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NUNAVUT WATER BOARD  
NUNAVUT IMALIRIYIN KATIMAYINGI  
OFFICE DES EAUX DU NUNAVUT

**File No.: 2AM-MEA1526**

**Modification Request**

August 10, 2018

By E-mail

Jamie Quesnel  
Environmental Superintendent - Nunavut  
Agnico Eagle Mines Limited  
P.O. Box 879  
Rankin Inlet, NU X0C 0G0

*Sent via email:* [jamie.quesnel@agnicoeagle.com](mailto:jamie.quesnel@agnicoeagle.com)

**Subject: Nunavut Water Board Guidance Regarding Late Filed Submissions (Natural Resources Canada) and Next Steps in the Board's Processing of Agnico Eagle Mines Limited's Modification Request for Type "A" Water Licence No. 2AM-MEA1526, Meadowbank Gold Mine Project**

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Dear Mr. Quesnel:

This correspondence provides guidance from the Nunavut Water Board (NWB or Board) in response to the correspondence of Agnico Eagle Mines Limited (Agnico Eagle or the Applicant) requesting that the NWB refuse to accept and consider the written comment submission of Natural Resources Canada (NRCan) received by the NWB after the August 3, 2018 deadline for intervener submissions had elapsed. NRCan's submission provided technical review comments that were directed to the Nunavut Impact Review Board specifically. However on August 4, 2018, the Northern Projects Management Office (NPMO) sent the NRCan submission to the NWB and requested that the submission also be considered by the NWB, as the comments are relevant to the NWB's consideration of a request by Agnico Eagle to modify various management plans and definitions under Type "A" Water Licence No. 2AM-MEA1526 to allow Agnico Eagle's changes to existing tailings disposal practices, to allow for disposal of tailings in specific mined out pits associated with the Meadowbank Gold Mine Operations.

As noted above, the NRCan submissions were sent to the NWB on August 4, 2018 by the NPMO, but as August 4, 2018 was the Saturday of a long week end, the materials were posted by the NWB on August 7, 2018. On August 7, 2018, Agnico Eagle sent correspondence to the NWB objecting to the NWB's receipt and consideration of the NRCan submission on the following basis:

*As AEM has clearly communicated throughout this process, strict adherence by all parties to regulatory timelines is essential to meet the overall project timelines. It is unfair and disappointing that NRCan has failed to respect the deadlines set by the NWB in this process.*

*For these reasons, Agnico Eagle requests that the NWB not accept NRCan's submission of August 7th, 2018 for filing and not consider this submission in its decision-making in this proceeding.*

Also on August 7, 2018 the Nunavut Impact Review Board (the NIRB) as part of their assessment of Agnico Eagle's In-Pit Tailings Disposal Proposal as a reconsideration under s. 112 of the *Nunavut Planning and Project Assessment Act*, S.C. 2013, c. 14, s. 2 (NuPPAA) issued their response to the request of Agnico Eagle to the NIRB to also reject NRCan's submissions as late filed submissions in the NIRB's process as well.

Having considered Agnico Eagle's correspondence, the response of the NIRB and with the recognition that the NWB has, in recent applications in the Kitikmeot Region (e.g. TMAC Resources Ltd. Type "A" Water Licence Applications) specifically invited comment from NRCan to provide their expert advice regarding permafrost and hydrogeology, the NWB considers it appropriate to accept NRCan's late filed submissions for consideration in respect of the NWB's consideration of Agnico Eagle's modification request. However, the NWB also recognizes, as did the NIRB, that this late filing has inconvenienced Agnico Eagle and caused a delay in their ability to prepare response submissions. On this basis, the NWB has also extended Agnico Eagle's time to respond to all written submissions received to date from August 15 to August 17, 2018, just as the NIRB has done. Therefore, Agnico Eagle's NWB submission deadline to provide a response to comment submissions about Agnico Eagle's modification request is now **August 17, 2018**.

In conclusion, as the broader In-Pit Disposal Proposal is being assessed by the NIRB, with the NIRB's reconsideration report and recommendations under s. 112(5) of NuPPAA scheduled to be released on August 31, 2018, the NWB will await the issuance of the NIRB's report and will provide further guidance in respect of the next steps in the NWB's processing of the modification request shortly after the recommendations from the NIRB's assessment are issued.

Should you have any questions and/or require clarification on the above, or wish to discuss further, please contact the undersigned in writing.

Sincerely,

Stephanie Autut  
Executive Director  
Nunavut Water Board

Cc: Meadowbank Distribution List