

May 20, 2011

VIA EMAIL

Vern Christensen
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Mackenzie Valley Environmental Impact Review Board
#200 Scotia Centre
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Re: EA1112-001 Diamond Exploration – Drybones Draft Workplan Comments

The Government of the Northwest Territories (GNWT) has the following comments on the Draft Workplan for **EA1112-001** released on May 10, 2011.

The GNWT does not have any concerns with the approach provided in the proposed Schedule on pages 7 and 8. The approach is appropriately designed to scope the primary community concerns and then exchange information on relevant matters for the Review Board to consider in its determination.

The GNWT is concerned with two matters; the proposed duplication of past public registries, and the potential for confusion regarding recommended measures and suggestions. These two concerns are detailed below.

- 1) The draft Workplan lists a number of prior environmental assessments (EA) in the area and indicates that the entire record of these assessments will be placed on the public registry for the EA1112-001. It is not clear why this is necessary and, furthermore, could be misleading for the following reasons:
 - One of the listed projects, while permitted by the Land and Water Board after the EA, did not take place. This project should not be placed on the public registry for this EA.
 - The listed EAs include issues that are not necessarily relevant for the current EA (for example, information related to fisheries concerns).
 - The effort to review a large amount of material, particularly irrelevant material, would place a considerable burden on the parties to the EA as well as the Review Board.

The GNWT suggests the Review Board consider its past assessments and incorporate the information from the public record of these five assessments into the public record for the EA1112-001 if it is clearly identified why and how this past information relates directly to the proposed development.

- 2) The draft Workplan indicates that “Relevant Measures and Suggestions of Earlier Shoreline Zone Environmental Assessments” will be a key line of inquiry (page 4). The wording in the draft Workplan implies that the Board’s past “suggestions” in Reports of Environmental Assessment required the governments or other parties to implement those suggestions. This is not the case.

The GNWT requests the Review Board be careful to differentiate the concept of recommended measures from suggestions in the draft Workplan and the legal implications of the terms.

In addition, the draft Workplan lists two EA projects that have not received final endorsement by the Federal Minister. As the wording of the final recommended measures may change, these projects should not be considered for inclusion in this line of inquiry.

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

Sincerely



Gavin More
Manager
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