



**NIRB File No.: 05MN047**

NWB File No.: 2AM-DOH1323

INAC File No.: 077A03001

DFO File No.: NU-02-0117.2, NU-02-0117.3 & NU-10-0028

TC File No.: 8200-02-6565

December 12, 2017

To: John Roberts  
TMAC Resources Inc.  
95 Wellington Street, Suite 1010  
Toronto, ON M5J 2N7

Sent via email: [john.roberts@tmacresources.com](mailto:john.roberts@tmacresources.com)

**RE: Acknowledgement of TMAC Resources Inc.'s Notice of Non-Significant Modification for the Doris North Gold Mine Project**

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Dear John Roberts:

On November 23, 2017 the Nunavut Impact Review Board (NIRB or Board) received the enclosed correspondence from TMAC Resources Inc. (TMAC or Proponent) providing notification of planned modifications to the Doris North Gold Mine Project (NIRB File No. 05MN047). The NIRB notes that the correspondence also included a self-assessment which supports TMAC's conclusion that the changes proposed do not constitute significant modifications to the Project as originally approved by the NIRB and that the potential ecosystemic and socio-economic effects associated with the modifications would be manifestly insignificant.

Please accept this response from the NIRB as formal acknowledgement of TMAC's notification, as well as confirmation that the Board has reviewed the materials provided and has not identified any specific concerns with the proposed modifications or TMAC's conclusions regarding the potential effects of the modifications as proposed. The NIRB will continue to actively monitor TMAC's adherence to the terms and conditions of the Doris North Gold Mine Project Certificate No. 003 and expects that follow-up reporting on the modified activities will be included within the required reporting for the Project moving forward.

In the text that follows, the NIRB has provided a summary of the scope of the proposed activities associated with the proposed modifications. The NIRB has also included some additional

direction to the Proponent to ensure that future self-assessments undertaken by TMAC or other Proponents supporting proposed modifications to previously-assessed project proposals more clearly demonstrate that a proponent has considered the factors set out in the *Nunavut Planning and Project Assessment Act*, S.C. 2013, c. 14 (*NuPPAA*) when considering whether the modifications are significant or not. The NIRB further notes that in the materials provided by a proponent notifying the NIRB of a proposed modification, the proponent should also identify whether or not the changes are consistent with the existing terms and conditions of the applicable Project Certificate (such as the Doris North Gold Mine Project Certificate No. 003 in this case).

#### SUMMARY OF THE MODIFICATION REQUEST

TMAC is proposing a four (4) month daylighting and/or trenching program to access and remove gold rich ore located in the crown pillar of the Doris Connector zone adjacent to Doris Lake. The following summarizes the scope of the proposed modifications to the Doris North Gold Mine Project as presented in the enclosed notification:

- Establishment of a temporary trench (50 metres wide by 200 metres long), managed similarly to a short-lived quarry;
- Construction of a 320 metre spur road to access the area proposed for the temporary trench;
- Temporary storage of overburden and waste rock from the trench on existing approved pads on the surface;
- Haulage of ore recovered from the crown pillar through underground mine workings to the surface;
- Placement of stockpiled overburden and waste rock as backfill in the trench on completion of ore recovery in the crown pillar; and
- Completion of all activities associated with the proposed modifications within four (4) months in the spring and summer of 2018.

In support of the project application, TMAC has provided the following documents:

- Crown Pillar Recovery Concepts;
- Crown Pillar Recovery Trench Access Road; and
- Doris Crown Pillar Recovery Trench and Access Road Assessment.

Please be advised that the enclosed notification can be accessed from the NIRB's online public registry at [www.nirb.ca](http://www.nirb.ca) by using any of the following search criteria:

- Project Name: Doris North Gold Mine
- NIRB File No.: 05MN047
- Document Id No.: 314482

## PROCESS FOR SEEKING APPROVAL FOR MODIFICATIONS TO APPROVED PROJECTS

Where a proponent has determined that a modification to project works or activities is required due to unforeseen circumstances or as part of the phased development of a previously approved Project, the NIRB recommends the following:

1. The proponent consults the significance criteria under s. 90 of the *NuPPAA* and the proposed scope of activities to be undertaken and self-assesses whether the proposed modification constitutes a “significant modification” to the project as previously considered by the Nunavut Planning Commission (NPC) for conformity, assessed by the NIRB, and/or licenced by the Nunavut Water Board (NWB);
2. If the proponent is unsure as to whether the modification is a significant modification, the proponent should provide a sufficiently detailed project proposal document to the NPC with a direct request for the NPC to provide guidance regarding whether, in the NPC’s view, the modification constitutes a significant modification;
3. If the proponent and/or the NPC identify that the modification constitutes a significant modification, the proponent should submit the modification project proposal to the NPC for consideration. In addition, the proponent is encouraged to:
  - a. At the time of submission of the modification project proposal to the NPC, provide the NIRB with the appropriate supporting project proposal documentation required to assess the modification request;<sup>1</sup> and provide the NWB with any associated water licence amendment application materials that are required by the NWB to consider any requested amendments to the water licence.
  - b. NOTE: the NIRB and the NWB are not able to commence formal processing of a proponent’s modification request until the NPC’s land use planning requirements have been satisfied, and in the case of the NWB, the NIRB’s assessment requirements associated with the proponent’s modification request have been completed. However, early engagement at this stage with the NIRB and NWB is strongly encouraged to ensure that all parties have reviewed the scope and content of the proposed modifications being considered by the NPC at the early stages of the regulatory process.
  - c. When a proponent’s significant modification request has met the applicable land use planning requirements and the NPC issues a positive conformity determination where required, the NIRB will then undertake any assessment of the project that may be required.
  - d. If assessment by the NIRB is not required, or upon the NIRB issuing a positive decision that the project can proceed to the permitting stage, the NWB would then be able to consider any water licence amendments associated with the modification request.

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<sup>1</sup> Project proposal materials submitted to the NIRB should clearly link back to the original Environmental Impact Statement submitted for the approved project, and the ongoing monitoring program for the approved project as appropriate, and should describe the justification for the proposed modification in sufficient detail to be understood and assessed as necessary.

4. If the proponent's self-assessment and/or NPC guidance conclude that the modification request does not constitute a significant modification, a proponent can submit the application materials supporting the modification request to the appropriate permitting agencies (such as a water licence amendment application to the NWB). A proponent's submission to permitting agencies should also include, for the permitting agencies' consideration, the materials supporting the proponent's self-assessment or the NPC's confirmation that the modification request is not a significant modification.
  - a. NOTE: The proponent is further encouraged to provide the NIRB with copy of its application materials for information only, to support the Board's ongoing monitoring of the approved project.

In future, the NIRB encourages TMAC to ensure its self-assessments more explicitly demonstrate consideration for the specific criteria set out in s. 90 of the *NuPPAA* and include reference to the specific terms and conditions of Project Certificate No. 003 that are understood to be applicable to the proposed works, with commentary regarding planned compliance where appropriate.

#### CONCLUSION

The NIRB appreciates TMAC's efforts to ensure the requirements of the NIRB's monitoring program for the Doris North Gold Mine and of the Nunavut's regulatory system are appropriately addressed. As the proposed modifications do not require further assessment by the NIRB, the proposed modifications can now move to the next stage in the regulatory process – seeking any amendments to existing permits, licences, or authorizations that may be necessary to authorize the planned works. As stated above, the NIRB expects that follow-up reporting on the modified activities will be included within TMAC's project reporting to the NIRB as required under Project Certificate No. 003.

Should you have any questions or require further clarification regarding the NIRB's consideration and approach to this matter, please contact the undersigned directly at (867) 983-4619 or via email at [kgillard@nirb.ca](mailto:kgillard@nirb.ca).

Sincerely,



Kelli Gillard  
Acting Director, Technical Services  
Nunavut Impact Review Board

cc: Oliver Curran, TMAC Resources Inc.  
Shelley Potter, TMAC Resources Inc.  
Brian Aglukark, Nunavut Planning Commission  
Karén Kharatyan, Nunavut Water Board  
Geoff Clarke, Kitikmeot Inuit Association  
John Roche, Kitikmeot Inuit Association  
Doris North Distribution List

Enclosure (1): TMAC Resources Inc. Letter to the NIRB Re: *Doris Crown Pillar Recover*, November 23, 2017