



February 22, 2023

Karen Costello  
Executive Director  
Nunavut Impact Review Board  
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Dear Karen Costello:

Further to Minister Vandal's August 1, 2022 letter in respect of Agnico Eagle Mines Limited's Meliadine Extension Project Proposal (the Project), currently under reconsideration by the Nunavut Impact Review Board (the Board), we would like to provide additional guidance to the Board.

In the November 2022 technical meetings, representatives of Crown-Indigenous Relations and Northern Affairs commented on the importance of giving full consideration to Ghotelnehe K'otlineh Dene's rights and interests in the Nunavut Settlement Area, including Section 35 rights.

We now note that the Athabasca Denesuline have recently expressed an interest in participating in this assessment for the Meliadine Extension Project Proposal, and have indicated their desire for community information session(s). We would like to affirm that Canada acknowledges the asserted and established Section 35 rights of the Athabasca Denesuline in Nunavut and we highlight the Board's responsibility to consider the potential impacts of projects on these rights and interests. Canada is currently negotiating a land claims agreement with the Athabasca Denesuline to address their harvesting, land and other related rights in the southwestern portion of Nunavut and southeastern portion of the Northwest Territories. Once in effect, the Athabasca Denesuline Agreement would be a land claims agreement, within the meaning of Section 35 of the *Constitution Act, 1982*. It is thus reasonable, in Canada's view, for the Board to provide opportunities for Athabasca Denesuline's involvement in the Board's process.

Thank you for your attention on this matter.

Sincerely,

Joanna Ankersmit  
Director General  
Natural Resources and Environment  
Crown-Indigenous Relations and Northern  
Affairs Canada

Lisa Dyer  
Director General  
Northern Projects Management Office  
Canadian Northern Economic Development  
Agency