



5019 – 52<sup>nd</sup> Street  
Yellowknife, NT – X1A 1T5

**VIA EMAIL & FAX**

MAY 19 2016

Chief Louis Balsillie  
Deninu Kué First Nation  
PO Box 1899  
Fort Resolution, NT  
X0E 0M0

**RE: Response to the Report of Environmental Assessment and Reasons for  
Decision for the Dominion Diamond Ekati Corporation's Jay Project**

---

Dear Chief,

As you are aware, on May 19, 2016, the Minister of Lands, Government of the Northwest Territories, as the territorial Minister with delegated authority for Part 5 of the *Mackenzie Valley Resource Management Act*, and on behalf of the other responsible ministers ("RM") with jurisdiction in relation to the environmental assessment ("EA") of the above noted project, conveyed the RMs' decision to adopt the Mackenzie Valley Environmental Impact Review Board's recommendation that the Project be approved subject to the implementation of mitigation measures and developer commitments contained in the Report of Environmental Assessment and Reasons for Decision.

The Canadian Northern Economic Development Agency's Northern Projects Management Office ("NPMO"), as Crown Consultation Coordinator for federal participation in the Jay Project EA, thanks the Deninu Kué First Nation ("DKFN") for its letter received April 13, 2016. The views expressed in your letter are important and the Minister of Lands and RMs gave full and fair consideration to these comments prior to making their decision to adopt the MVEIRB's recommendation. The GNWT and the Government of Canada have reviewed your comments and the Government of Canada would like to provide the following response for matters within its jurisdiction. This letter should be read in concert with any response provided by the GNWT.

The DKFN identified a number of environmental and socio-economic concerns. Specifically, that response raised concerns related to fish and fish habitat, which are within the mandate of Fisheries and Oceans Canada ("DFO"), as well as navigation on Lac du Sauvage, which is within the mandate of Transport Canada ("TC"). NPMO raised these concerns with DFO and TC and would like to provide the following in response.

The Project will require a *Fisheries Act* Authorization (pursuant to Paragraph 35 (2) (b) of the *Fisheries Act*) for the dewatering and associated fish-out of a portion of Lac du Sauvage which will contain conditions related to the implementation and monitoring of an offsetting plan that will be required by the Developer to ensure impacts to fish and fish habitat due to the project are addressed. Dominion Diamond Ekati Corporation (“DDEC”) has committed to consulting with Indigenous groups, including the DKFN, with respect to these activities. Officials from Fisheries and Oceans Canada will be party to these consultations and will consult with Indigenous groups as appropriate. It is important to note that commitments by the Developer are binding and are included in Appendix C of the Report of EA. Consultation will continue throughout the regulatory phase, which will consider the water licence and land use permit that are necessary for the Project. The DKFN are encouraged to participate in that regulatory phase and provide input to the Wek’èezhii Land and Water Board (“WLWB”) with respect to these authorizations. DFO will participate in the regulatory phase and will provide input on concerns relating to fish and fish habitat where appropriate.

In your response you also raised comments relating to Commitment number 14, which outlines DDEC’s commitment to engage Transport Canada (“TC”) regarding dewatering activities within Lac du Sauvage. This commitment is important in TC’s determination of the applicability of Sections 21 – 23 of the *Navigation Protection Act*. As part of this commitment, DDEC will need to provide information related to historic, current and future navigational use of Lac du Sauvage. In doing so, TC will then determine if it has a future regulatory role in the Project. It will be necessary for DDEC to consult with DKFN and other Indigenous groups to confirm their information before providing it to TC. TC will also consult with Indigenous groups as appropriate. The Government of Canada encourages DKFN and other Indigenous groups to assist DDEC in this effort.

The Government of Canada will rely on the regulatory process of the WLWB as the primary means to discharge any consultation obligations associated with that phase. The DKFN is encouraged to remain engaged in that process and any subsequent consultation activities by DFO or any other Government of Canada departments. The DKFN is also encouraged to participate in any engagement efforts by DDEC.

Should you have any further questions as they relate to fish and fish habitat for this Project, please contact Georgina Williston, Senior Fisheries Protection Biologist, Fisheries and Oceans Canada at 867-669-4927, or [georgina.williston@df-mpo.gc.ca](mailto:georgina.williston@df-mpo.gc.ca). Any further questions as they relate to any navigation authorizations for this Project, please contact Christopher Aguirre, Environmental Officer, Transport Canada at 204-984-2615, or [Christopher.aguirre@tc.gc.ca](mailto:Christopher.aguirre@tc.gc.ca).

I would like to take this opportunity to thank the DKFN for your continued participation throughout the Jay Project EA.

Sincerely,



Matthew Spence  
Director General  
Northern Projects Management Office

- cc. Mark Hopkins, Director General, Natural Resources and Environment Branch,  
Indigenous and Northern Affairs Canada
- Michele Taylor, Regional Director General, Prairie and Northern, Transport  
Canada
- David Burden, Regional Director General, Central and Arctic, Fisheries and  
Oceans Canada
- Kate Hearn, Assistant Deputy Minister, Planning and Coordination, Government  
of the Northwest Territories
- Derek Elkin, Assistant Deputy Minister, Health and Social Services, Government  
of the Northwest Territories
- Shannon Cumming, Assistant Deputy Minister, Environment and Natural  
Resources, Government of the Northwest Territories
- Marc d'Entremont, Technical Advisor, Deninu Kué First Nation
- Mark Cliffe-Phillips, Executive Director, Mackenzie Valley Environmental Impact  
Review Board
- Ryan Fequet, Executive Director, Wek'èezhìi Land and Water Board
- Claudine Lee, Head of Environment and Communities, Dominion Diamond Ekati  
Corporation



5019 – 52<sup>nd</sup> Street  
Yellowknife, NT – X1A 1T5

MAY 19 2016

**VIA EMAIL & FAX**

Bill Enge, President  
North Slave Métis Alliance  
P.O. Box 2301  
Yellowknife, NT X1A 2P7

**RE: Response to the Report of Environmental Assessment and Reasons for  
Decision for the Dominion Diamond Ekati Corporation's Jay Project**

---

Dear Mr. Enge,

As you are aware, on May 19, 2016, the Minister of Lands, Government of the Northwest Territories (GNWT), as the territorial Minister with delegated authority for Part 5 of the *Mackenzie Valley Resource Management Act*, and on behalf of the other responsible ministers ("RM") with jurisdiction in relation to the environmental assessment ("EA") of the above noted project, conveyed the RMs' decision to adopt the Mackenzie Valley Environmental Impact Review Board's ("Review Board") recommendation that the Project be approved subject to the implementation of mitigation measures and developer commitments contained in the Report of Environmental Assessment and Reasons for Decision.

The Canadian Northern Economic Development Agency's Northern Projects Management Office ("NPMO") as Crown Consultation Coordinator for federal participation in the Jay Project EA, thanks the North Slave Métis Alliance ("NSMA") for its letter regarding dated April 4, 2016 and for its continued participation throughout the EA. The GNWT and the Government of Canada have reviewed your comments and the Government of Canada would like to provide the following response for matters within its jurisdiction. This letter should be read in concert with any response provided by the GNWT.

The comments you have raised are important and were given full and fair consideration by the RMs prior to making their decision to adopt the MVEIRB's recommendation. The Government of the Northwest Territories ("GNWT") has jurisdiction over caribou and socio-economic matters in the Northwest Territories. NPMO understands that the GNWT will provide a detailed response to the NSMA regarding these comments and notes the various commitments made by Dominion Diamond Ekati Corporation, as well as the measures developed by the Mackenzie Valley Environmental Impact Review Board, as outlined in the Report of EA, which duly address these concerns.

As the Government of Canada will rely on the regulatory process of the Wek'èezhii Land and Water Board ("WLWB") as the primary means to discharge any consultation obligations related to that phase, the NSMA is encouraged to remain engaged in that process. The NSMA is also encouraged to participate in any engagement efforts by Dominion Diamond Ekati Corporation.

