



NIRB File No.: 11MN034
NWB File No.: 2AM-MEL- - -

June 22, 2018

Meliadine Gold Mine Project Distribution List

Sent via email

Re: Notice of Public Hearing, Intervenor Application Deadline, and Invitation to Provide Final Written Submissions for the NIRB's Assessment of Agnico Eagle Mines Limited's "Saline Effluent Discharge to Marine Environment, Rankin Inlet, Meliadine Gold Mine" Project Proposal

Dear Parties:

On June 19, 2018 the Nunavut Impact Review Board (NIRB or Board) received a Final Environmental Impact Statement (FEIS Addendum) submission from Agnico Eagle Mines Limited (Agnico Eagle, or Proponent) in support of the "Saline Effluent Discharge to Marine Environment, Rankin Inlet, Meliadine Gold Mine" Project Proposal (NIRB File 11MN034; "the Saline Effluent Discharge Proposal").¹ Having undertaken an internal cursory review of the submission to confirm its concordance with the guidance provided by the NIRB on April 16, 2018,² the NIRB is now formally accepting the FEIS Addendum and initiating a public review of the associated documentation. Through this correspondence the Board is inviting responsible authorities and interested parties to provide final written submissions for the NIRB's consideration on or before **August 21, 2018**; the NIRB is also pleased to announce the scheduling of an in-person Public Hearing as part of this assessment in Rankin Inlet, **September 12-13, 2018**.

Please find enclosed a Notice of Public Hearing for the NIRB's assessment of the Saline Effluent Discharge Proposal. The Public Hearing is being held as part of the Board's reconsideration of the terms and conditions of NIRB Project Certificate No. 006 in accordance with Section 12.8.2 of the *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada (Nunavut Agreement)* and with s. 112 of the *Nunavut Planning and Project Assessment Act*, S.C. 2013, c. 14 (NuPPAA). Please note that formal notice will be published in local newspapers in the coming weeks in Inuktitut, English and French. Parties are further advised that the NIRB is currently awaiting approval from Indigenous and Northern Affairs Canada (INAC) for the funding required to facilitate the planned Public Hearing; should funding not be confirmed in the coming weeks it could become necessary for the NIRB to postpone these

¹ Public Registry ID: 318246

² Public Registry ID: 316766

proceedings until such time as sufficient funding is secured. The Board will advise all parties accordingly, should any scheduling changes become necessary.

Guidance regarding the recommended format for making final written submissions the NIRB is set out in Appendix A of this letter; the NIRB appreciates the efforts of all parties to structure their respective submissions in accordance with the recommended format, which will assist greatly in their presentation and discussion at the Public Hearing. Upon receipt, Interveners' final written submissions will be made available to all parties via the NIRB's online public registry.

All documentation associated with this project proposal, including the complete FEIS Addendum³ is available online from the NIRB's public registry for the Meliadine Gold Mine Project at <http://www.nirb.ca/project/124106>.

Dates and Location of Public Hearing

As noted above, the Board has determined that an in-person Public Hearing will be held in the community of **Rankin Inlet, September 12-13, 2018**. In accordance with the availability of meeting venues and logistical support, the NIRB is pleased to announce the following schedule for the Public Hearing to support the NIRB's reconsideration as outlined below.

LOCATION	DATE	TIME*	SCHEDULE
Rankin Inlet, Community Hall	September 12, 2018	9:00 a.m. – 5:00 p.m. 6:30 p.m. – 9:00 p.m.	Technical Presentations
	September 13, 2018	9:00 a.m. – 5:00 p.m. 6:30 p.m. – 9:00 p.m.	Technical Presentations, Community Roundtable, Closing Statements

*** NOTE: The NIRB may extend timing of any scheduled sessions if required.**

The schedule for these proceedings has been arranged such that the first portion of the Public Hearing will consist of formal proceedings and technical presentations, while the latter portion will allow for more directed community engagement through a focused Community Roundtable session. Evening sessions will be held to ensure interested members of the community are also afforded opportunity to participate outside of regular working hours.

Public Hearing Logistics & Details

The Public Hearing will proceed in accordance with the NIRB's Rules of Procedure, dated September 3, 2009 (the Rules).⁴ The NIRB has decided to vary Rule 38.1 so that parties wishing to rely on materials at the Public Hearing are required to comply with the timelines set out in this correspondence rather than the requirements of Rule 38.1 (which require materials to be relied on at the Public Hearing to be filed at least 15 days in advance of the Public Hearing). Proceedings will be facilitated by the NIRB's Chairperson, or delegate, and Board Members with decision-making responsibility for the file, with support from NIRB staff and legal counsel as required. Stenographers will be present to record an official transcript, and simultaneous

³ Public Registry ID: 318246

⁴ NIRB *Rules of Procedure* (September 3, 2009).

