

Mackenzie Valley Land and Water Board 7th Floor - 4910 50th Avenue P.O. Box 2130 YELLOWKNIFE NT X1A 2P6 Phone (867) 669-0506 FAX (867) 873-6610

	FILI	E NUMBE	R: <u>MV201</u>	100002
Date:	April 14, 2011			
То:	Mr. Richard Edjericon			
Organization:	Mackenzie Valley Environmental Impact Review Board			
Fax:	(867) 766-7074			
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From:	Amanda for Willard Hagen, Chair			
Number of pages incl	uding cover		12	
Remarks:				
Referral to Environr	nental Assessment			
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Mackenzie Valley Land and Water Board

7th Floor - 4910 50th Avenue • P.O. Box 2130 YELLOWKNIFE, NT X1A 2P6 Phone (867) 669-0506 • FAX (867) 873-6610

April 14, 2011 File: MV2011C0002

Mr. Richard Edjericon, Chair Mackenzie Valley Environmental Impact Review Board 200 Scotia Center, 5102 - 50th Avenue Box 938

YELLOWKNIFE NT X1A 2N7

Dear Mr. Edjericon:

Referral to Environmental Assessment Alex Debogorski, MV2011C0002 Diamond exploration, Drybones Bay, NT

The Mackenzie Valley Land and Water Board (MVLWB) met on April 14, 2011 to review the application. The decision was made to refer the application to the Mackenzie Valley Environmental Impact Review Board for an environmental assessment pursuant to subsection 125(1) of the *Mackenzie Valley Resource Management Act*. This decision was based on several observations:

- a) The contentious history of other applications in the Drybones Bay area from existing EA evidence on the public registry;
- b) The MVEIRB's previous recommendations (Feb 2004) that no new land use permits be issued for proposed developments within the Shoreline Zone and within Drybones Bay and Wool Bay proper... until a plan has been developed;
- c) The MVEIRB's previous and most recent statement that the "cumulative cultural impacts [in the Drybones and Wool Bay areas] are at a critical threshold" ("Report of Environmental Assessment and Reasons for Decision on Sidon International Resources Corp. Exploratory Drilling at Defeat Lake" Feb, 2008); and
- d) Significant public concern regarding the integrity of the cultural and spiritual values associated with the Drybones Bay area with continued development identified through reviewer comments.

The Reasons for Decision and the Preliminary Screening Report are attached for your information.

Fax: (867) 766-7074

If you have any questions or concerns, please contact Shannon Hayden at (867) 766-7466 or email shayden@mvlwb.com.

Yours sincerely,

Willard Hagen Chair

Copied to: Alex Debogorski

Distribution List

Shannon Hayden, Regulatory Officer, MVLWB

Attachment

Preliminary Screening Report Form

Preliminary screener: MVLW	В	EIRB
Reference / File number: MV2011C0002		Reference number:
TITLE: Diamond exploration, I	Drybones Bay, NT	Tionion.
Organization: Alex Debogorsk	ų .	1
Meeting date: April 14, 2011		
Type of Development: (CHECK ALL THAT APPLY)	🖾 Requi	id, EIRB Ref. # ires permit, licence, or authorization
Project Summary	□ Does	not require permit, licence, or authorization
Equipment Longyear 24 Hydro Core II John Deer 450 CAT Knod Well Snowmobile Pick-up Truck Cessna 185	Orill	
Area Smitski #1 Claim # K0301 Drybones Bay area 62°6'4" to 62°7'17" N and	6 :113°45'42" to 113°51'7" W	
Timeframe Up to 10 drill holes to be of	completed over a 5 year period	
Fuel • 20 x 205L as required		
Camp Snowfield Development C	orp. Camp will be used	
Access Will clear drill access to each Access to site by existing		
Scope		
Diamond drilling, use of equipme	ent, construction of access trails, ar	nd storage of fuel southeast of Burnt Island on Great Slave Lake, NT
Minimum Latitude: 62° 06.06' Maximum Latitude: 62° 07.89'	Minimum Longitude: 113° Maximum Longitude: 113°	# . A # !
Land Use Eligibility - Section 1	8 Mackenzie Valley Land Use Re	egulations a)(i)
Type of Disposition	Disposition Number(s)	
Mineral Claims Prospecting Permit (s) Mineral Leases Oil and Gas: EL/SDL/PL Quarry Permit Timber Permit Other:	K03016	
Principal Activities (related to (CHECK ALL THAT APPLY)	scoping)	
	☑ Exploration☐ Industrial☐ Recreation☐ Municipal☐ Quarry☑ Linear / Corr☐ Sewage	☐ Decommissioning ☑ Abandonment ☑ Aerial ☐ Harvesting ☐ Camp ☐ Scientific/ ☑ Solid Waste

