



P.O. Box 119
GJOA HAVEN, NU X0B 1J0
TEL: (867) 360-6338
FAX: (867) 360-6369

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NUNAVUT WATER BOARD
NUNAVUT IMALIRIYIN KATIMAYINGI

December 7, 2001

By E-mail and Telecopier (867) 436-7435

Mr. Robert Carreau
Manager, Environmental Affairs
Breakwater Resources Limited
P.O. Box 26
Bathurst NB E2A 3Z1

Subject: License NWB1NAN9702
License Renewal and Final Abandonment and Restoration Plan

Dear Mr. Carreau:

Following my letter of November 27, 2001 requesting comments on your application to amend the expiry date of license NWB1NAN9702, and Rita Becker's letter of November 27, 2001 regarding your request for an extension to the deadline for the submission of Nanisivik Mine's final abandonment and restoration plan, the Nunavut Water Board (NWB) received submissions from the Department of Indian and Northern Affairs Canada (DIAND) and the Government of Nunavut's Department of Sustainable Development (DSD). These submissions have been considered by the Board, and are appended for your consideration.

In its submission, DIAND supports the extension of the current water license until the end of mining and milling operations in September 2002. DIAND also agrees with your request for an extension of 60 days for the submission of the final abandonment and restoration plan. DIAND's letter also states that the renewal of Nanisivik Mine's license by the NWB is subject to the approval of the DIAND Minister, and that DIAND is required to conduct an environmental assessment under the *Canadian Environmental Assessment Act (CEAA)*. For its part, DSD also concurs with DIAND on the appropriateness of extending the expiry date of the license until September 2002 but points out that the mine will still be required to apply for a new license to deal with the reclamation of the mine. However, DSD asks the NWB to deny your request for an extension for the submission of your final abandonment and reclamation plan.

By way of this letter, the NWB informs all parties that it has decided (a) to extend the validity of license NWB1NAN9702 to September 30, 2002, and (b) to vary the requirement of Part H, Item 8 of the License with respect to the submission of Nanisivik Mine's final abandonment and restoration plan, and accordingly instructs the Licensee to submit to the NWB its final abandonment and restoration plan no later than February 28, 2002. The NWB also encourages the Licensee to submit its application for license renewal on or before the same deadline, after which date the NWB will set the date and location of a pre-hearing conference.

Finally, on the issue of the Minister's approval brought up by DIAND, the parties already know the position of the NWB and NTI on this matter so we will not repeat it here. Regarding *CEAA* in the context the Nunavut Land Claims Agreement, however, we are forwarding DIAND's letter to NTI and the Nunavut Impact Review Board for whatever relevance it may have to them.

Please contact our office should you have any question.

Sincerely,
Original signed by:

Philippe di Pizzo
Executive Director

cc. Distribution List

NWB1NAN9702-December 7, 2001

Nanisivik Mine	Steven Keenan	skeen@nu.breakwater.ca	(867)436-7435
NTI	Carson Gillis	cgillis@polarnet.ca	(867) 983-2723
NTI	Stefan Lopatka	slopatka@polarnet.ca	
NTI	Laurie Pelly		
NIRB	Stephanie Briscoe		
NIRB	Gladys Joudrey	gladys@polarnet.ca	(867) 983-2594
QIA, Lands	Lands Manager	(867) 979-5391	(867) 979-3238
QWB	Executive Director	(867) 979-1560	(867) 979-1491
NWMB	Josee Galipeau	jgalipeau@nwmb.com	(867) 979-7785
DIAND-Iqaluit	Carl McLean	mcleanc@inac.gc.ca	
DIAND-Iqaluit	Paul Smith	smithp@inac.gc.ca	(867)975-4560
DFO-Iqaluit	Jordan deGroot	degrootj@dfo-mpo.gc.ca	(867) 979-8039
EC-YK	Paula Pacholek	paula.pacholek@ec.gc.ca	(867) 873-8185
EC-Iqaluit	Lawrence Ignace	lawrence.ignace@ec.gc.ca	
DSD	Paul Partridge	ppartridge@gov.nu.ca	(867)975-5980
Baf-Health Board	Bruce Trotter	btrotter@gov.nu.ca	(867) 979-7659
CG&T	Doug Sitland	dsitland@gov.nu.ca	(867)979-5811
Mayor of Artic Bay			(867)439-8767
Arctic Bay QIA			(867)439-8018
Arctic Bay HTA			(867)439-8916
Arctic Bay MLA	Rebecca Uqi Williams	rwilliams@gov.nu.ca	(867)975-5036
Acres International	Ramli Halim	rhalim@acres.com	