



**Mackenzie Valley Land and Water Board**  
**7th Floor - 4910 50th Avenue**  
**P.O. Box 2130**  
**NT X1A 2P6**  
**(67) 669-0506**  
**(67) 873-6610**

*File with Snap Lake EA  
 Proceeding*

*M*

MV2001C0012

From: Marilyn TOR LISA HUNTER

Number of pages including cover

13

**Remarks:**

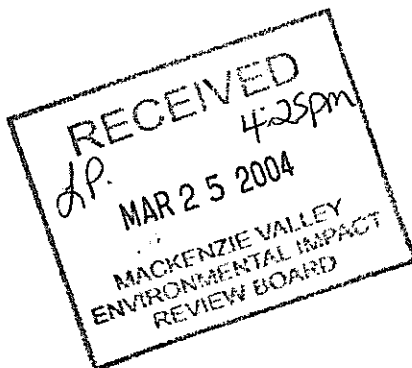
Following is the Draft Land Use Permit for the De Beers  
 Canada Mining Inc. Snap Lake Diamond Project.

As outlined in the covering letter, please submit comments  
 by March 23, 2004 quoting Land Use Permit  
 MV2001C0012.

- ☐ Enclosures
- ☐ As requested
- ☐ For your information
- ☒ For your comment
- ☐ For your approval

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March 17, 2004

**Application MV2001C0012**

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Alexandra Borowiecka	Ecology North	920-2986
Bill Carpenter	WWF	604-608-3128
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**Mackenzie Valley Land and Water Board**

7th Floor - 4910 50th Avenue • P.O. Box 2130  
YELLOWKNIFE, NT X1A 2P6  
Phone (867) 669-0506 • FAX (867) 873-6610

March 16, 2004

File: MV2001C0012

Distribution List: Snap Lake Diamond Project

**Draft Land Use Permit for De Beers Canada Mining Inc.  
Snap Lake Diamond Project**

Attached for your review and comment is the Draft Land Use Permit for the De Beers Canada Mining Inc. Snap Lake Diamond Project.

Please submit your comments in writing by **March 23, 2004** quoting Land Use Permit MV2001C0012.

The Draft Water License and Surveillance Network Program for this project were sent out on March 10, 2004, with comments expected for March 22, 2004.

If you have any questions, please contact me at (867) 669-0506 or email [mvlwbpermit@mvlwb.com](mailto:mvlwbpermit@mvlwb.com).

Yours sincerely,

A handwritten signature in black ink, appearing to be "LH", written over a circular line.

Lisa Hurley  
Regulatory Officer

Attachments

**CONDITIONS ANNEXED TO AND FORMING PART  
OF LAND USE PERMIT NUMBER MV2001C0012**

**Part A: Scope of Permit**

1. This permit entitles De Beers Canada Mining Inc. to conduct the following activities:

Mining and associated activities at the Snap Lake Diamond Project Site (63°35'30" N, 110°52'00" W) including:

- a) the extraction of waste rock and ore from the Snap Lake Diamond Mine,
- b) the development and operation of site facilities;
- c) the storage of fuel;
- d) the development and progressive reclamation of the North Pile;
- e) the construction of site roads and lay down areas; and,
- f) the construction and maintenance of a winter ice road.

As per the Land Use Permit application submitted February 2, 2001 with scoping documents, the Consolidated Project Description submitted November 24, 2003, information arising out of the Technical Session held December 17 & 18, 2003, the Basic Evidence submitted December 23, 2003, and information arising out of the Public Hearing held January 27 & 28, 2004 (with closing comments received February 6, 2004 from interveners and February 11, 2004 from the proponent).

2. The Permit is issued subject to the conditions contained herein with respect to the use of land for the activities and area identified in Part A, Item 1 of this permit.
3. Compliance with the terms and conditions of this permit does not absolve the Permittee from responsibility for compliance with the requirements of all applicable Federal, Territorial and Municipal legislation.

**Part B: Definitions**

**"Act"** means the *Mackenzie Valley Resource Management Act*,

**"Artesian Well"** means a water-bearing stratum, which when encountered during drilling operations, produces a pressurized flow of groundwater that reaches an elevation above the ground surface;

**"Board"** means the Mackenzie Valley Land and Water Board established under Part 4 of the *Mackenzie Valley Resource Management Act*;

**"Construction"** means any activities undertaken to construct or build any components of, or associated with, the development of the Snap Lake Diamond Project.

