

# **DORIS NORTH GOLD MINE TECHNICAL MEETINGS**

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**MARCH 30, 31 AND APRIL 1, 2004**

**DRAFT Summary Notes**

**April 5<sup>th</sup>, 2004**

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**Appendix A List of Participants**

**Appendix B Summary of Key Points Related To Information Review, Needs and Commitments**

**ACRONYMS**

CARC	Canadian Arctic Resources Committee
CCME	Canadian Council of Ministers of the Environment
CEAA	Canadian Environmental Assessment Agency
DFO	Department of Fisheries and Oceans
EA	Environment Assessment
EC	Environment Canada
EIS	Environmental Impact Statement
EMS	Environment management Summary
GN	Department of Environment, Government of Nunavut
IBA	Impact Benefits Agreement
IIBA	Inuit Impact Benefits Agreement
INAC	Indian and Northern Affairs Canada
KIA	Kitikmeot Inuit Association
NIRB	Nunavut Impact Review Board
NRCAN	Natural Resources Canada
NTI	Nunavut Tunnagivik Incorporated
MHBL	Miramar Hope Bay Ltd.
MMER	Metal Mining Exploration Regulations
SD	Supporting Document
VSEC	Valued Socio-Economic Components
TK/IQ	Traditional Knowledge/ Inuit Qaujimajatuqangit
VEC	Valued Ecological Components

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## 1.0 Introduction

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### 1.1 Purpose and Objectives

As stated in the March 16, 2004, letter from Nunavut Impact Review Board (NIRB), the purpose of the Technical Meetings was to discuss in an 'open format' the parties' review of the new information filed by Miramar Hope Bay Ltd. (MHBL) and:

- For the parties, including the NIRB staff, to detail to MHBL the subject areas that have adequate information and any remaining issues / information still needed;
- For MHBL, to hear the views of the parties about some of the subject areas that have adequate information and any remaining issues / information still needed; and
- For NIRB, to be informed by MHBL and the parties, about any subject areas that have adequate information and any remaining issues / information still needed.

The Technical Meetings proceeded as an '**open discussion**' of the topics listed below, with participation from the following parties.

#### **Participating parties:**

1. Miramar Hope Bay Ltd. (MHBL)
2. Nunavut Tunngavik Incorporated (NTI)
3. Kitikmeot Inuit Association (KIA)
4. Department of Environment, Government of Nunavut (GN)
5. Indian & Northern Affairs Canada (INAC)
6. Environment Canada (EC)
7. Department of Fisheries and Ocean (DFO)
8. Canadian Environmental Assessment Agency (CEAA)
9. Canadian Arctic Resources Committee (CARC)
10. NIRB Staff
11. NWB Staff

#### **Topics to be discussed:**

1. Project Purpose/ Scope
2. Project Description
3. Baseline Data Collection & Biophysical Impact Assessment
4. Residual Impacts
5. Abandonment and Reclamation
6. Cumulative Effects Assessment
7. Social Impact Assessment
8. Traditional Knowledge

- 9. Alternatives
- 10. Monitoring
- 11. Any Other issues

## **1.2 Format of the Report**

This report is a summary of the discussion that took place. Each topic is subdivided into two sections: 'Comments Regarding Conformity' and 'Other Questions and Comments'. This means that sometimes the order of the discussion in this report differs slightly from the actual order of discussion for that topic.

The report is organized as follows:

*Section 2.0 – Project Purpose/ Scope*

*Section 3.0 – Project Description*

*Section 4.0 – Baseline Data Collection & Biophysical Impact Assessment*

*Section 5.0 – Residual Impacts*

*Section 6.0 – Abandonment and Reclamation*

*Section 7.0 – Cumulative Effects Assessment*

*Section 8.0 – Social Impact Assessment*

*Section 9.0 – Traditional Knowledge*

*Section 10.0 – Alternatives*

*Section 11.0 – Monitoring*

*Section 12.0 – Other issues*

*Section 13.0 – Next Steps*

*Section 14.0 – Closing Remarks from MHL*

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## 2.0 Project Purpose/ Scope

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This section summarizes the discussion about the project purpose and scope of the proposed Doris North Gold Mine in Nunavut, Canada.

Hugh Wilson, Manager, Environmental Affairs, Miramar, provided an overview of the purpose and scope of the project. He informed participants that MHL had responded to comments made to NIRB by participating parties and believes that the Final EIS and responses to parties is complete and clarifies the issues that had been raised. He continued to state that MHL hopes to obtain clear direction on the next steps in this process by the close of this technical meeting.

Hugh Wilson, MHL, introduced the MHL team of numerous experts, which included:

- Ben Hubert (Hubert Associates);
- Gary Ash (Fisheries Aquatics Specialist, Golder Associates Ltd.);
- Alison Little (Fisheries Biologist, Golder Associates Ltd.);
- Nathan Schmidt (Water Resources Engineer, Golder Associates Ltd.);
- Rick Robinson (Senior Environmental Scientist, Golder Associates Ltd.);
- Karen Murcher (Fisheries Biologist, Golder Associates Ltd.);
- Maritz Rykaart (Engineer, SRK Consulting);
- John Chapman (Chemical Engineer, SRK Consulting);
- Michael Noel (Technical Engineer, SRK Consulting);
- Larry Connell (Senior Mining Consultant Engineer, AMEC Earth and Environmental); and
- Robert Hornall (Hornall Consultants).

Ben Hubert, MHL, stated that the preparation of this Final EIS has been a learning experience and while the Draft EIS focused on the process, the Final EIS focuses on substance, as outlined in the Project Purpose or Project Justification in Supporting Document (SD) A6.

### 2.1 Comments Regarding Conformity

INAC stated that the Project Purpose or Project Justification outlined in SD A6 clarified any questions INAC had and meets conformity requirements. Following INAC's technical review, they will submit comments to NIRB.

EC had issues and concerns that were not the same as INAC, but MHL has now provided answers to these issues and concerns. EC stated that the supplementary information appears to answer questions EC had and meet conformity requirements.



DFO noted that they have not completed a review of the supplementary information received on March 15<sup>th</sup> 2004, and will not be able to determine any information needs until after their review.

GN stated that their main concerns are indirectly related to project purpose/scope, and mainly focused on wildlife issues.

No additional comments regarding conformity on this issue were expressed at this time.

## **2.2 Other Questions and Comments**

The following questions and comments were made with respect to the project purpose/scope:

EC: What is going to happen to the mining under Doris Lake? What is the total footprint of the project?

MHBL: There is no exact footprint for the project. The area of the footprint would have to expand in order to stockpile materials from satellite mines if future developments take place, but this would be in the already disturbed areas. Most of the satellite mines under consideration are underground, so the footprint is not likely to expand greatly. The footprint at Boston may change marginally to accommodate a larger stockpile, but this disturbance would be minimal.

NIRB: Would ore from satellite mines be stockpiled at Doris Lake?

MHBL: Yes. Ore will be transported using a winter road and stockpiled at Doris Lake.

INAC: NIRB had sent a letter to INAC informing them that MHBL was considering mining under Doris Lake – is this still a consideration?

MHBL: No. Mining under Doris Lake is no longer being considered, as there is a lot of risk involved.

INAC: Is it true that Suluk is not considered mineable?

MHBL: No, Suluk is a very deep deposit as the bulk of the ore is below the one hundred (100) meter Crown Pillar, so there is a need to examine what would be required to measure the one hundred (100) meter Crown Pillar. However, Nartok and Boston both have underground mineralization and drilling will take place at both these sites.

KIA: Is it realistic to connect satellite mines to Doris North Gold Mine via winter roads?

MHBL: Without having completed an engineering study to date, it does seem economical to use winter roads.

KIA: With the potential to open satellite mines, is MHBL prepared to go through this process for every new mineral site?

MHBL: Yes, this is the process. Every time new mineral deposits are discovered, there is a process to go through, and MHBL respects this fact.

MHBL: At the end of this three-day technical meeting, MHBL needs NIRB to give direction that conformity is achieved.

NIRB: NIRB needs to know from participating parties if this Final EIS answers all questions/ concerns parties have.

MHBL: There was a learning curve involved in this process, and concerns that were raised were incorporated into the scope of the Final EIS.

KIA: KIA has concern that this is changing from a technical meeting to conformity meeting. It is KIA's objective to provide the Proponent with some guidance at this meeting.

DFO: DFO wants to be efficient in this process, but timing is difficult as information was received on March 15<sup>th</sup>, 2004 and DFO still requires time to review the information.

EC: EC has not completed its technical review.

INAC: INAC supports the purpose stated in the meeting agenda. INAC is has not completed its technical review but will provide comments to NIRB following their review.

NIRB: Does DFO predict a hearing after the completion of their technical review or the request for further information from the Proponents?

DFO: The hearing may or may not need to be postponed, but this needs to remain an option.

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## 3.0 Project Description

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This section summarizes the discussion about the project description for the proposed Doris North Gold Mine in Nunavut, Canada.

### 3.1 Comments Regarding Conformity

INAC stated that they are satisfied the information submitted by MHBL meets the requirements made by NIRB and conforms.

