



# Sahtu Land Use Planning Board

Box 235, Fort Good Hope, NT, X0E 0H0

Phone: (867) 598-2055 Fax: (867) 598-2545

Email: [slupb@netkaster.ca](mailto:slupb@netkaster.ca) Website: [www.sahtulanduseplan.org](http://www.sahtulanduseplan.org)

January 26, 2011

To: Distribution List

**Re: Follow-up Questions from January 10, 2011 Consultation**

Dear Sirs and Madams,

On January 10<sup>th</sup>, 2011 the Sahtu Land Use Planning Board held a follow-up consultation in Fort Good Hope with the K'asho Got'ine District Land Corporation (KGLC), and the land corporations, RRC and charter community of Fort Good Hope. At that meeting we discussed comments submitted by the District and the zoning of settlement lands. While there was significant discussion on some points, there was no concrete direction provided to the Board. Participants agreed to consider their input further on some aspects of the Plan and I committed to providing specific questions in writing to assist this work. **Please review the questions below and respond to the Board with any proposed changes by February 25<sup>th</sup>, 2011.**

## **Zoning of Settlement Lands**

**Question (KGLC): Please identify if you want any changes to the zoning of your settlement lands so as not to limit your options for development on these lands.**

Context: The Plan is binding on settlement lands. The District Land Corporations will be responsible for implementing the zoning and other Conformity Requirements of the Plan in granting their consent to use the land. They will not be able to authorize land use that is not in accordance with the Plan (e.g. they cannot authorize activities related to oil and gas in a Conservation Zone, unless they are related to an existing right).

A number of your parcels, including some subsurface parcels, are currently zoned as Conservation Zones on which new exploration and development activities are not permitted (activities related to existing rights will be allowed to continue). The Board produced a series of wall maps showing the zoning of each parcel of settlement lands. We also provided a 1-page summary of the zoning of each parcel (attached). Please review each parcel carefully and determine if it allows the types of land use you would like to have on these parcels in the future. If you would like changes to the zoning of any parcel, please identify clearly how you would like it changed. If necessary for clarity, please indicate the changes on the wall maps provided and return them to the Board.

## **Zoning of Parcels in Ts'ude niline Tu'eyeta (Ramparts)**

**Question: How should the four parcels within Ts'ude niline Tu'eyeta be zoned?**



Context: In Draft 3, the SLUPB had all lands within Ts'ude niline Tu'eyeta zoned as a Proposed Conservation Initiative (PCI). PCIs have the same status in the Plan as Conservation Zones in the interim but are distinct because they will eventually be protected under federal or territorial legislation. Ts'ude niline Tu'eyeta will eventually be a National Wildlife Area, which **cannot** include any settlement land parcels. There are 4 parcels of settlement land within this area (#14, 21, M5, and M6). Please identify how these areas should be zoned in the Plan. Two parcels include subsurface rights. If you want to have development in these areas, you will need to consider either General Use or Special Management Zones. If you would prefer no development in these areas in keeping with how the surrounding lands will be managed under a National Wildlife Area, then you should consider making these parcels Conservation Zones. Please provide specific direction to the Board for each of these four parcels.

### **Zoning of Areas omitted from final boundaries of Ts'ude niline Tu'eyeta**

**Question: How should the Board zone any areas left out of the final boundaries of Ts'ude niline Tu'eyeta?**

Context: Areas being advanced for protection through the Protected Areas Strategy are assessed for their renewable, non-renewable, ecological and cultural values to assist in defining final boundaries. As a result of these studies, the final boundaries are often different than the initial study area. The Board has been told by the Canadian Wildlife Service that a boundary will be finalized for this area over the next 6 months. The Board needs to know how the areas left out of the final boundary should be zoned in the Plan so that we can identify this now and avoid making last minute changes as we submit the Plan for approval. For example, the Tulita District Land Corporation has told the Board that any areas left out of the final boundaries of Shuhtagot'ine Nene or Naats'ihch'oh should be automatically zoned as Special Management. Please consider providing similar direction for default zoning. You can use a mix of zones to reflect your priorities for given areas (e.g. Special Management next to the rivers, maybe a Conservation Zone to protect a specific feature, General Use in other places).

### **Water Withdrawal from Lac Belot**

**Question (Ayoni Keh Land Corporation and Behdzi Ahda First Nation): Should CR #20 – Water Withdrawal be amended or deleted with respect to Lac Belot?**

*CR #20: The withdrawal of water for industrial purposes from Lac Belot, Stewart or Tate Lake, except from the outflow, shall not be authorized until DFO addresses community concerns related to observed water draw-down in these lakes.*

Context: For the last 2 years, residents of Colville Lake and Tulita have identified Lac Belot, Stewart and Tate Lake as very sensitive to water withdrawal. They have observed rapidly dropping water levels and indicated to the Board that no further water should be taken from these lakes. In our consultations following the release of Draft 3, Joseph Kochon, the President of Ayoni Keh Land Corporation raised concerns with this CR because it would restrict them from taking water from Lac Belot to build their winter road. However, the Elders present re-affirmed their concerns. Representatives from the Sahtu Land and Water Board (SLWB) and the Department of Fisheries and Oceans (DFO) were present and presented preliminary information



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about lake volumes and water withdrawal volumes. Joseph Kochon asked the representatives to provide further information to him in writing for further consideration and discussion.

