

Review Comment Table

Board:	MVEIRB
Review Item:	Husky, Chedabucto Project, Proposed Scoping Document
File(s):	
Proponent:	Husky Oil Operations Ltd.
Document(s):	Proposed Scoping Document (0.5 MB) Comments from Husky on Proposed Scoping Document (0.2 mb)
Item For Review Distributed On:	Mar 17 at 09:28 Distribution List
Reviewer Comments Due By:	Apr 10, 2015
Proponent Responses Due By:	Apr 24, 2015
Item Description:	<p>In December 2014 Husky Oil Operations Limited (Husky) submitted a land use permit application to the WLWB for the Chedabucto Mineral Exploration project. Husky proposes to conduct exploration activities on its mineral claims in the Whitebeach Point area to delineate and evaluate silica deposits in the area. The project will occur over two to three years and includes drilling approximately 200 drill holes, ground based geophysics and bulk sampling. In February 2015 the project was referred to the Review Board.</p> <p>The Review Board is proposing to tailor its EA process to reflect the scale of the Chedabucto project. The process is outlined in the Proposed Scoping Document which also contains a proposed scope of development and assessment. This document, its review and a round of information requests will form the scoping phase of this assessment.</p> <p>At the completion of the public review of the Proposed Scoping Document, the Review Board will issue a Final Scoping Document and Reasons for Decision that will be used instead of a Terms of Reference. The Review Board usually requests a developer to produce a Developers Assessment Report based on the Terms of Reference. However, for this EA process the Review Board will use Husky's land use permit application and any additional information generated through any Information Requests as a substitute for the Developers Assessment Report. Information Requests should be submitted through the separate ORS entry created for this purpose.</p>
General Reviewer Information:	The Review Board requests that reviewers provide comment on the document. When reviewing the document ask yourself such questions as: are the issues identified in the Scoping Document the ones that you want the EA to focus on? Are there other issues or concerns that are not identified? Does

	<p>the proposed EA process work for your timelines?</p> <ul style="list-style-type: none"> • The deadline for reviewers to submit comments is April 10, 2015 and 9:59 Mountain Time. • The deadline for the developer to submit responses is April 24, 2015 at 9:59 Mountain Time.
Contact Information:	Sachi De Souza Simon Toogood 867 766-7053

Comment Summary

Chamber of Mines NWT & Nunavut: Tom Hoefer				
ID	Topic	Reviewer Comment/Recommendation	Proponent Response	Board Staff Response
1	Chamber of Mines Support for Chedabucto Project	<p>Comment (doc) Please see attached submission from the NWT & Nunavut Chamber of Mines in support of a speedy and positive approval of the Chedabucto sand project.</p> <p>Recommendation The NWT & Nunavut Chamber of Mines supports a speedy and positive approval of the Chedabucto sand project.</p>		
Deninu K'ue First Nation: Marc d'Entremont				
ID	Topic	Reviewer Comment/Recommendation	Proponent Response	Board Staff Response
1	DKFN IRs and comments	<p>Comment (doc) See letter.</p> <p>Recommendation See letter.</p>		
Deninu K'ue First Nation: Rosy Bjornson				
ID	Topic	Reviewer Comment/Recommendation	Proponent Response	Board Staff Response
1	DKFN IR#1 Proposed Scoping Document	<p>Comment Under Phase I it is stated that Husky proposes to conduct these activities over the course of two to three years.</p> <p>Recommendation In recent information posted on the public registry, Husky</p>	<p>Apr 30: Husky's application was for a Land Use Permit to conduct exploration programs over a five year period on mineral claims it holds in the Chedabucto area. There was significant</p>	

