



Indigenous and
Northern Affairs Canada

Affaires autochtones
et du Nord Canada

3rd Floor Gallery Building
4923-52nd Street, P.O. Box 1500
Yellowknife, NT X1A 2R3

MV2016X0021
MV2016L8-0006

September 28, 2016

Attention: Rebecca Chouinard
A/Executive Director
Mackenzie Valley Land and Water Board
P. O. Box 2130, YELLOWKNIFE NT X1A 2P6

Dear Ms. Chouinard,

Re: Gordon Lake Group Remediation Project (the GLG Project) – September 20, 2016 Letter from Duncan Cooke, Sandy Point Lodge

In response to your letter provided to Indigenous and Northern Affairs Canada (INAC) on September 23rd, 2016 requesting plans that outline how INAC plans to respond to the concerns raised by Mr. Cooke, and if INAC is willing to meet with Mr. Cooke to discuss these concerns further – INAC is providing you with a copy of a letter we provided Mr. Cooke on August 30th, 2016 which outlines recent communications INAC has had with Mr. Cooke to date and INAC's position with respect to the effects of the proposed GLG Project on the Sandy Point Lodge operation.

As summarized in our letter, INAC is of the opinion that the GLG Project may have the potential to result in short-term disturbances to third party users of the Gordon Lake area, however the implementation of the GLG Remediation Project will ultimately be a net benefit to the users of the Gordon Lake area. The Remedial Action Plan was designed to balance environmental considerations, cost, and limit possible negative impacts to the environment, people, and wildlife. The primary objective of the GLG Remediation Project is to reduce risks to human health, safety, and the environment. INAC will ensure robust controls are in place throughout the remediation project to minimize the impact of the operation on the surrounding environment and third party users.

INAC has been in communication with Mr. Cooke and has met with him on two occasions to discuss his concerns and requests. INAC has considered Mr. Cooke's comments and explained our position to him. At this point, INAC does not feel it is necessary to meet with him again concerning this matter.

If you have any questions or concerns regarding this clarification, please contact me at (867) 669-2769 or alison.heslep@aandc-aadnc.gc.ca, or Amy Allan at (867) 669-2467 or amy.allan@canada.ca

Sincerely,

Canada 



Alison Heslep
Project Manager, Contaminants and Remediation Division
Indigenous and Northern Affairs Canada

Encl.

i) Letter to Duncan Cook, August 30, 2016

cc: Carey Ogilvie, Senior Project Manager, INAC-CARD



30 August, 2016

Duncan Cooke
112 Taltheilei Drive
Yellowknife, NT X1A 2P8
DCooke@arcan.nt.ca

(via email)

Dear Mr. Cooke,

Re: Gordon Lake Group Sites Remediation Project Follow up

This letter is a follow-up to our meeting held on August 23rd 2016 and your letter dated August 25th 2016 regarding the Gordon Lake Group (GLG) Sites Remediation Project Tender.

The GLG sites are contaminated sites located on Crown Land and as such, Indigenous and Northern Affairs Contaminants and Remediation Division Canada (INAC-CARD) as owner and custodian of the sites has a primary responsibility to manage the sites such to minimize the risks to human health and the environment. A contaminated site as defined by the Treasury Board of Canada is: "One at which substances occur at concentrations (1) above background (normally occurring) levels and pose or are likely to pose an immediate or long term hazard to human health or the environment, or (2) exceeding levels specified in policies and regulations." Under the National Classification System for Contaminated Sites, the Gordon Lake sites are ranked as priority sites (requiring action) and further captured under Schedule 7 Part D of the Devolution Agreement. Detailed environmental and human health/ecological assessment work was completed over a five year period in order to make this determination that remediation was required.

The Government of Canada has an obligation to ensure that all contractual opportunities are managed through an open, fair and transparent tender process to ensure that Canadians receive the best value possible for their tax dollars. As such, the Gordon Lake Group Remediation contract cannot include a clause to use an affected third party business as this would not ensure a competitive process. For further information on the GLG Remediation Project procurement process and Government of Canada contracting practices, please refer to the attached letter from our contracting authority Public Works and Government Services Canada.