This issue was not discussed in the K'asho Got'ine District's comments on Draft 3. The SLUPB raised the question during our follow-up meeting on January 10<sup>th</sup> to determine if the community had come to a decision, and we were informed that the community had not yet discussed it. Following that meeting, the SLWB submitted further information on lake and water withdrawal volumes in writing to the SLUPB, which we have attached. Please review this information, and let us know: 1) if there are still community concerns with water withdrawal in Lac Belot; and 2) if you would like this CR modified or deleted to avoid conflict with water withdrawal needed for construction of your winter road.

Since this issue was initially raised by your community, we look to you to tell us how best to address your community's conflicting comments on water withdrawal. Please consider whether this issue needs to be resolved through the land use plan or whether it is best handled through existing regulatory processes that allow greater flexibility in decision making.

### **Follow-up Questions from Written Submission on Draft 3:**

**Question: Please provide specific direction if required on questions raised in the KGLC submission on Draft 3.**

The K'asho Got'ine District Land Corporation's written submission to the SLUPB on Draft 3 appeared to raise a number of questions for internal discussion amongst the membership, rather than providing clear direction to the Board regarding any changes. We discussed some of these on January 10<sup>th</sup>, but again, there was no specific direction – they were only flagged for further discussion. Please hold those discussions and if necessary, submit comments back to us regarding specific changes you would like to make to the Plan. As a note of caution, it is late in the process to begin raising new issues that have not been discussed in previous drafts of the Plan. If there is a significant issue that you feel needs to be addressed in the Plan, you will need to clearly define what the issue is and what direction you want the Plan to provide to resolve the issue. Please keep in mind that many issues can be resolved through existing regulatory processes. The Plan should only provide direction on broad issues where you expect consistent decision making and practices for all applications.

Examples of areas where the KGLC submission raised questions for internal discussion are:

- Issue 2 (Conservation Zones) – Asked whether the Plan should restrict waste disposal and tourism in CZs and whether the exceptions for quarrying, water use and transportation and infrastructure are acceptable;
- Issue 8 (Wildlife) Asked KGLC to confirm whether the wildlife setbacks and flight altitudes in Table 8 of the Plan are acceptable;
- Issue 12 (Proposed Conservation Initiatives) – Asked if the Plan will prohibit any desired future use of land in Ts'ude niline Tu'eyeta;
- Issue 14 (Drinking Water) – Asked if the community catchment shown in Map 6 is sufficient for community needs (note that the mapping came from the GNWT and we have flagged this issue with them, but we cannot change their data);



- Subjects not covered in the SLUP – The submission flags a number of topics not covered in the SLUP that are covered in other Plans but does not indicate if the KGLC wants these topics covered. For your information, the SLUP has previously dealt with the Mackenzie Valley Pipeline, and waste management practices. The Plan currently addresses contaminated sites. There has been limited discussion on tourism, but never any clear direction. There has been no discussion in recent years on any of the other subjects listed. As noted above, if you want these topics covered under the SLUP, you need to provide detailed information as to what the issue is and what type of direction you want the Plan to provide to resolve the issue. The Board will consider your requests and may open these for discussion at the Hearing to solicit input from other Parties.

### **Next Steps**

As discussed at the January 10<sup>th</sup> meeting, the Board is awaiting final decisions from the Tulita District with respect to zoning in the Mackenzie Mountains. We expect this matter to be resolved by February 25<sup>th</sup>. We are therefore extending the K'asho Got'ine District the opportunity to identify any necessary changes to zoning on settlement lands and Ts'ude niline Tu'eyeta, and submit follow-up comments until **February 25<sup>th</sup>**. The Board will be posting all information received to its public record.

The Board will meet in mid-March to determine if it has all the information it needs to proceed to a Public Hearing and if so, it will schedule the Hearing. Given current timelines, the Public Hearing could be scheduled around the beginning of May.

I look forward to receiving further comments. If you have any questions or wish to discuss this further, please contact me at (403) 984-3916 or [Heidi.wiebe@shaw.ca](mailto:Heidi.wiebe@shaw.ca).

Sincerely,

Heidi Wiebe  
Plan Development Lead  
Sahtu Land Use Planning Board

Attch: Overlap of Settlement Land Parcels and Zoning  
SLWB Letter and Supporting Information on Water Withdrawal for Lac Belot



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**Distribution List:**

Heather Bourassa, President  
K'asho Gotine District Land Corporation/Yamoga Land Corporation

Jacinta Grandjambe, Administrative Coordinator  
K'asho Gotine District Land Corporation/Yamoga Land Corporation

Joseph Kochon  
President, Ayoni Keh Land Corp  
Band Manager, Behdzi Ahda' First Nation

Winston McNeely, President  
Fort Good Hope Metis Nation Local 54 Land Corporation

Chief Arthur Tobac  
K'asho Got'ine Charter Community Council

Chief Richard Kochon  
Behdzi Ahda' First Nation  
President, Colville Lake Renewable Resources Council

