

To: Phyllis Beaulieu, NWB

From: Geoffrey Clark, Director of Lands, Environment, and Resources

**Date:** October 20, 2006

**Re:** Comments on Doris North Guidelines: 2AM-TOH

Thank you for asking for KIA to comment on the Guidelines for the Water License Application for the Doris North Project. We apologize for being late with our comments, however, we feel that we have important input to provide to the NWB.

KIA does not have any concerns about the Draft Applicant Guidelines, except for the final statement and the attached draft Table of Contents. The final statement of the draft guidelines says:

The NWB has prepared the attached Table of Contents (TOC) to guide the structure and format of the application. This TOC will act as a reference to where information, relevant to the water licence application, has been filed.

This statement when reading the attached TOC is confusing to KIA. Specifically, our comments include:

- Section 7.0 Monitoring. Why are air quality, noise, (terrestrial) vegetation metal uptake and (terrestrial) wildlife included in this draft Table of Contents? How is this information relevant to the water license application or to the use of water or deposit of waste in water? KIA has already spent considerable resources to review these topics during the 2 NIRB reviews of the Doris North project. Why is more review by the NWB needed at this time?
- Section 9. Land Leases. All KIA Land leases are confidential between the company and KIA. KIA does not understand how this information could be relevant to the water license application? Further, it has been KIA practice to not complete any land tenure negotiation for mining until the regulatory process is complete. KIA will enter into land lease negotiations for Doris North once the

regulatory phase is complete. If the proponent can meet our requirements, KIA will finalize the lease. Thus KIA is unclear what the NWB would be expecting the proponent or KIA to provide to satisfy this matter as there will be very little information available to the NWB, except for our intent to negotiate a land lease pending NWB approval of the project.

• Section 10. Compensation. The IIBA for the Doris North Project was signed in Cambridge Bay in September 2006. This included a separate signed agreement for water compensation for the loss of Tail Lake. An IIBA summary was provided to NIRB during the Final Hearing and this information is also available to the NWB. The entire IIBA is a confidential document and will remain so. As well, the water compensation agreement between KIA and Miramar Mining Corp. is a confidential document. It is unclear to KIA what the NWB expects from the proponent related to compensation beyond the No Net Loss Plan, except for KIA or the company to indicate that water compensation matters have been addressed.

If you have any questions, please feel free to contact me.

Thank you,
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