

<u>Colour Legend</u>	
	Condition or commitment not applicable
	Clarification or Confirmation required
	Intervenor Negative Conformity Determination
	NWB Negative Conformity Determination
	NWB and Intervenor Positive Conformity Determination
	Table Heading
	Final Conformity

	A	B	C	D	E	F	G	H	I
1									
2		Nunavut Water Board Preliminary Guidelines for Applicant Cumberland Resources Ltd. – Meadowbank Project Dated: 14 March 2007	EC	GN	DFO	INAC	NWB	Agnico-Eagle Response	NWB Final Confirmation on Supplementary Submissions; Nov'07
3		The Applicant shall submit with the application a concise executive summary of the application and of any separate supporting document, report or study, in English, Inuktitut and Inuinnaqtun. A summary document should be presented which is to contain details of the information requested rather than general statements.		Yes			Provide Inuinnaqtun version of executive summary	To be completed by November 30th	Inuktitut executive summaries are still required for the submission under the Type A Application. Proposed December 15, 2007. The NWB has requested summaries of all submission reports and AEM has committed to providing them by the date.
4		In complying with the NWB information guidelines, the Applicant, where practical, may combine components of the information requested in List 2.1 and 2.2 as well as the information requested in Section 3 into more concise plans to provide clarity and eliminate duplication. If this practice is considered, then the Applicant shall clearly outline, through proper referencing and clear detailed statements, how the NWB shall consider the documents that have combined elements of information. Information management is the responsibility of the Applicant. The Applicant is to guide the NWB through its application in a fluid logical manner.		Yes - Recommendations in the List 2.1, 2.2 and Section 3 have not been fully addressed in the Type A Water License Application (Document 485); these deficiencies are discussed in details in respective sections below. In regard to the organization of the application, GN-DOE (Government of Nunavut, Department of Environment) finds information is often hard to locate in some of the supporting documents due to the absence of tables of contents. Finally, the applicant should ensure all documents referenced in the application and its supporting documents be provided. For example, the applicant makes references to the Project Alternatives Report on page 8-4 of the Preliminary Closure & Reclamation Plan, but this report is not submitted or identified in the license application.	No - The applicant has not provided the Type "A" Water License Application in a fluid logical manner and has not properly referenced the combined elements of information.		Recommend combining monitoring plans into one plan; combining QA/QC procedures into one plan; integrating technical memos and addendums into appropriate supporting documents	A Revised Concordance Table was Provided in October by AEM to assist all reviewers in better cross referencing against the supporting documents	revised document provided to the NWB during initial review of the application for completeness/conformity.
5		The Applicant is to recognize that the NWB water licence application process is independent of NIRB's environmental assessment process. As such, the materials provided to NWB must be able to support the application on their own merit. If documents used during the NIRB process are also being used to support the NWB water licence then they must be submitted and adequately referenced in the NWB water licence application. It is inferred that information filed at NIRB may form the basis of the design, operations, and management of the infrastructure and systems proposed in the water licence application. The Applicant is to decide in what fashion they wish to compliment the water licence application with materials filed with NIRB. Of course the Applicant is required to guide the NWB through water licensing materials with appropriate referencing of materials that may compliment the water licence		YES			Recommend table 1.1 from Document No. 485 be revised. Recommend Document No. 502 be revised to cross reference with Table 1.1 and section 1.1 of Document No. 485. Recommend improving referencing.	A revised document 502 was submitted to the NWB in late September (copy attached) and Table 1.1 in Document 485 was submitted to the NWB in early October (copy attached) with the objective of providing more detailed cross referencing to address this issue.	
6		The Applicant is to understand that each piece of design or management correspondence shall act as a discrete stand-alone document that effectively discusses the specifics of a particular design or management plan (that is signed for authorship, and where appropriate, sealed by a qualified professional). The Applicant is to provide a CV (curriculum vita) for each signing professional as well as any other representative that intends to participate at a Public Hearing in its water licence application. The CV, partnered with the application materials and/or testimony provided, will allow the NWB to understand the weight of opinions presented through the written and verbal records.	Yes	YES	No - The NNLP references the EIA and supporting documents when it is to act as a stand-alone document. CVs have been provided.		Recommend adding Norbert R. Morgenstern CV. Recommend that the following plans be signed: ARD/ML Sampling and Testing Plan; Testing and Monitoring of Faults; Water Quality and Flow Monitoring Plan; Hazardous Materials Management Plan; Emergency Response Plan; Spill Contingency Plan; Mine Waste and Water Management Plan; Preliminary Closure and Reclamation Plan; Aquatic Effects Management Plan and the Habitat Compensation Addendum; No Net Loss Plan. Copies will be, it is important that AEM sign off as accepting all of the contained plans and commitments. Suggest that AEM submit a signed letter taking full responsibility for the contents of these documents in lieu of having them signed by the Golder authors. Alternatively a signing page could be provided for each document that listed the primary author at Golder Associates but also provided a signed statement from AEM taking full responsibility for the contained commitments. AEM will submit a letter to this effect before November 27th for submission to the NWB.	CV requested from Dr Morgenstern. While Golder Associates "ghost" wrote the ARD/ML Sampling and Testing Plan; Testing and Monitoring of Faults; Water Quality and Flow Monitoring Plan; Hazardous Materials Management Plan; Emergency Response Plan; Spill Contingency Plan; Mine Waste and Water Management Plan; Preliminary Closure and Reclamation Plan; Aquatic Effects Management Plan and the Habitat Compensation Addendum; No Net Loss Plan. Copies will be, it is important that AEM sign off as accepting all of the contained plans and commitments. Suggest that AEM submit a signed letter taking full responsibility for the contents of these documents in lieu of having them signed by the Golder authors. Alternatively a signing page could be provided for each document that listed the primary author at Golder Associates but also provided a signed statement from AEM taking full responsibility for the contained commitments. AEM will submit a letter to this effect before November 27th for submission to the NWB.	071120-document 559 Aug_07 Curricula Vitae for Signing Professionals Type A Water Licence; 071123 - letter received discussing the signing of documents (Plans etc) where commitments have been made on behalf of AEM and that a senior signing authority from AEM will assume all responsibility for the contents of the documents and commitments made.
7		The NWB will not engage in an exhaustive process of conditionally approving technical reports through conditions set in a water licence. Thus it will be necessary to provide information related to design and management prior to water licence issuance. With this in mind the Applicant is encouraged to develop the design of infrastructure, and formulate management, operational, and contingency plans beyond the conceptual and intermediate phases before the submittal of a water licence application.	Yes - Incineration Management and Emission Monitoring Plan not submitted. Landfill Design and Management Plan still conceptual in nature. Potential effects from the proposed landfill on VEC's and site-specific mitigative measures and monitoring should be appropriately cross referenced to include Document number, section and page number. NIRB T&C no. 10 Sewage Treatment System not selected for the project. Selection should be made and details provided for licensing.	YES			Provide signed and stamped detailed design drawings for infrastructure and earthworks.	Stamped drawings were provided to the NWB for the Central Dyke, the Bay Zone Dyke, East Dyke and the Stormwater Dyke in the versions of Document 420 and 342 submitted to the NWB. PDF's containing copies of these stamped drawings were also supplied. The Goose Island Dyke is required much later in the mine life and could be handled as a license condition requiring that this final design be submitted 12 months before expected construction for review and approval.	071123 - letter on signing of documents also indicated that for the designs, signed, stamped drawings were made available with the hard copies submitted to the NWB with the September application materials (note, these hard copies did not arrive at the Gjoa Haven office until approximately November 14, 2007. NIRB PC Amendment to defer the design requirement for the East Dyke, expected to be May 2008. 071126-letter received on the type of sewage treatment plant to be utilized at the Meadowbank Project (Model L-44 Rotodisk by Saprotech Systems Inc. 071127-new Document SD-562 submitted with Landfill Design and Supplementary Information, Meadowbank Project. New document No.564 27Nov_07 submitted by Golder 071128 for the Landfarm design and management.