Principal Development Compor	nents (related to scoping)		and the first of t
	Movement of Vegetation	□ Waste Management □ disposal of □ waste gene □ sewage □ disposal of □ Geoscientific Sampli □ Trenching □ Diamond drill □ Borehole core sampli □ Bulk soil sampling □ gravel □ hydrologica □ Site Restoration □ grubbing □ planting/see □ reforestation □ scarify □ spraying □ spraying □ re-contouring □ Stream Crossing/Brice □ Tunnelling/Undergroue □ Other:	sewage ng ling I Testing eding n ng I of vegetation
NTS topographic map sheet no 85104 Latitude / longitude and UTM s 62°6'4" to 62°7'17" N a NAD83			
Nearest community and water Dettah and Great Slave Lake	body:		
Land Status (consultation info	rmation)		
☐ Free Hold/Private	Commissioners Land	☐ Federal Crown Land	☐ Municipal Land
Transboundary/Transregional	Implications		
	☐ Alberta ☐ Wood Buffalo National Park ☐ Gwich'in	☐ Saskatchewan ☐ Inuvialuit Settlement Region ☐ Sahtu	☐ Yukon ☐ Nahanni National Park ☐ Outside Management Area
Type of transboundary implica	ition:	☐ Development	
Public concern: (Describe.)			
Physical - Chemical Effects			
Impact 1) Ground Water	Mitigation		Location of condition
	per hole. Drilling may per possibly a lowered water to	nse under 10,000 gallons per day for onetrate an aquifer causing artesian flable. By requiring the proponent to ples where artesian flow is encountered mitigated.	ow and lug and
water quality changes	garbage may cause water p by requiring the proponent t cuttings in cutting bags and away from the ordinary high	wastes (drill cuttings and additives), foollution. These concerns should be mouse a recirculating drill system, to cold to deposit waste into sumps 100 mm water mark of any waterbody.	nitigated 26(1)(<i>a</i>) lect drill 26(1)(<i>g</i>) or more 26(1)(<i>m</i>)

	and personnel trained in the use of the kits on site, as identified in the Spill Contingency Plan.	
infiltration changes		
other:		
□ N/A		
Impact 2) Surface Water	Mitigation	Location of condition
flow or level changes		
☑ water quality changes	Fuel cache, drill, and other equipment have the potential to contaminate local surface waters. Standard operating conditions for fuel storage, handling, and drill waste storage and disposal will help mitigate the potential for contamination.	26(1)(<i>a</i>) 26(1)(<i>d</i>) 26(1)(<i>g</i>) 26(1)(<i>m</i>)
	The risk of hydrocarbon contamination is further mitigated by requiring the proponent to use drip pans at fuel transfer locations, and to have spill kits and personnel trained in the use of the kits on site, as identified in the Spill Contingency Plan.	
M water quantity changes	No mitigation. The drilling operation will use under 10,000 gallons per day for one drill per hole. Spring runoff, rain and ice melt should adequately recharge the lake.	
drainage pattern changes		
temperature temperature		
wetland changes/loss		
other:		
□ N/A		
Impact 3) Noise	Mitigation	Location of condition
☑ noise in/near water	Noise, sound, and emissions may temporarily disturb wildlife. However, these are all low impact, localized, and over a short duration. No long-term impacts expected; no mitigation.	
☑ noise increase	Noise, sound, and emissions may temporarily disturb wildlife. However, these are all low impact, localized, and over a short duration. No long-term impacts expected; no mitigation.	
other:		
□ N/A		
<i>Impact</i> 4) Land	Mitigation	Location of condition
geologic structure changes		
Soil contamination	Fuel cache, drill, and other equipment have the potential to contaminate local soils. Standard operating conditions for fuel storage, handling, and drill waste storage and disposal will help mitigate the potential for contamination.	26(1)(<i>a</i>) 26(1)(<i>d</i>) 26(1)(<i>g</i>) 26(1)(<i>m</i>)
	The risk of hydrocarbon contamination is further mitigated by requiring the proponent to use drip pans at fuel transfer locations, and to have spill kits and personnel trained in the use of the kits on site, as identified in the Spill Contingency Plan.	
☐ buffer zone loss		
Soil compaction and settling	The uses of heavy machinery and drilling activities have the potential for disturbing and compressing the ground surface. Overland travel shall be suspended at any sign of rutting.	26(1)(f)

