



Wildlife, Lands and Environment Department

Lutsel K'è Dene First Nation
P.O. Box 28
Lutsel K'è, N.T.
X0E 1A0

Telephone: (867) 370-3197
Fax: (867) 370-3143

January 17, 2013

To: Paul Mercredi
Environmental Assessment Officer
Mackenzie Valley Environment Impact Review Board
T: 867-766-7063
F: 867-766-7074
pmercredi@reviewboard.ca

Re: EIR1011-001 Avalon Public Hearing Locations

Dear Mr. Mercredi,

Please accept this letter as Lutsel K'è Dene First Nation's expression of concern of the Review Board's decision to only host one session of community hearings in Fort Resolution as one of the last steps in the review process for Avalon's Thor Lake Rare Earth Element Project. We respectfully request a second day of community hearings in Lutsel K'è to allow for members to properly participate and express their perspectives on the project that lies within the traditional territory, and directly on a heavily traveled route by the Lutsel K'è Dene.

Though we agree and support the decision to hold a community hearing in Fort Resolution, we also believe there should be ample opportunity for community members of Lutsel K'è to speak to their concerns for the project. The most recent projects that have gone through the public and technical hearings have held hearings in three different locations to allow for members to participate in a meaningful way (Fortune ó Whati, Yellowknife, Behchoko, De Beers ó Dettah, Lutsel K'è, Yellowknife) and we feel that this project should adhere to those precedents. The community members of Lutsel K'è will be both directly and indirectly impacted by this development and should be able to have our voices heard without the Band having to spend thousands of dollars to send our members to Yellowknife.

Just last month the community hosted a hearing for De Beers Gahcho Kue proposed development, so there is no question we have the capacity to host another hearing in the community. The facilities will be made available and the rest of the arrangements will be dealt with by myself personally if necessary.

A concern that has been brought forth to the Wildlife, Lands and Environment Department (WLED) is that the Thor Lake area has traditionally been used in recent

times by the Fatt family. There are cabins, shacks, and traplines in the area that have been accessed throughout the lives of current community members, one specific trapline which traverses Thor Lake in particular. The recent presence of community members in that area should require direct consultation with at least this family, and as the community as a whole is unsettled about the potential impacts of this project, we believe that the MVEIRB should be striving to satisfy the Crown's duty to consult with our First Nation.

Please consider this request prior to the pre-hearing conference scheduled for January 25th, and know that any date during the week prior, or following the technical hearings in Yellowknife will be made available by the Lutsel K'è Dene First Nation to host a community hearing in town.

Thank you for your consideration.

Sincerely,



Mike Tollis
Wildlife, Lands and Environment Manager
Lutsel K'è Dene First Nation
Lutsel K'è, NT
X0E1A0
T: 867-370-3197
F: 867-370-3143
lkdfnlands@gmail.com

CC: Randy Freeman ó YKDFN
Rosy Bjornson ó DKFN
Stephanie Poole ó IMA Office
David Swisher - Avalon