



- f) Report any information received, including accidents or other safety incidents on the road, including the locked gates, to the GN, KivIA, and the Hamlet immediately, and to NIRB annually.”*

In correspondence of July 29, 2008, Agnico-Eagle Mines Ltd (AEM) indicated that a road gate and gatehouse were installed – and are currently in use – at Km 5 of the AWPAP, beyond the last private cabin along the road right of way. The gatehouse is manned by an AEM employee while the AWPAP is being utilised. Further correspondence from AEM (August 13, 2008) requested that the Board formally reconsider Condition 32 (a) of the Meadowbank Project Certificate as per Section 12.8.2 of the Nunavut Land Claims Agreement (NLCA) to provide for the replacement of locked gates with the currently installed manned gatehouse.

Amendments to NIRB project certificates are discussed in Section 12.8.2 of the NLCA as follows:

*“NIRB may on its own account or upon application by a DIO, the proponent, or other interests, reconsider the terms and conditions contained in the NIRB certificate if it is established that:*

- a) The terms and conditions are not achieving their purpose;*
- b) The circumstances relating to the project or the effect of the terms and conditions are significantly different from those anticipated at the time the certificate was issued; or*
- c) There are technological developments or new information which provide a more efficient method of accomplishing the purpose of the terms and conditions.”*

Based on subsection 12.8.2 of the NLCA, information provided by the Hamlet of Baker Lake, and the condition in question, it is the Board’s opinion that the Hamlet’s request to relocate and/or remove the access restrictions required by Condition 32 (a) of the Meadowbank Project Certificate necessarily triggers an application to reconsider the term and condition under Section 12.8.2 of the NLCA.

By copy of this letter, the NIRB invites interested Parties to provide comments with respect to the Hamlet’s request for a 12.8.2 reconsideration of Condition 32(a) of the Meadowbank Project Certificate. The NIRB invites interested Parties to comment directly to the NIRB by **October 15, 2008**.

The NIRB requests that Parties submit comments regarding:

- Whether a reconsideration of Condition 32(a) would meet any of the conditions established in Sub-sections 12.8.2 (a), (b), or (c) (NLCA); and if so, which one;
- Whether any such reconsideration is likely to arouse significant public concern; and if so, why;
- Whether the reconsideration will provide for the potential adverse effects previously identified to be mitigated; and
- Any matter of importance to the Party related to the request.

The NIRB requests that interested Parties send their comments to the NIRB’s Manager of Environmental Administration, Leslie Payette, at [lpayette@nirb.ca](mailto:lpayette@nirb.ca), or via fax to **867-983-2594**.

Should you have any questions or require further information, please feel free to contact the undersigned at (867) 983-4611 or [jrusk@nirb.ca](mailto:jrusk@nirb.ca), or the NIRB's Technical Advisor and Monitoring Officer, Amanda Hanson, at [ahanson@nirb.ca](mailto:ahanson@nirb.ca) or 867-983-4615.

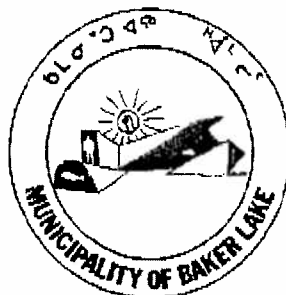
Sincerely,



Jeff Rusk  
Director, Technical Services  
Nunavut Impact Review Board

Cc: Meadowbank Distribution list

Attachment: September 12, 2008 Mayor of Baker Lake Letter to NIRB



Telephone 867 - 793-2874

Fax 867 - 793-2509

P.O. BOX 149  
BAKER LAKE, N.W.T.  
X0C 0A0

2008 September 12

Ms. Leslie Payette  
N.I.R.B.  
Cambridge Bay, NU

Fax: 1-867-983-2594

Dear Ms. Payette:

The Hamlet of Baker Lake respectfully requests that the road restriction on the Meadow Bank road be relocated. As per section 32(a) The installation of locked gates at bridges 1 and 4 are to restrictive for our hunters who would like access to the road up to their traditional hunting grounds at Quarry Mark 20, and that the gate be placed at the Exploration Camp.

As per section 12 (a) 2, Council would like the N.I.R.B to look into changing the current restriction on this road by opening it up for our hunters who would use this road at their own risk. There are many company roads across Canada that have been built by the private sector, which are used by the general public. The Hamlet Council of Baker Lake would like to see this happen in Baker Lake.

Any consideration given to this request is greatly appreciated.

Sincerely

David Aksawnee  
Mayor

Cc: HTO: 793-2034