



Indian and Northern
Affairs Canada

Affaires indiennes
et du Nord Canada

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Yellowknife, NT X1A 2R3

File: EA0708-007
Dezé Energy Corporation

January 7, 2010

Tawanis Testart
Environmental Assessment Officer
Mackenzie Valley Environmental Impact Review Board
Box 938
#200 Scotia Centre, 5102-50th Avenue
Yellowknife, NT X1A 2N7

VIA EMAIL

Dear Ms. Testart

**Re: Indian and Northern Affairs Canada – January 14-15, 2010 Public
Hearing Presentation for the Dezé Energy Corporation - Taltson
Hydroelectric Expansion Project- Environmental Assessment**

Indian and Northern Affairs Canada (INAC) is pleased to provide the following Presentation for the Public Hearing on the Dezé Energy Corporation's Taltson Hydroelectric Expansion Project to the Mackenzie Valley Environmental Impact Review Board (Review Board).

INAC looks forward to attending and presenting its submission at the Dettah, NT Chief DryGeese Conference Centre, on January 14, 2010.

Sincerely,

Teresa Joudrie
Director, Renewable Resources and Environment



Indian and Northern
Affairs Canada

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et du Nord Canada

Indian and Northern Affairs Canada (INAC)

Public Hearing Presentation

Dezé Energy Corporation Ltd. Taltson Hydroelectric Expansion Project

MVEIRB EA0708-007

Dettah, NWT

January 14-15, 2010



Canada 



Presentation Overview

- Technical issues and recommendations:
 - water quality
 - water quantity
 - terrain and permafrost
 - closure and reclamation and management plans
- Land access
- Consultation
- Concluding remarks





Water Quantity

ISSUES:

- Changes in water levels and flow have the potential to increase erosion, scouring, ice jams and flooding in Trudel Creek.
- Modelling assumptions may under-predict effects.

RECOMMENDATIONS:

- Continue calibration and verification of the Taltson River Basin Model. (R1)
- Implement mitigation commitments to control the release of water from Nonacho Lake. (R2)
- Monitor water level, ice formation and ice thickness throughout the Taltson watershed. (R3)





Water Quantity

ISSUE:

- Ramping due to power outages will increase potential for ice jamming and erosion.

RECOMMENDATIONS:

- Moderate and control water releases through Trudel Creek during power outages and shutdowns. (R4)
- Use most recent hydrological model for the Taltson River to make operational adjustments during power outages and shutdowns. (R5)





Water Quantity

ISSUE:

- Minimum flows for Trudel Creek and Tronka Chu Gap should be established based on additional measurement of Dissolved Oxygen (DO).

RECOMMENDATIONS:

- Collect more information to support a 4 m³/s winter flow minimum for Trudel Creek, and establish minimum flow requirements for other seasons. (R6)
- Determine if minimum flow requirements are necessary for Tronka Chua Gap. (R7)





Water Quality

ISSUES:

- Potential for water contamination from in-stream and near-stream construction activity without the use of cofferdams.
- Potential for surface and groundwater contamination if ANFO prill/pellet explosives used in “wet holes”.
- Management of explosives residues.
- Potential for acid rock drainage from blast rock.





Water Quality

RECOMMENDATIONS:

- Implement commitments for in-stream and near- stream activities. (R8)
- Blast Management Plan. (R9)
- Consider the use of cofferdams for in-stream activities. (R10)
- Monitor for ammonia and nitrate, and acid rock drainage and metal leaching. Use results to adapt & prevent adverse impacts. (R11)





Water Quality

ISSUES:

- Insufficient DO measurements to validate predictions. Potential for DO levels to fall below CCME Guidelines for the protection of fish.
- Potential for Methylmercury remobilization through increased erosion from water level fluctuations.
- Details required in the regulatory phase about location and waste management related to construction camps and staging areas.
- Details required in the regulatory phase regarding the construction of ice roads and access trails.





Water Quality

RECOMMENDATIONS (continued):

- Collect additional baseline information to fill data gaps and verify modelling assumptions. (R12)
- Collect additional DO data in winter to verify DO modelling. (R13)
- Use revised DO predictions to identify a preferred operational scenario for power generation and mitigation. (R14)
- Monitor for DO and mercury and use results in adaptive management. (R15)
- Implement waste and sewage storage commitments. (R16)





Water Quality

RECOMMENDATIONS (continued):

- Develop a Spill Contingency Plan. (R17)
- Detailed final designs for transmission line, camps, barge landings and staging sites are required. (R18)
- Details regarding ice road construction & monitoring finalized in the regulatory phase. (R19)





Terrain and Permafrost

ISSUE:

- Location and spacing of towers should avoid sensitive terrain.

RECOMMENDATION:

- Reconnaissance should be done in the summer to identify sensitive habitat areas and sensitive permafrost terrain. (R20)





Terrain and Permafrost

ISSUE:

- Construction camps and staging areas are potential areas for erosion and subsidence.

RECOMMENDATION:

- Details about construction camps and staging areas should be provided in the regulatory phase.
(R21)





Management Plans

- Management Plans to be reviewed in the regulatory phase.

RECOMMENDATIONS:

- Dezé should be required to develop an Adaptive Management Plan along with its Environmental Monitoring Plans such that the plans are directly linked and feed into the management framework. (R22)
- Dezé should be required to develop a preliminary Closure and Reclamation Plan during the regulatory phase. (R23)





Land Access

- The public has a right to access Crown Land.
- Dezé cannot restrict access to the Fort Smith – Twin Gorges road or any other road
- Road decommissioning after the project is complete should be discussed with INAC during the regulatory phase.





Consultation

- INAC views consultation that occurs during the Environmental Assessment process as procedural aspects of Crown consultation.
- Consultation undertaken by MVEIRB can form part of, and be taken into account for, the purposes of Crown consultation.
- INAC, as part of the Crown, is committed to ensuring that the duty to consult, and where appropriate, accommodate, is met.





Consultation, cont.

- INAC and the other Responsible Ministers will review information provided during the EA process and the Report of EA to determine whether additional consultation is required by the Responsible Ministers prior to making their decision regarding the MVEIRB's recommendation contained in the Report of EA.





Concluding Remarks

- INAC is satisfied with the developer's responses and commitments to all technical report topics.
- Additional detail will be required in the regulatory phase.
- Based on INAC's review of information provided to date, we have not identified any potential adverse impacts that cannot be properly mitigated through the regulatory phase.

