



Deninu K'ue First Nation

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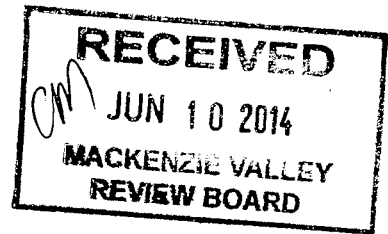
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FACSIMILE TRANSMITTAL SHEET

TO:

LOU ANN DENGERON

COMPANY:

FROM:

CHIEF LOUIS BALSILLIE

DATE:

JUNE 10, 2014

FAX NUMBER:

766 7074

PHONE NUMBER:

TOTAL NO. OF PAGES, INCLUDING COVER:

3

RE:

Snap Lake Amendment Project.

URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE



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JoAnne Deneron
Chair
Mackenzie Valley Review Board
200 Scotia Centre
Box 938, 5102-50th Avenue
Yellowknife, NT X1A 2N7

June 10, 2014

Re: Snap Lake Water License Amendment Project

Dear Ms. Deneron,

The Deninu Kue First Nation (DKFN) would like to express its concerns with the lack of acknowledgement of the recommendations presented by our technical advisor, Mr. Marc d'Entremont, at the recent public hearings for the above noted project. In the DKFN presentation on June 6, 2014, Mr. d'Entremont made two recommendations relating to undertakings. These recommendations are reiterated below for clarity.

1. In its opening statement DeBeers stated it has completed recent community engagement activities and an update to the engagement record will be filed by June 23, 2014. In our presentation, Mr. d'Entremont stated *"We would like to see that summary probably by the undertaking deadline, which would give us time to review it before the submission of our written closing arguments."* (page 145, lines 19-22 of the hearing transcript from June 5, 2014)

DeBeers has relied on these engagement records and appears to mis-represent these as consultation. This is also of concern to the DKFN as DeBeers has repeatedly mentioned that at some of these meetings *"no comments whatsoever were raised."* (Page 72, lines 7-8 of the hearing transcript from June 5, 2014). It is imperative that the parties involved in the engagement activities be able to review DeBeers' interpretation of these activities so that any additional concerns can be voiced at the closing arguments.

2. The second recommendation put forth from Mr. d'Entremont was in regard to amending one of the undertakings that was set on June 5, 2014. Mr. d'Entremont stated:

"And we've also talked again about the mitigation measures that have occurred, and potentially some of the ones that will occur. So in this point, I'd kind of hope -- see if there's the opportunity to open up one of the undertakings that was raised yesterday with regards to the compilation of -- I believe it was the compilation of current mitigation actions that have happened, and I'd like to see whether we can amend that to include the current management, or -- or operational actions that have occurred to help to

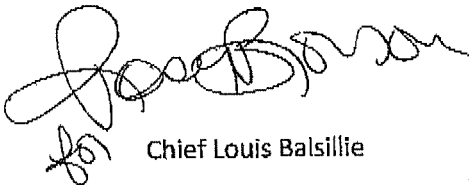
reduce – reduce the levels of TDS. And if those could be placed in the context of the response framework that De Beers has mentioned so that we have a better understanding of, like, you know, exactly when certain things were triggered in terms of management actions and mitigation in the attempts to, like I said yesterday, stay within the compliance limits of the water licence.” (Page 147, lines 8-25 of the hearing transcript from June 6, 2014).

The undertaking, Mr. d’Entremont was referring to was Undertaking #2: *De Beers to provide the Review Board with a complete list of commitments made by De Beers during this environmental assessment.* Mr. d’Entremont was asking that in addition to the list of commitments, DeBeers also document the management and/or operational practices that have been conducted in the attempt to stay within the compliance limits of the water license for TDS.

Mr. d’Entremont also made reference to these recommendations in the closing statements with the expectation that they would be revisited during the “Review of Undertakings” section of the agenda (Page 161, lines 3-8 of the hearing transcript from June 6, 2014). It is duly noted that the Review of Undertakings was not addressed at the hearing.

In closing, we trust that the Review Board will take full consideration of the recommendations put forth. We appreciate the opportunity to participate in this process, but we also want to be sure that our comments and concerns are acknowledged.

Sincerely,

A handwritten signature in black ink, appearing to read 'Louis Balsillie', with a stylized flourish at the end.

Chief Louis Balsillie

cc. Linda Vanden Berg, LVB Strategic Negotiations and Research
Marc d’Entremont, LGL Limited