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NUNAVUT WATER BOARD
NUNAVUT IMALIRIYIN KATIMAYINGI
OFFICE DES EAUX DU NUNAVUT

File No.: **8BC-TEH0809**

June 11, 2008

Rachel Gould
Agnico-Eagle Mines Limited
555 Burrard Street, Suite #375
Box 209, Two Bentall Centre
Vancouver, B.C. V7X 1M8
Email: rgould@agnico-eagle.com

RE: NWB Licence No. 8BC-TEH0809

Dear Ms. Gould,

Please find attached Licence No. **8BC-TEH0809** issued to Agnico-Eagle Mines Limited by the Nunavut Water Board (NWB) pursuant to its authority under Article 13 of the *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in Right of Canada*. The terms and conditions of the attached Licence related to water use and waste disposal are an integral part of this approval.

If the Licensee contemplates the renewal of this Licence, it is the responsibility of the Licensee to apply to the NWB for its renewal. The past performance of the Licensee, new documentation and information, and issues raised during a public hearing, if the NWB is required to hold one, will be used to determine the terms and conditions of the Licence renewal. Note that if the Licence expires before the NWB issues a new one, then water use and waste disposal must cease, or the Licensee will be in contravention of the *Nunavut Land Claims Agreement* (NLCA) and the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* (NWNSRTA). However, the expiry or cancellation of a licence does not relieve the holder from any obligations imposed by the licence. The NWB recommends that an application for the renewal of this Licence be filed at least three months prior to the Licence expiry date.

If the Licensee contemplates or requires an amendment to this licence, the NWB may decide, in the public interest, to hold a public hearing. The Licensee should submit applications for amendment as soon as possible to give the NWB sufficient time to go through the amendment process. The process and timing may vary depending on the scope of the amendment, however a minimum of thirty (30) days is required from time of acceptance by the NWB. It is the responsibility of the Licensee to ensure that all application materials have been received and acknowledged by the Manager of Licensing.

The NWB strongly recommends that the Licensee consult the comments received by interested persons on issues identified. This information is attached for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lootie Toomasie', with a stylized flourish at the end.

Lootie Toomasie
Board Director

LT/kt

Enclosure: Licence No. **8BC-TEH0809**
Comments GN, INAC (Including July 6, 2007), DFO and EC

cc: Kivalliq Distribution List

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DECISION

LICENCE NUMBER: 8BC-TEH0809

This is the decision of the Nunavut Water Board (NWB) with respect to an application for a renewal and amendment of a Water Licence, dated March 5, 2008 made by:

AGNICO-EAGLE MINES LIMITED

to allow for water crossings, the use of water and disposal of waste during the following activities:

- completion of road construction, culvert installations, and routine operation activities along the All Weather Private Access Road (AWPAR) between the Hamlet of Baker Lake and the Meadowbank Gold Project Site;
- construction and operation of a camp designed for 340 persons at the Meadowbank Project site;
- installation of a Bulk Fuel Storage Facility;
- set up and operation of a sewage treatment plant at the Meadowbank Project site;
- set up and operation of a batch concrete plant at the Meadowbank Project Site; and
- pre-development of two on-land starter pits including access roads.

The Meadowbank Project site located approximately 70 km north of the Hamlet of Baker Lake within the Kivalliq Region, Nunavut and accessible via the All Weather Private Access Road at the general latitude 65° 1' 52" N and general longitude 96° 9' 22" W.

DECISION

After having been satisfied that the application was in conformity with the Keewatin Land Use Plan and having undergone a Review by the Nunavut Impact Review Board in accordance with Article 12 Part 5 of the *Nunavut Land Claims Agreement* (NLCA)¹, NWB decided that the application could proceed through the regulatory process. In accordance with S.55.1 of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* (NWNSRTA) and Article 13 of the *NLCA*, public notice of the application was given and interested persons were invited to make representations to the NWB. After reviewing the submission of the Applicant and considering the representations made by interested persons the NWB, having given due regard to the facts and circumstances, the merits of the submissions made to it and to the purpose, scope and intent of the *NLCA* and of the *NWNSRTA*, waived the requirement to hold a public hearing, and determined that:

Licence Number 8BC-TEH0809 be issued subject to the terms and conditions contained therein.

SIGNED this 28th day of May, 2008 at Qikiqtarjuaq, NU.



Lootie Toomasie
Board Director
LT/kt

¹ Meadowbank Gold Mine Project Certificate, Nunavut Impact Review Board, December 30, 2006

1. BACKGROUND AND PROCEDURAL HISTORY

The NWB issued a construction water licence to Cumberland Resources Limited on February 20, 2007 to allow for the construction of a 115 kilometer all-weather access road and associated water crossings between the Hamlet of Baker Lake and the Meadowbank Gold Project site. The construction water licence expired on February 8, 2008.

On July 19 2007, the NWB was informed by AEM that Cumberland Resources Limited would become a wholly owned subsidiary of Agnico-Eagle Mines Ltd. (AEM). On August 1, 2007, AEM amalgamated with Cumberland Resources and Meadowbank Mining Corporation (a wholly owned subsidiary of Cumberland) and as a result of this amalgamation, all of the rights, title, liabilities and obligations of Cumberland Resources Limited and Meadowbank Mining Corporation were transferred and assumed by AEM.

Agnico-Eagle Mines Limited (AEM) submitted an application for water licence renewal and amendment to the NWB dated March 4, 2008. Following a preliminary review of the application, the NWB concluded that the application met the requirements of Section 48(1) of the *Nunavut Waters and Surface Rights Tribunal Act* (the Act) and advised the Applicant and distribution list accordingly on March 20th, 2008.

Information contained in the March 4, 2008 submission and distributed for review was as follows:

- Application cover letter;
- NWB Water Licence Application Form for the Meadowbank Gold Project Tehek Lake Access Road;
- NWB Supplementary Questionnaire for the Renewal/Amendment Application for the Meadowbank Gold Project Tehek Lake Access Road;
- Pre-development Closure and Reclamation Plan for the Meadowbank Project Site;
- Pre-development Camp and Sewage Treatment Plant Description for the Meadowbank Project Site;
- Pre-development Batch Concrete Plant Description;
- Waste and Water Management Plan for Mine Pre-Development Work Spring 2008;
- Spill Contingency Plan Meadowbank Project; and
- The Inuktitut translation of the summary of renewal and amendment application for the Meadowbank Gold Project Access Road Type B Water Licence.

