



Mackenzie Valley Land and Water Board
7th Floor - 4922 48th Street
P.O. Box 2130
YELLOWKNIFE NT X1A 2P6
Phone (867) 669-0506
FAX (867) 873-6610

December 12, 2018

File: MV2005C0032 &
MV2005L2-0015

Ms. Sarah McLean
Environment and Permitting Manager
De Beers Canada Inc.
Suite 300, 5120 – 49th St.
YELLOWKNIFE NT X1A 1P8

Email: sarah.mclean@debeersgroup.com

Dear Ms. McLean:

Re: Request for Extension to Submit the Gahcho Kué Interim Closure and Reclamation Plan Version 4.1

De Beers Canada Inc. – Diamond Mining, Kennady Lake, NT

In response to your letter of December 5, 2018, I am writing to provide clarification on some of the points raised regarding the review process for Version 4 (V.4) of your Interim Closure and Reclamation Plan (ICRP) for the Gahcho Kué Mine, which was submitted on May 14, 2018 and updated on August 21, 2018 to fulfill Part J, condition 1 of Water Licence (Licence) MV2005L2-0015 and Condition 84 of Land Use Permit (Permit) MV2005C0032. Prior to the Board's November 7, 2018 decision on the entire ICRP document (V.4), components of the ICRP were granted interim approvals following several rounds of review. It is important to note that interim approval is accompanied by Board direction that outlines deficiencies that need to be addressed prior to approval. In the instance of the ICRP, Board decision letters were provided following review and interim approval of specific components of the Plan. This allows for the progressive review and improvement of the ICRP as a whole.

DeBeers' August 21, 2018 submission was updated to address some minor issues identified by reviewers during the course of the ICRP V.4 online review. Ni Hadi Xa, however, noted that the comments and concerns from their review of V.3 had not been fully addressed in ICRP V.4. The internal review referred to in your December 5, 2018 letter was a conformity check based on Board direction provided during all previous rounds of the ICRP review since July 2016 (please see attached Board decision letters). This conformity check supports the issue raised by Ni Hadi Xa and identifies areas where De Beers did not address or incorporate the comments and suggestions of reviewers, commitments made during the course of each review, or clear direction given by the Board in the interim approval letters. The vast majority of the "over 120 additional comments and/or [B]oard directives" are not new requirements but a

restatement of Board direction that had not been addressed by De Beers in ICRP V.4, as required.

On November 7, 2018, the Board directed De Beers to submit ICRP V.4.1 by January 31, 2019. At this time, De Beers is requesting an extension of over one year for that submission. In order for that request to be considered by the Board we will require additional details on the rationale for this request and a discussion on how the deferral of the submission and approval of the ICRP might affect the timing of important Reclamation Research activities. De Beers' December 5, 2018 letter also refers to "further adjustments to the mine plan." Please provide additional information regarding these adjustments so that reviewers and the Board can consider this request in the appropriate context.

If you have any questions or concerns, please contact Shannon Allerston at 867-766-7465 or e-mail sallerston@mvlwb.com.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Chris Hotson", is centered below the text "Yours sincerely,".

Chris Hotson
Regulatory Manager

Attached: [January 12, 2017 Deferral of Approval of ICRP Letter](#)
[March 16, 2017 Interim Approval of Objectives Letter](#)
[September 14, 2017, Interim Approval of Closure Options and Reclamation Research Plan Letter](#)
[February 13, 2018 Deferral of Approval of Closure Criteria Letter](#)