



OCT 20 2016

Mr. William (Bill) Enge
President
North Slave Métis Alliance
PO BOX 2301
YELLOWKNIFE, NT X1A 2P7

NSMA Members' Strength Of Claim Preliminary Assessment

Dear Mr. Enge:

Thank you for your August 10th and October 06th, 2016 letters requesting to meet with the Government of the Northwest Territories (GNWT) Department of Aboriginal Affairs and Intergovernmental Relations (DAAIR) to discuss the GNWT's preliminary assessment of the North Slave Métis Alliance (NSMA) members' asserted Aboriginal rights claim in the Northwest Territories (the "preliminary assessment").

The GNWT conducted the preliminary assessment following direction from the courts in the *Enge v. Mandeville et al* decision (2013 NWTSC 33). The GNWT is in the process of finalizing the preliminary assessment. The results of the preliminary assessment will help inform the GNWT's pre-consultation assessment as outlined in Step 1 of the GNWT's Approach to Consultation with Aboriginal Governments and Organizations, when considering a proposed government action that has the potential to adversely impact the asserted Aboriginal rights of NSMA members.

The GNWT would like to meet with NSMA representatives to discuss the results of the preliminary assessment after they have been disclosed to the NSMA in writing. DAAIR anticipates the disclosure to occur in the next couple of months.

With respect to the Tẖchq̱ All-Season Road (TASR, the Project), the GNWT encourages NSMA's continued participation in the TASR environmental assessment (EA), and notes that NSMA has raised concerns with respect to caribou and Métis heritage resources. The GNWT has stressed that it will rely on the environmental assessment process being undertaken by the Mackenzie Valley Environmental Impact Review Board (MVEIRB) to learn more from each Aboriginal government and organization (AGO) about the nature of their proposed concerns on Aboriginal and Treaty rights relating to the TASR.

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The expectation from the GNWT is that AGOs, including the NSMA, will utilize this opportunity to raise concerns and be willing to discuss ways in which those concerns can be mitigated, in order to ensure that those concerns are heard, considered, and accommodated as appropriate. This is in keeping with the theme that courts have stressed on numerous occasions regarding the reciprocal obligation on AGOs to clearly describe the impacts on Aboriginal and/or Treaty rights in consultation processes that are made available to them. The EA being undertaken by MVEIRB is a process that courts have already affirmed provides an excellent opportunity for an AGO to: express its interests and concerns regarding impacts on section 35 rights; ensure that the concerns are seriously considered; and, when possible, have those concerns integrated into the proposed Project in the form of Project accommodations.

If you have any questions or require any additional clarification regarding this letter, I can be reached at the contact information below.

Sincerely,



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c. Mr. Gary Bohnet
Principal Secretary

Ms. Shaleen Woodward, Acting Deputy Minister
Aboriginal Affairs and Intergovernmental Relations

Mr. Michael Conway, Regional Superintendent
Department of Transportation, North Slave Region

Mr. Russell Neudorf, Deputy Minister
Department of Transportation

Mr. Ryan Fequet, Executive Director
Wek'èezhì Land and Water Board

Mr. Bret Wheler, Senior EA Policy Advisor
Mackenzie Valley Review Board

Mr. Terry Hall, Director
Land Use and Sustainability, Department of Lands