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NUNAVUT WATER BOARD
NUNAVUT IMALIRIYIN KATIMAYIT
OFFICE DES EAUX DU NUNAVUT

File No.: **2BW-MEL1215**

March 13, 2012

Eric. M. Lamontagne
Agnico-Eagle Mines Ltd.
93, rue Arsenault bureau 202
Val d'Or, Quebec J0P 0E9

c/o John Witteman
601 -2 Street
Canmore, AB T1W 2K2

Email: Eric.M.Lamontagne@agnico-eagle.com
jwitteman@agnico-eagle.com

RE: LICENCE NO. 2BW-MEL1215 Type 'B'

Dear Mr. Lamontagne and Mr. Witteman,

Please find attached Licence No. **2BW-MEL1215** issued to Agnico-Eagle Mines Ltd., 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* (NWNSTRA). 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 sixty (60) 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 consideration¹.

Sincerely,

A handwritten signature in dark ink, appearing to read 'T. Kabloona', with a long horizontal flourish extending to the right.

Thomas Kabloona
Nunavut Water Board, Chair

TK/kk/pb

Enclosure: Licence No. **2BW-MEL1215**
 Comments – AANDC and EC

cc: Distribution – Kivalliq

¹ Aboriginal Affairs and Northern Development Canada (AANDC), December 22, 2011; and Environment Canada (EC), December 21, 2011.

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DECISION

LICENCE NUMBER: 2BW-MEL1215

This is the decision of the Nunavut Water Board (NWB) with respect to an application for a new Water Licence application dated October 6, 2011 made by:

AGNICO-EAGLE MINES LTD.

to allow for the use of water and disposal of waste during water-crossings and road construction activities at the Phase 1 – Meliadine All-Weather Access Road Project located within the Kivalliq Region, Nunavut generally located at the geographical coordinates as follows:

Project Extent

NW:	Latitude: 63° 01' 28.69" N	Longitude: 92° 47' 25.35" W
NE:	Latitude: 63° 01' 25.43" N	Longitude: 93° 56' 18.77" W
SE:	Latitude: 62° 51' 25.17" N	Longitude: 93° 55' 59.60" W
SW:	Latitude: 62° 51' 27.39" N	Longitude: 92° 50' 06.01" W

DECISION

After having been satisfied that the application was in conformity with the Keewatin Regional Land Use Plan (KRLUP)² and subject to an Exception from the Nunavut Impact Review Board's³ on-going Part 5 Review in accordance with S. 12.10.2(b) of the *Nunavut Land Claim Agreement* (NLCA), the 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 2BW-MEL1215 be issued subject to the terms and conditions contained therein.
(Motion #: 2011-21-L05)**

SIGNED this 12th day of March 2012 at Gjoa Haven, NU.

Original Signed By:



Thomas Kabloona
Nunavut Water Board, Chair

TK/kk/pb

² NPC Conformity Determination, November 18, 2011.

³ NIRB 12.10.2(b) Determination, February 20, 2012.

I. INTRODUCTION

On February 5, 2011, the NWB received from Agnico Eagle Mines Ltd.'s (AEM) an application to amend water licence 2BB-MEL0914 to include authorization to build, operate and decommission an All Weather Access Road between Rankin Inlet and the Meliadine site. After receiving a referral for screening from the Kivalliq Inuit Association (KIA) on February 16, 2011, the NIRB commenced screening of project proposal and subsequent, on July 4, 2011, recommended to the Minister of AANDC that this project proposal be returned to the Proponent for clarification pursuant to S. 12.4.4(c) of the NLCA, as it was determined that the project proposal was insufficiently developed to permit proper screening. The NIRB found that the proposal for the development of the AWAR from Rankin Inlet to the Meliadine site was not an independent, stand-alone project proposal and recommended that construction of the AWAR would more appropriately be considered within the context of the "Meliadine Gold Mine" project proposal submitted to the NIRB for screening on May 4, 2011.

