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1 NUNAVUT IMPACT REVIEW BOARD  
2 FINAL HEARING CONFERENCE FOR THE JERICHO DIAMOND  
3 PROJECT  
4 JANUARY 9, 2004 VOLUME 5  
5 LOCATION: GJOA HAVEN COMMUNITY HALL  
6 GJOA HAVEN, NUNAVUT  
7  
8 NIRB FILE NO. 00MN059  
9  
10  
11 PANEL:  
12 Elizabeth Copland Chairperson  
13 Peter Paneak  
14 Albert Ehaloak  
15 Martha Akoluk  
16 Mary Avalak  
17  
18 BOARD STAFF:  
19 Bill Tilleman, Esq. Legal Counsel  
20 Stephanie Briscoe Executive Director  
21 Dionne Filiatrault Nunavut Water Board  
22 Zainab Moghal Technical Advisor  
23 Jordan DeGroot Technical Advisor  
24 Gladys Joudrey Environmental Assessment  
25 Officer  
26

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1 Jorgen Komak Environmental Assessment  
2 Officer  
3 Josie Tucktoo-Lacasse Interpreter/translator  
4 Mary Hunt Interpreter/translator  
5 Edna Elias Interpreter/translator  
6 Henry Ohokanok Interpreter/translator  
7  
8 COURT REPORTER: Tara Lutz  
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1 (COMMENCED AT 12:03 P.M.)  
2 CHAIRPERSON: Good afternoon. It is now  
3 12 o'clock, shall we get ready? The schedule for  
4 the next 15, 20 minutes is I will make my  
5 presentation, and I understand you were all told to  
6 make your own arrangements for lunch. Before we go  
7 into towards Tahera's presentation, we will break  
8 for half an hour.  
9 Before we start, Peter Paneak will give the  
10 opening prayer.  
11 (OPENING PRAYER)  
12 OPENING REMARKS AND INTRODUCTIONS:  
13 CHAIRPERSON: Hello, and happy New Year.  
14 Welcome to the final hearing conference for the  
15 Jericho Diamond Project. This is NIRB file number  
16 00MN059.  
17 The project being proposed by Tahera  
18 Corporation is for a diamond mine, the Jericho  
19 diamond mine located in the Jericho watershed at  
20 the north end of Contwoyto Lake.  
21 The goal of the project is to extract the  
22 Jericho kimberlite reserves by way of open pit and  
23 underground mining. Full scale extraction is  
24 expected in 2005 with the mine to close and be  
25 reclaimed in 2013.  
26 The mine will engage in continued exploration

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1 and development of prospective kimberlite pipes in  
2 the area with the possibility of extending the

3 operating life of the mine past the eight-year  
4 period currently projected.  
5 The project, while utilizing some existing  
6 infrastructure, will require the construction of  
7 additional elements associated with mining and  
8 production.  
9 We are sorry about the recent delay in  
10 proceedings for the original hearing dates in  
11 December due to the flu situation in the Kitikmeot  
12 region. We are happy finally to begin this  
13 hearing.  
14 My name is Elizabeth Copland, and I am the  
15 chair of the Nunavut Impact Review Board. I live  
16 in Arviat and have been with the Nunavut Impact  
17 Review Board just over eight years.  
18 I will now introduce the Board members and  
19 Staff. In attendance with us today are the  
20 following Board members. Please note Peter  
21 Akkikungnaq has a declared conflict in  
22 participating in these hearings as he is the mayor of  
23 Gjoa Haven. Albert Ehaloak.  
24 MR. EHALOAK: Hi, my name is Albert  
25 Ehaloak, and I have been with the Board for a year  
26 and a half, and I am born and raised in Cambridge

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1 Bay.  
2 CHAIRPERSON: Peter Paneak.  
3 MR. PANEAK: My name is Peter Paneak  
4 from Clyde River. I am a member of the Nunavut  
5 Impact Review Board for over two years now.  
6 I enjoy what I do as a Board member, and I am  
7 very glad to be here.  
8 CHAIRPERSON: Mary Avalak.  
9 MS. AVALAK: My name is Mary Avalak. I  
10 am from Cambridge Bay. I am a Board member for the  
11 Nunavut Impact Review Board, a year and a half now  
12 I have been a Board member. Thank you.  
13 CHAIRPERSON: Martha Akoluk.  
14 MS. AKOLUK: Good morning, and happy New  
15 Year.  
16 I am Martha Akoluk from Bathurst Inlet, and I  
17 have been with the Nunavut Impact Review Board for  
18 three years.  
19 CHAIRPERSON: And Board member, we had  
20 Zack Novalinga from Sanikiluaq. The Nunavut Impact  
21 Review Board received unfortunate news in December  
22 that Zack had died during surgery in Winnipeg.  
23 I will now introduce the NIRB Staff members.  
24 Stephanie Briscoe, our executive director; legal  
25 counsel, Bill Tilleman; technical advisor, Zainab  
26 Moghal; technical advisor Jordan DeGroot;

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1 environmental assessment officer, Gladys Joudrey.  
2 Is Gladys here this morning, this afternoon?  
3 Interpreter/translator, Josie Tucktoo-Lacasse;

4 interpreter/translator, Mary Hunt;  
5 interpreter/translator, Henry Ohokannoak,  
6 interpreter/translator, Ben Kovik, and Tara Lutz,  
7 our stenographer.

8 Official transcripts of the hearing will be  
9 prepared for Board use only.

10 I would also like to make a special  
11 introduction of Dionne Filiatrault who is the  
12 senior technical advisor for the Nunavut Water  
13 Board and Dave Honstein who is the technical  
14 advisor for the Nunavut Water Board.

15 Dionne will be here to ask questions related  
16 to Water Board mandate issues, not to gather  
17 evidence, but to coordinate with the Nunavut Impact  
18 Review Board to make its decision better.

19 The Nunavut Land Claims Agreement states that  
20 the Nunavut Impact Review Board shall take all  
21 necessary steps by way of notice, release of  
22 information, and scheduling and location of  
23 hearings to provide and promote public awareness of  
24 and participation at hearings. We have tried to do  
25 that in the Jericho case by notifying all of you by  
26 writing and by public advertisement of this final

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1 hearing conference.

2 A copy of the correspondence between the  
3 Nunavut Impact Review Board, the proponent and  
4 parties in what we call a public registry is  
5 available at the back table, and you can ask Gladys  
6 who is working with -- working in the back.

7 We are here to conduct this meeting under the  
8 authority of the Nunavut Land Claims Agreement,  
9 Article 12 Part 5. Briefly, the Nunavut Impact  
10 Review Board's work is to do impact assessment, and  
11 its primary objective is to protect and promote the  
12 existing and the future well-being of the residents  
13 and communities of the Nunavut settlement area and  
14 to protect the ecosystemic integrity of the Nunavut  
15 settlement area.

16 To summarize Article 12, the Nunavut Impact  
17 Review Board's mandate is to use both traditional  
18 knowledge and recognized scientific methods in an  
19 ecosystemic analysis to assess on a site-specific  
20 and regional basis the environmental, cultural and  
21 socioeconomic impacts of those proposals for which  
22 it has responsibility.

23 The Nunavut Impact Review Board's steps to  
24 date for the Jericho Diamond Project, on November  
25 2, 2000, the Nunavut Impact Review Board determined  
26 that the Jericho Diamond Project proposal was

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1 insufficiently developed to permit proper screening  
2 and should be returned to the proponent for  
3 clarification.

4 On April 5, 2000, the conformity analysis and

5 final EIS guidelines were released by the Nunavut  
6 Impact Review Board.

7 On January 12, 2001, Tahera Corporation  
8 submitted the draft EIS.

9 On February 7th, 2001, the Board advised  
10 Minister Robert Nault that the Jericho Diamond  
11 Project required review under Part 5 or 6 of the  
12 Nunavut Land Claims Agreement.

13 In reply on March 14, 2001, Minister Nault  
14 agreed to refer the project to NIRB for a Part 5  
15 review.

16 Nunavut Impact Review Board then held public  
17 prehearings in Cambridge Bay, Kugluktuk and Gjoa  
18 Haven in June of 2001.

19 Tahera Corporation submitted the final  
20 Environmental Impact Statement in January 21st,  
21 2003.

22 Final public hearings were initially  
23 scheduled from May 26th to 30, 2003, but were  
24 postponed due to numerous requests for additional  
25 information. Final public hearings were then  
26 rescheduled for December 1 through 5, 2003 but were

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1 postponed due to a flu epidemic in the Kitikmeot  
2 region.

3 Final public hearings have now been scheduled  
4 for this week, January 5 to 9, and occurred in the  
5 communities of Kugluktuk, Cambridge Bay and now  
6 Gjoa Haven.

7 There were certain matters that the Nunavut  
8 Impact Review Board wanted you to pay special  
9 attention to, and we highlighted this in the  
10 November 14, 2003 letter. First, we asked that all  
11 documents be translated for the upcoming hearing.  
12 Second, please share all written submissions with  
13 other parties, this is not the responsibility of  
14 the Nunavut Impact Review Board. Finally, where  
15 the Nunavut Impact Review Board makes information  
16 requests of parties, and in particular, Tahera  
17 Corporation as it will do after this hearing  
18 conference, make sure you provide all information  
19 that you can.

20 The Nunavut Impact Review Board's matters to  
21 be considered at today's review are as per Article  
22 12.5.5 of the Nunavut Land Claims Agreement. If  
23 you have any questions regarding this section,  
24 please ask the Staff who can direct you to the  
25 Nunavut Land Claims Agreement.

26 I will now do a roll call, if you can please

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1 introduce the people with you. First we start with  
2 Tahera Corporation.

3 MR. MISSAL: Thank you very much, Madam  
4 Chair. My name is Greg Missal. I'm the  
5 vice-president with Tahera Corporation. With me

6 today is Bruce Ott, AMEC Environmental. I have Ben  
7 Hubert, Pete McCreath, Robert Hornal, Court Smith,  
8 Bob Humphries, Rick Pattenden, Cam Scott, Andre  
9 Sobolewski, Kelly Sexsmith, and Letha MacLachlan,  
10 legal counsel to Tahera.

11 Thank you.

12 CHAIRPERSON: Thank you. Is KIA in  
13 attendance? Good afternoon. Nunavut Tunngavik  
14 Incorporated?

15 MR. LOPATKA: Good afternoon, Madam  
16 Chair, members of the Board, ladies and gentlemen.

17 On behalf of Mr. James Intuluk, first  
18 vice-president of NTI, I would like to introduce  
19 our team. My name is Stefan Lopatka, I am the  
20 senior advisor, environment, water and marine  
21 management with the lands and resources department  
22 of Nunavut Tunngavik Incorporated. Accompanying me  
23 is George Hakongak, our environmental coordinator.

24 Thank you.

25 CHAIRPERSON: Thank you. GN?

26 MR. MacISAAC: Good afternoon, Madam

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1 Chair, members of the Board.

2 My name is Bernie MacIsaac. I am with the  
3 Department of Sustainable Development. I'm the  
4 manager of the minerals and petroleum resources.

5 Thank you.

6 CHAIRPERSON: Department of Fisheries and  
7 Oceans.

8 MS. CRITCH: Good afternoon, Madam  
9 Chair, members of the Board.

10 My name is Stephanie Critch, and I'm with  
11 Fisheries and Oceans in Iqaluit. Accompanying me  
12 here today is Julie Dahl, fish habitat biologist  
13 from the Yellowknife office, and Julie will be  
14 presenting to the Board and the public.

15 CHAIRPERSON: Indian and Northern  
16 Affairs?

17 MR. TRAYNOR: Thank you, Madam Chair,  
18 members of the Board.

19 My name is Stephen Traynor. I'm the director  
20 of operations and acting regional director general  
21 for DIAND in Iqaluit. With me today are Carl  
22 McLean, manager of lands, Robyn Abernethy-Gillis,  
23 environmental assessment coordinator, we have Paul  
24 Partridge who is regional economic development  
25 advisor, we also have our legal counsel, Norm  
26 Cavanagh from Department of Justice, and also

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1 assisting us today will be Holger Hartmaier, BGC,  
2 we have Dave Osmond from Gartner Lee, and we have  
3 Eric Denholm also from Gartner Lee. Oh, yes, my  
4 apologies, and Charles Drouin who is our  
5 communications officer.

6 Thank you very much. Sorry, and Ben Wheeler

7 from Nemo Consultants.  
8 CHAIRPERSON: Two plane loads. Natural  
9 Resources Canada?  
10 MR. DYKE: Thank you, Madam Chair,  
11 members of the Board.  
12 My name is Larry Dyke, I am representing  
13 Natural Resources Canada, and I'm a geologist with  
14 the Geological Survey of Canada.  
15 CHAIRPERSON: Thank you. The procedure  
16 for the hearings, I would like to outline the  
17 procedures for today's hearing.  
18 At today's hearing we wish to stress the  
19 principle the flexibility in our procedure.  
20 Section 12.2.24 of the Nunavut Land Claims  
21 Agreement allows us to do this while giving due  
22 weight to Inuit communication and decision making.  
23 In general, the Board's procedure for this  
24 hearing is the applicant Tahera Corporation,  
25 presents its material first focusing, of course, on  
26 the Environmental Impact Statement. We should

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1 point out the evidence will be sworn or affirmed.  
2 Then anyone with questions will have a chance to  
3 talk or ask questions to Tahera. The Board Staff  
4 may ask questions and finally the Board itself may  
5 ask questions.  
6 Intervenors will have a chance to present  
7 their case, and Tahera may ask questions as before,  
8 it is only the Staff and Board. Elders may speak  
9 at any time if they have any comments or questions.  
10 At the end of the hearing, all parties will  
11 have a chance to make closing remarks. First the  
12 elders may comment, second, citizens and/or  
13 intervenors, then Tahera Corporation.  
14 At the end of today I will close the hearing  
15 and send the Board's report to the Minister as per  
16 Section 12.5.6 of the Agreement. Essentially, we  
17 will inform the Minister of our assessment of the  
18 project and its impacts. We will also determine  
19 whether or not it should proceed, and if so, terms  
20 and conditions reflecting our ecosystem and other  
21 lands claims objectives as stated previously.  
22 As far as timing is concerned, the Board  
23 hopes to send its report and recommendations within  
24 30 days of the close of today's hearing. Upon  
25 receipt of the Nunavut Impact Review Board report,  
26 the Minister has various options, and these are

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1 found in Section 12.5.7 of the Nunavut Land Claims  
2 Agreement. What this means is that the final  
3 decision is for the Minister of Indian and Northern  
4 Affairs to make.  
5 We will give 20 minutes for each party,  
6 though we will give more time to Tahera  
7 Corporation. Remember that we have read your filed

8 statements, so do not repeat yourself except to  
9 summarize.  
10 If the Board determines the project should  
11 proceed, the Nunavut Impact Review Board will  
12 recommend terms and conditions reflecting NIRB's  
13 objectives under the land claim.  
14 Parties, if you wish to offer comments on the  
15 proposed terms and conditions, but this should be  
16 done during -- before the end of today.  
17 Before we break for 30 minutes, I understand  
18 the mayor of Gjoa Haven would like to give  
19 welcoming remarks. Peter Akkikungnaq, welcome .  
20 MR. AKKIKUNGNAQ: Thank you to the NIRB Board  
21 members.  
22 I am the mayor for Gjoa Haven, and I have  
23 been mayor for approximately one year, and I am  
24 going to be mayor for another year. I will inform  
25 the public of my community that they will be free  
26 to come and listen in, and if they have any

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1 questions, that they may wish to raise them.  
2 Please feel welcome to our community of Gjoa  
3 Haven. Please feel free to use our fax machines  
4 and any services that we have in our community.  
5 I don't have all that much to say now, but I  
6 would like to welcome everyone to Gjoa Haven.  
7 CHAIRPERSON: Thank you. Time now is  
8 12:25, why don't we give everybody a chance to have  
9 their lunch and start right at 1 o'clock.  
10 I understand the Northern store, the Co-op is  
11 open. And for everybody's information, people were  
12 supposed to prepare dinner tonight, but that has  
13 been cancelled, so dinner is at the hotel from 6  
14 until 7 o'clock tonight. That's it for now, let's  
15 break for lunch.  
16 (RECESSED AT 12:24 P.M.)  
17 (RECONVENED AT 1:05 P.M.)  
18 CHAIRPERSON: Good afternoon. Shall we  
19 get started? First of all, Tahera Corporation will  
20 give a short 20 minute presentation of their  
21 project proposal.  
22 MR. TILLEMAN: Madam Chair, as he is  
23 getting ready, maybe I can just file some exhibits  
24 that we had promised to file. So this is  
25 housekeeping, Greg can just get ready to go.  
26 Let me propose, with your permission, then

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1 that yesterday we received an NRCan submission  
2 which was a report by Mackay "On the Growth of  
3 Permafrost by Means of Lake Drainage," and so I  
4 would propose to file that one as Exhibit number 26  
5 unless there are any objections.  
6 CHAIRPERSON: One second. The -- they  
7 can't hear anything.  
8 MR. TILLEMAN: Okay. I will wait.

9 CHAIRPERSON: Okay. Bill?  
10 MR. TILLEMEN: Thank you, Madam Chair.  
11 What I would propose to do, then, would be to  
12 enter as Exhibit number 26 the NRCan permafrost  
13 study with the date of 1997, and not seeing any  
14 objections, then we will have it so marked.  
15 EXHIBIT NO. 26:  
16 NRCan SUBMISSION, REPORT BY MacKAY "ON THE  
17 GROWTH OF PERMAFROST BY MEANS OF LAKE  
18 DRAINAGE"  
19 MR. TILLEMEN: The next one would be  
20 Exhibit number 27. 26 was the permafrost study, 27  
21 would be the NRCan presentation from the 8th of  
22 January, which is simply their slide presentation  
23 of yesterday, unless there is any objection from  
24 anyone, and having seen no objections, that one  
25 would be number 27.  
26 EXHIBIT NO. 27:

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1 NRCan SLIDE PRESENTATION  
2 MR. TILLEMEN: I think the others we have  
3 to wait for today because they haven't come up yet,  
4 so I think I better stop there.  
5 Thank you, Madam Chair, that's all. Simply,  
6 though, to remind others, for example, DIAND has a  
7 couple that they may be entering and DFO that they,  
8 may be entering. And also Environment Canada had  
9 told the Board earlier this week that they would be  
10 sending something to the Board through the Gjoa  
11 Haven offices, so we will keep you apprised of  
12 those when they come in.  
13 That's it for me, thank you.  
14 CHAIRPERSON: And we get all of those  
15 today?  
16 MR. TILLEMEN: Yes, ma'am.  
17 CHAIRPERSON: Thank you. Go ahead,  
18 Tahera.  
19 PRESENTATION BY TAHERA CORPORATION:  
20 MR. MISSAL: Thank you very much, Madam  
21 Chair.  
22 If I could just get the light switch turned  
23 off, please? Great, thanks, Gladys.  
24 Hello everyone, welcome this morning. My  
25 name is Greg Missal, I'm vice-president of Tahera  
26 Corporation.

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1 We are very pleased to be in Gjoa Haven today  
2 for our fifth and final day of our Nunavut Impact  
3 Review Board final public hearings for the Jericho  
4 Diamond Project. Obviously, these are very  
5 important meetings for all stakeholders involved,  
6 but particularly for Tahera, and we are very  
7 pleased to be here in Gjoa Haven today to go  
8 through some of the submissions from the various  
9 stakeholders. And I am also going to give you a

10 short presentation on the project and how we  
11 developed our environmental impact statement for  
12 the project.

13 Tahera Corporation is a publicly traded  
14 company on the Toronto Stock Exchange. We have  
15 many shareholders who invest money in our company,  
16 and it is that money that allows us to do our  
17 exploration work, work related to development and  
18 what pays for having us come here today to do this  
19 work as well. So there is many other people who  
20 invest in our company, who are very interested  
21 about what's happening with the meetings this week  
22 in Cambridge Bay, Kugluktuk and Gjoa Haven.

23 Tahera has been busy exploring for  
24 kimberlites, which is the rock that diamonds are  
25 found, in Nunavut since 1992, and we have had the  
26 good fortune of discovering several kimberlites on

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1 our properties.

2 The Jericho kimberlite, which is the basis of  
3 the mine plan that we are discussing today, is  
4 Tahera's best kimberlite, and so it will be the one  
5 that we are putting in as part of our mine plan.

6 In terms of what we intend to do, we will be  
7 developing the Jericho project for the purposes of  
8 extracting commercially saleable diamonds.

9 This will be the company's first mine, but we  
10 will be doing it with the help of experienced mine  
11 builders. We will utilize local labour and  
12 services, and that's tied into an agreement in  
13 principle that we have for an Inuit Impact Benefit  
14 Agreement with the Kitikmeot Inuit Association.

15 We are very pleased to have completed that  
16 agreement with the KIA, and we will develop the  
17 Jericho project with minimal impact to the  
18 environment.

19 This slide just shows you a general location  
20 slide of the project in northern Canada. It is in  
21 the Slave geological province which hosts many  
22 economic kimberlites.

23 Here is Jericho located in the middle of this  
24 map, but I think -- I would ask you to look at the  
25 map on the other side of the room. You can see  
26 here is Jericho by this little square. We are

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1 located about 200 kilometres from Kugluktuk or  
2 southwest of Kugluktuk, and about 200 kilometres  
3 from Bathurst Inlet as well. You can see here is  
4 Cambridge Bay, and here is Gjoa Haven and, of  
5 course, Taloyoak and Pelly Bay.

6 In terms of what we are proposing for this  
7 mining project, it will have an eight-year mine  
8 life, which means it will be in operation for eight  
9 years. We will process 300,000 tonnes of  
10 kimberlite each year, and that kimberlite is the

11 rock that the diamonds are found in. Each tonne of  
12 kimberlite will contain 1.2 carats of diamonds.

13 In total, over the eight years, we will  
14 recover slightly more than 3 million carats of  
15 diamonds. We will do this by open-pit mining for  
16 four years, which open-pit mining is essentially  
17 just digging a big hole in the ground.

18 Once we have completed digging that open pit,  
19 we will then do two years of underground mining,  
20 and we will be processing the kimberlite at the  
21 site for the full eight years.

22 Just to give you a brief history of the  
23 project, it was discovered in 1992, or, sorry, land  
24 was acquired in 1992, it was discovered in 1995,  
25 which was also when the environmental baseline  
26 studies began for the project. We extracted or

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1 removed a mini -- a bulk sample in 1996, which was  
2 10,000 tonnes of kimberlite.

3 In 1999 and 2000 we completed the feasibility  
4 study for the project, which told us that the  
5 project was an economic project. And in 2001, we  
6 did our draft EIS, and in 2003, that final EIS was  
7 submitted to the Nunavut Impact Review Board, and  
8 that's the documents that you see at the front of  
9 the room today just at the back.

10 The draft EIS, these documents, was written  
11 based on guidelines that were provided by the  
12 Nunavut Impact Review Board and as a result of a  
13 conformity analysis completed by their consultants.  
14 Additional consideration was given to CEAA  
15 requirements prior to finalizing the EIS.

16 Information requests were received from  
17 various reviewers in May and -- in April and May of  
18 2003, and in October of 2003, we submitted some  
19 supplemental information, which is also part of the  
20 documents at the front of the room today.

21 I want to tell you a little bit about the  
22 site, the exploration site that we have now, but,  
23 of course, this is the site also that we will  
24 develop into the mine site. But this is what  
25 exists today is a one-kilometre airstrip. We have  
26 three and a half kilometres of roads, and we have

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1 an exploration camp there as well.

2 This is a picture of the exploration camp as  
3 it exists today, and this is the portal site which  
4 is where the bulk sample was taken in 1996. That's  
5 the location of the kimberlite is situated  
6 approximately right in this rea.

7 This diagram gives you an idea what the mine  
8 site will look like once it is built. In the  
9 middle of the picture is where the open pit will be  
10 located, which is where the kimberlite is.

11 These rock piles that you see will be waste

12 rock piles and kimberlite stockpiles which will be  
13 built as we remove that rock from the open pit.  
14 At the bottom of the picture is the  
15 processing plant, that's where the kimberlite will  
16 be fed into and the diamonds will be recovered, and  
17 connected to the processing plant will be  
18 accommodations where the employees will stay, and  
19 we will also have some of our offices there as  
20 well.  
21 There will be a corridor that connects the  
22 accommodations with the processing plant so none of  
23 the employees need to go outside in the winter  
24 months.  
25 At the bottom of the picture, this long thin  
26 lake is call Long Lake, that's the area that we

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1 will be using to store our processed kimberlite,  
2 and that's the finer wet portion of the kimberlite.  
3 And also in the middle of the picture, I will draw  
4 your attention to our fuel tank farm.  
5 I'm going to show a little animation of the  
6 site, and it is going to show you what it looks  
7 like before we build, once it is built, and then  
8 the reclamation. So here we are seeing the  
9 airstrip. Moving south, we come to the exploration  
10 camp, this is Carat Lake on the left-hand side.  
11 And then moving further south, is the location of  
12 the Jericho kimberlite, and this is the portal area  
13 that exists today.  
14 This is the kimberlite as it is situated in  
15 the ground. We know it is there, because we have  
16 done a lot of drilling to delineate and determine  
17 that that kimberlite is what we are showing here  
18 today.  
19 This moves us a little further to the south  
20 and shows us the site as it is now built. We see  
21 Long Lake, here we see the accommodations, the  
22 processing plant, the corridor that I had mentioned  
23 between the two buildings, the fuel tank farm, and  
24 this also shows the location of where some of these  
25 rock piles are going to be built that I had  
26 mentioned earlier.

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1 It takes quite a long time to build an open  
2 pit or to dig an open pit. It will take  
3 approximately four years for us to completely dig  
4 this pit. The digging is done with heavy equipment  
5 and blasting or using explosives. That's what we  
6 need to do to break up the rock.  
7 You can see that this is what the open pit  
8 looks like in the first year, it is fairly small.  
9 In the second year, it starts to get larger, and  
10 you can see this road that goes into the pit, and  
11 it follows these ramps down into the pit, and  
12 that's how the trucks and equipment get down into

13 the pit to haul the ore out.

14 This is what the kimberlite looks like from  
15 underground. This green area is the portion that  
16 we are going to be mining. Once we have mined to  
17 the bottom of the open pit, we want to do the two  
18 years of underground mining, and we are going to do  
19 that by building this spiral ramp down and  
20 intersecting the side of that kimberlite.

21 Once we have completed the mining, then, of  
22 course, we need to start our reclamation work for  
23 the site. When we do our reclamation, all of the  
24 buildings will be removed from the site. Many of  
25 these rock piles will be used up in processing.  
26 There are waste rock piles that will remain in

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1 place. You can see the kimberlite pit will fill  
2 with water. The exploration camp would be removed,  
3 and the airstrip would be left in place for any  
4 future use.

5 What does this project mean for the region?  
6 We believe that it will bring many benefits to the  
7 region, and that's why we entered into our  
8 negotiations with the Kitikmeot Inuit Association.  
9 There is an article in the Land Claim Agreement,  
10 and it is Article 26, which requires an IIBA to be  
11 negotiated if Inuit-owned lands are affected or a  
12 project is located on Inuit-owned lands. Such  
13 things as jobs, training possibilities, service  
14 contracts, are all contained within the Inuit  
15 Impact Benefit Agreement. As well, the Inuit  
16 Impact Benefit Agreement contemplates community  
17 wellness also.

18 Tahera has also committed to reaching a goal  
19 of having 60 percent of our workforce be Inuit by  
20 year five of the project. We don't believe that we  
21 can reach that high of a number in the beginning  
22 because there is a great deal of training that will  
23 be required to be done, but by year five, our goal  
24 is to reach that 60 percent. And we will also be  
25 encouraging all our contractors for this project to  
26 follow those same goals and standards.

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1 We will transport Inuit employees directly  
2 from their home communities to the Jericho mine  
3 site. As a result of the Inuit Impact Benefit  
4 Agreement, Gjoa Haven has been indicated as a point  
5 of hire. To the best of my knowledge, that's the  
6 very first time that Gjoa Haven has been included  
7 as a point of hire in any project or mining  
8 project.

9 As I mentioned, those IIBA negotiations were  
10 conducted with the KIA, and that agreement in  
11 principle was completed in December. The agreement  
12 in principle has been approved by the KIA board of  
13 directors, and the KIA will be presenting the IIBA

14 to Kitikmeot communities.

15 I mentioned baseline studies a little  
16 earlier, and the baseline studies mainly revolve  
17 around environmental studies that need to be done  
18 at the site. This picture, this is actually Barb  
19 Adjun working for us one summer from -- Barb is  
20 from Kugluktuk, doing a hydrology test here.

21 There is a great number of baseline studies  
22 that need to be done, and we have -- we started  
23 these studies in 1995, and they have been going on  
24 since then until 2003. The studies cover a very  
25 wide range of areas such as the water quality,  
26 meteorology, wildlife, heritage studies,

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1 socioeconomic, vegetation, geotechnical issues,  
2 soil and bedrock, fisheries and on and on. And you  
3 can see by this that the company has a great deal  
4 of information related to these studies.

5 This is -- some of you may know who this is,  
6 it is Mary Jule from here in Gjoa Haven. Mary  
7 worked for us, I believe it was one summer, Bruce?  
8 Yes, in front of one of the weather stations.

9 Another important part of our -- or one very  
10 important part of the baseline studies is the  
11 collection of traditional knowledge, and we have  
12 been fortunate enough to have two elders' visits to  
13 the Jericho site, one in 1996 and one in 1999.  
14 This is a picture from the one in 1999.

15 We believe that the elders' visits are  
16 extremely important. It allows the elders to see  
17 firsthand activities at the site and for them to  
18 discuss any concerns. It is an opportunity to  
19 bring elders together from different communities,  
20 and in the 1999 visit, they had an opportunity to  
21 view an archeological dig that we had. What we  
22 have found is the elders' knowledge has confirmed  
23 and complemented scientific data for the area.

24 Along with traditional knowledge, we have  
25 conducted many community consultations. I have  
26 personally been to Gjoa Haven many times for

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1 community consultations, and we have always had a  
2 good turnout, many good questions, and lots of  
3 interest in the Jericho project.

4 We have conducted community meetings in the  
5 communities of Cambridge Bay, Kugluktuk, Gjoa  
6 Haven, Bathurst Inlet, Umingmaktok, and we have  
7 also been to Pelly Bay and Taloyoak. Every time we  
8 have a community meeting, we gain valuable  
9 information from those that come to our meeting.

10 As a result of these community consultations  
11 and the use of traditional knowledge, we have made  
12 some changes to the plans and our project. We have  
13 modified the mine infrastructure and altered it due  
14 to some of the caribou migration results. Our

15 management plan reflects -- pardon me, our  
16 management plans reflect the significance placed on  
17 wildlife by the communities.

18 We have -- we will be providing right-of-way  
19 for caribou at the Jericho mine site during any  
20 migration times. We will be considering any  
21 special diversions to minimize any of the impacts  
22 of the caribou migrations, and, of course, there  
23 will be monitoring committees.

24 Additional information can be taken from such  
25 things as the Kitikmeot traditional knowledge study  
26 which is being worked on by the Kitikmeot Inuit

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1 Association, and it is nearing completion, our  
2 ongoing community consultations and meetings. The  
3 IIBA will also ensure that traditional knowledge is  
4 upheld, and, of course, any other information that  
5 we can gain from any other mining companies.

6 Heritage studies, I mentioned it, referred to  
7 it when I was speaking about the elders' visits, is  
8 also an important part of baseline studies. We  
9 have found one arrowhead at the Jericho site which  
10 was removed and was sent to the Prince of Wales  
11 Museum, but we understand once a facility is built  
12 in Nunavut, that any of the Nunavut artifacts will  
13 be going to the Nunavut facility.

14 And you -- for those of you who were here  
15 earlier, you may have heard me introduce the people  
16 who are with Tahera here today, and those are our  
17 consultants that have helped us develop the  
18 Environmental Impact Statement, and they cover off  
19 a very wide range of areas. You can see here by  
20 the slide that we have geotechnical issues, water  
21 quality, vegetation, water treatment, aquatics, air  
22 quality, wildlife, reclamation work and  
23 socioeconomic work. This is -- a lot of work has  
24 gone in to putting these studies together and  
25 developing them and putting together this  
26 Environmental Impact Statement which we have

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1 submitted to the Nunavut Impact Review Board.

2 Just to talk a little bit about our schedule  
3 that we have proposed, as you can see here, our  
4 final EIS was submitted in January of 2003. Here  
5 we are at the hearings this week in 2004. We are  
6 hopeful that we can receive a NIRB decision in the  
7 next 30 days, and following that, we will be  
8 requiring an approval or a decision from the  
9 Minister for Indian and Northern Affairs, and we  
10 are hoping to receive that in March or April.

11 Following that, we will enter the permitting  
12 phase for land and water, and by the summertime of  
13 2004, July and August, we will need to start  
14 purchasing and ordering many of the supplies and  
15 materials that will be required should we be able

16 to utilize the 2005 winter road one year from now.  
17 This project will require the use of the  
18 winter road which is built annually from  
19 Yellowknife north which also goes to the Diavik,  
20 Ekati mines and as well as the Lupin site. We are  
21 dependant on that road, and so this is why this  
22 schedule is built that way, in order to try and  
23 meet that winter road.  
24 Once construction begins, it will take about  
25 one year to develop this site. It is a relatively  
26 small site for a relatively small mine. It is much

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1 smaller than the Ekati or the Diavik projects. We  
2 are about one-twentieth of their size, so this is a  
3 much, much smaller project.  
4 Once we complete the construction of the  
5 site, of course we will begin processing  
6 kimberlite, and by the early part of 2006, we will  
7 be in full scale diamond production.  
8 These are some of the diamonds that we have  
9 had cut and polished from the Jericho project.  
10 They don't look like this when they come out of the  
11 rock, they need to be cut and polished in order to  
12 look this nice. But as you can see here, these are  
13 very high quality diamonds that are, of course, the  
14 very first from Nunavut.  
15 The diamond you see at the top of the picture  
16 is the diamond that Tahera donated to the people of  
17 Nunavut to be placed in the territorial mace, which  
18 is kept in the legislative building in Iqaluit.  
19 So I'm going to end there right now, and I  
20 would like to thank everyone for their attention,  
21 and if you have any questions, either myself or any  
22 of our consultants would be more than happy to  
23 answer any questions you might have. Koana.  
24 CHAIRPERSON: Any questions to Tahera  
25 Corporation from local residents? There is a mic  
26 up front that you can use. Peter Akkikungnaq.

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1 RESIDENTS QUESTION TAHERA CORPORATION:  
2 MR. AKKIKUNGNAQ: Can you hear me? I'm going  
3 to be speaking in Inuktitut.  
4 First of all, for those of us from Gjoa  
5 Haven, it is very encouraging to hear that mining  
6 is developing for -- in the north, and there is a  
7 high unemployment rate here in Gjoa Haven. It is  
8 very -- it is very encouraging to see that there  
9 would be more jobs available to us and to the  
10 people of the north.  
11 And first of all, I would like to say that we  
12 have a very low high school graduation rate, and a  
13 lot of them don't have any training in the trades,  
14 and they don't have the same level of education as  
15 the southern students.  
16 So what I would like to say, I am -- as a

17 representative of my community and as the mayor of  
18 Gjoa Haven, a lot of times that Gjoa Haven is often  
19 left out in the jobs in this region. And Cambridge  
20 Bay, Kugluktuk, always seems to get the jobs. And  
21 I am pleased to hear that Gjoa Haven --  
22 CHAIRPERSON: Peter, are you doing a  
23 presentation or just making comments? I would like  
24 to let you know that the local people will be given  
25 a chance to have their say. Did you have any  
26 questions?

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1 MR. AKKUKUNGNAQ: Yes. When you're -- the  
2 diamonds are being extracted, will there be -- will  
3 there be a place for -- to polish, like a polishing  
4 plant in this region or in our community, or else  
5 will it be elsewhere? If there were to be one in  
6 Gjoa Haven, and if there is support for that type  
7 of plant, it would be exceptionally good for the  
8 people of Gjoa Haven for those that don't want to  
9 leave their communities and leave their families.

10 My other question is or I would like to know  
11 would there be a community liaison officer for  
12 Tahera? I believe that there should be one here in  
13 Gjoa Haven, and the Water Board office is here, and  
14 I believe it would be nice to see -- a Tahera  
15 community liaison officer situated here. That's  
16 all the questions I have for now.

17 CHAIRPERSON: Go ahead.

18 MR. MISSAL: Madam Chair, Greg Missal  
19 with Tahera Corporation.

20 Thank you very much, Peter, for those  
21 questions and comments.

22 On the first question regarding cutting and  
23 polishing, I think the best way that I can provide  
24 an answer for that is that Tahera will only be the  
25 mining company. Tahera is not involved in cutting  
26 and polishing in any way. It would require another

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1 third-party company to come in and do that sort of  
2 work. But Tahera has no plans for cutting and  
3 polishing in Nunavut. We are simply only the  
4 miners, and we sell our product after we recover  
5 it.

6 In terms of the second question, the  
7 community liaison officer in Gjoa Haven, that is  
8 something that we are considering, Peter, and I  
9 will take that under advisement. Thank you.

10 CHAIRPERSON: If you have any questions  
11 for Tahera, please state your name first before you  
12 raise a question.

13 MR. KIKOUK: I am Eddie Kikouk. My name  
14 is Eddie Kikouk.

15 I have been living in Gjoa Haven for about 50  
16 years. I am from -- originally from the west in  
17 Tuk, but my wife is from here, so I live here.

18 I know how it is here when I can accept the  
19 Hudson Bay store, RC mission and then Anglican  
20 house, there is three houses. I am proud -- I  
21 think I should be proud to say that I was one of  
22 the members of building Gjoa Haven. Thank you very  
23 much.

24 And first of all, I am going to speak in  
25 English. I could speak in Inuktitut too, I could  
26 speak Inuinaqtun, but I would rather speak to these

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1 habernaths (phonetic) in their language so they  
2 could understand my point of view.

3 I want to commend on a very nice presentation  
4 of Jericho by Tahera. Greg, I think -- Greg, I  
5 never met him before, but welcome to Canada and  
6 Gjoa Haven.

7 There is a -- it is a very nice presentation,  
8 but there is a couple of very important factors  
9 that Tahera has or the elders that went there to  
10 see your project had forgot to mention. Let me put  
11 it this way, not everybody is going to work on that  
12 mine. There will be a lot of chances for young  
13 people.

14 I'm not young anymore, I'm an old man, and I  
15 want some benefits out of it too. But what I am  
16 suggesting is that on your presentation of job  
17 training and so on for the contractors and so on,  
18 that's why I say there is an important factor that  
19 you missed to put on there is royalty for elders,  
20 so the elders could feel better that there will  
21 be -- they would feel good because they would get a  
22 few dollars a year, a month or a year from this  
23 project that they would feel better rather than  
24 being forgotten. So that's why I say it is kind of  
25 important to see that royalty for elders be  
26 involved in there for the life of the project.

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1 Again, I used to be in business, but I have  
2 sold my business out. I am old, and I couldn't go  
3 to work at four o'clock in the morning to do jobs  
4 anymore, so I had to sell my business.

5 I am retired now, my hobby is prospecting. I  
6 was always in land formation, the rocks that we go  
7 through when we are hunting caribou and so on when  
8 we are walking in the land, but never knew about  
9 the value of minerals at the -- whereas about 15  
10 years ago, 20 years ago I walked on the land, and I  
11 figure maybe I have holding a kimberlite without  
12 knowing there was a diamond in it. I put this in  
13 my pocket to take home, but when you are out on the  
14 land, you forget about where you put your stuff, so  
15 by the time I got home, I couldn't find this rock  
16 anymore so, but I think I have a pretty good idea  
17 where it is.

18 I was out on the land for too much last year.

19 I met some people from Diamonds North, but they  
20 were lucky, they were exploring with the helicopter  
21 and with the high-tech material to look for rocks,  
22 whereas my brother and my son-in-laws and myself,  
23 we have to walk around freezing our nuts and so on.  
24 So for that matter, we have to cook our own  
25 meals. These guys with Diamonds North, when they  
26 got hungry, they took the helicopter back to the

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1 hotel and when to eat dinner and watch TV for a  
2 while and watch the politics of what is going on  
3 TV, and when they decide to go back on the land,  
4 they jumped on the helicopter and away they go  
5 again. We didn't have that luxury.

6 But anyway, this is what I find out in  
7 prospecting, not easy. So but anyways, my point is  
8 that for consideration of all you guys, Nunavut  
9 Water Board, Impact Review Board and Tahera should  
10 figure the elders as elders feel better. I think  
11 there should be some consideration in allowing some  
12 sort of royalty given to the elders so they could  
13 feel better.

14 I thank you very much. It is possible, I  
15 know it is pretty hard, but everybody likes money.  
16 I like money, you like money, but the money you are  
17 getting is from the north here in Nunavut, so we  
18 would like some part of that pie, if you have any  
19 pie. Thank you very much.

20 CHAIRPERSON: Tahera?

21 MR. MISSAL: Thank you very much, Madam  
22 Chair. Thanks, Ed, for your comments, it is much  
23 appreciated.

24 I obviously don't have time to go into detail  
25 about the IIBA and all of the items that are  
26 considered in there, but there is -- we believe

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1 that there is certainly areas in the IIBA that will  
2 benefit elders. So I think that's a very important  
3 step, and I guess unfortunately there is no rules  
4 or laws that allow for, you know, royalties for  
5 elders, but I think you make a good point.

6 So thank you very much for your comments.

7 CHAIRPERSON: Thank you. Any other  
8 questions from local residents? State your name  
9 before you ask your questions, please.

10 MR. RASCH: Madam speaker, Randy Rasch,  
11 I will be speaking in English.

12 Quite frequently, I have actually had the  
13 opportunity a few years ago to welcome Tahera at  
14 one of our meetings, and since then, we have had  
15 good constant turnout for these events to find out  
16 what's going on and to make our support known.

17 I talk to young people now and again, and  
18 they have interest not only in the project because  
19 of work, but also some of the financial aspects.

20 One of the most popular questions that I receive is  
21 how do you buy shares? And as Mr. Missal had said,  
22 it is available on the stock exchange. And most  
23 people here don't have a bank account, never mind a  
24 means to buy shares and transact shares on the  
25 Toronto Stock Exchange, which is quite easy to do  
26 over the internet if you have the actuals and the

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1 accounts and the money to make it happen.  
2 The other question that was posed to me is  
3 how do you go about buying shares in small amounts?  
4 And that can only be made available if the company  
5 and its infrastructure allows that purchase to  
6 happen, such as Coca-Cola. You can buy one share  
7 of Coca-Cola. Most transactions on the stock  
8 exchange are not that small, they are usually in  
9 amounts of hundreds or thousands.  
10 Young people would like to invest their time  
11 and education, but also have the opportunity to buy  
12 into some of these ventures so that indeed Inuit  
13 are owning a portion of this, and I am just  
14 wondering if there is any mechanism for you to make  
15 that happen? Thank you.  
16 CHAIRPERSON: Greg Missal?  
17 MR. MISSAL: Thank you, Madam Chair.  
18 Thanks very much Rudy (sic) for those points.  
19 In terms of the stock exchange, the rules  
20 that are set up for the Toronto Stock Exchange are  
21 not set up by Tahera, it is set up by the stock  
22 exchange itself. We have no control over that  
23 whatsoever.  
24 I think Rudy made the point or asking, you  
25 know, basically how do you buy shares? Well, Rudy  
26 is right, you do have to have either a bank or a

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1 broker or now people are doing it on the internet,  
2 but you have to set up an account on the internet  
3 as well.  
4 Shares cannot be purchased from Tahera, they  
5 have to be purchased through a certified broker or  
6 dealer, and, again, that's just the rules, we have  
7 no control over that.  
8 Rudy's other point, I believe, was buying  
9 shares in a small amount, and as far as I am aware,  
10 there is no restriction on the number of shares  
11 that you can buy in Tahera, you can buy small  
12 amounts. The catch is that somebody has to be  
13 willing to sell their shares, so you either have --  
14 for every seller there has to be a buyer, and for  
15 every buyer there has to be a seller, and, again,  
16 that's out of Tahera's control, that's a function  
17 of the market.  
18 I apologize if I went into a little different  
19 area there, Madam Chair.  
20 CHAIRPERSON: Any other questions from

21 local residents or elders? Please state your name.  
22 MR. OITSUALIK: I tend to forget what my  
23 name is nowadays as I am getting on with my years,  
24 although I understand the fact that I really  
25 appreciate for information. But I have one  
26 question in regards to kimberlite. So what is the

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1 purpose of the fact that how are they going to be  
2 produced or where are they going or are you going  
3 to sell them or market?  
4 MR. MISSAL: Madam Chair, Greg Missal,  
5 Tahera.  
6 The kimberlite is, of course, found in the  
7 ground, and we do our exploration work to try and  
8 locate those bodies of kimberlite, and we do  
9 drilling to try and find the kimberlite. Once we  
10 find the kimberlite, we have to do many, many tests  
11 on it to see how big the kimberlite is and if there  
12 is any diamonds in the kimberlite, because not  
13 every kimberlite has diamonds. And even if it has  
14 diamonds, sometimes the diamonds are not a high  
15 enough quality to go on to a mining stage.  
16 In fact, it is very, very rare that you find  
17 a kimberlite that has diamonds in it that are good  
18 enough in order to develop a mining project.  
19 So once we find that kimberlite and we know  
20 that it is a good kimberlite, we will start digging  
21 that rock out, and we put it through a processing  
22 plant, and it crushes up the kimberlite and allows  
23 us to recover the diamonds at the end of the  
24 process. And those diamonds, they don't look like  
25 the ones I showed on the screen in my presentation,  
26 they almost look like small pieces of quartz. And

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1 then these diamonds are cut and polished so that  
2 they can be placed in jewelry.  
3 I hope that answers your question.  
4 MR. OITSUALIK: I didn't quite understand  
5 the fact, are they for jewelry, for earrings, for  
6 rings, those sort of diamonds that you are talking  
7 about, or rather kimberlite?  
8 MR. MISSAL: Madam Chair, Greg Missal,  
9 Tahera Corporation.  
10 The diamonds are of a high enough quality  
11 that they could be used for any type of jewelry,  
12 whether it was a ring or earrings or on a watch,  
13 anywhere diamonds are used, these diamonds could be  
14 used for that purpose.  
15 MR. OITSUALIK: Oh, I see now, I understand  
16 now. I really appreciate your answer, so I  
17 understand now. Now, I know what is the purpose  
18 that they are used for.  
19 CHAIRPERSON: Any other questions to  
20 Tahera from local residents?  
21 MR. PUQIQNAK: Hello, my name is Wayne

22 Puqignak, and I am here to say -- to talk about  
23 Tahera, and I would like to know if Tahera is, you  
24 know, for like people to look -- I mean, I know  
25 they are for work, people to work, but I would like  
26 to -- you know, like myself, I have a low grade,

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1 and I have some training too and some courses too,  
2 but I would like to know if you could -- if they  
3 could, you know, like, you know, like, train us in  
4 the mines or -- I just want to say that. Thank  
5 you.  
6 CHAIRPERSON: Greg Missal?  
7 MR. MISSAL: Madam Chair, thanks, Wayne,  
8 for that question.  
9 Experience is important for any job or any  
10 job that we would have at the Jericho site. But  
11 many of the jobs will require some type of training  
12 to learn how to do the jobs that need to be done.  
13 We need to have good workers work for us who can do  
14 a good job, that's very, very important, and people  
15 who work hard and people that we can trust, that's  
16 very important.  
17 Part of the Inuit Impact Benefit Agreement  
18 ensures that training programs will happen in the  
19 region and at the site, so yes, Wayne, there will  
20 be training available, and that's -- we are just  
21 not quite to that stage yet, but it is best to keep  
22 in touch with any employment officers in the  
23 community, or the KIA office as well, for that  
24 information, okay?  
25 CHAIRPERSON: Any other questions from  
26 local residents of Gjoa Haven? Any questions to

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1 Tahera from NTI?  
2 MR. LOPATKA: No questions.  
3 CHAIRPERSON: KIA?  
4 MR. EVALIK: No questions.  
5 CHAIRPERSON: GN?  
6 MR. MacISAAC: No questions.  
7 CHAIRPERSON: Indian and Northern  
8 Affairs?  
9 MR. TRAYNOR: No questions, Madam Chair.  
10 CHAIRPERSON: Fisheries and Oceans?  
11 MS. CRITCH: No questions.  
12 CHAIRPERSON: Natural Resources Canada?  
13 MR. DYKE: No questions, Madam Chair.  
14 CHAIRPERSON: Any questions to Tahera  
15 Corporation from NIRB Staff?  
16 MR. TILLEMAN: Thank you, Madam Chair, and  
17 the Staff does have a few questions. We just -- it  
18 would just be helpful if we could have a few  
19 minutes to make sure we have all of our questions  
20 organized in the best way that we can be quick, so  
21 if you can give us even a short break, that would  
22 be helpful to the Staff.

23 CHAIRPERSON: Why don't we take a  
24 five-minute break.  
25 (RECESSED AT 2:00 P.M.)  
26 (RECONVENED AT 2:06 P.M.)

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1 CHAIRPERSON: Tahera, just for your  
2 information, they just need five more minutes.  
3 (RECESSED AT 2:06 P.M.)  
4 (RECONVENED AT 2:17 P.M.)  
5 CHAIRPERSON: Shall we begin? Just for  
6 your information, the stores are open just until 5  
7 o'clock, 6 o'clock. We were told 5 o'clock. Six,  
8 okay, good.  
9 We will be breaking for supper from 5:30  
10 until 6 o'clock.  
11 Some students are here this afternoon.  
12 Students, if you have any questions or comments,  
13 you may ask Tahera now.  
14 MR. ECKER: Good afternoon, everybody.  
15 I am not a student, but I would like to take  
16 this opportunity to thank you for a public forum.  
17 I am a teacher at the high school, and along  
18 with my colleagues, we brought approximately 20  
19 students. Some of them are in legal studies, other  
20 ones are in science courses, other ones are taking  
21 math. And I think for all these students, this is  
22 an opportunity to see what the future holds for not  
23 only their territory, but also for their personal  
24 careers. So thank you for hosting this, we really  
25 appreciate it.  
26 CHAIRPERSON: Welcome. Any questions to

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1 Tahera from Nunavut Impact Review Board Staff?  
2 Bill?  
3 BOARD STAFF QUESTION TAHERA CORPORATION:  
4 MR. TILLEMAN: Thank you, Madam Chair.  
5 MS. FILIATRAULT: Thank you, Madam Chair.  
6 This is Dionne.  
7 I would just like to actually do a little bit  
8 of questions as follow-up to some of the comments  
9 that we have heard from people in the community.  
10 Questions to Tahera, and these are all  
11 socioeconomic-related questions. Does the IIBA  
12 have provisions for the support of prospecting  
13 programs or individual prospectors?  
14 CHAIRPERSON: IIBA?  
15 MS. FILIATRAULT: My apologies. The IIBA is  
16 the agreement that was entered into by KIA and  
17 Tahera that was signed in principle, and it stands  
18 for Inuit Impact Benefit Agreement.  
19 CHAIRPERSON: Greg Missal?  
20 MR. MISSAL: Thank you very much, Madam  
21 Chair.  
22 Obviously Tahera is only one party to the  
23 IIBA with the KIA being the other party. I will

24 respond to that question or any question related to  
25 the IIBA, but I would ask if -- I would ask Charlie  
26 Evalik if he had anything to add, that he would

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1 certainly feel free to add any comments he might  
2 have.  
3 In terms of prospecting included in the IIBA,  
4 it is not specifically included as that, but there  
5 are provisions in it for community programs, and I  
6 would speculate that perhaps prospecting could be  
7 one of those, one of those programs.  
8 That fund that will be established will be  
9 disbursed by the KIA, and I don't know if Charlie  
10 had any other comments to add to that.  
11 CHAIRPERSON: Charlie?  
12 MR. EVALIK: Thank you. My name is  
13 Charlie Evalik. I'm president of the Kitikmeot  
14 Inuit Association.  
15 Certainly it is under the IIBA in the  
16 potential benefits that could accrue, and we could  
17 consider a prospecting course or prospecting venue  
18 under the agreement, and that could be considered  
19 under -- when we start the implementation of the  
20 Inuit Impact Benefit Agreement.  
21 There is also under the NTI, there is  
22 prospecting funds that are available and that could  
23 be applied for from any community and individual,  
24 as well as I believe there is under the government  
25 of Nunavut, there is also a program that could be  
26 applied for. And, certainly, we could entertain

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1 the prospecting aspects of the IIBA I just got and  
2 our agreement. And KIA is presently putting  
3 together implementation plan of the Inuit Impact  
4 Benefit Agreement and the -- and that kind of  
5 program could be considered under IIBA.  
6 CHAIRPERSON: I see Eddie has a question  
7 or comment.  
8 MR. KIKOUK: Please don't laugh at me.  
9 I'm sorry, I have still got this hangup on this  
10 royalty for elders. You mentioned that would be  
11 impossible? That is going to be impossible?  
12 MR. MISSAL: Madam Chair, Greg Missal,  
13 Tahera Corporation. It is not set out specifically  
14 as a royalty for elders, but there is this fund, it  
15 is a fund that's administered by the KIA that makes  
16 up -- that's part of the IIBA, and some -- any  
17 benefits to elders could be one of the things that  
18 could utilize that fund.  
19 MR. KIKOUK: I see. Well, if royalties,  
20 like, in terms of money is not available, what I  
21 would suggest is a beautiful building with a  
22 swimming pool in there, maybe a bar, a physical  
23 centre, training centre for health and so on,  
24 that's what I would suggest. There we will be

25 happy, otherwise you are going to see us coming  
26 back to you for royalties. Thank you.

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1 CHAIRPERSON: Questions from NIRB Staff  
2 to Tahera?  
3 MS. FILIATRAULT: Thank you, Madam Chair.  
4 Do you foresee that people with prospecting  
5 background will still -- could potentially still be  
6 of benefit to Tahera even once they begin  
7 operations?  
8 MR. MISSAL: Madam Chair, Greg Missal  
9 Tahera Corporation.  
10 I think the prospector side of things would  
11 be -- could be more closely related to any of our  
12 exploration work that we do, not on the -- not on  
13 the mining side of things, but more on the  
14 exploration side of things, and, you know, sure,  
15 there is always possibilities to include  
16 prospectors in any future exploration program.  
17 MS. FILIATRAULT: Thank you, Madam Chair.  
18 Dionne.  
19 Could the IIBA provide educational provisions  
20 for understanding how companies and mining industry  
21 operates so that as an example that was brought up  
22 earlier, communities can understand what shares are  
23 and how shares are purchased and learned to be able  
24 to buy into the company?  
25 MR. MISSAL: Madam Chair, Greg Missal,  
26 Tahera Corporation.

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1 That's not specifically set out for that  
2 purpose, but I think what -- I think what could  
3 cover that sort of questions would be things like  
4 visits to the high schools by Tahera and also the  
5 community meetings that Tahera has which anyone  
6 could come to, of course, any of the citizens could  
7 come to and ask any questions that they wanted to  
8 ask. And the community meetings and visits to high  
9 schools, those are part of the IIBA agreement.  
10 CHAIRPERSON: Dionne?  
11 MS. FILIATRAULT: Thank you, Madam Chair.  
12 Will there be on-the-job-training and any  
13 potential for advancement if individuals are not  
14 quite at the educational level that they need or  
15 that you require?  
16 MR. MISSAL: Greg Missal, Tahera  
17 Corporation.  
18 We would prefer to see the educational  
19 advancements done in the communities and not on the  
20 job, but there would be advancements and training  
21 at the site for particular jobs.  
22 There is -- there are ongoing training  
23 requirements that are required at mine sites such  
24 as, you know, safety and security training. All  
25 employees will need to understand how the mine site

26 works and what the different operations are there.

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1 Those are all training of those people, fuel  
2 handling skills, first aid, things like that, those  
3 are all very important skills that will be learned  
4 at the site.

5 And, of course, if any employee does a very  
6 good job at what they do and they are a good  
7 employee for the company, then they would be  
8 considered for advancement.

9 CHAIRPERSON: Dionne?

10 MS. FILIATRAULT: Thank you, Madam Chair. I  
11 believe Zainab has some more introductory type of  
12 questions, and then if I could follow with some  
13 more technical questions.

14 MS. MOGHAL: Thank you, Madam Chair.  
15 This is Zainab Moghal here.

16 Can Tahera Corporation please explain for the  
17 benefit of the community what is an Environmental  
18 Impact Statement and some of the components in it?  
19 Thank you.

20 MR. MISSAL: Thank you very much. Greg  
21 Missal, Tahera Corporation.

22 As I mentioned during my presentation, I have  
23 brought along some copies of our Environmental  
24 Impact Statement which are at the front of the room  
25 in those white binders. Those binders contain all  
26 of the information related to the environmental

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1 studies and baseline information that we have  
2 regarding the Jericho Diamond Project.

3 All of these consultants that are with me  
4 today have worked for Tahera in pulling that  
5 information together and working on that  
6 information, and we have put it into those binders  
7 so that we can submit it to the Nunavut Impact  
8 Review Board and all the other reviewers that are  
9 here with us today, so that they can look at that  
10 material and form an opinion on this project. So  
11 that's the Environmental Impact Statement.

12 MS. MOGHAL: Thank you. Zainab here.

13 What are some of the major challenges you  
14 have experienced in developing the site, the mine  
15 site? Thank you.

16 MR. MISSAL: Greg Missal, Tahera  
17 Corporation.

18 Of course, as you saw from the presentation,  
19 there is very little development at the site today.  
20 However, there are many challenges in building a  
21 mining site in the north. The weather is -- always  
22 makes it difficult to build a project like this.  
23 We need to use a lot of different equipment, and,  
24 of course, as anyone here knows in Gjoa Haven, no  
25 matter how much you look after equipment, if it  
26 gets cold enough, you have problems with equipment,

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1 so that's a challenge that we have.

2 Another challenge is the cost of having or  
3 working in a northern environment. You know,  
4 everything has to be trucked in up the winter road  
5 or flown in to the site, and both of those means  
6 are expensive. So I think, generally, those are  
7 some of the challenges. Thank you.

8 MS. MOGHAL: Thank you. Zainab here  
9 again.

10 Can you please show us on some of your maps  
11 the Crown land versus Inuit-owned lands? Thank  
12 you.

13 MR. MISSAL: Greg Missal, Tahera  
14 Corporation.

15 On the map on the side of the room, you can  
16 see this dotted line that runs -- it starts over  
17 here, runs down and then travels up and over to  
18 this side. Bruce is going to point this out for us  
19 so we can see it more clearly. Just trace it  
20 along.

21 That's the boundary between Crown lands and  
22 Inuit-owned lands. On the south side of that is  
23 the Inuit-owned land, and the north side is the  
24 Crown lands.

25 MS. MOGHAL: Thank you. Zainab here.

26 Can you please explain what types of waste

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1 that you anticipate from the Jericho project?

2 Thank you.

3 MR. MISSAL: Madam Chair, I would ask  
4 Cam Scott to respond to that.

5 MR. SCOTT: Cam Scott, SRK Consulting  
6 for Tahera.

7 CHAIRPERSON: Before you begin, Cam,  
8 Bill, did you have a comment?

9 MR. TILLEMAN: It is just maybe if the  
10 audience had a one-minute understanding of his  
11 background, that would kind of -- or, Mr. Missal,  
12 he can explain his work in this area just very,  
13 very quickly for them, that was all.

