



March 29, 2003

**Stephanie Briscoe, Exec. Director**  
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**RE: NTI submission for the Doris North Project Draft EIS Pre-Hearing Conference, Cambridge Bay, April 14, 2003.**

**Dear Ms. Briscoe:**

To commence Nunavut Tunngavik Incorporated (NTI) would like to thank the Nunavut Impact Review Board (NIRB) for the opportunity to participate in the Pre-Hearing Conference to discuss the Doris North Project Draft EIS, on April 14, 2003 in Cambridge Bay. In reply to the Nunavut Impact Review Board's (NIRB) request for submission for the Doris North Project Draft EIS Pre-Hearing Conference, Nunavut Tunngavik Incorporated is pleased to submit the following comments to address the issues to be discussed. As background to the comments provided in this submission, NTI is tabling a series of three reports by Jacques Withford Environmental Limited, commissioned Jointly by NTI and the Kitikmeot Inuit association (KIA), to review various aspects of the Draft EIS for the Doris north Project. These are:

**SECTION 1: ADEQUACY REVIEW OF DRAFT ENVIRONMENTAL IMPACT STATEMENT;**  
**SECTION 2: DETAILED RESPONSES TO SPECIFIC TECHNICAL ISSUES;**  
**SECTION 3: CONFORMITY REVIEW OF DRAFT ENVIRONMENTAL IMPACT STATEMENT TO GUIDELINES.**

It is NTI's hope that by carrying out a more detailed review of the Draft EIS at this time, we can assist the proponent, Miramar Hope Bay Limited, in addressing all the issue of concern to Nunavut Tunngavik Inc. in the Final EIS to be tabled in the coming months. We believe this will assist in bringing more efficiency into the regulator and permitting process for this project in Nunavut.

In the letter from NIRB to Miramar Hope Bay limited and the distribution list dated March 10, 2003, NIRB has identified the following issues to be the issues to be discussed:

- 1) Conformity Review of the draft EIS



- 2) Discussion of the timeline for submission of the final EIS, hearing Submissions, & witness list.
  - 3) Identification of major issues
  - 4) Other responsibilities of proponent.
- NTI will address these issues:

#### **1) CONFORMITY REVIEW OF THE DRAFT EIS:**

Though the draft EIS generally conforms to the guidelines at a conceptual level, there are shortcomings in the degree and extent of conformity to the letter of the guidelines.

The following items are highlighted as substantive issues of nonconformity and inadequacy that need to be addressed in the final EIS to support the decision making process for the project:

- Integration of land use, culture and Traditional Knowledge information;
- Evaluation of environmental contaminant pathways and effects for metals and nutrients;
- Habitat loss or alteration in an ecological land classification framework;
- Meaningful consideration of cumulative environmental effects; and
- Valued Environmental Components (VEC) selection and the treatment of a VEC.

A detailed item-by-item discussion of the guideline conformity analysis is presented in the table accompanying the report: **SECTION 3:**

**CONFORMITY REVIEW OF DRAFT ENVIRONMENTAL IMPACT STATEMENT TO GUIDELINES**, to which we direct the attention of NIRB and the proponent for complete details.

#### **2) DISCUSSION OF THE TIMELINE FOR SUBMISSION OF THE FINAL EIS, HEARING SUBMISSIONS, & WITNESS LIST.**

With respect to the timeline for submission of the final EIS, the key concerns of NTI are:

- the ability of the proponent to effectively address the recommendations of the NTI, KIA and other interveners;
- and the desire to see the permitting process in Nunavut carried out in an efficient and effective manner.

To this end, we would insist that an appropriate timeline be established to address these concerns and in addition, allow for sufficient time for the concerns of all Inuit to be addressed.

The issue of hearing submissions and witness list should follow the regulations of the NIRB Hearing protocols, always cognisant of the need to maximize the effective participation of Inuit in the NIRB process.



### **3) IDENTIFICATION OF MAJOR ISSUES**

NTI and the KIA have undertaken a detailed review of the Draft EIS in the hopes of identifying all of the issues that are of concern to our organizations and those we represent. It is NTI's view that through this detailed review, and the proponent's response to this review, the Final EIS document will come closest to ensuring that the project has successfully addressed all issues of concern.

