



Mackenzie Valley Environmental Impact Review Board

July 8th, 2003

TO: Parties to the De Beers EA and
The Public Record

RE: Northwest Territory Metis Nation Letter of May 22nd, 2003 Ref. 938, 939.

As you are aware, during the De Beers Canada Mining Inc. (De Beers) Environmental Assessment (EA) proceeding, including the public hearing, the Mackenzie Valley Environmental Impact Review Board (Review Board) advised the parties to the De Beers EA that the public record for the EA proceeding would be closed on May 23rd, 2003, subject to any other rulings on admissibility of evidence by the Review Board.

On May 22nd, 2003, the Review Board received correspondence from the Northwest Territory Metis Nation (NWTMN) which included new information not advanced during the Snap Lake hearing or approved by the Review Board during the hearing. The Review Board placed the letter on the public record provisionally, subject to comments from the parties to the EA.

The NWTMN letter was circulated to the parties and they were asked whether there were any objections to the filing of the letter on the public record. Responses were received from the Department of Indian Affairs and Northern Development (DIAND) and De Beers on May 29th, 2003. DIAND had no concerns with the admission of the letter. De Beers, however, objected "to the attempt by the NWTMN to introduce new evidence" and cited their concerns.

In light of the dispute, the Review Board has reviewed the NWTMN letter and the DIAND and De Beers submissions. The Review Board has decided to remove the NWTMN letter from the public record. The letter was filed very late in the proceeding and includes information about De Beers' activities at Kennady Lake which is not relevant to the Snap lake project. The Review Board also notes that the traditional land use 'in-progress' report to which the NWTMN refers in its letter was underway at the time of the Snap Lake hearing and the information, could have been brought to the Review Board's attention at that time. Finally, the Review Board notes that the letter contains argument which should more properly have been advanced in the context of a closing statement.

We trust that the Review Board's reasoning is clear.

Yours truly,

A handwritten signature in black ink, appearing to read "Vern Christensen".

Vern Christensen
Executive Director