DFO has not completed their technical review at this time. DFO stated that the information provided by DFO on the clear span bridge and culverts appears to meet conformity.

EC stated that the supplementary information submitted responds to some of their concerns, but EC has not yet reviewed the Spill Contingency Plan. EC stated that they need a detailed Spill Contingency Plan addressed in the environmental assessment phase. In response, MHBL stated a Spill Contingency Plan will be refined as the project proceeds and the current documents cover the scope of the items to be addressed in the EMS.

EC stated that following their technical review, they will have requests for more information regarding: Tailings Management Plan, Environmental Management Plan, and Closure and Reclamation Plan.

GN stated that their concerns are focused on wildlife management and have no concerns regarding the broad project description.

No additional comments regarding conformity on this issue were expressed at this time.

### 3.2 Other Questions and Comments

The following questions and comments were made with respect to the project description:

KIA: Is exploration of satellite mines outside the Doris North Gold Mine project description?

MHBL: Yes, exploration of satellite mines is outside the project description.

NIRB: DFO and EC submissions had raised concerns regarding the methodology and results of water balance. Could MHBL talk about this concern?

MHBL: MHBL took a conservative approach to the development of a water balance. This approach has been documented, and is a SD to the Final EIS report.

NIRB: Is MHBL committed to meeting the MMER's?

MHBL: Yes, MHBL is committed to meeting MMER and CCME water quality guidelines.

MHBL: A Spill Contingency Plan will be refined as the project proceeds and errors/omissions are identified.

DFO: Is the project description for two (2) year mine life with a six (6) year tailings plan?

MHBL: This is a question that requires direction from NIRB, as it is not a question of technical information.

NIRB: NIRB will note this question and provide a response at a later time.

## **4.0 Baseline Data Collection and Biophysical Impact Assessment**

This section summarizes the discussion about baseline data collection and biophysical impact assessment for the proposed Doris North Gold Mine in Nunavut, Canada.

### **4.1 Climate and Air Quality**

#### **Baseline Data**

INAC stated that they are pleased that MHBL has confirmed that they will have a weather station at the site area. INAC is satisfied that the supplementary information will be provided by MHBL, with the addition of MHBL's commitment to having a weather station at the site, meets conformity.

NIRB stated that NRCAN had expressed concern regarding permafrost and water balance baseline data. In response, MHBL stated that qualitative data regarding a water balance has been provided, but quantitative data is not available. MHBL also stated that during spring 2004, a snow course will be done to determine the level of run-off in the area.

EC stated that their February 2<sup>nd</sup> 2004 submission had requested information regarding the potential effects of climate change on the tailings pond and not all of the required information was submitted. In response, MHBL stated that the performance of dam is designed to ensure that permafrost will be used to limit seepage, but in the case of climate change occurring, materials will be in place to prevent seepage into the environment.

NIRB stated that they require a quantitative approach to baseline information to support qualitative methods and monitoring trends.

No additional comments regarding conformity on this issue were expressed at this time.

#### **Impact Assessment**

INAC requested confirmation that the project is being designed to allow for climate change. In response, MHBL confirmed that the project is being designed to allow for climate change.

No additional comments regarding conformity on this issue were expressed at this time.

### **4.2 Regional Geology**

#### **Baseline Data**

INAC stated that the information provided meets conformity.

No additional comments regarding conformity on this issue were expressed at this time.

#### **Impact Assessment**

INAC stated that the information provided meets conformity.

No additional comments regarding conformity on this issue were expressed at this time.

## **4.3 Noise**

### **Baseline Data**

INAC stated that the information provided meets conformity.

No additional comments regarding conformity on this issue were expressed at this time.

### **Impact Assessment**

INAC informed participants the Health Canada had requested a survey be conducted to determine current noise levels and future noise levels. Health Canada had requested that MHBL consider the impact of noise on people and account for increased levels of noise at night. In response, MHBL stated that a detailed response to these concerns is in the Final EIS, and exploring ambient noise at this time was not found to be necessary. MHBL stated that, while their noise consultant from Golder Associates Ltd. was not present to speak to these concerns, all comments would be noted and addressed at a later date. MHBL stated that they will be examining noise impact at night once the facility is constructed.

GN inquired as to the impact noise will have on wildlife. In response, MHBL informed participants that models on noise were applied and the results were within guidelines for various jurisdictions in Canada, so further exploration on this issue was not required.

No additional comments regarding conformity on this issue were expressed at this time.

## **4.4 Terrain/ Permafrost**

### **Baseline Data**

INAC stated that the supplementary information provided by MHBL addressed the permafrost and damming concerns INAC had, and meets conformity.

No additional comments regarding conformity on this issue were expressed at this time.

### **Impact Assessment**

INAC stated that a monitoring program for the condition of permafrost should be developed. In response, MHBL acknowledged that this information should be in place and will prepare a detailed permafrost monitoring plan after the final land use permits are in place.

INAC stated that further information on where materials will be stockpiled is required. In response, MHBL informed participants that materials will be stockpiled within the footprint, and the details are listed under Tab 4, page 12 in the Final EIS.

INAC also informed MHBL that they still require information on the following issues: dam construction methods and winter design alterations, potential of permafrost degradation due to increased water levels, characterizations of soil surrounding the lake, and proposed mitigation. In response, MHBL committed to providing further information on these issues, including information on Tail Lake shoreline monitoring.

No comments regarding conformity on this issue were expressed at this time.

## 4.5 Risk Assessment

At the onset of the discussion on risk assessment, MHL provided an overview of how this issue had been approached. MHL stated that a human/ wildlife/ aquatic life risk assessment was done based on industry standard. The details of this process are captured in the stand alone risk assessment document (Appendix 2, page 2). In order to determine risk to people, MHL looked at the people in the area who may be carrying out TK practices, eating and drinking off the land near the site area. In terms of wildlife, MHL focused its research on wildlife drinking and feeding from Tail Lake. In conclusion to the risk assessment study, it was found that for all chemical and concerns evaluated, there will be a safe level of exposure. There is a risk to aquatic life in Tail Lake and this is being acknowledged and accounted for but exposure downstream from the facility falls under CCME standards and there are no substantial effects.

### Baseline Data

DFO stated that in regards to accidental discharge and other risk assessment issues, DFO and EC will work cooperatively to review the information provided by MHL.

EC stated that they will be reviewing the risk assessment information and all tables within the document.

DFO stated that they will be addressing the habitat compensation issue and verifying the information provided on the risk assessment of mineral concentration in fish tissue.

NIRB inquired as to the level of confidence the Proponent have in the risk assessment results. In response, MHL stated that uncertainty always exists, but MHL is fairly confident in the results. All research was conducted on a conservative basis and erred on the side of safety.

NIRB noted that arctic char was not included in the table providing information about the level of mineral concentration in fish tissue. In response, MHL stated that they did not evaluate arctic char, but the predictions made for lake trout would be similar for arctic char. There is no risk to fish downstream and as a result lake trout would be exposed to water tailings for a longer period than migratory arctic char would be, so arctic char would probably have even lower levels of mineral concentrations in their tissues.

MHL stated that the Environmental Monitoring Effects Program accounts for minerals that are coming from old silver mines in that watershed area, as well as another reference area that represents pristine water conditions. Having reference sites with an increased sampling area provides for more accurate results of the effects of the mine. Both areas were researched and fish moving between the two areas was accounted for so that any changes can be attributed either to coming from the Doris North Gold Mine or an old mine site.

NIRB stated that the Board wants ensure that fish in the area are protected. NIRB stated that their focus has been on Little Roberts Lake because it will be the area that is impacted, as NIRB believes that Tail Lake is probably written off as fish habitat. In response to NIRB comment, DFO stated it feels a conflict of interest exists because the questions and comments that have been made by NIRB during this part of the discussions were comments made by DFO when Jordan DeGroot, NIRB, was working with DFO. MHL commented that from the Proponents perspective, the comments made by NIRB are relevant, regardless of the history of the file.

DFO stated that they will examine every issue that affects their mandate and the scope of the project.

NIRB inquired as to whether or not mercury concentration was considered an impact of people eating fish (impact on human health) during the risk assessment. In response, MHBL stated that mercury was considered and found not to be threatening. The mining process does not release mercury, so any mercury in the area will be there naturally. However, mercury will be monitored thoroughly for unforeseen impacts.

KIA stated that they are confused as to why this is a conformity meeting rather than a technical meeting. KIA stated that they understand that some agencies still require time to look at the supplementary information provided, but after this meeting, KIA must know if this project conforms or not – so they can prepare for the June 2004 hearing. In response to this comment, MHBL stated that for the Proponents, this is a new process and a learning process. The Nunavut Land Claim Agreement charges NIRB with assessing significant impacts. The Proponents feel they have assessed significant impacts and hopes that following this meeting everyone will have comfort that the process is moving forward and will be supportive of holding hearing, in June 2004.

NIRB will provide a clear letter of decision to participating parties and state whether or not this project conforms and why, following this three-day technical meeting. NIRB stated that it is a public Board and has to have the required technical information and public support to make a decision.

### **Impact Assessment**

No comments regarding conformity on this issue were expressed at this time.