English-Inuktitut interpretation will be provided through all proceedings, while French interpretation may also be provided if requested at least 30 days in advance of the Hearing. Access to the full public registry will be made available electronically throughout the proceedings.

Schedule for Requesting Intervenor Status, Filing Final Written Submissions and Presentation Materials in Advance of the Public Hearing

The enclosed Notice of Hearing and NIRB Process Map provide direction to all, including parties wishing to apply for formal intervenor status for the Public Hearing. For the benefit of all parties, the NIRB is providing the following additional information regarding the timelines and procedures supporting participation at the upcoming Public Hearing, including timelines for filing written submissions and presentation materials:

1. Under the Board's Rules, regulatory agencies⁵ have full standing throughout the Reconsideration and are NOT required to file a request to be granted intervenor status.
2. Part III, Rule 22 of the Rules also recognizes that there may be parties who have not been involved throughout the assessment to date, but who may, upon receiving the formal Notice of Hearing, determine that they wish to apply for intervenor status at the Public Hearing. For these potential intervenors, the Board requires the completion of an Application Form to request intervenor status (enclosed) to be filed with the Board on or before **July 20, 2018**.
3. The Board will review and consider completed Application Forms and may:
 - a. Circulate the Application with a request for comments;
 - b. Decide that more information is required or request that the Application be modified as directed by the Board;
 - c. Decide that the intervention request is not granted because the submission is frivolous, vexatious or of little merit; or
 - d. Grant the intervention request and notify all parties of that decision.
4. Given the approaching Public Hearing and the desire for all parties to have adequate notice and time to prepare for their participation, the Board will endeavour to take the steps outlined in Item 3 as promptly as possible and expects to make its determination and issue a letter accepting or rejecting each of the intervention requests received on or before **July 27, 2018**.
5. All regulatory authorities and parties granted intervenor status will have until **August 21, 2018** to file their final written submissions for the Public Hearing with the NIRB.
6. The Proponent will have until **August 28, 2018** to file their reply to the final written submissions filed by regulatory authorities and parties granted intervenor status.

⁵ Defined under Part I, Rule. 2.1 to include any Canadian or Nunavut government department or agency, Designated Inuit Organization (DIO) or any other body that has the authority to issue a permit, lease, licence or grant approval to a proponent to conduct some physical work or physical activity in relation to a project proposal.

7. All parties will have until **September 5, 2018** to file Public Hearing and Community Roundtable presentation materials (including translated copies) and any other materials upon which they intend to rely at the Public Hearing.

Summary

In closing, as we move closer to the Public Hearing for the NIRB's Reconsideration of the Saline Effluent Discharge Proposal, the Board thanks all parties for their continued active engagement in the Reconsideration process. Additional details regarding the Public Hearing will be provided as they become available.

A reminder of the following key dates:

- The NIRB will accept applications for Intervenor Status until **July 20, 2018**.
- The deadline for Intervenor status applications is **August 21, 2018**.
- The deadline for the Proponent to file a reply to parties' final written submissions is **August 28, 2018**.
- The deadline for all parties to file Public Hearing and Community Roundtable presentation materials and/or materials relied on at the Public Hearing is **September 5, 2018**.

Should you have questions regarding the upcoming Public Hearing, including the NIRB's Rules of Procedure and intervenor status applications, please contact Kelli Gillard, A/Director Technical Services, directly at kgillard@nirb.ca or by phone at (867) 983-4619.

Sincerely,



Ryan Barry
Executive Director
Nunavut Impact Review Board

cc: Jamie Quesnel, Agnico Eagle Mines Limited
Ryan Vanengen, Agnico Eagle Mines Limited
Karén Kharatyan, Nunavut Water Board
Luis Manzo, Kivalliq Inuit Association
Maria Serra, Kivalliq Inuit Association
Steve Pinksen, Government of Nunavut
Chris Spencer, Government of Nunavut
Rachel Theoret Gosselin, Indigenous and Northern Affairs Canada
Georgina Williston, Environment and Climate Change Canada
Mark D'Aguiar, Fisheries and Oceans Canada
Rob Johnstone, Natural Resources Canada
Rachelle Besner, Natural Resources Canada
Transport Canada
Justin Merrit, Hamlet of Rankin Inlet
Brian Sigurdson, Kangiqliniq Hunters and Trappers Organization

Attachments: Appendix A: NIRB's Suggested Format for Parties' Final Written Submissions

Enclosed (3): Notice of Public Hearing (June 22, 2018)
NIRB Process Map (June 22, 2018)
Application Form Requesting Intervenor Status (English and Inuktitut)

APPENDIX A: NIRB'S SUGGESTED FORMAT FOR PARTIES' FINAL WRITTEN SUBMISSIONS

When developing final written submissions for consideration by the Nunavut Impact Review Board (NIRB), parties are respectfully requested to consider the following direction regarding suggested format.

