

Our File: EA1819-01

May 3, 2019

## Notice of Proceeding – Clarifications to scope and workplan update

### Depositing Processed Kimberlite in Pits and Underground, Diavik Diamond Mines

The Review Board released an *Updated Workplan* and its *Scope of Environmental Assessment and Reasons for Decision* for this environmental assessment on April 18<sup>th</sup>, 2019 (PR#42, 40). On May 2<sup>nd</sup>, 2019, Diavik submitted a letter to the Review Board that requests clarification regarding the scope of the environmental assessment and describes Diavik's plans for responding to Review Board information requests.<sup>1</sup>

#### 1 Scope of the Environmental Assessment

The Review Board issued its [Scope of Environmental Assessment and Reasons for Decision](#) for this EA on April 18, 2019. Diavik's [May 2, 2019 letter](#) requested clarification of the Review Board's scope considerations. Diavik discussed how it interpreted the Review Board's scope of development and scope of assessment and requested confirmation of its understanding. Below, Review Board staff provide a summary of the content of Diavik's letter and the considerations for scope.

Regarding the **scope of development** (what is the proposed project is):

- The Board's scope of development said the EA includes transporting, depositing, and storing processed kimberlite "*into pits and underground mine workings*".
- Diavik wants to confirm that this phrase means "*into A418, A154, and/or A21 pits and underground mine workings*".
- The Review Board notes that Diavik's wording includes any one of these pits or any combination of these pits.

Regarding the **scope of assessment** (what impacts the Review Board assesses, and how):

- Diavik has requested that this environmental assessment examine
  - the impacts of putting processed kimberlite from the process plant into existing pits and mine workings, as well as
  - any additional adverse impacts of a closure option it is considering (that is, adding processed kimberlite *from the existing containment facility, including fine processed kimberlite*, to the pits and mine workings beneath them).

<sup>1</sup> Please see Diavik's letter on our public registry here: [http://reviewboard.ca/upload/project\\_document/ENVI-964-0519%20R0%20DDMI%20Ltr%20to%20MVEIRB%20Re%20SIS%20Submission%20Date%20and%20Scope%20Considerations.pdf](http://reviewboard.ca/upload/project_document/ENVI-964-0519%20R0%20DDMI%20Ltr%20to%20MVEIRB%20Re%20SIS%20Submission%20Date%20and%20Scope%20Considerations.pdf)



- The Review Board notes that this change would mean examining the impacts of what is now proposed in combination with the impacts of what could happen in the future (that is, impacts of additional processed kimberlite).

Parties are invited to review Diavik’s letter and comment on the content and on any implications for the environmental assessment. This review will be done through the [Online Review System](#). Please note that the deadline for party comments on the Online Review System is **Friday, May 10<sup>th</sup>, 2019**.

## 2 Workplan update

Diavik’s letter stated that it anticipates submitting the *Summary Impact Statement* on May 16<sup>th</sup>, 2019. As the developer is not bound by legislated timelines, Diavik does not need to submit an extension request for the extra time it needs to respond to this information request.

Based on the information in Diavik’s letter, the Review Board is updating the workplan for the current and remaining phases of the analytical phase of this environmental assessment (EA), as described in Table 1 below. Red text indicates a revision from the *Updated Workplan*.

**Table 1. Workplan with estimated schedule and timelines**

Process Phase	Process Step	Duration (calendar days)	Date
Analytical	<b>MVEIRB issues final scoping document, updated workplan, Review Board information requests</b>	20	18-Apr
	Developer response to Review Board information requests	21	9-May
	<i>Developer submits Summary Impact Statement</i>	7	<b>16-May</b>
	Party (and additional Review Board) information requests	21	<b>6-Jun</b>
	All party and developer responses to information requests	14	<b>20-Jun</b>
Hearing	<b>Pre-hearing conference</b>	June and July 2019	
	Party interventions		
	Developer response to interventions		
	Parties submit hearing presentations		
	Developer submits hearing presentation		
	<b>Review Board public hearing</b>	End of July 2019	
	Undertakings deadline	Fall 2019	
	Parties submit closing arguments		



	Developer submits closing arguments		
Decision	<b>Review Board deliberations and decision, report of environmental assessment released</b>		
	Ministers' environmental assessment decision	---	---
Recommence Land and Water Board process			

### 3 Contacts

For questions or more information on this environmental assessment, please contact Kate Mansfield (867-766-7062, [kmansfield@reviewboard.ca](mailto:kmansfield@reviewboard.ca)) or Catherine Fairbairn (867-766-7054, [cfairbairn@reviewboard.ca](mailto:cfairbairn@reviewboard.ca)).