14 CHAIRPERSON: I didn't hear a thing you  
15 said. Can you repeat that, please?

16 MR. TILLEMAN: If Mr. Scott could explain  
17 to the people here some of the work that he has  
18 done in this area in the past 10 or 20 years, then  
19 that might just be helpful to them, that's all.

20 CHAIRPERSON: Thank you.

21 MR. SCOTT: Cam Scott, SRK Consulting  
22 for Tahera.

23 I'm a geotechnical engineer. So the type of  
24 engineering that we deal with are things to do with  
25 the ground, foundation, construction or stockpiles,  
26 construction of dams.

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1 I have over 25 years of experience in this  
2 area and have done a lot of work over that period  
3 of time on projects in the north. Currently, we  
4 have work going on in Alaska, the Yukon, the  
5 Northwest Territories and Nunavut, and I have been  
6 involved with this project since approximately 1998  
7 and have had continued involvement on an  
8 intermittent basis over that last five years or six  
9 years.

10 In response to the question about the types  
11 of waste, as I mentioned, our little indicator  
12 isn't working, so I will just briefly point to the  
13 features and what they mean in terms of waste.

14 In the first two years of mining, the  
15 material -- one of the materials that will come  
16 from the development of the open pit is overburden,  
17 overburden which overlies the kimberlite, and this  
18 material, the overburden consists of frozen sand,  
19 silt and gravel. And this will be deposited in a  
20 stockpile in this location immediately to the east  
21 of the open pit. So that's the open pit, and this  
22 is the location of the overburden.

23 From years one through four, and the  
24 development of open pit, waste rock comprised  
25 mainly of granite will be excavated and deposited  
26 in two waste dumps, waste dump 1 and waste dump 2.

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1 In addition, there will be kimberlite which is --  
2 has diamonds which are not economic or too few  
3 diamonds, and that low-grade kimberlite will be  
4 deposited in this location.

5 From the processing of the economic  
6 kimberlite, there are several types of waste,  
7 essentially we call it proposed kimberlite, and it  
8 comes in two grain sizes, one is coarse kimberlite  
9 which gets deposited in this location, and it is  
10 like a coarse sand, fine gravel. The other  
11 component of processed kimberlite is a fine  
12 material which is, due to the processing, comes  
13 from the processing plant in this location and is  
14 moved or pumped as a slurry, which is a mixture of  
15 water and fine kimberlite to the processed  
16 kimberlite containment area, also referred to as  
17 the PKCA.

18 The processed kimberlite is a product from  
19 the operation of the mine, and it will be produced  
20 over the entire life of mine, whereas the open  
21 pit -- I'm sorry, waste dumps, waste rock dumps  
22 will be developed in about four years.

23 Just as a sense of scale, the total  
24 quantities of these materials will be in over the  
25 life of mine is generally less than one year of  
26 production at Ekati, it is just to give you a sense

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1 of scale.

2 The foundations associated with the  
3 stockpiles and waste dumps are generally comprised  
4 of bedrock, typically high ground bedrock with  
5 occasional deposits of soil, and underneath that,  
6 it is permafrost throughout the area. The PKCA  
7 sits in the valley and will be superimposed on a  
8 lake called Long Lake, which Greg mentioned in this  
9 location.

10 The tailings will be contained by a series of  
11 dams constructed at the low points in this  
12 facility. The natural drainage is in this  
13 direction to the west, and there are a series of  
14 four dams which contain the kimberlite, and a fifth  
15 dam immediately to the west which will basically  
16 form a pond for treatment of water subsequent to --  
17 or as a part of the operation of this facility.

18 The foundation conditions within this valley  
19 is bedrock essentially on the north side. The  
20 south side has a depositive material soil over  
21 lined bedrock on the south side, and the valley  
22 through which the fault runs is overlain by what we  
23 call a till deposit, a mixture of fine grain soil,  
24 sand and gravel. And all of this area, with the  
25 exception of the immediate location of the lake, is  
26 underlain by permafrost.

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1 I think that's the -- those are the main  
2 points, Madam Chair.

3 CHAIRPERSON: Any other questions from  
4 Zainab? Dionne?

5 MS. FILIATRAULT: Thank you, Madam Chair.  
6 I'm just wondering if Tahera could describe how  
7 water flows from the processed kimberlite  
8 containment area, and I'm just looking sort of for  
9 the discharge path and describing it on a map? And  
10 if -- what they are proposing to do to assess the  
11 water quality and potential treatment options in  
12 that area.

13 MR. MCCREATH: Madam Chair, my name is  
14 Peter McCreath. I'm with Clearwater Consultants  
15 for Tahera Corporation.

16 By way of introduction, I'm a water resources  
17 engineer. I have a profession -- I am a  
18 professional engineer, and I have been working as a  
19 professional engineer for more than 25 years, on  
20 more than 100 mining projects, responsible for the  
21 development of water management plans and  
22 assessment of the local site hydrologic conditions  
23 and how to manage water on a mine site.

24 For the Jericho site, each of the individual  
25 facilities that Cam just mentioned, including the  
26 waste dumps, the overburdened stockpiles and the

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1 pits, each facility will have a collection system

2 whereby any water runoff from that site will be  
3 collected in ponds, pond A by waste dump number 1,  
4 pond B by waste dump number 2, pond C which will  
5 collect runoff from the plant site areas and  
6 overburdened stockpiles, and a pond or a sump  
7 within the open pit.

8 Water collected in each one of these ponds  
9 will be pumped towards the processed kimberlite  
10 containment area, including water from the  
11 processing plant, the processing plant where the  
12 diamonds are separated from the kimberlite.

13 Within the PKCA, the kimberlite containment  
14 area, all these waters will be mixed, water quality  
15 will be measured, monitored, and if the quality is  
16 acceptable, it will be released directly through a  
17 settling pond, through a small stream which we  
18 refer to as Stream C3, which enters into Lake C3.  
19 From that lake, the flow will then progress into  
20 Carat Lake and ultimately into the Jericho River.  
21 From Carat Lake north, as I say north into the  
22 Jericho River and ultimately into the Burnside  
23 River. Thank you, Bruce, into Bathurst Inlet.

24 Water quality, as I said, will be monitored  
25 at each of these individual site components and  
26 into the mixed collecting point, the processed

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1 kimberlite containment area.

2 If necessary, we have allowed for treatment  
3 of water using a process known as spray irrigation,  
4 a land application of water which assists in  
5 cleaning up the water, removing metals and other  
6 constituents from it prior to the water going back  
7 to the environment.

8 I trust that answers your question.

9 MS. FILIATRAULT: This is Dionne.

10 Tahera, did you monitor air quality, and why?

11 MR. HUMPHRIES: Thank you, Madam Chair.

12 This is Bob Humphries at Levelton.

13 My background, I'm a meteorologist, I have a  
14 Ph.D. in meteorology from McGill.

15 I have been involved in research, consulting,  
16 management for nearly 30 years, involved in a  
17 variety of environmental assessment projects  
18 ranging from mines through to power plants.

19 To answer your question, ambient air quality  
20 was not monitored at the site as of yet. There was  
21 a weather -- a weather station was installed at the  
22 site for measuring wind direction and temperature.  
23 So what we had to do to get an idea of what the  
24 background was like, we looked at surrogates, and  
25 the surrogates in this case happened to be some of  
26 the more populated areas in the region such as

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1 Yellowknife. And even there, the air quality is  
2 very good, so we knew our background would be

3 fairly low.  
4 MS. FILIATRAULT: Tahera, could you briefly  
5 describe some of the wildlife baseline data  
6 information that you have collected on the site and  
7 some variation types of animals that you assessed?  
8 MR. HUBERT: Thank you, Dionne, Madam  
9 Chair.

10 My name is Ben Hubert. I have worked on  
11 wildlife in Nunavut and northern Canada, Alaska and  
12 Scandinavia my entire career. And I have had the  
13 good pleasure of working with many Inuit  
14 communities and Inuit hunters, and it is always a  
15 treat, and it is great to be back in Nunavut.

16 At Jericho, specifically we worked on -- in  
17 the area starting in 1996, and the highlights of  
18 wildlife in the Jericho area are caribou of the  
19 Bathurst herd and birds of prey. They stand out  
20 over the normal community of birds and mammals that  
21 we find throughout the mainland tundra of Nunavut,  
22 and none of the bird or mammal species there are  
23 either endangered or a threatened species.

24 We had the use of the telemetry data, the  
25 satellite collar data collected from the Bathurst  
26 herd from 1996 to 2000, and it showed us that

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1 caribou are in or near the Jericho project area  
2 briefly during spring migration to the calving  
3 grounds for a period of three to five weeks, and  
4 then again, in -- from approximately late June  
5 through early August when you can expect large  
6 herds of caribou moving through the area over very  
7 short periods of time in the summer period.

8 While there will be interactions between the  
9 project and caribou, we don't think there is a  
10 significant risk to the herd. But the project has  
11 to be prepared to interrupt its traffic around the  
12 site from time to time during the summer period.

13 The other highlight, there are birds of prey  
14 or raptors. There are rough-legged hawks,  
15 peregrine falcons, gyrfalcons and golden eagle in  
16 the project area.

17 There is 22 known nesting sites in the area,  
18 but the maximum we have seen used in any one year  
19 is 11, so about 50 percent of the suitable real  
20 estate for raptors seems to be vacant in any year,  
21 and we believe that if there is disturbance of nest  
22 sites near to the pit and related activities, that  
23 the birds would be displaced to a nearby site with  
24 less disturbance.

25 There has been experience with grizzly bear,  
26 and we know that wolverines are also in the area.

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1 But despite the experience at the site, nothing --  
2 no action has had to be taken that required  
3 destroying bears.

4           The project will have an effective mitigation  
5 and monitoring plan for wildlife encounters at the  
6 project, and we expect to be working some reporting  
7 protocol out with the government of Nunavut and  
8 other stakeholders.

9           I guess that's an overview, but if there are  
10 questions, I would be happy to answer them.

11 Thanks.

12 CHAIRPERSON:                   Dionne?

13 MS. FILIATRAULT:               Yes. I guess very, very  
14 briefly, could you describe the ice road, the  
15 winter road, and any potential concerns or issues  
16 related to the winter road?

17 MR. SMITH:                    Madam Chair, my name is  
18 Court Smith with Nuna Logistics.

19           The winter road is by -- it has -- certainly  
20 has some issues related to it, it is a lot of  
21 materials and supplies are transported north on the  
22 winter road.

23           It is very likely that Tahera will use the  
24 same winter road that the Ekati and Diavik diamond  
25 mine use and the Lupin mine used until it was  
26 closed down. The road transports about 8,000 loads

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1 per year in a peak year up the road. The Jericho  
2 supply run will be a fraction of that, it will be  
3 about probably less than 10 percent of the total.

4           The road, because it goes over ice and  
5 because there is large trucks, the issues of  
6 importance are safety to the people who use the  
7 road and also protection of the environment from  
8 things such as spills.

9           The people who manage the road are the  
10 diamond mines and Lupin, were the managers of the  
11 road, and Nuna Logistics constructs the road and  
12 maintains it each year for the diamond properties.

13           The other players in the scenario are the  
14 transport companies that haul the materials and  
15 supplies up the road. Most of the supplies that go  
16 up the road are -- is fuel comprising probably  
17 about half of what is transported up the road. On  
18 the road, the speed at which one travels is very  
19 important to the safety and environmental  
20 protection of the road because that is important  
21 for keeping the wave down that travels in front of  
22 the truck as it travels. The other two important  
23 things are the weight of the truck and the  
24 thickness of the ice, as one would guess.

25           One of the things that is done on the road is  
26 the ice thickness is measured with a radar system

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1 that measures the thickness of the ice as you  
2 travel along, along the road to make sure that it  
3 is thick enough to hold the trucks that are  
4 transporting along the road.

5 Thank you. I hope that answers your  
6 question.  
7 MS. FILIATRAULT: Thank you. Madam Chair?  
8 CHAIRPERSON: In relation to that  
9 question, he is going to -- Albert?  
10 MR. EHALOAK: Can I ask what the minimum  
11 ice thickness is for you guys to stop using the ice  
12 road?  
13 MR. SMITH: Court Smith, Nuna  
14 Logistics. Did you say the minimum thickness to  
15 stop travelling on the ice road?  
16 Actually, the lake ice is not the limiting  
17 factor to stop hauling on the road. What in fact  
18 is the reason that you stop hauling on the road is  
19 that the portages lands sections between the lakes,  
20 the sun -- in the spring, the sun melts the snow  
21 and ice on the land, and we close the road because  
22 we don't want to cause ruts on the land. So the  
23 ice thickness is just fine.  
24 The ice thickness is an issue at the  
25 beginning of the season, but at the end of the  
26 season the issue is how much melting is on the

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1 portage, we don't want to damage the portages.  
2 CHAIRPERSON: Eddie, you have a question?  
3 Okay.  
4 MR. KIKOUK: My name is Eddie.  
5 Greg, I -- on your presentation -- on your  
6 information on your Jericho Diamond Project, first  
7 of all, where did the name Jericho come from? Who  
8 put Jericho there?  
9 I thought Jericho is in the Bible somewhere  
10 up in Europe.  
11 But, anyways, I saw another name here, Cigar  
12 Lake, who put those names in there? You know?  
13 But anyways, I -- you mentioned that the life  
14 of the mine will be about eight years. I just  
15 realized that we got students here that came to  
16 listen, they look forward to work. But by the time  
17 they graduate, it will be closing up the mine, and  
18 what type of plan you got for those people? And if  
19 the mine sees no more operation, your employees,  
20 the employees you are going to have, what kind of  
21 financial compensation you got for them after the  
22 mine is closed? I'm pretty sure they will be used  
23 to getting money every day, every week, two weeks,  
24 then all of a sudden there is going to be no more  
25 money coming, they are going to wonder what is  
26 going to happen? Or is this project going to

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1 continue on? You are going to find some more  
2 diamonds hopefully, or I would like to know.  
3 There is a lot of other people that would  
4 like to question. If you could emphasize to the  
5 people, a lot of people, elders here, I am pretty

6 sure you could get some more information. I would  
7 like to hear some more people at the back here  
8 questioning you guys.

9 And that's my question to you, Greg, is what  
10 kind of a program are you going to have for your  
11 employees after the mine closed and for the  
12 graduating that is coming up by the time the mine  
13 closes? Thank you very much.

14 CHAIRPERSON: Greg Missal?

15 MR. MISSAL: Madam Chair.

16 Thanks for those questions, Eddie. I guess  
17 to start off with the mine life, you are right, it  
18 is eight years. There is one year of construction  
19 at the start of that, and then there is some  
20 reclamation work following that, so there will be  
21 -- there will be some work that will be available  
22 before the eight years and a little bit after as  
23 well.

24 Obviously, we wish it was a longer period of  
25 time, but it is only as big as it is, and we can't  
26 do anything about that. But we are doing more

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1 exploration work in the area, and we do have other  
2 kimberlite pipes in the area that we will continue  
3 to explore and do more work on, and we certainly  
4 hope that we are going to be able to extend the  
5 life of this mine and maybe move on to the next  
6 mine for -- as you mentioned, for the next  
7 generation of people and to keep those workers  
8 working.

9 I think an important thing to mention is that  
10 when people come and work for us, they are going to  
11 acquire very important and useful skills and  
12 training so that when they finish working for us,  
13 they will hopefully have a better chance of going  
14 and finding another job somewhere else, maybe at  
15 another mining project that comes along or in the  
16 communities or any other type of job, but they will  
17 have learned those skills while they have been  
18 working for us at Jericho, so I think that's very  
19 important to keep in mind as well.

20 You asked about the names of the project and  
21 of that one lake, I don't know where those names  
22 came from. It seems like someone called something  
23 that name once and it sticks, and so I can't -- I  
24 don't have an answer for you about the names.

25 MR. KIKOUK: Well, my last question  
26 would be to you, Greg, I know it is hard -- it is

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1 hard, I know that, but, again, I mentioned a while  
2 ago before my first questions was your pie, your  
3 Jericho pie. I'm pretty sure a quarter of it will  
4 be spent on the life of the mine, but there is  
5 three-quarters left, it is a profit that you are  
6 going to take out, who is going to have that? Who

7 is going to have that three-quarters of a pie? Is  
8 it people who are left without a job anymore or is  
9 it somebody else from down south?

10 MR. MISSAL: Madam Chair, Greg Missal,  
11 Tahera Corporation.

12 You are right, Ed, there are only so many  
13 pieces to the pie, and building a project like this  
14 costs an awful lot of money. It is going to cost  
15 us about \$65 million to build this project. And,  
16 of course, we are a business, and we will be making  
17 some profit from this as well, but the risks to  
18 Tahera Corporation are very high in building a  
19 project like this. So we need to have some reward  
20 at the end, and we believe that we have to very  
21 carefully manage how we do that, and if we do  
22 manage it properly, that there will be benefits to  
23 be gained by everyone from this project, but we  
24 have to manage that very carefully because if we  
25 give away all those pieces of the pie, then there  
26 is no more pie.

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1 MR. KIKOUK: Well, Greg, rewards sound  
2 nice. We would like rewards too. I mean, I know  
3 rewards is in jobs and so on, but, again, we are  
4 looking for, like you, we are looking more for  
5 rewards. So I know you just hired a -- it is a  
6 tough question, maybe a nuisance question, but we  
7 end up after your project like Nanisivic mines. I  
8 worked at Nanisivic mines for seven years, it is  
9 gone. We got no benefit out of that. It is a big  
10 hole in the ground now, that's what we are left  
11 with.

12 So it is hard, I know that. But, again, I  
13 think I know the business is, you are going to  
14 spend money to make money, you know there is money  
15 to be made, so you are going to spend this kind of  
16 money to make it, to get more money. But us, we  
17 are not greedy, you know, we like to share with  
18 other people.

19 If I was the owner of that Jericho project, I  
20 would definitely like to share all that reward and  
21 profit to the people of the community, maybe buy  
22 myself a little plane down south, that's the only  
23 reward I would appreciate. So with that question,  
24 that would be my last question.

25 Thank you very much for allowing me to speak.  
26 MR. MISSAL: Madam Chair, Greg Missal.

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1 Thanks, Ed, for that question.

2 And I think we have considered the region for  
3 many economic benefits, and I think a good example  
4 of that is the Inuit Impact Benefit Agreement that  
5 we have done with the KIA. That is a very good  
6 agreement for the region, and we believe it will  
7 benefit the people of the region, so thanks for

8 those questions.  
9 CHAIRPERSON: And throughout the hearing,  
10 as we hear from other parties, every so often I  
11 will be asking the elders if they have any  
12 questions, or local residents.  
13 Any other questions from the NIRB Staff?  
14 MS. FILIATRAULT: Yes, Madam Chair, I have  
15 one more final question.  
16 How long does Tahera foresee reclamation work  
17 to take, and how long do they foresee to  
18 potentially do long-term environmental monitoring  
19 with respect to reclamation? And are you  
20 completely satisfied that the land will be returned  
21 to its original state as is practically possible?  
22 MR. MISSAL: Madam Chair, Greg Missal,  
23 Tahera.  
24 I will answer one part of that question, then  
25 I will ask Dr. Ott to answer the other part of it.  
26 But just in terms of reclamation, it is my

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1 understanding we would have the reclamation  
2 completed within a year following the closure of  
3 the project, Dionne.  
4 I think in terms of what the site is going to  
5 look like, obviously there is going to be plans in  
6 place to restore it to the best of our abilities to  
7 a natural state, but of course we have to keep in  
8 mind that it is a mine site, and I think as you  
9 have heard from the presentations this week and  
10 from the information provided by the consultants,  
11 that there will be rock piles that will be built,  
12 they will be built responsibly, they will be built  
13 with slopes. We will recontour those piles to a  
14 safe slope.  
15 We will try and remove roads at the end of  
16 the process, but there is no doubt that there are  
17 certain things that you will see there afterwards;  
18 however, we will do the best we can to restore that  
19 site to the best reclaimed state that we can.  
20 And now I would ask Dr. Ott to comment on  
21 some of the monitoring programs.  
22 MR. OTT: Thank you, Madam Chair, Dionne,  
23 for the question.  
24 My name is Bruce Ott. I have been involved  
25 with Environmental Impact Assessment for resource  
26 projects, specifically mining in north and western

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1 Canada for over 25 years.  
2 In terms of how long monitoring would be  
3 required, I guess I can throw that question back at  
4 you, Dionne, how long is it going to be before our  
5 -- the site meets environmental -- receiving  
6 environment standards?  
7 But in actual fact, that's a question that  
8 will really be what drives how long the monitoring

9 will be. We anticipate, in terms of water quality  
10 at any rate, that the mine operator would need to  
11 monitor water at least until the point where the  
12 pit fills and there is discharge.  
13 As you are aware, we heard earlier in the  
14 proceedings a suggestion that the pit could be  
15 filled sooner, if that happens and water quality is  
16 acceptable, then monitoring could -- the monitoring  
17 period could perhaps be reduced.  
18 All through that time, of course, there will  
19 be postclosure monitoring of stability of the waste  
20 handling facilities, the PK -- sorry, the processed  
21 kimberlite area and the waste dumps and also an  
22 opportunity to monitor how well revegetation is  
23 going.  
24 We have heard a lot, I think, about  
25 revegetation is a daunting challenge in the arctic,  
26 so we would need to review on an annual basis while

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1 the monitoring was going on what success we were  
2 having with the plants popping up at the site.  
3 I think that's probably the best I can do for  
4 you at this point.  
5 CHAIRPERSON: Bill?  
6 MR. TILLEMAN: Thank you, Madam Chair.  
7 And given the fact that the day is moving quickly,  
8 the Staff would just ask one more question and then  
9 it will be for the Board. So with your patience,  
10 there would just be one final question of Tahera,  
11 and that would be in the nature of a socioeconomic  
12 question.  
13 What the Board has heard in the last few days  
14 is that both the government of Nunavut and DIAND  
15 have come to the Board, and with their  
16 jurisdictions and with their interest, they have  
17 requested that a socioeconomic committee of some  
18 sort be established obviously to work with Tahera,  
19 to work with the people, perhaps to work through  
20 the Board with all of you.  
21 So my question to Tahera, and likely through  
22 Mr. Hornal who has a lot of experience in the  
23 north, would be this: We all know that, of course,  
24 an IIBA has been signed in principle and it will be  
25 brought to these communities, with that in place,  
26 what advice does Tahera have to the Board regarding

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1 how to respond to the requests of GN and DIAND for  
2 these committees?  
3 MR. MISSAL: Madam Chair, Greg Missal,  
4 Tahera Corporation.  
5 I guess from Tahera Corporation's  
6 perspective, we believe that the IIBA fulfills  
7 many, if not all, of those requirements. There are  
8 provisions in the IIBA for the implementation  
9 committee to consult with local stakeholders as

10 well as territorial governments and federal  
11 governments, so I think it is that the groups, the  
12 other groups in the room probably need a chance to  
13 have a look at the IIBA and the contents of the  
14 IIBA. And it has only been released this week, so  
15 obviously there is some research that needs to be  
16 done on that, and I think they will see that there  
17 are provisions in there for Tahera and the KIA to  
18 work with the various stakeholders to cover off  
19 many of these issues. Thank you.  
20 CHAIRPERSON: Bill?  
21 MR. TILLEMAN: Thank you, Madam Chair. We  
22 have no further questions.  
23 BOARD QUESTIONS TAHERA CORPORATION:  
24 CHAIRPERSON: Any questions from the  
25 Board? Martha?  
26 MS. AKOLUK: Good afternoon.

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1 This is about the stockpiles, we have maybe  
2 seven stockpiles there. I was just wondering if it  
3 is -- like, we have very strong winds, like  
4 blizzard winds. I am just wondering after the  
5 blizzard, the stockpile dust, will it be scattered  
6 all over? And will it be safe for the animals and  
7 the peoples or even the -- will the water be  
8 contaminated from this?  
9 MR. HUMPHRIES: Bob Humphries, Levelton.  
10 Indeed, initially when the stockpiles are  
11 first formed and they are fresh, there will be  
12 erosion from the stockpiles, but over time, they  
13 will crust over so the erosion will become  
14 minimized. And the other thing too is that the  
15 dust particles, fugitive dust emissions such as  
16 that tend to land fairly close to the site, they  
17 don't get transported over great distances, or if  
18 they do, they get dispersed pretty widely so the  
19 concentrations are fairly low. So we expect that  
20 the impacts would not be great on wildlife because  
21 of dust from the stockpiles, and that's, in  
22 essence, what the modelling suggests too. But then  
23 the monitoring over time will also prove that out.  
24 MS. AKOLUK: Okay. Thank you.  
25 CHAIRPERSON: Before you go to your next  
26 question, can we also add how long is "over time"?

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1 MR. HUMPHRIES: That will depend on the  
2 piles, but experience varies. You can have  
3 aggregate stockpiles, which if they are left  
4 undisturbed and it is windy over a period of even a  
5 week, can start to crust up and the erosions will  
6 diminish dramatically. Every time you go in and  
7 disturb it, then the area where it is disturbed, of  
8 course, will continue to emit dust. But that's the  
9 nice thing about some of these stockpiles, is that  
10 they are large enough that only a very small

11 portion will be active at any one time.  
12 MS. AKOLUK: Okay. I have another  
13 question here about site visits. Will there be any  
14 future site visits after the mine is running, I  
15 mean, while the mine is running, for elders or even  
16 high school students or anyone that's interested?  
17 MR. MISSAL: Greg Missal, Tahera  
18 Corporation. I think the site visits are something  
19 that we would like to work into our program. I  
20 mean, we have to organize them carefully to make  
21 sure we maximize the benefit to the people coming  
22 to the site, but that would be something we would  
23 definitely consider, yes.  
24 MS. AKOLUK: Okay. Thank you. I will  
25 have more questions later.  
26 CHAIRPERSON: Mary Avalak?

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1 Martha asked her question. Peter Paneak?  
2 MR. PANEAK: Thank you. My name is  
3 Peter Paneak. I had asked this question earlier,  
4 but I will repeat it again. It is in regards to  
5 whether or not the berming of the pit area, if it  
6 is not, it might be a danger to the caribou that  
7 will be passing through there, so that's my  
8 question.  
9 CHAIRPERSON: Greg?  
10 MR. MISSAL: Thank you, Madam Chair,  
11 Greg Missal, Tahera Corporation.  
12 Thank you for that question, Peter. There  
13 will be a berm, a rock berm built around the top  
14 ring of the open pit, which, as Peter suggested,  
15 will help prevent any risk to the caribou that  
16 would approach the pit. So, yes, there will be a  
17 rock berm built around the top of the pit.  
18 MR. PANEAK: Yes. I have another  
19 question.  
20 After reclamation and abandonment that the --  
21 where will Tahera put these rocks after the mine is  
22 closed? Thank you.  
23 CHAIRPERSON: Tahera?  
24 MR. MISSAL: Thank you for that  
25 question. That rock berm, we would leave that in  
26 place after reclamation.

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1 CHAIRPERSON: Martha has another  
2 question.  
3 MS. AKOLUK: Martha Akoluk. About your  
4 employees, just to let the communities know or  
5 expect how long will the employee be working, like  
6 two weeks in, two weeks out?  
7 MR. MISSAL: Thanks very much, Martha,  
8 for that question. It is Greg Missal with Tahera  
9 Corporation. We are looking at a two-week in,  
10 two-week out rotation, that's correct, and we  
11 would, of course, fly people from the communities

12 directly to the mine site, but it would be a  
13 two-week in, two-week out rotation, that's correct.  
14 Madam Chair, could I also ask just -- I'm not  
15 sure if I answered Peter's question correctly. Did  
16 he just mean -- did he mean for the rock around the  
17 pit or did he mean all of the rock at the mine  
18 site?  
19 MR. PANEAK: Thank you. Yes, at the  
20 open pit here is what I mean. I don't wish to see  
21 any caribou falling into the pit or any accidents  
22 happening, yes, that's what I mean is at that open  
23 pit area.  
24 CHAIRPERSON: Greg?  
25 MR. MISSAL: Yes, thank you for that  
26 clarification. I believe that I did answer the

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1 question correctly then. I just wanted to make  
2 sure. That the rock would stay in place around the  
3 open pit, yes.  
4 CHAIRPERSON: Any questions from Albert?  
5 MR. EHALOAK: Yes, I have one question.  
6 If you can show me after I ask the question where  
7 the pit is, Carat Lake and Lake C1. If you have  
8 any concerns regarding the pit and the permafrost,  
9 will this affect Carat Lake, and is there a chance  
10 of the water seepage from Carat Lake to the pit  
11 also regarding the C1, and do you have any concerns  
12 regarding that?  
13 MR. SCOTT: Madam Chair, Cam Scott, SRK  
14 Consulting for Tahera. If I understand the  
15 question, Albert, I'm clear on the part of the  
16 question that deals with the pit and Carat Lake,  
17 I'll address that first.  
18 Certainly, as the pit fills with water for  
19 some period of years following operation, the  
20 permafrost below the pit will degrade and form what  
21 is called talik. And presently at this time below  
22 Carat Lake there is talik. And my opinion would  
23 concur with the opinion of Larry Dyke and his  
24 discussion last night of this issue, is that it is  
25 a little uncertain as to whether those taliks would  
26 connect.

