

Mackenzie Valley Land and Water Board
7th Floor - 4910 50th Avenue
P.O. Box 2130
YELLOWKNIFE NT X1A 2P6
Phone (867) 669-0506
FAX (867) 873-6610

PS0405-095

FILE NUMBER: MV2005C0002

Date: May 3, 2005
To: Vern Christensen, Executive Director
Company: Mackenzie Valley Environmental Impact Review Board
Fax Number: 766-7074
Max Braden, Wyn Developments 604-685-7349
Charlene Coe for Ed Hornby, South Mackenzie District,
Copied to: DIAND 669-2720
From: Marilyn for Todd Burlingame, Chair/CEO MVLWB
Number of pages including cover 15

Remarks:

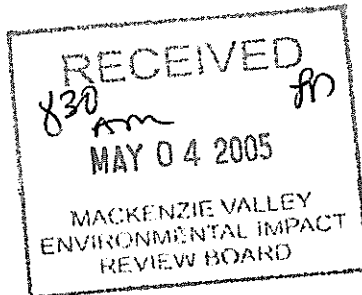
Attached for your review

Referral Land Use Permit

- Preliminary Screening Report
- Letter from Lutsel K'e Dene First Nation
- Letter from NWT Treaty 8 Tribal Corp.

- Enclosures
- As requested
- For your information
- For your comment
- For your approval

<u>Delivered by</u>	<u>Date</u>
<input type="checkbox"/> Mail	_____
<input type="checkbox"/> Courier	_____
<input type="checkbox"/> Hand	_____
<input type="checkbox"/> Delivered	<u>May 3, 2005</u>
<input checked="" type="checkbox"/> Fax	_____



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May 3, 2005

File: MV2005C0002

Mr. Vern Christensen, Executive Director
Box 938, 200 Scotia Center
YELLOWKNIFE NT X1A 2N7

Fax: 867-766-7074

Dear Mr. Christensen:

**Referral to Environmental Assessment
Wyn Developments Inc. MV2005C0002
Mineral Exploration, North Shore Great Slave Lake**

This Mackenzie Valley Land and Water Board (MVLWB) met on April 29, 2005, to deal with the aforementioned application. The decision was made to refer the application to the Mackenzie Valley Environmental Impact Review Board (MVEIRB) for an environmental assessment pursuant to subsection 125(1) of the *Mackenzie Valley Resource Management Act*. The reasons for decision and the preliminary screening report are attached for your information.

If you have any questions, contact Peter Lennie-Misgeld, Senior Regulatory Officer, at (867) 669-0506 or email mvlwbpermit@mvlwb.com.

Yours sincerely,

Todd Burlingame
Chair

Copy to: Max Braden, Wyn Developments
Ed Hornby, South Mackenzie District, DIAND, Yellowknife
Heather Mills, MVLWB

Attachment Letter from Lutsel K'e Dene First Nation
Letter from NWT Treat #8 Tribal Corporation

PRELIMINARY SCREENING REPORT FORM

<p>PRELIMINARY SCREENER: MVLWB REFERENCE / FILE NUMBER: MV2005C0002 TITLE: Mineral Exploration, North of Sachowia Point, Great Slave Lake ORGANIZATION: Wyn Developments Inc. MEETING DATE: April 29, 2005</p>	<p>EIRB REFERENCE NUMBER:</p>
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Type of Development:
 (CHECK ALL THAT APPLY)

- New
- Amend, EIRB Ref. #
- Requires permit, license or authorization
- Does not require permit, license or authorization

Project Summary

Exploration Activities

- Up to 40 exploratory drill holes
- Geophysical surveys
- Till Sampling

Camp

- Utilization of 3-4 existing 14'x16' tent frames
- Erection of an additional 2-3 14'x16' tent frames

Fuel

- 15 x 205L diesel
- 4 x 205 L gasoline
- 10 x 205L aviation fuel
- 4 x 100lb propane cylinders
- 20 x 5 Gallon Drill additives, rod grease and oils

Equipment

- Diamond drill - JKS Hell-portable
- 3-5 skidoos

General

- Drill cuttings deposited in natural land depressions
- Grey water deposited in natural sump
- Sewage deposited into a latrine pit
- Garbage incinerated or removed to Yellowknife
- Baseline environmental studies anticipated to begin spring 2005 and will continue throughout the program
- The project is not located within the Drybones Bay Shoreline Zone
- Applicant has requested a term of 5 years

Scope

Mineral exploration north of Sachowia Point, East Arm of Great Slave Lake, including mineral exploration, a temporary camp, fuel storage, and the deposit of sewage, grey water and drill wastes. All activities will take place North of Sachowia Point, Great Slave Lake within 62° 18' N and 111° 49' W by 62° 25' N and 111° 59' W.

Principal Activities (related to scoping)
 (CHECK ALL THAT APPLY)

- | | | |
|---------------------------------------|---|--|
| <input type="checkbox"/> Construction | <input checked="" type="checkbox"/> Exploration | <input type="checkbox"/> Decommissioning |
| <input type="checkbox"/> Installation | <input type="checkbox"/> Industrial | <input type="checkbox"/> Abandonment |
| <input type="checkbox"/> Maintenance | <input type="checkbox"/> Recreation | <input type="checkbox"/> Aerial |
| <input type="checkbox"/> Expansion | <input type="checkbox"/> Municipal | <input type="checkbox"/> Harvesting |
| <input type="checkbox"/> Operation | <input type="checkbox"/> Quarry | <input checked="" type="checkbox"/> Camp |
| <input type="checkbox"/> Repair | <input type="checkbox"/> Linear / Corridor | <input type="checkbox"/> Scientific |
| <input type="checkbox"/> Research | <input type="checkbox"/> Sewage | <input type="checkbox"/> Solid Waste |
| <input type="checkbox"/> Water Intake | | |
| <input type="checkbox"/> Other: | | |

Principal Development Components (related to scoping)

- | | |
|---|--|
| <input type="checkbox"/> Access Road | <input checked="" type="checkbox"/> Waste Management |
| <input type="checkbox"/> construction | <input type="checkbox"/> disposal of hazardous waste |
| <input type="checkbox"/> abandonment/removal | <input checked="" type="checkbox"/> waste generation |
| <input type="checkbox"/> modification e.g., widening, straightening | <input checked="" type="checkbox"/> Sewage |

