



**SAHTU Land & Water Board**  
P.O. Box 1  
Fort Good Hope, NT  
X0E 0H0

September 22 2009

Distribution List

Our File: S04A-006  
S04L1-006

Dear Sir/Madam:

Your File:

**Re: Land Use Permit – S04A-006  
Water Licence – S04L1-006  
Summit Creek Drilling Program  
Tulita District, Sahtu Settlement Area  
Request for Extension & Renewal**

On September 3, 2009 the Sahtu Land & Water Board received a request from Husky Oil Operations Ltd. to extend Land Use Permit S04A-006 and to renew Water Licence S04L1-006 related to the Summit Creek Drilling Program for an additional two years.

The Land Use Permit and Water Licence were issued to Northrock Resources Ltd. on September 12, 2004, Assigned to Husky Oil Operations Ltd. on August 22, 2005 and expired September 11, 2009. As well, an Amendment was made to the Water Licence approving the use of Amodrill 1500 drilling fluid. The Sahtu Land & Water Board issues Land Use Permits for a maximum of five years and may extend the Permit for an additional two years upon a written request for an extension. Water Licences may be renewed for a period not exceeding twenty-five years.

The Sahtu Land & Water Board is requesting any comments or concerns regarding the extension be submitted in writing to our office not later than October 16, 2009.

If you have any questions regarding these applications, please do not hesitate to contact our office.

Yours truly,  
**SAHTU Land & Water Board**

Rhianna Leighton  
Land Technician

Attached: 6

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TELEPHONE: (867) 598-2413 • FAX: (867) 598-2325  
E-MAIL: sahtulan@allstream.net

**Distribution List**

**Land Use Permit Extension – S04A-006**

**Water Licence Renewal – S04L1-006**

**Summit Creek Drilling Program**

**Tulita District, Sahtu Settlement Area**

Freda Taniton - Executive Director, Sahtu Secretariat Inc.  
Edna Tobac - Executive Director, Sahtu Land Use Planning Board  
Jody Snortland - Executive Director, Sahtu Renewable Resources Board  
Manik Duggar - A/Executive Director, Mackenzie Valley Land & Water Board  
Vern Christensen - Executive Director, Mackenzie Valley Env. Impact Review Board

Roger Odgaard - President - Norman Wells Land Corporation  
Norman Hodgson - President - Norman Wells Renewable Resources Council  
Peter Guther - Mayor - Norman Wells Town Council  
Gordon Yakeleya - President - Tulita Land Corporation  
Troy Jenkins - SAO - Hamlet of Tulita  
Rocky Norwegian - President - Fort Norman Metis Local # 60 Land Corporation  
Rocky Norwegian - President - Tulita District Land Corporation  
Frank Andrew - Chief - Tulita Band Council  
Valerie Yakelaya – President - Fort Norman Renewable Resources Council

Conrad Baetz - District Manager, DIAND Inuvik  
Tom Bradbury, Water Inspector, DIAND Norman Wells  
Armin Johnson – Land Use Inspector, DIAND Norman Wells  
John Korec - Environmental Assessment Officer, National Energy Board  
Steve Drummond– Superintendent, Transport Canada, Navigable Waters Protection  
Carey Ogilvie -Head, Assessment & Monitoring, Environment Canada, Yellowknife  
Rick Walbourne - Fish Habitat Biologist, Dept. of Fisheries and Oceans, Yellowknife

Gavin More – Environmental Regulatory Analyst, GNWT ENR - Yellowknife  
Keith Hickling – Regional Superintendent, GNWT ENR - Norman Wells  
Glen Mackay – Assessment Archaeologist, Prince of Wales Northern Heritage Centre  
Bob Mellet - Environmental Health Officer, Stanton Territorial Health Authority  
Rhonda Bachelor - Senior Environmental Analyst, GNWT DOT, Yellowknife  
Bruce Stebbing - Senior Plan Rev. Officer, Office of the Fire Marshall, GNWT MACA

Kelly Hougen – President – Association of Mackenzie Mountain Outfitters

Sahtu Land & Water Board Members

Larry Wallace, Special Representative  
George Barnaby, Interim Chair  
Walter Bayha, Member  
Violet Doolittle, Member

File - 5044-000  
5041-000

Box 108  
Tulita, NT X0E 0K0

Phone: (867) 588-4984  
Fax: (867) 580-3997

COPY

Tulita District Land Corporation

FAX

To: SLWB. From: TDLC  
 Fax: 588-2325 Date: Oct 23/09.  
 Phone: Husky Oil operation Pages:  
 Re: Water License Extension CC:

Urgent  For Review  Please Comment  Please Reply  Please Recycle

Comments:

Thanks you for the approval of extension.

@ George <sup>21</sup> 26 Oct. /09  
 For your info,  
 Rhiana Oct 26/09

③ Joan,  
 PLS prepare letter of reply to the suggestions & issues mentioned in this letter.  
 26 Oct. /09.

○ Forwarded to Hb by 2000709 by hand sent  
 25 Oct 09



***Tulita District Land Corporation***

PO Box 108

Tulita, NT X0E 0K0

Phone: 867 588-4985/4986

Fax: 867-588 3997

Email: district@allstream.net

Our File: 4.3.11; 8.1.17  
SLWB File: S04A-006; S04L1-006

22<sup>nd</sup> October, 2009

**FROM:** Rocky Norwegian  
President  
Tulita District Land Corporation  
P.O. Box 108, Tulita, NT, X0E 0K0  
Ph: (867) 588-4984; Fax: (867) 588-3997

**TO:** Rhianna Leighton  
Land Technician  
Sahtu Land and Water Board  
P.O. Box 01, Fort Good Hope, NT X0E 0H0  
Tel: (867) 598-2413, Fax: (867) 598-2325

Dear Mr. Norwegian,

**Subject: Review of Husky Oil Operations Application to Amend and Extend the Term of Land Use Permit S04A-006, Water Licence S04L1-006; Summit Creek Drilling Program**

Following are comments on the above Amendment and Extension applied for by Husky Oil Operations Ltd. for your consideration:

1. We have a concern with the proposed development of sumps in permafrost ground conditions. With climate change, we would prefer sumps being constructed with pure clay where the integrity of the ground could be better assured. The industry practice of "mix, bury, cover" does not provide the same assurance with an unknown composition of ice in the soil.
2. The Tulita District Land Corporation (TDLC) ask the Sahtu Land and Water Board to consider individual applications in future for each well site, road, campsite, sump, fuel cache, etc. Also, amendments, extensions and assignments should also be applied for under separate administrative fee rates. It is not reasonable to expect several reviews of applications under fees collected in 2004.

3. The assessment of a "nil" security deposit is also a concern. We appreciate that the next condition states that the company is responsible for all outstanding work, but if the company is in bankruptcy, then the entire cost will fall to the taxpayer. We believe the current SLWB practice should be reconsidered.

These are our points for your consideration. We agree to the amendment and extension applied for with the above noted concerns.

