



## Mackenzie Valley Environmental Impact Review Board

Our file: EA0506-007

Monday, September 25, 2006

**To:** Paramount SDL8 Environmental Assessment Distribution List.

**Re:** Opportunity for Parties to comment upon Paramount Resources Ltd.'s Request for Ruling

The Mackenzie Valley Environmental Impact Review Board (Review Board) received a Request for Ruling from Paramount Resources Ltd. on the morning of Monday, September 25<sup>th</sup>, 2006. The Ruling that Paramount has requested is composed of two parts, specifically:

- 1) *Draft documents should not be considered by the MVEIRB in their deliberation; and*
- 2) *The project area contemplated in this environmental assessment is exempt from the Deh Cho Land Use Plan – draft or otherwise.*

The facts relevant to this request are presented in Paramount's submission to the Review Board, which is appended to this letter. To help clarify the request, the Review Board has identified the following documents that are part of the public record for EA0506-007, which may be classified as being in a "draft" state, and which therefore may be potentially affected by this request:

- Anderson, R.B., Dyer, S.J., Francis, S.R., and Anderson E.M. 2002 Development of a Threshold Approach for Assessing Industrial Impacts on Woodland Caribou in Yukon (draft report). Prepared for Environment Directorate, INAC, Yukon.
- Boreal Caribou Committee (BCC). 2005. Caribou Range Restoration Project: Guidelines for Planning and Implementation (draft).
- Deh Cho Land Use Planning Committee. 2006. Final Draft Deh Cho Land Use Plan.
- Mackenzie Valley Environmental Impact Review Board. 2003. Preliminary Screening of Seismic Operations in the Mackenzie Valley (draft).
- Mackenzie Valley Land and Water Board. 2005. draft conditions for Land Use Permit Number MV2005B0021

The Review Board's procedure for addressing Requests for Rulings is defined in Rules 46 – 50 of its Rules of Procedure for Environmental Assessment and Environmental Impact Review Proceedings. Pursuant to those rules, the Review Board has established the following process for the hearing of Paramount's Request for Ruling:

- 1) Parties who are interested in responding to the Request for Ruling must submit their comments to the Review Board by no later than **5:00 pm on October 3<sup>th</sup>**.
- 2) Paramount has until **5:00 pm, October 6<sup>h</sup>, 2006** to submit any final comments on those responses and the Review Board will subsequently distribute all responses to the parties and notify the distribution list.

- 3) The Review Board will consider the Request for Ruling during its meeting, schedule to occur on **October 13<sup>h</sup>, 2006**. A *Reason for Decisions* will be issued shortly thereafter.


Should you have any questions or concerns about the above-cited material, please do not hesitate to contact me at your earliest convenience by phone at (867)-766-7062 or by email at [pduxbury@mveirb.nt.ca](mailto:pduxbury@mveirb.nt.ca).

Yours truly,



Patrick Duxbury,  
Environmental Assessment Officer

Attached: Paramount Request for Ruling

	<b>Mackenzie Valley Environmental Impact Review Board</b>
	<b>FORM 2</b> <span style="float: right;"><b>Request for Ruling</b></span>
<b>Name of Proceeding</b>	EA0506-007

TAKE NOTICE that a Request for Ruling will be made to the MVEIRB by

Paramount Resources Ltd.  
 (name of party making the Request)  
 at 5:00 pm (time) in Calgary (place), in Alberta,  
 on the 22nd (day) of September (month), 2006\_ or as soon after that time as the Board  
 may decide to address the Request.

The Ruling requested from the MVEIRB is as follows: (State the relief sought as clearly as possible)
<ol style="list-style-type: none"> <li>1. Draft reference documents should not be considered by the MVEIRB in their deliberations.</li> <li>2. The project area contemplated in this environmental assessment is exempt from the Deh Cho Land Use Plan – draft or otherwise.</li> </ol>
The facts or information relevant to this Request for Ruling and which should be considered by the MVEIRB are as follow: (State the information relevant to the Request in as much detail as needed)
It is Paramount's understanding that the MVEIRB is considering using a number of draft documents in their deliberations on EA0506-007.
The authority or grounds for the Ruling which should be considered by the MVEIRB is as follows: (State the Rules or any law or enactment relied on and the grounds for the Ruling).
Draft documents have not been accepted by a regular review process and/or have not been adopted and proclaimed officially.
AND FURTHER TAKE NOTICE that in support of this Request for Ruling the following documents or information have been attached (Set out all materials to be used to support the Request).
Please refer to the MVEIRB website relative to the Paramount EA0506-007 and the list of references and the draft Deh Cho Land Use Plan regarding existing project exemption.
Dated at <u>Calgary</u> , Alberta, on (MM/DD/YY) <u>09/22/2006</u>
<u><i>S. Musakant</i></u> (Signature of Party's Representative)

MVEIRB Rules of Procedure, May 2005.

<b>RECEIVED</b> 8 <sup>30</sup> AM <i>JP</i> <b>SEP 25 2006</b> MACKENZIE VALLEY ENVIRONMENTAL IMPACT REVIEW BOARD
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