MV2005C0002, Wyn Developments Inc., North of Sachowia Point, Great Slave Lake

- Automobile, Aircraft or Vessel Movement
- Blasting
- Building
- Burning
- Burying
- Channeling
- Cut and Fill
- Cutting of Trees or Removal of Vegetation
- Dams and Impoundments
 - construction
 - abandonment/removal
 - modification
- Ditch Construction
- Drainage Alteration
- Drilling other than Geoscientific
- Ecological Surveys
- Excavation
- Explosive Storage
- Fuel Storage
- Topsoil, Overburden or Soil
 - fill removal
 - disposal storage

- disposal of sewage
- Geoscientific Sampling
- trenching
- diamond drill
- borehole core sampling
- bulk soil sampling
 - Gravel
 - Hydrological Testing
 - Site Restoration
 - fertilization
 - grubbing
 - planting/seeding
 - reforestation
 - scarify
 - spraying
 - recontouring
- Slashing and removal of vegetation
- Soil Testing
- Stream Crossing/Bridging
- Tunneling/Underground
- Other (describe):

NTS Topographic Map Sheet Numbers
(LIST ALL THAT APPLY)
75L05

Latitude / Longitude and UTM System:
Min: 62° 18' N and 111° 49' W Max: 62° 25' N and 111° 59' W.

Nearest Community and Water Body:
Lutsel K'e, Great Slave Lake

Land Status (consultation information)

- Free Hold / Private
- Commissioners Land
- Federal Crown Land
- Municipal Land

Transboundary Implications

- British Columbia
- Alberta
- Saskatchewan
- Yukon
- Nunavut
- Wood Buffalo National Park
- Inuvialuit Settlement Region

Type of Transboundary Implication: Impact / Effect Development

Public Concern
(DESCRIBE)

PHYSICAL - CHEMICAL EFFECTS

IMPACT

1. Ground Water

- water table alteration
- water quality changes

MITIGATION

A spill or improper disposal of sewage or drill cuttings could result in changes to water quality. The applicant has submitted a spill contingency plan to mitigate potential spills. Conditions 24, 36 and 49 of the draft LUP address proper sewage and drill cutting disposal, as well as fuel containment.

Condition 48 prevents storage of fuels caches less than 100 m from the normal high water mark of any water body.

- Infiltration changes
- other
- N/A

IMPACT

2. Surface Water

- flow or level changes

MITIGATION

water quality changes

A spill or improper disposal of sewage or drill cuttings could result in changes to water quality. The applicant has submitted a spill contingency plan to mitigate potential spills. Conditions 24, 36 and 49 of the draft LUP address proper sewage and drill cutting disposal, as well as fuel containment.

Condition 48 prevents storage of fuels caches less than 100 m from the normal high water mark of any water body.

- water quantity changes
- Drainage pattern changes
- temperature
- wetland changes / loss
- other:
- N/A

IMPACT

3. Noise

MITIGATION

- noise in/near water
- other: noise increase
- N/A

Drilling activities may temporarily disturb wildlife. However, this effect is expected to be minimal, localized and short term.

IMPACT

4. Land

MITIGATION

- geologic structure changes
- soil contamination

A spill or improper disposal of sewage or drill cuttings could result in soil contamination. The applicant has submitted a spill contingency plan to mitigate potential spills. Conditions 24, 36 and 49 of the draft LUP address proper sewage and drill cutting disposal, as well as fuel containment.

- buffer zone loss
- soil compaction & settling
- Destabilization / erosion
- permafrost regime alteration
- other: explosives/scarring
- N/A

Drilling equipment may cause soil compaction and settling. Most drill sites will be located on bedrock; therefore this impact should be minimal.

Movement of drilling equipment may cause destabilization and/or erosion of the land surface. The drill will be moved to the various drill sites by helicopter, therefore minimal impact is anticipated. Conditions 19 and 20 have been incorporated into the LUP to mitigate erosion and destabilization issues.

IMPACT

5. Non Renewable Natural Resources

MITIGATION

- resource depletion
- other:
- N/A

Removal of sample material - No mitigation.

IMPACT

6. Air/Climate/ Atmosphere

MITIGATION

- Other

N/A**BIOLOGICAL ENVIRONMENT****IMPACT****1. Vegetation** species composition species introduction toxin / heavy accumulation other: N/A**IMPACT****2. Wildlife & Fish** effects on rare, threatened or endangered species fish population changes waterfowl population changes breeding disturbance population reduction species diversity change health changes
(Identify) behavioural changes

(Identify)

 habitat changes / effects game species effects toxins / heavy metals forestry changes agricultural changes other: N/A**INTERACTING ENVIRONMENT****IMPACT****1. Habitat and Communities** predator-prey wildlife habitat / ecosystem
Composition changes reduction / removal of
keystone or endangered
species removal of wildlife corridor or**MITIGATION**

Natural regeneration should mitigate this impact. Land Use Permit condition # 11 restricts the area of land cleared.

MITIGATION

Threatened species in the area include the Peregrine Falcon. Species of special concern include grizzlies and wolverines. Condition 32 addresses minimizing activity when species at risk are in the vicinity of exploration activities.

Some species may avoid the area during drilling activities. This effect is localized and short-term, therefore minimal impact is expected. Limiting operations when large populations of game species are in the area of the operation should mitigate any impacts. (Land Use Permit Condition 33).

Caribou may avoid the area when drilling is occurring. Conditions limiting operations during caribou migration should mitigate any major impacts to caribou herds. (Land Use Permit Conditions 33 and 34).

MITIGATION

buffer zone

- other:
- N/A

IMPACT
2. Social and Economic

- planning / zoning changes or conflicts
- increase in urban facilities or services use
- rental house
- airport operations / capacity changes
- human health hazard
- Impair the recreational use of water or aesthetic quality
- affect water use for other purposes
- affect other land use operations
- quality of life changes
- public concern

MITIGATION

All casings will be cut to ground level and all equipment/garbage will be removed from the site upon completion of the LUP.

Lutsel K'e Dene First Nation (LKDFN) submitted concerns outlining: Area along the North Shore of the Great Slave Lake is very important to the LKDFN as a traditional hunting area, a prime caribou migration route, and fishing area. The LKDFN also state that many documented burial sites, archaeological sites, cabins and trap lines are located in the North Shore area which could be affected by the project. LKDFN are concerned about the potential impacts of this project on their culturally important areas and do not want any development on the North Shore as they wish to include this area in a future National Park.

