

FAXED
APR 16/03



Mackenzie Valley Environmental Impact Review Board

Box 938, 5102-50th Avenue, Yellowknife, NT X1A 2N7

Date: April 10, 2003
From: Glenda Fratton, De Beers Snap Lake Environmental Assessment Coordinator
Pages: 8 pages (including 2 pages for this fax cover)
File: EA01-004 De Beers Snap Lake Diamond Project
Subject: Update on Snap Lake EA Process, including Public Hearing Agenda

Please find attached an updated letter on the Snap Lake EA Process, which includes (as an attachment) the revised Public Hearing Agenda.

To:

John McConnell, Robin Johnstone, De Beers™	766-7347
Eric P. Groody, Code Hunter LLP	(403) 261-2054
Howard Townsend/Charlie Catholique, Lutsel K'e Dene Band	(867) 370-3143/(867) 370-3010
Bob Turner/Kris Johnson, North Slave Metis Alliance	669-7442
Chamberlain Hutchison	(780) 426-1293
J. Michael Thoms, Watershed Writing	(604) 414-0267
Rachel Crapeau, YKDFN, Dettah and N'dilo	873-5969
Jolene Koyina, Dogrib Treaty 11 Council	766-3441
Ted Blondin, Dogrib Treaty 11 Council	(867) 392-6389/(604) 943-4621
Jean Teillet, Pape & Salter Barristers and Solicitors	(604) 681-3050
Chris Paci, Dene Nation	920-2254
Jason Lepine, NWT Metis Nation	(867) 872-2772
Garth Walbridge, Rae-Edzo Metis Nation Local #64	920-7389
Tamara Hamilton, INAC	669-2701
Gavin More, GNWT	873-4021
GNWT – RWED	873-0293
Mark Dahl, Environment Canada	873-8185
John Ramsey, NRCan	(613) 995-5719
Julie Dahl, Elaine Blais, DFO	669-4940

If you are a Directly Affected Party or an Intervener putting larger (hundreds of pages) reports, colour maps or other material that cannot be easily duplicated please make sure you provide the Board 17 copies. The Review Board puts a copy on the public registry, distributes 15 to all the other Interveners and Directly Affected Parties, and one copy is provided to the Chair.

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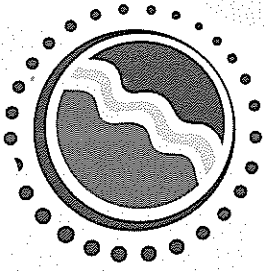
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Yellowknife Chamber of Commerce	920-4640
Alexandra Borowiecka, Ecology North	920-2986
Bob Wooley Executive Director, MVLWB	873-6610
Dawn Kelly, Golder Associates Ltd.	(403) 299-5606
Murray Swyripa Diavik™ Diamond Mines Ltd.	669-9058
Town of Hay River	(867) 874-3237
City Clerk, City of Yellowknife	920-5649
Tom Matus, Charter Community of Wha Ti	(867) 573-3018
Laura Duncan, Wha Ti First Nation	(867) 573-3222
Lana Paulson, Gameti First Nation	(867) 997-3411
Jennifer Keith, Dechi Laot'i First Nation	(867) 713-2030
Steve Conway, Dogrib Rae First Nation	(867) 392-6150
Cecil Lafferty, Fort Resolution Metis Council	(867) 394-3322
Maurice Boucher, Deninu Ku'e Envir. Working Committee	(867) 394-5122
Akaitcho Territory Government, Maurice Boucher	(867) 394-3413
Yellowknife Metis Local #66	873-4097

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Mackenzie Valley Environmental Impact Review Board

Our File EA01-004

April 10th, 2003

To: De Beers Canada Mining Inc. (De Beers)
All parties to the De Beers Snap Lake Environmental Assessment (EA) proceeding

Re: Update on Process – De Beers Snap Lake Diamond Project

At the pre-hearing conference held by the Mackenzie Valley Environmental Impact Review Board (Review Board) for the De Beers Snap Lake Diamond Project, Review Board staff committed to providing the parties to the EA with an update of the Review Board's February 24th, 2003 letter of clarification on process.

This letter provides a summary of the process discussed at the pre-hearing conference, and in some cases provides additional clarification to those discussions. For clarity, parts of the February 24th letter are repeated.

Filing Requirements

Clarification on EA filing requirements was provided by Review Board staff in a letter dated April 2, 2003.

As per the Review Board's Rules of Procedure, April 3rd, 2003 was the last day for parties to the EA to provide, in writing, their intent to participate at the public hearing.