The scope of the renewal and amendment application included the following:

- Completion of road construction, culvert installations, and routine operation activities along the all weather private access road between the Hamlet of Baker Lake and the Meadowbank Gold Project Site;
- Construction and operation of a camp at the Meadowbank Project site;
- Set up and operation of a sewage treatment plant at the Meadowbank Project

- site;
- Set up and operation of a batch concrete plant at the Meadowbank Project Site; and
- Pre-development of two on-land starter pits,

The Nunavut Water Board publicly posted notice of this application, in accordance with Section 55.1 of the Act and Article 13 of the *Nunavut Land Claims Agreement* (NLCA), on March 20th, 2008. The assessment process included the referral of the application to a variety of Federal, Territorial and local organizations for their review and comment.

As no public concern was expressed, the NWB waived the requirement to hold a public hearing and proceeded with the application process.

On or prior to April 22, 2008, the NWB received written representations on the application from interested parties including the Government of Nunavut Department of Environment (GN-DoE), Indian and Northern Affairs Canada (INAC), Environment Canada (EC), and Fisheries and Oceans Canada (DFO). In general, representations included comments and recommendations regarding the relationship between this Type B Water Licence, 8BC-TEH0809, the Type B exploration Water Licence 2BE-MEA0813 and the Type A Water Licence application for the Meadowbank Gold Project, waste and water management, spill contingency planning, abandonment and restoration, and fish habitat compensation. On April 25, 2008 AEM responded to the comments from each party.

2. ISSUES

Term of Licence

In accordance with Section 45 of the Act, the NWB may issue a licence for a term not exceeding twenty-five years. AEM, in their application, has requested a term of four and a half months (March 15, 2008 to August 1, 2008). In review of the comments received from interested parties INAC recommended that the term of the Licence be extended for one year.

Having considered the application and comments, and considering the application as a stand-alone project, the NWB has decided on a one (1) year term for the renewed and amended Licence. The decision for a longer duration than requested is based on the date of application submission and to provide the Licensee with sufficient time to complete the proposed undertakings and provide the associated plans.

Bulk Fuel Storage Tank

Under Water Licence 2BE-MEA0507, Cumberland Resources Limited was authorized to construct a 5.6 million litre Bulk Fuel Storage Tank. According to AEM's 2007 annual report, while some initial site preparation has been completed, this facility has not yet been constructed. However, AEM intends to construct this bulk fuel storage tank in 2008 in accordance with the detailed designs that were previously submitted to the NWB and in

compliance with the terms and conditions of the exploration Licence 2BE-MEA0813.

It is important to note that the Bulk Fuel Storage Facility is a proposed component of the Type A Water Licence Application for the Meadowbank Gold Project currently under review by the Board. This Type B Water Licence has been amended to include conditions from the exploration Licence relating to the construction and operation of the Bulk Fuel Storage Facility (Part E Items 8, 9 and 10 of 2BE-MEA0813), discharge from the Facility (Part D Items 8 and 9 of 2BE-MEA0813) and monitoring of the Facility (Part J Items 4 and 5 of 2BE-MEA0813).

Compliance with Canadian Council of Ministers of Environment (CCME) and Canada Wide Standards (CWS) for dioxin and furan emissions and mercury emissions

The NWB notes that the Nunavut Impact Review Board's (NIRB) Final Hearing report for the Meadowbank Gold Mine Project Application dated August 2006 requires the following as stated in condition #72:

“On-site incinerators shall comply with CCME and CWS standards for dioxins and furan emissions and CWS for mercury emissions, and Cumberland shall conduct annual stack testing to demonstrate that the on-site incinerators are operating in compliance with these standards. The results of stack testing shall be contained in an annual monitoring report submitted to GN, EC and NIRB's monitoring office.”

The NWB acknowledges the GN's comments related to this issue as well as AEM's clarification to the GN regarding its commitment to adopt the guidelines for incinerator operations for the Meadowbank Gold Mine Project.

In the meantime, under Part D, conditions 5 and 6, the NWB authorizes the Licensee to incinerate all combustible, non-hazardous waste including food waste, paper waste and untreated wood products and sludge from the sewage treatment plant. Furthermore, the Licensee is required to backhaul and dispose of all non-combustible waste in an approved waste disposal site.

The Board also notes AEM's own advice in response to the GN's comments that dioxin, furan and mercury emissions are best controlled by keeping sources of these compounds out of the stream of waste to be incinerated.

Operational ARD/ML Sampling and Testing Plan

The NWB notes AEM's plan to construct roads and prepare the Meadowbank Project site to allow for planned dike construction under the Type A application. According to AEM's *Waste and Water Management Plan for Mine Pre-development Work Spring 2008*, AEM proposes to temporarily leave blasted rock in the pit². AEM indicated that till and rock may be required from the pre-development pits for use in construction of the roads and possibly other site

² Mine Waste and Water Management Plan for Mine Pre-Development Work Spring 2008, Agnico-Eagle, Meadowbank Project, Section 3.3, pg 8

infrastructure³.

EC raised issues regarding rock management that are relevant to the use of till and rock proposed under this Type B water licence renewal/amendment. Firstly, given that a large proportion of till is proposed for use in construction of roadways, and environmental structures, EC indicated the importance of ensuring that this till not be problematic with respect to acid generation or metal leaching and recommended that testing, committed to by AEM, be reported to the Board annually⁴. Secondly, EC recommended that a credible system of segregating mine rock should be in place prior to excavation, and that conservative measures and criteria should be employed where there is uncertainty as to the character of the excavated material. Furthermore, EC recommended that the segregation system should be audited periodically to ensure that it is operating effectively⁵.

The GN raised the issue of metal leaching and the need to establish correlations between total metal concentrations and metal leach rates to which AEM committed to a specific sampling and analytical program⁶. The GN recommended that the requirement to conduct and report on the re-evaluations committed to by AEM be included in the water licence.⁷

Considering the potential for problematic material to be incorporated into environmentally sensitive structures planned for construction during pre-development, the NWB agrees with EC and GN. Therefore, the Board is requiring the Licensee, under Part I Item 1 to submit within thirty (30) days of licence issuance, a revised Operational ARD/ML Sampling and Testing Plan.

Sewage Treatment Plant

AEM plans to discharge treated effluent from the Sewage Treatment Plant to the Stormwater Management Pond where overflow will be directed to the northwest arm of Second Portage Lake. Recognizing that Sewage Treatment Plant effluent will not be directly discharged to the environment, the NWB has incorporated nutrient parameters and concentrations proposed by AEM into the effluent quality criteria required for discharges from the Stormwater Management Pond.

