



NIRB File No.: 12MN036

February 23, 2017

To: *Back River Distribution List*

Re: **Acceptance of the Final Environmental Impact Statement Addendum and Commencement of the Technical Review Period for the NIRB's Review of Sabina Gold & Silver Corporation's Back River Project Proposal**

Dear Parties:

On January 23, 2017 the Nunavut Impact Review Board (NIRB or Board) issued correspondence to Sabina Gold & Silver Corporation (Sabina), providing an opportunity for Sabina to submit additional information to support further public review of the Back River Project proposal (NIRB File No. 12MN036). On February 16, 2017 the NIRB received a Final Environmental Impact Statement Addendum (FEIS Addendum) submission from Sabina, which was designed to address the issues and direction previously identified within the NIRB's January 23, 2017 correspondence.

Immediately following receipt of Sabina's FEIS Addendum submission, the NIRB initiated a cursory internal check of the Addendum to confirm its suitability for supporting a public technical review; **the NIRB is now formally accepting the submission and initiating the technical review period.**

The FEIS Addendum and all materials received and pertaining to the Back River Project proposal can be accessed from the NIRB's online public registry at www.nirb.ca by using any of the following search criteria:

- Project Name: Back River Project
- NIRB File No.: 12MN036
- NIRB Application No.:124149

The Board also recommends that Sabina directly supply parties with hardcopies and/or electronic copies of its FEIS Addendum to facilitate their technical review. Sabina will be forwarded all copy requests received by the NIRB to date; please note that any further requests for copies of the FEIS Addendum can be submitted directly to the Proponent for consideration.

PROJECT PROPOSAL OVERVIEW

The NIRB notes that the scope of the assessment moving forward remains the same as that previously considered in the NIRB's Review for the Back River Project. Please refer to the Board's Final Hearing Report for the Back River Project for details regarding the project scope.

SUBMISSION OF TECHNICAL REVIEW COMMENTS

Format for Written Submissions

Parties are asked to review **Appendices A and B** of this letter which provide the NIRB's suggested format for the submission of written comments, and identify additional areas that the Board is requesting the advice of parties to further its understanding of the Back River Project and its potential to impact the ecosystemic and socio-economic environment. All parties are asked to ensure that, at a minimum, their submissions address the following points:

- Determination of whether Parties agree/disagree with the conclusions discussed in the FEIS Addendum regarding environmental impacts, proposed mitigation, significance of impacts, and monitoring measures – and reasons to support the determination;
- Determination of whether or not conclusions in the FEIS Addendum are supported by the analysis – and reasons to support the determination;
- Determination of whether appropriate methodology was utilized in the FEIS Addendum to develop conclusions – and reasons to support the determination, along with any proposed alternative methodologies which may be more appropriate (if applicable);
- Assessment of the quality and presentation of the information in the FEIS Addendum; and
- Any comments regarding additional information which would be useful in assessing impacts – and reasons to support any comments made.

By copy of this letter, the NIRB is requesting that responsible authorities, those with specialist advice and other interested parties provide their written technical comments to the NIRB before **April 24, 2017**.

Optional Technical Meeting

The NIRB is also requesting that parties identify their interest in participating in a technical meeting (via teleconference) to discuss outstanding technical issues prior to the Final Hearing. If parties believe such an undertaking would be useful, the prospective teleconference would be scheduled to occur following filing of the Proponent's response to final written submissions and prior to the Final Hearing. Parties are asked to clearly indicate their interest in NIRB hosting a technical meeting within their final written submissions due April 24, 2017.

NEXT STEPS

The next steps in the NIRB's Review of the Back River project, as illustrated in the enclosed process map, are as follows:

- **February 23, 2017:** the NIRB initiates the Technical Review of the project proposal and requests final written submissions from interested parties;
- **March 2017:** NIRB issues notice of Final Hearing (60 day public notice requirement);
- **April 24, 2017:** Parties submit final written submissions to the NIRB;
- **May 15, 2017** – the Proponent submits its response to final written submissions to NIRB;

- **May 24, 2017:** NIRB facilitates a Technical Meeting via teleconference (*optional step to be utilized if deemed necessary/appropriate*);
- **May 26, 2017:** Parties file presentations for Final Hearing (*tentative date only*)
- **May 31 – June 3, 2017:** NIRB Final Hearing (*tentative dates only*); and
- **July 2017:** NIRB issues the updated Final Hearing Report for the Back River Project proposal.

Should you have any questions or require further clarification regarding the next steps in the Board's assessment of the Back River Project proposal, please contact the undersigned at (867) 983-4615 or dstpierre@nirb.ca.

Sincerely,



Davin St. Pierre
Technical Advisor II
Nunavut Impact Review Board

cc: Matthew Pickard, Sabina Gold & Silver Corp.
Karén Kharatyan, Nunavut Water Board
Geoff Clark, Kitikmeot Inuit Association

Attachments (2): Appendix A: Format and Content Guide for Written Submissions
Appendix B: Specific Information Requested by the Board

Enclosure (1): NIRB Review Timeline for the Back River Project, February 23, 2017

APPENDIX A: FORMAT AND CONTENT GUIDE FOR WRITTEN SUBMISSIONS

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 and FEIS Addendum. For each comment submitted, parties should include a clear reference to the volume, document, section, and/or page number in the FEIS and/or FEIS Addendum where relevant information may be found. 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 Review process. Parties are encouraged to focus their commentary on the five (5) key issues identified within the Minister's direction received by the NIRB on January 12, 2017. Please refer to **Appendix B** to guide additional commentary that is being solicited by the NIRB through this technical review.

