



November 7, 2012

Chuck Hubert
Senior Environmental Assessment Officer
Mackenzie Valley Environmental Impact Review Board
Suite 200, 5102 – 50th Avenue
P.O. Box 938
Yellowknife NT X1A 2N7

Dear Mr. Hubert:

Technical Report Responses – Transport Canada

De Beers is pleased to provide the Mackenzie Valley Environmental Review Board with Responses to the Technical Submission from Transport Canada dated October 22, 2012.

Should you have any questions regarding this submission, please contact our office.

Regards,

Veronica Chisholm
Permitting Manager

Attachment





DE BEERS

CANADA

GAHCHO KUÉ PROJECT

Transport Canada
Technical Report Responses

November

2012

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1 INTRODUCTION

On October 22, 2012 Transport Canada submitted their technical report to the Mackenzie Valley Environmental Impact Review Board (MVEIRB) for the De Beers Canada Inc. (De Beers) proposed Gahcho Kué Project (Project). This report provides responses to those recommendations outlined in the Transport Canada technical report (Transport Canada 2012).

2 TRANSPORT CANADA RECOMMENDATIONS AND RESPONSES

2.1 NAVIGABLE WATERS

2.1.1 Recommendation 1

Consult with members of the public and aboriginal people who may have concerns related to works requiring NWPA approval, if they have not already done so.

2.1.2 Response

In the second round of information requests, De Beers, in their response to Transport Canada Round 2 Information Requests TC-1 and TC-2, provided a summary of engagement undertaken to date with members of the public and Aboriginal people who may have concerns related to the impacts of navigation (De Beers 2012).

2.1.3 Recommendation 2

Submit applications for approval under the NWPA when final design details for project components such as the dykes, water intakes and outfalls are ready. Transport Canada will be able to assess potential impacts to navigation and potential navigational safety hazards after design plans have been finalized and applications have been submitted for approval under the NWPA. Conditions outlined in NWPA approvals will aim to mitigate potential effects specific to project works.

2.1.4 Response

De Beers will meet the requirements of the *Navigable Waters Protection Act* and submit applications to Transport Canada for approval, as required.

2.1.5 Recommendation 3

Submit an application to Transport Canada if De Beers Canada Inc. wishes to seek a Proclamation of exemption under section 23 of the NWPA. De Beers Canada Inc. must inform Transport Canada in writing that it wishes to apply for a Proclamation of exemption (see Appendix II).

Submit applications to:

Navigable Waters Protection Program

Transport Canada

Canada Place

1100-9700 Jasper Avenue

Edmonton, AB T5J 4E6

Phone: 780-495-8215

Fax: 780-495-8607

E-mail: nwp-pen.pn@Transport Canada.gc.ca

<http://www.Transport Canada.gc.ca/eng/marinesafety/oep-nwpp-menu-1978.htm>

2.1.6 Response

De Beers will be seeking a Proclamation of exemption under Section 23 of the *Navigable Waters Protection Act*. De Beers will notify Transport Canada in writing that it will apply for a Proclamation of exemption, and include all of the necessary information required to support the Proclamation of exemption.

3 REFERENCES

De Beers (De Beers Canada Inc.). 2012. Transport Canada – Round 2 Information Request Responses – Gahcho Kué Project Environmental Impact Review. Submitted to: Mackenzie Valley Environmental Impact Review Board. September 2012. Available at:
http://reviewboard.ca/registry/project_detail.php?project_id=37&doc_stage=0.

Transport Canada. 2012. Technical Report – De Beers Canada Inc. Gahcho Kué Diamond Project. Submitted to: Mackenzie Valley Environmental Impact Review Board. Submitted by: Transport Canada. October 22, 2012. Available at:
http://reviewboard.ca/registry/project_detail.php?project_id=37&doc_stage=0.

4 ACRONYMS AND ABBREVIATIONS

De Beers	De Beers Canada Inc.
MVEIRB	Mackenzie Valley Environmental Impact Review Board
NWPA	<i>Navigable Waters Protection Act</i>
NWT	Northwest Territories
Project	Gahcho Kué Project