



NIRB File No.: 11MN034
NWB File No.: 2AM-MEL1631
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September 24, 2020

To: Meliadine Distribution List

Sent via email

Re: Notice of NIRB Technical Meeting and Pre-hearing Conference for Agnico Eagle Mines Limited's "Saline Effluent Discharge to Marine Environment" Project Proposal

Dear Parties:

On August 7, 2020 the Nunavut Impact Review Board (NIRB or Board) provided anticipated timelines and process guidance to parties for the NIRB's assessment of Agnico Eagle Mines Limited's "Saline Effluent Discharge to Marine Environment" Project Proposal (the Project Proposal), including tentative dates for a Technical Meeting, as well as a Community Roundtable and Pre-hearing Conference. The Board concluded, with due consideration for the ability of parties to participate effectively given the current and ongoing COVID-19 pandemic, that the meetings should be conducted via a combination of written submissions, in-person and video conference meetings.

In line with the anticipated process for the NIRB's assessment of the Project Proposal, as subsequently updated on August 27, 2020¹, the NIRB has scheduled a Technical Meeting by teleconference November 23-24, 2020, and Community Roundtable and Pre-hearing Conference in the primary location of Rankin Inlet for November 25-26, 2020.

In providing this guidance on next steps for the assessment, the Board continues to preserve the right to further modify the proposed processes, as may be required to reflect changed circumstances such as:

- Updates to applicable guidance from public health authorities and changes to public health measures put in place to prevent the spread of COVID-19;
- Technological innovations and limits;
- New information from parties; and
- The receipt of required funding from Crown-Indigenous Relations and Northern Affairs Canada.

¹ NIRB Public Registry www.nirb.ca/project/125515; Document ID No.:331265

The NIRB has modified the format of the Technical Meeting, Community Roundtable and Pre-hearing Conference using a hybrid approach to ensure that in-person community engagement can be preserved, while recognizing that there are significant travel restrictions that may prevent participants who are not resident within Nunavut from being able to travel into the territory. The Board has concluded that combinations of in-person and video conference meetings, teleconference sessions, and the receipt of written and video submissions by the parties are the best alternatives to the in-person attendance of all participants. The Board has determined that limited numbers of participants can attend in-person meetings in Nunavut while still observing Public Health Orders.

As Rankin Inlet is the closest potentially impacted community, Rankin Inlet will operate as the central hub for the in-person meetings, with the Community Roundtable and Pre-hearing Conference being chaired by the NIRB in that location. For parties represented by individuals who are unable to travel into Nunavut, the Board will establish one or two central locations or “hubs” outside of Nunavut where these parties will gather in-person for the meetings. These southern hubs will be operated in compliance with the directions provided by public health authorities in the relevant jurisdictions and will be able to participate in the Community Roundtable and Pre-hearing Conference via video and audio links to the primary meeting location in Nunavut.

The Board notes the following proposed timelines for the proceedings.

Dates	Meeting	Locations/Mode
November 23-24, 2020	Technical Meeting	Teleconference
November 25, 2020	Community Roundtable	Rankin Inlet (in-person primary) Southern hub (to be determined)
November 26, 2020	Pre-Hearing Conference	Rankin Inlet (in-person primary) Southern hub (to be determined)

The following provides parties with a high-level summary of the general logistics and modifications to Board processes associated with the Board’s assessment of the “Saline Effluent Discharge to Marine Environment” Project Proposal.

TECHNICAL MEETING

The Technical Meeting will be conducted via teleconference to facilitate discussions on technical matters related to the review of the Addendum to the Final Environmental Impact Statement². The Technical Meeting will be facilitated by the NIRB staff, with participation by the Proponent, responsible authorities, and interested parties and will be kept as informal as possible with the objective of identifying, addressing and/or resolving outstanding technical issues prior to the Pre-hearing Conference.

² NIRB Public Registry www.nirb.ca/project/125515; Document ID Nos.: 331124, 331137.

The Technical Meetings are a platform for Agnico Eagle and parties to discuss outstanding issues and attempt to find resolutions, therefore questions posed should focus on the parties' key issues. The meeting will provide an opportunity for the Proponent to present a summary of its response to technical review comments, followed by discussion between the Proponent, responsible authorities, and interested parties that have provided technical review comments for consideration. Break-out sessions facilitated by NIRB staff may also be utilized to further discuss specific agenda items in smaller groups where necessary. Pre-determined restrictions on topics will not be imposed, and the facilitator will be responsible to gauge the progress in completing the agenda or recommending breakout sessions, if necessary, to maintain the schedule.

The Board reminds Agnico Eagle that the onus is on the Proponent to supply the information required to support the assessment process. Agnico Eagle is encouraged to meet directly with parties in advance of the planned Technical Meeting as necessary to advance the discussion and resolution of technical issues with the understanding that outcomes of these discussions are to be documented and reported back to the NIRB to inform the public record. If adequate information is not provided in accordance with agreed upon timelines, the assessment cannot move forward in accordance with the anticipated process and timelines proposed by the NIRB which may result in delays in proceeding to a Public Hearing.