In addition, under Part D Item 10, the Board is requiring the Licensee to submit an Operations and Maintenance Manual for the Sewage Treatment Plant that discusses contingency measures in case of Sewage Treatment Plant malfunction.⁰

Water Quality and Effluent Discharges

³ Mine Waste and Water Management Plan for Mine Pre-Development Work Spring 2008, Agnico-Eagle, Meadowbank Project, Section 3.1, pg 6

⁴ Environment Canada's Intervention respecting the Agnico-Eagle Mines Ltd. Water Licence Application for the Meadowbank Gold Project, March 31, 2008, Section 4.3, pg 15

⁵ Environment Canada's Intervention respecting the Agnico-Eagle Mines Ltd. Water Licence Application for the Meadowbank Gold Project, March 31, 2008, Section 4.4, pg 16

⁶ Agnico Eagle Mines Ltd. Response to Meadowbank Type A Water Licence Intervenor Comments dated March 7, 2008 Table 2a, pg 2

⁷ Government of Nunavut Department of Environment's Intervention respecting the Agnico-Eagle Mines Ltd. Water Licence Application for the Meadowbank Gold Project, March 31, 2008, Section 10, Issue 9, pg 14.

Amendment to the project activities that allow for pre-development, will result in effluent discharges to the receiving environment from the Contact Water Collection System and the Stormwater Management Pond.

The Board notes the GN's comments and recommendations regarding effluent discharge limits from Lakes #1 and #2 of the Contact Water Collection System and accepts AEM's response and commitment that any water discharged from Lakes#1 and #2 into Second Portage Lake will meet MMER standards.

To protect water quality in the receiving environment, the NWB requires the Licensee to ensure that effluent directed to Second Portage Lake meets effluent quality criteria set out in Part D Items 13 and 15. The Board has set these criteria based on AEM's plan to meet MMER standards at the point of discharge from the Contact Water Collection System as well as AEM's plans for the operation of the Tear Drop Lake as a Stormwater Management Pond where treated sewage from the Sewage Treatment Plant will be pumped and where discharge from the Bulk Fuel Storage Facility may be directed.

In addition, the Board notes that plans regarding the method of effluent discharge from the Contact Water Collection System and the Stormwater Management Pond have not been described, nor have the potential impacts, if any, to the receiving environment. Recognizing that the method of discharge could alter the potential impacts to the receiving environment, the Board is requiring the Licensee to provide a description of its proposed discharge methods and associated effects in its revised Waste and Water Management Plan.

Waste and Water Management Plan

In accordance with Part B Item 3 of Water Licence 8BC-TEH0708, Cumberland Resources Limited (CRL) submitted a Site Water Management Plan in the form of a technical memorandum regarding Water Management and Monitoring Plan for Type "B" Water Licence Number 8BC-TEH0708, Meadowbank Gold Project Access Road, Kivalliq Region, Nunavut, dated March 21, 2007. On June 6th, 2007, the NWB distributed this document and invited interested persons to comment within thirty (30) days. On July 6th, 2007 comments on the document were received from INAC.

In addition, as part of the Water Licence renewal and amendment application, AEM submitted a Waste and Water Management Plan for Mine Pre-Development Work. In reviewing this plan, the Board found that it lacks detail with respect to waste and water management plans for work authorized under the original licence 8BC-TEH0708. Furthermore, the Board found an inconsistency in the Waste and Water Management Plan regarding the use of blasted rock from the pre-development starter pits in construction. It is not clear whether blasted rock will be left in place in the pre-development zones to minimize the effects on the environment or incorporated into access roads.

Despite the above deficiencies, the Board has approved the Waste and Water Management Plan. In doing so, it requires the Licensee under Part D Item 1 to submit a revised plan within thirty (30) days of licence issuance that incorporates waste and water management concepts

from previously submitted plans and takes into account the comments submitted by INAC on July 6th, 2007. Furthermore, prior to commencing any activities under this Licence, the Licensee is required to provide clarification to the Board regarding the use of blasted rock and this clarification shall be incorporated into any revised Waste and Water Management Plan in accordance with Part D Item 2.

Spill Contingency Plan

Under Part G Item 1 the Board has approved of AEM's Spill Contingency Plan. However, given that the Bulk Fuel Storage Facility is to be included as a component of this Licence and that the All Weather Private Access Road will be used to supply the site with fuel and other supplies, the Board also requires that the Licensee submit an Addendum to the plan specifically addressing how potential spills along the road and spills associated with the Bulk Fuel Storage Facility will be handled.

Abandonment and Restoration Plan

The Board acknowledges AEM's submission of its Pre-Development Closure and Reclamation Plan for the Meadowbank Project Site as part of its Water Licence renewal and amendment application.

In review of parties' comments and AEM's response regarding the Pre-Development Closure and Reclamation Plan, the Board notes INAC's recommendation that the plan should be resubmitted within sixty days of licence issuance to include plans for temporary closure and overlaps with the existing amended Type B exploration water licence 2BE-MEA0813. The Board also acknowledges AEM's concession to INAC's recommendation in its April 25th, 2007 response with a preference for a ninety day (90) time period for submission.

The Board notes the GN's comments concerning plans to restore water quality in Lakes #1 and #2 of the Contact Water Collection System as well as AEM's response to ensure that water quality will be returned to standards protective of the environment as developed through a risk based assessment.

The NWB accepts AEM's recommendation for a ninety (90) day time period to submit the plan and requires under Part H Item 1 that the revised plan address both INAC's and GN's comments.

Monitoring Plan

In accordance with Part I Item 1 of Water Licence 2BC-TEH0708, CRL submitted a Monitoring Plan in the form of a technical memorandum regarding Water Management and Monitoring Plan for Type "B" Water Licence Number 8BC-TEH0708, Meadowbank Gold Project Access Road, Kivalliq Region, Nunavut, dated March 21, 2007. On June 6th, 2007, the NWB distributed this document and invited interested persons to comment within thirty (30) days. On July 6th, 2007 comments on the document were received from INAC.

In the INAC Inspection Report dated September 27, 2007, the Inspector noted the question of the plan's completeness based on INAC's July 6th, 2007 comments as well as the status of plan approval from the NWB. To date, the NWB has not approved the Monitoring Plan.

To tie together and update monitoring details for the original licence and the renewal/amendment, the Board requires the Licensee under Part I Item 2 to submit a stand alone Monitoring Plan that incorporates details presented in previously submitted documents as well as the comments submitted by INAC.

Other

It is important to note that the use of the above information referenced from the Type A water licence proceeding was the subject of a letter dated May 20, 2008 from the Nunavut Water Board to interested Parties from which the Board received no objections.

