



ENVIRONMENTAL IMPACT SCREENING COMMITTEE

FACSIMILE TRANSMISSION COVER SHEET

COPY	4
BOARD.	1
G.W.	1
E.A.	1
W. RES.	1
File-	1772

DATE OF TRANSMISSION: October 9, 2001

MESSAGE TO:
 Delona Butcher
 Dennis Arey
 Terry Baker
 Richard Binder
 Rudy Cockney
 Greg Cook
 Frank Pokiak
 Gordon Wray

COMPANY:

FAX NUMBER:

NUMBER OF PAGES: Seventeen (17)

OPERATOR: Bernice Joe

MESSAGE FROM: Linda Graf
 Resource Person

E-MAIL ADDRESS: eisc@jointsec.nt.ca

ORIGINALS: To be mailed Not to be mailed

MESSAGE: Chevron Resources Canada, (Butcher), Ellice, Mallik, and North Langley Seismic



PLEASE CONTACT THE JOINT SECRETARIAT IF THE TRANSMISSION IS NOT COMPLETE

The Joint Secretariat - Inuvialuit Renewable Resource Committees
 P.O. Box 2120 Inuvik NT X0E 0T0 Canada
 Telephone: 867-777-2828 Fax: 867-777-2610
 General E-Mail Address: adminjs@jointsec.nt.ca



ENVIRONMENTAL IMPACT SCREENING COMMITTEE

9 October 2001

Submission Number: 08/01-03

Delona Butcher
Land Representative
Mackenzie Delta Project Team
c/o Chevron Canada Resources
500-5th Avenue SW
Calgary AB T2P 0L7

Ms. Butcher:

RE: *Chevron Resources Canada (Butcher), Ellice, Mallik, and North Langley Seismic Program*

During a meeting held 26-28 September 2001, the Environmental Impact Screening Committee (EISC) screened the above-noted project description. Based on the information provided and the additional information relayed during a presentation made to the EISC on 27 September, the EISC decided that the development will have no significant negative impact on the environment or Inuvialuit wildlife harvesting in the Inuvialuit Settlement Region [IFA Section 11.(13)(a)]. A copy of the decision has been attached.

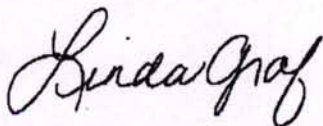
Subject to a final decision by the licensing or permitting authority, the issuance of appropriate permits and approvals may proceed.

The EISC came to its decision with the understanding that Chevron Resources Canada and AEC West Ltd. plan to coordinate their respective Mallik and Burnt Lake seismic programs such that the overall linear length of both programs and duplication of activities would be reduced.

Comments on your proposed seismic program were submitted to the EISC by the Inuvik HTC, the Tuktoyaktuk HTC, the Fisheries Joint Management Committee, Environment Canada, the Department of Fisheries and Oceans, and the Prince of Wales Northern Heritage Centre. They are being forwarded to you for your consideration. I note that you have received some of the correspondence already. However, all of the letters have been attached for the benefit of those copied on this letter.

Please contact me if you have any questions.

Sincerely,



Linda Graf
Secretary

cc: Dennis Arey, Aklavik HTC
Terry Baker, National Energy Board, Calgary
Richard Binder, Inuvik HTC
Rudy Cockney, DIAND, Inuvik
Greg Cook, Water Resources Division, DIAND, Yellowknife
Frank Pokiak, Tuktoyaktuk HTC
Gordon Wray, N.W.T. Water Board, Yellowknife

Encl. (7) EISC Decision
Letter from Tuktoyaktuk HTC, Dated 29 August 2001
Letter from the Prince of Wales Northern Heritage Centre, Dated 13 September 2001
Letter from Environment Canada, Dated 19 September 2001
Letter from Inuvik HTC, Dated 25 September 2001
Letter from FJMC, Dated 25 September 2001
Letter from DFO, Dated 26 September 2001



ENVIRONMENTAL IMPACT SCREENING COMMITTEE

SUBMISSION NUMBER: 08/01-03

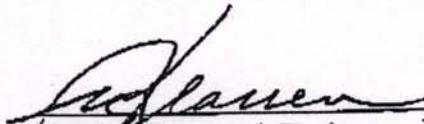
NAME OF PROPONENT: Chevron Canada Resources, Ms. Delona Butcher

