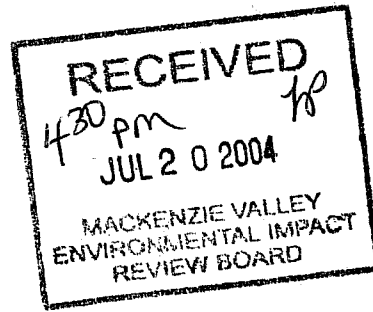


FAX

DATE *July 20/04*
 TO *Kimberley - Cliffe Phillips*
 ORGANIZATION *MVERB*



FAX # *766-7052*
 PHONE # *7054*

FROM **Laura Pitkanen**
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of Pages 3, including cover page.

SUBJECT *JANE LIND EA.*

COMMENTS *DCFN's comments on Draft Terms of Reference.*

*Thanks,
 LAURA.*

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DEH CHO FIRST NATIONS

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July 19, 2004

Kimberley Cliffe-Phillips
Environmental Assessment Officer
Mackenzie Valley Environmental Impact Review Board
Yellowknife, NT
Tel: 867-766-7052
Fax: 867-766-7074

Re: Draft Terms of Reference and Work Plan
Jane Lind Horn River Mineral Exploration

The Dehcho First Nations offer the following comments for inclusion in the Final Terms of Reference for the environmental assessment on the application by Jane Lind for mineral exploration in the Horn River area. The comments are intended to assist in providing a more in-depth environmental assessment of the proposed development, and are without prejudice to the Dehcho Process. We trust that the developer and the Review Board will refer to the extensive information contained in the Edehzhie binder, submitted to the Canadian Wildlife Service, in support of Interim Protection Status under the NWT Protected Areas Strategy.

Specific Terms

B-1, Company Corporate History: the Dehcho First Nations have a long-standing opposition to the activities of this developer in the Horn River area and this history is integral to the environmental assessment. We request that the developer's regulatory and consultation history in the Horn River area be included in the Terms of Reference.

C-7: Given the high ecological sensitivity of Edehzhie, the developer should provide detailed, site-specific locations for the proposed drilling sites and all related activities.

I-3, I-4, Local Cultural, Spiritual, and Heritage Resources: By only consulting the Prince of Wales Northern Heritage Centre (PWNHC), the developer is relying on the assumption that all cultural and spiritual sites have been documented and are on file with the PWNHC. As the traditional land users within Edehzhie, the Dehcho First Nations communities should also be consulted regarding local cultural, spiritual, and heritage resources.

In addition to the developer consulting with the PWNHC, the Review Board should include a provision within the environmental assessment for First Nations to identify and predict impacts on cultural, spiritual, and heritage resources. We request that the Review Board consult directly with the affected communities to discuss how the above

information can be incorporated into this environmental assessment, while retaining the highly sensitive, and often confidential, nature of this knowledge.

I-5: Protected and Withdrawn Areas: We request that the developer also specifically explain how the proposed mineral exploration is compatible, or incompatible, with:

- 1) the goals and mandate of the NWT Protected Areas Strategy;
- 2) the long-term ecological integrity of Edehzhie as a protected area.

The developer should also describe how this development, or future related developments, may affect the potential of Edehzhie to reach full protection status, under the NWT Protected Areas Strategy.

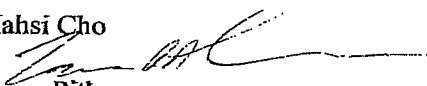
J-4: The developer should discuss the potential impacts of the proposed development, including cumulative effects, on the headwaters within Edehzhie, ie. the uncontaminated headwaters that feed Willowlake River, the Horn River, and Mills Lake.

J-6: Wildlife and Wildlife Habitat: Given the importance of Edehzhie as key migratory bird habitat, we request that migratory birds, including waterfowl, are listed as a separate category.

J-General: We request that the developer also describe the unique ecological and physiographic features of Edehzhie.

Further concerns and detailed comments pertaining to the potential ecological, social, cultural, and economic impacts of this development will be raised during the environmental assessment process.

Mahsi Cho


Laura Pitkanen,
Environmental and Regulatory Consultant
for Dehcho First Nations