



**NIRB File No.: 00MN059**

*Related to NIRB File No. 16UN058*

*NWB File No.: 2AM-JER-1119*

*CIRNAC File No.: IQA-N 5510-5-10*

*Related to DFO File No.: NU-00-0068*

March 10, 2023

Shear Diamonds (Nunavut) Corporation

*Sent via email: [info@sheardiamonds.com](mailto:info@sheardiamonds.com)*

**Re: The Nunavut Impact Review Board's 2021-2022 Annual Monitoring Report for the Jericho Diamond Mine Project and Board's Recommendations**

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Dear Shear Diamonds (Nunavut) Corporation:

The Nunavut Impact Review Board (NIRB or Board) is hereby releasing its *2021-2022 Annual Monitoring Report for the Jericho Diamond Mine Project* (NIRB File No. 00MN059; Monitoring Report) and the NIRB's Assessment of Shear Diamonds (Nunavut) Corporation's Compliance Status with the Jericho Diamond Mine Project Certificate No. 002. The enclosed Monitoring Report is based on the NIRB's monitoring activities as set out within the Jericho Diamond Mine Project Certificate No. 002 and pursuant to Sections 12.7.1 and 12.7.2 of the *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada (Nunavut Agreement)*. This report provides findings that resulted from monitoring the Jericho Diamond Mine Project (Jericho or the Project) that took place from October 2021 to September 2022.

All materials pertaining to the NIRB's ongoing Monitoring Program for the Jericho Project can be accessed from the NIRB's online Public Registry at [www.nirb.ca/projects/123035](http://www.nirb.ca/projects/123035).

By way of a motion carried out during its regular meeting held in February 2023, the Board has issued the following recommendation to assist Shear Diamonds (Nunavut) Corporation (Shear or the Proponent) in achieving compliance with the Jericho Project Certificate. These recommendations ensure that the NIRB has all the information necessary to adequately discharge its mandate with respect to provisions within Section 12.7 of the *Nunavut Agreement* as they pertain to the Jericho Diamond Mine Project.

## **Non-compliance with Project Certificate No. 002 and Outstanding Reports**

Since Shear's purchase of the site in 2010 the NIRB has not received any of the required reports and, despite the Board's recommendations to Shear since 2011, no additional information has been received to date.

Since the proposal approval and undertaking of Crown-Indigenous Relations and Northern Affairs Canada's stabilization works under NIRB File No. 16UN058, the NIRB has not received a plan of action from Shear to remedy its non-compliance to the Project Certificate No. 002 Terms and Conditions and the Post-Environmental Monitoring Program established for the Jericho Diamonds Mine Project (Appendix D).

**Recommendation 1:** The Board requires the Proponent (Shear Diamonds (Nunavut) Corp.) to provide a proposed plan of action to remedy the overall non-compliance with the Project Certificate No. 002 (including the Post-Environmental Management Program) issued for the Jericho Diamond Project Proposal.

The plan of action regarding the outstanding reports should be provided within 90 days of issuance of this letter and the plan will provide a timeline for the submission of the outstanding 2010 through 2022 Annual Reports, quarterly reports, and wildlife monitoring data as appropriate.

## **Jericho Diamond Project Proposal on Inuit-Owned Land**

The Jericho Diamond Project Proposal is located on both Inuit-Owned and Crown Land. Most of the stabilization works completed by Crown-Indigenous Relations and Northern Affairs Canada related to site water management, tailing storage facilities, fuel and hazardous waste storage, and waste management were completed on Crown land.

The Board made recommendations in 2018 and 2019 for information regarding the waste rock piles from the KIA, and through verbal communication, it was noted that an update would be provided; however, a response was not received. In 2021 the Board again requested information from the Kitikmeot Inuit Association regarding their long-term plans for dismantling/reclaiming/remediating site infrastructure (e.g., roads, buildings, waste rock piles) and restoring the area to natural conditions, with a discussion on any monitoring expected to occur following the completion of site reclamation.

The Board acknowledges the cost of stabilization or reclamation of the portion of the site on Inuit-Owned Land; however, there is significant uncertainty around monitoring and managing annual water movement and potential risk around seeps and contact water from the waste rock piles. Further, the Grays Bay Port and Road Project Proposal put forth by the Kitikmeot Inuit Association was terminated in February 2022 which leaves the long-term plans and stabilization activities regarding the existing site infrastructure and the waste rock piles on Inuit Owned Land remaining uncertain.

**Recommendation 2:** The Board requests that the Kitikmeot Inuit Association provide an update on their site stabilization activities including monitoring of the waste rock pile, waste rock seeps, and contact water by April 30, 2023.

The Board respectfully requests that for items requiring follow-up action by Shear that a response be provided within the timeline as requested for each of the recommendations.

Should you have any questions or require further clarification regarding this request or related to the NIRB's monitoring program for the Jericho Diamond Mine Project, please contact the undersigned at (867) 983-4619 or [kgillard@nirb.ca](mailto:kgillard@nirb.ca).

Sincerely,



Kelli Gillard PAg, CTAJ  
Manager, Project Monitoring  
Nunavut Impact Review Board

cc. Charlotte Lamontagne, Contaminated Sites Program, Crown-Indigenous Relations and Northern Affairs Canada  
Mark Yetman, Contaminated Sites Program, Crown-Indigenous Relations and Northern Affairs Canada  
Robert Greenley, Kitikmeot Inuit Association  
Wynter Kuliktana, Kitikmeot Inuit Association  
Jericho Distribution List

Enclosure: The Nunavut Impact Review Board's *2021-2022 Annual Monitoring Report for the Jericho Diamond Mine Project*