



Fisheries  
and Oceans

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July 10, 2007

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

**RE: DFO comments on the draft EIR Work Plan and the draft EIS Terms of Reference for the Gahcho Kué diamond mine project (MVEIRB EIR #0607-001)**

Dear Mr. Haefele:

As requested, Fisheries and Oceans Canada (DFO) has reviewed the draft Terms of Reference 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.

With respect to the proposed Work Plan for the EIR, DFO has no concerns; therefore the following comments pertain strictly to the Terms of Reference for the proposed EIS

**General comments**

If the Bathurst Inlet Port and Road proposal (BIPAR) is being considered as a potential access route to the Gahcho Kué diamond mine, then a discussion of the impacts of this route option should be included in the relevant sections of the EIS.

**Specific Comments**

*Section 3* - This section would benefit from a complete description of the regulatory requirements associated with the proposed development.

*Section 3.1.2 – Development Description* - Alternative mine designs should be presented here, and should include a discussion of why the alternative designs are not suitable for this project. In addition, this section should include a discussion of alternatives for re-filling Kennady Lake following the completion of mining activities.

*Section 4.4 – Long Term Biophysical Effects & Closure and Reclamation* - The last sentence should include the requirement for a detailed contingency plan should the pits partially backfilled with waste rock and processed kimberlite not provide adequate water quality to ensure a healthy aquatic ecosystem.

*Section 5.13 – Aboriginal Rights and the Interconnectedness of Issues* – DFO and the other government agencies party to the EIR have identified a number of concerns with this section. For a complete discussion of these concerns and suggestions for possible rewording, please refer to the “Comments on the draft Work Plan and draft Environmental Impact Review Statement Terms of Reference for Gahcho Kué Environmental Impact Review” submitted to the MVEIRB by INAC.

DFO looks forward to participating in the environmental impact review of this project in co-operation with MVEIRB, the proponent and all other stakeholders. If you have any questions or comments with regards to any of the aforementioned issues, please do not hesitate to contact me at (867) 669-4919 or by email at PechterE@dfo-mpo.gc.ca.

Sincerely,

Beth Pechter  
Environmental Assessment Analyst for Major Projects  
Fisheries and Oceans Canada  
Western Arctic Area

cc: Sheena Majewski, Habitat Management Biologist, DFO  
Lorraine Seale, Indian and Northern Affairs Canada  
John Cowan, Transport Canada  
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Savanna Levenson, Environment Canada  
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