

**From:** Glen MacKay  
**To:** [stephan@kleanza.com](mailto:stephan@kleanza.com); [John Bartlett](#); [Julian Morse](#); [Bob Head](#)  
**Cc:** [Rebecca Chouinard](#); [Shelagh Montgomery](#); [Angela Plautz](#); [Permits](#); [Tom Lakusta](#); [Rafe Smith](#); [Norman McCowan](#); [Tom Andrews](#); [Jennifer Lewis](#); [kim@kleanza.com](mailto:kim@kleanza.com); [Kleanza](#)  
**Subject:** RE: Dec 14: RE: oct 28: AIA requirements-MJVW2015W0018 Digaa  
**Date:** Friday, December 16, 2016 3:39:27 PM  
**Attachments:** [image003.png](#)

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Hi Stephan,

Thanks for your comments. As per our review letter for the AOA report, we agree that following the recommendations in the AOA report would be the most effective way to assess potential impacts to archaeological sites, but, unfortunately, at this point it is difficult to reconcile these recommendations with the current land use permit conditions. We will take this case as a 'lessons learned'. As noted in our correspondence below, we are working on Archaeological Overview Assessment Guidelines that will clarify this issue by requiring that all AOA studies use only low and high potential categories. We will share these with you once they are finalized.

Happy Holidays!

Glen

**From:** [stephan@kleanza.com](mailto:stephan@kleanza.com) [mailto:[stephan@kleanza.com](mailto:stephan@kleanza.com)]  
**Sent:** Wednesday, December 14, 2016 5:53 PM  
**To:** John Bartlett; 'Julian Morse'; Bob Head  
**Cc:** 'Rebecca Chouinard'; 'Shelagh Montgomery'; 'Angela Plautz'; 'Permits'; Tom Lakusta; Rafe Smith; Norman McCowan; Glen MacKay; Tom Andrews; Jennifer Lewis; [kim@kleanza.com](mailto:kim@kleanza.com); Kleanza  
**Subject:** RE: Dec 14: RE: oct 28: AIA requirements-MJVW2015W0018 Digaa

Hi everyone,

This is an unfortunate turn of events in our opinion. We stand by our AOA recommendations and anticipate archaeological resources are at risk of being impacted by the project. We respectfully ask that an archaeological study be conducted for Digaa's forestry development prior to harvesting in the absence of legislative requirements.

Implementation of a Chance Find Management Plan (CFMP) or the like during harvesting is an ineffective means of avoiding impacts to archaeological sites. A CFMP is to archaeological resources what PPE is to a safety program - the last line of protection, not the first. Archaeological resources are non-renewable as the relationship between individual artifacts and features, as they exist within on or within the ground prior to disturbance. This context is what allows us to flesh-out and give life to the past, reconstruct past lifeways. Most or all of this essential information is lost by the time an operator has identified an arrowhead in his backdirt pile.

Potential thresholds in predictive models are set by the researcher. If we had been informed by the PWNHC that we were required to submit a binary model (low-high) as opposed to a quaternary (low, low-moderate, moderate, high), all of 11 of our 'moderate' potential blocks

would've been reclassified as high. Furthermore, though the remaining 110 blocks would've been reclassified as having low potential, we would've still recommended a 20% ground-truthed sample of these blocks given the minimal previous research done in the area. This is the intuitive or experience-based aspect to modelling. Stated differently, Digaa will conduct harvesting activities on lands that, in our professional opinion, have high potential for archaeological resources within a binary classification system.

John, you and I have chatted before about the absence of known archaeological sites in and around the Digaa development area, and the jury is still out on whether this absence is reflective of little to no use by past peoples or the lack of archaeological research done to date. Remember an absence of data is neutral, it is neither negative (supporting little to no use) nor positive (supporting use). And if circumstantial evidence from the boreal forests of BC and Alberta are any indication, the sites are there and waiting to be found. And they will be found once proponent-driven research gets going in this part of the NT. Again we express concern.

