

MV2005 B0021
AP/Reg.

Sharon Debler

From: Land and Resources [landsnresources@katlodeeche.com]

Sent: Wednesday, October 26, 2005 10:30 AM

To: mvlwbpermit@mvlwb.com

Subject: letter

10/27/2005



Katlodeeche First Nation

P.O. Box 3060 Hay River Reserve, NT X0E 1G4 Phone (867)874-6701 Fax (867)874-3229 E-Mail: hrrdb@ssimicro.com

October 26, 2005

Adrian Paradis
Regulatory Officer
Mackenzie Valley Land and Water Board
7th Floor- 50th Avenue
PO Box 2130
Yellowknife, NT
X1A 2P6

Dear Mrs. Adrian Paradis:

This is to inform you that Chief and Council have met on October 17, 2005 and discussed the Land Use Application file: MV2005B0021 for Cameron Hills, Significant Discovery Licence 8, and they feel that there wasn't enough time or consultation on the application to make any comments or suggestions. Chief and Council also suggest that MVLWB should put more effort in informing and consulting First Nations.

If you have any questions or comments at any time call us @867-874-6701

Thank you,

Victoria St Jean
Lands and Resource
Katlodeeche First Nations



Indian and Northern
Affairs Canada

Affaires indiennes
et du Nord Canada

P.O. Box 1500
Yellowknife NT X1A 2R3

Your file Votre référence

Our file Notre référence

October 18, 2005

Chief Lloyd Chicot
Ka'a' Gee Tu First Nation
Kakisa Lake
c/o P O Box 4428
HAY RIVER NT X0E1G3

Mackenzie Valley Land
& Water Board

File

OCT 21 2005

Application # MU2005B0021
Copied To PLM/AP/EE6/BW

Fax: 867-825-2002

Dear Chief Chicot:

Paramount Resources Ltd.'s Land Use Permit Application MV2005B0021

I recently received a letter dated September 22, 2005 from Mr. Allan Landry requesting that Canada refer the Paramount Resources' application for a land use permit (MV2005B0021) to the Mackenzie Valley Environmental Impact Review Board for environmental assessment pursuant to Article 12 of the Deh Cho Settlement Agreement.

Before this department is able to act on Mr. Landry's request, we will require formal confirmation from you that Mr. Landry is, in fact, authorized to act on behalf of the Ka' a' Gee Tu First Nation in this regard. Confirmation of this authority could be in the form of a Resolution from the Ka'a' Gee Tu First Nation or a letter from you, confirming both the September 22 request and that Mr. Landry is authorized by the Ka'a' Gee Tu First Nation to request a referral pursuant to Article 12 of the Deh Cho Settlement Agreement. Identification of any other individuals authorized by the Ka' a' Gee Tu First Nation to make such requests would also be appreciated.

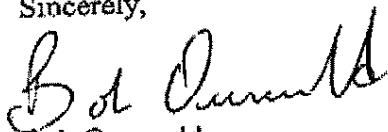
.../2



- 2 -

If you have any questions please contact myself or James Lawrance, Director, Aboriginal and Territorial Relations at 867-669-2583.

Sincerely,



Bob Overvold
Regional Director General
Northwest Territories

cc Grand Chief Herb Norwegian
Dehcho First Nations
Fax: (867) 695-2038

Gabrielle Mackenzie-Scott
Chair, Mackenzie Valley Environmental Impact Review Board
Fax: (867) 766-7074

Todd Burlingame
Chair, Mackenzie Valley Land and Water Board
Fax: (867) 873-6610

Shirley Maaskant
Manager, Regulatory and Community Affairs
Paramount Resources Ltd.
Fax: (403) 262-7994

Ed Hornby
District Manager
Indian and Northern Affairs Canada
Fax: (867) 669-2720

facsimile
TRANSMITTAL

Name: Distribution
Date: October 20, 2005
Pages: 3 , including cover

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Please see attached.

**From the Office of:
Bob Overvold
Regional Director General
Indian & Northern Affairs Canada
Northwest Territories
Box 1500
Yellowknife, NT X1A 2R3
Phone: (867) 669-2501
Fax: (867) 669-2703**

Sharon Debler

From: Tanja Rarog [Tanja_Rarog@gov.nt.ca]
Sent: Friday, September 30, 2005 4:05 PM
To: MacKenzie Valley (E-mail)
Cc: Rhian_Harrison@gov.nt.ca
Subject: Land Use Permit MV20050021- Cameron Hills Seismic 2-D Program

I have reviewed Land Use Permit Application MV2005B0021 and have no comments or concerns at this time. These are submitted from the Environmental Health Office with the Stanton Territorial Health Authority.

Tanja Rarog
Environmental Health Officer
Stanton Territorial Health Authority
1st Floor Diamond Plaza, 5204-50th Avenue
Yellowknife, X1A 1E2
Phone: (867) 669-6722
Fax: (867) 669-7517
E-mail: tanja_rarog@gov.nt.ca



Fisheries and Oceans
Canada

Pêches et Océans
Canada

Fish Habitat Management
Suite 101, 5204-50th 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*
MV2005B0021

Our file *Notre référence*
YK050084

14 October, 2005

Mackenzie Valley Land and Water Board
c/o Adrian Paradis
P.O. Box 2130
7th Floor, 4910 - 50th Avenue
Yellowknife, NT X1A 2P6

Mackenzie Valley Land
& Water Board

Title

OCT 14 2005

Application # MV2005B0021

Copied To AP / Reg.

Dear Mr. Paradis:

**RE: Paramount Resources Ltd., Seismic 2-D Program Land Use Permit
Application MV2005B0021, Cameron Hills Area, NT**

As requested in correspondence dated 23 September, 2005, the Department of Fisheries and Oceans, Fish Habitat Management – Western Arctic Area (DFO) has reviewed the Land Use Permit application MV2005B0021 submitted by Paramount Resources Ltd. to conduct a 2-D seismic project near the Cameron Hills, Northwest Territories. Our review was limited to potential impacts of the project on fish and fish habitat pursuant to the responsibilities of DFO under the habitat protection provisions of the *Fisheries Act*.

Under Sections 124 and 125 of the *Mackenzie Valley Resource Management Act (MVRMA)*, DFO is participating in a preliminary screening by providing specialist information and/or advice. DFO's assessment takes into consideration primarily fish and fish habitat related concerns.

Any concerns, comments or mitigation measures that DFO feels are pertinent to the above mentioned project are outlined in the attached letter, addressed to the proponent, and should also be considered specialist information and/or advice for the purposes of an *MVRMA* screening.

DFO appreciates the opportunity to provide comments on the above project and material. Please contact me at (867) 669-4919 if you have any questions or wish to discuss any of the foregoing in more detail.

Sincerely,

Dave Tysen
Area Habitat Biologist
Fish Habitat Management
Department of Fisheries and Oceans - Western Arctic Area

Canada

Fisheries
and OceansPêches
et OcéansFish Habitat Management
101-5204-50th Ave.
Yellowknife, NWT
X1A 1E2Your file *Votre référence*Our file *Notre référence*
YK050084

14 October, 2005

Paramount Resources Ltd.
4700, 888 – 3rd Street SW
Calgary, AB T2P 5C5Attention: Shirley Maaskant**RE: Paramount Resources Ltd., Seismic 2-D Program Land Use Permit
Application MV2005B0021, Cameron Hills Area, NT**

Dear Ms. Maaskant:

Fisheries and Oceans Canada, Fish Habitat Management – Western Arctic Area (DFO) received your proposal concerning a planned 2-D seismic exploration program near the Cameron Hills, NT. DFO has reviewed the information contained in the Land Use Permit and Water License applications submitted on your behalf by the Mackenzie Valley Land and Water Board on 23 September, 2005, pursuant to the habitat protection provisions of the *Fisheries Act*.

It is our understanding that:

- The proposed project involves the acquisition of 45 kilometres of 2-D seismic data in the Cameron Hills area, approximately 75 kilometres southwest of Enterprise, NT. This program is scheduled to be conducted during the winter months.
- Existing personnel accommodations in Alberta will be utilized.
- The program will either be shot with vibrators or dynamite.
- No water will be required for ice bridges, camp use, or any other constructions. Water required for drilling will be trucked in from Alberta.
- Cut lines will be cleared to a width of 6 m.
- Stream crossings will use clean snow-fill and be removed prior to break-up. Timber will be used to construct single span timber bridges if snow accumulation is insufficient. Timber span bridge construction will not disturb the bank and all bridges will be removed prior to break-up.
- A 45 metre buffer zone will be maintained between shot holes (0.5 kg charges) and any stream or lake.

Based on the information provided, we have concluded that since your project is to occur in and near fish-bearing waters, the proposed work may result in the harmful alteration,

Canada YK050084

Page 1 of 3

disruption or destruction of fish habitat if the appropriate mitigation is not applied. In addition to the measures set out in the project proposal, the following mitigation measures, if incorporated into the project, are intended to prevent any potentially harmful impacts to fish and fish habitat:

- Every effort should be made to retain riparian vegetation, as it is critical for the protection of littoral and riparian fish habitats as well as for providing cover and enhancing bank stability.
- Reclamation activities should include bank stabilization and re-vegetation as required.
- Bulldozers should be equipped with mushroom shoes for the blades to prevent disturbances to soil and vegetation.
- Please see the attached Operational Statement regarding Ice Bridge construction.

