

## Nicole Spencer

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**From:** Todd Slack [tslack@ykdene.com]  
**Sent:** Monday, September 13, 2010 11:20 AM  
**To:** Nicole Spencer  
**Subject:** RE: TNR Gold EA

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**From:** Todd Slack [mailto:tslack@ykdene.com]  
**Sent:** Monday, September 13, 2010 10:29 AM  
**To:** Nicole Spencer  
**Cc:** Randy Freeman; Stephen Ellis; Lutsel Ke WLE Director; imadenegurl@hotmail.com; screeningofficer@eastarm.com  
**Subject:** RE: TNR Gold EA

Hi Nicole.

I am reviewing the MVEIRB's Guidelines for incorporating Traditional Knowledge, which seems to indicate that the DAR is the point at which the TK will be incorporated.

- 1) Do you have a flowchart of the process we are following? Relative to the other EAs that I've been involved in, this seems to omit many steps
- 2) Given that there doesn't seem to be a DAR stage for TNR, at what point would the First Nations have the opportunity to gather evidence to submit to the Board? It seems like we will have 22 days and no financial support.
  - a. If we are only going to present testimony at the hearing, how much time will we be allotted?
- 3) Does the board still intend to use its previously outlined significance criteria? I'm reading "A framework for determining whether a proposed development is likely to be cause of significant public concern" (from your website, written by Martin I believe) and it identifies the following questions as indicators:
  - a. "Participation rates and level of effort expended by participants to attend..."
  - b. "Evidence of adverse impacts on the environment that formed the basis of expressed public concern...concerns expressed in the absence of any evidence that they might come true were weighted considerably less than concerns over impacts backed by evidence of a possible or likely impact"

In reading this, it's made plain that the number of people who attend and the evidence before the board is critical to assigning significance to impacts. Given that the Board has chosen to limit the opportunity of the communities to participate and the ability to collect and introduce evidence in a coherent manner, this approach will limit our ability to give the Board the information that they need to make decisions. And remember, this is ignoring the point that there does not seem to be participant funding nor do we have project funding from INAC as this wasn't even on the radar in March.

I'm just trying to understand how we can participate in this EA and what the rules are going to be.

Cheers.

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**From:** Nicole Spencer [mailto:nspencer@reviewboard.ca]  
**Sent:** September-13-10 10:03 AM  
**To:** Todd Slack  
**Cc:** Randy Freeman; Stephen Ellis; Lutsel Ke WLE Director; imadenegurl@hotmail.com  
**Subject:** RE: TNR Gold EA

Hi Todd

It was a Review Board decision to support the LKDFN and DKFN with flights and accommodations for the information sessions. We have allotted up to \$2400 per community ( 2 representatives from each) to travel to N'Dilo for the meeting on September 30<sup>th</sup>.

All the communities have been aware of the schedule for this EA. The last week of September was the time allocated for the information sessions and this has been in the draft workplan...the final schedule has changed but the meeting still remains within that time frame (Sept 27-30<sup>th</sup>). It is just combined into the one meeting for all communities.

There will also be a time between the information session and the Hearing on October 22 for submissions of the parties. As well time will be allotted for any undertakings from the Hearing to be addressed.

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**From:** Todd Slack [mailto:tslack@ykdene.com]  
**Sent:** Monday, September 13, 2010 9:40 AM  
**To:** Nicole Spencer  
**Cc:** Randy Freeman; Stephen Ellis; Lutsel Ke WLE Director; imadenegurl@hotmail.com  
**Subject:** TNR Gold EA

Hi Nicole.

“Support may be available to those communities who are interested in attending.”

Referring to your line above in the workplan cover sheet, YKDFN would like to access participant funding, as we have not received any monies to cover the work that we will be required to complete to meaningfully participate in this EA.

Additionally, considering the extremely short timeline, it is not clear how or to what level YKDFN will be expected to provide evidence for the Board's consideration. As you know, these things can take a long time to plan and complete and I think that this timeline prejudice's the process against the First Nation – considering the types of issues within the scope, it will be difficult to effectively gather and prepare evidence outlining the historic and traditional use of the area.

Regards,

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