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1 But in any event, the head differential, the  
2 difference in the level between the pit -- between  
3 the level of the water in the pit and the level of  
4 the water in the lake would be fairly small, and  
5 given the distances and given the relatively low  
6 permeability or the ability of the rock to transmit  
7 water, I wouldn't anticipate very much flow at all.  
8 And in terms of the water from the pit -- sorry,  
9 from the pit to the lake, it would only occur at  
10 that point in time once the level of the pit water  
11 is above the lake.  
12 Perhaps you could give me clarification on

13 your question as regards to C1?  
14 MR. EHALOAK: It is the same question  
15 regarding the C1. I think C1 is closer than Carat  
16 Lake .  
17 CHAIRPERSON: When you finish talking  
18 just shut it off so we don't hear two --  
19 MR. SCOTT: Sorry, Madam Chair. In  
20 answer to the question about C1, the talik at C1 is  
21 probably quite limited. In any event, any  
22 connection that might exist in terms of talik or  
23 just general groundwater flow, it would be water  
24 flowing from C1 to the open pit because the water  
25 in C1 is above the level of the open pit water at  
26 10 years or 15 or 20 years following closure. And,

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1 again, that water value or quantity would be very  
2 small.  
3 MR. EHALOAK: Thank you.  
4 CHAIRPERSON: I have got some questions  
5 regarding wildlife. What happens if a big herd of  
6 caribou come close, and usually with no disturbance  
7 they stick around an area and pass through an area  
8 for days at a time, days? What happens if the day  
9 that they are around and that day they were going  
10 to do blasting or drilling? If that happens, we do  
11 not want to see where the herd gets scared and  
12 disrupts a migration route. What are your plans?  
13 MR. HUBERT: Thank you, Madam Chair.  
14 The experience that we have had at the site,  
15 and there have been several years in which  
16 significant numbers of animals, and I'm saying  
17 animals in herds of more than 5,000, have passed  
18 through the project area in summer. And in those  
19 events, the animals would appear suddenly and there  
20 would be a steady stream of animals either moving  
21 north towards Cathawichaga Lake or south towards  
22 the east -- northeastern arm -- northwestern arm,  
23 sorry, of Contwoyto Lake. And over a period of  
24 four, six, eight hours, the caribou would be in the  
25 area and then they would be gone, they would be no  
26 more.

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1 That isn't the case in the spring when the  
2 females are on their way to the calving grounds,  
3 when the migration past Carat is different every  
4 year, but when it occurs with animals moving to the  
5 calving grounds from the southwest, it starts with  
6 a few animals a day in early April, building to a  
7 point where there are many herds of 10, 20, 30, 80  
8 animals passing by the camp and moving northwest to  
9 a peak in early May, and then it drops off very  
10 quickly to no animals at all for a period of six or  
11 eight weeks until the bulls and yearlings come  
12 north to join the herd.  
13 And I think in a situation like that, the

14 movement of traffic and the use of explosives would  
15 be managed on a case-by-case basis, but that it is  
16 definitely a condition that should be considered  
17 when using explosives, but it is equally important  
18 for both animals and people with airplanes at the  
19 strip as well as truck traffic on the roads. And  
20 it is a matter that should be addressed in the  
21 wildlife management plan.  
22 CHAIRPERSON: Mary, did you have a  
23 question related to this? Mary?  
24 MS. AVALAK: My name is Mary Avalak. I  
25 would like to make a -- I just want to make a  
26 comment in regards to the caribou herd, because

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1 year after year they don't change their migrating  
2 route, because if the migrating herd is disturbed  
3 by the mine and they are going to be confused as to  
4 which they are going to go next if they have to  
5 change their migrating route, and when they start  
6 running away from an area, they might fall over a  
7 cliff, and some of the rivers are very strong. So  
8 that's the concern I have, if the caribou migrating  
9 herd is being disturbed from the mine there when  
10 they have to change their route, what's going to  
11 happen there?  
12 MR. HUBERT: Thank you. It is going to  
13 be very important to try very hard to prevent those  
14 kinds of interactions, because I think the fact  
15 that the calving grounds are close to the same area  
16 year over year, that the route are learned by the  
17 caribou, and that it is important that those routes  
18 not be disrupted.  
19 MS. AVALAK: Thank you for your answer.  
20 When the caribous are grazing, when they are  
21 close to the mine and all of a sudden if they get  
22 scared or disturbed and when they have to run away  
23 and they are more likely run over a cliff and fall  
24 down and kill themselves, that's the only concern I  
25 have. Thank you.  
26 MR. HUBERT: Yes, that is understood.

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1 Thank you.  
2 CHAIRPERSON: Two other questions I had,  
3 how can you ensure that the fish will not be  
4 contaminated not only for wildlife, but also to  
5 humans, contaminated from chemicals from the  
6 tailings pond, and the question that Martha had  
7 asked on air quality from the stockpiles?  
8 MS. SEXSMITH: This is Kelly Sexsmith.  
9 The water and the fish will be sampled and tested  
10 to measure the amount of metals and other  
11 constituents in their tissue, and that will be used  
12 to determine whether they are safe to eat for  
13 people and wildlife.  
14 CHAIRPERSON: And how often are the

15 testings, every day, every week, every month?  
16 MS. SEXSMITH: The details of the  
17 monitoring program have not been completely worked  
18 out. We need to determine what an appropriate  
19 frequency to take those samples is.  
20 Water samples are typically taken fairly  
21 often, probably the discharge from the mine could  
22 even be on a daily basis, and usually the receiving  
23 environment would be on a weekly or monthly basis,  
24 depending on the location and the sensitivity and  
25 the proximity to the site.  
26 CHAIRPERSON: Okay. In regards to winter

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1 roads, can you point out exactly where will the  
2 winter road be, and how do you know that  
3 machineries will not disturb life underwater like  
4 for fish, for aquatic life?  
5 MR. MISSAL: Madam Chair, Greg Missal,  
6 Tahera Corporation.  
7 I will give you an idea on the map on the  
8 wall where the winter road runs. Here is the open  
9 pit, and of course the road runs like this off to  
10 the right side here, so the trucks would come in  
11 here, they would go over to Contwoyto Lake, and  
12 then from Contwoyto Lake, they would travel south  
13 down towards Lupin and then on towards Yellowknife.  
14 From what we have heard over the last couple  
15 of days from Mr. Pattenden, Tahera's aquatic  
16 consultant, that the vibrations from the trucks  
17 are -- they may perhaps frighten the fish, but it  
18 is certainly not enough to harm the fish in any  
19 way. And while the truck might frighten the fish  
20 away, the fish would quickly return, if they chose  
21 to.  
22 CHAIRPERSON: And how does he know that  
23 this is true? That -- can you give some -- give us  
24 some assurance that this true? You have done the  
25 testing?  
26 MR. PATTENDEN: Madam Chair, Rick

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1 Pattenden, Mainstream Aquatics. I personally have  
2 not done any testing on the effects of truck  
3 vibrations on ice on fish, and I'm not aware of any  
4 studies. However, the work that I have been  
5 involved with on the seismic blasts created  
6 vibrations much stronger than what truck vibrations  
7 would cause, and the work I have done there have  
8 shown quite clearly that vibrations -- the strength  
9 of a truck wouldn't harm fish.  
10 Another indirect way that I have -- can have  
11 confidence to say that fish wouldn't be harmed is  
12 fish movement studies that I have worked on that  
13 have followed fish in water. You know, outboard  
14 motors make quite a bit of noise. Outboard motors  
15 don't bother fish at all, so, again, indirectly

16 outboard motor vibrations are more than, I think,  
17 truck vibrations, and there was no change.  
18 CHAIRPERSON: But noise through ice, that  
19 could be different other than a boat outboard  
20 motor, but noise through ice from machinery, is  
21 there a difference? How much safer, how much more  
22 or less?  
23 MR. PATTENDEN: Madam Chair, Rick  
24 Pattenden. Unfortunately I'm not an expert in that  
25 area, but, again, the vibrations would be less  
26 because the noise made by the truck is less.

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1 The other thing that you may want to note is  
2 the winter road on Contwoyto has been used for many  
3 years, and there hasn't been any work shown that it  
4 harms fish.  
5 CHAIRPERSON: And the results that you  
6 got from Contwoyto Lake saying there is no harm  
7 done, where did you receive the information?  
8 MR. PATTENDEN: I haven't done any work on  
9 Contwoyto Lake. The work I have done has been on  
10 other lakes.  
11 There was some work mentioned by Department  
12 of Fisheries and Oceans, but I am not familiar with  
13 that work. Fisheries and Oceans would have to  
14 comment on that.  
15 CHAIRPERSON: Thank you. Any other  
16 questions from the Board? Martha?  
17 MS. AKOLUK: What is slimy sculpin?  
18 Does fish or other animals eat this?  
19 MR. PATTENDEN: Rick Pattenden, Mainstream  
20 Aquatics. Slimy sculpin is a small fish that lives  
21 in shallow water along lake shores and in streams.  
22 It only gets to about four inches long, it is very  
23 small. It is eaten by other fish quite a bit, as  
24 well as birds like loons.  
25 CHAIRPERSON: Thank you. That's all the  
26 questions we have for Tahera Corporation.

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1 Now, we will be asking a presentation from  
2 the local hamlet.  
3 Indian and Northern Affairs, do you have a  
4 question?  
5 Apparently there is an elderly lady in the  
6 back who has a question.  
7 MS. KAMOOKAK: Is that we are always  
8 looking for employment opportunities and so on,  
9 especially for people on social assistance. There  
10 are many people that are unemployed and I --  
11 CHAIRPERSON: Testing, can you hear the  
12 English translation now?  
13 MS. KAMOOKAK: I'm Mary Kamookak, I just  
14 want to bring up things that I have been thinking  
15 about on my own.  
16 The mine that's going to be opening up in

17 Nunavut in this region will be used by our younger  
18 generation and the younger people in the future in  
19 the Kitikmeot region, including Gjoa Haven. Many  
20 people are on social assistance and are unemployed.  
21 With regards to unemployment, which is a  
22 major issue at all times, I am just wondering from  
23 people that are going to be employers of some of  
24 the people that will be fortunate enough to work,  
25 as well as keeping in mind the wildlife in the area  
26 where the project is, it seems to be that sometimes

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1 even if we want to encourage employment, we would  
2 also look for ways to prohibit a project from  
3 moving forward based on other environmental issues,  
4 and that's basically all I wanted to point out.  
5 Thank you very much.  
6 CHAIRPERSON: Thank you. Zainab, can you  
7 take the mic, please? Thank you. Thank you.  
8 Thank you, Tahera.  
9 The hamlet, did you have a presentation to  
10 make?  
11 MR. AKKIKUNGNAQ: Right now I don't have any  
12 comments.  
13 CHAIRPERSON: We are going to continue on  
14 tonight, and there is going to be more  
15 presentations.  
16 MR. AKKIKUNGNAQ: I would presently like to  
17 say thank you. I'm not ready to give my  
18 presentation at this time, not until later.  
19 CHAIRPERSON: And you will be given a  
20 chance to speak, unless you have any questions to  
21 anyone who is giving a presentation also or either  
22 if you have any questions to Tahera Corporation  
23 while this meeting is occurring, thank you.  
24 Let's take a five-minutes break.  
25 (RECESSED AT 3:43 P.M.)  
26 (RECONVENED AT 4:02 P.M.)

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1 CHAIRPERSON: Before we start, a change  
2 of plans for supper. We are going to be breaking  
3 at six for supper, for dinner for one hour,  
4 reconvene the hearing at 7 o'clock. So you can go  
5 to the hotel. We have made other arrangements, so  
6 we will be one hour for supper starting at 6  
7 o'clock.  
8 Okay. Going on through the agenda, number  
9 10, presentation by NTI, 20 minute presentation,  
10 please.  
11 PRESENTATION BY NTI:  
12 MR. LOPATKA: Madam Chairperson, Board  
13 members of the Nunavut Impact Review Board, members  
14 of the community and ladies and gentlemen.  
15 On behalf of Mr. James Intuluk, the first  
16 vice-president Nunavut Tunngavik Incorporated, I  
17 would like to take this opportunity to thank the

18 Nunavut Impact Review Board for the opportunity to  
19 participate in these hearings.

20 Mr. Intuluk sends his regrets that he could  
21 not be at this important hearing.

22 My name is Stefan Lopatka. I am the senior  
23 advisor environmental, water and marine management  
24 for Nunavut Tunngavik Incorporated lands and  
25 resource department based in Cambridge Bay.

26 Accompanying me is Mr. George Hakongak,

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1 environmental coordinator, who will be doing the  
2 presentation on behalf of NTI.

3 NTI is the main Inuit organization that  
4 represents all Inuit in Nunavut on land claims  
5 issues.

6 In carrying out our review, our mandate is to  
7 ensure that the EIS, the Environmental Impact  
8 Statement, is complete and fully addresses the  
9 issues and concerns that we identify.

10 NTI is in support of this project moving  
11 forward as we see it as a benefit to the Inuit of  
12 the Kitikmeot and of the rest of Nunavut.

13 I encourage the proponent and other  
14 intervenors to pay attention to the issues and  
15 concerns raised by NTI and the importance of the  
16 environmental, economic, and social impacts of this  
17 project on the Inuit of Nunavut.

18 I would now like to introduce George  
19 Hakongak, the environmental coordinator for NTI  
20 lands and resources department in Cambridge Bay who  
21 will be doing our presentation.

22 MR. HAKONGAK: Thank you, Stefan. Madam  
23 Chair, Board members, members of the community,  
24 ladies and gentlemen, good afternoon.

25 My name is George Hakongak. I am the  
26 environmental coordinator for the lands and

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1 resources department of Nunavut Tunngavik  
2 Incorporated in Cambridge Bay.

3 Nunavut Tunngavik Incorporated and the  
4 Kitikmeot Inuit Association have engaged Rescan  
5 Environmental Services Limited to review the  
6 supplemental report. This review from Rescan has  
7 been submitted to the Board for public file. The  
8 comments provided stem from all the documents  
9 provided on this project to date, including the  
10 NIRB guidelines.

11 The review carried out by NTI is focussed on  
12 evaluating the information submitted by Tahera to  
13 determine the completeness and effectiveness of the  
14 proposed measures to ensure responsible  
15 environmental stewardship.

16 NTI has -- NTI has not focussed further on  
17 socioeconomic issues as we feel that these issues  
18 are best addressed through an Inuit Impact and

19 Benefits Agreement negotiated by the Kitikmeot  
20 Inuit Association and Tahera Corporation.  
21 In reviewing the supplemental report, NTI has  
22 identified a series of outstanding issues that we  
23 recommend being addressed through terms and  
24 conditions by the NIRB in granting the project  
25 certificate. All of the comments raised by NTI  
26 should be incorporated; however, in this final

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1 submission, we will focus on these issues we feel  
2 are most critical.

3 NTI strongly recommends that the following  
4 issues be addressed: Critical issues. The issues  
5 and concerns identified by NTI's review fall into  
6 two categories, mine design issues and monitoring  
7 issues.

8 Mine design issues, in the first category,  
9 the major issue identified relates to the design  
10 and construction of the dams and dikes that are a  
11 part of the processed kimberlite containment area,  
12 PKCA, in the Long Lake drainage system. These  
13 issues are critical to the long-term stability of  
14 the structures during and after operation.

15 Detailed recommendations on these issues and  
16 other issues related to design are provided in our  
17 report by Rescan Environmental. Technical Review  
18 of Supplemental Information for the Jericho Project  
19 Final Environmental Impact Statement, the Rescan  
20 report, which has been filed with NIRB for the  
21 public record.

22 Monitoring program, issues identified in the  
23 category of monitoring cover broadly all stages of  
24 mining construction, operation, reclamation and  
25 postreclamation, and include all aspects of the  
26 ecosystemic and socioeconomic impacts of the

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1 project. Details of the monitoring requirements  
2 identified in the NTI review are contained in the  
3 Rescan report.

4 Some of the major monitoring issues can be  
5 grouped into the following categories, air quality  
6 monitoring program, water quality monitoring  
7 through an effective water management system,  
8 fisheries data analysis to follow the guidelines of  
9 Canadian metal mining environmental effects  
10 monitoring protocol, wildlife monitoring programs,  
11 particularly cooperative work with other  
12 stakeholders to increase the scope and scientific  
13 value, spray irrigation impact and effectiveness  
14 monitoring, use of archaeological archaeologist  
15 holding a valid Nunavut archaeologist permit prior  
16 to the initiation of construction activity.

17 Details of these and other monitoring issues are  
18 documented in the Rescan report.

19 Additional requirements, the proponent in its

20 final EIS submission and supplementary documents  
21 has requested from the various regulators  
22 clarification of the monitoring variables and  
23 directives required. NTI strongly recommends that  
24 all the regulators implicated in this project  
25 define their requirements for effective monitoring  
26 and that NIRB include these as part of the

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1 recommended terms and conditions for a project  
2 certificate in its decision to the Minister.  
3 In addition, the proponent has committed to  
4 various undertakings with regard to project design,  
5 impacts monitoring and mitigation issues raised  
6 previously by Inuit organizations and others. NTI  
7 would encourage the proponent to demonstrate its  
8 good corporate citizenship and environmental  
9 stewardship by living up to these commitments.  
10 Conclusions: In closing, NTI is in support  
11 of the proposed Jericho Diamond Project. NTI is  
12 encouraged by the progress made in the development  
13 of the final Environmental Impact Statement and  
14 request that the NIRB incorporate the NTI's issues  
15 as well as monitoring variables and directives  
16 defined by other regulators into the terms and  
17 conditions for a project certificate.  
18 In addition, NTI encourages the proponent to  
19 operate and undertake its stewardship role within  
20 the letter and the spirit of the NLCA, the Nunavut  
21 Land Claims agreement.  
22 Thank you for providing NTI an opportunity to  
23 participate in the review of the Jericho Diamond  
24 Project.  
25 We look forward to hearing of NIRB's  
26 decisions on this matter and proceedings with the

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1 issuance of a positive project certificate for the  
2 Jericho Diamond Project in a timely matter. Koana.  
3 CHAIRPERSON: Any questions to NTI from  
4 Tahera?  
5 TAHERA CORPORATION QUESTIONS NTI:  
6 MR. MISSAL: Tahera just one question.  
7 Do you agree that Tahera can address the issues  
8 that you have described at the regulatory or mine  
9 design phase?  
10 MR. LOPATKA: Stefan Lopatka, NTI. Yes,  
11 we do.  
12 MR. MISSAL: Thank you, Madam Chair,  
13 that's all our questions.  
14 CHAIRPERSON: Any questions to NTI from  
15 KIA?  
16 MR. EVALIK: No questions.  
17 CHAIRPERSON: Any questions from GN?  
18 MR. MacISAAC: No questions.  
19 CHAIRPERSON: Indian and Northern  
20 Affairs?

21 MR. TRAYNOR: No questions.  
22 CHAIRPERSON: Department of Fisheries and  
23 Oceans?  
24 MS. CRITCH: No questions.  
25 CHAIRPERSON: Natural Resources?  
26 MR. DYKE: No questions.

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1 CHAIRPERSON: Any questions from the  
2 elders or local residents? Do you have a question?  
3 Any questions from the Nunavut Impact Review  
4 Board Staff?  
5 MR. TILLEMAN: No questions. We request  
6 to mark Exhibit 28, that is the January 9th  
7 presentation, and also as Exhibit 29, the Board has  
8 received a floppy disk that has had presentation of  
9 all venues with some translation, and so I  
10 appreciate to understand that you would have to  
11 plug it in, but if we can accept it in that  
12 fashion, then that would be my recommendation. The  
13 disk would be Exhibit 29, unless there is  
14 objections from parties.  
15 CHAIRPERSON: Any objections from Tahera?  
16 Other parties? Go ahead.  
17 MR. TILLEMAN: Thank you, Madam Chair, so  
18 we will mark them accordingly. We have no  
19 questions.  
20 EXHIBIT NO. 28:  
21 NTI JANUARY 9TH PRESENTATION  
22 EXHIBIT NO. 29:  
23 NTI'S THREE PRESENTATIONS ON FLOPPY DISK  
24 CHAIRPERSON: Any questions from the  
25 Board? Thank you, NTI.  
26 Next presentation KIA, 20 minutes.

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1 PRESENTATION BY KIA:  
2 MR. EVALIK: Thank you, madam  
3 chairperson and members of the Impact Review Board.  
4 It is my pleasure to lead our presentation to  
5 NIRB, Nunavut Impact Review Board, outlining the  
6 Kitikmeot Inuit Association's position on Tahera's  
7 processed Jericho project.  
8 My name is Charlie Evalik, and I'm the  
9 president of our Kitikmeot Inuit Association.  
10 I will start off the presentation with  
11 introductions. On my left is Jack Kaniak, KIA's  
12 manager of lands. We have also Mr. Geoff Clark,  
13 KIA environmental screener during the technical  
14 hearings of the presentation. As well, our legal  
15 counsel, John Donihee, was present during the  
16 technical hearings.  
17 The Kitikmeot Inuit Association, KIA, has  
18 reviewed the Tahera Corporation's Final Jericho  
19 Diamond Project Environmental Impact Statement,  
20 EIS, and Tahera's supplemental report and  
21 supporting documents. Based on this review, the

22 KIA is pleased to outline its position on this  
23 proposed project for the Nunavut Impact Review  
24 Board.  
25 I will present a broad overview of KIA's role  
26 and its position with respect to Jericho project.

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1 Mr. Clark will present environmental and other  
2 manners which KIA believes NIRB should consider in  
3 making its decision on this project proposal during  
4 our technical hearings.  
5 KIA's role in Jericho project, Jericho  
6 Diamond Mines Project represent an important  
7 economic opportunity for the Kitikmeot region and  
8 for Nunavut. KIA has actively promoted mining  
9 development in Nunavut and in the Kitikmeot region  
10 for all interests of all Inuit.  
11 The KIA supports appropriate mining  
12 development in the Kitikmeot because it has  
13 important responsibilities to Kitikmeot Inuit to  
14 balance economic development with environmental  
15 protection to the land, wildlife and Inuit  
16 lifestyles. KIA has played an active role in NIRB  
17 and Nunavut Water Board proceedings.  
18 As a result of our review of the evidence  
19 filed by Tahera to date, KIA will be urging NIRB to  
20 recommend to the Minister of Indian and Northern  
21 Affairs, INAC, that additional environmental  
22 protection measures be included in NIRB's  
23 certificate, regulatory permits and licenses  
24 granted for this project.  
25 KIA also manages and regulates activities on  
26 its Inuit-owned lands, IOL, and it's a designated

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1 need organization, DIO for the purposes of Article  
2 20, Inuit water rights on Inuit-owned lands.  
3 The KIA is a service land owner, Inuit owned  
4 land parcel CO2-05 which is within the immediate  
5 footprint of the proposed Jericho diamond mine  
6 proposal.  
7 The project is located about half on  
8 Inuit-owned land parcel CO2-05 and the other half  
9 on Crown land. About one-half of the mining  
10 infrastructure and storage areas are located on  
11 Inuit -- on service Inuit-owned lands.  
12 Consequently, KIA may impose additional  
13 environmental protection requirements on Tahera's  
14 use of Inuit-owned land and the water on  
15 Inuit-owned lands and other surface leases on other  
16 land tenure instruments.  
17 In May of 2003, KIA reviewed Tahera's final  
18 EIS and identified significant concerns that we  
19 suggested to NIRB had to be addressed before any  
20 approvals could be granted to Tahera, and these  
21 were presented during our technical presentation of  
22 the hearings.

23 Overall it is the KIA's position that Tahera  
24 has responded adequately to issues reviewed by KIA  
25 Tahera's new work satisfactorily addressed most of  
26 the high and moderate issues of significance raised

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1 by KIA in May. Nevertheless, after KIA's review of  
2 the response to these issues, there are still  
3 outstanding concerns with respect to mine design  
4 and environmental mitigation on monitoring  
5 proposals made by Tahera, and we are satisfied that  
6 these issues will be dealt with at the regulatory  
7 phase.

8 The KIA identified five significant and  
9 outstanding concerns with the design of the Jericho  
10 diamond mine. KIA has presented two  
11 recommendations related to environmental mitigation  
12 and 11 recommendations related to environmental  
13 monitoring to present to NIRB on KIA's behalf, and  
14 these issues were presented by our environmental  
15 screening during the technical portion of these  
16 hearings.

17 The Jericho on socioeconomic benefits, the  
18 largest proportion of residents of the Kitikmeot  
19 are Inuit, and almost all of them are beneficiaries  
20 of the Nunavut Land Claims Agreement. Because the  
21 Jericho diamond mine proposal is a major  
22 development project, and because it is being built  
23 at least partly on Inuit-owned lands, KIA and  
24 Tahera have negotiated an Inuit Impact Benefit  
25 Agreement as required by Article 26 of the Nunavut  
26 Land Claims Agreement.

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1 KIA and Tahera achieved an agreement in  
2 principle on their IIBA on December 3rd, 2003.  
3 Final legal and technical review is being done, and  
4 IIBA will be signed in Nunavut in the near future.

5 The IIBA also includes a commitment by Tahera  
6 to pay compensation to KIA for the effects of the  
7 project on Inuit water rights under Article 20 of  
8 the Nunavut Land Claims Agreement.

9 The Inuit Impact Benefit Agreement will  
10 ensure that jobs, training and employees' support  
11 programs are made available to Inuit. It sets  
12 Tahera's commitment to 60 percent employment by the  
13 year five of the project into a binding agreement.  
14 The IIBA also provides a preference for contracting  
15 opportunities for Inuit firms and individuals.

16 Finally, the IIBA provides for cash payments  
17 to KIA on behalf of Kitikmeot Inuit in order to  
18 fund programs intended to protect Inuit heritage  
19 and culture.

20 Based on the commits made by Tahera in the  
21 IIBA, KIA is advising NIRB that the socioeconomic  
22 concerns by raised by KIA have been mitigated.

23 The IIBA was made public in Cambridge Bay

24 with the exceptions of Schedules J, Schedule K and  
25 Schedule L, which are confidential. The IIBA in  
26 principle was achieved in early December 2003, and

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1 KIA is working on the signing ceremony.  
2 Implementation plans are being put together, and it  
3 is the KIA's intention to visit all of the  
4 Kitikmeot communities in the near future.

5 Conclusion on KIA's position on Jericho's  
6 diamond project, KIA has identified several  
7 environmental concerns and recommendations for  
8 addressing them. We ask that NIRB consider  
9 including these recommendations in its report to  
10 the Minister.

11 Subject to NIRB's consideration of the  
12 environmental issues raised by KIA, we are pleased  
13 to advise that KIA supports the Jericho project in  
14 principle. KIA will provide unqualified support  
15 for the Tahera project once KIA signs the IIBA and  
16 once we have the opportunity to review the NIRB  
17 reports from these hearings.

18 In our review, the Jericho project will  
19 provide significant benefits for the Kitikmeot  
20 region. Once environmental issues are resolved,  
21 KIA will look forward to working in particular with  
22 Tahera Corporation at the established Nunavut's  
23 first diamond mine.

24 In terms of the implementation plan of the  
25 IIBA, we will be visiting the communities and set  
26 up community committees in terms of dealing with

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1 the issues that will be raised in terms of economic  
2 opportunities, employment and training. And KIA  
3 has committed to visit, along with Tahera, along  
4 with government of Nunavut, and our invitation will  
5 be extended to Indian and Northern Affairs some  
6 time in early April to visit all the communities to  
7 explain the intent of the Inuit Impact Benefit  
8 Agreement and what this entails as well as to what  
9 our roles and responsibilities will be in terms of  
10 different jurisdictions.

11 And KIA has, during these hearings, has come  
12 to a memoranda of understanding that future  
13 authorization, that KIA will be involved in those  
14 proceedings before the permits and licenses are  
15 granted to this project.

16 In terms of monitoring mechanism, KIA  
17 believes that under the Nunavut Land Claims  
18 Agreement, there are sufficient monitoring tools  
19 such as Nunavut Wildlife Management Board, Nunavut  
20 Water Board, NTI, KIA and others that will be  
21 monitoring this project. And KIA believes as well  
22 as the government of Nunavut, as well as the  
23 government of Canada has sufficient tools to  
24 monitor this project, and we believe that there was

25 no requirement in terms of us setting up another  
26 monitoring agency for this project at this time.

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1 It might happen in the future, but at this time we  
2 believe that there are sufficient tools to monitor  
3 this project.

4 That is my presentation to you, thanks very  
5 much.

6 CHAIRPERSON: Any questions to KIA from  
7 Tahera?

8 TAHERA CORPORATION QUESTIONS KIA:

9 MR. MISSAL: Madam Chair, Greg Missal  
10 with Tahera Corporation. Just one question for  
11 Charlie, and it is probably a little bit  
12 repetitive, but do you agree that Tahera can  
13 address the issues that you have described at the  
14 regulatory or during the mine-design phase?

15 MR. EVALIK: We believe that during mine  
16 design phase and regulatory process, that the  
17 issues that KIA has identified could be dealt with.

18 MR. MISSAL: Thank you, that's all of  
19 our questions.

20 CHAIRPERSON: Any questions to KIA from  
21 elders? Any questions to KIA from NTI?

22 MR. LOPATKA: No questions.

23 CHAIRPERSON: Any questions from GN?

24 MR. MacISAAC: No questions.

25 CHAIRPERSON: Any questions from Indian  
26 and Northern Affairs?

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1 MR. TRAYNOR: No questions, Madam Chair.

2 CHAIRPERSON: Any questions from  
3 Department of Fisheries and Oceans?

4 MS. CRITCH: No questions.

5 CHAIRPERSON: Natural Resources?

6 MR. DYKE: No questions.

7 CHAIRPERSON: Any questions from NIRB  
8 Staff?

9 BOARD STAFF QUESTIONS KIA:

10 MR. TILLEMAN: No, madam. Just one little  
11 clarification, and we should file their submission  
12 as an exhibit, which we received today with thanks.

13 So with your permission, I would maybe just  
14 ask one question. Mr. Evalik, we will be coming  
15 into the communities I think in April, and so I  
16 didn't know if there was more than that process  
17 left. Is that the next steps to be done with the  
18 agreement in principle, or is there something else  
19 beyond that? And it is just a clarification is  
20 all.

21 MR. EVALIK: In terms of Inuit Impact  
22 Benefit Agreement and to explain what benefits  
23 could accrue to the community in terms of  
24 employment, jobs, training opportunities as well as  
25 business opportunities and others that may be --

26 may contain in the agreement, it is our intention

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1 to explain to the communities that what is  
2 contained and what is our role, Jericho's role and  
3 the -- and we have had an agreement with government  
4 of Nunavut that they will be coming around with us  
5 to explain to the community what their role and  
6 responsibilities will be, so -- and our invitation  
7 to INAC will be forthcoming, and so the communities  
8 exactly know whose role is being played and  
9 responsibilities are being known to the communities  
10 in terms of IIBA.

