



File No.: 03MN107

DATE: November 25, 2005.

TO: Meadowbank Distribution List

RE: Meadowbank Gold Project FEIS
Final Hearing Schedule, Associated Deadlines and Information

Dear Parties,

The Nunavut Impact Review Board (NIRB or Board) received Cumberland Resources Ltd. (Cumberland) Final Environmental Impact Statement (FEIS) for the Meadowbank Gold Project (the Project) on November 8, 2005. Since that time, NIRB has undertaken an internal conformity review of the FEIS to ensure that Cumberland has complied with the Board's direction provided in the Preliminary Hearing Conference (PHC) Decision of July 14, 2005.

The results of NIRB's internal conformity review indicate that Cumberland has not completely addressed the Board's directives. However, the Board finds that the outstanding information, if provided in a timely manner, should not delay the timing of the Final Hearing. As a result, NIRB is pleased to provide the results of its internal conformity review, arrangements for a FEIS Conformity Meeting, schedule and direction for the FEIS Review, and the dates and location of the Final Hearing.

Results of NIRB Internal Conformity Review

NIRB has examined the FEIS for conformity with the Key Issues Identified by the Board and Cumberland's List of Commitments in Appendix 1 of the PHC Decision and finds that the Meadowbank FEIS *does not* conform. Specific deficiencies related to Key Issues Identified by the Board include the following:

Wildlife

Key Issue 6.1(a): The FEIS refers to ground surveys conducted along the all weather road corridor in October 2005 and bimonthly for the remainder of the year. Provide the results of those surveys and a discussion of how those results affect the wildlife assessment in the area of the all weather road. The results of a late October aerial survey of the Regional Study Area (RSA), including a 50 km corridor centered on the proposed all-weather road, were also not incorporated into the FEIS. This information is important in completing the collection of baseline information to accurately represent the wildlife conditions, particularly caribou, along the newly proposed all weather road corridor during all seasons. Past baseline information of this kind was collected along the former winter road corridor and is therefore not as representative.

Key Issue 6.1 (c): The information provided in the FEIS to address this directive is an overview of the methodology for a screening level risk assessment. It does not provide a discussion on the potential for adverse effects on birds and other wildlife from wind blown contaminants and those resulting from acid rock drainage.

Waste Rock and Tailings Management

Key Issue 6.3: Although the Reclamation and Closure Plan Section 4.5 indicated in the commitments table does provide a discussion of mine waste cover materials, thickness, and cover design options it does not discuss the mitigation program to avoid wind blown contamination.

Climate Change

Key Issue 6.4: The FEIS does not provide a plan for monitoring permafrost development in the tailings impoundment area, nor does the FEIS provide a plan for the case where tailings do not freeze as predicted.

All Weather Road

Key Issue 6.6 (b): Provide results of consultation with Hamlet, GN, Government of Canada and KIA on the issue of potential roles all levels of government will play in the regulation of the road.

Key Issue 6.6 (c): The information provided in the FEIS to address this directive is insufficient, particularly given that this directive was emphasized by the Minister in his letter to NIRB dated September 7, 2005. Evidence has not been provided to show that options to keep the road open after mine closure have been explored with input from the agencies responsible for managing or owning the land across which the road would be constructed. The issues surrounding long term options to keep the road open after mine closure such as maintenance, liability, and public access have also not been addressed.

Socio-Economics

Key Issue 6.8 (a): The information provided in the FEIS does not provide a comparison of the Arctic Bay/ Nanisivik mine experience to assess the potential social and economic effect in Baker Lake. It also does not discuss the effect of closure of the mine and road on the 737 airstrip.

Key Issue 6.8 (c): Provide an assessment of potential effects to Chesterfield Inlet from the employment, training and business opportunities provided by Cumberland.

Specific deficiencies related to Cumberland's List of Commitments are highlighted in the attached table. Cumberland *must* submit an addendum to the FEIS responding to the Key Issue and Commitment deficiencies. The date of such a submission will be determined at the upcoming FEIS Conformity Meeting. However, NIRB advises Cumberland to recognize the importance of a timely submission in maintaining the procedural timelines outlined below.

FEIS Conformity Meeting

NIRB would like to hold a FEIS Conformity Meeting with Cumberland and interested Parties on **Thursday December 15, 2005** to discuss the deficiencies arising from its internal conformity review mentioned above, submission filing timelines and any other matters relevant to this review. At this time NIRB has not decided whether to hold the meeting via teleconference or in Yellowknife, and is requesting that those Parties interested in participating respond to NIRB in writing by **Friday December 2, 2005** confirming their participation while informing NIRB of the issues they wish to discuss.

