

Environmental Protection Operations
Qimugjuk Building 969
P.O. Box 1870
Iqaluit, NU X0A 0H0
Tel: (867) 975-4639
Fax: (867) 975-4645

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our file: 4703 003 013

Phyllis Beaulieu
Manager, Licensing
Nunavut Water Board
P.O. Box 119
Gjoa Haven, NU X0B 1J0
Tel: (867) 360-6338
Fax: (867) 360-6369

via email at licensing@nunavutwaterboard.org

Dear Ms. Beaulieu:

**RE: 2AM-MEA Agnico-Eagle Mines Limited- Meadowbank Gold Project Water License
Application – NWB Preliminary Guidelines Conformity Review**

Environment Canada (EC) has reviewed the Type "A" water license application and supplemental documents submitted by Agnico-Eagle (MMC) on October 4, 2007 and is pleased to provide the following comments regarding the completeness of the application and its concordance with the Board's Preliminary Guidelines. These comments are designed to assist the Nunavut Water Board (NWB) in their determination of whether the application is complete or whether additional information and studies will be required to evaluate all the quantitative and qualitative effects of the undertaking, as per Section 48 of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*.

Agnico-Eagle is proposing to construct, operate, and eventually decommission an open pit gold mine in the Kivalliq region of Nunavut, 70 km north of the Hamlet of Baker Lake on Inuit-owned surface lands. Open pit mining will occur in three separate areas with water retention dikes constructed from mined rock to allow for the mining of ore beneath shallow lakes. The proposed gold mine would have a total average throughput of 22Mt of ore, 182 Mt waste rock, 9Mt till and 22Mt tailings over an approximate 8 to 10 year duration.

These comments are provided pursuant to EC's mandate as defined by the *Department of the Environment Act*. The operation of the Meadowbank Gold Project will be subject to the following statutes administered by Environment Canada: Section 36(3) of the *Fisheries Act*, the *Metal Mining Effluent Regulations*, the *Canadian Environmental Protection Act (CEPA) and Regulations*, the *Migratory Birds Convention Act*, the *Migratory Bird Regulations*, and the *Species at Risk Act*.

Environment Canada would like to identify that this submission does not represent a full technical review of the water license application. As requested by the NWB, it is an initial assessment of whether the required information has been provided in the application documents. Information requests and technical comments will be provided when a complete technical review of the water license application is requested by the NWB.

In general, EC has found the water application and supporting documents to be difficult to follow. The documents lack coherent organization and information is scattered throughout various documents, with little to poor referencing, making it difficult to find the required information and assess its completeness and the impact predictions made. EC would like to thank the NWB for making available and amending

Table 1.1 Concordance Table which provided a comprehensive guide to information buried throughout the supplementary documents.

Environment Canada has identified a number of areas that should be given further attention and addressed in more detail in the water license application:

- There are a number of documents submitted by the applicant that are still conceptual in design. The Landfill Design and Management Plan outline the conceptual design, operation and closure for two solid waste landfills for the Meadowbank Gold Project. A plan that effectively discusses the specifics of the landfill design and management of the facility should be submitted. The applicant indicates that mitigative measures, including management and monitoring plans are set out in the Mine Waste and Water Management, Air Quality and Noise Management, TEMP, Hazardous Materials Management, Preliminary Closure and Reclamation Plans, and the Water Quality and Flow Monitoring Plan, however, these documents have little detail that pertains specifically to the potential landfill which is still conceptual in nature. In addition, information on how waste will be controlled and managed to reduce or eliminate the attraction to carnivores and/or raptors should be incorporated into the final plan. The Emergency Response Plan does not identify, describe or evaluate the potential source, nature and potential impacts of explosions. Appropriate cross referencing should be made to the Spill Contingency Plan on how to handle flammable and combustible materials that will be stored on site.
- A monitoring plan for Baker Lake collection sump, including parameters to be sampled, sampling frequency and sampling locations has not been submitted. The applicant has indicated that targeted monitoring is not proposed for infrastructure facilities at Baker Lake however, a Water Use and Monitoring Plan was submitted by MMC during the Type B water licensing review for the Baker Lake Marshalling Area. The proponent should clarify why monitoring of the Baker Lake Facilities is no longer part of the over all monitoring program for the Meadowbank Gold Project and how this affects the current proposed plans outlined in 8BC-MEA Water Use and Monitoring Plan? EC is proposing that all outstanding issues brought forward in the review of the type B water license be addressed in the Type A water license application and a detailed and inclusive Monitoring Plan for all Baker Lake facilities be completed.
- A monitoring plan for incinerator emissions, a detailed waste management plan and justification regarding the selection of incinerator has not been submitted.
- The Spill Contingency Plan should include an action plan for treatment and recovery on snow, ice, water, streams and site-specific landforms. In general, the plan needs to give environmental factors more consideration such as recovery on sandy beaches, bedrock, gravel beaches, ice covered or mixed-sediment beaches and how to handle wave action. Details on shoreline cleanup and recovery should be included in the Spill Contingency Plan.

Based on the range of information provided, EC is of the opinion that while the submission superficially conforms with the Boards Preliminary Guidelines, a much greater level of detail will be required in order to allow EC to adequately evaluate all of the potential effects of the project on freshwater in order to provide recommendations to the NWB for licensing. Once EC has the opportunity to review the information in more detail, it is likely that additional information will be required. As such, EC requests that the NWB provide the opportunity to submit information requests to MMC in order to acquire any additional information that is necessary to complete a thorough technical review of the project. Please do not hesitate to contact EC with any questions or comments with regards to the foregoing at (867) 669-669-4743 or by email at Mike.Fournier@ec.gc.ca.

Yours truly,

Original signed by

Cindy Parker
Environmental Assessment Specialist

Cc: Carey Ogilvie, Head- EA North, Environment Canada, Yellowknife, NWT
Myra Robertson, Environmental Assessment Coordinator, CWS, Yellowknife, NWT
Anne Wilson, Water Pollution Specialist, EPOD, Yellowknife, NWT
Mike Fournier, Environmental Assessment Coordinator, EPOD, Yellowknife, NWT