



NIRB File No.: 12MN036

April 28, 2017

To: Back River Distribution List

Sent via email

Re: Draft Agenda for the upcoming Final Hearing for the NIRB's Review of Sabina Gold & Silver Corp.'s Back River Gold Mine Project Proposal

Dear Parties,

On March 27, 2017 the Nunavut Impact Review Board (NIRB or Board) provided formal notice that the supplemental Final Hearing for its Review of Sabina Gold & Silver Corp.'s (Sabina or the Proponent) proposed Back River Gold Mine Project (Back River Project, NIRB File No. 12MN036) would be held in Cambridge Bay from May 31-June 3, 2017. The upcoming Final Hearing will be focused to provide a public forum for discussion of technical and public issues of concern with respect to the five main ecosystemic issues identified in the Responsible Minister's referral of the Back River Project back to the NIRB for further assessment, as well as other matters considered relevant to the NIRB's assessment of the Back River Gold Mine project proposal. Discussions during the supplemental Final Hearing are anticipated to assist the NIRB with identifying issues to be addressed in a revised Final Report to the Responsible Minister(s) for this assessment.

The NIRB has attached a *Draft* Hearing Agenda for the information of parties (see **Appendix A**), and hereby invites comments from interested parties regarding the ordering of specific topics and appearance of intervenors, as well as the time currently allotted to agenda items, including intervenor's presentations. Comments on the draft agenda may be submitted directly to the NIRB at info@nirb.ca or by fax at (867) 983-2594; comments will be accepted until **May 8, 2017**.

FINAL HEARING: MAY 31-JUNE 3, 2017

NOTE: All attendees at the Final Hearing are advised that any times given in the attached *Draft* Final Hearing Agenda are approximate and the order of presenters and time given for presentations are subject to change at the Moderator's discretion during the Hearing. **Consequently, the participants are advised to ensure their travel and other logistical arrangements are sufficiently flexible to accommodate modifications to the proposed timing and order of presenters throughout the Final Hearing.**

Technical Sessions: May 31-June 1, 2017

The objective of the technical session's portion of the agenda is to facilitate presentations and questioning by technical experts regarding the conclusions of the Proponent's Final Environmental Impact Statement (FEIS) and additional information presented in the Proponent's Final Environmental Impact Statement Addendum (FEIS Addendum), with additional focus on the unresolved concerns raised within parties' final written submissions to the NIRB. Prior to the technical presentations by Intervenor, the Proponent is scheduled to present an overview of its project proposal, followed by a presentation on the five main ecosystemic issues noted above, updates to conclusions regarding potential impacts and required mitigation identified in its FEIS and FEIS Addendum, as well as its responses to parties' technical review comments. Intervenor and the Board Members will be permitted to ask questions at suitable points throughout this portion of the agenda.

The NIRB requests that the Proponent's presentations be organized by thematic FEIS/FEIS Addendum volume to assist with the tracking of issues.

Intervenor participating during the technical session portion of the agenda are advised that each Intervenor with status at the Hearing will be granted 30 minutes with which to present evidence to the Board. Additional time will be allotted for the questioning of each Intervenor at the conclusion of each presentation. Intervenor are requested to also structure their presentations to follow the thematic volumes of the FEIS and FEIS Addendum, providing a brief synopsis of significant issues resolved through the preceding technical review and identification of those issues remaining unresolved (with accompanying recommendations) as raised within their final written submissions to the NIRB.

Intervenor may request additional time to present evidence during the Hearing by requesting the allocation of additional time when commenting on the Draft Hearing Agenda. The Board directs that Intervenor's requests for additional time to present evidence to the Board be submitted to the NIRB at info@nirb.ca, no later than **May 8, 2017**. The granting of additional time is at the discretion of the Board.

With respect to the format for technical presentations, the NIRB requests that parties structure their presentations as follows:

1. Provide a brief description of Intervenor mandate and relevant legislation, policies, guidelines, etc.
2. Address the major project components as relevant to your intervention:
 - a. Goose Property and Mine Sites,
 - b. Winter Road,
 - c. Marine Laydown Area.
3. Present issues in a manner that parallels parties' final written submissions and is in keeping with the intent and general format of the NIRB's April 30, 2013 EIS Guidelines (noting that where no issue exists, that specific component and/or Guideline need not be included in the presentation):
 - a. Baseline,

- b. Methodologies,
 - c. Ecosystemic & Socio-Economic Effects,
 - d. Cumulative effects,
 - e. Transboundary effects, and
 - f. Monitoring & Mitigation Measures.
4. Discuss specific issues that pertain to the Intervenor.
5. Provide a listing of summary recommendations for the Board's consideration.