The NWB could not proceed with the amendment application as the NIRB determined that the project proposal was insufficiently developed to permit proper screening and returned it to the Proponent for clarification in accordance with Section 12.4.4(c) of the NLCA.

On July 8, 2011, the NIRB issued a Screening Decision Report to the Minister of AANDC, in accordance with S. 12.4.4(b) of the NLCA indicating that the "Meliadine Gold Mine" proposal requires review pursuant to Part 5 or Part 6 of NLCA Article 12. On September 14, 2011, the Minister accepted the NIRB's recommendation that the Meliadine Gold Mine project proposal requires a public review, and directed that the project proposal be subject to review by the NIRB in accordance with NLCA Article 12, Part 5.

It was also indicated that, should AEM choose to reapply for early development of an AWAR between Rankin Inlet and the Meliadine site, it would be essential that the mine proposal (i.e. project description) be updated to reflect the modified proposal. It was further noted that the discretion to consider and subsequently grant exceptions under NLCA 12.10.2 rests with the NIRB and should only be exercised after careful consideration.

I. PROCEDURAL HISTORY

On September 29, 2011 AEM delivered the Phase 1 – Meliadine AWAR Project Description and Environmental Assessment to the NIRB, and on October 6, 2011 submitted a water licence application to the NWB to be allowed to construct the Phase 1 Meliadine AWAR between Rankin Inlet and Meliadine Site. Subsequently, on October 23, 2011, AEM withdrew the 2BB-MEL0914 water licence amendment application submitted to the NWB on February 5, 2011.

After completing an internal preliminary technical review of the application materials, the NWB asked AEM on October 20, 2011 to submit project specific management plans and additional information with respect to the actual water use and water sources. The additional information was submitted to the NWB on November 9 and 10, 2012.

The completed application consisted of the following documents:

- Application Cover letter, received October 5, 2011 ;
- Signed Application form, received October 6, 2011;
- Supplemental Technical Information Required for Water Crossings (linear/bridge/culverts), received October 5, 2011;
- Executive Summary; English and Inuktitut, received October 5, 2011;
- Figures 3.1-5 and 3.1-6 Meliadine River Bridge, received on October 19, 2011;

- Transportation Spill Contingency Plan, received November 9, 2011;
- Monitoring Plan, received on November 9, 2011;
- Borrow Pit and Quarry Management Plan, received November 9, 2011;
- AWAR Reclamation and Closure Plan, received November 9, 2011;
- Char River Bridge Gen 1 of 2 Design, received November 9, 2011;
- Char River Bridge Gen 2 of 2 Design, received November 9, 2011;
- M-5 Crossing Bridge Gen 1 of 2 Design, received November 9, 2011;
- M-5 Crossing Bridge Gen 2 of 2 Design, received November 9, 2011;
- Meliadine River Bridge Gen 1 of 2 Design, received November 9, 2011;
- Meliadine River Bridge Gen 2 of 2 Design, received November 9, 2011;
- Char River Bridge 3 Drawings, received November 10, 2011;
- M5 Crossing Bridge 3 Drawings, received November 10, 2011;
- Meliadine River Bridge 4 Drawings, received November 10, 2011.

A notice of the application was posted and the application information was made available for general comment from November 25, 2011 to December 25, 2011. Submissions were received from AANDC and EC.

Following the receipt of interveners' submissions, AEM responded to comments and recommendations on January 19, 2012. In addition, AEM submitted an updated Monitoring Plan on January 19, 2012.

On February 20, 2012, the NIRB approved the exception of AEM's "Phase 1 All-Weather Road" Project from the NIRB's on-going Review of AEM's Meliadine Gold Mine Project in accordance with 12.10.2 (b) of the NLCA.

Based on a thorough and detailed assessment of the application and supporting information, the Board approved the application and has decided to issue Licence 2BW-MEL1215.

II. GENERAL CONSIDERATIONS

The following section outlines the issues identified by the NWB and raised by interested parties and provides the background on the terms and conditions imposed within the body of the licence.