The federal government does not as a matter of course provide compensation to stakeholders to offset claims of financial hardship as a result of Crown actions to address historical contamination of abandoned properties. The reduction and where possible elimination of risks to the environment and human health is the primary goal of the GLG Remediation Project. While INAC-CARD recognizes that there may be short-term disturbances to third party users within the Gordon Lake area, the Remedial Action Plan was designed to balance environmental considerations, cost, and limit possible negative impacts to the environment, wildlife and people. That said, the promotion of social and economic benefits to Aboriginal people, Inuit and Northerners is an overarching objective of INAC's Contaminated Sites Program. Communities and businesses near remediation sites often experience spin-off benefits such as employment and training and sub-contracting opportunities, in addition to a healthier environment. In

Canada 

previous years, INAC staff and consultants have utilized Sandy Point Lodge to support field programs during the environmental assessment phase of the project. There may be additional economic opportunities as a result of the tendering of the GLG Remediation contract. As you know, the upcoming Bidder's Tour is to be staged out of Sandy Point Lodge on August 31st 2016. This is an opportunity to not only receive compensation but it is also an advertising opportunity for which potential bidders will be able to see first-hand what Sandy Point Lodge has to offer in terms of providing camp and support services. The following day, we will also host a Bidder's Conference, for which there will be additional opportunity to meet potential bidders and discuss potential economic opportunities. The Bidder's Conference begins at 9am at the Tree of Peace Friendship Center in Yellowknife.

Should you decide to change your lease and apply through the MVLWB for a water licence, INAC would like to offer our technical assistance with development or review of the permit applications and/or management plans. While we cannot guarantee their completeness or acceptance, INAC has experience in developing these plans and is available to help in preparing them for submission to the board.

INAC-CARD will ensure robust controls are in place throughout the remediation project to minimize the impact of the operation on the surrounding environment and third party users. Specific controls that will form part of the contract obligations with the successful bidder will include:

- Winter road spurs constructed by a qualified winter road contractor, in accordance with GNWT – Department of Transportation's 2015 Winter Road Construction Guidelines.
- Fuel supply and waste backhauls contracted to licensed haulers in accordance with the Transportation of Dangerous Goods and Inter-Provincial Movement of Hazardous Wastes legislation.
- Monitoring of hunting, fishing and trapping activity by the Department of Fisheries and Oceans (DFO) and GNWT Environment and Natural Resources through winter road patrols.
- Completing any work adjacent to waterways in accordance with DFO Operational Statements or Best Management Practices as applicable.
- Stopping operation of construction equipment in waterways during DFO restricted periods.
- Regulating the use of land and water and the deposit of waste through the Mackenzie Valley Land and Water Board. A Type "B" Water Licence and Type "A" Land Use Permit will be obtained for the project, which will include stipulations which the contractor must abide by at all times.
- Requiring the contractor to provide a work schedule that includes the sequence and duration of all related work activities, with consideration of timing windows specified by DFO, for in-water works. Using signs and public communication to ensure only project-related vehicles are allowed entry.

The primary objective of the GLG Remediation Project is to reduce risks to human health, safety, and the environment. The environmental site assessments completed to date indicate that there is no environmental impact on Gordon Lake as a result of the historical contamination. The sites themselves, however, present specific hazards to human health and the environment which we plan to minimize, and/or ultimately eliminate via implementation of the remediation project. In the interests of safety, only authorized personnel should be on federal contaminated sites. Known sites are well marked with signs to warn the public that they are approaching a contaminated site and should avoid them. Once the remediation program is under-way, public announcements will be issued to advise the general public and potential site users. The contractor will be responsible for security and surveillance of the camp and site facilities at all times, including during winter months and when the camps are not occupied.

The GLG sites sit within Akaitcho Asserted Territory and more specifically, on Chief Drygeese lands and as such, the INAC-CARD has been actively engaging the Yellowknives Dene First Nation (YKDFN) – since 2010. The YKDFN were engaged during the project assessment phase (which included a comprehensive Traditional Knowledge Study) and a Risk Workout resulting in the finalization of a Remedial Action Plan in 2015. Recognizing the potential for broader project interest during our implementation phase, INAC-CARD has expanded its stakeholder group in recent years to include third parties residing in the GLG area. Written mine remediation updates and information about upcoming site activities have been provided to the Northwest Territory Métis Nation (NWTMN), the North Slave Métis Alliance (NSMA), the Tłı̨ch̨ Government, as well as the mineral rights holders, recreational lease holders and Sandy Point Lodge. Letters provided to Sandy Point Lodge dated July 5th and August 15th are attached.

