



7th Floor - 4922 48th Street,
P.O. Box 2130, Yellowknife NT X1A 2P6

Tel: 867-669-0506 Fax: 867-873-6610
www.mvlwb.com

September 18, 2020

File: MV2005C0032 and MV2005L2-0015

Mark Cliffe-Phillips
Mackenzie Valley Environmental Impact Review Board
200 Scotia Center
Box 938, 5102 - 50th Avenue
Yellowknife NT X1A 2N7

Sent via Email

Dear Mark Cliffe-Phillips,

Re: Notice of Preliminary Screening Determination – Amendment #5 Application for Land Use Permit MV2005C0032 and Amendment #3 Application for Water Licence MV2005L2-0015 De Beers Canada Inc. – Gahcho Kue Project – Kennady Lake, NT

The Mackenzie Valley Land and Water Board (Board) met on September 18, 2020 and considered the Amendment #5 Application for the Type A Land Use Permit (Permit) MV2005C0032 and Amendment #3 Application for Type A Water Licence (Licence) MV2005L2-0015 (Applications) from De Beers Canada Inc. to accommodate changes to the mine plan resulting from additional economically viable ore identified between the 5034 pit and the Tuzo pit in accordance with the *Mackenzie Valley Resource Management Act* (MVRMA) and *Waters Act*.

The Board conducted a preliminary screening based on the Applications and the public record for the proceedings. Based on the evidence provided, the Board is satisfied the screening has been completed according to section 125 of the MVRMA and has decided **not to refer** the project to environmental assessment. The Amended Preliminary Screening Report includes the Board's reasons for decision, as required by section 121 of the MVRMA (attached).

If the Board does not receive notice of referral to environmental assessment, it will continue with the regulatory process.

Our Board and staff look forward to continued communications throughout the pause period. If you have any questions or concerns regarding this letter, please contact Shelagh Montgomery at (867) 766-7457 or email smontgomery@mvlwb.com.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Mavis Cli-Michaud".

Mavis Cli-Michaud
MVLWB, Chair

Copied to: Distribution List
William Liu, De Beers Canada Inc.

Attached: Amended Preliminary Screening Report, including Reasons for Decision

Preliminary Screening Report Form

<p>Preliminary screener: MVLWB</p> <p>Reference / File number: MV2005C0032, MV2005L2-0015</p> <p>TITLE: Gahcho Kué Mine, Kennady Lake, NT</p> <p>ORGANIZATION: De Beers Canada Inc.</p> <p>MEETING DATE: September 17, 2020</p>	<p>EIRB</p> <p>Reference number:</p>
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Type of Development:
(CHECK ALL THAT APPLY)

- | | |
|-------------------------------------|--|
| <input type="checkbox"/> | New |
| <input checked="" type="checkbox"/> | Amend, EIRB Ref. # |
| <input checked="" type="checkbox"/> | Requires permit, licence, or authorization |
| <input type="checkbox"/> | Does not require permit, licence, or authorization |

Project Summary

Both Land Use Permit MV2005C0032 and Water Licence MV2005L2-0015 were referred to Environmental Assessment on December 22, 2005. The Mackenzie Valley Environmental Impact Review Board (MVEIRB) ordered an Environmental Impact Review (EIR) on June 12, 2006. MVEIRB released its Report of EIR and Reasons for Decision on July 19, 2013 and the Minister of Aboriginal Affairs and Northern Development Canada approved the EIR on October 22, 2013. An Updated Project Description was submitted to the Mackenzie Valley Land and Water Board on November 28, 2013. Project components that have changed since the EIR, and have yet to be screened, including the following:

- Pit depths have increased (Hearne Pit from 205m to 252m, 5034 Pit from 300m to 310m and Tuzo Pit from 300m to 360m);
- Placement of Mine Rock into the Mined-out Hearne Pit; and
- Height of the West Mine Rock Pile has increased from 94m to 100m.