The Board reminds parties that presentation topics should focus on the five main ecosystemic issues identified by the Responsible Ministers in their referral of the Back River Project proposal back to the NIRB for further assessment. However, where relevant, the Board acknowledges that associated topics may also enter discussions, which have value for the Board to consider during Final Hearing proceedings. Following each technical presentation, the Proponent, other Intervenor, and the NIRB will be given an opportunity to question and cross-examine the presenter(s) and the evidence provided. **Parties are advised to ensure that personnel with the necessary expertise to answer any questions arising during the technical sessions are readily available throughout the Final Hearing.**

Community Roundtable Sessions: June 2-3, 2017

Given the importance placed on ensuring public input for the Board's Review process, the NIRB has invited five (5) representatives from each of the potentially affected communities in the Kitikmeot region, as well as representatives from each of the potentially affected communities in the Northwest Territories to participate in the Community Roundtable Session portion of the Final Hearing. The Board requires that each of the Intervenor ensure sufficient technical expertise is available for both the technical meetings AND the Community Roundtable Session. All parties are advised that the Community Roundtable Session is not only an opportunity for members of the potentially affected communities to ask questions of the Proponent about the proposed project, but also presents an opportunity for community members to engage with and ask questions of all the Intervenor participating in the Hearing. The Board notes that the full participation of the Proponent and all Intervenor is vital to meeting the objectives of the Community Roundtable Sessions, and the session is considered by the NIRB to be an essential component in the Board's further assessment of the proposed Back River Gold Mine project.

The Proponent and Intervenor will be expected to deliver a series of summary presentations specific to each of the five ecosystemic topics being focussed on through the Final Hearing, highlighting the conclusions regarding potential impacts and required mitigation identified in its FEIS and FEIS Addendum. Intervenor are advised to also deliver plain language summary presentations during the Community Roundtable Sessions, highlight the mandate and jurisdiction of their respective organization or agency, to assist community representatives and the general public with accurately directing their questions and comments to the appropriate party. Each of these presentations should be no longer than 20 minutes in length. Following each presentation, community members (including members of the general public in attendance) will have an opportunity to question the Proponent and other Intervenor based on the information and evidence presented.

Hearing Agenda & Attendance

The NIRB will consider comments and suggested revisions to the Draft Agenda prior to finalizing the Hearing Agenda. The NIRB will endeavor to provide a finalized Agenda for the information of all parties on or before **May 12, 2017**.

Parties are advised that each intervenor will be limited to one (1) seat at the table during the technical session of the Final Hearing for the purposes of questioning other intervenors and the Proponent. A separate table will be provided for individuals presenting evidence to the Board during technical presentations. Likewise, parties will be asked to be seated in the audience during the community roundtable sessions and agencies addressing questions from the public will be requested to move forward to speak at a microphone as required.

Presentations

Parties are advised that all presentation materials are to be provided in English, Inuinnaqtun, Inuktitut, and French if possible. Parties are further reminded that presentations will serve as formal exhibits to the Hearing proceedings, and that filing of additional materials at the Final Hearing will be undertaken on an as-needed basis. The NIRB asks that all parties endeavor to provide sufficient printed copies of their presentation materials for the technical sessions and community roundtable portions of the Hearing, including translated versions, noting that up to 100 copies each of English, Inuinnaqtun and Inuktitut may be required.

The NIRB requests that all parties submit their technical presentations and plain language summary presentations for the upcoming Hearing via email to info@nirb.ca, on or before **May 26, 2017**. We appreciate the efforts of parties to provide presentation materials as requested, as the NIRB will utilize these materials to prepare comprehensive information packages for community roundtable participants in advance of the Hearing.

Summary of Important Dates

The following is a summary of important dates and the NIRB requests that parties notify the NIRB at info@nirb.ca regarding the following:

May 8, 2017	Parties provide comments to the NIRB regarding <i>Draft</i> Agenda, timing, and format of presentations
May 12, 2017	NIRB to release Final Hearing Agenda
May 26, 2017	Parties provide presentations (English, Inuinnaqtun, Inuktitut, and French) and plain language summaries electronically to the NIRB

In closing, the NIRB appreciates the efforts of all parties in preparation for the upcoming Final Hearing and looks forward to continuing constructive discussions with all parties at the Final Hearing for the Review of the Back River Gold Mine project proposal.

Should you have any questions or require clarification regarding the next steps in the Board's Review of the proposed Back River Gold Mine Project, please contact Davin St. Pierre, Technical Advisor II, at (867) 983-4615 or dstpierre@nirb.ca.

Sincerely,

A handwritten signature in cursive script, reading "Tara Arko", is displayed within a light gray rectangular box.

Tara Arko
Director, Technical Services
Nunavut Impact Review Board

cc: Matthew Pickard, Sabina Gold & Silver Corp.