Although NIRB is announcing this meeting with relatively short notice, it does so with recognition of the fact that the FEIS has been available to Parties since the beginning of November and specific information has been made available on an ongoing basis since the PHC Decision was issued.

FEIS Review

All Parties should **immediately** begin their review of the FEIS in preparation for participation at the Final Hearing. Parties should pay particular attention to the following:

1. Whether or not conclusions are supported by the analysis, and if not provide supporting evidence.
2. Whether Parties disagree with the conclusions regarding the alternatives assessment, environmental impacts, proposed mitigation, and significance of impacts, and the evidence supporting the Parties disagreement.
3. Whether the appropriate methodology was used, and if not, provide evidence.
4. An assessment of the quality of the information presented.
5. Whether the proposed monitoring is appropriate, and if not, provide evidence and recommended monitoring; and
6. The preparation of submission for the Final Hearing,

FEIS Concerns, Information Requests and Exchanges

Subject to the FEIS Conformity Meeting and the timely submission of an addendum to the FEIS by Cumberland, NIRB has chosen to set the following process and tentative dates for information requests and discussions:

1. Parties submit their information request or FEIS concern to NIRB by **late January, 2006**
2. The submission must contain the following information:
 - a. Identification of the issue;
 - b. The concern associated with the issue; and
 - c. A clear rationale of the issue's importance to the environmental assessment of the Project.
3. NIRB will make a decision on whether or not Cumberland must respond. If NIRB determines that the issue requires addressing, NIRB will forward the concern to Cumberland.
4. Cumberland will provide a response to the concerned Party and NIRB by **mid February, 2006**
5. NIRB will post all of Cumberland's responses on the NIRB ftp site and notify the distribution list.

Deadline for Filing Written Submissions

Due to the concurrent review of the Doris Gold Project, the Board has extended the review period to approximately **115 days**, not including Christmas holidays. Those Parties who intend to rely on a document at the Final Hearing will be asked to submit their written comments to NIRB in **mid March, 2006**.

Further information regarding the specific timing and format of written submissions will be issued at a later date.

Final Hearing Dates and Location

As stated in the PHC decision, the Board decided that the venues for the Final Hearing are Baker Lake, Chesterfield Inlet, and Rankin Inlet. At this time, NIRB is scheduling the Final Hearing at these venues for **the week of April 2, 2005**. The Board decided that primary technical presentations will take place in Baker Lake and the Final Hearing agenda will be organized by specific technical topics, thus facilitating scheduling of expert witnesses in Baker Lake, and allowing for more community level involvement at Chesterfield and Rankin Inlet. This schedule will remain flexible and depending on the Final Hearing proceedings, may include more or less community involvement.

An agenda finalizing the particulars of the Final Hearing including the exact dates will be circulated to all Parties beforehand.

Site Visit

As part of the Final Hearing, the Board decided that it would be helpful to visit the Meadowbank Project site. NIRB would like to further discuss the potential for arranging a site visit with Cumberland.

Details will follow.

Community Visits

To promote public awareness and meaningful participation at the Final Hearing, NIRB is organizing community information sessions with interested residents and local organizations in Baker Lake, Chesterfield Inlet and Rankin Inlet. Carolanne Inglis, NIRB's Hearing Coordinator, will be visiting those communities before the Final Hearing. Carolanne Inglis may be contacted by email at cinglis@nirb.nunavut.ca or at 867-983-4607.

Public Registry

All documents, as well as any correspondence related to the Project, have been filed in the NIRB public registry at the Cambridge Bay office as well as on NIRB's ftp site (<http://ftp.nunavut.ca>). Copies of the FEIS are also available at the Hamlet offices in affected communities and the Indian and Northern Affairs Canada office in Iqaluit.

All of the above-mentioned submissions should be sent to Gladys Joudrey, Manager of Environmental Administration, at gjoudrey@nirb.nunavut.ca, by the respective deadlines. Please do not hesitate to contact Karlette Tunaley at ktunaley@nirb.nunavut.ca or 867-983-4605 for technical issues or myself for any other matter related to the Final Hearing.

Yours truly,

(Original signed by)

Stephanie Briscoe
Executive Director
sbriscoe@nirb.nunavut.ca

C.c. Honourable Andy Scott, Minister INAC

Encl. NIRB FEIS Internal Conformity Table