## **4.6 Geochemistry**

Larry Connell, AMEC Earth and Environmental, provided an overview presentation of the answers to INAC's concerns that an analysis to determine the effect of iron carbonates and overall determination of carbonate forms were not addressed in the Draft EIS. He informed participants that the Doris North hinge zones has the ore body and presented an overview of the data that exists to support the fact that it is not a major concern. In the conclusion of his presentation, he informed participants that the details of MHBL's response to INAC's recommendation for an analysis to determine the effect of iron carbonates and overall determination of carbonate forms are included in the Final EIS (under Tab 4, page 13).

### **Baseline Data**

INAC stated that the information provided to date by MHBL has addressed their issues relating to conformity.

INAC inquired as to whether MHBL had samples from the Doris North ABA data base. In response, MHBL stated that they have results from the Doris North ABA data base and will provide this information to INAC.

INAC inquired whether or not geochemical information is available for the quarry sites. In response, MHBL stated that this information is available and will be provided to INAC in a SD.

INAC inquired as to whether or not it is possible to clarify one group of volcanic rock type from another. In response, MHBL stated that many geologists had been working on this



project, so there is a large amount of terminology used to specify one volcanic type from another. This information is provided in the Final EIS.

MHBL committed to providing additional lithology material in CD format and a GSC research paper.

MHBL stated that they will undertake a humidity cell test on tailings.

### **Impact Assessment**

No comments regarding conformity on this issue were expressed at this time.

## **4.7 Groundwater, Hydrology and Water Quality**

### **Baseline Data/ Impact Assessment**

NIRB informed participants that NRCAN had raised concern that information regarding ice content information at most boreholes drilled at the dam sites of the tailings containment site is lacking and inquired as to whether or not the supplementary information provided by MHBL satisfied NRCAN's request. In response, MHBL stated that NRCAN has not provided comments to MHBL on whether the supplementary information meets their requirements.

NIRB committed to contacting Health Canada and NRCAN to receive an indication as to whether or not the supplementary information conforms.

INAC stated that they are pleased that a snow course will be conducted by MHBL this year.

INAC stated that supplementary information was submitted by MHBL regarding water balance issues on March 15<sup>th</sup> 2004, but INAC has not had an opportunity to review this information and can not confirm that it meets conformity at this time.

MHBL stated that the water balance does account for additional future activities and detailed information on permafrost is found within the Final EIS.

NIRB inquired as whether or not monitoring to measure the permafrost area will be conducted. In response, MHBL stated that the permafrost area will be monitored.

INAC inquired as to why continuous water level monitors were operated in Doris Outflow, Roberts Outflow and Little Roberts Outflow to provide a record of water levels and flows in these systems, but not at Tail Lake Outflow. In response, MHBL stated that there are low levels of discharge at Tail Lake and they wanted to examine flow during the initial spring break up and plan to monitor water levels at this time during their snow course.

EC stated that in terms of EC's conformity analysis, issues have been identified which require further information, which are: how stream flows in Table 17 were determined, tailings capacity, clarity regarding dam elevation, and methodology to measure mean run-off.

INAC stated that they require site-specific hydrology data. In response, MHBL stated that mean monthly information is compared to those derived from baseline information, and the difficulty with hydrology is that natural variation due to wet/ dry year, but their information to date show their methods are fairly accurate. MHBL committed to providing site-specific information and 2003 information gathered will be repeated in 2004.

MHBL stated that in regards to dam elevation, a total height of thirty seven (37) meters is in the design. This height is sufficient for six years of mining activity and allows for three and one-half (3 ½) meter distance for any change in environment.

MHBL stated that SD 5.0 contains information on water levels and requested that any specific concerns be directed to MHBL so they can respond to their questions. In response, EC stated that their hydrologists will direct any questions to MHBL.

INAC stated that they have some concern over the Sewage Disposal Model and will direct any comments they have to NIRB once they have reviewed the supplementary information provided by MHBL.

INAC stated that they require that the Proponent conduct an analysis of the sedimentation of the tailings in Tail Lake and the potential impact on the receiving environment downstream of Tail Lake; and the Proponent must identify and assess sediment containment pathways. INAC noted that in MHBL's comment, MHBL stated that "a detailed bathymetric survey of the basin should be conducted annually during the open water season, and if necessary dredging of the basin should be carried out to ensure a level spread of tailings". In response, MHBL agreed that "should" means "will". With this confirmation, INAC stated that the information provided meets conformity on this issue.

INAC stated that they had a concern regarding the impact on circulation and sediment transport arising from construction of barge landing jetty and the supplementary information provided meets conformity.

INAC stated that they required that the proposed sewage treatment technology be described, including proposed methods of removing and disposing of sludge and the supplementary information provided meets conformity.

INAC stated that they had concern that an analysis of the impact of ammonia and nitrogen compounds on the water quality of Tail Lake and the receiving environment in the area of the mine, as if the predicted nitrogen levels are to be high, then INAC needs to know so that the proper mitigation steps are included in the EA process. In response, MHBL states that ammonia nitrification may occur, but this typically occurs in a two step process where ammonia is first deoxidized to nitrite, which is then rapidly oxidized to nitrate under oxidizing conditions. For Tail Lake, MHBL anticipates that only a small proportion of the ammonia would be oxidized to nitrate and overall the nitrogen content of Tail Lake would be lower and would meet CCME guidelines.

NIRB inquired as to whether or not nitrogen toxicity would be high at the outlet of Tail Lake. In response, MHBL stated that while it is possible, it is highly unlikely. If the tailings are toxic, it will not meet CCME guidelines, and therefore would not be released.

INAC stated that they had requested a more complete analysis of impacts in each of the following areas: climate/global warming, noise, terrain, permafrost, hydrology/water quality, wastewater treatment, acid rock and metal leaching, aquatic organisms and habitat, wildlife, bird life and habitat, vegetation, and accidents and malfunctions. INAC stated that they had received supplementary information in each of these areas and are satisfied that the information provided meets conformity.

INAC noted that the issue of causeways was not addressed in the March 15<sup>th</sup> 2004 information, but may have been in information provided on March 24<sup>th</sup> 2004, which INAC has not reviewed to date.

INAC had required that the Proponent undertake water quality modeling to predict metal levels for the Tail Lake Tailings Containment Area and Doris Lake Outlet Stream using metal data from the optimized tailings slurry treatment process. MHBL confirmed that this information was provided on March 24<sup>th</sup> 2004, which INAC has not reviewed to date.

NIRB inquired as to whether or not INAC is satisfied with the three and one-half (3 ½) meter free board on dam. In response, INAC stated that they cannot comment on the three and one-half (3 ½) meter free board on the dam until they have completed their review. MHBL stated that they are confident that the three and one-half (3 ½) meter free board on the dam is more than adequate. EC stated that they still have concerns regarding the three and one-half (3 ½) meter free board on the dam.

## **4.8 Acid Rock Drainage and Metal Leaching**

### **Baseline Data**

No concerns with conformity on this issue were expressed at this time.

### **Impact Assessment**

EC informed participants that following their technical review, they will have comments regarding this issue.

No other concerns with conformity on this issue were expressed at this time.

## **4.9 Vegetation**

### **Baseline Data**

No concerns with conformity on this issue were expressed at this time.

### **Impact Assessment**

No concerns with conformity on this issue were expressed at this time.

## **4.10 Aquatic Organisms and Habitat**

### **Baseline Data**

No concerns with conformity on this issue were expressed at this time.

### **Impact Assessment**

EC expressed satisfaction that the information conforms, but noted that following their review, comments regarding this issue will be made. EC encouraged the Proponent to look specifically at the questions and issues raised by EC in the February 2<sup>nd</sup>, 2004 submission, and provide a detailed response.

DFO expressed satisfaction with the detailed submission received from MHBL in regards to the potential habitat compensation package and jetty landing. DFO needs to review the submission, but based on its initial scan of the submission, believes the information conforms.

DFO stated that further information on the proposed bridge and photographs of the culverts sites would be requested.

In response to DFO's comments, the following questions and comments were made:

NIRB: What is DFO's position in terms of the No-Net Loss Principle?

DFO: DFO requested that MHL submit a habitat compensation package in case this is the direction DFO chooses to pursue, however, participants were informed that DFO has not made a conclusive decision on this issue to date.

KIA: Any habitat compensation work to be carried out on Inuit owned land should be vetted by KIA before any Agreements are finalized, as Inuit need to be consulted and actively involved in the decision making process.

DFO: DFO is currently collecting preliminary information on habitat compensation, and no discussion on this issue has taken place to date, but stakeholders will be consulted.

KIA: Who are the stakeholders that will be consulted?

DFO: KIA, the Proponents, NIRB, as well as stakeholders on NIRB's distribution list will be consulted during this process.

KIA: KIA is a land-owner in this process and must be adequately consulted.

DFO: This fact was duly noted in the letter from KIA to DFO, and in subsequent discussions between the two parties.

C: Participants were reminded that NIRB makes the ultimate decision in respect to the process, and will ensure that all stakeholders are consulted.

No additional comments regarding conformity on this issue were expressed at this time.

