

8. Do the public easements as identified in Section 19.6.3 and Schedule 19-11(4) and (5) of the NLCA affect the NIRB's decision on the proposed non-mine use of the Private Access Road?
9. Are *consequential* amendments required to other terms and conditions of Project Certificate No. 004 as a result of the reconsideration of Condition 32 a., and/or the proposed change in non-mine use of the Private Access Road?

B. Schedule for the Public Hearing Exchange of Information

The Board requests that the following information be filed with the NIRB's Manager of Environmental Administration, Leslie Payette on or before **April 17, 2009**. Submissions may be sent via email to info@nirb.ca or via fax to 867-983-2594.

1. The Hamlet of Baker Lake is requested to provide a written submission to the NIRB which clarifies the nature of the proposed non-mine use of the Private Access Road, including:
 - a. How and when will the public be permitted to use the road and under what terms and conditions; and
 - b. How the terms and conditions for non-mine use of the road will be communicated and enforced.
2. AEM is requested to provide the NIRB with a revised *Transportation Management Plan for the Tehek Lake All Weather Private Access Road* based upon the accommodation proposal for non-mine use submitted by AEM in its written submission dated March 27, 2009.
3. The Board further extends the comment period set out in the Board's letters of January 27, 2009 and March 20, 2009, to **April 17, 2009**, to provide any party wishing to file a written submission or expand on a previously filed written submission an opportunity to do so prior to the Public Hearing.

C. Intervenor Identification and Registration

The order for the exchange of information by the Parties at the Public Hearing will follow the attached Agenda. Issues to be presented by the Parties to the Board at the Public Hearing are to be generally classified under the nine (9) issues set out in A, above.

The public will be given an opportunity to present information during the Public Hearing, and to question the Proponent and Intervenor. Given the nature and importance of Issue 1, as set out in Part A above, the Board will hear from members of the public in a Community Round Table format on this issue prior to proceeding to the presentations by the Parties. In addition, following the presentations by the Parties, on Thursday, April 30, the Hearing will proceed in a Community Round Table format (see Part E Special Procedures below).

Presentations by the Parties shall be subject to a time limit of 30 minutes, to be enforced by the Board. Parties should prepare their presentations and questioning with these limits in mind.

The following points address Intervenor identification and registration:

1. The NIRB requests that Intervenor register with the NIRB's Technical Advisor, Amanda Hanson at info@nirb.ca or via fax to 867-983-2594 by **April 17, 2009**. Registration involves the provision of documented indication of the individual or organization to be represented at the Hearing, and will allow that person or organization as registered, to present at the Hearing, to question other Intervenor or the Proponent, and similarly to be cross-examined by other registered Intervenor, the Proponent, and the Board. **Members of the public wishing to make general comments or ask questions are not required to register.**
2. The NIRB requires all Parties to submit a Microsoft Power Point version of their presentation to the NIRB's Technical Advisor, Amanda Hanson, at info@nirb.ca, on or before **April 21, 2009**.
3. Further, the Board requires that all Parties provide to NIRB staff at the Public Hearing venue the evening of **April 27, 2009** between 7:00 and 9:00 p.m.:
 - a. 20 printed copies of their presentation for the Board and staff; and
 - b. Printed copies of their presentation for the public, in both English (100 copies) and Inuktitut (100 copies).

D. Technical Reports and Other Documents Required for the Public Hearing

As part of AEM's annual reporting requirements, Condition 32 e. requires that AEM file with the NIRB, records of reported non-mine related traffic as encountered along the Private Access Road. As of the date of this letter, this information has not been provided to the NIRB in hard copy. The Board requests that these records be filed with the NIRB's Manager of Environmental Administration, Leslie Payette at info@nirb.ca or via fax to 867-983-2594, on or before **April 17, 2009**.

All documents received prior to the Public Hearing which pertain to the 12.8.2 NLCA reconsideration of Condition 32 a. of the Meadowbank Gold Mine Project Certificate No. 004 are available on the NIRB's publicly registry at: [ftp://ftp.nirb.ca/MONITORING/03MN107-MEADOWBANK/01-PROJECT%20CERTIFICATE/12.8.2%20AMENDMENTS/CONDITION%2032/](http://ftp.nirb.ca/MONITORING/03MN107-MEADOWBANK/01-PROJECT%20CERTIFICATE/12.8.2%20AMENDMENTS/CONDITION%2032/).

