

File No: 2AM-BRP1831

August 31, 2021

By Courier, Email and Regular Mail

Honourable Daniel Vandal, PC, MP Minister of Northern Affairs The Valour Building, Suite 550 House of Commons Ottawa, Ontario K1A 0A6

Email: aadnc.ministrean-ministerna.aandc@canada.ca

Subject: Type "A" Water Licence No: 2AM-BRP1831 – Back River Project; Sabina Gold

& Silver Corp.; Amendment No. 1

## Dear Honourable Minister Vandal:

Please find attached a copy of Amendment No. 1 to Type "A" Water Licence No: 2AM-BRP1831 (Amended Licence or Licence), duly issued by the Nunavut Water Board (NWB or Board) to Sabina Gold & Silver Corp. (Sabina) for a Mining Undertaking in accordance with Schedule 1 of the *Nunavut Waters Regulations*. This Licence authorizes the continued use of water and disposal of waste at the Back River Project.

In its decision to issue the Licence and consistent with the Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in Right of Canada (Nunavut Agreement), the Board considered the outcome of its review process, as well as the determinations made by the Nunavut Planning Commission (NPC) and the Nunavut Impact Review Board (NIRB) with respect

to the Undertaking. The NPC in its June 9, 2020 correspondence<sup>1</sup> confirmed that this Project Proposal was outside the area with an applicable regional land use plan. Additionally, the NPC indicated that although the activities associated with this Project Proposal had been previously screened by the Nunavut Impact Review Board (NIRB) (NIRB File No: 12MN036), the Project Proposal is a significant modification to the previously approved activities, "because it is for a component or activity that was not part of the original proposal and its inclusion is a significant modification of the Project". On this basis, the NPC determined that a screening level assessment of the Project Proposal by the NIRB was required. On August 11, 2020, the NIRB issued the NIRB's direction<sup>2</sup> regarding the Project Proposal, which stated that a further assessment of the Project Proposal is not required under Article 12 of the *Nunavut Agreement* and s. 92(1)(a) of the *Nunavut Planning and Project Assessment Act*.

In accordance with section 56 of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*, the above referenced Licence requires your approval and, as such, the NWB submits the attached Reasons for Decision including the Record of Proceedings along with a copy of Amended Water Licence No: 2AM-BRP1831 for your consideration.

Should you have any questions, require clarification with respect to the above or wish to discuss further, please contact the undersigned in writing at your earliest convenience.

Sincerely,

Lootie Toomasie Nunavut Water Board, Chair LT/sk/rqd

Enclosure: Amended Licence No: 2AM-BRP1831

**Reasons for Decision** 

cc. Back River Distribution List

Water Licence No: 2AM-BRP1831, Amendment No. 1

Issuance Letter

<sup>&</sup>lt;sup>1</sup> Peter Scholz (NPC) to Richard Dwyer (NWB) and others, RE: "NPC file # 149378 [Back River 2020 Modification Package], dated June 9, 2020.

<sup>&</sup>lt;sup>2</sup> Kaviq Kaluraq (NIRB) to Matthew Pickard (Sabina), RE: Nunavut Impact Review Board Direction Regarding the "Back River Project 2020 Modification Package" submitted by Sabina Gold & Silver Corp. in relation to the Back River Project, dated August 11, 2020.