

NORTH SLAVE MÉTIS ALLIANCE

PO Box 2301 Yellowknife, NT X1A 2P7



July 29, 2022

Joelle Crook
Science Analyst, Northern Affairs Organization
Crown-Indigenous Relations and Northern Affairs Canada
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Dear Joelle Crook,

Re: Regional Strategic Environmental workshop – call for written submissions

Crown-Indigenous Relations and Northern Affairs Canada (“CIRNAC”) and Mackenzie Valley Environmental Impact Review Board (“MVEIRB”) lead a workshop in June 2022 to the subject of the potential Regional Strategic Environmental Assessment (“RSEA”) in the Slave Geological Province (“SGP”). This process, which originally stemmed from a June 7, 2021 request from the Tłı̨ch̨ Government to the Minister of Northern Affairs was to conduct a regional study on the SGP, under Part 5.2 of the Mackenzie Valley Resource Management Act. On August 10, 2021 the Minister of Northern Affairs responded and directed officials to seek the views of other parties who would potentially be impacted, which included a workshop which NSMA attended. In follow-up to this workshop, CIRNAC has asked parties to submit written comments on the workshop and the RSEA process.

The North Slave Métis Alliance (“NSMA”) is in full support for the undertaking of an RSEA in the SGP. We appreciate the opportunity to provide input and views on an RSEA, as this is a step in recognizing Aboriginal rights by allowing the NSMA to participate in decision making regarding the use of land and resources in the traditional homeland of the NSMA.

What we know about the RSEA process to date

NSMA anticipates a growing number of development projects in the SGP in the near future. This includes the proposed Slave Geological Province Corridor and mining associated to NWT’s Critical Mineral’s Strategy. Without an RSEA, we risk not having sufficient information to understand the impacts of development on the environment and wildlife. Consequently, without an RSEA we will be less able to make informed decisions regarding NSMA traditional territory and our constitutionally protected s.35 Aboriginal rights. An RSEA will provide environmental information that is greatly needed for land use planning that recognizes and respects the priorities of all impacted communities.

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What an RSEA means to NSMA

NSMA is concerned about the impacts of development in the SGP to cultural practices and community well-being through continued degradation of the environment and especially the caribou herds. NSMA supports environmentally responsible infrastructure development for the betterment of northerners, but not when insufficient information is available on the impacts of those projects. NSMA is particularly concerned about the cumulative impacts of current and future development projects scattered across the SGP. We also want to know how these projects, whether they go ahead or not, will impact our Aboriginal rights.

NSMA is in the early stages of its land use planning activities. With an unfinished land claims process, an RSEA provides the opportunity for us to see land, waters, and resource management be done according to members' priorities and visions for the North Slave Region.

What we expect from an RSEA

An RSEA in the Slave Geological Province will be extremely helpful to assessing impacts of any development project in that area, including the proposed Slave Geological Province Corridor. We anticipate the RSEA process to take 2-3 years and have a geographical scope which includes the North Slave region, notably in the area spanning the length of the Slave Geological Province Corridor and adjacent regions of interest for future development. We believe this will give sufficient time for respectful engagement with impacted parties to understand priorities and concerns, as well as provide parties with useful resources summarizing the potential factors in this RSEA. NSMA will expect and requires both financial support and information resources (e.g., Plain Language Summaries for community members) in order to participate in the RSEA engagement process. Engagement should be conducted over multiple sessions with our members, technical staff, and Board, in order to capture a wide range of viewpoints and ensure members are properly informed of the complex RSEA process.

Furthermore, we expect at least equal recognition and participation in governance and decision making for the RSEA as compared to any other affected Aboriginal governments. As s.35 Aboriginal-rights bearing Indigenous Métis people, NSMA members have the right to continue practicing their collectively held, unextinguished Aboriginal rights to harvest caribou other wildlife and plants, travel over lands and waters, conduct cultural practices, and conduct other activities incidental to these rights on lands within the SGP. NSMA's claim to Aboriginal rights within the SGP has been recognized as a "good *prima facie* claim" by both the Supreme Court of the Northwest Territories and the Federal

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Court.¹ As such, NSMA must be an equal participant in all decision-making regarding the RSEA. We look forward to the participation from other impacted groups in the RSEA as well to ensure broad-scope engagement.

As the goals of an RSEA will include information gathering, analysis, and planning, we request full recognition of the necessary time for engagement, informing impacted communities, and seeing how priorities line up for land use planning before any major development occurs.

We thank CIRNAC and MVEIRB for their work thus far on this file in ensuring communities are well informed of the RSEA process. We look forward to the upcoming opportunities for relationship building, co-management, and informed land use planning.

Sincerely,

A handwritten signature in blue ink, which appears to be 'M. Whitford'. Below the signature, the word 'FOR' is written in blue ink.

Marc Whitford
Vice President

¹ *Enge v Mandeville*, 2013 NWTSC 33; *Enge v Canada (Indigenous and Northern Affairs)*, 2017 FC 932.