



SAHTU Land & Water Board
P.O. Box 1
Fort Good Hope, NT
X0E 0H0

May 29, 2009

Jessica Mace
Sahtu Project Manager
Contaminants and Remediation Directorate
Indian and Northern Affairs Canada – NT Region
P.O. Box 1500
Yellowknife, NT
X1A 1N5

Our File: S09D-001
S09L8-001
Your File:


Dear Ms. Mace:

Re: Land Use Permit Application S09D-001
Water Licence Application S09L8-001
DIAND – Contaminants and Remediation Directorate (CARD)
Further Investigations Required

During its meeting on May 28, 2009 the Sahtu Land and Water Board decided to order further investigations in accordance with section 22 (2)(b) of the Mackenzie Valley Land Use Regulations. Reasons for Decision are attached to this letter. The Board is requesting additional information from DIAND-CARD, Sahtu Secretariat Incorporated, Deline Land Corporation, and Deline Renewable Resources Council. We will contact you with details on what additional information is required shortly.

If you have any questions, please do not hesitate to contact me at the numbers listed.

Respectfully Yours,
SAHTU Land & Water Board



George Govier
Executive Director

Encl. (2)

Copy to: Armin Johnson, Land Use Inspector, DIAND Norman Wells
Tom Bradbury, Water Licence Inspector, DIAND Norman Wells
Conrad Baetz, District Manager, DIAND Inuvik
Peter Menacho, President, Deline Land Corporation



SAHTU Land & Water Board
REASONS FOR DECISION
Issued Pursuant to Section 121 of
The Mackenzie Valley Resource Management Act

Land Use Permit Number: S09D-001 (Type "A")

This is the decision of the SAHTU Land & Water Board with respect to an application for a Land Use Permit dated, February 2, 2009 made by:

Indian and Northern Affairs Canada – NT Region
Contaminates and Remediation Directorate
P.O Box 1500
Yellowknife, NT
X1A 2R3

for a mining remediation program at Great Bear Lake Mine Sites Remediation Program on the east side of Great Bear Lake, NT. With respect to this application, written notice was given to 10 organizations within the Sahtu and 13 outside of the settlement area in accordance with Sections 63 & 64 of the *Mackenzie Valley Resource Management Act*. There was no Public Hearing held in association with this application.

DECISION

The Board does not have sufficient information to complete a Preliminary Screening pursuant to the Mackenzie Valley Resource Management Act. Prior to a screening decision the applicant should be given opportunity to address concerns brought forward during the Board's consultation process. The Board, having due regard to the facts and circumstances, the merits of the submissions made to it, and to the purpose, scope and intent of the Mackenzie Valley Resource Management Act and Regulations made thereunder has determined that:

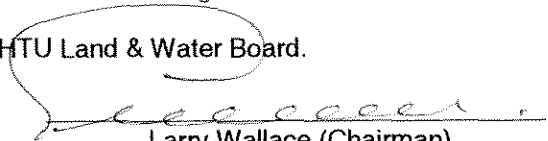
Further studies need to be conducted in accordance with section 22 (2)(b) of the Mackenzie Valley Land Use Regulations to evaluate the application for Land Use Permit S09D-001 and to conclude the Preliminary Screening.

The Board's reasons for this decision are as follows:

1. Information contained in Staff Report S09D-001/S09L8-001 (1) and (2) relative to public concerns and/or environmental impacts.
2. Deline Land Corporation has raised concern about Section 21.3.2 of the Sahtu Dene and Metis Comprehensive Land Claim Agreement.
3. Deline Land Corporation cited possible adverse environmental effects and significant public concern.
4. Deline Land Corporation cited insufficient funding, insufficient capacity and insufficient time to evaluate the applications
5. Deline Renewable Resource Council has agreed to provide comments on the project.
6. Deline Dene Band has concerns about meaningful Crown-First Nations consultations and the lack of time and financial and personnel capacity to review the applications.
7. The Charter Community of Deline has not had the opportunity to discuss the application in Council in order to provide comments on the application.
8. The Sahtu Secretariat Inc. has not provided additional comments as referenced in their letter dated May 15, 2009.
9. Similar projects in the same area have not required an Environmental Assessment and the Board wishes to provide the applicant with the opportunity to address above concerns prior to making a Preliminary Screening decision.

The Board will provide any referenced material or documents and/or reasons for decision for any specific clause or clauses contained within the application if requested to do so in writing.

SIGNED this 14th day of July, 2009 on behalf of the SAHTU Land & Water Board.

A handwritten signature in cursive script, appearing to read "Larry Wallace", is written over a horizontal line. The signature is enclosed within a hand-drawn oval.

Larry Wallace (Chairman)
SAHTU Land & Water Board



SAHTU Land & Water Board
REASONS FOR DECISION
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The Mackenzie Valley Resource Management Act

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DECISION

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Further studies need to be conducted in accordance with section 22 (2)(b) of the Mackenzie Valley Land Use Regulations to evaluate the application for Land Use Permit S09D-001 and to conclude the Preliminary Screening.

The Board's reasons for this decision are as follows:

1. Information contained in Staff Report S09D-001/S09L8-001 (1) relative to public concerns and/or environmental impacts.
2. The Sahtu Secretariat Inc. and the Deline Land Corporation have raised concern about Section 21.3.2 of the Sahtu Dene and Métis Comprehensive Land Claim Agreement.
3. Deline Renewable Resource Council has requested more time to provide comments on the project.
4. The Deline Land Corporation cited possible adverse environmental effects and significant public concern.
5. The Board wishes to provide the applicant with the opportunity to address above concerns prior to making a Preliminary Screening decision.

The Board will provide any referenced material or documents and/or reasons for decision for any specific clause or clauses contained within the application if requested to do so in writing.

SIGNED this 28th day of May, 2009 on behalf of the SAHTU Land & Water Board.


Larry Wallace (Chairman)
SAHTU Land & Water Board