

03-004

Sherry Sian

From: BlaisE@DFO-MPO.GC.CA
Sent: Friday, October 31, 2003 5:21 PM
To: Sherry Sian
Cc: BalintD@DFO-MPO.GC.CA; DahIJ@DFO-MPO.GC.CA
Subject: Worksheets



CGV NAGRC NSV
PHC Participatio...

Here are our worksheets

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Pre-Hearing Conference Worksheet

Proposed Diamond Exploration in Drybones/Wool Bay by Consolidated Goldwin Ventures (EA-03-002), North American General Resource Corp. (EA-03-003), and New Shoshoni Ventures (EA-03-004)

i. Party/Intervenor:

Department of Fisheries and Oceans

ii. Name(s) of Representatives:

Elaine Blais

Dave Balint

iii. Issues to be Addressed at the Public Hearing:

New Shoshoni - Need for a 5-year Land Use Permit (LUP):

DFO is not clear why a 5-year LUP is being sought. DFO would like to ensure that it is made very clear that the LUP only permits the work that is undergoing environmental assessment (i.e. 2003/2004 winter drilling program as outlined in the DAR). **Inclusion of Cut Lines, Rock and Till Sampling and Airborne Surveys in the Project Description:** Based on the information provided in the DAR, it is unclear whether cut lines included in the LUP application are still required in the scope of the development. The MVEIRB's Terms of Reference also discusses other work (rock and till sampling and airborne surveys) which is not discussed in the DAR. If the developer wants this work permitted (cut lines, rock and till sampling and airborne surveys), then it must address the work in its DAR. If cut lines, rock and till sampling and airborne surveys are no longer part

of the project description then the MVEIRB should revise the scope of the development to clearly reflect what is being assessed and subsequently permitted should the development be allowed to proceed.

Spill Plan – the DAR (pg. 2, third paragraph) states that the developer’s spill plan will be in place “as per DFO’s regulations.” For clarification, DFO does not have regulations to control spills in waterbodies. DFO does however suggest possible mitigation measures developer’s can apply to prevent potential impacts on aquatic systems from spills. It is assumed that the developer in this case was referring to DFO’s letter of advice dated May 5, 2003 where the mitigation measures are suggested.

Consolidated Goldwin – The LUP applications states that geophysical surveys will be supported by helicopter and the Terms of Reference also identified helicopter support as part of the principle development. Geophysical surveys and helicopter usage appear to not be addressed in the developer’s environmental assessment report (DAR). DFO wants to ensure that the LUP that is being sought only permits the work that is undergoing environmental assessment. The project description and scope of the development need to both be revised to clearly show what is being assessed and permitted should the development be allowed to proceed.

Spill Plan – the DAR (pg. 2, third paragraph) states that the developer’s spill plan will be in place “as per DFO’s regulations.” For clarification, DFO does not have regulations to control spills in waterbodies. DFO does however suggest possible mitigation measures developer’s can apply to prevent potential impacts on aquatic systems from spills. It is assumed that the developer in this case was referring to DFO’s letter of advice dated March 17, 2003 where the mitigation measures are suggested.

iv. Disputed Issues:

Issues over which there is disagreement	Efforts made to reach agreement	Describe Why Issues Was Not Resolved	Resolution Requested by MVEIRB
<p>New Shoshoni</p> <p>a) Locations and Water Depth at Proposed Drilling Locations</p>	<p>a) and b) Two DFO letters to the developer asking for clarification (maps) on the general locations of the drill sites and water depths</p> <p>a) DFO was provided with a schematic map on Oct. 29, 2003 (topographic map would have been better) that somewhat delineates the new drill site locations but it should be noted that some of the drill sites differ from the LUP application. DFO has conducted a bathymetric survey (September 26, 2003) of Drybones Bay and based on the new drill site locations, there is water depth available to prevent drilling on shoals.</p>		<p>a) The LUP application and DAR should be amended to include the revised drill sites.</p>

