



NIRB File No.: 11MN034
NWB File No.: 2AM-MEL1631

August 21, 2018

Meliadine Gold Distribution List

Sent via email

Re: Draft Agenda for the upcoming Public Hearing for the NIRB's Review of Agnico Eagle Mines Limited's "Saline Effluent Discharge to Marine Environment, Rankin Inlet, Meliadine Gold Mine" Project Proposal

Dear Parties:

On June 22, 2018 the Nunavut Impact Review Board (NIRB or Board) issued its Notice of Public Hearing for the NIRB's assessment of 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 Project).¹ 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).

At this time, the NIRB would like to provide interested parties with the opportunity to provide comments on the attached *Draft Hearing Agenda* (see Appendix A) which sets out the proposed ordering of specific topics and appearance of intervenors, as well as the time currently allotted to agenda items, including intervenor's presentations. Comments on the *draft agenda* can be submitted directly to the NIRB via email at info@nirb.ca by **August 27, 2018**.

PUBLIC HEARING: SEPTEMBER 12 AND SEPTEMBER 13, 2018

Parties planning to attend the upcoming Public Hearing are advised that times given in the attached *Draft Hearing Agenda* are approximate and the order of presenters and times given for presentations are subject to change at the moderator's discretion during the proceedings.

Consequently, participants are advised to ensure travel and other logistical arrangements are sufficiently flexible to accommodate modifications to the proposed timing and order of presenters throughout the proceedings.

¹ Public Registry ID: 318246

Technical Sessions

The objective of the Technical Session portion of the Agenda is to facilitate presentations and questioning by technical experts regarding the conclusions presented within the Proponent's Final Environmental Impact Statement (FEIS) Addendum, with a focus on the unresolved issues and concerns raised within parties' final written submissions to the NIRB.

Presentations:

The Proponent will present an overview of its project proposal, followed by a presentation of the conclusions regarding potential impacts and required mitigation identified in its FEIS Addendum, as well as its responses to parties' final written submissions. Intervenor and the Board Members will be permitted to ask questions at suitable points throughout this portion of the agenda.

Intervenor participating during the Technical Session portion of the Agenda will then each be granted up to 20 minutes with which to present evidence to the Board. Additional time will be allotted for the questioning of each Intervenor at the conclusion of each presentation. Intervenor are requested to provide a brief synopsis of significant issues resolved through the preceding technical review, and identify those issues remaining unresolved (with accompanying recommendations) as raised within their final written submissions to the NIRB. Should any Intervenor believe additional time (beyond the allotted 20 minutes) is required to present its evidence during the Hearing, a request should be made when providing comments on the *Draft* Hearing Agenda, due no later than **August 27, 2018**. The granting of additional presentation time will be at the discretion of the Board.

With respect to the format for technical presentations, the NIRB requests that parties structure their presentations as follows:

1. Provide a brief overview of your organization's mandate and jurisdiction in association with the proposed project components/activities, highlighting applicable legislation, policies or guidelines as necessary.
2. Present an overview of the technical concerns or issues identified in a manner that parallels your final written submission.
3. Discuss your organization's recommendations to the Board regarding whether proposed mitigation is adequate to address potential adverse effects.

Following each technical presentation, the Proponent, other Intervenor, and the NIRB will be given an opportunity to question and cross-examine the presenter(s) and the evidence provided. **Parties are advised to ensure that personnel with the necessary expertise to answer questions arising during the Technical Sessions are readily available throughout the Public Hearing.**

Community Roundtable Sessions

Given the importance placed on ensuring public input for the Board's Review process, the NIRB has invited representatives from the community of Rankin Inlet to participate in the Community Roundtable Session portion of the Public Hearing. The Board requires that the Proponent and each of the Intervenor ensure sufficient technical expertise is available for both the Technical Sessions AND the Community Roundtable Sessions. All parties are advised that the Community Roundtable Sessions are not only an opportunity for members of the potentially affected

communities to ask questions of the Proponent about the proposed Project, but also for community members to engage with and ask questions of all the Intervenor participants in the assessment.

Presentations

The Proponent will be expected to deliver a summary presentation providing an overview of each major project component, highlighting the conclusions regarding potential impacts and proposed mitigation identified in its FEIS Addendum.

