

July 31, 2012

Our file: EA0809-004

Laura Duncan  
Tlicho Executive Officer  
Tlicho Government  
Box 412  
Behchoko NT X0E 0Y0

Re: **EA 0809-004, NICO Project**  
**Notice of Mackenzie Valley Resource Management Act requirements**

Dear Laura Duncan:

The scope of development for the environmental assessment of the proposed NICO project includes components of the development located on Crown lands (mine site), and components of the development located on Tlicho Government lands (NICO Project Access Road).

According to section 131.1 of the *Mackenzie Valley Resource Management Act* (MVRMA), if a development is to be carried out wholly or partly on Tlicho Settlement lands, the Tlicho Government has decision making responsibilities after considering the Review Board's Report of Environmental Assessment where a recommendation is made under Section 128(1)(b)(ii). The Review Board will provide the Tlicho Government with a copy of its Report of Environmental Assessment including its Section 128 recommendation with reasons.

In addition, Section 127.1 of the MVRMA requires that the Review Board consult with the Tlicho Government prior to completing the environmental assessment if the development is to be carried out on Tlicho lands.

In the Review Board's view, the process steps including scoping sessions, information requests, technical meetings and hearings in Tlicho communities over the course of this environmental assessment, have provided the Tlicho Government with the opportunity for meaningful participation in the environmental assessment. The Review Board relies on the



fairness of the environmental assessment process to address the matter of Section 127.1 of the MVRMA.

Please contact me if you have any questions or would like to discuss.

Sincerely,

(original signed by)

Chuck Hubert

Senior EA Officer

Mackenzie Valley Review Board

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c. Rick Schryer, Fortune Minerals Limited