

October 14, 2009

Chuck Hubert
Environmental Assessment Officer
Mackenzie Valley Environmental Impact Review Board
Box 938
Yellowknife, NT X1A 2N7

Dear Mr. Hubert:

Fortune Minerals NICO Project #EA 0809-004 – Draft Terms of Reference

Thank you for providing us the opportunity to comment on the Draft Terms of Reference for the aforementioned Environmental Assessment. The WRRB provides the following for your consideration:

Section 3.2.6 Public Engagement

The last bullet under this section acknowledges the value of Traditional Knowledge (TK) in assessing impacts including cumulative effects of the proposed development on the social and biophysical environment. WRRB suggests that TK can also provide information on baseline conditions in the project area over a timeframe that is not available from scientific studies. We suggest this section be revised to require the consideration of TK in establishing baseline conditions as well as predicting impacts.

Section 3.3.2 Key Lines of Inquire: Water Quality

The first bullet under this section requires that impacts of the proposed project on water quality be described in terms of impacts on aquatic resources and habitat and the safety of water for drinking in Behchokò and people on the land. WRRB suggests this be expanded to include water quality impacts on wildlife in general (including migratory birds).

Section 3.3.6 Wildlife

The first bullet under this section requires the description of potential effects of the NICO project on wildlife and its habitat considering behavioural disturbance and barriers to movements. WRRB recommends this be expanded to include an analysis of the energetic cost of such disturbance and barriers to movement.

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Appendix D: Closure and Reclamation

Point number 5 requires the description of plans for establishing a self-sustaining vegetation community at the mine site after closure. This section should also require a discussion of how revegetation objectives will maintain a "neutral" landscape such that grazing animals are not attracted to the site where they may be exposed to risks.

Appendix F: Wildlife

Point number 1, (d) through (f) should include the consideration of the energetic costs of sensory disturbance, disruption of movement and migration patterns and increased contamination of food and water on wildlife at the individual and population level. Point 5, (e) should be expanded to require monitoring to be consistent with other current programs undertaken by responsible agencies.

Appendix I: Vegetation

Point number 1 should be reworded to require a description of how soil materials will be removed and conserved as a valued and scarce resource rather than disposed of.

Appendix K: Cumulative Effects

While this section requires Fortune Minerals Ltd. to identify and predict the effects of the project in combination with other past, present and reasonably foreseeable human activities or developments, this section should also require the consideration of reasonably foreseeable environmental and social change in combination with all project-related effects on wildlife and wildlife habitat.

If you have any questions with respect to the above, please do not hesitate to call our office at 873-5740.

Sincerely,

A handwritten signature in black ink, appearing to read "Grant Pryznyk". The signature is fluid and cursive, with the first name "Grant" and last name "Pryznyk" clearly distinguishable.

Grant Pryznyk
Interim Chair