

July 5, 2019

Notice of Proceeding: Written Interventions

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

1 Overview

This notice of proceeding provides guidance on how to prepare and submit interventions for this environmental assessment (EA).¹ As described in the Review Board's *Notice of Proceeding on the Hearing Phase* ([PR#68](#)) for this EA, some parties may wish to participate in the hearings as interveners. Being an intervener provides opportunities for full participation and involves certain responsibilities, including submitting a written intervention and presenting it at the formal (or technical) public hearings.

Interventions are the last written submission made by interveners before the public hearing. They should describe in detail all the potential project impacts that your organization predicts are likely to lead to significant adverse impacts on the environment (including impacts on people).² Interventions should also identify any commitments or other mitigations that your organization believes are necessary to prevent significant adverse impacts.

The due date for interventions from parties is **Thursday August 1, 2019**.³ The developer's due date is **Thursday August 22, 2019**.

Review Board staff will discuss preparing interventions at the **prehearing conference on July 9, 2019, at 10am** to assist parties and clarify the purpose, content, and preferred format of these submissions. The agenda for this meeting is available on the public registry (PR#80).

¹ The information in this document is based on the *Environmental Impact Assessment Guidelines 2004* and Review Board experience.

² MVRMA ss 111(1): "impact on the environment" means any effect on land, water, air or any other component of the environment, as well as on wildlife harvesting, and includes any effect on the social and cultural environment or on heritage resources. In addition to the protection of the environment, EA looks at the protection of social, cultural, and economic well-being and the importance of conservation to the well-being and way of life of Indigenous peoples (MVRMA ss 115(1)).

³ Interventions are subject to the Review Board's [Late Submission Policy](#) and late submissions will not be accepted unless a written request for extension is approved by the Board prior to the deadline above.



2 Purpose of an intervention

Your intervention should discuss all the issues in this EA that your organization believes are the most important for the Board's EA decision.

The components of an intervention include:

- a description of how a specific project component may cause an impact the environment;
- your views on whether you agree or disagree with the developer's predictions about adverse impacts from the project on the environment or people;
- your views and conclusions on whether a proposed development is likely to cause significant environmental, social, economic, or cultural impacts (in other words, the acceptability of the adverse impacts on the environment and people);
- your suggested mitigation; and,
- evidence and rationale for your conclusions (with explicit references to materials on the public record).

3 Format and content of a written intervention

Your intervention should be crafted in a way that conveys your organization's views and evidence. The format of interventions may vary between groups.⁴

All interventions should include:

- a one-page non-technical summary that makes clear, plain language statements
- a brief summary of the mandate of your organization

For each issue that you identify and want to bring to the Board's attention, your argument should:

- state Diavik's conclusions relating to the issue (reference the public registry number)
- state your predictions of the impacts of the project to the environment or people, and if applicable, why they are different from Diavik's predictions
- describe your conclusions on potentially adverse impacts of the project on the environment or people and whether those impacts are significant
- provide clear rationale with enough detail to support your findings
- provide your recommendations and any mitigation measures you suggest to reduce impacts for each issue so that they are no longer significant
- state whether, in your opinion, residual impacts would be significant or unacceptable to your organization, if your recommendation is not implemented

⁴ A good example of an intervention submitted to the Review Board for a recent project can be found here:

http://www.reviewboard.ca/upload/project_document/EA1314-01_IEMA_Technical_Report.PDF



4 Presenting the intervention at the hearing

Interveners and the developer must submit presentations that summarize their intervention for the public hearing. Your presentation should summarize the information contained in your interventions in a clear, concise, and easy to understand way, and should not contain new evidence.

The deadline for intervener presentation submissions is **Tuesday August 27, 2019** and the deadline for Diavik is **Friday August 30, 2019**. Interveners and Diavik may want to **start preparing their presentations early** to meet the timelines in the workplan. Details about which topics will be presented on which days will be determined closer to the hearing date.

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.