



**NIRB File No.: 16MN056**

July 12, 2019

Carmen Ikuutaq  
Baker Lake Hunters and Trappers Organization  
P.O. Box 255  
Baker Lake, NU X0C 0A0

*Sent via email: [bakerlake@kivallight.ca](mailto:bakerlake@kivallight.ca)*

**Re: Notice of NIRB Acceptance of the Baker Lake Hunters and Trappers Organization Request for Intervenor Status at the Upcoming Public Hearing for Agnico Eagle Mines Limited's "Whale Tail Pit Expansion" Proposal**

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Dear Carmen Ikuutaq:

The Nunavut Impact Review Board (NIRB or Board) has now reviewed the Application Form for Intervenor Status submitted to the Board on July 11, 2019 on behalf of the Baker Lake Hunters and Trappers Organization (the Applicant). On the basis of the completed application form, the Board has determined that the Applicant has met the technical requirements for an intervention as set out in section 22.2 of the Board's Rules of Procedure<sup>1</sup> and the Notice of Public Hearing for the "Whale Tail Pit Expansion" proposal (NIRB File 16MN056) posted on June 20, 2019. With respect to the Board's substantive review of the Applicant's intervention request, the Board has determined that the Applicant proposes to provide relevant and material information to the Board in the context of the upcoming Public Hearing. Consequently, as set out in section 22.3(d) of the Board's Rules of Procedure, the Board, by way of this letter, is providing notice to you and to the parties to this assessment process that the NIRB accepts the Applicant's request for intervention status.

As indicated in the Notice of Public Hearing, the next step for parties granted intervention status is the filing of final written submissions with the Board on or before **July 26, 2019**. The Board expects that the Applicant's final written submissions will comply with the requirements set out in [Appendix A](#) of the correspondence sent out July 2, 2019.

As indicated previously to the parties, the Public Hearing will be conducted in accordance with the NIRB's Rules of Procedure, with timelines modified as per the Notice of Public Hearing distributed on June 20, 2019. Proceedings will be facilitated by the NIRB's Chairperson, or

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<sup>1</sup> NIRB Rules of Procedure (September, 2009)

delegate, and Board Members with decision-making responsibility for the file, with support from NIRB staff and legal counsel as required.

Should you have questions regarding the filing of your written submissions or your participation in the Public Hearing for the “Whale Tail Pit Expansion” proposal, please contact Sophia Granchinho, Manager, Impact Assessment directly at (867) 857-4829 or [sgranchinho@nirb.ca](mailto:sgranchinho@nirb.ca) or Erin Reimer, Technical Advisor I directly at (867) 857-4566 or [ereimer@nirb.ca](mailto:ereimer@nirb.ca).

Sincerely,

A handwritten signature in black ink that reads "Ryan Barry". The signature is fluid and cursive, with a long horizontal line extending from the end of the name.

Ryan Barry  
Executive Director  
Nunavut Impact Review Board

Enclosures (1)    Appendix A: Format for Parties' Final Written Submissions

cc:                Richard Aksawnee, Baker Lake Hunters and Trappers Organization  
                     Jamie Quesnel, Agnico Eagle Mines Limited  
                     Manon Turmel, Agnico Eagle Mines Limited  
                     Whale Tail Pit Distribution List

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

<b>Review Comment Number</b>	
<b>Subject/Topic</b>	
<b>References</b> to the FEIS Addendum ( <i>i.e., volume/document, section/sub-section, page number, etc.</i> ) or Additional Documents	
<b>Summary</b> (include Proponent's conclusion if relevant and conclusions of commenting party)	
<b>Importance of issue to the impact assessment process</b>	
<b>Detailed Review Comments</b>	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
<b>Recommendation/Request</b>	