Project components that have changed since the EIR, but were discussed in either the Updated Project Description or submitted as updated information during the Mackenzie Valley Land and Water Board Regulatory Process, include the following:

- 1 – 18 ML diesel fuel tank (total of 3 – 18 ML diesel tanks onsite)
- 2 – 100,000 L diesel fuel tanks
- 1 – 35,000 L diesel fuel tank
- 20,000 L aviation fuel
- 18 – 10,000 L tanks of various other hydrocarbons
- 10 – 60,000 L tanks of various other hydrocarbons
- 1,185,000 L (assorted drums and 1cu. totes) various hydrocarbons including jet fuel, gasoline and specialized lubricants

Project components included in the January 19, 2017 Amendment Application include the following:

- 3 – 101,000 L aviation fuel tank
- Expansion to the East Pad area at the main camp
- Expansion to the Airstrip Apron

Project components that are included in the April 17, 2017 Amendment Application, include the following:

- Construction of an Ammonium Nitrate (AN) storage pad to support an AN storage building
- Expansion to the Dykes forming the Fine Processed Kimberlite Containment Facility (Dykes A1, D, and L)

Project components that are included in the March 19, 2018 Amendment Applications, or provided during the regulatory process, include the following:

- Expansion of the footprint including
 - Dyke L haul road (Inspector Authorized in 2015)
 - Road to temporary laydown (Inspector Authorized in 2015)
 - Temporary laydowns (Inspector Authorized in 2015)
 - Airstrip re-alignment and increased width (Inspector Authorized in 2014)
 - ROM pad area (Inspector Authorized in 2017)
 - East pad extension (Inspector Authorized in 2017)
 - Expanded pits, west mine rock pile, and road (March 19, 2018 Amendment Application)
- Expansion of West Mine Rock Pile (from 100 Mt to 228 Mt)
- Pit depth has increased (Tuzo Pit from 360 m to 373 m)
- Height of the West Mine Rock Pile has increased (from 100m to 135m)
- Addition of the A2 North Perimeter Berm
- Increase of Aviation Fuel (from 303,000 L to 500,000 L)
- Additional equipment (major pieces of additional equipment included in the March 19, 2018 Permit Amendment Application)

Project components that are included in the March 17, 2020 Amendment #4 Application, or provided during the regulatory process, include the following:

- Expansion of the footprint including
 - Solar Farm
 - Walking Trail

Project components that are included in the 2020 Permit Amendment #5 Application and Licence Amendment #3 Application, or provided during the regulatory process, include the following:

- Expansion of the footprint including
 - Airstrip
 - Coarse Processed Kimberlite and Mine Rock Pile
 - Dykes
 - Explosives magazines
 - Fine Processed Kimberlite
 - Intake
 - Landfarm
 - Mine rock piles
 - Overburden
 - Pads
 - Pipeline
 - Pits
 - Roads
- Pit depth has increased (Tuzo Pit from 373 m to 398 m and 5034 pit from 310 m to 384 m)
- Placement of Mine Rock (Mined-out 5034 pit from 72 Mt to 87 Mt and adding in the Coarse Processed Kimberlite and Mine Rock Pile of 40 Mt)
- Height of the Coarse Processed Kimberlite and Mine Rock Pile to 120 m

Scope of the Screening

For the purpose of constructing, operating, closing, and reclaiming the Gahcho Kue Diamond Mine Project (the Project), a diamond mine located within the Kennady Lake watershed of the Kirk Lake basin, approximately 280 kilometres (km) northeast of Yellowknife, Northwest Territories (NWT). The scope of the Project is described in the Updated Project Description submitted on November 28, 2013, and the additional information submitted during the regulatory process, in the Permit Amendment Applications on January 19 and April 17, 2017 and the Permit and Licence Amendment Applications on March 19, 2018. The scope of the project components applicable to this screening includes the following:

