



November 8, 2017

Mark Cliffe-Phillips  
Executive Director  
Mackenzie Valley Environmental Impact Review Board  
200 Scotia Centre – 5102 – 50<sup>th</sup> Ave  
YELLOWKNIFE, NT X1A 2N7

Dear Mr. Cliffe-Phillips:

**RE: EA1415-01 Prairie Creek All-Season Road Consultations with Nahanni Butte Dene Band**

The Canadian Northern Economic Development Agency's Northern Projects Management Office (NPMO) had discussions with the Nahanni Butte Dene Band (NBDB) in October 2017 for the above noted environmental assessment. The discussions were on behalf of federal and territorial responsible ministers (RMs) with the intent to seek clarity on NBDB's positions regarding the topics raised in their October 2, 2017 letter to the Prime Minister (Public Registry #570) and October 5, 2017 letter to NPMO (Public Registry #571).

Topics that were covered included NBDB's request to expand the Indian Affairs Branch lands, co-operative agreements with the Parks Canada Agency for developments within the Nahanni National Park Reserve, a co-management agreement with federal and territorial partners for the Prairie Creek All-Season Road (Project), and NBDB's views on outstanding impacts to NBDB's asserted or established Aboriginal and/or Treaty rights from the Project. The attached email record summarizes the discussions.

It should be noted that the summary reflects positions expressed by NBDB only, and are neither commitments nor do they represent the views or positions of any federal or territorial government department or agency. The comments and concerns expressed by NBDB will be considered in making a determination on the Report of Environmental Assessment for the project.

Sincerely,

A handwritten signature in blue ink, appearing to read 'A. Paradis', with a long horizontal flourish extending to the right.

Adrian Paradis  
Senior Project Manager  
Northern Projects Management Office  
Canadian Northern Economic Development Agency

Annex: (1) – October 30, 2017 Email from NBDB to NPMO

## **October 30, 2017 Email from NBDB to NPMO**

*Sent on October 30, 2017 at 10:01 AM MT by Mark Pocklington ([manager.nbdb@gmail.com](mailto:manager.nbdb@gmail.com)) to Umar Hasany ([umar.hasany2@canada.ca](mailto:umar.hasany2@canada.ca)) and copied to Adrian Paradis ([adrian.paradis@cannor.qc.ca](mailto:adrian.paradis@cannor.qc.ca)), Paul Mercredi ([paul\\_mercredi@gov.nt.ca](mailto:paul_mercredi@gov.nt.ca)) and Chief Peter Marcellais ([chief.nbdb@gmail.com](mailto:chief.nbdb@gmail.com))*

Hi Umar,

Here's our version of the conversation and for sake of good order, added a few key points and a timeline of events....

- NBDB's position is that a proposed Traditional Land Use Agreement with CZN would establish the conditions for co-management of the road from Highway 7 to the NNPR, and that Parks Canada should respond regarding our concerns with cooperative management of NNPR.
- During Ministerial Special Representative Anne-Marie Doyle's visit to our community on November 23, 2016, NBDB expressed interest in withdrawing the road corridor from the Dehcho process as Dehcho First Nations should not have any jurisdiction over IAB lands set aside for the community of Nahanni Butte. Anne-Marie Doyle said it was simply a matter of including this request in a resolution at the next DFN leadership meeting. Grand Chief Herb Norwegian agreed and the resolution was considered but never executed.
- \* On May 6, 2017, NBDB formally withdrew from the Dehcho First Nation and Dehcho Process by signing a Band Council Resolution ratified by resident Elders.
- \* Regarding extension of IAB lands, this request was first made to the Territorial Ministers Wally Schumann and Louis Sebert, as well as MLA Shane Thompson, during their visit to the community on July 12th, 2017. NBDB is still awaiting responses from the respective territorial and federal representatives regarding these expressions for IAB extension.
- \* On July 20, 2017, NBDB Chief Peter Marcellais and Councillors Jayne Konisenta and Brian Ekotla had a private meeting in Hay River, NT with Catherine Koostachin, Senior Policy Advisor for Indigenous Relations and Regulatory Affairs, Office of the Minister of Environment and Climate Change Canada, where they advocated the expansion of the Band's IAB lands from highway 7 to the Canadian Zinc's Prairie Creek mine. Furthermore, they confirmed that a Band Council Resolution was signed and ratified by the Elders to withdraw participation in Parks Canada's Consensus Team and requested Parks Canada negotiate a co-management agreement with the Band covering the NNPR. NBDB is still awaiting a response from the Minister's office.
- \* NBDB's position is that the extension of the IAB land along the entirety of the road corridor, or at least from Highway 7 to the boundary of NNPR, would allow NBDB to co-manage the road with federal/territorial partners. Specific examples of co-management that are of interest to NBDB include security gate access control, and environment and wildlife monitoring. Besides extension of the IAB lands, NBDB does not currently foresee an alternative mechanism that will allow them to co-manage the road corridor with federal/territorial partners.

\* NBDB's position is that while the road may have an impact on the environment and their Section 35 Aboriginal/treaty rights, those impacts can be mitigated through co-management of the road by NBDB with federal and territorial land administrators.

\* Chief Marcellais specifically requested during a youth camp at Second Gap, with a no-hunting buffer zone around the camp.

\* Canadian Zinc Corporation has acknowledged that the proposed all-season road will have additional impacts to NBDB and will negotiate an addendum to the existing IBA.

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If this is acceptable, please resend a final version email to us. Also, will the final email correspondence be posted on the Review Board's Public Registry?

Please advise.

Thanks,

Mark