Roger Boniface  
Fort Good Hope Renewable Resources Council

James Caesar, Coordinator  
FGH Self Government Secretariat

# Overlap of Settlement Land Parcels and Zoning

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Parcel Numbers	Zones
36, 37, 38, 40	Anderson River CZ
39	Lac Maunoir/Maunoir Dome CZ, Dene Di Gon'e CZ
44, M12	Lac Des Bois CZ, Lac Belot CZ, Great Bear Lake SMZ, Underground River SMZ, Hare Indian River SMZ
M19, M20, M21	Great Bear Lake SMZ
M22	Tunago Lake CZ, Great Bear Lake SMZ
M10	Underground River SMZ
34	Colville Upland Lakes (Stink Lake) CZ
35	Aubrey and Dunedelatue Lake CZ
45	Lac a Jacques CZ, Sam McRae CZ, Hare Indian River SMZ, Norman Range SMZ
17	Travaillant Uplands CZ, Fort Anderson Trail Lakes CZ, Loon River to Fort Anderson Trail SMZ, Mackenzie River SMZ
5, 10, 15,16, 18,19, 20, 21, 22, 25, 27	Mackenzie River SMZ
1, 2, 3, 4, 5	Little Chicago SMZ
11, 12, 13	Mackenzie River Islands CZ
<b>14, 21, M5, M6</b>	<b>Ts'ude niline Tu'eyeta PCI *</b>
6, 7, 8, 9, M2,	Marion Lakes SMZ
23	Mackenzie River SMZ, Hare Indian River SMZ
24	Nerehtene CZ, Hare Indian River SMZ
27, 28, 29	Norman Range SMZ
29	Chick Lake CZ
30, 31	Mackenzie River Islands CZ
32	Mountain River Extension CZ, Mountain Lakes CZ **, Carcajou River SMZ, Mackenzie River SMZ
33	Mountain River Extension CZ, Carcajou River SMZ, Mackenzie River SMZ

\* Need to rezone all settlement lands in Ts'ude niline Tu'eyeta PCI – Cannot be included in National Wildlife Area

\*\* Tulita has requested the zone be reduced in this area and changed to SMZ immediately around the lake

**Discuss zoning of areas left out of Ts'ude niline Tu'eyeta PCI to avoid immediate amendment to SLUP**



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

RECEIVED  
Jan 12, 2011

January 12, 2011

Judith Wright-Bird  
Chairperson, SLUPB  
P.O. Box 235  
Fort Good Hope, NT  
X0E0H0

Our File: SLUPB

Your File:

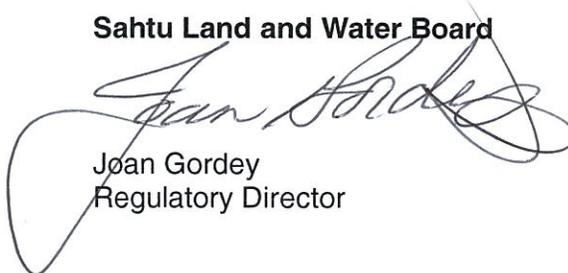
Dear Judith:

**Re: Water Withdrawal for Lac Belot  
Information as Requested  
Colville Lake Community Engagement Meeting**

On August 19, 2010 a SLWB staff accompanied the SLUPB to Colville Lake for the Colville Lake Community Engagement Meeting. During the meeting a request came to the Department of Fisheries and Oceans and the Sahtu Land and Water Board to provide information regarding bathymetrics and the potential for water withdrawal from Lac Belot. The Elders of Colville Lake had expressed concerns about water withdrawal for industrial purposes and had stated that the water level within Lac Belot had dropped from previous levels. The Elders did not want any water to be withdrawn from Lac Belot because of this. Based on this request, the SLWB contacted Fisheries and Oceans for bathymetric data and were informed that no data had been acquired due to cost (Approximately \$25,000.00). Therefore, the Sahtu Land and Water Board has drawn information from other sources and while it is not complete, I hope it is helpful.

According to calculations from the Government of the Northwest Territories-Department of Transportation, a safe under ice water withdrawal limit at 5% of lake volume is 5,192,000 m<sup>3</sup> or 500,000 water trucks. DFO changed the under ice water withdrawal limit to 10% in 2009. Therefore a potential safe-under ice withdrawal limit could be as many as 1,000,000 water trucks. MWH-Northern EnviroSearch has provided bathymetric data for two bays on the east side of Lac Belot. Maximum depths of 18 m were recorded during the summer. It is important to note that both these bays are inflows to Lac Belot. Original submitted data comes from an expired water licence and has been attached at the end of this document.

**Sahtu Land and Water Board**

  
Joan Gordey  
Regulatory Director

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

## Lac Belot Water Withdrawal

Lac Belot - Approximately 275 km<sup>2</sup> in area with depths greater than 10 m

S04L8-014 - GNWT-DOT Winter Road: Expires December 23, 2014

Water is taken at two points from Lac Belot – km 134 and 145. Within the Water Licence, 100 m<sup>3</sup> of water is allocated for each kilometre of winter road constructed.

