



Indian and Northern
Affairs Canada

Affaires indiennes
et du Nord Canada

Environment & Conservation
Box 1500
YELLOWKNIFE NT X1A 2R3

April 12, 2010

MVEIRB File Number: EA0708-007

Alan Ehrlich
Environmental Assessment Officer
Mackenzie Valley Environmental Impact Review Board
P.O. BOX 938
YELLOWKNIFE NT X1A 2N7

VIA EMAIL

Re: Information Requests - Taltson Hydroelectric Expansion Environmental Assessment – Reliance/Kache area potential route adjustment

Dear Mr. Ehrlich:

Indian and Northern Affairs Canada (INAC) has reviewed Dezé Energy Corporation's March 26, 2010 submission to the Mackenzie Valley Environmental Impact Review Board concerning the potential adjustment to the transmission line route in the Reliance/Kache area. INAC understands that Dezé's originally proposed transmission line route, which would cross the Lockhart River somewhere between Artillery Lake and Great Slave Lake, is the preferred route. INAC further understands that Dezé considers the Reliance routing to be a technically feasible alternative and that Dezé believes that this routing could be a result of the environmental assessment.

With the understanding that the Reliance route is a possible outcome of the environmental assessment, INAC has two information requests, as attached.

If you have any questions about these requests, please contact Lorraine Seale at 669-2590 or via email at lorraine.seale@inac.gc.ca.

Yours sincerely,

Teresa Joudrie
Director, Renewable Resources and Environment

cc: INAC EA Working Group

Attachments: Information Request 1 - Consultation and Engagement Records
Information Request 2 – Potential Submarine Crossing

**EA0708-007 Taltson Hydroelectric Expansion Project
Additional Assessment- Reliance/Kache area potential route adjustment
Indian and Northern Affairs Canada Information Requests**

IR Number: INAC - 1
Source: Indian and Northern Affairs Canada
To: Dezé Energy Corporation
Subject: Consultation and Engagement Records

References:

INAC Letter to MVEIRB, Feb 18, 2010, p. 2.

Dezé Closing Statement, Feb. 24, 2010, pp 9-10.

Dezé Letter to MVEIRB - Final Position on Crossing the Lockhart River, March 26, 2010, p. 2.

Terms of Reference Section:

3.1.4 Community engagement

Dezé Energy shall provide the following information regarding its efforts to engage with communities that may be potentially affected by the development:

- a) A description of community engagement efforts undertaken by the developer, including location, meeting times and dates, individuals and organizations consulted with, mode of communication and topics of discussion;
- b) Methods used to identify, inform and solicit input from potentially-interested parties and persons;
- c) A description of any commitments or agreements made in response to issues raised during the community engagements, and how these commitments altered the planning of the proposed development;
- d) A description of issues that remain unresolved, as well as any documentation of further efforts to help resolve them; and
- e) A discussion of the developer's community engagement plan that specifically focuses upon the holders of aboriginal and treaty rights in the project area.

Preamble:

In its recent submissions to the Review Board, Dezé has stated that it has held meetings concerning the potential route adjustment, but has not filed detailed records of its consultation and engagement efforts. INAC requires additional information on the views of parties to the environmental assessment and the views of other groups and individuals with respect to the potential route adjustment. The engagement and consultation conducted by the developer with Aboriginal peoples may be taken into account when the Crown is assessing consultation obligations.

Request:

That Dezé provide the following information regarding its efforts to engage with groups and individuals that may be potentially affected by the Reliance route adjustment:

1. A description of community engagement efforts undertaken by the developer, including location, meeting times and dates, individuals and organizations consulted with, mode of communication and topics of discussion;
2. Methods used to identify, inform and solicit input from potentially-interested parties and persons;
3. A description of any commitments or agreements made in response to issues raised during the community engagements, and how these commitments altered the planning of the proposed development; and
4. A description of issues that remain unresolved, as well as any documentation of further efforts to help resolve them.

IR Number: INAC - 2
Source: Indian and Northern Affairs Canada
To: Dezé Energy Corporation
Subject: Potential Submarine Crossing

References:

Dezé Letter to MVEIRB concerning Reliance Adjustment, Feb 11, 2010.

Dezé Closing Statement, Feb. 24, 2010, pp 9-10.

Dezé Letter to MVEIRB - Final Position on Crossing the Lockhart River, March 26, 2010, pp. 7-9.

Terms of Reference Section:

This topic is not specifically identified in the March 28, 2008 Terms of Reference, but the following general sections are relevant:

3.1.5 Development description

The developer is required to provide a comprehensive development description that takes account of all proposed components of the Expansion Project. Sufficient detail must be provided for the Review Board to adequately consider the potential impacts of the development. The description should present technical renderings of all major components at a level of detail appropriate to an environmental assessment.

3.2.1 Impact predictions

Methods used to describe environmental conditions and to identify and measure impacts on the environment should be consistent with high standards and best practice in the relevant subject areas. Pathways of predicted impacts should be shown schematically and described in words. In describing methodology:

- Explain how scientific, engineering, traditional, and other knowledge was used to
- Describe the existing environment;
- Evaluate potential impacts;
- Reach conclusions about predicted impacts;
- Document all models and studies so that analyses are transparent, and where appropriate, reproducible;
- Identify which studies included the assistance of communities, who was involved, and how participants were selected;
- Specify data collection methods and report the uncertainty, reliability and sensitivity of the methods used to reach conclusions;
- Identify and justify any assumptions made;
- Support analyses, interpretation of results and conclusions with reference to appropriate literature;
- Specify and reference sources for any contributions based on traditional knowledge; and
- Identify all proposed mitigation measures, along with evaluations of confidence levels in the effectiveness of those measures, and describe the residual impacts.

Preamble:

Dezé's proposed alternative to mitigate effects associated with crossing the Lockhart River between Artillery Lake and Great Slave Lake was to adjust the transmission line routing to cross Great Slave Lake in the Reliance area. This routing would require the line to follow an existing peninsula called Maufelly Point, cross the water and continue along Fairchild Point. As concerns were expressed in regards to this crossing, Dezé proposed a marine cable from Maufelly Point to Fairchild Point (February 11, 2010). INAC understands that Dezé considers

this routing, including the placement of the underwater cable, to be feasible and achievable, but that this routing is “neither the preferred nor the proposed alignment.”

Because the Reliance Routing is possible and feasible, INAC requires further information at the environmental assessment stage about the placing of underwater cable, details on the potential fracturing of the lake bottom and shoreline, potential methods used (e.g. explosives, machinery, etc.) and the proposed cover material that is to protect the cables from ice abrasion and scouring. As the placement of the underwater cable is new to the project and will require work to be conducted in and along the shoreline of Great Slave Lake, there is a potential for adverse effects from this undertaking. The information Dezé has provided to date does not identify in sufficient detail the potential adverse effects or any proposed mitigation. INAC is concerned about the potential for effects from using explosives or machinery to cut a channel and the type and placement of cover materials within the water body to shield and protect the cables from ice.

Request:

That Dezé Energy Corporation provide:

1. additional details on the depth and sediment types at the underwater crossing between Maufelly Point and Fairchild Point;
2. a description of the rock fracturing that may be required and the methods anticipated to conduct this fracturing and excavations;
3. the details associated with the burial of the cables at depth, if necessary, and near shore (including the required depth and width of any channelling);
4. the methods and material requirements to cover the cables such that ice abrasion, scouring and erosion does not occur during placement and over time; and,
5. details on the description of work and whether machinery will be required to work within the water and near the shoreline.