

0910

1 NUNAVUT IMPACT REVIEW BOARD
2 FINAL HEARING CONFERENCE FOR THE JERICO 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

0911

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
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

0912

1	INDEX	
2		PAGE NUMBER
3	OPENING REMARKS AND INTRODUCTIONS.....	914:12
4	PRESENTATION BY TAHERA CORPORATION.....	928:19
5	RESIDENTS QUESTION TAHERA CORPORATION.....	943:1
6	BOARD STAFF QUESTION TAHERA CORPORATION.....	957:3
7	BOARD QUESTIONS TAHERA CORPORATION.....	986:23
8	PRESENTATION BY NTI.....	1002:11
9	TAHERA CORPORATION QUESTIONS NTI:.....	1008:5
10	PRESENTATION BY KIA.....	1010:1
11	TAHERA CORPORATION QUESTIONS KIA.....	1017:8
12	BOARD STAFF QUESTIONS KIA.....	1018:9
13	PRESENTATION BY GOVERNMENT OF NUNAVUT.....	1020:4
14	TAHERA CORPORATION QUESTIONS GOVERNMENT OF	
15	NUNAVUT	1023:26
16	KIA QUESTIONS GOVERNMENT OF NUNAVUT.....	1024:17
17	BOARD STAFF QUESTIONS GOVERNMENT OF	
18	NUNAVUT.....	1027:2
19	BOARD QUESTIONS GOVERNMENT OF NUNAVUT.....	1029:2
20	PRESENTATION BY DEPARTMENT OF FISHERIES AND	
21	OCEANS	1029:22
22	BOARD STAFF QUESTION DEPARTMENT OF FISHERIES AND	
23	OCEANS.....	1044:9
24	BOARD QUESTIONS DEPARTMENT OF FISHERIES AND	
25	OCEANS	1047:15
26		

0913

1	INDEX CONTINUED	
2		
3	PRESENTATION BY INDIAN AND NORTHERN	
4	AFFAIRS.....	1053:17
5	NTI QUESTIONS INDIAN AND NORTHERN AFFAIRS...	1065:23
6	KIA QUESTIONS INDIAN AND NORTHERN AFFAIRS...	1067:18
7	BOARD STAFF QUESTIONS INDIAN AND NORTHERN	
8	AFFAIRS	1072:6
9	PRESENTATION BY NATURAL RESOURCES CANADA...	1074:18
10	TAHERA CORPORATION QUESTIONS NATURAL RESOURCES	
11	CANADA.....	1078:26
12	HAMLET OF GJOA HAVEN QUESTIONS TAHERA	
13	CORPORATION.....	1081:10
14	RESIDENTS QUESTION TAHERA CORPORATION.....	1085:14
15	CLOSING REMARKS OF THE KIA.....	1089:22
16	CLOSING REMARKS OF NTI.....	1092:18
17	CLOSING REMARKS OF GOVERNMENT OF NUNAVUT....	1094:6
18	CLOSING REMARKS OF INDIAN AND NORTHERN	
19	AFFAIRS.....	1095:3
20	CLOSING REMARKS BY DEPARTMENT OF FISHERIES AND	
21	OCEANS.....	1098:14
22	CLOSING REMARKS BY NATURAL RESOURCES	
23	CANADA.....	1103:15
24	CLOSING REMARKS BY TAHERA CORPORATION.....	1104:14
25	CLOSING REMARKS OF MAYOR OF GJOA HAVEN.....	1121:22
26	ADJOURNMENT.....	1125:8

0914

1	REPORTER'S CERTIFICATE.....	1125:9
---	-----------------------------	--------

2 EXHIBITS..... 1126:1
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

0915

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

0916

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
23 of 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

0917

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;

0918

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

0919

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

0920

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

0921

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

0922

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

0923

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

0924

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

0925

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 Intervenor 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

0926

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

0927

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

0928

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. TILLEMAN: 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. TILLEMAN: 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:

0929

1 NRCan SLIDE PRESENTATION
2 MR. TILLEMAN: 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. TILLEMAN: 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.

0930

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

0931

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

0932

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

0933

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

0934

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 area.

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

0935

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.

0936

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

0937

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.

0938

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,

0939

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

0940

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

0941

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

0942

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

0943

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.

0944

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?

0945

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

0946

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

0947

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.

0948

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

0949

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

0950

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

0951

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

0952

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

0953

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

0954

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,

0955

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

0956

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.)

0957

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

0958

1 Tahera from Nunavut Impact Review Board Staff?
2 Bill?
3 BOARD STAFF QUESTION TAHERA CORPORATION:
4 MR. TILLEMANN: 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

0959

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

0960

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.