Best Regards,



Rocky Norwegian  
President

504A-006  
304L1-006

## Hydrologist

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**From:** Bruce Stebbing [Bruce\_Stebbing@gov.nt.ca]  
**Sent:** October-01-09 10:01 AM  
**To:** sahtuhyd@allstream.net  
**Subject:** FW: 109-09.doc Husky Oil Drill Camp  
**Attachments:** 109-09.docx

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**From:** Bruce Stebbing  
**Sent:** Thursday, October 01, 2009 09:24  
**To:** David Wilcox; Arthur Lennie; Brian Klengenberg  
**Subject:** 109-09.doc Husky Oil Drill Camp

Hi, There is a construction camp with 34 people and a drill rig camp with 60 people for the Husky Oil Ltd, winter drilling program. Bruce

*Rhanna RL Oct 26 09  
for your action  
Joan 26 OCT 09*



**Office of the Fire Marshal  
MUNICIPAL AND COMMUNITY AFFAIRS**

Date: <b>Sept 30. 2009</b>	Preliminary	<b>Formal</b>	File # 301-03 Plan Review #: 109 – 09
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Attn: George Govier &, Sahtu Land & Water Board & Husky Oil Operations Ltd.

Copy:

Dave Wilcox, Asstn, Fire Marshal, Norman Wells

Arthur Lennie , Electrical Inspector , Inuvik

**Project Description:** Land Use and Water License Extension - Camps & Fuel Facilities.

**Project Address:** Summit Creek, Stewart Lake, Exploration Drilling Program, Tulita, N.T.

**Documents submitted for review;** The land use permit and water application, dated Sept 22, 2009, was received Sept. 30/09.

This work shall comply with all the requirements of the 2005 National Building Code (NBC), Part 9, for fire protection in camps section 9.10.21, and the B-139 and B-149 standards and the 2005 National Fire Code, for the fuel facilities and related standards. Provide construction drawings and specs and details for these camps and the fuel facilities, with mechanical and electrical equipment and site plans as well.

**Comments:**

1. There will be a 34 person mobile construction camp and a 60 person drill rig camp.
2. Detailed information was not provided for these camps, so please confirm the camps are code compliant.
3. The National Energy Board and the Government of Canada, Indian Affairs and Northern Development, have jurisdiction over these facilities. The cheque was payable to the Receiver General of Canada, so the Federal Fire Safety Authority should also be contacted for these types of facilities, as well.
4. Please confirm that the entire camp facilities are code compliant.
5. Any tents, even storage tents shall be fire retardant in accordance with the Fire Marshal's technical bulletin.
6. Camp buildings with more than 10 people sleeping in the building require a complete fire alarm system. Fire alarm systems are required to be certified annually.
7. Confirm that all fire safety equipment, fire extinguishers, fire separations, smoke detectors carbon monoxide alarms, emergency lighting, exit signs and exiting, etc. are code compliant.
8. Commercial cooking facilities in camp buildings shall comply with NFPA 96, unless they are the residential type of range.

1

**Reviewed**

\_\_\_\_\_  
**Fire Marshal**

\_\_\_\_\_  
**Plan Review Officer**



**Office of the Fire Marshal  
MUNICIPAL AND COMMUNITY AFFAIRS**

9. The size of the bedroom windows, opening area (0.35m<sup>2</sup>), shall comply with section 9.7.1.2. of the 2005 NBC.
10. Exit doors shall swing out in the direction of exit travel for the camps.
11. Post fire safety, emergency evacuation plans in the camps, with the telephone numbers of the RCMP, ENR, the health centre, and the local airline and the helicopter firms telephone numbers for emergencies, as noted.
12. Fuel fired equipment shall comply with CAN/CSA – B139 –04 the installation code for oil burning equipment.
13. Confirm that fusible link valves are installed on all fuel fired equipment including furnaces, boilers, generators, water heaters, etc.
14. All propane fired equipment shall comply with CAN/CSA – B149 –04, code for propane and gas installations.
15. Fuel facilities shall be 100 meters from any water body.
16. Fuel storage, fuel dispensing and transfer operations shall comply with the 2005 National Fire Code, parts 3 and 4. Absorbent mats and spill kits shall be provided for the fuel drum storage areas.
17. Comply with all the requirements of the Electrical & Mechanical Inspectors in Inuvik, and the Asstn. Fire Marshal in Norman Wells.
18. Ensure all installations comply with the 2005 National Building Code, the 2005 National Fire Code and related standards.
19. The 2005 National Fire Code requires 2 all weather BC, fire extinguishers at fuel dispensing stations.
20. Ensure flexible connections are installed for the tanks to deal with differential movement.
21. As a reminder, wood cannot be used in fuel facilities for supports, wood bases, fencing, and stairs, etc.
22. Confirm that the “No Smoking, “No cell phones”, No Trespassing” and “Turn off engine” signs are installed at fuel dispensing sites.
23. Label the tanks and all the components in the facility.
24. Confirm that all the emergency disconnect switches are clearly labelled.

These documents are reviewed for general compliance with the *Fire Prevention Act* and *Fire Prevention Regulations* of the Northwest Territories. Review does not constitute approval or otherwise relieve the owner from complying with all requirements. The owner, the designer and the builder are responsible for code compliance.

Bruce Stebbing, MAA, PQS.  
Office of the Fire Marshal  
600 -5201 - 50 Ave.

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**Fire Marshal**

**Reviewed**

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**Plan Review Officer**





**Office of the Fire Marshal  
MUNICIPAL AND COMMUNITY AFFAIRS**

Yellowknife, N.T., X1A 3S9

Tel: 1 - 867 - 873 - 7030, Fax: 1 - 867 - 873 - 0260, E mail; [Bruce\\_Stebbing@gov.nt.ca](mailto:Bruce_Stebbing@gov.nt.ca)

\_\_\_\_\_  
**Fire Marshal**

**Reviewed**

\_\_\_\_\_  
**Plan Review Officer**

File -0 S04A-006  
S04L1-006



**-Tulita District Land Corporation**

PO Box 108  
Tulita, NT XOE OKO  
Phone: 867-588-4985/4986  
Fax: 867-588-3997  
Email:district@allstream.net

October 19, 2009

Sahtu Land & Water Board  
PO Box 1  
Fort Good Hope, NT  
XOE OHO

via fax: 867-2325

Re: Land Use Permit SO4A-006  
Summit Creek Drilling Program  
Husky Oil Operation Limited  
Request for Extension & Renewal

Tulita District Land Corporation is presently reviewing the application as above. In addition TDLC would be requesting an extension to October 23, 2009, for our reply.

The reason being is TDLC has obligation to meet and request approval from each of the member corporations before TDLC sends in their comments.

Thank you for your attention to this matter.

