

## Review Comment Table

<b>Board:</b>	SLWB
<b>Review Item:</b>	Renewal Application - Imperial Norman Wells Operations Artificial Islands Sand Quarrying and Haul (S20Q-007/S20L8-005)
<b>File(s):</b>	<a href="#">S20L8-005</a> <a href="#">S20Q-007</a>
<b>Proponent:</b>	Imperial Oil Resources
<b>Document(s):</b>	<a href="#">Application Cover Letter and request for PS exemption</a> (124 KB) <a href="#">Permit Application</a> (1.3 MB) <a href="#">Licence Application</a> (1.3 MB) <a href="#">Location Maps</a> (3,3 MB) <a href="#">Engagement Record</a> (663 KB) <a href="#">Eligibility</a> (504 KB) <a href="#">DFO Authorization previously submitted</a> (31 KB)
<b>Item For Review Distributed On:</b>	Jan 11 at 14:40 <a href="#">Distribution List</a>
<b>Reviewer Comments Due By:</b>	Jan 21, 2021
<b>Proponent Responses Due By:</b>	Jan 25, 2021
<b>Item Description:</b>	<p>Imperial Oil Operations N.W.T. Limited (the Applicant) submitted a complete renewal application for a Type B Water Licence and a Type B Land Use Permit. The purpose of this Application is to quarry and haul sand from Artificial Islands 4, 5 and 6 for use in progressive reclamation and other maintenance activities associated with the Norman Wells Operations. This is a renewal from previous authorizations S12Q-004 and S12L8-004 that expired and were subsequently closed by the Board. The final clearance recommendation letter for S12Q-004 from CIRNAC Inspector confirmed “no observations of any issues with the quarrying areas on Islands 4, 5, &amp; 6 over the previous five years of multiple inspections”. The Applicant has been informed by email on January 8, 2021 from the Inspector, that the Quarry Permit is approved pending receipt of fees. Imperial is requesting a five-year term with work to commence in early February 2021.</p> <p>Imperial will carry out this activity in accordance with Management Plans (Spill Contingency, Emergency Response, Waste Management, Engagement) approved for the Imperial Norman Wells Operations under S13L1-007.</p> <p>The Applicant has also requested an exemption from preliminary screening</p>

because the Applicant believes that the development has not been modified since it was previously authorized.

**Using the Online Review System (ORS), reviewers are invited to submit comments and recommendations on the documents linked below by the review comment deadline specified. Reviewers may also wish to consider providing an overarching recommendation regarding whether the Board should approve the submission, to provide context for the comments and recommendations and assist the Board with its decision. Notices of intent to file a claim for water compensation must also be submitted by the review comment deadline. If reviewers seek clarification on the submission, they are encouraged to correspond directly with the Applicant prior to submitting comments and recommendations.**

Board staff agree the renewal Application is exempt from preliminary screening in accordance with the Exemption List Regulations. If you believe a preliminary screening is required, please describe your rationale and provide comments and recommendations (e.g., on impacts and mitigation measures) to assist with the Board's preliminary screening determination. The most recent preliminary screening that was approved by the Board is located under S12Q-004 and S12L8-004.

Under the Sahtu Land Use Plan the Application is exempt from conformity determination because it is located within the boundaries of the Town of Norman Wells.

Please note that the Licence and Permit conditions to be developed by Board staff will be updated based on the MVLWB's current Standard Land Use Permit Conditions Template and MVLWB's current Water Licence Conditions Template. Older standard conditions that are no longer on the Template lists will not be included. Non-standard conditions specific to this previously permitted activity have been included, as applicable.

**General  
Reviewer  
Information:**

All documents that have been uploaded to this review are also available on our public Registry. If you have any questions or comments about the ORS or this review, please contact Board staff identified below.

