

NORTH SLAVE METIS ALLIANCE

PO Box 340 Yellowknife, NT X1A 2N3



Mackenzie Valley Environmental Impact Review Board
Box 938, 5102-50th Ave.,
Yellowknife, NT
X1A 2N7

Oct 23, 2003

Attn: Sherry Sian

Re: Regional Cumulative Effects Study for Drybones Bay and Wool Bay

Dear Sherry,

Please accept the following as the NSMA's comments and additions to the Regional Cumulative Effects Study for Drybones Bay and Wool Bay (RCES). The NSMA would like the following comments and concerns added to the public registry.

1.3 Environmental Assessment Process

-The Regional Cumulative Effects Study describes the ecosystem components etc that the Board will use to assess whether or not there will be a significant environmental impact to the environment from the proposed developments. The Regional Cumulative Effects Study does not describe the components that will be evaluated to determine if there is significant public concern. Please provide more explanation on how public concern is evaluated.

-Describe the process and criteria used to determine the cumulative impacts of the developments should be examined on a 'sub-regional scale.'

1.4.1 Regional Study Area

-The regional study area was established to create a geographical boundary for the research, not just the literature search. As you know much of the history and culture of the North Slave Metis is not documented in literature but is actually passed on through oral histories.

2. Milestones and Deliverables

-The last paragraph makes it sound like the Board has already completed their EA.

-In the Term of Reference under Literature Review and Gap Analysis the deliverable is "A series of topics and questions to explore with traditional users of the Drybones Bay/Wool Bay Area as well as commercial users." Where are these questions and topics? When will these questions and topics be discussed with Aboriginal groups?

3. Methodology

-First paragraph, last line should read "the four developers and the directly affected parties might also benefit from some of the information presented."

3.2.1 Yellowknives Dene First Nation Field Trip

-Second paragraph states the Terms of Reference (TOR) required the consultant to visit the study area during the time the YKDFN were conducting their field study. The TOR states "The contractor will arrange a site visit in the Drybones Bay/Wool Bay Area. The purpose of the site visit will be to better understand the scale and sensitivity of the area where the development is proposed." There is no reference made to the consultant having to be on site during the period the Yellowknives are conducting their field study.

Table 1- Please add Robert Turner of the NSMA to the list of participants who attended the site visit Aug. 14, 2003.

3.2.2. Information Gathering

-The second line refers to elders being contacted to discuss the archaeological, cultural and heritage importance of the Regional and Local Study areas. NSMA elders have not been contacted to discuss the archaeological, cultural and heritage importance of the area.

-Please clarify what 'visual observations of past and current land uses in these areas' refers to. Are these observations of maps, archaeological sites and/or cultural ceremonies? Please provide references.

-The final paragraph refers to the biophysical attributes of the areas being represented as polygons. Please change 'polygons' to 'lines'. According to the legend and map only the Cultural/Heritage Areas and VEC Use areas are represented by polygons.

3.5.2. Information Recording

-Need ground-truthing during the summer to ensure cultural and heritage resources are not damaged.

3.6.1.1.

-There is a reference to Appendix E- should this read Appendix D?

-The legend should state the level of confidence in the Archaeological/ heritage Resources theme, for example, "Information based on land use interviews and preliminary site observations. This was stated later in the text but it should also be included in the Legends of the maps, otherwise the Board may get the impression ground-truthing and archaeological investigations have occurred over the entire study area.

-The legend is not clear what the VEC Use Area indicates. Many of the Valued Environmental Components the NSMA are concerned for, such as, moose, caribou, fish all travel within and outside the Regional Study Area. Please clarify is the Regional Study Area the boundaries arbitrarily set by the MVEIRB for the Cumulative Effects Study or is it the known range of the Valued Environmental Components? The VEC boundary does not represent both the Regional Study Area and the "Known range of VEC's within the Regional Study Area."

-'Linear Polygons' are an oxymoron. This spatial data has been represented by 'lines' to indicate the level of confidence in the data. Polygons usually represent an area, while lines represent a boundary or linear development. I appreciate the consultant was trying to present a level of confidence in the data. Perhaps it would be better to show this data as a polygon with dashed boundaries for where site investigations have been conducted and include the level of confidence qualifier in the legend.

3.7 Refining Impact Decision-Making Tool

-Is the revision of conclusions up to the discretion of the contractor? Whether or not the contractor's conclusions are to be revisited should be, at the very least, up to the discretion of the MVEIRB with input from all interested parties considering there will not be time for all parties to review this information and their subsequent impact on the conclusions contained within the Regional Cumulative Effects Study.

3.8

-The date for the Public Hearing has been changed to November 25-26, 2003.

3.9.1 Information Availability

-Third paragraph, reference was made to research conducted via WKSS in the Lac de Gras area. The studies in the Lac de Gras area may have provided information about the NSMA as well.

3.9.3. Developer Information

-The concerns raised by the consultant about the developers not providing requested information are of great concern to the NSMA. Please list the outstanding questions/information requested by the consultants for this Regional Cumulative Effects Study.

