



Canadian Northern Economic  
Development Agency

Agence canadienne de développement  
économique du Nord

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Yellowknife, NT – X1A 1T5

**VIA Fax# 1-867-669-7442**

May 31, 2013

Bill Enge, President  
North Slave Métis Alliance  
P.O. Box 2301  
32 Melville Drive  
Yellowknife, NT X1A 2P7

Dear Mr. Enge,

**Re: Federal Minister and Responsible Ministers' Response to North Slave Métis Alliance comments on the NICO Project (EA0809-004)**

I am writing, on behalf of the Federal Minister (FM) and Responsible Ministers (RM), in response to your two letters dated April 23, 2013, and May 21, 2013, to the Northern Projects Management Office regarding your concerns with the Fortune Minerals Limited ("Fortune") NICO Project (the "Project") (EA0809-004) and the proposed modification to Measure #8.

With respect to the April 23<sup>rd</sup> letter, the FM and RMs relied on the evidence in the public record to determine if your concerns were addressed during the environmental assessment process for the Project. The FM and RMs are aware of the full participation of the North Slave Métis Alliance (NSMA) throughout the environmental assessment process held by the Mackenzie Valley Environmental Impact Review Board (the "Review Board").

Furthermore, we believe the Review Board acknowledged and incorporated NSMA comments and concerns in the Report of Environmental Assessment and Reasons for Decision (the "Report") for the Project and has included the NSMA as a member of the working groups for Measures #8 and #10 related to barren-ground caribou, wildlife effects monitoring and adaptive management. It is our understanding that the Report further addresses the following areas of NSMA concern:

- Water quality (Measures #2 through #7);
- Air quality (Measure #3);
- Caribou (Measures #9 and #11);
- Post-closure and reclamation activities (Measure #7);

- Adaptive management (Measure #9); and
- Mitigation of adverse social and economic impacts (Measure #12 and #13).

The NSMA also had several opportunities to engage Fortune directly to obtain information and express its concerns regarding the Project. It is our view that Fortune has addressed NSMA concerns in Appendix B of the corrected Report released on April 5, 2013. Fortune has committed to work with the NSMA in several instances, for example:

- In the development of the Wildlife Effects Monitoring Program (p. 157);
- In any possible future archaeological investigations required for the project (p. 157);
- In other working groups in which the NSMA may be interested to participate (p. 174).

As indicated in your May 21, 2013 letter, NSMA concerns with the proposed modification to Measure #8 relate to potential harvesting restrictions and the role of the NSMA within the response frameworks. The FM and RMs agree with the Review Board that the Project contributions to cumulative effects on the Bathurst barren ground caribou herd and range should be mitigated and managed. Changes or implementation of any possible harvesting restrictions are decisions that will be made by the appropriate wildlife management authorities. However, as currently proposed in the response frameworks, the NSMA, as a traditional harvester of the herd, will have a participatory role in developing recommendations to management authorities through the proposed Cumulative Effects Assessment and Management Working Group for the herd.

The NSMA also identified concern with respect to the cost for participating in the proposed response frameworks. Given that there are multiple contributors to cumulative effects, cumulative effects assessment and management needs to be addressed collaboratively and as a shared multi-party responsibility among those contributors. This includes the sharing of costs among those contributors, which would include traditional harvesters. However, limited funds from the Government of the Northwest Territories are available to assist with travel, and requests for travel assistance will be considered by the Government of the Northwest Territories on a case-by-case basis.

The FM and RMs have reviewed the Report and associated consultation records, and have determined that the Review Board did consider all evidence and information on the public record, including the various NSMA written and oral submissions, according to Section 128 of the *Mackenzie Valley Resource Management Act*. Furthermore, the FM and RMs have fully considered NSMA comments in their letters of April 23 and May 21, 2013, and have determined that when taken together, Fortune commitments and the Review Board's measures should substantially address NSMA concerns at this time.

The FM and RMs have now concluded their engagement and consultation process with Aboriginal groups. However, if the RMs accept the Review Board's recommendation that the project advance to the regulatory phase, there will be further opportunities available to the NSMA to engage and comment during the regulatory permitting stage of the Project.

Sincerely,



Matthew Spence  
Director General  
Northern Projects Management Office

cc: Grand Chief Eddie Erasmus, Tłı̨cho Government  
Chief Edward Sangris, Yellowknives Dene First Nation  
Chief Roy Erasmus Sr., Yellowknives Dene First Nation  
Kathryn Bruce, Regional Director General, Aboriginal Affairs & Northern  
Development Canada  
Paula Isaak, Director General, Aboriginal Affairs & Northern Development Canada  
Caroline Caza, Acting Director General, Environmental Sustainability  
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Dale Nicholson, Regional Director, Central and Arctic Region,  
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Patrick O'Neill, Director General, Minerals, Metals and Materials  
Policy Branch, Natural Resources Canada  
Catherine Higgins, Director General, Stewardship and Sustainable  
Transportation Programs, Transport Canada  
Ray Case, Assistant Deputy Minister, Department of Environment  
and Natural Resources, Government of the Northwest Territories.  
Robin E. Goad, President & CEO, Fortune Minerals Limited  
Mark Cliffe-Phillips, Executive Director, Wek'èezhii Land and Water  
Board  
Vern Christensen, Executive Director, Mackenzie Valley  
Environmental Impact Review Board