Depositing deleterious substances into fish bearing waters is prohibited as stated under subsection 36(3) of the *Fisheries Act*. The following additional mitigation measures are intended to prevent the deposition of deleterious substances and possible habitat disturbance or loss:

- All activities should be controlled to prevent the entry of debris, slash, rubble, sediment, or other deleterious substances into the water.
- Spills of oil, fuel or other deleterious material should be reported immediately, as per existing reporting protocols, to the NWT/Nunavut 24-hour Spill Report Line at (867) 920-8130, including all spills near or into a water body.

If the proposed work is carried out as described in the plans provided to DFO and mitigation measures are implemented as required, the proposed work will not be considered as contravening subsection 35(1) of the *Fisheries Act* which reads:

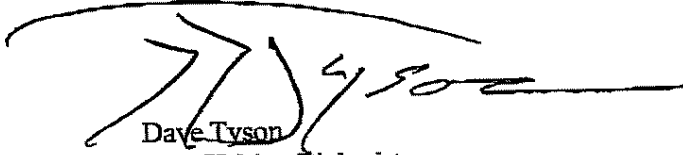
"No person shall carry on any work or undertaking that results in the harmful alteration, disruption or destruction of fish habitat."

Therefore, an Authorization under subsection 35(2) of the *Fisheries Act* will not be necessary. If the harmful alteration, disruption or destruction of fish habitat and/or the deposition of deleterious substances into fish bearing waters occurs as a result of an unapproved change in the plans for the proposed works or failure to implement the necessary mitigative measures, prosecution under subsection 35(1) and/or subsection 36(3) of the *Fisheries Act* may be initiated.

Please note that this Letter of Advice does not release the proponent of the responsibility for obtaining any other permits that may be required. This Letter of Advice will apply to this project for the period outlined in Land Use Permit Application MV2005B0021, if issued.

This Letter of Advice should be kept on site during any work in or around water and be understood by staff working at the site.

If you have any questions, please contact me at (867) 669-4919.

A handwritten signature in black ink, appearing to read 'Dave Tyson', with a long horizontal flourish extending to the right.

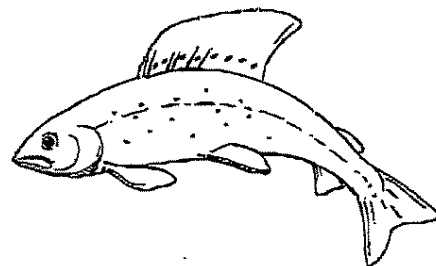
Dave Tyson
Area Habitat Biologist
Fish Habitat Management
Department of Fisheries and Oceans - Western Arctic Area

Copy: D. Majewski, A/Area Chief, Habitat, DFO-FHM
L. Dow, A/C&P Supervisor, DFO-C&P
A. Paradis, Regulatory Officer, MVLWB



Fisheries
and Oceans

Pêches
et Océans



Fish Habitat Management
Suite 101, 5204 – 50th Avenue
Yellowknife, Northwest Territories
X1A 1E2

TO/A:

Adrian Paradis
Regulatory Officer
Mackenzie Valley Land and Water Board
7th Floor, 4910 – 50th Avenue
P.O. Box 2130
Yellowknife, NT X1A 2P6

14 October, 2005

Fax (867) 873-6610

page 1 of 5

MESSAGE

Enclosed please find DFO-FHM comments on the following:

DFO File No.: YK050084

MVLWB File No.: MV2005B0021

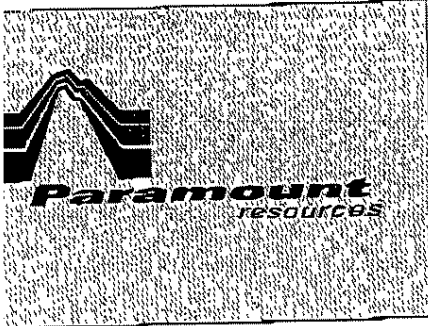
**Paramount Resources Ltd., Seismic 2-D Program Land Use Permit Application MV2005B0021,
Cameron Hills Area, NT - DFO Letter of Advice**

FROM/DE:

Dave Tyson
Area Habitat Biologist
Western Arctic Area

Telephone: (867) 669-4916
Facsimile: (867) 669-4940
Email: tysond@dfo-mpo.gc.ca

Canada



4700 Bankers Hall West, 888 3rd Street SW Calgary, Alberta, Canada T2P 5C5 www.paramountres.com
tel 403 290 3600 fax 403 262 7994

Mackenzie Valley Land
& Water Board

October 13, 2005

File

OCT 14 2005

Application # MV2005B0021

Copied To PLM/AP/Reg

Mackenzie Land & Water Board
PO Box 2130
Yellowknife, NT
X1A 2P6

Via Fax: (867) 873-6610

Attention: Adrian Paradis, Regulatory Officer

Re: **Cameron Hills 2D Seismic Program MV2005B0021**
ENR Letter (October 11, 2005)

Dear Mr. Paradis:

Thank you for providing Paramount Resources Ltd. (Paramount) with the opportunity to respond to reviewer's comments on the subject application. This letter specifically responds to Northwest Territories Environmental and Natural Resources October 11, 2005 comments.

Paramount proposed a 6m minimum line width which is the minimum width to safely utilize vibrators and conventional seismic drills. Paramount should have stated that this would also be the maximum line width. Paramount has experienced that avoidance and meandering cutting techniques are certainly viable and effective at 6 meter width.

The project is proposed to be underway as soon as possible after freeze-up to facilitate early in and early out to minimize any potential stress in the spring during calving season. Given the migratory nature and the potential vast extent of caribou range, there is no certainty that caribou will be present in the program area during operations.

The use of enviro-drills and heli-portable drilling has been explored for this region. Paramount concluded that the mitigation techniques proposed for the vibroseis or dynamite techniques far outweigh the potential safety risk of heli-portable seismic during darkness of winter, the blade downwash from low flying helicopters, associated helicopter noise and significant increase in project cost.

Paramount does not support prolonging the seismic project by repeatedly starting and stopping the project based on nearby caribou sightings. This would result in an increase of traffic, and increased overall time on the land to conduct the project.

Paramount committed to conducting the Cameron Hills Seismic Line Revegetation Study so that it could address the regeneration of vegetation that has been ongoing naturally on the cutlines within the Cameron Hills SDL area, and the cumulative effects study area presented in the Developers Assessment Report for EA03-005. Any cutline, regardless of age, presents habitat to some species, at different levels, and is not just relevant to caribou. Paramount sampled vegetation types within the Cameron Hills SDL, and feels that trend data that they collect, in addition to data collected by ENR in their revegetation sampling program, could be used to extrapolate trends for vegetation types crossed by this proposed 2D program, particularly in consideration of data collected in northern Alberta. Paramount does not feel that it would be practical or productive to do a re-growth assessment on every seismic program.

Paramount proposes windrow breaks every 400 m of at least 10 m in length to minimize the potential wicking effect during forest fires and to promote wildlife movement. This has been Paramount's standard in the region and there has been no evidence that this approach has not been effective and appropriate. Wildlife continues to use the habitat types crossed by the exploration lines, access routes and pipelines, and there has been no evidence of any wildlife being trapped within a right-of-way.

Paramount contacts the land use inspector to determine if reseedling is required after a growing season to assess the amount of natural re-growth. Paramount has proposed a seed mixture for use in the Cameron Hills, to promote stabilization of erosion prone slopes. This mixture has been approved by the MVLWB for use in the region. The mixture was formulated to be non-competitive with native plant species, so that natural encroachment could occur over time, providing a natural vegetation cover. To minimize introduction of noxious weeds into the project area, any seed utilized to stabilize erosion prone areas will be Certified Canada #1 seed, and appropriate seed certificates will be available for inspection at the time of seeding. The seed mixture used at Cameron Hills was:

Seed Species	%
Regreen wheat x wheatgrass	15
Awnead wheatgrass	25
Fall Rye	50
Slender Wheatgrass	10
Total	100

Paramount developed and continues to utilize Wildlife Sighting Cards recording all sightings in the area. The proper use of these cards will be reviewed with the crew prior to mobilization to the field.

It is anticipated that the only vehicles left on site necessitating refueling (diesel) would be the cats and the vibrators (if vibroseis is the choice). If conventional drills are used, they would refuel in Indian Cabins. All other vehicles would be refueled in Indian Cabins by commercial means. There will be no fuel stored on the program. All servicing, fluid top-ups, etc. will be completed in Indian Cabins, Alberta unless vehicle safety and integrity requires it to be done in the field.

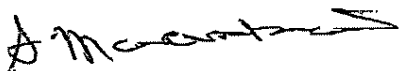
Any vehicles left in the field, necessitating fuel refueling would be equipped with drip pans under the engines (vibrators would also have pans under there hydraulics). All vehicles are equipped with Emergency Spill Kits. These kits are based on the amount of fuel the unit is either transporting or carrying in its own tanks. All containers conform to TDG requirements, the load placarded, and the driver TDG trained and possessing a certificate of same. All vehicles are equipped with appropriate fire extinguishers. All containers and tanks are secured in a manner to prevent shifting, swaying damage or escape from the vehicle.

