

June 10, 2014

Note to file

EA 1314-02

Snap Lake Water Licence Amendment, De Beers Canada Inc.

To parties:

Re: Parties review of new evidence, scope of closing arguments and post public hearing timeline

The purpose of this note to file is to provide direction to parties and the developer regarding:

- the review of new information submitted by the developer during the public hearing;
- the scope of closing arguments; and
- an adjusted timeline.

During the public hearing parties raised concerns about the introduction of new evidence by the developer. This new evidence consisted of toxicity testing of two organisms that live in Snap Lake, copepods and *Daphnia magna*.

To maintain a fair process the Review Board will allow parties time to provide comments on this new evidence and for the developer to provide a response. Please ensure that the scope of your comments is limited to the new evidence.

The adjusted timeline for the review of new information is:

- Wed June 11 – Undertakings due (including new studies)
- Wed June 25 – Party response to “new studies”
- Friday June 27 – De Beers response to party comments on “new studies”

Following the review of the new evidence parties and the developer will submit closing arguments.

The adjusted timeline for closing arguments is:

- Friday July 4 – Parties closing arguments
- Tuesday July 8 – De Beers closing arguments

Please ensure that closing arguments relate to matters within the scope of this assessment which includes impacts associated with the release of total dissolved solids, and its constituents, from the Snap Lake mine into Snap Lake and downstream waters. The scope is fully described in the Board's Reasons for Decision dated March 28, 2014 (see link).

- http://www.reviewboard.ca/upload/project_document/EA1314-02_EA_scoping_reasons_for_decision.PDF

The Review Board reminds parties that the water licensing phase under the Mackenzie Valley Land and Water Board will provide opportunity to discuss matters related to Effluent Quality Criteria.

The Review Board will consider comments from parties and the developer on the new evidence when drafting the Report of Environmental Assessment and will endeavor to issue the Report in a timely manner.

The Review Board contact for the project is:

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