



Fisheries and Oceans
Canada

Fish Habitat Management
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Pêches et Océans
Canada

Gestion de l'Habitat du Poisson
Suite 101 5204, 50e Avenue
Yellowknife (Territoires du Nord-Ouest)
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Your file *Votre référence*

Our file *Notre référence*
EA0506-008

May 6th, 2011

Mr. Alan Ehrlich
Panel Manager
Gahcho Kue Environmental Impact Review Panel
Box 938, 5102-50th Avenue
Yellowknife, NT
X1A 2N7

Via E-mail to:
aehrich@reviewboard.ca

Dear Mr. Ehrlich:

RE: DFO Comments on the Draft Work plan for Gahcho Kue Environmental Impact Review Panel

Fisheries and Oceans Canada (DFO) would like to provide the following comments to the Gahcho Kue Panel (Panel) on the draft Work Plan for the Environmental Impact Review (EIR) of the DeBeers Canada Inc. Gahcho Kue Diamond Mine project.

Based on the information provided to date by the proponent, DFO has determined that we will have regulatory responsibilities as it relates to the project and will have to consider the issuance of Authorizations under the *Fisheries Act* as part of this EIR. DFO will be providing expert advice to the Panel on matters concerning potential impacts to fish and fish habitat as well as relying on the information and evidence obtained during the panel review to inform our decision regarding Authorizations.

DFO would like to recommend that the Panel, as part of this work plan, consider using a similar approach to the one developed by the Major Project Management Office (MPMO) where milestones are based on reasonable service standards (e.g. IRs due 90 days after conformity of EIS). For each step in the process, the service standards should be based on the completion of previous steps, for example, timelines for the submission of technical reports should not occur until the Information Request stage has been deemed complete.

DFO also recommends that the work plan not include deadlines for proponent submissions. We feel that the process should provide flexibility for the proponent to respond to Panel or other parties' requests in timeframes they feel appropriate. It would be the responsibility of the proponent to advise the Panel and parties when they feel they will be in a position to submit the required information.

DFO appreciates the opportunity to review and provide comments on the draft work plan. If you have any questions, please feel free to contact Sarah Olivier at (867) 669-4919, by fax (867)669-4949, or email Sarah.Olivier@dfo-mpo.gc.ca.

Sincerely,

A handwritten signature in black ink, appearing to read 'B. Ross', with a long horizontal flourish extending to the right.

Beverley Ross
Regional Manager, Environmental Assessment for Major Projects
Central and Arctic Region
Fisheries and Oceans Canada

cc Tom Hoggarth, Fisheries and Oceans Canada
Larry Dow, Fisheries and Oceans Canada