Copies of GNWT's *Spill Contingency Planning and Reporting Regulations*, *Transportation of Dangerous Goods Regulations*, as well as the *Guideline for the General Management of Hazardous Waste in the NWT*, the *INAC Spill Reporting Protocol for Upstream Oil and Gas Operations* will be provided to the Prime Contractor well in advance of program commencement to insure compliance and protocols are met.

Recommended Location of Kit	Recommended Spill Kit Contents
On all heavy equipment	<ul style="list-style-type: none"> • Round Nose shovel or equivalent • 5 – 18"x18" absorbent pads or equivalent • Heavy Duty plastic garbage bag or equivalent
Pickup Truck carrying auxiliary fuel greater than 100 liters	<ul style="list-style-type: none"> • Round Nose shovel or equivalent • 10 – 18"x18" absorbent pads or equivalent • 2 – 3"x48" absorbent socks • 1 – small container of bio-remediation agent (i.e. Oil Gator) • 1 – small container of stop leak putty or crystals (i.e. Plug N' Dyke) • Heavy Duty Plastic Garbage Bags or equivalent • Personal Protective Equipment (not part of kit)

Thank you again for the opportunity to respond to reviewer's comments. If you have any questions, please do not hesitate to contact the undersigned at (403) 290-3618 or email me at shirley.maaskant@paramountres.com.

Yours Truly,
PARAMOUNT RESOURCES LTD.



Shirley Maaskant
 Manager, Regulatory & Community Affairs

Sharon Debler

From: Adrian Paradis [adrian@mvlwb.com]
Sent: Tuesday, October 11, 2005 3:24 PM
To: MVLWB Permit
Subject: FW: FW: Paramount Resources LUP application MV2005B0021, 2D seismic program- Request for Information

MV2005B0021

-----Original Message-----

From: Shirley Maaskant [mailto:Shirley.Maaskant@paramountres.com]
Sent: Tuesday, October 11, 2005 3:08 PM
To: TysonD@DFO-MPO.GC.CA
Cc: adrian@mvlwb.com; Warne Rhoades; JackBull@synterratech.com
Subject: Re: FW: Paramount Resources LUP application MV2005B0021, 2D seismic program- Request for Information

Paramount's response to your questions follows:

1. If project does proceed with dynamite as the source, the total amount of water required will be approximately 60 m³. Any water required will be obtained on the Alberta side and trucked in. No AB. Temporary Diversion Licence is required as water will be obtained in the "Green Area" and is exempt from the licence requirement. No water will be required for ice bridges or other constructions or camp use as there will be none required.
2. Setbacks will be 45m back from any watercourse frozen or not. Field scout indicates that any watercourses will be frozen top-bottom as they are part of the drainage basin.
3. Watercourse crossings will be required as project is 2D and access is required on both sides. Creek crossings will use clean snow-fill and be removed prior to breakup. If there is insufficient snow timber will be used to construct single span timber bridges. If timber span bridges are used they will span the watercourse completely and no structure will be within the watercourse nor will the bank be disturbed. All bridges no matter how constructed will be removed prior to breakup. Riparian vegetation will be maintained by using shoes on the tracks which will also preserve the duff layer. Due to timing of the project there should be ample snow cover and this will also be preserved to prevent any disturbance. At watercourse crossing where vegetation allows there will be no cutting, just walking the equipment over the vegetation. Every attempt will be made to preserve as much vegetation as possible while constructing the watercourse crossings.

Please don't hesitate to call or email if further clarification is required.

>>> <TysonD@DFO-MPO.GC.CA> 10/11/05 9:31 AM >>>
Shirley,

Please find below the information request submitted on 23 September, 2005 by Bruce Hanna on behalf of DFO.

As you will also note, Bruce directed that all communications after 29 September, 2005 should be forwarded to me.

10/13/2005

Dave

J. David Tyson, M.Sc., R.P.Bio.

Area Habitat Biologist | Biologiste de l'habitat régional

Western Arctic Area | Secteur de l'Arctique

Central & Arctic Region | Région Centrale et de l'Arctique

Fisheries & Oceans Canada | 101 5204-50th Avenue, Yellowknife, NT X1A 1E2

Pêches et Océans Canada | 5204, 50 avenue, bureau 101 Yellowknife (T.N.O.) X1A 1E2

Government of Canada | Gouvernement du Canada

867-669-4919 | facsimile/télécopieur 867-669-4940

tysond@dfo-mpo.gc.ca

-----Original Message-----

From: Hanna, Bruce

Sent: Friday, September 23, 2005 12:01 PM

To: 'Shirley Maaskant'

Cc: 'Adrian Paradis'; 'Wade.Romanko@ec.gc.ca'; Tyson, David; Majewski, Dorthy; Dow, Larry

Subject: Paramount Resources LUP application MV2005B0021, 2D seismic program- Request for Information

Hi Shirley, prior to finalizing the review of this project application I will need some additional information:

1. How much water will be required for the program (ie, access construction), and what water sources are proposed?
2. If explosives are used as the energy source what setback distance is proposed from waterbodies/ watercourses that are not frozen to the bottom?
3. If watercourse crossings are required what steps will be taken to prevent damage to riparian vegetation that can result in erosion issues in the spring (ie, lines hand cut in the vicinity of the stream banks/ vegetation "walked down" to minimize root system loss)?

My last day in the office until June, 2006 is Thursday, September 29th. After that time Dave Tyson will be the contact for this file and he is on the cc list. Dave's phone number is (867) 669-4919.

Thanks very much,

Bruce

Bruce Hanna

Habitat Biologist | Biologiste, Habitat

(867) 669-4931 | facsimile/ télécopieur (867) 669-4940

hannab@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 | 101-5204 50th Ave, Yellowknife, NT, X1A 1E2

Pêches et Océans Canada | 101-5204 50^e Ave, Yellowknife, T.N.-O, X1A 1E2

Government of Canada | Gouvernement du Canada

10/13/2005

Sharon Debler

From: Adrian Paradis [adrian@mvlwb.com]
Sent: Wednesday, October 12, 2005 8:39 AM
To: MVLWB Permit
Subject: FW: FW: Comments on the 2D Program - mv2005b0021

-----Original Message-----

From: Shirley Maaskant [mailto:Shirley.Maaskant@paramountres.com]
Sent: Tuesday, October 11, 2005 5:26 PM
To: adrian@mvlwb.com
Subject: Re: FW: Comments on the 2D Program

Paramount's comments on reviewer's comments are:

Denedeh submission - Paramount has no comment

Environment Canada - Paramount has no concern with these comments

INAC - Paramount has no concern with these comments

KTFN - Paramount believes this application should not be referred to Environmental Assessment and is awaiting clarification from INAC.

NEB - Paramount has no concern with these comments

NWTMN - as outlined in the Application, Mr Lafferty, President, received the seismic information package. While Paramount did not receive comments from NWTMN, we feel the Application includes appropriate information.

>>> "Adrian Paradis" <adrian@mvlwb.com> 10/11/05 3:53 PM >>>
[Shirley...here is most of the comments. I will try and scan ENR comments, again, the server went down and is causing some grief.](#)

[Adrian](#)

-----Original Message-----

From: Adrian Paradis [mailto:adrian@mvlwb.com]
Sent: Friday, October 07, 2005 2:16 PM
To: 'Shirley Maaskant'
Subject: Comments on the 2D Program

Shirley....for your own records the comments, to date, on the 2D program. E&NR is late with their comments I expect them on Tuesday. I will present the package on the October 19th meeting.

John D, is coming into the office this afternoon and we are going to finish the RFD's on the 5 well amendment after further discussions with the Chair. Todd, did not like the direction we went on the RFD and has requested that we fix them, again.

If I have time I will comment on the draft package you sent a couple of days ago and provide comments.

I will call later in the day to confirm where we are.

10/13/2005



Mackenzie Valley Land
& Water Board

File

OCT 11 2005

Application # MV3005B0021

Copied To AP/Reg

October 11, 2005

Adrian Paradis
Regulatory Officer
Mackenzie Valley Land and Water Board
PO BOX 2130
Yellowknife, NT X1A 2P6

VIA FACSIMILE

Dear Mr. Paradise

**PARAMOUNT RESOURCES LTD., MV2005B0021.
Cameron Hills 2D Seismic Program.**

The Department of Environment and Natural Resources (ENR) has reviewed the above land use permit application and has the following few comments or concerns.

It is recognized that the proponent commits to using avoidance-cutting techniques and meandering lines to reduce line of sight impacts and facilitate wildlife movements across lines. However ENR staff does have a concern with the width of the line. In section 2.4 on page 4 and section 4.2 on page 11 the proponent states that they will be using a minimum of 6m wide lines. ENR staff do not view a 6 m minimum line width as sufficient to minimize adverse impacts to wildlife nor are avoidance cutting techniques and meandering lines effective mitigations for line widths of that magnitude.

Section 79 of the federal Species at Risk Act states that adverse effects on listed species must be identified, and regardless of significance, mitigated and monitored. As woodland caribou (boreal population) is listed on Schedule 1 of the Act as Threatened, and are present in the project area, appropriate mitigations must be undertaken to minimize and manage potential adverse effects to this species.

