

Louie Azzolini

From: Louie Azzolini
Sent: Friday, August 24, 2001 9:01 AM
To: 'Tamara Hamilton'
Subject: RE: procedural concern with the MVEIRB

Good morning Tamara. INAC can respond if it wants to but its not necessary. However, note that the implications of the letter is that De Beers will have the last word in the EA after all is said and done and before the RB makes a decision. If that is an issue you may want to consider what response INAC may wish to provide.
LA

-----Original Message-----

From: Tamara Hamilton [mailto:hamiltont@inac.gc.ca]
Sent: Thursday, August 23, 2001 5:09 PM
To: eao1@mveirb.nt.ca
Subject: Re: procedural concern with the MVEIRB

Hi Louie,

Thanks for the letter, DIAND is still planning on submitting their response to the Board's request by tomorrow. Are we to expect a response from the Board on this letter from De Beers? Thanks.

Tamara

>>> Louie Azzolini <eao1@mveirb.nt.ca> 08/23/01 04:55PM >>>
Please see the letter provided by De Beers to the MVEIRB regarding recent requests for rulings and recommendations.

File:EA01-004

August 23, 2001
VIA FAX
ORIGINAL VIA MAIL

Chairperson
Mackenzie Valley Environment Impact Review Board
PO Box 938
Yellowknife NT X1A 2N7

Attention: Mr. Gordon Lennie

Dear Mr. Lennie:

SUBJECT: Snap Lake Diamond Project

De Beers Canada Mining Inc. would like to raise a procedural concern with the MVEIRB. It pertains to the MVEIRB's letter of August 16, 2001, addressed to Mary Tapsell of the Department of Indian Affairs and Northern Development ("INAC") and Kevin O'Reilly of the Canadian Arctic Resources Committee ("CARC") with respect to their recommendations/request for rulings

Sincerely,

Luciano Azzolini,
Environmental Assessment Officer,
Mackenzie Valley Environmental Impact Review Board,
Box 938, Yellowknife, NT. X1A 2N7
Phone (867) 873-9189; Fax 920-4761;
mveirb.nt.ca

Indian and Northern
Affairs CanadaAffaires indiennes
et du Nord CanadaPO Box 1500
YELLOWKNIFE, NT X1A 2R3

EA01-004

Your file votre référence

BY FACSIMILE: (867) 920-4761

Our file Notre référence
7292-7-A2-12-3

August 24, 2001

Vern Christensen
Executive Director
Mackenzie Valley Environmental Impact Review Board
Box 938
YELLOWKNIFE, NT X1A 2N7

Dear Mr. Christensen:

I am writing in response to your letter dated August 16, 2001, requesting a rationale for our recommendation to the Mackenzie Valley Environmental Impact Review Board (Review Board) to conduct a public hearing for the De Beers Snap Lake Diamonds Project environmental assessment (De Beers EA).

The Department did not recommend that the Review Board conduct a public hearing or formal scoping meetings for De Beers EA as CARC had requested a formal ruling on this matter. Rather the Department recommended that the Review Board conduct public hearings early in the proceedings of future environmental assessments. These hearings should be established for larger projects in a forum that enables interested parties to present their concerns with the draft Terms of Reference (TOR) and any new information to the Review Board. Without a public hearing early in the proceedings, the Review Board does not have the opportunity to clarify its EA process and may be unable to consider new information that would assist it in designing sound TOR.

The Review Board has decided to use the draft *Rules of Procedures for Environmental Assessment and Environmental Impact Review Proceedings* for the De Beers EA. Under section 30 of the MVRMA, the Review Board must publish a Gazette notice of its intent to validate the proposed Rules and invite interested parties to submit written representations to the Board. As this hasn't been done, I would like to reiterate our position that it would be inappropriate for the Board to use these Rules for the purposes of this EA.

Canada

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Please feel free to call should you wish to discuss this further.

Yours sincerely,

A handwritten signature in cursive script, appearing to read "D. Livingstone".

David Livingstone, Director
Renewable Resources and Environment

cc: Kevin O'Reilly, Canadian Arctic Resources Committee

FACSIMILE TRANSMISSION**DIAND**

**David Livingstone, Director
Renewable Resources and Environment
P.O. Box 1500, Yellowknife NT X1A 2R3
Internet: livingstoned@inac.gc.ca
Tel.: (867) 669-2647
Fax.: (867) 669-2707**

Date: August 24, 2001
To: Vern Christensen, Executive Director
MVEIRB
Fax: 920-4761
Pages: 3, including cover
Comments:

