



Mackenzie Valley Environmental Impact Review Board

July 6th, 2007

Mr. George Govier,
Executive Director
Sahtu Land and Water Board
P.O. Box 1
Fort Good Hope, NT
X0E 0H0

By FAX

Dear Mr. Govier:

**Re: Preliminary Screening Report –
Hunter Bay Resources LUP Application S07C-004**

This letter is in regard to our conversation yesterday afternoon and your advice that the Sahtu Land and Water Board has issued a Land Use Permit for the above application.

As we discussed, this permit is without effect until the Review Board has exercised its prerogative pursuant to s.126(3) of the *Mackenzie Valley Resource Management Act* (MVRMA).

The Review Board has reviewed the preliminary screening of the above application, and would appreciate the following additional information before deciding whether or not to invoke MVRMA s.126(3).

1. The SLWB did not conclude that the proposed development might be a cause of environmental impacts. The SLWB received a May 11, 2007 letter from the Sahtu Renewable Resources Board stating that the SRRB was concerned with the disruption of migrating caribou during scheduled operations. The Deline Renewable Resources Council letter of May 8, 2007, expressed concern that the area is a "very important caribou migration route". In its letter of May 15th, 2007, the GNWT Department of

Environment and Natural Resources (ENR) stated that the mitigations proposed by the developer are not sufficient to minimize impacts on wildlife. On page three of that letter, ENR identified three specific and necessary mitigation measures. The Preliminary Screening Report of June 26 and the draft Land Use Permit do not capture these mitigation measures. However, the SLWB did not conclude that this project might have a significant adverse impact on the environment. It would help the Board to know the reasoning behind the conclusion that there would be no significant impacts in this instance.

2. On the subject of potential public concern, the May 11, 2007 letter from the Sahtu Renewable Resources Board identified a lack of consultation with the Deline Renewable Resources Council. The June 26th, 2007 letter by the Sahtu Renewable Resources Board repeats its position that the issues in its previous letter still required consideration. Is there additional information to indicate this concern was resolved?
3. The Preliminary Screening Report identified that many drill targets are in an area defined as a Conservation Area in the draft Sahtu Land Use Plan, and that it fails to meet the criteria of an acceptable land use according to the Plan. The May 18th letter by the Sahtu Land Use Planning Board identifies the existence of the draft Sahtu Land Use Plan. It notes that the plan is not yet legally binding, but is based on extensive consultation with communities and others, and requests that the SLWB respect the intent of the plan when making permitting decisions. It would be helpful to know how this was addressed in the preliminary screening.
4. The Review Board noted that the preliminary screening focuses on a development within an area that is currently within Step Two of the NWT Protected Areas Strategy. The establishment of this area is supported by the community of Deline and by Sahtu Secretariat Inc. Can you advise whether or not the Protected Area Strategy secretariat was consulted by the developer or contacted by the SLWB during the screening? Was there an assessment of the potential for public concern with respect to the development in the context of the existing Protected Area Strategy proposal?

We would appreciate receiving this additional information at your earliest convenience and will inform you of the Review Board's decision under section 126(3) as shortly as possible thereafter.

I appreciated your comments that we should meet with our respective staff to clarify the process around the s.126(3) review of preliminary screening reports. I agreed a meeting would be timely and that mid to late September may be the best timing for this meeting.



Thanks again for your assistance in processing this preliminary screening.

Sincerely,

A handwritten signature in black ink, appearing to read "Vern Christensen". The signature is fluid and cursive, with a long horizontal stroke at the end.

Vern Christensen
Executive Director

