



- Appendix C4: MSDS for Bulk Emulsion and Presplit.
- E. Freshwater Consumption Executive Summary – English and Inuktitut; and
- F. \$30 application fee.

Based on our initial review of your submission, your Application is deemed to be an application for a Type “A” Water Licence Amendment, which will require a public hearing as required by the Nunavut Waters and Nunavut Surface Rights Tribunal Act (NWNSTRA or Act). All public hearing matters will be carried out in accordance with the Board’s *Rules of Practice and Procedure for Public Hearing* dated May 11, 2005 (NWB Rules).

The Board notes the absence of information related to pre-licensing information with respect to land use planning and environmental assessment processes. The Board is aware that AEM submitted the Amendment project proposal to the Nunavut Planning Commission (NPC) for a conformity review with the Keewatin Regional Land Use Plan (KRLUP). The NWB acknowledges that the Meadowbank Gold Project Type “A” Licence application was originally reviewed for conformity against the KRLUP on July 12, 2002 and July 21, 2003. Pursuant to s. 11.5.10 of the Nunavut Land Claims Agreement (NLCA), the NPC shall review the project proposal and determine whether it is in conformity with the KRLUP.

According to s. 12.3.1 of NLCA when the NPC determines that a project proposal is in conformity with the land use plans, or a variance has been approved, the NPC shall forward the project proposal with its determination and recommendations to the NIRB for further screening. A Part 5 environmental impact review under Article 12 of NLCA was originally completed by the Nunavut Impact Review Board (NIRB) in 2005/2006, and a Project Certificate (PC) NIRB No. 004 was issued on December 30, 2006. A copy of the NIRB PC No. 004 is available from the ftp site, at the following link:

<ftp://nunavutwaterboard.org/1%20PRUC/2%20MINING%20MILLING/2A/2AM%20-%20Mining/2AM-MEA0815%20Agnico/2%20ADMIN/2%20NPC%20NIRB/1%20NIRB/>

It should be understood that the NWB may not issue, renew, or amend a licence for the use of waters or deposit of waste if in accordance with s. 38(1) of the Act there is an applicable land use plan approved in accordance with Part 5 of Article 11 unless the NPC has determined that the use or deposit, or in the case of an amendment any change to the use or deposit, conforms to the land use plan, and if in accordance with s. 39(1) of the Act, until the NIRB has completed the screening, reconsideration or where a review is required, issued a new project certificate.

However, in the interests of ensuring this application is dealt with in a timely manner, but recognizing the limits on the Board’s actions under s. 38 and s. 39 of the Act, while the Board awaits for the NPC determination and direction of the NIRB regarding the pre-licensing process that may be required, the Board will continue with its initial processing of the application.

Accordingly, by copy of this letter, the NWB is asking interested persons to review the scope of the information provided and identify any deficiencies requiring additional information or further response from the Applicant. The parties are provided with the opportunity to submit Information Requests (IRs) identifying additional information and/or studies that may be required to evaluate all quantitative and qualitative effects of the undertaking in relation to the

current water licence, project certificate concordance with respect to the NWB mandate and application before the Board. The minimum information requirements are set out in the NWB Guide 7 – Licensee Requirements Following the Issuance of a Water Licence (see Table 3).

An indication of completeness and any IRs should be submitted to the NWB by **August 06, 2013**. All submissions should be provided to the Manager of Licensing at licensing@nunavutwaterboard.org.

Once the application is deemed to be fully complete, including if necessary, the NIRB providing direction regarding any pre-licensing requirements that must be met, and following NWB confirmation of concordance with any information requests, the NWB will issue notice of the application pursuant to subsection 55(1) of the *Nunavut Waters Nunavut Surface Rights Tribunal Act* (Act).

The formal technical review of the application will begin on the date of the public notice of the application, however the Board strongly recommends that interested parties do not wait for the publication of the notice to begin their technical review on the information already provided by the applicant, as it is in the best interests of all parties to ensure they engage in timely review and response to the application. At this time, the Board has set a tentative date of **September 13, 2013** (based on submissions on the completeness of August 6th) as the proposed date for receiving the technical submissions for this application, with a technical meeting tentatively scheduled for **September 26-27, 2013**. These dates will be confirmed in the notice of the application referred to above.

If you have any questions or require clarification on the above, please contact David Hohnstein, Director of Technical Services at 780-443-4406 or by email to dts@nunavutwaterboard.org for any technical inquiries or, Phyllis Beaulieu, Manager of Licensing at 867-360-6338 or by email licensing@nunavutwaterboard.org for any procedural inquiries.

Sincerely,

Original signed by:

David Hohnstein, C.E.T.
Director Technical Services

DH/kk/pb

Cc: Kivalliq Dist.