## ***4.11 Bird Life and Bird Habitat***

### **Baseline Data**

EC informed participants the following information is required in order to conform:

- Size and location of the study areas;
- Justification for the VECs; and
- Information on the ecological function of migratory birds.

In response, MHL committed to filing a supplementary document on this issue, which will include a function of migratory birds in the two study areas. It was noted that this information was a requirement under NIRB's directions.

No additional comments regarding conformity on this issue were expressed at this time.

### **Impact Assessment**

No comments regarding conformity on this issue were expressed at this time.

## ***4.12 Wildlife***

### **Baseline Data**

No comments regarding conformity on this issue were expressed at this time.

## Impact Assessment

The GN expressed concern that a Monitoring and Mitigation Plan is not complete, although it is referred to in the EIS. In response, the Proponent informed participants that currently a Monitoring and Mitigation Plan is being drafted and will be reviewed, with an Agreement-In-Principle in place by the June 2004 hearings. The Monitoring and Mitigation Plan is to be a schedule for the monitoring of ecological health.

Following the MHBL response, the following questions and concerns were made:

GN: Some verbal discussion has taken place between the GN and MHBL, and the GN is content with the draft.

EC: How are migratory birds incorporated into the Monitoring and Mitigation Plan?

MHBL: A monitoring element is captured in the recording of wildlife in the project area, which is included in the Monitoring and Mitigation Plan.

KIA: Will an Agreement-In-Principle be in place by the time of the public hearing?

MHBL: An Agreement-In-Principle will be in place by the time of the public hearing in June 2004, and KIA will be involved in the development of this Agreement.

KIA: KIA must be involved in the development of an Agreement-In-Principle in order to ensure that wildlife is protected. The KIA will review and comment on the Agreement-In-Principle at the time of the public hearing.

MHBL: MHBL has based their research on wildlife on caribou, based on public concern. The caribou information collected has been reviewed with the GN, and concern seems to be specifically focused on the Victoria Island Caribou Herd.

NIRB: Is it possible for the Monitoring and Mitigation Plan to be provided to NIRB in draft by April 30<sup>th</sup>, 2004?

MHBL: If significant progress is made with the GN on the draft the Monitoring and Mitigation Plan, then MHBL will commit to submitting a draft to NIRB by April 20<sup>th</sup>, 2004.

NIRB: The Proponent stated that there are more than one hundred and one (101) raptors nests in the study area - are nest eggs a good indicator of migratory bird health? What is the mitigation plan for the protection of migratory birds?

EC: Raptors are not part of EC mandate, although raptors may fall under the Species-At-Risk Act.

MHBL: Of the more than one hundred and one (101) raptors nests in the study area, only one cluster is likely to be disturbed by project activity. The species that have the potential to be disturbed by activity are falcons, which are very adaptive to human activity. It is important to note that up to a quarter of the one hundred and one (101) raptors nests in the study area could naturally be vacant in a given year.

GN: The GN supports the scope of the Doris Gold Mine project, but has strong desire to increase scope for mitigation to include cumulative effects.

MHBL: BHP had conducted studies of raptors in the mid-1990s. Following these studies, MHBL conducted more detailed studies and documented data sets for raptors in the study area. This study will be done again during Summer 2004. However, this study is expensive, and there will come a time in the future when this ongoing effort will have to be rationalized.

GN: The GN acknowledges the high-quality baseline data that was prepared by MHL on raptors in the study area.

EC: EC reminded the Proponent and NIRB that they have obligations under the Species At Risk Act.

NIRB: NIRB stated that they would fulfill their obligations under the Species At Risk Act. NIRB requested that EC submit comments regarding the Species At Risk Act in their technical review.

MHL: MHL stated that they would fulfill their obligations under the Species At Risk Act.

KIA: KIA believes that wildlife issues were not adequately addressed during the Tahera hearings. KIA would like for better work to be done on wildlife protection by GN and the Proponent in advance of the Doris North hearings.

GN: GN is comfortable that wildlife issues were covered at the Tahera hearing, and respectfully disagree with KIA's comment.

MHL: The Tahera hearing was a learning experience, and was very instructive.

No additional comments regarding conformity on this issue were expressed at this time.

### ***4.13 Bioaccumulation and Biomagnification***

#### **Baseline Data**

No comments regarding conformity on this issue were expressed at this time.

#### **Impact Assessment**

EC noted that it has no conformity concerns at this time, although they have to complete their review.

NIRB raised concerns that had been submitted to the Board regarding bioaccumulation of metals in fish. In response, participants were informed that DFO will be reviewing information and working with EC on this issue.

No additional comments regarding conformity on this issue were expressed at this time.

### ***4.14 Sewage Plans and Sewage Waste***

#### **Baseline Data**

No comments regarding conformity on this issue were expressed at this time.

#### **Impact Assessment**

The following questions were raised in regards to the impact assessment of sewage plans and sewage waste.

INAC: Where did direction for sewage plans come from?

MHL: The treatment of sewage was addressed in the EIS due to the guidelines provided to MHL. An additional reason for the sewage plans is that MHL would like to reclaim waters and do not want certain minerals to be present in the water flowing into the mill. MHL also predicted that the treatment of sewage may be a requirement in their water license.

INAC: Will there be some volume of minerals discharged into the lake?

MHBL: Yes, discharge into the lake will have some mineral components, but this volume will be under MMER guidelines.

Following the answers to these questions, INAC stated that it is satisfied information provided conforms.

#### **4.15 Quarrying**

##### **Baseline Data**

No comments regarding conformity on this issue were expressed at this time.

##### **Impact Assessment**

No comments regarding conformity on this issue were expressed at this time.

#### **4.16 Waste Water Management and Treatment**

##### **Baseline Data**

No comments regarding conformity on this issue were expressed at this time.

##### **Impact Assessment**

No comments regarding conformity on this issue were expressed at this time.

#### **4.17 Archeology**

##### **Baseline Data**

No comments regarding conformity on this issue were expressed at this time.

##### **Impact Assessment**

No comments regarding conformity on this issue were expressed at this time.

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## **5.0 Residual Impacts**

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This section summarizes participating parties' comments regarding the issue of residual impacts.

INAC informed participants that comments regarding conformity on this issue would be expressed during the discussion on cumulative effects.

GN informed participants that comments regarding conformity on this issue would be expressed during the discussion on abandonment and reclamation.



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## **6.0 Abandonment and Reclamation**

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This section summarizes participating parties' comments regarding the issue of abandonment and reclamation.

### **6.1 Comments Regarding Conformity**

EC stated that conformity is noted at this time, but they may be additional comments following their review.

GN stated that while their review has not yet been completed, they are concerned with the quantity of data provided on re-vegetation issues. GN also noted that while they support the use of fertilization and native species, they do not support the use of agronomics. This is in keeping with their position at the Tahera hearings. In response, MHBL stated that they concur that they do not support the use of agronomics and that there is presently not a lot of information on re-vegetation. MHBL stated that they would commit to reviewing information available from other studied sites.

INAC is satisfied that additional information meets conformity.

### **6.2 Other Questions and Comments**

The following questions and comments were made with respect to the issue of abandonment and reclamation:

KIA: KIA supports re-vegetation as the preferred alternative.

MHBL: The Abandonment and Reclamation Plan commits to providing a stable substrate.

KIA: The Abandonment and Reclamation Plan needs to ensure that the environment is left ecologically productive and stable.

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## 7.0 Cumulative Effects Assessment

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This section summarizes participating parties' comments regarding conformity on the issue of cumulative effects.

An overview of MHBL approach to cumulative effects was provided to open the discussion. MHBL informed participants that in approaching cumulative effects, they:

- Looked at VECS and the potential interaction with past or current developments in the area;
- Determine rare and infrequent impacts; and
- Considered cumulative effects of future developments.

### 7.1 Comments Regarding Conformity

INAC stated that difficulty exists with respect to the traceability of residual impacts and cumulative effects assessment analysis. Specifically, INAC noted the following:

- The traceability of the methodological link between Table 3.3 and Chapter Five (5) of the Final EIS is unclear;
- Residual impacts are not always clearly detailed; and
- The 'Marine Organisms and Habitat' VEC is missing information on residual impacts.

INAC also stated that land use permits for the Hope Bay area had been considered, and activity to the east and west of this area will have to be taken into account in future cumulative effects assessment.

INAC recommended that in order to fully explain and improve traceability of the VECs, that the Caribou VEC be used to trace MHBL steps through the process. Assuming the same methodology was used to measure the cumulative effects impacts for all VECs, a step-by-step summary, using the Caribou VEC as an example, would be adequate. INAC also requested that the methodology also be traced for VSEC indicators, and suggested that the 'Employment and Training' VSEC be used to provided a sample step-by-step summary.

In response to INACs comments, MHBL stated that they would revisit the issue of traceability by following INAC suggestions and providing a step-by-step summary of the Caribou VEC and the Employment and Training VSEC. MHBL committed to providing a response to the traceability of Caribou VEC in a weeks time; traceability of Employment and Training VSEC by April 13<sup>th</sup>, 2004; and the 'Marine Organisms and Habitat' VEC residual impacts information in a week's time.

EC stated that they are currently reviewing the information provided by MHBL and will comment following their review.

