



July 2, 2019

Att: Jacquie Bastick, Impact Assessment Specialist
 Parks Canada, Natural Resource Conservation Branch
 2 County Rd. 5
 Mallorytown, ON K0E 1R0

By email to: jacquie.bastick@canada.ca and to: pc.evaluationsenvironnementale-environmentalassessment.pc@canada.ca

Dear Ms. Bastick,

Re: Chamber of Mines’ Response to “Parks Canada Response to Issues Identified through Public Review (April 5-May 6, 2019) of the Development Description for the Establishment of Thaidene Nene National Park Reserve of Canada.”

Further to Parks Canada’s email of June 20, “Notification of additional public review period and response to comments received Thaidene Nene National Park Reserve preliminary screening”, and in regards to our review of Parks Canada’s response document, the Chamber of Mines is providing the following comments in regards to the development: “*Establishment of Thaidene Nënë National Park Reserve of Canada*”. We thank you for the additional opportunity for the public to provide comments.

The table below includes, in the left column, the comments we submitted to Parks Canada on our public concerns. In the right column, we indicate in highlighted text if our concerns have been addressed or not, and provide our more detailed comments on Parks Canada’s responses.

Chamber of Mines’ Concerns	Chamber’s comments on Parks Canada’s Responses
<i>Procedural concerns</i>	
<ul style="list-style-type: none"> Contrary to methods used to define previous northern national park reserves, e.g., Naats’ihch’oh, alternative park boundaries were not shared with the public for their comment and consideration. Final boundaries were negotiated and established by Parks Canada with the GNWT behind closed doors and announced as a done deal 	<ul style="list-style-type: none"> This is misleading. Parks Canada states that the consultation boundary was available for comment throughout the period January 2015 to January 2017. It then puts forward additional evidence of consultation by Minister Miltenberger, with a reference to the consultation he held in Yellowknife in July 2015, early in this so called consultation period. However, one can see from the Summary of Proceedings, GNWT Thaidene Nene (TDN)

<p>without any ability for the public to comment or suggest changes.</p>	<p><u>Public Engagement Session Yellowknife – July 15, 2015</u>, that the boundaries were not available for any significant change already at this point, confirming our position that there was no ability to make much difference in the boundaries.</p> <p>Witness this quote:</p> <ul style="list-style-type: none"> ○ “Two people asked whether the boundaries were a 'fait accompli' and the Minister explained that all governments had agreed to the proposed consultation boundaries and so there would not likely be large measure changes but that we are meeting with the public and stakeholders to get information about site-specific concerns that may need to be negotiated.” • We also thank PC for bringing to public light a new fact that the Senior MERA Committee lost its ability to speak to boundaries as a result of devolution, which occurred during the park consultation process, and that the full responsibility for boundaries then transferred to the GNWT. Yet in the letter from PC Director McNamee to the GNWT’s senior negotiator, Parks Canada is clearly in the driver’s seat with respect to boundaries and corridors. • Believe us when we say that we (and the public) had no opportunity provided to comment on boundary options, and the final boundaries were announced as a done deal.
<ul style="list-style-type: none"> • Insufficient money was invested in the Mineral & Energy Resource Assessment (MERA) to evaluate the economic potential that would be lost in removing such a significantly large area from development. The Chamber believes this underfunding has resulted in an inadequate assessment. 	<p>Re PC’s comments on Money Expended in Investigating the Economic Potential of Resource Development</p> <ul style="list-style-type: none"> • The MERA did not conduct any hydropower energy assessment. • Even if \$3 million was invested, it is insufficient to assess the potential of approximately 35,000 square kilometres. • We do appreciate that some of the high and medium mineral potential lands will be excised from the original 33,500 sq.km. proposed park. • We argue that with a more fulsome investment in the MERA, there would have been more of these high and medium mineral potential areas identified.
<ul style="list-style-type: none"> • There is no evidence of an energy assessment being conducted and provided for hydropower under the 	<ul style="list-style-type: none"> • PC has not responded to why there was no hydro-energy assessment under the MERA.

