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July 17, 2020

Erin Kelly  
Deputy Minister, Environment and Natural Resources  
Government of the Northwest Territories  
P.O. Box 1320, 4923 – 52nd Street  
Yellowknife NT X1A 2L9

Sent via email

Sylvia Haener  
Deputy Minister, Lands  
Government of the Northwest Territories  
P.O. Box 1320, 4923 – 52nd Street  
Yellowknife NT X1A 2L9

Sent via email

Dear Erin Kelly and Sylvia Haener,

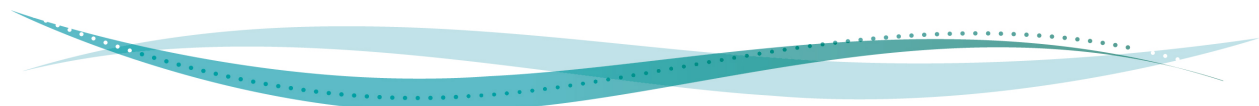
**RE: Request for Discontinuance of Non-Specific Comments on Items out for Review on the Online Review System of the Land and Water Boards**

The Chairs of the Land and Water Boards of the Mackenzie Valley (the Boards) are writing regarding an ongoing issue with the “standard comments” submitted by the Government of the Northwest Territories (GNWT) through the Boards’ Online Review System (ORS).

During the recent Mackenzie Valley Operational Dialogue held in early March 2020, industry participants collectively voiced their concern at the increasing number of standard comments being submitted to the Boards from the GNWT that simply reiterate legislation, don’t provide specific or clear recommendations, and contribute to unnecessary effort for applicants.

This message aligns with the experience of the Boards. Board staff have met with GNWT staff on several occasions over the past 12 months to discuss the necessity of making the public review process helpful, efficient, and effective, and to discuss specific examples of how the GNWT’s standard comments are not contributing to those outcomes. The Regulatory Managers of both the Mackenzie Valley and Wek’èezhìi Land and Water Boards prepared a presentation for a working session with GNWT to again try to support the GNWT in participating effectively in the public review processes.

All Parties continue to experience their respective challenges, so the additional time and effort required for applicants and Board staff to respond to the multitude of standard comments is not an effective use of resources. To illustrate further how the standard comments are not commensurate to the submissions, a [Type B land use permit application for Diavik’s Traditional Knowledge Camp](#) on the south shore of Lac de Gras received 26 comments from the GNWT. These comments included recommendations that: don’t apply to the submission in question (see GNWT#20); reiterate legislative obligations and don’t provide a recommendation (see GNWT#1); appear to have been



# Land and Water Boards of the Mackenzie Valley

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provided without reviewing the relevant management plans or existing standard Land Use Permit conditions resulting in staff having to go back and check these documents an additional time (see GNWT #5); and provide general recommendations that aren't helpful to the Board or proponent in understanding what specific mitigations should be considered (see GNWT#9).

The Chairs of the Boards are now writing to highlight the importance of this issue and to request that GNWT staff take a different approach to participating in the Boards' public review processes. The Boards appreciate the working relationship we have with the GNWT and are confident we can work together to find a resolution that works for all Parties.

We look forward to your reply. Should you have any questions, please contact Shelagh Montgomery, MVLWB Executive Director, at [smontgomery@mvlwb.com](mailto:smontgomery@mvlwb.com) or (867) 445-2587.

Yours sincerely,



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Mavis Cli-Michaud, Chair,  
Mackenzie Valley Land and Water Board



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Elizabeth Wright, Chair,  
Gwich'in Land and Water Board



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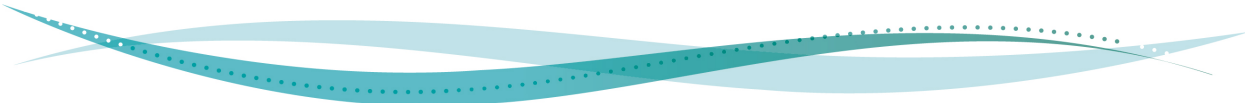
Larry Wallace, Chair,  
Sahtu Land and Water Board



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Joseph Mackenzie, Chair,  
Wek'èezhii Land and Water Board

Copied to:     Nathen Richea, A/ADM Environment and Climate Change, Environment and Natural Resources, GNWT  
                  Lorraine Seale, Director of Securities and Project Assessment, Lands, GNWT  
                  Scott Stewart, Regional Superintendent, Lands, GNWT





July 30, 2020

DISTRIBUTION LIST

**Request for Discontinuance of Non-Specific Comments on Items out for Review on the Online Review System of the Land and Water Boards**

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The Department of Lands (DOL) and the Department of Environment and Natural Resources (ENR) received your letter dated July 17, 2020 regarding the Government of the Northwest Territories (GNWT) use of standard comment submissions through the online review system (ORS). We would like to thank the Chairs of the Land and Water Boards of the Mackenzie Valley for bringing this concern forward.

In addition to territorial legislation requirements, under the *Mackenzie Valley Resource Management Act*, the GNWT has specific delegated authorities which inform our participation in public review processes. The GNWT acknowledges its role in sharing information with the Land and Water Boards of the Mackenzie Valley as support for the performance of Board functions. Our goal is to provide clear comments and recommendations to Boards as well as proponents. We take our role seriously, and also share the understanding that public reviews should be helpful, efficient and effective.

The GNWT is committed to addressing your concern while balancing both the Board's expectations and GNWT's regulatory role. GNWT staff has been directed to no longer provide standard comments at this time. We will take this opportunity to review standard comments and their usage in light of the feedback you have provided. Should you have any questions, please contact Julian Kanigan, Director, Environmental Stewardship and Climate Change at [Julian\\_kanigan@gov.nt.ca](mailto:Julian_kanigan@gov.nt.ca).

Sincerely,

Erin Kelly, Ph.D.  
Deputy Minister  
Environment and Natural Resources

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c. Ms. Sylvia Haener, Deputy Minister  
Department of Lands

Mr. Nathen Richea, A/ADM Environment and Climate Change  
Environment and Natural Resources

Mr. Julian Kanigan, Director Environmental Stewardship and Climate Change  
Environment and Natural Resources

Ms. Lorraine Seale, Director of Securities and Project Assessment  
Department of Lands

Mr. Scott Stewart, Regional Superintendent  
Department of Lands

Ms. Shelagh Montgomery, Executive Director  
Mackenzie Valley Land and Water Board

Mr. Paul Dixon, Executive Director  
Gwich'in Land and Water Board

Mr. Leonard DeBastien, Executive Director  
Sahtu Land and Water Board

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

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Ms. Mavis Cli-Michaud, Chair  
Mackenzie Valley Land and Water Board

Ms. Elizabeth Wright, Chair  
Gwich'in Land and Water Board

Mr. Larry Wallace, Chair  
Sahtu Land and Water Board

Mr. Joseph Mackenzie, Chair  
Wek'èezhìi Land and Water Board