



In accordance with the provisions of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* (“Act”), the NWB shall hold a public hearing in the community or communities most affected before it can dispose of an application. Although the NWB is aware of logistical issues associated with the conduct of a hearing in Kugluktuk, the NWB is of the opinion that public involvement is

pivotal in its proceedings and confirms that the hearing will be held in Kugluktuk starting December 6, from 7 to 10 p.m. and continuing on December 7 and December 8 (if necessary) as required. An agenda confirming the particulars of the hearing will be circulated to all parties before the hearing.

To promote public awareness and meaningful community participation at the Hearing, the NWB will organize community information sessions with interested residents and local organizations in Kugluktuk and Cambridge Bay. Stephen Lines, the NWB's Hearing Coordinator, will be visiting the community in the weeks before the hearing. Stephen Lines may be contacted by email (hearing_coordinator@nwb.nunavut.ca).

The NWB is looking into ways to include the participation of community representatives from Bathurst Inlet and Umingmaktok (Bay Chimo) and will follow-up shortly.

Scope of the Hearing

The scope of the Hearing will include **any matter relevant to the Objects of the Board as they pertain to the Application and addendum filed** as well as the Project Certificate issued by the Nunavut Impact Review Board as related to the NWB's mandate.

Other issues may be brought forward as long as they are directly relevant to the application filed.

Information Exchange

Issues that were discussed and reviewed during the technical meeting should be open for further discussion if it is required. The NWB encourages parties to work cooperatively with Tahera to resolve any technical issues prior to the November 12, 2004 date set and agreed upon at the PHC. The NWB should be informed of any conclusions reached.

Deadline for Filing Interventions

The NWB Rules of Practice and Procedures for Public Hearings stipulates that parties who intend to rely on a document at the Hearing must submit their written interventions, in both Inuktitut, Inuinnaqtun and English, no later than fifteen days before the commencement of the Hearing.

However, in consideration of several time constraints and following consultation with parties at the PHC, the NWB decided to vary its rules and sets the following deadlines:

November 30, 2004 @ 12:00 p.m.: Deadline for Interveners to submit final comments before the Hearing.

Language of Documents

The NWB hereby confirms that an Inuktitut and Inuinnaqtun translation of a detailed executive summary and list of recommendations will be required upon filing their submission. Given that the

deadline for submissions leaves the NWB little time to assist parties in translation, the NWB requests that parties arrange for their own document translation.

Site Visit

At the PHC, participants agreed with the NWB that a site visit would not be helpful given the time of year. However, the NWB recommended to the Applicant to present at the Hearing a visual overview of the site using photos and video material.

Language and Equipment Requirements

The Hearing will be conducted in **Inuktitut, Inuinnaqtun and English**, with simultaneous translation. The NWB is also required by law to conduct public hearings in French in accordance with the *Official Languages Act*. Please notify the NWB at least two weeks before the Hearing should you require simultaneous interpretation in French. Additionally, parties who will need special audio-visual equipment at the Hearing are requested to inform the NWB of their specific needs at least two weeks before the Hearing so that arrangements can be made in advance (November 22, 2004).

The NWB also confirmed at the PHC that transcripts of the Hearing will be made available within a reasonable time after the Hearing and upon written request. However, due to possible long delays to prepare transcripts, the NWB formally asks parties not to rely on these transcripts to prepare any eventual post-hearing submission.

Public Registry

All documents, as well as any correspondence related to the Jericho Diamond Project, have been filed in the NWB public registry and will be made available to the public in Kugluktuk and at the NWB Office in Gjoa Haven. Copies of Tahera's water licence application are also available at the NWB office in Cambridge Bay, the Hamlet office in Kugluktuk and INAC's office in Iqaluit.

Please do not hesitate to contact Stephen Lines (hearingcoordinator@nwb.nunavut.ca) or Dionne Filiatrault (srtech@nwb.nunavut.ca) for technical issues, and Phyllis Beaulieu (licensing@nwb.nunavut.ca) or myself for any other matter related to the hearing.

Sincerely,

Original signed by:

Philippe di Pizzo
Executive Director
exec@nwb.nunavut.ca