NWT Treaty #8 Tribal Corporation- Akaitcho Interim Measures Agreement implementation Office submitted concerns outlining:

- Negative impacts to LKDFN harvesting activities
- Disturbance of documented burial sites, archeological sites, cabins and traplines
- LKDFN intent to include the area north of Sachowia Point in a National Park currently being planned by LKDFN and Parks Canada.

- other:
- N/A

IMPACT
3. Cultural and Heritage

- effects to historic property
- increased economic pressure on historic properties
- change to or loss of historic resources
- change to or loss of archaeological resources
- increased pressure on archaeological sites
- change to or loss of aesthetically important site
- effects to aboriginal lifestyle

MITIGATION

As this area exhibits high archaeological potential, increased pressure on archaeological sites is a possibility. Conditions 40, 41, 42, and 43 of the LUP address protection of historical, archaeological and burial sites.

other:

N/A

NOTES:

Consultation

- Pursuant to section 1.6 (a) and (b) of the **Akaiicho Territory Dene First Nations (ATDFN)** Interim Measures Agreement, the MVLWB determined that written notice was given to the ATDFN and that a reasonable period of time was allowed for ATDFN to make representations with respect to the application
- Pursuant to schedule 4.1 of the **Northwest Territory Metis Nation (NWTMN)** Interim Measures Agreement, the MVLWB determined that written notice was given to the NWTMN and that a reasonable period of time was allowed for NWTMN to make representations with respect to the application

PRELIMINARY SCREENER / REFERRING BODY INFORMATION
(CHECK ALL THAT APPLY)

	RA or DRA	ADVICE	PERMIT REQUIRED
Environment Canada	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Fisheries and Oceans	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Indian and Northern Affairs Canada	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Canadian Heritage (Parks Canada)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
National Energy Board	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Natural Resources Canada	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Public Works and Gov't Services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Transport Canada	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Northern Oil and Gas Directorate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Canadian Nuclear Safety	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Industry Canada	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Canadian Transportation Agency	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
National Defence	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
GNWT - RWED	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
GNWT - MACA	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
GNWT - Transportation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Prince of Wales Heritage Center	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MVEIRB	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Deh Cho First Nations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Liidlii Kue First Nation (Ft Simpson)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Deh Gah Got'le Dene Council (Ft Prov.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Acho Dene Koe First Nation (Fort Liard)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nahanni Butte First Nation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pehdzeh Ki First Nation (Wrigley)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
T'hadzehK'edell First Nation (JMR)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ka'a'gee Tu First Nation (Kakisa)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sambaa K'a Dene Band (Trout Lake)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
K'atlodeeche First Nation (Hay River)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
West Point First Nations (Hay River)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hamlet of Fort Providence	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hamlet of Fort Liard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Village of Fort Simpson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Town of Hay River	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Enterprise Settlement Corporation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dogrib Treaty 11 Council	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dogrib Rae Band	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Wha Ti First Nation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dech'i Laot' Council (Wekweti)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Garnet First Nation (Rae Lakes)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lutselk'e Dene First Nation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Yellowknives Dene First Nation (Ndilo)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Yellowknives Dene First Nation (Daitah)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rea-Edzo Metis Local #64	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
North Slave Metis Alliance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hamlet of Rae Edzo	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Charter Community of Wha Ti	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
City of Yellowknife	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fort Smith Metis Council	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Salt River First Nations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Smith Landing First Nation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Katlodeeche First Nation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
West Point First Nation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Northwest Territory Metis Nation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Hay River Metis Council	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Deninu Ku'e First Nations	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Fort Resolution Metis Council	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Deninu Ku'e Env. Working Committee	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Akaltcho Territory Government	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Town of Hay River	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Deninoo Community Council	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Town of Fort Smith	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Enterprise Settlement Corporation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

REASONS FOR DECISION
(LIST ALL REASONS AND SUPPORTING RATIONALES FOR PRELIMINARY SCREENING DECISION)

DECISION:

The Mackenzie Valley Land and Water Board (The Board) is satisfied that the preliminary screening of application MV2005C0002, Wyn Developments Inc., Mineral Exploration has been completed in accordance with section 125 of the *Mackenzie Valley Resource Management Act*.

The Board is satisfied that a reasonable period of notice was given to Communities and First Nations affected by the application as required by subsection 63(2) of the *MVRMA* so that they could provide comments to the Board.

Having reviewed all relevant evidence on the Public Registry, including the submissions of the Applicant, the written comments received by the Board and any staff reports prepared for the Board, the Board has decided that in its opinion that:

- there is no likelihood that the proposed development might have a significant adverse impact on the environment; and
- there is likelihood that the proposed development might be a cause of public concern.

Pursuant to section 125(1) of the *MVRMA*, the Board refers Land Use Permit MV2005C0002 submitted by Wyn Developments Inc., to conduct Mineral Exploration in the North Shore of Great Slave Lake to the MVEIRB for Environmental Assessment based on public concern expressed by the Lutsel K'e Dene First Nation (LKDFN) and the NWT Treaty #8 Tribal Corporation. The LKDFN and NWT Treaty #8 Tribal Corporation expressed concern regarding potential impacts of this project on environmental, cultural, spiritual, and economic factors.

As a result, the Board, having due regard to the facts and circumstances, the merits of the submissions made to it, and to the purpose, scope and intent of the *Mackenzie Valley Resource Management Act* and the Mackenzie Valley Land Use Regulations has decided that these Land Use Permit and Water License applications be referred to the Mackenzie Valley Environmental Impact Review Board for Environmental Assessment pursuant to subsection 125(1) of the *MVRMA*.