<p>MERA. As a result, the NWT's third most attractive and natural hydropower development opportunity, the Lockhart River system, was ignored. Ignoring discussion of this significant alternative, non-carbon based power development option represents the loss of a significant economic and environmental opportunity to the north and future generations as well as hampering the NWT's ability to reduce greenhouse gas emissions in future.</p>	<ul style="list-style-type: none"> • This is important, for much has changed in the world with respect to climate change and green energy. To ignore the NWT's third most attractive and natural hydropower development opportunity, removes an important discussion on how that region might make a significant contribution to the planet through hydropower development, and do so by balancing it with protection of the surrounding environment.
<ul style="list-style-type: none"> • Discussions between the GNWT and Canada resulted in the proposed National Park Reserve being reduced to 14,000 sq.km. However, given the negotiation details are not public, from the outside it appears they were only able to do so by committing to the creation of a territorial park that essentially mirrors Parks Canada's initial intent to close the much larger area of 26,500 sq.km to future potential resource development. 	<ul style="list-style-type: none"> • There is no discussion by Parks Canada on how this deal was negotiated, which essentially maintained a closure to resource development of two Thaidene Nene parks with a combined area of 26,500 sq.km.
<ul style="list-style-type: none"> • Much of the consensus building in support of the current park proposal has been with members of the public who do not live in the North. Parks Canada's consultation and engagement report documents responses from many southern residents, who admitted they have never been to the north, and know little of the Territory. Presumably these respondents also know little of the state of the North's environment or economy, nor the detrimental impact that land withdrawals of this magnitude could have on economic opportunities for future 	<ul style="list-style-type: none"> • The consultation and engagement report by Tait is a poor statistical analysis when it (incorrectly) concludes that "approximately 90% expressed support for establishing the national park reserve, with 9% neutral and only 1% opposed." • This anomalously high figure does not take into account memberships of the Chamber of Mines or Chambers of Commerce or other associations, who represent not just one voice, but thousands who rely on land open to development for important employment and business opportunities. If this had been done, one might guess that support for the park may have been reduced to well below 50%. • In addition, when concerns from other Indigenous groups are factored in, eg, NSMA and others,

<p>generations of Northern citizens. Nor will they understand the unique and extensive environmental protections provided by the MVRMA. We are concerned that support expressed for the current park proposal has relied on an over-weighting of the views of southern observers compared to the more relevant views of northern residents.</p>	<p>support for the park may have been quite minimal.</p>
<p><i>Chamber's substantive concerns</i></p>	
<ul style="list-style-type: none"> The tens of thousands of square kilometres being proposed for closure to development in Thaidene Nene and arising from Parks Canada's work equals the areas of Vancouver Island, or that of Great Slave Lake, the tenth largest lake in the world. This will have significant negative economic effects to the NWT. Professional geologists familiar with the region have confirmed that high mineral potential was glossed over in the MERA, including potential for minerals such as cobalt and lithium, important to the development of the low carbon, green economy, with low greenhouse gas emitting power generation and power storage technologies. As a result, the MERA is an inaccurate resource assessment of this exceptionally large area of the NWT. 	<ul style="list-style-type: none"> We maintain our position that: Professional geologists familiar with the region have confirmed that high mineral potential was glossed over in the MERA and that the MERA is an inaccurate resource assessment of this exceptionally large area of the NWT.
<ul style="list-style-type: none"> The benefits of resource development royalties in the NWT today are shared across the Territory. For example, royalties from diamond mining in the Tlicho-Akaiicho regions are shared with the Gwich'in and Sahtu regions, much farther away. We find no evidence of any economic studies on these potential 	<ul style="list-style-type: none"> Parks Canada has not addressed this concern at all. There is the bigger picture of cumulative effects of land closures, and there is the effect of the specific closure of lands to Thaidene Nene national park. .

<p>economic losses to all residents of the NWT by the removal of such a significantly large area from future mineral and energy development.</p>	
<ul style="list-style-type: none"> We are unaware of any analysis or trade-off study of the economic impacts of Thaidene Nënë versus potential mineral development. A business case conducted by the Lutsel K'e Dene First Nation revealed very small economic returns through employment and capital infrastructure investments - returns that are orders of magnitude smaller than those created by potential mineral development. For example, the effects of just one year of operations of a diamond mine would exponentially exceed multi-year benefits of the park as calculated by Lutsel K'e. We are unaware of any discussion or study led by Parks Canada, GNWT or any other government agency on the economic trade-offs of establishing Thaidene Nënë park as proposed versus keeping land open for potential responsible mineral resource development. Perhaps the lack of such study or discussion is a function of the inadequate MERA and thus illustrates the need for a more extensive MERA to better inform the consultations and decisions. 	<ul style="list-style-type: none"> This has not been addressed. There is no analysis of what a conservation economy will look like. A Diavik mine, at about 15 sq.km. footprint, if found in the proposed Federal Thaidene Nene park of 12,000 sq.km., would occupy a miniscule 0.125% of the area, and yet would return \$15 billion in new wealth. Parks Canada says it will provide \$40 million over the first 12 years, and just over \$3 million per annum thereafter. This is a staggeringly large difference between Parks Canada funding and a mine's returns, yet there is no record of such economic analysis for public review, and perhaps influence on the park size. This also helps reinforce why a more robust MERA is so important to assess potential lost opportunities.
<ul style="list-style-type: none"> There has been no public discussion of alternative land access options, combined with a smaller park area that could better balance cultural and economic objectives, while guaranteeing the preservation of indigenous rights. We do not believe that establishment of a conservation economy and responsible mineral 	<ul style="list-style-type: none"> As above. Also, the establishment of a conservation economy and responsible mineral development are not mutually exclusive endeavours. Several of our mines have cultural camps by their mine sites to help measure and show how the two activities can co-exist.

