



Environmental Protection Operations
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September 17th 2012

EC file: 4780 026
MVEIRB file: EIR0607-001

Chuck Hubert
Senior Environmental Assessment Officer
Mackenzie Valley Environmental Impact Review Board
Suite 200, 5102-50th Ave.
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Attention: Mr. Hubert

**RE: Environment Canada's Response to Round #2 Information Request from
Tlicho Government**

Environment Canada (EC) has reviewed the Round 2 Information Request (Public Registry #265) submitted by the Tlicho Government dated July 16th regarding the "*Relationship Between Snap Lake Environmental Monitoring Agency and Gahcho Kue Body*" and provides the attached response.

If you have any questions or concerns, please do not hesitate to contact Ms. Lisa Lowman at 867-669-4721 or via email at lisa.lowman@ec.gc.ca.

Sincerely,

Cheryl Baraniecki
Regional Director
Environmental Protection Operations
Prairie and Northern Region
Environment Canada

cc: Susanne Forbrich (Manager, EA and Marine Programs Division, EC)
Carey Ogilvie (Head EA-North, EA and Marine Programs Division, EC)
Lisa Lowman (Senior EA Coordinator, EA and Marine Programs Division, EC)
Anne Wilson (Sector Support, Environmental Protection Operations, EC)

Environment Canada

EC Response to Round 2 Information Request

Gahcho Kue Diamond Mine Project

Submitted to:
Mackenzie Valley Environmental Impact Review Board Panel
September 17th, 2012

MVEIRB File No.: EIR0607-001

Second Round IR Number: TG-4

EC Response To: Tlicho Government and the Mackenzie Valley Environmental Impact Review Board

Subject: Relationship between Snap Lake Environmental Monitoring Agency and Gahcho Kue Body

Preamble (taken from Tlicho IR TG-4):

Under the Snap Lake Environmental Agreement, the Snap Lake Environmental Agency was formed to ensure the environmental integrity of the Snap Lake area. This agency has responsibilities for:

- g) Reviewing and commenting on the design of monitoring and management plans and the results of these activities;
- h) Monitoring and encouraging the integration of traditional knowledge of the nearby Aboriginal peoples in the mine's environmental plans;
- i) Acting as an intervener in regulatory processes directly related to environmental matters involving the Snap Lake Project and its cumulative effects;
- j) Bringing concerns of the Aboriginal peoples and general public to De Beers Canada Mining Inc. and government;
- k) Keeping Aboriginal peoples and the public informed about Agency activities and findings, and
- l) Writing an Annual Report with recommendations that require the response of De Beers Canada Mining Inc. and/or government.

The Snap Lake Mine and the proposed mine, both operated by De Beers, are very close together. Some consideration has gone into the creation of environmental monitoring through technical sessions.

Request #1: Can Environment Canada provide insight into how the mechanisms of environmental monitoring can be implemented without duplication or replication?

EC Response:

The primary authority for ensuring environmental monitoring occurs is the Mackenzie Valley Land and Water Board through its Land Use Permit and Water Licence regulatory instruments. In addition, other regulators may provide additional authorizations that include terms and

conditions requiring specific environmental monitoring and/or reporting. EC is not aware of any duplication or replication in this regard.

With respect to the Gahcho Kue Project, at this time the water and waste management monitoring aspects will be managed through the Water Licence. The process to develop environmental monitoring programs provides sufficient input from regulators and other stakeholders in order to facilitate the development of comprehensive monitoring programs that minimize duplication.

With respect to wildlife monitoring, the Canadian Wildlife Service (CWS) of EC is currently participating in the Gahcho Kue Wildlife Monitoring Plan Working Group to provide advice and input into the design of wildlife monitoring programs for the project. Currently DeBeers is working on a draft Wildlife Monitoring Plan with programs that would contribute to regional monitoring of caribou, grizzly bear, wolverine, raptors and upland birds. The CWS is providing advice on monitoring programs for migratory birds pursuant to our mandate under the *Migratory Birds Convention Act, 1994*. To date, discussions with DeBeers have focused on the possibility of initiating a terrestrial bird monitoring program to detect regional population trends over the life of the project using methodology based on the *Program for Regional and International Shorebird Monitoring* (PRISM). This is the Program currently used by the CWS to monitor shorebirds and other tundra nesting bird species in the Arctic. The adoption of this component of their wildlife monitoring program would be on a voluntary basis, as there is no regulatory mechanism to require such a program. The results of this program could contribute to regional migratory bird monitoring programs if the program design was consistent with PRISM protocols. This would not result in a duplication of the monitoring programs at the Snap Lake mine, as there is currently no monitoring program at that location for migratory birds. EC-CWS will continue to participate in an advisory role in the Gahcho Kue Wildlife Management Plan Working Group and will provide a brief presentation on the PRISM program at the upcoming workshop on September 18th 2012.

In regards to air quality monitoring, the Proponent has committed to developing and implementing an Air Quality and Emissions Management Plan (including dust deposition), which will include a detailed assessment of the timing, specific technology and monitoring locations for each of the air quality parameters being considered for monitoring. EC & the GNWT have requested that the plan include annual emission tracking of air pollutants and GHGs, fuel consumption, ambient and deposition monitoring plans, mitigation and contingency plans and trigger levels at which adaptive management will need to be taken. The Proponent has indicated that the Plan will be developed so that monitoring can adapt to changing conditions and influence the pertinent management decisions relating to ongoing project operations. In addition, the Air Quality Management Plan will be used to coordinate monitoring of ambient air quality at the project during construction, operations, and closure phases. It should also be noted that the Air Quality Management Plan should be developed in consultation with EC and the GNWT.

Request #2: What are Environment Canada's thoughts on a multi-project environmental monitoring agency?

EC Response:

Schedule B of the Snap Lake Environmental Agreement required GNWT and AANDC (formerly INAC) to engage a number of parties in the development of *"Terms of Reference for a Multi-Project Environmental Monitoring Agency"* which was issued on June 23rd 2008. Given that EC is not a signatory to the Snap Lake Environmental Agreement, the Department did not become directly involved in the development of the terms of reference (TOR).

EC's role in this review process is to provide expert advice to the Board on the Department's mandated areas. This includes advice on appropriate monitoring programs needed to track and identify any environmental trends. It is the regulatory authorities' responsibility to decide on what regulatory instruments, in addition to bodies such as monitoring agencies, are needed to ensure adequate monitoring of the environment. In general, acknowledging the Tlicho Government's question, efforts to coordinate and streamline monitoring activities can enhance the efficiency of those activities noting that a number of mechanisms may be possible to achieve that efficiency.