		<p>outlines a different and more detailed schedule for both Phase I and Phase II. The Scoping Document should be updated and be consistent with the latest project schedule information.</p>	<p>detail presented in the proposed Year-one field operations and the full five year scope of work was identified. Results of the previous drilling will determine the number and locations of Year-two or subsequent drilling and sampling programs.</p>	
2	<p>DKFN IR#2 Proposed Scoping Document, Page 6/7</p>	<p>Comment Section 2.3 lists issues for consideration during the EA. Recommendation We request that additional issues for consideration be included such as potential impacts on water quality (surface and ground water). We would also like the Review Board to confirm that standard methods for conducting the environmental assessment will be followed; including, but not limited to, the use of measureable parameters and/or assessment endpoints in determining the significance of effects. These endpoints must not be limited to ecological values and should also take into consideration societal and traditional use values of the components being assessed.</p>		
3	<p>DKFN IR#3 Reference: Proposed Scoping Document, page 7</p>	<p>Comment Direction is provided to the developer to address cumulative effects. Recommendation In addition to the bullets listed under Section 2.3.1, we request that the developer also identify measurable parameters and the determination of significance for cumulative</p>		

		effects.		
4	DKFN IR#4 Reference: Proposed Scoping Document, page 8	Comment Section 2.3.4 Geographic Scope considers potential impacts to the Tlicho, Yellowknives Dene First Nation, North Slave Metis Alliance and the NWT Metis Nation. Recommendation We request that the geographic scope also include potential impact to the Akaitcho Dene and particularly the Deninu Kue First Nation.		
5	DKFN IR#5 Reference: Proposed Scoping Document, page 10	Comment Table 1 provides the EA milestones and schedule. Recommendation It is not clear at what stage the developer will update its information with the effects assessment information. Can the Review Board provide clarity on this?		
6	DKFN IR#6 Reference: Summary for Land Use Permit Application, page 5	Comment Under Traditional Knowledge, it is stated that Husky will work with the designated Aboriginal organizations. Recommendation We request that the proponent and/or the Review Board provide some rationale why the Deninu Kue First Nation was not included as a designated Aboriginal organization.		
7	DKFN IR#7 Reference: Summary for Land Use Permit Application, page 11	Comment The second bullet states that the collection of groundwater samples from up to three RC bore holes locations and a lake grab sample. Recommendation Please identify which lake the grab	Apr 30: The grab sample will be taken from Great Slave Lake.	

		sample will be taken from.		
8	DKFN IR#8 Reference: Summary for Land Use Permit Application, page 11	<p>Comment The fourth bullet mentions hydraulic testing on select bore holes.</p> <p>Recommendation Please identify the amount of water used for this testing and where the water will be taken from.</p>	<p>Apr 30: The sample volume for the boreholes and the lake are the same. At each sample location Husky will collect a total of two litres (L) of water. Groundwater samples will be obtained during the drilling program using a bailer and the lake sample will be obtained from an augered hole in the ice. In general, Husky plans to collect water samples from borehole locations in the northern, central and southern portions within the program area, however specific boreholes have not yet been selected. In the event that a borehole is dry, Husky would move to the nearest borehole to confirm if it contains water and collect a sample from there.</p>	
9	DKFN IR#9 Reference: Summary for Land Use Permit Application, page 12	<p>Comment Section 4.0 provides a list of the equipment that will be used on site for the project.</p> <p>Recommendation Earlier on this page, under Phase 2: Mini Bulk Sampling, it is stated that a standard bucket loader and haul truck will be use to collect the representative sample of material from the test pits. The bucket loader and haul truck is not mentioned in the list of equipment. Also, if no roads are to be constructed it is unclear how the bucket loader and haul truck will get around</p>	<p>Apr 30: The standard bucket loader and haul truck will only be used on Highway 3 after transfer of the material from the sled or sloop attached to the snowcat. For access into the program area Husky will utilize a rubber tracked vehicle (snow cat or equivalent) with an attached sled or sloop to transport the samples and a mini excavator (similar to the little orange Kubota's often see working in small or tight locations in municipal settings) to</p>	

		the project area. We request further clarification of the use of these equipment and how they will access the site.	excavate the samples into the sled or sloop. Construction of winter roads or ice bridges is not required.	
10	DKFN IR#10 Reference: Summary for Land Use Permit Application, Appendix II Closure and Reclamation Plan	Comment The Closure and Reclamation Plan makes reference to the disposal of cuttings from the diamond drill rig.. Recommendation Please provide the quantities of cuttings that are anticipated.	Apr 30: Drill cuttings are broken bits of solid material that are produced as the drill bit breaks the rock. As it circulates up from the drill bit, the drilling fluid carries drill cuttings up to the surface. In diamond drilling, the bit makes a circular cut around a central cylinder of rock (the core) which is recovered to the surface. The volume of cuttings produced by a diamond drill can vary with the rock that is drilled. In the proposed Husky program, diamond drill holes will be drilled to a depth of approximately 250 metres. Each hole will use up to 40 cubic metres of water and will grind up approximately 0.5 cubic metres of rock. A portion of the water used and some of the ground up rock will be produced to surface as drilling fluid and cuttings, and will be disposed of in a nearby depression. The 25 diamond drill holes identified in the program are estimated to generate a total volume of between 5 and 12 cubic metres of cuttings.	
11	DKFN IR#11 Reference:	Comment The AIA Report mentions 100 proposed drill	Apr 30: Husky is confirming that the entire	

