



Chief Roy Fabian
Kát'odeeche First Nation
PO BOX 3060
HAY RIVER, NT, X0E 1G4

SEP 12 2017

VIA EMAIL AND FAX

Dear Chief Fabian,

RE: Aboriginal consultation on the Report of Environmental Assessment for the proposed Prairie Creek All Season Road (EA1415-01)

In its September 12, 2017 Report of Environmental Assessment and Reasons for Decision (REA), the Mackenzie Valley Environmental Impact Review Board (the Review Board) recommended to the Minister of Indigenous and Northern Affairs that Canadian Zinc's (the developer) proposed Prairie Creek All Season Road Project (the Project) be approved, subject to the implementation of the mitigative measures and the developer's commitments as listed in the REA.

The REA is available at this link:

http://www.reviewboard.ca/upload/project_document/Report%20of%20Environmental%20Assessment%20-%20Sept%2012%202017.pdf.

The Review Board's environmental assessment process (EA) provides for the consideration of expressed concerns relating to a project. The Government of the Northwest Territories (GNWT) has Aboriginal consultation responsibilities related to this EA and GNWT's decision authorities under the *Mackenzie Valley Resource Management Act*. GNWT continues to assess the Project, and considers the EA to be the most effective means for all groups to identify and potentially address concerns with the Project. For that reason, the Responsible Ministers (RMs) for the GNWT with jurisdiction related to the Project rely on the EA to assist in fulfilling the duty to consult and, where appropriate, accommodate with respect to potential adverse impacts of the Project on asserted or established Aboriginal and/or Treaty rights.

By way of this letter, the GNWT is consulting the Kát'odeeche First Nation (KFN) to consider any concerns that KFN may have with the REA regarding potential adverse impacts of the Project on KFN's asserted or established Aboriginal and/or Treaty rights.

The Review Board conducted a thorough and inclusive EA process, with opportunities in the EA to:

.../2

- provide input including the opportunity to make information requests;
- provide submissions;
- present and to ask questions at the April 2017 public hearing, and;
- provide closing arguments in May 2017.

GNWT is not seeking to revisit the EA process, rather GNWT is seeking to consider any concerns that KFN may have with the REA regarding potential adverse impacts of the Project on KFN's asserted or established Aboriginal and/or Treaty rights. Specifically, GNWT is seeking from KFN a response to the following:

- Are there any specific activities or components of the Project, which, after considering the recommended measures, developer's commitments, and other content in the REA, you may identify as still having the potential to adversely impact your established or asserted Aboriginal and/or Treaty rights?
- If so, please specify the nature of the outstanding potential adverse impact and what additional steps you would like to see taken to address the potential adverse impact.

The Department of Lands' Project Assessment Branch (PAB), as EA coordinator for the GNWT, will act as the single point of contact for KFN during this consultation process. PAB will share all Project-related correspondence between the KFN and GNWT with the appropriate GNWT departments as well as the Review Board.

Please provide your written comments directly to PAB's Project Assessment Analyst for the Project via email at Paul_Mercredi@gov.nt.ca, by October 12, 2017. If you have questions about the process outlined above, you may contact him at (867) 767-9180, Ext. 24025.

I must note that because the Project is located partially on federal land, the Minister of Indigenous and Northern Affairs will sign the final decision letter responding to the Review Board's recommendation and REA. It also is important to note that to date no ministerial decisions have been made regarding the Review Board's recommendation(s) in the REA. Your input is important for informing overall decisions relating to the Project. Thank you for your timely attention on this matter.

Sincerely,



Kate Hearn
Assistant Deputy Minister
Coordination and Planning
Lands
GNWT

c: Mark Hopkins, Director General, Natural Resources and Environment Branch, Indigenous and Northern Affairs Canada

Dr. Joe Dragon, Deputy Minister, GNWT Department of Environment and Natural Resources

Willard Hagen, Deputy Minister, GNWT Department of Lands

Katherine Cumming, National Manager of Impact Assessment, Natural Resource Conservation Branch, Parks Canada Agency

Nicholas Winfield, Director General, Ecosystem Programs Policy, Fisheries and Oceans Canada

Patrick O'Neil, Director General, Explosive Safety and Security Branch, Natural Resources Canada

Georgina Williston, Head, Environmental Assessment North, Environment and Climate Change Canada

Mark Cliffe-Phillips, Executive Director, Mackenzie Valley Environmental Impact Review Board

Rebecca Chouinard, Executive Director, Mackenzie Valley Land and Water Board

Gary Bohnet, Principal Secretary, Office of the Premier of the Northwest Territories

Mike Aumond, Secretary to Cabinet/Deputy Minister, GNWT Executive and Indigenous Affairs

Peter Groenen, Chief Executive Officer, Kátł'odeeche First Nation