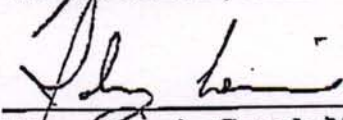
PROJECT DESCRIPTION: *Ellice, Mallik and North Langley Seismic Program*

DECISION OF THE SCREENING PANEL (circled):

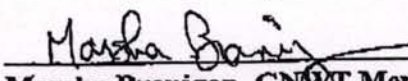
1. The development will have no such significant negative impact and may proceed without further environmental impact assessment and review under the Inuvialuit Final Agreement. [IFA s. 11. (13) (a)]
2. The development could have significant negative environmental impact and is subject to assessment and review under the Inuvialuit Final Agreement. [IFA s. 11. (13) (b)]
3. The development proposal has deficiencies of a nature that warrant a termination of its consideration and the submission of another project description. [IFA s. 11. (13) (c)]

Signed on the 27 day of September, 2001.


 William Klassen, Chair


 Johnny Lennie, Canada Member

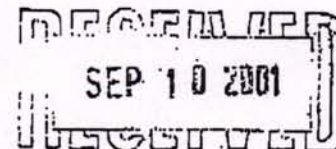
 Billy Day, Inuvialuit Member


 Marsha Branigan, GNWT Member


 Alex Kaglik, Inuvialuit Member

 Chuck Hubert, YTG Member


 Fred Wolki, Inuvialuit Member

Tuktoyaktuk Hunters & Trappers Committee

P.O. Box 286, Tuktoyaktuk, N.W.T. X0E 1C0 • Phone (867) 977-2457 • Fax (867) 977-2453

August 29, 2001

Linda Graf
Secretary
Environmental Impact Screening Committee
Box 2120
Inuvik, NWT X0E 0T0

Dear Linda,

RE: Inuvialuit Environmental & Geotechnical Inc. - Chevron Canada Resources Winter 2001/2002 Ellice & Mallik Seismic Program:

The Tuktoyaktuk Hunters and Trappers Committee reviewed the above application at their Regular Board Meeting on August 27, 2001.

The following are concerns regarding this application:

- a) Would like to see more than 1 environmental monitor and wildlife monitor on site during this project because of the size of the area
- b) Any and all shot holes to be covered back up immediately to avoid disturbance to the land, because these holes will eventually fill with water causing puddles to form and will also cause the permafrost to melt

If you require any additional information please do not hesitate to call our office.

Sincerely,

Frank Pokiak
Chairman

Delona Butcher, Land Representative, Chevron Canada Resources



Northwest Territories Education, Culture and Employment

201-24

*Rec'd
14 Sept 2001*

September 13, 2001

Ms. Linda Graf
Environmental Impact Screening Committee
P.O. Box 2120
Inuvik, NT X0E 0T0

BY FAX 867-777-2610

Re: **Chevron Resources Canada (Butcher) Ellice, Mallik, and North Langley
Seismic Program**

We have reviewed the document and note that numerous archaeological sites have been recorded near the development zone. Based on our experience and knowledge of the region, we recommend that the project be permitted, but with the following conditions:

- that the proponent be directed to remain at least 30 metres from the boundaries of all known archaeological sites;
- that the proponent be urged to proceed with caution in all operations as the area exhibits a high potential for locating new archaeological sites;
- that the proponent be directed to conduct a follow-up study next summer to assess potential impacts to heritage resources as a result of this winter's activities.

Sincerely,

Barbara Cameron
Acting Director
Culture, Heritage and Languages Division

Prince of Wales Northern Heritage Centre

(Cross ref: INAC N2001B0034)





Environment
Canada

Environnement
Canada

Environmental Protection Branch
Suite 301, 5204 - 50th Ave.
Yellowknife, NT
X1A 1E2
Ph. (867) 669-4700

September 19, 2001

Our File 4709 002 008

Mr. G. Cook
Environmental Assessment Coordinator
Water Resources Division, T.A.C.
NWT Water Board

Re: Water Licence (B) N7-1-1772 By Fax: 867-669-2716

Mr. R. Cockney
Indian and Northern Affairs Canada
North Mackenzie District

Re: Land Use Permit N2001B0034 By Fax: 867-777-2090

Ms. L. Graf
Environmental Impact Screening Committee
Inuvialuit Joint Secretariat
P.O. Box 2120
Inuvik, NT X0E 0T0