- An increase in Hearne Pit from 205m to 252m, 5034 Pit from 300m to 310m and Tuzo Pit from 360 m to 373 m;
- Placement of Mine Rock into the Mined-out Hearne Pit;
- An increase in the height of the West Mine Rock Pile 100 m to 135 m;
- 1 – 18 ML diesel fuel tank (total of 3 – 18 ML diesel tanks onsite);
- 2 – 100,000 L diesel fuel tanks;
- 1 – 35,000 L diesel fuel tank;
- 20,000 L aviation fuel;
- 18 – 10,000 L tanks of various other hydrocarbons;
- 10 – 60,000 L tanks of various other hydrocarbons;
- 1,185,000 L (assorted drums and 1cu. totes) various hydrocarbons including jet fuel, gasoline and specialized lubricants;
- Increase in aviation fuel (from 303,000 L to 500,000 L);
- Expansion to the East Pad area at the main camp;
- Expansion to the Airstrip Apron;
- An AN storage pad and storage building;
- Expansion to the Dykes forming the Fine Processed Kimberlite Containment Facility (Dykes A1, D, and L);
- Expansion of the footprint including;
 - Dyke L haul road;
 - Road to temporary laydown;
 - Temporary laydowns;
 - Airstrip re-alignment and increased width;
 - ROM pad area;
 - East pad extension;
 - Expanded pits, west mine rock pile, and road;
 - Solar Farm;
 - Walking Trail;
 - Airstrip;
 - Coarse Processed Kimberlite and Mine Rock Pile;
 - Dykes;
 - Explosives magazines;
 - Fine Processed Kimberlite;
 - Intake;
 - Landfarm;
 - Mine rock piles;
 - Overburden;
 - Pads;
 - Pipeline;
 - Pits; and
 - Roads
- Expansion of West Mine Rock Pile (from 100 Mt to 228 Mt);

- Addition of the A2 North Perimeter Berm;
- Additional equipment (major pieces of additional equipment included in the March 19, 2018 Permit Amendment Application);
- Pit depth has increased (Tuzo Pit from 373 m to 398 m and 5034 pit from 310 m to 384 m);
- Placement of Mine Rock (Mined-out 5034 pit from 72 Mt to 87 Mt and adding in the Coarse Processed Kimberlite and Mine Rock Pile of 40 Mt); and
- Height of the Coarse Processed Kimberlite and Mine Rock Pile to 120 m.

Land Use Eligibility - Section 18 Mackenzie Valley Land Use Regulations

Type of Disposition	Disposition Number(s)
<input type="checkbox"/> Mineral Claims	
<input type="checkbox"/> Prospecting Permit (s)	
<input checked="" type="checkbox"/> Mineral Leases	NT-4199, NT-4200, NT-4201, NT-4341, NT-4736
<input type="checkbox"/> Oil and Gas: EL/SDL/PL	
<input type="checkbox"/> Quarry Permit	
<input type="checkbox"/> Timber Permit	
<input checked="" type="checkbox"/> Other: Surface Leases	75N6-2-2, 75N6-3-2, 75N6-5-2, 75N6-7-2, 75N6-8-2

Principal Activities (related to scoping)

(CHECK ALL THAT APPLY)

- | | | |
|--|--|---|
| <input checked="" type="checkbox"/> Construction | <input type="checkbox"/> Exploration | <input checked="" type="checkbox"/> Decommissioning |
| <input checked="" type="checkbox"/> Installation | <input type="checkbox"/> Industrial | <input checked="" type="checkbox"/> Abandonment |
| <input checked="" type="checkbox"/> Maintenance | <input type="checkbox"/> Recreation | <input type="checkbox"/> Aerial |
| <input checked="" type="checkbox"/> Expansion | <input type="checkbox"/> Municipal | <input type="checkbox"/> Harvesting |
| <input type="checkbox"/> Operation | <input type="checkbox"/> Quarry | <input type="checkbox"/> Camp |
| <input type="checkbox"/> Repair | <input type="checkbox"/> Linear / Corridor | <input type="checkbox"/> Scientific/ |
| <input type="checkbox"/> Research | <input type="checkbox"/> Sewage | <input type="checkbox"/> Solid Waste |
| <input type="checkbox"/> Water Intake | | |
| <input type="checkbox"/> Other: | | |