INAC-CARD will ensure all stakeholders are engaged before, during and after each construction season and as the project moves into long term monitoring and closure. There will also be an opportunity to meet with and discuss the project with the selected contractor once the contract is awarded. Once the contractor's work schedule and site access plan is submitted by the selected contractor, INAC-CARD will communicate with you in order to minimize, where possible, any short-term disturbance to your commercial fishing operation.

As to the next steps for the GLG Remediation Project, INAC-CARD will continue to inform all stakeholders of the future plans for the site through:

1. Project status update in November, 2016;
2. Public meetings in N'Dilo/Dettah in February 2017 – with the successful contractor; and
3. Winter Road Bulletins in March 2017 (during winter road operations).

If you have any questions regarding this matter, please do not hesitate to contact me at 867-669-2769.

Yours truly,



Alison Heslep
Project Manager - Contaminants and Remediation Division
Indigenous and Northern Affairs Canada

Encl.

- i) Update letter to Duncan Cooke, July 5, 2016
- ii) Update email to Duncan Cooke, August 15, 2016
- iii) Letter from Rob Turek, Manager, August 30th, 2016

cc. Carey Ogilvie, Senior Project Manager, INAC-CARD



Public Works and
Government Services
Canada

Travaux publics et
Services gouvernementaux
Canada

Western Region
Suite 100, 167 Lombard Ave
Winnipeg, Manitoba
R3B 0T6

Région de l'Ouest
167, avenue Lombard, pièce 100
Winnipeg, Manitoba
R3B 0T6

August 30th, 2016

Attn: Mathew McElwaine and Alison Heslep

Subject: Gordon Lakes Remediation Project – Sandy Point Lodge, NT request

I have reviewed the correspondence from the lodge owner and can confirm that in accordance with the Government of Canada contracting practices and the International Trade agreements, to which this procurement is subject (NAFTA and WTO-AGP), PWGSC is obligated to manage the contracting process in a fair, open and transparent manner. The department cannot take any action that would preclude competition for the work, nor can the department dictate to bidders which subcontractors they utilize in execution of the work or suppliers they utilize for the provision of materials or accommodations. To do so would shift liability and risk from the contractors bidding the job to Canada.

NAFTA Article 1008 demonstrates why PWGSC cannot provide advanced information or dictate all bidders utilize the lodge.

Article 1008: Tendering Procedures

1. Each Party shall ensure that the tendering procedures of its entities are:

- (a) applied in a non-discriminatory manner; and
- (b) consistent with this Article and Articles 1009 through 1016.

2. In this regard, each Party shall ensure that its entities:

- (a) do not provide to any supplier information with regard to a specific procurement in a manner that would have the effect of precluding competition; and
- (b) provide all suppliers equal access to information with respect to a procurement during the period prior to the issuance of any notice or tender documentation.

Regards,

Robert Turek

Procurement Manager, Acquisitions and Compensation Branch
Western Region
Public Works and Government Services Canada / Government of Canada
Robert.Turek@pwgsc-tpsgc.gc.ca Tel: (204) 230-8271

Gestionnaire, Secteur des approvisionnements et de la rémunération, l'Équipe des approvisionnements des services de l'environnement
Région de l'ouest

Travaux publics et Services gouvernementaux Canada / Gouvernement du Canada
Robert.Turek@tpsgc-pwgsc.gc.ca Tél. (204) 230-8271



Contaminants and Remediation Division
PO BOX 1500
Yellowknife, NT X1A 2R3

By email

July 20, 2016

Duncan Cooke
Sandy Point Lodge
13 Industrial Drive
Hay River, NT X0E 0R6

Good afternoon,

My name is Amy Allan and I am a Project Officer with INAC's Contaminants and Remediation Directorate (Government of Canada) in Yellowknife, Northwest Territories. I am working on the Gordon Lake Group Remediation project which encompasses Camlaren Mine, Burnt Island, WestBay, Goodrock Mine, Kidney Pond, Treacy Mine, Storm Property, Try Me and Murray Lake. Sandy Point Lodge is in close proximity to these sites and I understand that in the past people working on the sites have stayed at the lodge from time to time. I also believe that your patrons sometimes travel to and explore the mine and exploration sites around Gordon Lake.

