

FAX TRANSMISSION SHEET



Northwest Territories Resources, Wildlife and Economic Development

Policy, Legislation and Communications  
Government of the Northwest Territories  
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JUL 11 2003  
MACKENZIE VALLEY  
ENVIRONMENTAL IMPACT  
REVIEW BOARD

Tel: (867) 920-8071  
Fax: (867) 873-4021

Date: July 11, 2003

To: Sherri Sian  
Mackenzie Valley Environmental Impact Review Board

Fax: 766-7074

This fax contains 5 page(s), including the cover sheet.

From: Jason McNeill  
Environmental Assessment Officer  
Policy, Legislation and Communications  
Tel: (867) 920-8071  
Fax: (867) 873-4021  
e-mail: jason\_mcneill@gov.nt.ca

Comments:

Please see attached the GNWT's comments on the Drybones Bay cumulative effects study.

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Northwest  
Territories Resources, Wildlife and Economic Development

July 11, 2003

Sherri Sian  
Environmental Assessment Officer  
Mackenzie Valley Environmental Impact Review Board.  
PO BOX 938  
Yellowknife, NT X1A 2N7

VIA FACSIMILE

Dear Ms. Sian

**Mackenzie Valley Environmental Impact Review Board.**  
**Drybones Bay Cumulative Effects Report Terms of Reference.**

The Department of Resources, Wildlife and Economic Development (RWED) has reviewed the above Terms of Reference (TOR) and has the following comments and concerns regarding this report.

**Cumulative Effects – Drybones Bay Area**

Background. Page 2. Line 1. Suggest providing a geographic area (lat / long coordinates or landscape features delimiting area)

Purpose. Page 2. Last paragraph. The Terms of Reference for 3 projects are completed. Presumably any further proposed projects will use identical Terms of Reference. Presumably the paragraph is meant to reflect that the Board can use the CE information when considering the Developers Assessment Reports (DAR's) and Information Request (IR) Responses when preparing a determination report for existing and future proponents.

Overview. Page 3. First paragraph. The phrase "Strategic Environmental Assessment of..." is different than the title page of the document. Is this the more encompassing title?? I suggest that the titles be consistent.

Suggest changing the last sentence from "to understand the potential cumulative effects arising from the current ..." to "to understand the potential cumulative effects on Valued Ecological and Cultural Components (VECC's) arising from the current ...".



Cumulative Effects Model. Page 3. First Bullet. In considering uses, an area may have capability for uses but which are not currently undertaken. I suggest that the phrase "expected to operating (sic) or currently operating in the area..." be amended to read "currently operating or with potential to operate in the area..."

Second Bullet. While literature uses VECs and VECCs, it is possible to be more inclusive with social, cultural and environmental. If so, I suggest the term be capitalized and abbreviated as VSCECs to ensure the consultants are aware of the different understanding that the Board desires. In addition, the list of VSCECs should be expanded to include "subsistence values" to ensure that consultants are aware of the need for an "economic" analysis.

Fourth Bullet. No where in the cumulative effects model are the inclusion of 'spatial' and 'temporal' factors mentioned. Given the high potential for there to be differences at least between seasons the concepts of time and space should be incorporated.

Information Sources Page 3. Third Bullet. Not all potential departments are listed. I suggest the listed departments be deleted and that a reference be made to Appendix A. [Appendix A should then be expanded to be more inclusive (see below)].

Deliverables Page 4. There is no reference to Geographic Information Systems (GIS) or specifics for data sets that can be used in a GIS. As most consultants would create a geo-referenced database suited to expansion overtime, I suggest that this be a required product even if the MVEIRB does not currently have GIS capability internally.

As maps and data submitted through the environmental assessment process will become public documents and may be placed on a public record this requirement the effect may be increasing the vulnerability of archaeological sites by publicizing their locations. Furthermore, if the Prince of Wales Northern Heritage Centre releases archaeological data to consultants via a license agreement that legally binds the consultant to present the data only in ways that will not jeopardize archaeological sites.