3.9.4 Suggested Information Requests

-These proposed explorations were referred to Environmental Assessments due to significant public concern. There needs to be requests for information regarding the level of public concern regarding these developments.

4.1. Historical

-The historical accounts given do not include oral histories, do not include Metis history and have not been verified with the NSMA. This is evident throughout as the Metis are not discussed until the comment, "Today, the Dene and Metis are largely integrated into a wage economy." I think this statement fails to capture the true struggle and hardships many Metis people are dealing with when trying to compete in the wage economy. A better understanding of the difficulties Metis are facing is needed in this section. It is also important to note many Metis remain distanced from the wage economy and continue to use the land as their main source of food, recreation, socialization and spiritual well-being.

-The last sentence on page 25 should state 'The Yellowknives (Treaty 8) and the North Slave Metis (Treaty 11) are still in the process of negotiating with the federal government.

4.1.4 Heritage Resources: Archaeology

-To whom the heritage resources sites identified belong to needs to be investigated. Without this information is impossible to determine which Aboriginal groups are being impacted and to what severity. Furthermore, identifying these heritage resources will provide further insight to the historical importance of Drybones and Wool Bay.

-There needs to be a disclaimer/methodology attached to the table that states the level of effort of the archaeological investigations that took place or the methods used, such as, visual surveys or archaeological digging. This is significant to illustrate the thoroughness of the investigations. In terms of reducing impacts to heritage resources it would also be useful to identify where the archaeological investigations took place. Were these investigations concentrated within the claim blocks under review or elsewhere?

4.3.2 Plants

-Second paragraph refers to Appendix B. This should read Appendix D.

4.3.3 Fauna: Mammals- Caribou

-The last line on page 32 provides the Bathurst caribou herds population estimate as 352,000. June 2003, RWED conducted a Bathurst caribou survey that estimates the

herd size at 186,000 animals, or approximately half the number of animals originally reported. This is a significant decrease in the Bathurst caribou herd's population. As the Bathurst caribou are integral to the Metis cultural survival there needs to be a more indepth description of the herd's health and population variance, or at the very least, an update of the herd's population estimate.

4.3.3 Fauna- Furbearers

-It is unfortunate no 'literature' exists about the wildlife Aboriginal Peoples have harvested to provide clothing, food and wages within the community. Furbearers are extremely important elements of the fragile ecosystems in question and must be accounted for as such. This is a clear example of the complete disregard for Traditional Knowledge in this study and ultimately the failure of this report to provide insight into the ecological importance of the Wool Bay and Drybones Bay areas.

4.3.5 Fish

-Second paragraph, last sentence, the fish species identified are both commercially and traditionally important.

-An examination of the Aboriginal fishery in the area is needed not just the commercial fishery which is relatively new, historically, compared to the Aboriginal fishery in the area.

4.4.1 Social, Cultural and Environmental Sensitivities (VEC descriptions)

-The VECs identified are important to the Metis not only for social and cultural reasons but for nutritional, physical (physical exercise/effort exuded during harvest), and economically reasons. For example, Aboriginal Peoples have seen an increase in Diabetes diagnosis as a result of increased reliance on store bought foods and decreased country food consumption. Reduced harvests also impact the social and cultural cohesion within the Aboriginal community and families. There needs to be a more thorough examination of all the values associated with the VEC listed in Tables 6-13.

-Tables 6-13 there needs to be an explanation or description of what the side headings stand for, for example, what is meant by 'exposure'? Does exposure only include man-made exposures? If not then global warming, fire, contaminants or perceived contamination, insect disturbance, linear development (ex: powerlines), animal harassment (ex: helicopters used to push wildlife away from human activity) and noise need to be added to the list of exposures for all VECs.

-Table 6-13

Social and cultural value- healthy or nutritional food, clothing, shelter, arts & crafts, social and family unit cohesion, sharing of culture and food for other organisms.

Uncertainty- Wildlife- "...activities affect the behaviour (and health) across the entire length of the migratory path."

Uncertainty- human- Uncertain the degree to which the health of the VECs listed, such as, caribou, furbearers and fish, dictates and are dependent on the health of other components of the ecosystem, including humans.

-pg 39- footnote 26 needs to be moved to previous page.

-Table 9 Waterfowl

Social and Cultural Value- Healthy food, feathers, grease, medicine, eggs, arts & crafts, social and family unit cohesion, sharing of culture and food for other organisms.

Table 12. Heritage Resources

Habitat Use- Cabins, camps, caches, burial grounds are usually strategically placed, for example, near water, good trapping areas, along travel routes or on heights of land.

Habitat use is dependent on the type of heritage resource referred to.

Exposure- Developments tarnish the image and spiritual nature of heritage sites.

Table 13. Spiritual Areas- Landscape and Place names

Social and Cultural Values- Re-enforces connections to family and ancestors. Instills respect for land and the resources the land provides.

Exposure- Developments tarnish the image and spiritual nature of spiritual sites/areas.

