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NUNAVUT WATER BOARD
NUNAVUT IMALIRIYIN KATIMAYINGI
OFFICE DES EAUX DU NUNAVUT

NWB File No: 2AM-DOH1323/
Amendment No.1

February 7, 2014

Catharine Farrow, CEO and Director
TMAC Resources Inc.
Suite 901 – 732 Bay Street
Toronto, Ontario M5H 2W9
Email: catharine.farrow@tmacresources.com

Re: Licence No. 2AM-DOH1323; Amendment (No. 1) Application by TMAC Resources Inc., for the Doris North Project

Dear Ms. Farrow:

The Nunavut Water Board (“NWB”) acknowledged receipt, on December 11, 2013, of the Type “A” Water Licence amendment application and supporting documentation submitted on December 3, 2013 by TMAC Resources Inc. (the Applicant or TMAC) for the Doris North Project (Project), Licence No. 2AM-DOH1323.

Your submission has been placed in the Board’s public registry and is available through the NWB’s ftp site, using the following (Username: **public**; Password: **registry**):

<ftp://nunavutwaterboard.org/1%20PRUC/2%20MINING%20MILLING/2A/2AM%20-%20Mining/2AM-DOH1323%20TMAC/1%20APPLICATION/2013%20Amendment/>

A list of the documents that the NWB received as part of the submission is included in Appendix A, which is attached to this letter.

The NWB’s initial review of your submission has determined that your Application is for a Type “A” Water Licence amendment, which will require a public hearing in accordance with s. 52¹ of the Nunavut Waters and Nunavut Surface Rights Tribunal Act (NWNSTRA or Act). All public hearing matters will be carried out in accordance with the Board’s Rules of Practice and Procedure for Public Hearings dated May 11, 2005 (NWB Rules).

¹ Nunavut Waters and Nunavut Surface Rights Tribunal Act; Section 52 (1) Subject to subsection 37(2), a public hearing shall be held by the Board before it disposes of (a) any application in relation to a licence, unless the application is of a class that is exempted by the regulations from the requirement of a public hearing.

The next step in processing your application involves a completeness review and a technical assessment to determine if all of the necessary information and studies to evaluate quantitative and qualitative effects of your project on the freshwater environment have been provided.

Accordingly, by copy of this letter, the Board requests that interested parties review the submission for completeness and technical assessment including any Information Requests (IRs) identified. In addition, the Board requests that interested parties provide comments to the NWB on the type of Technical Meeting/Pre-Hearing Conference and Public Hearing to be held for the application (written, teleconference, or in person as outlined in steps 3 and 4 in the process set out below). Further, the Board invites parties to comment on the Applicant's request for a coordinated review, including a joint hearing process, for the Amendment (No.1) application that is currently before the NWB.

All intervening parties' submissions should be submitted to the NWB's Manager of Licensing at Phyllis.Beaulieu@nwb-oen.ca by **March 10, 2014 (3: p.m. MST)**.

Following the receipt of comments, the NWB will determine whether the application is complete, or whether additional information and/or studies are required to evaluate all quantitative and qualitative effects of the undertaking pursuant to s. 48 of the Act. The NWB will advise TMAC Resources Inc. of the Board's determination at that time.

Once the application is deemed complete, the following general process will be followed:

1. **Notice of the Application**

A notice of the Application will be made in accordance with s. 55(1) of the Act. This notice will invite interested persons to make representation to the Board. Parties will be advised of the consequences of failure to respond as outlined in ss. 59 and 60(2) of the Act. Furthermore, the Board will distribute notice to the communities and interested parties affected by the application and shall publish the notice in a newspaper of general circulation in the areas that are affected. If there is no such newspaper, the Board shall publish the notice in such other manner as the Board considers appropriate.

2. **Detailed Technical Review**

Interested parties will be advised to undertake a detailed technical assessment or review of the complete application for the undertaking. Parties will be encouraged to work cooperatively to address technical issues identified during the review period. Generally, the Board provides at least thirty (30) days for a technical review in advance of a technical meeting. However, to assist the Board in expediting the technical assessment, parties are encouraged to begin their detailed technical assessment as early as possible.