S07L1-006 – Explor Geophysical: Expires January 02, 2013

15800 m<sup>3</sup> - construction of winter access road and seismic lines, program partially completed. Explor has not indicated when or if they will complete the program.

S08L1-002 – Explor Geophysical: Expires December 22, 2013

30000 m<sup>3</sup> - construction of Colville Lake winter road, program has not been completed. Explor has not indicated when or if they will complete the program.

S08L1-001 – British Gas International (BGI): Expires November 27, 2013

33000 m<sup>3</sup> - construction of winter access road, drill and camp lease

BGI has completely withdrawn from the Sahtu and has let any exploration interests run out. This program is very unlikely to go ahead.

Estimated of area of Lac Belot - 275 km<sup>2</sup>

Depth – unknown but in some places greater than 10 m according to bathymetrics completed on behalf of Explor Geophysical by MWH Northern EnviroSearch and accepted by Fisheries and Oceans Canada (DFO).

GNWT-DOT estimates that 5,192,000 m<sup>3</sup> can be taken from Lac Belot and still be within the 10% under ice volume allowed by DFO. Information provided in their 2006-2007, 2007-2008 annual reports.

Year of withdrawal:	2006	2007	2008	2009
GNWT-DOT S04L8-014	180 m <sup>3</sup>	316 m <sup>3</sup>		
Explor Geophysical – S08L1-002			0	0
Explor Geophysical – S07L1-006 -no actual reporting but licence value		15800 m <sup>3</sup>		

DFO, GNWT and the MVLWB are developing a water withdrawal database where the total amount of water available from a water source, the amount licenced from the water source and the actual amount withdrawn from the water source will be available.

Fisheries and Oceans Canada has a report (will provide electronic copy when available) indicating receding water levels are being recorded across much of Canada and is an issue that is concerning many people.

portion of the southeast arm of this lake was assessed due to its size but the e-line transect into the body of the lake revealed depths in excess of 14m.

### Volume Calculations

The recorded field data from the echo sounder and perimeter tracks from the handheld GPS were processed using GIS mapping software to extract the information to determine volume calculations and create contour maps. The GPS perimeter tracks were interpolated first to create a polygon of the water bodies that were surveyed. The sonar data (depth to bottom) was combined with the perimeter track to create a contour map of each lake. The volume was then calculated using both the depth recordings and the polygons.

The volume calculations were assumed using a 1.5m ice thickness (as per consultation with Kathleen Simms) which is the maximum thickness expected. The table on the following page shows the volume of water, as determined from the field data, as well as the volume minus 1.5m of ice cover to account for the water that will be unavailable.

**Table 1: Volume Calculations for Lakes 12-19**

Potential Water Source	Area (m <sup>2</sup> )	Area (ha)	Maximum Depth (m)	Volume (m <sup>3</sup> )	Volume of Water Less Ice (m <sup>3</sup> )	Volume of Ice (m <sup>3</sup> )	Available Water (m <sup>3</sup> ) (5% volume)	Water Budget (m <sup>3</sup> )
Lake 12 (Tweed Lake)	1,556,719	155.67	15.39	n/a	n/a	n/a	n/a	1,500
Lake 13	201,104	20.11	1.25	247,542.00	0.00	247,542.00	0.00	875
Lake 14	92,152	9.22	12.61	186,712.10	144,163.70	42,548.40	7,208.19	1,450
Lake 15	174,802	17.48	1.36	203,632.25	0.00	203,632.25	0.00	1,075
Lake 16	264,001	26.40	16.66	1,760,504.80	n/a	25,228.00	86,763.90	2,925
Lake 17 (Tunago Lake)	3,457,270	345.73	9.54	n/a	n/a	n/a	n/a	1,750
Lake 18 (Lac Belot)	8,084,756	808.48	18.66	n/a	n/a	n/a	n/a	2,000
Lake 19 (Lac Belot)	500,394	50.04	14.64	n/a	n/a	n/a	n/a	1,750

Volume is based on the interpolated polygon derived from the tract data.

The ice thickness was calculated at 1.5 meters.

If the sonar data is positive, it is converted to zero.

\* Volume reflected from 5% removal limit.

