



Indian and Northern  
Affairs Canada

Affaires indiennes  
et du Nord Canada

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June 3, 2011

MVEIRB File Number: EA1112-001

Vern Christensen  
Executive Director  
Mackenzie Valley Environmental Impact Review Board  
P.O. Box 938  
YELLOWKNIFE NT X1A 2N7

VIA EMAIL

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

Dear Mr. Christensen:

Indian and Northern Affairs Canada (INAC) has reviewed the Request for Ruling submitted by the Yellowknives Dene First Nation on May 27, 2011, requesting that “the Review Board make a summary decision to reject the proposal without an environmental impact review,” and has the following comments.

Applications submitted to the Mackenzie Valley Land and Water Board (Land and Water Board) must, with limited exceptions, undergo a preliminary screening to determine whether the proposed activities might have a significant adverse impact on the environment or might be a cause of public concern. On April 14, 2011, the Land and Water Board completed a preliminary screening of the proposed Alex Debogorski mineral exploration development and determined that the development might be a cause of public concern. On this basis, the Land and Water Board referred Mr. Debogorski’s proposed development to the Mackenzie Valley Environmental Impact Review Board (Review Board) for environmental assessment.

During an environmental assessment, a proposed development is reviewed to determine, amongst other factors, its impact on the environment and the significance of any such impact. At the conclusion of the assessment, the Review Board must assess, pursuant to section 128 of the *Mackenzie Valley Resource Management Act*

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(the Act), whether a proposed development is likely to have a significant adverse impact on the environment or be a cause of significant public concern. In the affirmative, the Review Board may either order an environmental impact review, or recommend to the responsible ministers that the proposed development be approved subject to measures necessary to prevent significant adverse impact to the environment. If the Review Board concludes that the proposed development is likely to cause an adverse impact on the environment so significant that it cannot be justified, the Review Board may recommend that the proposed development be rejected without further review.

The information brought forward by all interested parties during the course of an environmental assessment is essential for the Review Board to properly exercise its functions under section 128 of the Act. As part of its review, the Review Board is also required to take the concerns of Aboriginal people and the general public into account. Consequently, it is important for all Aboriginal groups considering themselves potentially affected by this proposed development to participate actively in the environmental assessment process and to voice their concerns to the Review Board. INAC notes that the Review Board's work plan, dated May 27, 2011, provides Aboriginal groups, including the Yellowknives Dene First Nation, with several opportunities to present their concerns with the proposed Debogorski development and to explain how this particular development may have the potential to affect their potential or established Aboriginal and treaty rights.

Should you wish to discuss these comments further, please contact Lorraine Seale at [Lorraine.Seale@inac-ainc.gc.ca](mailto:Lorraine.Seale@inac-ainc.gc.ca) or (867) 669-2590.

Sincerely,



Teresa Joudrie,  
Director, Renewable Resources and Environment