Yours truly,

*Rocky Norwegian Sr.*  
for: President

File -> S04A-006  
S04L1-006

## Rhianna Leighton-SLWB

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**From:** Patrick Clancy [Patrick\_Clancy@gov.nt.ca]  
**Sent:** October-15-09 1:45 PM  
**To:** sahtulan@allstream.net  
**Subject:** Husky Oil Operations Ltd. - S04a-006 and S04L1-006  
**Attachments:** 10-15-2009 ENR Letter to the Board - No Comment - Husky Oil Operations Ltd. - S04A-006, S04L1-006 - Request for Comments.docx

Hello,

Please find attached ENR's comment for the subject applications.

Thank you,

Patrick Clancy  
Environmental Regulatory Analyst  
Environmental Assessment and Monitoring  
Environment and Natural Resources  
GNWT  
Work: (867) 920-6591  
Fax: (867) 873-4021



Northwest  
Territories Environment and Natural Resources

October 15, 2009

Rhianna Leighton  
Land Technician  
Sahtu Land and Water Board  
Box 1, Fort Good Hope  
Northwest Territories  
X0E 0H0

Dear Ms. Leighton :

**Re: Husky Oil Operations Ltd.  
Land use Permit Application - S04A-006  
Water Licence Application - S04L1-006  
Request for Review and Comments**

The Department of Environment and Natural Resources (ENR) has reviewed the above application based on its mandated responsibilities under the *Environmental Protection Act*, the *Forest Management Act (FMA)*, the *Forest Protection Act* and the *Wildlife Act* and has no comments or recommendations at this time.

Should you have any questions or concerns, please do not hesitate to contact Patrick Clancy, Environmental Regulatory Analyst at 920-6591 or [patrick\\_clancy@gov.nt.ca](mailto:patrick_clancy@gov.nt.ca).

Sincerely,

Patrick Clancy  
Environmental Assessment Analyst  
Environmental Assessment and Monitoring  
Environment and Natural Resources

File → S04A-006  
S04L1-006

**Rhianna Leighton-SLWB**

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**From:** Perry,Lisa [Yel] [Lisa.Perry@EC.GC.CA]  
**Sent:** October-14-09 10:25 AM  
**To:** sahtulan@allstream.net  
**Cc:** sahtuclk@allstream.net; Cheryl.Mclean@huskyenergy.com  
**Subject:** S04A-006 & S04L1-006; Husky Oil Operations Ltd. Summit Creek Drilling Program - EC's Comments  
**Attachments:** S04A-006 S04L1-006 Husky Oil Operations Summit Creek.pdf

Dear Rhianna,

Please find attached, Environment Canada's letter of comment for the extension and renewal applications, S04A-006 and S04L1-006 Summit Creek Drilling Program.

<<S04A-006 S04L1-006 Husky Oil Operations Summit Creek.pdf>>  
If you require any further information please do not hesitate to contact me.

Best regards,

**Lisa Perry**

Sr Environmental Assessment Coordinator  
Environmental Protection Operations  
Prairie & Northern Region

Environment Canada  
5019 52nd Street, 4th Floor  
P.O. Box 2310  
Yellowknife, NT X1A 2P7

Phone: (867) 669-4707  
Fax: (867) 873-8185  
Email: [Lisa.Perry@ec.gc.ca](mailto:Lisa.Perry@ec.gc.ca)



Environment  
Canada

Environnement  
Canada

Environmental Protection Operations  
Prairie and Northern Region  
5019 52<sup>nd</sup> Street, 4<sup>th</sup> Floor  
P.O. Box 2310  
Yellowknife, NT X1A 2P7

Your file / Votre référence  
S04A-006; S04L1-006

Our file / Notre référence  
4706 002 013

October 14, 2009

VIA EMAIL

Rhianna Leighton, Land Technician  
Sahtu Land & Water Board  
P.O. Box 1  
Fort Good Hope, NT  
X0E 0H0

**Subject: S04A-006 & S04L1-006; Summit Creek Drilling Program; Request for Extension & Renewal of the Land Use Permit & Water Licence**

Dear Rhianna Leighton:

On behalf of Environment Canada (EC), I have reviewed the above referenced extension and renewal request received on September 30, 2009. In brief, I understand that Husky Oil Operations Limited (the proponent) has requested a two year extension on the Land Use Permit (LUP) and a renewal of the Water Licence (WL), which both expired on September 11, 2009, in order to conduct additional assessments at the site. The proponent states that there are no changes to the description of works or undertakings previously provided to the Sahtu Land & Water Board (the Board). The Summit Creek Drilling Program is located approximately 60 km SSW of Tulita.

On August 20, 2004, EC submitted to the Board a number of conditions and recommendations for the proposed project's LUP and WL applications pursuant to its mandated responsibilities arising from the *Canadian Environmental Protection Act* (CEPA), Section 36(3) of the *Fisheries Act*, the *Migratory Birds Convention Act*, and the *Species at Risk Act*. Those conditions and recommendations would remain applicable to the proposed future project works and undertakings (see attached letter). However, EC would like to take this opportunity to provide some further advice on fuel storage, as well as air quality issues.

1. Please note the new *CEPA Storage Tank System for Petroleum Products and Allied Petroleum Products Regulations* that came into force on June 12, 2008. These regulations apply to both outside, aboveground and underground storage tank systems (including the piping and other tank associated equipment) under federal jurisdiction containing petroleum and allied petroleum products that have a capacity greater than 230 litres. This includes tanks located on federal or Aboriginal lands. Exceptions are pressurized tanks, mobile tanks, tanks regulated by the National Energy Board, and

Canada

outdoor, aboveground storage tank systems that have a total combined capacity of 2500 litres or less and are connected to a heating appliance or emergency generator. All storage tank system owners must identify their tank systems to EC and installation of new systems must comply with the regulation's design requirements. Further information on these regulations can be found at [www.ec.gc.ca/st-rs](http://www.ec.gc.ca/st-rs).

2. Pursuant to incineration, EC has developed a *Technical Document for Batch Waste Incineration*. The technical document provides information on appropriate incineration technologies, best management and operational practices, monitoring and reporting.

<http://www.ec.gc.ca/drgd-wrmd/default.asp?lang=En&n=82401EC7-1>

If not completed already, the proponent should develop an incineration management plan in consultation with EC and GNWT ENR, which is consistent with the *Technical Document for Batch Waste Incineration*. The management plan should include an annual report to provide details on, but not limited to, the following:

- Incineration technology selected;
- Waste audit -- amount and types of waste incinerated;
- Operational and maintenance records;
- Operator training;
- Emission measurements; and
- Incineration ash disposal.

3. If well test flaring is planned, the proponent should ensure established flaring practices and technical management approaches are followed, such as those found in the Alberta Energy Resources Conservation Board Directive 60. EC recommends that measures are taken to ensure that the need to flare and quantity of gas to be flared is reduced, as well as any resulting environmental impacts.

If you have any questions concerning the above or if there are any changes to the proposed project please contact me directly by telephone at (867) 669-4707 or by email at [Lisa.Perry@ec.gc.ca](mailto:Lisa.Perry@ec.gc.ca).