**Contact  
Information:**

Bonnie Bergsma  
Jenna Grandjambe

## Comment Summary

CIRNAC - Inspector: Devin Penney				
ID	Topic	Reviewer Comment/Recommendation	Proponent Response	Board Response
1	Water Quality	<b>Comment</b> Sediment Release <b>Recommendation</b> The proponent should ensure that all proposed measures are utilized, if required to minimize disturbance and prevent sediment release into Mackenzie River	<b>Jan 25:</b> Understood. Mitigations will be implemented as required.	LUP conditions 3. – Quarry Setback, 9. – Clean Work Area, 10. – Natural Drainage, 11, – Progressive Erosion Control and 12. – Repair Erosion.
2	Water Quality	<b>Comment</b> Sediment Release on Ice Crossings. <b>Recommendation</b> All spills of sediment on ice crossings should be removed and disposed of in accordance with the Waste Management Plan.	<b>Jan 25:</b> Understood. Sediment spills on ice will be removed and disposed of as per Waste Management Plan.	LUP condition 20. – Waste Management Plan,
3	Water Quality	<b>Comment</b> Ice Crossings <b>Recommendation</b> Winter Stream crossings shall be located to minimize approach grades and shall be constructed entirely of ice and snow materials. The banks of any watercourse are to be protected at all times. Bank disturbance is to be avoided, and mechanized clearing should not be done immediately adjacent to any watercourse; water crossings should be at right angles to streams and stream crossings shall be removed or notched prior to spring break-up.	<b>Jan 25:</b> Understood. Required crossings will be constructed of ice and snow only. Bank disturbance will be avoided, and if it cannot be avoided, minimized. No mechanized clearing is anticipated.	LUP conditions 6. – Portable Ramps, 7. – Winter Roads, 13. – Construct Ice Bridges / Snowfills, 14. – Remove Ice Bridges / Snowfills. 15. - Stream Banks, 16. – Excavation Setback.
4	Fuel/Spill	<b>Comment</b> No Fuel storage or	<b>Jan 25:</b> Understood. No	LUP conditions

	Contingency	<p>transfer of fuel should occur on ice crossings.</p> <p><b>Recommendation</b> Transfer operations should be attended by trained personnel at all times. A dedicated area should be used for refueling equipment with measures taken to ensure the capture and containment of drips and potential spills. Any Vehicle that is parked on any ice crossing should have a drip tray placed underneath to prevent any spills from the vehicle. If a spill does occur on an ice crossing. The contaminant must be removed immediately and disposed of in accordance with the Waste Management Plan</p>	fuel storage or transfer will occur on ice crossings.	<p>8. – Storage on Ice, 24. – Repair Leaks, 25. Fuel Storage Setback, 26. Secondary Containment – Refueling, 27. – Fuel Containment, 28. – Fuel on Land, 29. – Spill Contingency Plan, 30. – Spill Response, 31. – Drip Trays, 32. – Clean Up Spills, 33. – Report Spills</p>
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**Fisheries and Oceans Canada: Nicholas Wasilik**

ID	Topic	Reviewer Comment/Recommendation	Proponent Response	Board Staff Response
1	Renewal Application - Imperial Norman Wells Operations Artificial Islands Sand Quarrying and Haul (S20Q-007/S20L8-005)	<p><b>Comment</b> Fisheries and Oceans Canada, through review of the application and through conversations with the proponent, has determined that the project is not likely to cause harmful alteration, disruption or destruction of fish or fish habitat as long as the mitigation measures outlined in the September 13, 2012 letter from Fisheries and Oceans Canada to Imperial Oil Resources are adhered to.</p> <p><b>Recommendation</b> It is recommended that Imperial Oil Resources continue to work with Fisheries and Oceans Canada through the</p>	<p><b>Jan 25:</b> Work will be undertaken as per the conditions of the September 13, 2012 letter from DFO. Should conditions change and/or additional clarification be required, Imperial Oil Resources will discuss with Fisheries and Oceans prior to proceeding</p>	<p>LUP Standard Conditions modified to incorporate DFO mitigations 3. - Quarry Setback, 16 – Excavation Setback, 36 – Store and Level Stockpiles</p>

