



Northwest Territories Resources, Wildlife and Economic Development

File Number: 258-004-005

June 8, 2001

Via Fax

Laurie Bruno
Regulatory Officer
Mackenzie Valley Land and Water Board
7th Floor -4910 50th Avenue
Yellowknife, NT X1A 2P6

Mackenzie Valley Land & Water Board

File _____

JUN 08 2001

Application # MV2001L2-0004
MV2001F0032
Copied To MRS/LB/Reg

Dear Ms. Bruno:

Land Use Permit and Water License Applications
MV2001L2-0004/MV2001F0032 BHP Diamonds Inc. - Sable Road
Construction/Operation

The Department of Resources, Wildlife and Economic Development (RWED) has reviewed the above applications for construction and operation of the Sable Road and would like to propose regulatory conditions for the Mackenzie Valley Land and Water Board's (MVL&WB) consideration.

The proposed Sable Road construction and operation was recently assessed as a component of the Sable, Pigeon and Beartooth Kimberlite Pipe Expansion Environmental Assessment (EA). The Sable, Pigeon and Beartooth EA is currently awaiting the Final Decision from the Minister of DIAND. As a result, the proponent submitted additional Land Use Permit and Water License applications to promote the speedy regulation and subsequent construction and operation of the Sable Road. Under these circumstances, it is understandable that the proponent supplied minimal information in these applications. However, for future reference, it is preferable that proponents be required to supply *all* pertinent information with applications for Land Use Permit and/or Water License applications. Constant referral to preceding or alternate documentation not readily available increases the difficulty for reviewers to effectively assess and make recommendations on the applications.

.../2



-2-

The conditions that RWED would like to submit for the MVL&WB's consideration are similar to those provided to the Mackenzie Valley Environmental Impact Review Board in the recent environmental assessment.

1. During the recent Sable, Pigeon and Beartooth EA, the Government of the Northwest Territories (GNWT) raised concerns about the effects of the Sable Road construction and operation on wildlife, especially caribou, wolves and grizzly bears. RWED requests that as part of the Land Use Permit conditions, the proponent be required to revise the Wildlife Effects Monitoring Program (WEMP) to address the GNWT's concerns regarding potential impacts on wildlife as a result of the construction and operation of the Sable Road. To establish an effective WEMP for the Sable Road, monitoring protocols and effort needs to be similar to the WEMP for the Misery Road.
2. Dust is expected to affect the vegetation growing along roadways. Thus the proponent should be requested to design and implement studies to measure the dust deposition gradient and impacts along the roads. This information can be used to validate the effectiveness of dust suppression measures during construction and future use of the haul road. RWED also recommends that the existing dust-monitoring program be expanded to include Sable Road construction and operation.
3. According to the recent EA, watering is the primary dust suppression method utilized by the proponent. The proponent also suggests that they are attempting to find equally effective alternative methods for dust suppression. The current application for a water license estimates water usage to be 100,000m³/yr from Falcon Lake. RWED recommends that the proponent should regularly report on the success of their dust suppression efforts, including an evaluation of the type, quality, and frequency of the methods used.
4. RWED also suggests that the proponent be required to increase the number of sample sites in the annual snow survey to define and increase understanding of the effects of dust along Sable road.
5. Page 14 of the Preliminary Design: Sable Haul Road, indicates that all rock fill will be screened for potential acid generation. RWED would be interested in reviewing the detailed guidelines (ie: schedule, criteria, delineation of waste rock quality, and dilution cut-off value), documentation, QA/QC procedures, and training/certification checks of the operating personnel.

.../3

-3-

6. RWED recommends that the proponent's abandonment and reclamation plans for the Ekati mine be updated to include plans for the proactive reclamation of the Sable Road upon mine closure. The proponent should take into account any impacts that reclamation of the road may have upon the permafrost regime that is established as a result of road construction.

During the Sable, Pigeon and Beartooth Environmental Assessment the proponent committed to working with RWED to develop and refine several monitoring initiatives. It is hoped that the MVL&WB will support the recommendations provided above.

Should you have any questions regarding the above recommendations, please do not hesitate to contact me at (867) 920-6392.

Sincerely,



Brett Hudson
Environmental Assessment Analyst

- c. Lionel Marcinkoski
Environmental Protection Service, RWED
- Steve Matthews
Wildlife and Fisheries, RWED
- Raymond Bourget
North Slave Region, RWED
- Zabey Nevitt
Independent Environmental Monitoring Agency

FAX TRANSMISSION SHEET

Northwest Territories Resources, Wildlife and Economic Development

Policy, Legislation and Communications
Government of the Northwest Territories
5102 - 50th Avenue, 6th Floor Scotia Centre
P.O. Box 1320
Yellowknife NT X1A 2L9
Canada

Tel: (867) 920-8046
Fax: (867) 873-0114

Date: June 8, 2001

To: Mackenzie Valley Land and Water Board

Fax: 873-6610

This fax contains 4 **page(s), including the cover sheet.**

From: Zoe Posynick
Environmental Assessment Technician
Policy, Legislation and Communications
Tel: (867) 920-3197
Fax: (867) 873-0114
e-mail: zoe_posynick@gov.nt.ca

Comments:

Laurie Bruno:

Attached please find comments from the Department of Resources, Wildlife and Economic Development on Land Use Permit and Water License Application numbers MV2001L2-0004 / MV2001F0032 - BHP Diamonds Inc.

Thank you,

The documents accompanying this transmission contain information intended for a specific individual and purpose. The information is private, and is legally protected by law. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reference to the contents of this telecopied information is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original to us by mail.