LICENCE NO. 8BC-TEH0809

Pursuant to the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* and the *Agreement Between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in Right of Canada*, the Nunavut Water Board, hereinafter referred to as the Board, hereby grants to

AGNICO-EAGLE MINES LIMITED

(Licensee)

of

**555 BURNARD STREET, SUITE#375
BOX 209 – TWO BENTALL CENTER
VANCOUVER, B.C. V7L 1M8**

(Mailing Address)

hereinafter called the Licensee, the right to alter, divert or otherwise use water and/or dispose of waste for a period subject to restrictions and conditions contained within this Licence:

8BC-TEH0809

Licence Number

NUNAVUT 06 & 07

Water Management Area

MEADOWBANK GOLD PROJECT ACCESS ROAD, KIVALLIQ REGION, NUNAVUT
Location

WATER USE, WASTE DISPOSAL AND WATER CROSSINGS

Purpose

MISCELLANEOUS – TYPE “B”

Classification of Undertaking

1860 CUBIC METRES PER MONTH

Quantity of Water Not to Exceed

MAY 28, 2008

Date of Licence

JUNE 01. 2009

Expiry Date of Licence

Dated this 28th day of May 2008 at Qikiqtarjuaq, NU.



Lottie Toomasie
Board Director

PART A: SCOPE, DEFINITIONS AND ENFORCEMENT

1. Scope

The Licence renewal and amendment allows for the use of water, the disposal of waste and the construction of water crossings allowing for the following activities and described in the Application:

- completion of road construction, culvert installations, and all associated operation activities along the All Weather Private Access Road between the Hamlet of Baker Lake and the Meadowbank Gold Project Site;
- construction and operation of a 340 person camp at the Meadowbank Project site;
- set up and operation of a sewage treatment plant at the Meadowbank Project site;
- set up and operation of a batch concrete plant at the Meadowbank Project Site; and
- pre-development of two on-land starter pits including access roads.

The Meadowbank Project site is located approximately seventy (70) km north of the Hamlet of Baker Lake within the Kivalliq Region, Nunavut at the general latitude 65° 1' 52" N and general longitude 96° 9' 22" W.

- a. This Licence is issued subject to the conditions contained herein with respect to the taking of water and the depositing of waste of any type in any waters or in any place under any conditions where such waste or any other waste that results from the deposits of such waste may enter any waters. Whenever new Regulations are made or existing *Regulations* are amended by the Governor in Council under the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*, or other statutes imposing more stringent conditions relating to the quantity or type of waste that may be so deposited or under which any such waste may be so deposited, this Licence shall be deemed, upon promulgation of such Regulations, to be subject to such requirements; and
- b. Compliance with the terms and conditions of this Licence does not absolve the Licensee from responsibility for compliance with the requirements of all applicable Federal, Territorial and Municipal legislation.

2. Definitions

“Act” means the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*;

“Addendum” means the supplemental text that is added to a full plan or report usually included at the end of the document and is not intended to require a full resubmission of the revised report.

“All Weather Private Access Road (AWPAR)” means the road between the Hamlet of Baker Lake and the mine site as described in the application dated, October 26, 2006.

“Amendment” means a change to original terms and conditions of this Licence requiring correction, addition or deletion of specific terms and conditions of the Licence; modifications inconsistent with the terms and conditions of the Licence;

“Appurtenant Undertaking” means an undertaking in relation to which a use of water or a deposit of waste is permitted by a licence issued by the Board;

“Batch Concrete Plant” means the plant used to mix cement, aggregate, and water to produce concrete for footings, foundations and floors during construction as described in the Water Licence Application document entitled *“Pre-Development Batch Concrete Plant Description Agnico Eagle Meadowbank Project”* dated January 9, 2008.

“Bulk Fuel Storage Facility” means the facility, constructed to contain a nominal capacity of approximately five (5) million litres of diesel fuel and all associated infrastructure, as described in the Amendment Application for Water Licence 2BE-MEA0813 dated May 1, 2006 and all supporting documentation;

“Board” means the Nunavut Water Board established under the *Nunavut Land Claims Agreement* and the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*;

“Contact Water Collection System” means the system of attenuation ponds #1 and #2, lakes #1 and #2, and trenches designed to manage water that may be affected physically or chemically by mine pre-development activities as described in the Water Licence Application document entitled *“Waste and Water Management Plan for Mine Pre-Development Work Spring 2008 Agnico Eagle Meadowbank Project”* dated March 2008.

“Engineer” means a professional engineer registered to practice in Nunavut in accordance with the Engineering, Geological and Geophysical Act (Nunavut) S.N.W.T. 1998, c.38, s.5;

“Effluent” means treated or untreated liquid waste material that is discharged into the environment from a structure such as a settling pond or following a treatment process.

“Greywater” means all liquid wastes from showers, baths, sinks, kitchens and domestic washing facilities, but does not include toilet wastes;

“ICP Metals Scan” means, for the purpose of this Licence, elements detected in an inductively coupled plasma (ICP) mass spectrometer;

“Inspector” means an Inspector designated by the Minister under Section 85 (1) of the *Act*;

“Licensee” means the holder of this Licence;

“Maximum Average Concentration” means the average concentration of any four consecutively collected samples taken from the identical sampling location and taken during any given timeframe;

“Modification” means an alteration to a physical work that introduces a new structure or eliminates an existing structure and does not alter the purpose or function of the work, but does not include an expansion;

“Monthly” means in the context of monitoring frequency, one sampling event occurring every 30 days with a minimum of 21 days between sampling events;

“Nunavut Land Claims Agreement (NLCA)” means the *“Agreement Between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada”*, including its preamble and schedules, and any amendments to that agreement made pursuant to it;

“Regulations” means the *Northwest Territories Water Regulations* sor/93-303 8th June, 1993, omitting Section 5, Water Use or Waste Deposit Without a Licence;

“Sewage” means all toilet wastes and greywater;

“Sewage Treatment Plant (STP)” means the rotary biological contactor sewage treatment plant described in the Water Licence Application document entitled *“Pre-development Camp and Sewage Treatment Plant Description for the Meadowbank Project Site”* dated March 05, 2008.

“Spill Contingency Plan” means a Plan developed to deal with unforeseen petroleum and hazardous materials events that may occur during the operations conducted under the Licence;

“Stormwater Management Pond” means the facility that incorporates the existing Tear Drop Lake designed with impervious walls to contain treated sewage and contact water as described in the Water Licence Application document entitled *“Pre-development Camp and Sewage Treatment Plant Description for the Meadowbank Project Site”* dated March 05, 2008.

“Sump” means an excavation in impermeable soil for the purpose of catching or storing water or waste;

“Toilet Wastes” means all human excreta and associated products, but does not include greywater;

“Waste” means, as defined in S.4 of the *Act*, any substance that, by itself or in

combination with other substances found in water, would have the effect of altering the quality of any water to which the substance is added to an extent that is detrimental to its use by people or by any animal, fish or plant, or any water that would have that effect because of the quantity or concentration of the substances contained in it or because it has been treated or changed, by heat or other means.

“Weekly” means, the context of sampling frequency, one sampling event occurring every 7 days with a minimum of 5 days between sampling events.