□ destabilization/erosion	Any artesion flow shall be plugged and immediately reported to the Inspector. Overland travel shall be suspended at any sign of rutting.	26(1)(<i>f</i>)
permafrost regime alteration		
☐ explosives/scarring		
other:		
□ N/A		
Impact 5) Non-renewable natural resources	Mitigation	Location of condition
resource depletion		
other:		
⊠ N/A		
Impact 6) Air/climate/atmosphere	Mitigation	Location of condition
☑ other: emissions	Noise, sound, and emissions may temporarily disturb wildlife. However, these are all low impact, localized, and over a short duration. No long-term impacts expected; Use of small generators, vehicles, helicopters, and drilling equipment, with appropriate emissions equipment should adhere to federal air quality standards.	
□ N/A		
Biological Environment		
Impact 1) Vegetation	Mitigation	Location of condition
species composition		
species introduction		
☐ toxin/heavy accumulation		
☑ other: contamination	Fuel cache, drill, and other equipment have the potential to contaminate local vegetation. Standard operating conditions for fuel storage, handling, and drill waste storage and disposal will help mitigate the potential for contamination.	26(1)(a) 26(1)(d) 26(1)(g) 26(1)(m)
	The risk of hydrocarbon contamination is further mitigated by requiring the proponent to use drip pans at fuel transfer locations, and to have spill kits and personnel trained in the use of the kits on site, as identified in the Spill Contingency Plan.	
□ N/A		
Impact 2) Wildlife and Fish	Mitigation	Location of condition
effects on rare, threatened or endangered species	If Species at Risk are encountered or affected, the primary mitigation measure should be avoidance. The proponent should avoid contact with or disturbance to each species, its habitat and/or its residence.	Scope
☑ fish population changes	Fish populations can be harmed if the volume of oxygenated water in lakes used for over wintering by fish is greatly reduced. Requiring the proponent to use a recirculating drilling system will reduce the risk of this. The proponent should also adhere to the DFO protocol on Mineral Exploration Activities.	Scope 26(1)(<i>a</i>)
waterfowl population changes		
☐ breeding disturbance		
population reduction		

species diversity change	•	
☐ health changes		
☑ behavioural changes	Wildlife, especially caribou, may avoid the drill sites because of the noise and smells. This may prevent caribou from accessing water crossings.	
☐ habitat changes / effects		
game species effects		
☐ toxins/ heavy metals		
☐ forestry changes		
agricultural changes		
other:		
□ N/A		
Interacting Environment		
Impact 1) Habitat and Communities	Mitigation	Location of condition
predator-prey		
wildlife habitat/ecosystem composition changes		
reduction/removal of keystone or endangered species		
removal of wildlife corridor or buffer zone		
other:		
⊠ N/A		
	Mitigation	
Impact 2) Social and Economic	intigation	Location of condition
	initigation	
2) Social and Economic planning/zoning changes or		
 Social and Economic planning/zoning changes or conflicts increase in urban facilities or 		
 Social and Economic planning/zoning changes or conflicts increase in urban facilities or services use 		
2) Social and Economic planning/zoning changes or conflicts increase in urban facilities or services use rental house airport operations/capacity		
2) Social and Economic planning/zoning changes or conflicts increase in urban facilities or services use rental house airport operations/capacity changes		
2) Social and Economic planning/zoning changes or conflicts increase in urban facilities or services use rental house airport operations/capacity changes human health hazard impair the recreational use of		
2) Social and Economic planning/zoning changes or conflicts increase in urban facilities or services use rental house airport operations/capacity changes human health hazard impair the recreational use of water or aesthetic quality affect water use for other	The traditional use of this area has been altered already through the approval of other exploration and development activities in this area. No mitigation.	
2) Social and Economic planning/zoning changes or conflicts increase in urban facilities or services use rental house airport operations/capacity changes human health hazard impair the recreational use of water or aesthetic quality affect water use for other purposes affect other land use	The traditional use of this area has been altered already through the approval of other exploration and development activities in this area. No	
2) Social and Economic planning/zoning changes or conflicts increase in urban facilities or services use rental house airport operations/capacity changes human health hazard impair the recreational use of water or aesthetic quality affect water use for other purposes affect other land use operations	The traditional use of this area has been altered already through the approval of other exploration and development activities in this area. No	
2) Social and Economic planning/zoning changes or conflicts increase in urban facilities or services use rental house airport operations/capacity changes human health hazard impair the recreational use of water or aesthetic quality affect water use for other purposes affect other land use operations quality of life changes	The traditional use of this area has been altered already through the approval of other exploration and development activities in this area. No mitigation. The land in this area is of such value to the First Nation that it cannot afford	

