



NIRB File No: 03MN107

January 5, 2007

Mr. Craig Goodings,
Cumberland Resources Ltd. and Meadowbank Mining Corporation
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Box 72, One Bentall Centre
Vancouver, B.C.,
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And

Len McHale and Neil Thompson
Nuna M&T Services Ltd.
9839 – 31 Avenue
Edmonton, AB
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Via Email: craigg@telus.net; lenm@nunalogistics.com; neilt@nunalogistics.com

RE: Temporary Camp and Road Assessment

Dear Sirs:

The Nunavut Impact Review Board (NIRB or Board) is in receipt of your application to the Government of Nunavut, Community Government Services (GN-CGS) for a construction camp. The camp is to accommodate the construction crew building the Tehek Lake access road. NIRB became aware of your recent water board licence application to construct the Tehek Lake access road through the Nunavut Planning Commission (NPC) Planner Program.

Be advised that NIRB is legally compelled to direct all applications for project proposals within the Kivalliq Region to the Nunavut Planning Commission (NPC). Therefore, NIRB did forward the GN-CGS camp application to the NPC. As a result the NPC has sent the matter back to NIRB with a positive conformity determination for both the construction of the all weather access road and the temporary camp. This clears the way for Article 12 analysis. (NIRB is copying the NPC with this letter to ensure that there is no doubt they approved a positive conformity determination for all matters before them related to your project)

By law, NIRB's obligation is to screen all applications that come before it. Where matters, such as the Tehek Lake access road, have already received Ministerial approval as a result of a public hearing and subsequent issuance of a Project Certificate (December 30, 2006), NIRB does not screen applications except in cases specified by Section 12.4.3 of the Nunavut Land Claims Agreement (NLCA) which states:



“Any application for a component or activity of a project proposal that has been permitted to proceed in accordance with these provisions shall be exempt from the requirement for screening by NIRB unless:

- (a) such component or activity was part of the original project proposal; or*
- (b) its inclusion would significantly modify the project.”*

With regard to the road, this was a component of the Meadowbank Gold Mine Project Proposal previously reviewed by NIRB. This recent application for the road indicates no significant changes to what was originally reviewed by the Board, thus the matter will **not** be screened.

With regard to the temporary camp, this was not a component of the Meadowbank Gold Mine Project Proposal application previously reviewed by NIRB and therefore it must be screened. This also means that any camp related activities such as construction were also not approved and therefore Nuna M&T Services and Meadowbank Mining Corporation (MMC) must await NIRB's screening decision prior to commencing construction of the camp (see Section 12.10.1 of the NLCA).

During the Project Certificate Meeting, NIRB became aware that the temporary camp in question may become mobile in nature (for example, it may move as construction progresses to Crown or Inuit Owned Land (IOL)). If this is the case, then any additional applications must also be screened because they would be new and different from the subject GN-CGS application. The best option would have been to include this activity as part of the original review of the Meadowbank Gold Mine Project, but that did not happen. Should the subject temporary camp be mobile in nature, Nuna and MMC are advised to consider placing all camp applications before NIRB (Commissioners, Crown and IOL) so that all applications can be screened at once. In this manner if there are similar projected impacts for the same activity, subsequent screenings can be expedited as much as possible. NIRB should be advised as soon as possible as to whether the camp is to be mobile or stationary.

It appears that much of the information regarding these present activities was submitted after the NIRB hearing closed and before the Minister(s) approved the Project. Therefore both the Board and the Minister(s) would have had no opportunity to review the impacts and reach a decision on what terms and conditions to attach to the Project Certificate.

We realize time is of the essence, so NIRB will screen the project proposal (ie. camp) as a priority. By way of copy of this letter, the enclosed comment form and recommended draft terms and conditions to the distribution list NIRB is commencing a 14 day comment period. Once the comments are in, NIRB will act on them immediately. We invite interested persons to comment directly to the NIRB by **January 19, 2007**.

Members of the distribution list are advised that on December 27, 2006 NIRB received the following additional information related to the temporary camp from Nuna M&T Services Ltd:

- NIRB Part 2 Project Specific Information Requirements Items 29-45, excluding 34
- Non technical Project Description in English and Inuktitut
- NIRB Part 1 Form in English and Inuktitut



All documents received and pertaining to the temporary camp can be obtained from NIRB's ftp site at http://ftp.nunavut.ca/nirb/NIRB_REVIEWS/CURRENT_REVIEWS/03MN107-MEADOWBANK_GOLD_PROJECT/02-REVIEW/13-MISC/CAMP/

If you have any questions or concerns, feel free to contact Karlette Tunaley, Technical Advisor, at 403-697-7897 or ktunaley@nirb.nunavut.ca

Yours Truly,

Stephanie Briscoe
Executive Director

Enclosure:

Comment Form
Draft Recommended Terms and Conditions

cc

Roger March (rmarch@cumberlandresources.com)
Sharon Ehaloak, Executive Director, Nunavut Planning Commission sehaloak@npc.nunavut.ca
Jim Prentice, Minister of Indian and Northern Affairs Canada
Honourable Lawrence Cannon, Minister of Transport, Infrastructure and Communities
Honourable Gary Lunn, Minister of Natural Resources Canada
Honourable Loyola Hearn, Minister of Fisheries and Oceans
Meadowbank Distribution List