If the MVEIRB requires map(s) for archaeological sites, we recommend that they be presented at a scale no smaller than 1:2,000,000 and that locations be randomized. The Mackenzie Valley Environmental Impact Review Board (MVEIRB) has adhered to this request in environmental assessments conducted in the past under its auspices.

Work Plan Page 5. Milestone Table. Their table and subsequent descriptive paragraph on page 6 indicates one focus group and site visit. Given the critical public concern, this is likely not enough. Secondly, inclusion of other parties

(particularly resource experts from wildlife in RWED and Canadian Wildlife Service) may greatly assist both the consultants as well as the Responsible Ministers in the later stages of the environmental assessment process, at least one workshop in each affected community on specific topics is recommended.

Quite possibly, a reduction in time with "interviews" of government or industry representatives could be made without losing information (i.e. the information could be gained by written submissions or through the community workshops). If dovetailed with community sponsored meetings, the consultants would save time organizing interviews and meetings.

Interviews with Government Departments. Page 6. It is apparent that there is a lack of information residing with government departments whereas there is considerable information with communities. The title of this could be expanded to include communities. Secondly, the value of obtaining biophysical information is to analyse, to project or model, to 'derive' new products. While overlays may be one useful technique in understanding or illustrating the interaction among variables, they are not the primary purpose of collecting biophysical information.

Design Impact Decision Tool and Draft Report. Page 6. Similarly, the use of data to make predictions is important and should be referenced in the second paragraph. Merely overlaying current vegetation maps with moose harvest, for example, does not help understand the capability changes and resultant moose population changes that may occur naturally.

Refine Impact Decision Tools and Report. Page 7. Again, the lack of GIS submission is noted.

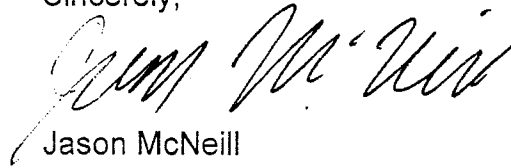
Table 2. Milestone Completion Timetable. Page 7. The timetable is out of sync with events. Presumably a new date for issue of the Final Terms of Reference and Contract Initiation Meeting will be July 14 or later.

Secondly, there is no review among the parties contributing to the report. The first occasion that the information will be heard will be the MVEIRB hearing. This is unusual in the sense that information is normally circulated to parties prior to hearings. It is also unusual if sensitive information is used, as typically the party owning the data would have an opportunity to review to avoid mis-use. I suggest there be consideration to a review step for the parties.

Appendix A. Page 8. In terms of GNWT agencies and contacts. The Prince of Wales is used by all proponents (although they lack information in this case) and the contact is Tom Andrews. For RWED, biological information is available from Suzanne Carriere, Ray Case, Dean Cluff and Raymond Bourget. Vegetation information is available through Ron Graff as indicated. Besides references from page 3, it is possible that Canadian Wildlife Service has migratory bird and waterfowl information.

Should you have any comments or concerns regarding the above, please contact myself at 920-8071.

Sincerely,

A handwritten signature in black ink, appearing to read "Jason McNeill". The signature is written in a cursive style with a large initial "J" and "M".

Jason McNeill  
Environmental Assessment Officer  
Policy, Legislation Communication  
RWED, GNWT.

# NORTH SLAVE METIS ALLIANCE

PO Box 340 Yellowknife, NT X1A 2N3



## facsimile transmittal

To: Sherry Sian Fax: 867-766-7074

From: Kris Johnson Date: July 9, 2003

Re: Cumulative Effects Pages: 4 (including Cover)  
TOR

CC:

- Urgent
- For Review
- Please Comment
- Please Reply
- Please Recycle

COMMENTS:

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Thank you.