E. Special Procedures to be Followed at the Public Hearing

The NIRB will be holding a Community Round Table discussion to facilitate individual members of the public to provide their views to the Board. The attached Agenda details the times and subject matter for these sessions. Information for community members on registering for this session will be released in a further notice. At the time of the Community Round Table discussion, Parties may be required to present abbreviated presentations.

The Public Hearing will be conducted in Inuktitut and English with simultaneous interpretation. The NIRB is also required by law to conduct public hearings in French in accordance with the *Official Languages Act*. Please notify the NIRB at least seven days before the Public Hearing should you require interpretation in French.

The NIRB will provide an LCD projector and notebook computer for presenters. Should you require specialized audio-visual equipment at the Public Hearing, please inform the NIRB of any specific requirements at least seven days prior to the Public Hearing.

Following the Public Hearing, the Board may, at its discretion, set out a procedure for further written submissions.

Summary of Submission Deadlines

April 17, 2009

Exchange of Information Submissions (Items B: 1 – 3)
Intervenor Registration (Item C: 1)
Technical Reports and other Documents (Item D)

April 21, 2009

Intervenor Presentation Digital Submissions (Item C: 2)

April 27, 2009 (7:00 p.m. – 9:00 p.m. Baker Lake Community Hall)

Printed Copies of Intervenor Presentations – English and Inuktitut (Item C: 3)

Should you have any questions regarding the Board's procedural direction, please contact the NIRB's Technical Advisor, Amanda Hanson at (867) 983-4615 or by email at ahanson@nirb.ca.

Sincerely,



Stephanie Autut
Executive Director
Nunavut Impact Review Board

Attachment: NIRB Agenda – 12.8.2 (NLCA) Reconsideration of the Meadowbank Project
Certificate No. 004, Condition 32 a.



AGENDA – PUBLIC HEARING

12.8.2 (NLCA) Reconsideration of the Meadowbank Project Certificate No. 004, Condition 32 a.

Date: April 28, 2009 – April 30, 2009
Location: Baker Lake Community Hall
Time: 9:00 a.m. to 5:30 p.m. (subject to the Chairperson's direction)

Tuesday April 28, 2009

General Opening

1. Opening Prayer
2. Opening Remarks by the Chairperson and Introductions:
 - i. General welcome
 - ii. Introduction of Board and Staff
 - iii. Introduction of Elders and their Role in the Process
 - iv. Jurisdiction
 - v. Issues to be addressed
 - vi. Method of Advertising
 - vii. Roll Call
3. Identification of any Motions or Objections
4. History of Project Certificate No. 004 and Condition 32 a. Currently Under Reconsideration

Community Round Table – First Session

5. Members of the Public Speak to Issue 1

Issues to be Addressed

6. Presentation by Agnico-Eagle Mines Ltd
 7. Questioning of Agnico-Eagle Mines Ltd by Interested Parties, the Public, and the NIRB
 8. Presentation by the Hamlet of Baker Lake
 9. Questioning of the Hamlet of Baker Lake by Interested Parties, the Public, and the NIRB
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Wednesday April 29, 2009

Issues to be Addressed

10. Opening Prayer
 11. Opening remarks by the Chairperson and Introductions
 12. Presentations by Each Intervenor
 13. Questioning of Each Intervenor by Interested Parties, the Public and the NIRB
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Thursday April 30, 2009

Community Round Table - Second Session

14. Opening Prayer
15. Opening remarks by the Chairperson and Introductions
16. Abbreviated presentation by Agnico-Eagle Mines Ltd
17. Questioning of Agnico-Eagle Mines Ltd by the Public
18. Abbreviated presentation by the Hamlet of Baker Lake
19. Questioning of the Hamlet of Baker Lake by the Public
20. Community Round Table Closing Statements

Closing

21. Final closing statements by Intervenors
22. Final closing statement by Agnico-Eagle Mines Ltd
23. Final closing statement by the Hamlet of Baker Lake
24. Closing remarks by the Chairperson and Board Members
25. Closing or adjournment of the Hearing by the Chairperson
26. Closing Prayer

Notes:

1. *Elders may speak at any time during the Hearing.*
2. *The Board may recess the Hearing for breaks as deemed necessary.*
3. *On each day the Hearing will break for approximately one hour for lunch. Parties are responsible for obtaining their own meals at this time.*