DRAFT RECOMMENDATIONS

In addition to the Terms and Conditions set out in the Meadowbank Project Certificate, NIRB recommends the following:

Physical Environment

1. The Applicant shall ensure that the land use area is kept clean and tidy at all times.
2. The Applicant shall prepare the site in such a manner as to prevent rutting of the ground surface.
3. The Applicant shall not do anything that will cause erosion of the banks of any body of water on or adjacent to the land and shall provide necessary controls to prevent such erosion.
4. The Applicant shall be required to undertake corrective measures in the event of any damage to the land or water as a result of the Applicant's operation.
5. The Applicant shall not remove any material from below the ordinary high water mark of any waterbody.
6. The Applicant shall adopt such measures as required to control erosion by surface disturbance. Sediment and erosion control measures should be implemented prior to, and maintained during the work to prevent sediment entry into the water during a spring thaw.
7. The Applicant shall not move any equipment or vehicles unless the ground surface is in a state capable of fully supporting the equipment or vehicles without rutting or gouging.
8. The Applicant shall suspend overland travel of equipment or vehicles if rutting occurs.

Water

9. The Applicant shall only use water from sources approved by the Nunavut Water Board.

Waste

10. The Applicant shall have a Waste Management Plan approved by the Nunavut Water Board (NWB) prior to commencing on-site activities.

Camps and Structures

11. The Applicant shall not erect structures or store material on the surface ice of lakes or streams.

12. The Applicant shall locate all structures and storage facilities on gravel, sand or other durable land.
13. The Applicant shall keep the camp clean and tidy at all times so as not to attract carnivores.
14. The Applicant shall contact the Government of Nunavut, Department of Health and Social Services regarding guidelines for complying with Camp Sanitation Regulations.

Fuel and Chemical Storage

15. The Applicant shall have an Emergency Response & Spill Contingency Plan approved by the NWB prior to commencing on-site activities.
16. The Applicant shall manage its fuel, chemicals and hazardous wastes as directed by the NWB.

Wildlife

17. The Applicant shall ensure that there is no damage to wildlife or wildlife habitat in conducting this operation.
18. The Applicant shall not feed wildlife.
19. The Applicant shall follow procedures outlined in the "Safety in Bear Country Manual", and should contact the Regional/Area Biologist or the Wildlife manager for information and advice on measures which should be taken to minimize the possibility of conflicts/interactions with bears.
20. The Applicant shall not locate any operation so as to block or cause substantial diversion to migration of caribou.
21. The Applicant shall not construct any camp or cache any fuel within 10 km of any "designated caribou crossing". The regional biologist should be contacted for known crossings.
22. From May 15 to July 15, the Applicant shall cease activities that interfere with migration or calving, such as movement of equipment, ATV or snowmobile use until the caribou and their calves have vacated the area.
23. The Applicant shall ensure that during the presence of caribou and muskox within sight and sound of a camp that all personnel will remain quietly in camp.
24. The Applicant shall not conduct any activity associated with the land use operation if critical periods of wildlife cycles are observed (eg. caribou migration, calving, fish spawning or raptor nesting).

25. The Applicant shall ensure that there is no hunting or fishing by employees of the company or any contractors hired.
26. The Applicant shall ensure that there is minimal disturbance to any nesting birds and wildlife in the area. Harassment of wildlife is prohibited. This includes persistently worrying or chasing animals, or disturbing large groups of animals.

Migratory Birds

27. Pursuant to the Migratory Bird Convention Act Regulations the Applicant shall ensure that no one disturbs or destroys the nests or eggs of migratory birds. If active nests are encountered, the Applicant shall avoid these areas until nesting is complete and the young have left the vicinity of the nest.
28. The Applicant shall not deposit or permit to be deposited, oil, oil wastes, or any other substance harmful to migratory birds in any water or any area frequented by migratory birds in accordance with Section 35 of the Migratory Birds Regulations

Species at Risk Act (SARA)

29. The Applicant shall not cause disturbance to any species of Special Concern under Schedule 3 of the Species at Risk Act.
30. The Applicant shall develop a monitoring plan for species of special concern as required by the Species at Risk Act (SARA) Section 79 (2). The Applicant shall develop this monitoring plan in consultation with the Government of Nunavut and Environment Canada. This plan will be submitted to Environment Canada and the Government of Nunavut prior to commencing on site activities.

Aquatic

31. The harmful alteration, disruption or destruction of fish habitat is prohibited under Section 35 of the Fisheries Act. No construction or disturbance of any stream/lake bed or banks of any definable watercourse, is permitted unless authorized by DFO.

Archaeology

32. The Applicant shall avoid any archaeological or palaeontological site.
33. The Applicant shall immediately contact the Government of Nunavut Department of Culture, Language, Elders and Youths (CLEY) if any archaeological or palaeontological site is encountered or disturbed.

Reclamation

34. The Applicant shall have an Abandonment and Restoration Plan approved by the NWB prior to commencing on-site activities.

Socio-Economic

35. The Applicant is encouraged to hire local people and services, to the extent possible.
36. The Applicant is advised to consult with local residents as well as the Beverly and Qamanirjuaq Caribou Management Board regarding their activities in the region, and do community consultation on the project to keep the communities informed.