

FEB 05 2021

Chief Louis Balsillie and Band Council
Denínu Kúé First Nation
PO BOX 279
FORT RESOLUTION NT X0E 0M0

Chief Darryl Marlowe and Band Council
Łutselk'e Dene First Nation
PO BOX 28
ŁUTSELK'E NT X0E 1A0

Chief Edward Sangris and Band Council
Yellowknives Dene First Nation (Dettah)
PO BOX 2514
YELLOWKNIFE NT X1A 2P8

Chief Ernest Betsina and Band Council
Yellowknives Dene First Nation (Ndııłǫ)
PO BOX 2514
YELLOWKNIFE NT X1A 2P8

Dear Chief Balsillie, Chief Sangris, Chief Marlowe, Chief Betsina and Band Councils:

Notice of 1) environmental assessment for Pine Point Mining Limited's proposal to develop a zinc/lead mine and 2) the initiation of the Government of the Northwest Territories' and Canada's Aboriginal consultation on the project EA2021-01.

Purpose of this letter

The purpose of this letter is to:

1. Notify you of, and encourage you to participate in, the upcoming environmental assessment process and any related engagement efforts of the developer, and
2. Initiate the formal Aboriginal consultation by the Government of the Northwest Territories (GNWT) and the Government of Canada (Canada) with the Akaitcho First Nations on the environmental assessment for Pine Point Mine (the Project).

Background on the Project

On February 4, 2021, the Mackenzie Valley Environmental Impact Review Board (the Review Board) decided on its own motion to conduct an environmental assessment on a proposal by Osisko/Pine Point Mining Limited (PPML). PPML plans to develop a zinc/lead mine near the old Pine Point Mine site (approximately 75 kilometers east of Hay River and approximately 50 kilometers southwest of Fort Resolution). PPML's proposal is the latest development in Pine Point's long history of projects dating back to the 1960s. For more information regarding the Project, we encourage you to review the public registry for the current environmental assessment at:

<https://reviewboard.ca/registry/ea2021-01>

Why should you participate?

Your participation in the environmental assessment is the primary way for the GNWT and Canada to understand how the Project could have potential adverse impacts on your asserted Aboriginal and Treaty rights.

Your participation:

1. Promotes a comprehensive environmental assessment of the Project.
2. Allows identification of potential adverse impacts from the Project on your asserted Aboriginal and Treaty rights.
3. Helps the Review Board, the GNWT, Canada and the developer understand those potential adverse impacts, so they can find mitigations to address them.

The main opportunities for you to participate in this environmental assessment are by providing evidence on the public registry, attending in-person or virtual sessions (including sessions held by the developer), commenting on information provided by others, communicating directly with the Review Board, and communicating with the GNWT and Canada during in-person or virtual sessions and via consultation letters. However, direct engagement with the developer remains one of the best and most efficient ways to address potential adverse impacts from the Project.

How can you participate?

If you have any concerns about the potential adverse impact of this Project on your asserted Aboriginal and Treaty rights, we ask that you participate in the environmental assessment by:

1. Providing evidence to the Review Board, including Indigenous traditional knowledge, that describe any potential adverse impacts from the Project that you believe are important for the Review Board, the GNWT, Canada and the developer to hear.
2. Indicating whether you believe those impacts will affect your asserted Aboriginal and Treaty rights by clearly specifying:
 - (i) the right(s) that may be impacted,
 - (ii) the adverse impact(s) of the Project on those right(s), and
 - (iii) any mitigation(s) you might suggest that could address those adverse impact(s).

Funding may be available to support your participation

Participant funding may be available to approved applicants through the Northern Participant Funding Program, administered by Crown-Indigenous Relations and Northern Affairs Canada. Details on how to apply for this program will be available on the Review Board's public registry shortly, and further information on the program can be found on the program's website at <http://www.rcaanc-cirnac.gc.ca/eng/1545150205116/1547478360408>, or by contacting program staff at aadnc.aidefinanciereparticipants-participantfunding.aandc@canada.ca

What is the GNWT and Canada's approach to consultation with Indigenous peoples?

