

2 attachments

(2 letters)

Manager

From: <paterson@snowfield.com>
To: "Mike Beauregard" <manager@snowfield.com>
Sent: Sunday, March 14, 2004 9:56 PM
Attach: DIAND-Minister-01.pdf; MVEIRB Interpretation-Mar-1-04.pdf
Subject: Fw: Letters from Snowfield Development Corp. re: MVEIRB Decision

----- Original Message -----

From: paterson@snowfield.com
To: minister@inac.gc.ca
Sent: Sunday, March 14, 2004 8:55 PM
Subject: Letters from Snowfield Development Corp. re: MVEIRB Decision

The Honourable Andy Mitchell, P.C.M.P.
Minister Indian and Northern Affairs Canada
10 Wellington Street, North Tower
Hull, PQ
K1A 0H4

Re: Mackenzie Valley Environmental Impact Review Board Environmental Assessment Decision - Snowfield Development Corp. dated February 26, 2004

Dear Honourable Minister Mitchell:

Please find attached, a letter for your attention from Snowfield Development Corp. with respect to the captioned Mackenzie Valley Environmental Impact Review Board Environmental Assessment Decision and a copy of a letter from Snowfield to the Mackenzie Valley Environmental Impact Review Board.

Please confirm receipt of this e-mail and the two attachments to paterson@snowfield.com.

Yours truly,

Robert T. Paterson

President,

Snowfield Development Corp.

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SNOWFIELD

TSX VENTURE: SNO

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March 12, 2004

The Honourable Andy Mitchell, P.C.M.P.
Minister Indian and Northern Affairs Canada
10 Wellington Street, North Tower
Hull, PQ
K1A 0H4
E-mail: minister@inac.gc.ca

MVEIRB File: RA-03-006

Re: Mackenzie Valley Environmental Impact Review Board Environmental Assessment Decision - Snowfield Development Corp. dated February 26, 2004

Dear Honourable Minister Mitchell:

Snowfield Development Corp. ("Snowfield") is in receipt of the Mackenzie Valley Environmental Impact Review Board's ("Review Board") Environmental Assessment Decision and its Summary Report of Environmental Assessment dated February 26, 2004 with respect to Snowfield's Mackenzie Valley Land and Water Board Land Use Permit Application No. MV2003C0023, mineral exploration, submitted June 12, 2003, for a Class "A" land use permit covering Snowfield's Ticho Project proposed exploration programs in the Drybones Bay area, Great Slave Lake, NT.

On March 4, 2003, Snowfield forwarded a letter, copy attached, to the Review Board seeking clarification on the interpretation of certain aspects of the Review Board's recommendations. At a meeting on March 9, 2004, I was verbally advised by Mr. Todd Burlingame, Chair of the Review Board that the Snowfield Environmental Assessment Decision and Summary Report file had recently been forwarded to your office for your consideration and decision with respect to the Review Board's recommendations. Mr. Burlingame further advised that in the interest of expediency, it was most appropriate that we deal directly with your office with respect to seeking clarification of the terminology and intent of the Review Board's recommendations. Snowfield hereby respectfully requests that you and your staff review Snowfield's March 4, 2004 letter to the Review Board, note our observations with respect to inconsistencies in the Review Board's recommendations and consider implementing those revisions or interpretations proposed by Snowfield.

As pointed out to Mr. Burlingame at our March 9, 2004 meeting, it is not Snowfield's intention to seek changes in the intent of the Review Board's recommendations, but to simply have those recommendations incorporated into a land use permit in a manner that will operationally facilitate Snowfield's proposed Ticho Project exploration programs throughout the term of any Land Use Permit that may be issued while maintaining the overall protective objectives contained in the Review Board's recommendations.

In that regard, Mr. Burlingame strongly suggested that Snowfield should be very specific in detailing the nature of our preferred interpretation of the Review Board's recommendations. Snowfield hereby respectfully requests that you and your staff consider incorporating the following interpretation of the Review Board's recommendations and Snowfield's proposals into the terms of any ensuing Land Use Permit that you may direct the Mackenzie Valley Land and Water Board issue with respect to Snowfield's Ticho Project:

1. During the Spring of 2004, Snowfield will not commence operations within the three kilometre zone until the operational areas and access routes are scouted and an initial archaeological survey is