<p>development are mutually exclusive endeavours.</p>	
<ul style="list-style-type: none"> • It is our understanding there may be financing arrangements contemplated by private interests and Parks Canada as part of, or tied to, establishment of the Thaidene Nënë Park. Considering such financing arrangements would clearly represent an economic impact of the park development, full public disclosure of details should be required. 	<ul style="list-style-type: none"> • Parks Canada has not addressed our public concern and disclosed any information on the funding arrangements that are being created with the aid of Parks Canada and outside philanthropic organizations. • Suspicions can easily arise when undisclosed money is being exchanged to put lands off limits for a single use. • We would like to see full disclosure of private and public financing that is being organized behind closed doors that will affect access to public lands. • There should be no suggestion of facilitation around this proposal to create a park.
<ul style="list-style-type: none"> • Environment and economy are not being balanced. The area east of the proposed Thaidene Nënë Park is already subject to the closure of significant areas to mineral exploration and development, including approximately 18,000 sq km of mineral prospective land in the nearby Upper Thelon watershed, approximately 62,000 sq km of lands under interim withdrawal for the Akaitcho Land Claim settlement, and 55,000 sq km of lands already closed to resource development in the neighbouring Thelon Wildlife Sanctuary, the largest such sanctuary in Canada. When combined with the proposed Thaidene Nënë Park area, these closures total in excess 165,000 sq km of land where potential mineral and other economic development is presently prohibited. There has been no public discussion on potential economic impact of some of these withdrawn lands. This is contrary to the NWT Government's Land Use and Sustainability Framework which 	<ul style="list-style-type: none"> • Re PC's response under Diversification of Economy: • We continue to maintain this position that environment and economy are not being balanced. • This is also an issue of cumulative effects of lands removed from development which is of concern. • All of the land alienations considered together (two Thaidene Nene parks, Thelon Wildlife Sanctuary, land claims withdrawals), creates an area greater than the size of England. Relegating it to conservation economy alone will create a significant negative effect on the entire NWT economy. • We shared maps of this concern with governments over the past several years (see for example our submission: <i>Overly Restrictive Land Management in the Regions of Thaidene Nene and the Southeastern NWT</i>) which was shared with the current and previous Ministers of the Environment.

<p>commits GNWT to ensure that “Land-management decisions consider ecological, social, cultural and economic values to ensure maximum benefits to current and future generations.”</p>	
<ul style="list-style-type: none"> • Re: Parks Canada commentary on “Lands currently unavailable to mining” 	<ul style="list-style-type: none"> • To try and address percentages of lands unavailable to mining, Parks Canada responded under this heading to portray that the NWT has only a mere 9.21% of lands protected. • This is misleading. • Clearly, the mining recorder’s office has a map that shows that well over 30% is off limits to claim staking. • In addition, GNWT-ENR’s website: https://www.enr.gov.nt.ca/en/state-environment/201-trends-terrestrial-protected-areas-and-conservation-areas states that “There are currently 188,200 km2 of land (including fresh water) in the NWT in core protected areas and Conservation Areas (13.8% of the NWT land base). There are also two other candidate protected areas going through the process: Ramparts and North Arm.
<ul style="list-style-type: none"> • Parks Canada has refused to consider industrial corridors for transportation, power or fibre optic communications, through the proposed Thaidene Nëné Park area to allow for access to significant mineral potential in the southeast portion of the NWT. The loss of this access is of great concern as it may effectively prevent future economic development in an area much larger than the proposed park. • We also note Parks Canada has applied an inconsistent approach with respect to corridors through parks. In their Development Description, Parks Canada has stated that a corridor for industrial use is not permitted under the Canada National Parks Act. Yet Nahanni Park has a corridor to the 	<ul style="list-style-type: none"> • We disagree with PC when it says: The mining industry proposal for a corridor through the park ... has been given due consideration and references an attached letter from Director McNamee to GNWT. • In regards to the McNamee letter, to be clear, we are not discussing the corridor to the north through what would become GNWT park, rather the corridor to the east and southeast beyond the national park. • Regarding having a corridor from Lutsel K’e to the southeast, that would be closer to Hay River and Yellowknife, we are actually trying to get a corridor that would be further away from Yellowknife and Hay River and closer to the southeast NWT. Marine access to the Reliance area and a corridor from there east to the Thelon Geological Basin provides the shortest distance. • We also have comments back from members that the terrain around Lutsel K’e is prohibitively difficult for a corridor.

