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Paul Dixon
Executive Director
Sahtu Land and Water Board
P.O. Box 1, Fort Good Hope
Northwest Territories
XOE OHO

June 3, 2014

RE: Response to the Sahtu Land and Water Boards questions on Imperial Oil's request for confidentiality of its security estimates for Water Licence S13L1-007

Dear Mr. Dixon,

The AANDC NWT Regional Office is writing to respond to the Sahtu Land and Water Board's (the Board) e-mail of June 2, 2014 which seeks clarification from parties in order to respond to Imperial Oil's letter dated May 30, 2014 regarding a motion for confidentiality.

The Board seeks parties' responses to the following questions:

- 1) Whether they need to see the details of the Imperial Oil security analysis,
- 2) If they do, they need to tell the SLWB in writing,
- 3) If your party is represented by legal counsel, tell the SLWB whether they can/will provide an undertaking to keep the information confidential - if this is a problem you need to tell the SLWB right away, and
- 4) If you want to see it, but do not have legal counsel, you need to contact the SLWB right away.

AANDC provides the following response:

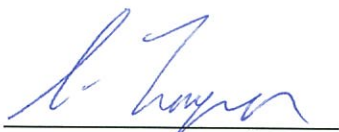
- 1) Yes, AANDC needs to see the details of the Imperial Oil (IORL) security analysis in order to fully represent the department and the Minister at the Water Licence hearings.
- 2) This letter serves as our written confirmation of the requirement to communicate our need to review the material to the Board.
- 3) Legal counsel for AANDC will provide an undertaking to keep the information confidential, in the form provided by SLWB counsel, and
- 4) Not relevant as we will have legal counsel.

We further advise that AANDC will be retaining the services of a third-party contractor to assist them with issues related to closure, reclamation, and security. As a result, AANDC will need to provide the confidential information to its contractor for that purpose, and agrees that their contractor will also be required to sign the undertaking. Finally, AANDC takes the position that any confidential information which IORL provides to them in the course of this proceeding will

be subject to the *Access to Information Act*, and in particular, would not be subject to disclosure under that Act as it is confidential information pursuant to s. 20(1)(b).

Should the Board seek any additional clarifications, please do not hesitate to contact me at (867) 669-2407.

Regards,

A handwritten signature in blue ink, appearing to read "S. Traynor", is written over a horizontal line.

Stephen Traynor
Special Advisor to the RDG