

Ministre des Affaires indiennes et
du Nord canadien et interlocuteur fédéral
auprès des Métis et des Indiens non inscrits

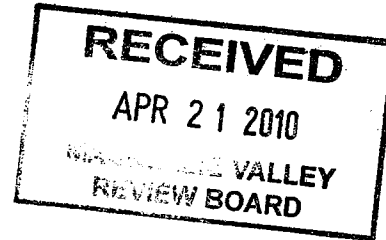


Minister of Indian Affairs and
Northern Development and Federal Interlocutor
for Métis and Non-Status Indians

Ottawa, Canada K1A 0H4

AVR 13 2010
APR 13 2010

Mr. Richard Edjericon
Chair
Mackenzie Valley Environmental Impact
Review Board
PO Box 938
YELLOWKNIFE NT X1A 2N7



Dear Mr. Edjericon:

As the federal Minister, and on behalf of the other Responsible Ministers with jurisdiction related to this development (Fisheries and Oceans Canada, Environment Canada, and the Government of the Northwest Territories), I am writing to convey our decision on the recommendation that was made by the Mackenzie Valley Environmental Impact Review Board pursuant to sub-paragraph 128(1)(b)(ii) of the *Mackenzie Valley Resource Management Act*. As presented in the *Report of Environmental Assessment and Reasons for Decision for Consolidated Goldwin Ventures Incorporated Mineral Exploration Program EA0506-005* submitted on November 30, 2007, the Review Board recommended, "the proposal be allowed to proceed subject to implementation of the measures specified to prevent predicted significant impacts to the environment."

The Responsible Ministers have carefully reviewed the Report and the six measures and have determined that the Report should be returned to the Review Board for further consideration pursuant to sub-paragraph 130(1)(b)(i) of the *Mackenzie Valley Resource Management Act*.

The Responsible Ministers support Measure 1 in principle, but request that the Review Board reconsider the use of non-standard terms such as "scout out" and "non-intrusive" and instead use terms which will be less open to misinterpretation and conform to standard terminology in heritage resource and environmental assessment. The Government of the Northwest Territories – Prince of Wales Northern Heritage Centre has published *Guidelines for Developers for the Protection of Archaeological Resources in the Northwest Territories* which use standard cultural resource management terminology. The Responsible Ministers request that the Review Board clarify its intentions and terminology with respect to Measure 1 in the context of these guidelines.

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The Responsible Ministers regard Measure 2 as acceptable.

The Responsible Ministers recognize the need for planning in the Drybones Bay area and appreciate the intent behind Measures 3 and 4. However, the proposed "Plan of Action" and long-term monitoring program are considered excessive for a proposed small-scale exploration project. The Responsible Ministers intend to proceed with a planning exercise for the Drybones Bay area which will consider the processes used to develop other plans in the Northwest Territories, such as the Great Bear Lake Management Plan and the Inuvialuit Community Conservation Plans. This planning initiative will be conducted in a collaborative fashion with key parties, outside the specific context of the environmental assessment for the Consolidated Goldwin Ventures Inc. project. It is more appropriate for this work to be carried out under Indian and Northern Affairs Canada's co-ordination given the Department's involvement in land and self-government negotiations. Furthermore, Canada has the recognized authority over this area until a land claim is settled and the acceptance of Measure 3 would indicate otherwise. While the Responsible Ministers appreciate the Review Board's desire for certainty of a short time line, we cannot at this time commit to the time lines proposed by the Review Board. Such a collaborative stakeholder-driven planning process needs sufficient flexibility in order to be most effective. Finally, the Responsible Ministers consider the statement included in Measure 3, directing the Minister of Indian Affairs and Northern Development to provide a policy directive to the Mackenzie Valley Land and Water Board, to be inappropriate as a mitigation measure. We request that the Review Board reconsider these measures accordingly.

With respect to Measure 5, the Responsible Ministers do not consider the proposed development to be of a scale that warrants a "thorough heritage resources assessment of the Shoreline Zone." The Responsible Ministers agree that project-specific measures directed to the developer with respect to heritage resources, are warranted in this case and ask the Review Board to reconsider Measure 5 in this context.

Finally, the Responsible Ministers recognize that Measure 6 is designed to limit public access to the Drybones Bay area resulting from project access and that it is also intended to limit the extent of the development footprint. However, camps are not permitted on ice and are kept a minimum of 30 metres from the water's edge due to safety and waste disposal issues. Further, the measure as written appears to put limits on the regulatory review process that is the responsibility of the Mackenzie Valley Land and Water Board. It is requested that this measure be reconsidered.

The Responsible Ministers look forward to your response. If the Review Board would like any additional information, please contact Ms. Teresa Joudrie, Director, Renewable Resources and Environment at 867-669-2647 or at Teresa.Joudrie@ainc-inac.gc.ca.

Sincerely,

A handwritten signature in black ink, appearing to read "Chuck Strahl". The signature is written in a cursive style with a large initial "C" and "S".

Chuck Strahl

c.c.: The Honourable Jim Prentice, QC, PC, MP
The Honourable Gail Shea, PC, MP
The Honourable J. Michael Miltenberger, MLA