



NIRB File No.: 16MN056

July 2, 2019

To: *Whale Tail Pit Distribution List*

Sent via email

Re: Request for Final Written Submissions and Logistics Information for the NIRB's Assessment of Agnico Eagle Mines Limited's "Whale Tail Pit Expansion" Project Proposal

Dear Parties:

On June 20, 2019 the Nunavut Impact Review Board (NIRB or Board) issued its Notice of Hearing for the NIRB's assessment of Agnico Eagle Mines Limited's (Agnico Eagle or Proponent) "Whale Tail Pit Expansion" Project Proposal (NIRB File 16MN056; "the Project"). The Public Hearing is being held **August 26 to August 29, 2019 in Baker Lake** as part of the Board's reconsideration of the terms and conditions of NIRB Project Certificate No. 008 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 parties with direction regarding the recommended format for final written submissions, and general logistics for the upcoming Hearing. All documentation associated with this project proposal is available online from the NIRB's public registry for the Whale Tail Pit Expansion proposal at www.nirb.ca/project/125418.

FINAL WRITTEN SUBMISSIONS

The next step in the NIRB's assessment process for the Whale Tail Pit Expansion proposal is the filing of final written submissions for the preparation of the NIRB Public Hearing on or before **July 26, 2019** by Intervenor.

Guidance regarding the recommended format for final written submissions to be submitted to 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, final written submissions will be made available to all parties via the NIRB's online public registry.

PUBLIC HEARING

The NIRB's Public Hearing will provide a public forum for discussion of those technical issues that have been identified, resolved, or which remain unresolved, as well as issues for which there is public concern, and other matters considered relevant to the NIRB's assessment of the Project. The Hearing will involve a combination of technical and non-technical sessions, with the first portion of the proceedings consisting of formal proceedings and technical presentations, while the latter portion will allow for more directed community engagement through Community Roundtable sessions. Evening sessions will be held to ensure members of the community are also afforded opportunity to participate outside of regular working hours. While the *draft* agenda for the Public Hearing will be circulated in the coming weeks to all parties, once finalized it may also be adjusted as necessary during the proceedings at the discretion of the NIRB's Chairperson.

PUBLIC AWARENESS AND COMMUNITY ENGAGEMENT

Through the coming weeks the NIRB will be soliciting five (5) representatives each from the communities of Arviat, Baker Lake, Chesterfield Inlet, Coral Harbour, Nauyasat, Rankin Inlet, and Whale Cove to attend the Public Hearing and share their comments and perspectives on behalf of their respective communities. The NIRB is prepared to cover the costs of travel, accommodations and meals as necessary for community representatives travelling to Baker Lake to facilitate their attendance and participation at the Public Hearing. As the Hearing is a public event, any interested members of the public from Baker Lake will also be welcome to attend and participate during the Community Roundtable session.

HOTEL ACCOMMODATIONS

The NIRB asks that all parties provide sufficient representation during both the planned technical sessions and community roundtable portions of the Public Hearing to represent the parties' issues as well as respond to questions from community members.

The NIRB will not be coordinating reservations or holding hotel accommodations for parties or Intervenor attending the Hearing; each agency is responsible to secure their representatives' flights, accommodations, and meals. Given the limited hotel beds in Baker Lake, the NIRB encourages parties planning to attend the Hearing to secure their hotel bookings as soon as possible.

TRANSLATION/INTERPRETATION REQUIREMENTS

The NIRB will conduct the Public Hearing proceedings in simultaneous English-Inuktitut interpretation, and upon advance request, English-French interpretation. The NIRB requests that any party requiring French interpretation for the Hearing notify the NIRB by **July 22, 2019**.

Additionally, those who require special audio-visual equipment at the Hearing are requested to inform the NIRB by **July 22, 2019** and to specify the nature of equipment required to allow for the necessary arrangements to be made.

MEDIA ACCESS TO THE HEARING

The NIRB will arrange for court reporters to attend the Public Hearing to produce a transcript of the proceedings to ensure that there is a full and fair historical record that is readily accessible to all. The Board is also supportive of any planned efforts by public media outlets to cover the Public

Hearing proceedings and will ensure that media representatives are granted sufficient access to the proceedings to report accurately. However, the Board must also ensure that the participants at the Public Hearing are not unduly limited in their willingness and ability to participate fully if recordings should become intrusive or disruptive. As such, the NIRB has established rules for recording of public hearings and other proceedings that it asks all media outlets to observe to assist in minimizing all such disruptions; a copy of these rules will be provided to any media outlet requesting media access for the Public Hearing proceedings.

The NIRB is requesting all media outlets that wish to record proceedings during the Public Hearing (film, photograph, audio) to request media access from the Board on or before **July 22, 2019**.

SUMMARY

In closing, as we move closer to the Public Hearing for the NIRB's assessment of the Whale Tail Pit Expansion proposal, the Board thanks all parties for their support and encourages continued active engagement in the assessment process, and appreciates parties efforts to meet the deadlines:

- July 22, 2019** a) Requests for French interpretation or special audio-visual equipment if required.
b) Requests for access from media to record proceedings (film, photograph, and audio).
- July 26, 2019** Final written submissions due (format given in [Appendix A](#)).

All requests or submissions should be sent to info@nirb.ca.

Should you have questions regarding the upcoming Public Hearing for the NIRB's assessment of the Whale Tail Pit Expansion proposal, please contact the undersigned directly at sgranchinho@nirb.ca or by phone at (867) 857-4829 or Erin Reimer, Technical Advisor I, at ereimer@nirb.ca or by phone at (867) 857-4566.

Sincerely,



Sophia Granchinho, M.Sc.
Manager, Impact Assessment
Nunavut Impact Review Board

cc: Jamie Quesnel, Agnico Eagle Mines Limited
Michel Groleau, Agnico Eagle Mines Limited
Manon Turmel, Agnico Eagle Mines Limited

Attachment (1): Appendix A – NIRB's Suggested Format for Parties' Final Written Submissions

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 Addendum (FEIS Addendum) and/or documents provided by the Proponent (Additional Documents) following the Technical Meeting 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 assessment process.

Format and File Size

Parties must provide submissions in a fully functional, electronically searchable Word, Excel or unlocked PDF format. Noting the current constraints with respect to internet bandwidth and speed, the NIRB requests that all submissions be submitted as electronic file(s) no larger 10 to 25 MB.

Final written submissions must 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 and Additional Documents. The summary should not exceed two pages.

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

2. Table of Contents

Submissions must contain a table of contents with sections that relate to the main headings of the FEIS Addendum for the Whale Tail Pit Expansion proposal 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 assessment of the FEIS Addendum and/or Additional Documents.

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 Whale Tail Pit Expansion proposal 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) and/or Additional Documents the issue is discussed;
- b. If provided by the Proponent within the FEIS Addendum and/or Additional Documents, 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.

5. Summary of Recommendations

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

- Whether Parties agree/disagree with the conclusions presented in the FEIS Addendum or Additional Documents 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 or Additional Documents 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 or Additional Documents 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 or Additional Documents;
- 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

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| Review Comment Number | |
| Subject/Topic | |
| References to the FEIS Addendum (i.e., volume/document, section/sub-section, page number, etc.) or Additional Documents | |
| 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 4. Disagreement and reasons for disagreement with conclusions within the Additional Documents |
| Recommendation/Request | |