Best Regards,



Lisa Perry

Sr. Environmental Assessment Coordinator

cc: Carey Ogilvie, Head, EA North, EC  
Dave Fox, Air Issues Specialist, EC  
Cheryl McLean, Husky Oil Operations Limited



Environment Environnement  
Canada Canada

Environmental Protection Branch  
Suite 301, 5204 - 50<sup>th</sup> Avenue  
Yellowknife, NT, X1A 1E2

August 19, 2004

Murray Peacock  
Land/Resource Geographer  
SAHTU Land & Water Board  
P.O. Box 1  
Fort Good Hope, NT  
X0E 0H0

Our file: 4702 039 001

*Via facsimile*

**Re: S04A-006 & S04L1-006 – Summit Creek Drilling Program - Land Use Permit & Water License  
Applications  
Proponent – Northrock Resources Ltd., Calgary, Alberta**

On behalf of Environment Canada (EC), I have reviewed the information submitted with the above-mentioned application. The following comments are provided pursuant to Environment Canada's mandated responsibilities for the enforcement of the *Canadian Environmental Protection Act*, Section 36(3) of the *Fisheries Act*, the *Migratory Birds Convention Act*, and the *Species at Risk Act*.

Northrock Resources Inc. has submitted applications for a Land Use Permit and a Water License for a drilling program located at Summit Creek. The project involves the preparation of a drilling lease, a camp, opening access from an existing access road to the drilling location and water source, as well as the drilling of an exploratory well. Activities will be centered in an area approximately 60 km south of Tulita, NT and specific wellsite locations will depend on interpretation of 2004 seismic data. The program will start October 1, 2004 with a projected end date of April 30, 2005. A 34-man mobile camp and a 60 man camp will be set up near the wellsite. There is no indication that fuel caches will be established.

Environment Canada recommends that the following conditions be applied throughout all stages of the project:

1. The proponent shall not deposit, nor permit the deposit of chemicals, sediment, wastes, or fuels associated with the project into any water body. According to the *Fisheries Act*, Section 36 (3), the deposition of deleterious substances of any type in water frequented by fish, or in any place under any conditions where the deleterious substance, or any deleterious substance that results from the deposit of the deleterious substance, may enter any such water, is prohibited.
2. The proponent states they will treat grey and black water before discharging to the Mackenzie River or to a sump. Please note that release of treated black water into the Mackenzie River may be in direct contravention of the *Fisheries Act*, Section 36(3). Environment Canada recommends, therefore, that grey water and treated black water be contained in a sump located such that the contents do not enter water frequented by fish.
3. Any sumps, pits, spill basins and fuel caches shall be located above the high water mark of any waterbody and in such a manner as to prevent the contents from entering any waterbody frequented by fish. Therefore, please note that maintaining a buffer of a specific distance may not always be an adequate preventative measure.
4. Environment Canada recommends the use of drip pans, or other similar preventative measures, when refueling equipment on site.
5. The proponent shall ensure that all hazardous wastes, including waste oil, receive proper treatment and disposal at an approved facility.
6. Environment Canada recommends the use of an approved incinerator for the disposal of combustible material.
7. All non-combustible solid wastes (e.g., potable water bottles) shall be disposed of at an appropriate facility, e.g., Yellowknife, NWT or Inuvik, NWT. The proponent is encouraged to make use of recycling facilities for all recyclable materials.



8. Environment Canada recommends the use of secondary containment with an impervious liner, such as self-supporting insta-berms, for storage of all barreled fuel rather than relying on natural depressions to contain spills.
9. Fuel caches shall be inspected on a regular basis.
10. Please note that any material and equipment cached for this study must be removed at the end of the project.
11. All spills are to be documented and reported to the NWT 24 hour Spill Line at (867) 920-8130.

The following comments are relative to the Spill Contingency Plan submitted with Northrock Resources Ltd. Land Use Permit and Water License Application.

#### **Level One Action (page 13)**

12. Spill contingency plans should include locations of disposal sites approved to accept wastes and means of storage prior to disposal.
13. Any spills of wastes or hazardous materials shall be reported immediately to the NWT 24-hour Spill Line, number (867) 920-8130.

#### **Section 2.6**

14. "For larger spills, equipment and material is to be requested from Imperial Oil in Norman Wells and/or Embridge Pipelines at Tulita or the KP 160 pumping station. Neither is, however in a position to provide supervisory personnel or manpower required for the equipment deployment."
  - a) For an effective spill response there must be some expertise on site to direct the equipment deployment operations. To ensure that the Spill Response Team is prepared to respond to a spill situation in a reasonable manner, hands-on training and familiarization with equipment used for spill containment and recovery is critical. It provides the response crews with an understanding of the limitations or potential problems that may be encountered in the use of the various equipment pieces.
  - b) Personnel should be aware of the properties of the products that they handle and have access to material safety data sheets (MSDS) and other sources of information

#### **Section 4.1**

15. Environment Canada is a signatory party to the NORTHWEST TERRITORIES/NUNAVUT SPILLS WORKING AGREEMENT, NWT 24 hour Spill Response Line.

#### **Recommendations**

16. A spill contingency plan aimed at reducing potential risks should provide the following elements:
  - a) A description of the properties and characteristics of the substances, maximum expected quantity, storage location, and potential consequences from an environmental emergency on the environment or human health.
  - b) Identification of any reasonable environmental emergency expected to occur
  - c) Description of the measures to be used to prevent, prepare for, respond to and recover from any environmental emergency identified above.
  - d) List of individuals, identified by name or position, who are to carry into effect the plan and description of their roles and responsibilities.
  - e) Identification of training required
  - f) List of emergency equipment and its location.
  - g) Identification of measures to be taken to notify members of the public who may be adversely affected by an environmental emergency.

The Canadian Wildlife Service (CWS) of Environment Canada has reviewed the above-mentioned land use permit and water licence application and makes the following comments and recommendations pursuant to the *Migratory Birds Convention Act and Regulations*, and the *Species at Risk Act*.

17. Section 6 (a) of the *Migratory Birds Regulations* states that **no one shall disturb or destroy the nests or eggs of migratory birds**. Drilling activity for this project is scheduled to occur outside the migratory bird breeding season, May 1-August 1, and as long as drilling activities occur between October 2004 and April 2005, CWS does not foresee any direct impacts on nesting or moulting birds.
18. Section 35 of the *Migratory Birds Regulations* states that no person shall deposit or permit to be deposited, oil, oil wastes or any other substance harmful to migratory birds in any waters or any area frequented by migratory birds.
19. Implementation of these measures may help to reduce or eliminate some effects of the project on migratory birds, but will not necessarily ensure that the proponent remains in compliance with the *Migratory Birds Convention Act* (the *Act*) and *Migratory Birds Regulations* (the *Regulations*). The proponent must ensure they remain in compliance with the *Act* and *Regulations* during all phases and in all undertakings related to the project.
20. The *Species at Risk Act* (SARA) came into full effect on June 1, 2004. Species at risk that may be encountered in this area include: Peregrine Falcon (subspecies *anatum*) and Woodland Caribou (Boreal population) both listed as Threatened on Schedule 1 of SARA; and Grizzly Bear, Wolverine, and Short-eared Owl all of which are listed as Special Concern on Schedule 3 of SARA. While conducting their operations, the proponent should be aware of the special status, and minimize disturbance to, or contact with, these species.
21. CWS recommends that camp waste be made inaccessible to wildlife at all times. Camp waste can attract predators of migratory birds (e.g. foxes and ravens) to an area if not disposed of properly.
22. All mitigation measures identified by the proponent, and the additional measures suggested herein, should be strictly adhered to in conducting project activities. This will require awareness on the part of the proponents' representatives (including contractors) conducting operations in the field. Environment Canada recommends that all field operations staff be made aware of the proponents' commitments to these mitigation measures and be provided with appropriate advice / training on how to implement these measures.