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8		Through the design of a full scale operational mine, it is intuitively understood that individual designs and management plans will interconnect with one another (i.e. Site water management is a function of the structures on site set to convey waters). The Applicant is to communicate the connectivity of discrete design and management plans through discussion in the discrete designs and management plans or through a separate document that details the macroscopic view of mine component interconnectivity. A statement should be included to further clarify interlinking and cross-referencing of sub-documents. For example, if a main summary document is used to guide the reader through the application, links to sub-documents along with cross-linking between sub-documents may be required (when examining the contents of Annex A, a discrete Abandonment and Restoration (A&R) Plan is not presented. It must be understood that the Applicant is to still guide the NWB through A&R practices presented in individual reports through a covering document that outlines all components of the A&R Plan in the water licence application). Cross-referencing to all sub-documents and reference	Poor Cross-referencing: Information difficult to find	No - The GN-DOE found that on some occasions links between the main summary document and supporting documents (i.e. the Type A Water License Application or Document 485) as well as links between supporting documents are insufficient. This makes it difficult for reviewers such as GN-DOE to find the information needed for review.			Recommend table 1.1 from Document No. 485 be revised. Recommend Document No. 502 be revised to cross reference with Table 1.1 and section 1.1 of Document No. 485.	A revised document 502 was submitted to the NWB in late September (copy attached) and Table 1.1 in Document 485 was submitted to the NWB in early October (copy attached) with the objective of providing more detailed cross referencing to address this issue.	
9		The NWB encourages and expects the Applicant to adhere to best engineering practices and sound construction methods when designing and managing infrastructure related to the use of waters or the deposition of wastes. The NWB encourages the use of ASTM standards when defining and developing project specifics in technical documents. Generally the following information should be presented, though not limited to, when submitting application designs and plans outlined in List 2.1		Yes					
10	List 2.1								
11	i	Design rationale; design requirements, design criteria, design parameters, design standards/analysis/method;		Yes			Yes		
12	ii	Design assumptions and the limitations associated with such design assumptions;		Yes			Yes		
13	iii	The inclusion of clear, definable engineering qualifiers with all design drawings and reports;		No - Preliminary engineering designs and drawings for some of the facilities have not been submitted for review; see Line 29 to 31 for details.			Design drawings not provided for various components including Landfill, Landfarm, Waste Rock Storage Facilities, Effluent Outfall, Fuel storage areas, Explosives storage areas, and Roads. Conceptual drawings provided for Sewage Treatment Plant and Water Intake facility	The design reports, drawings and operational plans for the Meadowbank landfarm facility, the landfill facility and sewage treatment facility will be filed by November 27th. The design report and drawings for the Third Portage Lake effluent diffuser will similarly be submitted by November 27th. Designs for the AWPAP were submitted previously to the NWB as part of the Class B license application. Conceptual plans for the WR storage area were included in Section 5 of Document 500. Staged WR deposition plans are being developed now and were delayed while the final Portage Pit mine plan was completed. Explosives storage facility being designed by Hatch. Will get designs to the NWB before Dec 31st.	071126-letter received detailing the Sewage Treatment Facility to be used at the Meadowbank Project, Model L-400 Rotodisk. 071126-Letter received with supplementary information on Explosives Storage Facilities. 071127-new Document SD-562 submitted with Landfill Design and Supplementary Information, Meadowbank Project. New document No.564 27Nov. 07 submitted by Golder 071128 for the Landfarm design and management.
14	iv	Site specific data and analysis to support the design and management decisions made;		Yes			Yes		
15	v	Materials that appropriately delineate the particulars of a design or plan;		No - Management details for some project components (i.e., the all-weather road, airstrip and quarries) have not been provided for review; see Line 33 and 40 below for details.			No	The management details for the all weather road, quarries and Baker Lake facilities were previously provided as part of the AWPAP Class B License Application	Provided in the Type B Licenses. Additional information include in a letter from AEM dated 071204 with airstrip, hazwaste, fuel storage and transport Canada.
16	vi	Construction methods and procedures on how infrastructure will be put in place site.		Yes			Not found for landfarm, sewage treatment facility, effluent outfall diffuser, fuel and explosive storage areas, and roads	The design reports, drawings and operational plans for the Meadowbank landfarm facility, the landfill facility and sewage treatment facility will be filed by November 27th. The design report and drawings for the Third Portage Lake effluent diffuser will similarly be submitted by November 27th.	Letter received on type of STP to be used. 071127-new Document SD-562 submitted with Landfill Design and Supplementary Information, Meadowbank Project. New document No.564 27Nov. 07 submitted by Golder 071128 for the Landfarm design and management. Document SD 536 submitted on the Design of Third Portage Lake Diffuser 071128
17	vii	Instrumentation and monitoring requirements of the proposed designs and plans.		No - Management details for some project components (i.e., the all-weather road, airstrip and quarries) have not been provided for review; see Line 33 and 40 below for details.			Not found for landfarm, sewage treatment facility. See GN Comments.	See line 13 response	Letter received on type of STP to be used. 071127-new Document SD-562 submitted with Landfill Design and Supplementary Information, Meadowbank Project.
18	viii	Details on how facilities, structures, and plans will be operated, maintained and implemented;		Yes			Not found for landfarm, sewage treatment facility, effluent outfall diffuser	The design reports, drawings and operational plans for the Meadowbank landfarm facility, the landfill facility and sewage treatment facility will be filed by November 27th. The design report and drawings for the Third Portage Lake effluent diffuser will similarly be submitted by November 27th.	Letter received on type of STP to be used. 071127-new Document SD-562 submitted with Landfill Design and Supplementary Information, Meadowbank Project.
19	ix	Details on chemicals or other hazardous or potentially hazardous materials that will be used and will be in contact with or may impact water either directly or indirectly;		Yes			Not found for landfarm, sewage treatment facility.	The design reports, drawings and operational plans for the Meadowbank landfarm facility, the landfill facility and sewage treatment facility will be filed by November 27th. The design report and drawings for the Third Portage Lake effluent diffuser will similarly be submitted by November 27th.	Letter received on type of STP to be used. 071127-new Document SD-562 submitted with Landfill Design and Supplementary Information, Meadowbank Project.
20	x	Mitigation measures that will be implemented when working in close proximity to water;		Yes			Not found for landfarm, sewage treatment facility.	The design reports, drawings and operational plans for the Meadowbank landfarm facility, the landfill facility and sewage treatment facility will be filed by November 27th. The design report and drawings for the Third Portage Lake effluent diffuser will similarly be submitted by November 27th.	Letter received on type of STP to be used. 071127-new Document SD-562 submitted with Landfill Design and Supplementary Information, Meadowbank Project.
21	xi	Appropriate referencing of other documents and annexed materials.		No - see Line 8 above for more details			Recommend revising as appropriate given deficiencies noted above		

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22		The Applicant should also consider that the concept of Adaptive Management includes the need to describe the methods used to assess the risks associated with uncertainty in design and management, and clearly outline the measures and quantifiable markers for when a final design decision will be made. The Applicant shall keep in mind that Adaptive Management is a flexible framework to implement final decisions through a mature intermediate design and not a "revolving door" design method that allows for multi-iterations to a preliminary design. A commitment to a final design needs to be made through the designs and plans submitted in the water licence application, or a clear defined criteria for which final design decisions will be made must be submitted when a final design can not be presented. Installing the strategy of Adaptive Management through the design and management of the Meadowbank Project can positively refine mine operations through the dynamics of scientific modeling, experimentation and monitoring to improve processes and lessen environmental impact. The NWB will consider the		Yes				Unclear how adaptive management strategies for dike construction and tailings freezeback satisfy this guideline. Provide adaptive management strategies where there is uncertainty in the detailed designs noted above (Row 7)	
23		The NWB expects that plans and designs shall be presented where the use of water or deposit of waste will take place. The Applicant shall also consider that information must be presented where there is a potential impact through the deposition of waste, and describe the measures the applicant proposes to take to avoid or mitigate any adverse impact of the use of waters or the deposit of waste ; This may include, but not be limited to, the design and management of the issues in List 2.2.		Yes					
24	List 2.2								
25	i	earthwork infrastructure;		Yes			Yes		
26	ii	water intake facilities and how water will be withdrawn;		Yes			Conceptual plan and design provided in application. Final decision and details of design not found.	Details and Drawings on typical freshwater intake arrangement planned for Meadowbank was contained in Appendix A of Document 485. Hatch is now working on the final designs with the selected supplier but they follow the typical floating barge design submitted with the application. Floating barge freshwater intake was also committed to in Section 10.4.1 of Document 500 (Mine Waste and Water Management)	Appendix A of Document 485. Supplier manufactured floating dock, designs will be typical. Floating Barge also committed to Doc 500.
27	iii	interim and permanent waste rock facilities;		Yes			Details of waste rock storage facility design and drawings not found	The waste rock storage facility design and operational information is included in Section 5 of Document 500. A detailed waste rock management plan is currently being prepared and is awaiting completion of the detailed mine plan for the Portage Pit.	Operational plans could be general; and may be acceptable to follow upon completion of the mine plan;
28	iv	tailings containment area;		Yes			Yes		
29	v	landfills;		No - The Landfill Design and Management Plan or Document 458 discusses management and design of landfills, but there is no preliminary engineering design or drawings; only a cross-section of the landfills is included in the document.			Conceptual plan and design provided in Landfill Design and Management Plan. Details of design not found. See GN Comment.	The design reports, drawings and operational plans for the Meadowbank landfill facility will be filed by November 27th.	071127-new Document SD-562 submitted with Landfill Design and Supplementary Information, Meadowbank Project.
30	vi	landfarms;		No - The Landfarm Option Analysis (Document 498) discusses management options for landfarms. Specifically, the applicant provides option analysis for locations and disposal/treatment but no information on the preferred option for disposal/treatment methodology is included. Additionally, no information is provided regarding operation/maintenance, and engineering design/drawings of the landfarms.			Conceptual plan and design provided in Landfarm Option Analysis. Details of design not found. See GN Comment.	The design reports, drawings and operational plans for the Meadowbank landfarm facility will be filed by November 27th.	New document No.564 27Nov_07 submitted by Golder 071128 for the Landfarm design and management.
31	vii	fuel and chemical storage facilities;		No - The Hazardous Materials Management Plan (Document 457) discusses management of hazardous materials (i.e. fuel and chemicals), but there is no information regarding engineering design/drawings of the storage facilities for these hazardous materials.			Discussed in Hazardous Materials Management Plan. Layout provided but detailed drawings not found. See GN Comment.	AEM will supply a plan for the on-site storage of hazardous materials by November 30th. These facilities are intended to be temporary holding facilities pending annual shipment off site to a licensed disposal facility or recycler under a GN Waste Generation Permit.	New document No.564 27Nov_07 submitted by Golder 071128 for the Landfarm design and management. Letter provided by AEM December 4, 2007 that included information on the Fuel Storage Facilities at the Meadowbank Project Site, the Sirstrip at the Meadowbank Project Site, Hazardous Waste Material Storage Facility at Meadowbank, and Applications under the Navigable Waters Act.
32	viii	explosives management areas and facilities;		Yes			Discussed in Hazardous Materials Management Plan. Layout provided but detailed drawings not found.	Awaiting Information from Hatch	071126-Letter received with supplementary information on Explosives Storage Facilities.
33	ix	construction materials (i.e. quarried rock);		No - Quarry locations, volumes of quarried rock along the road, and quarrying methodology have not been provided for review. The Preliminary Closure & Reclamation Plan (Document 511), page 8-4 indicates that information on quarry locations along the all-weather road has been provided in the Project Alternatives Report; however, this report has not been submitted for review.			Yes - Construction material generated from pe-stripping operations at Third Portage deposit, starter pit. Mine plan development sequence and materials balance has been provided. Quarrying for all weather private access road permitted under separate water licence.	Quarry locations and volumes of quarried rock for the AWP/AR were submitted as part of the Class B application. The Preliminary Closure Plan for the AWP/AR has been submitted to the NWB under the requirements of the Class B License. Project Alternatives Report was part of the FEIS submitted during the NIRB process.	
34	x	hazardous waste facilities;		Yes			Yes - Discussed in hazardous Materials Management Plan.		see section viii above.
35	xi	site water management facilities;		Yes			Yes - Discussed in Mine waste and water management plan		

