

Alan Ehrlich

Subject: FW: GIANT Participant Funding and Information Requests

From: kevin o'reilly [mailto:kor@theedge.ca]

Sent: Wednesday, January 05, 2011 4:52 PM

To: Lorraine Seale

Cc: Francis.Jackson@inac-ainc.gc.ca; Knute.Hansen@inac-ainc.gc.ca; Krystal.Thompson@inac-ainc.gc.ca; tslack@ykdene.com; Janice.Traynor@ainc-inac.gc.ca; Alan Ehrlich; jhumble@yellowknife.ca

Subject: Re: GIANT Participant Funding and Information Requests

Importance: High

Thanks Lorraine and Francis. Let me start by saying that Alternatives North is very pleased that DIAND has committed to make participant funding available for the Giant Mine Remediation Plan environmental assessment. We think is a very important step forward for environmental assessment in the Northwest Territories. Our concern is with the overall timelines for the participant funding process as shown below:

November 24, 2010 DIAND files public notice on participant funding with MVEIRB

December 1, 2010 DIAND provides user-friendly application forms to Alternatives North after three requests

December 10, 2010 DIAND deadline for participant funding applications

December 23, 2010 MVEIRB releases revised Giant Mine EA work plan

December 24, 2010 MVEIRB files memo to public registry stating deadline for filing of 1st round of information requests is January 24, 2011

As we understand it, DIAND has not yet convened the Funding Review Committee. It is highly unlikely that recommendations from the Committee, decisions on funding, and negotiation of contribution agreements can be completed before January 24, 2011 or the close of the first round of information requests as currently scheduled. It is also our understanding that any activities carried out before the signing of a contribution agreement will not be covered by such an arrangement.

The public notice and participant funding application specifically allow for funds to participate in the information request process, something which the application from Alternatives North proposes.

We had hoped that DIAND would ensure a timely review of the applications and that the Committee could have been convened before Christmas. A very significant amount of work went into our funding application, that involved me taking time off my regular work and convening at least one teleconference at my own expense, numerous regular calls and e-mail correspondence to solicit proposals, resumes and other information that went into our application.

It would be helpful to know how many funding applications were received, the final membership of the Funding Review Committee, and a schedule for its recommendations, when a final funding decision is expected and when contribution agreements might be finalized.

In light of the delays to date and uncertainty with future dates, may we suggest that DIAND consider asking the MVEIRB for an extension to the filing date for the first round of information requests? If DIAND is prepared to do this on its own or in conjunction with other parties, Alternatives North will support such a request. We would be happy to consider other options but time is running out fast.

I would be happy to discuss this with you further and can be reached by e-mail or during the day at 669-9141. Thanks.

Kevin O'Reilly
on Behalf of Alternatives North

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

From: Lorraine Seale <Lorraine.Seale@inac-ainc.gc.ca>

Date: Wednesday, January 5, 2011 15:30

Subject: Re: GIANT Participant Funding and Information Requests

To: Francis Jackson <Francis.Jackson@inac-ainc.gc.ca>, Knute Hansen <Knute.Hansen@inac-ainc.gc.ca>, Krystal Thompson <Krystal.Thompson@inac-ainc.gc.ca>, Todd Slack <tslack@ykdene.com>

Cc: Janice Traynor <Janice.Traynor@ainc-inac.gc.ca>, "murdock@arktissolutions.com"

<murdock@arktissolutions.com>, "aehrlich@reviewboard.ca" <aehrlich@reviewboard.ca>, 'kevin o'reilly' <kor@theedge.ca>, Jeffrey Humble <jhumble@yellowknife.ca>

> Hello all,

>

> I am forwarding this email to Francis Jackson, Acting Manager of
> Environment and Conservation, for response.

> I understand that Kevin O'Reilly (cc'd on this email) has
> similar questions.

>

> Regards,

> Lorraine

>

> Lorraine Seale

> Head, Environmental Assessment and Agreements

> Environment & Conservation

> Department of Indian Affairs and Northern Development

> Box 1500

> Yellowknife NT X1A 2R3

>

> Ph: 867-669-2590

> Fx: 867-669-2701

> <http://www.ainc-inac.gc.ca/ai/scr/nt/index-eng.asp>

>

> Please note that my email address is now lorraine.seale@inac-

> ainc.gc.ca .

>

>

> >>> Todd Slack <tslack@ykdene.com> 2011-01-05 12:51 >>>

> Hi All.

>

> I'm sure that you've seen this:

> http://www.reviewboard.ca/upload/project_document/1293216635_Note_to_File-Information_Requests_by_Parties.PDF

>

> Given that January 25th is a couple of weeks away - those of us
> who were hoping and planning on participant funding to help us
> come to terms with the thousand(s) of pages of the EIS are being
> put in a no win position which will in all likelihood result in

> us asking for a delay. Now personally, I don't think this is all
> that big a deal considering that the proponent was a year late,
> but I know how the Boards see this kind of thing, especially in
> the aftermath of McCrank. So...YKDFN don't want
> to be asking for extensions, but the provision of additional
> resources would allow us to do a much more thorough job,
> ensuring that the process is fair and that suitable information
> requests are submitted.
>
> So, two questions
> 1) Is there an ETA for an announcement?
> 2) Is there an ETA for a decision on when there will be an ETA (ie
> when will we know when the announcement will be)?
>
> Bonus third question:
> 3) As we approach the deadline, will INAC E&C consider writing a
> letter of support for an extension to submit the IRs?
>
> Just hoping to get a good idea as what's happening.
>
> Cheers.
> T
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