**"Drill Waste"** means all materials or chemicals, solid or liquid, associated with the drilling of boreholes and includes borehole cuttings;

**"Fuel Storage Facilities"** means the fuel storage facilities as described in Land Use Permit Application MV2001C0012.

**"Inspector"** means an Inspector designated by the Minister under the *Mackenzie Valley Resource Management Act*;

**"Regulations"** means Regulations proclaimed pursuant to Section 59, subsection 72(3) and sections 86 and 90 of the *Mackenzie Valley Resource Management Act*;

**"Sewage"** means all toilet wastes and grey water;

**"Site Facilities"** means the facilities shown in Figure 4 of the Consolidated Project Description, November 2003, which was submitted as part of the Land Use Permit Application MV2001C0012;

**"Water License"** means MV2001L2-0002;

**"Wildlife Effects Monitoring Program"** means a monitoring program designed to determine the short- and long-term effects to wildlife resulting from the Project, to evaluate the accuracy of impact predictions, to assess the effectiveness of planned impact mitigation measures and to identify additional impact mitigation measures to reduce or eliminate environmental effects and the Snap Lake Diamond Project's contribution to cumulative effects.

**Part C: Conditions Applying to All Activities (the headings correspond to Subsection 26 of the Mackenzie Valley Land Use Regulations)**

**26(1)(a) LOCATION AND AREA**

- |    |  |                                  |
|----|--|----------------------------------|
| 1. | The Permittee shall not conduct this land use operation on any lands not designated in the accepted application.   | PLANS                            |
| 2. | The Permittee shall not construct an adit or drill site within one hundred (100) metres of the ordinary high water mark of a water body, unless approval in writing is obtained from the Board.  | LOCATION OF ADITS AND DRILLSITES |
| 3. | The Permittee shall locate all camps on gravel, sand or other durable land.  | CAMP LOCATION                    |
| 4. | When the Permittee is drilling within one hundred (100) metres of the ordinary high water mark of a water body, they must employ a close circuit drilling system and ensure that cuttings do not enter any water body.                 | LOCATION OF DRILLSITES           |
| 5. | The Permittee shall locate all lines, trails, rights-of-way to be constructed parallel to streams a minimum of thirty (30) meters from any stream except at crossings, unless otherwise authorized in writing by a land use inspector. | PARALLEL STREAMS                 |
| 6. | The Permittee shall not conduct a quarry operation within one hundred (100) metres of the ordinary high water mark of any water body, unless otherwise authorized in writing from an Inspector.  | LOCATION OF QUARRY OPERATION     |
| 7. | Prior to the commencement of diamond drilling the Permittee shall submit to the Inspector and the Board, proposed drill targets on a 1:50,000-scale map.   | DRILL LOCATIONS                  |

**26(1)(b) TIME**

- |     |   |                          |
|-----|---|--------------------------|
| 8.  | The Permittee's Field Supervisor shall <u>first</u> contact an Inspector at (867) 669-2757 and <u>then</u> the Board at (867) 669-0506 at least forty-eight (48) hours prior to the commencement of this land use operation.  | CONTACT INSPECTOR/ BOARD |
| 9.  | The Permittee shall advise an Inspector at least ten (10) days prior to the completion of the land use operation of (a) the plan for removal or storage of equipment and materials, and (b) when final clean-up and restoration of the land used will be completed. | REPORTS BEFORE REMOVAL   |
| 10. | The Permittee shall provide in writing to the Board and Inspector, at least forty-eight (48) hours prior to commencement of this land use operation, the following information:<br>(a) person, or persons, in charge of the field operation to whom                 | IDENTIFY AGENT           |

- notices, orders, and reports may be served;
- (b) alternates; and,
  - (c) all methods for contacting the above person(s).

- |     |  |                      |
|-----|--|----------------------|
| 11. | The Permittee shall submit a progress report to the Inspector and Board every 14 days during this land use operation.  | PROGRESS<br>REPORT   |
| 12. | The Permittee shall remove all snow fills from stream crossings prior to spring break-up or completion of the land use operation unless otherwise approved in writing by an Inspector. | REMOVE SNOW<br>FILLS |
| 13. | The Board and/or Inspector reserve the right to impose closure of any area to the Permittee in periods when dangers to natural resources are severe.                                   | CLOSURE              |

#### 26(1)(c) TYPE AND SIZE OF EQUIPMENT

- |     |  |                               |
|-----|--|-------------------------------|
| 14. | The Permittee shall not use any equipment except of the type, size, and number that is listed in the accepted application. | ONLY<br>APPROVED<br>EQUIPMENT |
|-----|--|-------------------------------|