Principal Development Components (related to scoping)

- | | |
|--|---|
| <input type="checkbox"/> Access Road <ul style="list-style-type: none"> <input type="checkbox"/> construction <input type="checkbox"/> abandonment/removal <input type="checkbox"/> modification e.g., widening, straightening | <input checked="" type="checkbox"/> Waste Management <ul style="list-style-type: none"> <input type="checkbox"/> disposal of hazardous waste <input checked="" type="checkbox"/> waste generation <input type="checkbox"/> sewage <input type="checkbox"/> disposal of sewage |
| <input type="checkbox"/> Automobile, Aircraft or Vessel Movement | <input type="checkbox"/> Geoscientific Sampling |
| <input checked="" type="checkbox"/> Blasting | <input type="checkbox"/> Trenching |
| <input checked="" type="checkbox"/> Building | <input type="checkbox"/> Diamond drill |
| <input type="checkbox"/> Burning | <input type="checkbox"/> Borehole core sampling |
| <input type="checkbox"/> Burying | <input type="checkbox"/> Bulk soil sampling <ul style="list-style-type: none"> <input type="checkbox"/> gravel <input type="checkbox"/> hydrological Testing |
| <input type="checkbox"/> Channelling | <input type="checkbox"/> Site Restoration <ul style="list-style-type: none"> <input type="checkbox"/> fertilization <input type="checkbox"/> grubbing <input type="checkbox"/> planting/seeding <input type="checkbox"/> reforestation <input type="checkbox"/> scarify <input type="checkbox"/> spraying <input type="checkbox"/> re-contouring |
| <input type="checkbox"/> Cut and Fill | <input type="checkbox"/> Slashing and removal of vegetation |
| <input type="checkbox"/> Cutting of Trees or Removal of Vegetation | <input type="checkbox"/> Soil Testing |
| <input checked="" type="checkbox"/> Dams and Impoundments <ul style="list-style-type: none"> <input checked="" type="checkbox"/> construction <input type="checkbox"/> abandonment/removal <input checked="" type="checkbox"/> modification | <input type="checkbox"/> Stream Crossing/Bridging |
| <input type="checkbox"/> Ditch Construction | <input type="checkbox"/> Tunnelling/Underground |
| <input checked="" type="checkbox"/> Drainage Alteration | <input type="checkbox"/> Other: |
| <input type="checkbox"/> Drilling other than Geoscientific | |
| <input type="checkbox"/> Ecological Surveys | |
| <input type="checkbox"/> Excavation | |
| <input checked="" type="checkbox"/> Explosive Storage | |
| <input checked="" type="checkbox"/> Fuel Storage | |
| <input type="checkbox"/> Topsoil, Overburden or Soil <ul style="list-style-type: none"> <input type="checkbox"/> fill <input type="checkbox"/> disposal <input type="checkbox"/> removal <input type="checkbox"/> storage | |

NTS topographic map sheet numbers:

75N

Latitude / longitude and UTM system:

63° 25' 12.5" N, 109° 6' 13.7" W and 63° 58' 34.1" N, 110° 15' 15.2" W

Nearest community and water body:

Lutsel K'e and Kennady Lake

Land Status (consultation information)

- Free Hold/Private
 Commissioners/Territorial Land
 Federal Crown Land
 Municipal Land

Transboundary/Transregional Implications

- British Columbia
 Alberta
 Saskatchewan
 Yukon
 Nunavut
 National Park
 Inuvialuit Settlement Region
 Wek'èezhii
 Gwich'in
 Sahtu

Type of transboundary implication:
 Impact / Effect
 Development

Public concern: _____
 (Describe.)