4.5.1 Past Activities and Developments

-This Cumulative Effects Study must consider the impacts of developments in the past, present and reasonable future. The first paragraph states, "No information was identified or gathered on the type of activities associated with these programs or the amount of disturbance that may have resulted." How can the Board make an accurate assessment of the possible Cumulative Effects of the proposed developments when the disturbance of past developments has yet to be quantified? For example, what are the Regional Cumulative Impacts of Giant and Con Mines? In the last paragraph the consultant attempted to draw in the impacts of these two mines to the environment, the regional study area and the people whom depend on local resources, but was again constrained by time and budget. If the time and resources are available to explore these culturally and ecologically important areas then the time and resources must be made available to understand the impacts of these programs.

4.5.3 Proposed Activities and Developments

Table 15-

Access Roads- What trails/travel routes of the Metis will be disturbed or blocked during the explorations proposed?

Drill sites- Clarify where all drill sites are located? The maps provided are at a very small scale. Please provide latitude/longitude coordinates for all drill holes.

-How heavy is the equipment that will be used on site. Will there be significant soil compaction resulting from on land drilling equipment? How much groundcover/ noise disturbance will moving the drill to different drill sites cause?

Future Developments- All future developments, additional drill holes/sites, line cuttings, trails will require additional assessment.

4.6.2 Scoping Cumulative Effects

Table 17. Please add 'Increased access by non-Aboriginal peoples' as a cumulative impact.

4.6.3 Cumulative Effects Decision-Making Tools

-Small spelling error: first paragraph, last sentence should read, "a proposed methodology" not "proposal methodology".

4.6.3.2 Cumulative Effects Assessment Considerations

Table 18. Add the additional values of the North Slave Metis people into the table. See NSMA comments above for section 4.4.1 for list of missed values.

There are far too many considerations missing from this section I do not know where to start and I do not have any more time to review this study. Instead of going into great detail I will limit this to a few key points:

1. Future impacts of full-scale mine development in these culturally significant areas must be considered in this cumulative impact study.
2. The Board cannot assess the impacts of these proposed developments on the North Slave Metis People without consulting the community. Page 14 of the RCES states the purpose of the impact decision-making tool was for consideration of Cumulative Impacts to social, cultural and traditional land use- how can this be achieved without consulting the NSMA land users?
3. The impacts from past development in the region on the environment and North Slave Metis People have not been described or assessed.
4. What is the NSMA's ability to adapt to changes in their cultural and ecological environment?
5. How do developments in an area change the perceived health of the environment or ecosystems? Do traditional land users return to areas they have been pushed out of after sites have been abandoned or do they perceive these sites to be contaminated or unusable?
6. The mitigation measures proposed do not include consulting with the NSMA.
7. Developers have been given higher priority consideration and consultation than the directly effected Aboriginal organizations. This was clearly an unfair process. Why else

would the developers be allocated 10 interviews in the Terms of Reference while Aboriginal communities were granted **none**?

8. Traditional Knowledge was suppose to be given equal weight yet Information Requests did not ask for Traditional Knowledge equally during process, why not?

9. What exploration and development plans are being considered for the adjoining claims and additional claims in the regional study area? Have these claim holders been contacted? Please provide a record of correspondences.

10. What are the catch rates for the tour operators? Nine outfitters using the area indicates there is already significant pressure on the resources within the regional study area. (See page 11-12 RCES)

11. As a final note, it seems a great deal of effort was taken to create the maps attached as Appendices. Unfortunately, the maps were unreadable either because the resolution of the photos/images was poor or the printed copies did not clearly show the color designations of the themes represented in the legend. Before this process goes any further the maps need to be either digitized and provided as digital files or color copies made for all parties involved.

Cheers,

Signed By

Kris Johnson
Land & Resource Coordinator

October 22nd , 2003

Mr. Alan Ehrlich
Acting Manager, Environmental Assessment
Mackenzie Valley Environmental Impact Review Board
P.O. Box 938
YELLOWKNIFE, NT X1A 2N7

Dear Mr. Ehrlich:

Re: Comments on the Cumulative Effects Study for the Drybones/Wool Bay Developments- Consolidated Goldwin Ventures Ltd. North American General Resources Corporation, and New Shoshoni Ventures.

As noted in our letter of September 17th 2003, Indian and Northern Affairs Canada (INAC) is now able to provide additional comments on the Cumulative Effects (CE) Study.

Generally, we found that the communication from the Mackenzie Valley Environmental Impact Review Board (Review Board) related to the CE Study were often confusing, especially regarding time lines and the review process itself. Issues of confidentiality, admissibility of evidence, transparency, the issuance of partially completed reports and factual errors in the various drafts complicated our analysis and response time.

We were also expecting that the Review Board would provide an overview as to how the CE Study would be used for ranking and prioritizing each of the respective individual projects regarding their incremental contribution to cumulative effects, and the process that will be utilized by the Review Board to recommend a course of action. We trust that the Review Board will describe, in the near future, how it proposes to apply the results of the CE Study to the individual environmental assessment projects in the Drybones/Wool Bay areas. This should be done prior to the Public Hearings.