Ph: (867) 873-9176

Fax: (867) 669-7442

Email: [general@nsma.net](mailto:general@nsma.net)

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# ***NORTH SLAVE METIS ALLIANCE***

***PO Box 340 Yellowknife, NT X1A 2N3***



Sherry Sian  
 Environmental Assessment Officer  
 Mackenzie Valley Environmental Impact Review Board  
 Box 938, 5102-50<sup>th</sup> Ave.,  
 Yellowknife, NT  
 X1A 2N7

July 9, 2003

**Re: NSMA comments and suggestions on General Cumulative Effects Assessment draft Terms of Reference for the Drybones Bay/Wool Bay Area**

Dear Sherry,

The NSMA have received and completed an initial review of the draft Terms of Reference (TOR) for the General Cumulative Effects Assessment for the Drybones Bay/Wool Bay area. The following comments are the changes we want included in the TOR.

First, it is apparent there may be some discrepancy in the definition of 'reasonable foreseeable development'. The NSMA require a definition of reasonable foreseeable development be included in the TOR. The NSMA are concerned the cumulative effects assessment for the proposed explorations will not include full-scale mine development should the Drybones/Wool Bay area prove to be diamond rich. Thus, we require the definition in the TOR for 'reasonable foreseeable development' include full-scale mine development.

**Introduction**

-The purpose must include '... to develop a decision-making tool to help the MVEIRB, Aboriginal communities, developers, government agencies and interested parties make better decisions about potential development's contribution to cumulative effects...' This is very important because this exercise and the deliverables should be used to educate all parties about cumulative effects assessment.

-The decision-making instrument being developed by the contractor should include an evaluation of possible mitigation measures to reduce impacts due to cumulative effects.

**Terms of Reference**

**Cumulative Impact Model**

-The compiled maps should include predicted impact scenarios that result after possible mitigation measures have been implemented.

**Information Sources**

- Prior to the on-site visit with representative First Nations we require an on-site visit with all the developers, relevant government biophysical experts, independent biophysical experts

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**EMail: [general@nsma.net](mailto:general@nsma.net)**

and representative First Nations. This will provide an opportunity for all interested parties to exchange information and answer questions on site. This should then be followed with an on-site visit between representative First Nations and independent biophysical experts to further identify and clarify cumulative impact concerns.

- Interviews with holders of Traditional Knowledge must also be conducted in the respective communities to ensure individuals who cannot physically attend the site-visit are consulted.

### **Deliverables**

- It must be clear all deliverables will be available on a public registry.
- We also request the digital mapping projects and associated data used to do the analysis be made available in a format compatible with ArcView. This will make editing, sharing of data and analysis more compatible with mapping programs used by Aboriginal communities.

### **Work Plan**

#### **Contract Initiation**

-At least one member from the concerned Aboriginal communities must be hired to work with the contractor in order to ensure Aboriginal Peoples gain experience in cumulative effects research.

#### **Literature Review and Gap Analysis**

- All sources of documents used in the literature review must be made available on a public registry with the exception of protected Aboriginal sacred site locations.
- Aboriginal communities must approve the topics and questions discussed with traditional users.
- The literature review and gap analysis must be reviewed, discussed and commented on by all parties to ensure it is comprehensive.

#### **Focus Group and Site Visit**

- An additional site-visit between the developers, relevant government biophysical experts, independent biophysical experts and representative First Nations must be conducted to describe the proposed exploration operations, aid the sharing of information, and answer questions.
- The site visits must be recorded either with recording devices or short hand notes and all notes and transcripts made available on a public registry.
- Interviews with holders of Traditional Knowledge must be conducted. In many cases it is not physically possible for Elders to go on site visits. To ensure physical barriers do not prevent the sharing of knowledge we request interviews with holders of Traditional Knowledge also be conducted in respective communities.

#### **Interviews with Industry Associations and Developers**

-All interviews must be recorded and made available on a public registry.

#### **Interviews with Government Departments**

-All interviews must be recorded and made available on a public registry.

#### **Design Impact Decision Tool**

- The compiled maps and report should include predicted impact scenarios that result after possible mitigation measures have been implemented.
- Where gaps and discrepancies exist between scientific and Traditional Knowledge the precautionary principle must be applied when the final analysis is reported and mapped.



**Refine Impact Decision Tools and Report**

-Concerned Aboriginal communities must be involved in the final revision of the impact decision tools and report.

-All correspondences and meetings regarding the changes made to the impact decision tools and report must be made available on a public registry.