If there are any changes in the proposed project, EC should be notified, as further review may be necessary. **Please note that if the timetable for drilling activities changes, Environment Canada may have additional comments and recommendations to make.** Please do not hesitate to contact me with any questions or comments with regards to the foregoing at (867) 669-4708 or by email at [ivy.stone@ec.gc.ca](mailto:ivy.stone@ec.gc.ca).

Sincerely,

*Original Signed by:*

Ivy Stone  
Environmental Assessment

cc: Steve Harbicht (Head, Assessment & Monitoring, EPB, Environment Canada, Yellowknife, NT)  
Mike Fournier (Northern Environmental Assessment Coordinator, EPB, Environment Canada, Yellowknife, NT)

## Rhianna Leighton-SLWB

---

**From:** Walbourne, Rick [Rick.Walbourne@DFO-MPO.GC.CA]  
**Sent:** October-08-09 3:07 PM  
**To:** sahtulan@allstream.net  
**Cc:** Hanna, Bruce; eas@srrb.nt.ca  
**Subject:** S04L1-006 renewal and S04A-006 extension  
**Attachments:** Water Withdrawal Protocol - Jan 05.pdf; Changes to DFO Protocol for Winter Water Withdrawal in the..pdf

File: S04L1-006  
S04A-006

Subject: Water Licence S04L1-006 Renewal Application/Land Use Permit S04A-006 Extension Application Husky Oil Operations Ltd. - Summit Creek Drilling Program

Good afternoon Rhianna,

This email is in response to the request for comments related to applications for the extension of Land Use Permit S04A-006 and the renewal of Water Licence S04L1-006 by Husky Oil Operations Ltd. (Husky) for their Summit Creek Drilling Program. The Department of Fisheries and Oceans (DFO) advises that our original advice from August 20th, 2004 is still valid. Of some note, the DFO Water Withdrawal Protocol was published in January 2005 although it is reflective of advice given during the preliminary screening in 2004. I have attached the document, as well as *Changes to DFO Water Withdrawal Protocol for the Northwest Territories (2008)*. If Husky adheres to the conditions of the Land Use Permit and Water Licence, as well as this protocol, no harmful alteration, damage or destruction (HADD) of fish or fish habitat is expected. If there are changes to any aspect of this project, we are of the understanding that an amendment will be required which will be forwarded to us for review and comment. Thank you for the opportunity to comment on these applications.

Regards,

Rick

<<Water Withdrawal Protocol - Jan 05.pdf>> <<Changes to DFO Protocol for Winter Water Withdrawal in the....pdf>>

Rick Walbourne  
Habitat Biologist | Biologiste, Habitat  
(867) 669-4926 | facsimile/ télécopieur (867) 669-4940  
[Rick.Walbourne@dfo-mpo.gc.ca](mailto:Rick.Walbourne@dfo-mpo.gc.ca)  
Fish Habitat Management, Western Arctic Area | Gestion de l'Habitat du Poisson, Secteur de l'Arctique de l'Ouest  
Central and Arctic Region | Région Centrale et de l'Arctique  
Fisheries and Oceans Canada | 301-5204 50th Ave, Yellowknife, NT, X1A 1E2  
Pêches et Océans Canada | 301-5204 50<sup>e</sup> Ave, Yellowknife, T.N.-O, X1A 1E2  
Government of Canada | Gouvernement du Canada



Fisheries and Oceans  
Canada

Pêches et Océans  
Canada

Fish Habitat Management  
Suite 101, 5204-50<sup>th</sup> Avenue  
Yellowknife, Northwest Territories  
X1A 1E2

Gestion de l'Habitat du Poisson  
Suite 101 5204, 50e Avenue  
Yellowknife (Territoires du Nord-Ouest)  
X1A 1E2

Your file *Votre référence*

Our file *Notre référence*

August 14, 2008

Michael Peters  
Canadian Assoc. of Petroleum Producers  
211, 350-7<sup>th</sup> Ave. SW  
Calgary, AB T2P 3N9

**RE: Changes to DFO Protocol for Winter Water Withdrawal in the NWT**

Dear Michael:

Fisheries and Oceans Canada (DFO), Western Arctic Area is in the process of revising the DFO Protocol for Winter Water Withdrawal in the NWT. The new protocol will likely not be available prior to this winter season. However, I would like to inform you of two changes to the protocol that are effective as of now. The changes to the conditions in the protocol are in bold.

1. In one ice-covered season, total water withdrawal from a single waterbody is not to exceed **10%** of the available volume using the appropriate maximum expected ice thickness provided in Table 1.
2. All longitudinal and perpendicular transects are to be conducted using an accurate, continuous depth sounding methodology, such as open water echo sounding **or ground penetrating radar (GPR)**, that provides a continuous depth recording from one shore to the farthest opposing shore (Figure 1). Any alternative technology should be reviewed by DFO prior to implementing for bathymetric surveys.

All other criteria/ conditions in the protocol remain the same. These changes, while still protective of fish and fish habitat, should provide more flexibility to industry during program development and operations.

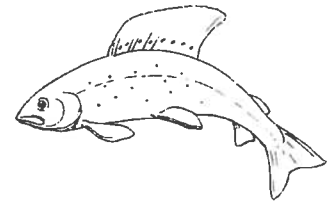
If you have any questions, please contact me at (867) 669-4931.

Bruce Hanna  
Habitat Biologist  
Fish Habitat Management  
Department of Fisheries and Oceans - Western Arctic Area

**Canada**

c.c:

Stephanie Carrol, Amanda Joynt - DFO  
Adrian Paradis - MVLWB  
Zabey Nevitt, Kathy Racher - WLWB  
Rick Walburne, George Govier - SLWB  
Bob Chalmers - EISC  
Louie Porta - FJMC  
Conrad Baetz - INAC  
Reagan Stoddart - ILA  
Johnny Edwards - GLWB  
Liz Castaneda - NWT Water Board



## DFO Protocol for Winter Water Withdrawal In the Northwest Territories

### **Rationale**

In the Northwest Territories, winter activities such as access road construction, exploratory drilling and camp operations often require large amounts of water. Excessive amounts of water withdrawn from ice covered waterbodies or watercourses can lead to oxygen depletion, loss of over-wintering habitat and/or reductions in littoral habitat. The potential for such negative impacts to over-wintering fish and fish habitat has made winter water withdrawal a critical issue for the Department of Fisheries and Oceans (DFO) in the Northwest Territories. To address the issue of water withdrawal, and to provide standardized guidance to water users, including volume limits for certain water source types, DFO has developed this protocol in conjunction with industry and other regulators.

