



NORTHWEST TERRITORY MÉTIS NATION

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August 28, 2013

Northern Projects Management Office  
Canadian Northern Economic Development Agency  
5019 – 52<sup>nd</sup> Street  
Yellowknife, NT X1A 1T5

Attention: David Alexander, Project Manager

Dear Mr. Alexander:

**Re: Comments Respecting Report of Environmental Impact Assessment  
Review on the Gahcho Kue Diamond Mine Project (EIR0607-001)**

This letter is in reply to your letter dated, July 30, seeking comment by August 20 from the Northwest Territory Métis Nation (NWTMN) in respect to the Report of Environmental Impact Assessment Review on the Gahcho Kue Diamond Mine Project.

At the outset, the time period you have set out is unreasonable as it does not provide proper time for the NWTMN to consider the Report (207 pages) and to provide comment, which is exasperated by summer scheduling. In addition, for the Crown to meaningfully consult the NWTMN requires meetings and capacity funding. Thus, the NWTMN is only providing initial comments at this time until Canada commits to a proper consultation process.

The following are the initial comments of the NWTMN in respect to the Report:

1. The NWTMN has major concerns on the potential adverse the Project will have on the traditional way of life of the NWTMN, including the harvest of caribou and fish;
2. The NWTMN agree with the following findings set out in the Report:  
“The Review Board has found that the Gahcho Kue Diamond Project proposed by De Beers Canada Inc. is likely to cause significant adverse impacts to the environment, in particular to barren ground caribou.”
3. While the Report sets out, at Appendix A, a “Summary of measures, suggestions and follow-up programs”, the Government of Canada has the fiduciary duty to ensure the concerns of the NWTMN are meaningfully addressed by imposing conditions in any government authorizations and ensuring any potential adverse affects on the aboriginal rights are mitigated through an accommodation

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agreement with both governments (including revenue sharing) impact benefit agreement (including revenue sharing) and a socio-economic agreement. To date, De Beers, GNWT or Canada have not provided any proposals to accommodate the aboriginal rights of the NWTMN. Even though the NWTMN are in negotiations with De Beers, no impact benefit agreement has been entered into. While the NWTMN is a participant in the process to establish a Ni Hadi Yati environmental monitoring working group, no agreement has been reached. The Socio-Economic Agreement entered into between the GNWT and De Beers was prepared without consultation with the NWTMN and has not accommodated the interests of the NWTMN;

4. The NWTMN is requesting that Canada provide details on how Canada intends on implementing the "measures and follow-up programs" set out in the Report before the Responsible Ministers make any decisions. The NWTMN is requesting Canada disclose any proposed measures and follow-up programs through a consultation process with the NWTMN before Canada makes any decisions in respect to the Project.

Accordingly, the NWTMN is requesting that Canada agree to a meaningful consultation process in respect to the Project before the NWTMN can provide substantive comment on the Report. The first step of the consultation process is timely disclosure of information Canada respecting Canada's assessment of the Report. Secondly, the NWTMN is requesting a consultation meeting with the responsible Ministries.

We look forward to your reply to the consultation requests of the NWTMN.

Sincerely,



Garry Bailey, President

- c.c. Honourable Robert R. McLeod, Premier Government of the Northwest Territories  
Vern Christensen, Executive Director, Mackenzie Valley Environmental Impact Review Board  
Kara King, President, Fort Resolution Métis Council  
Ken Hudson, President, Fort Smith Métis Council  
Wally Schumann, President, Hay River Métis Government Council