<p>b) Confirmation that actual drill sites are not located on shoals or in shallow water.</p>	<p>b) Field drill location refinement will be required as stated by the developer. DFO will require a minimum water depth at which drilling can occur.</p>	<p>b) Mitigation is required whereby the developer can not drill in water depths that are < 11 metres to ensure spawning shoals are not impacted. DFO would like to see confirmation of the exact drill hole locations that includes the water depths at which the holes were drilled. The Developer must also follow the advice provided by DFO in a letter dated May 5, 2003.</p>
<p>a) Consolidated Goldwin – Water Depth at Proposed Drilling Locations</p>	<p>a) DFO letter dated September 2, 2003 asking for water depth survey. DFO letter dated September 17, 2003 asking for data to support its conclusions that it will drill in waters greater than 15 metres. DFO Email dated September 18, 2003 – asking for a reference for its water depth data.</p> <p><i>The developer responded and</i></p>	<p>a) Mitigation is required whereby the developer can not drill in water depths that are < 11 metres to ensure spawning shoals are not impacted. DFO would like to see confirmation of the exact drill hole locations that includes the water depths at which the holes were drilled.</p>

<p>b) Prevention of Drawdown for Drill Site near Hearn Channel</p>	<p>eventually informed DFO that it did not have an available water depth survey and used navigational charts to determine water depth at its drill locations on Great Slave Lake. DFO is now satisfied with the response and also confirmed with a bathymetric survey that there is sufficient water depth to prevent drilling on shoals but mitigation should be applied.</p> <p>b) DFO letter of Advice dated March 17, 2003 requesting bathymetric details should drawdown become an issue. DFO letter dated September 2, 2003 asking for specific details on the water source for its drilling activity near the Hearn Channel.</p>	<p>b) Unfortunately, this minor issue is not yet resolved. The developer responded September 19, 2003 and stated: Based on the information it has provided (see attached schematics and section of topographic map) that DFO should be able to – using basic math – glean the water volume (and depth?) of the small unnamed pond it is planning to use for its water source. DFO has asked for bathymetric data (i.e. water depth, water volumes, etc.) but is not yet confident with the response provided by developer for the</p>	<p>b) Mitigation required – before the developer uses water from any pond, it must determine the water depth and water volumes to ensure it does not prevent a harmful water drawdown situation. The developer must follow DFO's Protocol for Water Withdrawal in the Northwest Territories (attached). The Developer must also follow the advice provided by DFO in a</p>
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<p>North American General – Proposed Drill Hole Locations</p>	<p>DFO letter dated September 2, 2003 stating the drill sites must be located on shoals where lake trout or whitefish could spawn.</p>	<p>following reasons: DFO is not clear what unnamed pond the developer is planning to use (DFO is assuming it might be the larger pond); DFO assumes that while there may be sufficient water volume to prevent drawdown in the summer, it is not so sure for the winter (i.e. will pond freeze to the bottom?); Is there is sufficient water volume in winter to prevent a drawdown situation? Based on our review of a topographic map (map sheet 85 I/3) obtained by DFO, the two small ponds near the drill site appear to be vegetated throughout so we can assume that the ponds may be shallow enough to possibly freeze to the bottom. If that's the case, where will the developer obtain water? The developer has not clarified the exact locations of its drill sites. DFO understands that this may not be possible until the developer is in the field and mitigation is therefore required.</p>	<p>letter dated March 17, 2003.</p>
			<p>Mitigation is required whereby the developer can not drill in water depths that are < 11 metres to ensure spawning shoals are not impacted unless the</p>

			<i>developer verifies the areas where they propose to drill is frozen to the bottom so that winter fish habitat is not impacted. DFO would like to see confirmation of the exact drill hole locations that includes the water depths at which the holes were drilled.</i>

<i>v. Documents Required of Other Parties:</i>	
<i>Document</i>	<i>Reason for Request</i>
<i>N/A</i>	

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vi. Expert Witness(es) to be Used, if any:

A resume should be included for all individuals listed. This resume should include educational background and relevant project history.

<i>Name</i>	<i>Reason for Using Expert Witness</i>

vii. Technical Requirements for the Public Hearing:

None

viii. Other Requirements at the Public Hearing (i.e., translation, etc.):

None

Pre-Hearing Conference

EA-03-002
EA-03-003
EA-03-004

11/5/2003

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