

NORTH SLAVE MÉTIS ALLIANCE

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October 4, 2016

Carey Ogilvie

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Via Email

Dear Ms. Ogilvie:

**Re: MV2016X0013/MV2016L8-0004 Bullmoose-Ruth Remediation
MV2016X0021/MV2016L8-0006 Gordon Lake Group Remediation**

Thank you for your email dated September 29, 2016, which attached two letters from Indigenous and Northern Affairs Canada (INAC) to the Mackenzie Valley Land and Water Board (MVLWB) dated September 28, 2016, respecting the above-noted Remediation Projects.

The two letters provide INAC-CARD's (Contaminant and Remediation Directorate) strength of claim assessment of North Slave Metis Alliance (NSMA) and NSMA members' Aboriginal rights as Métis. NSMA does not agree with this assessment.

We are hopeful that we can resolve this issue amicably. To that end, we would like to accept your offer to meet and have a respectful dialogue with INAC regarding its assessment.

INAC's Erroneous Assessment

INAC's letters dated September 28, 2016, both provide:

Canada has on many occasions directly explained its strength of claim assessment to the NSMA. That assessment found there is not sufficient evidence the NSMA, as a separate or distinct entity from the Northwest Territory Métis Nation, represents the rights of Great Slave Lake area Métis.

With respect, this assessment confuses us as it flies in the face of the letter, dated August 16, 2013, from Bernard Valcourt, Canada's Minister of Aboriginal Affairs and Northern Development Canada (as INAC was then known), to NSMA, which provided:

In particular, Canada acknowledges that the North Slave Métis Alliance has a good *prima facie* claim to the Aboriginal right to hunt caribou on their traditional lands...

Further, this assessment runs contrary to the mountain of evidence that NSMA has provided INAC and the federal and territorial courts, which reveals that there is one ethnic community of Métis of the Great Slave Lake area of the Northwest Territories (NWT), that's represented primarily by two organizations: NSMA and the Northwest Territory Métis Nation.

It appears INAC is privileging one Métis organization of the Great Slave Lake area of the NWT over another for the purposes of consultation. This is inexplicable given that the Supreme Court of the Northwest Territories in *Enge v. Mandeville* named NSMA and the Northwest Territory Métis Nation (NWTMN) as two distinct Métis organizations, representing different constituencies of the larger group that comprise the Métis of the Great Slave Lake area. Given this, NSMA would welcome the opportunity to discuss the information that led to INAC's findings, respecting its strength of claim assessment of NSMA members' Aboriginal rights.

NSMA's Goal is a Genuine Dialogue

NSMA is always ready, willing and keen to consult. Having said that, INAC's Report of the Minister's Special Representative on Reconciliation with Métis: Section 35 Métis Rights and the Manitoba Métis Federation Decision, titled "A Matter of National and Constitutional Import", that was authored by respected Aboriginal Law expert, Tom Isaac, and submitted to current INAC Minister, Carolyn Bennet, on June 14, 2016, cites numerous gaps and misconceptions in the "Crown's" knowledge about the existing status of Métis and their Aboriginal rights under Canadian Law. With that in mind, in the recent past, Yellowknife - based senior INAC bureaucrat, Mr. James Lawrance, has taken the position that NSMA members hold their Aboriginal rights only by virtue of their Indian ancestry: not because of their Métis ethnicity. Mr. Lawrance has also told us that he does not recognize NSMA as a representative body of Aboriginal rights - bearing Métis, and that the 2013 decision of the Supreme Court of the Northwest Territories in *Enge v. Mandeville*, has not convinced him to change his position. We are concerned that Mr. Lawrance will not attend a meeting with NSMA with an open mind, respecting how the Métis of the Great Slave Lake area of the NWT hold their Aboriginal rights, and how they have organized themselves to assert their Aboriginal rights as Métis.

With all of the above in mind, NSMA is available to meet with INAC on October 26, 27, or 28, 2016. We look forward to hearing from you.

Sincerely,

A handwritten signature in blue ink that reads "Bill Enge".

William (Bill) A. Enge

President

Email: president@nsma.net

cc **Rebecca Chouinard**, Acting Executive Director
Mackenzie Valley Land and Water Board (MVLWB)
Email: rhouinard@mvlwb.com