



June 24th, 2013

The Honourable Bernard Valcourt
Minister, Aboriginal Affairs and Northern Development Canada
EXECUTIVE OFFICES
10 Wellington Street
Gatineau, Quebec K1A 0H4

Dear Minister Valcourt,

Re: Proposed modification to measure #8 in NICO Report of Environmental Assessment and Reasons for Decision

Thank you for your letter of June 7th on behalf of Responsible Ministers requesting to consult on a proposed modification to measure #8 in the NICO Report of Environmental Assessment EA0809-004.

Review Board staff met with representatives of the Responsible Ministers and the Tlicho Government to find mutually agreeable wording to the modified measure that preserves the intent of the original measure. The result of this collaboration is the measure set out in the attached.

The language in the modified measure #8 set out in the attached respects the intent of the Review Board's original measure and represents consensus between Responsible Ministers, the Tlicho Government and the Review Board.

The Review Board concludes that the modified measure #8 for the NICO Report of Environmental Assessment set out in the attached addresses adverse cumulative impacts to barren-ground caribou from the NICO Project so that those impacts are no longer significant.

Sincerely,



Richard Edjericon

Chairperson

cc. Mr. Willard Hagen, Chair, Mackenzie Valley Land and Water Board

Attachment



*Attachment – Letter Chairperson, MVEIRB to Minister AANDC dated June 24, 2013
re: NICO Report of EA EA0809-004*

Modification to measure #8 in the NICO Report of Environmental Assessment

To mitigate and manage significant adverse cumulative impacts to barren ground caribou, the Government of the Northwest Territories and Tłı̨cho Government will, in coordination with a working group including the Wek'eezhii Renewable Resource Board, Yellowknives Dene First Nation, the North Slave Métis Alliance, Fortune Minerals Limited, other traditional harvesters, and other parties as appropriate, use a response framework for the Bathurst barren ground caribou herd to address NICO-Project-specific contributions to cumulative effects. The Government of the Northwest Territories has taken a lead facilitating role in collaboratively developing timelines and workplans for this task and the Tłı̨cho Government will have a leadership role in the implementation of the response framework where and when applicable to the NICO Project.

The mitigation of NICO-Project-level contributions to cumulative effects on the Bathurst barren ground caribou herd will be addressed through:

- The development of a Wildlife and Wildlife Habitat Protection Plan (WWHPP), which, among other mitigation measures, identifies and applies best practices at the local-scale of the NICO Project to minimize footprint, sensory disturbance to caribou, project-related wildlife mortality, and increased harvester access;
- The design of a Wildlife Effects Monitoring Program (WEMP) to test NICO Project impact predictions related to the herd. The information from the monitoring program may support and contribute to broader cumulative effects assessment and management for the herd; and
- The use of WWHPP and WEMP monitoring results to support adaptive management at the local-scale of the NICO Project.

To address cumulative effects monitoring, assessment, and management at a scale appropriate to the herd and as it pertains to the NICO Project, the cumulative effects response framework will:

- Be informed and guided by the working group;
- Demonstrate how the results from the NICO Project WEMP may inform cumulative effects assessment and management programs at the scale of the Bathurst caribou range;
- Demonstrate how the NICO Project WEMP may inform the Bathurst caribou management planning process; and
- Demonstrate how updated and ongoing cumulative effects management may refine or adapt the WWHPP and WEMP for the NICO Project.