



January 22, 2014

File: MV2011L2-0004

Mr. Richard Edjericon, Chair
Mackenzie Valley Environmental Impact Review Board
200 Scotia Center, 5102 - 50th Avenue
Box 938,
YELLOWKNIFE NT X1A 2N7
Email: redjericon@reviewboard.ca

Dear Mr. Edjericon:

**Referral to Environmental Assessment – Amendment Application -
De Beers Canada Inc - MV2011L2-0004 - Mining and Milling - Snap Lake**

The Mackenzie Valley Land and Water Board (Board) has received De Beers Canada Inc's (De Beers) Water License Amendment Application (Application) submitted on December 20, 2013. This Application requests a change to the effluent quality criterion for TDS which is derived from a Measure set out in the Environmental Assessment of the Snap Lake development, completed in 2003.

The Board requested and has considered submissions from AANDC, YKDFN and De Beers regarding the Board's jurisdiction to amend a condition in a water license that is based on a Measure from a report of Environmental Assessment (EA). These submissions are available on the Board's website.

Based on these submissions and pursuant to Section 126(2)(a) of the *Mackenzie Valley Resource Management Act* (the "Act") the Board hereby refers the Application to the Mackenzie Valley Environmental Impact Review Board for an EA. The Board's decision is based on jurisdictional questions related to the proposed change of the TDS limit set out in Recommendations 5 and 10 of the 2003 Snap Lake Report of EA and concerns about this proposed change.

The Board notes that pursuant to Section 24.1(a) of the Act that coordination and collaboration of our respective activities is encouraged. The Board would be supportive of a coordinated process inclusive of scoping to allow for the efficient and effective review of the TDS measure and the Application. Please feel free to contact our staff if such an approach could be of assistance to the MVEIRB.

.../2

The reasons for decision will be circulated shortly.

If you have any questions or concerns, please contact Marc Casas at (867) 766-7466 or email mcasas@mvlwb.com .

Yours sincerely,

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

Willard Hagen
Chair

Copied to: Distribution List