0961

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.

0962

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.

0963

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

0964

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,

0965

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

0966

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.

0967

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.

0968

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

0969

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.

0970

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

0971

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

0972

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

0973

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

0974

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.

0975

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

0976

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

0977

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

0978

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

0979

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

0980

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

0981

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.

0982

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.

0983

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

0984

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

0985

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

0986

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

0987

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.

0988

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"?

0989

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?

0990

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.

0991

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

0992

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.

0993

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,

0994

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.

0995

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

0996

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.

0997

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

0998

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

0999

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.

1000

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.

1001

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

1002

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.)

1003

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,

1004

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

1005

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

1006

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

1007

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

1008

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

1009

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.

1010

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.

1011

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.

1012

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

1013

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

1014

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.

1015

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

1016

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

1017

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.

1018

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?

1019

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

1020

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

1021

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

1022

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

1023

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

1024

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:

1025

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

1026

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?

1027

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

1028

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

1029

1 the question.
2 MR. TILLEMANN: 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

1030

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

1031

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

1032

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

1033

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

1034

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

1035

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

1036

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.

1037

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

1038

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.

1039

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

1040

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

1041

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

1042

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

1043

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.

1044

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.

1045

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

1046

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

1047

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

1048

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?

1049

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

1050

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?

1051

1 I'm asking again, the elders, any questions to DFO?
2 Thank you. Bill?
3 MR. TILLEMANN: 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

1052

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. TILLEMANN: 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

1053

1 Near Canadian Fisheries Waters."
2 MR. TILLEMAN: 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. TILLEMAN: 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. TILLEMAN: Just a number of

1054

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.

1055

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

1056

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.

1057

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.

1058

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

1059

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.

1060

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.

1061

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

1062

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,

1063

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

1064

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

1065

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. TILLEMAN: 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

1066

1 prepared by the Mining Association of Canada.
2 CHAIRPERSON: Any objections? Any
3 objections from other parties? Bill?
4 MR. TILLEMAN: 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

1067

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

1068

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,

1069

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

1070

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

1071

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

1072

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

1073

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

1074

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. TILLEMANN: 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

1075

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 JERICO
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

1076

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

1077

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

1078

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

1079

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

1080

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

1081

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

1082

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

1083

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

1084

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

1085

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

1086

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?

1087

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

1088

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

1089

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

1090

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.

1091

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

1092

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

1093

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.

1094

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

1095

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.

1096

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.

1097

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

1098

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

1099

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

1100

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

1101

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

1102

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

1103

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.

1104

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

1105

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

1106

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

1107

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

1108

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

1109

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

1110

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

1111

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

1112

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

1113

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

1114

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

1115

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

1116

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

1117

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.

1118

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

1119

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

1120

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

1121

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

1122

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.

1123

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

1124

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.

1125

1 I will now ask Peter Paneak to offer a
2 closing prayer.
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.
18
19
20
21

22
23
24
25
26

Tara Lutz
Court Reporter

1126

1	EXHIBITS	
2		PAGE NUMBER
3	EXHIBIT NO. 26:	
4	NRCAN SUBMISSION, REPORT BY MacKAY	
5	"ON THE GROWTH OF PERMAFROST BY MEANS	
6	OF LAKE DRAINAGE".....	927:15
7		
8	EXHIBIT NO. 27:	
9	NRCAN SLIDE PRESENTATION.....	927:26
10		
11	EXHIBIT NO. 28:	
12	NTI JANUARY 9TH PRESENTATION	1009:22
13		
14	EXHIBIT NO. 29:	
15	NTI'S THREE PRESENTATIONS ON FLOPPY DISK.....	1009:22
16		
17	EXHIBIT NO. 30:	
18	FOUR-PAGE KIA SUMMARY PRESENTATION IN	
19	GJOA HAVEN.....	1019:24
20		
21	EXHIBIT NO. 31:	
22	DFO FISH-OUT PROTOCOL	1050:19
23		
24	EXHIBIT NO. 32:	
25	DFO SLIDE PRESENTATION - GJOA HAVEN	1050:21
26		

1127

1	EXHIBITS CONTINUED	
2		
3	EXHIBIT NO. 33:	
4	DOE CLOSING COMMENTS SUMMARY	1052:16
5		
6	EXHIBIT NO. 34:	
7	DFO GUIDELINES FOR THE USE OF EXPLOSIVES IN OR	
8	NEAR CANADIAN FISHERIES WATERS.....	1052:18
9		
10	EXHIBIT NO. 35:	
11	CD OF ALL DIAND PRESENTATIONS.....	1064:11
12		
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
26	