Given the presence of woodland caribou and current level of disturbance in the project area the use of low-impact seismic techniques is preferred over the methods presented. The proponent should explore the possibility of using

equipment (such as "enviro-drills" or heli-portable drills) that minimize line width in combination with mulching, hand-cutting and limbing trees to reduce overall environmental damage.

As habitat alienation and fragmentation is identified as one of the threats to this species, we recommend that if caribou are encountered within 500m of the program that the proponent shut down operations.

ENR staff feel's that it is important to begin obtaining empirical re-growth information on existing seismic lines in Cameron Hills area. The proponent should be required to collect information as they have been under the EA-03-005 Seismic Line Regeneration Study. Knowledge about re-growth is as important in this Significant Discovery Licence as it is on the top of the Cameron Hills plateau.

The proponent proposes windrow breaks every 400 m. However, in ENR staff's opinion this is not sufficient to adequately minimize disturbance to wildlife movements. ENR staff recommends that breaks occur every 60m and are at least 10m in length. This ratio was first applied in the NWT during the construction of the Norman Wells to Zama pipeline in the early 1980's. Since then it has become ENR's standard suggestion for windrow design within the NWT.

The project description states that vegetation will be re-established by seeding where necessary (p. 13). As seed mixes have the potential to introduce undesirable invasive species that may ultimately affect wildlife habitat we request that any proposed seed mix be submitted for review and approval to Department of Environment and Natural Resources, South Slave Regional Biologist.

ENR staff would like to inform the MVLWB that they have requested but not received digital GIS information on this project and have thus been unable to asses this project against the NWT forest vegetation inventory, or its equivalent.

To aid in ENRs tracking of development and management of impacts to wildlife we request that Paramount Resources Ltd. provide ENR with a digital file of the linear corridors created or cleared for the proposed seismic program, including access corridors, as well as a record of any wildlife sightings made during the program (including, if possible, GPS locations). These should be provided to ENR's South Slave Regional Biologist. This will assist ENR staff in developing the Action Plan for Boreal Caribou as required under Federal SARA legislation.

Fuel Management, Spill Contingency Plan

Section 4.5 Waste Disposal, page.12, states that, "no camp or fuel storage is involved". However, Section 4.7 Fuels and Fuel Transfer, and the Fuel and Oil Spill Contingency Plan attached to the Application states "Fuel will be acquired in Indian Cabins, Alberta and transported to the program location by slip tanks in

the various support/fuel vehicles on the crew", and that there will be "transfers by either hand pump or 12 volt DC pumps from the slip tanks to the various units to be left in the field".

Section 5.0 Safety and Emergency Response Plan p.14 states that "A copy of Paramount's Safety Manual and Emergency Response Plan are on file with the MVLWB in Yellowknife, and copies of these documents will be given to the primary contractor". However, this does not address specific on-site plans including equipment and procedures to be used in the event of a spill during the proposed program.

It is thus implied, while not specifically stated, that there will be considerable quantities of fuel transported to and available on site, yet a site-specific spill plan for the working area has not been provided or referenced. The spill plan information should comply with *Spill Contingency Planning and Reporting Regulations*. Also, transportation of hazardous goods and waste, including fuel, may require compliance with *Transportation of Dangerous Goods Regulations* (NWT).

Section 7.0 Environmental Mitigation Measures, p.14, states that spilled fluid "would be removed from the land surface and placed in containment barrels and transported to the disposal site located at camp". Specific treatment and disposal options being considered for use at a contaminated site should be discussed with the regulatory authority prior to action being taken since pre-authorization by the regulatory authority may be required.

In addition, equipment-servicing wastes such as used engine oil, antifreeze, hydraulic oil, lead acid batteries, brake fluid and other lubricants may be generated on site that require transportation and approved disposal. Transportation and disposal of hazardous wastes in the NWT require Registration of the Generators, Carriers and Receivers and compliance with *Transportation of Dangerous Goods Regulations*.

The Proponent is requested to submit to the regulatory authority and have available to its contractors and field workers:

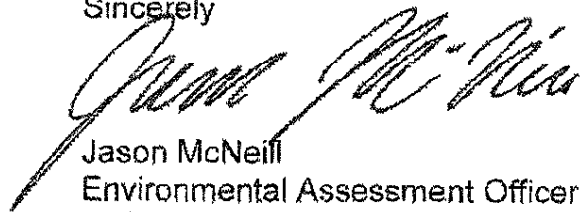
- 1) Project specific Contingency plans, including Emergency and Spill Response, for spills of hazardous substances that will be used throughout the project. These plans should address specific on-site measures to be used in the event of a spill in the proposed project area. The spill plan information should comply with *Spill Contingency Planning and Reporting Regulations*. This should include, but not be limited to, an inventory list of spill response equipment, and a site map showing response equipment locations and all planned hazardous materials and waste storage areas.

- 2) A Hazardous waste management plan that should comply with the *Environmental Guideline for General Management of Hazardous Waste* and the *Transportation of Dangerous Goods Regulations* (NWT).

In closing, the ENR would like to reinforce that the specific measures and commitments made by the proponent for activities in the Cameron Hills Area, as listed in *Report of Environmental Assessment and Reasons for Decision on the Paramount Resources Limited Cameron Hills Extension Project EA03-005 June 1, 2004*, should be included in licenses and permits issued for the proposed project.

Should you have any questions regarding the above, please contact Jason McNeill, Environmental Assessment Officer at 920-8071.

Sincerely



Jason McNeill
Environmental Assessment Officer
Policy, Legislation and Communications
Environment and Natural Resources

- C. Todd Paget
Industrial Specialist (Oil & Gas)
Environmental Protection, ENR

Karin Clark
Environmental Assessment Specialist
Wildlife, ENR

FAX TRANSMISSION SHEET

Policy, Legislation and Communications
Government of the Northwest Territories
5102 - 50th Avenue, 6th Floor Scotia Centre
P.O. Box 1320
Yellowknife NT X1A 2L9
Canada

Tel: (867) 920-8071
Fax: (867) 873-4021

Date: October 11, 2005

To: Adrian Paradis
Mackenzie Valley Land and Water Board

Fax: 873-6610

This fax contains 5 page(s), including the cover sheet.

From: Jason McNeill
Environmental Assessment Officer
Policy, Legislation and Communications
Tel: (867) 920-8071
Fax: (867) 873-4021
e-mail: jason_mcneill@gov.nt.ca

Comments:

Comments on the Paramount Application MV2005B0021

The documents accompanying this transmission contain information intended for a specific individual and purpose. The information is private, and is legally protected by law. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reference to the contents of this telecopied information is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original to us by mail.



Indian and Northern
Affairs Canada
www.inac.gc.ca

Affaires indiennes
et du Nord Canada
www.ainc.gc.ca

#16 Yellowknife Airport
Yellowknife NT X1A 3T2

Telephone: (867) 669-2761
Facsimile: (867) 669-2720

Your file - Votre référence

Our file - Notre référence

MV2005B0021
Mackenzie Valley Land
& Water Board

File _____

OCT 06 2005

Application # MV2005B0021

Copied To PUY/AP/Reg

October 5, 2005

Mackenzie Valley Land and Water Board
PO Box 2130
Yellowknife NT X1A 2P6

ATTENTION: Adrian Paradis

Dear Mr. Paradis:

**Re: LUP Application MV2005B0021 - Paramount Resources Ltd.
2D Seismic
Cameron Hills**

On behalf of DIAND, the above mentioned land use permit application for Paramount Resources Ltd. has been reviewed. Attached for your consideration are our inspectors' recommended land use operating conditions for this proposed operation.

DIAND is in receipt of a letter dated 22 September, 2005, from Ka'a Gee Tu First Nation, copied to the Mackenzie Valley Land and Water Board and attached, requesting that this department refer this project for an environmental assessment. The department is currently seeking clarification of this request from the Ka'a Gee Tu First Nation, and will inform the Board of its intentions at the soonest possible date.

Comments received from Land Administration and Water Resources are also attached.

Should you have any questions please contact Charlene Coe at (867) 669-2762 or Michelle Pond at 669-2765.

Yours truly,

Edward R. Hornby
District Manager
South Mackenzie District

ERH/mp

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Michelle Pond - LUPA MV2005B0021, Paramount 2D Seismic

From: Andrew Forbes <dianddf@northwestel.net>
To: michelle pond <PondM@inac-ainc.gc.ca>
Date: 9/27/2005 11:54:14 AM
Subject: LUPA MV2005B0021, Paramount 2D Seismic

See attached comments & rec permit conditions

CC: charlene coe <coec@inac-ainc.gc.ca>

*Direct to include
note & letter
describing.*

LAND USE PERMIT APPLICATION
HAY RIVER SUB-DISTRICT COMMENTS & RECOMMENDATIONS

TO:

**Regulatory Officer
South Slave / Deh Cho
Mackenzie Valley Land & Water
Board
7th Floor - 4910 50th Ave.
Yellowknife, NT, X1A 2P6
Ph: (867)669-0506
Fax: (867)873-6610**

FROM:

**Andrew Forbes
Resource Management Officer,
DIAND
41 Capital Drive, #203
Hay River, NT X0E 1G2
Ph: (867)874-6995
Fax: (867)874-2460
dianddf@cancom.net**

Date: Sept 27/05

Land Use Application #: MV2005B0021

Applicant: Paramount Resources

Location: Cameron Hills

Type of Operation: 2D Seismic

Pre-inspection conducted: Yes: No: x

Comments resulting from pre-inspection:

Explanation for not conducting a pre-inspection:

I am very familiar with the area. A pre-inspection would be of no significant benefit at this time.

