

## Mackenzie Valley Environmental Impact Review Board

September 22, 2006

The Honourable Jim Prentice, PC, QC, MP  
Minister of Indian and Northern Affairs Canada  
House of Commons  
Ottawa, ON  
K1A 0A6

SENT BY FAX

Dear Minister Prentice:

**Re: Consult to Modify Process for the Mackenzie Valley Environmental Impact Review Board's Report of Environmental Assessment and Reasons for Decision on Imperial Oil Resources Ventures Ltd.'s Deh Cho Geotechnical Program**

I would like to bring to your attention concerns the Mackenzie Valley Environmental Impact Review Board (Review Board) have regarding the process to obtain final approval on the above *Report of Environmental Assessment* (REA). Before I express our concerns, I will review some key milestones and events that have transpired to date.

February 18, 2005 - MVEIRB's *Report of Environmental Assessment and Reasons for Decision On Imperial Oil Resources Ventures Ltd.'s Deh Cho Geotechnical Program* is submitted to your predecessor, the Honourable Andy Scott for a decision.

June 17, 2005 - Letter from Minister Scott on behalf of the Responsible Ministers (Government of the Northwest Territories, Fisheries and Oceans, Environment Canada) to initiate a "Consult to Modify" process on the REA.

January 27, 2006 - Letter from MVEIRB Executive Director to Director of Renewable Resources and Environment, INAC submitting the Review Board's proposed changed measures and identifying additional information considered prior to submitting the proposed changes to its measures for the Responsible Minister's consideration.

July 6, 2006 - Letter from INAC to Pehdzeh Ki First Nation to consult on word changes on the Review Board's Measure 13 with regard to the Dehcho Interim Land Withdrawal Agreement.

As you can see, it has now been over 19 months since the Review Board first submitted its Report of Environmental Assessment to you for a decision and we have been engaged in a "Consult to Modify" process for the past 15 months. We are greatly concerned with the time the decision process is taking and how this ultimately is reflecting on the environmental impact assessment and regulatory regime in the Mackenzie Valley.

One of the guiding principles (s. 115) in the *Mackenzie Valley Resource Management Act* (MVRMA) states:

“The process shall be carried out in a timely and expeditious manner . . .”

Our Board has been taking great efforts to improve its processes to meet the intent of this section in the *Act*. We are also aware that industry has been very critical about the length of time environmental assessment takes. While we can have some control over what happens during the Review Board’s process, the Review Board is powerless to expedite the final decision-making process, which is also part of the environmental assessment timeline.

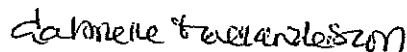
In closing, I would like to bring to your attention a final concern we have with this prolonged “Consult to Modify” process. The Review Board works diligently to collect the evidence it requires to make a determination for a REA in an open, transparent and inclusive manner. The measures recommended in a REA are based on the information the Board has in front of it at the time it conducts the assessment.

Currently, the process for decision-making is taking such a long time, that new information is sometimes being introduced by responsible ministers during the “Consult to Modify” process and long after the environmental assessment is completed. This environmental assessment is a case in point. The Board feels this is unfair to all the parties who participated in the original environmental assessment, as the “Consult to Modify” process is not conducted in a similarly open and transparent manner. The Board finds itself in a difficult position when new information is being introduced that was not available to the Review Board at the time the environmental assessment was conducted.

The Review Board is very willing to work with the responsible ministers so their staff can have a better understanding of the intent of individual measures contained in an REA. Early, frequent and open communication is needed to avoid such a lengthy decision-making process. Hopefully this can assist in achieving the expedited decision-making process anticipated by the MVRMA.

We look forward to a conclusion to this environmental assessment and await the feedback from the responsible ministers on the letter the Board submitted January 27, 2006.

Sincerely,



Gabrielle Mackenzie-Scott  
Chairperson