11 But it is the intention of KIA also on its  
12 own to visit all the communities with NTI  
13 invitation, as we do annually in February, and  
14 questions might arise as well as during our  
15 February community visits to all the Kitikmeot  
16 communities.

17 MR. TILLEMAN: That answered my question,  
18 thank you very much. And so if there is no  
19 objection, Madam Chair, then we -- I propose we  
20 mark their submission, which is slightly different,  
21 as Exhibit number 30.

22 CHAIRPERSON: Any objections? Go ahead.

23 MR. TILLEMAN: Thank you, Madam Chair.

24 EXHIBIT NO. 30:

25 FOUR-PAGE KIA SUMMARY PRESENTATION IN GJOA  
26 HAVEN

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1 CHAIRPERSON: Any questions to KIA from  
2 the Board? Thank you, KIA.

3 Presentation by GN, twenty minutes.

4 PRESENTATION BY GOVERNMENT OF NUNAVUT:

5 MR. MacISAAC: Thank you, Madam Chair,  
6 Board, people of Gjoa Haven. We would like to  
7 thank you for including us in your review process  
8 of this important project.

9 The Department of Sustainable Development has  
10 followed this project from the beginning and has  
11 reviewed the various documents filed, and has  
12 attended numerous meetings and presentations, all  
13 part of this process leading up to this hearing.

14 We make the submission in the hope that our  
15 comments and recommendations will aid the Nunavut  
16 Impact Review Board in constructing a certificate  
17 that is clear, comprehensive, fair and contributes  
18 to sustainable development in our territory.

19 The government of Nunavut is of the opinion  
20 that the Jericho Diamond Project should proceed to  
21 the regulatory permitting stage. We congratulate  
22 Tahera on their work with NIRB and other regulators  
23 and for being the first mining project to have  
24 reached this point in the Nunavut Land Claim  
25 Agreement regulatory process.

26 We feel this project has the potential to

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1 meet our goal of sustainable development, and to  
2 demonstrate that mineral exploration and mining is  
3 a temporary use of the land that is not in conflict  
4 with protecting and promoting the ecosystemic  
5 integrity of Nunavut.

6 When this project is complete, the land will  
7 be returned to its natural state. Our knowledge of  
8 the land and wildlife will be improved, and the  
9 strength, capacity and perception of our  
10 communities will also be improved.

11 In summary, our comments related specifically  
12 to the project are in two broad issues, the  
13 physical environment and those related to the  
14 socioeconomic environment.

15 I will present our conclusions and  
16 recommendations. The detail supporting these  
17 conclusions and recommendations have been filed  
18 previously.

19 Environmental concerns, we feel that the  
20 company has demonstrated that there will be no  
21 significant impact on wildlife. We feel, however,  
22 that the lack of wildlife data in the area  
23 necessitates the preparation of a wildlife  
24 reporting and impact mitigation protocol to deal  
25 with wildlife issues on the mine site. We would  
26 like to see this protocol in place by the

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1 permitting stage. We also realize that this  
2 information has to be fed into a larger effort  
3 dealing with other stakeholders and regional  
4 wildlife issues. Tahera must prepare and  
5 distribute an annual report of the progress of its  
6 reclamation trials, and specifically in relation to  
7 its revegetation efforts. We have two concerns in  
8 this area, one is that no new species be introduced  
9 during these revegetation efforts, and two, that  
10 this information will be valuable information for  
11 follow-up projects.

12 Tahera must clearly -- must clearly  
13 demonstrate that the project is a temporary use of  
14 the land by reclaiming and recontouring all roads,  
15 dumps, etc, to a state consistent with adjacent  
16 undisturbed lands.

17 Tahera must post a reclamation bond of  
18 sufficient value to cover third-party reclamation  
19 of the site.

20 We would also like to see sufficient  
21 monitoring and enforcement to oversee the permits  
22 issued with regards to this project be put in  
23 place.

24 Our next major area of concern is  
25 socioeconomic concerns. We would like to see  
26 Tahera create a detailed socioeconomic monitoring

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1 and mitigation plan for the Jericho Diamond  
2 Project.  
3 We would like to see support for the  
4 establishment of a communities advisories board to  
5 ensure that communities have a real and meaningful  
6 voice in dealing with the socioeconomic impacts of  
7 this project.  
8 We would like to see that board mandated to  
9 assess the impact of a broad range of valued  
10 socioeconomic components including harvesting,  
11 community governance, and social and physical  
12 infrastructure which are in addition to the valued  
13 socioeconomic components identified by the company.  
14 In addition to the above comments, we have  
15 previously submitted detailed comments that support  
16 these conclusions and recommendations in two  
17 appendices on socioeconomic and environmental  
18 issues.  
19 Once again, we thank you for the opportunity  
20 to participate in this review, and we wish the  
21 proponent good luck as they proceed with this  
22 project.  
23 Thank you, Madam Chair.  
24 CHAIRPERSON: Thank you. Any questions  
25 to GN from Tahera?  
26 TAHERA CORPORATION QUESTIONS GOVERNMENT OF NUNAVUT:

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1 MR. MISSAL: Just one question, Madam  
2 Chair.  
3 Bernie, do you agree that Tahera can address  
4 the issues that you have described at the  
5 regulatory or mine-design phase?  
6 MR. MacISAAC: All of them except for  
7 the -- I guess we would like to see a development  
8 of this protocol prior to the permitting and  
9 regulatory phase.  
10 MR. MISSAL: No other questions, Madam  
11 Chair.  
12 CHAIRPERSON: Any questions to GN from  
13 the elders? Any questions to GN from local  
14 residents? Any questions to GN from NTI?  
15 MR. LOPATKA: No questions, Madam Chair.  
16 CHAIRPERSON: KIA?  
17 KIA QUESTIONS GOVERNMENT OF NUNAVUT:  
18 MR. EVALIK: Just got one question. In  
19 light of the agreement that we will be doing  
20 community visits along with government of Nunavut,  
21 along with Tahera and invitation to INAC some time  
22 in early spring, would that suffice as a community  
23 consultations that what will be contained in the  
24 socioeconomic agreement and the role -- roles and  
25 responsibilities will be communicated to the  
26 communities, would that suffice to GN instead of

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1 setting up another community advisories board?  
2 MR. MacISAAC: Bernie MacIsaac with GN.  
3 Madam Chair, our biggest concern with the  
4 socioeconomic aspects of this project is that they  
5 are all addressed. And we understand that -- and  
6 we have not had an opportunity to fully investigate  
7 what is in the IIBA. Our concern is that we want  
8 to make sure that all of them are addressed, and we  
9 are especially concerned with the impacts on  
10 communities. And so having said that, if some kind  
11 of agreement can be reached between the various  
12 parties such that there is an ongoing monitoring  
13 and dealing with the effects that includes the  
14 communities to a major degree, then we would be in  
15 support of that.  
16 But first and foremost, we want to see  
17 healthy communities come out of this process. So  
18 we have agreed to accompany the KIA on this  
19 community visit, but our -- but our focus is going  
20 to make sure that establishing a mechanism that the  
21 communities have a real voice in this.  
22 MR. EVALIK: A subsequent question then,  
23 would our communities visits be adequate in  
24 explaining our roles and responsibilities and to  
25 carry out our socioeconomic responsibilities for  
26 the Kitikmeot?

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1 MR. MacISAAC: I'm sorry, Charlie, could  
2 you repeat the question, please?  
3 MR. EVALIK: During your community  
4 visits, would it be adequate if our roles and  
5 responsibilities from KIA and government of  
6 Nunavut, Tahera and INAC by invitation a little bit  
7 later, would that be adequate in terms of  
8 explaining to the communities as to our roles and  
9 responsibilities to carry out socioeconomic  
10 opportunities for the Kitikmeot?  
11 MR. MacISAAC: I really can't answer that  
12 question at this time until I have -- until we have  
13 had a chance to examine the IIBA. However, I think  
14 it would be a good goal.  
15 MR. EVALIK: I wouldn't -- then I would  
16 courage the government of Nunavut to read the --  
17 what's been tabled as an IIBA, Inuit Impact Benefit  
18 Agreement. And we believe that we are setting  
19 our -- we have set the goals that could be achieved  
20 for Kitikmeot Inuit for the benefit under that  
21 agreement. Thank you.  
22 CHAIRPERSON: Any questions to GN from  
23 Indian and Northern Affairs? Department of  
24 Fisheries and Oceans? Natural Resources Canada?  
25 MR. DYKE: No questions, Madam Chair.  
26 CHAIRPERSON: Any question to GN from

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1 Nunavut Impact Review Board Staff?

2 BOARD STAFF QUESTIONS GOVERNMENT OF NUNAVUT:  
3 MS. FILIATRAULT: Thank you, Madam Chair. I  
4 guess one question on data collection, and it  
5 relates to more of a practical side. Does GN  
6 collect data on wildlife, and how do they go about  
7 doing that, if so?  
8 MR. MacISAAC: Yes, GN collects data on  
9 wildlife, and I assume that they collect -- I'm not  
10 an expert on data, data from wildlife, but I assume  
11 that they use best practices in acquiring that data  
12 in that they have scientists who are trained in  
13 that type of thing.  
14 MS. FILIATRAULT: I guess along those lines,  
15 is it a practice for GN to coordinate in the  
16 collection of this -- of wildlife data with  
17 industry?  
18 MR. MacISAAC: I'm not sure. I'm not sure  
19 of what the -- what the history has been. I know  
20 there have been partnerships with various agencies  
21 on wildlife data collection, and I'm not sure to  
22 what degree they were with industry.  
23 MS. FILIATRAULT: And final question, does  
24 NIRB have to report to any GN Minister at this  
25 stage of project review?  
26 MR. MacISAAC: I'm not sure I understand

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1 the question.  
2 MR. TILLEMAN: Not knowing the --  
3 understand the intent of the question, which is  
4 simple, at this stage of the project review, we are  
5 in the environmental assessment stage, the Board  
6 needs to know who they report to. Quite obviously  
7 there are several departments and governments in  
8 here. KIA has a decision-maker responsibility, we  
9 know of others that do.  
10 And I think her question might have been  
11 along the lines of at this stage, does -- are  
12 you -- on behalf of GN, does NIRB have a reporting  
13 responsibility to any Minister at the government of  
14 the Nunavut at this environmental assessment stage  
15 right now?  
16 MR. MacISAAC: I'm not sure whether they  
17 do or not to tell you the truth. And the  
18 Department of Sustainable Development has taken the  
19 lead in this environmental assessment.  
20 I understand the normal process is that NIRB  
21 has a responsibility to the DIAND Minister in this  
22 regard, and I will have to seek further  
23 clarification on that myself.  
24 MS. FILIATRAULT: Thank you, Madam Chair.  
25 That's all the questions I have.  
26 CHAIRPERSON: Any questions from the

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1 Board? Peter Paneak?  
2 BOARD QUESTIONS GOVERNMENT OF NUNAVUT:

3 MR. PANEAK: Thank you, Mrs. Chair.  
4 I just have one question. My question is are  
5 you representing all people in across Nunavut,  
6 across Nunavut? Like Nunavut government, all the  
7 departments?  
8 MR. MacISAAC: Thank you for that  
9 question.  
10 The Department of Sustainable Development has  
11 taken the lead in this review process for the  
12 government of Nunavut, and the government of  
13 Nunavut represents all people of Nunavut.  
14 MR. PANEAK: Thank you for the answer,  
15 thank you. That's all the questions I had.  
16 CHAIRPERSON: Any other questions from  
17 the Board? Thank you GN.  
18 MR. MacISAAC: Thank you, madam chairman  
19 and the Board.  
20 CHAIRPERSON: Our next presenter will be  
21 Department of Fisheries and Oceans, 20 minutes.  
22 PRESENTATION BY DEPARTMENT OF FISHERIES AND OCEANS:  
23 MS. CRITCH: Good day, Madam Chair and  
24 members of the Board.  
25 My name is Stephanie Critch, and I'm a fish  
26 habitat biologist with the Department of Fisheries

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1 and Oceans in Iqaluit. I am part of the team that  
2 reviewed the Tahera Environmental Impact Statement  
3 on behalf of Fisheries and Oceans Canada.  
4 MS. DAHL: Good afternoon. My name is  
5 Julie Dahl, I'm with the Department of Fisheries  
6 and Oceans based out of Yellowknife. I'm the area  
7 chief for the western arctic area.  
8 The presentation that I will be giving this  
9 afternoon is a somewhat shorter version than the  
10 one that was presented in Cambridge Bay, and  
11 hopefully I won't exceed the 15-minute mark.  
12 Department of Fisheries and Ocean's mandate  
13 is to protect fish and fish habitat pursuant to the  
14 habitat protection provisions of the Fisheries Act.  
15 We strive to achieve the guiding principle of no  
16 net loss, which attempts to offset unavoidable  
17 habitat losses with habitat gain. We work directly  
18 with stakeholders and provide technical comments to  
19 stakeholders, and we gather information from the  
20 public in making our determinations.  
21 In the review of the Jericho Diamond Project,  
22 there were a number of project areas or project  
23 components that the Department of Fisheries and  
24 Oceans identified concerns with. There were eight  
25 in total, and all of these components have been  
26 discussed at various points in the presentations

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1 that we have heard over the past four or five days.  
2 I'm going to briefly touch on some of the  
3 issues that had been identified with respect to

4 each of these eight components and speak to some of  
5 the resolution of those issues and then perhaps  
6 some components that may, in some respect, remain  
7 outstanding.

8 With respect to road construction, we have  
9 identified that there was the potential for altered  
10 surface drainages as mine infrastructure was put in  
11 and roads were constructed, it would change the way  
12 the water flowed across the land.

13 We identified that that change in the way the  
14 water flowed could cause blockages to fish passage.  
15 It could cause erosion of the land and have  
16 sediments flowing into water bodies, and it could  
17 disrupt that surface flow in that water that's  
18 trying to make its way to water bodies and  
19 providing important recharge.

20 We had also identified that the proposed  
21 construction of the winter road access ramp on  
22 Contwoyto Lake would also destroy habitat there.

23 With respect to the resolution of issues,  
24 Tahera has assessed all of the drainages on their  
25 site for their potential use by fish, and have  
26 agreed to submit further information related to the

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1 surface drainage patterns. We have heard that the  
2 ramp on Contwoyto Lake is unlikely needed and will  
3 not be constructed.

4 We still feel that we do need to know some --  
5 that there still needs to be design considerations  
6 and monitoring during operations. There still  
7 remains the potential for altered surface flow  
8 because of mine infrastructure and road  
9 construction, and the potential for the blocked  
10 flow to cause erosion and affect water bodies. But  
11 we feel that through proper site management and  
12 construction and paying particular attention to  
13 those areas where surface flow occurs, that this  
14 can all be mitigated.

15 With respect to the Carat Lake causeway,  
16 there were a couple of issues identified here as  
17 well. First of all, the rock filled causeway that  
18 is being proposed to support the water intake pipe  
19 could result -- will result in the physical impacts  
20 to fish habitat in Carat Lake caused by physically  
21 placing rock in the lake.

22 There is also the potential for the change in  
23 water flow around this rock causeway that could  
24 change feeding and spawning areas due to the change  
25 in the ability for the water currents to wash  
26 sediments away from the area. There is also the

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1 issue of how to measure or the difficulty in  
2 measuring the changes in fish habitat because of  
3 changes in flow, and how would you enhance habitat  
4 to offset these losses that are quite difficult to

5 measure?

6 With respect to resolving issues, Tahera has  
7 agreed to consider the option to bury the intake  
8 pipe. One of the concerns that Tahera had raised  
9 with burying it was that any need to do emergency  
10 repairs on the pipe, if buried, would require an  
11 application to the Department of Fisheries and  
12 Oceans to disturb habitat yet again in order to  
13 access the pipe, and DFO has committed to ensuring  
14 that any conditions that pertain to the initial  
15 installation of the pipe, as well as any emergency  
16 repairs, would be included in an initial  
17 authorization and there would be no need for that  
18 second authorization and the delays that would go  
19 with it.

20 So we still see that a final decision on the  
21 intake design is required, and depending on which  
22 way it goes, it will tell us whether or not we have  
23 resolved all of the concerns that we had with the  
24 causeway.

25 With respect to the use of explosives, it was  
26 identified that because of blasting in the open

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1 pit, there could be harmful effects due to the  
2 shockwave that is produced by the blast, and that  
3 the shockwave could extend as far as Stream C1,  
4 Lake C1, and Carat Lake, which are those water  
5 bodies that are closest to the open pit.

6 There are two aspects of an explosion that  
7 are of concern to fish, one is vibration that is  
8 caused by the blast, and the vibration is of a  
9 concern with respect to eggs. And based on the  
10 calculations on how far those vibrations will go,  
11 there is the potential for eggs in Stream C1 as  
12 well as eggs at the shore of Carat Lake to be  
13 affected by those vibrations.

14 The second aspect of explosions that are of  
15 concern with respect to fish is the shockwave  
16 that's produced. It is referred to as the  
17 instantaneous pressure change, and this sort of  
18 shockwave is of concern to fish, the free swimming  
19 fish. It had -- because of its effect on internal  
20 organs, specially swim bladders that eggs don't  
21 have.

22 So with the use of explosives, there is the  
23 potential need for a Section 35.2 Fisheries Act  
24 authorization which allows for the destruction of  
25 fish by means other than fishing, and it is  
26 commonly or most frequently used for blasting

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1 effects.

2 Tahera has agreed to analyze that blast zone  
3 and how it may vary with pit depth. This is  
4 important, because as the pit gets deeper, the  
5 distance between the blast and the water body

6 increases, so that the deeper the pit gets, the  
7 farther away the blast is and the less likelihood  
8 of impact on fish or fish eggs there are. So by  
9 analyzing how the blast zone may get smaller, we  
10 can get an idea of how long we may be concerned.  
11 Maybe it is only one season, maybe it is two  
12 seasons, we are not sure.  
13 The other thing that Tahera has been asked to  
14 do is to better define the extent of the blast zone  
15 in relation to the location of an identified char  
16 spawning site in Carat Lake.  
17 There will also be the need to consider  
18 blasting mitigation for a Section 35.2  
19 authorization which will seek to look for ways to  
20 minimize the effects of the blast, this could be --  
21 include such things as using smaller charges,  
22 setting off a series of charges with a minimum  
23 delay between each charge, and perhaps timing the  
24 blasting so that it is conducted on that side of  
25 the pit as far away from the water body as  
26 possible. Things such as this can be applied.

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1 With respect to the Stream C1 diversion,  
2 that's the portion of the stream that will be moved  
3 to go around what will become the open pit, we had  
4 identified that the stream diversion plans that  
5 were submitted were inadequate from the perspective  
6 that there were expected to be impacts to the  
7 function of the lower portion of the stream. There  
8 was concerns that if you change how that middle  
9 section of the stream functions, you will change  
10 how the lower portion of the stream functions, and  
11 we wanted to be able to maintain function in the  
12 lower portion of the stream. The plans also  
13 included some features that were identified as  
14 migration barriers.

15 With the diversion as well, there were also  
16 concerns with the need to excavate or dig in soil  
17 that may be full of ice or have permafrost, and the  
18 potential that once you dig in this permafrost and  
19 expose it, you could lead to melting and the  
20 release of sediments into the lower portion of the  
21 stream.

22 There were also concerns that the amount of  
23 water flowing in this stream, because of the change  
24 in that later that collects the water and sends it  
25 to the stream, there is concerns that that would be  
26 reduced or changed somehow again so that the

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1 function of the stream would be compromised.

2 As well, a berm that had been constructed  
3 across the lower end of the stream in approximately  
4 1995 appeared to be impeding the -- or preventing  
5 the movement of fish primarily past that location.

6 To work towards resolution of these issues,

7 Tahera has agreed to investigate naturalization of  
8 the diversion to maintain its function and the  
9 function of the lower portion of the stream. Now,  
10 naturalization means try to make the stream that  
11 they are building as much like the natural stream  
12 as possible so that it will expect to function as  
13 much like the stream that is being lost.

14 There has also been commitments to design  
15 this diversion so to prevent erosion and channel  
16 degradation from the permafrost melting, as well as  
17 commitments to monitor for stability, and Tahera  
18 has agreed to submit their diversion plans to DFO.  
19 The water flow in the diversion will also be  
20 predicted and manage to ensure postclosure function  
21 of the stream. As well, there has been a  
22 commitment to remove the berm across the lower end  
23 of Stream C1.

24 So we still see that the diversion plans are  
25 a work in progress, and we will be working toward  
26 developing an adequate diversion design.

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1 Based on our experience in the north, we feel  
2 that confirmation of the ground conditions along  
3 the diversion route and contingencies for  
4 encountering ice-riched tills are required. And  
5 based on the water flow monitoring, we would like  
6 to see a plan to address those postclosure flow  
7 scenarios.

8 With respect to the processed kimberlite  
9 containment area, we had identified that there was  
10 a potential for erosion and the movement of  
11 sediments in Stream C3, which is the stream that  
12 flows out of the processed kimberlite containment  
13 area and into lake C3 due to increased flow rates  
14 that are predicted for release from the processed  
15 kimberlite containment area.

16 There was also the obvious concern with the  
17 loss of fish habitat in Long Lake since it will be  
18 filled up with processed kimberlite, also concerns  
19 with disrupted flow in Stream C3 that would result  
20 in impacts to the rearing habitat that has been  
21 identified in the lower portion of the stream, and  
22 also the potential for impacts to the water quality  
23 in the stream and the Lake C3 due to the decant or  
24 the discharge from the processed kimberlite  
25 containment area.

26 We feel that the -- we may have been told

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1 through management options that the processed  
2 kimberlite containment area discharge flow can be  
3 controlled, there will be a control dam at the  
4 outlet so that the flow can be controlled and  
5 adjusted to avoid erosion in Stream C3. The  
6 potential for stream erosion will also be  
7 monitored, and we see that there is also a need to

8 look at the managing of the flows to ensure fish  
9 use is maintained.

10 The loss of habitat in Long Lake has been  
11 accounted for, and will require more detailed  
12 accounting. And it will require efforts to offset  
13 those losses. And also we see that ensuring water  
14 quality impacts are minimized as being important.

15 Specifically, with respect to water quality,  
16 we had identified that the impacts of cadmium in  
17 the effluent discharge had not been assessed for  
18 the potential impacts on the aquatic environment.  
19 The treatment options that had been considered  
20 appeared limited, and I guess we would like to see  
21 more options considered such as operation of the  
22 PKCA, pH adjustment, aeration, other options such  
23 as that.

24 We felt that the operation of the processed  
25 kimberlite containment area needed further  
26 assessment, and regardless of the outcome of the

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1 options chosen, the metal concentrations will need  
2 to be monitored in the effluent, the receiving  
3 waters and the aquatic biota in the receiving  
4 environment.

5 With respect to the aquatic effects  
6 monitoring, we had identified that additional parts  
7 of the aquatic environment needed to be added to  
8 the monitoring program. This included the addition  
9 of phytoplankton and zooplankton, which are the  
10 small plants and animals that float in the water.

11 The winter dissolved oxygen concentrations or  
12 the concentration of oxygen under the ice, we  
13 suggested the addition of a sedentary fish species  
14 or a fish species that doesn't move around a lot,  
15 and the one that we had suggested was the slimy  
16 sculpin. They tend to be quite territorial and  
17 tend to stick where they are, unlike the lake trout  
18 and whitefish that can roam throughout the lake and  
19 often into other lakes.

20 We also had suggested the addition of  
21 methallothionein, and that's just a fancy word for  
22 an enzyme that's produced in the liver in response  
23 to metal stress in fish.

24 We also identified a concern with the  
25 adequacy of the baseline data to support the  
26 monitoring program. We have had a lot of

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1 discussion on this, I won't go into a lot of detail  
2 here, but we had identified that there were  
3 inconsistent sampling times and locations that made  
4 having adequate baseline to support the monitoring  
5 program questionable.

6 With respect to these issues, phytoplankton,  
7 zooplankton and winter dissolved oxygen levels are  
8 now to be included in the aquatic effects

9 monitoring plan. As there is still some room for  
10 discussion of addition of sculpin and  
11 metallothionein in that plan, and Tahera has  
12 suggested that they would be able to gather two  
13 years of predevelopment monitoring data using the  
14 1999 data that they had and adding 2004 to that, we  
15 are suggesting that may still be inadequate and  
16 that they will definitely need a well-designed  
17 program, and we suggest that they consider adding  
18 2005 as a monitoring year as well.

19 With respect to the fish habitat, the  
20 no-net-loss plan, you have noticed here that I have  
21 taken that one problematic C word out. The  
22 identified issues were that the Stream C1 diversion  
23 will impact fish habitat, and therefore, it needs  
24 to be included in the list of project components  
25 with impacts that need to be offset. We feel that  
26 there is a need to fully explore options for

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1 minimizing those physical impacts to fish habitat  
2 and that the fish habitat no net loss options and  
3 the monitoring for structure and function need to  
4 be fully developed in that the issue of  
5 sedimentation has to be dealt with.

6 We feel that we have made great progress in  
7 working towards a diversion that is designed and  
8 operated to achieve no net loss of fish habitat  
9 productivity. As mentioned, there is now  
10 consideration of burying the intake pipe, and the  
11 ramp on Contwoyto Lake has been removed from the  
12 plan.

13 Tahera has agreed to re-evaluate their fish  
14 habitat no-net-loss plans to provide additional  
15 information and look for alternative fish habitat  
16 development options. And Tahera has also agreed to  
17 abide by the best management practices to minimize  
18 the introduction of sediments.

19 In summary, I would like to recognize  
20 Tahera's efforts and commitment to design a project  
21 with minimal environmental impact, which we heard  
22 was their commitment at the beginning of their  
23 presentation. We would also like to acknowledge,  
24 and I appreciate their willingness to work with DFO  
25 to address our concerns through positive  
26 improvements in the project design.

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1 As I had said, there is a need to ensure  
2 physical impacts on fish habitat are minimized, and  
3 that the fish habitat no net loss plan details need  
4 to be developed. There is a need to fully explore  
5 and assess treatment options and water management  
6 options on the side to ensure that the quality of  
7 the water leaving the site has minimal impacts on  
8 the receiving environment.

9 And, again, there is the need for adequate

10 baseline data for all the aquatic components of  
11 interest to ensure that the monitoring can provide  
12 for the early detection and mitigation of adverse  
13 change from the project. Thank you.  
14 CHAIRPERSON: Any questions to Department  
15 of Fisheries and Oceans from Tahera?  
16 MR. MISSAL: Thank you, Madam Chair.  
17 Greg Missal with Tahera Corporation.  
18 We have no questions for DFO.  
19 CHAIRPERSON: Any questions from elders  
20 or local residents to Department of Fisheries and  
21 Oceans? Any questions from NTI?  
22 MR. LOPATKA: No questions, Madam Chair.  
23 CHAIRPERSON: Any questions from KIA?  
24 MR. EVALIK: No questions.  
25 CHAIRPERSON: GN?  
26 MR. MacISAAC: No questions.

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1 CHAIRPERSON: Indian and Northern  
2 Affairs?  
3 MR. TRAYNOR: No questions, Madam Chair.  
4 CHAIRPERSON: Any questions from Natural  
5 Resources Canada?  
6 MR. DYKE: No questions, Madam Chair.  
7 CHAIRPERSON: Any questions from Nunavut  
8 Impact Review Board Staff? Dionne.  
9 BOARD STAFF QUESTION DEPARTMENT OF FISHERIES AND  
10 OCEANS:  
11 MS. FILIATRAULT: Thank you, Madam Chair.  
12 Dionne.  
13 This question is with regards to sampling and  
14 just looking for some clarification. In regards to  
15 sampling of the fish, for example, in Carat Lake,  
16 what types of sampling was done and what additional  
17 sampling still needs to be done to satisfy DFO to  
18 ensure the protection of fish and fish habitat?  
19 MS. DAHL: Madam Chair, Julie Dahl,  
20 Department of Fisheries and Oceans.  
21 The first part of that question, I think it  
22 is best if Tahera addresses that and describes what  
23 they have done. But I do know that in answer to  
24 the second part of the question of what needs to be  
25 done, I think we had identified earlier that fish  
26 had not been sampled in Lake C3 but that there was

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1 a commitment to add that, and I just want to get --  
2 confirm that I am not putting words in Tahera's  
3 mouth that that was said.  
4 MS. FILIATRAULT: I'm sorry, Madam Chair, I  
5 am just wondering if you can repeat just the last  
6 portion of what you were saying about fish not  
7 sampled?  
8 MS. DAHL: I believe that earlier in  
9 the discussion it was stated that fish had not been  
10 sampled in Lake C3 but that they would be added to

11 the sampling program.  
12 MR. MISSAL: If we could comment on  
13 that, Madam Chair, I would appreciate it. Mr.  
14 Pattenden has informed me that the fish have been  
15 sampled in Lake C3.  
16 CHAIRPERSON: Dionne?  
17 MS. FILIATRAULT: Is that to your  
18 satisfaction? Because now I am getting that the  
19 fish is not sampled. You are under the impression  
20 that it would be added, and we haven't received  
21 confirmation of that? Is that what I am getting?  
22 MS. DAHL: I'm getting a little  
23 confused here. Perhaps if Rick could give a brief  
24 overview of what was done, then I could comment on  
25 the adequacy.  
26 MR. PATTENDEN: Madam Chair. Rick

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1 Pattenden, Mainstream Aquatics.  
2 Fish were sampled in Lake C3, and part of the  
3 information that was collected included metal  
4 contaminants levels in fish tissues, which would be  
5 used as part of the monitoring program.  
6 CHAIRPERSON: Dionne?  
7 MS. FILIATRAULT: Thank you, Madam Chair.  
8 And this relates more to the mandate of DFO  
9 in just trying to understand it a little more  
10 clearly. Has sufficient data been collected to  
11 satisfy DFO requirements for establishing and  
12 implementing a no-net-loss policy?  
13 MS. DAHL: Julie Dahl, Fisheries and  
14 Oceans.  
15 In order to apply the guiding principle of  
16 our habitat management policy, we require that the  
17 impacts to fish habitat are clearly defined, and  
18 that is one thing that Tahera has done so far is,  
19 yes, they have adequately defined these components  
20 of fish habitat that would be physically impacted  
21 by the project, so, yes, that has been done.  
22 MS. FILIATRAULT: Thank you, Madam Chair.  
23 Which of the contaminants or water quality  
24 issues that we have would still be of a concern  
25 under the Fisheries Act? Is there a concern that  
26 there is the discharge of a dilatory substance and

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1 an impact to fish or fish habitat?  
2 MS. DAHL: Madam Chair, Fisheries and  
3 Oceans, Julie Dahl.  
4 I don't want to get into a lot of the details  
5 of what is DOE's mandate. DOE's mandate deals with  
6 the deposit of dilatory substances. And although  
7 DFO does raise water quality issues, it is from the  
8 holistic perspective of good, sound environmental  
9 assessment in ensuring protection of fish and fish  
10 habitat.  
11 CHAIRPERSON: And what is DOE?

