



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

July 26, 2012

Ms. Heidi Wiebe  
Plan Development Lead  
Sahtu Land Use Planning Board  
P.O. Box 235  
Fort Good Hope, NT  
X0E 0H0

Our File: SLUPB  
Your File:

Dear Heidi,

**Re: Sahtu Land Use Plan – Final Draft**  
**Comments from the Sahtu Land & Water Board on the Proposed Revisions**

Thank you for giving the Sahtu Land and Water Board (SLWB) an opportunity to comment on the proposed revisions for the Final Draft of the Sahtu Land Use Plan. The SLWB comments are in response to the Sahtu Land Use Planning Board's letter to our organization dated June 6 2012.

Continuous with the SLWB's previous correspondence, the provided comments are based on the regulatory functions and limitations of the SLWB within the Sahtu Settlement Area.

**Respectfully,**

**Paul Dixon**  
**Executive Director**

Copied to: Angela Plautz, Regulatory Policy Advisor, Mackenzie Valley Land and Water Board  
Zabey Nevitt, Executive Director, Mackenzie Valley Land and Water Board

**GENERAL COMMENTS**

- Automatic Referral vs. Formal Referral:
  - The SLWB agrees with the SLUPBs view, that a front end process should be established where the applicant works closely with the SLUPB staff in building their application prior to it being submitted.
- The use of the term ‘Conditional Conformity’:
  - Please provide further explanation on how the SLUPB envisions this to work and how they will ensure that the CR is still being met throughout the life of the activity.
- The SLUPB document, “Proposed Revisions for Final Draft Sahtu Land Use Plan” was used for providing the brief comments below.

## **SPECIFIC COMMENTS**

### **CR #2 ENGAGEMENT AND TK**

After further consideration, it is of the opinion of the SLWB that the SLUPB not make reference to the *Engagement Guidelines for Applicants and Holders of Water Licences and Land Use Permits* (Guidelines) for this CR. The SLUPB has indicated that they have reviewed the Guidelines and with a few changes, feel that adhering to them will meet engagement requirements as outlined in the Plan. Unfortunately, these Guidelines have not been finalized and so are susceptible to more changes that the SLUPB may not agree on. Further, the Guidelines have been put on hold due to Legal matters and their release date is unknown.

The SLWB would like to recommend to the SLUPB, that to avoid any potential confusion, they spell out their engagement requirements and to not reference the Guidelines at this time.

### **CR #5 WATERSHED MANAGEMENT**

It is stated that the SLUPB does not want to be held to a higher standard, to define substantially alters, but then state that it will be deemed to mean greater than a 10% change in water quality, quantity and rate of flow as determined in relation to levels sampled prior to the commencement of activity.

It is of the opinion of the SLWB that the SLUPB should not define ‘substantially alters’.

### **CR #12 FINANCIAL SECURITY**

During the application review process, the Land and Water Boards (LWBs) consider evidence from affected parties, governments and the proponent to determine the amount. For example, in most cases for projects that require a water licence or a land use permit and a water licence, security estimates are usually provided to the LWBs from Aboriginal Affairs and Northern Development Canada. Using this evidence, the LWBs calculate the security for land use permits and water licences based on section 32 of the Mackenzie Valley Land Use Regulations and section 12 of the Northwest Territories Waters Regulations, respectively.

The SLWB is not in favour of including a minimum threshold on security.