



**Environment Environnement  
Canada Canada**

Environmental Protection Branch  
5204-50<sup>th</sup> Avenue, Suite 301  
Yellowknife, NT X1A 1E2  
Tel: (867) 669-4733  
Fax: (867) 873-8185

October 5, 2004

Our file: 4702 025

Philippe di Pizzo  
Executive Director  
Nunavut Water Board  
P.O. Box 119  
Gjoa Haven, NU X0B 1J0  
Tel: (867) 360-6338  
Fax: (867) 360-6369

*Via Facsimile and Email at [exec@nwb.nunavut.ca](mailto:exec@nwb.nunavut.ca)*

Dear Mr. di Pizzo

**RE: NWB1JER – Tahera Diamond Corporation, Jericho Diamond Mine Project  
Technical Meeting and Pre-hearing Conference**

Environment Canada (EC) would like to thank the Nunavut Water Board (NWB) for the invitation to attend the technical meeting, pre-hearing conference (PHC), and the final public hearing regarding Tahera Diamond Corp.'s water license application for the Jericho Diamond Mine Project. These meetings/hearings are scheduled to be held October 28-29, 2004, and December 6-7, 2004, respectively, in Kugluktuk, NU. Environment Canada participates in technical meetings, PHC's and final public hearings in order to provide the NWB with expert advice based on our mandated responsibility for the enforcement of the *Canadian Environmental Protection Act*, the *Species at Risk Act*, the *Migratory Bird Convention Act* and *Migratory Bird Regulations*, and Section 36(3) of the *Fisheries Act*.

As you are aware, all commercial accommodations within Kugluktuk are fully booked for the dates of both the technical meeting/PHC and the final public hearing. To date, EC has been unable to secure accommodations in Kugluktuk for either the technical meeting/PHC or the final public hearing. In response to similar concerns raised by other parties, the NWB has suggested parties charter an aircraft from another centre (i.e. Yellowknife, NT or Cambridge Bay, NU) each day. Given the extremely high costs associated with chartering aircrafts in the north, EC is unable to bear the financial burden of such a undertaking. Therefore, it is with much regret that EC informs the NWB that it is unlikely that we will be able to send a representative to either the technical meeting/PHC or the final public hearing. Environment Canada will, however, participate via the submission of written comments to the NWB for both the technical meeting/PHC and the final public hearing outlining our comments on Tahera Diamond Corp.'s water license application.

Environment Canada understands and supports the NWB's desire to include the community most affected by the project in the water licensing process. As the NWB has identified in their September 28, 2004 letter, the logistical difficulties associated with finding suitable accommodations in Nunavut is a reality that we all must address. However, it is also in the best interest of the NWB to encourage and facilitate participation of all interested parties at these meetings in order to ensure the protection of freshwater within Nunavut. The inclusion of any group at the expense of another jeopardizes the function and fairness of the water licensing process. Therefore, in order to ensure that all interested parties, including community members and regulators, are able to participate in important meetings in the future, EC offer the following suggestions to the NWB.

- In order to allow more representative participation at the Tahera Diamond Corp. water



**Environment Environnement  
Canada Canada**

licensing technical meeting/PHC and final public hearing for the Jericho Diamond Project, EC suggests that the NWB investigate teleconferencing or videoconferencing technologies.

- Environment Canada suggests that in the future, the NWB consider setting aside a certain number of beds for key out-of-town participants when the NWB decides on a venue and reserves their own rooms. For instance, the NWB could poll the distribution list to establish which organizations would likely attend and how many participants each group would likely send. Based on the number of beds available in the location chosen by the NWB, the Board could then set aside a specific number of beds per agency, thereby ensuring that at a minimum, one or two representatives from each organization could attend the meeting/hearing. Those organizations wishing to bring additional people could then look into other options for accommodating their additional participants.

Environment Canada believes these would be fair and reasonable approaches to ensuring representation from both the community and regulators at important meetings/hearings. Finding ways to ensure adequate participation from both community members and regulators is key to ensuring that projects proceed in the most environmentally-sound manner to ensure the protection of freshwater within Nunavut. I would be pleased to discuss this matter with you further. Please do not hesitate to contact me with any questions or comments with regards to the foregoing at (867) 669-4733 or by email at [stephen.harbicht@ec.gc.ca](mailto:stephen.harbicht@ec.gc.ca).

Yours truly,

***Original signed by***

Stephen Harbicht  
Head, Assessment and Monitoring

cc: (Greg Missal, Vice President, Nunavut Affairs, Tahera Diamond Corporation, Toronto, ON)  
(Colette Meloche, Environmental Assessment / Contaminated Sites Specialist, Environment Canada, Iqaluit)  
(Anne Wilson, Water Pollution Specialist, Environment Canada, Yellowknife)  
(Mike Fournier, Northern Environmental Assessment Coordinator, Environment Canada, Yellowknife)