



MAY 24 2019

Ms. Kate Mansfield
Senior Environmental Assessment Officer
Mackenzie Valley Environmental Impact Review Board
5102 – 50th Avenue
PO BOX 938
YELLOWKNIFE, NT X1A 2N7

Dear Ms. Mansfield:

Participation and status of territorial departments in the environmental assessment for Diavik’s proposed deposition of processed kimberlite in pits and underground [EA1819-01]

I am pleased to provide the anticipated Government of the Northwest Territories’ (GNWT) departmental participation in the environmental assessment of Diavik Diamond Mines Inc.’s proposal to deposit processed kimberlite in pits and underground [EA1819-01].

The following table provides a summary of the primary relevant roles and expertise within the GNWT that are applicable to the above noted environmental assessment. Please note that this summary is subject to adjustment as the environmental assessment proceeds. The Department of Lands will continue to inform all other GNWT departments of the environmental assessment process; these departments will increase their active participation should topics relevant to their mandates emerge during the proceedings.

Department of:	Role
Lands	<ul style="list-style-type: none">• Will coordinate the GNWT’s participation in the environmental assessment.• Will provide specialist advice and be involved in the environmental assessment processes regarding the management and administration of the sustainable use of territorial land, including land use and sustainability standards, guidelines, and policies.• Will manage land tenure requirements as applicable.

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Department of:	Role
Environment and Natural Resources	<ul style="list-style-type: none"> • Will be involved in the environmental assessment processes and will provide specialist advice related to topics such as wildlife and water quality, based on the Department of Environment and Natural Resources' mandated authority and responsibilities as per relevant acts and regulations. • Will continue to perform its duties as the GNWT lead for the Diavik Diamond Project <i>Environmental Agreement</i> of March 2000.
Industry, Tourism and Investment	<ul style="list-style-type: none"> • Will provide specialist advice and be involved in the environmental assessment processes on economic development, including natural resources, parks, business, and trade and investment. • Will continue to perform its duties under the <i>Diavik Diamonds Project Socio-Economic Monitoring Agreement</i> of October 1999.
Health and Social Services	<ul style="list-style-type: none"> • Will provide specialist advice and be involved in the environmental assessment processes with respect to the evaluation of environmentally- and socially-mediated impacts of industrial projects on the health and social well-being of peoples of the NWT. • Will provide expertise on compliance with the <i>Public Health Act</i> and its regulations and what potentially constitutes a public health hazard.
Justice	<ul style="list-style-type: none"> • Will provide legal advice to the GNWT.
Executive and Indigenous Affairs	<ul style="list-style-type: none"> • Will provide specialist advice to the GNWT on the duty to consult Indigenous governments and organizations. • Will provide specialist advice to GNWT departments respecting the negotiation and implementation of Aboriginal rights agreements.

I have also attached the GNWT's application for party status. The GNWT will participate fully in the environmental assessment processes including asking and responding to any information requests, participating in public and/or technical hearing(s), and providing an intervention and closing argument, as invited to do so by the Mackenzie Valley Environmental Impact Review Board (Review Board). If the Review Board or another party requires information from a GNWT department for the environmental assessment, the Project Assessment Branch in the Department of Lands should be contacted and will coordinate the GNWT responses.

Along with providing expert advice and responding to questions, various GNWT ministers will be responsible ministers under the *Mackenzie Valley Resource Management Act* (MVRMA) for this environmental assessment. The GNWT will make a final determination regarding which ministers are responsible ministers after the Review Board issues its Report of Environmental Assessment and Reasons for Decision. The GNWT responsible ministers will work closely with federal responsible ministers to fulfill their statutory decision-making responsibilities based on the relevant evidence provided during the environmental assessment. As this project is wholly on territorial land, the GNWT's Minister of Lands has the delegated authority to sign any required decision letters under section 130 of the MVRMA.

I trust that this information is helpful. If you have any questions or concerns, please contact Katie Rozestraten, Project Assessment Analyst, at Katie_Rozestraten@gov.nt.ca or 867-767-9180 ext. 24022 or me at Melissa_Pink@gov.nt.ca or 867-767-9180 ext. 24021.

Sincerely,

A handwritten signature in black ink, appearing to read 'Melissa Pink', with a large, stylized flourish extending to the right.

Melissa Pink
Manager, Project Assessment
Lands

Attachment




Mackenzie Valley Environmental Impact Review Board

FORM 1

Request for Party Status

Name of Organization	Government of the Northwest Territories
Name of Proceeding	EA1819-01 Diavik Diamond Mines Inc. PK to Pits and Underground

Reasons for requesting Party Status in these proceedings.
Ministers from the GNWT will be responsible ministers as defined in s.111 of the <i>Mackenzie Valley Resource Management Act</i> .
Participation: Please describe how you or your organization intends to participate in this proceeding, such as what information, witnesses, or presentations you plan to submit.
The GNWT will participate in all phases of this EA and will provide expert advice, witness testimony and/or presentations on the various EA topics that fall under the GNWT's mandate. The GNWT's mandate includes, but is not limited to, biophysical components of the environment (e.g. water, wildlife and contaminants) and socio-economic components (e.g. community wellbeing, employment, archaeology).
If you represent a Responsible Minister or Responsible Authority please state which one. List the licences, permits or authorizations issued by your organization relevant to this proceeding.
The GNWT ministers take action and provide authorization for permits and licences pursuant to various territorial legislation and regulations. Territorial legislation includes, but is not limited to, the <i>Waters Act</i> , <i>Wildlife Act</i> , <i>Scientists Act</i> , <i>Environmental Protection Act</i> , and <i>Public Health Act</i> . The GNWT also has legislated and delegated authorities under the MVRMA.
Should the development be approved to proceed to the regulatory phase, the Minister of Environment and Natural Resources would be required to approve an amendment to the developer's Type A water licence.
Contact Information: Please confirm the organization's contact information and the name of the primary contact person for Board correspondence purposes.
Primary contact: Katie Rozestraten, Project Assessment Analyst, Lands at Katie.Rozestraten@gov.nt.ca or (867) 767-9180 ext. 24022.
Secondary contact: Melissa Pink, Manager, Project Assessment, Lands at Melissa.Pink@gov.nt.ca or (867) 767-9180 ext. 24021.
Dated at Yellowknife, Northwest Territories, on (MM/DD/YY) <u>05/24/2019</u>
 (Signature of Party's Representative)