



Indian and Northern  
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March 24, 2004

Stephanie Briscoe  
Executive Director  
Nunavut Impact Review Board (NIRB)  
Box 2379  
Cambridge Bay, NU  
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Your file - Votre référence

Our file - Notre référence  
IQA-N 5510-5-11 UNC

**RE: Meetings regarding the conformity of Supplemental Information with Guidelines scheduled in Yellowknife March 30-April 1, 2004.**

Dear Ms. Briscoe,

On behalf of Health Canada (HC), Natural Resources Canada (NRCan), Environment Canada (EC), and Fisheries and Oceans Canada (DFO), Indian and Northern Affairs Canada (INAC) would like to thank you for your March 16 invitation to the afore-mentioned conformity meeting in Yellowknife and for the extension on NIRB's deadline for comments on the agenda. The federal parties met on Tuesday, March 23 to discuss the proposed agenda. We would like to offer a few comments on the purpose of the meeting and the extent to which we can participate:

- The federal agencies view the purpose of the meeting as a continuation of the conformity review. In some, but not all cases, we will be able to discuss rationales for these requirements.
- Due to time constraints, most federal parties will be unable to complete conformity reviews of every aspect of the supplemental information. Few of the parties can complete the presentations requested of us by NIRB by the date of the meeting.
- Unfortunately, our preliminary analysis of the supplemental information has shown that MHBL is not in conformity with at least several of the information requirements. The information submitted to date is not adequate in many instances and thus we have not been able to move to a technical review.
- We are not prepared to offer detailed analysis, other than to indicate that the proponent has or has not provided the requisite information that will allow us to move to a full technical review. Therefore, we will not be able to engage in a technical discussion at the meeting.
- New information submitted prior to or during the meeting cannot be assessed for conformity before adequate time and opportunity has been provided to consider it.

In light of these circumstances, we would like to recommend the agenda be altered, as follows:

- The proponent present its rationales for why the supplemental information meets the information required by NIRB in the pre-hearing decision, and requested in the subsequent conformity reviews; and
- We would like to suggest that each of the eleven topic sessions of the proposed agenda be restructured, so that MHBL opens with a discussion of why their material does or does not conform, followed by a question and comment period. We think this change may also allow the time allocation required for the meeting to be reduced.

To be clear, any comments or queries made by the federal parties at this meeting should not be construed as our final word on the adequacy of the information presented; nor should the proponent expect that any issues will be permanently resolved or set aside. It should be understood that the proponent should follow up in writing with any additional verbal information that they may present at this meeting.

We would like to request that NIRB and the proponent notify us as to whether they concur with our proposed new agenda. As well, we request notification of any changes to the meeting length so that travel plans can be adjusted accordingly.

Thank you for your time and consideration in these matters. Please, feel free to contact myself at (867) 975-4549 or Janice Traynor at (867) 975-4554.

Sincerely,

***Original Signed By***

Glen Stephens  
Manager of Environment

cc. John Ramsey, Natural Resources Canada  
Margo Burgess, Natural Resources Canada  
Rob Johnstone, Natural Resources Canada  
Colette Meloche, Environment Canada  
Stephen Harbricht, Environment Canada  
Anjala Puvananathan, Health Canada  
Martyn Curtis, DFO  
Tania Gordanier, DFO  
Elizabeth Sherlock, INAC Waters  
Hugh Wilson, MHBL