

From: [Duncan Cooke](#)
To: [Kierney Leach](#)
Cc: tkruger@lawsonlundell.com; Michael.McLeod@parl.gc.ca; [Craig Yeo](#); Julie.Green@gov.nt.ca
Subject: RE: Gordon Lake Group Remediation Project
Date: October-04-16 10:41:54 AM

Thank you for this response Kierney.

I have sent this to my legal counsel Mr. Toby Kruger of Lawson Lundell for consideration and a formal response from Sandy Point Lodge will follow later today. I have also copied this to my MLA and the MP for the NWT to keep their offices apprised of this situation.

It was only with the assistance of the executive assistant of my MLA at the eleventh hour that I was able to determine what my rights are as an affected party. I am not familiar with the Land Use Permit Regulations, the NWT Water Act, or the MVLWB processes. At no time did INAC offer to pre engage or consult with me to advise me that I have rights under the legislation that they are bound too as part of the L.U.P and W.L. application before the board.

This oversight appears to be intentional and has now caused a significant distrust on my part towards the licencing process: Here are some contradictions to the written response from INAC:

- I met with INAC only once to discuss the concerns of Sandy Point Lodge, not twice as stated.
- There are no benefits that the project brings for the clients of Sandy Point Lodge nor to the business that Sandy Point Lodge is licenced for.
- Three years of project duration and the years to follow to rebuild the lost clientele is not a short term disturbance as INAC has stated, for any small business.
- The action plan was designed to balance environment, people, and wildlife, but not an affected party such as a "Lodge". This is an oversight that needs to be corrected as it is law. The MVLWB permit application requirements state that affected parties must be addressed in the planning of the project and before permit are issued.

I believe I am at a disadvantage as I am not familiar with the process and procedures and as such it is the responsibility of INAC to engage and consult and to make me aware of the process, the procedures, and the legislation governing the project. I believe there is clear intent on the part of INAC to use the process and that fact that I am not familiar with the system and the procedures to their advantage in order to avoid further examination of our claim and the potential cost to the project for damages and compensation.

The written submission from INAC has misleading statement that are now a matter of record before the board. All is not well when a remediation project only addresses human health, safety and environment at the expense of an affected lease holders and business that has significant personal financial investment that is faced with economic hardship and potential insolvency as a result of the project.

Speaking for myself, I do not accept the response from INAC and will advise the MVLWB with a

formal written response from my legal counsel of our intent to move forward with a claim through the legal processes available. The Land Use Permit Regulations and the Water Act clearly state what needs to take place for affected parties and INAC has failed to follow the requirements of the legislation. I believe that the MVLWB is required to withhold the issuance of the permits applied for until the requirements of the legislation are addressed.

Question:

1. Will I permitted to post a response to INAC to be submitted as evidence to the board tomorrow to address the inconsistencies INAC has presented in the posted response.
2. Given that INAC is not willing to discuss the matter further with SPL ,will the MVLWB withhold the issuance of the permits applied for until the requirements of the legislation are addressed as part of the permitting process?

We will provide a further formal response later today.

Duncan Cooke
Sandy Point Lodge
PO Box 2484
112 Taltheilei Drive
Yellowknife NT, X1A 2P8
867-766-5331 direct

From: Kierney Leach [mailto:kleach@mvlwb.com]
Sent: October-04-16 9:26 AM
To: Duncan Cooke
Subject: RE: Gordon Lake Group Remediation Project

Hi Duncan,

Yes, INAC responded and their response is posted on the registry [here](#). We have prepared a package for the Board with all evidence, and will be presenting it tomorrow, at the October 5 Board Meeting. I will update you with further information at that time.

Cheers,

Kierney Leach B.Sc., M.Eng

Regulatory Officer

Mackenzie Valley Land and Water Board

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From: Duncan Cooke [<mailto:DCooke@arcan.nt.ca>]
Sent: October-03-16 4:39 PM
To: Kierney Leach <kleach@mvlwb.com>
Cc: tkruger@lawsonlundell.com
Subject: RE: Gordon Lake Group Remediation Project

Hi Kierney

Did MVLWB receive a response from INAC as was requested in the letter of September 23rd?

Duncan Cooke
Sandy Point Lodge
PO Box 2484
112 Taltheilei Drive
Yellowknife NT, X1A 2P8
867-766-5331 direct

From: Kierney Leach [<mailto:kleach@mvlwb.com>]
Sent: September-23-16 11:18 AM
To: Duncan Cooke
Subject: FW: Gordon Lake Group Remediation Project

Hi Duncan,

Please see the email below (and attached letters) that was just sent out to our distribution list.
Please let me know if you have any questions.

