



Sahtu Land and Water Board

Staff Report

Division: Waters Program	Report No. 15
Date Prepared: July 25, 2019	File No. S13L1-007
Meeting Date: July 30, 2019	
Subject: Temporary Modification of the Type A Water Licence – Water Withdrawal from Alternative Location: Bear Island	
Project: Norman Wells Operations of Imperial Oil Resources N.W.T. Limited (Imperial): use of water, management of waste, and abandonment and reclamation activities.	

1. Purpose/Report Summary

The purpose of this Report is to present to the Sahtu Land and Water Board for consideration:

Water Licence Temporary Modification Request from Imperial Oil Resources N.W.T. Limited, to withdraw water from Mackenzie River at a location (Bear Island) that is not included in the approved list of water withdrawal locations under the Water Licence S13L1-007. This water withdrawal necessary for the Licensee, for usage of water for kill fluid and cement mixing during abandonment activities (abandonment of nine wells at the Bear Island location). (Please see Attachment 1).

2. Background

Modification Request Received: July 2, 2019

E-mail Distribution of Request: July 10, 2019

Written Approval from Inspector: July 11, 2019

Written Approval from GNWT-ENR: July 11, 2019

Request for Discussion from Affected Party (NWRRC): July 11, 2019

Teleconference with NWRRC and Proponent: July 24, 2019

Proponent (Written) Responses for Questions from NWRRC: July 29, 2019

Board Meeting: July 30, 2019

This Modification Request was accepted as per Part G, items 1 and 2, of Water Licence S13L1-007. They are as follows:

“Part G: Conditions Applying to Modifications

- 1. The Licensee may, without written consent from the Board, carry out Modification(s) to the water supply and Waste disposal facilities, bunkers, docks, bridges, flowlines, creek banks, and river banks provided that the Modification(s) are consistent with the terms of this Licence and the following requirements are met:*

- a) the Licensee has provided the details of the proposed Modification(s) to the Board, in writing, at least 60 days prior to the commencement of the Modification(s);
 - b) the Modification(s) does not place the Licensee in contravention of either the Licence, the Act or Federal, Territorial or Municipal Legislation;
 - c) the Board has not, during the 60 days following notification of the proposed Modification(s), informed the Licensee that review of the proposal will require more than 60 days; and
 - d) the Board has not rejected the proposed Modification(s).
2. Modification(s) for which all of the conditions referred to in Part G: Item 1, have not been met, can be carried out only with written approval from the Board.”

Please note that Imperial’s need is to get this modification approved in less than 60 days (Please see Attachment 1: In the request letter, Imperial discusses about starting operations by mid-July, that is, within three weeks from the submission of request).

3. Discussion

E-mail Distribution of Modification Request: SLWB Staff distributed the Modification Request from Imperial, to the Imperial Oil Distribution list of SLWB on July 10, 2019 (Attachment 1). Through this distribution, SLWB staff requested all affected parties and stakeholders to let SLWB know whether a formal review of Imperial’s Modification Request is required, or not.

Responses Received: Responses (to the distributed Modification Request) were received from: **A)** Tim Morton, Resource Management Officer (Inspector), Crown Indigenous Relations and Northern Affairs Canada (**CIRNAC**) (Attachment 2), **B)** Patrick Clancy, Environmental Regulatory Analyst, GNWT-Department of Environment and Natural Resources (**GNWT-ENR**) (Attachment 3) and **C)** Ruby, Secretary-Treasurer, Norman Wells Renewable Resources Council (**NWRRC**) (Attachment 4).

Both, the Inspector and GNWT-ENR, had no concerns with the proposed temporary modification as long as the conditions of the Licence are satisfied; they conveyed that, no formal review is required for the Modification Request at this time. Please see the Inspector’s Approval of Modification Request (Attachment 2) and GNWT-ENR’s response (Attachment 3); both e-mails were received on July 11, 2019.

NWRRC requested (e-mailed SLWB staff on July 11, 2019) for a meeting with Imperial to express their concerns and to clarify about the well abandonment activities that was mentioned in the Modification Request (Attachment 4).

Teleconference: Responding to NWRRC’s request (Attachment 4), SLWB Staff requested Imperial to arrange a meeting with NWRRC; a teleconference including all three stakeholders was scheduled for July 24, 2019.

During the meeting, NWRRC (Ruby and Rhea McDonald) expressed their need to have better clarity on the proceedings of the distributed Modification Request. SLWB Staff explained the purpose of the distributed Modification Request and reiterated the question whether NWRRC needs a formal review for the Modification request, or not. SLWB mentioned about the total allowed water withdrawal limits that Imperial is not expected to exceed, as per their Request letter (total water withdrawal limits under Water Licence S13L1-007: 3,500,000 m³/Yr and 16,000 m³/day; as per Schedule 3, item 1); and about expectations from Imperial (placing a screen to prevent fish capture, best water withdrawal and fuel management practices according to the Licence). Imperial assured that the total water withdrawal will be within the limits as per Water Licence S13L1-007, and they will follow the best practices as expected by the Licence. Imperial explained about the water usage, for kill fluid and for cement mixing for well abandonment.

3 questions were raised by NWRRC towards Imperial, during the teleconference:

1. What is the specific location for water withdrawal?
2. What is the methodology for water intake? NWRRC requested for more details as they were concerned about the safety of the fish and other aquatic organisms, during the water withdrawal process.
3. How much water will be required from the proposed location?

The three questions were answered to the satisfaction of NWRRC. (Attachment 5)

4. Conclusion and Recommendation

SLWB staff has reviewed the information provided by the Licensee (Imperial) and responses from Federal Inspector, GNWT-ENR and NWRRC. It was found that the proposed activity described in the Modification request will not violate the Water Licence (S13L1-007) conditions. Although Imperial requested the approval for modification in less than 60 days as defined in Water Licence Part G item 1, Board may consider approving their request, pursuant to Water Licence, Part G, item 2.

Arrangements may be made by the Board to approve the Modification Request from Imperial. Imperial may be advised to submit an Amendment Application for their Licence, to include other water intake locations in subsequent years, as this is not the first time such request has been made.

5. Reference Material Attached

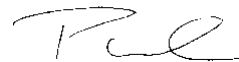
- 7.1. E-mail Distribution of Modification Request
- 7.2. Inspector approval of Modification Request
- 7.3. GNWT-ENR response to Modification Request
- 7.4. Request for discussion from NWRRC (in response to Modification Request)
- 7.5. Proponent Responses for questions from NWRRC
- 7.6. Draft SLWB Approval for Temporary Modification

Respectfully submitted,



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Executive Director Comments:



Paul Dixon
Executive Director