COMMUNITY ROUNDTABLE AND PRE-HEARING CONFERENCE

The Community Roundtable and Pre-hearing Conference will consist of in-person meetings in Rankin Inlet, Nunavut with additional participation at central locations or "hubs", including Ottawa and/or a second southern location for parties represented by individuals not able to travel into Nunavut. The NIRB will be working with a professional audio/visual support company to ensure that all hubs are connected to the primary meeting location through video feed, with backups provided by audio feed, to ensure that all hubs are linked throughout the proceedings and Inuktitut translation remains available to all participants that require it.

The purpose of the Community Roundtable portion of the Pre-hearing Conference is to provide the opportunity for representatives from communities identified as potentially impacted by the Project Proposal to be at the table to discuss and participate in the Board's assessment. The NIRB will be inviting up to three (3) representatives from each of the potentially affected communities in the Kivalliq region (Arviat, Baker Lake, Chesterfield Inlet, Rankin Inlet, Whale Cove) to participate in the Community Roundtable and Pre-hearing Conference from the primary location of Rankin Inlet. The NIRB will be providing an update to the community organizations to update their nominations and begin booking travel. The NIRB will be covering the costs of travel, accommodations and meals for these community representatives travelling to Rankin Inlet to allow for their attendance and participation in the Community Roundtable and Pre-hearing Conference. There will be supplemental communication by the NIRB closer to these gatherings to confirm meeting logistics, identify the technology to be used and to identify opportunities for training that may be provided to support participants. In undertaking these meetings, the Board intends to build on parties' experiences and feedback at these modified proceedings to better inform discussions at the Pre-hearing Conference on how best to use technology and to identify modifications that may be required to move forward to a Public Hearing.

Additional information on the agendas for these sessions as well as details about the conduct of these meetings will be issued in subsequent correspondence when logistical details such as meeting venues and access for all hubs have been confirmed.

The Pre-hearing Conference will focus on determining the specific steps and processes required to schedule the Public Hearing, specifically: timelines for the exchange of documents and information required by parties prior to the Public Hearing; finalization of issues for the Public Hearing; and details such as format, venue, timing or other matters related to the logistics for the Public Hearing. As the Board anticipates that public health measures necessary to prevent the spread of COVID-19 will likely be in place for the foreseeable future, there will be a specific discussion during the Pre-hearing Conference of the modification of the Board's Rules governing Public Hearings to reflect the applicable public health measures. Intervenor will be required to identify which issues were resolved during the technical meeting and those issues which remain outstanding, and which issues parties will be continuing discussion at the Public Hearing. Based on the discussions at the Pre-hearing Conference, the format, dates, time and venues for the Public Hearing would be decided by the Board and the Board's direction would be communicated to all parties in the Board's Pre-hearing Conference Decision Report.

PARTICIPANT FUNDING FOR INTERVENORS

Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) has forwarded the participant funding applications received to the Application Review Committee following the September 11, 2020 application deadline. The NIRB also received notification from CIRNAC that it received an application from the Sayisi Dene First Nation in addition to the other applicants noted in the NIRB's September 15, 2020 correspondence. The Application Review Committee is currently considering all applications and applicants will be advised of the funding determinations directly by CIRNAC.

SUMMARY OF KEY DATES

In closing, the following is a summary of the important upcoming deadlines associated with the upcoming technical meeting, further steps and associated deadlines will be discussed as logistics are confirmed.

Dates	Process Step
September 25, 2020	Interested parties submit IRs directly to the NIRB.
September 28, 2020	NIRB considers all IRs and makes decisions regarding their suitability. NIRB forwards all appropriate requests to the Proponent (and other parties if applicable) (15 days provided for response).
October 13, 2020	Agnico Eagle (and other parties) submits its response to IRs; NIRB initiates 30-day technical review period.
November 12, 2020	Parties submit technical review comments to the NIRB; NIRB forwards technical review comments to Proponent (and other parties).
November 18, 2020	Agnico Eagle (and other parties) files a response to technical review comments.
November 23-26, 2020	Technical Meeting, Community Roundtable and Pre-Hearing Conference
December 18, 2020	Pre-Hearing Conference decision issued determining timing, format, and any associated logistics for the Public Hearing; Public Hearing announced
To be determined	NIRB Public Hearing

The NIRB thanks all parties for their continued active participation in the NIRB's assessment of the "Saline Effluent Discharge to Marine Environment" Project Proposal. Should you have questions or require any additional clarification regarding the upcoming meetings, please contact Erin Reimer, Technical Advisor I via email at ereimer@nirb.ca. Inquiries related to the NIRB's process should be directed to Tara Arko, Director of Technical Services at tarko@nirb.ca or (867) 983-4611.

Sincerely,



Karen D. Costello
Executive Director
Nunavut Impact Review Board

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