



Transport
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July 11, 2007

Martin Haefele
Environmental Assessment Officer
Mackenzie Valley Environmental Impact Review Board
P.O. Box 938, 5105 - 50th Avenue
Yellowknife, NT X1A 2N7

Dear Mr. Haefele:

Subject: Transport Canada comments on the draft EIS Terms of Reference and the EIR Work Plan for the proposed Gahcho Kué diamond mine project

Transport Canada – Environmental Affairs has reviewed the draft Terms of Reference (ToR) for the Environmental Impact Statement (EIS) and the draft work plan for the Environmental Impact Review (EIR) of the proposed DeBeers Canada Gahcho Kué diamond mine project. Transport Canada is a likely Responsible Minister for this project under the Mackenzie Valley Resource Management Act (MVRMA) with respect to our regulatory role under the Navigable Waters Protection Act (NWPA) and thus offers the following comments.

Terms of Reference (ToR) for the Environmental Impact Statement (EIS)
Section 3 – General Information Requirements

A complete description of the regulatory permits, licences and authorizations associated with the proposed development should be included within this section.

Section 3.1.3 – The ToR states that a detailed description of the existing environment is required and should contain sufficient detail for the parties to assess the potential and cumulative impacts from the proposed development. The MVEIRB should include specific guidance requirements for describing the existing environment.

The ToR encourages the developer to contact individual parties to the EIR directly to inquire about specific information requirements, however the ToR does not state what specific information needs are required. As an example, the MVEIRB should advise the proponent and/or its consultants to contact the regulatory departments to identify valued components, necessary information requirements, acceptable methods of documenting this information and the need to report any design changes should they occur. Regulatory departments could also provide specialist advice to the proponent in regard to specific project components. The MVEIRB should then require the proponent and/or its consultants to document these discussions involving regulatory departments, in an effort to identify what information was conveyed and provide an update onto the MVEIRB Internet registry.



Draft work plan for the Environmental Impact Review (EIR)

Technical Sessions - the appropriate technical experts should be identified in advance, to ensure that they are notified as to their availability and to make sure of their participation at the technical sessions.

Transport Canada – Environmental Affairs will look forward to participating in the environmental impact review of this project in co-operation with the Mackenzie Valley Environmental Impact Review Board (MVEIRB). Should you have any questions or require additional information pertaining to these comments, I can be contacted via email at cowanj@tc.gc.ca or by telephone at 204-983-1139.

Regards,

John R. Cowan
Environmental Officer – Prairie and Northern Region