Physical - Chemical Effects

Impact **Mitigation** **Location of condition**

1) Ground Water

- | | | |
|--|---|----------|
| <input checked="" type="checkbox"/> water table alteration | Water table immediately surrounding Tuzo Pit may be altered with the increase in pit depth. The Closure and Reclamation Plan should consider the effects of eventual filling of the increased depth of the pit and will require thorough public review, with meaningful engagement of aboriginal organizations that traditionally use the Development area, and approval by the Board. | |
| <input checked="" type="checkbox"/> water quality changes | The increase in diesel and aviation fuel storage capacity could lead to additional ground water quality changes if any fuel is leaked into water. Appropriate spill kits to be available and response procedures to be carried out as per the Spill Contingency Plan. Conditions relating to fuel handling are included in the Permit to mitigate concerns relating to water quality changes. | 26(1)(m) |
| <input checked="" type="checkbox"/> infiltration changes | Infiltration may be altered by the increase in pit depth of Tuzo Pit. The Closure and Reclamation Plan should consider effects of eventual filling of the increased depth of the pit and will require thorough public review, with meaningful engagement of aboriginal organizations that traditionally use the Development area, and approval by the Board. | |
| <input checked="" type="checkbox"/> other: | Pit depths have increased which may lead to further groundwater being affected. Implementation of the Water Management Plan should mitigate this concern. | Part G |

N/A

Impact **Mitigation** **Location of condition**

2) Surface Water

- | | | |
|---|--|----------|
| <input checked="" type="checkbox"/> flow or level changes | The expansion of the West Mine Rock Pile will be contained mainly within the footprint of Kennady Lake. The Closure and Reclamation Plan should consider the effects this has on the watershed and will require thorough public review, with meaningful engagement of aboriginal organizations that traditionally use the Development area, and approval by the Board. | |
| <input checked="" type="checkbox"/> water quality changes | The increase in diesel and aviation fuel storage capacity could lead to additional surface water quality changes if any fuel is leaked into water. Appropriate spill kits to be available and response procedures to be carried out as per the Spill Contingency Plan. Conditions relating to fuel handling are included in the Permit to mitigate concerns relating to water quality changes. | 26(1)(m) |
| | The creation of a new AN storage pad could lead to additional surface water quality changes if any AN is spilt and leaks into the water. An engineered sump has been designed to catch subsurface flows of impacted AN water. Sump water will be collected, sampled, and relocated to the water management pond. | |
| | The increase footprints proposed are within the total area of disturbance considered in the original environmental impact review for the Gahcho Kue Mine. Appropriate spill kits to be available and response procedures to be carried out as | |

per the Spill Contingency Plan.

Effluent quality criteria (EQC) will be established in the Water Licence (Licence) in order to protect the downstream aquatic receiving environment (from both direct and potentially cumulative effects), based on the MVLWB Water and Effluent Quality Management Policy.

Water quality monitoring is still required under Licence MV2005L2-0015, under both a surveillance network program (SNP) and an aquatic effects monitoring program (AEMP).

Seepage: acid generation and metal leaching from the West Mine Rock Pile is unlikely based on geological work performed by Proponent. A Geochemical Characterization and Management Plan, a Final Detailed Construction Plan for the West Mine Rock Pile, and a Processed Kimberlite and Waste Rock Management Plan has been updated and submitted, which was a requirement under Licence MV2005L2-0015, to include the in activities associated with the March 19, 2018 Amendment Applications.

Any water that enters the aquatic receiving environment must meet EQC as per MV2005L2-0015 conditions; such conditions will be applied to the March 19, 2018 Amendment Applications as well. Seepage surveys are required under the current Licence MV2005L2-0015, which includes follow-up reporting and analysis, and is to be submitted to the Board.