We also note that the fourth developer, Snowfield Development Corporation (Snowfield), has revised its project description to include "Bulk Sampling". This activity has a considerably larger footprint and more potential impact than the other three projects as presently planned. Will Snowfield be presenting information at the EA Public Hearings on

November 26th and 27th, 2003, and does the Review Board plan on including this new information in the CE Study? Similar to the comments made above, how does the Review Board plan on integrating information on the new Snowfield development project during the Public Hearings and related cumulative effects assessment?

Specific Comments on Gartner Lee Limited's Regional Cumulative Effects Study

Section 1.4 -Based on the description of the Regional Study Area (RSA) and the boundaries delineated on the land use maps, the figures listed in Table 14 do not correspond to INAC's records which show 9 dispositions on the Federal portion alone, while the Table only lists 7 dispositions.

Without a map to show location of these dispositions, and whether they are on Federal or Commissioner's land, INAC is unable to confirm the proper number and if the classification (IE: cottage, commercial fish plants, etc.) is correct.

Section 4.5.2 and Table 14 - The information in this section is still incorrect. While Gartner Lee Limited has taken additional steps with the new database search that was requested in September, it has failed to correctly assimilate the information into the Cumulative Effects (CE) Study and correct the errors.

The lack of land use maps for the Wool Bay Area makes it difficult to verify the information against our records for accuracy. It is also hard to decipher if the Drybones map lists all the dispositions, as the legend is illegible at the scale digitalized.

On Page 19, of the CE Study, Gartner Lee Limited states that Indian and Northern Affairs Canada (INAC) Land Information Management System (LIMS) provided information on "mine lease and mine claims." For clarification, mining information comes from the INAC MINERS database which is separate from LIMS and land use permit information.

To conclude, while Gartner Lee Limited's Study overall methodology appears sound, the study may be flawed due to omissions in the dispositions in the study area that have not been considered. INAC's view is that the correct and full compilation of activities and usages in the study area would be fundamental for a CE Study.

We look forward to receiving this information and continuing our participation in the development of an effective approach to cumulative effects assessment as applied to project specific environmental assessment recommendations.

The Mineral Development Division of Indian and Northern Affairs Canada, NT Region, has reviewed the Final copy Cumulative Effects study for the Drybones Bay and Wool Bay areas submitted by Gartner Lee to the Mackenzie Valley Environmental Impact Review Board and received by INAC on September 26, 2003 and received by the Mineral Development Division on October 2, 2003 . The Mineral Development Division has the following comments.

1. While the final version of the study is much more complete than the first two drafts reviewed it is still not complete. Specifically Figure 6. "Onshore and Offshore Activities in the Regional Study Area".
2. The Table of Contents does not contain a list of appendices that are attached or are supposed to be attached to the study.
3. Introduction: states that "in the absence of planning instruments for the Drybones Bay and Wool Bay areas" (the MVERIB must consider....). It must be noted that despite the lack of an actual land use plan for the area, ratified by all stakeholders, there is still a substantial body of various legislation and regulations that ensures all land use activities conducted in the area are done so in a relatively environmentally responsible manner. It should also be pointed out that there is no "approved land use plan(s)" for most of the NWT, yet there is ongoing land use activities that are properly screened and regulated to ensure the activities are conducted responsibly without having to be referred for environmental assessment. Many of these screened, permitted and ongoing activities are very similar or substantially larger and more complex projects than the "developments" proposed in these applications.
4. Introduction: states that The Dry bones Bay and Wool Bay areas are recognized as areas of vital importance to aboriginal and non-aboriginal residents in and around Yellowknife. Clarification should be provided on the term "vital importance" as it relates to non-aboriginal residents as there is also no evidence presented that indicates non-aboriginal residents of Yellowknife have been interviewed and have indicated that the area is of "vital importance" to them.
5. Section 1.3 - Environmental Assessment Process: The third paragraph states that "Regulatory activities cease while a development is in environmental assessment and environmental impact review". It should be noted that there is no regulatory activities on these specific projects because no approvals have been given, therefore there is no land use permits issued for these projects, and hence there are no activities underway related to the project specifics as stated in the applications. **However** there are activities underway in the study area, specifically in Drybones Bay proper (late last winter) and currently in the vicinity of Mud Lake in the Drybones Bay area. The winter activities occurred under a previously issued land use permit to Diamonds North Resources and were highly regulated,

conducted in a very professional manner with minimal impact and passed a land use inspection with flying colours including very positive comments by YKDFN monitors for the project. The current activities are below land use permit threshold levels as they are determined to have minimal impact, **nevertheless they are still regulated and subject to inspection.**