<p>Summary for Land Use Permit Application, Appendix VI Archaeological Impact Assessment Report</p>	<p>locations and a project area of approximately 195 km², whereas the Land Use Permit application states that approximately 200 bore holes are proposed within a claim area of 299.45 km². Recommendation Please confirm that the Archaeological Impact Assessment covered the entire mineral claim area for this project.</p>	<p>claim area is 299.45 km and an AIA was conducted on the first 100 holes within the claim area. Unfortunately, the "195 km²" noted in the Golder summary report was an error and has been corrected in the AIA final report. Husky's LUP application encompasses the scope of work necessary to evaluate the resource potential of the silica deposit on the Chedabucto mineral claims. The term of the LUP application is for five years. While the drilling program for Year-one is well defined, any follow up exploratory activity will be contingent on the previous results, so a degree of flexibility is necessary. Husky recognized that no more than 100 holes could realistically be drilled in the March-April timeline of one winter season and therefore conducted an AIA of those first 100 holes. Upon the results of the first winter's drilling, Husky will determine if the remaining holes are required (i.e. up to a maximum of 200 holes for the program), and will conduct AIA's on those remaining drilling locations.</p>	
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Fisheries and Oceans Canada: Mark D Aguiar

ID	Topic	Reviewer	Proponent Response	Board Staff
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		Comment/Recommendation		Response
1	General File	Comment (doc) No comments on Proposed Scoping Document See details in Cover Letter attached Recommendation		
GNWT - Lands: Charlotte Henry				
ID	Topic	Reviewer Comment/Recommendation	Proponent Response	Board Staff Response
1	Cover Letter	Comment (doc) GNWT cover letter for comments on Proposed Scoping Document. Recommendation Attachment		
2	Section 1.3 Background, Figure 1, page 3.	Comment The NWT Protected Areas Strategy (PAS) outlines a planning process and guiding principles. It is not a designation or the name of a candidate protected area. Recommendation GNWT recommends that the developer refer to Dinàgà Wek'èhodì candidate protected area, rather than PAS area.		
3	Section 1.4 Referral to Environmental Assessment	Comment Husky's land use application was reviewed by several GNWT departments. The Department of Lands played a coordination role and submitted comments on the application on behalf of all interested GNWT departments. Recommendation GNWT recommends that MVEIRB remove "the Government of the Northwest Territories - Department of Lands (GNWT-Lands)" from the list of parties that submitted		

		comments on the Land Use Permit application and replace with "Government of the Northwest Territories".		
4	Section 2.1 Proposed Scope of Development and Section 2.2 Proposed Exclusions from the Scope of Development	Comment The GNWT supports MVEIRB's scope of development for the proposed Project, including the exclusion of potential large-scale development of silica extraction and hydraulic fracturing activities elsewhere, as being outside the scope of the Husky Chedabucto EA. Recommendation Comment only.		
5	Section 2.3 Proposed Scope of Assessment	Comment The project area contains numerous sensitive archaeological sites. Archaeological sites are not explicitly included in the proposed scope of EA. Recommendation GNWT recommends that MVEIRB include a specific line item on page 7 for potential effects to archaeological sites.		
6	Section 3 Assessment Methodology, Table 1, page 9.	Comment While the GNWT supports MVEIRB's tailored and condensed approach to the Husky EA, the GNWT has a potential concern with the amalgamation of the Scoping and IR steps. Should there be a significant change in the scope of development and/or scope of the EA as a result of comments from parties on the Proposed Scoping Document, the GNWT expects MVEIRB to reevaluate the EA process to ensure that all parties have a fair opportunity to seek		