Impact	Mitigation	Location of condition
3) Cultural and Heritage		
effects to historic property		
increased economic pressure on historic properties		
change to or loss of historic resources		
change to or loss of archaeological resources	This area is densely populated with archaeological sites. Conditions have been included in the Draft LUP that directs the proponent how to respond in the event previously unrecorded archaeological resources are located.	26(1)(j)
	This area is densely populated with archaeological sites. Conditions have been included in the Draft LUP that directs the proponent how to respond in the event previously unrecorded archaeological resources are located.	26(1)(<i>j</i>)
change to or loss of aesthetically important sites	in the croix providedly divided and idealogical resources are located.	
☑ effects to aboriginal lifestyle	The traditional use of this area has been altered already through the approval of other exploration and development activities in this area. No mitigation.	
other:		
□ N/A		
Notes:		

Consultation

- Pursuant to subsection 1.6, paragraphs (a) and (b) of the Akaitcho Territory Dene First Nations (ATDFN) Interim
 Measures Agreement, the MVLWB has determined that written notice was given to the ATDFN, and that a
 reasonable period of time was allowed for ATDFN to make representations with respect to the Application.
- Pursuant to Schedule 4.1 of the Northwest Territory Métis Nation (NWTMN) Interim Measures Agreement, the MVLWB has determined that written notice was given to the NWTMN, and that a reasonable period of time was allowed for NWTMN to make representations with respect to the application.

Preliminary Screener / Referring Body Information

First Nations

Yellowknives Dene First Nation (Dettah)
Yellowknives Dene First Nation (Ndilo)
Yellowknives Dene FN, Land & Environment
Lutselk'e Dene First Nation

Aboriginal Organizations

Dene Nation
Akaitcho Pre-screening Board
North Slave Métis Alliance
Tli Cho Lands Protection Environment
Rae-Edzo Métis Local #64
Northwest Territory Métis Nation

Community

City of Yellowknife

Government

Production of the Control of the Con
South Mackenzie District Office - INAC
Mineral & Petroleum Resources Directorate - INAC
Manager / Aboriginal and Territorial Relations Directorate - INAC
Environment and Conservation – INAC
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Intergovernmental Affairs – INAC
GNWT - MACA
GNWT - ENR
Gnwt_ea@gov.nt.ca
GNWT - DOT
GNWT - Health
GNWT - ITI
Environment Canada
DFO

Others

0111010	
MVEIRB	
Blachford	Lake Lodge

Decision

The Mackenzie Valley Land and Water Board (the Board) is satisfied that the preliminary screening of Application MV2011C0002, Alex Debogorski, Diamond exploration has been completed in accordance with section 125 of the *Mackenzie Valley Resource Management Act* (MVRMA).

The Board is satisfied that a reasonable period of notice was given to communities and First Nations affected by the application as required by subsection 63(2) of the MVRMA so that they could provide comments to the Board.