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2	xii	wastewater treatment facilities;		Yes			Discussed in technical document "Sewage Treatment System to be used at Meadowbank Gold Project". Conceptual drawings provided in Main Document. Final design and drawings not found.	The design reports, drawings and operational plans for the Meadowbank sewage treatment facility will be filed by November 27th.	071126-Letter received on the STP design. Purchased a Model L-400 Rotodisk.
36	xiii	ore stockpiles and waste rock piles;		Yes			Discussion of ore stockpile not found	Information on ore stockpile to be supplied by November 27th	Additional information provided 071126 in the document "Letter to NWB re ore stockpiles.pdf"
37	xiv	dewatering programs;		Yes			Yes - Discussed in Mine waste and water management plan		
38	xv	hydrostatic testing programs;		Yes			Details of hydrostatic testing programs at it relates to fuel storage tanks and fisheries not found.		Not applicable, will be using vacuum and x-ray to check welds prior to use.
39	xvi	road, airstrip and ice road construction;		No - Details for the all-weather road and airstrip construction are not provided (i.e., construction methodologies, volume of rock needed for construction, length of the road/airstrip).			Plans and designs for roads and airstrip not found. Ice road may not be not applicable. See GN Comment.	This information was supplied to the NWB as part of the Class B water license application for the AWPAP and Baker Lake facilities	071223 - letter dated November 23, 2007 regarding the inclusion of all application materials and subsequent reporting under the two Type B licences, as they are intended to be brought into the Type A when issued. Letter of December 4, 2007 includes some information with respect to these items.
40	xvii	water use;		Yes			Provide clarification of annual water volumes	Annual water use volumes provided in Section 3.1.1 and 3.1.2 in the Main Application Document # 485	
41	xviii	macroscopic site surface water and groundwater management;		Yes			Yes - Discussed in Mine waste and water management plan		
42	xix	spill contingency and emergency response;		No - See comments in Lines 81 to 85 below.			Yes - Discussed in Spill Contingency and Emergency Response Plan. See GN Comment.		
43	xx	interim and final abandonment and reclamation of the mine site;		Yes			Yes - Discussed in Preliminary Closure and reclamation plan		
44	xxi	aquatic effects monitoring;		Yes			Yes - Discussed in Aquatic Effects Monitoring Plan		
45	xxii	general monitoring;		Yes			Yes - Discussed in various Monitoring Plans. Recommend submitted a stand-alone Monitoring Plan		
46	xxiii	quality assurance and quality control;		Yes			Yes - Discussed in various plans. Recommend submitting stand alone QA/QC Plan		
47	xxiv	geotechnical and structural monitoring		Yes			Yes - Discussed in Dike designs		
48	xxv	the collection of weather data for purposes of mine design;		Yes			Yes - Discussed in Dike designs		
49	xxvi	metal leaching / acid rock drainage management;		Yes			Yes - Discussed in Operational ARD/ML Sampling and Testing Plan		
50	xxvii	permafrost protection.		Yes			Yes - Discussed in Dike designs and Mine waste and water management plan as it relates to monitoring thermal modelling predictions for Dikes, Tailings Impoundment Facility and waste rock storage piles.		
51		It is understood that the Meadowbank Project may not include all of the design, construction, monitoring, and management plans listed above and that other designs and management plans may be required to be submitted by the Applicant. The NWB is available to assist and provide additional guidance on each design and management plan through future interactions with the Applicant. The Applicant shall understand that there will be a requirement to provide appropriately qualified as-built construction drawings once structures have been constructed and are in operation.		Yes			Yes		
52		A summary table of all monitoring commitments is to be provided that details all Surveillance Network Program (SNP) locations. The table should include, but not limited to, parameter(s), location, frequency, and mining phase, along with, cross-referencing to sub-document where detailed information was provided. Where appropriate, a map detailing location of monitoring is to be provided within the application. It is suggested that the Applicant contact Peter Kusugak, Manager of Field Operations at Indian and Northern Affairs Canada (INAC).	Yes	Yes			Yes - Provided in Appendix A of Water Quality and Flow Monitoring Plan.		
53		The application is to include a summary table of expected quality and quantity of waters over time in all sumps, SNP, and discharge points, along with i) if applicable, adaptive management criteria to benchmark if mitigation/contingency actions are to be implemented, ii) if applicable, water quality criteria, and iii) management action.	Yes	Yes			Yes - Provided in Water Quality and Flow Monitoring Plan.		
54		The Applicant is to detail what information will be included in annual reports along with a proposed layout of information that will be submitted to the NWB within the application.	Yes	Yes			Yes - Annual and exceedance reporting is discussed in Water Quality and Flow Monitoring Plan. Main Document makes commitment to provide updates to project activities and management plans in an annual report or series of facility specific or management plan specific reports (sec 4 pg 81)		
55		The Applicant is to submit a water licence application report that communicates structure design and management plans that use waters or may impact waters through the deposition of wastes. The Applicant is encouraged to develop design and management discussion through a clear methodical layout that is logical in nature. Additional information may be required from the Applicant following an initial assessment of the application by the NWB. The NWB will assist the Applicant in completing water licence application materials and recommends that the Applicant communicates with the NWB if uncertainty exists when preparing water licence application materials.	Yes	Yes	Yes		Yes		
56									

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2		The Applicant is to file, through cover letter correspondence, a declaration of application completeness authored and signed by the Chief Executive Officer indicating that the application submitted is considered complete and the guidelines issued have been consulted.	Not reviewed	Yes			Cover letter signed by VP Environment. Letter signed by CEO not found. Letter does not state that application is complete in accordance with guidelines.	Letter to be submitted by November 27th	Letter provided 071204 "Letter from Agnico-Eagle President and CEO".
57		The NWB will not process an application that it deems to be incomplete and/or when supporting documents have not been submitted. The NWB will give the required hearing notice of no less than sixty-days after it deems the application to be complete. The Applicant shall understand that the water licence application must be a stand-alone document.		Yes					
58		Although the NWB water license application is a stand alone document the Applicant must understand that it can not replace or supersede any other government regulations, territorial or federal. As such the commitments made by the Applicant to other governmental bodies (i.e. NIRB) should be described in a conformity table for all conditions pertaining to the water licence. Section 3 lists information that should also be included in the water licence application.		Yes	No		Yes		
59		The NWB understands that the Applicant has communicated with and will provide each organization included on the NWB's distribution list with the application and determine the number of copies and the format (electronic and/or hard copies) each interested organization requires to complete their respective reviews.		No - Currently, interveners such as GN-DOE only received electronic copies from the applicant. GN-DOE recommends that hard copies of the application are provided once the application is deemed appropriate for technical review.			See GN Comment	Printed copy will be supplied to GN DoE as per their request	Copies to be provided.
60									
61	3	Additional Information to be Considered by the Applicant							
62	1	Water Quality							
63	i	Results of the assessment of the permeability of any faults beneath the northwest arm of Second Portage Lake (i.e. the tailings impoundment area);	Yes	Yes		Yes - Work Plan to collect data to assess permeability is in place, Fault Testing and Monitoring Plan	Yes - Hydraulic Conductivity provided, not permeability. Permeability to be assessed through monitoring.		
64	ii	Mitigation measures that can be undertaken if groundwater monitoring around the Second Portage tailings facility demonstrates that contamination from tailings has occurred through the fault.	Yes	Yes			Yes - Mitigation measure involves grouting and/or freezing the fault zone		
65	iii	Results of the re-sampling of the existing groundwater monitoring wells, which were to occur as soon as possible upon reopening the camp in 2007;	Yes	No - The 2006 Baseline Ground Water Quality (Document 317), page 1 states additional groundwater samples were taken in 2006, but there is no mentioning of samples to be taken once the camp is reopened.		No - (D317) 2006 gw program completed; no 2007 program.	Resampling in 2007 not found. See INAC and GN Comments.	The 2007 program was conducted but we are still awaiting analytical results	071129 - Letter received from Jeff Rusk, NIRB authorizing the NWB to set the timing for submission of the 2007 results.
66	iv	Revised estimates of the quality of the groundwater that will flow into the open pit using existing groundwater data from both rounds of sampling (i.e. 2003 and 2004);	Yes	Yes		Yes - (D499) Pit water model re-run for higher mining rate of 8,500 TPD - shows pit water TDS may be 3x higher if gw TDS 3x higher; if hydraulic conductivities of Second Portage and Bay Zone Faults are 3x higher, pit water TDS may be 40% higher than base case.	Yes - Discussed in Water Quality Predictions report		Folder provided revised Document SD 516 to include tables missing from original report - 071128.
67	v	Revised site water quality model using the updated estimates of the quality of groundwater flowing to the pits, and additional groundwater quality data collected on site. The revised water quality model should be used to assess the impacts of pit water discharges on the environment and to develop mitigation measures for disposing of pit water of poor quality;	Yes	Yes		Yes - (D499) Pit water model re-run for higher mining rate of 8,500 TPD - shows pit water TDS may be 3x higher if gw TDS 3x higher. (D467) Water treatment plans predicated on water not requiring significant treatment; implied assumption that mitigation measures for "disposing of pit water of poor quality" not needed.	Yes - Discussed in Water Quality Predictions report and Revised Predictions of Brackish water upwelling in open pits		
68	vi	Detailed contingency plans for the treatment of turbid water during dewatering activities and/or increased suspended solids during operations (i.e. rewatering);	Yes - more detail needed	Yes			Plans for treatment of turbid water during rewatering not found	De-watering operations would be suspended or pumping rates reduced to control excessive turbidity. At some point water remaining may have to be transferred to Stormwater Pond rather than Third Portage Lake to control turbidity in Third Portage Lake.	Additional response with further references were included in the updated table provided by L.C. of AEM.
69	vii	Detailed information regarding the disposal of lake bottom sediments;	Yes	Not applicable - The Type A Water License Application (Document 488), page 59 states that construction of dewatering dikes will not involve removal of lake bottom sediments; therefore, this recommendation is not relevant.			Yes - Discussed in Mine Waste and Water Management Plan		
70	viii	Detailed water treatment plans for discharges from the Tailings Impoundment Area, as well as the Vault Pit attenuation pond (on a contingency basis). Water treatment plans should include estimates of treatment efficiency for each parameter of concern and a description of pH adjustment methods;	Yes	Yes		Yes - (D467) Water treatment for tailings reclaim water and tailings slurry are provided; water treatment contingencies provided for attenuation pond and mine contact waters; treatment efficiencies not described; pH adjustments are provided.	Yes - Discussed in technical memo entitled "Proposed Water Treatment Methods"		
71	ix	Details regarding treatment of camp sewage, including the type of treatment system and the expected treatment capabilities;	Yes	Yes			Yes - Discussed in Technical Memo entitled "Sewage Treatment System to be used at Meadowbank Gold Mine"		071126-Letter received on the STP design. Purchased a Model L-400 Rotodisk.
72	x	The NIRB Project Certificate requires the establishment of "receiving environment discharge criteria" for discharges into Wally Lake and Third Portage Lake. The license application should clearly outline the proposed discharge criteria, how the criteria were developed, and how these criteria will be used to prevent ecological effects in the receiving environment as a result of reconnecting the pit lakes to the watershed (especially in regards to contaminants, major ions and nutrients);	Yes - To be decided by water board. MMER is a minimum national standard and any discharge at the end of pipe is to be protective of the receiving environment. A moderately sized mixing zone should be included that ensures no chronic toxicity to the receiving environment. Applicant should discuss rationale for using Nunavut drinking water criteria and how this will be sufficient to protect aquatic life in the Meadowbank project area. Table A-1 refers to RRNWT. Applicant is to clarify what guidelines are being used. EC is unaware of Nunavut drinking water guidelines, the applicant should clarify.	Yes		No - additional detail required	Yes - Discussed in Report on Conceptual Design of the Effluent Outfall Diffuser for Wally Lake, Assessment of Effluent Dilution Potential for Third Portage Lake Diffuser, and Proposed Discharge Water Quality criteria for the Portage and Vault Attenuation Ponds. See EC Comment		