EC stated that prior to the submission of additional information, EC had concerns regarding marine traffic. In response, MHBL stated will tonnage may increase, there is not foreseen change to the number of trips per year, other than the jetty landing, so this is not seen by MHBL as a major issue.

## **7.2 Other Questions and Comments**

In response to the overview presented by MHBL, the following questions and comments were made:

NIRB: Are significant environmental impacts on caribou crossings foreseen as a result of traffic and shipping to communities and camps?

MHBL: Traffic and shipping requirements will not affect caribou crossings.

NWB: What are the requirements for dredging?

MHBL: There will be no dredging of any nature as part of this project.

MHBL: Cumulative effects and residual impacts are very important for an environmental assessment and MHBL would appreciate any preliminary indication of issues that may be raised in order to aid MHBL in their preparation for the hearings.

NIRB: Were future developments considered and discussed at the TK/IQ Workshop that MHBL held?

MHBL: The main focus of the TK/IQ workshop was to inform elders about the project. The possibility of future developments was mentioned, but not a lot of details were provided with respect to future developments.

NIRB: The fact that future developments in the area were discussed at the TK/IQ workshop was not reflected in the workshop minutes; is it possible for MHBL to provide a reference?

MHBL: MHBL noted this comment and committed to clarifying their discussion with elders at the workshop.

## 8.0 Social Impacts Assessment

This section summarizes participating parties' comments regarding the topic of social impacts.

### 8.1 Comments Regarding Conformity

GN has not yet completed their review, but made the following comments with respect to social issues:

- The level of detail of baseline information for communities is preliminary, and while this may be adequate considering the scope of the project is two years, more information on communities will be needed for future developments;
- There is a large section with information pertaining to Yellowknife, NT and this seems questionable due to the fact that hiring is suppose to take place in the Kitikmeot area and in Edmonton, AB;
- The GN has some concerns regarding the credibility of the crime information; and
- Terra Firma data is quoted within the Final EIS, and GN would like to know what level of analysis was conducted with respect to the Terra Firma data and whether or not MHLB is confirming Terra Firma's findings.

In response to the GN's comments, MHLB informed participants that the Terra Firma report was a community-based report that was provided to NIRB. The findings of the Terra Firma report showed that increased money into the communities was correlated with increased substance abuse and crime. MHLB does not dispute these findings, and restated the reports conclusions within the Final EIS.

In regard to the GN's concerns regarding the Yellowknife, NT section of the report, participants were informed by MHLB that this is a residual part of the report from when it was initially thought that the project would have a greater impact on Yellowknife, NT. MHLB would have like to increase the scope of detail on communities but the statistics are not available. As a result, Nunavut statistics were used because this information was available.

With INAC commented that in terms of the socio-economic impact assessment, the following information is still needed to meet conformity:

- Additional information detailing the methodology of the negative and positive impacts of the project is still needed because the Final EIS still relies heavily on monitoring impacts and lacks an adequate assessment of both the positive and negative socio-economic impacts;
- A discussion of the "boom and bust" impacts of a short-term and long-term impacts of the Doris Lake project;
- While an additional socio-economic impact indicator (country foods) was provided, INAC still requires crime/violence rates and other health and wellness indicators; and
- A cohesive strategy or monitoring methodology for linking the relevant aspects of the assessment to mitigation and the respective elements that are monitors as part of the intended socio-economic monitoring strategy.

In response to these comments, MHL informed participants that the methodology for the negative and positive impacts of the project could be easily provided to INAC. A submission on the “boom and bust” impacts to communities in the short-term and long-term impacts as a result of the Doris Lake project will be submitted as soon as possible. In regards to the outstanding socio-economic impact indicators, these indicators have not been provided because the information is not available. NIRB requested that a written statement from MHL saying that this information is not available. In terms of INAC’s concerns over a monitoring methodology for linking the relevant aspects of the assessment to mitigation and the respective elements that are to be monitored as part of the intended socio-economic monitoring strategy, MHL committed to providing a response before the wrap-up of this technical meeting.

INAC also stated that MHL’s response to their concerns regarding internal and external reporting and response mechanisms and structures conforms. In regards to INAC’s request that the Final EIS include the identification of appropriate management and mitigation measures, a difference of opinion exists. The MHL consultants believe that it is inappropriate for them to prescribe solution to the company and the local and territorial governments, where as INAC believes it is indeed appropriate for the consultant to prescribe a solution. However, INAC does agree with MHL’s response that the list of mitigative measures is illustrative of measures that have been used effectively elsewhere.

## **8.2 Other Questions and Comments**

The following questions and comments were made with respect to the issue of social impacts:

INAC: INAC recognizes that some socio-economic impact issues will be addressed through the IIBA.

KIA: KIA is not responsible for all aspects of education, health, and the environment, as KIA has a limited mandate.

NIRB: Does the Proponent have a goal as to the percentage of Inuit works that will be employed at the Doris Lake Gold Mine?

MHL: This issue is part of the IIBA discussions.

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## **9.0 Traditional Knowledge/ Inuit Qaujimagatugangit**

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This section summarizes the participating parties' comments on the issue of TK/IQ.

MHBL provided an overview of the TK/IQ work that has been completed at the onset of the discussion. Participants were informed that BHP owned the site before Miramar took over in 2000 and conducted studies in partnership with KIA. While MHBL hopes to obtain access to the BHP/ KIA study in the near future, this information is currently unavailable. MHBL conducted a TK/IQ workshop in Cambridge Bay, NU and the workshop report is filed as a supporting document.

### **9.1 Comments Regarding Conformity**

GN stated that while the TK/IQ workshop that was conducted was beneficial, concern exists as to how the work was incorporated in the Final EIS. GN stated that they have not yet completed their review, but requested that a table be provided that clearly details the connections between the TK/IQ information provided at the workshop and the Final EIS. MHBL needs to demonstrate how and where TK/IQ is incorporated into the Final EIS in order to conform.

INAC stated that they also require a demonstration of connectivity between TK/IQ information and the Final EIS.

In response to GN and INAC, MHBL informed participants TK/IQ was referenced in the aquatic and socio-economic impacts sections of the Final EIS. MHBL committed to revisiting the issue and reporting back to the two parties as to how they will address this issue.

### **9.2 Other Questions and Comments**

The following questions and comments were made with respect to the issue of TK/IQ:

MHBL: The BHP/ KIA study is very extensive and includes seven years of information that will be very beneficial. However, given the time period available, MHBL was unable to conduct a study as extensive. As a result, MHBL held the TK/IQ workshop and noted elders' concerns with respect to the project. MHBL believes this is adequate until BHP/ KIA information is made available for future developments.

KIA: The BHP/ KIA study is in the process of its internal 'grass roots' review.

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## 10.0 Alternatives

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This section summarizes the participating parties' comments on the topic of alternatives.

### 10.1 Comments Regarding Conformity

In order to meet conformity, the Proponent was required to provide a risk assessment to justify the selection of Tail Lake as the tailings disposal location, which MHBL had committed to provided and presenting prior to this technical meeting in an updated and revised "Table 1: Summary of Hope Bay Doris North Tailings Disposal Alternatives" which was originally presented in SD B5. INAC asked for confirmation that this table had been updated and revised. In response, MHBL confirmed that the issues raised by INAC had been addressed and included in the table.

EC stated that they had questions regarding alternatives and still need to review the information from a conformity and technical perspective.

DFO stated that they have not yet completed their review, but noted that "Table 1: Summary of Hope Bay Doris North Tailings Disposal Alternatives" makes the Partial Tail Lake tailings disposal alternative seem like a viable option based on their initial review. In response, MHBL stated that the Partial Tail Lake tailings disposal alternative could not work without the whole lake being affected. This is because, to avoid seepage into Tail Lake, significant changes to water flow would have to be made, which is a complicated process. MHBL stated that Table 1 is just a summary and will provide DFO with the details of this alternative.

### 10.2 Other Questions and Comments

The following questions and comments were made with respect to the issue of alternatives:

KIA: This project is proposed to take place on Inuit owned land. Inuit own the surface of the land and the land under the lake. KIA wants to plan for the use of land in the future. KIA does not support land-based tailings disposal and does not consider it to be an option. KIA will not support numerous land based tailings disposal sites if future developments occur. KIA believes the best option for tailings disposal is Tail Lake because it can support numerous projects. KIA has hired a consultant to determine what fair compensation for Tail Lake would be, and the figure shows the Inuit's high value for land and water quality. This report from the consultant will be an appendix to the Inuit Impact Benefits Agreement (IIAB).

INAC: Why can KIA not support dry land disposition?

KIA: For a number of reasons, such as: bad past experiences, dry land disposition does not decrease the risk to the environment, and the location of Tails Lake is relatively close to the ocean. There is strong opposition within KIA to dry land based disposition.

DFO: Can KIA specify which projects had bad experience with land disposition?

KIA: Lupin Mine is one example. There is great concern in communities about tailings ponds and environmental impacts.

DFO: Is the impact from tailings at Doris Lake expected to be the same toxicity as at Lupin?