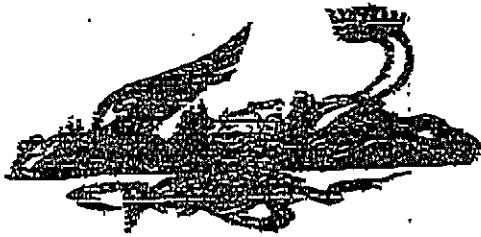
PRELIMINARY SCREENING DECISION	
<input checked="" type="checkbox"/>	Outside Local Government Boundaries
<input type="checkbox"/>	The development proposal might have a significant adverse impact on the environment, <i>refer it to the EIRB.</i>
<input type="checkbox"/>	<i>Proceed with regulatory process and/or implementation.</i>
<input checked="" type="checkbox"/>	The development proposal might have public concern, <i>refer it to the EIRB.</i>
<input type="checkbox"/>	<i>Proceed with regulatory process and/or implementation.</i>
<input type="checkbox"/>	Wholly within Local Government Boundaries
<input type="checkbox"/>	The development proposal is likely to have a significant adverse impact on air, water or renewable resources, <i>refer it to the EIRB.</i>
<input type="checkbox"/>	<i>Proceed with regulatory process and/or implementation.</i>
<input type="checkbox"/>	The development proposal might have public concern, <i>refer it to the EIRB.</i>
<input type="checkbox"/>	<i>Proceed with regulatory process and/or implementation.</i>

Preliminary Screening Organization

Mackenzie Valley Land and Water Board

May 3, 2005

Signatures



Lutsel K'e Dene First Nation
Wildlife, Lands & Environment Department
P.O. Box 28
Lutsel K'e AT
X0E-1A6
Phone: 867-370-3897
Fax: 867-370-3143

Pete Enzoc, Chair
Wildlife, Lands & Environment Committee
Lutsel K'e Dene First Nation

**Mackenzie Valley Land
& Water Board**

February 28, 2005

File

APR 15 2005

Max Braden
Wyn Developments Inc.
620, 800 West Fender St.
Vancouver, BC V6C 2V6
Fax (604) 685-7349

Application # MV2005C0002
Copied To PM

Re: Application for Land Use Permit, Mineral Exploration, North Shore of Great Slave Lake (MV2005C0002)

Your application for mineral exploration within the traditional territory of the Lutsel K'e Dene First Nation has been assessed by the Wildlife, Lands & Environment Committee. We hereby reject the issuance of this permit.

As you may or may not be aware, Lutsel K'e Dene First Nation is one of the Akaitcho Territory Treaty 8 First Nations. Akaitcho First Nations do not recognize the jurisdiction of the Mackenzie Valley Land & Water Board, and are involved in ongoing negotiations with the federal government to resolve outstanding Treaty land entitlement, self-government and Aboriginal rights issues. There is an Interim Measures Agreement (IMA) signed by Akaitcho First Nations and the federal and territorial governments in 2001. As well, there has been a Policy Directive from the federal Minister of Indian & Northern Development, Andy Mitchell, directing the MVLWB to work alongside Akaitcho First Nations to implement the provisions of the IMA.

As per the IMA, we have assessed the potential impacts of this project on environmental, cultural, spiritual, and economic factors. We have concluded that the potential negative impacts on culturally important areas are too great to justify, no matter how short-term and low-impact the activities may be. We do not want to see any full-scale mining in this area, and therefore will not support even the initial stages of such activity.

The area along the North Shore is extremely important to our community. This is a vital traditional hunting area, a prime caribou migration route, a prime fishing area, and the location of numerous documented burial sites, archaeological sites, cabins, and traplines. As well, we have begun negotiations with Parks Canada towards the establishment of a

national park in the East Arm. Although your proposed activities are outside the current land withdrawal area established in the 1970's, we intend to negotiate the expansion of this boundary to include the North Shore. For these reasons, no industrial development will be permitted in this area.

Please be advised that we intend to be vigilant in the defence of our Treaty rights, and are prepared to take immediate action to protect them if they are not respected.

If you have any questions, please feel free to contact myself or Monica Krieger (Manager, Wildlife, Lands & Environment Department) at 867-370-3197.

Sincerely,



Pete Euzoe

Cc: Heather Mills, Regulatory Officer, MVLWB

08 Apr 2005 10:47AM



Akaitcho Interim Measures Agreement Implementation Office

NWT Treaty #8 Tribal Corporation

Stephien Ellis - Akaitcho IMA Implementation Coordinator
NWT Treaty #8 Tribal Corporation
Box 28
Lutsel K'e, NT X0E 1A0
Ph: (867)-370-3217
Fax: (867)-370-3209

Mackenzie Valley Land
& Water Board

File

APR - 8 2005

Application # MV2005C0002

Copied To HA

April 8, 2005

Heather Mills - Regulatory Officer
Mackenzie Valley Land and Water Board
Box 2130
7th Floor - 4910 50th Avenue
Yellowknife, NT X1A 2P6
Fax: (867) 873-8610

RE: MV2005C0002

Dear Ms. Mills:

The Lutsel K'e Dene First Nation (LKDFN) has recently reviewed application MV2005C0002 submitted by Wyn Developments Inc. for exploration activities north of Sachowia Point on Great Slave Lake. In a February 28th, 2005 letter addressed to the proponent, the LKDFN specified the various reasons why it could not support any industrial development in the area, including exploratory ventures like the issuance of a permit to Wyn Developments Inc. These reasons are as follows:

- Negative impacts to LKDFN harvesting activities.
- Disturbance of documented burial sites, archaeological sites, cabins, and traplines.
- LKDFN intent to include the area north of Sachowia Point in a National Park currently being planned by the LKDFN and Parks Canada.

These reasons were again confirmed at a duly convened meeting of the LKDFN Wildlife, Lands, and Environment Committee on April 7th, 2005.

The NWT Treaty #8 Tribal Corporation fully supports the position of the LKDFN regarding the Wyn Developments Inc. application, and agrees that no permits should be issued in the area north of Sachowia Point.

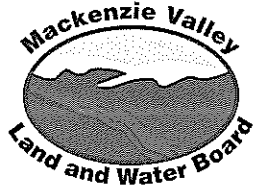
I would remind you that regulatory authorities, when operating in the Akaitcho Territory, have an obligation to ~~go beyond the mere consideration~~ of decisions made by the Akaitcho First Nations through the screening process ~~outlined in the Impact Measures Agreement~~. They must also seek to ~~accommodate~~ these decisions. This obligation has been reinforced in recent Supreme Court cases (Halda, Taku River Tlingit) as well as the Ministerial Directive to the MVLWB regarding the IMA.