- commenced, by a qualified archaeologist, accompanied by (an) Aboriginal elder(s) and a translator if required, to detect suspected archaeological, historical, burial or cultural sites.
2. During the Spring of 2004, Snowfield will be restricted to operating on lake ice, frozen ponds or packed snow which areas have been previously scouted by a qualified archaeologist, accompanied by (an) Aboriginal elder(s) and a translator if required, to ensure that direct impact to any possible archaeological sites is minimized or avoided.(as recommended by Mr. Tom Andrews, Territorial Archaeologist, Prince of Wales Norther Heritage Centre, in a letter to the Review Board dated January 6, 2004).
 3. Following its Spring of 2004 exploration program, Snowfield's archaeological consultant, a qualified archaeologist, accompanied by (an) Aboriginal elder(s), and a translator if required, will undertake a follow-up effects monitoring program under snow-free conditions to ensure the effectiveness of those mitigative measures required to protect potential archaeological sites as proposed in Para. 1 above (as recommended by Mr. Tom Andrews, Territorial Archaeologist, Prince of Wales Norther Heritage Centre, in a letter to the Review Board dated January 6, 2004).
 4. Following its Spring of 2004 exploration program, Snowfield's archaeological consultant, a qualified archaeologist, accompanied by (an) Aboriginal elder(s), and a translator if required, will undertake, in conjunction with the monitoring program proposed in Para. 3 above, a comprehensive archaeological survey under snow-free conditions specifically of all proposed exploration areas and access routes on the Ticho Project and on those other Ticho Project mineral claim areas that may be of interest to, or come to the attention of, either the archaeologist or the aboriginal elders surveying the Ticho Project areas. The terms of reference for this comprehensive archaeological survey will be agreed upon by Snowfield's archaeological consultant, representatives of those aboriginal communities having a historical interest in the Ticho Project land areas and Mr. Tom Andrews, Territorial Archaeologist, Prince of Wales Norther Heritage Centre.
 5. Snowfield shall implement those commitments made during the Environmental Assessment proceedings and summarized under Appendix "A", Pages 73 - 75, of the Review Board's Report of Environmental Assessment and Reasons for Decision on the Snowfield Development Corporations Diamond Exploration Program.

In closing Mr. Minister, Snowfield respectfully requests that you and your staff take into consideration those issues and proposals raised in both this letter and Snowfield's letter of March 4, 2004 to the Review Board, and provide guidance and instructions to the Mackenzie Valley Land and Water Board to issue Snowfield a Class "A" land use permit at an early date that will allow Snowfield to possibly complete a portion of its current proposed Spring 2004 delineation drilling program, particularly that part to be undertaken over frozen lakes and ponds, without having to wait until the following winter season, almost a year away. Snowfield submits that, as stated previously by Snowfield in its closing remarks during the January 13, 2004, Review Board Public Hearing, "missing the forthcoming winter's drilling season would (will) be economically devastating to Snowfield".

Respectfully submitted,

"Robert T. Paterson"

Robert T. Paterson,
President & C.E.O.
Snowfield Development Corp.

c.c. Mr. Bob Overvold,
Regional Director General,
Indian and Northern affairs,
Bellanca Building,
P.O. Box 1500,
Yellowknife, NT, X1A 2R3

c.c Mr. Todd Burlingame
Chair
Mackenzie Valley Environmental Review Board,
P.O. Box 938,
5102 - 50th Avenue,
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March 3, 2004

Mr. Vern Christensen
Executive Director
Mackenzie Valley Environmental Impact Review Board
Box 938, 5102-50th Avenue
Yellowknife, NT X1A 2N7

Your File: EA-03-006

"Confidential Draft"

Dear Sir,

Re: Mackenzie Valley Environmental Impact Review Board ("Review Board") - Environmental Assessment Decision - Snowfield Development Corp. dated February 26, 2004

Snowfield Development Corp. ("Snowfield") is in receipt of the Review Board's Environmental Assessment Decision and its Summary Report of Environmental Assessment dated February 26, 2004 with respect to Snowfield's Ticho Project proposed exploration programs in the Drybones Bay area, Great Slave Lake, NT.

Before proceeding, I would take this opportunity to thank the Review Board and its staff for your collective efforts in undertaking your Environmental Assessment and Public Hearing of our Ticho Project land use permit application and for the positive recommendation to proceed with our proposed exploration programs. Your staff members were all very positive and professional during all of our direct dealings.

The purpose of my letter is to seek clarification on the interpretation of certain aspects of the Review Boards recommendations. In particular, Snowfield does not fully comprehend the intentions and objectives of the Review Board as presented in the first two recommendation found on page iii of the Review Board Environmental Assessment Decision and page 50/51 of the Summary Report of Environmental Assessment:

The Review Boards first recommendation, found on page iii of the Review Board Environmental Assessment Decision and page 50/51 of the Summary Report of Environmental Assessment, states:

"SDC will not commence drilling within the three kilometre zone until the operational areas within the claim blocks are surveyed by a qualified archaeologist, accompanied by an Aboriginal elder and a translator if required, to detect suspected archaeological, historical, burial or cultural sites."

It is submitted that the specific wording of this recommendation precludes drilling within the three kilometre zone but does not preclude any other operations including, for example, trenching for bulk sampling. Additionally does this recommendation preclude, where operationally advisable, drilling on small lakes and ponds where no damage would occur to any potential archaeological sites as described in sentence 2 of paragraph 1 of the Review Boards Conclusions on page 50 of the Summary report which states *"Any operations on lakes or ponds suggested by SDC would avoid these sites"?*

The Review Boards second recommendation, found on page iii of the Review Board Environmental Assessment Decision and page 50/51 of the Summary Report of Environmental Assessment, states:

"SDC will only use access routes in the three kilometre zone if routes are scouted by an Aboriginal elder, a translator, if required, and a qualified archaeologist for suspected archaeological, historical, burial or cultural sites. Use of these access routes will only be permitted over packed

snow or on lake ice."

