



April 24, 2015

Mr. Simon Toogood
Environmental Assessment Officer
Mackenzie Valley Environmental Impact Review Board
PO Box 938
YELLOWKNIFE NT X1A 2P1
VIA EMAIL

Dear Mr. Toogood:

Husky Chedabucto Mineral Exploration Project Environmental Assessment (EA 1415-01) – Clarification on Information Requests

The Government of the Northwest Territories (GNWT) has reviewed the Yellowknives Dene First Nation (YKDFN) Information Requests (IRs), submitted April 10, 2015, and the Mackenzie Valley Environmental Impact Review Board's (MVEIRB) April 20, 2015 Note to File regarding IRs for the Husky Chedabucto Mineral Exploration Project Environmental Assessment (EA). The GNWT's questions and concerns about these IRs are discussed below.

The GNWT has noted the request in the YKDFN scoping cover letter for IR recipients to contact them directly for clarification and the MVEIRB's support in the Note to File for EA participants to work outside of the EA process to address questions and concerns. GNWT has contacted the YKDFN to initiate such a discussion, and has received some clarification on wording. Due to prior commitments for GNWT and YKDFN, notably the Jay technical sessions, we have not yet been able to have a more in-depth discussion.

Accordingly, GNWT requests an extension to the IR deadline. Given we are also asking MVEIRB to direct YKDFN to reframe some of the IRs, we are not proposing a specific date in this letter. We understand that if MVEIRB grants our request, the YKDFN will have until May 1 to respond. GNWT would be able to respond shortly after that date.

Given that MVEIRB is planning to issue the final scoping document on May 8, it may be most efficient for the overall timeline to set the response deadline after that date. If the response deadline is earlier, GNWT will provide its IR responses based on the draft scopes set out in MVEIRB's March 17, 2015, Proposed Scoping Document, and will request the opportunity to revisit its IR responses if there are any changes to scope of development or scope of assessment in the Final Scoping Document.

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GNWT has concerns with the scope and relevancy of some of the IRs. While we continue to seek to discuss these concerns directly with YKDFN, we also wish to respond to the Note to File by presenting these concerns to MVEIRB.

GNWT has reviewed MVEIRB's existing process guidance (*Step by Step Information: Information Requests*, available at reviewboard.ca) and notes that MVEIRB requires IRs to be:

- (a) related to the issues that were scoped into the assessment;
- (b) appropriate;
- (c) relevant to the assessment; and
- (d) not repetitive or redundant.

With respect to the IRs submitted by the Yellowknives Dene First Nation (YKDFN), GNWT has the following concerns:

IR#1: It is the GNWT's view that a comprehensive list of Aurora Geoscience's actions on past projects is not necessary in order to understand the potential impacts of the proposed Husky project and is therefore not relevant to the assessment. The GNWT requests that MVEIRB direct the YKDFN to reframe the IR to focus on specific impacts and mitigations for the Husky project.

IR #3 (#4 in Word version) relates to the management of past projects at Drybones Bay and to events related to the Tibbitt-Contwoyto Winter Road. In GNWT's view this IR is not relevant to the assessment of the Husky Chedabucto project. The GNWT requests that MVEIRB direct the YKDFN to reframe the IR to focus on specific impacts and mitigations for the Husky project.

Outside the current EA process, the GNWT would be happy to address YKDFN's questions regarding past activities within the authorities of the GNWT. Please note that the GNWT will not speak to previous decisions made by Aboriginal Affairs and Northern Development Canada.

IR#4 (#5 in Word version) – GNWT is unclear what is meant by 'archaeologic landscape'. The *Archaeological Site Regulations* do not provide a definition of an 'archaeologic landscape,' nor do they provide for protection of such an entity. While there are many archaeological sites in the project area, these sites are managed as discrete entities with well-defined boundaries.

IR #6 (#7 in Word version)

GNWT would like to discuss this question with YKDFN before providing a response, in order to better understand the context for the question and what information the YKDFN already holds. We are seeking to coordinate with federal government representatives with respect to their interest in IR#5 (#6 in Word version).

IR #7 (#8 in Word version)

GNWT requests that MVEIRB direct the YKDFN to reframe the IR to focus on specific impacts and mitigations for the Husky project.

IR13 (#14 in Word version)

It is the GNWT's view that a comprehensive list of wildlife monitors and subsequent mitigations on past projects is not necessary to examine the potential impacts of the proposed Husky project and is therefore not relevant to the assessment. The GNWT requests that MVEIRB direct the YKDFN to reframe the IR to focus on specific impacts and mitigations for the Husky project. Please note that the GNWT has submitted an IR directed to Husky, requesting that Husky update its Wildlife and Wildlife Habitat Protection Plan.

Finally, the GNWT notes that MVEIRB not yet issued a call for party status for the Husky Chedabucto EA. The GNWT recommends that MVEIRB issue this call as quickly as possible, in order to establish a fair and consistent process.

Thank you for the opportunity to express these concerns.

Should MVEIRB or any of the EA participants have any questions, please contact me (lorraine_seale@gov.nt.ca or 867-765-6786) or Charlotte Henry, Project Assessment Analyst (charlotte_henry@gov.nt.ca or 867-765-6785).

Sincerely,



Lorraine Seale
A/Director, Land Use and Sustainability

c. Rachel Crapeau, Yellowknives Dene First Nation