KIA: KIA cannot comment on the exact toxicity at Doris Lake, but concern exists as to what affect global warming will have on tailings pond that use permafrost to help control seepage to the environment.

DFO: Are KIA's concern based on the two-year Doris Lake project, or a much larger project?

KIA: KIA concerns are with respect to the two-year Doris Lake mine, but with the understanding that future developments will use this tailings pond.

KIA: KIA has conducted a survey of one third of all households in Kugluktuk and Cambridge Bay to help identify community concerns. KIA intends to share this information with the public.

DFO: DFO protects fish resources and tries to respect everyone's use and value of the resource.

NIRB: Is mine backfill a viable alternative?

MBHL: This option would only accommodate 10% to 30% of the tailings volume, and a tailings facility would be required for the remaining tailings. However, if there are no environmental concerns with this alternative, backfilling will be used to the maximum extent possible.

DFO: Can information regarding the mine backfill alternative be provided to DFO?

MHBL: Yes, detailed information on the mine backfill alternative can be addressed and provided to DFO in supplementary information.

KIA: KIA's position is that mine backfill will substantially impact the environment.

INAC: INAC will not consider any tailings disposal options until the completion of INAC's technical review.



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## **11.0 Monitoring**

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This section summarizes participating parties' comments regarding the topic of monitoring.

### **11.1 Comments Regarding Conformity**

INAC stated that in order to meet conformity, information on how internal and external reporting and response mechanism and structures, including procedures to be followed in the event that monitored results deviate significantly from predicted results must be provided. While INAC noted that they are pleased with MHBL's commitment to continual improvement, how information will be incorporated is still required at this time. In response, MHBL informed participants that the full details of a monitoring plan are still being developed. Triggers will be built in which will require specified actions to take place when results deviate significantly from predicted results

INAC stated that a decision-making feedback loop should be provided prior to the hearings. In response, MHBL committed to ensuring that detailed monitoring information includes a decision-making feedback loop.

EC has not identified any comments regarding conformity in terms of monitoring, but may have comments following their technical review.

### **11.2 Other Questions and Comments**

The following questions and comments were made with respect to the issue of monitoring:

EC: Will migratory birds be included in MHBL monitoring plan?

MHBL: Yes, migratory birds will be included in the monitoring plan.

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## 12.0 Other Items

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This section summarizes participating parties' comments on other items.

After some round-table discussion took place, participants identified the following items for discussion under Agenda Item #10: Other Items:

- Public Consultation;
- Roberts Bay Jetty;
- Doris Lake Outflow;
- Explosives Management;
- Geomorphology;
- Use of Best Available technology; and
- Flow Chart of the Regulatory Review Process.

### 12.1 Comments Regarding Conformity

#### Public Consultation

INAC stated that in order to know if the Final EIS conforms to NIRB requirements, INAC requires a communications strategy identifying where, when and how public consultation took place. In response, MHBL stated that community workshop are usually informal, with no set agenda, as an informal approach to answering questions and asking for concerns works best based on past experiences. Detailed notes are not provided, as only the concerns and issues raised are documented. Information from consultation activities is incorporated within the Final EIS and MHBL position is that this information meets conformity. MHBL stated that consultation and communications are built into the process. Reporting is part of the communication process, but written reports may be augmented by oral reports.

#### Robert's Bay Jetty

NIRB stated that they have confidence the information conforms. The original concern came from DFO, who have expressed satisfaction that the supplementary information conforms.

#### Doris Lake Outflow

NIRB inquired as to whether or not the tailings lake discharge would meet MMER guidelines at Doris Lake. In response, MHBL informed participants that tailings lake discharge would enter Doris Creek above the waterfalls and meet MMER at the bottom of the waterfalls. Upon MHBL response, NIRB stated that they are satisfied the information meets conformity.

#### Explosives Management

NRCAN had requirements regarding explosives management. MHBL has not received any comments regarding the supplementary information they had submitted, so believe the information meets conformity.

EC inquired as to the type of explosives MHBL intend to use (ANFO or others). In response, MHBL informed participants that they are currently working with explosive manufactures to decide whether it is best to fly-in explosives or to mix the explosives on site. The decision on which option to use will be based on safety, not cost. MHBL will know prior to the hearing if they are going to use pre-mixed explosives or on-site mixing. It was noted that NRCAN approval is required for on-site mixing.

### **Geomorphology**

MHBL stated that NRCAN had required a more detailed description on geomorphology, which was captured during the workshop discussion on 'Terrain'.

No other comments regarding conformity on this issue were expressed at this time.

### **Best Available Technology**

EC inquired as to whether or not MHBL intend to recycle heat in order to decrease the use of fuel. In response, MHBL informed participants that heat exchange would be used to heat the camp. Fuel will be used in limited amounts as it is very expensive, and it is MHBL desire to decrease greenhouse gas emissions as much as possible. In addition to the use of heat as a fuel source, wind power may be considered in the future.

EC noted concerns about raptors and wind power.

MHBL noted that wind power as a fuel source can be problematic in areas with a large insect population, as was experienced in Quebec.

EC also inquired as to whether MHBL had considered using low sulphur diesel. In response, MHBL stated that they are looking into using low sulphur diesel.

### **Flow Chart of Regulatory Regime**

NIRB commented that it would be beneficial if a flow chart describing the step-by-step process of the regulatory regime were created. In response, MHBL stated that while they are very familiar with the process, a flow chart means a timeline and this is where uncertainty with respect to the process exists.

GN commented that a flow chart of the regulatory regime would increase the level of understanding in terms of how the process works. In response, MHBL said that the process is not straight forward and do not want to get the flow chart incorrect or for it to become the focus and take away from the focus on the project. MHBL's position was that it would be better to develop a flow chart after the process to see where it worked well and were it could be more effective. This project is being monitored by industry. MHBL is willing to do this after the process and not before, so that focus stays on this project.

INAC stated that they support the creation of a flow chart of regulatory regime after the process is complete.

## **12.2 Other Questions and Comments**

The following questions and comments were made following the discussion on the issues of: Public Consultation; Roberts Bay Jetty; Doris Lake Outflow; Explosives Management; Geomorphology; Use of Best Available technology; and Flow Chart of the Regulatory Review Process.

NIRB: NIRB requires a communications plan. In addition to this, it would be helpful for NIRB to know what issues are being discussed in regards to the IIBA, so that it is known how this issue will be addressed from the environmental assessment. While NIRB stated that they respect KIA and MHBL confidentiality with respect to this issue, it would be beneficial to know what issues are being discussed in terms of the IIBA as there are people impacted by this project that are not Inuit beneficiaries.

NWB: Inuit elders are verbal people, and prefer verbal communication with respect to the project.

MHBL: Oral reporting was a requirement of the Tahera Impact Benefits Agreement (IBA).

EC: EC requested to review KIA's water report that was prepared by a hired consultant and mentioned during workshop discussion. EC is not interested in the cost compensation figure calculation specifically, but would like to review sections of the report to understand the cultural importance of the water in the study area.

KIA: KIA will discuss the possibility of having the report open for review and comments by the public, although this may be problematic. KIA wants to ensure that Nunavut has clean water, productive wildlife habitat, and that this project meets quality criteria. KIA's role is to strictly follow the Nunavut Land Claim Agreement.

KIA: The IIBA must be signed one hundred and twenty (120) days before project construction can take place. It is KIA desire to get all issues being discussed in terms of the IIBA public before hearings take place so people are informed. KIA and the Proponent are actively and cooperatively working on the IIBA.

NWB: NIRB needs to be made aware of what mitigation issues are being discussed between KIA and the Proponent.

KIA: IBA Agreements have a set structure that KIA and MHBL are using as a framework. However, because this is a unique project, various social strategies are being considered in order to maximize the benefits of the projects to Inuit people. Due to the uniqueness of the project, the IIBA will also be unique.

NIRB: Due to the uniqueness of the project, NIRB would like to have a framework of the issues being discussed between KIA and MHBL in regards to the IIBA.

## 13.0 Next Steps

This section summarizes participating parties' comments regarding next steps.

NIRB provided an overview of the next steps with respect to the process, which are as follows:

- April 30<sup>th</sup>, 2004 – Deadline for the Proponents submission of supplementary information to NIRB
- May 28<sup>th</sup>, 2004 – Deadline for Intervention statements for the hearings
- June 4<sup>th</sup>, 2004 – Deadline for translation.
- June 13<sup>th</sup> – 18<sup>th</sup>, 2004 – Hearings take place

NIRB commented that while there is no legislated timeframe after the hearing, a minimum of four (4) weeks would be required for NIRB to make a decision on a recommendation.

Following NIRB's overview of next steps, the following questions and comments were made:

NIRB: NIRB requests that all supplementary information be submitted together, for administration and review purposes.

MHBL: MHBL will respect NIRB request by submitting all supplementary information by April 30<sup>th</sup>, 2004, but will maintain its commitment to respond to EC next week.

EC: EC would prefer to get their information next week.

NIRB: How will the timeframe be affected since the technical reviews have not been completed? Could NIRB move forward the April 30<sup>th</sup> 2004 deadline?