		duration of this project.		
<b>GNWT - ENR - EAM (Environmental Assessment and Monitoring): Central Email GNWT</b>				
<b>ID</b>	<b>Topic</b>	<b>Reviewer Comment/Recommendation</b>	<b>Proponent Response</b>	<b>Board Staff Response</b>
3	General File	<b>Comment</b> ( <a href="#">doc</a> ) ENR Letter with Comments and Recommendations <b>Recommendation</b>		
1	Topic 1: Section 6 - Water Use Criteria	<b>Comment</b> In Section 6 of the Water Licence application, the proponent has indicated "Other" and stated "no water use"; however, given the project intends to remove greater than 100m3 of material from the sandbars in the watercourse, "To modify the bed or bank of a watercourse" is a more appropriate response to this section. ENR also notes, in the application for this project's previous authorization (S12L8-004), the proponent had indicated "To modify the bed or bank of a watercourse" in response to Section 6. <b>Recommendation</b> 1) ENR recommends the proponent update Section 6 to indicate "To modify the bed or bank of a watercourse".	<b>Jan 25:</b> Imperial Oil Resources selected "other" and specified "no water use" as the proposed scope of work involves quarrying sand deposited above the water level of the Mackenzie River, prioritizing the highest and most flat areas to quarry. Imperial will not work within 10 m of the water's edge and work will be conducted in frozen conditions. Imperial's interpretation is that selecting "to modify bed or bank of a watercourse" would apply if the primary purpose of the work was to modify the bed or bank of the watercourse. As this is not the objective of the quarrying scope, "other" was selected.	Under section 6, the trigger for the Licence under the <i>Federal Areas Waters Regulations</i> is section VIII – Miscellaneous, Item 2) Watercourse training specifically involving the removal of greater than 100 m3 of material (artificial accretion of sand that deposits on the artificial islands). Imperial resubmitted the Application and checked the box for "other" noting that it is for watercourse training – removal of artificial accretions.
2	Topic 2: Traditional (Environmental)	<b>Comment</b> ENR notes the application does not include any provision(s) of TEK/TK.	<b>Jan 25:</b> Imperial Oil Resources discussed what "additional supporting	Agreed, TEK information is continually

<p>Knowledge (TEK)</p>	<p>Provision(s) of TEK/TK is mandatory for applications to the Sahtu Land and Water Board.</p> <p><b>Recommendation</b> 1) ENR recommends the proponent update its application to include provision(s) of TEK/TK.</p>	<p>information” the SLWB would require reviewing the application, including engagement requirements and TEK/TK. Because this work scope has been completed in the past, is being undertaken within the operating area of Imperial’s Norman Wells Operation and has an approved Type A Water Licence (S13L1-007) and associated TK/TEK for the Mackenzie River, Imperial did not consider it necessary to undertake a separate and distinct TEK/TK study. Conditions of the Type A Water Licence (S13L1-007) and the associated TEK/TK study are considered in all aspects of the work Imperial undertakes in proximity to the Mackenzie River.</p>	<p>being updated under the Type A Licence S13L1-007.</p>
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January 21, 2021

Bonnie Bergsma  
Regulatory Specialist  
Sahtu Land and Water Board  
Box 1,  
Fort Good Hope, NT  
X0E 0H0

Dear Ms. Bergsma,

**Re: Imperial Oil Resources NWT Ltd. (IORL)  
Water Licence Renewal Application – S20L8-005  
Land Use Permit Renewal Application – S20Q-007  
Artificial Islands Sand Quarrying and Haul  
Request for Comment**

The Department of Environment and Natural Resources (ENR), Government of the Northwest Territories has reviewed the applications at reference based on its mandated responsibilities under the *Waters Act*, the *Species at Risk (NWT) Act*, and the *Wildlife Act* and provides the following comments and recommendations for the consideration of the Board.

### **Topic 1: Section 6 - Water Use Criteria**

#### **Comment(s):**

In Section 6 of the Water Licence application, the proponent has indicated “*Other*” and stated “*no water use*”; however, given the project intends to remove greater than 100m<sup>3</sup> of material from the sandbars in the watercourse, “*To modify the bed or bank of a watercourse*” is a more appropriate response to this section.

ENR also notes, in the application for this project’s previous authorization (S12L8-004), the proponent had indicated “*To modify the bed or bank of a watercourse*” in response to Section 6.

**Recommendation(s):**

- 1) ENR recommends the proponent update Section 6 to indicate “*To modify the bed or bank of a watercourse*”.

**Topic 2: Traditional (Environmental) Knowledge (TEK)**

**Comment:**

ENR notes the application does not include any provision(s) of TEK/TK. Provision(s) of TEK/TK is mandatory for applications to the Sahtu Land and Water Board.

**Recommendation(s):**

- 1) ENR recommends the proponent update its application to include provision(s) of TEK/TK.

Comments and recommendations were provided by ENR technical experts in the Water Management and Monitoring Division and the Sahtu Region and were coordinated and collated by the Environmental Assessment and Monitoring Section (EAM), Environmental Stewardship and Climate Change Division.

Should you have any questions or concerns, please do not hesitate to contact Patrick Clancy, Environmental Regulatory Analyst at (867) 767-9233 Ext: 53096 or email [patrick.clancy@gov.nt.ca](mailto:patrick.clancy@gov.nt.ca).

Sincerely,



Patrick Clancy  
Environmental Regulatory Analyst  
Environmental Assessment and Monitoring Section  
Environmental Stewardship and Climate Change Division  
Department of Environment and Natural Resources  
Government of the Northwest Territories