6. Section 1.3 - Environmental Assessment Process: Paragraph 4 states that the projects have been referred to environmental assessment “due to public concern about the potential cumulative effects”. It must be noted that the “public concern” is very specifically coming only from the YKDFN and not the broad range of the public. It should also be noted that the primary concern of the YKDFN, which caused the referral to the MVEIRB, is with regard to treaty rights in relation to land claim negotiations rather than specific environmental concerns.
7. Section 1.4.2, Local Study Area, bullet #2: refers to “mineral lease”. This should be “mineral claim”. There is a distinct and legal difference between these two types of mineral tenure instruments, which the consultant has ignored. **This mistake occurs numerous times throughout the report.**
8. Section 2, Milestones and Deliverables, bullet #4: refers to “Interviews with industry associations ...”. There is no evidence whatsoever that any interviews were conducted with “industry associations” of any kind such as the NWT Chamber of Mines, or the NWT Tourism association or the Great Slave Lake Commercial Fishermans association or the Fresh Water Fish Marketing Corporation, etc. As such reference in this regard needs to be deleted or changed to “one tourism outfitting operator”, which appears to be the case other than interviews with current proponents or “developers”.
9. Section 3.2 - Site Visit: Paragraph one mentions a YKDFN draft report titled “A Preliminary Report on the Cultural and Heritage Resources of the Drybones and Wool Bay areas. August 18, 2003”. In that the above report information was used by Gartner Lee as part of the information provided in the study, the report should be made available as an appendix of the study.
10. Section 3.2.2 Information Gathering: states that information was obtained by Gartner Lee through, among other methods, visual observations of past and current land uses in these areas. It should be noted that Gartner Lee was not present during “past” land use activities and could have only “visually” observed remnant evidence of some of the “past” activities, much of which would be missed in only a two day visit to the area.
11. Section 3.4.2 - Information Recording: indicates that information gathered was recorded on maps, in written form and on a “Biophysical Resources and Activities map”, (Appendix D and Figure 6). **This map was not included in the final copy of the report.**

12. Section 3.4 - Interviews with Industry Associations and Developers: This section mentions that interviews were conducted with the “developers” as well as “information requests were made to Industry Association and other non-mining, industry operators that have utilized the Local Study Area either currently or in the past.” It is evident in the report that “past” activities, particularly within the last two decades, were not well researched and documented. Previous mineral exploration activities are especially absent. There has been a substantial amount of “past activities” that have taken place within the study area in the last 75 years, much of it within the last two decades, all of which has had little or no impact environmentally, socially, culturally or otherwise. Very little of this “past activity” has been presented in the draft study.
Section 3.4 - Table 2 - Industry Association and Developer Contacts: indicates a reference to N/R = not recorded. Does this mean that an interview took place and the results were not recorded? Or did a request for information go out and no response was received? In either case it represents flawed research methodology.
13. Section 3.6.1 - Visual Tools, and Section 3.6.1.1: both refer to a “Biophysical Resources and Activities” as either a visual tool or a map. Which appendix is it and why has it not been included with the report?
14. Also under Section 3.7 - Refining Impact Decision Tool: It states that “if additional information that was previously unavailable to the contractor was to be provided....”. There is plenty of currently available information that the contractor has not accessed which is pertinent to the study, including recent mineral exploration activities information which is available in the archives at the CS Lord Geoscience center, as well as information pertaining to the history of the Great Slave Lake commercial fishing industry, the Great Slave Lake transportation industry activities (both current and historical), as well as extensive commercial sport fishing and hunting activities and substantial recreational activity, including boating, camping, fishing and hunting.
15. Section 3.8 - Pre Hearing Conference and Public Hearing: The dates for these events need to be changed as they have been rescheduled.
16. Section 3.9.1 Information Availability: This section states that “Information on past activities in the Local Study Areas was not, or could not be collected.” and goes on to mention the inadequacy of using the DIAND LIMS data base for researching past activities. The study has completely overlooked an easily accessible data base on past mineral exploration activity, that being the DIAND geology archives at the CS Lord Geoscience center, which contain a thorough record of all current and previously conducted mineral exploration and development activity in the NWT as well as in the study area. This data base is accessible both manually and over the internet via the DIAND, NT Region website link to the NORMIN data base.

Technical assistance is readily available from staff at the Geoscience center to help in accessing the info and the District Geologists can provide interpretation regarding the activities. The fact that this substantive and critical database has been overlooked in determining the extent of "past activities" and thus their impact (or lack thereof) on the study area has substantially skewed the information provided in the study. Unfortunately previous drafts of the study did not contain a list of government departments and agencies interviewed or databases accessed and as such comment could be provided in this regard.

