



Independent Environmental Monitoring Agency

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March 28, 2014

Robert Jenkins
Director, Renewable Resources and Environment
Aboriginal Affairs and Northern Development Canada
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Dr. Ray Case
Assistant Deputy Minister, Corporate and Strategic Planning
Environment and Natural Resources, Government of the NWT
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Brendan Bell
Dominion Diamond Ekati Corp.
1102-4920 52nd Street
Yellowknife NT X1A 3T1

**Re: Follow-up to the March 25 Special Meeting of Society Members
on Proposed Changes to the Environmental Agreement**

We wish to thank all of our Society members for their participation in the Special Meeting held on March 25, 2014 in relation to the proposed changes to the Environmental Agreement.

The Agency was very pleased with the full and active participation of all of our Society members at such short notice. The meeting provided a helpful exchange of views and explanations.

At the meeting, we indicated that the Agency would carefully consider what we heard and decide whether any additional representations would be made to the Parties to the Environmental Agreement. The Agency has two major additional points it would like to make following the meeting of March 25, 2014.

Opportunity for Aboriginal Society Member Comments on Proposed Changes

Based on the strong and helpful representations of our Aboriginal Society members, the Agency supports a reasonable opportunity for the submission of written comments and advice to the Parties to the Environmental Agreement on the proposed changes, from the Aboriginal governments. We heard that most, if not all, Aboriginal Society members have some capacity issues in this particularly busy time of the year, but clearly there is a serious intention to submit comments on the proposed changes.

In the interim, it is our understanding from the meeting that there is not an immediate urgency to complete amendments in time for April 1, 2014 and that the Parties are genuinely interested in receiving submission from the Aboriginal Society members. We also understand that the federal and territorial governments, along with the company, will not proceed with any changes to the Environmental Agreement before a reasonable opportunity is afforded for the submission of such comments. It would be most helpful if the Parties to the Environmental Agreement would provide a reasonable timeframe and a deadline for the submission of such comments.

Canada Remaining as a Signatory and Party to the Environmental Agreement

Based on what the Agency heard from our Aboriginal Society members, there is a clear and strong preference for Canada to remain as a signatory and party to the Environmental Agreement after devolution and after April 1, 2014. We would request that the Parties to the Environmental Agreement give full and serious consideration to Canada remaining a signatory and party to the Environmental Agreement. We were very much convinced with Mr. Donihee's and others' views on the spirit and intent of the Environmental Agreement as part of a broader "social contract" for the Ekati Mine to go into production, an arrangement that included the participation of the Government of Canada.

Should Aboriginal Affairs and Northern Development Canada no longer have the capacity or mandate to fulfill the federal coordination roles under the Environmental Agreement, we would like to suggest that consideration might be given to another agency or mechanism. It has come to our attention that the Northern Project Management Office within the federal Canadian Northern Economic Development Agency may have the mandate, capacity and experience to fulfill the federal role under the Environmental Agreement. We understand that the Northern Project Management Office already plays a similar coordination role on a number of other resource development projects both before and after environmental and regulatory reviews.

Other Matters

The Agency was pleased to hear that the Parties to the Environmental Agreement now intend to keep the number of Directors for the Agency the same. We were also encouraged to hear that there is a willingness to work cooperatively to revise and update the Resolution Agreements as part of any changes deemed necessary to the Environmental Agreement.

We look forward to continuing to work with all of our Society members towards the effective environmental management of the Ekati Mine.

Sincerely,

A handwritten signature in black ink, appearing to read "W.A. Ross". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Bill Ross
Chairperson

- cc. Grand Chief Eddie Erasmus, Tlicho Government
- Charlie Evalik, President, Kitikmeot Inuit Association
- Chiefs Edward Sangris and Ernest Bestina, Yellowknives Dene First Nation
- Chief Dora Enzoë, Lutsel K'e Dene First Nation
- Bill Enge, President, North Slave Metis Alliance
- Seth Bohnet, Acting Chair, Environmental Monitoring Advisory Board
- Johnny Weyallon, Chair, Snap Lake Environmental Monitoring Agency