

Our File: EA1819-01

July 29, 2019

Notice of Proceeding: Public Participation in the Hearing Phase

Depositing Processed Kimberlite into Pits and Underground, Diavik Diamond Mines Inc.

The Review Board's June 28th [Notice of Proceeding](#) on the hearing phase provides detailed instructions about technical (formal) hearings, community hearings, participation by interveners, and participation by the public. This notice focuses specifically on the opportunities for public participation in the hearing phase of the environmental assessment (EA).

Introduction

The Review Board welcomes contributions from the public throughout the EA, including in the hearing phase. Members of the public can submit comments in writing or speak to the Board in person at a public hearing.

Written comments from the public

Members of the public may submit written comments to the Review Board for inclusion on the public registry **any time during the EA, up until 1 week before the due date for interveners' closing arguments.**¹ The Review Board will accept written comments via email, paper mail, fax, or social media and will accept video and audio recordings.

The Board considers all comments received. Public comments are not questioned at the hearing the way submissions from interveners are. The Board may weigh information provided in public comments differently than it does submissions by interveners (who register and participate fully in the hearing phase) which are subject to cross examination.

¹ Consistent with the Review Board's Rules of Procedure, registered interveners and the developer may respond to comments from the public. The last opportunity to do so is in closing arguments. The deadline for closing arguments will be set after the public hearings.



Members of the public can comment at the hearing or submit their views in writing even if they are not an intervenor. Members of Indigenous governments or organizations may also be represented at the hearing by their government or organization.

Participation in hearings

In this EA, there are three locations where the public can speak directly to the Review Board in person:

- September 3rd: Community hearing in Behchoko
- September 4th: Community hearing in Dettah
- September 5th: Technical hearing in Yellowknife. Specific time will be set aside for the Review Board to hear from members of the public during the technical hearing, likely at the end of the day.

Community hearings and specific times during technical hearings are intended for the public to speak directly to the Review Board. At the Chair's discretion, the public may also question the developer or representatives from interveners, provided questions are relevant to the scope of the environmental assessment.² It is helpful for scheduling if members of the public notify Review Board staff in advance that they would like to speak at a hearing.

The public hearings are advertised in the newspaper and on the Review Board's website. Intervening organizations can also help notify their members of opportunities to participate as members of the public.

If you have any questions, please contact Catherine Fairbairn at 867-766-7054 or cfairbairn@reviewboard.ca and Kate Mansfield at 867-766-7062 or kmansfield@reviewboard.ca.

² Although the previous Notice of Proceeding said no questions from the public during the formal hearing, the Chair always has the discretion to allow questions if there is time and they are relevant to the scope. The time for the public at the formal hearing will function like public comments at the community hearings.