



NIRB File No.: 05MN047

July 18, 2007

Thomas Kabloona  
Acting Chairman  
c/o Dionne Filiatrault  
Nunavut Water Board  
Gjoa Haven, NU

Via email: [exec@nunavutwaterboard.org](mailto:exec@nunavutwaterboard.org)

**Re: Exempt from Screening – Project Modifications Arising from Ongoing Detailed Engineering Associated with the Doris North Gold Mine Project**

Dear Ms. Filiatrault:

On June 13, 2007 the Nunavut Impact Review Board (NIRB) received correspondence from Miramar Hope Bay Ltd. (MHBL) notifying the NIRB that modifications to the Doris North Gold Mine Project (Project) had been provided to the Nunavut Water Board (NWB) as part of the NWB Technical Hearings held in Cambridge Bay on June 11 and 12, 2007. Following this, NIRB received correspondence from your Acting Executive Director, Dionne Filiatrault, requesting that the NIRB determine if the modifications proposed by MHBL required screening pursuant to Section 12.4.3 of the Nunavut Land Claims Agreement (NLCA).

The Project underwent a Part 5 NLCA Review (NIRB File No. 05MN047) and a Project Certificate 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 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.*

The modifications to the Project include the following:

1. Planned increase to electrical capacity to 11.0MW from 4.0MW
2. Increase to annual consumption for fuel
  - a. Air emission dispersion model
  - b. Fuel storage capacity and handling procedures
3. Roberts Bay jetty – barge anchoring blocks;
4. Doris Lake fresh water intake
5. Jetty access road to construct shorefast rock spurs
6. Roberts Bay

- a. Roberts Bay jetty – actual infill area
  - b. Roberts Bay access road construction turnouts
- 7. Site roads – Replacement of culverts by coarse rock drains
- 8. Underground mine ventilation raise service access road
- 9. Cyanide destruction methodology (Caro's acid to SO<sub>2</sub> air)
- 10. Replacement of proposed rotary biological contractor type of packaged sewage treatment plant with a SaniBrane Membrane bio reactor.

In determining whether or not Section 12.4.3 of the NLCA applies to these project modifications, NIRB has reviewed the following documentation:

1. Correspondence from Miramar Hope Bay Ltd. to the Nunavut Water Board (June 8, 2007), including:
  - o Appendix A – Rock Drains
  - o Test Program to Evaluate Cyanide Destruction Options
  - o Sanibrane Membrane Bioreactors Wastewater Treatment Systems
  - o Figure 1 – Jetty Shore Spurs Access Road
  - o Figure – Typical Sections & Culvert Details
  - o Figure – Proposed Ventilation Raise Access Road Layout
2. Correspondence from Miramar Hope Bay Ltd. to the Nunavut Impact Review Board (June 13, 2007)
3. Correspondence from Nunavut Water Board to the Nunavut Impact Review Board (June 21, 2007)
4. Final Environmental Impact Statement (October 28, 2005) submitted by Miramar Hope Bay Ltd to the Nunavut Impact Review Board

In addition, NIRB circulated the above-information to interested Parties on June 27, 2007 and requested comments with respect to whether Section 12.4.3 of the NLCA would apply to these modifications. On or before July 13, 2007 NIRB received the following comments from Parties:

1. Indian and Northern Affairs Canada – 'INAC is of the opinion that the proposed modifications can be considered to be within the scope of project evaluated in Final Environmental Impact Statement (FEIS) and will likely not result in any changes to the significance determinations made in the FEIS. As such, INAC agrees that these modifications do not require further screening by the NIRB.'
2. Environment Canada – 'EC believes that the new material is within the scope of operational flexibility as it does not represent untested or new technology, nor does it result in greater impacts or introduce the risk of new impacts. Therefore, we feel that under section 12.4.3 of the NLCA, the newly proposed modifications/changes should be exempt from further screening.'
3. Transport Canada – '...Transport Canada isn't adverse to the course of action proposed by the NIRB to exempt the modifications/changes to the Doris North Gold Mine project from further screening as stated under section 12.4.3 of the Nunavut Land Claims Agreement.'
4. Health Canada – 'Health Canada has reviewed the letter from Miramar stating the project modifications arising from ongoing engineering, and finds that the modifications do not significantly change or modify the Doris North project previously reviewed by NIRB. Therefore, Health Canada agrees that Section 12.4.3 applies to exempt further screening.'

Based on a review of the relevant documentation and comments provided to NIRB by Parties, NIRB is hereby notifying the Nunavut Water Board that Section 12.4.3 applies to the project component modifications proposed by MHL, and as such, the modifications are exempt from further screening.

For your information, INAC stated in their comments that it is important that all relevant impact predictions made in the FEIS are updated in accordance with any modifications made to the project proposal (see attached letter). Be advised that NIRB concurs with INAC and is therefore requesting that MHL provide NIRB with correspondence detailing how the proposed modifications and related impact predictions will be addressed in the post-environmental assessment monitoring phase.

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

Best regards,



Stephanie Briscoe  
Executive Director

cc: Hon. Jim Prentice: Minister – Indian and Northern Affairs Canada  
Spencer Dewar: Manager of Lands – Indian and Northern Affairs Canada  
Donald Haviyok: President – Kitikmeot Inuit Association  
Geoff Clark: Director of Lands – Kitikmeot Inuit Association  
Hon. Lawrence Cannon: Minister – Transport, Infrastructure and Communities  
Jim Morrell: Environmental Officer – Transport Canada  
Hon. Loyola Hearn: Minister – Fisheries and Oceans Canada  
Amy Liu: Habitat Management Biologist – Fisheries and Oceans Canada  
Larry Connell: Miramar Hope Bay Ltd.  
Terri Maloof: Miramar Hope Bay Ltd.  
Doris North Distribution List

Attachment:  
Correspondence dated July 13, 2007 from Colette Spagnuolo to Stephanie Briscoe