Again, I thank you for your participation during the above noted EA.

Sincerely,



Matthew Spence  
Director General  
Northern Projects Management Office

- cc. Mark Hopkins, Director General, Natural Resources and Environment Branch,  
Indigenous and Northern Affairs Canada
- Michele Taylor, Regional Director General, Prairie and Northern, Transport  
Canada
- David Burden, Regional Director General, Central and Arctic, Fisheries and  
Oceans Canada
- Kate Hearn, Assistant Deputy Minister, Planning and Coordination, Government  
of the Northwest Territories
- Derek Elkin, Assistant Deputy Minister, Health and Social Services, Government  
of the Northwest Territories
- Shannon Cumming, Assistant Deputy Minister, Environment and Natural  
Resources, Government of the Northwest Territories
- Mark Cliffe-Phillips, Executive Director, Mackenzie Valley Environmental Impact  
Review Board
- Ryan Fequet, Executive Director, Wek'èezhii Land and Water Board
- Claudine Lee, Head of Environment and Communities, Dominion Diamond Ekati  
Corporation



5019 – 52<sup>nd</sup> Street  
Yellowknife, NT – X1A 1T5

**VIA EMAIL & FAX**

MAY 19 2016

Arthur Beck, President  
Fort Resolution Métis Council  
P.O. Box 1921  
Fort Resolution, NT X0E 0M0

**RE: Response to the Report of Environmental Assessment and Reasons for Decision for the Dominion Diamond Ekati Corporation's Jay Project**

Dear Mr. Beck,

As you are aware, on May 19, 2016, the Minister of Lands, Government of the Northwest Territories, as the territorial Minister with delegated authority for Part 5 of the *Mackenzie Valley Resource Management Act*, and on behalf of the other responsible ministers ("RM") with jurisdiction in relation to the environmental assessment ("EA") of the above noted project, conveyed the RMs' decision to adopt the Mackenzie Valley Environmental Impact Review Board's ("Review Board") recommendation that the Project be approved subject to the implementation of mitigation measures and developer commitments contained in the Report of Environmental Assessment and Reasons for Decision.

The Canadian Northern Economic Development Agency's Northern Projects Management Office ("NPMO"), as Crown Consultation Coordinator for federal participation in the Jay Project EA, would like to take this opportunity to thank the Fort Resolution Métis Council for its participation in this EA. As the Project proceeds to regulatory phase, the Government of Canada will rely on the regulatory process of the Wek'èezhii Land and Water Board ("WLWB") as the primary means to discharge any consultation obligations related to that phase. The Fort Resolution Métis Council is encouraged to participate in the WLWB process and any engagement efforts by Dominion Diamond Ekati Corporation.

Again, I thank you for your participation during the above noted EA.

Sincerely,

Matthew Spence  
Director General  
Northern Projects Management Office

- cc. Mark Hopkins, Director General, Natural Resources and Environment Branch,  
Indigenous and Northern Affairs Canada
- Michele Taylor, Regional Director General, Prairie and Northern, Transport  
Canada
- David Burden, Regional Director General, Central and Arctic, Fisheries and  
Oceans Canada
- Kate Hearn, Assistant Deputy Minister, Planning and Coordination, Government  
of the Northwest Territories
- Derek Elkin, Assistant Deputy Minister, Health and Social Services, Government  
of the Northwest Territories
- Shannon Cumming, Assistant Deputy Minister, Environment and Natural  
Resources, Government of the Northwest Territories
- Mark Cliffe-Phillips, Executive Director, Mackenzie Valley Environmental Impact  
Review Board
- Ryan Fequet, Executive Director, Wek'èezhìi Land and Water Board
- Claudine Lee, Head of Environment and Communities, Dominion Diamond Ekati  
Corporation





5019 – 52<sup>nd</sup> Street  
Yellowknife, NT – X1A 1T5

**VIA EMAIL & FAX**

MAY 19 2016

Grand Chief Eddie Erasmus  
Tłıchq Government  
P.O. Box 412  
Behchoko, NT X0E 0Y0