Recommendations:

I recommend that the land use permit be issued as applied for and that the attached recommended permit conditions be used.

26(1)(a) LOCATION AND AREA

The Permittee shall not conduct this land use operation on any lands not designated in the accepted application.

PLANS

26(1)(b) TIME

The Board, for the purpose of this operation, designates April 1, as spring break-up.

SPRING BREAK-UP

The Permittee shall contact an Inspector at (867) 874-6602 and the Board (867)669-0506 at least forty-eight (48) hours prior to the commencement of this land use operation and provide the following information:

CONTACT INSPECTOR/
BOARD

- (a) Planned start date.
- (b) Person, or persons in charge of the field operations to whom notices, orders may be served.
- (c) Alternates, and
- (d) All methods for contacting the above person(s).

REPORTS BEFORE
REMOVAL

The Permittee shall advise an Inspector at least ten (10) days prior to the completion of the land use operation:
(a) of the plan for removal or storage of equipment and materials.
(b) when final clean-up and restoration of the land used will be completed.

SHUT-DOWN DATE

The Permittee shall not conduct any overland movement of equipment and vehicles after 0800 hours local time on April 1, unless otherwise authorized in writing by an Inspector.

RESTORATION

The permittee shall prior to spring break-up, complete all snow fill and ice bridge removals, brush and timber disposal, erosion control activities and all other restoration ordered in writing by a land use inspector.

CLEAN-UP

The Permittee shall complete all clean-up and restoration of the lands used prior to the expiry date of this Permit.

26(1)(c) TYPE AND SIZE OF EQUIPMENT

The Permittee shall not use any equipment except of the type, size, and number that is listed in the accepted application.

ONLY APPROVED
EQUIPMENT

26(1)(d) METHODS AND TECHNIQUES

The Permittee shall construct and maintain winter roads with a minimum of ten (10) centimeters packed snow at all times during this land use operation. If this cannot be done, then the Permittee shall construct Ice Roads in a manner authorized by an Inspector.

SNOW ROADS/ ICE
ROADS

26(1)(e) TYPE, LOCATION, CAPACITY AND OPERATION OF ALL FACILITIES

The Permittee shall mark all seismic lines at least once every one and a half (1.5) kilometres with a permanent marker indicating the Land Use Permit number.

MARKERS/ SEISMIC
LINES

26(1)(f) CONTROL OR PREVENTION OF PONDING OF WATER, FLOODING, EROSION, SLIDES AND SUBSIDENCE OF LAND

The land use operation shall not cause obstruction to any natural drainage.

The Permittee shall not use any material other than water in the construction of ice bridges.

The Permittee shall not use any material other than snow in the construction of snow fills.

The Permittee shall not use the bed of streams for access routes except for the purpose of crossing the streams.

The Permittee shall not cut any stream bank.

The Permittee shall construct berms and/or ditches across the right-of-way at intervals of not less than thirty (30) meters on slopes exceeding five per cent (5%) prior to the commencement of the first spring break-up after construction of the right-of-way.

The Permittee shall not move any equipment or vehicles unless the ground surface is in a state capable of fully supporting the equipment or vehicles without rutting or gouging.

NATURAL DRAINAGE

ICE BRIDGE MATERIAL

SNOW FILLS

STREAM BED ACCESS

STREAM BANKS

EROSION CONTROL RIGHTS-OF-WAY

VEHICLE MOVEMENT FREEZE-UP

26(1)(g) USE, STORAGE, HANDLING AND ULTIMATE DISPOSAL OF ANY CHEMICAL OR TOXIC MATERIAL

The Permittee shall dispose of all combustible waste petroleum products by incineration or removal.

The Permittee shall report all spills immediately to the 24 hour Spill Report Line (867) 920-8130, which is in accordance with instructions contained in "Spill Report" form N.W.T. 1752/0593.

WASTE PETROLEUM DISPOSAL

REPORT CHEMICAL AND PETROLEUM SPILLS

26(1)(h) WILDLIFE AND FISHER HABITAT

The Permittee shall minimize damage to wildlife and fish habitat in conducting this land use operation.

The Permittee shall construct and maintain all structures placed in streams frequented by fish, in such a manner that will not obstruct passage of fish.

HABITAT DAMAGE

FREE FISH MOVEMENT

26(1)(i) STORAGE, HANDLING AND DISPOSAL OF REFUSE OR SEWAGE

The Permittee shall dispose all sewage and gray water as proposed in the accepted application.

The Permittee shall remove all garbage, including plastics, from the land use area to a disposal site as specified in the accepted application.

The Permittee shall remove all scrap metal, discarded machinery, parts, barrels and kegs, buildings and building material.

SEWAGE DISPOSAL

REMOVE GARBAGE

REMOVE WASTE MATERIAL

26(1)(i) PROTECTION OF HISTORICAL, ARCHAEOLOGICAL AND BURIAL SITES

The Permittee shall immediately cease any activity which disturbs an archaeological, historical, and/or burial site and contact the Mackenzie Valley Land and Water Board at (867)669-0506 should an archaeological site of specimen be encountered or disturbed by any land use activity.

CONTACTS

26(1)(m) FUEL STORAGE

The Permittee shall not allow petroleum products to spread to surrounding lands or into water bodies.

FUEL CONTAINMENT

26(1)(n) METHODS AND TECHNIQUES FOR DEBRIS AND BRUSH DISPOSAL

The Permittee shall dispose of all brush and debris cleared from the line by:
(a) windrowing the debris and brush to the side of the line; and
(b) making breaks in the windrow of at least seven (7) meters wide at intervals of not more than three hundred and thirty (330) meters.

BRUSH DISPOSAL

The Permittee shall make the windrow of brush and debris lie flat and compact by:
(a) bucking the material into suitable lengths and lopping the branches from the stem; and/or
(b) crushing with heavy machinery in order to compact the material.

BRUSH DISPOSAL

26(1)(o) RESTORATION OF THE LANDS

The Permittee shall establish revegetation on all areas stripped to mineral soil during this land use operation, to a minimum of seventy per cent (70%) ground cover, within one (1) year of the completion of the operation.

REVEGETATE STRIPPED AREA

26(1)(p) DISPLAY OF PERMITS AND PERMIT NUMBERS

The Permittee shall keep on hand, at all times during this land use operation, a copy of the Land Use Permit.

COPY OF PERMIT

26(1)(q) MATTERS NOT INCONSISTENT WITH THE REGULATIONS

The Permittee shall, while preparing the access road, make every effort to avoid covering or destroying traps or snares that may be found along these routes.

TRAPS PROTECTION

The Permittee shall restore any trails used by trappers or hunters along access routes by slashing any and all trees that may fall across these paths or trails and by removing any other obstructions such as snow piles or debris that may be pushed across the trails.

TRAILS RESTORATION

Michelle Pond - Mv2005B0021

From: Sandra Bradbury
To: Charlene Coe; Michelle Pond
Date: 9/23/2005 12:39:12 PM
Subject: Mv2005B0021

No concerns on this application

Sandra Bradbury
Senior Land Specialist
Land Administration
867-669-2695 Ph
867-669-2713 Fax



Indian and Northern
Affairs Canada
www.inac.gc.ca
P.O. Box 1500
Yellowknife, NT X1A 2R3

Affaires Indiennes
et du Nord Canada
www.ainc.gc.ca

Voire filp - Votre référence

Our file - Notre référence

October 3, 2005

Michelle Pond
Assistant Land Use Administrator
South Mackenzie District

**Re: Land Use Application MV2005B0021
Paramount Resources Limited**

The Water Resources Division (WRD) has reviewed the Land Use Permit Application by Paramount Resources Ltd. for 2D seismic in the Cameron Hills area. WRD is pleased to note that Paramount Resources Ltd. has committed to only using clean snow and ice in winter creek crossings, and that all crossings will be removed before break-up.

WRD offers the following comments for consideration:

- The Fuel and Oil Spill Contingency Plan (Appendix 4) should include a list of available spill clean-up equipment on site. It is noted that a list of operating equipment is mentioned in the Environmental Impact Assessment (Appendix 3), however a list of spill clean-up equipment is omitted.
- The use of booms is indicated as a containment measure for spills on open water in the Environmental Impact Assessment (Appendix 3), however a contingency plan for spills on water is omitted from the Fuel and Oil Spill Contingency Plan (Appendix 4) and there is no mention if these booms will be stored on site (see previous comment). WRD recognizes that the project is being undertaken in winter, however open sections of water do persist throughout the year in creeks with significant flow.

If you require further assistance, please contact Mike Palmer at (867) 669-2698 or Kathleen Racher at (867) 669-2749 of the Water Resources Division.

