



Pehdzeh Ki First Nation

Box 56
Wrigley, NT X0E 1E0
Phone: 867-581-3321
Toll Free: 1-855-813-5223
Fax: 867-581-3229
Band 756

March 17, 2025

Mackenzie Valley Environmental Impact Review Board
200 Scotia Centre, 5101 50th Ave
PO Box 938
Yellowknife, NT X1A 2N7

To the Review Board:

Re EA1213-02: PKFN Concerns re Timelines and Meaningful Consultation

I write to update the Review Board regarding our participation in the MVH EA, and to express our concern that the current workplan timelines may prevent meaningful consultation and accommodation for PKFN.

PKFN is deeply committed to upholding our responsibilities to our Ndeh and future generations, so we are committed to understanding the proposed project and its potential impacts on our Ndeh, our community, and our abilities to exercise our Aboriginal and Treaty rights. However, capacity constraints have prevented our full participation in this EA. At this time, we continue to gather and prepare information for GNWT-Infrastructure and the Review Board to help explain our predictions that the MVH as planned will cause significant adverse effects for us, and that much more mitigation and accommodation is required.

Regarding socio-economic assessment

We have met twice with DPRA consultants Timm Rochon and Jennifer Heneberry to review the draft 2023 "MVH Existing Conditions Report – Wrigley", and will continue to meet to carry out this work. As stated in the technical sessions, we have found significant gaps and inaccuracies in the desktop information used to identify current conditions in our community. Some of the problems include:

- The data does not show gaps in services to our community. For example, it states that there are 2 police officers stationed, which is not true.¹ For this reason, we do not agree with the developers' conclusion that the project may put pressure on existing services, but existing services will be sufficient.
- Our community is small, and statistics standards require information to be suppressed when there is a small sample size. As a result, information about our community is suppressed which makes an accurate picture difficult to grasp. See, for example, Tables 7-10 regarding occupation and employment in Section 2.2.
- Statistics included appear incorrect or incomplete to us. We have no information about how they were gathered. For example, we believe that the statistics under-report our reliance on traditional harvesting and country foods. This error is significant because the developer has acknowledged that proposed highway may not lower the extremely high cost of living in our community, and we expect the project impacts to negatively affect our abilities to exercise our traditional harvesting rights.
- Statistics are unavailable for some indicators, such as in Tables 11-14 regarding income.²

Overall, this unreliable report is a poor foundation for assessment and informing mitigation measures. We will continue to review the report in detail with DPRA, have disclosed internal information, and invited them to visit our community as soon as possible.

Regarding traditional harvesting and cultural uses

Similarly, we are very concerned that the DAR's data gaps regarding our constitutionally protected land uses have led to inaccurate assessment conclusions. In response, we have entered a confidentiality agreement with the GNWT and are preparing information for the GNWT's consultants. We will request a ruling for the Review Board to accept the same information under confidential cover. Our Lands Director participated in the Review Board's recent workshop about traditional knowledge in environmental assessments and was interested to hear that our concerns are shared with other Indigenous governments.

We are also preparing information to respond to the Review Board's consultant, John Nishi, regarding his questions to Indigenous governments regarding caribou, moose, and land management.

¹ DPRA, "Socio-Economic Impact Assessment of the Mackenzie Valley Highway Extension Project – Wrigley Existing Conditions", 2023, at s. 2.3.2, "Judicial Infrastructure".

²

Regarding realignment

We recently received and shared the finalized study from Maskwa Engineering that found a viable inland route. When the GNWT's review of this study is complete, we expect to meet to hear their response. PKFN takes this discussion extremely seriously and we intend to provide a meeting report to the Review Board.

Concerns regarding timeline and meaningful consultation

As stated on the Review Board's website, the Crown relies on the Board's process to fulfill its duty to consult and accommodate our Aboriginal and Treaty rights. It is critically important for the developer, PKFN, the Board, and all parties to have enough time to prepare and share information, and to review and respond to each others' information, before the EA enters the hearing phase. Sharing and reviewing information in a rush may expand the DAR but it will not allow for meaningful understanding, consideration or consultation.

We respectfully request that the Review Board consider the information exchange that is underway, summarized in this letter, when making decisions about the EA workplan and timelines.

Mahsi,

A handwritten signature in black ink, appearing to read 'Jame Moses', with a stylized flourish at the end.

Chief Jame Moses