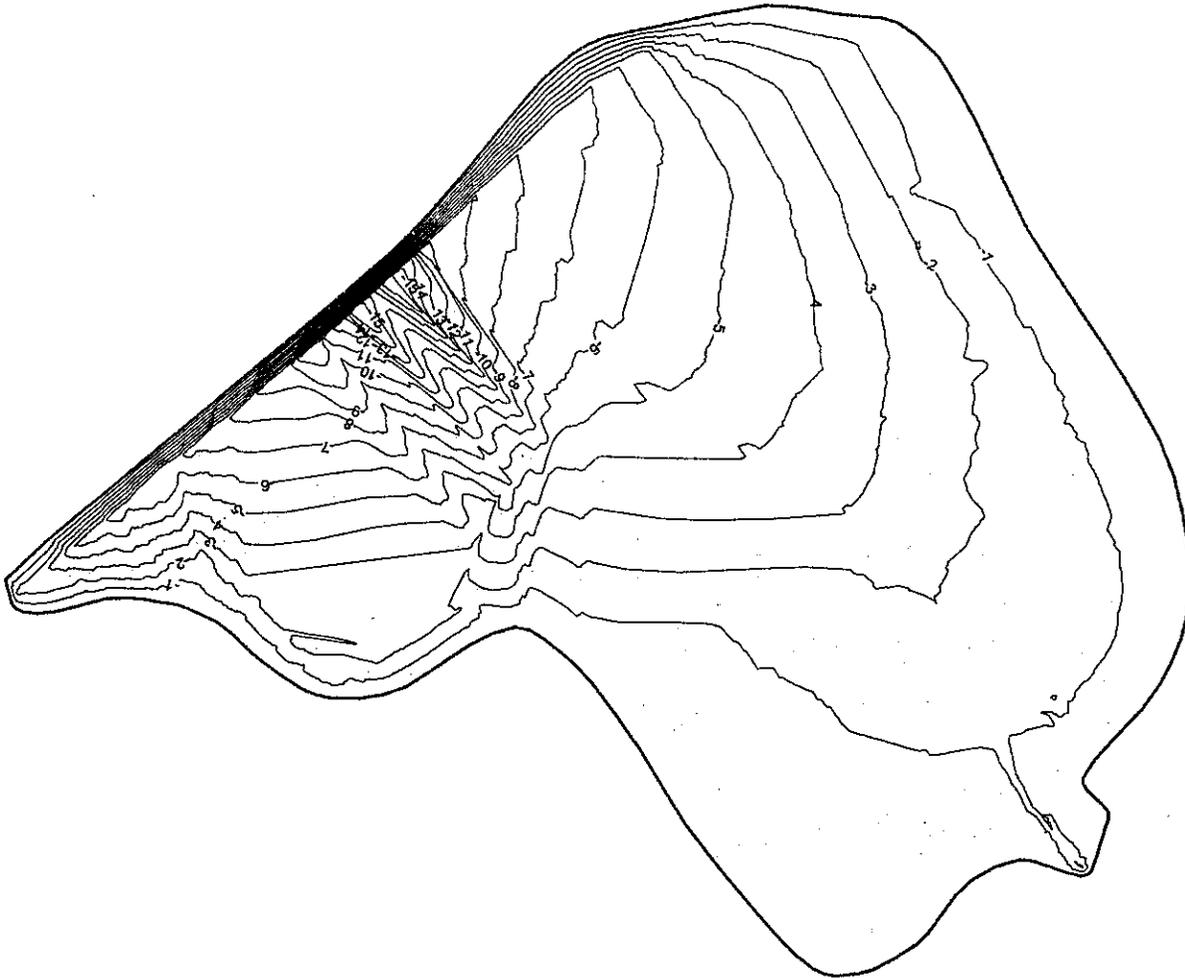
Lakes 12, 14, 16, 17, 18 and 19 meet the requirements for the minimum acceptable depth of 3.7m. Water volumes will be carefully tracked to ensure the 5% maximum withdrawal is not exceeded. If additional water volumes are required, they will be drawn from sources that have remaining allowable volumes.