To this end, NTI submits two sections of the report by Jacques Withford Environmental Ltd. that deal with issues of concern that NTI has with the Draft EIS. These are:

**SECTION 1: ADEQUACY REVIEW OF DRAFT ENVIRONMENTAL IMPACT STATEMENT;**

**SECTION 2: DETAILED RESPONSES TO SPECIFIC TECHNICAL ISSUES;**

In this presentation we will highlight some of the key points of these two reviews. The issues of major concern include:

- A. **Valued Environmental Components:** The selection of VECs (biophysical and socio-economic) is not clear or justified. The available baseline information for this project is good and should provide the substantive material for arguments required to identify appropriate VECs and to analyse the environmental effects of project - VEC interactions.
- B. **Traditional Knowledge:** The Proponent states that it has endeavoured to incorporate traditional knowledge on VECs into the draft EIS, yet acknowledges that the results of this study are incomplete and not yet available. In lieu of the traditional knowledge report, the proponent should describe its approach and methods of obtaining and incorporating traditional knowledge into the draft EIS as alluded to. Specific traditional knowledge used to support the presentation of information on VECs in the draft EIS should be highlighted in the final EIS.
- C. **Environmental Management, Mitigation and Monitoring:** Detailed EMS plans should be provided in the final EIS. The proponent limits its presentation of information to biophysical issues rather than biophysical and socio-economic (eg Aboriginal Involvement, Community Participation).
- D. **Conceptual Mine Reclamation Plan:** With the short life of the project a more detailed reclamation plan is required. This is necessary not only to understand the reclamation and monitoring plans, but to enable correct evaluation of security requirements for the project.



- E. **Socio-economic Impact Assessment:** The final EIS should include socio-economic VECs in the impact analysis. The baseline information on the socio-economic environment is good and should not be entirely relegated to the Supporting Documents. Information on existing land use is not provided to evaluate conclusions reached in the draft EIS.
- F. **Water quality prediction and clarity on discharge of waters:** The final EIS should contain information about the actual ore and/or tailings compositions to allow clarification of assumptions of metals loading modeling in Tails Lake. Discrepancy within the EIS as to whether or not water from the tailings impoundment will be released to the Doris Lake outflow during the spring freshet needs to be resolved. Water Balance and Predictive Water Quality Modelling support data are required to determine the validity of these assumptions.

Addition issues deemed to be of significance to the project EIS are identified in the supporting documents. In addition specific review of issues of concern identified by NTI and KIA are addressed in these documents.

#### **4) OTHER RESPONSIBILITIES OF PROPONENT.**

The Doris North Project is the first major mining project to go through the permitting process that is totally on Inuit Owned Lands (IOL), and as such has unique characteristics and responsibilities related to IOL. The Kitikmeot Inuit Association has outlined many of these additional responsibilities, so we will not repeat them all here. The crucial responsibilities are the negotiation of an Inuit Impact and Benefit Agreement (IIBA) and the addressing of Article 20 rights (rights related to Inuit rights in water on IOL.)

These responsibilities are of great importance as they represent some of the key benefits Inuit won through the negotiation of the Nunavut Land Claim Agreement. The KIA is the Designated Inuit Organization (DIO) with respect to these rights and will be the principle Inuit organization involved in these negotiations. NTI will assist in every way possible the KIA in these efforts, and will monitor the progress with great interest to ensure that the Land Claim rights are implemented.



## **5) NIRB/NWB PROCESS:**

**In regards to a combined NIRB & Nunavut Water Board (NWB) hearing, Nunavut Tunngavik Inc. is always in favour of efficiency of the regulatory process in Nunavut. As such there is merit to combining the efforts of the two boards. However, in view of significant special issues related to the project located on Inuit Owned Lands (IOL) in relation to Article 20 Inuit water rights and other issues, NTI would favour a dedicated NWB hearing whether within the NIRB process or separately.**

**In closing NTI would like to thanks the NIRB for the opportunity to present it's issues and views in this important project review.**

**Sincerely**

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