

Aug 7, 2015

Mr. Chuck Hubert  
Senior Environmental Assessment Officer  
Mackenzie Valley Environmental Impact Review Board  
PO Box 938  
Yellowknife, NT X1A 2P1  
VIA EMAIL

Dear Mr. Hubert;

**Dominion Diamond Ekati Corporation Jay Project Environmental Assessment  
(EA1314-01) – Draft Table of Commitments**

Thank you for the opportunity to comment on the draft Table of Commitments for the Jay EA, posted to the public registry on 9 July 2015. The GNWT made several comments and recommendations concerning developer's commitments in its 31 July 2015 technical report, and asks that MVEIRB incorporate these matters into the next version of the commitments table as appropriate.

Additional comments on specific items in the table are attached.

GNWT notes that the July 9<sup>th</sup> document includes a table called "GNWT Commitments," containing the text of GNWT's response to LKFDN IR 2 (Document source DAR-LKFDN-IR2-02) concerning air quality regulation. The preamble to the table states that MVEIRB will include a table of GNWT commitments in the Report of EA, but does not provide any additional information.

Before commenting on whether MVEIRB should consider this Information Request response or any other GNWT statements to be "GNWT commitments," GNWT requires an understanding of how MVEIRB intends to incorporate GNWT commitments into its deliberations for the Jay EA. The function and legal weight of developer's commitments are well-documented and well-understood by participants in MVEIRB EA processes. As far as GNWT is aware, government commitments are a new concept for EAs under the MVRMA.

GNWT requests that MVEIRB set out in writing the expected purpose and function of government commitments in the Jay EA, including the source of MVEIRB's jurisdiction in relation to such commitments, and provide all parties with an opportunity to comment on this statement. GNWT will provide comments to MVEIRB on the purported GNWT commitment found in the 9 July 2015 draft Table of Commitments, once it better



understands MVEIRB's intentions. GNWT further requests that MVEIRB conclude this process before it closes the Jay EA public registry in advance of the public hearings.

Should MVEIRB have any questions, please contact Lorraine Seale, Manager, Project Assessment Branch ([Lorraine\\_Seale@gov.nt.ca](mailto:Lorraine_Seale@gov.nt.ca)) or Melissa Pink, Project Assessment Analyst ([melissa\\_pink@gov.nt.ca](mailto:melissa_pink@gov.nt.ca)).

Sincerely,

A handwritten signature in blue ink, appearing to read 'T. Hall', is positioned above the printed name.

Terry Hall  
Director  
Land Use and Sustainability

## Comments on Commitments by Dominion Diamond<sup>1</sup>

	Technical session April 23 – commitment #6 (PR#358)	Minimizing impacts and maximizing benefits to communities	DDEC is to prepare a summary report (in the future) from annual meetings between GNWT and DDEC describing performance on SEA community wellness and health indicators and DDEC's actions to address performance issues (acknowledging that all proprietary <b>and confidential</b> information will be omitted)
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<sup>1</sup> Comments are in red