



March 7th, 2005

Honourable Andy Scott, Minister
Indian and Northern Affairs Canada
10 Wellington
21st Floor, Suite 2100
Ottawa, Ontario
K1A 0A6

BY MAIL and FAX (819-953-4941)

RE: The Nunavut Impact Review Board's Screening Decision on the *Updated Preliminary Project Description* for the Doris North Project Submitted by Miramar Hope Bay Limited ("MHBL").

Dear Minister:

Pursuant to Section 12.4.4 of the *Agreement Between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in Right of Canada* ("NLCA"), the Nunavut Impact Review Board ("NIRB" or "Board") has completed its screening of the above-cited project proposal dated January 19, 2005, and received on February 14, 2005.

On February 15, 2005, the NIRB issued a letter (enclosed) and the *Updated Preliminary Project Description* (enclosed) to persons interested in the Doris North Project ("Project"). In its letter, the NIRB asked Parties to provide comments on our proposed screening process, which suggested that in these unique circumstances the NIRB proceed directly to a Part 5 Review of the Project. Factors supporting our recommendation were: 1) the Project previously being subject to a Part 5 review where it was rejected by the Board because of insufficient information in five main areas; and 2) your letter of December 6, 2004 in which you directed the Board to:

"...review the Application in a timely and fair manner considering the needs of all Parties, consistent with your [NIRB's] five concerns..., and any new information presented..."

The Board's deadline for comments on the proposed screening method was set at February 25th, 2005, and by that time the Kitikmeot Inuit Association ("KIA"), Indian and Northern Affairs Canada ("INAC"), Government of Nunavut ("GN"), Natural Resources Canada, Environment Canada and Department of Fisheries and Oceans Canada had provided the Board with comments. Health Canada submitted their comments four days late on March 1st, 2005 (all comments are enclosed for your consideration).

All Parties supported the view that the Project move directly to a Part 5 review. It is therefore the Board's recommendation that this application require a public review under section 12.4.4(b) of the NLCA. Factors influencing the Board's decision are the potential for significant adverse environmental impacts, new information relating to the five deficient areas including the social environment and potential changes to the project description.

Although all Parties agreed on the screening process and how to proceed, there were differing positions as to particular issues of concern and what should be considered in a review under 12.4.4 (b). KIA for example commented that the Board:

“...restrict the scope of any renewed part 5 review to those matters which are related to the deficiencies or any changes made to the project since it was presented to NIRB last summer. Repeating a review of those aspects of the project which are unchanged is unnecessary and will engender additional costs for Inuit, including KIA”.

While the GN commented that:

“...further review of this project may require the submission of a new draft environmental impact statement and that it may be timelier to submit a new draft environmental impact statement up front instead of just the five deficient areas”.

Furthermore INAC, without commenting on specific issues, supported GN's statement with its own:

“...the Department intends to stress the importance of MHLB to submit a complete and consistent environmental impact statement”.

Although discussed by MHLB in their letter (enclosed) to the NIRB dated January 19, 2005, MHLB has yet to submit any new information regarding the five main deficient areas outlined by the Board in its August 2004 decision. The Board is mindful specifically of those five deficient areas but through this Review process will ensure that any changes to the Project and associated impacts are not overlooked. With this, and the above statements in mind, the Board reserves the right to issue guidance on the scope of the process for a Part 5 review should you decide on such a hearing option.

In accordance with Section 12.5.1 of the NLCA, the Board respectfully awaits the direction you wish to provide on how it should proceed.

Yours truly,

(Original signed by)

Albert Ehloak
Acting Chairperson

c.c. Doris North Distribution List
David Long, Miramar Hope Bay Limited

Enclosed: 1) Minister's letter to NIRB of December 6, 2004.
2) MHLB letter to Stephanie Briscoe of January 19, 2005.
3) MHLB Updated Preliminary Project Description
4) NIRB letter of February 15, 2005.
5) Comments from Parties on screening process (KIA, INAC, GN, NRCAN, EC, DFO, HC).