#### 26(1)(d) METHODS AND TECHNIQUES

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|-----|---|--|
| 15. | The Permittee shall minimize the footprint of the land use operation to the extent possible and shall not disturb areas larger than identified in the accepted application.   | MINIMIZE AREA<br>CLEARED                   |
| 16. | The Permittee shall construct and maintain winter roads with a minimum of ten (10) centimetres packed snow at all times during this land use operation. If this cannot be done, then the Permittee shall construct <u>Ice Roads</u> in a manner authorized by an Inspector. | SNOW ROADS/<br>ICE ROADS                   |
| 17. | The Permittee shall replace all excavated material from the test pits prior to the expiry of this Permit.   | TEST PITS                                  |
| 18. | The Permittee shall not erect camps or store material on the surface ice of streams.  | STORAGE ON<br>ICE                          |
| 19. | The Permittee shall remove or cut off and seal all drill casings at ground level immediately upon completion of drilling.   | REMOVAL AND<br>SEALING OF<br>DRILL CASINGS |

#### 26(1)(e) TYPE, LOCATION, CAPACITY AND OPERATION OF ALL FACILITIES

- |     |   |                    |
|-----|---|--------------------|
| 20. | The Permittee shall ensure that the land use area is kept clean at all times. | CLEAN WORK<br>AREA |
|-----|---|--------------------|



**26(1)(f) CONTROL OR PREVENTION OF PONDING OF WATER,  
FLOODING, EROSION, SLIDES AND SUBSIDENCE OF LAND**

- |     |   |                                   |
|-----|---|-----------------------------------|
| 21. | (a) The Permittee shall, where flowing water from bore holes is encountered, plug the bore hole in such a manner as to permanently prevent any further outflow of water; and                  | PLUG ARTESIAN<br>WELLS            |
|     | (b) the artesian occurrence shall be reported to the Inspector immediately.   |                                   |
| 22. | The Permittee shall slope the sides of excavations and embankments except in solid rock to a horizontal/vertical ratio of two (2) horizontal to one (1) vertical.                             | EXCAVATIONS<br>AND<br>EMBANKMENTS |
| 23. | The land use operation shall not cause obstruction to any natural drainage.   | NATURAL<br>DRAINAGE               |
| 24. | The Permittee shall not cut any stream bank.  | STREAM BANKS                      |
| 25. | The Permittee shall not use any material other than water in the construction of ice bridges.   | ICE BRIDGE<br>MATERIALS           |
| 26. | The Permittee shall not use any material other than snow in the construction of snow fills.   | SNOW FILLS                        |
| 27. | The Permittee shall not allow any ice bridge to hinder the flow of water.   | ICE BRIDGE                        |
| 28. | The Permittee shall construct dykes and diversion ditches as authorized in writing by an Inspector.   | DYKES/<br>DIVERSION               |
| 29. | The Permittee shall prepare the site in such a manner as to prevent rutting of the ground surface.  | PREVENTION OF<br>RUTTING          |
| 30. | The Permittee shall suspend overland travel of equipment or vehicles at the first sign of rutting.  | SUSPEND<br>OVERLAND<br>TRAVEL     |
| 31. | The Permittee shall slope the sides of waste material piles to a horizontal/vertical ratio of two (2) horizontal to one (1) vertical unless otherwise authorized in writing by and Inspector. | WASTE<br>MATERIAL PILES           |

**26(1)(g) USE, STORAGE, HANDLING AND ULTIMATE DISPOSAL  
OF ANY CHEMICAL OR TOXIC MATERIAL**

- |     |   |                          |
|-----|---|--------------------------|
| 32. | The Permittee shall not use chemicals in connection with the land use operation that were not identified in the accepted application. | APPROVAL OF<br>CHEMICALS |
| 33. | The Permittee shall deposit all non-toxic drill waste into a sump.  | DRILL WASTE              |
| 34. | The Permittee shall remove all drill waste off ice surfaces.  | DRILL WASTE              |