Sincerely,


Kathleen Racher
Manager

Water Resources Division

Canada

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**Joe Acorn, M.A.Sc. (Civil Engineering)
Environmental and Regulatory Consultant**

P.O. Box 53, Yellowknife, NT X1A 2N1
Tel: (867) 766-2455
Fax: (867) 873-9190
E-mail: jacorn@thozinc.ca

Fax Cover Page

To: Bob Overvold, Indian and Northern Affairs Canada 669-2703

c.c. Grand Chief Herb Norwegian, Dehcho First Nations (867) 695-2038
 David Livingstone, Indian and Northern Affairs Canada 669-2707
 Gabrielle Mackenzie-Scott, MVEIRB 766-7074
 Todd Burlingame, MVLWB 873-6610
 Shirley Maaskant, Paramount Resources Ltd. (403) 262-7994

From: Joe Acorn (867) 873-9190

Date: Sept. 22, 2005

Pages: 3 including the cover page

Re: **Paramount Resources Ltd.'s Land Use Permit Application MV2005B0021**

Please see the attached letter from the Ka'a'Gee Tu First Nation to Indian and Northern Affairs Canada.

Joe Acorn

Joe Acorn

FEED FAX THIS END

FAX	
To:	<u>Michelle Pond</u>
Dept.:	<u>District</u>
Fax No.:	<u>669-2720</u>
No. of Pages:	<u>3</u>
From:	<u>Froise Fournier</u>
Date:	<u>Oct 4/05</u>
Company:	<u>INAC</u>
Fax No.:	_____
Comments:	<u>For you</u>
	<u>Letter</u>

KA'A'GEE TU FIRST NATION



Kakisa Lake c/o P.O. Box 4428
Hay River, N.W.T. X0E 1G3

Tel: (867) 825 - 2000

Fax: (867) 825 - 2002

email: kakisa@asknetmicro.com

Sept. 22, 2005

Bob Overvold
Regional Director General – Northwest Territories
Indian and Northern Affairs Canada

Re: **Paramount Resources Ltd.'s Land Use Permit Application MV2005B0021**

Recently, Paramount Resources Ltd. (Paramount) applied to the Mackenzie Valley Land and Water Board (MVLWB) for a new land use permit (LUP). This LUP application is for approximately 45 km of a 2-D seismic program on Significant Discovery License 8, which is located just west of the Mackenzie Highway and just north of the NWT-Alberta border.

The Ka'a'Gee Tu First Nation (Ka'a'Gee Tu) is of the opinion that this proposed project could have an adverse impact on the environment of the Ka'a'Gee Tu's traditional territory and has decided to exercise its rights under Article 12 of the *Settlement Agreement* between Deh Cho First Nations (DFN) and the Government of Canada (Canada) dated July 8, 2005.

The Ka'a'Gee Tu hereby requests that Canada immediately refer the proposed development to the Mackenzie Valley Environmental Impact Review Board (MVEIRB) for environmental assessment.

Please provide the Ka'a'Gee Tu with a copy of your referral letter to the MVEIRB.

Sincerely,

Allan Landry
Ka'a'Gee Tu Band Councilor and Oil and Gas Advisor

c.c. Grand Chief Herb Norwegian
Dehcho First Nations

David Livingstone
Director, Renewable Resources and Environment
Indian and Northern Affairs Canada

Gabrielle Mackenzie-Scott
Chair, Mackenzie Valley Environmental Impact Review Board

Todd Burlingame
Chair, Mackenzie Valley Land and Water Board

Shirley Maaskant
Manager, Regulatory and Community Affairs
Paramount Resources Ltd.



Environment Canada / Environnement Canada

Environmental Protection Branch
Suite 301, 5204 - 50th Avenue
Yellowknife, NT X1A 1E2
Tel: (867) 669-4700
Fax: (867) 873-8185

Mackenzie Valley Land & Water Board

File: _____
SEP 30 2005

Application # MV2005B0021
Classified To AP/Reg

Sept. 30, 2005

Our file:

Adrian Paradis
Mackenzie Valley Land and Water Board
7th Floor, 4910-50th Avenue
P.O. Box 2130
Yellowknife, NT X1A 2P6
Fax: (867) 873-6610

Re: Land Use Permit Application MV2005B0021 - Paramount Resources Ltd. - 2D Seismic - Cameron Hills, Significant Discovery Licence 8, NT.

On behalf of Environment Canada, I have reviewed the information provided in support of the 2D seismic program permit application. Environment Canada's contribution to your request for specialist advice is based primarily on the mandated responsibilities of Section 36(3) of the *Fisheries Act*, and the *Canadian Environmental Protection Act, Migratory Birds Convention Act and Regulations*, and the *Species at Risk Act (SARA)*.

Comments and Recommendations

- The proponent must ensure that any fuel or hazardous wastes associated with the proposed project are properly handled, transported, and disposed of. It is a requirement of Section 36(3) of the *Fisheries Act*, which specifies that unless authorized by federal regulation, no person shall deposit or permit the deposit of deleterious substances of any type in water frequented by fish.
- Water crossings should be at right angles to streams. Snow and ice fill crossings should be used and removed or V-notched when finished to avoid ice damming in spring.
- Paramount indicates the minimum line width will be cleared is 6 metres on source/receiver lines to allow for a debris pile and passing of the vibrators. Environment Canada recommends 6 (six) metres be the maximum width of cutlines and the proponent maximize the use of existing cut areas, burn areas, trails and cutlines for debris piling and equipment turnarounds.
- Seismic access should only be conducted on frozen, snow packed ground.
- The *Species at Risk Act (SARA)* came into full effect on June 1, 2004. While conducting their operations, the proponent should be aware of the special status, and minimize

Environnement Canada / Environment Canada



disturbance to, or contact with, these species. Species at risk that may be encountered in this area include:

- o Wolverine, Special Concern – pending addition to schedule 1
 - o Woodland Caribou, Threatened
- Although this work is being conducted during the winter when there will be no direct contact with migratory birds, Section 35 of the *Migratory Bird Regulations* states that "no person shall deposit or permit the deposit of, oil, oil wastes or any other substance harmful to migratory birds in any waters or any area frequented by migratory birds". Therefore, activities on frozen water that will later in the year become habitat for migratory birds must be mitigated according to the measures proposed by the proponent. If harmful substances do come into contact with waterbodies that are frequented by migratory birds during the open water season, then these must be completely cleaned up following the procedures identified by the proponent and subject to final approval by an Inspector.
 - 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 proponent's representatives (including contractors) conducting operations in the field. Environment Canada recommends that all field operations staff be made aware of the proponent's commitments to these mitigation measures and provided with appropriate advice/training on how to implement these measures.

Changes in the proposed or permitted activities associated with this land use application would require further review. I can be contacted at (867) 669-4736 (by e-mail at wade.romanko@ec.gc.ca).

Sincerely,



Wade Romanko
Environmental Emergencies and Assessment Officer
Engineering and Emergency Science Section

cc: Vanessa Charlwood, Environmental Conservation Branch, Yellowknife.



**Environment
Canada**

**Environnement
Canada**



**Environmental Protection
Suite 301, 5204 - 50th Ave.
Yellowknife, NT X1A 1E2**

DATE: SEPT 30/05

FROM: Wade Romanko

TO: ADRIAN PARADIS

Environmental Emergencies & Assessment Officer

MVLWB

PHONE: (867) 669-4736

FAX: (867) 873-8185

FAX: 873-6610

E-Mail : wade.romanko@ec.gc.ca

Number of pages including cover: 3

Subject:

MESSAGE:

Please contact (867) 669-4736 if this facsimile is not complete.

National Energy
BoardOffice national
de l'énergie

NEB File:
Your File: MV2005B-0021
3 October 2005

Mackenzie Valley Land
& Water Board

Mr. Adrian Paradis
Regulatory Officer
Mackenzie Valley Land and Water Board
P.O. Box 2130
Yellowknife, Northwest Territories
X1A 2P6
Facsimile (867) 873-6610

File

OCT 04 2005

Application # MV2005B0021
Copied To AP/Reg.

Dear Mr. Paradis:

**Paramount Resources Ltd. (Paramount), Cameron Hills Significant Discovery Licence 8, NT
Land Use Permit Application for 2D Seismic Program (Vibroseis/Dynamite), Winter 2006**

On 23 September 2005, the National Energy Board (NEB) received a copy from your office of Paramount's application for the subject Land Use Permit. As yet, Paramount has not applied to the NEB pursuant to paragraph 5(1)(b) of the *Canada Oil and Gas Operations Act* (COGOA) for a Geophysical Operations Authorization. However, we note that the program is intended to provide geophysical data to delineate potential oil and gas reserves on Significant Discovery Licences for oil and gas held by Paramount.

An NEB authorization is required to undertake the seismic program, therefore the NEB is the designated regulatory agency (DRA) for the development. Applications to the NEB, pursuant to subsection 5(1)(b) of the *Canada Oil and Gas Operations Act* (COGOA), for a Geophysical Operations Authorization would trigger a *Mackenzie Valley Resource Management Act* (MVRMA) preliminary screening requirement. However, we note that the Mackenzie Valley Land and Water Board (MVLWB) is undertaking a preliminary screening for the development and therefore, the NEB is not required to conduct a preliminary screening.

