



# ARKTIS SOLUTIONS INCORPORATED

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July 23<sup>rd</sup>, 2009

*Delivery: Email*

Mr. Richard Edjericon  
Chairperson  
Mackenzie Valley Environmental Impact Review Board  
200 Scotia Centre  
PO Box 938, 5102-50th Avenue  
Yellowknife, NT X1A 2N7

Mr. Edjericon,

**THE INCLUSION OF AN ALL-SEASON OR SEASONAL OVERLAND ROAD IN  
THE ENVIRONMENTAL ASSESSMENT OF THE FORTUNE MINERALS  
LIMITED'S NICO PROJECT [EA0809-004]**

On June 1<sup>st</sup>, 2009, Arktis Solutions Incorporated's (ASI) filed an *Intervention*, on behalf of the Tłıchǫ Government, to the Mackenzie Valley Environmental Impact Review Board (MVEIRB). This *Intervention* was pursuant to the scope of environmental assessment for the Fortune Minerals Limited (FML) NICO Project development. In light of additional correspondence filed on the MVEIRB public registry, ASI kindly requests an opportunity to provide further clarity to **Bullet 1(e)(i)** of the already submitted ASI *Intervention*.

As previously reported in ASI's *Intervention*, there are no formal plans in place with the Government of the Northwest Territories (GNWT), or any other Party, to develop and construct a transportation access route over Tłıchǫ Lands to the NICO site. It is understood that currently, the GNWT is only *studying* the realignment of the existing public Tłıchǫ winter road to an overland alignment. It is also understood that no commitments and agreements to develop and construct on Tłıchǫ Lands have been made. As there is a requirement to access Tłıchǫ Lands and connect the NICO mine site to Highway #3, it is inherent that the Tłıchǫ Government would play a significant role in the determination and approval of any all-season and/or overland seasonal road development. At this time the only approved transportation access route towards the NICO mine site is the winter road defined in **Chapter 19** of the *Tłıchǫ Agreement*. In a letter to FML, dated June 30<sup>th</sup>, 2009, MVEIRB outlines its requirement for "*details regarding the specific route that will be followed by trucks transporting concentrate from the site of the NICO Project to the existing highway*" and acknowledges the involvement of Third Parties in the determination of these details. Any FML response to MVEIRB regarding a *specific route* at this present time would be speculative, and could possibly be subject to drastic change, as agreements and commitments do not formally exist between the GNWT and/or FML with the Tłıchǫ Government. MVEIRB and other Parties should also be aware that the Tłıchǫ Government is currently completing a Land Use Plan to develop, manage and conserve Tłıchǫ Lands. Consideration must be given to this process to ensure that cultural, social, economic and



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environmental goals and values of the Tłı̄chǫ are considered when making decisions involving Tłı̄chǫ Land use.

In light of the aforementioned, and further to the “*principle project/accessory test*” used to scope environmental assessments, it is difficult to comment on the topics of independence, linkage and proximity as the specifics of a transportation access route traversing Tłı̄chǫ Lands have not yet been adequately determined nor accepted by the Tłı̄chǫ Government. MVEIRB, and other Parties, should be aware that a transportation access route provided to MVEIRB by FML at this present time is spatially speculative and may be subject to significant change. The acceptance of a FML defined transportation access route, without agreements and commitments in place may cause future discrepancies due to current uncertainties.

On behalf of the Tłı̄chǫ Government I would like to thank MVEIRB for the opportunity to intervene on the NICO Project environmental assessment. If you have any questions whatsoever please do not hesitate to contact me at 867.446.0036 and/or [murdock@arktissolutions.com](mailto:murdock@arktissolutions.com).

Regards,

Joe Murdock  
Chief Executive Officer

cc. Dr. John B. Zoe (Tłı̄chǫ Government)  
Mr. Robin Goad (FML)  
Hon. Michael McLeod (GNWT)  
Ms. Trish Merrithew-Mercredi (DIAND)