



Mark Cliffe-Phillips
Executive Director
Mackenzie Valley Environmental Impact Review Board
BOX 938, 5102-50th AVE
YELLOWKNIFE, NT X1A 2N7

Dear Mr. Cliffe-Phillips:

Participation and status of territorial departments in the Dominion Diamond Ekati Corporation Jay Project Environmental Assessment (EA1314-01)

With this letter, the Lands Project Assessment Branch (PAB), as the coordinating agency for territorial participation in the noted environmental assessment (EA), is pleased to provide a summary of anticipated Government of the Northwest Territories (GNWT) participation in the EA.

Territorial departments have received the Developer's Assessment Report (DAR) and the Review Board's deficiency statement. Departments are reviewing the DAR in the context of their respective mandates and responsibilities related to the project, including Aboriginal Crown consultation responsibilities. The list below provides a summary of relevant roles and expertise and is subject to adjustment as the EA proceeds.

Various GNWT departments are expected to be Responsible Ministers (RMs) under the *Mackenzie Valley Resource Management Act* (MVRMA) for this EA. The GNWT will make a final determination of RMs after MVEIRB issues its Report of EA.

As part of the devolution of land and resource management, the Minister of Aboriginal Affairs and Northern Development Canada has delegated to the GNWT Minister of Lands certain powers, duties and functions in relation to environmental assessment decisions under the *MVRMA*. Because the proposed Jay development is wholly on lands outside a federal area, these delegations apply to this EA. The Minister of Lands will receive and distribute the Report of Environmental Assessment under MVRMA paragraph 128(2)(a), will participate in and distribute the decision made under paragraphs 130(1)(a) and (b) and subsections 130(3), 130(4) and 130(4.01) and has the authority to extend time limits under subsections 128(2.2) and 130(4.03).

Environment and Natural Resources	<ul style="list-style-type: none">• Will provide specialist advice and be involved in EA processes regarding wildlife, waters, air quality, and spill and fuel management as legislated under the following acts: <i>Environmental Protection Act</i>, <i>Waters Act</i>, and <i>Wildlife Act</i>.• The Minister of ENR has the delegated authority to approve any water licence amendment under MVRMA section 72.13,
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	pending the outcome of the EA.
Lands	<ul style="list-style-type: none"> • Will provide specialist advice and be involved in EA processes regarding the management and administration of the sustainable use of territorial land, including land use plans and land use and sustainability standards, guidelines, and policies. • Will be responsible for compliance and enforcement, including inspection of terms and conditions of the land use permit and water licence, pending the outcome of the EA. • Will issue a surface lease or other disposition of lands, pending the outcome of the EA.
Education, Culture, and Employment	<ul style="list-style-type: none"> • Will provide specialist advice and be involved in EA processes with respect to the Socio-Economic Agreement as it relates to education, training and employment opportunities. • Will provide specialist advice and be involved in EA processes regarding the protection and management of archaeological sites.
Industry, Tourism, and Investment	<ul style="list-style-type: none"> • Will be involved in EA processes in order to seek ongoing collaboration with the developer to ensure that social and economic benefits of the project contribute to economic and business development in the NWT, and support community, family, and individual well-being.
Finance	<ul style="list-style-type: none"> • Will provide specialist advice and be involved in EA processes regarding direct and indirect impacts on the GNWT budget. Advice may include assessment under the macroeconomic policy framework and infrastructure support guidelines.
Health and Social Services	<ul style="list-style-type: none"> • Will provide specialist advice and be involved in EA processes regarding services to promote, protect, and provide for the health and well-being of peoples potentially impacted by resource development. • Will speak to collaborative efforts between the developer and current NWT programs addressing health care, public health, mental health and social services. • Will provide expertise on compliance with the <i>Public Health Act</i> and regulations and what potentially constitutes a public health hazard.
Justice	<ul style="list-style-type: none"> • Will provide legal advice to GNWT departments throughout the EA process. • Will provide specialist advice and be involved in EA processes regarding potential socio-economic impacts on policing, courts, correction services, community justice, and the overall justice system.
NWT Housing Corporation	<ul style="list-style-type: none"> • Will provide specialist advice and be involved in EA processes with respect to potential socio-economic implications pertaining to housing needs.
Municipal and Community Affairs	<ul style="list-style-type: none"> • Will provide specialist advice and be involved in EA processes with respect to community governments and potential impacts of the development on community governments.

Transportation	<ul style="list-style-type: none"> • Will provide specialist advice and be involved in EA processes with respect to transportation system capacity, especially logistics, schedules, and use.
Aboriginal Affairs and Intergovernmental Relations	<ul style="list-style-type: none"> • Will provide specialist advice to GNWT departments in meeting their legal duty to consult Aboriginal governments and organizations. • Will provide specialist advice and be involved in EA processes to ensure decision making respects the negotiation and conclusion of Aboriginal rights agreements as well as territorial interests.

Lands PAB is the main contact for MVEIRB in the EA process and will coordinate GNWT participation in all phases of the EA.

Please contact Melissa Pink at 765-6784 or via email at Melissa.Pink@gov.nt.ca, or Lorraine Seale at 765-6786 or via email at Lorraine.Seale@gov.nt.ca, if you have any questions regarding the above.

Sincerely,



Terry Hall
Director, Land Use and Sustainability
Department of Lands