

October 23, 2006

Chief Stanley Sanguez
Jean Marie River First Nation
General Delivery
Jean Marie River, NT
X0E 0N0

**RE: Ruling on the Motion seeking confidentiality of portions of the report entitled
“Tthets’éhk’e Déli Traditional Knowledge Study Regarding the Proposed Mackenzie
Gas Project” (the “TK Report”)**

Dear Chief Sanguez,

The Joint Review Panel (the Panel) has considered your letter of June 15, 2006 requesting the Panel make a ruling to declare portions of the Jean Marie River First Nation TK Report regarding the potential impacts of the proposed Mackenzie Gas Project to be confidential (the “Motion”). The Panel has also reviewed the copy of the TK Report submitted to the Panel in confidence under cover of your June 15th letter.

The Panel considers that the sections of the Report, and the maps, for which confidentiality is sought, contain substantial site-specific information, which the Panel regards as sufficiently sensitive to warrant the granting of a confidentiality order, in accordance with the Panel’s Criteria for Confidentiality Orders for Traditional Knowledge Study Reports (Criteria), released in November, 2005.

The Panel notes that the portions of text for which confidentiality is sought also contain material that, on its own, would not qualify for the protection of a confidentiality order. However, the Panel is of the view that it would not be practical to separate such material. The Panel has, therefore, decided to grant a confidentiality order with respect to all of the material included in pages 24 through 75 and Maps JMR-MGP-003, JMR-MGP-004, JMR-MGP-005, JMR-MGP-006 and JMR-MGP-007 of the Report.

The result of the foregoing is that the Panel hereby grants a confidentiality order with respect to:

- Pages 24 through 75, and
- Maps JMR-MGP-003, JMR-MGP-004, JMR-MGP-005, JMR-MGP-006 and JMR-MGP-007 of the Report.

In its Motion, you also requested that “At the conclusion of the deliberation of the JRP, all copies of the JMRFN TK Report provided to the JRP must be returned to the JMRFN in a sealed envelope.” Once a document has been submitted to the Panel, it is filed on the Public Registry and becomes part of the record the Panel relies on in its deliberations and in making its recommendations. At the termination of the Panel’s role, the entire Public Registry is transferred to the Canadian Environmental Assessment Agency. The Panel will receive copies of the Report with confidential material omitted that will be placed on the Public Registry in accordance with the instructions set out below. The copy of the document that is to be kept confidential will be retained in confidence by the Panel and returned to the JMRFN following termination of the Panel’s proceedings.

The Panel will be returning the two copies of the Report that were filed with it June 15th in its entirety and directs the Jean Marie River First Nation to file with the Panel four (4) hardcopies of the TK Report with the confidential portions deleted, suitable for filing on the Public Registry of the Panel. The JMRFN

is further directed to file with the Panel a complete copy of the Report with each page of the confidential sections clearly stamped CONFIDENTIAL (without obscuring the text or illustrations).

In making this ruling, the Panel does not necessarily endorse all elements of the rationale set out in the Motion.

Sincerely,

A handwritten signature in blue ink that reads "Robert Hornal". The signature is written in a cursive, slightly slanted style.

Robert Hornal
Joint Review Panel Chair