



October 31, 2008

Via e-mail only to: pmercredi@mveirb.nt.ca

Mr. Paul Mercredi
Environmental Assessment Assistant
Mackenzie Vally Environmental Impact Review Board
P.O.Box 938
200 – 5102 – 50th Avenue
Yellowknife, NT
X1A 2N7

Dear Mr. Mercredi:

Re: Issues Scoping Sessions – Terms of Reference – Yellowknife Gold Project 2008

Further to the Issues Scoping Sessions held on October 16/17, 2008 in Yellowknife we provide the following comments on the impending issuance of Terms of Reference for the Developers Assessment Report (DAR) for Tyhee's Yellowknife Gold Project- 2008.

With respect to the forthcoming Terms of Reference, which will be provided in "DRAFT" form to allow for comments in the coming weeks, Tyhee has reviewed the Terms of Reference for the most recent projects that have been issued Terms of Reference, these being for the Tamerlane Project at Pine Point and the Taltson Hydroelectric Expansion Project.

With the above in mind, it seems logical to follow this format for Tyhee's Yellowknife Gold Project – 2008 terms of reference which should focus on Tyhee's proposed table of contents for the Terms of Reference as well as consideration for the following points.

- The Definitions in the Taltson Hydroelectric Expansion Project for "Key Lines of Inquiry" are topics of the greatest concern that the Review Board deems to require the most attention during the environmental assessment and the most rigorous analysis and detail in the DAR." Tyhee has presented what we see as the Key Lines of Inquiry in section 4 of the attached table of contents.
- The Definitions in the Taltson Hydroelectric Expansion Project for "Subjects of Note" are defined as those issues that "do not have the same priority as Key Lines of Inquiry, but are nonetheless issues that require serious consideration and a substantial analysis. Tyhee's suggested "Subjects of Note" are included in section 5 of the attached table of contents.
- Tyhee would like to have the "aboriginal groups of interest" clearly stated as the Yellowknives Dene First Nations (YKDFN) and the North Slave Métis Alliance (NSMA) as these are the groups Tyhee has focused on throughout our consultation efforts.

- There was considerable discussions surrounding the Winter Lake Tailings Containment Area and the process of getting the lake listed on Schedule II as well as the HADD Authorization under the Fisheries Act and it is Tyhee's position that this process is outside the broader MVEIRB review, however; if both processes could be completed simultaneously, this would streamline the overall regulatory process. Under the Schedule II process, it is incumbent on the proponent to complete an appropriate alternative assessment and as mentioned at the scoping sessions, DFO and EC provided guidance to Tyhee in this regard, and as such this is seen as a separate or parallel process as mentioned above.
- Based on the meeting notes provided on October 30, 2008, the issues raised should focus the MVEIRB to develop Terms of Reference that are clear and concise and reflect the scope of Tyhee's Yellowknife Gold Project.

We are of the understanding that "Draft" terms of reference will be issued in the weeks ahead and will be provided to Tyhee and other parties and look forward to receiving them for our review and comment.

If you have any questions concerning the application please contact me on cell (780) 975-2550.

Yours truly,

Original Signed by "H.R. Wilson"

Hugh R. Wilson
Vice President–Environment and Community Affairs

Attachment: Tyhee's proposed Terms of Reference Table of Contents for the DAR

Attachment:

Tyhee NWT Corp's

Suggested Terms of Reference Table of Contents

Table of Contents

1 Introduction

- 1.1 Purpose**
- 1.2 Preliminary Screening and Issue Scoping**
- 1.3 Approach**
- 1.4 Definitions**
- 1.5 Legal Requirements**
- 1.6 Document Overview**

2 Scope

- 2.1 Scope of Development**
- 2.2 Scope of Assessment**
 - 2.2.1 MVRMA requirements
 - 2.2.2 Inclusion of scoping session results
 - 2.2.3 Geographic scope of assessment

3 General Information Requirements

- 3.1 Development and Environment Description**
 - 3.1.1 Executive summary
 - 3.1.2 Conformity table
 - 3.1.3 Developer
 - 3.1.4 Community engagement
 - 3.1.5 Development description
 - 3.1.5.1 Commitment Table
 - 3.1.5.2 Reclamation and restoration
 - 3.1.5.3 Waste management
 - 3.1.6 Existing environment
 - 3.1.6.1 Development location
 - 3.1.6.2 Areas of special sensitivity
 - 3.1.6.3 Physical environment
 - 3.1.6.4 Biological environment
 - 3.1.6.5 Human environment
- 3.2 Assessment Methods and Presentation**
 - 3.2.1 Impact predictions
 - 3.2.2 Significance determination
 - 3.2.3 Uncertainty analysis
 - 3.2.4 Valued components
 - 3.2.5 Traditional knowledge
 - 3.2.6 Alternatives
 - 3.2.7 Monitoring programs
 - 3.2.8 Cross referencing and presentation of information

4 Key Lines of Inquiry

4.1 Introduction to Key Lines of Inquiry

4.1.1 Tailings Containment Area construction and Management including water quality and quantity (integrated with DFO and EC requirements for Schedule II and HADD)

4.1.2 Acid Rock Drainage and waste management other than TCA

4.1.3 Water management (Surface and groundwater)

4.1.4 Air quality and noise models with impacts on wildlife movements

4.1.5 Economic involvement of Aboriginal Communities in project

4.1.6 Environmental Management Plan including

- Orientation procedures for all personnel on site
- Spill Contingency/Emergency Response Plan
- Bulk Materials Management Plan
- Explosives Handling and Storage Management Plan
- Air Quality Management Plan
- Wildlife Management Plan
- Community Involvement Plan
- Waste Rock Management Plan including ARD
- Tailings Management Plan
- Solid Waste and Hazardous Waste Management Plan
- Incineration Management Plan
- Reclamation & Closure Plan

4.1.7 Environmental Monitoring Plan

- Aquatic Monitoring Plan (Including MVLWB Requirements, MMER requirements, and DFO requirements)
- Air and Climate Monitoring Plan
- Hydrometric monitoring Plan
- Geotechnical Monitoring Plan (including all dams and wasterock)
- Wildlife Monitoring Plan

5 Subjects of Note

5.1 Introduction to Subjects of Note

5.2 Biophysical Subjects of Note

5.2.1 Impact of winter road from Ormsby to Nicholas Lake on Wildlife avoidance

5.2.2 Species at risk and key bird species

5.2.3 Impact of aggregate sources on Wildlife

5.2.4 Impact of habitat loss on Caribou energetic

5.2.5 Climate change model for future

5.2.6 Bioaccumulation in fish

5.2.7 Impact of YGP on reclaimed Discovery mine

5.3 Socio-Economic Subjects of Note

5.3.1 Upgrading opportunities for Aboriginal employees

5.3.2 Participation of YKDFN in additional archaeology studies

6 Sustainability and Cumulative Effects Analysis

6.1.1 Project contribution to sustainable development

6.1.2 Cumulative effects assessment

7 Remaining Issues

8 Deliverables