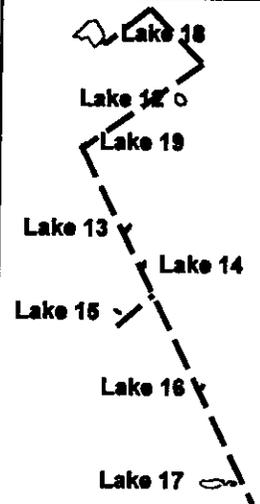
# Lake Eighteen (Lac Belot) Contours

N 66° 53.857' W 126° 05.793' Datum: NAD 27 Canada

Contour Interval = 1m



## Water Sources



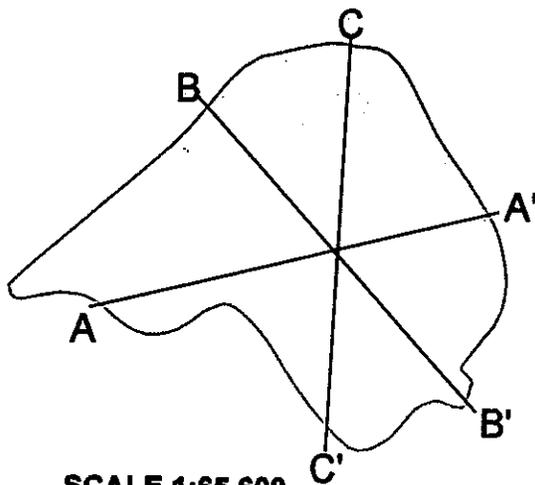
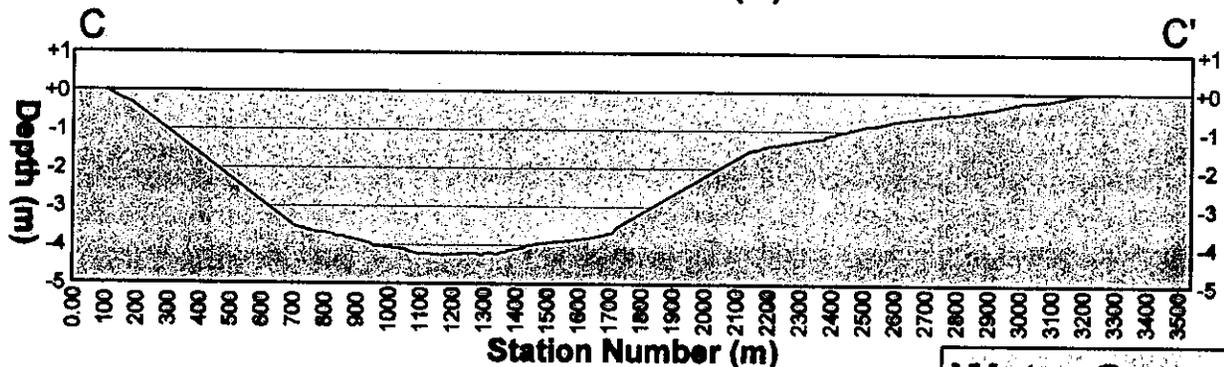
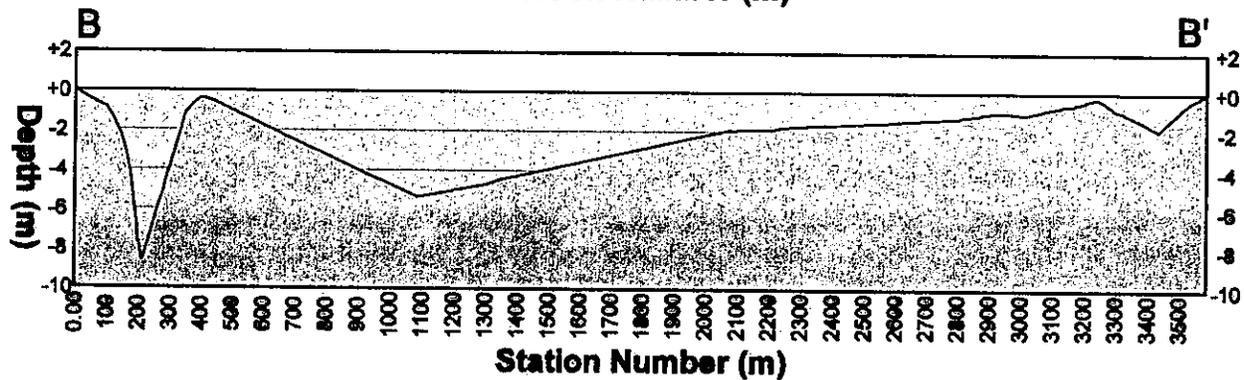
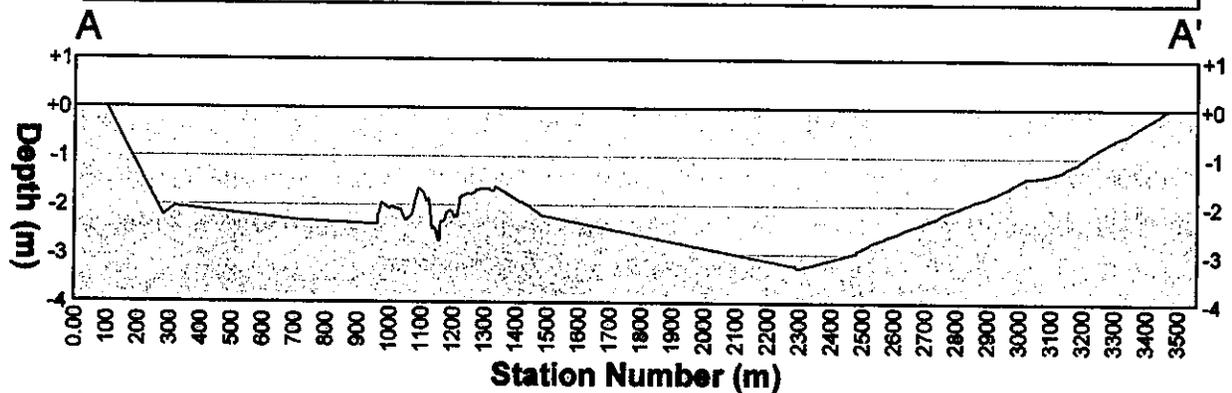
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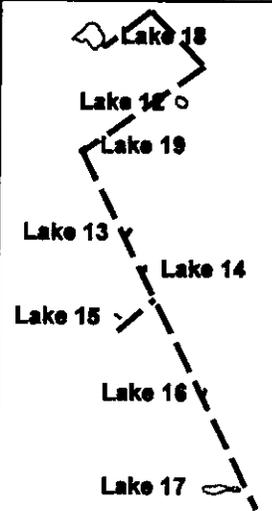