**RE: Response to the Report of Environmental Assessment and Reasons for  
Decision for the Dominion Diamond Ekati Corporation's Jay Project**

---

Dear Grand Chief,

As you are aware, on May 19, 2016, the Minister of Lands, Government of the Northwest Territories ("GNWT"), as the territorial Minister with delegated authority for Part 5 of the *Mackenzie Valley Resource Management Act*, and on behalf of the other responsible ministers ("RM") with jurisdiction in relation to the environmental assessment ("EA") of the above noted project, conveyed the RMs' decision to adopt the Mackenzie Valley Environmental Impact Review Board's ("Review Board") recommendation that the Project be approved subject to the implementation of mitigation measures and developer commitments contained in the Report of Environmental Assessment and Reasons for Decision.

The Canadian Northern Economic Development Agency's Northern Projects Management Office ("NPMO"), as Crown Consultation Coordinator for federal participation in the Jay Project EA, thanks the Tłıchq Government ("TG") for its letter dated April 4, 2016 and for its continued participation throughout the EA. The comments you have raised are important, and were given full and fair consideration by the RMs prior to making their decision to adopt the MVEIRB's recommendation. The GNWT has jurisdiction over caribou and socio-economic matters in the Northwest Territories. NPMO understands that the GNWT will provide a detailed response to the TG regarding these comments. This letter should be read in concert with any response provided by the GNWT.

The Government of Canada will rely on the regulatory process of the Wek'èezhii Land and Water Board ("WLWB") as the primary means to discharge any consultation obligations related to that process. The TG is encouraged to remain engaged in that process, and to participate in any engagement efforts by Dominion Diamond Ekati Corporation.



Again, I thank you for your participation during the above noted EA.

Sincerely,



Matthew Spence  
Director General  
Northern Projects Management Office

- cc. Mark Hopkins, Director General, Natural Resources and Environment Branch,  
Indigenous and Northern Affairs Canada
- Michele Taylor, Regional Director General, Prairie and Northern, Transport  
Canada
- David Burden, Regional Director General, Central and Arctic, Fisheries and  
Oceans Canada
- Kate Hearn, Assistant Deputy Minister, Planning and Coordination, Government  
of the Northwest Territories
- Derek Elkin, Assistant Deputy Minister, Health and Social Services, Government  
of the Northwest Territories
- Shannon Cumming, Assistant Deputy Minister, Environment and Natural  
Resources, Government of the Northwest Territories
- Mark Cliffe-Phillips, Executive Director, Mackenzie Valley Environmental Impact  
Review Board
- Ryan Fequet, Executive Director, Wek'èezhìi Land and Water Board
- Claudine Lee, Head of Environment and Communities, Dominion Diamond Ekati  
Corporation



5019 – 52<sup>nd</sup> Street  
Yellowknife, NT – X1A 1T5

**VIA EMAIL & FAX**

Chief Felix Lockhart  
Łutselk'e Dene First Nation  
PO Box 28  
Łutselk'e, NT X0E 1A0

MAY 19 2016

**RE: Response to the Report of Environmental Assessment and Reasons for Decision for the Dominion Diamond Ekati Corporation's Jay Project**

---

Dear Chief,

As you are aware, on May 19, 2016, the Minister of Lands, Government of the Northwest Territories, as the territorial Minister with delegated authority for Part 5 of the *Mackenzie Valley Resource Management Act*, and on behalf of the other responsible ministers ("RM") with jurisdiction in relation to the environmental assessment ("EA") of the above noted project, conveyed the RMs' decision to adopt the Mackenzie Valley Environmental Impact Review Board's recommendation that the Project be approved subject to the implementation of mitigation measures and developer commitments contained in the Report of Environmental Assessment and Reasons for Decision.

