



NIRB File No.: 12MN001
NWB File No. 2AM-DOH1323 and
File No. 2AM-BOS----

April 6, 2018

Phase 2 Hope Bay Belt Distribution List

Sent via email

Re: Receipt of TMAC Resources Inc.'s Response to Final Written Submissions and Draft Agenda for the upcoming Final Hearing for the NIRB's Review of "Phase 2 Hope Bay Belt Project" Proposal

Dear Parties:

On February 21, 2018 the Nunavut Impact Review Board (NIRB or Board) issued its Notice of Hearing for the NIRB's assessment of TMAC Resources Inc.'s "Phase 2 Hope Bay Belt Project" Proposal (NIRB File 12MN001; the Project), pursuant to Part 5 of Article 12 of the *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada*. On March 2, 2018 the NIRB provided parties with direction regarding the recommended format for final written submissions and general logistics for the upcoming Final Hearing for this assessment, scheduled for May 8 to May 12, 2018 in Cambridge Bay, Nunavut.

On or before March 20, 2018 the NIRB received final written submissions from parties, and on March 20, 2018 the Board provided TMAC with the opportunity to file a response to parties' final written submissions, which was received by the NIRB on April 5, 2018.

The "Phase 2 Hope Bay Belt Project" proposal and all submissions, including TMAC's response to parties' final written submissions, as received by the NIRB can be accessed through the NIRB's online public registry at www.nirb.ca by using any of the following search criteria:

- Project Name: Phase 2 Hope Bay Belt Project
- NIRB File No.: 12MN001
- Application No.: 124148

At this time, the NIRB would like to provide interested parties with the opportunity to provide comments on the attached *Draft Hearing Agenda* (see Appendix A) which sets out the proposed 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 can be submitted directly to the NIRB via email at info@nirb.ca by **April 13, 2018**.

Parties planning to attend the upcoming Final Hearing are advised that times given in the attached *Draft* Hearing Agenda are approximate and the order of presenters and times given for presentations are subject to change at the moderator's discretion during the proceedings.

Consequently, participants are advised to ensure travel and other logistical arrangements are sufficiently flexible to accommodate modifications to the proposed timing and order of presenters throughout the proceedings.

Technical Sessions

The objective of the Technical Session portion of the Agenda is to facilitate presentations and questioning by technical experts regarding the conclusions presented within the Proponent's *Final* Environmental Impact Statement (FEIS), with a focus on the unresolved issues and concerns raised within parties' final written submissions to the NIRB.

Presentations:

Prior to the technical presentations by Intervenor, the Proponent is scheduled to present an overview of its project proposal, followed by a presentation of the conclusions regarding potential impacts and required mitigation identified in its FEIS, 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 the thematic volumes in the FEIS 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 up to 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, provide a brief synopsis of significant issues resolved through the preceding technical review, and identify those issues remaining unresolved (with accompanying recommendations) as raised within their final written submissions to the NIRB.

Should any Intervenor believe additional time (beyond the allotted 30 minutes) is required to present its evidence during the Hearing, a request for the allocation of additional time should be made when providing comments on the *Draft* Hearing Agenda, due no later than **April 13, 2018**. The granting of additional presentation time will be 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 overview of your organization's mandate and jurisdiction in association with the proposed project components/activities, highlighting applicable legislation, policies or guidelines as necessary.

2. Present an overview of the technical concerns or issues identified in a manner that parallels your final written submission.
3. Discuss your organization's recommendations to the Board regarding whether proposed mitigation is adequate to address potential adverse effects.

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 questions arising during the Technical Sessions are readily available throughout the Final Hearing.

Community Roundtable Sessions

Given the importance placed on ensuring public input for the Board's Review process, the NIRB has invited up to five (5) representatives from each of the potentially affected communities in the Kitikmeot region to participate in the Community Roundtable Session portion of the Final Hearing. The Board requires that the Proponent and each of the Intervenor ensure sufficient technical expertise is available for both the Technical Sessions AND the Community Roundtable Sessions. All parties are advised that the Community Roundtable Sessions are not only an opportunity for members of the potentially affected communities to ask questions of the Proponent about the proposed Project, but also for community members to engage with and ask questions of all the Intervenor participating in the assessment.

Presentations

The Proponent will be expected to deliver a summary presentation providing an overview of each major project component, highlighting the conclusions regarding potential impacts and proposed mitigation identified in its FEIS.

Intervenor are advised to also deliver plain language summary presentations during the Community Roundtable Sessions, highlighting 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. If presenting parties seek to collaborate and combine presentations, additional time may be allocated to allow for these combined comments.

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

FINAL HEARING LOGISTICS

Hearing Agenda & Attendance

Following the receipt of comments and suggested revisions to the *Draft* Agenda on or before April 13, 2018, the NIRB will endeavor to provide a finalized Agenda for the information of all parties on or before **April 20, 2018**.

