



JUN 04 2020

By Email

President Clem Paul
Mountain Island Métis
P.O. BOX 881
YELLOWKNIFE NT X1A 2N6

Dear President Paul:

Responsible Ministers' Decision to Adopt the Recommendation of the Mackenzie Valley Environmental Impact Review Board and Allow the Diavik Diamond Mines Inc.'s Kimberlite Deposition Proposal to Resume the Regulatory Process

The responsible ministers from the Government of the Northwest Territories (GNWT) and the Government of Canada (Canada) have recently concluded the decision phase for the environmental assessment of Diavik Diamond Mines Inc.'s (Diavik) proposal to store processed kimberlite in pits and underground (the Project). Their decision was to approve the Project subject to the implementation of six measures and the commitments from Diavik.

Previous communication with the Mountain Island Métis

On February 19, 2019, the Mackenzie Valley Environmental Impact Review Board (Review Board) referred the Project to environmental assessment. The GNWT wrote to the Mountain Island Métis (MIM) on March 15, 2019 to advise you of potential government decisions relating to this Project. The letter also noted that the GNWT would be relying on the Review Board's process to assist in fulfilling Aboriginal consultation requirements in relation to the Project. Both governments also encouraged the MIM to participate in the Review Board's process.

Responsible ministers from the GNWT also wrote to MIM after the Review Board released its recommendation. In concluding its environmental assessment process, the Review Board released its *Report of Environmental Assessment and Reasons for Decision* (REA) on January 6, 2020. The GNWT wrote to you at that time to continue dialogue regarding potential responsible ministers' decisions relating to the Review Board's findings in the REA. Territorial responsible ministers also asked the MIM if the REA addressed concerns as they relate to potential adverse Project impacts on your members' asserted Aboriginal and Treaty rights.

Consideration of concerns raised by Indigenous governments and organizations

In making the decision to adopt the Review Board's recommendation, responsible ministers considered comments made by Indigenous governments and organizations (IGOs). Responsible ministers did not hear from the MIM during the environmental assessment or after the REA was issued. Responsible ministers respectfully believe the duty to consult and accommodate the MIM for the purposes of EA1819-01 has been fulfilled.

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Next steps for Diavik's Project

Responsible ministers emphasize that consultation and accommodation with respect to your asserted Aboriginal and Treaty rights do not end with the responsible ministers' decision on the environmental assessment of the Project. The Project will now resume the regulatory process and any other post-environmental assessment processes. These processes will include opportunities for IGOs to offer input on authorizations and management plans and help ensure that potential adverse impacts to Aboriginal and Treaty rights are accommodated, as necessary. The responsible ministers encourage the MIM to participate in the Wek'èezhì Land and Water Board's water licensing process and any other post-environmental assessment processes relating to this Project.

If you have any questions about the decision, please contact Ms. Melissa Pink, Manager, Project Assessment Branch, at Melissa_Pink@gov.nt.ca or by telephone at 867-767-9180 ext. 24021.

Sincerely,



Kate Hearn
Assistant Deputy Minister
Planning and Coordination
Lands

c. Ms. Shaleen Woodward
Principal Secretary

Mr. Martin Goldney
Secretary to Cabinet/Deputy Minister
Executive and Indigenous Affairs

Ms. Sylvia Haener
Deputy Minister
Lands

Dr. Erin Kelly, Ph.D.
Deputy Minister
Environment and Natural Resources

Ms. Pamela Strand
Deputy Minister
Industry, Tourism and Investment

Ms. JoAnne Deneron
Chairperson
Mackenzie Valley Environmental Impact Review Board

Mr. Joseph Mackenzie
Chairperson
Wek'èezhì Land and Water Board

Mr. Charlie Catholique
Chairperson
Environmental Monitoring Advisory Board

Mr. Sean Sinclair
Principal Advisor
Environment and Closure Readiness
Diavik Diamond Mines Inc.