



File No. **03MN107**

April 6, 2005

Brad Thiele
Cumberland Resources Ltd.
950-505 Burrard Street
Box 72, One Bentall Centre
Vancouver, B.C.
V7X 1M4

Via email: bthiele@cumberlandresources.com

Re: **Meadowbank Gold Project**

Dear Mr. Theil:

The Nunavut Impact Review Board (NIRB or Board) is in receipt of your March 23, 2005, Land Use License II application to the Kivalliq Inuit Association (KivIA) proposing field investigation work for the Baker Lake to Tehek Lake all season access route.

This application is a component of the Meadowbank Gold Project, currently under a Part 5 Review, that proposes to gather the information necessary for Cumberland Resources Ltd. (Cumberland) to provide details on the development of the access road as requested from Cumberland by NIRB in NIRB's Meadowbank Conformity Review Decision issued March 21, 2005.

However, section 12.10.1 of the Nunavut Land Claim Agreement (NLCA) prohibits the issuance of licenses or approvals that would be required to allow a proposed project to proceed once a Part 5 review has been ordered by the Minister of Indian and Northern Affairs (INAC) until after that review has been completed and a NIRB project certificate has been issued.

Subject to the last paragraph of this letter, the Board proposes invocation of section 12.10.2 (b) of the NLCA, to exempt the information gathering application from 12.10.1 and resolve the dilemma of precluding you from gathering information for a project currently under review. Section 12.10.2 of NLCA states:

“Notwithstanding Section 12.10.1, where a project proposal has been referred for review pursuant to Part 5 or 6, approvals or licences for exploration or development activities related to that project may be issued if:

- (a) the activity falls within Schedule 12-1; or
- (b) the activity can, in the judgement of NIRB, proceed without such a review.”

It is important to note that the Board is issuing this proposal with the assumption that its advice does not preclude the Nunavut Planning Commission's (NPC's) Conformity Determination for this application and is therefore copying the NPC with this letter and will await further direction from the NPC as to whether or not NIRB's environment assessment proceedings should stop.

Additionally, by way of copy of this letter to Parties on the Meadowbank distribution list, NIRB is requesting comment from all Parties and provision of a rationale for their support or rejection of this proposed exemption under 12.10.2 (b) of the NLCA. Written comments are due on or before April 13, 2005.

Sincerely,

(Original Signed by)

Karlette Tunaley, Technical Advisor
Nunavut Impact Review Board

Attachment

cc Honourable Andy Scott, Minister of Indian and Northern Affairs Canada
 Distribution List
 Nunavut Planning Commission