Sincerely,



Stephen Ellis - Akaitcho IMA Implementation Coordinator
NWT Treaty #8 Tribal Corporation

- c. Sub Chief Albert Boucher - LRDFN
- Peter Enzos - Chair, LRDFN Wildlife, Lands, and Environment Committee
- Gordon Hamre - Parks Establishment, Parks Canada



Mackenzie Valley Land and Water Board

7th Floor - 4910 50th Avenue • P.O. Box 2130
YELLOWKNIFE, NT X1A 2P6
Phone (867) 669-0506 • FAX (867) 873-6610

EA 0506-003

May 3, 2005

File: MV2005C0002

Mr. Vern Christensen, Executive Director
Box 938, 200 Scotia Center
YELLOWKNIFE NT X1A 2N7

Fax: 867-766-7074

Dear Mr. Christensen:

**Referral to Environmental Assessment
Wyn Developments Inc. MV2005C0002
Mineral Exploration, North Shore Great Slave Lake**

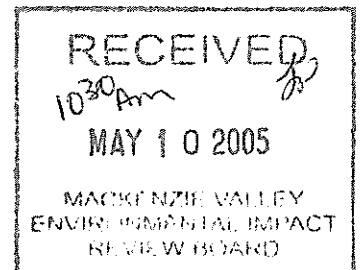
This Mackenzie Valley Land and Water Board (MVLWB) met on April 29, 2005, to deal with the aforementioned application. The decision was made to refer the application to the Mackenzie Valley Environmental Impact Review Board (MVEIRB) for an environmental assessment pursuant to subsection 125(1) of the *Mackenzie Valley Resource Management Act*. The reasons for decision and the preliminary screening report are attached for your information.

If you have any questions, contact Peter Lennie-Misgeld, Senior Regulatory Officer, at (867) 669-0506 or email mvlwbpermit@mvlwb.com.

Yours sincerely,

A handwritten signature in black ink, appearing to read "T. Burlingame".

Todd Burlingame
Chair



Copy to: Max Braden, Wyn Developments
Ed Hornby, South Mackenzie District, DIAND, Yellowknife
Heather Mills, MVLWB

Attachment Letter from Lutsel K'e Dene First Nation
Letter from NWT Treat #8 Tribal Corporation

PRELIMINARY SCREENING REPORT FORM

PRELIMINARY SCREENER: MVLWB REFERENCE / FILE NUMBER: MV2005C0002 TITLE: Mineral Exploration, North of Sachowia Point, Great Slave Lake ORGANIZATION: Wyn Developments Inc. MEETING DATE: April 29, 2005	EIRB REFERENCE NUMBER:
--	---

Type of Development:
(CHECK ALL THAT APPLY)

- | | |
|-------------------------------------|---|
| <input checked="" type="checkbox"/> | New |
| <input type="checkbox"/> | Amend, EIRB Ref. # |
| <input checked="" type="checkbox"/> | Requires permit, license or authorization |
| <input type="checkbox"/> | Does not require permit, license or authorization |

Project Summary

Exploration Activities

- Up to 40 exploratory drill holes
- Geophysical surveys
- Till Sampling

Camp

- Utilization of 3-4 existing 14'x16' tent frames
- Erection of an additional 2-3 14'x16' tent frames

Fuel

- 15 x 205L diesel
- 4 x 205 L gasoline
- 10 x 205L aviation fuel
- 4 x 100lb propane cylinders
- 20 x 5 Gallon Drill additives, rod grease and oils

Equipment

- Diamond drill - JKS Heli-portable
- 3-5 skidoos

General

- Drill cuttings deposited in natural land depressions
- Grey water deposited in natural sump
- Sewage deposited into a latrine pit
- Garbage incinerated or removed to Yellowknife
- Baseline environmental studies anticipated to begin spring 2005 and will continue throughout the program
- The project is not located within the Drybones Bay Shoreline Zone
- Applicant has requested a term of 5 years

Scope

Mineral exploration north of Sachowia Point, East Arm of Great Slave Lake, including mineral exploration, a temporary camp, fuel storage, and the deposit of sewage, grey water and drill wastes. All activities will take place North of Sachowia Point, Great Slave Lake within 62° 18' N and 111° 49' W by 62° 25' N and 111° 59' W.

Principal Activities (related to scoping)

(CHECK ALL THAT APPLY)

- | | | |
|---------------------------------------|---|--|
| <input type="checkbox"/> Construction | <input checked="" type="checkbox"/> Exploration | <input type="checkbox"/> Decommissioning |
| <input type="checkbox"/> Installation | <input type="checkbox"/> Industrial | <input type="checkbox"/> Abandonment |
| <input type="checkbox"/> Maintenance | <input type="checkbox"/> Recreation | <input type="checkbox"/> Aerial |
| <input type="checkbox"/> Expansion | <input type="checkbox"/> Municipal | <input type="checkbox"/> Harvesting |
| <input type="checkbox"/> Operation | <input type="checkbox"/> Quarry | <input checked="" type="checkbox"/> Camp |
| <input type="checkbox"/> Repair | <input type="checkbox"/> Linear / Corridor | <input type="checkbox"/> Scientific/ |
| <input type="checkbox"/> Research | | |
| <input type="checkbox"/> Water Intake | <input type="checkbox"/> Sewage | <input type="checkbox"/> Solid Waste |
| <input type="checkbox"/> Other: | | |

Principal Development Components (related to scoping)

- | | |
|---|--|
| <input type="checkbox"/> Access Road | <input checked="" type="checkbox"/> Waste Management |
| <input type="checkbox"/> construction | <input type="checkbox"/> disposal of hazardous waste |
| <input type="checkbox"/> abandonment/removal | <input checked="" type="checkbox"/> waste generation |
| <input type="checkbox"/> modification e.g., widening, straightening | <input checked="" type="checkbox"/> Sewage |

- Automobile, Aircraft or Vessel Movement
- Blasting
- Building
- Burning
- Burying
- Channeling
- Cut and Fill
- Cutting of Trees or Removal of Vegetation
- Dams and Impoundments
 - construction
 - abandonment/removal
 - modification
- Ditch Construction
- Drainage Alteration
- Drilling other than Geoscientific
- Ecological Surveys
- Excavation
- Explosive Storage
- Fuel Storage
- Topsoil, Overburden or Soil
 - fill
 - disposal
 - removal
 - storage

- disposal of sewage
- Geoscientific Sampling
- trenching
- diamond drill
- borehole core sampling
- bulk soil sampling
 - Gravel
 - Hydrological Testing
 - Site Restoration
 - fertilization
 - grubbing
 - planting/seeding
 - reforestation
 - scarify
 - spraying
 - recontouring
- Slashing and removal of vegetation
- Soil Testing
- Stream Crossing/Bridging
- Tunneling/Underground
- Other (describe):

NTS Topographic Map Sheet Numbers
 (LIST ALL THAT APPLY)
 75L05

Latitude / Longitude and UTM System:
 Min: 62° 18' N and 111° 49' W Max: 62° 25' N and 111° 59' W.