12 MS. DAHL: Department of Environment,  
13 Environment Canada.  
14 CHAIRPERSON: Dionne?  
15 BOARD QUESTIONS DEPARTMENT OF FISHERIES AND OCEANS:  
16 MS. FILIATRAULT: Thank you, Madam Chair.  
17 I have no further questions.  
18 CHAIRPERSON: Any questions to Department  
19 of Fisheries and Oceans from the Board? Peter  
20 Paneak?  
21 MR. PANEAK: Thank you. I am Peter  
22 Paneak. You're stating that you are -- in regards  
23 to on the Long Lake, the fish there, once the PKCA  
24 is placed there, are the fish going to -- are they  
25 all going to be diminished? Are they going to get  
26 all killed?

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1 MS. DAHL: Julie Dahl, Fisheries and  
2 Oceans.  
3 Yes, all of the fish in Long Lake -- the plan  
4 before Long Lake is used as a processed kimberlite  
5 containment area, the plan is to remove as many of  
6 the fish from that lake as possible, and that will  
7 be a requirement placed on Tahera. Following that,  
8 the assumption is that there will be no fish  
9 remaining in Long Lake, nor will there be a way for  
10 fish to get in there again, it will be an empty  
11 body of water that will then be used to hold the  
12 processed kimberlite.  
13 MR. PANEAK: Thank you for the answer.  
14 CHAIRPERSON: Any other questions from  
15 the Board? I have got a question. You say that  
16 there could be destruction of fish habitat due to  
17 construction of winter road access ramp, right?  
18 Would you think that there could be destructive  
19 impacts to fish from a winter road?  
20 MS. DAHL: Julie Dahl, Fisheries and  
21 Oceans. Do you mean during the construction of it  
22 or the operation of it?  
23 CHAIRPERSON: Both.  
24 MS. DAHL: I would say that any  
25 activity that occurs in or near water has the  
26 potential to cause harm, and that is why care must

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1 be taken during the construction. If when a winter  
2 road is constructed, there is generally ice and  
3 snow cover in place, so any construction that takes  
4 place is on top of that, and the anticipation and  
5 the expectation is that there is no impact to the  
6 habitat when that is occurring. During the  
7 operation of the road as well, because it is all  
8 ice covered and snow covered, there isn't any  
9 anticipation of impacts to habitat at that point as  
10 well.  
11 One of the comments that was made earlier  
12 regarding the operation of the winter road was that

13 it is when the portages start to break down that  
14 you tend to close the winter road, and that's of  
15 interest to us as well is because it is when the  
16 portages start to break down that the sediment can  
17 be -- the portage can be chewed up and a lot of  
18 sediment can be -- the portage can be chewed up,  
19 and a lot of sediment can be -- a lot of the ground  
20 can be messed up so that in the spring, that water  
21 washes all that sediment into the water. So it is  
22 important to us as well that those portages aren't  
23 used when they are starting to melt and break down  
24 to make sure that it stays stable, and you don't  
25 have that, that sort of impact in the spring.  
26 CHAIRPERSON: Thank you. Any questions?

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1 I'm asking again, the elders, any questions to DFO?  
2 Thank you. Bill?  
3 MR. TILLEMAN: Thank you, Madam Chair. No  
4 questions, of course. It is just that they  
5 referred to -- they have given a presentation  
6 tonight that was slightly different than before, so  
7 I propose that that would be filed, that would be  
8 Exhibit number 32. Also preceding that is Exhibit  
9 number 31, I propose that the document called "The  
10 Fish-out Protocol," which is a general protocol  
11 for lakes that are to be lost due to mining  
12 developments, which was just discussed. There are  
13 copies of the Fish-out Protocol that we have with  
14 us. And so if there are no objections to that, I  
15 think you should ask, then I have one more  
16 document.  
17 CHAIRPERSON: Any objections? Any  
18 objections from the parties? Go ahead.  
19 EXHIBIT NO. 31:  
20 DFO FISH-OUT PROTOCOL  
21 EXHIBIT NO. 32:  
22 DFO SLIDE PRESENTATION - GJOA HAVEN  
23 MS. DAHL: Julie Dahl, Fisheries and  
24 Oceans. One thing I just want to make a point that  
25 that document lacks a date of when it was produced,  
26 and that was an oversight on my behalf. I had

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1 intended on putting a date in it so that any  
2 revisions from that document in future time could  
3 be tracked, and that isn't there. And so any  
4 subsequent version will have a date at the bottom  
5 of it. I don't know exactly, I would have to check  
6 my records to put a date on it, but for now you  
7 could look at the fax date on that and sort of say  
8 it is current as of now.  
9 MR. TILLEMAN: Thank you, Madam Chair. We  
10 will just make a notion that it is current as of  
11 today. And then the last one would be a proposed  
12 three-page letter which would be marked as Exhibit  
13 33. It would be Environment Canada's Closing

14 Comments Summary, we just received it. I haven't  
15 had a chance to read it, and for that reason, we  
16 have made several copies of it which are available  
17 probably at the back of the room. And I would like  
18 the parties to have the benefit of having that  
19 right away. And that's -- they referred to doing  
20 that earlier in the hearing, and it just came in a  
21 few minutes ago.  
22 MS. DAHL: Madam Chair, Julie Dahl,  
23 Fisheries and Oceans. There were actually two  
24 documents that we had submitted to you, one was the  
25 General Fish-out Protocol, and the other one was  
26 the "Guidelines For the Use of Explosives In or

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1 Near Canadian Fisheries Waters."  
2 MR. TILLEMANN: So let's call the  
3 guidelines document, we will mark that as Exhibit  
4 number 34, and what was the title? I know I have  
5 seen it here, I will just find it right now.  
6 MS. DAHL: Guidelines for the use of  
7 Explosives.  
8 MR. TILLEMANN: And that would be Exhibit  
9 34. Thanks for pointing that out.  
10 MS. DAHL: And we also have a copy of  
11 our shortened presentation that we will give to you  
12 right now.  
13 CHAIRPERSON: Thank you again. Before we  
14 get a presentation from Indian and Northern  
15 Affairs, let's take a 5-minute break.  
16 EXHIBIT NO. 33:  
17 DOE CLOSING COMMENTS SUMMARY  
18 EXHIBIT NO. 34:  
19 DFO GUIDELINES FOR THE USE OF EXPLOSIVES  
20 IN OR NEAR CANADIAN FISHERIES WATERS  
21 (RECESSED AT 5:21 P.M.)  
22 (RECONVENED AT 5:32 P.M.)  
23 CHAIRPERSON: Before we start with  
24 Indian and Northern Affairs, Bill has got something  
25 to say.  
26 MR. TILLEMANN: Just a number of

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1 housekeeping things again. Indian and Northern  
2 Affairs has a couple of documents they will be  
3 giving us to file, so we will do that before the  
4 end of the hearing, and that's underway. And I  
5 think Tahera has a comment.  
6 CHAIRPERSON: You have a comment?  
7 MR. MISSAL: Greg Missal with Tahera  
8 Corporation. Earlier during questioning I made the  
9 comment that once the government of Nunavut and  
10 Indian and Northern Affairs reviewed the IIBA, that  
11 it will fulfill their requirements, and I would  
12 like to have that comment retracted from the  
13 record, please.  
14 CHAIRPERSON: Okay. Done. Presentation

15 from Indian and Northern Affairs, 20 minutes,  
16 please.  
17 PRESENTATION BY INDIAN AND NORTHERN AFFAIRS:  
18 MR. TRAYNOR: Thank you very much, Madam  
19 Chair, and good afternoon to everyone, Board and  
20 the people of Gjoa Haven.  
21 I want to thank the Board for the opportunity  
22 to speak to you and the community members here  
23 today. My name is Stephen Traynor. I am the  
24 director of operations, and I share the duties of  
25 acting regional director general with my colleague,  
26 Hagar Edlusic Luvnic.

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1 With me today are Staff from the Nunavut  
2 office, Carl McLean, Paul Partridge, Robyn  
3 Abernethy-Gillis, our legal counsel, Norm Cavanagh.  
4 We also have Holger Hartmaier, David Osmond, Ben  
5 Wheeler, and Eric Denholm.  
6 INAC's responsibilities and role in this  
7 review stem from several pieces of legislation as  
8 noted on this slide. You see there is various acts  
9 and regulations that we must abide by. But beyond  
10 this list of operational legislation, we have Staff  
11 and programs who are assisting companies and  
12 Nunavut organizations, governments and the people  
13 of Nunavut in the areas of training and economic  
14 development.  
15 With regard to the Jericho project, INAC will  
16 administer, enforce land tenure over the portion of  
17 the project on Crown lands, mineral tenure under  
18 Canada mining regulations, and performs regular  
19 site visits by INAC's field operation staff for  
20 water license and land tenure inspections.  
21 Unfortunately today, Rob Eno (phonetic), our  
22 water resources coordinator for the Kitikmeot, was  
23 unable to come to us today, so I will present this  
24 portion.  
25 Several issues raised to water quality and  
26 quantity have been raised by INAC throughout the

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1 environmental assessment. We believe that the  
2 proponent has made an effort to address many  
3 aspects of our concerns. There are, however, first  
4 details needed on the project that we would require  
5 during the regulatory phase of the project. To  
6 facilitate this, the water quality and quantity  
7 presentation will highlight these areas that will  
8 require additional details and our recommendations.  
9 If we are to review those recommendations,  
10 they would include deposition into the PKCA,  
11 contaminant mass balance in the PKCA and resultant  
12 effluent concentrations and possibly toxicity, the  
13 continued operation of hydrometric stations in the  
14 watershed, and the addition of new stations,  
15 particularly at the Carat Lake outlet, geotechnical

16 and geothermal analysis of the ditches and ponds  
17 and operation and maintenance options for these  
18 systems, an assessment of the spray irrigation  
19 methodology and metal and nutrient attenuation.  
20 To finish this section of the presentation,  
21 one issue that was identified previously in our  
22 Cambridge Bay presentation was the potential  
23 failure of the north dam. And at this point in  
24 time, we are satisfied with the answer Tahera  
25 provided at that time, and we feel that this issue  
26 is no longer unresolved; it has been resolved.

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1 I will now pass it over to Carl McLean to  
2 talk about the land management issues.  
3 MR. McLEAN: Thank you, Madam Chair. My  
4 name is Carl McLean. I'm the manager of land  
5 administration for INAC in Nunavut. The section  
6 I'll deal with is land permafrost and reclamation.  
7 The following facilities of the Tahera  
8 Jericho project are situated on Crown land. The  
9 airstrip and related facilities, the tank farm and  
10 lay down area, borrow areas A, C and D, the Carat  
11 campsite, the water intake facility and causeway or  
12 buried pipe, whichever it would be, portions of  
13 waste dumps 1 and 2, the open pit where the mineral  
14 will be removed from, the diversion ditch, portions  
15 of the stockpile sites, the processed kimberlite  
16 containment area, which is referred to as the PKCA,  
17 the accommodations facility, the power plant, the  
18 processing plant, pipeline and sediment ponds,  
19 various roads, the industrial landfill and the  
20 spray irrigation site.  
21 In our detailed submission, the land-related  
22 issues that will require further information on are  
23 the borrow pits and quarry sites, the fuel and  
24 hazardous materials, storage and waste disposal and  
25 the reclamation plan and security. I will briefly  
26 summarize our recommendations on these issues.

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1 Further details on these points can be found in our  
2 written submission to the Board, and I believe  
3 there is a copy of the summary of that at the back  
4 table here for the community residents and the  
5 public.  
6 Tahera must develop a comprehensive aggregate  
7 plan. This management plan should contain  
8 refinement of the estimates for granular materials  
9 with planned areas for excavation and ice volumes,  
10 contingencies to deal with melt water if ground ice  
11 is incurred and impacted, operational details and  
12 detailed reclamation plans.  
13 Tahera must submit a detailed spill  
14 contingency and contaminated soil management plan  
15 for approval. Tahera has already agreed to discuss  
16 reasonable revegetation plans with the regulators;

17 that's good news.  
18 We would like Tahera to conduct revegetation  
19 research on the kimberlite to determine if that  
20 would help the revegetation conditions. Tahera  
21 must implement a progressive reclamation plan, and  
22 what we mean by that, as soon as they no longer use  
23 an area, they commence reclamation as soon as  
24 possible instead of waiting to the end of the  
25 project. And Tahera commit to reclaim the land to  
26 a stable condition which would facilitate, and if

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1 possible, accelerate the return of the land to a  
2 condition as near as possible to what it was at the  
3 beginning of the project.

4 With regards to the pit berm around the pit,  
5 during the regulatory phase, we would like further  
6 confirmation of the stated objectives of that  
7 reclamation pit berm. We need to ensure the safety  
8 of both wildlife and the public so they are not  
9 able to endanger themselves.

10 Tahera and the regulators discussed dump  
11 design and abandonment and restoration planning to  
12 resolve postclosure wildlife use of the waste dump  
13 areas.

14 Tahera commit to resolve the PKCA, the  
15 processed kimberlite containment area reclamation  
16 through the abandonment and restoration plan  
17 approval.

18 Tahera and the regulators must confirm the  
19 environmental liabilities, if any, related to the  
20 spray irrigation site. And Tahera and the  
21 regulators need to get together during the  
22 regulatory phase to confirm the reclamation  
23 security requirements during the postclosure of the  
24 mine project.

25 I'll now turn the floor over to Paul  
26 Partridge who will continue with our presentation.

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1 MR. PARTRIDGE: Thank you, Carl, Madam  
2 Chair. My name is Paul Partridge, and I will be  
3 speaking to the socioeconomic aspects of Tahera's  
4 project.

5 Socioeconomic assessments, if they are to  
6 make a meaningful contribution to decision making,  
7 must be able to confidently predict which, how and  
8 to what degree potential impacts will affect the  
9 present socioeconomic environment. These  
10 predictions must be based on valid and, where  
11 possible, testable assumptions which themselves  
12 have been formulated on previous studies and  
13 experience. Today in Nunavut, as elsewhere in  
14 Canada, socioeconomic impact assessments must  
15 adequately address stringent guidelines to ensure  
16 that benefits accruing to the project -- from the  
17 project are maximized and disadvantages minimized.

18 Tahera has provided information which was  
19 significantly improved upon in their supplementary  
20 documents.

21 In reviewing Tahera's socioeconomic  
22 assessment, INAC has identified three areas in the  
23 proponent's assessment that have reduced the  
24 department's confidence in their conclusions. This  
25 is the methodology, the understanding of the  
26 impacts and the mitigation and monitoring.

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1 DIAND's confidence in the proponent's  
2 conclusions would be improved by addressing the  
3 outstanding issues which we have identified. It is  
4 further felt that a socioeconomic management  
5 strategy develop with the support of a mult  
6 stakeholder advisory committee is the best option  
7 for addressing our issues with the socioeconomic  
8 assessment. Not only will it build upon the work  
9 of the proponent and provide an opportunity for  
10 various impacted agencies and organizations, but it  
11 would also allow for the project to move forward  
12 acknowledging the strengths and merits of what has  
13 been provided while understanding that there is a  
14 need to address these deficiencies.

15 The specific objectives of the socioeconomic  
16 management strategy will be to accomplish three  
17 major objectives: addressing and identifying the  
18 deficiencies in the assessment which will require  
19 that impacts are quantified in support of a cost  
20 benefit analysis.

21 Secondly, identification of impacted parties  
22 will be required to ensure that an understanding of  
23 how the project will affect Nunavut is provided.  
24 And, finally, identification of mitigation and  
25 monitoring will be required once the impacts have  
26 been more appropriately quantified and the

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1 relationships defined. This should ensure that the  
2 proponent's -- that the proposed mitigation will be  
3 effective in addressing the impacts and that the  
4 monitoring is based on indicators that are clearly  
5 linked to the valued socioeconomic components, the  
6 impacts, the impact effects and the mitigation  
7 itself.

8 Unlike water, wildlife and land issues,  
9 socioeconomic impacts do not have the benefit of a  
10 regulatory phase to more clearly define and address  
11 issues. Instead, the socioeconomic issues are  
12 addressed through impact benefit agreements.

13 In the case of Inuit, these are addressed  
14 through mechanisms laid out in the Nunavut Land  
15 Claim Agreement that provide for the negotiation of  
16 an Article 26 IIBA. In the case of Nunavutmeot as  
17 a whole, municipalities and the territorial  
18 government, the convention has been the development

19 of a socioeconomic agreement.  
20 The value of this socioeconomic -- the value  
21 of a socioeconomic management strategy is in its  
22 ability to address the need for additional  
23 information required beyond the impact assessment  
24 phase in the development of effective agreements  
25 while providing the Board with a mechanism which  
26 will ensure that outstanding issues are addressed,

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1 as the outcome of the strategy will form the basis  
2 of an amendment to the project certificate. The  
3 approach will ensure that affected parties will  
4 have an opportunity to clearly identify and address  
5 relevant concerns. It will also provide the Board  
6 with an option the will avoid any unnecessary  
7 delays while respecting its mandate and the  
8 integrity of the process.

9 And I will pass this back over to Stephen.  
10 MR. TRAYNOR: Tahera has made efforts to  
11 inform Kitikmeot communities of Jericho project,  
12 and we recommend that the proponent follow through  
13 on this commitment to continue to inform affected  
14 communities about the project.

15 With regards to cumulative effects  
16 assessment, we do see that there are weaknesses in  
17 the assessment, including its methodology. We  
18 noticed that it does not explicitly identify  
19 residual adverse effects of the Jericho project,  
20 nor similar effects from other projects. We would  
21 like to see the gathering of multistakeholders in  
22 collaboration for effectively assessing cumulative  
23 effects in the Slave geological province.

24 With regard to the reclamation costs as  
25 mentioned previously in lands, DIAND did not review  
26 the cost estimates, nor do we do this during the EA

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1 phase, but rather we are focused on the concept,  
2 and we will ensure that there is no liability to  
3 the Crown.

4 In conclusion, INAC is of the opinion that  
5 the Jericho Diamond Project should proceed to the  
6 regulatory approval phase.

7 INAC's review has determined that the adverse  
8 environmental and socioeconomic impacts associated  
9 with this mine appear to be manageable. Though  
10 there are still details to confirm in terms of  
11 design and management, data synthesis, contingency  
12 plans, mitigation measures, monitoring, and closure  
13 planning details, these can be addressed during the  
14 regulatory phase.

15 In closing, I would like to say this is a  
16 shortened presentation of the one we provided to  
17 you in Cambridge Bay, and we would also ask that  
18 you look to our full submission if you have any  
19 thoughts on the matter while you are doing your

20 deliberations. Thank you.  
21 If I can just ask, we know that legal counsel  
22 had wanted some documents to be added to the  
23 record, we would first of all like to supply a  
24 disk. It has our three documents on it, it has our  
25 original presentation, it has a revised  
26 presentation based on the one slide which Tahera

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1 had asked us to revise. We have spoken with  
2 Tahera, and they have reviewed that, and they are  
3 fine with it. And finally the last presentation is  
4 on this -- tonight is on this disk.

5 CHAIRPERSON: Any objection from the  
6 other parties? Bill?

7 MR. TILLEMANN: So that will be Exhibit  
8 number 35, the disk as he discussed it along with  
9 hard copies that will be printed out from that,  
10 thank you.

11 EXHIBIT NO. 35:

12 CD OF ALL DIAND PRESENTATIONS

13 MR. TRAYNOR: Madam Chair, and we would  
14 also like to ask that two additional documents be  
15 placed into the record, one is the Guidelines for  
16 Tailings Impoundment in the Northwest Territories  
17 dated February 1987, we feel it would be good  
18 information on what the department's position would  
19 be during a regulatory phase, what some of our  
20 expectations would be. We felt it would be a good  
21 information source for you during your  
22 deliberations.

23 And we would also like to put into the record  
24 just an additional guide to assist in your  
25 deliberations for your information, a Guide to the  
26 Management of Tailings Facilities, September 1998

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1 prepared by the Mining Association of Canada.

2 CHAIRPERSON: Any objections? Any  
3 objections from other parties? Bill?

4 MR. TILLEMANN: Thank you, Madam Chair. So  
5 then we will enter the guidelines document as  
6 number 36 and the Mining Association document as  
7 number 37.

8 EXHIBIT NO. 36:

9 GUIDELINES FOR TAILINGS IMPOUNDMENT IN THE  
10 NORTHWEST TERRITORIES

11 EXHIBIT NO. 37:

12 A GUIDE TO MANAGEMENT OF TAILING  
13 FACILITIES, SEPTEMBER 1998 PREPARED BY THE  
14 MINING ASSOCIATION OF Canada

15 CHAIRPERSON: Any questions to Indian and  
16 Northern Affairs from Tahera?

17 MR. MISSAL: Madam Chair, Greg Missal  
18 with Tahera Corporation. We have no questions at  
19 this time.

20 CHAIRPERSON: Any questions from elders,

21 local residents? Any questions to Indian and  
22 Northern Affairs from NTI?  
23 NTI QUESTIONS INDIAN AND NORTHERN AFFAIRS:  
24 MR. LOPATKA: Madam Chair, Stefan Lopatka  
25 from NTI. In INAC's presentation of cumulative  
26 effects, impacts and monitoring, they have focussed

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1 on the Slave geological province as a boundary for  
2 that monitoring. Two questions, we know geological  
3 provinces don't necessarily match with  
4 environmental boundaries, so we are wondering why  
5 the geological province, and also were they aware  
6 that the Nunavut general monitoring program is to  
7 undertake a similar type of cumulative effects  
8 monitoring and why that would not suffice to meet  
9 those requirements? Thank you.  
10 MR. TRAYNOR: Thank you. The main reason  
11 that we picked the Slave geological province is  
12 because it was agreed upon at an earlier  
13 environmental review for the Diavik diamond mine.  
14 It was tasked to INAC and the Department of  
15 Environment to work on a cumulative effects  
16 management frame work for the Slave geological  
17 province because that review thought that that was  
18 the most reasonable area to deal with cumulative  
19 effects where most of the issues will be dealt  
20 with.

21 We realize that there may be some issues of  
22 migratory birds, perhaps, that go beyond the Slave,  
23 but it was determined at that time that that was  
24 the best place for -- that was the best reasonable  
25 boundary.

26 In terms of the second one, I do thank you

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1 for that question, and I apologize, you are  
2 correct. There is a role in the Nunavut general  
3 monitoring program to assist in providing some  
4 cumulative effects, and, in fact, we had hoped that  
5 in the coming months we could all have that  
6 discussion, but it is basically felt that a lot of  
7 the issues from the Slave geological one, which is  
8 a smaller subset, could then be incorporated into  
9 the broader Nunavut general monitoring program.  
10 And as you are aware, we do have KIA, government of  
11 Nunavut and others who participate in the Slave  
12 geological province work of cumulative effects, and  
13 once we have worked on the urgency of the  
14 framework, we can then broaden it out to the  
15 Nunavut general monitoring program.

16 CHAIRPERSON: Any questions to Indian and  
17 Northern Affairs from KIA?

18 KIA QUESTIONS INDIAN AND NORTHERN AFFAIRS:

19 MR. EVALIK: I have got a couple. This  
20 is Charlie Evalik, president of KIA. On cumulative  
21 effects on Slave's geological province on

22 monitoring, does Indian and Northern Affairs under  
23 the Nunavut Land Claims Agreement plus the  
24 regulatory agencies that they have established in  
25 Nunavut, that they have the responsibility for  
26 monitoring any development that will be happening,

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1 including Jericho Diamond Project?

2 MR. TRAYNOR: Thank you for that  
3 question, Charlie. In terms of the Nunavut general  
4 monitoring program, you were saying?

5 MR. EVALIK: Under Nunavut Land Claims  
6 Agreement there is mechanisms for monitoring  
7 projects such as Jericho in Nunavut.

8 MR. TRAYNOR: I don't have a land claim  
9 right in front of me, I would need time to look at  
10 it, but my understanding is that for project  
11 monitoring of the Jericho project, it can be done  
12 in the -- under the claim done by government of  
13 Canada as well as NIRB, I believe it is in Section  
14 7, Article 12. If you can just give me a minute, I  
15 will read that section into the record.

16 In terms of the project monitoring for the  
17 Jericho project, in 12.71 it states, "The terms and  
18 conditions contained in (a) a NIRB project  
19 certificate issued pursuant to Section 12.5.12 or  
20 12.6.17 be a recommendation of NIRB pursuant to  
21 Subsection 12.4.4(a) or (c), any approvals issued  
22 by the Nunavut Water Board may for the  
23 establishment of a monitoring program for that  
24 project which may specify responsibilities for the  
25 proponent, NIRB, or government."

26 So it doesn't exclusively say that it is the

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1 government of Canada or more specifically INAC's  
2 responsibility, but it does provide for several  
3 agencies to undertake that role.

4 MR. EVALIK: And a subsequent question  
5 then, Charlie Evalik here. Would Nunavut --  
6 general Nunavut monitoring mechanism be more  
7 appropriate rather than Great Slave geological  
8 province monitoring agency for this project?

9 MR. TRAYNOR: In terms of this project,  
10 there does provide for a role for the Nunavut  
11 Planning Commission and DIAND to work together with  
12 the other governments, but it is mainly those two  
13 organizations' role to manage the Nunavut general  
14 monitoring program.

15 Once again, that is a broader program, and it  
16 is to look at all of Nunavut. We can certainly see  
17 some carryover, and we would certainly like to see  
18 some efficiencies where things like the specific  
19 project monitoring, which can be undertaken by any  
20 of those groups I just mentioned, can feed into a  
21 broader Nunavut general monitoring program, and we  
22 are working with the Nunavut Planning Commission to

23 try to manage on how we would achieve this.  
24 MR. EVALIK: And a question to your  
25 response then, does INAC know that Inuit KIA is a  
26 trustee as well as a surface rights owner of

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1 Inuit-owned lands in Kitikmeot as well as a DIO,  
2 Designated Inuit Organization under Nunavut Land  
3 Claims Agreement for Article 20?  
4 MR. TRAYNOR: I believe we are aware,  
5 yes.  
6 MR. EVALIK: Second question then is on  
7 socioeconomic management strategy, would -- does  
8 INAC -- would it be better for overall Kitikmeot  
9 strategy in terms of all development as opposed to  
10 project specific developing overall socioeconomic  
11 management strategy for Kitikmeot on all projects  
12 rather than project specific such as Jericho?  
13 MR. TRAYNOR: I would -- I guess the  
14 answer to that one would be that we are here today  
15 to present evidence to NIRB on this specific  
16 project. Guidelines have been prepared for it.  
17 And as described by Madam Chair, they have a  
18 responsibility to look at both environmental and  
19 socioeconomic, so at this forum here today, INAC is  
20 presenting evidence based on the guidelines, the  
21 Environmental Impact Assessment prepared and what  
22 our comments and analysis is on it.  
23 MR. EVALIK: Does INAC believe that IIBA  
24 covers socioeconomic benefit for 85 to 90 percent  
25 of Inuit in Kitikmeot that I represent?  
26 MR. TRAYNOR: Sorry, I'm kind of dancing

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1 here. Stephen -- I'm sorry, Stephen Traynor,  
2 DIAND, my apologies to the stenographer.  
3 I would agree that the KIA is representing  
4 the Inuit that it needs to within the claim, and I  
5 would not know the figures of who they -- what the  
6 demographics is, I don't have before me, and we  
7 have never looked into it, so, yes, I would agree  
8 that you do represent the Inuit in this region.  
9 I'm not sure of the number, and you have -- as you  
10 have rightly done, and you can provide an IIBA  
11 under the claim for those constituents, and you  
12 have done that, or at least in the agreement in  
13 principle.  
14 MR. EVALIK: Does INAC have enrollment  
15 numbers for Kitikmeot that's been -- that I  
16 enrolled into the Nunavut Land Claims Agreement  
17 under Kitikmeot Inuit Association that's been in  
18 Nunavut?  
19 MR. TRAYNOR: Stephen Traynor. I'm  
20 sorry, we do not have those numbers.  
21 MR. EVALIK: And -- that is all my  
22 questions. Thank you.  
23 CHAIRPERSON: Thank you. Any questions

24 to Indian and Northern Affairs from GN?  
25 MR. MacISSAC: No questions.  
26 CHAIRPERSON: Any questions from

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1 Department of Fisheries and Oceans? Any questions  
2 from Natural Resources Canada?  
3 MR. DYKE: No questions, Madam Chair.  
4 CHAIRPERSON: Any questions from the  
5 Nunavut Impact Review Board Staff?  
6 BOARD STAFF QUESTIONS INDIAN AND NORTHERN AFFAIRS:  
7 MS. FILIATRAULT: Yes. We have one question,  
8 and it deals with the various management plans that  
9 Tahera has submitted and, you know, were hoping  
10 proposed to be submitted if the project goes ahead.  
11 In their EIS they have three plans, and I'm  
12 not probably going to have the actual names of the  
13 plans, but one is a hazardous materials management  
14 plan, the other is a spill contingency control plan  
15 and the other is an emergency response plan, and I  
16 was just wondering, I would like to get Tahera's  
17 opinion on -- sorry, DIAND's opinion on if these  
18 three plans could potentially be combined into one  
19 plan in order to meet the requirements of the NWT  
20 Water Board guidelines for contingency planning in  
21 conjunction with the GN spill reporting  
22 regulations, as opposed to having three plans that  
23 deal virtually with the same sorts of details?  
24 MR. TRAYNOR: Stephen Traynor, DIAND. We  
25 do feel that they can be combined into the overall  
26 general management plan, and we would certainly

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1 take it under advisement as we feel that is a good  
2 idea for regulators to get together to make sure  
3 that we assist the company in providing the  
4 information in one, or at least very distinctive  
5 authoritative sources so we don't create  
6 duplications or inefficiencies for regulators.  
7 And I will comment that we have had good  
8 cooperation on other projects with the Water Board  
9 and the government of Nunavut in trying to achieve  
10 such an agreement, or at least such a coordination.  
11 MS. FILIATRAULT: No further questions.  
12 CHAIRPERSON: Any questions from the  
13 Board? Thank you, Indian and Northern Affairs.  
14 Okay. It is now five minutes after 6  
15 o'clock. Why don't we go for supper. We will hear  
16 from a presentation from Natural Resources Canada  
17 at 7 o'clock.  
18 (RECESSED AT 6:05 P.M.)  
19 (RECONVENED AT 7:03 P.M.)  
20 CHAIRPERSON: Before we start with  
21 Natural Resources Canada, Bill Tilleman?  
22 MR. TILLEMAN: Thank you, Madam Chair.  
23 Earlier in the week's hearings, the Board had asked  
24 for a document to be filed by the proponent, and

25 they agreed to do that and they have done that. I  
26 would like to enter that as Exhibit number 38. It

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1 is nothing new, it was discussed before, and it is  
2 basically a list of the permits, licenses and other  
3 authorizations required for the Jericho Diamond  
4 Project.