3. Enforcement

- a. Failure to comply with this Licence will be a violation of the *Act*, subjecting the Licensee to the enforcement measures and the penalties provided for in the *Act*;
- b. All inspection and enforcement services regarding this Licence will be provided by Inspectors appointed under the *Act*; and
- c. For the purpose of enforcing this Licence and with respect to the use of water and deposit or discharge of waste by the Licensee, Inspectors appointed under the *Act*, hold all powers, privileges and protections that are conferred upon them by the *Act* or by other applicable law.

PART B: GENERAL CONDITIONS

1. The water use fees of \$30, payable to the Receiver General for Canada, shall be sent to the Board annually in advance of any use in accordance with Section 9 of the *Regulations*.
2. The Licensee shall file an Annual Report on the appurtenant undertaking with the Board no later than March 31st of the year following the calendar year being reported which shall contain the following information:
 - a. A summary report of construction activities including photographic records before, during and after construction, and any modifications carried out;
 - b. The monthly and annual quantities in cubic meters of all freshwater obtained from Third Portage Lake at monitoring station TEH-1 for the purposes of the camp;
 - c. The monthly and annual quantities in cubic meters of all freshwater obtained from Third Portage Lake at monitoring station TEH-1 for the Batch Concrete Plant;
 - d. A summary report of waste disposal activities including monthly and annual quantities in cubic meters of waste generated and location of disposal;
 - e. A list of unauthorized discharges and a summary of follow-up actions taken;
 - f. A brief description of follow-up action taken to address concerns presented within inspection and compliance reports prepared by the Inspector;

- g. Updates in the form of an addendum or revisions to the Spill Contingency Plan, Abandonment and Restoration Plan, Waste and Water Management Plan, Monitoring Plan, and Rock Management Plan;
 - h. A description of all progressive and or final reclamation work undertaken, including photographic records of site conditions before, during and after completion of operations;
 - i. A summary of all information requested and results of the monitoring program including tabular summaries of all data generated under the monitoring program;
 - j. A summary of public participation/consultation, describing consultation with local organizations and residents of the nearby communities, if any were conducted;
 - k. A summary of any specific plans requested by the Board; and
 - l. Any other details on water use or waste disposal requested by the Board by November 1 of the year being reported.
- 3. The Licensee shall notify the NWB of any changes in operating plans or conditions associated with this project at least thirty (30) days prior to any such change.
 - 4. The Licensee shall install flow meters or other such devices, or implement suitable methods required for the measuring of water volumes as required under Part I, Item 2.
 - 5. The Licensee shall, for all Plans submitted under this Licence, include a proposed timetable for implementation. Plans submitted, cannot be undertaken without subsequent written Board approval and direction. The Board may alter or modify a Plan if necessary to achieve the legislative objectives and will notify the Licensee in writing of acceptance, rejection or alteration of the Plan.
 - 6. The Licensee shall, for all Plans submitted under this Licence, implement the Plan as approved by the Board in writing.
 - 7. Every Plan to be carried out pursuant to the terms and conditions of this Licence shall become a part of this Licence, and any additional terms and conditions imposed upon approval of a Plan by the Board become part of this Licence. All terms and conditions of the Licence should be contemplated in the development of a Plan where appropriate.
 - 8. The Licensee shall maintain a copy of this Licence at the site of operations at all times. Any communication with respect to this Licence shall be made in writing to the attention of:

(a) Manager of Licensing:

Nunavut Water Board
P.O. Box 119
Gjoa Haven, NU X0B 1J0
Telephone: (867) 360-6338
Fax: (867) 360-6369
Email: licensing@nunavutwaterboard.org

(b) **Inspector Contact:**
Water Resources Officer, INAC
Nunavut District, Nunavut Region
P.O. Box 100
Iqaluit, NU X0A 0H0
Telephone: (867) 975-4295
Fax: (867) 979-6445

9. The Licensee shall submit one paper copy and one electronic copy of all reports, studies, and plans to the Board. Reports or studies submitted to the Board by the Licensee shall include a detailed executive summary in Inuktitut.
10. Any document(s) or correspondence submitted by the Licensee to the Board shall be received and acknowledged by the Manager of Licensing.
11. This Licence is not assignable except as provided in Section 44 of the *Act*.
12. The expiry or cancellation of this Licence does not relieve the holder from any obligations imposed by the Licence as per Section 46 of the *Act*.

PART C: CONDITIONS APPLYING TO WATER USE

1. The Licensee shall obtain all water for domestic camp use from Third Portage Lake. The volume of water for this purpose shall not exceed 1395 cubic meters per month.
2. The Licensee shall obtain all water for the batch concrete plant from Third Portage Lake. The volume of water for this purpose shall not exceed 465 cubic meters per month.
3. Streams cannot be used as a water source unless authorized and approved by the Board in writing.
4. If the Licensee requires water in a volume such that the source water body may be drawn down, the Licensee shall, at least thirty (30) days prior to commencement of use of water, submit to the Board for approval in writing, the following: volume required, hydrological overview of the water body, details of impacts, and proposed mitigation measures.
5. The Licensee shall equip all water intake hoses with a screen of an appropriate mesh size such that fish are not entrained and shall withdraw water at a rate such that fish do not become impinged on the screen.
6. Any chemicals, petroleum products or waste associated with the undertaking shall not enter any water body.

7. The Licensee shall not cut any stream bank or remove any material from below the ordinary high water mark of any water body unless authorized.
8. The Licensee shall not cause erosion to the banks of any body of water and shall provide necessary controls to prevent such erosion.
9. Sediment and erosion control measures shall be implemented prior to and maintained during the operation to prevent entry of sediment into water.
10. The Licensee shall undertake appropriate corrective measures to mitigate impacts on surface drainage resulting from the Licensee's operations.
11. The Licensee shall limit any in-stream activity to low water period. In-stream activity is prohibited during fish migration.
12. The Licensee shall locate stream crossings to minimize approach grades. Approaches shall be stabilized during construction and upon completion of the project, to control runoff, erosion and subsequent siltation to any water body.
13. Machinery is not permitted to travel up the stream bed and fording of any water body is to be kept to a minimum and limited to one area and a one-time event. Equipment used should be well cleaned and free of oil and grease and maintained free of fluid leaks.
14. Pollutants from machinery fording the crossings shall not enter water.
15. Mechanized clearing is not licensed within thirty (30) meters of the normal high water mark of any water body in order to maintain a vegetative mat for bank stabilization.
16. All fill material used shall be from an approved source and shall be free of contaminants.
17. To minimize impacts on surface drainage, the Licensee shall prepare all sites in such manner as to prevent rutting of the ground surface.
18. Equipment storage holding areas should be located on gravel, sand, or other durable land, a distance of at least thirty (30) meters above the ordinary high water mark of any water body in order to minimize impacts to surface drainage and water quality.
19. The Licensee shall designate an area for the deposition of excavated and stockpiled materials that is at least thirty (30) meters above the ordinary high water mark of any water body.
20. The Licensee shall not utilize any equipment or vehicles in the course of this undertaking unless the ground surface is in a state capable of fully supporting the equipment or vehicles without rutting or gouging. Overland travel of equipment or vehicles shall cease if rutting occurs.