This protocol pertains to works and activities where a total water volume greater than or equal to ( $\geq$ ) 100m<sup>3</sup> is required from any given waterbody or watercourse during one ice-covered period.

This protocol will **not** apply to the following:

- Winter water withdrawal from the Mackenzie River;
- Any other waterbody or watercourse that is exempted by DFO (i.e. Great Bear Lake, Great Slave Lake, Gordon Lake, and others as and when determined by DFO), and;
- Any waterbody (not including watercourses) from which less than 100m<sup>3</sup> is to be withdrawn over the course of one ice-covered period.

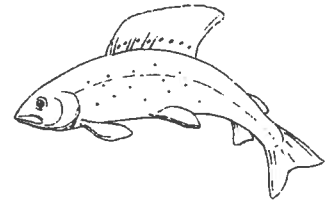
### **Water Withdrawal from Waterbodies:**

For the purposes of this protocol, a **waterbody** is defined as any water-filled basin that is potential fish habitat. A waterbody is defined by the ordinary high water mark of the basin, and excludes connecting **watercourses** (see definition in **Water Withdrawal from Watercourses** below). In order to establish a winter water withdrawal limit for a given waterbody, the following criteria must be adhered to:

1. In one ice-covered season, total water withdrawal from a single waterbody is not to exceed 5% of the available water volume calculated using the appropriate maximum expected ice thickness provided in Table 1.
2. In cases where there are multiple users withdrawing water from a single waterbody, the total combined withdrawal volume is not to exceed 5% of the available water volume calculated using the appropriate maximum expected ice thickness provided in Table 1. Therefore, consistent and coordinated water source identification is essential.
3. Only waterbodies with maximum depths that are  $\geq 1.5$ m deeper than their corresponding maximum expected ice thickness should be considered for water withdrawal (Table 1). Waterbodies with less than 1.5m of free water beneath the maximum ice are considered to be particularly vulnerable to the effects of water withdrawal.
4. Any waterbody with a maximum expected ice thickness (Table 1) that is greater than, or equal to, its maximum depth (as determined from a bathymetric survey) is exempt from the 5% maximum withdrawal limit.

To further mitigate the impacts of water withdrawal, water is to be removed from deep areas of waterbodies (>2m below the ice surface) wherever feasible, to avoid the removal of oxygenated surface waters that are critical to over-wintering fish. The littoral zone should be avoided as a water withdrawal location. Water intakes should also be properly screened with fine mesh of 2.54 mm (1/10") and have moderate intake velocities to prevent the entrainment of fish. Please refer to the *Freshwater Intake End-of-Pipe Fish Screen Guideline* (DFO, 1995) which is available upon request, or at the following internet address: [www.dfo-mpo.gc.ca/Library/223669.pdf](http://www.dfo-mpo.gc.ca/Library/223669.pdf).

**In order to determine the maximum water withdrawal volume from an ice-covered waterbody and thereby conform to this protocol, the following information must be provided to DFO for review and concurrence, prior to program commencement.**



## DFO Protocol for Winter Water Withdrawal In the Northwest Territories

### *Water Source Identification*

1. Proposed primary and secondary access routes for all project activities, with proposed water source and crossing locations clearly identified on a map, with geographical coordinates (latitude/longitude and/or UTM) included.
2. Documented watercourse connectivity (permanently flowing and/or seasonal) between the proposed water source and any other waterbody or watercourse.
3. Aerial photos or satellite imagery of the water sources if available.
4. Estimated total water withdrawal requirement for work or activity and estimated total water withdrawal per water source (in m<sup>3</sup>).

### *Bathymetric Survey Results*

1. For all waterbodies: One longitudinal transect, connecting the two farthest shorelines, is to be conducted regardless of waterbody size. **Note: a longitudinal transect may be straight or curved in order to accommodate the shape of a lake (see Figure 1).**
2. For waterbodies equal to or less than 1km in length: a minimum of one longitudinal transect and two perpendicular transects are to be conducted. Perpendicular transects should be evenly spaced on the longest longitudinal transect, dissecting the lake into thirds (Figure 1).
3. For lakes greater than 1km in length: a minimum of one longitudinal transect is to be conducted. Perpendicular transects (min. of 2) should be evenly spaced on the longest longitudinal transect at maximum intervals of 500m.
4. Additional transects should be run as required to include irregularities in waterbody shape such as fingers or bays (Figure 1).
5. All longitudinal and perpendicular transects are to be conducted using an accurate, continuous depth sounding methodology, such as open water echo sounding, that provides a continuous depth recording from one shore to the farthest opposing shore (Figure 1). Any alternative technology should be reviewed by DFO prior to implementing for bathymetric surveys.

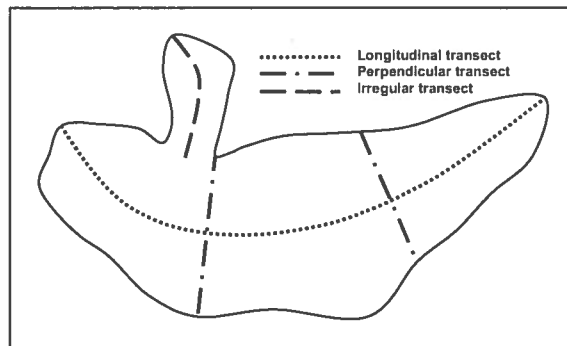
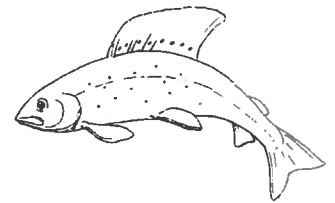


Figure 1. Minimum transect layout for a lake that is less than 1 km in length, with an irregularity.

### *Volume Calculations*

1. Document the methods used to calculate surface area. If aerial photos or satellite imagery were used, provide the date (day/month/year) taken, as surface area may change depending on the time of year. If maps were used, provide the year that they were surveyed.
2. Detail the methods used to determine the total volume of free water, incorporating the relevant bathymetric information.
3. Calculate the available water volume under the ice using the appropriate maximum expected ice thickness, i.e.  $Total\ Volume_{lake} - Ice\ Volume_{max\ thickness} = Available\ Water\ Volume$  (see Table 1 for maximum ice thickness).
4. For programs where ice-chipping is used, the total ice volume to be removed from the waterbody should be converted to total liquid volume and incorporated into the estimate of total water withdrawal requirement per water source.



## DFO Protocol for Winter Water Withdrawal In the Northwest Territories

Table 1. Maximum expected ice thickness, and corresponding water depth requirements, for different regions in the Northwest Territories.