Spill Contingency will continue to be implemented.

water quantity changes

A portion of Kennady Lake will be removed with the expansion of the West Mine Rock Pile. De Beers has engaged DFO regarding the mine plan amendment and potential effects on the current authorization and offsetting requirements. A diversion channel is proposed to connect the D watershed, around the West Mine Rock Pile, to Kennady Lake to prevent scour and erosion, and to allow the movement of water as appropriate.

drainage pattern changes

Drainage patterns could be affected by the increase in footprint. The Closure and Reclamation Plan should consider the effects of these areas and will require thorough public review, with meaningful engagement of aboriginal organizations that traditionally use the Development area, and approval by the Board.

temperature

wetland changes/loss

other:

Pit depths have increased which may lead to further mine water being produced. Implementation of the Water Management Plan should mitigate this concern. Concerns with the placement of mine rock can be mitigated by adhering to the Geochemical Characterization Plan.

Part G

Part G

N/A

Impact
3) Noise

Mitigation

Location of condition

noise in/near water

noise increase

The additional equipment required is to be regularly maintained.

other:

N/A

Impact
4) Land

Mitigation

Location of condition

geologic structure changes

soil contamination

The increase in diesel and aviation fuel storage capacity could lead to additional soil contamination due to spills. Appropriate spill kits to be available and response procedures to be carried out as per the Spill Contingency Plan. Conditions relating to fuel handling are included in the Permit to mitigate concerns relating to soil contamination.

26(1)(m)

The creation of a new AN storage pad could lead to additional soil contamination if any AN is spilt. An engineered sump has been designed to catch subsurface flows of impacted AN water to limit the quantity of soil contamination.

The expansion to the Dykes forming the Fine Processed Kimberlite Containment Facility (Dykes A1, D, and L) could lead to additional soil contamination if appropriate construction materials are not used. Construction material will be non-acid generating mine rock.

The additional equipment required will utilize existing roads and where new footprints are utilized, appropriate spill kits are to be available and response procedures are to be carried out as per the Spill Contingency Plan.

- buffer zone loss
- soil compaction and settling

Soil compaction will occur as a result of this activity and use of heavy equipment. The Permittee shall only use lands included in the Permit.

26(1)(a) and (n)

The additional equipment required will utilize existing roads and the new footprints proposed are within the total area of disturbance considered in the original environmental impact review for the Gahcho Kue Mine.

Soil compaction could be affected by the increase in footprint. The Closure and Reclamation Plan should consider the effects of these areas and will require thorough public review, with meaningful engagement of aboriginal organizations that traditionally use the Development area, and approval by the Board.

- destabilization/erosion
- permafrost regime alteration
- explosives/scarring

Tuzo Pit will be filled with water following completion of mining, which should cover scarring from the use of explosives in the excavation of the open pit.

- other:
- N/A

Impact
5) **Non-renewable natural resources**

Mitigation

Location of condition

- resource depletion
- other:
- N/A

Impact
6) **Air/climate/atmosphere**

Mitigation

Location of condition

- other:
- N/A

Dust suppression measures will be applied to haul roads, consistent with current practices and MV2005L2-0015 Licence requirements. The implementation of the Air Quality and Emissions Monitoring and Management Plan should continue to be implemented at the Gahcho Kue Mine to address the increased footprints and additional equipment.

BIOLOGICAL ENVIRONMENT

Impact
1) **Vegetation**

Mitigation

Location of condition

- species composition
- species introduction
- toxin/heavy accumulation

The creation of a new AN storage pad could lead to additional soil contamination if any AN is spilt. An engineered sump has been designed to catch subsurface flows of impacted AN water to limit the quantity of soil contamination.

other:

N/A

Impact

2) Wildlife and Fish

Mitigation

Location of condition

effects on rare, threatened or endangered species

The Closure and Reclamation Plan should consider the effects of the increase to the West Mine Rock Pile and will require thorough public review, with meaningful engagement of aboriginal organizations that traditionally use the Development area, and approval by the Board.

fish population changes

waterfowl population changes

breeding disturbance

population reduction

species diversity change

health changes

behavioural changes

An increase in the height of the mine rock pile may affect the behaviour of wildlife in the area. Conditions relating to the protection of wildlife habitat should mitigate this concern.