It is submitted that the specific wording of this recommendation would permit, following granting of land use permitting, immediate access over routes in the three kilometre zone if those routes had been scouted by an Aboriginal elder, a translator, if required, and a qualified archaeologist and no potential archaeological, historical, burial or cultural sites were located, or indicated, provided that use of these routes was undertaken over packed snow or on lake ice. It is submitted that the limitation of this recommendation would, in the absence of packed snow or lake ice, forever preclude any summer use of access routes in the three kilometre zone throughout the full term of the land use permit even if such routes had been previously scouted by an Aboriginal elder, a translator, if required, and a qualified archaeologist in addition to a full blown archaeological survey having been undertaken by a qualified and licensed archaeologist in conjunction with First Nations elders from the local aboriginal communities.

Snowfield submits that, should the Review Board consider providing clarification on the interpretation of certain aspects of the Review Boards recommendations, that it might consider reviewing the recommendations contained in the January 6th, 2004, Response to the MVEIRB Regarding the Snowfield Environmental Assessment letter submitted by Mr. Tom Andrews, Territorial Archaeologist, Prince of Wales Northern Heritage Centre. Of particular interest to Snowfield were the Specific Recommendations found in para. 2 on page 5 of that letter which states "*If the Review Board decides to recommend that the proposed development be permitted to proceed, we advise that the following steps be implemented during the regulatory review to ensure that the impacts to archaeological and other cultural sites be minimized. Please note that we have no concern with development activities that occur exclusively on lake ice, as long as the 30 metre protection buffer is maintained.*" Snowfield has previously committed to undertaking those General Recommendations found in that letter and would specifically draw the Review Boards attention to Item 3) of those recommendations which states that "*The Developer be restricted to operating on snow pack or lake ice to ensure that direct impact to sites is minimized or eliminated.*".

In the event that the Review Board consider clarifying certain aspects of its first recommendation to include drilling operations on ice over lakes or ponds and to permit those operations over packed snow and ice in concurrence with the Review Boards second recommendation regarding access, that revised recommendation, if incorporated into a Class "A" land use permit, would allow Snowfield to possibly complete a portion of its current proposed Spring 2004 delineation drilling program, particularly that part to be undertaken over frozen lakes and ponds, without having to wait until the following winter season, almost a year away.

Additionally, Snowfield is requesting that the Review Board consider clarifying its second recommendation in a manner that would enable Snowfield to also access the Ticho Project during summer months, in the absence of packed snow or ice, over existing, or new, access routes following completion of a comprehensive survey by a qualified archaeologist, accompanied by an Aboriginal elder and a translator if required.

In an effort to expedite the issuance of a land use permit that would perhaps permit Snowfield to undertake a portion of its proposed Spring 2004 exploration programs on the Ticho Project this year while ice/snow conditions permit, Snowfield is proposing to initiate the archaeological scouting/survey aspects of the Review Boards recommendation prior to the actual issuance of the land use permit in order for the resulting scouting/survey data to be available to the various parties, including the Mackenzie Valley Land and Water Board, to assist in adopting the terms for such a land use permit. In this regard, Snowfield is currently negotiating with Ms. Jean Bussey of Points West Heritage Consulting Ltd., a well recognized archaeological consulting firm with extensive experience in the Northwest Territories. The objective would be for Ms. Bussey, in conjunction with Aboriginal elders, and translator if required, to undertake a preliminary scouting examination of the existing access route to the Mud Lake exploration area to confirm that use under snow cover conditions would resolve any issues. Ms. Bussey and the elders would immediately thereafter commence a

preliminary assessment of the exploration areas to permit planning for the archaeological survey that will be undertaken under snow-free conditions. Snowfield is presently in the process of contacting First Nations communities to engage one or two Aboriginal elders and a translator to work with Ms. Bussey for this purpose. Snowfield hopes to have the access route scouting and the preliminary archaeological survey assessment work completed within two to three weeks and a report thereof available for submission to the various parties and regulatory authorities shortly thereafter.

For all of the above stated reasons, Snowfield respectfully requests that the Review Board give its early attention and consideration to interpreting, or perhaps re-phrasing, the first two recommendations of the Review Boards Environmental Assessment Decision in a manner that would accommodate Snowfield with respect to the issues presented herein. In support of this request, Snowfield submits that, as stated by Snowfield in its closing remarks during the January 13, 2004, Public Hearing, 'missing the forthcoming winter's drilling season would (will) be economically devastating to Snowfield'.

Respectfully

"Robert T. Paterson"

Robert T. Paterson,
President & C.E.O.
Snowfield Development Corp.