



November 26, 2008

Nunavut Impact Review Board  
A/Chairperson Lucassie Arragutainaq  
Box 1360  
CAMBRIDGE BAY NU, X0B0C0

Dear Chairperson,

**Re: Nunavut Impact Review Board Decision to Reconsider Term and Condition 32 of the Meadowbank Gold Mine Project Certificate No. 004**

I am responding to the request in your October 27 2008 letter to the Minister of Indian and Northern Affairs that “the NPC provide the Board with advice or decisions it has” on the matter of the All-Weather Private Access Road (AWPAR) that is a component of the Meadowbank project, and conformity to the *Keewatin Regional Land Use Plan (KRLUP)*.

**Background**

In your letter, the Nunavut Impact Review Board (NIRB) notified affected parties and agencies that NIRB intends to reconsider Condition 32 of the Meadowbank Project Certificate (PC) and decide whether to relocate the current access restrictions.

In particular, NIRB indicated that it will decide whether to modify Condition 32(a) so as to provide for removal of the two locked gates that are currently in use, leaving the gatehouse manned while the road is used for mine related traffic.

The letter notes further that reconsideration of Condition 32 may also lead to the requirement for further amendments to other road related conditions in the PC.

**Process**

Since the approval of the *KRLUP* in 2000, this is the first occasion on which NIRB’s reconsideration of the terms of a project certificate has raised the prospect of planning conformity implications.

The Nunavut Planning Commission (NPC or Commission) agrees that NIRB should seek the NPC's advice and guidance with respect to plan conformity implications whenever NIRB undertakes to reconsider a project certificate issued following the NPC's plan conformity determination. Thank you for seeking the Commission's response at the first opportunity.

As you know, when the Commission conducts an initial conformity determination, the "project proposal" whose conformity is determined is defined by the physical works and activities that are proposed in the applications for core regulatory authorizations that have been submitted for the project. Your letter does not indicate whether applications for new authorizations or for amendments to those that implemented PC No. 004 have been submitted, or whether such applications are expected to be submitted before NIRB conducts its reconsideration. Where feasible, the Commission's preference is that NIRB provide us with such applications when the Commission is asked to identify any plan conformity implications of a project certificate reconsideration. This would be a reliable way to confirm any project changes that the NPC is being asked to consider. Please consider this suggestion and let us know NIRB's views.

### **Decision and advice**

In the present circumstances, the Commission does not need to review for conformity the change to this project noted above in connection with Condition 32(a) of the P.C., namely

removal of the two locked gates leaving the gatehouse manned while the road is used for mine related traffic.

This change is not relevant to the Conformity Requirements of the *KRLUP*. In particular, this change does not affect the status of AWPAP as an "access road" within the meaning of the *KRLUP*.

Further discussion is advisable as to how any other changes that NIRB may consider should be defined for the purpose of the NPC's identification of plan conformity implications. Please have the appropriate NIRB officials contact Brian Aglukark, the NPC's Regional Planning Director so that discussion can be arranged with representatives of the core authorizing agencies.

Thank you again for contacting the NPC promptly with respect to this important matter.

Sincerely,



Ron Roach, Chairperson  
Nunavut Planning Commission

CC. Hon Chuck Strahl, Minister of Indian and Northern Affairs Canada  
NPC Meadowbank distribution list