

October 27, 2016

Marie Adams
Box 1523
Yellowknife, NT, X1A 2R1

Sent via email

Dear M. Adams,

Re: Request to refer Robertson Headframe demolition to environmental assessment

In response to your letter dated October 20, 2016, the Review Board has considered the Mining Heritage Society's request to refer the demolition of the Robertson Headframe to environmental assessment using our referral authority under subsection 126(3) of the Mackenzie Valley Resource Management Act (MVRMA). Under this subsection, the Review Board has the authority to conduct an environmental assessment on the Board's own motion, notwithstanding any preliminary screening decision.

The Board notes that the Development Permit issued by the City of Yellowknife does not require the conduct of a preliminary screening under the MVRMA.

In this case, a preliminary screening for closure and reclamation activities at Con Mine, including demolition of the Headframe was conducted by the Mackenzie Valley Land and Water Board (MVLWB) in 2008 prior to the issuance of water licence MV2007L8-0025, under which closure and reclamation activities are regulated. The Review Board is also aware of the ongoing oversight of closure and reclamation activities by the MVLWB under the water licence, including the approval of an updated closure and reclamation plan on June 9, 2016.

The Review Board's authority under 126(3) is discretionary. It is the Board's view that because the screening was completed and a water licence for closure and reclamation activities was issued more than eight years ago, it is not an appropriate time for the Review Board to exercise our discretion under 126(3).

If you have any questions, please contact Mark Cliffe-Phillips at (867) 766-7055 or by email at mcliffephillips@reviewboard.ca.

Sincerely,



JoAnne Deneron
Chairperson
Mackenzie Valley Environmental Impact Review Board

cc: Tracey Bryant, Coordinator, NWT Mining Heritage Society