Intervenor participants are advised that following the completion of the Proponent's presentations and community representatives asking questions related to these presentations, other Intervenor participants will be brought to the table to respond to questions and participate in discussions of issues. Due to the short duration of the hearing, the NIRB will be providing more time for community members (and public) to ask questions and reduce the number of formal presentations.

PUBLIC HEARING LOGISTICS

Public Hearing Agenda & Attendance

Following the receipt of comments and suggested revisions to the *Draft* Agenda the NIRB expects to provide a finalized Agenda on or before **August 27, 2018**.

The NIRB requests that parties planning to attend the upcoming Public Hearing provide our office with final confirmation of the number of representatives to be in attendance, including their names, positions and respective area(s) of expertise or authority, on or before **August 27, 2018**.

Public Hearing Structure

The NIRB has made the following arrangements for the Public Hearing:

- | | |
|------------------------|--|
| Interpretation: | Simultaneous English/Inuktitut interpretation will be provided to the extent practicable (parties requiring French interpretation for the Hearing are to notify the NIRB by August 27, 2018). |
| Seating: | Available seating at the main table during the technical session proceedings will be necessarily limited to a maximum of 2-3 seats per agency. During the community roundtable proceedings, Intervenor participants will be asked to be seated in the general audience, with community representatives assuming their seats at the main table. |
| Facilitator: | The meetings will be facilitated by the NIRB Chairperson. |
| Materials: | The NIRB will make available a digital copy of all materials contained within the Board's public registry for the Review of the Project. |
| Meeting times: | Meetings start at 9:00 am and continue until 5:00 pm daily, with an hour break for lunch and two 15-minute health breaks. Light refreshments will be provided during health breaks; other meals will not be provided for participants. Evening sessions have been scheduled from 6:30 – 9:00 pm as necessary to ensure all agenda items are covered and to ensure the public have an opportunity to attend outside of office hours; extended hours may be scheduled if deemed necessary. |

The NIRB will structure the proceedings to allow each party an opportunity to speak to outstanding issues/concerns/comments pertaining to each agenda item in an ordered fashion, with time limits enforced as necessary to ensure the hearing proceeds in a timely fashion. The Board has endeavored to allot more time for discussion of those items for which significant concerns were raised or where regulatory jurisdictions overlap.

Presentations

Parties are advised that all presentation materials are to be provided in English, Inuktitut, and French if possible. Parties are further reminded that presentations will serve as formal exhibits to the Hearing proceedings, and that filing of additional materials at the Public Hearing will be undertaken on an as-needed basis.

The NIRB asks that all parties provide printed copies of their presentation materials attendees at the Public Hearing, including 75 English copies, 50 Inuktitut copies, and 20 French copies of the following materials in support of the Public Hearing:

- Presentations for the Technical Sessions
- Presentations for the Community Roundtable Sessions
- Executive summaries of Final Written Submissions

The NIRB requests that all parties submit digital copies of their technical presentations and plain language summary presentations for the upcoming Hearing via email to info@nirb.ca, no later than **August 31, 2018**. We appreciate the efforts of parties to provide presentation materials as requested, as the NIRB will utilize these materials to prepare comprehensive information packages for community roundtable participants in advance of the Hearing.

SUMMARY

In closing, as we move closer to the Public Hearing for the NIRB's Review of the "Saline Effluent Discharge to Marine Environment, Rankin Inlet, Meliadine Gold Mine" Project Proposal, the Board thanks all parties for their support and encourages continued active engagement in the review process. Additional details regarding the Hearing logistics and final scheduling will be provided as they become available.

August 27, 2018:	Parties notify NIRB if French interpretation required for the Hearing Parties provide NIRB confirmation of planned attendance for the Hearing, (number of representatives, their names, positions and areas of expertise or authority) Parties provide comments to NIRB regarding the <i>Draft</i> Agenda, including the timing and format of presentations.
August 29, 2018:	NIRB release Final Agenda.
August 31, 2018:	Parties provide presentations (English, Inuktitut, and French) and plain language summaries electronically to the NIRB.

Should you have any questions regarding the NIRB's Review of the "Saline Effluent Discharge to Marine Environment, Rankin Inlet, Meliadine Gold Mine" Project Proposal, please contact Kelli Gillard, Manager of Project Monitoring directly at kgillard@nirb.ca or by phone at (867) 983-4619.