Area	Maximum Expected Ice Thickness (m)	Minimum Waterbody depth Required for 5% Water Withdrawal (m)
Above the Tree Line	2.0	≥3.5
Below the Tree Line - North of Fort Simpson	1.5	≥3.0
Deh Cho -South of Fort Simpson	1.0	≥2.5

### **Water Withdrawal from Watercourses:**

For the purposes of this protocol, a **watercourse** is defined as a channel through which water flows and is potential fish habitat. A watercourse is defined by the ordinary high water mark of the channel, and excludes connecting waterbodies or watercourses. In order to establish a winter water withdrawal limit for a given watercourse, the following criteria must be adhered to:

1. Total water withdrawal for all activities is not to exceed 5% of the instantaneous flow rate of a single watercourse at the time of withdrawal.
2. In cases where there are multiple users withdrawing water from a single watercourse, the total combined withdrawal rate is not to exceed 5% of the instantaneous flow rate at the time of withdrawal. Therefore, consistent and coordinated water source identification is essential.

To further mitigate the impacts from water withdrawal, water intakes should be properly screened with fine mesh of **2.54 mm (1/10")** and have moderate intake velocities to prevent the entrainment of fish. Please refer to the *Freshwater Intake End-of-Pipe Fish Screen Guideline* (DFO, 1995) which is available upon request, or at the following internet address: [www.dfo-mpo.gc.ca/Library/223669.pdf](http://www.dfo-mpo.gc.ca/Library/223669.pdf).

**In order to determine the maximum water withdrawal rate from an ice-covered watercourse and thereby conform to this protocol, the following information must be provided to DFO for review and concurrence, prior to program commencement. DFO will only consider watercourses to be used as water sources if no suitable alternatives exist.**

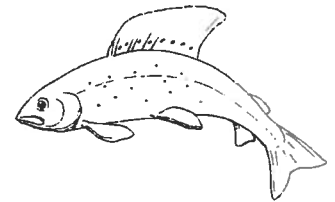
### *Water Source Identification*

1. Proposed primary and secondary access routes for all project activities, with proposed water crossings and water source locations clearly identified on a map, with geographical coordinates (latitude/longitude and/or UTM) included.
2. Aerial photos or satellite imagery of the water sources if available.
3. Estimated total water withdrawal requirement for work or activity, and estimated total water withdrawal per water source (in m<sup>3</sup>).

### *Stream Survey Requirements*

1. Location and date of survey (day, month, and year).
2. Photos of the stream location where withdrawal is to occur.
3. An accurate measurement of flow rate (to be confirmed immediately prior to water withdrawal commencing).
4. Stream survey should include; profile (minimum of ten evenly spaced points), depth, width, and flow rate.
5. Survey effort should reflect channel width: <2m wide, three vertical stations; 2-10m, 10 vertical stations; >10m, 20 vertical stations.
6. Pump specifications (type, model, horsepower, and max discharge rate).
7. Information on substrate type, in-water vegetation, riparian vegetation, and bank description is also requested.





## DFO Protocol for Winter Water Withdrawal In the Northwest Territories

A brief project summary report documenting and confirming total water volume used per water source, withdrawal rates, flow rates per source and corresponding dates should be submitted to DFO within 60 days of project completion. Information should be provided in the following format (this information would also be useful as part of the project description):

Lake ID	number and/or name
Coordinates	latitude and longitude and/or UTM coordinates
Surface area	in m <sup>2</sup>
Total Lake Volume	in m <sup>3</sup>
Under Ice Volume	in m <sup>3</sup> (based on max ice thickness for region)
Max expected ice thickness value used	in m
Calculated 5% Withdrawal volume	in m <sup>3</sup>
Total required water volume extracted	in m <sup>3</sup>
Photograph of waterbody	
Bathymetric Map(s) of waterbody	

Any requests deviating from the above must be submitted to DFO and will be addressed on a site-specific basis.

Please note that adherence to this protocol does not release the proponent of the responsibility for obtaining any permits, licences or authorizations that may be required.

For more information contact DFO at (867) 669-4900.

National Energy  
Board



Office national  
de l'énergie

NEB File: OF-EP-Well-H109-2020 01  
SLWB Files: S04A-006; S04L1-006  
6 October 2009

Rhianna Leighton  
Land Technician  
Sahtu Land and Water Board  
PO Box 1  
Fort Good Hope, NT X0E 0H0  
Fax: 867-598-2325

Dear Ms. Leighton:

**Husky Oil Operations Ltd. Request for Extension & Renewal of Permit and Licence  
Huskey et al Sah Cho L-71 site, Tulit'a Distict, Sahtu Settlement Area, NT**

The National Energy Board has no comment at this time with respect to the request from Husky Oil Operations Ltd. for a two-year extension of the Land Use Permit S04A-006 and a renewal of the Water Licence S04L1-006.

Sincerely,

John Korec, P.Geol., CCEP  
Environmental Specialist  
Frontier and Emergency Management

jek/

444 Seventh Avenue SW  
Calgary, Alberta T2P 0X8

444, Septième Avenue S.-O.  
Calgary (Alberta) T2P 0X8



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<http://www.neb-one.gc.ca>  
Telephone/Téléphone : 1-800-899-1265  
Facsimile/Télocopieur : 1-877-298-8803



Office of the Fire Marshal  
MUNICIPAL AND COMMUNITY AFFAIRS

Date: Sept 30, 2009	<input checked="" type="checkbox"/> Preliminary	<input type="checkbox"/> Formal	File # 301-03 Plan Review #: 109 - 09
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Attn: George Govier &, Sahtu Land & Water Board & Husky Oil Operations Ltd.  
Copy:

Dave Wilcox, Asstn, Fire Marshal, Norman Wells

Arthur Lennie, Electrical Inspector, Inuvik

**Project Description:** Land Use and Water License Extension - Camps & Fuel Facilities.

**Project Address:** Summit Creek, Stewart Lake, Exploration Drilling Program, Tulita, N.T.

**Documents submitted for review;** The land use permit and water application, dated Sept 22, 2009, was received Sept. 30/09.

This work shall comply with all the requirements of the 2005 National Building Code (NBC), Part 9, for fire protection in camps section 9.10.21, and the B-139 and B-149 standards and the 2005 National Fire Code, for the fuel facilities and related standards. Provide construction drawings and specs and details for these camps and the fuel facilities, with mechanical and electrical equipment and site plans as well.

**Comments:**

1. There will be a 34 person mobile construction camp and a 60 person drill rig camp.
2. Detailed information was not provided for these camps, so please confirm the camps are code compliant.
3. The National Energy Board and the Government of Canada, Indian Affairs and Northern Development, have jurisdiction over these facilities. The cheque was payable to the Receiver General of Canada, so the Federal Fire Safety Authority should also be contacted for these types of facilities, as well.
4. Please confirm that the entire camp facilities are code compliant.
5. Any tents, even storage tents shall be fire retardant in accordance with the Fire Marshal's technical bulletin.
6. Camp buildings with more than 10 people sleeping in the building require a complete fire alarm system. Fire alarm systems are required to be certified annually.
7. Confirm that all fire safety equipment, fire extinguishers, fire separations, smoke detectors carbon monoxide alarms, emergency lighting, exit signs and exiting, etc. are code compliant.
8. Commercial cooking facilities in camp buildings shall comply with NFPA 96, unless they are the residential type of range.