PART D: CONDITIONS APPLYING TO WASTE DISPOSAL

1. The Licensee shall provide a revised stand alone Waste and Water Management Plan for approval by the Board, developed and signed by a qualified Engineer or Geochemist, within thirty (30) days following the issuance of the licence that addresses the following:
 - a. Incorporates the waste and water management related contents of the Technical Memorandum regarding Water Management and Monitoring Plan for Type “B” Water Licence Number 8BC-TEH0708, Meadowbank Gold Project Access Road, Kivalliq Region, Nunavut, dated March 21, 2007;
 - b. Incorporates the waste and water management related components contained in the Water Licence Application for this licence renewal and amendment;
 - c. Addresses issues identified by INAC in its July 6th, 2007 comments (attached) on the document entitled “Water Management and Monitoring Plan” dated March 12, 2007;
 - d. Mitigations measures to be employed at the quarries; and
 - e. Provide a description of how effluent from the Contact Water Collection System and the Stormwater Management Pond will be discharged to the northwest arm of Second Portage Lake including a description of the environmental impacts, if any, to the receiving environment.
2. Prior to commencing any activities under this License, this Licensee shall provide clarification to the NWB as to whether blasted rock from the pre-development starter pits is required for construction of the access roads and haul roads or any other site infrastructure. This clarification shall be incorporated into the revised Waste and Water Management Plan.
3. The Licensee shall incorporate seepage management at quarries using best management practices including ditches, diversions, sumps and berming where necessary.
4. The Licensee shall locate areas designated for waste disposal at a minimum distance of thirty (30) metres from the ordinary high water mark of any water body such that the quality, quantity or flow of water is not impaired, unless otherwise approved by the Board in writing.
5. The Licensee is authorized to dispose of combustible, non-hazardous waste including food waste, paper waste, and untreated wood products, and sludge from the sewage treatment plant in an incinerator.
6. The Licensee shall backhaul and dispose of all non-combustible, domestic waste including incinerator ash in an approved waste disposal site.
7. The Licensee shall provide to the Board, documented authorization from an approved

facility in Nunavut prior to the backhauling of any waste.

8. The Licensee shall backhaul and dispose of all empty barrels and fuel drums, hazardous wastes and waste oil generated through the course of the operation, to an approved waste disposal site.
9. The Licensee shall maintain records of all waste backhauled and records of confirmation of proper disposal of backhauled waste. These records shall be made available to an Inspector upon request.
10. The Licensee shall submit to the Board for approval, within ninety (90) days of the issuance of this Licence, an Operation and Maintenance Manual for the Sewage Treatment Plant prepared in accordance with the “*Guidelines for the Preparation of an Operation and Maintenance Manual for Sewage and Solid Waste Disposal Facilities in the Northwest Territories; 1996*” and adapted for the use of a mechanical sewage treatment facility. This manual shall also address contingency measures in the event of plant malfunction.
11. The Licensee shall collect and treat all sewage in the Sewage Treatment Plant
12. The Licensee shall direct all effluent from the Sewage Treatment Plant to the Stormwater Management Pond.
13. Effluent from the Stormwater Management Pond, at monitoring station TEH-9, directed to the northwest arm of Second Portage Lake, shall not exceed the following effluent quality limits:

Parameter	Maximum Average Concentration	Maximum Allowable Grab Sample Concentration
pH	6.0 to 9.5	6.0 to 9.5
TSS	25 mg/L	50 mg/L
BOD ₅	25 mg/L	50 mg/L
Fecal Coliforms	1000 CFU/dl	2000 CFU/dl
Oil and Grease	15 mg/L and no visible sheen	15 mg/L and no visible sheen
Benzene*	370 µg/L	370 µg/L
Toluene*	2 µg/L	2 µg/L
Ethylbenzene*	90 µg/L	90 µg/L
Lead*	1 µg/L	1 µg/L
Al	1.5 mg/L	3.0 mg/L

*if discharge from bulk fuel storage facility is received by Stormwater Management Pond

14. The Licensee shall direct contact water, if necessary, from the pre-development starter pits to the Contact Water Collection System.

15. All effluent from the Contact Water Collection System at monitoring stations TEH-9 and TEH-10 shall be directed to the northwest arm of Second Portage Lake and shall not exceed the following effluent quality limits:

Parameter	Maximum Average Concentration	Maximum Allowable Grab Sample Concentration
Arsenic (mg/L)	0.5	1.0
Copper (mg/L)	0.3	0.6
Cyanide (mg/L)	1.0	2.0
Lead (mg/L)	0.2	0.4
Nickel (mg/L)	0.5	1.0
Zinc (mg/L)	0.5	1.0
pH	6.0 to 9.5	6.0 to 9.5
Radium-226 (Bq/L)	0.37	1.11
TSS (mg/L)	15	30

16. All Effluent discharged from the Contact Water Collection System and Stormwater Management Pond, shall be demonstrated to be Not Acutely Toxic at Monitoring Program Stations TEH-9 and TEH-10 under the following tests:

- a. Acute lethality to Rainbow Trout, *Oncorhynchus mykiss* (as per Environment Canada's Environmental Protection Series Biological Test Method EPS/1/RM/13); and
- b. Acute lethality to the crustacean, *Daphnia magna* (as per Environment Canada's Environmental Protection Series Biological Test Method EPS/1/RM/14).

17. All effluent being discharged to land from the Bulk Fuel Storage Facility at monitoring station TEH-11 shall not exceed the following effluent quality limits:

Parameter	Maximum Average Concentration (µg/L)
Benzene	370
Toluene	2
Ethylbenzene	90
Lead	1
Oil and Grease	15,000 and no visible sheen

18. The Licensee shall discharge effluent in such a manner as to minimize surface erosion and at a location at a distance of at least thirty (30) metres above the ordinary high water mark of any water body, where direct flow into a water body is not possible and no additional impacts are created, unless otherwise approved by the Board in writing.
19. The Licensee shall establish compliance with effluent quality limits in this Part prior to discharge.