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	xi	Details regarding the effluent outfall configuration;	Yes	Yes		No - Requirements were for the preparation of details on the outlet configuration, discharge characteristics, plume behavior and bathymetric information at two selected diffuser sites at Third Portage Lake and one site at Wally Lake. EBA did not find mention of potential cumulative impacts based on an extended life of the mine at respective locations. Also, a monitoring program to confirm mine effluent and dilution chemistry results should also be prepared prior to the final design and implementation program.	Yes - Final design not provided due to insufficient site specific data. Conceptual design is based on effluent discharge criteria, mixing zone boundaries and predicted dilution factors and multi port diffuser design.		A design report for the Third Portage Lake effluent diffuser was to be submitted by November 27th. The diffuser at Wally Lake is not required until the second half of the mine life and thus this design has not yet been finalized. 071128 Report received from Dan Walker, Golder Assoc. on Third Portage Lake Diffuser Document No. 536.
73									
	xii	Predictions for the likely behaviour of the discharge plume;	Yes	Yes		Yes - modelling completed	Yes - Discussed in Report on Conceptual Design of the Effluent Outfall Diffuser for Wally Lake, Assessment of Effluent Dilution Potential for Third Portage Lake Diffuser		
74									
	xiii	Bathymetric information for Wally Lake;	Yes	Yes		Yes - bathymetric survey completed	Yes - Provided in Report on Conceptual Design of the Effluent Outfall Diffuser for Wally Lake		
75									
	xiv	Detailed treatment plans for the treatment of effluent from attenuation pond and reclaim pond prior to transfer to the Goose Pit	Yes	Yes			Yes		
76									
	xv	Discussion of the consequences of long-term stratification in the pit lakes and associated contingency plans; and	Yes	Yes			Yes		
77									
	xvi	Monitoring plan for the Baker Lake collection sump, including parameters to be sampled, sampling frequency and sampling locations.	No - Management, mitigation and monitoring for Baker Lake collection sump has not been included as per NIRB condition no. 12. Where applicable details and commitments outlined in the proponents Water Use and Management Plan submitted as part of the 8BC-MEA type B water license should be incorporated into Meadowbank Type A water license project proposal and any outstanding concerns raised by intervenors should be addressed. EC feels that no monitoring for Baker Lake facilities is unacceptable.	No - The Aquatic Effects Management Program, page 10-13 states that water quality monitoring related to the Baker Lake facility will not be conducted due to the localized and small-scaled impact related to this project component. The applicant should be reminded that the facility is located next to Baker Lake which is a drinking water source for the Baker Lake Hamlet; therefore, there is a need for monitoring to ensure water in Baker Lake will remain uncontaminated. Finally, the GN-DOE would like to remind the applicant that this monitoring term is a requirement under the NIRB project certificate (term & condition no. 12), and the applicant is required to fulfill this obligation during the NWB licensing stage.			No - See EC and GN Comments	Aquatic Effects Monitoring Plan will be revised to include aquatic monitoring in Baker Lake to detect impact of off loading and storage facilities in Baker Lake. Revised plan to be completed by Dec 31st	Provided for in the Type B licence for the Laydown facilities. AEM commencing monitoring under that Licence.
78									
79	2	Spill Contingency Plan							
	i	Detailed Spill Contingency Plan for the mine site, the all-weather road, and the marine components. The Spill Plan should include, but not be limited to, the following information:	Yes	No - The Spill Contingency Plan (Document 483) doesn't discuss spill contingency related to the all-weather road and the marine components.		No - Cannot Find	See GN Comment.	A separate Spill Contingency Plan has been submitted to the NWB under the Class B water license for the AWP/AR that address emergency response along the AWP/AR and at the Baker Lake facility. Marine spills are covered under the NTCL spill contingency plan.	Separate Plans have been submitted under the Type B license and will be incorporated into one Plan upon issuance of the Type A.
80									
	ii	Identification, description and evaluation of the potential impacts of all project-related accidents and malfunctions (i.e. types, sources, threat-risk assessment, worst-case scenarios, etc.) that may occur during each phase of the project, including, but not limited to:	Yes - Evaluation of potential impacts should include a discussion on the potential impacts to marine and terrestrial wildlife.	No - GN-DOE is aware that this was addressed during the NIRB environmental assessment process; however, this information does not appear to have been carried forward into this license application.		pending receipt of Type B WLA	See GN Comment. See Comments in Lines 82-85	Was completed	071126-document 196-TM-0421_06 from the NIRB process submitted to the NWB as supporting information for the application. This information is to be incorporated into the next revisions of the "Meadowbank Emergency Response Plan and Spill Contingency Plans".
81									
	a	Spills of petroleum hydrocarbons, hazardous materials, and other contaminants concern onto land, ice, and into marine waters (i.e. ocean/sea/salt waters), freshwaters, ground waters, and potable water supplies;	No - For each product breakdown mitigation should include more details for treatment and recovery on snow and ice, water, streams and site-specific landforms. Environmental factors need more consideration such as recovery on sandy beaches, bedrock, gravel beaches, ice covered or mixed-sediment beaches ect..	No - See comment in Line 81 above			Emergency Response Plan includes dike failure scenarios. Impact identification, description or evaluation not found. See EC Comment.	Emergency scenarios are contained in Section 5 and Appendix of the Emergency Response Plan, Document 482. A separate spill contingency plan has been prepared and submitted to the NWB for the Baker Lake facilities and the AWP/AR under the Class B License. NTCL has its own contingency plan for the marine shipment of fuel and materials from port of origin to Baker Lake.	
82									
	b	Explosions;	No - Cross-reference to Ammonia and Nitrate treatment methods found in other documents should be made. No mitigation for Ammonia Nitrate on snow or water. No details on how to handle an explosion on-site and tying this in with the potential of fires and/or other accidents on site.	No - See comment in Line 81 above			Impacts not identification, description or evaluation not found. See EC Comment	ERCP to be revised before June 01, 2008 to incorporate EC comments , i.e. before open water construction begins	
83									
	c	Fires;	No - Burning of spilled product is mentioned as a mitigation method however more details are required; does proponent have a policy on burning; decision to burn? No details on decision making for when/when not to extinguish fire and how fires will be extinguished or controlled, no contingency plan.	No - See comment in Line 81 above			Impacts identification, description or evaluation not found. See EC Comment	ERCP to be revised before June 01, 2008 to incorporate EC comments , i.e. before open water construction begins	
84									
	d	Transportation accidents involving aircraft, marine vessels and barges, and land based motor vehicles, including any hazardous material cargoes for all modes.	Yes - Require more detail on transportation accidents including fires, collisions, responding to spills from barge in Baker lake that often involves controlling slick at the source and removing product that escapes containment. Require detail on shoreline protection and recovery for Baker Lake (and lakes at mine site)	No - See comment in Line 81 above			Transportation component not found. Impacts identification, description or evaluation not found. See EC Comment	A separate Spill Contingency Plan has been submitted to the NWB under the Class B water license for the AWP/AR that address emergency response along the AWP/AR and at the Baker Lake facility. Marine spills are covered under the NTCL spill contingency plan	See above
85									