Re: Submission # 08/01-03

By Fax: 867-777-2610

Mr. J. Korec
National Energy Board
311 Sixth Ave, S.W.
Calgary, AB T2P 3H2

Re: File # 9180-C843-1 and -2

By Fax: 403-292-5876

RE: Chevron Resources Canada, Ellice, Mallik, and North Langley Seismic Program

On behalf of Environment Canada, I have reviewed the above noted project proposal. Environment Canada's specialist advice is based primarily on the mandated responsibilities for the enforcement of Section 36(3) of the *Fisheries Act*, the *Canadian Environmental Protection Act* (CEPA) and the *Migratory Birds Convention Act* (MBCA).

Review Comments

Meeting the requirements of the Federal *Fisheries Act* is mandatory, irrespective of any other regulatory or permitting system. Section 36(3) of the *Fisheries Act* 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, or in any place under any conditions where the deleterious substance, or any other deleterious substance that results from the deposit of the deleterious substance, may enter any such water.

Environment Canada recommends that all fuel storage be equipped with secondary containment and the other hazardous materials be stored in such a manner as to prevent their release into the environment.

Environment Canada recommends that solid wastes generated from sewage treatment or waste incineration be transported to an approved disposal facility. It is the proponent's responsibility to ensure that the facility is equipped to deal with the wastes and that arrangements have been made for the facility to receive them for disposal.

In order to prevent the intermingling of surface and ground water as a result of project activities Environment Canada recommends that all seismic shot holes be properly plugged and returned to as near natural conditions as possible.

Both habitat destruction and fragmentation impact wildlife and since Environment Canada's mandated responsibility includes the protection of migratory birds, we recommend that seismic lines be restricted to a maximum width of 3 to 5 metres. Where possible, existing lines and right-of-ways should be used in order to minimize the environmental impacts and reduce the recovery period of disturbed areas.

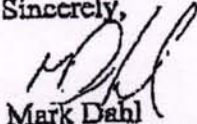
The proponent neglected to include a spill response plan. The proponent should provide an adequate fuel and oil spill contingency plan for review before they are allowed to proceed with the project. However, Environment Canada did review the spill plan provided with the submission for Chevron Canada Resources' "Winter 2001/2002 Ogruknang and Tumma Seismic Program". The aforementioned plan would be adequate if submitted as an addendum to this project description.

Environment Canada understands that cumulative effects is a very difficult concept for Proponents and Reviewers alike to comment and reach consensus on. Environment Canada recognizes that the Proponent is cognizant of potential cumulative impacts, however their determination that residual cumulative effects from this project are predicted to be low in magnitude and local in extent is open to challenge. Without having a strategy for implementing the proposed Northwest Territories wide Cumulative Effects Assessment and Management Framework (CEAMF), predicting the actual cumulative environmental impacts will continue to be subjective. Without thresholds and appropriate indicator species identified, the determination of significance in cumulative effects assessment will be an ongoing challenge. Environment Canada is encouraged to see that the EIRB and EISC are working in cooperation with Kavik Axys Ltd. in preparing guidelines for quantitatively assessing cumulative effects. These agencies will also be conducting a workshop to provide guidance on the application of the guidelines once they have been produced. Environment Canada encourages all proponents to participate in the development of the CEAMF. Participation in the development process will facilitate greater certainty and clarity when conducting future environmental assessments.

Based upon the information provided, Environment Canada believes that the impacts of the proposed project on water quality will be mitigated, after taking into account the mitigation measures proposed by the proponent and any additional measures detailed in our comments. This conclusion is based on the premise that all of the recommended mitigation measures which are pertinent to our departmental areas of responsibility are substantially adopted, installed, monitored, and effectively maintained by the proponent for the full duration of construction, operation and decommissioning (if appropriate) of this project.

If I can be of any further assistance please feel free to contact me.

