



2AM-DOH1323 Type “A” – Application for Amendment
Notice of Pre-Hearing Conference

File No.: 2AM-DOH1323

To: Doris North Distribution List

Date: June 15, 2016

Subject: Type “A” Water Licence 2AM-DOH1323 Application for Amendment: Notice of Pre-Hearing Conference June 24, 2016

Dear Parties:

Please find in the text that follows a response to the request from TMAC Resources Inc. (TMAC) received by the Nunavut Water Board (NWB or the Board) on May 25, 2016, seeking direction from the Board regarding procedural matters associated with the NWB’s processing of an application to amend Type “A” Water Licence 2AM-DOH1323 (the Application) in co-ordination with the Nunavut Impact Review Board’s (NIRB) reconsideration of the Doris North Gold Mine Project Certificate No. 003.

As all parties are aware, and as the NWB has stated in previous correspondence, with respect to the NIRB and NWB coordinated technical review approach, until the NIRB reconsideration process was complete the NWB would not proceed beyond the technical review stage of considering the Application. The NWB notes that on June 13, 2016, the NIRB issued its Public Hearing Report and recommendations regarding the requested amendments to the Project for the consideration of the Minister.¹ As outlined in the Public Hearing Report, the NIRB has recommended to the Minister that the Doris North Gold Mine Project, as proposed to be amended by TMAC should be allowed to proceed in accordance with several amendments and additions to Project Certificate No. 003.

On this basis, the NWB is satisfied that the Application has advanced to the point that the NWB can proceed to the next stage of the licensing process; the Pre-Hearing Conference. Therefore, in accordance with Rule 14 of the Rules of Practice and Procedure for Public Hearing (2005), the Board has directed staff to schedule a Pre-Hearing Conference (PHC) in support of the Application. **The PHC will be held, by way of teleconference, on June 24, 2016, 9:00 a.m. – 3:00 p.m. Mountain Time (MT) and, if required, Monday June 27, 2016, 9:00 am – 3:00 pm Any interested party, including members of the Public, who wish to participate in the PHC by teleconference are requested to confirm their participation with the Board on or before 12:00 p.m. (noon) on June 22, 2016.**

¹ Nunavut Impact Review Board, Public Hearing Report for the Doris North Project: 2015 Amendment Application, TMAC Resources Inc., NIRB File No. 05MN047, June 13, 2016.



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The Application being considered by the Board was filed by TMAC on June 15, 2015 and requested several amendments to Type “A” Water Licence 2AM-DOH1323 issued by the NWB in August 2013.

The Licence authorizes TMAC to use water and deposit waste in relation to the construction, operation, closure and reclamation of a Mining undertaking² associated with the Doris North Gold Mine Project which is located 125 kilometres south of Cambridge Bay and 150 km north of Omingmaktok (Bay Chimo). A listing of the information submitted with the Application is available from the NWB’s public registry at the following link:

<ftp://ftp.nwb-oen.ca/1%20PRUC%20PUBLIC%20REGISTRY/2%20MINING%20MILLING/2A/2AM%20-%20Mining/2AM-DOH1323%20TMAC/1%20APPLICATION/>

To date, the Board has provided several opportunities for interested parties, including members of the Public, to provide comments on the Application. On August 21, 2015 the NWB invited interested parties to review the Application for completeness and identify any Information Requests (IRs) required to carry out a full technical review.

On November 4, 2015 the NWB and the NIRB issued a joint letter announcing the commencement of a coordinated public technical review period and the NWB invited interested parties to submit technical review comments on the Application. Environment and Climate Change Canada (ECCC), Fisheries and Oceans (DFO), the Kitikmeot Inuit Association (KIA) and Indigenous and Northern Affairs Canada (INAC) submitted technical review comments in respect of the Application.

On June 2, 2016 the NWB acknowledged submission from TMAC of the following documents: Aquatic Effects Monitoring Plan (AEMP), Surveillance Network Program (SNP), Groundwater Management Plan (GWMP) and Tailings Area Operations Maintenance and Surveillance Manual (TIAOMS) and invited parties to submit their comments, with a deadline on June, 22, 2016. All technical review submissions are available from the Board’s on-line Public Registry.

On January 28 and 29, 2016 (immediately following the NIRB Technical Meetings associated with the Project Certificate reconsideration) the NWB held a Technical Meeting (TM) with respect to the Application in Cambridge Bay, Nunavut. During the TM, intervening parties confirmed that none of the issues remaining for discussion and none of the related information requirements should prevent the Board from proceeding with the next stage of the Licensing process: the Pre-Hearing Conference (PHC). As a result of the Technical Meeting, a list of commitments and a list of issues were compiled to carry forward to the PHC. These commitments have been summarized in the form of a commitment

² As defined under Schedule 1 of the *Nunavut Waters Regulations*, SOR/2013-69.



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list and draft list of issues, and prior to the PHC on June 24, the Board will issue follow up correspondence with drafts of this documentation for discussion at the PHC.

In addition, on May 18, 2016 a stakeholders meeting was held in Iqaluit, in person and by phone, in order to clarify issues and discuss pending topics related to the technical review of the Application. The results of these discussions will be provided in future correspondence.

In preparation for the upcoming PHC for the Application, the NWB recommends that prospective participants review the Application and relevant information submitted to the Board in relation to the Application. Further, the Board kindly requests that each party (including the Applicant), intending to make representation during the PHC, confirm their attendance with the Board **on or before Wednesday, June 22, 2016** and that parties identify if they will require interpretation in order to participate in the PHC.

Please note that any documentation that parties wish to file before the PHC should be submitted to the NWB's Manager of Licensing by email to licensing@nwb-oen.ca.

Interested parties should note that Inuktitut and Inuinnaqtun translations of this letter will follow shortly. If you require additional information regarding this Application, the Board's specific direction or the Board's processes in general, please do not hesitate to contact the NWB's Executive Director, Stephanie Autut, at stephanie.autut@nwb-oen.ca. For inquiries related to Technical matters, please contact the technical advisor associated to this file, Sonia Aredes, at 867-979-3079 or by email at sonia.aredes@nwb-oen.ca or the Director, Technical Services, David Hohnstein, at david.hohnstein@nwb-oen.ca. For any administrative matters related to the Application, please contact the Acting Manager of Licensing, Karén Kharatyan, at licensing@nwb-oen.ca.

Regards,

NUNAVUT WATER BOARD

Stephanie Autut
Executive Director