



Aug. 27-31, 2012

MACKENZIE VALLEY ENVIRONMENTAL ASSESSMENT BOARD
- Fortune Minerals Ltd., NICO Project

INTRODUCTION



- Introduction

- YKDFN have focused on trans-boundary or multi-generational effects

- Mandate

- YKDFN have not extinguished their Treaty Rights anywhere across their traditional territory

- Lands and Environment are seeking to ensure that any potential development does not further compromise the Rights that the Crown promised to protect.

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AIR QUALITY



- Companies commitment to Air Quality is effectively empty
- This current scheme means:
 - No one will know if the incinerator is operating correctly
 - Impossible to determine any potential effects of the mine
- Recommendations are based on experience drawn from other mining examples from the Chief Drygeese Territory.

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CLOSURE



- Extremely long closure timeline – Six generations
- Closure Objectives lack clarity and precision
- Never been an example of a successful security bond

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WILDLIFE



- Company has inadequately assessed cumulative effects
- No discussion of oversight
- Conceptual Wildlife Effects Monitoring Program lacks a mechanism to enact or enforce it.
- No provision for TK collection/research in the WEMP

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WILDLIFE



- Traditional Knowledge gathering and inclusion – Quality of input data is uncertain, meaning impact predictions may be flawed
- Impacts on Woodland Caribou Impacts have not been adequately addressed
- Bathurst Caribou Herd – range limitation

RECOMMENDATIONS FOR MEASURES:



- 1) Require the proponent to collaboratively develop an agreed upon Air Quality Management Plan prior to any determination by the MVLWB. This plan should specifically address regular monitoring and local area baseline. Absence of this measure may allow significant impacts to occur.
 - This will provide an appropriate mechanism for the parties to address the regulatory gap.
- 2) The company should work with Parties to redesign its closure plan such:
 - a) that it will be completed within 25 years of the end of operations
 - b) the closure objectives and options will be collaboratively agreed to prior to the issuance of any MVLWB permits.
 - c) the Board must acknowledge that the potential and risk of default would amount to a significant impact and provide direction for the MVLWB to seek the full security amount for closure as well as a significant contingency for unforeseen events and monitoring that may occur into perpetuity.

RECOMMENDATIONS FOR MEASURES:



- 3) WEMP - Require the proponent to collaboratively develop an agreed upon Wildlife Effects Management Plan prior to any determination by the MVLWB.
 - Part of this plan must include an approach that ensures commitments are enforceable through an accessible mechanism, as there is no regulatory or legislative tool for Parties to rely on (other than the EA decision).
 - This plan must include appropriate opportunity and resources to develop and implement Traditional Knowledge monitoring.
 - The absence of, or failure to fully implement this plan will be considered a significant impact.
- 4) Cumulative Effects - Effective immediately, this project must produce an updated cumulative effects analysis that considers the current landscape, which parties are able to participate with. This analysis will inform the decisions and impacts associated with development and relate that to the ongoing sacrifices made by harvesters.

RECOMMENDATIONS FOR MEASURES:



- 5) Traditional Knowledge – YKDFN are concerned with the adequacy of TK collection, the inclusion within the DAR and the impacts that utilized TK as part of their process. As part of the submission of the Tlicho TK study, YKDFN would like the proponent to submit a list of impact prediction in which TK formed a part. This will allow parties to better understand potential differences and issues for further consideration within the tight timelines following the hearing.