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From:

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Company

NIRB

Pages:

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Fax:

Date:

Sept 29/05

Re:

Reply to Minister Scott's Letter

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☐ For Review

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**CUMBERLAND
RESOURCES LTD.**September 29th, 2005Suite 950 – 505 Burrard Street
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Ms. Stephanie Briscoe
Executive Director
Nunavut Impact Review Board
P.O. Box 2379
Cambridge Bay, Nunavut
X0B 0C0info@cumberlandresources.com
www.cumberlandresources.com**BY FAX and e-Mail**

Dear Ms. Briscoe:

RE: Cumberland Resources Ltd. Reply to Minister Scott's Letter on NIRB Pre-hearing Conference Decision and KIA Comments

Cumberland Resources Ltd. (Cumberland) appreciates the opportunity provided by the Nunavut Impact Review Board (NIRB) to comment on the letter from Minister Scott, dated September 7th, 2005 in which the Minister accepts the NIRB pre-hearing conference decision for the Cumberland Meadowbank project. This letter also includes Cumberland's reply to the Kivalliq Inuit Association (KIA) comments on the Minister's letter.

Cumberland agrees with the Minister's observations about the importance of a thorough assessment of the all-weather access road now that it has been clearly accepted as part of NIRB's Part 5 Review process. As the Board will be aware, Cumberland has made significant commitments to new field work and other analyses over the course of this summer, to ensure that a thorough and comprehensive review of the effects of the road will be included in the Final Environmental Impact Statement (FEIS) when it is filed.

We note the instruction provided to NIRB by the Minister under section 12.5.1 of the Nunavut Land Claims Agreement (NLCA) that the environmental and socio-economic effects of the road's construction, use and abandonment be fully considered, as well as possible future options for the road.

NIRB's pre-hearing conference decision of July 14th has in fact already addressed all of these elements of the Minister's s.12.5.1 instruction and included requirements for additional work by Cumberland addressing each of these points.

Cumberland made a commitment at the pre-hearing conference to address additional effort to the assessment the impacts associated with the change from a seasonal to an all weather road and to ensure comprehensive treatment of this element of the overall project. In addition to this general commitment, Cumberland made commitments 65, 66, 67, 68, 74, 97 and 98¹ to address wildlife and terrestrial, aquatic and socio-economic aspects on the impact of an all weather road. It should be noted as well that the NIRB pre-hearing decision identified the "all-weather road" as a key issue² and identified three additional

¹ See Appendix 1 to the NIRB Pre-Hearing Decision dated July 14th, 2005.

² See section 6.6 of the pre-hearing decision, page 33 of the document.

considerations to be addressed by Cumberland in the FEIS. Cumberland will honour all of these commitments in its FEIS.

The KIA letter outlines its agreement with the conclusion drawn by both the Minister and NIRB that the road is a significant component of the Meadowbank project. KIA also suggests that the effects of the road should be appropriately assessed. The KIA letter confirms the need to address the socio-economic effects of the road and project on the Hamlet of Baker Lake.

KIA goes on to remind the parties that a separate Inuit Impact and Benefits Agreement (IIBA) will be negotiated with Cumberland to address benefits from the project for Inuit. Cumberland has been working directly with the Hamlet of Baker Lake and has conducted additional consultation with Baker Lake residents over the course of the summer. It is Cumberland's view that the IIBA will mitigate socio-economic impacts of the Meadowbank project on the Inuit residents of Baker Lake and deliver benefits to other Kivalliq communities as well. IIBA negotiations are in progress and Cumberland is optimistic that an agreement in principle will be reached before the final hearings.

Cumberland suggests that the NIRB pre-hearing decision is entirely consistent with the Minister's letter. There is no need, in Cumberland's view, for NIRB to impose any additional requirements on Cumberland in order to fully comply with the Minister's s.12.5.1 instruction or to ensure a thorough and comprehensive impact assessment of the all-weather road. Cumberland is at this time in the final phases of compiling its FEIS, in compliance with NIRB's July 14th requirements. Additional requirements imposed at this late stage could delay the filing of the Cumberland FEIS.

KIA was the only party to the proceeding to comment on the Minister's letter and KIA did not suggest any new requirements should be imposed on Cumberland. We suggest that NIRB can infer that the other parties are satisfied with the NIRB instructions on the all-weather road impact assessment included in the pre-hearing decision since they did not choose to comment on the Minister's letter.

Cumberland respectfully suggests that NIRB should continue its process based on the July 14th pre-hearing decision and that no further requirements need be imposed on Cumberland in order to comply with the Minister's September 7th letter.

Yours truly,

CUMBERLAND RESOURCES LTD.



Craig Goodings
Manager, Environmental and Regulatory Affairs

CG/bg