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	iii	Description of emergency response plans and procedures for the accidents, and malfunctions, including: the level of preparedness; safety; response capacity; and technological capability and any deficiencies or shortcomings in this regard; and indicate how the latter will be addressed. Plans should incorporate sufficient detail to understand and assess emergency preparedness and response capability; ensure emergency response plans will work; and, determine how and when plans will work.	Yes	Yes		pending receipt of Type B WLA	Yes		
86									
	iv	Identification of communities, organizations, agencies, boards, and governmental parties (and their regulatory requirements) involved in preparing programs and identify opportunities for partnerships, coordination, and participation	Yes	Yes		No - Cannot Find	Mention of partnerships, coordination or participation with communities, organizations, agencies, boards or governmental parties not found.	ERCP to be revised before June 01, 2008 to incorporate GN DoE's comments , i.e. before open water construction begins	Further response from AEM in the updated spreadsheet indicates these concerns to be incorporated into the Type A Plan.
87									
	v	Explanation of how the Applicant will ensure project contractors meet the Applicants' due diligence standards with respect to oil and hazardous material spill prevention, preparedness, response, and restoration.	Yes	No - The Spill Contingency Plan (Document 483), page 1-2 indicates the applicant will ensure their contractors comply with the company policies; however, the document does not provide further details on how this will be achieved.		No - Cannot Find	See GN and INAC comments	Through contractor orientation and training and through monitoring of performance during construction	as above
88									
	vi	A timetable for when the Applicant will file the appropriate plans and procedures required by the governmental parties.	Yes	Yes		No - Cannot Find	Not found	ERCP to be revised before June 01, 2008 to incorporate comments , i.e. before open water construction begins	ERCP to be revised fully June 01, 2008;
89									
90	3	Closure and Reclamation Plan							
	i	Details regarding the timing of the removal of dewatering dikes and the implications of this action on water quality; and	Yes	Yes	Yes		Yes		
91									
	ii	Detailed information regarding the method used to remove/breach the dewater dykes, including details of any mitigation measures for any adverse impacts.	Yes	Yes	Yes		Yes		
92									
93	4	Air Quality							
	i	Monitoring plan for incinerator emissions (including, but not limited to, stack testing and annual reporting);	No - not included	Yes			See EC Comment	Water Board Issue? - Incinerator Management Plan is being prepared and will be available by mid December	Plan to be provided although considered not to be a NWB issue.
94									
	ii	Detailed waste management plan; and	No - not included	Yes			See EC Comment	Water Board Issue? - Incinerator Management Plan is being prepared and will be available by mid December	
95									
	iii	Justification regarding the selection of incinerators in regards to the use of best available economically feasible technologies.	No - Not Done	Yes			See EC Comment	Water Board Issue? - Incinerator Management Plan is being prepared and will be available by mid December	
96									
97	5	Fisheries							
		Generally, to mitigate potential impacts to fish and fish habitat, any works or undertakings associated with the Meadowbank Project that are in or near waters frequented by fish should:		Not assessed	Yes				
98									
	i	Comply with the DFO legislation/policies/guidelines/Operational Statements as outlined below or noted within Section 3 of the Preliminary Guidelines for the Applicant.		Not assessed	Yes		Yes		
99									
	ii	Be done in manner that prevents the deposit of any materials in waters frequented by fish.		Not assessed	Yes		Yes		
100									
	iii	Comply with the DFO Freshwater Intake End-of-Pipe Fish Screen Guideline (March, 1995), to minimize impingement/entrainment of fish.		Not assessed	Yes		Yes		
101									
	iv	Comply with the Guidelines for the Use of Explosives in or Near Canadian Fisheries Waters (Wright and Hopky, 1998), whenever possible		Not assessed	Yes		Yes		
102									
	v	Ensure that hydrostatic testing be done in manner that prevents the transfer of aquatic species into water bodies where they do not currently frequent,		Not assessed	Yes		Not found		Tanks to be vacuum tested and x-rayed, not hydrostatic.
103									
	vi	Ensure that groundwater is managed in a manner that prevents any seepage of hazardous waste materials into waters frequented by fish.		Not assessed	Yes		Yes		
104									
		Site specific environmental data considerations for works in or near waters that are frequented by fish should include, but not be limited to:		Not assessed	Yes				
105									
	vii	Description of proposed works or undertakings (culvert crossing, bridge, intake, infilling pipeline, etc.)		Not assessed	Yes		Yes		
106									
	viii	Construction Plans:			No - The construction plans for the intake and effluent discharge pipes, Turn Lake Road crossing and the diversion of Phaser Lake outflow from Vault Lake to Turn Lake have not been provided.		See DFO Comment	The detailed design report for the third portage lake effluent diffuser will be submitted by November 17th. The design for the diversion of the Phaser Lake outflow from Vault Lake to Turn Lake and the Turn Lake crossing have not been designed yet. These components of the project will not be constructed until the second half of the mine life (sometime after 2015) consequently we have not provided final designs yet but would ask that the license requires such designs be submitted at least 1 year before construction is to proceed. In this way additional stream hydrology data can be collected to base this design on.	Details and Drawings on a supplier pre-packaged freshwater intake and pump house barge arrangement contained in Appendix A of Document 485. The detailed design report for the third portage lake effluent diffuser will be submitted by November 27th. New document No.536 submitted by Golder Associates Ltd. 071128 on the Third Portage Lake Diffuser.
107									
	a	proposed start and completion dates		Not assessed	Yes		Yes		
108									
	b	methods of construction		Not assessed	No - The methods of construction are noted that information can be found in the EIA and supporting documents. As the Type A water license is a stand alone document, this information should be included in the NNLP.		See DFO Comment	Detailed designs for the fish compensation measures has been commissioned from Golder and will be provided to DFO by year end as part of the compensation agreement application process. The conceptual designs are now being finalized following review by DFO.	DFO
109									
	c	detailed site description (incl. diagrams, photos)		Not assessed	No - Photos are required		Conceptual plans for some fisheries works provided. See DFO Comment.	Detailed designs for the fish compensation measures has been commissioned from Golder and will be provided to DFO by year end as part of the compensation agreement application process. The conceptual designs are now being finalized following review by DFO.	DFO?
110									
	d	details of materials and machinery to be used		Not assessed	No		See DFO Comment	See Above	
111									
	e	a description of types and quantities of explosives to be used, if any		Not assessed	No		See DFO Comment	See Above	071126-Letter received with supplementary information on Explosives Storage Facilities.
112									
	f	operation and maintenance plans		Not assessed	No		See DFO Comment	See Above	
113									
	ix	Fish and Fish Habitat Present:		Not assessed	Yes				
114									
	a	detailed area description (including Photographic record),		Not assessed	No - Photos are required		See DFO Comment	See Above	
115									
	b	description of fish habitat (including river or lake bottom substrates such as silt, sand, or cobble),		Not assessed	Yes		Yes		
116									
	c	presence of sensitive habitats (spawning, migration corridors etc.),		Not assessed	Yes		Yes		
117									

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118		d description of aquatic and riparian vegetation,		Not assessed	Yes		Yes		
119		e fish community and life stage present,		Not assessed	Yes		Yes		
120		f depth and watercourse width,		Not assessed	Yes		Yes		
121		g max/min water flows, currents, tides		Not assessed	Yes - Tides relate to marine environments which are not part of the Water License		Yes		
122		h turbidity and sediment loads (total suspended solids),		Not assessed	Yes		Yes		
123		i sport, commercial, subsistence fishery present,		Not assessed	Yes		Yes		
124	x	Potential Environmental Effects and Mitigation Measures to Protect Fish Habitat		Not assessed	Yes				
125		a potential effects on fish or fish habitat,		Not assessed	Yes		Yes		
126		b area (in m2) to be impacted,		Not assessed	No - Areas are indicated in hectares not square metres.		Yes		
127		c measures to avoid sensitive periods and habitat areas (i.e., spawning beds, migration corridors),		Not assessed	Yes		Yes		
128		d measures to avoid physical impacts on habitat,		Not assessed	Yes		Yes		
129		e measures to maintain flows and fish passage,		Not assessed	Yes		Yes		
130		f measures to avoid sedimentation,		Not assessed	Yes		Yes		
131	xi	Compensation/Monitoring:		Not assessed	No - Compensation plans for the net loss of habitat related to the TIA and the dewatering dikes have been provided; however, the compensation plans for the elimination of the westernmost channel have not been provided.		See DFO Comment	Detailed designs for the fish compensation measures has been commissioned from Golder and will be provided to DFO by year end as part of the compensation agreement application process. The conceptual designs are now being finalized following review by DFO.	DFO
132		a Detailed habitat no-net-loss plan and site restoration plan,		Not assessed	Yes		Yes		
133		b on site construction monitoring plan,		Not assessed	No - Section 6 of the NNLP indicates that a Sampling and Analysis Plan will be prepared to outline all monitoring required to meet the conditions of a Fisheries Act authorization. The SAP has not been provided.		See DFO Comment	AEM will prepare a construction monitoring plan for the site by June 01, 2008	DFO
134		c post construction monitoring		Not assessed	Yes		Yes		
135	6	Transportation		Not assessed	Yes				
136		The Applicant will also be responsible to provide formal applications to the Navigable Waters Protection Program (NWPP) for any works		Not assessed			Statement confirming application not found	This process is underway. First application was submitted to TC on September 25, 2007. Copy to be submitted to NWB by November 17th	DFO: NWB received a letter, dated December 4, 2007 from AEM stating that they had submitted an application on October 2007 and received a request from Transport Canada to apply separately for the authorization of the Dikes. These applications are presently ongoing.
137	7	Annual Reporting							
138		The annual report should include, but not be limited to, reporting of:							
139	i	Water related monitoring:		Yes			Yes		
140	ii	Comparison of water quality and quantity monitoring data to the forecasted information in the summary table attached to the application;		No - Section 7 of the Aquatic Effects Monitoring Program indicates water quality monitoring results at receiving environment will be compared against baseline data/control sites, but it is unclear if the monitoring results will also be compared against water quality objectives. The Water Quality Predictions report (Document 516) predicts water quality at receiving environment will meet both MMER and CCME guidelines, but it is not clear if these two guidelines are the objectives that the applicant plans to achieve. It is important that the applicant compares the monitoring result to both baseline/control, and water quality objectives to ensure local water quality will not be significantly compromised, and will be maintained at an approved standard.			See GN Comment	Agreed - plan is for effluent to meet MMER at end of pipe and CCME at end of mixing zone around the diffuser. Details will be provided in the detailed diffuser design report to be submitted by Nov 27th	
141	iii	Implementation of the conditions in the NIRB project certificate related to NWB mandate;		No - This recommendation is not stated in the license application or its supporting documents in the context of annual reporting.			See GN Comment	AEM will submit a separate letter acknowledging its responsibility to meet all of the NIRB Project Certificate Conditions	Need to confirm if submitted.
142	iv	Project changes under Adaptive Management; and		No - This recommendation is not stated in the license application and its supporting documents in the context of annual reporting.			See GN Comment	Adaptive management as a strategy is referenced throughout the application documents	
143	v	Any actions took to resolve directions from the Inspector.		No - This recommendation is not stated in the license application and its supporting documents.			See GN Comment	Will be incorporated in Follow up and Monitoring Plan revisions. AEM must and will implement directives from any water resources license inspections as well as NIRB inspections	
144	8	Security							
145		The Applicant is to provide an estimate of security as defined under Section 76 of NWNSRTA and Section 12 of the NWT Water Regulations.		Yes			Yes		
146		The Applicant must inform the NWB if a compensation agreement is in place as required under Section 58 otherwise an estimate of compensation as suggested under Section 60 of the Act for the Board's decision is required.					Status of compensation agreement not found	AEM is currently negotiating a water compensation agreement with the KIA under the NLCA. AEM has commissioned final fish habitat compensation designs from Golder to further the fisheries compensation agreement with DFO. Agreement in principle as to the type and form of compensation has been reached leading to preparation of final designs.	Possible issue regarding GN and security for the facility: Water Compensation;
147	4	Additional Documents to Assist the Applicant							
148		For the development of supplemental information the Applicant should be guided by, and is directed to, the following standards/guidelines/legislation that includes, but is not limited to:							