The Canadian Northern Economic Development Agency's Northern Projects Management Office ("NPMO"), as Crown Consultation Coordinator for federal participation in the Jay Project EA, thanks the Łutselk'e Dene First Nation ("LKDFN") for its letter dated April 4, 2016. The views expressed in this letter are important and full and fair consideration was given to these comments prior to the RMs' decision to adopt the MVEIRB's recommendation. The GNWT and the Government of Canada have reviewed your comments and the Government of Canada would like to provide the following in response for matters within its jurisdiction. This letter should be read in concert with any response provided by the GNWT.

The LKDFN identified a number of environmental and socio-economic concerns within their response. Specifically, that response raised concerns related to the protection of fish passage at the narrows between Lac du Sauvage and Lac du Gras which are within the mandate of the federal department of Fisheries and Oceans Canada ("DFO"). LKDFN propose that Dominion Diamond Ekati Corporation and regulatory authorities should consult with the LKDFN and other Indigenous parties to ensure fish passage and traditional use can continue to occur at the narrows. NPMO raised these concerns with DFO and would like to provide the following in response.

The Project will be subject to a *Fisheries Act* Authorization (pursuant to Paragraph 35 (2) (b) of the *Fisheries Act*) for the dewatering and associated fish-out of a portion of Lac du Sauvage which will contain conditions related to the implementation and

monitoring of an offsetting plan that will be required by the Developer to ensure impacts to fish and fish habitat due to the project are addressed. Dominion Diamond Ekati Corporation has committed to consulting with Indigenous groups, including the LKDFN, with respect to these activities. Officials from Fisheries and Oceans Canada will be party to these consultations and will consult with Indigenous groups as appropriate. It is important to note that commitments by the Developer form part of the Project as assessed by the Review Board and approved by the Minister of Lands and RMs. Consultation will continue throughout the Regulatory phase, which will consider the water licence and land use permit that are necessary for the Project. The LKDFN, and other Indigenous groups, are encouraged to participate in the regulatory phase and provide input to the Wek'èezhii Land and Water Board ("WLWB") with respect to these authorizations. DFO will participate in the regulatory phase and will provide input on concerns relating to fish and fish habitat where appropriate.

The Government of Canada will rely on the regulatory process of the WLWB as the primary means to discharge any consultation obligations related to that phase. The LKDFN is encouraged to remain engaged in that process and any subsequent consultation activities by Fisheries and Oceans Canada or any other Government of Canada departments. As well, the Government of Canada encourages the LKDFN to continue to participate in any engagement efforts by Dominion Diamond Ekati Corporation.

Should you have any further questions as they relate to fish and fish habitat for this Project, please contact Georgina Williston, Senior Fisheries Protection Biologist, Fisheries and Oceans Canada at 867-669-4927, or [georgina.williston@dfo-mpo.gc.ca](mailto:georgina.williston@dfo-mpo.gc.ca). I would like to take this opportunity to thank the LKDFN for your continued participation throughout the Jay Project EA.

Sincerely,



Matthew Spence  
Director General  
Northern Projects Management Office

- cc. Mark Hopkins, Director General, Natural Resources and Environment Branch,  
Indigenous and Northern Affairs Canada
- Michele Taylor, Regional Director General, Prairie and Northern, Transport  
Canada
- David Burden, Regional Director General, Central and Arctic, Fisheries and  
Oceans Canada
- Kate Hearn, Assistant Deputy Minister, Planning and Coordination, Government  
of the Northwest Territories
- Derek Elkin, Assistant Deputy Minister, Health and Social Services, Government  
of the Northwest Territories
- Shannon Cumming, Assistant Deputy Minister, Environment and Natural  
Resources, Government of the Northwest Territories
- Lauren King, Manager, Wildlife, Lands and Environment Department, Lutsel K'e  
Dene First Nation
- Mark Cliffe-Phillips, Executive Director, Mackenzie Valley Environmental Impact  
Review Board
- Ryan Fequet, Executive Director, Wek'èezhìi Land and Water Board
- Claudine Lee, Head of Environment and Communities, Dominion Diamond Ekati  
Corporation



5019 – 52<sup>nd</sup> Street  
Yellowknife, NT – X1A 1T5

**VIA EMAIL & FAX**

MAY 19 2016

Stanley Anablak, President  
Kitikmeot Inuit Association  
P.O. Box 18  
Cambridge Bay, NU X0B 0C0