Hearing Agenda

A revised draft hearing agenda, based on comments received at the pre-hearing conference, was distributed to the parties via e-mail on April 1st, 2003. April 7th, 2003 was the deadline set at the pre-hearing conference for parties to submit a list of topics for which they intend to provide presentations at the public hearing. Based on this information, the draft agenda has been revised and is attached.

Please note, that although the Review Board will do its best to adhere to the hearing agenda, it should be realized that slight modifications to the agenda may be required throughout the hearing. Please be reminded that members of the public will be given an opportunity to speak at the hearing, and the numbers or depth of presentations by members of the public will not be known until they register at the hearing.

Hearing Presentation Submissions

On April 11th and 17th, respectively, De Beers and the parties to the EA are required to submit their hearing presentations to the Review Board. Receiving the presentations in advance of the hearing will allow the Review Board and others to fully prepare for the hearing. Once received, the Review Board will circulate the presentations to all parties.

These presentations must indicate the name of the speaker(s) and organization, and must list and briefly describe all issues that De Beers and the parties intend to address at the hearing. It will be at the Chair's discretion to allow any other issue not outlined in the presentations to be raised at the hearing. The presentations should give a clear indication of the issues, why the issues remain outstanding, and generally what the tone and content of the presentation will be. Verbatim written script of the presentations is not necessary. Visual (e.g., PowerPoint) presentations are not required to be submitted with the hearing presentations, but must be provided in electronic format to the Review Board no later than **Thursday, April 24th** for the purposes of audio-visual coordination prior to the hearing.

As part of the April 11th and 17th submissions, opening statements should also be provided. It is recognized that closing statements will depend on the discussions at the hearing itself, and therefore are not required to be submitted on the April 11th and 17th submission dates.

The Review Board's role is to make a determination under ss.128(1) of the *Mackenzie Valley Resource Management Act*. This involves a determination of whether any significant adverse impact may result from the development. Parties are encouraged to focus their efforts at identifying and rationalizing their evidence in support of these requirements.

Hearing Procedures

The public hearing is scheduled for five days between April 28th and May 2nd, with at least one evening session on Thursday May 1st. The need for a second evening session will be determined once hearing presentation submissions are received. Issues will be heard by major discipline topic (e.g., water quality, wildlife).

Opening statements will be made on Day 1, in the following order: Chair, proponent, and parties to the EA. Closing statements will be made on Day 5 of the hearing, in the following order: parties to the EA, proponent, Chair. The time between the opening and closing statements, will be devoted to outstanding issues. For a given topic, De Beers has an opportunity to provide a presentation, followed by a question period by the parties to the EA, members of the public and the Review Board (in that order). Following the question period on De Beers' presentation on a given topic, parties to the EA then have an opportunity to give a presentation, which will then be followed by another question period by De Beers, other parties, members of the public and the Review Board (in that order). Presentations may only be given for those topics that the party pre-registered for on April 7th, 2003. Allocated time for each presentation will depend the number of presentations for each topic, but will be approximately 20 to 30 minutes.

The order of presentations (after De Beers' presentation) for opening and closing statements and for each discipline topic is determined by the order in which the parties to the EA registered their intention to participate in the hearing.

Although a question and answer period will be permitted after each of the discipline topic presentations, there will be no opportunity for a question period after opening and closing statements, except by the Review Board. Any organization that gives a presentation at the hearing, including De Beers, parties to the EA, Review Board staff and consultants, and members of the public are subject to questioning.

The hearing will be conducted in the English language, but full oral translation services will be provided for Chipewyan and Dogrib languages.

Transcripts of the hearing will be generated within a few business days after the last day of the hearing. The transcripts will only be available in English. Information on obtaining transcripts will be provided at the time of the hearing.

The parties to the EA are advised that each party will have one table to work from during the course of the hearing. Each table will be equipped with microphones and translation equipment. For the purposes of the transcript, the parties are reminded to indicate their name and organization each time the microphone is used.

If the proponent or parties to the EA wish to use expert witnesses, the Review Board requires that CVs of such witnesses be provided to the Executive Director. With the exception of Elders or Traditional Knowledge holders, any person that forms a component of a panel that will be part of a presentation are required to file CVs with the Review Board,. Please provide the CVs in electronic format by emailing them to Glenda Fratton at ea-snaplake@mveirb.nt.ca, by noon on **Tuesday, April 22nd**. The CVs will be posted to the Review Board's website prior to the hearing.

Members of the public will be asked to register at the door, and those that intend to provide a presentation will be slotted into the agenda by the Chair.

Close of Public Registry and Report of Environmental Assessment

The public registry closes on Friday, May 23rd, 2003. This will be the final date for De Beers and all parties to the EA to submit information arising from undertakings made at the hearing to the public registry.

