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Your file - Votre référence

NWB1JER

Our file - Notre référence

9545-1-1-JER-G

05 October 2004

Dear Mr. di Pizzo,

Re: Jericho (Tahera Diamond Corporation) Technical Meeting

This is in response to your letter of September 28, 2004.

INAC's understanding of the purpose and intent of a technical meeting is to provide an opportunity for the Applicant's and the Intervener's scientific advisors and expert witnesses to discuss technical issues in a collegial and informal atmosphere. Ultimately, a resolution of the outstanding scientific and technical issues at this stage significantly lessens the possibility that the subsequent public hearings will become bogged down in technical minutia. Such a situation, in our opinion, compromises the general public's ability to actively participate. Indeed this has always been INAC's understanding of the purpose and scope of a technical meeting and further, it is not without precedent: the technical meetings for the closure of the mine at Nanisivik were held in Calgary, Iqaluit, Ottawa and Yellowknife, while the public hearings were held in Arctic Bay.

INAC is certainly not suggesting that the affected public should be actively excluded from the technical meetings, nor are we suggesting that public participation at the technical meetings should be discouraged. Nevertheless, INAC has been operating under the assumption that the premier venue for public participation occurs during the public hearings. By contrast, technical meetings are intended primarily to resolve technical issues amongst scientists, engineers and other specialists, being mindful that the public are welcome to attend and participate.

Based on the content of your letter, it appears that, inasmuch as technical meetings are concerned, engaging the public is the primary objective, while engaging technical and scientific experts is of secondary importance. If such is the case, INAC requests that the NWB clarify the exact intent and purpose of the technical meetings so that we may determine the scope and extent of our participation at these meetings.

INAC is concerned that while it is clearly recognized that there are a number of logistical difficulties – a critical lack of available accommodation being one example – the NWB has, nevertheless, elected to hold the technical meetings in Kugluktuk rather than in a location which would maximize technical intervenor participation.

INAC has been contacted by a number of its colleagues from other regulatory agencies, some of whom have already indicated that they may not be able to participate in these technical meetings due to the aforementioned logistical problems. While the NWB is apparently desirous of soliciting the opinions and involvement of the technical advisors from all sides, the current situation makes it extremely difficult for many of them to participate. INAC believes that it is incumbent upon the meeting organizer to ensure that the chosen venue has the capacity to accommodate all participants.

INAC looks forward to your response with regard to the purpose and scope of the technical meeting.

Original signed by:

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