I am contacting you to today to provide an update on what we accomplished last year and what we have planned for the near future at these sites. In 2015-16 we completed an archeological assessment, a Traditional Knowledge study and finalized the Remedial Action Plan (RAP) for the site. I'm including a plain language summary of the finalized RAP for your information. This summary provides information on our plans for mine openings, historical tailings and waste rock, contaminated soil and water, and other waste present at the sites.

We will be submitting an application for a permit to the Mackenzie Land and Water Board (MVLWB) to complete the remediation work we have planned for the upcoming three years. Included in that submission will be the full RAP if you are interested in reviewing the plan in its entirety. It will be posted on the MVLWB registry alongside our permit applications.

Because of your location relative to the upcoming work we are hoping you will provide the information we have shared with you with your patrons over the next few summers when work is occurring at the sites.



Indigenous and
Northern Affairs Canada

Affaires autochtones
et du Nord Canada

If you have any questions or concerns about our upcoming work I invite you to please get in touch with Alison Helsep at 867-669-2769 or Alison.Helsep@aandc-aadnc.gc.ca or myself via email or the phone number below and I would be happy to discuss our past and/or future work plans.

Thank you.

Amy Allan

Project Officer, Contaminants and Remediation Directorate (CARD), NWT Region, NAO
Indigenous and Northern Affairs Canada
amy.allan@canada.ca / Tel: 867-669-2467



Gordon RAP Plain
Language Summary

From: [Allan Amy \(AANDC/AADNOC\)](mailto:Allan.Amy@AANDC/AADNOC)
To: [Allan Amy \(AANDC/AADNOC\)](mailto:Allan.Amy@AANDC/AADNOC); [Heslep, Alison \(AANDC/AADNOC\)](mailto:Heslep,Alison@AANDC/AADNOC)
Bcc:

Gordon Lake Group Sites Remediation Project Tender Posted!!
Monday, August 15, 2016 11:27:30 AM

Subject:
Date:

To those who may be interested,

The Gordon Lake Group Sites Remediation Project tender has now been posted for bids. You can access the tender notice here: <https://buyandsell.gc.ca/procurement-data/tender-notice/PW-NCS-013-10831>

The closing date for this tender is September 20th, 2016 at 14:00 CDT.

Please pass along this information to any companies that you believe may have an interest in bidding on this project. Alternatively you can provide us with their contact details and we will be happy to provide them with this information.

There will be an optional site visit and a bidders' conference held on August 31st and September 1st, 2016 respectively. Interested bidders must register with the Contracting Authority to attend. Details can be found online and are also included below.

OPTIONAL SITE VISIT

There will be a site visit on August 31, 2016 at 0530 M.D.T. Interested bidders are to meet at the Summit Air Float Base in Yellowknife.

It is optional the Bidder or a representative of the Bidder visit the Gordon Lakes Group Mine Sites. Arrangements have been made for a site visit to be held on August 31, 2016 leaving from the Summit Air Float Base in Yellowknife at 0530 M.D.T. Bidders must register with the Contracting Authority no later than 2:00 P.M. C.D.T., August 24, 2016, to confirm attendance and provide the name of the person who will attend. Bidders will be required to sign an attendance form. Bidders who do not attend or send a representative will not be given an alternative appointment. Due to limited space, each bidder attending will be limited to one (1) representative for the site visit. **ONCE THE MAXIMUM CAPACITY OF 17 HAS BEEN REACHED ADDITIONAL BIDDER REGISTRATION WILL NOT BE ACCEPTED.**

BIDDERS CONFERENCE

A bidders' conference will be held at the Tree of Peace Friendship Center, 5011 51 St., Yellowknife, NT X1A 1S5 on September 1, 2016. The conference will begin at 9:00am MDT. The scope of the requirement outlined in the bid solicitation will be reviewed during the conference and questions will be answered. It is recommended that bidders who intend to submit a bid attend or send a representative.

Bidders are requested to communicate with the Contracting Authority before the conference to confirm attendance by emailing Amanda.wiebe@pwgsc-tpsgc.gc.ca, or by calling (204)510-9736. If you have any questions or concerns please feel free to contact Alison Heslep (at 867-669-2769 Alison.Heslep@aadnc-aadnc.gc.ca) or myself at the contact information below.

Thank you.

Amy Allan

Project Officer, Contaminants and Remediation Directorate (CARD), NWT Region, NAO
Indigenous and Northern Affairs Canada
amy.allan@canada.ca / Tel: 867-669-2467