Nearest Community and Water Body:
 Lutsel K'e, Great Slave Lake

Land Status (consultation information)

- Free Hold / Private Commissioners Land Federal Crown Land Municipal Land

Transboundary Implications

- British Columbia Alberta Saskatchewan Yukon
 Nunavut Wood Buffalo National Park Inuvialuit Settlement Region

Type of Transboundary Implication: Impact / Effect Development

Public Concern _____
 (DESCRIBE)

PHYSICAL - CHEMICAL EFFECTS

IMPACT **MITIGATION**

1. Ground Water

- water table alteration
 water quality changes

A spill or improper disposal of sewage or drill cuttings could result in changes to water quality. The applicant has submitted a spill contingency plan to mitigate potential spills. Conditions 24, 36 and 49 of the draft LUP address proper sewage and drill cutting disposal, as well as fuel containment.

Condition 48 prevents storage of fuels caches less than 100 m from the normal high water mark of any water body.

- infiltration changes
 other
 N/A

IMPACT **MITIGATION**

2. Surface Water

- flow or level changes

water quality changes

A spill or improper disposal of sewage or drill cuttings could result in changes to water quality. The applicant has submitted a spill contingency plan to mitigate potential spills. Conditions 24, 36 and 49 of the draft LUP address proper sewage and drill cutting disposal, as well as fuel containment.

Condition 48 prevents storage of fuels caches less than 100 m from the normal high water mark of any water body.

water quantity changes

Drainage pattern changes

temperature

wetland changes / loss

other:

N/A

IMPACT

3. Noise

MITIGATION

noise in/near water

other: noise increase

Drilling activities may temporarily disturb wildlife. However, this effect is expected to be minimal, localized and short term.

N/A

IMPACT

4. Land

MITIGATION

geologic structure changes

soil contamination

A spill or improper disposal of sewage or drill cuttings could result in soil contamination. The applicant has submitted a spill contingency plan to mitigate potential spills. Conditions 24, 36 and 49 of the draft LUP address proper sewage and drill cutting disposal, as well as fuel containment.

buffer zone loss

soil compaction & settling

Drilling equipment may cause soil compaction and settling. Most drill sites will be located on bedrock; therefore this impact should be minimal.

Destabilization / erosion

Movement of drilling equipment may cause destabilization and/or erosion of the land surface. The drill will be moved to the various drill sites by helicopter, therefore minimal impact is anticipated. Conditions 19 and 20 have been incorporated into the LUP to mitigate erosion and destabilization issues.

permafrost regime alteration

other: explosives/scarring

N/A

IMPACT

5. Non Renewable Natural Resources

MITIGATION

resource depletion

Removal of sample material - No mitigation.

other:

N/A

IMPACT

6. Air/Climate/ Atmosphere

MITIGATION

Other

N/A

BIOLOGICAL ENVIRONMENT

IMPACT

1. **Vegetation**

species composition

species introduction

toxin / heavy accumulation

other:

N/A

IMPACT

2. **Wildlife & Fish**

effects on rare, threatened or endangered species

fish population changes

waterfowl population changes

breeding disturbance

population reduction

species diversity change

health changes
(Identify)

behavioural changes

(Identify)

habitat changes / effects

game species effects

toxins / heavy metals

forestry changes

agricultural changes

other:

N/A

INTERACTING ENVIRONMENT

IMPACT

1. **Habitat and Communities**

predator-prey

wildlife habitat / ecosystem
Composition changes

reduction / removal of
keystone or endangered
species

removal of wildlife corridor or

MITIGATION

Natural regeneration should mitigate this impact. Land Use Permit condition # 11 restricts the area of land cleared.

MITIGATION

Threatened species in the area include the Peregrine Falcon. Species of special concern include grizzlies and wolverines. Condition 32 addresses minimizing activity when species at risk are in the vicinity of exploration activities.

Some species may avoid the area during drilling activities. This effect is localized and short-term, therefore minimal impact is expected. Limiting operations when large populations of game species are in the area of the operation should mitigate any impacts. (Land Use Permit Condition 33).

Caribou may avoid the area when drilling is occurring. Conditions limiting operations during caribou migration should mitigate any major impacts to caribou herds. (Land Use Permit Conditions 33 and 34).

MITIGATION

buffer zone

- other:
- N/A

IMPACT

2. Social and Economic

- planning / zoning changes or conflicts
- increase in urban facilities or services use
- rental house
- airport operations / capacity changes
- human health hazard
- impair the recreational use of water or aesthetic quality
- affect water use for other purposes
- affect other land use operations
- quality of life changes
- public concern

MITIGATION

All casings will be cut to ground level and all equipment/garbage will be removed from the site upon completion of the LUP.

Lutsel K'e Dene First Nation (LKDFN) submitted concerns outlining: Area along the North Shore of the Great Slave Lake is very important to the LKDFN as a traditional hunting area, a prime caribou migration route, and fishing area. The LKDFN also state that many documented burial sites, archaeological sites, cabins and trap lines are located in the North Shore area which could be affected by the project. LKDFN are concerned about the potential impacts of this project on their culturally important areas and do not want any development on the North Shore as they wish to include this area in a future National Park.

NWT Treaty #8 Tribal Corporation- Akaitcho Interim Measures Agreement Implementation Office submitted concerns outlining:

- Negative impacts to LKDFN harvesting activities
- Disturbance of documented burial sites, archeological sites, cabins and traplines
- LKDFN intent to include the area north of Sachowia Point in a National Park currently being planned by LKDFN and Parks Canada.

