
 - d) the Board has not rejected the proposed Modifications; and
 - e) an Inspector has authorized the Modifications.
2. Modifications for which all of the conditions referred to in Part F, Item 1, have not been met, may be carried out only with written approval from the Board.
3. The Licensee shall provide to the Board as-built plans and drawings of the Modifications referred to in this Licence within ninety (90) days of completion of the Modifications.

PART G: Conditions Applying to Contingency Planning

1. The Licensee shall ensure that petroleum products, hazardous material and other wastes associated with the Project do not enter any Waters.
2. The Licensee shall ensure all refueling, and storage of fuels, chemicals or deleterious substances are located a minimum of 100 metres from the Ordinary High Water Mark of any Watercourse.
3. The Licensee shall review the Spill Contingency Plan annually and modify as necessary to reflect changes in operation and technology, or as requested by the Board. Any proposed revisions shall be in accordance with the INAC's *Guidelines for Spill Contingency Planning, 2007*, or subsequent editions, and shall be submitted to the Board for approval.
4. If, during the period of this Licence, a spill or Unauthorized Discharge occurs or is foreseeable, the Licensee shall:
 - a) implement the Spill Contingency Plan;
 - b) report the incident immediately via the 24 Hour Spill Reporting Line (867) 920-8130 in accordance with the instructions contained in the Spill Report Form NWT 1752/0593 or subsequent editions;
 - c) submit a detailed report to the Board and an Inspector not later than thirty (30) days after initially reporting the event.
5. All Unauthorized Discharges of water or Waste shall be reclaimed to the satisfaction of an Inspector.

PART H: Conditions Applying to Closure and Reclamation

1. The Licensee shall operate in accordance with the approved Closure and Reclamation Plan.
2. All sites affected by winter road activities shall be stabilized, groomed, reseeded and landscaped as necessary, and suitable erosion control measures implemented to minimize sediment deposition into a Watercourse.
3. The Licensee shall inspect the Project area for environmental damage and ensure that any necessary mitigation, reseeded, erosion control and restoration efforts have been successful. These efforts shall be performed to the satisfaction of the Board and the Inspector.
4. Compliance with the Closure and Reclamation Plan specified in this Licence does not limit the legal liability of the Licensee, other than liability arising from provisions of the *Act* and its Regulations.

Signed this 17th day of November, 2014 **on behalf of the Sahtu Land & Water Board.**



Witness



Larry Wallace
(Chair)