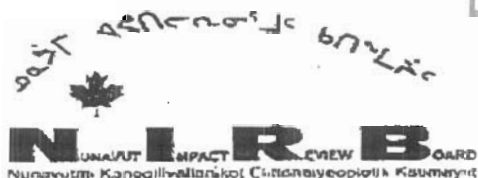


Nunavut Water  
Board

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August 24, 2004

Honourable Andy Scott, PC, MP  
Minister of Indian Affairs and Northern Development  
10 Wellington Street, 21<sup>st</sup> Floor  
Hull, Quebec  
K1A 0H3

*via fax and regular mail*  
(819) 953-4941

Dear Minister:

Both the Nunavut Impact Review Board (NIRB) and the Nunavut Water Board (NWB) would like to seek your assistance regarding participant funding for our public reviews. Indeed, NIRB and the NWB have been concerned about the lack of intervener funding for quite some time; as early as 1996, both Boards raised the issue, but the matter was never discussed or dealt with.

We are both excited that your predecessor, Honourable Andy Mitchell, agreed that participant funding will be provided for NIRB's Bathurst Inlet Port and Road (BIPAR) panel review. We would like to thank the Minister for making this funding available, and we believe it should be accorded for both Boards, for other full public reviews as well. We agree with the position taken by Stephen Traynor, A/RDG Nunavut Region. Mr. Traynor wrote on July 29, 2004 that such funding was allowed for the Yellowknives Dene for the Jericho project. Now, we need to find the mechanism to make this work.

Both Boards are prepared to make whatever submissions are required of the Nunavut Implementation Panel, (NIP) though we not do not know when the next meeting of the panel is, nor its membership or how it is presently constituted. Thus in the meantime, we will make our submission to you; generally, including major principles of intervener funding we think it would apply in Nunavut.

First, the 'funding' committee that reviews and approves the funding should be "arms-length" from the Boards and parties. The committee would independently review parties' funding proposals and make recommendations to you, or to your appointee who could enter into contributions or other agreements regarding the funds.

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Second, groups who receive funding should be encouraged to pool resources where the issues and interests are similar.

Third, eligible applicants would be those who are either directly affected, or, those who would make a significant and substantial contribution to the Boards' review.

Fourth, eligible activities could be similar to your Department's Indian Environmental Assistance Fund (IEAF). That fund is available for the following activities:

- Consultation with specialty expertise and shared environmental interests;
- Assessment/analysis of community impacts;
- Development of community/band positions;
- Development of papers, studies and technical analyses, reviews of environmental screening reports and initial environmental evaluations for major off-reserve developments affecting reserves and traditional use areas;
- Participation in preparatory stages of provincial environmental reviews for projects with the potential to affect reserves and traditional use areas adversely (includes related travel and accommodation expenses);
- Environmental experts such as biologists, hydrologists and environmental consultants;
- Legal advice, which can be part of the overall activities funded but should not be the primary focus of the funding provided under this program; and Negotiations, interventions and presentations to public hearings and meeting.

Obviously, key aspects of participant funding will need to be worked out, such as:

- Public notice;
- Level of funding;
- Source of funding; and
- Reporting and accountability

We will make our staff available to discuss the development of these aspects of funding, and to do so at your direction and timing. We thus await your further instructions which will hopefully include direction to your officials to assist the Boards in moving this important aspect of public hearings forward. Time is of the essence as we are now in the middle of reviews for BIPAR (NIRB) and Tahera's water license (NWB), and requests are currently being made of the Board for this funding.

Respectfully,

  
Albert Ehaloak, A/Chairman  
Nunavut Impact Review Board

  
Thomas Kudloo, Chairman  
Nunavut Water Board