Thank you for hearing us out,

**Stephan Girard, MA**  
Project Manager



**Kleanza Consulting Ltd.**  
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----- Original Message -----

Subject: Dec 14: RE: oct 28: AIA requirements-MJW2015W0018 Digaa  
From: "John Bartlett" <[jbartl49@telus.net](mailto:jbartl49@telus.net)>  
Date: 12/14/16 12:32 pm  
To: "Julian Morse" <[jmorse@mvlwb.com](mailto:jmorse@mvlwb.com)>, "Bob Head" <[bobhead@northwestel.net](mailto:bobhead@northwestel.net)>  
Cc: "Rebecca Chouinard" <[rchouinard@mvlwb.com](mailto:rchouinard@mvlwb.com)>, "Shelagh Montgomery" <[smontgomery@mvlwb.com](mailto:smontgomery@mvlwb.com)>, "Angela Plautz" <[aplautz@mvlwb.com](mailto:aplautz@mvlwb.com)>, "Permits" <[permits@mvlwb.com](mailto:permits@mvlwb.com)>, [tom\\_lakusta@gov.nt.ca](mailto:tom_lakusta@gov.nt.ca), "Rafe Smith" <[Rafe\\_Smith@gov.nt.ca](mailto:Rafe_Smith@gov.nt.ca)>, "Norman McCowan" <[Norman\\_McCowan@gov.nt.ca](mailto:Norman_McCowan@gov.nt.ca)>, [glen\\_mackay@gov.nt.ca](mailto:glen_mackay@gov.nt.ca), [stephan@kleanza.com](mailto:stephan@kleanza.com)

Thank you Julian for this important clarification (that an Archaeological Impact Assessment, AIA, is not required for Digaa's Land Use Permit).

We thank Glen and Norm as well for their time and efforts. Glen identified there was a terminology issue that made things unclear for Digaa in the AOA report.

John

John C Bartlett, RPF (ret) (BC)  
J C Bartlett & Associates Ltd  
4916 Lambly Ave  
Terrace, BC  
V8G4N5  
(867) 444-0291

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**From:** Julian Morse [mailto:jmorse@mvlwb.com]  
**Sent:** December-14-16 12:15 PM  
**To:** John Bartlett  
**Cc:** Rebecca Chouinard; Shelagh Montgomery; Angela Plautz; Permits  
**Subject:** FW: oct 28: AIA requirements-MJWW2015W0018 Digaa

Hi John,

Please see the below emails regarding the need for an Archaeological Impact Assessment (AIA) in accordance with condition 55 of Land Use Permit MV2015W0018. I have received correspondence from the Inspector and Prince of Wales Northern Heritage Centre, and both have stated that an AIA is not required.

Let me know if you have any questions.

**Julian Morse**

Regulatory Officer  
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**From:** Glen MacKay [mailto:[Glen\\_MacKay@gov.nt.ca](mailto:Glen_MacKay@gov.nt.ca)]  
**Sent:** Wednesday, December 14, 2016 9:50 AM  
**To:** Julian Morse <[jmorse@mvlwb.com](mailto:jmorse@mvlwb.com)>

**Cc:** Shelagh Montgomery <[smontgomery@mvlwb.com](mailto:smontgomery@mvlwb.com)>; Tom Andrews <[Tom\\_Andrews@gov.nt.ca](mailto:Tom_Andrews@gov.nt.ca)>

**Subject:** RE: oct 28: AIA requirements-MJVW2015W0018 Digaa

Hi Julian,

Sorry for the delay on this response. We will accept the recommendation of the Inspector in regard to the AIA requirements for Digaa. Technically, there were no areas of high potential identified in Digaa's proposed cut blocks by the AOA study. The misalignment between the recommendations in our review letter for the AOA report, which basically concurred with the recommendations for AIA-level studies provided in the report itself, and the wording of the AIA-High Potential land use permit condition arose because the AOA study commissioned by Digaa used four potential categories (low, low-moderate, moderate, high) while the standard AIA-High Potential condition requires that development footprints be divided into areas of low or high potential. This resulted in recommendations for AIA requirements that do not quite fit with the wording of the AIA-High Potential standard condition. We are working on Archaeological Overview Assessment Guidelines that will clarify this issue by requiring that all AOA studies use only low and high potential categories. We hope to share these with the Board early in the New Year. Thanks,

Glen

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**From:** Julian Morse [<mailto:jmorse@mvlwb.com>]  
**Sent:** Monday, December 12, 2016 11:16 AM  
**To:** Glen MacKay  
**Cc:** Shelagh Montgomery  
**Subject:** RE: oct 28: AIA requirements-MJVW2015W0018 Digaa

Hi Glen,

Just checking in on this email I sent last month. Did you have a chance to talk to Norm McCowan? Do you have any concerns with his recommendation? Please let me know if this was resolved.

Thanks.

**Julian Morse**

Regulatory Officer

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**From:** Julian Morse  
**Sent:** Wednesday, November 9, 2016 4:37 PM  
**To:** 'Glen\_Mackay@gov.nt.ca' <[Glen\\_Mackay@gov.nt.ca](mailto:Glen_Mackay@gov.nt.ca)>  
**Cc:** Shelagh Montgomery <[smontgomery@mvlwb.com](mailto:smontgomery@mvlwb.com)>  
**Subject:** FW: oct 28: AIA requirements-MJVW2015W0018 Digaa

Hi Glen,

Digaa Enterprises has approached our office with questions regarding your recommendation that they need to perform an Archaeological Impact Assessment in order to maintain compliance with Land Use Permit MV2015W0018. I have obtained the below opinion from the Inspector for this file. Please review the Inspector's opinion, and please follow up with him if you have any concerns.

