



File No: **03MN107**

May 17, 2005

Mr. Bernie MacIsaac
Director of Operations
INAC, Nunavut Region
Box 100, Bldg 918
Iqaluit, NU
X0A 0H0

Via Email: macisaacb@inac.gc.ca

Re: Meadowbank Gold Project – Assessment of proposed 102 km All Weather Site Access Road

Dear Mr. MacIsaac:

Thank you for your letter of May 13, 2005. The Nunavut Impact Review Board (NIRB or Board) has asked that I respond not only to you but to the entire distribution list and the Nunavut Planning Commission (NPC).

Your concerns about screening decisions for a portion of the project (geotechnical information gathering for the road) raise issues of: (1) potential project splitting and (2) NIRB's relationship with land use planning found in Article 11 of the Nunavut Land Claims Agreement (NLCA). The Board has reviewed the response by Cumberland Resources Ltd., filed by its counsel yesterday, and has asked me to give you my reply to the issues raised in your May 13th letter.

Regarding project splitting, NIRB is reviewing one Meadowbank project only; the purpose of the Pre-hearing Conference (PHC), among other things, is to identify and have the Board rule on the scope of additional work for the all-season road that will eventually find its way into a complete final environmental impact statement (FEIS). Thus the value of the PHC is to give you and others the opportunity to comment on the DEIS, to identify significant issues and structural gaps such that at the end of the day the Board will rule on the full contents and composition of the FEIS with the benefit of all parties' comments on major issues including the all season road with its anticipated impacts.

It was the Board's decision on May 5, 2005 that Cumberland's Draft Environmental Impact Statement and subsequent conformity submissions (DEIS) conformed to NIRB's Guidelines, February 24, 2004. This decision was based on NIRB's opinion that Cumberland's DEIS provided the necessary information about the proposed Meadowbank Gold Project (including the proposed all weather road) to proceed to a Technical Meeting and Preliminary Hearing Conferences with the intent of discussing the adequacy of *all* portions of the project and eliminate the risk of project splitting.



Second, NIRB would like to clarify its process *vis a vis* the Nunavut Planning Commission (NPC). The NIRB has previously pointed out that it will not complete the EA process until the NPC has issued its conformity decision. In consultation with the NPC, NIRB has decided to go ahead with the PHC, in order to gather views of the parties on the EIS and issues related to the eventual final hearing. What the Board will not do, however, is conduct the final hearing, or even send out a notice to begin the final hearing, until the NPC issues its conformity ruling. That procedure is required by the NLCA and it has never changed.

In summary, the Board will not review the road in isolation from the mine (and *vice versa*) and second, NIRB will not send out its notice for final hearings until the NPC has ruled on conformity.

I hope this information responds to your concerns. As it turns out, the purpose of the PHC is to deal with procedural questions like the ones raised in your letter, which is the value of such a meeting. If you have any questions, please call me at 867 983-4603.

Yours truly,

Stephanie Briscoe
Nunavut Impact Review Board, Executive Director

c.c. Honourable Andy Scott, Minister of Indian and Northern Affairs Canada
Luke Cody, Executive Director, Nunavut Planning Commission
Meadowbank Distribution List