



NIRB File No.: 05MN047

November 29, 2005

David Long
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BY EMAIL (dlong@miramarmining.com)

RE: FEIS Conformity Supplement and Information Requests

Dear Mr. Long,

The Nunavut Impact Review Board (NIRB or Board) acknowledges with thanks, receipt of your letter dated November 24, 2005, in which you provide the new dates for the additional community consultations Miramar Hope Bay Limited (MHBL) plans to undertake for the Doris North Gold Project.

Upon review of the letter, and in combination with the Final Environmental Impact Statement (FEIS) Supplement, NIRB has determined that the FEIS conforms to the Board's Preliminary Hearing Conference Decision of September 13, 2005. NIRB would like to point out however, that this positive conformity decision is contingent on MHBL providing the results of the community consultations which address the three outstanding areas of the attached conformity table. The deadline for submitting the results is **December 14, 2005**.

In addition, on November 25, 2005, the Board received a total of 22 Information Requests (IR) in accordance with the IR process described in NIRB's letter of November 9, 2005. Of the 22 IRs received NIRB has approved 14, meaning that MHBL is required to answer them by the date provided below (a letter will be sent to each party who submitted IRs with a justification for those IRs which were not approved). Approved IRs are as follows:

From Environment Canada:

EC-1- The final EIS does not appear to include any new baseline data on migratory birds, specifically upland breeding birds and waterfowl. The NIRB's Pre-hearing Conference decision directed MHBL to continue to collect baseline data in 2005 and 2006 for all breeding birds. However, the baseline data included in the final EIS is the same as what was provided in the original EIS in 2004 and the draft EIS in 2005. Furthermore, Supporting Document F1 (Proposed Wildlife Mitigation and Monitoring Program) cites the final EIS as stating that densities in the Hope Bay Greenstone Belt for upland birds ranged from 1.6 to 3.1 birds/ha, but these values are not actually given in the final EIS... In particular, EC recommended in its comments on the 2005 draft EIS that the proponent design and carry out effective surveys to determine both the

importance of the area, as well as the different types of habitat within the area, for waterfowl, upland birds and shorebirds. The proponent should re-examine the impacts of the project on migratory birds based on these new data. If no new data exist, MHBL should clearly outline how impact predictions regarding migratory birds would be verified and monitored during project construction, operation, and closure in the absence of reliable pre-impact baseline data.

From Indian and Northern Affairs Canada:

INAC-3- Please provide the complete 2005 water quality data set for review... Because of the extremely small baseline data set that is being used for this site, it is important that all available data is considered.

INAC-5- Clarify the necessity of constructing the slurry pipeline for the length proposed... It is proposed to construct a 5.5 km pipeline that will extend to the southern tip of Tail Lake for the purpose conveying tailings slurry. Given the limited lake depth within the southern half of the lake (only 1 to 3 m), it is unlikely that tailings can be deposited within this area, so is there some reason why this pipeline can't be shortened up to where it needs to serve only the northern half of the lake with a current depths of about 6 m.

INAC-6- There is uncertainty in the runoff value used in the water quality model... MHBL states that the MAR could be as high as 180 mm, which corresponds to a RC of 85 percent, which is a value that would rarely occur, only during an extreme rainfall event. It appears that the Proponent treats this higher number as being the average MAR and the lower value as being a low flow condition. In fact, it seems that a value below 111 mm should be used as a 'low' runoff year. INAC would like justification as to why 111 mm was not adopted as the MAR when it was stated as being so, why a lower was not used in the model for a low flow condition and why a RC of 85 percent is considered possible.

INAC-7- Please describe the length of time considered to be a "caribou generation". Please clarify how ten generations was derived as the limit of significance for the Dolphin-Union herd, while several generations was used for other herds. In Chapter 16, p.29, reference is made to a major significant impact would occur if the caribou population did not recover in 10 generations.

INAC-8- Has any consideration been given to using basic needs levels (i.e., wildlife management targets) as significance thresholds and as a means of quantifying the % habitat loss (i.e., more precise range) that can be tolerated? The expectation is that basic needs levels will be maintained. Basic needs levels are the number of species of wildlife a household consumes in a year. If it is possible to develop more precise habitat loss indicators based on basic needs requirements, please prepare those calculations for the species identified in SD-D6. Supporting document (SD) - D6 (p.59) references % habitat loss as an indicator of significance i.e., 10-60% original habitat or 40-90% suitable habitat.