26(1)(h)

Additional area of disturbance proposed is within the total area of disturbance considered in the original environmental impact review for the Gahcho Kue Mine.

habitat changes / effects

Wildlife:

- Mitigation during closure includes the construction of ramps, on the West Mine Rock Pile, to allow safe access and egress by wildlife.
- Additional area of disturbance proposed is within the total area of disturbance considered in the original environmental impact review for the Gahcho Kue Mine.
- The MVLWB Standard Land Use Permit Conditions Template includes a "Habitat Damage" condition, which states: "The Permittee shall take all reasonable measures to prevent damage to wildlife and fish Habitat during this land-use operation."
- The implementation of the Wildlife and Wildlife Habitat Protection Plan (which contains mitigation, monitoring, and adaptive management of wildlife), as required by Permit MV2005C0032, will continue to be implemented at the Gahcho Kue Mine and should address the impacts associated with the increased footprint and height of the West Mine Rock Pile.
- The implementation of the Wildlife Effects Monitoring Program should continue to be implemented at the Gahcho Kue Mine.

Fish:

- Water quality protection measures will be implemented to protect fish and aquatic life (see Surface Water Quality section above).

game species effects

Wildlife protection measures will be implemented (see Habitat Changes/Effects section above).

toxins/ heavy metals

forestry changes

agricultural changes

other:

N/A

Interacting Environment

Impact

1) Habitat and Communities

Mitigation

Location of condition

predator-prey

wildlife habitat/ecosystem composition changes

Additional area of disturbance proposed is within the total area of disturbance considered in the original environmental impact review for the Gahcho Kue Mine.

reduction/removal of keystone or endangered species

removal of wildlife corridor or buffer zone

other:

N/A

Impact

Mitigation

Location of condition

2) Social and Economic

planning/zoning changes or conflicts

increase in urban facilities or services use

rental house

airport operations/capacity changes

human health hazard

impair the recreational use of water or aesthetic quality

affect water use for other purposes

Pit depths have increased which may increase the time it takes to re-fill Kennedy Lake or to meet the objectives for restoring Kennedy Lake to its original condition. Implementation of the Closure and Reclamation Plan should mitigate concerns.

Part J

EQC will be established in the Licence in order to protect the downstream aquatic receiving environment (from both direct and potentially cumulative effects), based on the MVLWB Water and Effluent Quality Management Policy.

affect other land use operations

quality of life changes

public concern

other:

N/A

Impact

Mitigation

Location of condition

3) Cultural and Heritage

effects to historic property

increased economic pressure on historic properties

change to or loss of historic resources

change to or loss of archaeological resources

increased pressure on archaeological sites

- Archaeological surveys have been completed at the mine and all proximate sites have been mitigated.
- The design of West Mine Rock Pile will limit the area that is disturbed, as appropriate.
- Management practices for the avoidance or preservation of archaeological and/or heritage materials discovered during mine activities are in place at the mine.

change to or loss of
aesthetically important sites

effects to aboriginal lifestyle

other:

N/A

- Pursuant to Schedule 4.1 of the **Northwest Territory Métis Nation** (NWTMN) Interim Measures Agreement, the MVLWB determined that written notice was given to the NWTMN and that a reasonable period of time was allowed for NWTMN to make representations with respect to the application.
- Pursuant to subsection 1.6, paragraphs (a) and (b) of the **Akaiitcho Territory Dene First Nations** (ATDFN) Interim Measures Agreement, the MVLWB determined that written notice was given to the ATDFN and that a reasonable period of time was allowed for ATDFN to make representations with respect to the Application.