<p>Prairie Creek mine development, and Ukkusiksalik park in Nunavut was established with consideration for a corridor through the park to high mineral potential lands beyond to ensure future economic opportunities.</p>	<ul style="list-style-type: none"> • While Director McNamee’s letter rationalizes that corridors are justified if they were there before parks were established, that is not the case for Ukkusiksalik park, which is analogous to Thaidene Nene – great mineral potential beyond the park’s boundaries, but a government consideration to allow an access corridor sometime in future. For future generations’ options, we continue to recommend this corridor be allowed, and that Parks Canada has the flexibility and power to allow this.
<ul style="list-style-type: none"> • Further, we are unaware of any detailed discussion of navigable waterways that are a federal responsibility, through the lake portion of Thaidene Nënë park. 	<ul style="list-style-type: none"> • We are pleased that Parks Canada has confirmed that the waters of Great Slave lake that are included in the park, 1,067 km², will continue to be fully navigable and be open to motorized watercraft, sail boats, kayaks, canoes and barges.
<ul style="list-style-type: none"> • Allowance for float planes to use Ft. Reliance as they have historically done for industrial (e.g., exploration) purposes is not allowed. As per Parks Canada’s Development Description, the only allowance for floatplanes is for park visits. This will further affect exploration activities to the east and southeast beyond the park. These issues have been raised but are absent from Parks Consultation & Engagement Report. 	<ul style="list-style-type: none"> • We are pleased that Parks Canada has confirmed that Landings and take-offs for both recreational and commercial operators will be possible on all water based locations within the proposed national park reserve. • We would ask that the same be said for aircraft to land on ice in the winter months for commercial purposes.
<ul style="list-style-type: none"> • An additional concern raised by our members is that the proponent of the park development is also the Preliminary Screener, creating a reasonable apprehension of bias and potential for a perceived conflict of interest. While we understand that the MVRMA allows for this, this adds additional concern given the lack of transparency and the various concerns outlined above. 	<ul style="list-style-type: none"> • Parks Canada did not respond to this concern.

As we concluded in our earlier submission, we continue to have public concern over this development, and ask that it be referred to environmental assessment provide:

- A fair, open and unbiased process that matches the rigour which other northern developments must undergo;
- A review of the adequacy of the MERA that was conducted;
- A more fulsome analysis and discussion of the economic implications of the proposed park;
- Reconsideration of an infrastructure corridor for future economic developments in the southeastern NWT given that corridors have been allowed in other parks; and
- Full public disclosure of any financial arrangements, both private and public, tied to the establishment of Thaidene Nënë.

Yours truly,

NWT & NUNAVUT CHAMBER OF MINES



Gary Vivian
President

c.c.: Ms. Joanne Deneron, Chair, Mackenzie Valley Review Board; Mark Cliffe-Phillips, Executive Director, Mackenzie Valley Review Board; Hon. Bob McLeod, Premier of the Northwest Territories; Hon. Wally Schumann, NWT Minister, Industry, Tourism & Investment; Hon. Lou Sebert, NWT Minister, Lands; Hon. R.C. McLeod, NWT Minister, Environment & Natural Resources; Hon. Catherine McKenna, Minister of Environment & Climate Change Canada; Chief Darryl Marlowe, Lutsel K'e Dene First Nation; Chief Edward Sangris, YK Dene First Nation; Chief Ernest Betsina, YK Dene First Nation; Garry Bailey, Northwest Territory Métis Nation; Chief Louis Balsillie, Deninu K'ue First Nation; Bill Enge, President, North Slave Metis Alliance; Grand Chief George Mackenzie, Tlicho Government; Hon. Amarjeet Sohi, Minister of Natural Resources Canada; Hon. Marc Garneau, Minister of Transport Canada; Michael McLeod, Member of Parliament for the Northwest Territories; Cathy McLeod, MP and Conservative Critic for Indigenous and Northern Affairs; Shannon Stubbs, MP and Conservative Critic for Natural Resources; Edward Fast, MP and Conservative Critic for Environment; Felix Lee, President of the Prospectors & Developers Association of Canada; Pierre Gratton, President of The Mining Association of Canada