



Sahtu Land Use Planning Board

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December 14, 2015

Doug Reeve, Manager Permitting and Regulatory Affairs
Selwyn Chihong Mining LTD
2701-1055 West Georgia Street
Vancouver, BC
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DELIVERED ELECTRONICALLY: dreeve@chihongmining.com

Re: Information Request for Conformity Determination

The Mackenzie Valley Land and Water Board (MVLWB) referred the Selwyn Chihong Mining LTD ("SCML") applications for a Land Use Permit MV2015F0012 and a Water Licence MV2015L8-0005 for the Howard's Pass Access Road Upgrade (the "Project") on December 3, 2015 (the "Applications") for a conformity determination pursuant to Section 47(1)(a) of the Mackenzie Valley Resources Management Act and the Sahtu Land Use Plan ("SLUP").

After an initial review of the Applications, the Sahtu Land Use Planning Board ("SLUPB" or "Board") is requesting additional information to determine which of the 19 SLUP Conformity Requirements (CR) this project will be required to demonstrate conformity. In the Applications, SCML presents the project as a legacy land use. In the Notice of Referral for Conformity Determination issued on December 8, 2015, the Board requested SCML to provide a detailed rationale as to why the Project should be considered a legacy land use. The attached Information Request (IR) was prepared so that SCML can provide further information required for the SLUPB conformity determination process. Please provide your response no later than 5 PM on January 4, 2016.

After reviewing SCML's response and any comments from the public, the SLUPB may request further information from SCML. All responses should be submitted by email to me at exec_director@sahtulanduseplan.org. If you have any questions you may email or call me at 867-598-2055. I will be away from the office December 18 through January 4, but will be answering emails and available by mobile phone at 867-446-6382.

Regards,

Scott Paszkiewicz
Executive Director/Senior Land Use Planner



Information Request for Conformity Determination

Following the referral for Conformity Determination, project applications were downloaded from the MVLWB public registry. After initial view, the SLUPB seeks clarity in its understanding of the status of the Applications as described in the Project Description Report (PDR) and other noted application materials. It is the SLUPB's understanding that:

- There are on-going pre-construction activities for this project focused on collecting information necessary to support detailed design and construction planning (PDR 5.1.3, page 98-102);
- a Sahtu Traditional Knowledge Study was to be conducted in 2015 (PDR Table 4.3-2, page 81);
- there is a Cooperation Agreement with Tulita District Land Corporation (PDR Table 4.3-2, page 81);
- a Heritage Resource Impact Assessment was to be conducted in 2015 (PDR Table 4.3-2, page 81);
- the Wildlife Mitigation and Monitoring Plan (June 22, 2015) was submitted as "Draft for Discussion" (Appendix VIII);
- an invasive plant survey was planned for 2015 (PDR Table 4.3-2, page 82);
- a rare plant survey was planned for 2015 (PDR Table 4.3-2, page 82);
- Baseline surveys (amphibian distribution, beaver habitat, small mammals, wolverine and martin, and alpine ecosystems) were planned or described as ongoing in 2015 (Appendix VIII, Table 6 page 26); and
- the Applications do not specifically address how the Project conforms to CR #14 Protection of Special Values.

The Board is requesting information on the following items to support its decision making process. Where indicated, SCML's responses should demonstrate how it is intended that conformity be achieved for the CR's noted in parenthesis.

1. Please provide shapefiles with their associated metadata for the features listed below, for the portion of the project that lies within the Sahtu Settlement Area from the Nááts'ihch'oh National Park Reserve of Canada boundary to the Northwest Territories-Yukon border.
 - Howard's Pass Access Road (HPAR) Upgrade Alignment;
 - Borrow Sources, with their coordinates in Degrees Minutes Seconds;
 - Bridges, with their coordinates in Degrees Minutes Seconds;
 - Construction Camps, with their coordinates in Degrees Minutes Seconds.



Please provide the shapefiles in the NAD 1983 NWT Lambert coordinate system (Lambert Conformal Conic projection).

2. Please confirm the completion, or provide an update on the status of the following items identified “as planned for 2015” in the PDR.
 - Sahtu Traditional Knowledge Study (CR 2)
 - Heritage Resource Impact Assessment (CR 4)
 - Invasive plant survey (CR 8)
 - Rare plant survey (CR 9)
 - Baseline surveys (CR 7, 9)
3. Provide evidence that demonstrates traditional knowledge was, or will be, incorporated into the Project and that affected Sahtu communities are satisfied with the level of engagement. To support conformity to the CR, the proponent should be able to supply evidence that traditional knowledge was gathered specifically for this project, or demonstrate that the affected traditional land users are satisfied with the efforts to consider and incorporate traditional knowledge into the Project. (CR 2)
4. It is understood that the Cooperation Agreement with the Tulita District Land Corporation is the basis for participation of all beneficiaries in project exploration and development activities, employment training and service contracts, and in review of environmental, social and economic matters related to environmental assessment and permitting. Provide evidence that the Cooperative Agreement has been signed (i.e. photocopy of signature page). (CR 2,3,11)
5. The Wildlife Mitigation and Monitoring Plan (June 22, 2015) was submitted as “Draft for Discussion.” Clarify how this plan, including monitoring approaches described in Table 4 of the document, will be brought to completion and with input from wildlife managers in the Sahtu, including: Renewable Resource Councils, Sahtu Renewable Resources Board, GNWT-Environment and Natural Resources, Canadian Wildlife Service, Parks Canada Agency, and Fisheries and Oceans Canada. (CR 7,11)
6. Provide clarification on how the Project will conform to the wildlife setbacks, minimum altitude and sensitive periods as listed in the SLUP CR 7 Table 4 page 40. (CR 7)
7. As described in the PDR (5.1.3.2), the road may pass over ice-rich, thaw-susceptible permafrost. In these instances, describe the steps for how mitigation measures will be chosen, communicated to appropriate regulatory bodies, approved for construction, and monitored. (CR 10)
8. Provide SCML’s rationale for not providing information to support conformity with CR 14 Protection of Special Values. Alternatively, SCML may provide information to support the Project’s conformity with CR 14. (CR 14)