		additional information if required. Recommendation Comment only.		
NWT Chapter Council of Canadians: Peter Redvers				
ID	Topic	Reviewer Comment/Recommendation	Proponent Response	Board Staff Response
1	General File	Comment (doc) CoC NWT Letter Recommendation		
Yellowknives Dene First Nation: Todd Slack				
ID	Topic	Reviewer Comment/Recommendation	Proponent Response	Board Staff Response
1	Cover letter	Comment (doc) Cover letter for YKDNF information requests and comments on the proposed scoping document. Recommendation see attachment		
2	IRs and comments	Comment (doc) see attached document Recommendation see attached document		
3	General comments on Workplan and Irs	Comment KDFN is not against development. However, we are extremely concerned and reluctant to see development in the areas that we consider most important to our people and our culture. This is particularly so given the experience at Drybones Bay, where no government sought to ensure that YKDFN values were protected - indeed, they overtly acted to facilitate those developments and bear responsibility for all the harms that have come. The hundreds of thousands of dollars that they have incurred are nothing compared to the desecration of our cultural		

		<p>and burial sites. We ask the Review Board to recall that YKDFN have seen what happens when exploration occurs in our most important culturally significant areas - we have a truck on the bottom of Drybones Bay, a cemetery that was burnt, and a new contaminated site for the taxpayer to look after as a result - including a large hole from that bulk sample - that no one seems to be intent on successfully closing. Despite this, YKDFN openly engaged with this project - we listened to the promises and reviewed their actions - and were prepared to work with the project, even in this extremely culturally important. We have approached this proposal in a deliberate, methodical and stepwise approach - Fully informed and planned development would ensure that the resources are protected and the rights of the Yellowknives can be successfully exercised. This applies to the company's decision making as well - YKDFN does not want them to spend a great deal of money under false pretenses either. YKDFN have been consistent - there is no blanket approval for this project and there is a great deal of concern with industry operating in the area. This is not news to the company - our only regret is that they didn't consult with YKDFN during the staking phase (according</p>		
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		<p>to principles of the Ross River Dena Case), where they would have learned of the importance and level of concern associate with this area. The first, limited approval of the initial half of the drill program was based on informed consent, which is the only possible way that any operation can be done in an area such as this. Precaution is paramount, as YKDFN do not trust industry to look out for our interests - we've learned that promises are easy to make, hard to live up to. Our stepwise approach is the only way that the company can receive potential support - which they have previously said is a pre-requisite for proceeding. At present there is no support, none whatsoever, for any type of mining project. There is no support for any kind of bulk sampling. There is no support for the second half of the drill program. And frankly, YKDFN are greatly disappointed with the 'bait and switch' manner of the engagement, where we were informed that one set of actions were to be applied for, but the permit application contained a much more. YKDFN were prepared to approach this in a stepwise and limited manner - to allow all parties to make informed decisions. A slower and more deliberate pace is the only potential road forward - if the project wants a development</p>		
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		<p>approach that provides them additional freedom to act then they are free to move their exploration program to an area that doesn't have the cultural importance that Whitebeach Point does. As that seems unlikely, we need to consider how to approach the future in a collaborative manner. And the reality is that this area is special and has great importance to the membership of the Yellowknives Dene - it is not the same as any other exploration program. The relationship between the company and the YKDFN is frayed and damaged. It can potentially be rebuilt, but this requires time and effort - a convenient side effect of the type of approach we are prepared to consider.</p> <p>Recommendation See comment</p>		
4	<p>Scoping Document - Workplan</p>	<p>Comment To MVEIRB YKDFN believe that the workplan, as currently envisioned, is too compressed to allow for an effective assessment. In particular, we suggest that the Scoping is finalized before the Information Request stage commences. This allows all parties, including the proponent, to be working from a single common document that provides direction. Certainly YKDFN are arguing for changes in the scope - it seems likely that other parties will as well and may open up lines of inquiry</p>		