A. Term of Licence

In accordance with the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* s. 45, the NWB may issue a licence for a term not exceeding twenty-five (25) years. In determining an appropriate term of a water licence, the Board considers a number of factors including, but not limited to, the results of AANDC site inspections and the corresponding compliance record of the Applicant, as well as intervenor comments provided during the application review process.

In review of the comments received on the application, the NWB has noted that no concerns were expressed with respect to a licence term of three (3) years as requested by the Applicant.

The NWB believes that licence duration will allow the Licensee to properly carry out the terms and conditions of the licence and will ensure that the Phase 1 Meliadine AWAR remains in operation until the "Meliadine Gold Mine" project proposal is approved and the Project Certificate (PC) is issued from the NIRB. Upon the issuance of PC the Phase 2 AWAR shall be built over the Phase 1 AWAR and the AWAR shall fall under the Type A water licence for the mine development.

B. Annual Reporting

The NWB has imposed on the Licensee, the requirement to produce an Annual Report. These Reports are for the purpose of ensuring that the NWB has an accurate annual update of the Licensee's activities related to water use and waste disposal during a calendar year. This information is maintained on the Public Register and is available to interested parties upon request. A "*Standardized Form for Annual Reporting*" is to be used by the Licensee and is available from the NWB file transfer protocol (FTP) site under the Public Registry link at the NWB Website.

Website Public Registry:

(<ftp://nunavutwaterboard.org/ADMINISTRATION/Standardized%20Forms/>).

This form provides the basis for annual reporting and format, however, individual licenses with project specific reporting requirements will need to provide information in addition to that of the standard form.

C. Water Use

AEM informed on November 9, 2011, that once the road is in operation water could be used as a dust suppressant, during the summer in advance of periods of heavy use of road. Therefore AEM has requested a total of 200 m³ per day of water for the purpose of road watering. As reported by AEM the source of the water would be water ponded against the road, small ponds just off the road, and/or the Meliadine River.

The Licensee is required to install flow meters or other such devices, or implement suitable methods required for the measuring of water volumes under Part I, Item 2.

D. Waste Disposal

In accordance with Part D, Item 2 the Licensee is not authorized to practice on-site land filling of domestic waste, unless otherwise approved by the Board in writing.

E. Construction and Operation

With the issuance of the licence the Board has approved the Plan entitled "Borrow Pit and Quarry Management Plan for the Phase 1 All-weather Access Road between Rankin Inlet and the Meliadine site" dated November 2011.

However, in review of the Plan some minor deficiencies were noted. AEM indicated in the Plan that five proposed rock quarries and nine proposed borrow pits shall be developed and used for road building material. The updated Monitoring Plan indicates that there will be three rock quarries and seven borrow pits used in construction of the AWAR. Given this inconsistency, the Licensee shall be required, within (60) days of issuance of the Licence, to submit an addendum to the approved Plan that include updates on borrow pit and quarry numbers, locations, volume of rock to be used and addresses the comments received from EC.

In accordance with Part E, Item 13, the Licensee shall be required to maintain a minimum of thirty one (31) metres large undisturbed buffer zone between the periphery of quarry sites and the high water mark of any water body. The Licensee shall not excavate and/or remove material from the quarry beyond a depth of one (1) metre above the high water mark or above the groundwater table, to prevent the contamination of groundwater.

The quarrying shall be in accordance with all applicable legislation and industry standards including the *Northern Land Use Guidelines, Pits and Quarries* (INAC, 2010).

Following construction, the Licensee shall be required to submit to the NWB a Construction Summary Report. The Construction Summary Report requirement is outlined in Part E, Item 3. It shall be submitted within ninety (90) days of completion of the construction of the Phase 1 Meliadine Awar, and include stamped as-built plans and drawings, providing explanation to reflect any deviations from design and construction drawings taking into account construction and field decisions and how they may affect the performance of the engineered facilities.

F. Spill Contingency Plan

As part of the Application, the Licensee submitted a Plan entitled “Transportation Spill Contingency Plan for the Phase 1 All Weather Access Road between Rankin Inlet and the Meliadine site” dated November 2011. The Board has approved the Plan with the issuance of the licence.