5 And I understand that the exhibit and this  
6 list has been the discussion of counsel and parties  
7 that are attending these proceedings. And,  
8 accordingly, I am quite pleased to be able to  
9 propose this as Exhibit number 38.

10 Thank you, Madam Chair.

11 EXHIBIT NO. 38:

12 TAHERA LIST OF LICENSES, PERMITS AND  
13 AUTHORIZATIONS REQUIRED FOR THE JERICHO  
14 DIAMOND PROJECT

15 CHAIRPERSON: Thank you. Natural  
16 Resources Canada, you may make your presentation,  
17 20 minutes.

18 PRESENTATION BY NATURAL RESOURCES CANADA:

19 MR. DYKE: Thank you, Madam Chair. My  
20 name is Larry Dyke. I am representing Natural  
21 Resources Canada, and two parts of that federal  
22 government department have contributed to the very  
23 brief comments or summary that I will make right  
24 now, and those are a small group of permafrost  
25 researchers in the Geological Survey of Canada and  
26 a small group of people in the Canada Centre for

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1 Mining and Mineral Technology who look at such  
2 things as the chemistry of mine minerals and mine  
3 waste products.

4 At the proposed Jericho mine, there will be a  
5 facility that will be used for storing the  
6 processed kimberlite, and I'm going to use  
7 Jericho's map of their mine site just to point that  
8 area out. This will cover the area of Long Lake,  
9 which I am circling right now with the red pointer,  
10 and this is called the processed kimberlite  
11 containment area, and it has been referred to with  
12 the abbreviation PKCA. So the PKCA will be this  
13 gray area here.

14 Now at the present time, Long Lake has a  
15 feature called a talik, this is the unfrozen area  
16 beneath the lake, and otherwise there is  
17 permafrost, and I'll switch to a diagram here to  
18 show this.

19 This diagram is what we call a cross section,  
20 it is, if you like, a slice through the ground that  
21 is situated in this direction, so across the length  
22 of Long Lake. The talik, looking at the screen on  
23 the other side of the hall, the talik is that area  
24 right there, and there is Long Lake.

25 Eventually, when the mining is finished and

26 all the ore is refined, the lake will have been

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1 filled in with the processed kimberlite, that's the  
2 brown area right here, and that's going to take a  
3 few years. And during that time, the talik will  
4 probably get bigger because there will be some  
5 thawing of the permafrost because this area will be  
6 covered in water, and the area covered in water  
7 will for a few years be larger than the original  
8 area of Long lake. So there is the enlarged area  
9 of permafrost right there.

10 Once that PKCA is abandoned, it -- this talik  
11 or unfrozen area will begin to refreeze, and this  
12 is showing the refreezing of permafrost from the  
13 top downwards. So what will happen is that you  
14 will have a remaining zone of unfrozen ground, and  
15 as it continues to freeze, because of the expansion  
16 of water as it turns to ice, the pressure will  
17 develop in that area, and that pressure may force  
18 water to the surface, especially in any weaker  
19 areas where there might be ponding on the surface  
20 of the PKCA lake over here. And there is a  
21 possibility that that water may have a somewhat  
22 increased amount of material dissolved in it, and  
23 so the quality of the water on the surface of the  
24 PKCA may not be acceptable.

25 This was explained yesterday, and in the  
26 hearings that took place in Kugluktuk, and it is my

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1 understanding that this process is appreciated. It  
2 is not an absolutely 100 percent certain thing, but  
3 it is something for which the anticipation is  
4 enough that it should probably be anticipated in  
5 any reclamation plan, and this has been accepted.

6 The other main issue concerning conditions of  
7 the ground at the Jericho site is the presence of  
8 ice in the ground underneath the esker area that  
9 will probably use -- be used as a source of  
10 construction material at the Jericho site. The  
11 esker area is off the top of the map here, it is  
12 sort of the -- it is the area where the landing  
13 strip is and north of the landing strip, so on the  
14 scale of the map, it would be sort of where I am  
15 pointing up on the ceiling here with the pointer.

16 And this -- these are a couple of aerial  
17 photographs of the esker area, and there is some  
18 fairly good evidence that there is a lot of ground  
19 ice in this feature. This circled area in yellow  
20 here is interesting because the spotted or  
21 stippled, mottled nature of it is very similar to  
22 features on the McKenzie Delta over here, which are  
23 known to be underlain by very thick layers of ice,  
24 layers of ice up to 20 metres thick.

25 And in fact, both Jericho and Geological  
26 Survey of Canada and Indian and Northern Affairs

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1 have done drilling, here is an example, and they  
2 have found ice in this feature.  
3 And so Tahera is well aware of this ice, and  
4 we were just emphasizing this, because if that  
5 covering material is removed even close to the ice,  
6 you wouldn't have to go right down to the ice  
7 surface, there is a good possibility that some or  
8 all of that ice might melt, and that could be --  
9 create unacceptable disturbance to the landscape.  
10 Finally, just a very quick summary of the  
11 concerns that the Canada Centre for Mining and  
12 Metal Technology had, they were mainly concerned  
13 about certain dissolved metals in water that might  
14 be leached from some of the remaining mine waste,  
15 the rock piles and so forth, and this concerns  
16 mainly uranium and barium. And this was discussed  
17 yesterday, and these are substances that will --  
18 for which a watch out, if you like, will be  
19 maintained during the course of the anticipated  
20 environmental monitoring procedures that will be  
21 carried out.  
22 Madam Chair, that's the end of my  
23 presentation.  
24 CHAIRPERSON: Thank you. Any questions  
25 for Natural Resources Canada from Tahera?  
26 TAHERA CORPORATION QUESTIONS NATURAL RESOURCES

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1 CANADA:  
2 MR. MISSAL: Thank you, Madam Chair.  
3 Just one question for Natural Resources Canada, has  
4 NRCan identified any potential impacts arising from  
5 the Jericho project that even with the application  
6 of mitigation measures is likely to have  
7 significant adverse effects such that this  
8 application should not proceed to the regulatory  
9 phase?  
10 MR. DYKE: Madam Chair, Larry Dyke,  
11 Natural Resources Canada. No, no, the answer to  
12 that is no, we have not.  
13 MR. MISSAL: No more questions, Madam  
14 Chair.  
15 CHAIRPERSON: Can we have some lights,  
16 please?  
17 Any questions to Natural Resources Canada  
18 from elders, local residents? Any questions from  
19 NTI?  
20 MR. LOPATKA: Madam Chair, no questions  
21 from NTI.  
22 CHAIRPERSON: Any questions from KIA?  
23 MR. EVALIK: No questions.  
24 CHAIRPERSON: GN?  
25 MR. MacISAAC: No questions.  
26 CHAIRPERSON: Any questions from Indian

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1 and Northern Affairs?  
2 MR. TRAYNOR: No questions, Madam Chair.  
3 CHAIRPERSON: Any questions from  
4 Department of Fisheries and Oceans? Any questions  
5 from Nunavut Impact Review Board Staff?  
6 MR. TILLEMAN: No, Madam Chair, we don't  
7 have any questions, but would maybe just that this  
8 presentation appears to be slightly different than  
9 yesterday, so if it is okay, we can -- we will have  
10 it filed as Exhibit number 39. And if that's okay  
11 with the Board, no objections from the parties, if  
12 it is a correct statement, than that would be our  
13 suggestion.  
14 CHAIRPERSON: Any objections from the  
15 parties? Go ahead.  
16 Any questions from the Board? Thank you.  
17 MR. DYKE: Thank you.  
18 CHAIRPERSON: Before we go to closing  
19 remarks, we did say that we would give out door  
20 prizes, any of the raffle tickets, the bucket?  
21 The Nunavut Impact Review Board will now  
22 allow parties to give closing remarks. We will  
23 give you ten minutes each starting with the --  
24 before we start, Bill?  
25 MR. TILLEMAN: Thank you, Madam Chair.  
26 We are going to closings, and I was waiting

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1 to see, the Hamlet had wanted me to just take a  
2 moment and gather my thoughts.  
3 So, Madam Chair, if it would be the pleasure  
4 of the Board, the Hamlet would just like to ask a  
5 few questions of Tahera, and then at that point we  
6 could go to closings, that would be the appropriate  
7 thing to do, it would be my advice to you.  
8 CHAIRPERSON: Okay. Any comments from  
9 the Hamlet?  
10 HAMLET OF GJOA HAVEN QUESTIONS TAHERA CORPORATION:  
11 MR. FURLOT: Yes. Unfortunately, the  
12 mayor has not made it. My name is Sterling Furlot,  
13 and I am the AISO with the Hamlet of Gjoa Haven.  
14 And I was just wondering from Tahera that  
15 the -- during the lifetime of the mine, as I  
16 understand it, there will be about 90 employees  
17 there at the mine, and you do have a 60 percent  
18 Inuit content within five years. We are just  
19 wondering under which types of jobs would that  
20 occur? Are we looking at office and support,  
21 strictly labour, will there be some management  
22 opportunities for people within the Inuit  
23 communities?  
24 MR. MISSAL: Madam Chair, Greg Missal  
25 with Tahera Corporation.  
26 Thanks for that question, Sterling. This

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1 exact same question came up last night in Kugluktuk  
2 as well, and it is a very good question. Tahera is  
3 completely open to the Inuit people filling any of  
4 the roles; however, there is certain skills and  
5 certain training and experience that are required  
6 with some of those positions at the mine site. I  
7 used the example of some of our more senior people  
8 at the site may require somewhere in the 10, 15,  
9 20-year experience range for, let's say, a  
10 processing plant operation. Some jobs are highly  
11 technical, and we are not even certain if we will  
12 be able to find those skills in Canada, so that's  
13 the situation with some positions.

14 With other positions, we believe there is a  
15 lot of experience in the area. A very good example  
16 is a lot of folks in Kugluktuk who spent many years  
17 working at the Lupin mine. We believe that those  
18 people have the skills that are necessary to come  
19 and work for us, but I guess more specifically to  
20 answer your question, I would expect to see our  
21 Inuit employees in all levels, and I hope they are.  
22 I hope they strive to reach all levels, because  
23 they will be given the opportunity.

24 MR. FURLOT: Thank you. Sterling Furlot  
25 with the Hamlet.

26 That leads into the training that must take

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1 place. I guess we have a window of opportunity  
2 between now and when you actually start the mine  
3 situation in, I believe, '06.

4 Would we be able to get a listing of both the  
5 type of jobs and the skill levels that are required  
6 so that we can start now working on a training  
7 program that would lead to people getting into  
8 those positions?

9 MR. MISSAL: Madam Chair, Greg Missal,  
10 Tahera Corporation.

11 Sterling, we are currently updating that  
12 list. We have had that list prepared in the past,  
13 but we are updating it right now, and as soon as it  
14 is updated, we will distribute it to groups in the  
15 communities such as yours.

16 MR. FURLOT: Thank you. And also on the  
17 other end of your eight-year life with reclamation,  
18 what would your workforce be at that point, and,  
19 again, what types of positions would be available  
20 and what type of people will you be looking for at  
21 that instance? Would it be mostly technical or  
22 labour?

23 MR. MISSAL: Greg Missal, Tahera  
24 Corporation.

25 I think by the time we reach the end of life,  
26 you will see the jobs change slightly. You are

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1 right, there would be some technical jobs, but

2 there would be monitoring jobs as well that would  
3 be required, environmental technicians.  
4 And then I think more related to the  
5 reclamation side of things, that's going to require  
6 a lot of heavy equipment usage as well as I can see  
7 more labour intensive as well to dismantle some of  
8 the things that need to be dismantled there.  
9 So, again, I think there would be a variety,  
10 but it would be slightly different than what you  
11 saw during the actual mine life phase.  
12 MR. FURLOT: Thank you again for that  
13 answer.  
14 We also are aware that many of the jobs  
15 within the mine site are subcontracts, security,  
16 catering and those types of things. How would we  
17 be able to find out how to access that side of it,  
18 not just the mine jobs, but the secondary  
19 subcontractors?  
20 MR. MISSAL: Greg Missal, Tahera  
21 Corporation.  
22 There are provisions within the Inuit Impact  
23 Benefit Agreement for Tahera to provide that  
24 information and let it be known of those  
25 opportunities, so that's the main overriding issue  
26 that will determine that that goes out. I think we

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1 would have done that anyway, however, we will  
2 develop a list of groups that will receive that  
3 information, and, of course, yours would be one of  
4 them.  
5 MR. FELAK: Okay. Thank you. That was  
6 just the concern was just to what skills we needed,  
7 where we should start now to put a training plan  
8 together to provide for that for when you are ready  
9 for hiring.  
10 Thank you.  
11 MR. MISSAL: Thank you.  
12 CHAIRPERSON: Questions from local  
13 residents to Tahera?  
14 RESIDENTS QUESTION TAHERA CORPORATION:  
15 MS. TOLOJANAK: I am Helen Tolojanak. I  
16 just got newly elected to the Hamlet council, and I  
17 haven't yet been sworn in, but I wanted to speak on  
18 behalf of the Hamlet.  
19 Just one question, I believe, I wanted to  
20 bring up was with respect to the -- we haven't --  
21 we haven't yet -- well, myself, I haven't really  
22 yet heard how the procedures were going to be. I  
23 was at work all day, and I didn't really get all  
24 the full information, just to get the firsthand  
25 information from you guys, Tahera. Is it Tahera or  
26 Tahereak?

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1 CHAIRPERSON: I believe it is Tahera.  
2 MS. TOLOJANAK: Tahera, okay. Thanks.

3 I have been involved with the business in  
4 Gjoa Haven for the past two, three years, and we  
5 have been in a situation where we have had a bit of  
6 a hard time keeping on. We are near in the process  
7 of shutting down and providing, like, employment to  
8 our local community here, people here, it is very  
9 important to me. And now that I'm going to be on  
10 Hamlet council, I am hoping that I can fully more  
11 support the community of Gjoa Haven by way of  
12 sitting on Hamlet council.

13 So, therefore, I wanted to ask with respect  
14 to the contributions and stuff, are there being to  
15 be agreements in place for payments? Are you going  
16 to need to have someone do administration work for  
17 you locally, or is that going to be handled right  
18 from your base office?

19 MR. MISSAL: Thanks for that question,  
20 Helen, and your comments.

21 The Jericho mine site is going to be fairly  
22 small, so there is not going to need to be a whole  
23 or too many, I should say, not too many  
24 administration jobs there, but there will be some,  
25 there will be a few, so those are certainly --  
26 that's a possibility. And then in turn, I think

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1 you mentioned contributions. Some of the  
2 contributions have been worked out with the Inuit  
3 Impact Benefit Agreement with the KIA, and the KIA  
4 gave a presentation earlier by which they stated  
5 that they would be visiting communities in the  
6 region in the very near future, and Tahera will be  
7 accompanying them at that time, and we will be  
8 explaining the Inuit Impact Benefit Agreement to  
9 the citizens of the communities at that time. So  
10 that might be a good opportunity for you to learn  
11 more about that process, where some of those  
12 contributions will be.

13 MS. TOLOJANAK: Thank you.

14 CHAIRPERSON: Any other comments from  
15 local residents?

16 MR. RASCH: I have -- thank you, Madam  
17 Chairperson. I have not questions but comments on  
18 behalf of myself and some youth that come to me for  
19 advice. I would like to comment on these  
20 proceedings and indeed this process.

21 I have found since I have started with this  
22 and met Tahera, I have found out more about NIRB,  
23 the workings of the Water Board, the various  
24 government institutions and indeed the Inuit  
25 Associations who have a mandate to fulfill the Land  
26 Claim Agreement, that through this process NIRB has

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1 provided us with generous public access on numerous  
2 occasions in our communities and other communities  
3 and timely information. That is something we

4 haven't seen before whether or not in the  
5 territories or Nunavut.

6 I would like to also comment on Tahera and  
7 their dealings, and I was to personify it like a  
8 person, I would have to say that they are a  
9 stand-up kind of guy. They came, they listened,  
10 they spent time with us. Each time they come, they  
11 seem to learn something else, and they seem to  
12 incorporate it in their plan. Whether it is good  
13 PR or good business, I don't care, in the end it is  
14 serving us. And they have listened. We have been  
15 included as a community as we asked in the IIBA,  
16 which is not necessary due to our remoteness from  
17 that site, and we appreciate that.

18 I would also like to single out the NIRB and  
19 also the KIA for their due diligence in carrying  
20 out this process, which is extremely complicated, I  
21 recognize that. A lot of heavy issues are here on  
22 your plates, and you have been dealing with it for  
23 some time. And it is not easy to do, and yet you  
24 have done very well.

25 I see the intervenors and some of the  
26 questions they bring up, the concerns. Some of

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1 them may not ever be resolved, but they are working  
2 towards our benefit so that we have a better  
3 environment and proper socioeconomic conditions for  
4 which Nunavut and Inuit can go and prosper.

5 I feel very thankful and blessed to have seen  
6 this. As a community member, I would like to  
7 endorse my support to Tahera. I would also like to  
8 state generally that there are a lot of bright  
9 lights that have been working on this project, and  
10 indeed the lights are on, and they are still  
11 burning. All of you involved in this process  
12 deserve a round of applause for the way that you  
13 carried out and that we are here today.

14 On a lighter side, I really hope this is the  
15 last hearing.

16 CHAIRPERSON: Thank you.

17 Okay. Like I mentioned before, the Nunavut  
18 Impact Review Board will now invite parties to give  
19 closing remarks. I have said we will give you ten  
20 minutes. We will start with the Kitikmeot Inuit  
21 Association.

22 CLOSING REMARKS OF THE KIA:

23 MR. EVALIK: I will just make a brief  
24 closing remarks. The hearings have been conducted  
25 during the last -- this week in Kitikmeot,  
26 Cambridge and Kugluktuk and Gjoa Haven today.

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1 It is the -- I think it is a new process that  
2 the communities are involved in and certainly KIA.  
3 and the KIA has reached an Inuit Impact Benefit  
4 Agreement with Tahera for the benefit of Inuit, all

5 of Kitikmeot, and if we could extend it to hold up  
6 Nunavut in terms of the employment opportunities,  
7 training opportunities, business opportunities.  
8 But the points of hire under the agreement has been  
9 set, but the -- I think those opportunities from  
10 other communities in Nunavut, you know, could be  
11 done.

12 And the -- like I stated in my -- in some of  
13 my presentations, KIA is working on the  
14 implementation plan. And we will be visiting all  
15 the communities in Kitikmeot, but with that KIA and  
16 NTI in February as an annual visit to all the  
17 communities, as our annual visit. And I am sure  
18 our Impact Benefit Agreement and our relationship  
19 with Tahera will be questioned.

20 But in terms of the Inuit Impact Benefit  
21 Agreement, there is a commitment to visit all the  
22 communities in April and possibly the second week  
23 in April, the week of the 12th, by Tahera and  
24 myself and chief government of Nunavut, and the  
25 invitation will be forthcoming to Indian and  
26 Northern Affairs to explain what's contained in the

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1 Inuit Impact Benefit Agreement so the Inuit could  
2 know exactly what benefits they could pursue in  
3 terms of that agreement, and I would urge all the  
4 communities to get together, start discussions and  
5 get ready for this project in terms of training  
6 that's going to be required, in terms of employment  
7 skills, cost that's going to be required, business  
8 opportunities, are they going to be there? And so  
9 I would urge all the communities in Kitikmeot to  
10 get ready for that.

11 In the -- as stated by Tahera, their  
12 construction after regulatory phase will start next  
13 year, and it will take about a year, so that's  
14 the -- in terms of the production phase, and so  
15 there's opportunities a couple years down the road,  
16 but there will be employment and training  
17 opportunities during the construction phase.

18 On environmental concerns, I think that  
19 basically has been resolved during these hearings,  
20 and KIA has brought forward those environmental  
21 concerns. I think in the last few days we had  
22 worked towards resolving these issues.

23 In terms of the monitoring mechanism for the  
24 project itself, I think that's still a question  
25 that's got to be dealt with. It is -- the KIA has  
26 offered the mechanism that we believe could work

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1 for Kitikmeot as well as for all of Nunavut. And  
2 KIA looks forward to working with other agencies,  
3 the regulatory bodies, Nunavut Water Board, Indian  
4 and Wildlife Management Board, Kitikmeot Hunting  
5 and Trapping Organization, local HTOs as well as

6 Tahera and Nunavut's first diamond mine.  
7 KIA is in support in principle pending the  
8 signing of the Inuit Impact Benefit Agreement and  
9 the environmental concerns that were brought  
10 forward by KIA during these hearings.  
11 And KIA looks forward to Nunavut Impact  
12 Review Board to make a timely decision and looks  
13 forward to a timely decision by the Minister of  
14 Indian and Northern Affairs for the project go  
15 ahead.

16 Thanks very much.

17 CHAIRPERSON: Closing remarks from NTI?

18 CLOSING REMARKS OF NTI:

19 MR. HAKONGAK: Thank you, Madam Chair.  
20 I'm George Hakongak, environmental coordinator for  
21 NTI lands in Cambridge Bay.

22 On behalf of James Intuluk, first  
23 vice-president of Nunavut Tunngavik Incorporated, I  
24 would like to thank the Nunavut Impact Review Board  
25 for the opportunity provided to NTI to present its  
26 views at this hearing.

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1 NTI is the birthright organization of the  
2 Nunavut Land Claims Agreement representing Inuit in  
3 all of Nunavut on land claims issues. As such, in  
4 carrying out our review of the Jericho Diamond Mine  
5 EIS, our mandate is to ensure that the EIS is  
6 complete and effectively addresses all aspects,  
7 design, operations, monitoring, mitigation and  
8 closure to ensure the long-term protection of the  
9 ecosystem for the benefit of Inuit.

10 NTI has addressed issues of mine design and  
11 monitoring that we believe need to be considered in  
12 the project certificate for this project. These  
13 represent issues from a holistic perspective  
14 related to the entire ecosystem. But we realize  
15 some of these issues will be addressed in further  
16 regulatory procedures. We believe that it is  
17 important that all issues be identified by NIRB in  
18 its project certificate to ensure issues are not  
19 missed. NTI believes that through the terms and  
20 conditions of the project certificate issued by  
21 NIRB, Inuit can be ensured of proper environmental  
22 stewardship of the entire ecosystem.

23 In conclusion, NTI is in support of this  
24 project moving forward as we see it as a benefit to  
25 the Inuit of Kitikmeot and all of Nunavut. Thank  
26 you for considering our views at this hearing, we

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1 look forward to the NIRB decision and to our  
2 ongoing participation in the regulatory process for  
3 this project. Koana.

4 CHAIRPERSON: Thank you. Government of  
5 Nunavut?

6 CLOSING REMARKS OF GOVERNMENT OF NUNAVUT:

7 MR. MacISAAC: Thank you, Madam Chair.  
8 We would like to thank the Nunavut Impact  
9 Review Board for allowing us to participate in this  
10 important process. We congratulate Tahera on their  
11 hard work, persistence and being the first mining  
12 project to reach the stage of the Nunavut Land  
13 Claims Agreement process.  
14 With the closure of the Nanisivic, Polaris  
15 and Lupin mines which all opened in the 1970s and  
16 '80s, and in the time before the creation of  
17 Nunavut, we are truly entering a new era in  
18 resource development in this territory and in this  
19 country. And as such, the GN is of the opinion  
20 that this project should now go to the permitting  
21 stage of the process.  
22 Madam Chair, NIRB has our submissions and has  
23 heard our interventions. We wish you luck in your  
24 deliberations, and you can please contact us if you  
25 need further information or clarification. Thank  
26 you.

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1 CHAIRPERSON: Thank you. Department of  
2 Indian and Northern Affairs of Canada?  
3 CLOSING REMARKS OF INDIAN AND NORTHERN AFFAIRS:  
4 MR. TRAYNOR: Thank you, Madam Chair, for  
5 this opportunity to provide some closing remarks to  
6 the Nunavut Impact Review Board.  
7 Sorry, Stephen Traynor, DIAND.  
8 As mentioned in our presentation and  
9 demonstrated by our commitment to the meetings this  
10 week and through our written submissions to the  
11 Board, DIAND is committed to providing our best  
12 advice to NIRB.  
13 INAC's review has determined that the adverse  
14 environmental and socioeconomic impacts associated  
15 with this mine proposal appear to be manageable.  
16 Though there are still details to confirm in terms  
17 of design, management, data synthesis, contingency  
18 plans, mitigation measures, monitoring and closure  
19 planning details, these can be addressed during the  
20 regulatory phase.  
21 INAC is of the opinion that the Jericho  
22 Diamond Project should proceed to the regulatory  
23 approval phase.  
24 In our written submission, DIAND has provided  
25 41 recommendations for the Board's consideration,  
26 they are in Appendix B of our written submission.

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1 In addition to those, we would like to add one more  
2 to help clarify some of the discussions regarding  
3 models that occurred in Cambridge Bay, and it goes  
4 as follows: We recommend that for the benefit of  
5 the regulatory phase of their application, that  
6 Tahera update tables submitted by Dr. Ott written  
7 in the supplementary information entitled "Water

8 Quality Impacts for Jericho Mine Discharges," 30th  
9 September, 2003. This update should incorporate  
10 revised discharge estimates, unionized ammonia and  
11 total ammonia, chloride along with further  
12 parameters covered in the September 30th  
13 submission. Calculations of expected ameliorations  
14 should also be made -- sorry, expected conditions  
15 should also be made at the outlet of Carat Lake and  
16 in Lake C3 adjacent to the spray irrigation area.  
17 Calculations should be made for critical years  
18 during the life of the mine and after the pit  
19 begins to discharge to Carat Lake some 20 years  
20 following closure for permitting purposes.

21 Several areas of discussions have also taken  
22 place, and we commend all for participating. Some  
23 topics we want to bring up at this time to remind  
24 the Board in their consideration are the  
25 socioeconomic management strategy we proposed, the  
26 issue of socioeconomic agreements, management

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1 plans. In addition, we would remind Tahera of  
2 their commitment to providing additional  
3 information for determining reclamation bonding and  
4 the need to work with the Department to provide an  
5 application or amend one of their lease  
6 applications for the area which is to be used for  
7 spray irrigation.

8 The Department and all other regulators need  
9 to work cooperatively over the coming months on  
10 information exchanges, as have been discussed over  
11 the last five days. The Department is willing to  
12 work with Tahera and all regulators to  
13 conditionally improve the project. This should be  
14 an ongoing process whether it is in this forum or  
15 outside this forum.

16 As mentioned in our opening comments and  
17 other people have stated, it is a historic  
18 milestone as it is the first mine to move this far  
19 along in the Nunavut regulatory process. And the  
20 department, if not everyone, has learned from the  
21 experience.

22 And I want to thank the communities for their  
23 hospitality. I would also like to take this  
24 special opportunity, if I can be so bold, to thank  
25 my staff and the consultants for their assistance  
26 in preparing the Department's review and

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1 recommendations for your consideration.

2 I would also like to thank my federal  
3 colleagues for the long discussions and  
4 coordination that we have tried to have on this  
5 project.

6 In closing, the Department commends the Board  
7 and their Staff for all their hard work this week.  
8 The Department wishes the Board well in their

9 deliberation, and the Minister will look forward to  
10 receiving your report.

11 Thank you.

12 CHAIRPERSON: Thank you. Department of  
13 Fisheries and Oceans.

14 CLOSING REMARKS BY DEPARTMENT OF FISHERIES AND  
15 OCEANS:

16 MS. CRITCH: Good evening, Madam Chair,  
17 members of the Board. My name is Stephanie Critch  
18 with Fisheries and Oceans Canada.

19 For the benefit of the Board, I would like to  
20 touch -- I would like to touch on a number of  
21 issues that we raised during our presentation and  
22 clarify -- sorry, let me consult my notes here.

23 For the benefit of the Board on issues that  
24 we raised in our presentation, I would like to just  
25 go over those issues that we feel can be addressed  
26 during the regulatory phase. Following this, we

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1 have some other issues that we will raise as  
2 recommendations to the Board.