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149		• AWWA (American Water Works Association) - Standard Methods for the Examination of Water and Wastewater.							
150		• CCME (Canadian Council of Ministers of the Environment) – Environmental Code of Practice for Above Ground and Underground Storage Tanks Systems containing Petroleum Product and Allied Petroleum Products (2003);							
151		• CCME – Canadian Environmental Quality Guidelines;							
152		• CCME – Canadian-Wide Standards for Petroleum Hydrocarbons in Soil							
153		• DFO – Freshwater Intake End-of-Pipe Fish Screen Guide;							
154		• DFO – Guidelines for the Use of Explosives In or Near Canadian Fisheries Water;							
155		• DFO - Guidelines for the Use of Explosives in or near Canadian Fisheries Waters;							
156		• DFO – Operational Statements							
157		• DFO – Policy for Management of Fish Habitat;							
158		• DFO – Practitioners Guide to the Risk Management Framework							
159		• DFO – Practitioners Guide to Habitat Compensation							
160		• EC (Environment Canada) – Guidelines for the Preparation of Hazardous Material Spill Contingency Plans;							
161		• EC – MMER Environmental Effects Monitoring Program Protocol;							
162		• EC - Canada-Wide Standards for Mercury Emissions							
163		• GN (Government Nunavut) – Contaminated Site Remediation;							
164		• GN – Environmental Guideline for Contingency Planning and Spill Reporting in Nunavut;							
165		• GN – General Management of Hazardous Waste in Nunavut;							
166		• GN – Occupational Health & Safety Guidelines;							
167		• GN – Spill Contingency Planning and Reporting Regulations;							
168		• GN – Environmental Protection Act;							
169		• NWT – Ice Road Guidelines							
170		• HC - The Guidelines for Canadian Drinking Water Quality							
171		• INAC (Indian and Northern Affairs Canada) – A Policy Respecting the Prohibition of Bulk Water Removal from Major River Basins in Nunavut;							
172		• INAC – Mine Site Reclamation Policy for Nunavut;							
173		• International Cyanide Management Code							
174		• JC (Justice Canada) – Nunavut Waters and Nunavut Surface Rights Tribunal Act;							
175		• JC– Territorial Lands Act;							
176		• JC – Territorial Land Regulations;							
177		• JC – Canadian Environmental Protection Act							
178		• Federal Registration of Storage Tank Systems for Petroleum Products and Allied Petroleum Products on federal Lands or Aboriginal Lands Regulation							
179		• Sulphur in Diesel Regulation							
180		• Fuels Information Regulation No. 1							
181		• Sulphur in Gasoline Regulation							
182		• Benzene in Gasoline Regulation							
183		• Interprovincial Movement of Hazardous Waste Regulation							
184		• Federal Halocarbon Regulation							
185		• National Pollutant Release Inventory							
186		• Environmental Emergencies Regulation							
187		• JC – Fisheries Act							
188		• Metal Mining Effluent Regulations							
189		• JC – Water Regulations (as attached to the Nunavut Waters and Nunavut Surface Right Tribunal Act) and other guidelines adopted by the NWB;							
190		• NWTWB – Guidelines for Abandonment and Restoration Planning for Mines in the NWT;							
191		• ASTM - Standards							
192		• The Mining Association of Canada "A Guide to the Management of Tailings Facilities" (1998);							
193		• CDA – Dam Safety Guidelines							
194		• Navigable Waters Protection Act (NWPA)							
195		• TC - Navigable Waters Protection Program (NWPP)							
196		• TC – Transportation of Dangerous Goods Act/Regulations;							
197		• Workplace Hazardous Materials Information System (WHMIS);							
198		Copies of all guidelines referenced in this document may be available on the NWB website or with Justice Canada for federal legislation and policies. The Applicant may have to contact the appropriate author of the above listed guidelines for a copy if needed.							
199		The Applicant is encouraged to consult with governmental agencies on issues related with the above listed guidelines. When a guideline is used by the Applicant the NWB requests the use of well-developed statements within the body of a report to clearly reference where a guideline was used. Additionally, a summary table detailing what standards/guidelines was considered with reference to application section, title, and page number shall be included in the main application document. When developing discussion and the Applicant's case, the application is to point the NWB to the appropriate section of a governmental guideline where additional information may be found. It is the Applicant's responsibility to ensure that all necessary standards and guidelines are considered in the water licence application.							
200									
201		ANNEX A							

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2		Nunavut Water Board Preliminary Guidelines for Applicant Cumberland Resources Ltd. – Meadowbank Project Dated: 14 March 2007	EC	GN	DFO	INAC	NWB	Agnico-Eagle Response	NWB Final Confirmation on Supplementary Submissions; Nov'07
202		The NWB has prepared the attached Table of Contents (TOC) with the Applicant to guide the structure and format of the application. This TOC will act as a reference to where information, relevant to the water licence application, has been filed. Compliance to the TOC does not imply that all necessary materials to deem the application complete are submitted.							
203		Meadowbank Draft TOC for the NWB Licence Application							
204		Executive Summary							
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207	1.0	Introduction							
208	2.0	Project Description							
209	2.1	Summary of Key Baseline Studies							
210	2.2	Regional and Local Setting							
211	2.2.1	Surface Water Regime							
212	2.2.1.1	Receiving lakes (lake id, hydrology, water quality); bathymetry, overland runoff							
213	2.2.2	Groundwater Regime							
214	2.2.2.1	(Hydraulic conductivity, groundwater quality)2							
215	2.2.2	Groundwater Regime							
216	2.2.2.1	(Hydraulic conductivity, groundwater quality)2							
217	2.2.3	Ground Conditions for Engineering Designs							
218	2.2.3.1	(Dewatering dikes, tailings, faults)							
219	2.2.4	Mine Rock Geochemistry							
220	2.2.4.1	Waste rock							
221	2.2.4.2	tailings;							
222	2.2.4.3	overburden)							
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224	3.0	Water Licence Activities							
225	3.1	Water Withdrawal Activities							
226	3.1.1	Camp use							
227	3.1.2	Mill use							
228	3.2	Water Diversion Activities							
229	3.2.1	East dike							
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231	3.2.3	Goose dike							
232	3.2.4	Portage dike							
233	3.2.5	Walley dike							
234		2 The groundwater quality model should be revised using all available data							
235	3.2.6	Other small dikes							
236	3.2.7	Ditches and sumps							
237	3.2.8	Lake dewatering -Vault, Second and Third Portage Lake							
238	3.2.9	Vault Road culvert							
239	3.2.10	Discharge into Walley Lake							
240	3.2.11	Discharge into Third Portage							
241	3.2.12	Dike Breach							
242	3.3	Waste							
243	3.3.1	Mine Rock Waste Piles- Portage and Vault							
244	3.3.2	Tailings Impoundment Facility							
245	3.3.3	Landfills3							
246	3.4	Other Licence Related Activities					No	Class B License Application	
247	3.4.1	Baker Lake Fuel Tank Farm					No	Class B License Application	
248	3.4.2	Baker Lake ditches and sumps					No	Class B License Application	
249	4.0	Management Plans							
250	4.1	Waste Rock Management							
251	4.2	Tailings Management							
252	4.3	Water Management (incl. water balance)							
253	4.3.1	Water treatment (incl sewage)							
254	4.4	Baker and Plant Site Facilities4							
255	4.4.1	Fuel storage					No	Class B License Application	
256	4.4.2	Landfill					No	Class B License Application	
257	4.5	Landfill management5					No	November 17th	
258	4.6	Emergency response and spill contingency6							
259	5.0	Proposed Water Quality Discharge Limits							
260	6.0	Environmental Monitoring Plans							
261		3 The Applicant is to also detail how petroleum contaminated soils on site will be managed during operation. If this includes the use of a Landfarm facility the Applicant is to include pertinent details and design on such.							
262		4 Incineration issues related to water licensing shall be included in the water licence application.							
263		5 The Applicant is to detail operations and management of Landfarm Facilities if they are proposed.							
264		6 This shall be for all operations associated with the project (i.e. mine site, roads, barging activities).							
265	6.1	Rock Storage Facility							
266	6.2	Tailings Monitoring							
267	6.3	Mine Site Water Quality							
268	6.4	Receiving Water Quality							
269	6.5	Waste areas (Landfill, hazardous waste, etc)							
270	6.6	Baker Lake Marshalling Area					No	Class B License Application	
271									

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NIRB No. 8	Cumberland shall, within 30 days of re-opening of the camp, re-sample existing groundwater monitoring wells and combining the sampling data with existing rounds of groundwater sampling data, re-evaluate the salinity, major ion concentrations, and dissolved metal load of groundwater flowing to the mine pits and incorporate the results into the water quality monitoring and treatment program. At the time samples are taken Cumberland shall also assess the condition of existing groundwater monitoring wells and replace any defective wells. Cumberland shall continue to undertake semi-annual groundwater samples and re-evaluate the groundwater quality after each sample collection. Cumberland shall report the results of each re-evaluation to NIRB's Monitoring Officer, INAC and EC, and incorporate the results of the additional data into the water license application to the NWB.	Yes	No - The <i>Water Quality and Flow Monitoring Plan</i> (Document 450), page 19 indicates ground water will be monitored annually, but not semi-annually as requested in this NIRB certificate condition.	Not reviewed	Yes - (D317) 2006 gw program completed (new wells, gw re-sampled); (D499) pit inflow water re-evaluated for higher mining rate of 8,500 TPD using same depth-TDS profile; (D516) Gw quality inputs into Portage and Goose Island pits based on average of gw quality for 2003, 2004 and 2005.	Yes	Groundwater was monitored twice in 2007. We are still waiting on analytical results from second round of sampling. Golder Associates have been asked to prepare a revised groundwater monitoring plan to maintain data continuity as mine development starts.	071123 - Letter Dated November 23, 2007 requesting amendment to Condition 8 to reflect a change in the Timing of the submission of 2007 Groundwater Monitoring Results to the NWB. Letter Received from Jeff Rusk, NIRB 071127 indicated that the inclusion of results was a matter for the NWB to decide. NIRB will not be amending Condition 8 at this time and asks AEM to provide further and specific information on the ground water monitoring activities. Another Letter Received from Jeff Rusk, NIRB 071129 - no concerns of NIRB on the submission of results; NWB to determine.
NIRB No. 9	Cumberland shall provide detailed plans for water treatment for the tailings (reclaim pond) discharge, and on a contingency basis for the attenuation pond discharge(s) and for the pits, including estimates of treatment efficiency for each parameter of concern and the description of pH adjustments in the water license application to the NWB.	Yes	Yes	Not reviewed	Yes - Similar to NIRB Commitment 48	Yes		
NIRN No. 10	Cumberland shall provide details of the camp sewage treatment, including the type of treatment to be used and the expected treatment capabilities, in the water license application to the NWB.	Yes	Yes	Not reviewed	No - This document contained only GENERAL information regarding potential systems as previously referenced in the FEIS. No recommended system is provided. Further we understand that a third (different) system has been purchased. Pre-screening of effluent, emergency storage/handling or sludge treatment is addressed.	No - Two systems provided; clear definition of requested option is needed. Signed final for construction drawings needed.	The design reports, drawings and operational plans for the Meadowbank sewage treatment facility will be filed by November 27th.	071126-Letter received on the design chosen for the STP, Model L-400 Rotodisk.
NIRB No. 11	Cumberland shall provide details regarding the effluent outfall configuration, including discharge characteristics, the likely behavior of the plume(s), and bathymetric information for Wally Lake in the water license application to the NWB.	Yes	Yes	Not reviewed	Yes	Yes		