Sincerely,



Mark Dahl
Contaminants Biologist
Environment Protection Branch
(867) 669-4734 Fax (867) 873-8185
mark.dahl@ec.gc.ca

cc: E. Harbicht, EC



RECEIVED
SEP 25 2001

Environmental Impact Screening Committee
P.O. Box 2120
Inuvik, NT
XOE-OTO

September 25, 2001

Dear Linda,

Re: Chevron Resources Canada, Ellice, Mallik & North Langley 3D Seismic Program

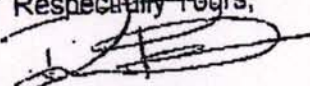
After a review of the above noted project submission, the Inuvik Hunters and Trappers Committee would like to provide the following comments, while reserving the right to bring forward (to the proponent) additional information of substance, that our members bring to our attention, which we overlooked.

- Last year a number of vehicles went through the ice and our members are very concerned in this regard. (Pollution factor)
- It should also be noted that there are privately owned reindeer on the island with respect to the Mallik site.
- There were also concerns raised regarding extensions beyond April 15th resulting from favorable condition as this may have negative impact on migrating birds or other species.
- Avoid blockage of streams when constructing access roads across them.

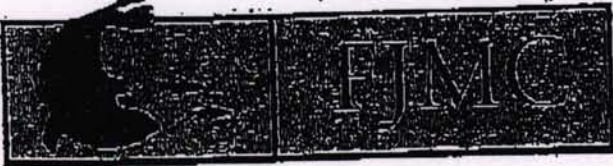
On a final note, wildlife monitors (provided by the HTC's) must be onsite to ensure that any potential for negative impacts to wildlife and its habitat is avoided. For those projects in or near the Inuvik blocks should contact Inuvik HTC's Resource Person – Shelly Gordon at 867-777-3671 to make necessary arrangements.

If you have any questions please call our office.

Respectfully Yours,


Richard Binder
IHTC Chairperson

CC: Inuvialuit Game Council
Inuvialuit Land Administration
All Hunters and Trappers Committee
Chevron Resources

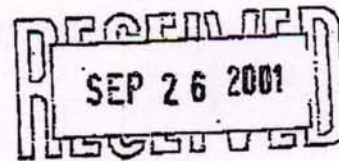


FISHERIES JOINT MANAGEMENT COMMITTEE

Joint Secretariat - Inuvialuit Renewable Resource Committees
Box 2120, Inuvik, NT, X0E 0T0
Tel: 867.777.2828 Fax: 867.777.2610 Email: fjmc@jointsec.nt.ca

September 25, 2001

Bill Klassen, Chair
Environmental Impact Screening Committee
Box 2120
Inuvik, NT
X0E 0T0



Dear Mr. Klassen:

Re: 2001/02 Seismic & Drilling Submissions

During our teleconference on September 21, the Fisheries Joint Management Committee had the opportunity to review 9 industry proposals before EISC in September. This letter contains our general comments and concerns on these submissions¹.

At the outset I should note that given the number and detail of the proposals and the resources at our disposal, our Committee is able to offer only general comments about the project proposals. We are concerned about this limited ability and the fact that the situation is not likely to improve in the near term. Further, while we have some confidence that agency reviews will speak to the details, we are concerned that neither we, nor other co-management groups have the tools to assess the impacts of these projects in relation to each other, or in relation to previously screened projects, or those that will be on the table next month. We recognize that the EISC and the EIRB are working on the issue of cumulative effects and we look forward to the products of that process. In the meantime we will continue to encourage the GIS folks at the JS to maintain a cumulative, current-year map of screened and screenable projects, and to make it available to all of us who feel a responsibility to provide comments for consideration by your Committee.

Finally, by way of preamble, our Committee is appalled that federal agencies appear to be waiting for an actual pipeline application to trigger significant new financial resources to deal with hydrocarbon development activities. Government agencies are thus forced to deal with accelerating development on "pre-development" budgets and staffing commitments. The few DFO-Habitat staff in Yellowknife are serving this region as best they can to process an ever increasing volume of submissions for proposed hydrocarbon development and, with a conservative precautionary approach in mind, ensuring that industry is aware of the Department's guidelines with respect to activities on or near waterbodies in the ISR. However, increased awareness and solid guidelines are only useful if they are combined with