MHBL: MHBL will discuss this option and report back to participants tomorrow during the workshop (April 1<sup>st</sup>, 2004). However, MHBL's larger concern is the timeframe between comments regarding identified gaps in information and the final date of submission. The schedule 'as is' does not allow for further issue resolution, and MHBL does not want non-issues to be brought up at the hearings.

NIRB: Is it possible to work within the established timeframe?

MHBL: MHBL is confident that it is ready for hearings. MHBL will not be bringing any new issues to the table, although Interveners could. MHBL is ready to review environmental impact with NIRB.

INAC: INAC will proceed with their technical review of the information they have received to date and will submit their information requests by April 30<sup>th</sup>, 2004. INAC is aware that they will receive further information from the Proponent (on April 30<sup>th</sup>, 2004) and may have more information requests.

GN: GN stated that a Wildlife Plan is required by April 30<sup>th</sup>, 2004. GN cannot prepare an Intervener statement without a Wildlife Plan to review.

MHBL: MHBL will commit to having a Wildlife Plan for Interveners to review prior to April 30<sup>th</sup>, 2004.

EC: EC will be at the hearings, and will participate as best as possible.

INAC: INAC will be at the hearings, and will participate as best as possible.

DFO: DFO will commit to trying to meet NIRB deadline, but foresee similar restraints as INAC.

At this time, roundtable discussion took place over the question posed by NIRB as to whether or not another technical meeting should or could take place in between the Proponents submission of supplementary information and the Interveners deadline. Following the discussion, participants determined that while there may be value in holding a technical meeting, the current timeframe does not allow enough time. MHBL committed to providing information to Interveners so they have time to review the supplementary information and be ready for the hearings.

MHBL: MHBL stated that they are prepared to go to hearing and move forward with the process.

NIRB: NIRB is also prepared to go to hearings in June 2004. Timeframe has been set for this process and NIRB plans to respect this timeframe. [NIRB clarified on the following day that the timeframes are not set in stone and that the NIRB would provide final direction on this issue.]

MHBL: MBL respect NIRB timeframes and will do what the Proponent can to simplify issues to NIRB. It would be beneficial to MHBL if NIRB set deadlines for Interveners requests and MHBL response.

NIRB: NIRB will set dates for Interveners requests and for MHBL response.

CEAA: It has not yet been confirmed as to whether or not MHBL is going to have a comprehensive study. The Minister of Environment has not made a decision on this issue to date.

## 14.0 Closing Remarks From MHBL

This section identifies MHBL's summary of commitments made throughout the course of the three-day technical meeting and their closing remarks.

The following commitments were submitted in writing by MHBL:

- MHBL will go over EC's questions and will send something to them between April 5-9th 2004.
- MHBL will discuss the permafrost monitoring plan and send something to NIRB by April 30<sup>th</sup>, 2004.
- Nitrite degradation rates will be reviewed and filed with NIRB on or before April 30<sup>th</sup>, 2004.
- Winter tailings dam construction will be more adequately described on or before April 30<sup>th</sup>, 2004.
- Arctic char will be monitored as required by the EEM regulations.
- The hydrology data set will be reviewed with EC.
- Kinetic test results on ABA testing are currently underway – they will be presented at the June hearings
- MHBL will provide EC with the following information on bird life and habitat; size of local and regional study areas, justification of VECs, and the ecological function of migratory birds, on or before April 30<sup>th</sup>, 2004.
- MHBL will provide NIRB and GN with information on wildlife mitigation plans (draft form), on or before April 30<sup>th</sup>, 2004.
- MHBL will provide INAC information on the VSEC and VEC rationale of methodology (caribou will be used as an example for VECs and employment and training will be used for VSECs). MHBL will also provide a marine organism VEC (VECs for marine habitat were in Chapter 3, but were not followed up on in Chapter 5). All information will be provided on or before April 30<sup>th</sup>, 2004.
- MHBL will provide INAC with a response to page 71 (section 6b) on how TK and public consultation were included in the selection of all VECs and used in the EIS.
- MHBL will provide DFO with information on the issues with alternative tailings options (1/2 lake and backfilling underground), on or before April 30<sup>th</sup>, 2004.
- MHBL will provide INAC with more information under section 4.8d (specifically they will provide examples of feedback mechanisms for monitoring/response). Information will be provided on or before April 30<sup>th</sup>, 2004.
- MHBL will provide DFO with site photos of culverts (if available), on or before April 30<sup>th</sup>, 2004.

The following closing remarks were submitted in writing by MHBL:

- MHBL considers the hearing dates to be final – MHBL can go earlier. MHBL will continue to work on the IIBA with KIA, the KIA surface leases and NTI production leases, as well as the wildlife agreement.
- KIA agreed with the preferred option of Tail Lake – KIA should be included in discussions with DFO on the No-Net Loss plan.
- Based on the information submitted to date and the feedback received, the proponent is confident the project has addressed the issues to proceed to final hearings based on the completeness of the final EIS and the additional information submitted to date.
- Thanks to NIRB for organizing the function, thanks to the facilitator, thanks for all the feedback from everyone, thanks to the MHBL staff.



## **Appendix A    List of Participants**

Doris North Gold Mine Technical Meeting March 30, 31 and April 1. 2004		
Yellowknife, NT		
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## **Appendix B   Summary of Key Points Relating To Information Review, Needs and Commitments**

Topic: Project Purpose / Scope		
What did the parties say about the adequacy of the information?	What information did the parties say that they still need?	What information did MHLB commit to providing?
<p>INAC noted that Tab 4 Item 2 – Project Purpose or Project Justification had clarified any questions that DIAND had. INAC believes that the information on this topic now conforms to NIRB requests.</p> <p>EC noted that MHLB seems to have answered their questions, which are different from DIAND's. The EC review is not complete at this time. This meeting is about the Materials from Feb 2.</p> <p>DFO noted that they have not had time to complete their review of the materials rec'd March 15. That review would determine any information needs for this topic and others.</p> <p>GN's remaining issues are indirectly related to this topic.</p>	<p>INAC has not completed their technical review. When they have, they will provide comments to NIRB.</p> <p>The EC review is not complete at this time.</p> <p>DFO noted that they have not had time to complete their review of the materials rec'd March 15. That review would determine any information needs for this topic and others.</p>	<p>MHLB committed to responding to EC directly using EC's conformity review as a basis.</p>

Topic: Project Description		
What did the parties say about the adequacy of the information?	What information did the parties say that they still need?	What information did MHBL commit to providing?
<p>INAC has not yet reviewed the Water Balance information. INAC is satisfied that the information submitted meets the requirements set by NIRB.</p> <p>EC noted that the supplementary information submitted has responded to some of their concerns.</p> <p>EC has not reviewed the Spill Contingency Plan.</p> <p>DFO noted that the supplementary information about the clear span bridge seems to be what DFO needs to have to undertake its review.</p>	<p>During their technical review, EC will have requests for more information about: Tailings Management Plan Environmental Management Plan Closure and Reclamation Plan</p> <p>EC wants detailed Spill Contingency Plan addressed in EA phase.</p> <p>DFO noted that there was an issue for the Board related to Project Scope – a 2-3 year life mine with a 6+ year tailings plan.</p>	<p>MHBL suggested that EC review the EMS in the final EIS, some if not all of which are addressed.</p> <p>MHBL indicated that the EMS and Sill contingency plan will be refined as the project proceeds. Present document covers the scope of items to be addressed in EMS.</p> <p>MHBL will file material on Tail Lake alternative</p>

<b>Topic: Baseline Data Collection and Impact Assessment Climate and Air Quality</b>		
What did the parties say about the adequacy of the information?	What information did the parties say that they still need?	What information did MHBL commit to providing?
<p>EC's submission of Feb 2 was responded to in part, but not completely.</p> <p>EC has no issues re conformity for air quality topic. EC will have some comments and possible info requests at a later date.</p>	<p>EC will identify in their review.</p> <p>INAC needs the evaporation data that the weather station will collect.</p>	<p>MHLB committed to providing information from weather station evaporation 2003.</p> <p>MHBL committed to doing snow course this spring.</p>

<b>Topic: Baseline Data Collection and Impact Assessment Noise</b>		
What did the parties say about the adequacy of the information?	What information did the parties say that they still need?	What information did MHBL commit to providing?
HC not in attendance		

<b>Topic: Baseline Data Collection and Impact Assessment Terrain / Permafrost</b>		
What did the parties say about the adequacy of the information?	What information did the parties say that they still need?	What information did MHLB commit to providing?
<p>INAC is satisfied that information about permafrost conforms to NIRB requirements and responds to concerns that INAC has about permafrost and the dam.</p> <p>INAC has to complete its review of some of this information and will provide comments at a later date.</p>	<p>DIAND wants a Plan for Monitoring Permafrost</p> <p>DIAND needs more information about dam construction methods, location of borrow material, potential for permafrost degradation because of raised water levels, site investigation that could predict effects on the shoreline characterization of soils around the lake, impacts and proposed mitigation. Site investigation that can predict effects on shoreline.</p>	<p>MHLB will wait until final permits to prepare detailed plan.</p> <p>MHLB will provide more information including Tail Lake shoreline monitoring.</p>

<b>Topic: Baseline Data Collection and Impact Assessment Geochemistry</b>		
What did the parties say about the adequacy of the information?	What information did the parties say that they still need?	What information did MHLB commit to providing?
<p>INAC notes that information provided to date on this subject has addressed their issues related to conformity.</p>		<p>MHLB provided additional lithology material in CD format and a GSC research paper.</p> <p>MHLB will undertake a humidity cell test on tailings.</p>

<b>Topic: Baseline Data Collection and Impact Assessment Human Health / Risk Assessment</b>		
What did the parties say about the adequacy of the information?	What information did the parties say that they still need?	What information did MHLBL commit to providing?
HC not in attendance  EC will complete its review and provide comments at a later date.		