The NIRB requests that parties planning to attend the upcoming Final Hearing provide our office with an indication of the number of representatives to be in attendance, including their names,

positions and respective area(s) of expertise or authority. Parties are advised that there will be limited seating available at the table for each intervenor during the Technical Sessions 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.

Final Hearing Structure

The NIRB has made the following arrangements for the Final Hearing:

- Interpretation:** Simultaneous English/Inuktitut/Inuinnaqtun interpretation will be provided to the extent practicable (as a reminder, parties requiring French interpretation for the Hearing are to notify the NIRB by **April 9, 2018**)
- Seating:** Available seating at the main table during the technical session proceedings will be necessarily limited to a maximum of 2-3 seats per agency. During the community roundtable proceedings, Intervenor will be asked to be seated in the general audience, with community representatives assuming their seats at the main table.
- Facilitator:** The meetings will be facilitated by the NIRB Chairperson.
- Materials:** The NIRB will make available a digital copy of all materials contained within the Board's public registry for the Review of the Project.
- Meeting times:** Meetings will start at 9:00 am and run until 5:00 pm daily, with an hour break for lunch and two 15 minute health breaks throughout the day. Light refreshments will be provided during health breaks; other meals will not be provided for participants. Evening sessions have been scheduled from 6:30 – 9:00 pm as necessary to ensure all agenda items are covered and to ensure the public have an opportunity to attend outside of regular working hours; additional evening sessions or extended hours may also be scheduled if deemed necessary.

The NIRB will structure the proceedings to allow each party an opportunity to speak to outstanding issues/concerns/comments pertaining to each agenda item in an ordered fashion, with time limits enforced as necessary to ensure the hearing proceeds in a timely fashion. The Board has endeavored to allot more time for discussion of those items for which significant concerns were raised or where regulatory jurisdictions overlap. Where discussions require more time than has been allotted, the hearing may extend into evening sessions and/or breakout groups may be utilized to continue discussion on key items.

Presentations

Parties are advised that all presentation materials are to be provided in English, Inuktitut, Inuinnaqtun, 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

the Community Roundtable Sessions of the Hearing, including translated versions, noting that up to 100 copies each of English, Inuktitut, and Inuinnaqtun may be required.

To ensure sufficient hardcopies of presentation materials are available for Final Hearing attendees, the Board requests that the **all parties** provide 100 English copies, 80 Inuinnaqtun copies, 30 Inuktitut copies and 30 French copies of the following materials in support of the Final Hearing:

- Presentations for the Technical Sessions
- Presentations for the Community Roundtable Sessions
- Executive summaries of Final Written Submissions

The NIRB requests that all parties submit digital copies of their technical presentations and plain language summary presentations for the upcoming Hearing via email to info@nirb.ca, no later than **April 30, 2018**. 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

In closing, as we move closer to the Final Hearing for the NIRB's Review of the Phase 2 Hope Bay Belt Project proposal, the Board thanks all parties for their support and encourages continued active engagement in the review process. Additional details regarding the Hearing logistics and final scheduling will be provided as they become available.

Once again, the NIRB would like to remind all parties of the following important dates:

April 9, 2018: Parties to notify the NIRB of their requirement of French interpretation for the Hearing

April 13, 2018: 1) Parties to provide confirmation to the NIRB of planned attendance at the Hearing, including number of representatives, their names, positions and respective area(s) of expertise or authority.
2) Parties to provide comments to the NIRB regarding the *Draft* Agenda, including the timing and format of presentations.

April 20, 2018: NIRB to release Final Hearing Agenda.

April 30, 2018: Parties to provide presentations (English, Inuktitut, Inuinnaqtun and French) and plain language summaries electronically to the NIRB.

Should you have any questions regarding the NIRB's Review of the "Phase 2 Hope Bay Belt Project" proposal or the upcoming Final Hearing, please contact Kofi Boa-Antwi directly at kboaantwi@nirb.ca or by phone at (867) 983-4616.

Sincerely,

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

Sophia Granchinho, M.Sc.
Manager, Impact Assessment
Nunavut Impact Review Board

cc: Oliver Curran, TMAC Resources Inc.
Shelley Potter, TMAC Resources Inc.

Attachment (1): Appendix A: *Draft* Hearing Agenda (NIRB File No. 12MN001)

APPENDIX A – DRAFT HEARING AGENDA

NIRB File No.: 12MN001 – Phase 2 Hope Bay Belt Project Proposal
Proponent: TMAC Resources Inc.
Location: Luke Novoligak Community Hall, Cambridge Bay, NU
Dates: May 8 to May 12, 2018

Times: **All times given are approximate. The order of presenters and time given for presentations are subject to change at the NIRB's discretion:**

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.