¹ Chevron- Winter 2001/02 Ogruknang & Tuwma Seismic Program; Chevron- Ellice, Mallik, and North Langley Seismic Program; AEC West- Burnt Lake Seismic Program; Shell Canada Ltd- Winter 2001/02 Aklavik 2D Seismic Program Water Licence; Petro-Canada - Kurk/Napartok Winter 2001/02 Drilling Program; Petro-Canada - Kurk/Kuppik Summer 2002 Drilling Program; Petro-Canada - Nuna 3D Winter Seismic Program; Anderson Resources- Tuk South Winter 2001/02 3D Seismic; Anderson Resources- Tuk 2 Winter 2001/02 Drilling Program.

strong commitments by federal regulators like Fisheries & Ocean Canada and Indian & Northern Affairs to provide adequate staff resources in the field to make sure that industry operators, with their often complex webs of multiple contractors and subcontractors, are actually delivering on what they promise they will do. Unfortunately, the Committee lacks confidence that the DFO, with only one fishery officer based in Inuvik, will be able to meet those obligations.

With regard to our specific concerns, all are related in one way or another to agency field capability:

- In light of apparent limited federal inspection capabilities, we feel that local environmental monitors could play a key role as our collective eyes and ears on the job site. However, there remains a great deal of ambiguity related to information exchange and reporting relationships. This Committee would welcome the establishment of a central database on fish and waterbody incident reports from environmental & wildlife monitors that would be readily accessible to interested parties such as the FJMC, EISC, HTCs, and DFO.
- The Committee welcomes the introduction of new technologies that are designed to keep explosive charges in place at approved depths. However, as last winter's experience proved, things do not always work as planned. We therefore recommend that there be an heightened level of inspection during the initial deployment of this technique.
- Use of snow making to get an early start on building foundations for winter roads as well as for other development processes in several of the projects raises great concern about significant water draw-down, especially from small lakes and river channels along the various routes. While the initial selection of source waterbodies may be based upon existing literature, we recommend that the actual draw-downs be monitored by DFO.
- Proposed developments are creeping ever closer to the shores of Husky Lakes and its associated feeder/drainage systems. We all recognize the importance of the subsistence fishery of this lake to the Inuvialuit of Tuk and Inuvik. Again we have concerns that agency monitoring of development activities may not be adequate to identify and deal with problems that may adversely affect those fisheries.
- 2001/02 brings a number of drilling programs to the region, and with these programs comes an associated list of possible environmental impacts on water bodies including draw-downs, access roads, hazardous material management and spill contingencies, human waste management, etc. Can the Department assure us that companies will follow through on their apparently well thought out and well intentioned plans to comply with the Department's guidelines?

On behalf of the Committee, thank you for giving the FJMC this opportunity to comment on these proposals before EISC.

Sincerely,



Robert K. Bell
Chairman

cc: Ron Allen, DFO; Redmond Clarke, DFO; Peter Cott, DFO; Rudy Cockney, INAC;
Robert Hornal, EIRB; Duane Smith, IGC; Norm Snow, JS; Hans Arends, ILA

Fisheries
and OceansPêches
et OcéansFish Habitat Management
Suite 101, 5204-50th Avenue
Yellowknife, Northwest
Territories
X1A 1E2

Your file / Votre référence

Our file / Notre référence

SC01101

September 25, 2001

Chevron Canada Resources
500-5th Ave. S.W.
Calgary, AB
T2P 0L7Attention: Cynthia PyćRE: Chevron Canada Resources Winter 2001/2002 Ellice 3D, Mallik 3D, North Langley 3D and Burlington 2D Seismic Programs— DFO Comments

Dear Cynthia:

The Department of Fisheries and Oceans, Fish Habitat Management – Western Arctic Area (DFO) received the project description for the above mentioned proposed 3D and 2D seismic programs. This letter is to advise that I have reviewed the proposal and am providing the following comments on behalf of DFO.

It is my understanding from the information provided that:

- There will be 199 km² of 3D on Ellice Island, 21 km² of 3D west of the mouth of Middle Channel (North Langley), 212 km² of 3D on Richards Island (Mallik) and 59 km of 2D seismic lines extending from Richards to Hooper Island (Burlington).
- Vibroseis will be the primary energy source for the programs, however dynamite will be used as the energy source for waterbodies > 400 m in width not frozen to the bottom.
- Water required for any aspect of the proposed projects (including ice road construction) will only be taken from the Mackenzie River or it's channels.
- All water intakes are to be covered with 2.54 mm screens to prevent the entrainment of fish complying with the refer to the *Freshwater Intake End-of-Pipe Fish Screen Guideline* (DFO, 1995).