Topic: Baseline Data Collection and Impact Assessment Ground Water / Hydrology / Water Quality		
What did the parties say about the adequacy of the information?	What information did the parties say that they still need?	What information did MHLB commit to providing?
<p>NR Can not in attendance</p> <p>HC not in attendance</p> <p>EC will complete its review and provide comments at a later date.</p> <p>INAC has not reviewed Water Balance information.</p> <p>INAC will review Sewage Disposal Model.</p> <p>INAC notes that sediment release information does conform to NIRB requirements and the additional information about monitoring, sedimentation efficiency, Tail Lake meets conformity requirements.</p> <p>INAC notes they have not reviewed the March 24 information received from MHLB.</p> <p>INAC has not reviewed the jetty information provided.</p>	<p>EC has identified some issues which require more information re conformity analysis</p> <ul style="list-style-type: none"> <li>• Table 17 flows</li> <li>• Tailings capacity</li> <li>• Dam elevation</li> </ul> <p>EC has remaining concerns with free board (dam elevation).</p> <p>INAC wanted site-specific information about hydrology, not just regional information.</p> <p>INAC asked about water management of quarries</p> <p>INAC asked about nitrogen levels in Tail Lake</p>	<p>MHLB will respond directly to EC's questions.</p> <p>MHLB will discuss with EC reviewer</p> <p>MHLB will provide site-specific information. 2003 information gathering will be repeated in 2004.</p> <p>MHLB noted tab 4 page 38 (e) as their response. (typo on page 39 corrected)</p> <p>MHLB agreed that "should" means "will" in reports and recommendations from consultants to MHLB</p>

<b>Topic: Baseline Data Collection and Impact Assessment Acid Rock Drainage and Metal Leaching</b>		
What did the parties say about the adequacy of the information?	What information did the parties say that they still need?	What information did MHBL commit to providing?
EC will comment on this topic when their review is finished.		

<b>Topic: Baseline Data Collection and Impact Assessment Vegetation</b>		
What did the parties say about the adequacy of the information?	What information did the parties say that they still need?	What information did MHBL commit to providing?
No comments		

<b>Topic: Baseline Data Collection and Impact Assessment Aquatic Organisms and Habitat</b>		
What did the parties say about the adequacy of the information?	What information did the parties say that they still need?	What information did MHBL commit to providing?
DFO notes that the information provided appears to conform.	DFO needs photos of culvert sites	MHBL will provide additional information (photographs) on or before April 30 <sup>th</sup> 2004.

<b>Topic: Baseline Data Collection and Impact Assessment Birdlife and Habitat</b>		
What did the parties say about the adequacy of the information?	What information did the parties say that they still need?	What information did MHBL commit to providing?
<p>EC does not have any issues re conformity except for the remaining items:</p> <ul style="list-style-type: none"> <li>• The size and location of the study areas</li> <li>• Justification for the VECs</li> <li>• An answer about the ecological function of migratory birds</li> </ul> <p>The GN is concerning that Monitoring and Mitigation Plan is not complete.</p>		<p>MHBL notes that they will respond directly to EC</p> <p>MHBL notes that they will have a more completed Monitoring and Mitigation Plan by the hearings date with copies to KIA and NIRB</p>

<b>Topic: Data Collection and Impact Assessment Wildlife</b>		
What did the parties say about the adequacy of the information?	What information did the parties say that they still need?	What information did MHBL commit to providing?
<p>GN notes that the baseline information is adequate</p> <p>EC reminded the proponent – Board that they have an obligation vote in Species @ Risk Act</p>	<p>GN, MHBL are working on completion of Monitoring and Mitigation Plan, with the involvement of KIA.</p>	

Topic: Bioaccumulation and Biomagnification		
What did the parties say about the adequacy of the information?	What information did the parties say that they still need?	What information did MHLBL commit to providing?
EC notes that it has to complete its review, but that it has no conformity concerns.  DFO will review information with EC re metals in fish.		

Topic: Sewage Plan, Waste Plan, Waste Water Management		
What did the parties say about the adequacy of the information?	What information did the parties say that they still need?	What information did MHLBL commit to providing?
INAC notes that it is satisfied re conformity.		

Topic: Quarrying		
What did the parties say about the adequacy of the information?	What information did the parties say that they still need?	What information did MHLBL commit to providing?
No comments.		

Topic: Archeology		
What did the parties say about the adequacy of the information?	What information did the parties say that they still need?	What information did MHLBL commit to providing?
No comments.		

Topic: Residual Impacts		
What did the parties say about the adequacy of the information?	What information did the parties say that they still need?	What information did MHBL commit to providing?
Comments are noted under other topics.		

Topic: Abandonment and Reclamation		
What did the parties say about the adequacy of the information?	What information did the parties say that they still need?	What information did MHBL commit to providing?
<p>EC said that conformity is noted and that there may be additional comments after their review is completed.</p> <p>GN has not finished their review. They are concerned about re-vegetation.</p> <p>KIA also raised issue re re-vegetation.</p> <p>INAC is satisfied re conformity.</p>		<p>MHBL said that they would review information available from other sites re re-vegetation and incorporate relevant options into wildlife/ habitat mitigation monitoring plan.</p>

Topic: Cumulative Effects		
What did the parties say about the adequacy of the information?	What information did the parties say that they still need?	What information did MHBL commit to providing?
EC is reviewing the information and will provide comments possible information requests during their technical review.	<p>NIRB staff wanted information to determine whether meeting with elders had included discussions about project options in the future.</p> <p>INAC needs "traceability" re residual impacts and CEA analysis, method more fully explained, improved traceability VECs and VSECs. They suggest doing this for "caribou" and for "employment and training", as examples of the Methodology.</p> <p>INAC needs Chapter 3 item on marine organisms and habitat discussion followed up on in Chapter 5.</p>	<p>MHBL will clarify discussion with elders.</p> <p>MHBL will do what INAC suggested for "caribou" and for "employment and training"</p> <p>MHBL will provide additional Chapter 5 for marine organisms and habitat.</p>

Topic: Traditional Knowledge		
What did the parties say about the adequacy of the information?	What information did the parties say that they still need?	What information did MHBL commit to providing?
GN is still reviewing, but is concerned that the connection between the TK information and the EIA is not evident.	<p>GN asked for a "table", showing some of the connections between TK information and EIA.</p> <p>INAC also needs some kind of demonstration of connectivity.</p>	MHBL will provide.

Topic: Social Impact Assessment		
What did the parties say about the adequacy of the information?	What information did the parties say that they still need?	What information did MHBL commit to providing?
<p>GN has not completed their review.</p> <p>INAC has identified areas where information to meet conformity is still needed.</p>	<p>GN needs more detailed community data that reflects the project scope of more than 2 years.</p> <p>INAC needs more information about the SEIA methodology, similar to the traceability issued identified in the Cumulative EA discussion. They need to see the justification for the conclusions.</p> <p>INAC needs:</p> <ul style="list-style-type: none"> <li>• Clarification on negative and positive socioeconomic impacts of the project</li> <li>• Boom-Bust information specific to Doris North.</li> <li>• Information about socioeconomic indicators.</li> <li>• Statement of strategies, commitments, not just lists (in relation to Management and monitoring)</li> <li>• Better connections of monitoring to indicators.</li> <li>• Social mitigation strategies.</li> </ul>	<p>MHBL will review and provide.</p>

Topic: Alternatives		
What did the parties say about the adequacy of the information?	What information did the parties say that they still need?	What information did MHBL commit to providing?
INAC and EC have not completed their reviews to determine conformity.		MHBL stated that they would provide some additional information on some of the alternatives identified for the tailings, specifically the "partial use of Tail Lake" and the "backfill" options.

Topic: Monitoring		
What did the parties say about the adequacy of the information?	What information did the parties say that they still need?	What information did MHBL commit to providing?
INAC notes that information is still needed to meet conformity, specifically discussing page 57, tab 4  EC has not identified any conformity issues, but will have comments from its technical review.	INAC needs information about how monitoring data is collected, reviewed, how information gets incorporated into decisions, the feedback loop, decision-making,	MHBL provided an example of data collection and decision-making and will provide additional information in detailed Environmental Management Plan.

Topic: Other Needs		
What did the parties say about the adequacy of the information?	What information did the parties say that they still need?	What information did MHBL commit to providing?
INAC notes that earlier public participation records were lacking.	INAC requires information: <ul style="list-style-type: none"> <li>▪ Public participation</li> <li>▪ Community strategy</li> </ul>	