  
\_\_\_\_\_  
Fire Marshal

Reviewed

  
\_\_\_\_\_  
Plan Review Officer

1



**Office of the Fire Marshal  
MUNICIPAL AND COMMUNITY AFFAIRS**

9. The size of the bedroom windows, opening area (0.35m<sup>2</sup>), shall comply with section 9.7.1.2. of the 2005 NBC.
10. Exit doors shall swing out in the direction of exit travel for the camps.
11. Post fire safety, emergency evacuation plans in the camps, with the telephone numbers of the RCMP, ENR, the health centre, and the local airline and the helicopter firms telephone numbers for emergencies, as noted.
12. Fuel fired equipment shall comply with CAN/CSA – B139 –04 the installation code for oil burning equipment.
13. Confirm that fusible link valves are installed on all fuel fired equipment including furnaces, boilers, generators, water heaters, etc.
14. All propane fired equipment shall comply with CAN/CSA – B149 –04, code for propane and gas installations.
15. Fuel facilities shall be 100 meters from any water body.
16. Fuel storage, fuel dispensing and transfer operations shall comply with the 2005 National Fire Code, parts 3 and 4. Absorbent mats and spill kits shall be provided for the fuel drum storage areas.
17. Comply with all the requirements of the Electrical & Mechanical Inspectors in Inuvik, and the Asstn. Fire Marshal in Norman Wells.
18. Ensure all installations comply with the 2005 National Building Code, the 2005 National Fire Code and related standards.
19. The 2005 National Fire Code requires 2 all weather BC, fire extinguishers at fuel dispensing stations.
20. Ensure flexible connections are installed for the tanks to deal with differential movement.
21. As a reminder, wood cannot be used in fuel facilities for supports, wood bases, fencing, and stairs, etc.
22. Confirm that the “No Smoking, “No cell phones”, No Trespassing” and “Turn off engine” signs are installed at fuel dispensing sites.
23. Label the tanks and all the components in the facility.
24. Confirm that all the emergency disconnect switches are clearly labelled.

These documents are reviewed for general compliance with the *Fire Prevention Act* and *Fire Prevention Regulations* of the Northwest Territories. Review does not constitute approval or otherwise relieve the owner from complying with all requirements. The owner, the designer and the builder are responsible for code compliance.

Bruce Stebbing, MAA, POS.  
Office of the Fire Marshal  
600 -5201 - 50 Ave.

Fire Marshal

Reviewed

Plan Review Officer

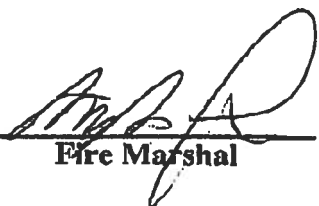
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Office of the Fire Marshal  
MUNICIPAL AND COMMUNITY AFFAIRS

Yellowknife, N.T., X1A 3S9

Tel: 1 - 867 - 873 - 7030, Fax: 1 - 867 - 873 - 0260, E mail; [Bruce\\_Stebbing@gov.nt.ca](mailto:Bruce_Stebbing@gov.nt.ca)

  
\_\_\_\_\_  
Fire Marshal

Reviewed

  
\_\_\_\_\_  
Plan Review Officer



# Sahtu Land Use Planning Board

P.O. Box 235  
Fort Good Hope, NT X0E 0H0  
Phone: (867)598-2055  
Fax: (867)598-2545  
E-mail: ed\_slupb@airware.ca

## Fax

<b>To:</b> George Govier, SLWB	<b>From:</b> Edna Tobac, Executive Director
<b>Fax:</b> (867) 598-2325	<b>Pages:</b> ( 2, including this cover sheet)
<b>Phone:</b> (867)598-2413	<b>Date:</b> September 24, 2009

Urgent     For Review     Please Comment     Please Reply     Please Recycle

Attached is the SLUPB response letter dated September 24, 2009 for:

LUP - S04A-006  
WL - S04L1-006  
Summit Creek Drilling Program  
Tulita District, Sahtu Settlement Area  
Husky Oil Operations Limited

Cc; Cheryl McLean, Senior International Negotiator, Husky Oil Operations Limited.  
Fax: (403) 298-6111



## Sahtu Land Use Planning Board

Box 235, Fort Good Hope, NT, X0E 0H0  
Phone: (867) 598-2055 Fax: (867) 598-2545  
Email: [sahtulanduseplan@airware.ca](mailto:sahtulanduseplan@airware.ca)

September 24, 2009

Mr. George Govier,  
Executive Director  
Sahtu Land & Water Board  
P.O. Box 1  
Fort Good Hope, NT X0E 0N0

**Re: Land Use Permit Application – S04A-006,  
Water Licence Application – S04L1-006  
Summit Creek Drilling Program, Tulita District, Sahtu Settlement Area**

Dear Mr. Govier,

Thank you for referring the above noted applications to the Sahtu Land Use Planning Board. Given that the Sahtu Land Use Plan is not yet approved, we cannot determine conformity of this application against the land use plan at this time as stipulated under subsection 47.(1) of the *Mackenzie Valley Resource Management Act*.

The Sahtu Land Use Plan has been under development for over 10 years and provides an excellent source of public information on community values, needs and expectations regarding land use. It was developed in consultation with residents, communities, designated Sahtu organizations, government, regulatory authorities, industry, non-government organizations, and other interested participants. The zoning and terms of the draft plan reflect current regional priorities for land, water and resource conservation, use and development. As such, the draft plan provides valuable information that can assist in the development of applications and decisions regarding land and water use and the deposit of waste within the Sahtu Settlement Area.

Draft 2, dated April 30, 2009 is the current official draft of the plan. Please be advised that the plan is under active revision so it is likely that the zoning and terms contained in this Draft will change prior to approval. The Board is not conducting conformity determinations against Draft 2 at this time, due to its draft status and other internal priorities. The plan and shapefiles are available for download on the Board's website and we encourage applicants and regulators to begin looking at the draft to assess how their applications conform. As the Plan nears completion, the Board will begin testing conformity of applications to identify and address implementation issues before the Plan is finalized.

Any rights or authorizations granted prior to approval of the land use plan will be considered existing uses and allowed to continue following plan approval, including uses that do not conform to the approved zoning and the terms of the plan.

Should you have any questions about the land use plan, please contact Heidi Wiebe at [heidi.wiebe@shaw.ca](mailto:heidi.wiebe@shaw.ca) or (403) 984-3916.

Sincerely,

Edna Tobac,  
Executive Director  
Sahtu Land Use Planning Board

CC: Cheryl McLean, Senior International Negotiator, Husky Oil Operations Limited.