



Mackenzie Valley Land and Water Board
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REASONS FOR DECISION

Preliminary Screener:	MVLWB
Reference/File Number:	MV2001L2-0004
Applicant:	BHP Diamonds Inc
Project:	Falcon Haul Road, Ekati Minesite, NT

**DECISION From Mackenzie Valley Land and Water Board (the Board) Panel Meeting of
"October 19, 2001"**

REASONS FOR DECISION

Issued pursuant to Section 121 of the *Mackenzie Valley Resource Management Act (MVRMA)* and Section 26 of the *Northwest Territories Waters Act (NWTWA)*

APPLICATION:

- The application was submitted to the Board pursuant to Section 6 of the *NWTWA* and the Board has accepted the application as complete.
- Notice was given in accordance with Sections 63 & 64 of the *MVRMA* and Section 23 of the *NWTWA*.
- There was no public hearing held in association with this application.

DECISION:

After having been satisfied that the operation had been screened pursuant to the *MVRMA*, and that:

- any potential adverse environmental effects were insignificant or mitigable with known technology, and there was no significant public concern, and as such the application could proceed through the regulatory process; and
- after reviewing the submission of the Applicant, the written comments received by the Board, and the staff report prepared for the Board,

the Board, having due regard to the facts and circumstances, the merits of the submissions made to it, and to the purpose, scope and intent of the *MVRMA* and the *NWTWA* and Regulations made thereunder has determined that:

MV2001L2-0004 be issued subject to the terms and conditions contained therein.

The Board's reasons for this decision are as follows:

Operation

- It is the opinion of the Board that the conditions of Mv2001L2-0004 attached, pursuant to the *NWTWA*, will significantly reduce the potential environmental impacts resulting from water use and/or deposition of waste.
- The operation will likely contribute to the socio-economic well-being and economic development of the region.
- Under Section 5. of the *NWTWA*, the Board has determined the Applicant has been notified of their obligation to abide by other legislation associated with this license and the regulations Mv2001L2-0004.
- The use of water and/or deposition of waste proposed by the Applicant is of a nature contemplated by the *MVRMA* and the *NWTWA*.

Consultation

- The MVLWB has consulted with 'Responsible Ministers' as defined under Section 111. of the *MVRMA* and has determined that incorporating aspects of their recommendations into the permitting conditions will decrease the potential for environmental impacts.

MV2001L2-0004 contains provisions that the Board feels necessary to ensure and monitor compliance with the *MVRMA* and the *NWTWA* and the Regulations made there under and to provide appropriate safeguards in respect of the Applicant's use of the waters affected by the License. The Board will provide any referenced material or documents and/or reasons for decision for any specific clause or clauses contained within the application if requested to do so in writing.

SIGNATURE

Mackenzie Valley Land and Water Board
Preliminary Screening Organization



Chair

October 25/01
Date