17. Section 4.1.3 - Present Day: This section contains a statement (at the end of the section) which is quite incorrect. "Since the diamond rush of the early 1990's, there is not a location in the Drybones Bay area that is not staked for exploration.". Many mineral claims in the area have been stakes and then since lapsed for a considerable period of time prior to being staked again. Mineral staking in the area did not begin in earnest until the discovery of kimberlite in Drybones Bay, which occurred in 1994. Many of the mineral claims in the area lapsed in the interim and there was much open ground until recently. This statement needs to be deleted or clarified.
18. Section 4.1.4 - Heritage Resources: Archeology: This section presents a table (table 5) which is a "Summary of the Archeological Features Identified In A Preliminary Report on the Cultural and Historical Resources of the Drybones and Wool Bay Areas (Draft, August 18, 2003) prepared by Land and Environment, Yellowknives Dene First Nation." This table identifies a total of 68 sites and in a subsequent foot note (#13) state that "10 of the sites are contemporary sites and the remaining 54 sites are new archaeological sites, in addition to the 4 known and previously recorded archaeological sites." How can recent and existing "cabin sites" and "exploration camps" be construed to "archeological" features
19. Section 4.2.4 Hydrology: This section states that "Great Slave Lake is ice covered during five to six months of each year." In fact it is more like 7 ½ to 8 months. In that much of the activity in the study areas is governed by the coming and going of the ice, more detail should be include here regarding the limits on accessibility during freeze up and break up which provide protection to the area at critical times of the year and which limit the periods of time available for various activities, which in turn provides protection of the areas as it limits the periods of time the areas can be exposed to specific activities.
20. Section 4.4.1 - Social, Cultural and Environmental Sensitivities (second draft): This section contains a "Table 6. Bathurst Caribou" which states under habitat use that "Uses north shore of Great Slave Lake and Northern **Alberta** during the winter.". This is incorrect. Large portions of the Bathurst herd regularly cross the east arm of GSL to the east and south east shores where they will range as far south as northern Saskatchewan. There are no known recorded observations of Bathurst Caribou in northern Alberta.

21. Section 4.4.1 - Social, Cultural and Environmental Sensitivities (second draft), Table 4. Moose - Exposure: This section contains a statement that Moose are "sensitive to removal of forest cover." While this may be so it is somewhat misleading in the context of this study. It should be noted that Moose habitat is also enhanced by removal of forest cover. For example areas where the forest cover has been removed by forest fire, quickly evolve in to new feeding areas for moose. More specifically, it has been observed that moose will readily and regularly make use of cut lines or bush roads made in the forest cover. These "removals of forest cover" can actually enhance their access through the forest habitat and quickly grow in with plants that provide excellent moose browse. This section also states that "It is not known how many people use the area for hunting and how many moose are taken as a result". Has the contractor checked the RWED records for this area? All moose kills are encouraged to be reported. There may be some statistics for this area. The biggest hunting impact on moose in these areas are from recreational (as opposed to subsistence) hunter utilizing boats and aircraft. The area is hunted regularly in this fashion every year. However moose have been observed in the areas browsing undisturbed very nearby exploration activities that are underway.
22. Section 4.4.1 - Social, Cultural and Environmental Sensitivities (second draft) Tables 3. - 8.: Each of these tables (caribou, moose, furbearers, waterfowl, fish and plants) contains a statement under the category "Uncertainty - human". The statement reads, "Interference with the cultural use of the land as in loss of access to resource is unknown." This is a very misleading statement in that absolutely none of the proposed activities for each of the categories in which that statement appears, could ever be construed to have an impact that would cause "interference with the cultural use of the land as in loss of access to resource", particularly the "loss of access to the resource". The statement becomes that much more misleading with the statement that it is "unknown". This statement should either be withdrawn or modified to reflect the historically known level of impact of the type of activities proposed, especially in the context of other known ongoing non-mineral exploration activities that really are having an impact on these categories.
23. Section 4.4.1 - Social, Cultural and Environmental Sensitivities (second draft), Table 7. Fish - Exposure: This table indicates an exposure by fish to "fishing and exploratory drilling.". Again this is a very misleading statement. There is no known or proven effect on fish resulting from the amount, type and size of drilling proposed. It should also be stated that preemptive mitigative measures are proposed and guidelines are in place to ensure that there is no impact. Again, this statement should either be withdrawn or modified to reflect the historically known level of non-impact of the type of drilling proposed, especially in the context of other known ongoing non-mineral exploration activities that really are having an impact on this category.
24. Section 4.4.1 - Social, Cultural and Environmental Sensitivities (second draft), Table 9. Heritage Resources - Uncertainty - Human: This table states that "It is not

known how many heritage resources have already been disturbed and what loss may have occurred with respect to social and cultural information.”. Again this is a somewhat misleading statement. While it may be true in general, in the context of the proposed activities, this statement infers that past mineral exploration activities, among other activities, may have disturbed heritage resource sites in the area.

The history of activity in the area, coupled with local knowledge, and documented mineral exploration activity would suggest that any “disturbance” of heritage resources would most likely have occurred well prior to any mineral exploration activity occurring in the area.

A review of the easily available documentation of past mineral exploration activities would show that the likelihood of those activities to “disturb” any heritage resources is slim to none. That review has not been conducted. A proper review and analysis of the proposed activities and their locations would likely reveal that, given the current protective legislation regarding heritage sites and the indicated willingness of the proponents to work with the YKDFN in this regard, the potential for “disturbance” of heritage sites by this activity is very low.

25. Section 4.5 - Identification of Potential Cumulative Effects - 4.5.1 - Existing activities and projects: This section contains a statement that is still incorrect “The regional study area between Detah and Matonabee Point hosts 60 active mineral claims, 1 active lease and 56 pending leases19.” Further the footnote #19 states that the source for this information is the “Lands Directorate, Department of Indian Affairs and Northern Development.”. Both the statement and the footnote are incorrect.