- other:
- N/A

IMPACT

3. Cultural and Heritage

- effects to historic property
- increased economic pressure on historic properties
- change to or loss of historic resources
- change to or loss of archaeological resources
- increased pressure on archaeological sites
- change to or loss of aesthetically important site
- effects to aboriginal lifestyle

MITIGATION

As this area exhibits high archaeological potential, increased pressure on archaeological sites is a possibility. Conditions 40, 41, 42, and 43 of the LUP address protection of historical, archaeological and burial sites.

other:

N/A

NOTES:

Consultation

- Pursuant to section 1.6 (a) and (b) of the **Akaiicho Territory Dene First Nations (ATDFN)** Interim Measures Agreement, the MVLWB determined that written notice was given to the ATDFN and that a reasonable period of time was allowed for ATDFN to make representations with respect to the application
- Pursuant to schedule 4.1 of the **Northwest Territory Metis Nation (NWTMN)** Interim Measures Agreement, the MVLWB determined that written notice was given to the NWTMN and that a reasonable period of time was allowed for NWTMN to make representations with respect to the application

PRELIMINARY SCREENER / REFERRING BODY INFORMATION
(CHECK ALL THAT APPLY)

	RA or DRA	ADVICE	PERMIT REQUIRED
Environment Canada	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Fisheries and Oceans	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Indian and Northern Affairs Canada	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Canadian Heritage (Parks Canada)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
National Energy Board	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Natural Resources Canada	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Public Works and Gov't Services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Transport Canada	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Northern Oil and Gas Directorate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Canadian Nuclear Safety	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Industry Canada	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Canadian Transportation Agency	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
National Defence	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
GNWT - RWED	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
GNWT - MACA	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
GNWT - Transportation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Prince of Wales Heritage Center	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MVEIRB	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Deh Cho First Nations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Liidlii Kue First Nation (Ft Simpson)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Deh Gah Got'ie Dene Council (Ft Prov.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Acho Dene Koe First Nation (Fort Liard)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nahanni Butte First Nation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pehdzeh Ki First Nation (Wrigley)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TthedzehK'edeli First Nation (JMR)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ka'a'gee Tu First Nation (Kakisa)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sambaa K'e Dene Band (Trout Lake)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
K'atlodeeche First Nation (Hay River)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
West Point First Nations (Hay River)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hamlet of Fort Providence	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hamlet of Fort Liard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Village of Fort Simpson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Town of Hay River	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Enterprise Settlement Corporation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dogrib Treaty 11 Council	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dogrib Rae Band	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Wha Ti First Nation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dechi Laot'l Council (Wekweti)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gameti First Nation (Rae Lakes)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lutselk'e Dene First Nation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Yellowknives Dene First Nation (Ndilo)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Yellowknives Dene First Nation (Dettah)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rea-Edzo Metis Local #64	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
North Slave Metis Alliance	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Hamlet of Rae Edzo	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Charter Community of Wha Ti	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
City of Yellowknife	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fort Smith Metis Council	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Salt River First Nations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Smith Landing First Nation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Katlodeeche First Nation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
West Point First Nation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Northwest Territory Metis Nation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Hay River Metis Council	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Deninu Ku'e First Nations	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Fort Resolution Metis Council	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Deninu Ku'e Env. Working Committee	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Akaiitcho Territory Government	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Town of Hay River	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Deninoo Community Council	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Town of Fort Smith	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Enterprise Settlement Corporation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

REASONS FOR DECISION
 (LIST ALL REASONS AND SUPPORTING RATIONALES FOR PRELIMINARY SCREENING DECISION)

DECISION:

The Mackenzie Valley Land and Water Board (The Board) is satisfied that the preliminary screening of application MV2005C0002, Wyn Developments Inc., Mineral Exploration has been completed in accordance with section 125 of the *Mackenzie Valley Resource Management Act*.

The Board is satisfied that a reasonable period of notice was given to Communities and First Nations affected by the application as required by subsection 63(2) of the *MVRMA* so that they could provide comments to the Board.

Having reviewed all relevant evidence on the Public Registry, including the submissions of the Applicant, the written comments received by the Board and any staff reports prepared for the Board, the Board has decided that in its opinion that:

- there is no likelihood that the proposed development might have a significant adverse impact on the environment; and
- there is likelihood that the proposed development might be a cause of public concern.

Pursuant to section 125(1) of the *MVRMA*, the Board refers Land Use Permit MV2005C0002 submitted by Wyn Developments Inc., to conduct Mineral Exploration in the North Shore of Great Slave Lake to the MVEIRB for Environmental Assessment based on public concern expressed by the Lutsel K'e Dene First Nation (LKDFN) and the NWT Treaty #8 Tribal Corporation. The LKDFN and NWT Treaty #8 Tribal Corporation expressed concern regarding potential impacts of this project on environmental, cultural, spiritual, and economic factors.

As a result, the Board, having due regard to the facts and circumstances, the merits of the submissions made to it, and to the purpose, scope and intent of the *Mackenzie Valley Resource Management Act* and the Mackenzie Valley Land Use Regulations has decided that these Land Use Permit and Water License applications be referred to the Mackenzie Valley Environmental Impact Review Board for Environmental Assessment pursuant to subsection 125(1) of the *MVRMA*.

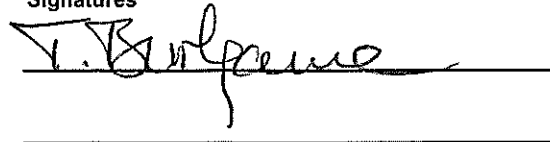
PRELIMINARY SCREENING DECISION	
<input checked="" type="checkbox"/>	Outside Local Government Boundaries
<input type="checkbox"/>	The development proposal might have a significant adverse impact on the environment, <i>refer it to the EIRB.</i>
<input type="checkbox"/>	<i>Proceed with regulatory process and/or implementation.</i>
<input checked="" type="checkbox"/>	The development proposal might have public concern, <i>refer it to the EIRB.</i>
<input type="checkbox"/>	<i>Proceed with regulatory process and/or implementation.</i>
<input type="checkbox"/>	Wholly within Local Government Boundaries
<input type="checkbox"/>	The development proposal is likely to have a significant adverse impact on air, water or renewable resources, <i>refer it to the EIRB.</i>
<input type="checkbox"/>	<i>Proceed with regulatory process and/or implementation.</i>
<input type="checkbox"/>	The development proposal might have public concern, <i>refer it to the EIRB.</i>
<input type="checkbox"/>	<i>Proceed with regulatory process and/or implementation.</i>