Sincerely,

A handwritten signature in cursive script that reads "Tara Arko". The signature is written in dark ink on a light-colored, slightly textured background.

Tara Arko
Director, Technical Services
Nunavut Impact Review Board

cc: Jamie Quesnel, Agnico Eagle Mines Limited
Ryan Vanengen, Agnico Eagle Mines Limited

Attachment (1): Appendix A: *Draft* Hearing Agenda (NIRB File No. 11MN034)

APPENDIX A – DRAFT HEARING AGENDA

NIRB File No.: 11MN034 – “Saline Effluent Discharge to Marine Environment, Rankin Inlet, Meliadine Gold Mine”

Proponent: Agnico Eagle Mines Limited

Location: Community Hall, Rankin Inlet, NU

Dates: September 12-13, 2018

Times: **All times given are approximate. The order of presenters and time given for presentations are subject to change at the NIRB’s discretion:**

Technical Sessions: 9:00 am – 5:00 pm

Community Roundtable Sessions: 9:00 am – 5:00 pm

Evening Sessions: 6:30 pm – 9:00 pm

Note (1): Witnesses appearing on behalf of registered Intervenor will be sworn in/affirmed and exhibits will be marked in advance of testimony being given. Panels of witnesses may be used for the presentation of evidence.

Note (2): All testimony will be recorded and transcribed by the Board and may also be recorded by the media.

Wednesday, September 12, 2018 – Technical Sessions

General Opening

1. Opening prayer
2. Welcoming Remarks by the Mayor of Rankin Inlet
3. Opening Remarks by the Chairperson (*30 minutes*)
 - i. Introductions, overview of procedural history, structure of proceedings, etc.
 - ii. Identification of motions or objections
 - iii. Review of Agenda
 - iv. Housekeeping Items

Technical Session

4. Presentations by the Proponent - Note: witnesses appearing on behalf of the Proponent will be sworn in/affirmed and exhibits will be marked in advance of testimony being given. The Proponent is allotted 90 minutes to complete all the presentations listed below, after which time will be provided for questioning by Board Members and Intervenor following the set of presentations.
 - i. Introduction and Project Overview, public engagement
 - ii. Effects Assessment
 - iii. Management Plans and Monitoring Programs, Accidents and Malfunctions
 - iv. Effects of the Environment on the Project

- v. Response to final written submissions
- 5. Presentations from registered Intervenor – Note: witnesses appearing on behalf of registered Intervenor will be sworn in/affirmed and exhibits will be marked in advance of testimony being given. Unless otherwise indicated, each Intervenor has been allotted up to 20 minutes for their presentations. Following each Intervenor’s presentation there will be time for questions by Board Members, other Intervenor and the Proponent.
 - i. Kivalliq Inuit Association
 - ii. Kangiqliniq Hunters and Trappers Organization
 - iii. Government of Nunavut
 - iv. Crown – Indigenous Relations and Northern Affairs Canada

Close of Day 1

Thursday, September 13, 2018 – Technical Sessions and Community Roundtable

Technical Session (*Continued from Day 1*)

- 6. Opening Remarks by the Chairperson
- 7. Presentations from registered Intervenor (*Continued*) - Note: witnesses appearing on behalf of registered Intervenor will be sworn in/affirmed and exhibits will be marked in advance of testimony being given. Unless otherwise indicated, each Intervenor has been allotted up to 20 minutes for their presentations. Following each Intervenor’s presentation there will be time for questions by Board Members, other Intervenor and the Proponent:
 - i. Environment and Climate Change Canada
 - ii. Fisheries and Oceans Canada
 - iii. Transport Canada

Community Roundtable Session

- 1. Summary presentation by the Proponent (*40 minutes*)
 - i. Introduction and Overview of Project
 - ii. Impact assessment and Marine Environment issues
- 2. Questioning of the Proponent by Community Representatives
- 3. Registered Parties and Intervenor join Community Roundtable. NOTE: due to the short duration of the Hearing, Parties will not be required to give a second presentation, but will be brought into the Community Roundtable discussion to respond to questions from community representatives.
- 4. Presentations by members of the public who have advised the Chairperson that they wish to speak
- 5. Closing Remarks – Proponent and Intervenor
- 6. Closing Remarks – community members

Close of Day 2