

To: Whale Tail Pit Distribution List

Re: 2AM-WTP---- Close of Public Hearing Record in Respect of the Type "A" Water Licence Applications for 2AM-WTP---- and Amendments to 2AM-MEA1525 by Agnico Eagle Mines Limited for the Whale Tail Pit Project

Further to the Nunavut Water Board's (NWB or Board) correspondence of February 23, 2018 and as discussed during the in person portion of the Public Hearing held on September 26 and 27, 2017 in Baker Lake by the Board to consider the Applications of Agnico Eagle Mines Limited (Agnico Eagle or the Applicant) for a new Type "A" Water Licence 2AM-WTP----- and for consequential amendments to the existing Type "A" Water Licence 2AM-MEA1525 associated with the Whale Tail Pit Gold Mine Project (the Applications), the NWB's Public Hearing Record had remained open pending the receipt of:

- A decision by the Minister of Crown-Indigenous Relations and Northern Affairs (the Minister) in respect of the Nunavut Impact Review Board's (NIRB) Final Hearing Report for the Review of Agnico Eagle Mines Limited's Whale Tail Pit Project Proposal (NIRB File No. 16MN056); and
- Additional submissions supplementing the Public Hearing Record from the Applicant, and Interveners, Indigenous and Northern Affairs Canada (INAC), the Kitikmeot Inuit Association (KIA) and Environment and Climate Change Canada (ECC).

On February 15, 2018 the Minister's acceptance of the NIRB Final Hearing Report under s. 105(a)(i) of the *Nunavut Planning and Project Assessment Act*, S.C. 2013, c. 14, s. 2 (*NuPPAA*) was received. By March 26, 2018 all additional submissions supplementing the Public Hearing Record and expected to be received from the Applicant and Interveners as follow up to the Public Hearing were received by the Board.

The Board has placed this information on its public registry and these materials are now included as an addition to the Public Hearing Record for the NWB's file in respect of 2AM-WTP----. Access to this information is made available through the NWB's ftp site using the following link:

 $\frac{\text{ftp://ftp.nwb-oen.ca/registry/2\%20MINING\%20MILLING/2A/2AM\%20-\%20Mining/2AM-WTP----\%20Agnico/2\%20ADMIN/}{\text{MTP----}\%20Agnico/2\%20ADMIN/}$



On April 3, 2018, the Whale Tail Pit Project Panel (P17 or the Panel) reviewed the additional information provided by the parties and decided that all evidence required to consider the Applications is now before the Board. Consequently, by way of Panel Motion #: 2018-02-P17-03 the Panel confirms the Public Hearing Record for the Nunavut Water Board's Public Hearing regarding the issuance of a new Type "A" Water Licence 2AM-WTP---- and consequential amendments to 2AM-MEA0815 associated with the Whale Tail Pit Project is complete and is now CLOSED. Accordingly, no additional evidence in respect of the Applications may be filed with the Board, and the Hearing Record will consist of the documentation filed in advance of the Public Hearing, the oral evidence and Exhibits filed during the Public Hearing and all supplemental submissions filed with the Board by March 26, 2018.

Now that the Hearing Record has closed, the Applications have been remitted to the Panel who will, in due course (typically within 30-45 days from the date the Applications were remitted to the Panel) issue a Decision Report and Record of Proceedings to the Minister of Crown-Indigenous Relations and Northern Affairs. In the report, the NWB will provide a recommendation to Minister regarding whether or not to grant the Applications. Now that the Panel is engaged in deliberations, the Board will not provide any further comment regarding these Applications until the Board publicly issues its decision. If the Board recommends that a new Type "A" Licence and amendments to the existing Water Licence 2AM-MEA0815 be issued, the Board will also attach a copy of the new and amended licences for the review of the Minister.

In closing, the Board extends our thanks to all the parties, community members and general members of the public who were involved in the Board's processing of the Applications. The Board appreciates the contributions of everyone who attended the in person portion of the Public Hearing in Baker Lake in September 2017. The Board also thanks the Proponent, Interveners and the NIRB for working diligently to coordinate the NIRB's review of the Whale Tail Pit Project with the NWB's consideration of the Applications. The Board also appreciates the considerable work of the parties to provide outstanding information to the Board during the period when the Public Hearing Record remained open.

Sincerely,

Lootie Toomasie Chairperson Nunavut Water Board