



June 3, 2011

VIA EMAIL

Vern Christensen
Executive Director
Mackenzie Valley Environmental Impact Review Board
#200 Scotia Centre
5102 – 50th Avenue
Yellowknife, NT X1A 2N7

Re: Alex Debogorski Diamond Exploration Environmental Assessment – Comments on Request for Ruling

Dear Mr. Christensen:

The Government of the Northwest Territories (GNWT) has reviewed the Yellowknives Dene First Nation's Request for Ruling dated May 27, 2011 which states the "*YKDFN ask the Board, pursuant to paragraph 128(1)(d) of the Mackenzie Valley Resource Management Act to make a summary decision to reject the proposal without an environmental review*".

Sections 124 and 125 of the MVRMA provide the legislated process for the initial screening of the regulatory application made by the Proponent, Alex Debogorski. The Mackenzie Valley Land and Water Board (MVLWB) conducted a preliminary screening of the proposed mineral exploration development and determined that the development might be a cause of public concern. On this basis, the MVLWB referred the development to the Mackenzie Valley Environmental Impact Review Board (MVEIRB) for environmental assessment.

Section 126 of the MVRMA provides the legislated process for an environmental assessment. Section 126(1) states "The Review Board **shall conduct** an environmental assessment of a proposal for a development that is referred to the Review Board following a preliminary screening pursuant to section 125". The MVRMA does not

provide any alternatives for the Review Board to follow other than to conduct an environmental assessment. Section 117 identifies what considerations an environmental assessment shall include.

Section 128 provides the legislated process for the Review Board to follow on completing the environmental assessment. The rejection of a project is only one of several alternative decisions the Review Board can make. However, it is clear that the environmental assessment informs the decision of the Review Board and must be based on the evidence related to the project being assessed.

Based on the legislated requirements of Part 5 of the MVRMA, the GNWT believes that the Review Board has no alternative but to deny the motion of the YKDFN and to continue its environmental assessment.

Should you have any questions or concerns, please contact me at (867) 920-6595 or gavin_more@gov.nt.ca.

Sincerely

A handwritten signature in blue ink that reads "Gavin More". The signature is written in a cursive style.

Gavin More
Manager
Environmental Assessment and Monitoring
Environment and Natural Resources