



Ottawa, Canada K1A 0H4

SEP 10 2019

Ms. Mavis Cui-Michaud
Chair
Mackenzie Valley Land and Water Board
P.O. Box 2130
YELLOWKNIFE NT X1A 2P6

Ms. Elizabeth Wright
Chair
Gwich'in Land and Water Board
105 Veterans Way, P.O. Box 2018
INUVIK NT X0E 0T0

Mr. Larry Wallace
Chair
Sahtu Land and Water Board
P.O. Box 1
FORT GOOD HOPE NT X0E 0H0

Mr. Joseph Mackenzie
Chair
Wek'èezhìi Land and Water Board
1 – 4905 48th Street
YELLOWKNIFE NT X1A 3S3

Dear Chairs:

I am pleased to inform you that I have approved measures pursuant to section 23.4 of the *Tłı̄chq Land Claims and Self-Government Agreement* (Tłı̄chq Agreement) developed through the collaborative process established last spring between the Government of Canada, the Tłı̄chq Government, and the Government of the Northwest Territories.

The measures consist of two components. The first, which is central to the land and water boards, is the provision of policy direction to the Mackenzie Valley, Sahtu, and Wek'èezhìi land and water boards. The second element is a letter to the Mackenzie Valley Environmental Impact Review Board (Review Board) encouraging proponents to begin their relationship with the Tłı̄chq Government early in the course of the environmental assessment and regulatory process.

I have been informed that departmental officials have consulted representatives of the land and water boards on the subject of this policy direction, and I am pleased to provide this resulting policy direction pursuant to section 83(1) of the *Mackenzie Valley Resource Management Act* (the Act) with this letter.

I have informed the Dèlįnq Got'įnq Government of this policy direction (pursuant to section 2.7.1 of the *Dèlįnq Final Self-Government Agreement* and 83(1.1) of the Act. A copy of the letters to the Review Board and the Dèlįnq Got'įnq Government, along with copies of information letters I have sent to the Tłı̄chq Government, the Government of the Northwest Territories and the NWT & Nunavut Chamber of Mines are enclosed.

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Thank you for your collaboration and your contribution to effective resource management in the Northwest Territories.

Sincerely,



Hon. Carolyn, Bennett, M.D., P.C., M.P.

Encl.

Policy Direction

Letter to the Mackenzie Valley Environmental Impact Review Board

Notification letter to the D l n  Got' n  Government

Confirmation letter to the T chq Government

Information letter to the Government of the Northwest Territories

Information letter to the NWT & Nunavut Chamber of Mines

MACKENZIE VALLEY RESOURCE MANAGEMENT ACT

Policy Direction of the Minister of Indian Affairs and Northern Development regarding Chapter 23.4 of the *Tłıchq Land Claims and Self-Government Agreement*

Whereas: the Minister has determined that the Government of Canada's measures contemplated in 23.4 of the *Tłıchq Land Claims and Self-Government Agreement* could be given effect through Policy Direction to the Mackenzie Valley Land and Water Board, including the Wek'èezhì and Sahtu land and water boards; and

Whereas: the Minister has concluded consultations on this Policy Direction with the Tłıchq Government and the land and water boards pursuant to 22.3.15 and 23.4.1 of the *Tłıchq Land Claims and Self-Government Agreement* and 83(1) of the *Mackenzie Valley Resource Management Act* (the Act) and informed the Délıne Got'ıne Government of their intentions to give Policy Direction to the Sahtu Land and Water Board pursuant to 2.7.1 of the *Délıne Final Self-Government Agreement* and 83(1.1) of the Act;

Now therefore, the Minister issues the following Policy Direction to the Mackenzie Valley Land and Water Board, including the Wek'èezhì and Sahtu land and water boards, pursuant to section 83 (1) of the Act, which shall guide the boards in carrying out their functions under the *Mackenzie Valley Resource Management Act*:

1. When a proponent applies for the issuance, renewal, or amendment of a type A licence, or the issuance, renewal, or amendment of a type B licence for which a public hearing is held, or where the Board considers on its own initiative the renewal or amendment of such a licence, and where the issuance, renewal or amendment in question is for a "major mining project" (as defined in Chapter 23 of the *Tłıchq Land Claims and Self-Government Agreement*), the Board will notify the proponent and the Tłıchq Government that before a Minister approves any such licence issued by the Board, the proponent and Tłıchq Government must submit evidence to the Board, which will be considered by the Minister responsible for the approval, that:

- 1.1 the proponent and the Tłıchǫ Government have entered into an agreement contemplated under 23.4.1 of the *Tłıchǫ Land Claims and Self-Government Agreement* for that major mining project; or
 - 1.2 pursuant to 23.4.2 of the *Tłıchǫ Land Claims and Self-Government Agreement* the proponent and the Tłıchǫ government have agreed that negotiation of an agreement is not required or, if required, it will be negotiated after a Minister's approval of the type A or type B licence; or
 - 1.3 best efforts were made in good faith to conclude a negotiated agreement as contemplated under 23.4.1 of the *Tłıchǫ Land Claims and Self-Government Agreement*, as well as any evidence of why an agreement was not concluded.
2. The Board may establish any timelines, procedures, or guidelines necessary to give effect to this Policy Direction.