The GNWT and Canada recognize the challenges presented by the COVID-19 pandemic and appreciate that approaches to consultation need to be sensitive to the current situation.

The GNWT and Canada must fulfill the duty to consult regarding any potential adverse impacts of the Project on asserted or established Aboriginal and/or Treaty rights. The GNWT and Canada rely on the Review Board's process as the

primary means to fulfill their duty to consult with Indigenous peoples and, if appropriate, accommodate potential adverse impacts to asserted or established Aboriginal and/or Treaty rights resulting from any decisions by the territorial government or federal government in relation to this proposed Project. The GNWT and Canada participate and use the Review Board's environmental assessment process, which integrates the Review Board's interim engagement and consultation policy (<https://reviewboard.ca/reference-library-page/policies-and-standards>). The GNWT and Canada also look to related engagement efforts of the developer to hear how the Project could have potential adverse impacts on your asserted Aboriginal and Treaty rights.

Throughout the environmental assessment process, the GNWT and Canada actively monitor and track all Indigenous governments and organizations' statements of adverse impacts on asserted or established Aboriginal and/or Treaty rights any potential. The GNWT and Canada share information received with each other. Any issues or feedback noted during the Review Board's environmental assessment process or received by the GNWT or Canada during the decision phase of the environmental assessment process will be given full and thorough consideration prior to any decision being made by the GNWT or Canada.

Next steps

As a final step to meet our duty to consult before any final decision is made under section 130 of the *Mackenzie Valley Resource Management Act* for EA2021-01, we will send you another consultation letter during the decision phase, after the Review Board issues its Report of Environmental Assessment, and will ask you to respond in writing. The purpose of that letter and your written response will be to determine whether there remains any potential adverse impact(s) from the Project on your asserted Aboriginal and Treaty rights and, if so, whether there has been meaningful accommodation through the Review Board's recommended measures and the developer's commitments. If you respond and indicate that one or more potential adverse impacts on your asserted Aboriginal and Treaty rights have not been meaningfully accommodated through the Review Board's recommended measures and the developer's commitments, the GNWT and Canada will assess whether the accommodation provided is meaningful.

Who should you contact to communicate with the GNWT and Canada?

If you have any questions regarding the role of the GNWT in the environmental assessment process, or would like to know how to participate, please contact Melissa Pink, Manager, Project Assessment Branch, at Melissa_Pink@gov.nt.ca or 867-767-9180 ext. 24021, or Marie-Christine Belair, Project Assessment Analyst at Marie-Christine_Belair@gov.nt.ca or 867-767-9180 ext. 24025.

The Northern Projects Management Office of the Canadian Northern Economic Development Agency will act as the federal Crown consultation coordinator in relation to the Project for the duration of the environmental assessment process. If you have any questions for Canada, please contact Katie Bakker, A/Project Manager at Kaitlyn.bakker2@canada.ca or 867-765-8057.

Sincerely,



Lorraine Seale
Director
Securities and Project Assessment



Adrian Paradis
A/Director General
Northern Projects Management Office

c. Honourable Caroline Cochrane
Premier

Ms. Shaleen Woodward
Principal Secretary

Mr. Martin Goldney
Secretary to Cabinet/Deputy Minister
Executive and Indigenous Affairs

Ms. Shawn McCann
A/Deputy Secretary, Indigenous and Intergovernmental Affairs
Executive and Indigenous Affairs

Ms. Ethel Liske
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Akaitcho Dene First Nations

Ms. Annie Boucher
Executive Director
Akaitcho Territory Government

Ms. Sylvia Haener
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Lands

Ms. JoAnne Deneron
Chairperson
Mackenzie Valley Environmental Impact Review Board

Mr. Jeff Hussey
President and COO
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Mr. Mark Hopkins
Director General
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Tom Hoggarth
Director General
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Mary Taylor
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