INAC-9- Please explain if suitable habitat equals high quality habitat. Please explain if original habitat equals all habitat types. Supporting document (SD) - D6 (p.59) references % habitat loss as an indicator of significance i.e., 10-60% original habitat or 40-90% suitable habitat.

INAC-11- MHBL is requested to clarify its assessment that Kugluktuk will experience the greatest effects while providing the lowest level of workers. Is this based on different existing baseline conditions or on some other factor? In TR Section 25.2.2.1, Kugluktuk is identified as

the community that “will probably experience the greatest Project effects.” In TR Table 26.6, however, it is suggested that the Project will hire less than 8% of its Kitikmeot region workers from Kugluktuk.

INAC-12- Can existing wellness and social support agencies in Kugluktuk accommodate increased demand for their services, or are they also already functioning at maximum capacity? In Section 25.2.2.2 it is noted that, while already at maximum capacity, the community wellness centre in Cambridge Bay “should be able to accommodate a small increase in demand” for services. It is also noted in Section 25.2.2.1 that the greatest Project effects are expected to be felt in Kugluktuk. However, there is no assessment provided of the capacity of Kugluktuk agencies to accommodate increased demand.

INAC-14- Is the apparent absence of the Gjoa Haven skills survey reference simply an oversight? Do you have any additional data to support confidence that the local labour force will be capable of supplying the northern labour component identified in TR 26.2.1. The assessment that the significance of project hiring on hamlets will be ‘negligible to minor’ rests on assumptions that the labour force has the capacity to supply both the new project and existing employers. MHBL discusses its assumptions regarding the ability of the regional labour force to supply the northern component of its labour force on TR pages 26-18 to 26. Reference was made in MHBL’s “commitments” to the Gjoa Haven “skills survey”—but no reference to this was found in TR 26.2.1.

Department of Fisheries and Oceans Canada:

DFO-1- Several options for tailings disposal have been partially discounted because they will require maintenance of structures in perpetuity. One of the advantages of the use of Tail Lake has been listed as being able to ‘walk away’ after closure. DFO requests that MHBL clarify why some options were discounted for having long term stability issues and being visually unappealing when the same would be true of Tail Lake (i.e.: there would be a dry cover with long-term maintenance requirements) if it is selected and approved as Tailings Impoundment Area for future phases of predicted development in the Hope Bay Belt.

DFO-2- Recognizing that using a fish bearing lake will require fish habitat compensation work and monitoring, DFO requests that Miramar include approximate costs of undertaking fish habitat compensation (if required) and its associated monitoring into the costs for each of the alternatives. Please see DFO comments related to this IR.

DFO-4- DFO and the Fisheries Consultants on the Doris North Project have met to discuss the fish habitat compensation monitoring program. However, the results of these discussions have not yet been incorporated into the monitoring plan. DFO requests that MHBL, provide an updated fish habitat compensation monitoring program that reflects the discussions that have been held.

DFO-7- MHBL has presented results of sampling programs along the Doris North shoreline at the outflow of Tail Lake. MHBL indicates that no large bodied fish (lake trout, cisco, or lake whitefish) have been found near the outflow so that the disruption of this wetland area during operations is unlikely to have a significant effect on fish habitat. However, DFO notes that ninespine stickleback have been found in association with the wetland and is therefore of the opinion that it is fish habitat. Since availability of food is a limiting factor in many arctic fisheries, DFO is concerned that this area may be a valuable site for the production of forage fish which would ultimately support the production of larger bodied fish in Doris Lake. DFO requests

that MHLB expand upon the potential impact to the wetland from the de-watering of Tail outflow and its subsequent affect on ninespine stickleback production. DFO also requests that MHLB provide mitigation in the No Net Loss plan to offset any predicted impacts to the habitat.

The original letters from the concerned parties contain further detail and rational for the above IRs approved by the Board. They can be found on NIRB's ftp-site at the following location:
ftp://ftp.nunavut.ca/NIRB/05MN047-DORIS_NORTH_PROJECT/2-REVIEW/09-FINAL_EIS/IRs/

As stated in NIRB's letter of November 9, 2005, the deadline for MHLB's response to the IRs is **December 9, 2005**. Please provide a response to both NIRB and the concerned party. All information will be posted on NIRB's ftp-site upon receipt.

Should you have any questions please do not hesitate to contact me or Stephanie Briscoe, Executive Director.

Yours truly,

(Original signed by)

Stephen Lines, P.Biol., DEIA
Technical Advisor

Encl. Doris North Gold Project FEIS Supplement Conformity Table

c.c. Honourable Andy Scott, Minister INAC
Doris North Distribution List