**RE: Response to the Report of Environmental Assessment and Reasons for  
Decision for the Dominion Diamond Ekati Corporation's Jay Project**

---

Dear Mr. Anablak,

As you are aware, on May 19, 2016, the Minister of Lands, Government of the Northwest Territories ("GNWT"), as the territorial Minister with delegated authority for Part 5 of the *Mackenzie Valley Resource Management Act*, and on behalf of the other responsible ministers ("RM") with jurisdiction in relation to the environmental assessment ("EA") of the above noted project, conveyed the RMs' decision to adopt the Mackenzie Valley Environmental Impact Review Board's ("Review Board") recommendation that the Project be approved subject to the implementation of mitigation measures and developer commitments contained in the Report of Environmental Assessment and Reasons for Decision.

The Canadian Northern Economic Development Agency's Northern Projects Management Office ("NPMO"), as Crown Consultation Coordinator for federal participation in the Jay Project EA, thanks the Kitikmeot Inuit Association ("KIA") for its letter regarding the Review Board's Report of EA of the Jay Project (the "Project") and for the KIA's continued participation throughout the EA. The comments you have raised are important and were given full and fair consideration by the RMs prior to making their decision to adopt the MVEIRB's recommendation. This letter should be read in concert with any response provided by the GNWT.

As the Government of Canada will rely on the regulatory process of the Wek'èezhìi Land and Water Board ("WLWB") as the primary means to discharge any consultation obligations related to that phase, the KIA is encouraged to remain engaged in that process and to participate in any engagement efforts by Dominion Diamond Ekati Corporation.

Again, I thank you for your participation during the above noted EA.

Sincerely,



Matthew Spence  
Director General  
Northern Projects Management Office

cc. Mark Hopkins, Director General, Natural Resources and Environment Branch,  
Indigenous and Northern Affairs Canada

Michele Taylor, Regional Director General, Prairie and Northern, Transport  
Canada

David Burden, Regional Director General, Central and Arctic, Fisheries and  
Oceans Canada

Kate Hearn, Assistant Deputy Minister, Planning and Coordination, Government  
of the Northwest Territories

Derek Elkin, Assistant Deputy Minister, Health and Social Services, Government  
of the Northwest Territories

Shannon Cumming, Assistant Deputy Minister, Environment and Natural  
Resources, Government of the Northwest Territories

Mark Cliffe-Phillips, Executive Director, Mackenzie Valley Environmental Impact  
Review Board

Ryan Fequet, Executive Director, Wek'èezhìi Land and Water Board

Claudine Lee, Head of Environment and Communities, Dominion Diamond Ekati  
Corporation





5019 – 52<sup>nd</sup> Street  
Yellowknife, NT – X1A 1T5

**VIA EMAIL & FAX**

MAY 19 2016

Chief Ernest Betsina  
Chief Edward Sangris  
Yellowknives Dene First Nation  
PO Box 2514  
Yellowknife, NT X1A 2P8

**RE: Response to the Report of Environmental Assessment and Reasons for  
Decision for the Dominion Diamond Ekati Corporation's Jay Project**

---

Dear Chiefs,

As you are aware, on May 19, 2016, the Minister of Lands, Government of the Northwest Territories ("GNWT"), as the territorial Minister with delegated authority for Part 5 of the *Mackenzie Valley Resource Management Act*, and on behalf of the other responsible ministers ("RM") with jurisdiction in relation to the environmental assessment ("EA") of the above noted project, conveyed the RMs' decision to adopt the Mackenzie Valley Environmental Impact Review Board's ("Review Board") recommendation that the Project be approved subject to the implementation of mitigation measures and developer commitments contained in the Report of Environmental Assessment and Reasons for Decision.