20. The Licensee shall notify the Inspector at least ten (10) days prior to discharge from the Stormwater Management Pond, the Contact Water Collection System, or the Bulk Fuel Storage Facility.
21. The Licensee shall leave blasted rock in the pre-development pit footprints unless otherwise approved by the Board in writing.
22. The Licensee shall recycle Batch Concrete Plant washwater through the Batch Concrete Plant whenever possible and shall direct excess washwater to Attenuation Pond #1 as identified in the plan entitled "*Waste and Water Management Plan for Mine Pre-Development Work Spring 2008.*"

PART E: CONDITIONS APPLYING TO CONSTRUCTION AND MODIFICATIONS

1. For the purposes of culvert and bridge installations, the Licensee shall not encroach on the natural channel width by the placement of abutments, footings or armoring below the ordinary high water mark, so that there is no restriction to the natural channel processes.
2. The Licensee shall not erect camps or store material on the surface of frozen streams or lakes except for what is for immediate use. The Licensee shall not erect camps or store material on the surface of frozen streams or lakes including immediate banks except what is for immediate use. Camps shall be located such as to minimize impacts on surface drainage.
3. All activities shall be conducted in such a way as to minimize impacts on surface drainage and the Licensee shall immediately undertake any corrective measures in the event of any impacts on surface drainage.
4. Winter lake and stream crossings, including ice bridges, shall be constructed entirely of water, ice or snow. The Licensee should minimize disturbance by locating ice bridges in an area that requires the minimum approach grading and the shortest crossing route. Stream crossings shall be removed or the ice notched prior to spring break-up.
5. With respect to access and hauls roads, pad construction, or other earthworks, the deposition of debris or sediment into any water body is prohibited. These materials shall be disposed a distance of at least thirty (30) meters from the ordinary high water mark in such a fashion that they do not enter the water.
6. The Licensee shall submit as-built drawings of the All Weather Private Access Road and all details of water crossings and structures, stamped by an appropriately qualified Engineer, within ninety (90) days of the completion of construction.

7. All surface runoff during the construction of any facilities, where flow may directly or indirectly enter a waterbody, shall not exceed the following effluent quality limits:

Parameter	Maximum Average Concentration (mg/L)	Maximum Concentration of Any Grab Sample (mg/L)
Total Suspended Solids	50.0	100.0

8. The construction and operation of the Bulk Fuel Storage Tank shall meet, at a minimum, all applicable legislation and industry standards. Industry standards include, but should not be limited to the following:

- a. *Environmental Code of Practice for Aboveground and Underground Storage Tank Systems Containing Petroleum and Allied Petroleum Products, 2003; CCME; and*
- b. *National Fire Code, 1995*

9. In addition to Part E, Item 8 and where there is no contravention with the codes, construction of the Bulk Fuel Storage Tank, dispensing station and drainage control structures shall follow the Specification Report, Project No, 06-1413-009, prepared by Golder Associates Ltd., April 28, 2006, signed and stamped by an Engineer.

10. The Licensee shall submit for Board review, within ninety (90) days of the final construction of the Bulk Fuel Storage Tank, a report prepared and signed by the Engineer responsible for supervision of the construction that shall include, but not be limited to the following:

- a. The Approval for construction issued by the Fire Marshall;
- b. As-built drawings (signed and stamped);
- c. A summary of the construction including the documentation of field decisions that deviate from construction drawings and specifications; and
- d. Any data used to support these decisions.

11. The Licensee may, without written consent from the Board, carry out Modifications to the Water Supply Facilities and Waste Disposal Facilities provided that such Modifications are consistent with the terms of this Licence and the following requirements are met:

- a. the Licensee has notified the Board in writing of such proposed Modifications at least sixty (60) days prior to beginning the Modifications;
- b. such Modifications do not place the Licensee in contravention of the Licence or the *Act*;
- c. the Board has not, during the sixty (60) days following notification of the proposed Modifications, informed the Licensee that review of the proposal will require more than sixty (60) days; and
- d. the Board has not rejected the proposed Modifications.

12. Modifications for which all of the conditions referred to in Part E, Item 11 have not been met can be carried out only with written approval from the Board.
13. The Licensee shall provide as-built plans and drawings of the Modifications referred to in this Licence within ninety (90) days of completion of the Modification. These plans and drawings shall be stamped by an Engineer.

PART F: CONDITIONS APPLYING TO DRILLING OPERATIONS

1. The Licensee is not authorized to drill under the provisions of this Licence.

PART G: CONDITIONS APPLYING TO SPILL CONTINGENCY PLANNING

1. The Board has approved the Plan entitled “Spill Contingency Plan – Meadowbank Project” dated March 5, 2008 that was submitted as additional information with the Application.
2. The Licensee shall submit within (30) days of issuance of the Licence, an Addendum to the Plan referred to in Part G, Item 1, to address potential fuel spills along the road as well as potential spills associated with the Bulk Fuel Storage Facility
3. The Licensee shall review the Plan referred to in this Part as required by changes in operation and/or technology and modify the Plan accordingly. Revisions to the Plan are to be submitted in the form of an Addendum to be included with the Annual Report.
4. Any chemicals, petroleum products or wastes associated with the project shall not enter water. All sumps and fuel caches shall be located at a distance of at least thirty (30) metres from the ordinary high water mark of any adjacent water body and inspected on a regular basis.
5. Any equipment maintenance and servicing shall be conducted only in designated areas and shall implement special procedures (such as the use of drip pans) to manage motor fluids and other waste and contain potential spills.
6. If during the term of this Licence, an unauthorized discharge of waste occurs, or if such a discharge is foreseeable, the Licensee shall:
 - a. Employ the Spill Contingency Plan;
 - b. Report the spill immediately to the 24-Hour Spill Line at (867) 920-8130 and to the Inspector at (867) 975-4295; and
 - c. For each spill occurrence, submit to the Inspector, no later than thirty (30) days after initially reporting the event, a detailed report that will include the amount

and type of spilled product, the GPS location of the spill, and the measures taken to contain and clean up the spill site.