NIRB No. 12	Cumberland shall provide details of a comprehensive water use and water management plan for the Baker Lake marshalling area, including monitoring of the discharge from the marshalling area sump, in the water license application to the NWB.	No	No - The <i>Aquatic Effects Management Program</i> , page 10-13 states that water quality monitoring related to the Baker Lake facility will not be conducted due to the localized and small-scaled impact related to this project component. The applicant should be reminded that the facility is located next to Baker Lake which is a drinking water source for the Baker Lake Hamlet; therefore, there is a need for monitoring to ensure water in Baker Lake will remain uncontaminated. Finally, the GN-DOE (Government of Nunavut, Department of Environment) would like to remind the applicant that this monitoring term is a requirement under the NIRB project certificate, and the applicant is required to fulfill this obligation during the NWB licensing stage.	Type B Licence	Type B Licence	Yes - Type B Licence	Aquatic Effects Monitoring Plan will be revised to include aquatic monitoring in Baker Lake to detect impact of off loading and storage facilities in Baker Lake. Revised plan to be completed by Dec 31st	071223 - letter dated November 23, 2007 regarding the inclusion of all application materials and subsequent reporting under the two Type B licences, as they are intended to be brought into the Type A when issued.
NIRB No. 13	Cumberland shall not permit the water discharged into Wally Lake and Third Portage Lake to exceed receiving environment discharge criteria established by the NWB or as otherwise required by law.	Yes - Water being discharged into Wally Lake and Third Portage lake must be protective of the receiving environment. These requirement to be set by NWB. Proponent makes reference to MMER 2005 framework report but the document has not been submitted.	Yes - NWB criteria is yet to be established	Not reviewed	No - Cannot Find.	Yes - License conditions NWB to confirm if issued	This was commitment was affirmed in the application documents	
NIRB No. 14	Cumberland shall not remove dewatering dikes until the quality of water contained within them is of sufficient quality to meet receiving environment discharge criteria established by the NWB or as otherwise required by law.	Yes	Yes	Not reviewed	Yes - (D450) Goose Island and Vault lake dikes breach proposed when pit water quality meets discharge criteria (as per Condition #13); (D516) Proposed waters in Portage and Goose Pits will meet MMER and most of [Nunavut] DW criteria.	Yes - License conditions NWB to confirm if issued		
NIRB No. 15	Cumberland shall within two (2) years of commencing operations re-evaluate the characterization of mine waste materials, including the Vault area, for acid generating potential, metal leaching and non metal constituents to confirm FEIS predictions, and re-evaluate rock disposal practices by conducting systematic sampling of the waste rock and tailings in order to incorporate preventive and control measures into the Waste Management Plan to enhance tailing management during operations and closure. The results of the re-evaluations shall be provided to the NWB and NIRB's Monitoring Officer		Yes	Not reviewed	Yes - Operational ARD/ML Sampling and testing Plan section 1.0.	Yes - License conditions NWB to confirm if issued		

NIRB No. 17	Cumberland shall undertake a detailed technical review of all dike and pitwall designs at the final design stage, and submit the final dike designs for water depths of greater than 10 metres for an expert analysis and Cumberland shall include the detailed technical review and the expert analysis in the application to the NWB for a water license.	Yes	Yes	Yes - The technical detailed review has been submitted; however, in document 492, the water depths for two final dike designs are less than 10 m. In Table 1.1, the maximum water depth at cutoff is 5.8 m at the East dike, 7.2 m at the Bay Zone dike.	No - Expert analysis complete but need final report not draft.	No - i.e. Document 420 and 499 limitations of the document - not a final design.	Final version to be submitted by November 27th. No change from Draft report	071123 - Letter Dated November 23, 2007 requesting amendment to Condition 17 to reflect a "staged" approach to Technical Review of Dikes and Pit Slopes. Letter received from NIRB 071127 - indicates that the application may proceed with two conditions; 1) the NWB is satisfied taht AEM has carried out a detailed technical review of the dike and pitwall designs for the Goose Island Dike and the results of expert analysis of the Goose Island Dike is a recommendation that the final design be deferred until the completion of construction of the East and Bay Zone dikes. and 2) that the NWB is prepared to condition any water license it may grant for the Meadowbank Project to require the submission of a detailed technical review and expert analysis fo the final design for the Goose Island Dike prior to commentcmnt of construction of the Goose Lake Dike.
NIRB No. 18	Cumberland shall commit to a pro-active tailings management strategy through active monitoring, inspection, and mitigation. The tailings management strategy will include the review and evaluation of any future changes to the rate of global warming, compliance with regulatory changes, and the ongoing review and evaluation of relevant technology developments, and will respond to studies conducted during the mine operation.	Yes	Yes	Not reviewed	Yes - Mine Waste and Water Management section 6.3, 6.4.	Yes - Document cross reference should include document No. 425 and MMC 2007d		
NIRB No. 19	Cumberland shall provide for a minimum of two (2) metres cover of tailings at closure, and shall install thermistor cables, temperature loggers, and core sampling technology as required to monitor tailing freezeback efficiency. Cumberland shall report to NIRB's Monitoring Officer for the annual reporting of freezeback effectiveness.	Yes	Yes	Not reviewed	No - A 2m cover over tailings is in compliance with reference from Preliminary Closure & Reclamation Plan section 12.1 and Operation ARD/ML Sampling and Testing Plan section 1.0. Non-compliant on NWB and NIRB request for results on re-evaluation - Cannot Find.	Yes - NIRB MO should follow-up	A commitment was made to installation and monitoring using the listed instrumentation to verify the adequacy of the proposed 2 m cover over the tailings at closure.	
NIRB No. 20	Prior to construction, Cumberland shall identify mitigation measures that can be taken if groundwater monitoring around the tailings facility demonstrates that contamination from tailings has occurred through the fault. Upon drawdown of the North arm of Second Portage Lake, Cumberland shall conduct further tests to assess the permeability of any faults and provide the results to regulators. If doubt remains Cumberland shall seal the fault and conduct further permeability testing and monitoring.	Yes	Yes	Not reviewed		Yes		
NIRB No.21	Cumberland shall fund and install a weather station at the mine site to collect atmospheric data, including air temperature and precipitation.		Yes	Not included in MMC Submission Table. Not reviewed	n/a	To be verified by NIRB MO		

NIRB No.22	Prior to the commencement of the Project, Cumberland shall fund and install an on site lab that has the capability to monitor parameters at a type and at a frequency acceptable to the NWB and EC at all site discharge points. The results of these analyses, as well as any other water quality monitoring required by regulatory authorities shall be used in the submission of a receiving water assimilative capacity water quality assessment study of concern to regulators. The lab shall be certified for environmental water quality analysis purposes with standards to include the calibration of water quality monitoring instruments. Cumberland shall file proof of application to become accredited upon the request of the NWB.	No	Yes	Not included in MMC submission table. Not reviewed	Not included in MMC submission table.	No - update required	Update to be provided. Design of the lab is currently in progress	
NIRB No.23	For the purposes of monitoring quality assurance and quality control ("QA/QC"), Cumberland shall ensure that water quality monitoring performed at locations within receiving waters that allow for an assimilative capacity assessment of concern to regulators, be carried out by an independent contractor and submitted to an independent accredited lab for analysis, on a type and frequency basis as determined by the NWB. Results of analysis shall be provided to the NWB and NIRB's Monitoring Officer.		Yes	Not included in MMC submission table. Not reviewed	Not included in MMC submission table.	No - independent contractor not mentioned in Water Quality and Flow Monitoring Plan	Update to be provided	
NIRB No. 24	Cumberland shall identify an area and design for a landfill for disposal of operational and closure non-salvageable materials, including a list of any non-salvageable materials, and a procedural manual for preparation of location and placements of these materials, and incorporate the design into the final Waste Management Plan as instructed by the NWB.	Yes	No - The <i>Landfill Design and Management Plan</i> (Document 458) discusses management and design of landfills but there are no design details i.e.preliminary engineering design drawings.	Not reviewed	No - Report addresses conceptual approach. More design detail needed: The operation of the landfill as a continuous fill as wind will disturb fill materials. Operation should address daily cover (cell development/operation). The report dismisses leachate devleopment. Leachate monitoring must be addresssed. Final cover closure depths need to evaluate effects of global warming evaluations. Other WM practices (recycling, diversion) need to be addressed. The operations document could be more operation specific. Training requirements identified. Landfarm document is non committal on a system. Hydrocarbon contaminated soils must be treated before used or disposed of in the landfill. A definitive approach to addressing spills and treatment method & area is needed.	No - Limitation conceptual plan; final designs for construction needed.	The design reports, drawings and operational plans for the Meadowbank landfarm facility will be filed by November 27th.	071127-new Document SD-562 submitted with Landfill Design and Supplementary Information, Meadowbank Project. New document No.564 27Nov_07 submitted by Golder 071128 for the Landfarm design and management.
NIRB No. 25	Cumberland shall manage and control waste in a manner that reduces or eliminates the attraction to carnivores and/or raptors. Cumberland shall employ legal deterrents to carnivores and/or raptors at all landfill and waste storage areas. The deterrents are to be developed taking into consideration Traditional Knowledge and in consultation with the HTO, EC and INAC and incorporated into the final Waste Management Plan prior to filing the Plan with the NWB.	No	Yes	Not reviewed	No - Landfill approach appears compliant for wildlife. On-site waste mangement controls unknown. Consultation with HTO, EC, INAC unknown.	Not applicable to water licence application review. NIRB MO should follow-up		071127-new Document SD-562 submitted with Landfill Design and Supplementary Information, Meadowbank Project.