Having reviewed all relevant evidence on the Public Registry, including the submissions of the Applicant, the written comments received by the Board and any Staff Reports prepared for the Board, the Board has decided that:

- There is no likelihood that the proposed development might have a significant adverse impact on the environment;
- There is a likelihood that the proposed development might be a cause of public concern.

The Board is of the opinion that the Application cannot proceed through the regulatory process and that the public concerns identified cannot be mitigated through the imposition of the terms and conditions in the attached Land Use Permit.

As a result, the Board, having due regard to the facts and circumstances, the merits of the submissions made to it, and to the purpose, scope, and intent of the *Mackenzie Valley Resource Management Act* and the Mackenzie Valley Land Use Regulations, has decided that this Land Use Permit should not be issued at this time.

	Preliminary Screening Decision
Ø	Outside Local Government Boundaries
	The development proposal might have a significant adverse impact on the environment, refer it to the EIRB.
⊠	Proceed with regulatory process and/or implementation.
⋈	The development proposal might have public concern, refer it to the EIRB.
	Proceed with regulatory process and/or implementation.
	Wholly Within Local Government Boundaries
	The development proposal is likely to have a significant adverse impact on air, water or renewable resources, refer it to the EIRB.
	Proceed with regulatory process and/or implementation.
	The development proposal might have public concern, refer it to the EIRB.
	Proceed with regulatory process and/or implementation.

Preliminary Screening Organization	Signatures	
Mackenzie Valley Land and Water Board	, 6	
April 14, 2011		_

Distribution List by Fax

North Slave Region

First Nations

Chief Eddie Sangris	Yellowknives Dene First Nation (Dettah)	29	873-5969
Chief Ted Tsetta	Yellowknives Dene First Nation (Ndilo)	30	873-8545
Todd Slack, TE GIS	Yellowknives Dene FN, Land & Environment		environment@ykdene.com tslack@ykdene.com
Chief Steven Nitah	Lutselk'e Dene First Nation	34	doraenzoe@yahoo.ca tsatsiyecatholique@gmail.com

Aboriginal Organizations

, mainga. a.ga=aa.			
Lee Mandeville	Dene Nation		Imandeville@denenation.com
Screening Officer	Akaitcho Pre-screening Board		screeningofficer@eastarm.com
President Bill Enge	North Slave Métis Alliance		lands@nsma.net
Director	Tli Cho Lands Protection Environment	22	lands@tlicho.com
President	Rae-Edzo Métis Local #64		PREFERS EMAIL
		***************************************	rae_edzometisnation@theedge.ca
			867-371-5406
President Betty Villebrun	Northwest Territory Métis Nation	45	867-872-2772

Community

Mayor Gordon Van Tighem	City of Yellowknife	920-5649	
mayor dordon van nghom	i ord or ronomenia	020 00 10	

Government

Marty Sanderson	South Mackenzie District Office – INAC	Marty.Sanderson@inac.gc.ca
		Charlene.Coe@inac-ainc.gc.ca
Angela Norris	Mineral & Petroleum Resources Directorate - INAC	norrisa@inac.gc.ca
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	Relations Directorate - INAC	james.lawrance@inac-ainc.gc.ca
Lorraine Seale	Environment and Conservation – INAC	sealel@inac-ainc.gc.ca
Charlotte Henry		Charlotte.Henry@inac-ainc.gc.ca
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		669-2710
Mark Davy	GNWT - MACA	Mark_Davy@gov.nt.ca
Patrick Clancy	GNWT - ENR	Patrick_Clancy@gov.nt.ca
ENR	Gnwt_ea@gov.nt.ca	Gnwt_ea@gov.nt.ca
Rhonda Batchelor	GNWT - DOT	Rhonda_Batchelor@gov.nt.ca
Duane Fleming	GNWT - Health	Duane_fleming@gov.nt.ca
Kris Johnson	GNWT – ITI	K_Johnson@gov.nt.ca
	Environment Canada	ec.ea.nwt@ec.gc.ca
Rick Walbourne	DFO	Rick.Walbourne@dfo-mpo.gc.ca

Others

Vern Christensen	MVEIRB	vchristensen@mveirb.nt.ca
Mike Freeland	Blachford Lake Lodge	info@blachfordlakelodge.com
Louise Deborgski	A	louise@iceroadtrucker.ca