The following information should be considered in your screening. As the DRA for the development, the NEB will review the MVLWB Preliminary Screening Report prior to any acceptance of the Report to meet NEB's requirements under the MVRMA and prior to any NEB authorization(s) for the development. Upon completion, please forward a copy of your Preliminary Screening Report to me by e-mail at promanchuk@neb-one.gc.ca or by facsimile to (403) 292-5876.

444 Seventh Avenue SW
Calgary, Alberta T2P 0X8

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

Telephone/Téléphone : (403) 292-4800
Facsimile/Télécopieur : (403) 292-6503
<http://www.neb-one.gc.ca>

Scope of the Development Proposal

We have reviewed Paramount's proposed program and environmental impact assessment and we provide the following comments to the MVLWB in respect of the scope of the application. We suggest that the following categories, based on the Preliminary Screening Report Form¹ Sections 1, 2 and 3, would apply with respect to the Paramount proposal.

1. Type of Development

- New Development
- Requires permit, licence or authorization

2. Principal Activities (relating to scoping)

- Operation
- Exploration (seismic data acquisition)
- Linear / Corridor (seismic data acquisition)

3. Principal Development Components (relating to scoping)

- Automobile, Aircraft or Vessel Movement (vehicles and equipment)
- Fuel Storage
- Slashing and Removal of Vegetation
- Stream Crossing / Bridge (snow and ice bridges)
- Waste management
 - waste generation
- Other - Water intake for ice bridges

At this time we have no specific conditions or recommendations for attachment to any other regulatory authority's permits, licences, or authorizations as a result of our examination of Paramount's proposed program. Please note that the information and operator's requirements outlined below are contained in the COGOA, the *Canada Oil and Gas Geophysical Operations Regulations* (Geophysical Regulations), or will be addressed in any authorization of the geophysical program by the Chief Conservation Officer (CCO). As well, additional operator requirements for safety, protection of the environment and conservation of the resources specified in the COGOA, the Geophysical Regulations and the *Oil and Gas Occupational Safety and Health Regulations* (OSH Regulations) will, as appropriate, continue to apply to the operator.

Seismic Program

We recommend that the following information be taken into consideration by the MVLWB in your preliminary screening with respect to the seismic program. Please note that this is not an inclusive listing:

- With regards to seismic operations, section 8 of the Geophysical Regulations requires that every

¹ The Preliminary Screening Report Form is found in the Mackenzie Valley Environmental Impact Review Board's March 2004 *Environmental Impact Assessment Guidelines*.

operator take all reasonable safeguards against damage to property as a result of geophysical operation;

- Section 9 of the Geophysical Regulations requires that, where a fire occurs as a result of a geophysical operation, the operator shall take all safe and reasonable measures to control and extinguish the fire and to minimize any danger to persons, property or the environment that results or may be reasonably expected to result from the fire;
- With regards to refuse, section 10 of the Geophysical Regulations requires that every operator ensure that all refuse produced as a result of the geophysical operation is handled as follows
 - (i) all fuel, oily material or lubricants are collected in a closed system that is designed for that purpose, and
 - (ii) all oil or oily material that is not burned at the field location where the operation is conducted and all non-combustible material is transported in a suitable container to, and disposed of at, a suitable disposal facility on land;
- Subsection 16(c) of the Geophysical Regulations requires that every operator ensure that no work that is related to the operation is conducted within 2 m of a survey monument; and
- With regards to seismic operations, subsection 17(1) of the Geophysical Regulations requires that the seismic energy source (vibroseis or dynamite) is
 - (i) located so that, when the energy source is activated, no damage is caused to any mines, pipelines, buried utilities, buildings, dams or oil, gas or abandoned wells,
 - (ii) placed a minimum 15 m from any oil or gas well or the centre line of any oil or gas pipeline, and
 - (iii) placed a minimum 32 m from any dam or water well and 50 m from any residence, structure or area of public congregation.

The following information should also be noted:

- all reportable spills should be reported to the 24-hour NWT Spill Line (867-920-8130) – the Spill Line contractor will assign the appropriate lead agency, e.g., Indian and Northern Affairs Canada (INAC);
- the operator should adhere to INAC's December 2003, "Spill Reporting Protocol for Upstream Oil and Gas Operations";
- the CCO notes that Paramount and any contractors must meet the requirements of the OSH Regulations for the development; and
- the NEB will review Paramount's and/or any contractor's emergency response/spill contingency information with respect to
 - (i) procedures for the activation of the plan,
 - (i) an identification of, and response tasks of, the personnel,
 - (ii) an identification of available resources (including contact lists),
 - (iii) an acceptable level of preparedness (hazard analysis, training and maintenance of response equipment),
 - (iv) response procedures for environmental spills (including fuel spills and equipment

- leaks),
- (v) a waste management plan (from operations, equipment maintenance, personal garbage, and camp operations),
 - (vi) procedures and criteria for crossing of steep hills and slopes,
 - (vii) line clearing standards,
 - (viii) fuel storage plan,
 - (ix) emergency response procedures in case of fire,
 - (x) decision flow charts, and
 - (xi) emergency and spills reporting forms and procedures.

If you have any questions regarding the above, please call me at (403) 299-3906 or e-mail at promanchuk@neb-one.gc.ca. Thank you.

Yours truly,



Pamela Romanchuk, B.Sc., P.Ag.
Environmental Specialist
pct/2D PS Notification Response.wpd

cc: Ms. Shirley Maaskant, Paramount (403-264-9206)

National Energy Board



Office national de l'énergie

OUTGOING FACSIMILE - MESSAGE - À EXPÉDIER

TO / À	Date: <i>3 October 2005</i>	Number of Pages (incl. Cover) Nombre de pages (incluant la couverture): <i>5</i>
	Message To / Destinataire: <i>Adrian Poradis</i>	Facsimile Number / Numéro de télécopier: <i>(867) 873-6610</i>
	Organization / Organisation: <i>MacKenzie Valley Land & Water Board</i>	
FROM / DE	Message from / Expéditeur: <i>Pam Romanchuk</i>	Telephone Number / Numér de téléphone: <i>(403) 299-3906</i>
	Branch / Direction: EXPLORATION & PRODUCTION; OPERATIONS	Facsimile Number / Numéro de Téléphone: <i>(403) 292-5876</i>

Comments / Commentaires:

Please see attached letter regarding Paramount 20 Review.

Pam

444 Seventh Avenue SW
Calgary, Alberta T2P 0X8

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



Telephone/Téléphone : (403) 292-4800
Facsimile/Télécopieur : (403) 292-5803
<http://www.nsb-one.gc.ca>

File

SEP 30 2005

Application # MY2005B0021

Copied To AP/Reg.



NORTHWEST TERRITORY MÉTIS NATION

September 30, 2005

File: MV2005B0021

Regulatory Officer
Mackenzie Valley Land and Water Board
7th Floor – 4910 50th Avenue
P.O. Box 2130
Yellowknife NT X1A 2P6

Dear Adrian Paradis:

**Land Use Permit Application
Paramount Resources Ltd.
Seisim 2D Program, Cameron Hills, Significant Discovery License 8**

Regarding your September 16, 2005, letter in respect of this project and requesting our comments by October 7, 2005, please be informed that while this is a highly important file to our organization, we feel we must point out some disturbing matters regarding same.

Our response is primarily to point out several pertinent facts:

- The Northwest Territory Métis Nation (NWTMN) is currently at the table negotiating a lands and resources Contract with Canada and the GNWT.
- The proposed project falls within NWTMN traditional territory.
- A map delineating the (NWTMN) traditional territory will be tabled at the negotiating main table next and will subsequently become a public document.

We at the Northwest Territory Métis Nation (NWTMN) have always been pleased with the comprehensive definition of consultation found in the *Mackenzie Valley Resource Management Act* (MVRMA):

3. Wherever in this Act reference is made, in relation to any matter, to a power or duty to consult, the power or duty shall be exercised

(a) by providing, to the party to be consulted,

BOX 720 • FORT SMITH, NT CANADA • X0E 0P0
PHONE: (867) 872-2770 • FAX: (867) 872-2772

- (i) notice of the matter in sufficient form and detail to allow the party to prepare its views on the matter,
 - (ii) a reasonable period for the party to prepare those views, and
 - (iii) an opportunity to present those views to the party having the power or duty to consult; and
- (b) by considering, fully and impartially, and views so presented.

We take this opportunity to reiterate your definition of consultation in light of two recent landmark rulings in the BC Court of Appeal that held that the provincial government (Crown) has a duty to properly consult First Nations before proceeding with development on potential treaty settlement land. (It should be noted here that the NWT Métis Nation falls under the definition of "first nation" in the MVRMA under the heading of "interpretation.")

The BC Court said First Nations do not have to prove their title to the land before this consultation takes place. One of the Court decisions held that third parties (the developers) also have the duty to consult.

On February 27, 2002, the Court ruled that the provincial government and the developer did not properly consult the Council of the Haida Nation when renewing a tree farm licence. The Court further held that a legally enforceable duty to consult will continue until Haida title and rights are determined by a treaty or by a Court.

The Haida decision followed a January 31, 2002 decision by the Court of Appeal in the Taku River Tlingit case. In that case, the Court ruled that the province must consult Taku River Tlingit First Nation before they re-issue a project permit to a developer to reopen the Tulsequah Chief Mine in northwestern B.C.