NIRB No. 26	Cumberland shall ensure that spills, if any, are cleaned up immediately and that the site is kept clean of debris, including wind-blown debris.	Yes	Yes	Not included in MMC submission table.	No - (NIRB) Not included in MMC submission table. (EF) Cannot Find on the Spill Contingency Plan section 3.3 (MMC's Initial Action Plan) Ensure Safety - Identify and Contain - "Clean Up" (should be added here) - Report This should also confirm landfarm design. No HCC material to landfill.	No - Discussion required in waste management plan	Material specific clean up procedures were incorporated into the "material specific" appendices contained in the Spill Contingency Plan for the AWPARG and Baker Lake facilities that was submitted to the NWB under Class B License 8BC-MEA0709 on October 19, 2007. A copy of the excerpt is attached.	071127-new Document SD-562 submitted with Landfill Design and Supplementary Information, Meadowbank Project. New document No.564 27Nov_07 submitted by Golder 071128 for the Landfarm design and management.
NIRB No.27	Cumberland shall ensure that the areas used to store fuel or hazardous materials are contained using safe, environmentally protective methods based on practical, best engineering practices.	Yes	Yes	Not reviewed	Yes - Hazardous Materials Management Plan section 3.	Yes		
NIRB No.30	Cumberland shall meet with EC and the DFO to ensure that the information required for the application to add the northwest arm of Second Portage Lake as a tailings impoundment area under Schedule 2 of the Metal Mining Effluent Regulations, including the No Net Loss Plan to offset losses expected as a result of all other Project infrastructure, is complete and the application can be processed according to law.	Yes		Yes - Not included in MMC Submission Table. The regulatory amendment package required for the listing of the northwest arm of Second Portage Lake in Schedule 2 of the Metal Mining Effluent Regulations is being reviewed by Environment Canada. Upon acceptance, this package will be submitted to DFO who will subsequently present the amendment application to the Treasury Board Committee.	Not included in MMC Submission Table	Yes - Update NWB during review process		
NIRB No. 31	Cumberland shall provide detailed stream crossing design criteria, including consideration of the DFO Operational Statement for Clear-span bridges for all water crossings identified to have fish presence, final crossing designs, site specific mitigation procedures, an effects monitoring program, and a maintenance and closure plan for all water course crossings, to the DFO and the NWB for review and approval.			Yes - Watercrossings along the AWPARG were authorized under section 35(2) of the Fisheries Act.	Not included in MMC Submission Table. Separate Water License	No - Not found for project area roads	Provided in the Class B Water License Application for the all weather private access road	Details for Vault road crossing could be provided one (1) year in advance of construction, providing further site specific info.
NIRB No.35	Cumberland shall reclaim the all-weather private access road at the end of the mine life to prevent any future use of the road, including scarification of the road and restoration of the natural hydrology, topography, and vegetation, subject only to Cumberland and/or its successor seeking NIRB Article 12 approval for the road to be maintained and operated beyond the life of the mine.	Yes	No - Reclamation for the all-weather road is not discussed in the Preliminary Closure & Reclamation Plan (Document 511).	Yes - Not included in MMC Submission Table, Type B Licence.	Not included in MMC Submission Table, Type B Licence.	Yes		071223 - letter dated November 23, 2007 regarding the inclusion of all application materials and subsequent reporting under the two Type B licences, as they are intended to be brought into the Type A when issued.
NIRB No.46	Cumberland shall apply for Fisheries Act approval for the freshwater intake pipe for the Project, and submit for DFO approval a detailed plan of the proposed intake, including siting, design of intake screens in accordance with the DFO Freshwater End-of-Pipe Fish Screen Guidelines, construction and operation considerations, fish and fish habitat impacts, and mitigation and monitoring plans	not reviewed		No - Not included in MMC Submission Table. No.46, 48-53 were included within the NIRB "Fish and Fish-habitat" section. Detailed plan of the proposed intake, including siting and design of intake screens in accordance with DFO guidelines are not included. - DFO		No - Detailed designed not found. See DFO also	Details and Drawings on typical freshwater intake arrangement planned for Meadowbank was contained in Appendix A of Document 485. Hatch is now working on the final designs with the selected supplier but they follow the typical floating barge design submitted with the application. Floating barge freshwater intake was also committed to in Section 10.4.1 of Document 500 (Mine Waste and Water Management)	Intake design provided in Doc. 485, floating barge is manufacturer's spec and will not change.
NIRB No. 47	Cumberland shall develop an adaptive approach to managing the water flow from Third Portage Lake, including the consideration of alternatives to deepening the easternmost channel; submission of detailed design of the easternmost channel modifications; a monitoring program for channel erosion, verification of the maintenance of water levels in Third Portage Lake, and the success of fish habitat enhancements; and contingencies in the event of channel failure, for approval by the DFO.			Section 3.2.6 of the Type A water License Application indicates that MMC will provide details of the final design and monitoring program for the easternmost channel to NWB and DFO once complete.		No - Details of adaptive management and criteria for implementation not found. Detailed design and monitoring required for channel. Also see DFO	Golder are currently working on the design for this channel alteration. Final plan will be submitted before Dec 31st	Channel design required. AEM comments indicate that design would be ready by year-end and Adaptive management Strategy may not be necessary.

NIRB No.48	Cumberland shall demonstrate to the satisfaction of the DFO that the water management framework, including the embankment details and diversion ditch, will permit the maintenance of over-wintering fish habitat in Phaser Lake through the life of the Project.			Yes - Not included in MMC Submission table.		Yes - DFO satisfied for conformity		
NIRB No.50	Cumberland shall, in consultation with the DFO, undertake to prevent the barge landing facility from infilling of fish habitat, including considering using geotextile material in a manner that is capable of maintaining bottom substrate for benthic invertebrates and fish.			Yes - This condition was not included in the MMC submission table; however, section 4.2.4 of the NNLP and section 1.3.4 of the Habitat Compensation Options report of the NNLP conforms with this condition.		Yes		
NIRB No.59	Cumberland shall, in consultation with Elders and the HTOs, design and implement means of deterring caribou from the tailing ponds, such as temporary ribbon placement or Inukshuks, with such designs not to include the use of fencing		Yes	Not reviewed		Yes - NIRB MO should follow-up		
NIRB No.72	On-site incinerators shall comply with Canadian Council of Ministers of Environment and Canada-Wide Standards for dioxins and furan emissions, and Canada-wide Standards for mercury emissions, and Cumberland shall conduct annual stack testing to demonstrate that the on-site incinerators are operating in compliance with these standards. The results of stack testing shall be contained in an annual monitoring report submitted to GN, EC and NIRB's Monitoring Officer.	No - Plan yet to be submitted	Yes	Not reviewed		Yes - EC may require more information for technical review		
NIRB No.76	Cumberland shall develop an "Early Warning Monitoring Program" along the east boundary of the Project's local study area (mine and road) including the location where Third Portage Lake flows into Tehek Lake. The "Early Warning Monitoring Program" shall discuss how the communities of Baker Lake and Chesterfield Inlet will be actively involved and shall be submitted to NIRB's Monitoring Officer for review prior to Project construction. If adverse effects from the project to any VEC are detected along this boundary, then Cumberland shall notify the NIRB's Monitoring Officer for determination as to whether and to what extent additional monitoring is required.		Yes	Not reviewed		Yes - NIRB MO should follow-up		
NIRB No.78	Cumberland shall file a complete Closure and Reclamation Plan developed to comply with INAC's policy of full cost of restoration and any related NWB requirements such that the Inuit and taxpayers are not liable for any cost associated with the cleanup, modification, decommission, or abandonment.	Yes	Yes	Not reviewed	No - Need to make "Preliminary" into Final. Report should have current site plan, final impact plan map, and final reclamation plan map. Cannot find request for information on NWB requirements.	No - clarify intended status (preliminary vs interim vs final) of the Closure and Reclamation Plan	Preliminary Plan submitted with application as per INAC guidelines	Preliminary Closure Plan submitted with application.
NIRB No.79	In addition to the NWB's requirements, the final Closure and Reclamation Plan shall require Cumberland to: a. Ensure that mine facilities and infrastructure are abandoned in such a manner that: i. The Project site is physically stable and any requirements for long term maintenance and monitoring are minimized; ii. Threats to public safety and wildlife are eliminated; and iii. Affected areas are returned to the original undisturbed conditions to the fullest extent possible. b. Prevent continuing impacts from contaminants and wastes on the environment including those associated with acid rock drainage; c. Remove all hazardous materials and waste and as much salvageable waste as practicable from the Project area; and d. Enter into written arrangements with its abandonment and reclamation contractors to ensure all site debris is cleaned up off the lands, including wind-blown debris.			Yes	No - Can only find very general statements on items 1 to 4. Include these items in the Final Closure and Reclamation Plan.	Yes - items discussed in closure plan. Further discussion during water licence application review.		Preliminary Closure Plan submitted with application; as above.
NIRB No.80	Cumberland shall file annually with NIRB's Monitoring Officer an updated report on progressive reclamation and the amount of security posted, as required by KivIA, INAC, and/or the NWB.		No - This recommendation has not been incorporated into the license application and its supporting documents. A commitment to address this condition should be included.	Not included in MMC Submission Table.Not reviewed	Not included in MMC Submission Table.	Yes - NIRB MO should follow-up		

NIRB No.85	<p>Cumberland shall develop a detailed blasting program to minimize the effects of blasting on fish and fish habitat, water quality, and wildlife and terrestrial VECs. The Blasting Program shall be developed in consultation with the DFO and GN, and shall:</p> <p>a) comply with the Guidelines for the Use of Explosives In or Near Canadian Fisheries Waters (Wright and Hopky, 1998) as modified by the DFO for use in the north;</p> <p>b) including a monitoring and mitigation plan to be developed in consultation with the DFO, and obtain DFO approval of the blasting program prior to the commencement of blasting;</p> <p>c) restrict blasting when migrating caribou, or sensitive local carnivores or birds may be negatively affected; and</p> <p>d) minimize the use of ammonium nitrate to reduce the effects of blasting on receiving water quality.</p>	No - Not included in MMC Submission Table; Specifically Item d)AEMP offers some monitoring and mitigation for Blasting effects on water quality and Fish and fish habitat. A more detailed blasting program needs to be submitted that includes all VEC's identified.	No - A blasting program for use of Ammonium Nitrate to reduce its impacts on water quality has not been submitted for review. Page 10-9 of the <i>Aquatic Effects Management Plan</i> states that "... nitrogen compounds released to waters in the blasting area will be captured by pumping and/or ditches and disposed of in the tailings pond." This approach assumes that all Ammonium Nitrate residues will be captured and treated within the contact area. The applicant further states that mitigation measures related to this possible impact are not planned. It is important that the applicant provides a detailed plan including identification and quantifying potential pathways to the environment, along with mitigation measures and adaptive management in case management measures malfunction. Finally, a blasting program related to migrating caribou has also not been submitted for review; however, this issue should be addressed through NIRB.	No - Point d not included in MMC Submission Table. Blasting Program has been provided and includes points a) and b) but does not have information on point c) and d).	Not included in MMC Submission Table; Specifically Item d)	No - see Intervener comments	Not yet completed. AEM will comply with this requirement before start of pit blasting.	<p>AEM has provided the technical memo submitted for the NIRB process. Item D specifically needs to be addressed with the Blasting program to minimize the impacts to water.</p>
NIRB Nos.26, 37, 38, 39, 42, 44, 75, 77, and 82 with respect to Emergen cy Prepared ness and Spill Respons		Yes	Yes	See above requirements under 26; others are marine requirements. Not reviewed		Yes - further discussion during water licence application review		<p>Letter Dated August 10, 2007 to Ms. Hanson, NIRB regarding PC Condition 39</p>