



May 31, 2007

Hon. Lawrence Cannon
Minister of Transport, Infrastructure and Communities
c/o Jim Morrell
Environmental Officer –Transport Canada

Via email: MORREJP@tc.gc.ca

Re: Application Exempt from Screening – Project Proposal for the Construction, Operation, Maintenance and decommissioning of a Jetty in Roberts Bay (Doris North Gold Mine)

Dear Hon. Lawrence Cannon:

On May 28, 2007 the Nunavut Impact Review Board (NIRB) received an application from Transport Canada – Navigable Waters Protection Program (TC-NWPP) for Miramar Hope Bay Ltd.'s marine jetty at Roberts Bay, NU.

Be advised that this project proposal was part of a Part 5, NLCA Review process (NIRB File No. 05MN047). As you are aware, a Project Certificate for the Doris North Gold Project was issued on September 15, 2006 pursuant to Section 12.5.12 of the Nunavut Land Claims Agreement (NLCA). NIRB issued this Project Certificate allowing the project proposal to proceed subject to specific terms and conditions.

Please note that Section 12.4.3 of the Nunavut Land Claims Agreement (NLCA) states that:

“Any application for a component or activity of a project proposal that has been permitted to proceed in accordance with these provisions shall be exempt from the requirement for screening by NIRB unless:

- (a) such component or activity was not part of the original project proposal; or
- (b) its inclusion would significantly modify the project.

In determining whether or not Section 12.4.3 of the NLCA applies to this application, NIRB has examined the following documentation:

1. Transport Canada Navigable Waters Protection Program Application
2. Correspondence from Miramar Hope Bay Ltd to the Navigable Waters Protection Program (May 7, 2007)
3. Three detailed design drawings for the Jetty in Roberts bay (J-01 – J-03)
4. Roberts Bay Fish Habitat Compensation Jetty Spur Design (Figures 1, 2)
5. *Updated Support Documentation for Application for Federal Crown Land (77A/3-1)* (April 20, 2007) submitted by Larry Connell to Mr. Cadenhead/ Mr. Drummond
6. Final Environmental Impact Statement (October 28, 2005) submitted by Miramar Hope Bay Ltd to the Nunavut Impact Review Board

NIRB is of the understanding that, based on the May 28, 2007 TC-NWPP application, the project components as presented **were** included in the Part 5 review conducted for the Doris North Gold Project, and that the exceptions in 12.4.3 (a) and (b) do not apply.

Therefore, this application is exempt from screening, but is still subject to the terms and conditions issued in the September 15, 2006 Project Certificate. In addition, be advised that any request by the Proponent to amend, renew, or extend the life of the NWPP approval beyond that which was presented in the Final Environmental Impact Statement must be sent to NIRB in accordance with Section 12 of the NLCA.

If you have any questions or concerns, feel free to contact NIRB's Manager of Environmental Administration, Leslie Payette at lpayette@nirb.nunavut.ca or 867-983-4611.

Best regards,

A handwritten signature in black ink, appearing to read 'Stephanie Briscoe', with a stylized flourish at the end.

Stephanie Briscoe
Executive Director

Cc: Larry Connell: Miramar Hope Bay Ltd.
Terri Maloof: Miramar Hope Bay Ltd.
Doris North Distribution List

Attachment: September 15, 2006 Project Certificate