Since the proposed seismic work will occur on and/or near waterbodies in the Mackenzie River Delta, I have concluded that the proposed work may result in the

harmful alteration, disruption or destruction of fish habitat. The following mitigation measures, if implemented, should prevent any potentially harmful impacts to fish and fish habitat. This list includes measures outlined in the proposal.

- **Prior to any seismic activity taking place in waterbodies not frozen to the bottom and where dynamite is to be used as the energy source, DFO must be satisfied that all conditions specified in the June 13, 2001 DFO letter (attached for your convenience) have been met.**
 - Condition 1 states that "any technology proposed has to be proven to function effectively (i.e. without resulting in impact to fish or fish habitat) prior to the initiation of the full seismic program." This test will require a **Section 32 Fisheries Act** authorization.
- The proposed seismic programs should not interfere with traditional fish or seal harvesting.
- **The use of explosives within waterbodies that do not have bottom fast ice should be avoided if possible. If explosives must be used in the vicinity of waterbodies, procedures should follow and comply with DFO's *Guidelines for the use of Explosives in or Near Canadian Fisheries Waters* (1998) using the set back distances amended December 2000.**
- Access routes should follow existing trails, winter roads or cut lines where possible to minimize unnecessary clearing of vegetation and soil compaction. Vegetation is critical for the protection of littoral and riparian fish habitats since it provides cover and enhances bank stability.
- Mechanized clearing should not occur within one hundred (100) metres of any stream or lake to protect bank stability, avoid soil compaction and retain riparian vegetation.
- "Mushroom shoes", or "boots" on bladed vehicles are recommended as a protective measure to minimize ground disturbance and erosion due to snow plowing and grading activity.
- Cutting of crossing approaches is not permitted unless approved in writing by DFO. The preferred method for crossings to avoid bank cutting is with the construction of snow ramps.

Note: The use of material other than ice or snow to construct a temporary crossing-over of any ice-covered stream is prohibited under Section 11 of the Northwest Territories Fishery Regulations, unless authorized by a Fishery Officer.

Canada

- Winter crossings should not impede water flow and should be v-notched or otherwise removed prior to spring break-up.
- Reclamation activities should include bank stabilization and re-vegetation as required. This work should be completed prior to spring thaw when surface runoff is greatest

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 including maintenance procedures and vehicular refuelling should be controlled to prevent the entry of petroleum products, debris, slash, rubble, concrete or other deleterious substances into the water.
- All wastes, drill cuttings, sewage containments, sumps and fuel caches should be located at least 100 metres from any water body if possible, and be sufficiently bermed or otherwise contained (such as in doubled walled tanks) to ensure that these substances do not enter any waterbody.
- Drill cuttings should be disposed of in such a way that they do not enter any water body (such as through the use of impermeable liners). The use of biodegradable drill additives is encouraged over non-biodegradable types.
- No material should be left on the ice when there is the potential for that material to enter the water (i.e. spring break-up).
- A spill contingency plan should be made available to all persons required to work on site and followed in the event of a spill.
- All spills of oil, fuel, or other deleterious material should be reported immediately to the 24-Hour Spill Line at (867) 920-8130 as well as the National Energy Board as per their regulatory provisions.

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

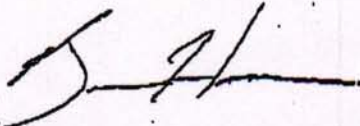
Canada

implement the additional mitigation measures specified above, 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 permits that may be required.

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) 669-4913, or Bruce Hanna at (867) 669-4931 or by fax at (867) 669-4940.



Pete Corr

Area Habitat Biologist

Fish Habitat Management

Department of Fisheries and Oceans- Western Arctic

Copy: Bruce Hanna, Habitat Biologist - DFO

Larry Dow, A/C&P Supervisor, Fishery Officer - DFO

Mark Simms, Fishery Officer - DFO

Erin Bradley- Inuvialuit Environmental and Geotechnical

Linda Graf- Environmental Impact Screening Committee

Brian Collins- DIAND, Water Resources

R.A. Cockney- DIAND, Land Administration

Ed McLean- Fisheries Joint Management Committee

Hans Arends- Inuvialuit Land Administration

John Korec- National Energy Board