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EA01-004

Your file - Votre référence

BY FACSIMILE: (867) 920-4761

7292-7-A2-12-3

August 30, 2001

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

Dear Mr. Christensen:

RE: Rules of Procedure for the De Beers Snap Lake Diamonds Project

In my letter to you of August 24, 2001, I noted that the application of the draft *Rules of Procedure for Environmental Assessment and Environmental Impact Review Proceedings* (Rules of Procedures) for the De Beers EA would be inappropriate. In a letter also dated August 24, 2001, Mr. Azzolini of your office asked that INAC clarify its position on this matter.

While the Review Board has applied the Rules of Procedures on an ad hoc basis in past environmental assessments, it has not taken the necessary steps to formally ratify them as set out in section 30(2) of the MVRMA. We believe that the Review Board should comply with section 30 (2) without further delay. The statement in my August 24th letter was intended to reflect our concern related to the uncertainties inherent in the Review Board's apparent intention to continue to apply draft Rules of Procedure without taking the necessary steps to formally ratify them.

agreed
and we
are.

I now understand that the Review Board plans to gazette the Rules of Procedures and invite interested parties to submit written representations to the Review Board in the upcoming months. We agree that the draft Rules of Procedures can be used as a guide if the Review Board plans to engage section 30 (2) of the MVRMA in the near future. However, we recommend that the Review Board set out in writing the specific rules it wishes to apply to the De Beers EA process rather than simply referring to the Rules of Procedures until the draft Rules have been ratified. We also feel it important that the Review Board consider the concerns of the Canadian Arctic Resources Committee and any other concerns that may be forthcoming during the section 30 (2) review.

Can we
be more
explicit?

we are.

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I trust this provides the clarification your office is seeking. Please feel free to call me at (867) 669-2647 if you wish to discuss this matter further.

Sincerely,

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

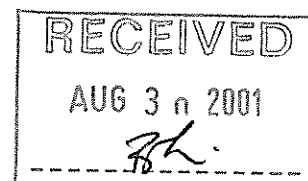
David Livingstone, Director
Renewable Resources and Environment

cc: Kevin O'Reilly, Canadian Arctic Resources Committee

FACSIMILE TRANSMISSION

DIAND

**David Livingstone, Director
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Date: August 30, 2001
To: Vern Christensen, Executive Director
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Pages: 3, including cover
Comments: