



**Mackenzie Valley Land and Water Board**  
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## **PRE-HEARING CONFERENCE SUMMARY NOTES**

De Beers Canada Inc.

April 2019 Renewal and May 2019 Amendment Applications  
MV2019L2-0004 and MV2017D0032

### 1) Introductions

In Person:

Shelagh Montgomery – MVLWB Executive Director  
Chris Hotson – MVLWB Regulatory Manager  
Angela Love – MVLWB Regulatory Specialist  
Jacqueline Ho – MVLWB Regulatory Specialist  
Shannon Allerston – MVLWB Regulatory Specialist  
Sheldon Toner – Dragon Toner (MVLWB Legal Counsel)  
Rick Walbourne – GNWT-ENR  
Laura Malone – GNWT-ENR  
Philippe di Pizzo – SLEMA  
Sonia Aredes – SLEMA  
Dan Coombs – Fisheries and Oceans Canada  
Russell Wykes – ECCC

On the Phone:

Colleen Prather – De Beers  
Michelle Peters – De Beers  
Erik Madsen – De Beers  
Justin Fontaine – Counsel for De Beers  
Katherine Harris – MVLWB Senior Technical Advisor

### 2) Hearing logistics and representatives

- Dates and Locations: November 26-27, 2019, 9:00 a.m. – 5:00 p.m., Yellowknife, NT. In the Explorer Hotel, Katimavik Room B.
- Teleconference line will be available; please contact Angela Love if anticipating you will need the line.
  - If anything changes regarding teleconference needs or in-person attendance, please let Angela Love know prior to the Hearing.
  - Teleconference line will still be available for call-in/listening purposes.
- Number of participants, anticipated time required for presentations:

Party	Expected number of participants?	Expected time required for presentation?	Notes
De Beers	14 in-person (includes legal and consultants) 3-4 presenters At least 2 people on the phone	Around 1 hour	-
GNWT-ENR	6 in-person (includes legal counsel and consultants) 1 presenter	Around 45 minutes	-
ECCC	2 in-person 1 presenter Experts on the phone	Around 15 minutes	- Will have experts on the phone
DFO	Up to 3 (no intervention) 1 presenter		- No intention on becoming an intervener at this time
SLEMA	2 (Member of the Public)		- Not an intervener

- Intervention deadline has passed, a request for Ruling requires to be submitted if looking to become an Intervener.
- Any experts/consultants used should have their resumes submitted.
- Presentations should highlight the key parts of the written interventions; no new evidence should be provided.

3) Hearing structure and format

- Look to the Board's Rules of Procedure (revised in late 2018, please refer to the new rules).
- Evidence considered will entail what is filed with the MVLWB during these proceedings.
  - Any evidence parties wish the Board to consider will need to be made available to the MVLWB at the appropriate times, as set out in the work plan.
- The Hearing will be relatively formal (transcripts, interpreters).
- Legal/procedural issues should be brought up to the Board staff as soon as possible.

4) Procedural and legal details

- Process is framed by the Rules of Procedure.
- The Board aims to maintain flexibility in its process while maintaining procedural fairness for all parties.
- Time will be set aside for public to present to the board.
- If any motions need to be made, should be submitted to the Board sooner rather than later (Rule 22).
- Interveners to submit resumes of their technical experts (Rules 47-49).
- The Chairperson will control the conduct of the Public Hearing, subject to the legislation and the Rules (Rule 98).
- Agenda will be set and sent out that will follow the typical order of events (see Rule 99 of the Rules of Procedure for further details).

- The Board may set time limits for presentations, questions, and oral submissions during a Public Hearing (Rule 100).

5) Review of work plan

- Deadline for responses to Interventions:
  - o October 22, 2019.
- Presentations – due October 31 (Intervenors) and November 12 (De Beers).
  - o Reminder to submit 2 formats; PowerPoint for presenting (include slide numbers for those on the phone) and a PDF for the registry.
- Hearing – November 26-27.
- Any undertakings – due December 16.
  - o This date may change due to the nature of the undertaking.
- The Board will render a decision in early March 2020.
- The Board’s recommendation to the Minister will follow this date.

6) General questions

- no questions were asked