Attached: Appendix A: *Draft* Hearing Agenda (NIRB File No. 12MN036)

APPENDIX A: DRAFT BACK RIVER FINAL HEARING AGENDA

- NIRB File No.:** 12MN036 – Back River Gold Mine project
Proponent: Sabina Gold & Silver Corporation
Location: Luke Novoligak Community Hall, Cambridge Bay, NU
Dates: May 31-June 3, 2017
- Times:** **All times given are approximate. The order of presenters and time given for presentations are subject to change at the Chairperson's discretion during the Hearing:**
Technical Sessions: 9:00 am – 5:00 pm
Community Roundtable Sessions: 9:00 am – 5:00 pm
Evening Sessions: 6:30 pm – 9:00 pm
- Note (1):** Witnesses appearing on behalf of registered Intervenor will be sworn in/affirmed and exhibits will be marked in advance of testimony being given. Panels of witnesses may be used for the presentation of evidence.
- Note (2):** All testimony will be recorded and transcribed by the Board, and may also be recorded by the media.

Wednesday May 31, 2017 – Day 1

General Opening

1. Opening Remarks by the Chairperson with introductions, overview of procedural history, structure of proceedings, etc. (30 minutes)
2. Identification of motions or objections
3. Welcoming Remarks by the Mayor of Cambridge Bay (15 minutes)

Technical session

4. Swearing in/affirmation of Proponent's witnesses and marking of exhibits
5. Presentations by the Proponent - Note: time for questions by Board Members and Intervenor will be provided following presentations:
 - i. Introduction & Overview (45 minutes)
 - ii. Public Participation and Engagement (30 minutes)
 - iii. Atmospheric Environment (30 minutes)
 - iv. Terrestrial Environment (30 minutes)
 - v. Freshwater Environment (30 minutes)
 - vi. Marine Environment (30 minutes)
 - vii. Socio-Economics (30 minutes)
 - viii. Human Health (30 minutes)
 - ix. Accidents and Malfunctions (30 minutes)

Close of Day 1

Thursday June 1, 2017 – Day 2 (includes scheduled evening session)

Technical session

6. Opening Remarks by the Chairperson
7. Presentations from registered Intervenors – Note: witnesses appearing on behalf of registered Intervenors will be sworn in/affirmed and exhibits will be marked in advance of testimony being given. Unless otherwise indicated, each Intervenor has been allotted 30 minutes for their presentations. Following each Intervenor's presentation there will be time for questions by Board Members, other Intervenors and the Proponent.
 - i. Kitikmeot Inuit Association
 - ii. Government of Nunavut
 - iii. Environment and Climate Change Canada
 - iv. Fisheries and Oceans Canada
 - v. Indigenous and Northern Affairs Canada
 - vi. Natural Resources Canada
 - vii. Transport Canada
 - viii. Burnside Hunters and Trappers Organization
 - ix. Government of the Northwest Territories
 - x. Łutsel K'e Dene First Nation
 - xi. North Slave Métis Alliance

Close of Day 2

Friday June 2, 2017 – Day 3 (includes scheduled evening session)

Community Roundtable Session

8. Opening Remarks by the Chairperson
9. Summary presentation by the Proponent – **Introduction and Overview** (45 minutes)
10. Summary presentation by the Proponent – **Goose site** (30 minutes)
11. Questioning of the Proponent and Intervenors by community representatives
12. Presentations by members of the public who have advised the Chairperson that they wish to speak on this topic
13. Summary presentation by the Proponent – **Marine Laydown Area and marine shipping** (30 minutes)
14. Questioning of the Proponent and Intervenors by community representatives
15. Presentations by members of the public who have advised the Chairperson that they wish to speak on this topic
16. Summary presentation by the Proponent – **Winter Road** (30 minutes)
17. Questioning of the Proponent and Intervenors by community representatives

18. Presentations by members of the public who have advised the Chairperson that they wish to speak on this topic
19. Summary presentation by the Proponent – **Caribou Management and Transboundary Impacts** (30 minutes)
20. Questioning of the Proponent and Intervenors by community representatives
21. Presentations by members of the public who have advised the Chairperson that they wish to speak on this topic
22. Presentations by Intervenors. Note: following each Intervenor's presentation there will be time for questions by community representatives and members of the public. Each Intervenor has been allotted 20 minutes for their presentations, unless otherwise indicated:
 - i. Kitikmeot Inuit Association
 - ii. Government of Nunavut
 - iii. Environment and Climate Change Canada
 - iv. Fisheries and Oceans Canada
 - v. Indigenous and Northern Affairs Canada
 - vi. Natural Resources Canada
 - vii. Transport Canada

Close of Day 3

Saturday June 3, 2017 – Day 4

Community Roundtable Session (continued from day 3)

23. Opening Remarks by the Chairperson
24. Presentations by Intervenors – *continued*
 - viii. Burnside Hunters and Trappers Organization
 - ix. Government of the Northwest Territories
 - x. Łutsel K'e Dene First Nation
 - xi. North Slave Métis Alliance
25. Conclusion of Community Roundtable Session - Questioning of the Proponent or Intervenors by community members
26. Presentations by members of the public who have advised the Chairperson that they wish to speak on this topic
27. Closing Remarks – community members
28. Closing Remarks – Proponent and Intervenors

Close of Day 4 - note: while the agenda has been set to close the Hearing following the conclusion of the afternoon session on Day 4, parties are advised that the agenda may be subject to change and that the Hearing may extend into the evening if required.