

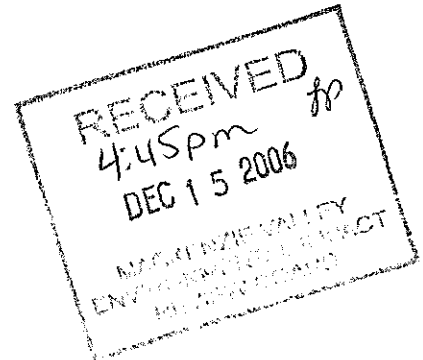
Yellowknives Dene First Nation
Treaty Entitlement Office

FAX COVER SHEET

To: Pat Duxbury From: Joe Acorn
 Company: Date: Dec. 15/06
 Fax number: 766 7077 Total No. Of pages including cover: 3
 Re: EA0506-005 and EA0506006

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

NOTES/COMMENTS:



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Dec. 15, 2006

Patrick Duxbury
Environmental Assessment Officer
Mackenzie Valley Environmental Impact Review Board
Fax: 766-7074

**Re: Revised Work Plans for EA0506-005 (Consolidated Goldwin Ventures) and
EA0506-006 (Sidon International)**

The Yellowknives Dene First Nation (YKDFN) has reviewed the revised Work Plans for EA0506-005 and EA0506-006 and has the following comments.

Need for a Hearing

The YKDFN believe that a hearing will be necessary and urge the MVEIRB to proceed with a hearing as scheduled. An oral hearing provides a vitally important opportunity for the YKDFN members to express our concerns directly to the MVEIRB, the proponents and the other interveners and explain our positions and recommendations. Such community hearings have proven to be effective for the YKDFN to make our case in previous EAs.

As well, the YKDFN would note the MVEIRB's statements from your Oct. 19, 2005 letters:

"Although the Review Board has not chosen to issue every question as part of its formal Information Requests, the developer is advised to give careful consideration to all of the Yellowknives' questions, and to be prepared to answer them at a later point in the environmental assessment." (emphasis added)

As the original Work Plans did not have a 2nd round of IRs scheduled, it is evident that the "later point" referred to by the MVEIRB was the community hearing. Clearly the opportunity for the YKDFN to ask their questions directly during the community hearing was a factor in the MVEIRB's decision to not issue all of the YKDFN's proposed IRs.

To 1) refuse to issue the YKDFN's proposed IRs because of the YKDFN's later opportunity to question the proponent at the community hearing and then 2) take away that opportunity by not holding a community hearing, would be unfair to the YKDFN and would negatively impact our ability to effectively and thoroughly make our case to the MVEIRB.

The YKDFN would also note that while in the original Work Plans (issued Sept. 28, 2005) the hearings were listed as optional, by Oct. 19, 2005 the MVEIRB had "decided to hold a hearing for this assessment".

The YKDFN is not aware of any evidence being provided from Oct. 19, 2005 to the present that would support the MVEIRB reversing its earlier decision that it would hold hearings.

Date of the Pre-Hearing Conference

As we support the MVEIRB holding a hearing, we have no objections to the holding of a pre-hearing conference. Due to conflicts, however, we would request that the pre-hearing conference date be changed to Jan. 19, 2007.

Date of the Community Hearing

The proposed hearing date of Feb. 6, 2007 is acceptable to the YKDFN.

Written Submissions, Closure of the Public Record and Phase II of the EA

In Section 7 of the Work Plans, the MVEIRB makes it clear that written submissions are welcome from the interveners but specifies "The Board will not consider any submission after the closing of the public record."

While the YKDFN supports this open approach to accepting written submissions with no set deadlines during the course of the EA, the YKDFN do need to know when the MVEIRB proposes to close the public record. No such date is provided in the Work Plans.

Similarly, there are no specific opportunities provided in the Work Plans for the YKDFN and other interveners to:

- 1) consider what was said at the community hearing and thoughtfully prepare our final positions and recommendations. Expecting interveners to revise positions and recommendations on the fly during the course of the community hearing is unreasonable. There needs to be an opportunity for reflection. The YKDFN does not expect that the MVEIRB will have its decision made immediately at the end of the community hearing and the MVEIRB should not expect otherwise from the interveners; and
- 2) express our views as to whether or not this EA should be cut off after Phase I or should proceed into Phase II. This is an important decision and one for which the MVEIRB should not refuse to accept submissions even if it does not intend to seek submissions.

To address these issues, the YKDFN proposes adding another milestone to the Work Plans:

Deadline for Written Submissions and Closure of the Public Record Feb. 13, 2007

If parties choose to express an opinion on whether or not the EA should proceed to Phase II, they will be free to do so prior to the close of the public record. We would also suggest that the MVEIRB take the opportunity after the community hearing to conduct a site visit to become more familiar with the landscape and the areas that will be referenced by the YKDFN during the hearing.

If there are any questions regarding this letter, please contact me at 766-3496.

Sincerely,



Joe Acom
Director of Land Management