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NUNAVUT IMALIRIYIN KATIMAYINGI
NUNAVUT WATER BOARD
OFFICE DES EAUX DU NUNAVUT

NWB File No: 2AM-MEA

October 4, 2007

Louise Grondin
Agnico-Eagle Mines Limited
145 King Street, Suite 400
Toronto ON M5C 2Y7
E-mail: Louise.Grondin@agnico-eagle.com

Re: Application for a Type 'A' Water Licence

Dear Ms. Grondin:

The Nunavut Water Board (NWB or Board) acknowledges receipt on September 24, 2007, of the Type "A" water licence application and supporting documentation from Agnico-Eagle Mines Limited (formerly Cumberland Resources Ltd) for the Meadowbank Project.

Your submission has been placed in the Board's Public Registry and is available from our ftp site using the following access (Username: Public and Password: Registry) and link:
<ftp://nunavutwaterboard.org/2AM%20-%20MINING/2AM-MEA/070904%202AM-MEA----Final%20Application/>

The Board is also in receipt of printed copies of the following documents:

1. Document 485
2. Document 342 - Volumes 1 & 2;
3. Document 420 - Volumes 1, 2 and 3; and
4. Document 449 - Volumes 1 & 2

The Board requests the submission of one printed copy of all remaining documents from the attached list. In addition, the Board identified that document referencing was inadequate and inconsistent. As a result, the NWB has amended the concordance Table 1.1 (Document No. 485) and Document No. 502 (Table of Type "A" Water Licence Application Documents) to provide the necessary cross referencing. The amended tables are attached for verification and revision by the applicant and shall be provided to the Board and the Parties no later than **October 10, 2007**.

The NWB is in the process of determining the completeness of the application and its concordance with the Board's Preliminary Guidelines for Applicant Cumberland Resources Ltd. – Meadowbank Project (Guidelines) dated March 14, 2007 and the Nunavut Impact Review Board Project Certificate (NIRB PC No.004) conditions as they relate to the mandate of the NWB is required. By copy of this letter, the NWB is asking interested persons to do the same by reviewing the submitted

documents and providing comments to the NWB by **November 2, 2007**. Parties are requested to submit their assessment to the Licence Administrator at licensingadmin@nunavutwaterboard.org. In assessing completeness the Parties should consider the requirements of the Guidelines and NIRB PC at a minimum. Both documents are available from the ftp site, Username: public, Password: registry, at the following link:

<ftp://nunavutwaterboard.org/2AM%20-%20MINING/2AM-MEA/>

In addition, an excel spreadsheet of the Guidelines and the NIRB PC is attached to assist in the assessment. Parties are encouraged to utilize this spreadsheet as appropriate to provide an organized response.

Following this assessment, the NWB will determine whether the application is complete, or whether additional information and studies will be required to evaluate all quantitative and qualitative effects of the undertaking, as per section 48 of the Act. The NWB expects to have completed a completeness and concordance review by **November 12, 2007** and will advise Agnico-Eagle Mines Limited (AEML) of the determination at that time. Once the application is deemed complete, the NWB will issue notice of the application pursuant to subsection 55(1) of the *Nunavut Waters Nunavut Surface Rights Tribunal Act* (Act).

Based on our initial review of your submission, your application is deemed to be an application for a Type “A” water licence, which will require a public hearing as per applicable provisions of the Act. All public hearing matters will be carried out in accordance with the Board’s *Rules of Practice and Procedure for Public Hearing* dated May 11, 2005 (NWB Rules).

Once your application is deemed complete, the following general requirements are followed:

❖ **Notice of the Application**

Notice of the Application is made in accordance with subsection 55(1) of the Act. This notice will invite interested persons to make representation to the Board. Parties will be advised that consequences of failure to respond are outlined in section 59 and subsection 60(2) of the Act. Furthermore, the Board will distribute notice to the council of each municipality in the area affected by the application and shall publish the notice in a newspaper of general circulation in the area affected or, if there is no such newspaper, in such other manner as the Board considers appropriate.

❖ **Technical Assessment**

Interested parties will be advised to undertake a detailed technical assessment of a complete application. Parties will be encouraged to work cooperatively to address technical issues during the review period. Generally, the Board provides at least sixty (60) days for technical review in advance of a technical meeting.

❖ **Technical Meeting/Pre-hearing meeting**

Rule 14 of the NWB Rules permits the Board, through its staff or in conjunction with staff, to hold a pre-hearing conference (PHC) with the parties, either in writing, by teleconference,

or in person.¹ Upon commencement of the technical review, the Board anticipates setting a date for a PHC to follow approximately fifteen (15) days after the date for submission of technical reviews. The PHC is typically scheduled to follow a technical meeting contemplated in above.

Following the PHC, a PHC decision will be issued which may outline the technical commitments of the Applicant and the administrative and procedural requirements for a public hearing.

❖ **Notice of Public hearing**

Subsection 55(2) of the Act requires at least sixty (60) days notice of a public hearing. Accordingly, once the Board has determined the place, date and time of the hearing, a notice will be published by the Board at least sixty (60) days prior to the commencement of the public hearing in a manner that promotes public awareness and participation in the hearing.

If you have any questions or require clarification on the above, please contact David Hohnstein, A/Director of Technical Services at 780-443-4406 or by email to dts@nunavutwaterboard.org for any technical inquiries or, Richard Dwyer, Licence Administrator at 867-360-6338 or by email licensingadmin@nunavutwaterboard.org for any procedural inquiries.

Sincerely,

Dionne Filiatrault, P. Eng,
Executive Director

Attachments: NWB amended Document No.502 (Table) and Table 1.1 (Doc. No. 485)
NWB Excel Table for Completeness

cc. Distribution List

¹ Rule 14 states: “The Board may through its staff or in conjunction with staff, hold a pre-hearing conference (PHC) with the parties, either in writing, by teleconference, or in person, in order to deal with any of the following matters:

- (a) To set a timetable for the pre-hearing exchange of information;
 - (b) To finalize the list of issues to be dealt with at the hearing;
 - (c) To identify interested parties;
 - (d) To consider the desirability of amending an application for the purposes of clarification;
 - (e) To finalize procedures to be followed in a hearing; and
- To consider any other matters that may aid in the simplification and disposition of the application at the Hearing.”