



July 29, 2022

Alan Ehrlich
Manager, Environmental Assessment
Mackenzie Valley Environmental Impact Review Board
P.O. BOX 938
YELLOWKNIFE NT X1A 2N7

BY EMAIL

Dear Alan Ehrlich:

EA2223-01 Imperial Oils' Norman Wells Waste Management Facility Government of Northwest Territories' roles and responsibilities

Thank you for your letter of July 11, 2022, regarding the roles and responsibilities of the Government of the Northwest Territories (GNWT) in the Mackenzie Valley Environmental Impact Review Board's (Review Board) environmental assessment (EA) process (EA2223-01) and the Canada Energy Regulator's (CER's) regulatory review of Imperial Oils' Norman Wells Waste Management Facility (WMF).

GNWT roles and responsibilities in EA2223-01

The GNWT will participate fully in the EA process, including initiating 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 Review Board. The Project Assessment Branch (PAB) in the Department of Lands (Lands) will coordinate the GNWT's participation and is the GNWT point of contact for EA2223-01.

The GNWT will determine its responsible ministers under the *Mackenzie Valley Resource Management Act* (MVRMA) after the Review Board issues its Report of Environmental Assessment and Reasons for Decision. As the Project is partly on federal land, namely the Norman Wells Proven Area, the GNWT has not been delegated authority by the Minister of Northern Affairs to distribute a decision made under MVRMA s. 130. Should the CER be required to distribute a decision under MVRMA s. 131, the GNWT will work with responsible ministers and the CER as required. The GNWT will work closely with the Government of Canada throughout the EA and decision processes, including Aboriginal consultation.

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The following table provides a summary of the roles and responsibilities that relevant departments within the GNWT anticipate performing in this EA. Departments may adjust the nature and level of their participation once the scope of development and the scope of assessment are determined, and as additional information on topics relevant to GNWT mandates and interests becomes available. In areas of shared interests and responsibility, GNWT departments will collaborate with their federal counterparts as applicable.

Department of:	Roles anticipated to be played during the environmental assessment
Lands	<ul style="list-style-type: none"> • Will coordinate the GNWT's participation in the EA. • Will provide specialist advice regarding the management and administration of the sustainable use of public land, including land use and sustainability standards, guidelines, and policies. • Will lead the GNWT's participation in the joint Canada-GNWT formal Aboriginal consultation process on the EA decision.
Environment and Natural Resources	<ul style="list-style-type: none"> • Will provide specialist advice on topics based on the Department of Environmental and Natural Resources' mandated authority and responsibilities as per relevant acts and regulations.
Education, Culture and Employment	<ul style="list-style-type: none"> • Will provide specialist advice with respect to culture and heritage, education, training, and employment and labour.
Finance	<ul style="list-style-type: none"> • Will provide specialist advice regarding direct and indirect impacts on the GNWT budget. Advice may include assessment under the macroeconomic policy framework.
Municipal and Community Affairs	<ul style="list-style-type: none"> • Will provide specialist advice with respect to community governments and potential impacts of the development on community governments within municipal boundaries.
Industry, Tourism and Investment	<ul style="list-style-type: none"> • Will provide specialist advice relating to economic development and socioeconomic benefits/impacts emanating from the extraction of natural resources. • Will provide specialist advice relating to potential impacts to industry, tourism and investment sectors.

	<ul style="list-style-type: none">• The department manages public petroleum leases, including consideration for reclamation work (especially as considered in project benefits planning) outside the Norman Wells Proven Area. As this Project falls within this area, the department does not have this role for this Project.
Health and Social Services	<ul style="list-style-type: none">• Will provide specialist advice on potential impacts to the health and social wellbeing on individuals, families and communities.• Will provide expertise on the 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.• Will provide specialist advice related to potential socio-economic impacts on policing, courts, correction services, community justice, and the overall justice system.
Executive and Indigenous Affairs	<ul style="list-style-type: none">• Will provide specialist advice to the GNWT on the duty to consult, and, where required, accommodate Indigenous governments and organizations.• Will provide specialist advice to GNWT departments respecting the negotiation and implementation of Aboriginal rights agreements.
Infrastructure	<ul style="list-style-type: none">• Will participate in the GNWT working group, review EA documents for information surrounding access and use of public infrastructure and may provide advice where necessary to avoid impacts to the department's assets and operations as a result of project activities.

GNWT roles and responsibilities in CER's regulatory review of Norman Wells WMF

The GNWT's Department of Environment and Natural Resources (ENR) is a registered intervenor in the CER's regulatory review. ENR will continue to participate in this regulatory review until it is complete by providing expert advice on behalf of ENR, as required.

Clarity is required on the interaction of the CER's regulatory process and the Review Board's EA

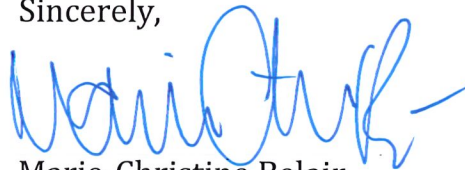
The GNWT has recommended to the Northern Projects Management Office of the Canadian Northern Economic Development Agency and the CER that they work to clarify on the record, for the information of the Review Board and all parties to EA2223-01, how the CER's regulatory process and the Review Board's EA process will interact, including the role of the CER as a designated regulatory agency under the MVRMA.

Key contacts

If the Review Board or parties to the EA have questions about the GNWT's EA roles and responsibilities or requests for information for a GNWT department, please contact Aswathy Mary (Ash) Varghese, Project Assessment Analyst, PAB, GNWT-Lands at Ash_Varghese@gov.nt.ca or 867-767-9180 ext. 24024, or Melissa Pink, Manager, PAB, GNWT-Lands, at Melissa_Pink@gov.nt.ca or 867-767-9180 ext. 24021.

If the Review Board or parties to the EA have questions about the GNWT's participation in the CER regulatory review, please contact Laurie McGregor, A/Manager, Environmental Impact Assessment, GNWT-ENR at Laurie_McGregor@gov.nt.ca or 867-767-9233 Ext. 53097, with a copy to Ash Varghese.

Sincerely,



Marie-Christine Belair
A/ Manager, Project Assessment
Lands

- c. Andrew Applejohn, A/Director, Environmental Stewardship and Climate Change, Environment and Natural Resources

Lisa Dyer, Director-General, Northern Projects Management Office, Canadian Northern Economic Development Agency

Kim Pawley, Manager, Environmental Assessment, Land Use Planning and Conservation, Crown-Indigenous Relations and Northern Affairs Canada

Ramona Sladic, Secretary of the Commission, Canada Energy Regulator