**Presentation to the MVEIRB**

Deliverable: Should read "Enhanced understanding of the decision-making aid among the Board members of the MVEIRB, Aboriginal communities, developers, government agencies and interested parties."

**Schedule**

The NSMA are very concerned the proposed timeline is very short considering the amount of research and consultation that must take place. The individuals from our community who will take part in the site-visits, information review and public hearing are not available on such short notice as many members are either out on the land participating in traditional activities or are involved in the organization of our Annual General Assembly at Old Fort Rae Aug 1-4. Furthermore, the MVEIRB, Federal or Territorial Governments have not provided any funding for our organization to participate in these proceedings. Considering the capacity and lack of resources available to Aboriginal communities it is unreasonable to require this Cumulative Assessment to occur over such a short timeline. It seems the timeline is designed to developers' advantage without considering the realities of Aboriginal organizations. Considering the proposed explorations were recommended for an EA because of significant public concern from Aboriginal communities we must be given enough time to consider all the information presented to us and time to provide the consultant with sufficient information about our social, cultural and environmental concerns. Thus, the NSMA require the milestones to be moved back at minimum one month in order for our organization to reprioritize, contact Traditional Knowledge holders, and remain adequately informed.

**Appendix**

Please include the NSMA as an available information source (contact: Kris Johnson)

Thank you for your attention to these matters. We look forward to hearing from you.

Yours truly,



Kris Johnson  
Land & Resource Coordinator  
North Slave Métis Alliance

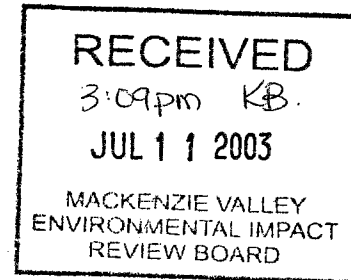


Your file - Votre référence

Our file - Notre référence

July 11, 2003

Sherry Sian  
Environmental Assessment Officer  
Mackenzie Valley Environmental Impact Review Board  
200 Scotia Centre, 5102-50th Avenue  
YELLOWKNIFE, NT X1A 2N 7



**Re: Comments on the Draft Terms of Reference and Schedule for the General Cumulative Effects Assessment of the Drybones Bay/Wool Bay Area for the following four projects:**

- Consolidated Goldwin Ventures Inc. MV 2003C0003.
- North American General Resources Corp. MV 2003C0008.
- New Shoshoni Ventures Ltd. MV 2003C0016.
- Snowfield Development Corp. MV 2003C0023

Dear Ms. Sian:

Indian and Northern Affairs Canada (INAC) has reviewed the Draft document for Cumulative Effects (CE) Assessment of the Drybones Bay/Wool Bay Area and the proposed format for developing a decision making guideline for these projects. An initial observation is these developments are exploratory in nature and would be unlikely to contribute to long term CE impacts. INAC suggests that the CE study assessment process focus on the short term temporal nature of the developments being assessed.

The CE study for the Drybones Bay/Wool Bay area should provide information to guide and assist the MVEIRB in determining the potential cumulative effects impacts of the proposed individual projects to the environment, and the significance of any identified cumulative impacts. It is important the CE study interviewing process be applied consistently between developments and be available for the public record.

In the Terms of Reference for the CE study a number of items require clarification:

- Has a standard interview format or series of questions been developed for proposed interviews with developing companies and the government departments? Are these available for review and what type of analysis will be used to assess these responses once acquired?
- How does the MVEIRB consulting contractor plan on sharing the information sourced from other parties involved in the Environmental Assessment process?

- Does the MVEIRB plan on developing a composite timeline for development activities related to these four projects and the Diamonds North Resources program which received approval earlier this year. It is recommended that Gant Charts be developed to include each of the projects annual programs plus the impacts of forecasted future years developments?
- Will the MVEIRB be assessing and/or forecasting what the cumulative effects of the Diamonds North Resources projects was in the Drybones Bay area as well as other projects land use activities?
- What process has the MVEIRB adopted for ranking and prioritizing each of the respective projects regarding their cumulative effects? How will the CE studies results be applied to the individual projects EA?