However, in their review the AANDC and EC identified some small deficiencies to be addressed by the Licensee. The Licensee shall be required to update the Plan accordingly and to submit an addendum to the approved Plan within (60) days of issuance of the Licence. The requirement for this submission is detailed under Part G, Item 2.

As with revisions to all Plans, the Board recommends that a table be included with the Plan that documents the date, purpose and page(s) of the revision.

G. Restoration and Closure Plan

As part of the application, AEM submitted a Plan entitled “All-Weather Access Road Reclamation and Closure Plan for the Phase 1 All-Weather Access Road between Rankin Inlet and the Meliadine site” dated November 2011. The NWB has approved the Reclamation and Closure Plan under Part H, Item 1 of the Licence.

H. Monitoring

The Plan entitled “Monitoring Plan for the Phase 1 All-Weather Access Road between Rankin Inlet and the Meliadine site” dated November 2011, was originally submitted with the application. Following the technical review of application and comments received, AEM submitted an updated Monitoring Plan on January 19, 2011. The Board has approved the updated “Monitoring Plan for the Phase 1 All-weather Access Road between Rankin Inlet and the Meliadine site” dated January 2012. The requirements for monitoring are detailed under Part I.



NUNAVUT WATER BOARD WATER LICENCE

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 LTD.

(Licensee)

93, RUE ARSENAULT BUREAU 202, VAL D'OR, QUEBEC J0P 0E9

(Mailing Address)

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

Licence Number/Type: 2BW-MEL1215 TYPE "B"

Water Management Area: NUNAVUT 06

Location: PHASE 1 MELIADINE ALL WEATHER ACCESS ROAD
PROJECT KIVALLIQ REGION, NUNAVUT

Classification: MINING AND MILLING UNDERTAKING

Purpose: DIRECT WATER USE AND DISPOSAL OF WASTE

Quantity of Water use not
to Exceed: TWO HUNDRED (200) CUBIC METRES PER DAY

Date of Licence Issuance: MARCH 12, 2012

Expiry of Licence: MAY 31, 2015

This Licence, issued and recorded at Gjoa Haven, Nunavut, includes and is subject to the annexed conditions.

A handwritten signature in purple ink, appearing to read "T. Kabloona".

Thomas Kabloona,
Nunavut Water Board
Chair

PART A: SCOPE, DEFINITIONS AND ENFORCEMENT

1. Scope

This Licence allows for the construction of a 23.8 km long all-weather road between Rankin Inlet and the Meliadine site, including water crossings over the Char River, Meliadine River, six fish bearing creeks and two non-fish bearing water crossings, during an undertaking classified as Mining and Milling as per Schedule II of the *Regulations* at the Phase 1 – Meliadine All Weather Access Road Construction Project, based at Rankin Inlet within the Kivalliq Region, Nunavut.

- 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.

“**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 of the set 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;

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

“**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;

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

“Licensee” means the holder of this Licence;

“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;

“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;

“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;

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

“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.

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, 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, containing the following information:
 - a. A summary report of water use and waste disposal activities;
 - b. A summary report of construction activities including photographic records before, during and after construction;
 - c. A list of unauthorized discharges and a summary of follow-up actions taken;
 - d. A summary of all information requested and results of the Monitoring Program;
 - e. A description of all progressive and or final reclamation work undertaken, including photographic records of site conditions before, during and after completion of operations; and
 - f. 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. The Licensee shall review the Plans referred to in this Licence as required by changes in operation and/or technology and modify the Plans accordingly. Revisions to the Plans are to incorporate design changes and adaptive engineering required and implemented during Construction and on the basis of actual site conditions and monitoring results over the life of the project. Revisions to the Plans are to be submitted in the form of an Addendum to be included with the Annual Report required by Part B, Item 2, complete with a revisions list detailing where significant content changes are made.
8. 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.

