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May 28, 2007

The Honourable Jim Prentice
Minister of Indian Affairs and Northern Development
Terrasses de la Chaudiere, North Tower
Suite 2100
10 Wellington Street
Gatineau, Quebec
K1A 0H4

Mackenzie Valley Environmental Impact Review Board Recommendation on UR-Energy Application and Industry's Comments

Dear Mr. Prentice:

There are a number of points in the letter from NWT Chamber of Mines, Mining Association of Canada and the Prospectors and Developers Association of Canada which need to be addressed.

The letter from the mining industry asserts that MVEIRB "exceeded its lawful jurisdiction" in basing its recommendation on cultural/spiritual grounds. Sections 114 and 115 of the Mackenzie Valley Resource Management Act, MVRMA, outlines the terms of MVEIRB and clearly provides that scope to the Board.

"b) the protection of the social, cultural and economic well-being of residents and communities in the Mackenzie Valley;
and

(c) the importance of conservation to the well-being and way of life of the aboriginal peoples of Canada to whom section 35 of the *Constitution Act, 1982* applies and who use an area of the Mackenzie Valley."

Traditional activities including spiritual considerations, especially when dealing with First Nations, can certainly not be divorced from culture. Further MVEIRB *must* take traditional activities into account given that the Government of Canada, through concluding land claim agreements in Canada's north, has already agreed to the establishment of co-management boards in making resource decisions.

Industry's letter states that "the Board appears to have assessed some larger, undefined project". Section 117, 2(b) of MVRMA provides the Review Board direction to consider "any cumulative impact that is likely to result from the development in combination with other developments;" . That gives MVEIRB the scope to consider "reasonably foreseeable cumulative impacts". The same letter from industry refers to the area in



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question as being “arguably the most highly prospective area in Canada.” When industry refers to the area as one of the most highly prospective areas in Canada, it is reasonable for the Board to believe there is likelihood of “foreseeable cumulative impacts”.

The letter states that disruption to canoe-based eco-tourism operations cannot happen with a winter operation. In fact the possibility of summer operations were included as a part of the proponent’s application.

The letter complains that MVEIRB outlined no mitigation measures. It is the proponent who is responsible to propose mitigative measures, but none were proposed to address the cultural considerations upon which the application was rejected.

Industry’s letter states “an apparent bias that always favours traditional aboriginal activities, tourism and outdoor recreation over economic development”. In fact MVEIRB has considered *hundreds* of projects and this is only the *second one* which has been recommended for rejection.

Industry contends that this ruling will “only worsen this already critical situation and hasten the flight of mineral exploration dollars from the NWT.” We remind you that the GDP of the NWT is growing at a rate well above the national average and that the northern workforce in the region has long ago reached capacity, necessitating a large influx of outside workers to keep pace. Supporting MVEIRB’s recommendation will not destroy the economy of the NWT.

Finally, having personally attended the MVEIRB environmental hearing, and having sat through two full days of testimony from all age groups in the community, neighbouring Akaitcho communities, Akaitcho Dene First Nation Tribal Government, communities from Saskatchewan, the Beverly Qamanirjuaq Caribou Management Board, tourism operators and the Government of the NWT all expressing concern - the voice and wishes of northern people could not have been expressed more clearly. MVEIRB’s report was a fair representation of what was said, and the recommendations are entirely consistent with the wishes of the people who live there. Frankly, it is difficult to imagine the Board recommending anything else!

It is clearly time to provide the Akaitcho communities, the mining industry, northern governments and the review boards with greater certainty on land use issues, by approving the Akaitcho withdrawal and engaging in land use planning. Further delay is only causing festering conflicts and confusion which serve nobody’s best interests.



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We look forward to your support for the MVEIRB recommendation and a speedy approval of the Akaitcho withdrawal.

Yours truly,

Ray Griffith, Central Barrens Assistant

cc. Monte Hummel, President Emeritus WWF-Canada
Chief Adeline Jonasson, Lutsel K'e Dene First Nation
Gabrielle Mackenzie Scott, Chair, MVEIRB
Premier Joe Handley, Government of NWT