3 The issues related to road construction can  
4 be addressed through the construction -- through  
5 construction practices that respect to surface  
6 drainage patterns and apply appropriate monitoring  
7 and mitigation. Impacts of the causeway can be  
8 mitigated through alternate impact design such as  
9 burying the pipe.

10 With the use of explosives, impacts are not  
11 likely to be significant, although DFO could  
12 increase our confidence through -- although our  
13 confidence could be increased through more detailed  
14 delineation -- through more detailed delineation of  
15 the extent of the blast zone relative to spawning  
16 areas in Carat lake as well as changes in the blast  
17 zone with the deepening of the pit. Beyond that  
18 Section 32 authorization -- a Section 32  
19 authorization can be issued to deal with the  
20 residual impacts.

21 In relation to Stream C1 diversion, these  
22 issues can be addressed through developing and  
23 implementing a diversion plan that is acceptable to  
24 DFO and that meets -- and that mitigates any losses  
25 associated with the diversion and ensures the  
26 function of the lower portion of the natural

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1 stream. An acceptable plan will include  
2 consideration for postclosure flow regimes.

3 In regard to the processed kimberlite  
4 containment area, physical habitat losses in Long  
5 Lake are to be offset through the development and  
6 implementation of an acceptable fish habitat no net  
7 loss plan. Issues relating to the aquatic effects  
8 monitoring plan can be addressed through  
9 rigorous -- a rigorous monitoring program and the

10 collection of adequate baseline data. DFO  
11 recommends that at a minimum, baseline data  
12 collection occur during 2005 as well.

13 With the no net loss plan, it is expected  
14 that Tahera will continue to work with DFO to  
15 develop an acceptable fish habitat no net loss  
16 plan. It is also expected that Tahera will  
17 implement this plan and ensure that impacts to fish  
18 habitat are successfully offset.

19 MS. DAHL: Thank you. Madam Chair, I  
20 just wanted to elaborate on a couple of more points  
21 that are more in the form of some hopefully clearer  
22 recommendations.

23 It is likely that all or at least part or at  
24 least a large proportion of the information that is  
25 required for the assessment of the Jericho Diamond  
26 Project has been provided by Tahera. However, the

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1 format in which much of these data have been  
2 compiled and presented in conjunction with the  
3 presence of errors and inconsistencies in some of  
4 the information makes it extremely difficult for  
5 reviewers to conclude with confidence the potential  
6 aquatic impacts of the Jericho Diamond Project have  
7 been mitigated and minimized to an acceptable  
8 level. As such, DFO recommends that prior to the  
9 commencement of the regulatory phase, that Tahera  
10 be required to clearly demonstrate the components  
11 of the project, including the operation of the  
12 processed kimberlite containment area and site  
13 water management, together with the application of  
14 various treatment options have been optimized to  
15 achieve the goal of minimal and acceptable impacts  
16 to the aquatic environment.

17 The assessment and presentation of this  
18 information may be best facilitated through the  
19 development of a matrix of scenarios. Each of  
20 those scenarios should consider water management  
21 options, processed kimberlite containment area  
22 operations, additional treatment options and the  
23 resulting water quality parameters and extent of  
24 potential impacts to various aquatic biotic  
25 components.

26 Second, DFO recommends that prior to the

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1 commencement of the regulatory phase, that Tahera  
2 provide an assessment of the environmental cost,  
3 benefit, limitations associated with each treatment  
4 or management option considered for the Jericho  
5 site to clearly demonstrate that the optimal  
6 mitigation is to be applied.

7 DFO recommends that prior to the commencement  
8 of the regulatory phase, Tahera demonstrates that  
9 the various discharges to the aquatic environment  
10 have been incorporated into their predicted water

11 quality modelling. In addition, Tahera should  
12 revise their late dilution modelling for selected  
13 parameters of concern. And I believe this was  
14 similar to the recommendation addressed in DIAND's  
15 presentation.

16 With respect to the issue of minimizing  
17 physical impacts, it is recommended that Tahera  
18 provide DFO with an estimate of the flow regimes in  
19 Stream C3 under various water management scenarios  
20 during operations and postclosure in order to  
21 demonstrate that they can maintain to the extent  
22 practical the natural flow regime as well as  
23 address any residual losses in Stream C3 through  
24 the implementation of an acceptable fish habitat  
25 no-net-loss plan. And we believe this can be  
26 addressed in the regulatory phase.

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1 We also recommend that Tahera continues to  
2 seek ways to minimize the physical impacts of fish  
3 habitat as they further refine the details of their  
4 mine plan.

5 DFO recommends, as well, in the regulatory  
6 phase that Tahera provide an estimate of the  
7 expected concentration of ammonia and metals in the  
8 refilled open pit, that they provide an estimate of  
9 degradation rates for these and any other  
10 constituents of concern and indicate how long water  
11 quality in the pit is likely to remain a concern.

12 Thank you.

13 CHAIRPERSON: Thank you. Natural  
14 Resources of Canada?

15 CLOSING REMARKS BY NATURAL RESOURCES CANADA:

16 MR. DYKE: Madam Chair, Larry Dyke,  
17 Natural Resources Canada.

18 Madam Chair, your Board members and your  
19 Staff, I would like to thank you for the extremely  
20 friendly atmosphere that you have presented, and  
21 that goes for all of the communities that we have  
22 been to and my interactions with all of the  
23 intervenors. And I would like to thank Tahera for  
24 their professionalism and good humour that they  
25 presented through the entirety of this session.

26 Natural Resources Canada has expressed a

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1 number of concerns concerning the natural  
2 environment, and we are quite happy with the  
3 outcome and feel that all of our concerns can be  
4 managed during the permitting and regulatory phase  
5 of these proceedings.

6 Thank you very much.

7 CHAIRPERSON: Thank you. And then I will  
8 ask one last time before the Nunavut Impact Review  
9 Board -- allow a little longer time for Tahera  
10 Corporation, any comments from the elders?

11 Okay. We will now hear from Tahera

12 Corporation to give your closing remarks, Greg  
13 Missal.  
14 CLOSING REMARKS BY TAHERA CORPORATION:  
15 MR. MISSAL: Thank you very much, Madam  
16 Chair, Board members.  
17 The way we have designed or set up our final  
18 comments, we are going to go through it category by  
19 category as it relates to the topics that have been  
20 discussed this week.  
21 Starting off, I would like to begin with  
22 geotechnical issues and the issues that have been  
23 resolved. It has been agreed that the current mine  
24 geotechnical design information related to the  
25 processed kimberlite containment area, waste dumps,  
26 C1 diversion, ponds and ditches is adequate to

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1 assess the impacts to the proposed project.  
2 It was further agreed that the following  
3 issues raised by intervenors will be addressed as  
4 part of the detailed design and/or the regulatory  
5 phase of project permitting, the potential need for  
6 more drilling to characterize permafrost and the  
7 bedrock conditions of the west dam of the processed  
8 kimberlite containment area; the position and  
9 orientation of the liner in the processed  
10 kimberlite containment area dams; the potential  
11 need for a central divider dike in the processed  
12 kimberlite containment area; the processed  
13 kimberlite containment area closure design details  
14 such as the west dam and the tailings surface; C1  
15 diversion including the ground conditions along the  
16 C1 diversion route and the potential need for a  
17 dissipation pool; geotechnical and geothermal  
18 conditions at the ponds and ditches; the potential  
19 failure of the north dam of the processed  
20 kimberlite containment area.  
21 In terms of issues that remain unresolved  
22 related to geotechnical issues, we believe there  
23 are none.  
24 In terms of water quality, the geochemistry  
25 and the site water quality estimates, the  
26 geochemical characterization and estimates of water

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1 quality at the point of discharge have been largely  
2 accepted by the stakeholders we have heard from  
3 this week.  
4 NRCan have raised a few issues we believe are  
5 of minor significance and can be resolved during  
6 the licensing process. We welcome the opportunity  
7 to work with them to accomplish this.  
8 The estimates indicate there are a few issues  
9 with respect to discharge water quality at this  
10 site, including the potential for slightly elevated  
11 concentrations of nutrients, suspended sediments,  
12 TDS, that's total dissolved solids, and a few

13 metals.  
14 The impact assessment indicates that any  
15 impacts to fish will be limited to a small mixing  
16 zone. The water quality will meet criteria  
17 established as safe for domestic livestock. We  
18 believe that the residual concerns can be addressed  
19 through effective monitoring programs, including a  
20 waste rock monitoring plan and a water monitoring  
21 -- and water monitoring programs.  
22 In terms of additional modelling scenarios to  
23 predict receiving water quality, we have estimated  
24 water quality under a range of conditions in the  
25 receiving environment. These show that we can meet  
26 most of the applicable receiving water criteria for

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1 the edge of a mixing zone without any water  
2 management. That being said, the stakeholders  
3 would like to see some additional model runs to  
4 further demonstrate that there will be no buildup  
5 of total dissolved solids, metals or nutrients in  
6 the receiving environment. They have indicated  
7 that these additional calculations can be made  
8 during the regulatory phase of this project.  
9 Tahera is more than willing to work with  
10 those stakeholders to provide them the information  
11 they have requested as part of the regulatory  
12 phase.  
13 Total dissolved solids effects on aquatic  
14 wildlife; the effects of total dissolved solids on  
15 aquatic life are not well understood, and this is a  
16 new issue that mining companies are being asked to  
17 further consider and their impact assessments. We  
18 understand that no impacts have been measured from  
19 total dissolved solids at the Ekati mine. We also  
20 note there are no guidelines indicating what a safe  
21 threshold is for total dissolved solid levels in  
22 the receiving environment.  
23 Tahera will work with other mines as  
24 information evolves to address this issue and to  
25 develop appropriate criteria for this project. We  
26 believe these criteria should be specific to this

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1 site reflecting the specific components of the  
2 total dissolved solids and the assimilative  
3 capacity of the receiving environment.  
4 The presentations by Department of Fisheries  
5 and Oceans and Environment Canada seem to agree  
6 that site-specific criteria are appropriate.  
7 There appears to be consensus that this can  
8 be resolved in the regulatory phase. This issue  
9 can be managed effectively through monitoring and  
10 adaptive management.  
11 In terms of water quality, water -- in terms  
12 of water quality monitoring commitment, we agree  
13 with all the water quality monitoring

14 recommendations suggested by the various  
15 stakeholders, including flows from each of the  
16 sources of water to and from the processed  
17 kimberlite containment area, the additional control  
18 site and the additional station on the Jericho  
19 River. We also agree with the parameters that have  
20 been requested. Final details on the monitoring  
21 programs should be site specific and can be  
22 resolved in the regulatory phases.

23 In terms of water quantity and management,  
24 the water for the Jericho site area, we are pleased  
25 that several intervenors stated that though there  
26 are still details to confirm in terms of design and

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1 management, that these details can be addressed  
2 during the regulatory phase.

3 Tahera developed a preliminary design for a  
4 water site management plan and a detailed overall  
5 site water balance as part of the supplementary  
6 information. The water balance model will be used  
7 to evaluate water quantities on the site.

8 All site runoff water will be stored over the  
9 first two years of operation. An observational  
10 approach will determine site water quality.  
11 Together, these items form the basis of a prudent  
12 and conservative approach to controlling site water  
13 quality and potential impacts.

14 A diffuser has been accepted as a means of  
15 releasing water from the open pit after pit  
16 infilling is complete. The following items will be  
17 addressed by Tahera prior to the water license  
18 application, taking into consideration the  
19 constructive suggestions and comments submitted by  
20 the various intervenors.

21 Tahera will prepare detailed final designs  
22 for all water management facilities following  
23 accepted engineering practices. Model release,  
24 Tahera will model release of water from the  
25 processed kimberlite containment area so as to  
26 coincide with maximum flows in the receiving

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1 waters.

2 Tahera will consider including fisheries  
3 enhancement measures within the C1 diversion  
4 channel during the final design.

5 Tahera will refine the water balance model as  
6 process parameters and the site water management  
7 facility designs are completed. The water balance  
8 will consider potential reclaim from the processed  
9 kimberlite containment area and/or the possibility  
10 of releases of excess water from the system prior  
11 to year two.

12 Tahera commits to the following items: Tahera  
13 will collect hydrologic data including climate  
14 data -- oops, I think I am going into a different

15 topic here, pardon me. I would just ask Bob if he  
16 wouldn't mind coming forward and --  
17 So in turn, Tahera also commits to the  
18 following items: Will collect hydrologic data  
19 including climate data, meteorological data and  
20 stream flow data throughout the mine operations  
21 phase; establish an additional stream flow gauging  
22 station on a second controlled lake; and monitor  
23 stream flows during operations at all key locations  
24 within the site.  
25 In terms of air quality, to mitigate or  
26 monitor the impact of emissions to the air from the

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1 Jericho mine, Tahera will water roads and  
2 stockpiles to mitigate fugitive dust, will use the  
3 same grades of diesel fuel used by Ekati and Diavik  
4 to minimize the SO2 emissions, where practical, use  
5 technology appropriate to facility design that will  
6 minimize greenhouse gas emissions, will develop a  
7 PM10 and PM2.5, which is particulate matter,  
8 monitoring program in consultation with  
9 stakeholders, will monitor air quality conditions  
10 in the pit, for example, through the use of  
11 personal CO monitors to ensure Workers'  
12 Compensation Board requirements are met.  
13 And, in addition, Tahera will calibrate and  
14 upgrade the meteorological station at the site to  
15 ensure it is operational and recording wind speed,  
16 wind direction, the standard deviation of wind  
17 direction and temperature. This will provide the  
18 minimum requirements for air quality dispersion  
19 models.  
20 In terms of land treatment, Tahera is pleased  
21 that several intervenors agreed that spray  
22 irrigation is a good treatment option for the  
23 processed kimberlite containment area discharge  
24 should it prove necessary. A more detailed design  
25 will be prepared, including design considerations  
26 that minimize or eliminate erosion as requested for

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1 and committed to during the hearings this week.  
2 The design will be tested at the Jericho site prior  
3 to its full scale application, satisfying requests  
4 made during the hearing.  
5 Several intervenors asked if Tahera had  
6 evaluated treatment processes other than spray  
7 irrigation. Tahera agrees with Department of  
8 Fisheries and Oceans that the use of processed  
9 kimberlite containment area for ammonia removal may  
10 be a valid alternative to spray irrigation and has  
11 proposed to evaluate this treatment process as a  
12 contingency.  
13 Insofar as other alternatives such as  
14 atomization, Tahera indicated that it is very  
15 familiar with this method and that the operational

16 advantages of spray irrigation may be the preferred  
17 option for the Jericho project.

18 Intervenor commented on the need to develop  
19 a proper monitoring program for spray irrigation.  
20 Tahera believes that the conceptual program it has  
21 presented to the Nunavut Impact Review Board  
22 satisfies this requirement for purposes of  
23 evaluating impacts. Tahera and intervenors agreed  
24 that requests for more specific details such as  
25 monitoring specific soil and water constituents  
26 will best be dealt with during the regulatory

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1 phase.

2 Tahera presented a number of measures to  
3 mitigate adverse impacts if they begin to develop  
4 during spray irrigation. In agreement with  
5 requests by some intervenors, as indicated above,  
6 treatment in the processed kimberlite containment  
7 area for ammonia removal has already been proposed  
8 as a contingency if spray irrigation turns out to  
9 be unsuitable, addressing a strong request by  
10 Environment Canada.

11 In summary of land treatment, Tahera believes  
12 that the information presented on spray irrigation  
13 is satisfactory for purposes of evaluating impacts,  
14 that is a good treatment option for the Jericho  
15 project should it be necessary, and that Tahera's  
16 commitments to develop in more detail this  
17 treatment system and the monitoring program as  
18 outlined above and during the hearing meet the  
19 concerns expressed by intervenors.

20 In terms of aquatics, the environmental  
21 assessment of the Jericho Diamond Project has  
22 established that the majority of potential impacts  
23 on the aquatic biota can be mitigated. We have  
24 confidence in this conclusion because appropriate  
25 baseline data were used as a foundation of impact  
26 predictions. The only significant impact will be a

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1 loss of fish and fish habitat in the Long Lake  
2 system.

3 Tahera is committed to undertaking a fish  
4 salvage program in Long Lake as a way to partially  
5 mitigate this impact. For impacts on fish and fish  
6 habitat that cannot be fully mitigated, we are  
7 working closely with the Department of Fisheries  
8 and Oceans to develop a suitable habitat  
9 compensation plan.

10 Tahera understands that if the project is  
11 allowed to proceed, mining activities that could  
12 affect fish and other aquatic animals will need to  
13 be monitored in order to protect the environment.  
14 We are committed to implementing a monitoring  
15 program that can detect potential problems if they  
16 occur so that corrected measures can be taken.

17 Tahera has agreed to collect predevelopment  
18 monitoring data and will include two additional  
19 components into its program, these are  
20 phytoplankton and zooplankton. We also have agreed  
21 to follow many of the guidelines outlined by the  
22 Canadian metal mining environmental effects  
23 monitoring protocol.

24 In terms of wildlife, we have reviewed the  
25 interactions between the Jericho project and  
26 migratory birds, raptors, small mammals, carnivores

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1 and large ungulates, including the Bathurst caribou  
2 herd in the project area and the surrounding  
3 region. Effective mitigation measures are  
4 available and will be applied to ensure that there  
5 will be no significant adverse effects by the  
6 Jericho project on the terrestrial ecosystem,  
7 wildlife habitat or Inuit harvesting activities.

8 The Jericho Diamond Project wildlife  
9 management plan will be developed and implemented  
10 in compliance with the Federal Migratory Birds  
11 Convention Act and the Nunavut Wildlife Act to  
12 minimize the effects of wildlife encounters with  
13 project activities.

14 We have listened to words of the elders and  
15 the public this week. The importance of caribou to  
16 both the Inuit of the Kitikmeot in Nunavut and the  
17 Dene -- and their Dene neighbours in the Northwest  
18 Territories was reinforced. A multistakeholder  
19 monitoring program on the effects of all land uses  
20 on the Bathurst herd caribou range was recommended.  
21 Tahera would participate in such a forum if it  
22 could be both cost effective and improves overall  
23 knowledge on the effects of coexistence of man with  
24 caribou on the Bathurst herd's overall range.

25 In terms of the socioeconomic impacts, Tahera  
26 is very pleased that KIA has tabled with the

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1 Nunavut Impact Review Board the Inuit Impact  
2 Agreement Benefit in principle that the two parties  
3 have recently initialed. Tahera believes that this  
4 agreement will help mitigate any negative  
5 socioeconomic impacts of the project and will  
6 enhance the positive socioeconomic impacts of the  
7 region. The agreement requires that a Tahera  
8 liaison officer and a KIA liaison officer meet  
9 regularly with territorial and federal government  
10 officials. Tahera believes that these meetings  
11 will permit all parties to coordinate and  
12 strengthen their efforts at mitigation.

13 In terms of reclamation, Tahera intends to  
14 follow the mine site reclamation policy for Nunavut  
15 issued by Indian and Northern Affairs Canada.  
16 Tahera intends progressive reclamation such as  
17 waste dump contouring, and it will be undertaken

18 prior to full mine closure.  
19 The abandonment and reclamation plan will  
20 provide for sloping of pit berms, waste piles,  
21 pads, roads and other earthworks so that these  
22 structures are safe for people, wildlife and the  
23 environment. Overburden recovered during mining  
24 will be stockpiled to provide material to create a  
25 thin cover over appropriate structures for the  
26 purpose of natural revegetation.

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1 Tahera intends to work with the Kitikmeot  
2 Inuit Association and Indian and Northern Affairs  
3 Canada to confirm the reclamation cost estimate and  
4 determine the appropriate level of bonding  
5 realistic and relevant to the scale of the Jericho  
6 Diamond Project.

7 In terms of monitoring and water quality in  
8 particular, we believe we have resolved a couple of  
9 issues: Number 1, the suspended sediments from  
10 construction activities will be managed on a best  
11 management practices basis, and number 2, Tahera  
12 has committed to monitor lake winter oxygen levels  
13 prior to mine operation.

14 Unresolved issues related to water quality  
15 monitoring regarding INAC's request that the  
16 processed kimberlite containment area discharge  
17 should be nonchronically toxic at the edge of the  
18 dilution zone, CCME guidelines provide an initial  
19 indication of no effects levels. However, in some  
20 cases, these may be overly protective of the  
21 environment.

22 In the case of cadmium, the CCME guidelines  
23 are so low that they are below normal detection  
24 limits. Therefore, it may be appropriate to use  
25 site specific criteria for some parameters.  
26 Finally, if site specific chronic toxicity levels

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1 are exceeded at the edge of the mixing zone, this  
2 should be a trigger for action and not a violation  
3 of a provision of the project water license.

4 Secondly, any tests for nonchronic toxicity  
5 should be based on local aquatic organisms and,  
6 particularly, fish.

7 Thirdly, use of the open pit for postclosure  
8 treatment is in question. The open pit will be  
9 filled with drainage from the various site  
10 components for approximately 20 years following  
11 closure and will act as a passive treatment system.  
12 Department of Fisheries and Oceans has suggested  
13 that this time frame could be moved forward, which  
14 could negate the use of the pit for treatment.

15 Tahera's position is the company should be  
16 free to base its operation of the pit on closure in  
17 water quality data collected during the operation  
18 with the default being a naturally filling pit and

19 pursuant to acceptable discharge quality, which is  
20 an artificially filled pit. However, should the  
21 water quality meet the applicable standards before  
22 it has completely filled, consideration could be  
23 given at that time to accelerated filling.

24 In terms of revegetation, which is an issue  
25 that we believe is resolved, the Kitikmeot Inuit  
26 Association and Indian and Northern Affairs Canada

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1 has asked for more complete revegetation plans and  
2 for progressive reclamation. Tahera has agreed to  
3 develop more complete revegetation plans using the  
4 EIS reclamation plan as a basis coupled with a  
5 thorough examination of reclamation trials at  
6 Ekati. Reclamation trials at the Jericho site will  
7 be required to confirm if vegetation plans work.  
8 Focus will be on revegetating fine processed  
9 kimberlite once areas become available for trials.

10 Tahera has consistently agreed to progressive  
11 reclamation. All parties acknowledge revegetation  
12 will be problematic in all areas other than the  
13 processed kimberlite containment area and that  
14 boulder fields are a common landscape feature.

15 Tahera will commit to discuss reclamation  
16 with regulators, and recommendations will be  
17 discussed with the joint monitoring committee set  
18 up under the IIBA.

19 In terms of lichen monitoring, Tahera has  
20 committed to monitor lichen and will consider using  
21 the Ekati program as a guide for the type and  
22 intensity of sampling required.

23 In terms of hazardous materials management,  
24 all issues have been resolved. Tahera developed  
25 conceptual plans for the Environmental Impact  
26 Statement and have committed to develop detailed

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1 plans prior to construction and operation in  
2 consultation with mine contractors. Specifically,  
3 ammonium nitrate storage will be addressed and  
4 performance of the land farm will be monitored.  
5 Construction of the land farm will be preceded by  
6 discussions with Ekati to ascertain whether the  
7 design is appropriate for the Jericho Diamond  
8 Project.

9 That was a lot of reading. I also wanted to  
10 address one question that was put to me by one of  
11 the citizens of Gjoa Haven. James had asked me a  
12 question which he didn't -- he wasn't able to fit  
13 in during question time, which was whether Tahera  
14 would allow drugs or alcohol at the Jericho diamond  
15 mine, and, of course, the answer to that is  
16 definitely no. We will have a zero tolerance  
17 policy for any drugs and alcohol at the Jericho  
18 mine site, so I did want to make the Board aware of  
19 that.

20           We believe that the comments that we have  
21 heard here this week have demonstrated that no  
22 significant environmental impacts remain  
23 outstanding that should prevent this project from  
24 entering the permitting phase of the approval  
25 process.

26           We believe that the requirements of Section

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1           12 of the Nunavut Land Claim Agreement, and, in  
2 particular, 12.5.5 have been satisfied.

3           Finally, Tahera Corporation wishes to express  
4 its sincere gratitude to the Board and Staff of the  
5 Nunavut Impact Review Board for their cooperation,  
6 commitment and professionalism in facilitating  
7 these meetings.

8           We would also like to thank the other parties  
9 in attendance this week, your contributions have  
10 been of great value.

11           And finally, Tahera would like to thank the  
12 citizens, and, in particular, the elders of the  
13 communities of Cambridge Bay, Kugluktuk and Gjoa  
14 Haven for their hospitality.

15           We look forward to working with all  
16 stakeholders and we collectively work toward  
17 developing Nunavut's first diamond mine. Koana.

18 CHAIRPERSON:           Thank you very much, Tahera  
19 Corporation.

20 CHAIRPERSON:           The mayor of Gjoa Haven,  
21 did you have any closing remarks?

22 CLOSING REMARKS OF MAYOR OF GJOA HAVEN:

23 MAYOR AKKIKUNGNAQ:     I would like to thank  
24 everyone, to my council, for the efforts that they  
25 have shown for projects such as this that's being  
26 proposed.

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1           We are always grateful to our elders for  
2 their participation at these types of meetings  
3 because we will be here after they are gone, and  
4 what they say to us is going to be very beneficial  
5 to us in the future.

6           And we would also like to thank that we were  
7 well notified well in advance as to when this  
8 meeting was going to take place.

9           Sometimes we hear what we like to hear and  
10 sometimes we don't necessarily do. Our population  
11 has grown to well over a thousand, and we are  
12 looking forward to any types of employment and any  
13 types of economic spin-offs that we might see down  
14 the road.

15           We would like a chance for those too that  
16 don't have as high a level of education as others  
17 do that they be included in the opportunities for  
18 employment as well.

19           In closing, I would like to thank all of you  
20 for being able to have participated and have

21 arrived here in Gjoa Haven.  
22 Thank you, and we will see you down the road.  
23 CHAIRPERSON: Thank you, Mayor Peter  
24 Akkikungnaq.  
25 CHAIRPERSON: Ladies and gentlemen, this  
26 now concludes the Nunavut Impact Review Board's

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1 impact assessment hearing of Tahera's Jericho  
2 project.  
3 This hearing and the hearing record is now  
4 closed. The Board will review the written  
5 submissions, the records, exhibits, transcripts and  
6 make every effort to have the Board's report and  
7 recommendations to the Minister within 30 days.  
8 The procedure for this is set forth in  
9 Section 12.5.6 of the Nunavut Land Claims  
10 Agreement.  
11 The Board would like to thank Tahera for its  
12 indulgence throughout the process. We do take note  
13 that this is the first new mine application to be  
14 filed under the Nunavut Land Claims Agreement.  
15 The Board also thanks the parties for their  
16 patience and accommodation during this week's  
17 heavy -- this week's hearing.  
18 We thank KIA, the Hamlet and Water Board  
19 Staff for their assistance, especially Dionne  
20 Filiatrault. We also thank the elders, cooks, and  
21 citizens of Gjoa Haven. We thank Andrew with PIDO,  
22 our sound man, the Nunavut Impact Review Board  
23 Staff, especially Gladys. We have a never-ending  
24 gratitude to our translators, we thank them again.  
25 We wish you a happy New Year and safe travel  
26 back to your family.

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1 I will now ask Peter Paneak to offer a  
2 closing payer.  
3 (CLOSING PRAYER)  
4 CHAIRPERSON: That was the Anglican  
5 closing prayer, evening prayer.  
6 Before you leave, please leave your headsets  
7 in the back.  
8 (ADJOURNED AT 8:36 P.M.)  
9

10 I, Tara Lutz, Court Reporter, hereby  
11 certify that I attended the above Hearing and took  
12 faithful and accurate shorthand notes and the  
13 foregoing is a true and accurate transcript of my  
14 shorthand notes to the best of my skill and  
15 ability.

16 Dated at the City of Calgary, Province of  
17 Alberta, this 17th day of January, 2004.  
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Tara Lutz  
Court Reporter

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	EXHIBITS	PAGE NUMBER
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3	EXHIBIT NO. 26:	
4	NRCAN SUBMISSION, REPORT BY MacKAY	
5	"ON THE GROWTH OF PERMAFROST BY MEANS	
6	OF LAKE DRAINAGE".....	927:15
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8	EXHIBIT NO. 27:	
9	NRCAN SLIDE PRESENTATION.....	927:26
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12	NTI JANUARY 9TH PRESENTATION .....	1009:22
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14	EXHIBIT NO. 29:	
15	NTI'S THREE PRESENTATIONS ON FLOPPY DISK.	1009:22
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17	EXHIBIT NO. 30:	
18	FOUR-PAGE KIA SUMMARY PRESENTATION IN	
19	GJOA HAVEN.....	1019:24
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21	EXHIBIT NO. 31:	
22	DFO FISH-OUT PROTOCOL .....	1050:19
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24	EXHIBIT NO. 32:	
25	DFO SLIDE PRESENTATION - GJOA HAVEN ....	1050:21
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3	EXHIBIT NO. 33:	
4	DOE CLOSING COMMENTS SUMMARY .....	1052:16
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6	EXHIBIT NO. 34:	
7	DFO GUIDELINES FOR THE USE OF EXPLOSIVES IN OR	
8	NEAR CANADIAN FISHERIES WATERS.....	1052:18
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10	EXHIBIT NO. 35:	
11	CD OF ALL DIAND PRESENTATIONS.....	1064:11
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13	EXHIBIT NO. 36:	
14	GUIDELINES FOR TAILINGS IMPOUNDMENT IN THE	
15	NORTHWEST TERRITORIES .....	1065:8
16		
17	EXHIBIT NO. 37:	
18	A GUIDE TO MANAGEMENT OF TAILING FACILITIES,	
19	SEPTEMBER 1998 PREPARED BY THE MINING	
20	ASSOCIATION OF CANADA.....	1065:11
21		
22	EXHIBIT NO. 38:	

23	TAHERA LIST OF LICENSES, PERMITS AND
24	AUTHORIZATIONS REQUIRED FOR THE JERICHO
25	DIAMOND PROJECT.....1074:11
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