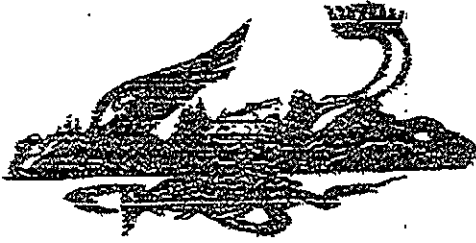
Preliminary Screening Organization

Mackenzie Valley Land and Water Board

May 3, 2005

Signatures





Lutsel K'e Dene First Nation
 Wildlife, Lands & Environment Department
 P.O. Box 28
 Lutsel K'e NT
 XOE-1A0
 Phone: 867-370-3897
 Fax: 867-370-3143

Pete Enzo, Chair
 Wildlife, Lands & Environment Committee
 Lutsel K'e Dene First Nation

**Mackenzie Valley Land
 & Water Board**

February 28, 2005

File _____

APR 15 2005

Max Braden
 Wyn Developments Inc.
 620, 800 West Pender St.
 Vancouver, BC V6C 2V6
 Fax (604) 685-7349

Application # MV2005C0002
 Copied To AM

Re: Application for Land Use Permit, Mineral Exploration, North Shore of Great Slave Lake (MV2005C0002)

Your application for mineral exploration within the traditional territory of the Lutsel K'e Dene First Nation has been assessed by the Wildlife, Lands & Environment Committee. We hereby reject the issuance of this permit.

As you may or may not be aware, Lutsel K'e Dene First Nation is one of the Akaitcho Territory Treaty 8 First Nations. Akaitcho First Nations do not recognize the jurisdiction of the Mackenzie Valley Land & Water Board, and are involved in ongoing negotiations with the federal government to resolve outstanding Treaty land entitlement, self-government and Aboriginal rights issues. There is an Interim Measures Agreement (IMA) signed by Akaitcho First Nations and the federal and territorial governments in 2001. As well, there has been a Policy Directive from the federal Minister of Indian & Northern Development, Andy Mitchell, directing the MVLWB to work alongside Akaitcho First Nations to implement the provisions of the IMA.

As per the IMA, we have assessed the potential impacts of this project on environmental, cultural, spiritual, and economic factors. We have concluded that the potential negative impacts on culturally important areas are too great to justify, no matter how short-term and low-impact the activities may be. We do not want to see any full-scale mining in this area, and therefore will not support even the initial stages of such activity.

The area along the North Shore is extremely important to our community. This is a vital traditional hunting area, a prime caribou migration route, a prime fishing area, and the location of numerous documented burial sites, archaeological sites, cabins, and traplines. As well, we have begun negotiations with Parks Canada towards the establishment of a

national park in the East Arm. Although your proposed activities are outside the current land withdrawal area established in the 1970's, we intend to negotiate the expansion of this boundary to include the North Shore. For these reasons, no industrial development will be permitted in this area.

Please be advised that we intend to be vigilant in the defence of our Treaty rights, and are prepared to take immediate action to protect them if they are not respected.

If you have any questions, please feel free to contact myself or Monica Krieger (Manager, Wildlife, Lands & Environment Department) at 867-370-3197.

Sincerely,



Pete Enzo

Cc: Heather Mills, Regulatory Officer, MVLWB



Akaitcho Interim Measures Agreement Implementation Office

NWT Treaty #8 Tribal Corporation

Stephen Ellis – Akaitcho IMA Implementation Coordinator
 NWT Treaty #8 Tribal Corporation
 Box 28
 Lutsel K'e, NT X0E 1A0
 Ph: (867)-370-3217
 Fax: (867)-370-3209

Mackenzie Valley Land
& Water Board

File

APR - 8 2005

Application # MV2005C0008

Copied To HM

April 8, 2005

Heather Mills – Regulatory Officer
 Mackenzie Valley Land and Water Board
 Box 2130
 7th Floor – 4910 50th Avenue
 Yellowknife, NT X1A 2P6
 Fax: (867) 873-6610

RE: MV2005C0002

Dear Ms. Mills:

The Lutsel K'e Dene First Nation (LKDFN) has recently reviewed application MV2005C0002 submitted by Wyn Developments Inc. for exploration activities north of Sachowia Point on Great Slave Lake. In a February 28th, 2005 letter addressed to the proponent, the LKDFN specified the various reasons why it could not support any industrial development in the area, including exploratory ventures like the issuance of a permit to Wyn Developments Inc. These reasons are as follows:

- Negative impacts to LKDFN harvesting activities.
- Disturbance of documented burial sites, archaeological sites, cabins, and traplines.
- LKDFN intent to include the area north of Sachowia Point in a National Park currently being planned by the LKDFN and Parks Canada.

These reasons were again confirmed at a duly convened meeting of the LKDFN Wildlife, Lands, and Environment Committee on April 7th, 2005.

The NWT Treaty #8 Tribal Corporation fully supports the position of the LKDFN regarding the Wyn Developments Inc. application, and agrees that no permits should be issued in the area north of Sachowia Point.

I would remind you that regulatory authorities, when operating in the Akaitcho Territory, have an obligation to go beyond the mere consideration of decisions made by the Akaitcho First Nations through the screening process outlined in the Interim Measures Agreement. They must also seek to accommodate these decisions. This obligation has been reinforced in recent Supreme Court cases (Haida, Taku River Tlingit) as well as the Ministerial Directive to the MVLWB regarding the IMA.

Sincerely,



Stephen Ellis - Akaitcho IMA Implementation Coordinator
NWT Treaty #8 Tribal Corporation

c. Sub Chief Albert Boucher - LKDFN
Peter Enzoe - Chair, LKDFN Wildlife, Lands, and Environment Committee
Gordon Hamre - Parks Establishment, Parks Canada



Akaitcho Interim Measures Agreement Implementation Office

NWT Treaty #8 Tribal Corporation

FAX

To: Heather Mills

From: *Don Enwe*

Fax #: 873-6610

Pages: 3 (including cover)

Phone #:

Date: April 8/05

RE: MV20050002

Please forward fax to Ms Mills.

Akaitcho (IMA) Interim Measures Agreement Office
Box 28, Lutsel K'e, NT XOE IAO
Phone: (867) 370-3217 Fax: 867 370-3209