The Canadian Northern Economic Development Agency's Northern Projects Management Office ("NPMO"), as Crown Consultation Coordinator for federal participation in the Jay Project EA, thanks the Yellowknives Dene First Nation ("YKDFN") for its letter dated April 4, 2016. The views expressed in your letter are important and full and fair consideration was given to these comments prior to the RMs' decision to adopt the MVEIRB's recommendation. The GNWT and the Government of Canada have reviewed your comments and the Government of Canada would like to provide the following in response for matters within its jurisdiction. This letter should be read in concert with any response provided by the GNWT.

The YKDFN identified a number of environmental and socio-economic concerns. Specifically, that response raised concerns related to the protection of fish and fish habitat which are within the mandate of the federal department of Fisheries and Oceans Canada ("DFO"). You indicate support of the recommendations provided by the Independent Environmental Monitoring Agency ("IEMA") with respect to fish and fish habitat. NPMO raised these comments with DFO and Environment and Climate Change Canada and would like to provide the following in response.

Government of Canada officials have reviewed IEMA's closing submission and note that it was considered by the Review Board in issuing a recommendation with respect to the approval of the Project. While there are no unaddressed issues as it relates to the

protection of fish and fish habitat, some will receive further attention and allow for continued consultation at the permitting and licencing stage (“regulatory phase”).

The Project will require a *Fisheries Act* Authorization (pursuant to Paragraph 35 (2) (b) of the *Fisheries Act*) for the dewatering and associated fish-out of a portion of Lac du Sauvage which will contain conditions related to the implementation and monitoring of an offsetting plan that will be required by the Developer to ensure impacts to fish and fish habitat due to the project are addressed. Dominion Diamond Ekati Corporation has committed to consulting with Indigenous groups, including the YKDFN, with respect to these activities. Officials from DFO will be party to these consultations and will consult with Indigenous groups as appropriate. It is important to note that commitments by the Developer form part of the Project as assessed by the Review Board and approved by the Minister of Lands and RMs. Consultation will continue throughout the regulatory phase, which will consider the water licence and land use permit that are necessary for the Project. The YKDFN are encouraged to participate in that regulatory phase and provide input to the Wek’èezhii Land and Water Board (“WLWB”) with respect to these authorizations, and to participate in any engagement efforts by the Dominion Diamond Ekati Corporation. DFO will participate in the regulatory phase and will provide input on concerns relating to fish and fish habitat where appropriate.

The Government of Canada will rely on the regulatory process of the WLWB as the primary means to discharge any consultation obligations related to that phase. The YKDFN is encouraged to remain engaged in that process and any subsequent consultation activities by DFO or any other Government of Canada departments. The YKDFN are also encouraged to participate in any engagement efforts by Dominion Diamond Ekati Corporation.

Should you have any further questions as they relate to fish and fish habitat for this Project, please contact Georgina Williston, Senior Fisheries Protection Biologist, Fisheries and Oceans Canada at 867-669-4927, or [georgina.williston@dfo-mpo.gc.ca](mailto:georgina.williston@dfo-mpo.gc.ca). I would like to take this opportunity to thank the YKDFN for your continued participation throughout the Jay Project EA.

Sincerely,



Matthew Spence  
Director General  
Northern Projects Management Office

cc. Mark Hopkins, Director General, Natural Resources and Environment Branch,

Indigenous and Northern Affairs Canada

Michele Taylor, Regional Director General, Prairie and Northern, Transport  
Canada

David Burden, Regional Director General, Central and Arctic, Fisheries and  
Oceans Canada

Kate Hearn, Assistant Deputy Minister, Planning and Coordination, Government  
of the Northwest Territories

Derek Elkin, Assistant Deputy Minister, Health and Social Services, Government  
of the Northwest Territories

Shannon Cumming, Assistant Deputy Minister, Environment and Natural  
Resources, Government of the Northwest Territories

Alex Power, Regulatory and Research Specialist, Department of Land and  
Environment, Yellowknives Dene First Nation

Mark Cliffe-Phillips, Executive Director, Mackenzie Valley Environmental Impact  
Review Board

Ryan Fequet, Executive Director, Wek'èezhìi Land and Water Board

Claudine Lee, Head of Environment and Communities, Dominion Diamond Ekati  
Corporation