



5019 – 52nd Street
Yellowknife, NT X1A 1T5

October 22, 2013

VIA EMAIL

Garry Bailey, President
NWT Métis Nation
PO Box 720
Fort Smith, NT X0E 0P0

RE: ***Report of Environmental Impact Review and Reasons for Decision:
De Beers Canada Inc. - Gahcho Kué Diamond Mine Project (EIR 0607-001)***

Dear Mr. Bailey:

As you are aware, on October 22, 2013, the Minister of Aboriginal Affairs and Northern Development, on his own behalf as federal Minister and on behalf of the other responsible ministers (the “Ministers”) with jurisdiction in relation to the project (the Ministers of Natural Resources, Fisheries and Oceans, and Transport as well as the Government of the Northwest Territories), conveyed the Ministers’ decision to adopt the Gahcho Kué Review Panel’s (the “Panel”) recommendation that the project be approved subject to the implementation of the measures, follow-up programs and developer commitments contained in the Report.

On behalf of the Ministers, I am responding to issues raised in your letter of August 28, 2013, and to outline some of the considerations taken by the Ministers in making their decision on the project. The Ministers gave full and fair consideration to the views expressed by the Aboriginal parties during the Environmental Impact Review as well as the developer’s letter of September 23, 2013, which is posted on the Mackenzie Valley Environmental Impact Review Board’s public registry.

With regard to your concern that the time provided for response was unreasonable, it is important to note that the Report was a culmination of many months of public engagement on the project and its potential impacts. As noted in my July 30th letter to you, the Ministers rely on the Panel’s environmental impact review process to gather

information on any potentially adverse impacts of the project on asserted or established Aboriginal or treaty rights. Throughout the process, the Northwest Territory Métis Nation (NWTMN) was provided with various opportunities to meaningfully participate and present their views on potential impacts and proposed mitigations, including at public hearings and other meetings.

Participant funding was made available to all of the Aboriginal groups that were party to the environmental impact review, including the NWTMN, for participation in the Panel's review. The NWTMN has also received funding assistance for resource management activities through the Interim Resource Management Program (IRMA) administered by Aboriginal Affairs and Northern Development Canada. The Ministers note that the NWTMN reported and/or proposed activities under the IRMA program that included dialogue on the Gahcho Kué project, among other resource management activities.

In this context, the Ministers are satisfied that the NWTMN had sufficient opportunities for consideration and comment on the Report.

Furthermore, with regard to implementation of the measures and follow-up programs, the NWTMN will have additional opportunities to provide input into the implementation of the measures and follow up program during the regulatory phase of the project through participation in the permitting and licensing processes. The developer has also committed to include Aboriginal communities in implementation activities and has reiterated this commitment in its letter of September 23, 2013.

With regard to your concerns on the impact of the project on the environment, including caribou and fish, these were considered by the Panel, and the Ministers are satisfied with the Panel's conclusion that implementation of the measures, follow-up programs and developer commitments included in the Report will ensure that those are no longer significant.

Lastly, while government is not privy to the negotiation of private contractual agreements between the developer and Aboriginal groups such as impact benefit agreements, it is nevertheless expected that Aboriginal groups will be utilizing these negotiations as a mechanism to meet their specific needs.

The Ministers want to assure you that the NWTMN's views are important and that they look forward to your continued participation in the regulatory phase of the project where there will be additional opportunities for input, and that Crown consultation is an ongoing process which will continue through to the regulatory phase. Thank you for taking the time to provide your views.

Sincerely,



Matthew Spence
Director General
Northern Projects Management Office

c.c.:

**Ray Case, Assistant Deputy Minister, Corporate & Strategic Planning,
Department of Environment and Natural Resources, Government of the
Northwest Territories**

**Stuart Niven, Senior Fisheries Protection Biologist, Central and Arctic Region,
Fisheries and Oceans Canada**

**David McNaab, Acting Director General, Minerals, Metals and Materials Policy
Branch, Natural Resources Canada**

**Michele Taylor, Regional Director General, Prairie and Northern Region,
Transport Canada**

**Alec Simpson, Acting Director General, Stewardship and Sustainable
Transportation Programs, Transport Canada**

**Paula Isaak, Director General, Natural Resources and Environment Branch,
Aboriginal Affairs and Northern Development Canada**

**Kathryn Bruce, Regional Director General, Northwest Territories Region,
Northern Affairs, Aboriginal Affairs and Northern Development Canada**

**Vern Christensen, Executive Director, Mackenzie Valley Environmental Impact
Review Board**

Willard Hagen, Chair and CEO, Mackenzie Valley Land and Water Board

Cathie Bolstad, Director, External and Corporate Affairs, DeBeers Canada