Let me know if you have any questions. Thank you.

**Julian Morse**

Regulatory Officer

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**From:** Norman McCowan [[mailto:Norman\\_McCowan@gov.nt.ca](mailto:Norman_McCowan@gov.nt.ca)]  
**Sent:** Tuesday, November 8, 2016 11:53 AM  
**To:** Julian Morse <[jmorse@mvlwb.com](mailto:jmorse@mvlwb.com)>  
**Cc:** Shelagh Montgomery <[smontgomery@mvlwb.com](mailto:smontgomery@mvlwb.com)>; Angela Plautz <[aplautz@mvlwb.com](mailto:aplautz@mvlwb.com)>; Rebecca Chouinard <[rchouinard@mvlwb.com](mailto:rchouinard@mvlwb.com)>  
**Subject:** RE: oct 28: AIA requirements-MJVW2015W0018 Digaa

Hi Julian,

In accordance with Permit Condition #55, An Archaeological Impact Assessment (AIS) is required for all areas identified in the Archaeological Overview as having high potential for archaeological or burial sites. The AIS is not required for areas of moderate potential for archaeological or burial sites. The Archaeological Overview did not identify any areas of high potential for archaeological or burial sites therefore it is my opinion that a AIS is not required.

If you require any additional information, I can be reached at (867) 874-6995 ext. 24 or by email.

Norm

Norm McCowan  
Resource Management Officer III  
Department of Lands  
South Slave Region  
Government of the Northwest Territories

41 Capital Drive #203 | Hay River, NT | X0E 1G2

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**From:** Julian Morse [<mailto:jmorse@mvlwb.com>]

**Sent:** Monday, October 31, 2016 4:52 PM

**To:** Norman McCowan

**Cc:** Shelagh Montgomery; Angela Plautz; Rebecca Chouinard

**Subject:** FW: oct 28: AIA requirements-MJVW2015W0018 Digaa

Hi Norm,

Please see the below email and attached materials from John Bartlett of Digaa Enterprises. Based on the results of Digaa's Archaeological Overview Assessment, the Prince of Wales Northern Heritage Centre has recommended an Archaeological Impact Assessment (AIA). Can you please review the attached materials in the context of Land Use Permit MV2015W0018 and advise whether you are of the opinion Digaa is required to perform an AIA to maintain compliance with the Permit?

Thank you, and please feel free to get in touch if you have any questions.

**Julian Morse**

Regulatory Officer

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**From:** John Bartlett [<mailto:jbart149@telus.net>]

**Sent:** Friday, October 28, 2016 3:12 PM

**To:** Julian Morse <[jmorse@mvlwb.com](mailto:jmorse@mvlwb.com)>

**Cc:** Bob Head <[bobhead@northwestel.net](mailto:bobhead@northwestel.net)>; [glen\\_mackay@gov.nt.ca](mailto:glen_mackay@gov.nt.ca); Rafe Smith <[Rafe\\_Smith@gov.nt.ca](mailto:Rafe_Smith@gov.nt.ca)>; [tom\\_lakusta@gov.nt.ca](mailto:tom_lakusta@gov.nt.ca)

**Subject:** oct 28: AIA requirements-MJVW2015W0018 Digaa

Julian, Digaa is quite concerned with the position being taken by Mr. Glen Mackay (PWNHC) regarding the interpretation of the LUP (Term 55) and the need for an Archaeology Impact Assessment (AIA), per attached letter "AOA Kleanza ..." to Kleanza Consulting (April 05, 2016).

As a matter of protocol, Kleanza Consulting was on contract to Digaa to conduct the AOA, in order to be compliant to the LUP #54 Term.

Mr. MacKay's letter was sent to Kleanza Consulting. The letter contained making commitments on Digaa's behalf without any discussions or advisement with Digaa, the LUP Permittee. PWNHC's letter came to Digaa's attention during preliminary budget discussions with Kleanza recently.

I previously prepared a "2015 Dec 02 TK Note to File" for guidance to Kleanza. I reviewed the AOA report, the LUP, the Reasons for Decision, and Mr. Mackay's letter to Kleanza. I prepared some "AIA requirements-LUP..." notes.

Digaa's position is that an AIA is NOT required to meet the Conditions of the LUP MVW2015W0018.

Please advise on the position that Digaa has taken within the context of their LUP.

Digaa is of course open to further discussions with the MVLWB and PWNHC to ensure it supports the intent of the LUP.

Thank you

John

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