In Haida, the Court referred to the compelling case the Haida had to aboriginal title in the Queen Charlotte Islands as requiring the duty to consult. In Taku, the Court referred to the aboriginal interests expressed at the treaty table as evidence of Taku's interest.

We believe that these examples of recent Case Law are pertinent to our current situation. A development is being proposed in our traditional territory and we have not been consulted or included in any initial discussions regarding the potential impact said development may have on our traditional lands.

In light of the above, we have no option to but to request more time to consider the proposal and enter into discussions with the proponent regarding the proposed activities and what impacts such activities might have on our traditional territory.

The NWTMN bases its position on the grounds that:

- The application indicates there is potential for environmental impacts. The NWTMN has not been informed of the nature and extent of environmental impacts as a result of the proponent's proposed activities in our traditional territory.
- The NWTMN has not been informed of the cumulative loss to Métis resources should this project go ahead.

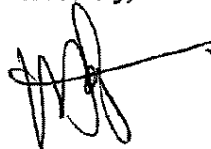
September 30, 2005

- The NWTMN has not been afforded an opportunity to assess the impacts on Métis heritage resources presented by the proposal.
- The activity is within NWTMN traditional territory, necessitating a meaningful consultative process and accommodation of NWTMN concerns. See cited jurisprudence above.

As an initial measure, we propose that the Mackenzie Valley Land and Water Board instruct Paramount Resources Ltd. to consult the NWTMN with respect to the application so that we can be apprised of the full environmental implications of the proposal.

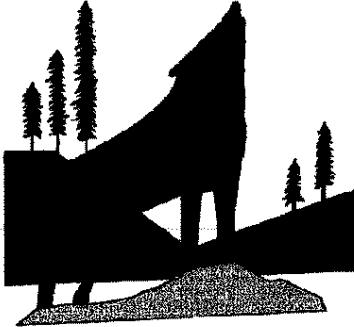
The NWTMN would then be in a position to respond the Board in a fully informed and confident manner and perhaps enter into direct communications with Paramount regarding the activities proposed within our traditional territory.

Sincerely,



Ursula Vogt
Interim Measures Agreement Office

- c. NWTMN IMA Committee
All Metis Councils
Hon. Ethel Blondin-Andrew, MP, PC, Western Arctic
Hon. Joe Handley, Minister of Aboriginal Affairs, GNWT



Northwest Territory Métis Nation

206 McDougal Road
P.O. Box 720, Fort Smith, NT, X0E 0P0
Phone (867) 872-2770
Fax: (867) 872-2772

Mackenzie Valley Land
& Water Board

File _____

SEP 30 2005

Application # _____

Copied To _____

Fax

To: Regulatory Officer, Mackenzie Valley Land and Water Board
From: Ursula Vogt

Fax: 867-873-6610

Pages: 4 including cover

Phone:

Date: September 30, 2005

Re: Land Use Permit Application Permit
Application
Paramount Resources Ltd.
Seislm 2D Program, Cameron Hills,
Significant Discovery License 8

CC:

Urgent For Review Please Comment Please Reply Please Recycle

● **Comments:**

KA'A'GEE TU FIRST NATION



**Kakisa Lake c/o P.O. Box 4428
Hay River, N.W.T. X0E 1G3
Tel: (867) 825 - 2000
Fax: (867) 825 - 2002**

email: kakisa@shiniero.com

Sept. 22, 2005

File _____

SEP 22 2005

Bob Overvold
Regional Director General – Northwest Territories
Indian and Northern Affairs Canada

Application # MV2005B0021
Copied To PUM/AP/Reg

Re: Paramount Resources Ltd.'s Land Use Permit Application MV2005B0021

Recently, Paramount Resources Ltd. (Paramount) applied to the Mackenzie Valley Land and Water Board (MVLWB) for a new land use permit (LUP). This LUP application is for approximately 45 km of a 2-D seismic program on Significant Discovery License 8, which is located just west of the Mackenzie Highway and just north of the NWT-Alberta border.

The Ka'a'Gee Tu First Nation (Ka'a'Gee Tu) is of the opinion that this proposed project could have an adverse impact on the environment of the Ka'a'Gee Tu's traditional territory and has decided to exercise its rights under Article 12 of the *Settlement Agreement* between Deh Cho First Nations (DFN) and the Government of Canada (Canada) dated July 8, 2005.

The Ka'a'Gee Tu hereby requests that Canada immediately refer the proposed development to the Mackenzie Valley Environmental Impact Review Board (MVEIRB) for environmental assessment.

Please provide the Ka'a'Gee Tu with a copy of your referral letter to the MVEIRB.

Sincerely,

Allan Landry
Ka'a'Gee Tu Band Councilor and Oil and Gas Advisor

c.c. Grand Chief Herb Norwegian
Dehcho First Nations

David Livingstone
Director, Renewable Resources and Environment
Indian and Northern Affairs Canada

Gabrielle Mackenzie-Scott
Chair, Mackenzie Valley Environmental Impact Review Board

Todd Burlingame
Chair, Mackenzie Valley Land and Water Board

Shirley Maaskant
Manager, Regulatory and Community Affairs
Paramount Resources Ltd.

Joe Acorn, M.A.Sc. (Civil Engineering)
Environmental and Regulatory Consultant

P.O. Box 53, Yellowknife, NT X1A 2N1
Tel: (867) 766-2455
Fax: (867) 873-9190
E-mail: joeacorn@theedge.ca

Fax Cover Page

To: Bob Overvold, Indian and Northern Affairs Canada 669-2703

c.c. Grand Chief Herb Norwegian, Dehcho First Nations (867) 695-2038
 David Livingstone, Indian and Northern Affairs Canada 669-2707
 Gabrielle Mackenzie-Scott, MVEIRB 766-7074
 Todd Burlingame, MVLWB 873-6610
 Shirley Maaskant, Paramount Resources Ltd. (403) 262-7994

From: Joe Acorn (867) 873-9190

Date: Sept. 22, 2005

Pages: 3 including the cover page

Re: Paramount Resources Ltd.'s Land Use Permit Application MV2005B0021

Please see the attached letter from the Ka'a'Gee Tu First Nation to Indian and Northern Affairs Canada.



Joe Acorn



DENENDEH NATIONAL OFFICE

*Assembly of First Nations Regional Office
Arctic Athabaskan Council, Yellowknife Office*

5120-49th Street Main Floor
P.O. Box 2338
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Teet'it Zhih

Sahtu

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K'ahbamiutue

Deh Cho

Shotagotine
Pehdzeh Ki
Lindli Kue
Tthedzehk'edeli
Zahiti Kue
Tthenaago
Echaot'i Kue
Ka'agee Tu
Sambaa Ke
Kat'lo Deh
Tsu ehda

Tli Cho

Behchoko
Wha ti
Gameti
Wekweti

Akaiicho

Dettah
Ndilo
Lutsel Ke
Deninu Kue
Salt River
Smiths Landing
Tadoule Lake

September 30, 2005 Mackenzie Valley Land & Water Board

Regulatory Officer
Mackenzie Valley Land & Water Board
7th Floor, 4910 50th Ave.
Yellowknife, NT X1A 2P6

File

SEP 30 2005

Application # MV2005B0021

Copied To AP / Reg

Attn: Adrian Paradis:


Re: Application Review Process-2D Seismic-Cameron Hills, Significant
Discovery License 8

We are pleased to have the opportunity to respond to your correspondence faxed on September 16, 2005. As your Ministers are well aware, Dene have Aboriginal rights that are recognized in the Canadian Constitution (1982). These rights date to before Treaties 8 and 11, but were further outlined in the treaties and modern claims. The nature and extent of these rights require 'the Board' to assess observed and projected infringements, including social economic, as well as environmental impacts. Furthermore, your Ministers should be advised of infringements and the Board should instruct applicants on measures to mitigate and reduce impacts.

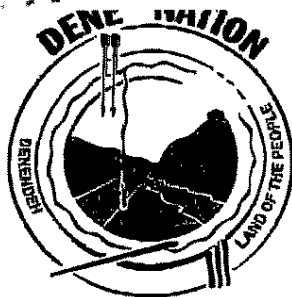
Mitigation efforts must be aimed at reducing the ill effects Dene would experience as a result of this project, including cumulative effects from different projects over-time.

Our members are not all in agreement as to the authority of the Board, we do not all respect the legislation that created and maintain the legitimacy of your jurisdiction. This issue is in dispute. Some of our members lack the capacity to respond to the highly technical and legal nature of your correspondence. We will not be reviewing your application at this time. Once the issues related to authority and capacity are resolved, we will review your application accordingly.

Sincerely,


Shirley V. Cook
Program Coordinator, Lands & Environment

"Implementing Treaty & Aboriginal Rights Since 1970"



DENENDEH NATIONAL OFFICE

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Arctic Athabaskan Council, Yellowknife Office*

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FAX

To: Adrian Paradis, Regulatory Officer
MVLWB
7th Floor, 4910 50th Avenue
Yellowknife, NT
X1A 2P6

From: Shirley V. Cook, Program Coordinator
Land & Environment

Fax: (867) 873 6610

Pages: 2

Phone: 669 0506

Date: September 30, 2005

Cc: _____

Urgent: _____

For Review: X

Please Comment: _____

Please Reply: _____

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