3. **Technical Meeting (TM)/Pre-Hearing Conference (PHC)**

Rule 14 of the NWB Rules permits the Board, through its staff or in conjunction with staff, to hold a Technical Meeting (TM) and Pre-hearing Conference (PHC) with the interested parties, either in writing, by teleconference, or in person. The Board anticipates setting a date for a TM/PHC shortly after the deadline for receiving technical reviews submissions, which will be announced according and subsequently. The PHC is typically scheduled to immediately follow the TM.

4. **Pre-Hearing Conference (PHC) Decision**

Following the TM/PHC, the NWB will issue a PHC decision and may outline the technical commitments of the Applicant and the administrative and procedural requirements for a Public Hearing.

5. **Public Hearing (PH) Notice**

Sub-section 55(2) of the Act requires that a minimum notice period of sixty (60) days be provided for a Public Hearing (PH). As with the Technical Meeting and Pre-hearing Conference, the Board has the ability to conduct its Public Hearing in writing, by teleconference, or in person. Once the Board has received all information requested through this process and is satisfied that the Public Hearing should proceed, the type or place, date, and time of the hearing will be determined and a notice will be published by the Board in advance of the public hearing and in a manner that promotes public awareness and participation in the hearing.

The Board notes an absence of information related to pre-licensing information with respect to land use planning and environmental assessment processes. Correspondence² from the NPC confirms that previous undertakings with respect to the Project were located in an area without an approved land use plan, implying that no conformity determination was required. Notwithstanding the previous determination, the NWB is forwarding the application to the NPC to provide its determination and recommendations pursuant to sections 13.4.2 through 13.4.5 of the Nunavut Land Claim Agreement (NLCA).

The Applicant has included as part of its submission, a copy of its application to the Nunavut Impact Review Board (NIRB). Correspondence³ from the NIRB related to the amendment being contemplated by the Applicant indicates that a reconsideration of the terms and conditions of the Project Certificate in accordance with s. 12.8.2 of the NLCA is required, and the NIRB's reconsideration process has been initiated. It should be understood that in accordance with s. 39 (1) of the Act, the NWB may not issue, renew, or amend a licence until the NIRB has completed the screening, reconsideration, or where a review is required, issued an amended or a new Project Certificate.

The Board is aware that the Applicant in its cover letter has requested that the NWB and the NIRB consider coordinating their individual review processes for the application to potentially allow for a joint hearing as well as combine other aspects of their review processes. While the NWB and the NIRB will endeavor to coordinate various aspects of their process to the extent possible and practical, a decision on full coordination will require some input from stakeholders given the number of ongoing projects before the Board. As mentioned above, the NWB has requested that interested parties comment on the possibility of full coordination, including the hearing process, for the Application as part of their submission.

In the interests of ensuring this application is dealt with in a timely and coordinated manner, while recognizing the absence of directions from the NPC and the NIRB regarding the pre-

² Email from B. Aglukark, Nunavut Planning Commission (NPC), to P. Beaulieu, Nunavut Water Board (NWB), Re: 101105 2AM-DOH0713 Amendment 2 Application Review, November 17, 2010.

³ Letter from E. Copland, Chairperson of the Nunavut Impact Review Board to B. Valcourt, Minister of Aboriginal Affairs and Northern Development Canada, February 3, 2014.

licensing process that may be required, the Board will continue with its processing of your application to the extent possible at this time.

To initiate the Board's review, as noted above, the NWB is now requesting comments on the completeness of the Application based on an initial technical assessment, the type of technical meeting/prehearing conference and public hearing to be held, and Information Requests (IRs) to be submitted to the Board, no later than **March 10, 2014 (3:00 p.m. MST)**. All submissions should be provided to the NWB's Manager of Licensing at Phyllis.Beaulieu@nwb-oen.ca.

