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MVEIRB File Number: EIR0607-001
Chuck Hubert
Environmental Assessment Officer
Mackenzie Valley Environmental Impact Review Board
P.O. Box 938
Yellowknife, NT X1A 2N7

BY EMAIL: chubert@reviewboard.ca

**Re: Gahcho Kue Diamond Mine Environmental Impact Review for DeBeers
Canada Inc.- Information Request AANDC- TG-4 response.**

Dear Mr. Hubert:

Aboriginal Affairs and Northern Development Canada (AANDC) provides the following information request response to (IR-TG-4) for the Gahcho Kue Environmental Impact Review Panel.

AANDC staff is available to discuss this Information Request response with the Gahcho Kue Environmental Review Panel, staff, proponent and the Tlicho Government.

Thank you for the opportunity to provide responses to this information request. If you have any questions, please contact Lionel Marcinkoski at 669-2591 or via email at Lionel.Marcinkoski@aandc-aadnc.gc.ca.

Sincerely,

Robert Jenkins
Acting Director
Renewable Resources and Environment Directorate – NT Region
Aboriginal Affairs and Northern Development Canada

IR Number: AANDC TG-4

Source: Tlicho Government

To: Tlicho Government and the Mackenzie Valley Environmental Impact Review Board

Subject: Relationship between Snap Lake Environmental Monitoring Agency and Gahcho Kue Body

Preamble:

Under the Snap Lake Environmental Agreement, the Snap Lake Environmental Agency was formed to ensure the environmental integrity of the Snap Lake area. This agency has responsibilities for:

- g) Reviewing and commenting on the design of monitoring and management plans and their results of these activities;
- h) Monitoring and encouraging the integration of traditional knowledge of the nearby Aboriginal peoples in the mine's environmental plans;
- i) Acting as an intervener in regulatory processes directly related to environmental matters involving the Snap Lake Project and its cumulative effects;
- j) Bringing concerns of the Aboriginal peoples and general public to De Beers Canada Mining Inc. and government;
- k) Keeping Aboriginal peoples and the public informed about Agency activities and findings, and
- l) Writing an Annual Report with recommendations that require the response of De Beers Canada Mining Inc. and/ or government.

The Snap Lake mine and the proposed mine, operated both by De Beers, are very close together.

Request:

1. Will AANDC please describe the proposed relationship between the existing SLEMA and any new authority? Has AANDC considered having one authority or agency to ensure environmental integrity? Can AANDC provide insight into how the mechanisms of environmental monitoring can be implemented without duplication or replication?
2. What is AANDC's position towards a multi-project environmental monitoring agency?

Response:

The following is in response to the Tlicho information requests:

Request #1

At this time, AANDC is not aware of any relationship proposed or otherwise between SLEMA and any new agency, if such a new authority is established.

AANDC did consider a new multi-project environmental monitoring agency model based on the Review Board's recommended measure 31 in its July 2003 Report of Environmental Assessment for the DeBeers Snap Lake Diamond Mine Project. This measure recommended "that the Government of Canada and the GNWT, DeBeers, Diavik, and BHP Billiton shall work towards consolidating the Environmental Agreements for these developments within 24 months. The consolidation should result in a standard agreement which can be used for future mines in the Slave Geological Province."

Between 2004 and 2008, AANDC facilitated the work of a Multi-Project Environmental Monitoring Agency Steering Committee with participation open to the Lutsel K'e Dene First Nation, the Yellowknives Dene First Nation, the Tlicho Government, the North Slave Metis Alliance, the Kitikmeot Inuit Association, BHP Billiton Incorporated, Diavik Diamond Mines Inc, De Beers Canada Inc., the Government of Northwest Territories, and AANDC. Not all of these groups chose to participate in the work of the Steering Committee. The Committee collaboratively developed a draft Terms of Reference, a budget and proposal to implement a multi-project environmental monitoring agency model. This proposal offered a number of options for a new framework including science-based and traditional knowledge committees.

The Steering Committee met in June 2008, and agreed on a process to ratify the Terms of Reference for a multi-project environmental monitoring agency for projects in the Slave Geological Province. To date the Terms of Reference have not been ratified.

One of the main goals of an integrated, co management system is to avoid duplication and replication within the existing regulatory framework. In this situation, this is best achieved through good communication, coordination and transparency amongst all parties involved in compliance, effects and baseline monitoring, and ensuring environmental integrity of the Slave Geological Province. It is AANDC's understanding that the three existing independent environmental monitoring agencies share information as appropriate and seek to minimize duplication whenever possible. AANDC further understands that the existing diamond mines in the NWT also seek to cooperate and minimize duplication with respect to environmental monitoring, more specifically joint wildlife monitoring.

Information and analyses provided within the Review Panel's Report of Review Panel will be invaluable to any discussions on the need for, and purpose of, an independent monitoring agency. The Report will describe the nature and significance of impacts on the environment from the proposed Gahcho Kue development, and provide the Panel's recommendation as to whether the development should be approved, along with any recommended mitigative measures or follow-up programs.

Request #2

The purpose of an environmental monitoring agency is to independently monitor the long-term environmental management of projects. As set out in response to request #1, discussions have taken place in the past regarding the development of multi-project environmental monitoring agency.

AANDC considers the need for a monitoring agency or any form of contractual agreement on a case-by-case basis. Wherever possible, AANDC prefers that mitigation, monitoring, and environmental management measures be incorporated into regulatory authorizations, permits and licences.