Preliminary Screener / Referring Body Information

Sent To
Akaitcho IMA Implementation
CanNor NWT Region
Chamber of Mines NWT & Nunavut
Dene Nation
Deninu K'ue First Nation
Environment and Climate Change Canada
Fisheries and Oceans Canada
Fort Resolution Metis Council
Fort Smith Metis Council
GNWT - Education Culture and Employment
GNWT - Environment and Natural Resources
GNWT - Health
GNWT - Department of Infrastructure
GNWT - Industry, Tourism, and Investment
GNWT - Lands
GNWT - MACA
GNWT - OROGO
Gov of Canada
Hamlet of Fort Resolution
Hay River Metis Council
INAC - Contaminants and Remediation Directorate
Katlodeeche First Nation
Lutsel K'e Dene First Nation
Mackenzie Valley Environmental Impact Review Board
Ni Hadi Xa
North Slave Metis Alliance
Northwest Territory Metis Nation
Salt River First Nations
Tlicho Government
Tlicho Lands Protection Department
Town of Fort Smith
West Point First Nation
Workers' Safety and Compensation Commission
Yellowknives Dene First Nation

Reasons For Decision
(List all reasons and supporting rationales for preliminary screening decision)

DECISION

The Mackenzie Valley Land and Water Board (the Board) is satisfied that the preliminary screening of 2020 Permit Amendment #5 Application and Licence Amendment #3 Application (Applications) for MV2005C0032 and MV2005L2-0015, De Beers Canada Ltd., Kennady Lake, NT has been completed in accordance with section 125 of the *Mackenzie Valley Resource Management Act* (MVRMA).

The Board is satisfied that communities and First Nations affected by the Applications have been notified and provided adequate time to provide comment on the Applications as required by land claim and self government agreements, the MVRMA, policy directions relating to Interim Measures Agreements, and any other applicable legislation and agreements.

Having reviewed all relevant evidence on the Public Registry, including the submissions of the Applicant, the written comments received by the Board and any Staff Reports prepared for the Board, the Board has decided that in its opinion:

- The proposed development will not have a significant adverse impact on the environment;
- The proposed development, through the 2020 Permit Amendment #5 Application and Licence Amendment #3 Application, can be mitigated through the various management plans required under Permit MV2005C0032 and Licence MV2005L2-0015; and
- The proposed development is not a cause of public concern.

The Board is also of the opinion that the Amendment Applications can proceed through the regulatory process and that any impacts of the development on the environment can be mitigated through the imposition of the terms and conditions in Land Use Permit MV2005C0032 and Water Licence MV2005L2-0015.

Preliminary Screening Decision	
<input checked="" type="checkbox"/>	Outside Local Government Boundaries
<input type="checkbox"/>	The development proposal might have a significant adverse impact on the environment, <i>refer it to the EIRB.</i>
<input checked="" type="checkbox"/>	<i>Proceed with regulatory process and/or implementation.</i>
<input type="checkbox"/>	The development proposal might have public concern, <i>refer it to the EIRB.</i>
<input checked="" type="checkbox"/>	<i>Proceed with regulatory process and/or implementation.</i>
<input type="checkbox"/>	Wholly Within Local Government Boundaries
<input type="checkbox"/>	The development proposal is likely to have a significant adverse impact on air, water or renewable resources, <i>refer it to the EIRB.</i>
<input type="checkbox"/>	<i>Proceed with regulatory process and/or implementation.</i>
<input type="checkbox"/>	The development proposal might have public concern, <i>refer it to the EIRB.</i>
<input type="checkbox"/>	<i>Proceed with regulatory process and/or implementation.</i>

Preliminary Screening Organization

Mackenzie Valley Land and Water Board

September 17, 2020

Signatures

Mavis Cli-Michaud, Chair
