



OCT 20 2020

BY EMAIL

Ms. Mavis Cli-Michaud
Chair
Mackenzie Valley Land and Water Board
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Mr. Joseph Mackenzie
Chair
Wek'eezhii Land and Water Board
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Ms. Elizabeth Wright
Chair
Gwich'in Land and Water Board
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Mr. Larry Wallace
Chair
Sahtu Land and Water Board
P.O. BOX 1
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Dear NWT Land and Water Board Chairs:

Mackenzie Valley Land and Water Board and Crown Consultation Obligations

I am pleased to provide the Government of the Northwest Territories' (GNWT) response to your June 2018 letter to then Ministers of the Department of Lands and the Department of Environment and Natural Resources requesting that the GNWT clarify the nature and extent of Crown reliance on land and water board processes in order to satisfy Aboriginal consultation obligations. As you can imagine, this was a complex undertaking which required coordination between the GNWT and the Government of Canada (Canada).

As the Minister of Executive and Indigenous Affairs, I am responding on behalf of the GNWT. Below is the wording that has been agreed upon between the GNWT and Canada for addition to your Online Review System.

The Crown relies on the Board's process as the primary means to fulfill its duty to consult with Indigenous Peoples and, if appropriate, accommodate potential adverse impacts to asserted or established Aboriginal and/or Treaty rights resulting from any decisions by the federal government, territorial government, or Board in relation to this review item.

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If you identify any potential adverse impacts to your asserted or established Aboriginal and/or Treaty rights with respect to this review item, it is important to provide a submission setting out the details as part of this review. Your submission will inform any preliminary screening determinations, the planning of future steps in the Board's process, and any other Crown consultation (Board, federal government, or territorial government) steps that may be required. Please explain and provide evidence of the following in your submission: the specific right that may potentially be adversely impacted, the specific potential adverse impacts, and how those potential adverse impacts might be accommodated.

Thank you again for your patience on this complex subject.

Please feel free to contact my office should you have any questions or concerns.

Sincerely,



Martin Goldney
Secretary to Cabinet/Deputy Minister
Executive and Indigenous Affairs

c. Honourable Shane Thompson
Minister of Environment and Natural Resources
Minister of Lands

Ms. Shaleen Woodward
Principal Secretary

Ms. Shawn McCann
Acting Deputy Secretary, Indigenous and Intergovernmental Affairs
Executive and Indigenous Affairs