# Lake Eighteen (Lac Belot) Cross Sections

N 66° 53.857' W 126° 05.793' Datum: NAD 27 Canada



## Water Sources



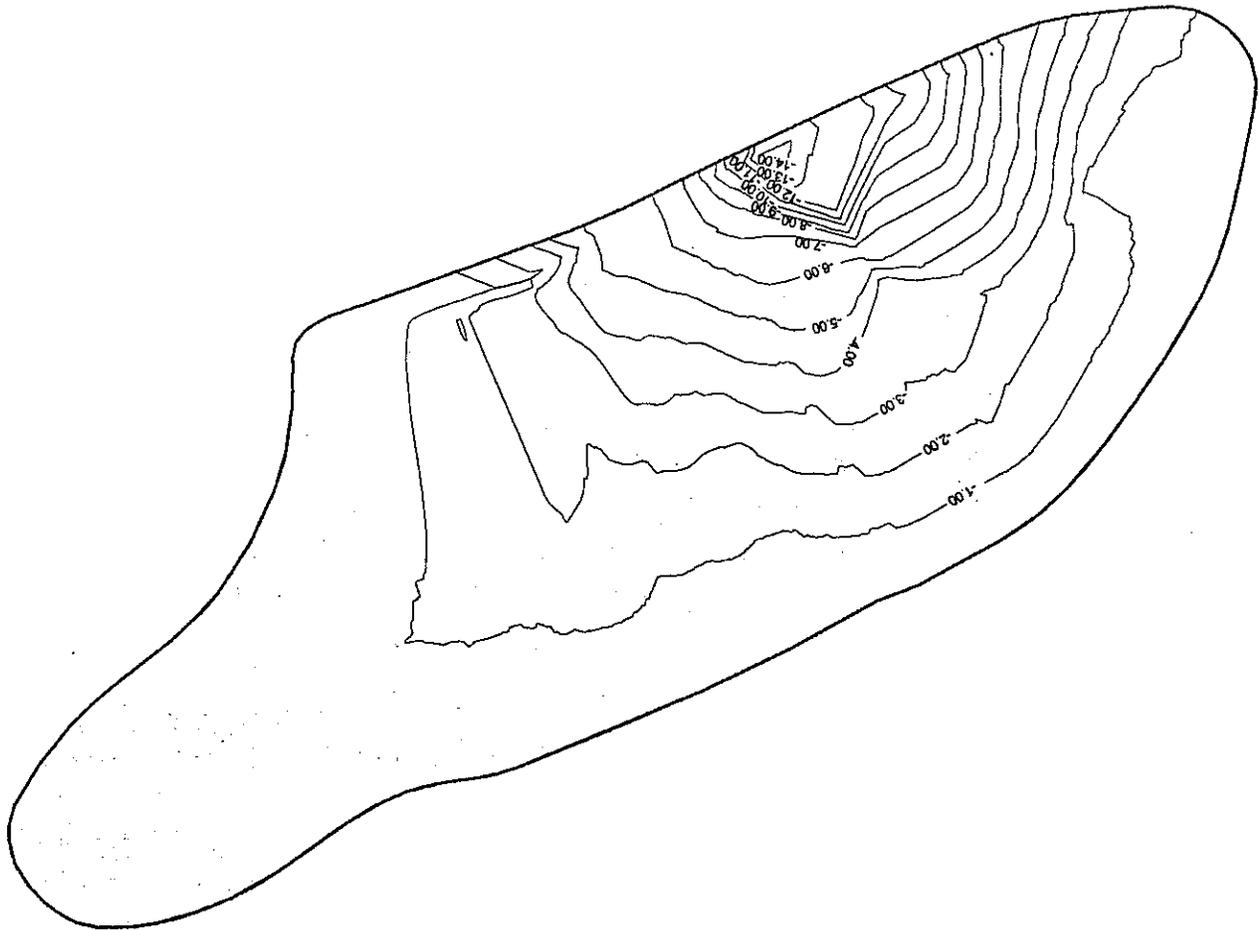
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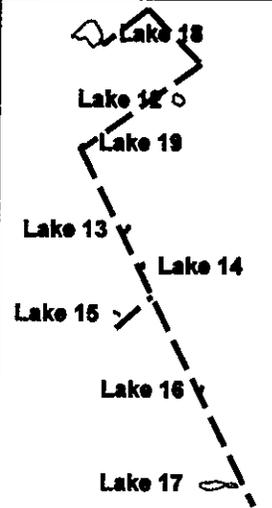
# Lake Nineteen (Lac Belot) Contours