- |     |  |   |
|-----|--|---|
| 35. | The Permittee shall not allow any drilling waste to spread to the surrounding lands.   | DISPOSAL<br>DRILL WASTE<br>CONTAINMENT        |
| 36. | When drilling on ice, the Permittee shall use a closed circuit drilling system with the disposal of cuttings into a land-based sump.   | DRILLING ON<br>ICE                            |
| 37. | The Permittee shall dispose of all combustible waste petroleum products by incineration or removal.  | WASTE<br>PETROLEUM<br>DISPOSAL                |
| 38. | The Permittee shall dispose of all toxic or persistent substances in a manner as approved in writing by the Board.   | WASTE<br>CHEMICAL<br>DISPOSAL                 |
| 39. | The Permittee shall report all spills immediately to the 24 hour Spill Report Line (867) 920-8130, which is in accordance with instructions contained in "Spill Report" form N.W.T. 1752/0593. | REPORT<br>CHEMICAL AND<br>PETROLEUM<br>SPILLS |

#### 26(1)(h) WILDLIFE AND FISHERIES HABITAT

- |     |   |                                   |
|-----|---|-----------------------------------|
| 40. | The Permittee shall develop and implement a wildlife effects monitoring program and will submit the wildlife monitoring program to the Board for approval within ninety (90) days of the issuance of this Permit. | WILDLIFE<br>MONITORING<br>PROGRAM |
| 41. | The Permittee shall not feed wildlife.  | NO FEEDING<br>WILDLIFE            |
| 42. | The Permittee shall not harass wildlife during this land use operation.   | NO WILDLIFE<br>HARASSMENT         |
| 43. | The Permittee shall not obstruct the movement of fish while conducting this land use operation.   | FREE FISH<br>MOVEMENT             |
| 44. | The Permittee shall use culverts of a size that will ensure the velocity of the stream flow is not increased.   | CULVERTS<br>SIZE                  |
| 45. | The Permittee shall place the bottoms of all culverts installed in streams inhabited by fish at a level that maintains the natural contour of the stream.   | CULVERT<br>INSTALLATION           |
| 46. | The Permittee shall not destroy or damage beaver dams.  | BEAVER DAMS                       |
| 47. | The Permittee shall not destroy or damage beaver lodges.  | BEAVER<br>LODGES                  |
| 48. | The Permittee shall not destroy or damage muskrat lodges.   | MUSKRAT<br>LODGES                 |
| 49. | The Permittee shall use food handling and garbage disposal procedures that do not attract bears.  | BEAR/MAN<br>CONFLICT              |

### 26(1)(i) STORAGE, HANDLING AND DISPOSAL OF REFUSE OR SEWAGE

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|-----|---|-----------------------------|
| 50. | The Permittee shall dispose of all sewage and grey water as proposed in the accepted application and as regulated under the Water License.                                | SEWAGE<br>DISPOSAL          |
| 51. | The Permittee shall remove all non-combustible garbage and debris, including plastics from the land use area to a disposal site as specified in the accepted application. | REMOVE<br>GARBAGE           |
| 52. | The Permittee shall use a forced-air fuel-fired incinerator to burn all combustible garbage except plastics.  | INCINERATORS                |
| 53. | The Permittee shall keep all garbage and debris in a covered metal container on site until disposed of.   | GARBAGE<br>CONTAINER        |
| 54. | The Permittee shall remove all scrap metal, discarded machinery, parts, barrels kegs, plastics, and building materials as specified in the accepted application.          | REMOVE<br>WASTE<br>MATERIAL |

### 26(1)(j) PROTECTION OF HISTORICAL, ARCHAEOLOGICAL AND BURIAL SITES

- |     |   |                              |
|-----|---|------------------------------|
| 55. | The Permittee shall not operate any vehicle within thirty (30) metres of a known or suspected archaeological site.  | OPERATE<br>VEHICLE           |
| 56. | The Permittee shall not knowingly remove, disturb, or displace any archaeological specimen or site.   | DISTURBANCE<br>OF SITE       |
| 57. | The Permittee shall immediately cease any activity which disturbs an archaeological, historical, and/or burial site and contact the Mackenzie Valley Land and Water Board at (867) 669-0506 should an archaeological site or specimen be encountered or disturbed by any land use activity. | CONTACTS                     |
| 58. | The Permittee shall ensure that all persons working under authority of the permit are aware of these conditions concerning archaeological land use activity.  | NOTIFICATION<br>TO EMPLOYEES |

### 26(1)(k) OBJECTS AND PLACES OF RECREATIONAL, SCENIC AND ECOLOGICAL VALUE

### 26(1)(l) SECURITY DEPOSIT

- |     |  |                          |
|-----|--|--------------------------|
| 59. | The Permittee shall be liable for any cost of damages over and above the amount of the security deposit regulated under the Water License. | LIABILITY FOR<br>DAMAGES |
|-----|--|--------------------------|