As of Sept.16th here are app. 70 active mineral claims, app. 20 pending mineral claims, and 3 active mineral leases (mineral claims that have been taken to lease) in the regional study area (see attached map).

Correct information can be obtained from the DIAND Mineral and Petroleum Resources Directorate, NWT Mining Records Office on the 5th floor of the Bellanca building in Yellowknife and the DIAND Operations Directorate, Land Administration, also on the 5th floor of the Bellanca building in Yellowknife.

26. Section 4.5.2 - Existing activities and Developments: This section refers to a summary of activities in Table 14. This section also states that “Information on “values-at-risk” was not available.” There is a footnote attached (#20) that states “Unpermitted cabins recorded by RWED forestry.” Both the statement and the footnote require clarification. For example, what information was being sought, what does the contractor define as “values-at-risk”, and what does “Unpermitted cabins recorded by RWED forestry” have to do with “values-at-risk”?

27. Section 4.5 - Identification of Potential Cumulative Effects - 4.5.1 - Existing activities and projects - Table 14. - Summary of land and water activities in the regional study area. The information provided in this table contains incorrect information and several omissions. For example:
- There is nor was, a permitted quarry in the study area.

- There is one active Land Use Permit for mineral exploration work in the area.
 - There are not 9 applications for exploration in the study area, there are only 4.
 - There is one storage permit in the area for a mineral exploration camp and equipment.
 - There is one application for scientific geological work in the area.
 - No mention is made of the extensive, year round, commercial fishing activities in the area, including winter road access.
 - No mention is made of licenced outfitted hunting in the area or the number of licenced outfitters who conduct hunting and fishing in the area.
 - There is one recreational cottage lease in the area.
 - No mention is made of the well over a dozen shacks, cabins, large cottage, trailers, tent frames and various other structures spread throughout the area.
 - There is only one commercial fish plant in the area, not two.
 - There are 6 formal, permanent, land based Coast Guard Navigational Aids and at least one, maybe more, seasonal water based nav aids in the study area.
- Insufficient maps of the study were submitted to DIAND for determining the complete boundary of the study area.

Table 14 is still incorrect and needs to be properly researched.

28. Section 4.5.2 - Proposed projects - Table 15. - Access roads: The table still does not make it clear that there will only be one ice road to the area that will be utilized by the four exploration companies. It is plainly evident in the applications and in discussions with the companies, as well as based on past activities, that for practical, economic and logistical reasons there would only be one ice road constructed to the area. Short spur roads to primary areas of activity would be opened for the short duration of the activity and then closed. This needs to be corrected in the Table before formal submission of the report.
29. Section 4.5.2 - Proposed projects - Table 12. - Operations - Fuels, North American General Resources Corporation: This section makes reference to 3,000 lb propane tanks (3 - 100 lb containers ...). This needs to be corrected.
30. Section 4.5.3 - Scoping cumulative effects: This section refers to a Table 13 which we presume is the unlabeled chart provided in an 11" x 17" format. The "matrix" as it is called, attempts to quantify the "potential" cumulative effects by identifying the "possible residual effects of existing activities and developments". The "matrix" needs to be corrected by deleting the reference to Quarry - Excavations under Existing Activities and Developments. Further the table goes on to identify "possible" residual effects of both "Existing Activities and Developments" as well as "Proposed Developments". Some of the "possible residual effects" identified in the matrix are, quite frankly, a wild stretch of imagination given the context and nature of both existing and proposed activities and developments and the existing legislation and regulations which govern such activity. For example, it is hard to imagine how,

under "Offshore Drilling - Campsite", almost all of the environmental factors are checked off to indicate "possible residual effects" when in fact a review of the applications and DAR's for the offshore drilling projects and sites indicate that no campsite is required or is proposed to be established.

As well, it is difficult to conjure up any "possible residual effect" of traditional hunting" on the "Traditional Land Use and Harvesting of Fishing". A thorough review of the matrix reveals many other examples of flawed logic, which are too numerous to mention here. In short, the flawed logic applied in the matrix casts dispersions on the credibility of the entire contents of Table 13 and thus the identified "areas of overlap".

Table 13. Needs to be thoroughly reviewed and heavily modified using practical logic to properly identify the "possible residual effects" of previous and proposed activities.

31. Section 4.5.4 - Foreseeable activities and Developments: This section contains some invalid assumptions. It is not correct to assume that "some kind of exploration activity would take place on each of the 56 pending onshore and offshore leases to the same or similar extent as the current development applications before the Review Board. This simply is not true and shows a real lack of information and understanding about mineral exploration. Further the introduction of the proposed "East Arm Park" as a factor related to this topic is also invalid. The boundaries of this proposal are still the subject of much discussion and are likely to change.

For further information or clarification please contact either Lionel Marcinkoski, at 669-2591 or Fraser Fairman at 669-2587.

Sincerely,

Environment and Conservation
Indian and Northern Affairs Canada.