		<p>that have not been addressed with the information submitted to date.</p> <p>Recommendation Finalize the scope of the EA first, then have an round of information requests.</p>		
5	<p>Scoping Document Section 1.4: Referral to EA</p>	<p>Comment To MVEIRB Regarding Bullet 4: Having reviewed the Wek'eezhii Land and Water Board's Reasons for Decision, YKDFN can find no reference that the WLWB concluded "Engagement on Phase I of the project was adequate". Nor does YKDFN agree with the draft scope as we expressly declared that only a part of the engagement was adequate and it did not extend to cover all of phase I.</p> <p>Recommendation See comment</p>		
6	<p>Scoping Document Section 2.1: Scope of development</p>	<p>Comment To MVEIRB YKDFN believe that the proposed scope of the development is overly narrow, disagreeing with the Board's initial draft. While YKDFN accepts that the actions to be undertaken are associated with exploration, we cannot pretend that these activities are undertaken in a vacuum. Ultimately, this is a project that is aimed at developing a mining project. If this project is to be considered against the public concerns that prompted it's referral to EA, then a limited discussion on the nature of any future exploitation must be had.</p>		

		<p>Recommendation The WLWB states (bold added): "The engagement and consultation activities provided by a focused EA should enable these impacts and concerns to be better understood and addressed. It is up to the Review Board to determine whether there are mitigation and/or accommodation measures that can eliminate the impacts and address the basis for public concern. ... In response to reviewers' comments about the importance of the area and their desire to keep the area pristine, Husky reiterates that the current application is for exploration only and is intended to evaluate the resource so that informed decisions can be made regarding the potential for any future commercial development on the Chedabucto mineral claims. While this response may be accurate in relation to Husky's plans, it fails to adequately address public concern about the current proposal. This was also one of the principal messages that the company received during its engagement, "Concerns over what impact the commercial development will be and how the resource extraction will be [sic] conducted". It was again emphasized during the most recent engagement</p>		
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		<p>with the YKDFN, where, upon being informed that the YKDFN was not prepared to support bulk sampling at this time, the project immediately linked it to the mine. It does no service to ignore one of the principal causes of concern by failing to provide even the broad outlines of what a mining operation will look like. This exploration project cannot be divorced from that outcome “ whether it be considered as an induced development, or through the Dependence, Linkage and Proximity tests described in the draft scoping document. We’ve learned repeatedly that all predictions are wrong, but in this case, the risk of errors of commission (guessing and being wrong) serve the conversation that errors of omission. Moreover, throwing up our hands and saying “we don’t know” is a direct refusal to even consider addressing the concerns of reviewers or one of the purposes of the referral. In the time since the decision to this submission date Husky has failed to present anything new to address these concerns, adamantly refusing to make any changes to the project or their proposal.</p>		
7	<p>Scoping Document Section 2.3: Proposed</p>	<p>Comment To MVEIRB To link the level of effort associated with the assessment only to the scale</p>		

<p>Scope of Assessment</p>	<p>of the project is not the appropriate lens to consider Cumulative Effects. The appropriate lens must be the level of cumulative effects that the Valued Components (VC) are being exposed to. In this case, the people are one of the critical VC's, thus the scope of assessment must require assessments that consider the level of effects that they are experiencing - both environmentally and socio-economically. Environmentally, the Yellowknives Dene are under considerable pressure from the developments and government actions. As the GNWT has continued to infringe upon our rights, they have done nothing to limit the level of development (even encouraging it with cash subsidies). Our elders and landusers have been warning that industry was impacting the Bathurst Herd for many years - while Canada GNWT did, and continue to do, little to nothing in order to address these concerns.</p> <p>Recommendation Were we talking about Moose or Caribou, the answer is so straightforward “the range is based on the Valued Component. It is essential that the scope of the assessment be broadened to understand the full range impacts to the people” it doesn't make sense to only consider the impacts from a small area of their</p>		
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		experience.		
8	Scoping Document - Temporal Scope	<p>Comment It is important that the history of development in this area (and others with similar significance) be considered and reviewed to understand the lessons learned from the processes - to allow us all to better understand the context and necessity for some necessary mitigations.</p> <p>Recommendation See Comment</p>		

Distribution List
Proposed Scoping Document

File(s):

Proponent: Husky Oil Operations Ltd.

Reviewer Comments Due By: Apr 10, 2015

Proponent Comments Due By: Apr 24, 2015

Document(s)

Proposed Scoping Document

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