PART H: CONDITIONS APPLYING TO ABANDONMENT AND RESTORATION OR TEMPORARY CLOSING

1. The Licensee shall submit for Board approval, within ninety (90) days of issuance of this Licence, a revision of the Plan entitled “Pre-Development Closure and Reclamation Plan” dated March 5, 2008 that was submitted as additional information with the Application, to address issues identified by INAC and GN in the application review process including:
 - a. Plans for temporary closing and overlaps with the existing or amended Type B water licence 2BE-MEA0813; and
 - b. Restoration plans for the lakes associated with the Contact Water Collection System.
2. The Licensee shall review the Plan referred to in this Part as required by changes in operation and/or technology and modify the Plan accordingly. Revisions to the Plan are to be submitted in the form of an Addendum to be included with the Annual Report.
3. The Licensee shall complete all restoration work prior to the expiry of this Licence.
4. The Licensee shall carry out progressive reclamation of any components of the project no longer required for the Licensee’s operations.
5. The Licensee shall backfill and restore all sumps to the pre-existing natural contours of the land.
6. The Licensee shall remove from the site infrastructures and site material, including all fuel caches, drums, barrels, buildings and contents, docks, water pumps and lines, material and equipment before the expiry of this Licence.
7. All roads shall be re-graded to match natural contour to reduce erosion.
8. All bridges and culverts shall be removed and the drainage opened up to match the natural channel. Measures shall be implemented to minimize erosion and sedimentation.
9. In order to promote growth of vegetation and the needed microclimate for seed deposition, all disturbed surfaces shall be prepared by ripping, grading, or scarifying the surface to conform to the natural topography.
10. Areas that have been contaminated by hydrocarbons from normal fuel transfer procedures shall be reclaimed to meet objective as outlined in the Government of Nunavut’s Environmental Guideline for Site Remediation, January 2002. The use of

reclaimed soils for the purpose of back fill or general site grading may be carried out only upon consultation and approval by the Government of Nunavut, Department of Environment and an Inspector.

11. All disturbed areas shall be contoured and stabilized upon completion of work and restored to a pre-disturbed state.

PART I: CONDITIONS APPLYING TO THE MONITORING PROGRAM

1. The Licensee shall submit for Board approval, within thirty (30) days of licence issuance, a revised Operational ARD/ML Sampling and Testing Plan that includes the following:
 - a. A detailed sampling, analysis and segregation system for rock and till that incorporates conservative criteria where there is uncertainty as to the character of material to ensure that problematic material is not incorporated into environmentally sensitive structures planned for construction during pre-development;
 - b. Analyses to establish a correlation between metal concentration and leach rates; and
 - c. A plan or schedule for periodic auditing of the segregation system.
2. The Licensee shall provide a stand alone Monitoring Plan for approval by the Board, within thirty (30) days following the issuance of the licence, developed and signed by a qualified Engineer or Geochemist, that includes the following:
 - a. Incorporates the monitoring related contents of the Technical Memorandum regarding Water Management and Monitoring Plan for Type “B” Water Licence Number 8BC-TEH0708, Meadowbank Gold Project Access Road, Kivalliq Region, Nunavut, dated March 21, 2007;
 - b. Incorporates the monitoring related components contained in the Water Licence Application for this licence renewal and amendment;
 - c. Quarry monitoring plans; and
 - d. Addresses the issues identified by INAC in its July 6th, 2007 comments (attached) on the document entitled “Water Management and Monitoring Plan” dated March 12, 2007.
3. The Licensee shall conduct its monitoring program in accordance with the following Table:

Monitoring Station	Description	Parameter	Frequency
TEH-1 and TEH-2	Water intake for camp and concrete batch plant purposes	Volume (m ³) for each individual purpose	Monthly
TEH-3 and TEH-4	Water, if any, accumulated in north	pH, turbidity	Weekly
		Metals using an ICP-	Monthly

	and south predevelopment zones	Metals Scan 36 element scan, Total Ammonia, Nitrate, Sulphate	
TEH-5 and TEH-6	Water pumped from north and south predevelopment zones to Contact Water Collection System	pH, turbidity	Daily during periods of pumping
TEH-7 and TEH-8	Contact Water Collection System Lake #1 and #2	pH, turbidity, Metals using an ICP-Metals Scan 36 element scan, Total Ammonia, Nitrate, Sulphate	Weekly during periods of pumping from the predevelopment pits
TEH-9	Discharge from Lake #1 of Contact Water Collection System (Stormwater Management Pond) to Second Portage Lake	pH, TSS, T-Al, BOD, F.Coli, T-As, T-Cu, T-CN, T-Pb, T-Ni, T-Zn, T-Radium ₂₂₆ ,	Once before discharge and weekly during periods of discharge
		Flow (m ³ /day)	Daily during discharge
		Acute Lethality	Once, prior to discharge and monthly thereafter
	In addition, if discharge from Bulk Fuel Storage Facility directed to Lake #1	Benzene, Lead, Toluene, Ethylbenzene, oil and grease	Once before discharge and weekly during periods of discharge
TEH-10	Discharge from Lake #2 of Contact Water Collection System to Second Portage Lake	pH, TSS, T-As, T-Cu, T-CN, T-Pb, T-Ni, T-Zn, T-Radium ₂₂₆ , Acute Lethality	Once before discharge and weekly during periods of discharge
		Flow (m ³ /day)	Daily during discharge
		Acute Lethality	Once, prior to discharge and monthly thereafter
TEH-11	Land applied discharge from the Bulk Fuel Storage Facility	Benzene, Toluene, Ethylbenzene, Lead, oil and grease	Once before discharge and weekly during periods of discharge
		Flow (m ³ /day)	Daily during discharge

4. The Licensee shall within six (6) months following completion of the Bulk Fuel Storage Tank construction, submit to the Board for approval, a Plan for the environmental monitoring of the Bulk Fuel Storage Facility. This Plan is to include the following:
- An assessment of performance;
 - Location, environmental setting and the potential for leaks or seepage that could impact water;
 - An assessment of the need for, and if required, the design for installation, monitoring, and maintenance of vertical Groundwater Monitoring wells to be installed in accordance with the *Environmental Code of Practice for Aboveground and Underground Storage Tank Systems Containing Petroleum and Allied Petroleum Products*, 2003; CCME; and

- d. Recommended sampling for ongoing monitoring of the integrity of the secondary containment.
5. The Licensee shall provide the GPS co-ordinates (in degrees, minutes and seconds of latitude and longitude) of all locations where sources of water are utilized for all purposes.
6. The Licensee shall determine the GPS co-ordinates (in degrees, minutes and seconds of latitude and longitude) of all locations where wastes are deposited.
7. The Licensee shall monitor all activities for signs of erosion and shall implement and maintain sediment and erosion control measures prior to the undertaking to prevent entry of sediment into any water body.
8. The Licensee shall obtain a digital photographic record of all the water crossings before, during, and after construction has been completed.
9. All sampling, sample preservation and analyses shall be conducted in accordance with methods prescribed in the current edition of *Standard Methods for the Examination of Water and Wastewater*, or by such other methods approved by the Board in writing.
10. All analyses for the purposes of compliance shall be performed in a accredited laboratory according to ISO/IEC Standard 17025. The accreditation shall be current and in good standing.
11. A Monitoring Program summary report shall be submitted to the Board for review within thirty (30) days following the month being reported. This summary shall include, at a minimum, the monitoring results of Part I Item 2 inclusive.
12. The Licensee shall include in the Annual Report required under Part B, Item 2 all data, monitoring results and information required by this Part.