



Yellowknives Dene First Nation
Box 2514, Yellowknife, N.W.T. X1A 2P8

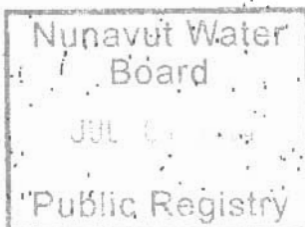
Detah Ph: (867) 873-4307
(867) 873-8951
Fax: (867) 873-5969

360-6369

INTERNAL	
PC	dp
MA	
FO	
LA	
ES	
ST	
VAL	
WZ	
RC	
ED	faxed
CH	
BRE	
EXT	

June 29, 2004

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



Attention Mr. Di Pizzo

RE: Licensing The Jericho Diamond Mine Project - Terms, Conditions and Information Requirements

The Yellowknives Dene First Nation (YKDFN) Land and Environment Committee (L&EC) has participated throughout the assessment and licensing phases of the proposed Tahera Jericho Diamond Mine. The L&EC was also forefront in the water licensing of the BHP Billiton Ekati Diamond Mine, The Diavik Diamond Mine and most recently the De Beers Snap Lake Diamond Mine. In addition the L&EC sits on two environmental monitoring agencies and now has over 6 years of water monitoring and management experience to draw up in consideration of the Tahera water licence proposal.

The L&EC has expressed its concerns regarding the potential for trans-boundary impacts associated with the proposed project, and while these issues remain unresolved, the YKDFN believe participation is far more constructive and leads to better environmental management. We must work together to address these yet unresolved issues; particularly potential impacts associated with migratory species including waterfowl and caribou and the potential of having them negatively affected by the proposed project.

It is in this spirit and with our experience that we are pleased to provide the Nunavut Water Board the following suggestions regarding the water licensing of the Tahera Jericho Diamond mine.

INFORMATION REQUIREMENTS FOR THE TAHERA WATER LICENSE

(A) Water Quality:

In developing conditions in the water license that pertain to water quality criteria, the L&EC believes that not only water organisms (i.e. fish, plankton and benthic invertebrates) should be protected, but also animals that may swim in or drink from affected water bodies. With this in mind, we strongly recommend that the CCME guidelines that are used to derive site-specific water quality parameter limits incorporate those that are protective for drinking water uses.

(B) Kimberlite Toxicity Evaluation.

Risk assessment on the possible effects of the kimberlite tailings in Long Lake on caribou and waterfowl health is required. That is, the following needs to be required of Tahera in their water license:

- Identification of what chemical constituents of the kimberlite tailings would be expected to be harmful to the health of caribou and waterfowl;
- In, what concentrations will the above chemical contaminants be expected to be present in the water (animal ingestion by drinking) and the tailings (ingestion by eating or licking);
- Are these contaminant concentrations comparable to levels known to be harmful to caribou and waterfowl or their surrogate species (i.e. chickens for waterfowl comparison; sheep and cattle for caribou);
- Would these contaminant concentrations biomagnify in a caribou or duck or goose to the point of presenting an adverse health effect to Dene or Inuit harvesters who may eat these animals?

(C) Reclamation issues:

(1) Progressive Reclamation should be undertaken throughout Jericho's mine life. That is, planning for mine closure should not be deferred to the end of the project. Closure plans should be incorporated into the mine plan from the start of design and construction. This would enable reclamation of mine components that are no longer used later in mine life to begin earlier, maximizing the benefits of reclamation. Also, this would allow for learning of closure problems early enough in the development, rather than to be studied and mitigated.

(2) As stated in our Environmental Assessment Intervention of November 10, 2003, Tahera should "put in place a monitoring program to investigate the uptake of contaminants in plants as part of the company's plans to revegetate the Long Lake Tailings Containment Area". The above mentioned risk assessment would inform the development of the monitoring program (for example, what concentrations of a contaminant that is taken up and retained in edible plant tissue would put a herbivore at risk of adverse health impacts?).

(3) A Reclamation Plan should be assessed demonstrating that proposed restoration techniques are technically sound, and will be environmentally protective in perpetuity; not just over the first few years after closure. The Plan should adequately explain reclamation objectives (e.g.: to seal the exposed kimberlite from the environment, or to revegetate it?) and outline options for reclaiming/restoring each component of the mine (e.g.: revegetate the tailings by covering with soil amendments, or mixing soil and kimberlite, or fertilizing and seeding the kimberlite directly, or natural plant re-colonization)

(4) Tahera should be required to detail their reclamation criteria as part of the A&R Plan for mine restoration and closure. That is: how will the success of reclaiming an impacted portion of the mine site be measured?

Noise


The L&EC recognizes that noise pollution is not a water licensing issue per se. However, the L&EC is including this suggestion for the Board's consideration and hopefully some form of implementation through "what ever" legal means it sees fit.

Impacts on caribou from noise in their usually quiet environment especially during migration and calving, is something that should be minimized at all times. Noise from rock-blasting, rock crushing and dumping, and heavy machinery, are not a normal feature of the landscape near or on the calving grounds.

In the absence of any Nunavut government guidelines, a noise abatement program should be developed and enforced by the company. A standard such as the Alberta Energy and Utilities Board (EUB) Interim Noise Control Directive ID 99-8 should be met. This Alberta government directive provides a guideline to prevent uncontrolled noise generation in places remote from inhabited areas in the province of Alberta. This guideline recommends that new facilities developed in remote areas should be designed to meet a sound level threshold of no more than 40 dBA at a distance of 1.5 km from the site. Meeting a standard such as this would be advisable for the Jericho mine.

Thank you for the opportunity of participating in the licensing of this important project. While we have not formally requested assistance to cover our consultant costs to date, if the could help cover our nominal consulting costs on the licensing phase of this project it would be very much appreciated.

Sincerely,



Rachel Ann Crapeau - Chair
Land and Environment Committee

c.c. Chief Peter Liske, Dettah, Yellowknives Dene First Nation

Chief Darrell Beaulieu, Ndilo, Yellowknives Dene First Nation

Stephanie Briscoe, Nunavut Impact Review Board, Cambridge, Bay, NT
Fax: (867) 983-2594