Format and File Size

Parties must provide submissions in a fully functional, electronically searchable Word, Excel or unlocked PDF format, and file(s) should be no larger than 5 MB.

Deadline for filing technical review comments

The NIRB request that responsible authorities, interested parties and those with specialist advice provide their technical review comments to the NIRB before **April 24, 2017**.

Technical review comment 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. The summary should not exceed two pages. The NIRB requires executive summaries be provided in English and be translated into **Inuinnaqtun**, **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 document for the Back River Project and also which identify the major issues under those headings the party intends to bring forward for discussion at the Technical Meeting and/or Public Hearing. Submissions may also address any other matter that the party considers relevant to the NIRB's Review of the Back River Project.

3. Introduction

All submissions should contain a statement of the party's mandate and relationship to the Project. Parties that would have regulatory jurisdiction over the Back River project 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, where appropriate, a reference to where within the FEIS or FEIS Addendum the specific issue is discussed;

- b. If provided by the Proponent within the FEIS or FEIS Addendum, 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 and further discussed in the FEIS Addendum regarding the 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 and/or FEIS Addendum are supported by the analysis provided and all evidence supporting the parties’ position;
- Whether appropriate methodology was utilized in the FEIS and the FEIS Addendum 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;
- An assessment of the appropriateness of proposed mitigation and 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

Review Comment Number	
Subject/Topic	
References to the FEIS and/or FEIS Addendum (i.e., Document, Volume, Section/sub-section, page number, etc.)	
Summary (include Proponent’s conclusion if relevant and conclusions of commenting party)	
Importance of issue to the impact assessment process	
Detailed Review Comment	<p><i>1. Gap/Issue</i></p> <p><i>2. Disagreement with EIS conclusion</i></p> <p><i>3. Reasons for disagreement with conclusion</i></p>
Recommendation/Request	

APPENDIX B: SPECIFIC INFORMATION REQUESTED BY THE BOARD

To supplement parties' forthcoming submissions, the NIRB requests that parties comment, where applicable, on the items contained within the table below. The items have been developed to frame additional information that would assist the Board in further understanding the proposed project and its potential impacts on the ecosystemic and socio-economic environment in the region, but also to better understand the opinions of stakeholders and the opinions of those who have regulatory jurisdiction over issues that formed the Board's outstanding concerns related to the development of the Back River Project. The Board reminds parties that the items detailed within the respective sections should not be considered exhaustive and encourages commenting parties to elaborate on any and all associated concerns that could supplement the Board's understanding of each item.

1. Caribou and Terrestrial Wildlife

The Board requests that parties provide details and comments regarding:

- The current state of the caribou herds that occur within the proposed project's Regional Study Area (RSA) with associated information including, but not limited to, recent population trends, migration routes, critical habitats (e.g., calving and post-calving), potential foreseeable habitat shifts, and any updated management strategies that have been enacted in the region for the protection of caribou;
- Regional monitoring efforts that have been undertaken to survey caribou population and health trends;
- The state of coordination between territorial, private, and regional or transboundary stakeholder groups to monitor caribou, as well as prospective agreements between the Proponent and parties to contribute to ongoing caribou monitoring within the region;
- The adequacy of the mitigation, monitoring, and adaptive management measures contained within the Proponent's revised Wildlife Mitigation and Monitoring Program Plan (WMMPP) and Wildlife Effects Monitoring Plan (WEMP); and
- Any additional details related to the health and status of wildlife that occur within the proposed project's RSA, and the effectiveness of the WMMPP and WEMP to mitigate impacts throughout the proposed duration of the Project.

2. Freshwater Aquatic Environment

The Board requests that parties provide details and comments regarding:

- The adequacy of the proposed fisheries offsetting measures and fish-out plans to limit overall impacts to fish in the Project's development areas;
- The effectiveness of the proposed lake dewatering plans as well as plans associated with the seasonal development and maintenance of the winter road; and
- Any additional information related fish health and the freshwater aquatic environment.

3. *Marine Environment*

The Board requests that parties provide details and comments regarding:

- The effectiveness and adequacy of the operational plans associated with the proposed saline water discharge operations and information on regulatory guidelines and associated oversight that would be in place to ensure that appropriate adaptive management measures would be adhered to, predicted results would be maintained, and corrective measures would be enforced to protect the marine environment;
- The effectiveness and adequacy of the emergency response measures and response measures associated with the proposed bulk fuel shipping operations; and
- Any additional information related to impacts from saline water discharge operations, bulk fuel shipping, and the effectiveness of the proposed emergency response measures.

4. *Water Quality (Ground and Surface)*

The Board requests that parties provide details and comments regarding:

- The effectiveness and adequacy of water quality mitigation measures proposed within the Proponent's various construction, operational, remediation, and closure plans for the Back River Project; and
- Any additional information related to impacts on surface and ground water quality.

5. *Climate and Meteorology*

The Board requests that parties provide details and comments regarding:

- The validity of the analysis provided by the Proponent concerning climate change scenarios in the proposed project area;
- The effectiveness and adequacy of the monitoring and adaptive management protocols that would be employed to manage tailings and waste rock storage areas considering the potential impacts that climate change could have on soil and permafrost conditions; and
- Any additional information related to project impacts and challenges that could result from changing climatic conditions in the project area.

6. *General*

The Board recognizes that additional topics and sections of the FEIS not directly related to those noted above may also benefit from comments and discussions where new or updated information was made available through the FEIS Addendum. The Board encourages parties to comment on these associated sections to inform the Board's understanding of the project's impacts, as well as provide an indication of the adequacy of proposed mitigation to address the impacts identified.