Sherry Sian, M.E.Des.
Environmental Assessment Officer
Mackenzie Valley Environmental Impact Review Board
Box 938, 5102 - 50th Avenue
Yellowknife, NT X1A 2N7

Re: Comments on Gartner Lee Cumulative Effects Study

Dear Sherry

Tom Andrews and Kathleen J. Groenewegen of the Prince of Wales Northern Heritage Centre have reviewed the draft of the revised draft Regional Cumulative Effects Study for the Drybones/Wool Bay area and have the following comments, both of which were previously offered regarding the first draft but have not yet been addressed:

Heritage Resources: Archaeology: A discrepancy occurs in that Gartner Lee Ltd. states on page 22 that there were 6 previously known archaeological sites, but on page 24, the footnote states that there were only 4.

Footnote page 22: Gartner Lee Ltd. states that Borden numbers are issued by Artefacts Canada in the Department of Heritage Canada. This is an error, and should be replaced with the Archaeological Sites Registry Office at the Canadian Museum of Civilization.

Please do not hesitate to contact Tom or Kathleen directly, [867-873-7258 or 867-873-0205 fax] should you have any questions or concerns.

Sincerely

Gavin More
Manager, EA

Sherry Sian

From: BlaisE@DFO-MPO.GC.CA
Sent: Friday, October 24, 2003 4:03 PM
To: Sherry Sian
Cc: DahIJ@DFO-MPO.GC.CA; BalintD@DFO-MPO.GC.CA; BlaisE@DFO-MPO.GC.CA
Subject: Cumulative Effects Study Comments

Sherry - I'll be providing detailed comments on Monday if that's okay - please Email me or call me on Monday whether I can still provide detailed comments. We have a number of comments and concerns that we could not deal with by the end of today. So, in the interim, the following is a list of the issues we have with details to follow on Monday:

- Given the number of discrepancies remaining with the project descriptions from not only the developers but also then depicted in the cumulative effects study (CES), we feel this limits the CES as still being incomplete;
- Given that Snowfield has not responded to our July 4th letter, we do not see how the CES can be considered complete;
- DFO was under the impression that a cumulative effects assessment (CEA) was to be completed and now we have a CES? We are not clear on the difference and when will the CEA be completed?
- It's hard to complete a review of a report without all the maps (e.g. where is Appendix E?)
- There are a number of areas in the report that are contradictory, confusing and clear how these all interrelate (e.g. tables 16 and 17 and the matrix);
- Not all of our concerns from our previous letters (July 11th and September 17th) have been addressed; and
- We have concerns with how the boundaries (i.e. aquatic resources) for the study were established;

Sincerely,

Elaine Blais

(867)669-4912 | facsimile/ télécopieur (867) 669-4940

blaise@dfo-mpo.gc.ca

Area Habitat Biologist| Biologiste, Habitat

Fish Habitat Management, Western Arctic Area| Gestion de l'Habitat du Poisson, Secteur de l'Arctique de l'Ouest
Central and Arctic Region | Région Centrale et de l'Arctique

Fisheries and Oceans Canada | 101-5204 50th Ave, Yellowknife, NT, X1A 1E2

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Environment Environnement
Canada Canada

Environmental Protection Branch
Suite 301, 5204 - 50th Avenue
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October 24, 2003

Mackenzie Valley Environmental Impact Review Board
Box 938, 5102 - 50th Avenue
Yellowknife, NT
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Fax: (867) 766-7074

Attention: Sherry Sian

Re: Gartner Lee - Regional Cumulative Effects Study for Drybones Bay and Wool Bay.

On behalf of Environment Canada, I have reviewed the above noted document. Environment Canada has no substantial comments to offer on the Cumulative Effects Study.

The mandated responsibilities of Environment Canada are derived primarily from Section 36(3) of the *Fisheries Act*, the *Canadian Environmental Protection Act*, the *Migratory Birds Convention Act* and *Migratory Birds Regulations*, and the *Species at Risk Act*. Therefore, with regard to the Environmental Assessment process, Environment Canada is primarily concerned with potential effects of proposed projects on the biophysical environment. Although Environment Canada recognizes the importance of the social, cultural, and spiritual aspects of the Environmental Assessment of the proposed projects in the Drybones and Wool Bay areas it is not within the scope of our mandate to comment on such issues.

In regard to the biophysical aspects of the Cumulative Effects Study, Environment Canada notes that the content of the study document is adequate but not exhaustive. Further, the study provides little new information of real benefit in assisting us with our review of the proposed projects. Most of the relevant information was provided previously in the various Developer's Assessment Reports.

Environment Canada is very aware of the importance of assessing cumulative effects and commends the Mackenzie Valley Environmental Impact Review Board for their efforts to address this issue. Environment Canada thanks the Board for the opportunity to provide comments on the Regional Cumulative Effects Study for Drybones and Wool Bay.

Sincerely,

Mike Fournier
Environmental Assessment Coordinator

cc: Steve Harbicht (Head, Assessment and Monitoring)