The Review Board will consider all information on the public registry in determining its recommendations and decisions of the EA. The Report of the EA is scheduled to be sent to the Minister on June 27th, 2003.

Closing

We trust that this information will be of assistance to you. Should you have any questions, please feel free to contact Glenda Fratton at (867) 766-7052.

Yours truly,

A handwritten signature in black ink, appearing to read 'Vern Christensen', written in a cursive style.

Vern Christensen
Executive Director

Attachments (1)



**Public Hearing Agenda
De Beers Snap Lake Diamond Project**

Northern United Place, April 28 to May 2, 2003

Day 1: April 28, 2003

<i>Times are approximate</i>		Maximum Presentation Time (minutes)*
9:00-10:45	Convene Hearing	
	Opening Remarks	
	1. Chair	
	2. De Beers Canada Mining Inc.	90
10:45-11:00	Break	
	3. Other Parties to the EA	
	o Yellowknives Dene First Nation	15
	o Indian & Northern Affairs Canada	15
	o NWT Metis Nation	15
	o North Slave Metis Alliance	15
12:00-1:30	Lunch	
	o Dogrib Treaty 11 Council	15
	o Canadian Arctic Resources Committee	15
	o Government of the Northwest Territories	15
	o Lutsel K'e Dene First Nation	15
2:30-2:45	Break	
	Geotechnical/Geochemistry	
	1. De Beers Canada Mining Inc.	20
	2. Yellowknives Dene First Nation	20
	3. Indian & Northern Affairs Canada	20
	4. Natural Resources Canada	20
	5. Lutsel K'e Dene First Nation	20

Day 2: April 29, 2003

<i>Times are approximate</i>		
9:00-10:30	Air, Waste, Abandonment & Reclamation	
	1. De Beers Canada Mining Inc.	20 (statement only)
	2. Indian & Northern Affairs Canada	20
	3. North Slave Metis Alliance	20
	4. Lutsel K'e Dene First Nation	20
10:30-10:45	Break	
	Hydrogeology	
	1. De Beers Canada Mining Inc.	30
	2. Indian & Northern Affairs Canada	20
12:00-1:30	Lunch	
	3. North Slave Metis Alliance	20
	4. Fisheries & Oceans Canada	20
2:45-3:00	Break	
	5. Dogrib Treaty 11 Council	20
	6. Natural Resources Canada	20
	7. Lutsel K'e Dene First Nation	20

Day 3: April 30, 2003

		Maximum Presentation Time (minutes)*
<i>Times are approximate</i>		
9:00-10:30	Surface Water and Fish	
	1. De Beers Canada Mining Inc.	60
10:30-10:45	Break	
	2. Yellowknives Dene First Nation	20
	3. Indian & Northern Affairs Canada	20
12:00-1:30	Lunch	
	4. North Slave Metis Alliance	20
	5. Fisheries & Oceans Canada	20
2:45-3:00	Break	
	6. Dogrib Treaty 11 Council	20
	7. Environment Canada	20
	8. Lutsel K'e Dene First Nation	20

Day 4: May 1, 2003

<i>Times are approximate</i>		
9:00-10:30	Wildlife, Wildlife Habitat and Vegetation	
	1. De Beers Canada Mining Inc.	40
	2. Yellowknives Dene First Nation	20
10:30-10:45	Break	
	3. North Slave Metis Nation	20
	4. Dogrib Treaty 11 Council	20
12:00-1:30	Lunch	
	5. Government of the Northwest Territories	20
	6. Lutsel K'e Dene First Nation	20
2:45-3:00	Break	
	Social/Cultural/Economic	
	1. De Beers Canada Mining Inc.	50
	2. Yellowknives Dene First Nation	20
	3. NWT & Nunavut Chamber of Mines	20
	4. NWT Metis Nation	20
6:30-9:30	Evening Session*	
	<i>*Intended for Elders. Elders are, however, welcome to participate in any part of the hearing.</i>	

Day 5: May 2, 2003

<i>Times are approximate</i>		
9:00-10:15	Social/Cultural/Economic (continued)	
	5. North Slave Metis Nation	20
	6. Dogrib Treaty 11 Council	20
10:15-10:30	Break	
	7. Government of the Northwest Territories	30
	8. Lutsel K'e Dene First Nation	20
12:00-1:30	Lunch	
	Closing Statements	
	1. Parties to the EA	15 (per party)
2:45-3:00	Break	
	2. De Beers Canada Mining Inc.	20
	3. Chair	
	Adjourn Hearing	

