



20 April 2006

NIRB File No.: 00MN059

Greg Missal  
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**BY EMAIL** ([missal@tahera.com](mailto:missal@tahera.com))

**Re: NIRB acceptance of the 3<sup>rd</sup> draft of Tahera's Wildlife Mitigation and Monitoring Plan**

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Dear Mr. Missal:

The Nunavut Impact Review Board (NIRB) has received comments on the third draft of Tahera's Wildlife Mitigation and Monitoring Plan (WMMP) entitled "Final Report: Proposed Wildlife Mitigation and Monitoring Plan for the Jericho Diamond Project" received on 5 December 2005. The NIRB thanks all parties for their input into the WMMP.

The WMMP has been designed to fulfill conditions within the Jericho Project Certificate pertaining to mitigation and monitoring of Project effects on wildlife. These conditions stem from NIRB's authority for project monitoring under Article 12, Part 7 of the NLCA. The NIRB has reviewed the WMMP in light of its mandate under 12.7.3 (a) which states that NIRB's monitoring program may include:

*a requirement that regulatory agencies and the proponent supply NIRB with reports and information respecting project operations and impacts, and the implementation of mitigative measures.*

NIRB is content that the WMMP fulfills the wildlife monitoring and mitigation requirements of the Jericho Project Certificate subject to the following additional requirements and recommendations.

Additional Requirements:

- 1) NIRB is presently satisfied with the size of the Regional Study Area (RSA). However, Tahera must define and provide control locations to verify that the project's Zone of Influence on wildlife, particularly caribou, does not extend beyond the RSA.

The RSA shall be re-evaluated based on data collected in 2006. Further, the GN will assist Tahera by providing regional monitoring data from collared caribou in the area.

- 2) Monitoring data collected in 2005 will be compared to baseline data and impact predictions made in the Final Environmental Impact Statement. This analysis will be included in the March 2006 report (mentioned on pg 66 of the WMMP) verifying the impacts of construction.
- 3) Three months following the commencement of operations, Tahera will submit to NIRB an updated site footprint calculation, site map, and a footprint growth projection.
- 4) Aerial surveys will be conducted so as to minimize wildlife disturbances while allowing for the collection of distribution data. To this end, Tahera will include a revised methodology for caribou surveys in their 2007 updated WMMP. The methodology shall have a strong emphasis on ground-based surveys. Tahera must conduct its aerial surveys as high as possible above ground level (agl). A flight altitude of 1000ft agl shall be maintained wherever possible. Tahera will make all efforts to conduct aerial surveys using fixed-wing aircraft.
- 5) In addition to track surveys, Tahera will establish baseline population information on wolverine and grizzly bear use of the RSA through the hair-snagging/DNA fingerprinting technique.
- 6) Tahera must include the following mitigation measures as part of the WMMP to be followed when conducting activities near Peregrine Falcon, Gyrfalcon and other raptor nests (most of these precautions will also apply to all nesting bird species):
  - a. All disturbances to nests during the early part of the nesting cycle must be avoided (avoid nest sites from late May through to mid-July).
  - b. Treat all nest sites with equal precaution, regardless of the response of the bird. Do not disturb raptor nests during conditions of poor weather (rain, snow, high winds).
  - c. All activity within 100m of a nest site during the latter part of the nest stage (10-20 August for peregrine falcons in this region) must be avoided.
- 7) Table 1.2 "Species at Risk in the Jericho Diamond Project Study Area" must be updated to include species designated as "special concern" by COSEWIC.
- 8) All aircraft must maintain a minimum cruising altitude of 610m above ground level for point-to-point travel unless there is a specific requirement for lower level flights within the project area. Flight corridors will be established early on and maintained throughout the life of the project. Flight corridors will be submitted to NIRB's Monitoring Officer within three months of commencing operations.

- 9) Tahera will provide information to NIRB, as part of Tahera's annual Wildlife Mitigation and Monitoring Report (to be submitted in March as stated by Tahera on page 66 of the WMMP) on the ongoing monitoring of raptor nests within 2 km of the project. This will include the locations of current nests by species, locations of abandoned nests, and the results of studies and measures to prevent losses of nests and eggs.
- 10) Within 30 days of commencing operations, Tahera shall file pre-blasting procedures describing the communication protocol between blast manager and on-site wildlife manager/environmental coordinator, and the guidelines used to determine the appropriate minimum distance between wildlife and location of blast before blasting occurs.

Recommendations:

- 11) Tahera should incorporate mitigation measures for the handling and storage of wildlife attractants, such as waste food, into their Waste Management Plan to be submitted to NIRB's Monitoring Officer within 3 months of commencing operations.
- 12) NIRB recommends Tahera consult with the Canadian Wildlife Service regarding measures to discourage denning, roosting and nesting of arctic foxes and other avian predators within 2 km of the mine site.
- 13) NIRB reminds Tahera of Condition 14 of the Jericho Project Certificate which states that "Tahera shall take special care to avoid disturbing nesting sites of any species in the Project lease area. Sites within 500 meters of the Project lease area should be also located, marked, and reported by Tahera to NIRB's Monitoring Officer". Particular attention should be paid to this issue during the breeding season.
- 14) NIRB recommends Tahera work with Environment Canada (EC) to incorporate their comments on the study design and field methods for upland birds contained in EC's letter dated 13 January 2006.

If you have any questions, please do not hesitate to contact me.

Yours truly,

*Original signed by:*

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