9. The Licensee shall ensure a copy of this Licence is maintained 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:**
Manager of Field Operations, AANDC
Nunavut District, Nunavut Region
P.O. Box 100
Iqaluit, NU X0A 0H0
Telephone: (867) 975-4295
Fax: (867) 979-6445
10. 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.
11. The Licensee shall ensure that any document(s) or correspondence submitted by the Licensee to the Board is received and acknowledged by the Manager of Licensing.
12. This Licence is not assignable except as provided in Section 44 of the *Act*.

PART C: CONDITIONS APPLYING TO WATER USE

1. The Licensee shall obtain all water for use in dust suppression from ponded water (against the road), small ponds proximal to the road and/or the Meliadine River. The volume of water for the purposes of this Licence shall not exceed two hundred (200) cubic meters per day.
2. If the Licensee requires water in sufficient volume 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.
3. The Licensee shall equip all water intake hoses with a screen of an appropriate mesh size to ensure that fish are not entrained and shall withdraw water at a rate such that fish

do not become impinged on the screen.

4. The Licensee shall not remove any material from below the ordinary high water mark of any water body unless authorized by the Board in writing.
5. The Licensee shall not cause erosion to the banks of any body of water and shall provide necessary controls to prevent such erosion.
6. The Licensee shall implement sediment and erosion control measures prior to and maintain such measures during the undertaking to prevent entry of sediment into water.

PART D: CONDITIONS APPLYING TO WASTE DISPOSAL

1. The Licensee shall locate areas designated for waste disposal at a minimum distance of thirty one (31) 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.
2. The Licensee shall not practice on-site land filling of domestic waste, unless otherwise approved by the Board in writing.
3. The Licensee is authorized to dispose of all acceptable food waste, paper waste and untreated wood products in an incinerator.
4. The Licensee shall not open burn plastics, wood treated with preservatives, electric wire, Styrofoam, asbestos or painted wood to prevent the deposition of waste materials of incomplete combustion and/or leachate from contaminated ash residual, from impacting any surrounding waters, unless otherwise approved by the Board in writing.
5. The Licensee shall backhaul and dispose of all hazardous wastes, waste oil and non-combustible waste generated through the course of the operation in an approved waste disposal site.
6. 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.

PART E: CONDITIONS APPLYING TO CONSTRUCTION AND OPERATIONS

1. The Board has approved with the issuance of this licence, the Plan entitled “Borrow Pit and Quarry Management Plan for the Phase 1 All-Weather Access Road between Rankin Inlet and the Meliadine site” dated November 2011.

2. The Licensee shall submit within (60) days of issuance of the Licence, an addendum to the Plan that include updates on borrow pit and quarry numbers, locations, volume of rock to be used, and addresses the comments received from EC.
3. The Licensee shall, within ninety (90) days of completion of construction of the Phase 1 Meliadine AWAR, submit to the Board a Construction Summary Report along with stamped as built plans and drawings, providing explanation to reflect any deviations from construction drawings taking into account construction and field decisions and how they may affect the performance of engineered facilities.
4. The Licensee shall ensure that all fill material used during construction is from an approved source and shall be free of contaminants and potentially non-acid generating and no metal leaching.
5. All surface runoff during the construction and operation of AWAR, where flow may directly or indirectly enter a Water body, 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

6. Work on the bridges shall cease if the downstream monitoring sample under Part I, Item 5 exceeds the upstream Total Suspended Solids concentration by twenty percent (20%).
7. 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.
8. 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.
9. The Licensee shall limit any in-stream activity to low water periods. In-stream activity is prohibited during fish migration.
10. The Licensee shall not cut any stream bank or remove any material from below the ordinary high water mark of any water body.
11. With respect to construction or other earthworks, the deposition of debris or sediment into or onto any water body is prohibited. These materials shall be disposed at a distance of at least thirty one (31) metres from the ordinary high water mark in such a fashion that they do not enter the water.

