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File: Water Licence MV2001L2-0002

February 25, 2010

RE: De Beers Application to Forgo the 5 year review of the AEMP

SLEMA did extensive deliberation and consultation on this subject and has considered many view points. SLEMA recognizes the importance of doing periodical reviews of the AEMP to assess trends to modify and improve programs. SLEMA also would like to note that De Beers schedule is much more liberal (5years) than that of comparable programs at Ekati and Diavik (3 years). This may be acceptable in that De Beers does not have the accumulative data that the other mines have, due to the shorter operational period. With time the review period should be changed to 3 years for the purpose of consistency.

The request to forgo the AEMP review for an unspecified period of time would effect timelines pertaining to field seasons, documents review and the impending water license renewal. SLEMA and other regulators also need a formal AEMP review process to allow a formal setting to engage in dialog with De Beers and the opportunity to submit recommendations for changes to the AEMP, before the beginning renewal process for the water license.

SLEMA is also uncomfortable with the use of the word “forego” in De Beers request as this implies an open ended period without the intent to define a time when a review process will likely take place. That being said SLEMA also recognizes that De Beers is currently occupied with a number of commitments that are due between spring and early summer, the Water License Annual Report being one of these commitments. SLEMA and Regulators also need time to prepare for a review process of the AEMP.

SLEMA therefore recommends an extension rather than foregoing the review. SLEMA suggests September 31st 2010, may be an appropriate new deadline for the completion of the review. This will give all stakeholders and De Beers time to prepare for a review. The review will then be complete before the Water License renewal process is initiated in January 2011.

Sincerely,

Rachel Crapeau
Vice Chairperson

cc: Indian and Northern Affairs Canada
Environment and Natural Resources, GNWT
Environmental Canada
De Beers Canada Inc.