Tuesday, May 8, 2018 – Day 1 of Technical Sessions

General Opening

1. Opening prayer
2. Welcoming Remarks by the Mayor of Cambridge Bay
3. Opening Remarks by the Chairperson:
 - i. Introductions, overview of procedural history, structure of proceedings, etc. (30 minutes)
 - ii. Identification of motions or objections
 - iii. Review of Agenda
 - iv. Housekeeping Items

Technical Session

4. Presentations by the Proponent - Note: witnesses appearing on behalf of the Proponent will be sworn in/affirmed and exhibits will be marked in advance of testimony being given. Time for questioning by Board Members and Intervenor will be provided immediately following presentations.
 - i. Introduction, Project Overview, and Response to final written submissions (60 minutes)
 - ii. Public Participation and Engagement (20 minutes)
 - iii. Atmospheric Environment (20 minutes)
 - iv. Terrestrial Environment (45 minutes)

- v. Freshwater Environment (*45 minutes*)
- vi. Marine Environment (*20 minutes*)

Close of Day 1

Wednesday, May 9, 2018 – Day 2 of Technical Sessions

Technical Session (*Continued from Day 1*)

1. Opening Remarks by the Chairperson
2. Presentations by the Proponent - Note: witnesses appearing on behalf of the Proponent will be sworn in/affirmed and exhibits will be marked in advance of testimony being given. Time for questioning by Board Members and Intervenor's will be provided immediately following presentations.
 - i. Socio-Economics (*30 minutes*)
 - ii. Human Health (*20 minutes*)
 - iii. Management Plans and Monitoring Programs (*30 minutes*)
 - iv. Accidents and Malfunctions, Effects of the Environment on the Project (*20 minutes*)
3. Presentations from registered Intervenor's – Note: witnesses appearing on behalf of registered Intervenor's will be sworn in/affirmed and exhibits will be marked in advance of testimony being given. Unless otherwise indicated, each Intervenor has been allotted up to 30 minutes for their presentations. Following each Intervenor's presentation there will be time for questions by Board Members, other Intervenor's and the Proponent.
 - i. Kitikmeot Inuit Association
 - ii. Government of Nunavut

Close of Day 2

Thursday, May 10, 2017 – Day 3 of Technical Sessions

Technical Session (*Continued from Day 2*)

1. Opening Remarks by the Chairperson
2. Presentations from registered Intervenor's – Note: witnesses appearing on behalf of registered Intervenor's will be sworn in/affirmed and exhibits will be marked in advance of testimony being given. Unless otherwise indicated, each Intervenor has been allotted up to 30 minutes for their presentations. Following each Intervenor's presentation there will be time for questions by Board Members, other Intervenor's and the Proponent.
 - i. Environment and Climate Change Canada
 - ii. Fisheries and Oceans Canada
 - iii. Health Canada
 - iv. Indigenous and Northern Affairs Canada

- v. Natural Resources Canada
- vi. Transport Canada

Close of Day 3

Friday, May 11, 2018 – Day 1 of the Community Roundtable (*including evening session*)

General Opening

1. Opening prayer
2. Opening Remarks by the Chairperson
 - i. Introductions, overview of procedural history, structure of proceedings, etc. (30 minutes)
 - ii. Identification of motions or objections
 - iii. Review of Agenda
 - iv. Housekeeping Items

Community Roundtable Session

3. Summary presentation by the Proponent – **Introduction and Overview of Project** (90 minutes)
4. Questioning of the Proponent and Parties by community representatives
5. Presentations from registered Parties – each Party is allotted 20 minutes for the presentation, followed by time for questions by other Parties, the Proponent and Board staff. NOTE: Presentations should be presented in plain language and focus on issues of importance to communities and should NOT simply be a repeat of the presentation from the Technical Sessions.
 - i. Kitikmeot Inuit Association
 - ii. Government of Nunavut

Close of Day 4

Saturday, May 12, 2018 – Day 2 of the Community Roundtable

Community Roundtable Session (*Continued from Day 1*)

General Opening

1. Opening Remarks by the Chairperson

Community Roundtable Session

2. Presentations from registered Parties – each Party is allotted 20 minutes for the presentation, followed by time for questions by other Parties, the Proponent and Board staff. NOTE: Presentations should be presented in plain language and focus on issues of importance to communities and should NOT simply be a repeat of the presentation from the Technical Sessions.
 - i. Environment and Climate Change Canada

- ii. Fisheries and Oceans Canada
 - iii. Health Canada
 - iv. Indigenous and Northern Affairs Canada
 - v. Natural Resources Canada
 - vi. Transport Canada
- 3. Presentations by members of the public who have advised the Chairperson that they wish to speak on this topic
 - 4. Closing Remarks – Proponent and Intervenors
 - 5. Closing Remarks – community members

Close of Day 5