12. The Licensee shall maintain a minimum of thirty one (31) metres large undisturbed buffer zone between the periphery of quarry sites and the high water mark of any water body. The Licensee shall not excavate and/or remove material from the quarry beyond a depth of one (1) metre above the high water mark or above the groundwater table, to prevent the contamination of groundwater.
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. The Licensee shall ensure that pollutants from machinery fording the crossings do not enter water.
15. Equipment storage holding areas should be located on gravel, sand or other durable land, a distance of at least thirty-one (31) metres above the ordinary high water mark of any water body in order to minimize impacts on surface drainage and water quality.
16. The Licensee shall designate an area for the deposition of excavated and stockpiled materials that is at least thirty-one (31) metres above the ordinary high water mark of any water body.
17. 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 F: CONDITIONS APPLYING TO MODIFICATIONS

1. 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.
2. Modifications for which all of the conditions referred to in Part F, Item 1 have not been met can be carried out only with written approval from the Board.

3. The Licensee shall provide to the Board 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.
4. The Licensee shall provide to the Board as-built plans and drawings of the bridge and water crossings within ninety (90) days of completion of the Modification. These plans and drawings shall be stamped by an Engineer.

PART G: CONDITIONS APPLYING TO SPILL CONTINGENCY PLANNING

1. The Board has approved the Plan entitled “Transportation Spill Contingency Plan for the Phase 1 All-Weather Access Road between Rankin Inlet and the Meliadine Site” dated November 2011 that was submitted as additional information on November 9, 2011.
2. The Licensee shall submit within sixty (60) days of issuance of the Licence, an Addendum to the Plan referred to in Part G, Item 1, in the format set out by the Consolidation of Spill Contingency Planning and Reporting Regulations R-068-93 addressing the issues identified by AANDC and EC in the application review process.
3. The Licensee shall prevent any chemicals, petroleum products or wastes associated with the project do not enter water. All sumps and fuel caches shall be located at a distance of at least thirty one (31) metres from the ordinary high water mark of any adjacent water body and inspected on a regular basis.
4. The Licensee shall ensure any equipment maintenance and servicing 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.
5. 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 RECLAMATION AND CLOSURE

1. The Board has approved the Plan entitled “All-Weather Access Road Reclamation and Closure Plan for the Phase 1 All-weather Access Road Between Rankin Inlet and the

Meliadine site” dated November 2011 that was that submitted as additional information on November 9, 2011.

2. The Licensee shall complete all restoration work prior to the expiry of this Licence.
3. The Licensee shall carry out progressive reclamation of any components of the project no longer required for the Licensee’s operations.
4. The Licensee shall remove from the site, all infrastructure and site materials, including all fuel caches, drums, barrels, buildings and contents, docks, water pumps and lines, material and equipment prior to the expiry of this Licence.
5. 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.
6. Areas that have been contaminated by hydrocarbons from normal fuel transfer procedures shall be reclaimed to meet objectives 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.
7. 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 implement the Plan entitled “Monitoring Plan for the Phase 1 All-Weather Access Road between Rankin Inlet and the Meliadine site” dated January 2012, and submitted as additional information on January 19, 2011 approved by the Board with the issuance of this Licence.
2. The Licensee shall measure and record, in cubic metres, the daily volume of water utilized for road watering.
3. The Licensee shall monitor all activities for signs of erosion.
4. The Licensee shall obtain a digital photographic record of the water crossings before, during and after construction has been completed.
5. The Licensee shall, during periods of flow, conduct water quality testing immediately upstream and downstream of the water crossings, any significant water seeps in contact with the road and any significant seeps originating from borrow pits or rock quarries prior to construction, weekly during the construction and upon completion.

6. The Licensee shall implement water crossings visual inspection and maintenance program prior to and during spring freshet and after heavy rainfall events to identify issues relating to watercourse crossings structural integrity and hydraulic function.
7. 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.
8. All analyses shall be performed in a laboratory accredited according to ISO/IEC Standard 17025. The accreditation shall be current and in good standing.
9. Additional monitoring requirements may be requested by the Inspector.
10. The Licensee shall include in the Construction Summary Report required under Part E, Item 2 all data, monitoring results and information required by this Part.