Please note that INAC has information regarding mineral development and various database compilation in the DIAND-MDD Geology Division for assessment. District offices are also a source of information for land use activities, permits, and mitigation completed.

If you have any questions on the attached comments for these four projects on CE study for the Drybones Bay Area, please call members of our Environmental Assessment(EA) team, Lionel Marcinkoski at 669-2591, Miki Promislow at 669-2616, or Fraser Fairman at 669-2587 or by email.



Lionel Marcinkoski  
Environmental Scientist  
Environment & Conservation  
Renewable Resources and Environment

LM/MK/FF  
cc: Eric Yaxley

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and OceansPêches  
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Page 1 of/de 3 (including cover)

DATE: July 11, 2003

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JUL 11 2003

MACKENZIE VALLEY  
ENVIRONMENTAL IMPACT  
REVIEW BOARD

## TO/A:

Name/ Nom	Sherry Sian
Organization/Company Organisation/Compagnie	EA Officer, MVEIRB
Telephone Number/ Numéro de téléphone	
Facsimile Number/ Numéro de téléphone	766-7074

## MESSAGE:

[Empty message box]

## FROM/DE:

Name Nom	Elaine Blais, Area Habitat Biologist
Telephone Number Numéro de téléphone	(867) 669-4912
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Yellowknife, Northwest  
Territories  
X1A 1E2Your file *Votre référence*Our file *Notre référence*SC02167  
SC03002  
SC03022

July 11, 2003

Sherry Sian  
Environmental Assessment Officer  
Mackenzie Valley Environmental Impact Review Board  
Box 938, 5102-50<sup>th</sup> Avenue  
Yellowknife, NT  
X1A 2N7**RE: General Cumulative Effects Assessment for Drybones Bay/Wool Bay - Consolidated Goldwin Ventures Inc. MV 2003C0003; North American General Resources Corp. MV2003C0008; New Shoshoni Ventures Ltd. MV 2003C0016**

Dear Ms. Sian,

The Department of Fisheries and Oceans – Fish Habitat Management (DFO) has reviewed the draft terms of reference for the cumulative effects assessment and offers the following comments for the Mackenzie Valley Environmental Impact Review Board's (MVEIRB) consideration.

- Page 2 – the timeline mentioned in the last paragraph does not correspond to the timeline outlined in Table 2 on Page 7;
- The Cumulative Effects Assessment Practitioner's Guide published by the Canadian Environmental Assessment Agency discusses regional planning and land use studies or strategic environmental assessments in Section 4.2. The Guide states that project-specific Cumulative Effects Assessments (CEAs) cannot be forced into the role of a regional planning study. I understand that this CEA will be carried out by the Board itself and not be the responsibility of each of the developers in this case. However, it is not clear how the residual impacts (if any) from the project-specific EAs will be factored into the CEA. The Terms of Reference could discuss how all the assessments will be combined and considered to eventually form a decision of the Board.
- DFO will assist the MVEIRB where it can to carry out the CEA but if there is a need for fish assessment work, the developers will be responsible to gather the necessary information.

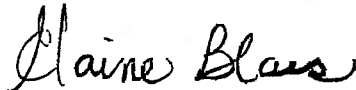
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- The contractor carrying out the CEA could develop maps depicting past, present and future activities on a watershed boundary basis to aid in understanding if there are cumulative effects on fish and fish habitat. However, given that the potential residual project-specific impacts on fish and fish habitat are not yet documented by each of the developer's in environmental assessment reports, it is not clear how the contractor can carry out the CEA without knowing the residual impacts and how they might affect fish and fish habitat and subsistence and commercial fisheries in a cumulative fashion. The MVEIRB should consider having each of the developer's carry out its own project-specific CEAs if required and a regional planning study be carried out separately to address the broader concerns raised by the Aboriginal groups and other interested stakeholders.

If you have any questions or require clarification, please call me at (867) 669-4912.

Sincerely,



Elaine Blais  
Area Habitat Biologist  
Fish Habitat Management-Western Arctic Area