For each issue raised, parties are asked to include a clear reference to the volume, document, section, and/or page number in the Final Environmental Impact Statement (FEIS) Addendum where relevant information may be found. Parties may find efficiencies in structuring submissions by issue, and are asked, where possible, to align their submission in accordance with the ordering of materials as presented within the FEIS Addendum. A tabular presentation as provided below is requested as a means of systematically organizing comment submissions and to assist with the compilation of submissions for the next steps of the NIRB's Review process.

Format and File Size

Parties must provide submissions in a fully functional, electronically searchable Word, Excel or unlocked PDF format. Parties should endeavor to limit the size of digital files to no larger than 10 MB.

Final written submissions should contain the following:

1. Executive Summary

Submissions must contain a non-technical executive summary of the major issues identified during the review of the FEIS Addendum. The summary should not exceed two pages.

The NIRB requires executive summaries be provided in English and be translated into **Inuktitut** and **French**. Please note that parties are responsible for sourcing this translation.

2. Table of Contents

Submissions should contain a table of contents with sections that relate to the main headings of the FEIS Addendum for the Meliadine Gold Mine Project and which also identify the major issues under those headings the party intends to bring forward for discussion and intends to address at the Public Hearing. Submissions may also address any other matter that the party considers relevant to the NIRB's review of the FEIS Addendum.

3. Introduction

All submissions should contain a statement of the party's mandate and relationship to the project. Parties that have regulatory jurisdiction over the Meliadine Gold Mine Project must also provide a description of the party's jurisdiction as well as a list of the legislation, regulations, policies and guidelines administered by the party that are applicable to the project.

4. Specific Comments

For each issue included in the submissions, parties should provide the following:

- a. A detailed description of the issue and, as appropriate, a reference to where within the FEIS Addendum (volume/document, section and page number);
- b. If provided by the Proponent within the FEIS Addendum, identify the Proponent's conclusion(s) related to the issue;

- c. A statement regarding the conclusion(s) of the commenting party related to the issue, including reference to the justification/data/rationale supporting that conclusion;
- d. A brief discussion assessing the issue's importance to the impact assessment process; and
- e. Any recommendation(s) to the NIRB with respect to the disposition of the issue, including whether or not the issue could be addressed through specific updates to the terms and conditions of Project Certificate No. 006 and/or other modifications to the existing monitoring and reporting requirements for the approved Meliadine Project.

5. Summary of Recommendations

Finally, submissions to the NIRB should contain a *summary* of the recommendations to the Board with respect to:

- Whether Parties agree/disagree with the conclusions presented in the FEIS Addendum provided by the Proponent regarding the alternatives assessment, environmental impacts, proposed mitigation, significance of impacts, and monitoring measures – and all evidence supporting the parties' position;
- Whether or not conclusions presented in the FEIS Addendum provided by the Proponent are supported by the analysis – and all evidence supporting the parties' position;
- Whether appropriate methodology was utilized in the FEIS Addendum to develop conclusions – and all evidence supporting the parties' position along with any proposed alternative methodologies which may be more appropriate if applicable;
- An assessment of the quality and the presentation of the information presented in the FEIS Addendum;
- An assessment of the appropriateness of proposed monitoring measures – and evidence to support the determination, along with any proposed alternative monitoring measures which may be more appropriate (if applicable); and
- Any comments regarding additional information which would be useful in assessing impacts – and reasons to support any comments made.

6. Suggested submission format in Table Form

Review Comment Number	
Subject/Topic	
References to the FEIS Addendum (<i>i.e., volume/document, section/sub-section, page number, etc.</i>)	
Summary (include Proponent's conclusion if relevant and conclusions of commenting party)	
Importance of issue to the impact assessment process	
Detailed Review Comments	1. Gap/Issue 2. Disagreement with FEIS Addendum conclusion 3. Reasons for disagreement with FEIS Addendum conclusion
Recommendation/Request	