Cheers,

Kierney Leach B.Sc., M.Eng

Regulatory Officer

Mackenzie Valley Land and Water Board

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From: Kierney Leach

Sent: September-23-16 11:13 AM

To: 'carey.ogilvie@aandc-aadnc.gc.ca' <carey.ogilvie@aandc-aadnc.gc.ca>

Cc: 'admin_dkfn@northwestel.net' <admin_dkfn@northwestel.net>; 'Alexis_Campbell@gov.nt.ca' <Alexis_Campbell@gov.nt.ca>; 'apower@ykdene.com' <apower@ykdene.com>; 'barryt@arcticsafaris.ca' <barryt@arcticsafaris.ca>; 'boydw@bathurstinlet.com' <boydw@bathurstinlet.com>; 'Brandon_Bradbury@gov.nt.ca' <Brandon_Bradbury@gov.nt.ca>; 'Carolc.lands@gmail.com' <Carolc.lands@gmail.com>; 'Catherine_BraunRodriguez@gov.nt.ca' <Catherine_BraunRodriguez@gov.nt.ca>; 'CAU-UCA@aandc.gc.ca' <CAU-UCA@aandc.gc.ca>; 'Ceo.srfn@northwestel.net' <Ceo.srfn@northwestel.net>; 'Charlene_Coe@gov.nt.ca' <Charlene_Coe@gov.nt.ca>; 'chief.lkdfn@gmail.com' <chief.lkdfn@gmail.com>; 'chief.srfn@northwestel.net' <chief.srfn@northwestel.net>; 'chief@slfn196.com' <chief@slfn196.com>; 'christian.bertelsen@cannor.gc.ca' <christian.bertelsen@cannor.gc.ca>; 'clint_ambrose@gov.nt.ca' <clint_ambrose@gov.nt.ca>; 'Colin_merz@gov.nt.ca' <Colin_merz@gov.nt.ca>; 'craigecologynorth@gmail.com' <craigecologynorth@gmail.com>; 'dave.white@aurorageosciences.com' <dave.white@aurorageosciences.com>; 'david.alexander@cannor.gc.ca' <david.alexander@cannor.gc.ca>; 'doug_carr@gov.nt.ca' <doug_carr@gov.nt.ca>; 'ec.ea.nwt.ec@canada.ca' <ec.ea.nwt.ec@canada.ca>; 'esangris@ykdene.com' <esangris@ykdene.com>; 'exec@slema.ca' <exec@slema.ca>; 'fieldworker.frmc53@northwestel.net' <fieldworker.frmc53@northwestel.net>; 'fisheriesprotection@dfo-mpo.gc.ca' <fisheriesprotection@dfo-mpo.gc.ca>; 'fortsmithmetiscouncil@northwestel.net' <fortsmithmetiscouncil@northwestel.net>; 'frmc@northwestel.net' <frmc@northwestel.net>; 'Gary.Woo@neb-one.gc.ca' <Gary.Woo@neb-one.gc.ca>; 'Glen_Mackay@gov.nt.ca' <Glen_Mackay@gov.nt.ca>; 'gnwt_ea@gov.nt.ca' <gnwt_ea@gov.nt.ca>; 'Heather_Beck@gov.nt.ca' <Heather_Beck@gov.nt.ca>; 'Hilary_machtans@golder.com' <Hilary_machtans@golder.com>; 'hrmc@northwestel.net' <hrmc@northwestel.net>; 'ima_dkfn@northwestel.net' <ima_dkfn@northwestel.net>; 'Iqbal_Arshad@gov.nt.ca' <Iqbal_Arshad@gov.nt.ca>; 'Jayda_Robillard@gov.nt.ca' <Jayda_Robillard@gov.nt.ca>; 'jblack@ykdene.com' <jblack@ykdene.com>; 'Jeremy_Roberts@gov.nt.ca' <Jeremy_Roberts@gov.nt.ca>; 'jhood@fortsmith.ca' <jhood@fortsmith.ca>; 'joe_heron@gov.nt.ca' <joe_heron@gov.nt.ca>; 'johnny_lennie@gov.nt.ca' <johnny_lennie@gov.nt.ca>; 'Jon_Posynick@gov.nt.ca' <Jon_Posynick@gov.nt.ca>; 'Jen Potten' <jpotten@mvwlb.com>; 'land@wpfn.ca' <land@wpfn.ca>; 'lands@denenation.com' <lands@denenation.com>; 'lands@slfn196.com' <lands@slfn196.com>; 'landsnresources@katlodeeche.com' <landsnresources@katlodeeche.com>; 'laurie_mcgregor@gov.nt.ca' <laurie_mcgregor@gov.nt.ca>; 'Lindsay_Armer@gov.nt.ca' <Lindsay_Armer@gov.nt.ca>; 'lkdfnlands@gmail.com' <lkdfnlands@gmail.com>; 'Matthew.Spence@cannor.gc.ca' <Matthew.Spence@cannor.gc.ca>; 'mauge@yellowknife.ca'

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Subject: Gordon Lake Group Remediation Project

File: MV2016X0021 & MV2016L8-0006

Good Morning Mr. Ogilvie,

Please see the attached letters pertaining to the file listed above.

Regards,

Kierney Leach B.Sc., M.Eng

Regulatory Officer

Mackenzie Valley Land and Water Board

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