60. All costs to remediate the area under this permit are the responsibility of the Permittee. RESPONSIBILITY FOR REMEDIATION COSTS

### 26(1)(m) FUEL STORAGE

61. The Permittee shall not place any fuel storage containers within one hundred (100) metres of the normal high water mark of any water body, unless otherwise authorized in writing by an Inspector. FUEL BY STREAM
62. The Permittee shall locate mobile fuel facilities on land when stationary for any period of time exceeding twelve (12) hours. FUEL ON LAND
63. The Permittee shall not allow petroleum products to spread to surrounding lands or into water bodies. FUEL CONTAINMENT
64. The Permittee shall construct an impermeable dyke around each stationary fuel container or group of stationary fuel containers where any one container has a capacity exceeding 4 000 litres. DYKE FUEL CONTAINERS
65. The volume of the dyked area shall be ten per cent (10%) greater than the capacity of the largest fuel container placed therein. CAPACITY
66. The Permittee shall ensure that the dyke and the area enclosed by the dyke shall be impermeable to petroleum products at all times. IMPERMEABLE DYKES
67. The Permittee shall line the dyke and area enclosed by the dyke with a type of plastic film liner approved by the inspector. LINE DYKE
68. A competent steel double-walled tank will be deemed to satisfy requirements of an impermeable dyke. DOUBLE WALLED TANKS
69. The Permittee shall:  
 (a) examine all fuel storage containers for leaks a minimum of once every day; and  
 (b) repair all leaks immediately. CHECK FOR LEAKS
70. The Permittee shall not use bladders for transporting or storing petroleum products. BLADDERS PROHIBITED
71. The Permittee shall mark all stationary petroleum products storage facilities with flags, posts or similar devices so that they are at all times plainly visible to local vehicle travel. MARK FUEL LOCATION
72. The Permittee shall submit to the Board, for approval, prior to commencement of operations, a spill contingency plan for chemical and petroleum spills. CONTINGENCY PLAN
73. The Permittee shall ensure that adequate contingency plans and spill kits are in place, prior to commencement of operations, to SPILL RESPONSE

respond to any potential spills.

#### **26(1)(n) METHODS AND TECHNIQUES FOR DEBRIS AND BRUSH DISPOSAL**

- |     |  |                         |
|-----|--|-------------------------|
| 74. | The Permittee shall spread all cut debris and brush over the adjacent landscape or burn in approved burn pits. | SPREAD/BURN<br>BRUSH    |
| 75. | The Permittee shall progressively complete disposal of all debris and brush.                                   | PROGRESSIVE<br>DISPOSAL |

#### **26(1)(o) RESTORATION OF THE LANDS**

- |     |  |                            |
|-----|--|----------------------------|
| 76. | The Permittee shall commence and foster revegetation on the land used, as directed by an Inspector, within one (1) year of the completion of the land use operation. | RE-ESTABLISH<br>VEGETATION |
| 77. | The Permittee shall complete all clean-up and restoration of the lands used prior to the expiry date of this Permit.   | CLEAN-UP                   |

#### **26(1)(p) DISPLAY OF PERMITS AND PERMIT NUMBERS**

- |     |  |                   |
|-----|--|-------------------|
| 78. | The Permittee shall display a copy of this Permit in each campsite established to carry out this land use operation. | DISPLAY<br>PERMIT |
|-----|--|-------------------|

#### **26(1)(q) MATTERS NOT INCONSISTENT WITH THE REGULATIONS**

- |     |  |   |
|-----|--|---|
| 79. | The Permittee shall ensure that all persons working under the authority of the Land Use Permit are aware of and will adhere to the conditions as stated in the Land Use Permit.  | NOTIFICATION<br>TO ALL<br>EMPLOYEES/<br>CONTRACTORS |
| 80. | The Permittee shall not remove any material from below the ordinary high water mark of any water body.   | WORK IN<br>WATER BODIES                             |
| 81. | The Permittee shall submit to the Board an update of the contingency plan, for chemical and petroleum spills, if there are any changes in the operation during the life of the permit.   | CONTINGENCY<br>PLAN                                 |
| 82. | The Permittee shall not conduct activities related to any amendments to this land use permit until approved by the Board. All amendment requests must be submitted to an Inspector prior to Board approval and the proposed amended activity commencing. | PRIOR<br>NOTIFICATION                               |