N 66° 46.542' W 126° 09.475' Datum: NAD 27 Canada

Contour Interval = 1m



## Water Sources



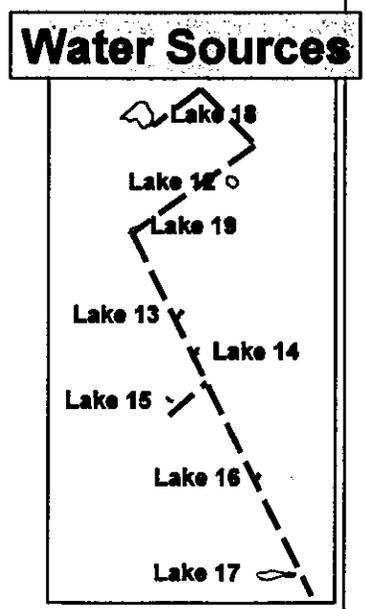
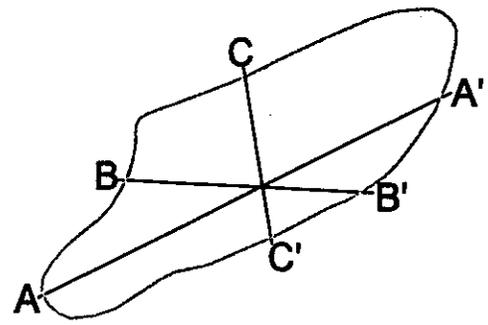
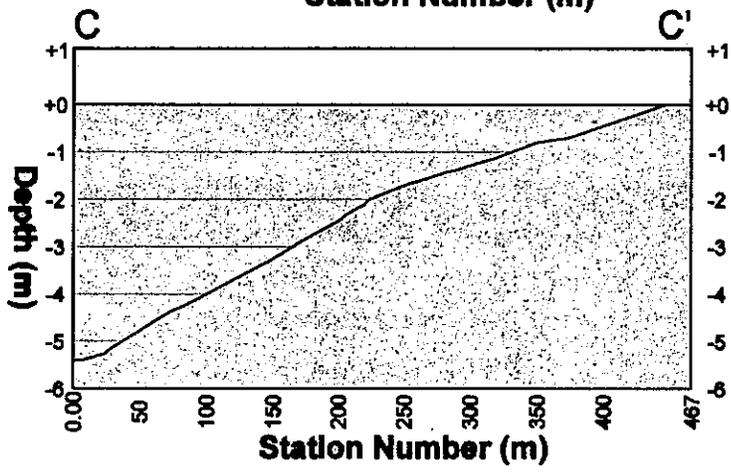
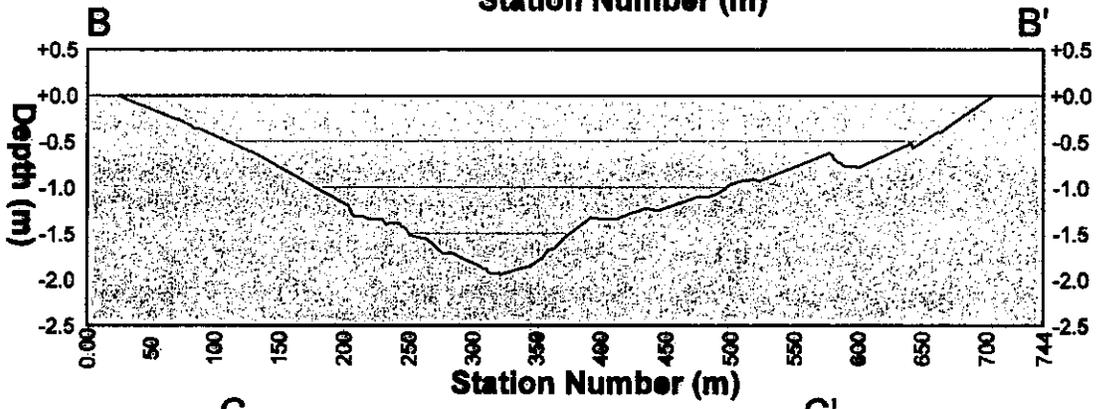
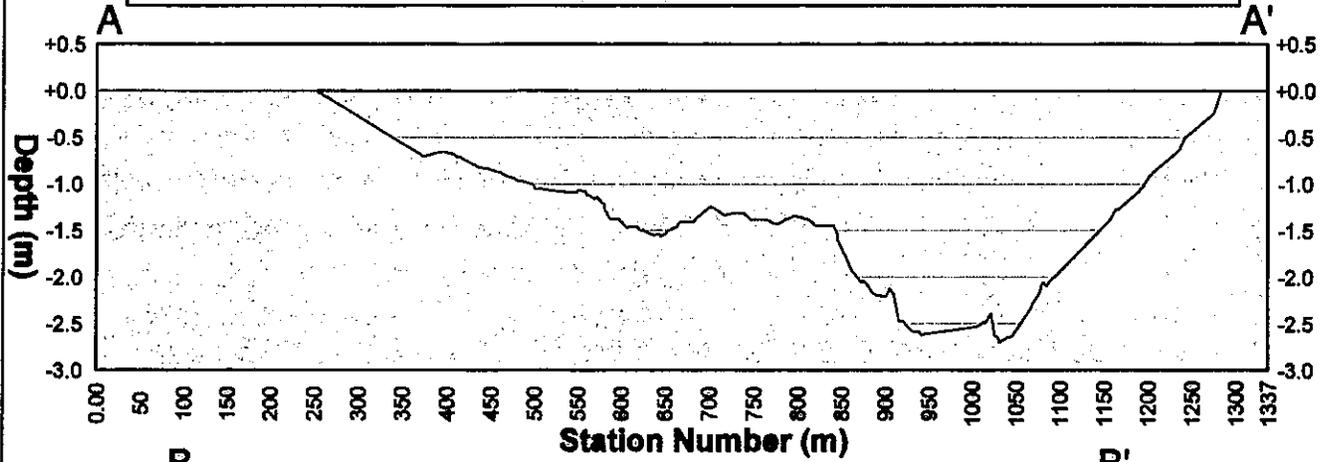
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# Lake Nineteen (Lac Belot) Cross Sections

N 66° 46.542' W 126° 09.475' Datum: NAD 27 Canada



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