In addition, should you have any questions or require clarification on the above, please contact the technical advisor associated with this file, Sonia Aredes at 867-360-6338 or by email at Sonia.Aredes@nwb-oen.ca, or David Hohnstein, Director of Technical Services, at 780-443-4406 or by email to David.Hohnstein@nwb-oen.ca for any technical inquiries. For any procedural inquiries, please contact Phyllis Beaulieu, Manager of Licensing, at 867-360-6338 or by email Phyllis.Beaulieu@nwb-oen.ca.

Sincerely,

Original Signed by:

Phyllis Beaulieu
Manager of Licensing

PB/sa

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Appendix A: List of Documents Received under December 11, 2013 Submission

No	Document
1	Cover Letter Regarding: Project Proposal - Doris North Mine Modifications and Related Amendments to Project Certificate No.003 and Type A Water Licence No. 2AM-DOH1323.
2	TMAC Technical Related Responses to Agency Submitted Comments 2012.
3	Doris North Mine Modifications and Related Amendments to Project Certificate No.003 and Type A Water Licence No 2AM-DOH1323 (Project Proposal).
4	List of Appendices and Supporting Letters
5	Appendix 1: NIRB Application Forms.
6	Appendix 2: NWB Application Form, Compliance Review, and Ontario Corporate Profile. (Compliance Review and Corporate Profile Submitted as Independent Files: 2AM-DOH1323 Clauses and Compliance (As of Oct. 31, 2013) and Corporation Profile Report).
7	Appendix 3: Doris North Project: Mine Infrastructure Changes - Supporting Memo (Rescan, Nov 2013).
8	Appendix 4: Doris North Project: Roberts Bay Report - A Supporting Document for the Project Certificate and Type A Water Licence Amendment Package (Rescan, November 2013).
9	Appendix 5: Doris North Project: No Net Loss Plan for the Roberts Bay Subsea Pipeline and Diffuser (Rescan, November 2013).
10	Appendix 6: Geochemical Characterization Program for Quarry I, Doris (SRK, November 2011).
11	Appendix 7: Kinetic Testing of Waste Rock and Ore from the Doris Deposits, Hope Bay (SRK, November 2011).
12	Appendix 8: Geochemical characterization Report for Waste Rock and Ore from the Doris Deposits, Hope Bay (SRK, November 2011).
13	Appendix 9: Groundwater Inflows and Inflow Water Quality Used for the Revised Doris North Project Amendment Package No. 3 to Water Licence No. 2AM-DOH0713 (SRK, November 2011).
14	Appendix 10: Water Quality Model, Hope Bay Project, Nunavut, Canada (SRK, November 2011).
15	Appendix 11: Tailings Impoundment Area - Excess Water Transfer System (Hatch, September 2011).
16	Appendix 12: Design Drawings of Proposed Outfall (Subsea Pipeline and Diffuser) and Associated Infrastructure, Doris North Project (PND Engineers, November 2013).
17	Appendix 13: Archaeological Review (Points West, October 2011).
18	Appendix 14: Tail Lake Water Cover Design (SRK, November 2011).
19	Appendix 15: Reclamation and Security Brief (SRK, November 2013).
20	Appendix 16: Engineering Drawings for the Doris Central Vent Raise Pad and Access Road (SRK, 2011).
21	Appendix 17: Design Brief: Doris North Project, Roberts Bay Expanded Laydown Pads (SRK, August 2011).
22	Appendix 18: Design Brief: Doris North Project Expanded Ore Storage Pad (T; SRK, August 2011).
23	Appendix 19: Design Brief: Doris North Project Expanded Waste Rock Storage Pad (U; SRK, November 2013).
24	Appendix 20: Revised Waste Management Facility Drawings (Hatch, October 2011).

25	Appendix 21: Doris -Windy All-Weather Access Road: Proposed Fresh Water Intake Line (SRK, September 2010).
26	Appendix 22: Camp Layout Revision (Hatch, October 2011).
27	Appendix 23: Screening of Socio-economic Effects for Proposed Doris North Infrastructure Changes (Rescan, November 2011).
28	Appendix 24: Footprint of Proposed Changes to Phase 1 Doris North Mine (October 2013).