



Our reference
IQALUIT-#756222

December 20, 2013

Your reference
2AM-MEA0815

Phyllis Beaulieu
Manager of Licensing
Nunavut Water Board
GJOA HAVEN, NU X0E 1J0

Re: Final Written Submission

Water Licence:	#2AM-MEA0815
Licensee:	Agnico Eagle Mines Ltd.
Issue:	Amendment Application #2
Region:	Kivalliq

Dear Ms. Beaulieu,

Thank you for your email of November 1, 2013, concerning the above mentioned application.

A memorandum is provided for the Board's consideration. Comments have been provided pursuant to the Department's mandated responsibilities under the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* and the *Department of Indian Affairs and Northern Development Act*.

Please do not hesitate to contact me by telephone at 867-975-4555 or email at david.abernethy@aadnc-aadnc.gc.ca for further information.

Regards,

David Abernethy
Regional Coordinator
Water Resources Division
Resource Management Directorate
Aboriginal Affairs and Northern Development Canada
IQALUIT, NU X0A 0H0

Encl.

c.c.: Murray Ball, Manager of Water Resources, AANDC Nunavut
Erik Allain, Manager of Field Operations, AANDC Nunavut
Karen Costello, Director of Resource Management, AANDC Nunavut

Memorandum

TO	Phyllis Beaulieu Manager of Licensing Nunavut Water Board	OUR REFERENCE IQALUIT-#756222
FROM	David Abernethy Water Resources Regional Coordinator Aboriginal Affairs and Northern Development Canada	YOUR REFERENCE 2BE-MEA0813 DATE December 20, 2013
SUBJECT	Final Written Submission, Amendment Application #2	
	Water Licence:	Type 'A' Mining and Milling, #2AM-MEA0815
	Licensee:	Agnico Eagle Mines Ltd.
	Region:	Kivalliq

A. BACKGROUND

On November 1, 2013, the Nunavut Water Board (NWB or Board) distributed their Pre-Hearing Conference Decision on Agnico Eagle Mines Ltd.'s (Agnico Eagle) application to amend the Meadowbank Gold Mine's Type 'A' water licence for an increased freshwater consumption allowance. The document provides a summary of the Technical Meeting and Pre-Hearing Conference that occurred in Baker Lake, Nunavut, on October 16 and 17, 2013. Interested parties were invited to provide final written submissions with respect to this application by December 20, 2013.

Provided below is a summary of Aboriginal Affairs and Northern Development Canada (AANDC) participation in the application's review process to date:

1. Completeness review written submission dated August 6, 2013;
2. Technical review written submission dated September 26, 2013
3. Participation in the October 16, 2013 Technical Meeting; and
4. Participation in the October 17, 2013 Pre-Hearing Conference

On November 28, 2013, Agnico Eagle hosted a teleconference on licensed monitoring program requirements. Participants included the NWB, the Kivalliq Inuit Association, Environment Canada, and AANDC.

B. RESULTS OF REVIEW

The following recommendations are submitted for the Board's consideration,

Support for Application

1. Agnico Eagle's application appears to be reasonable. Adequate justification for increased freshwater consumption has been provided and the amendment will bring Agnico Eagle into compliance with licence terms and conditions.
2. Recommendations provided in AANDC's September 26, 2013 Technical Review Memorandum do not apply to the scope of the requested application. Rather, details associated with the provision of monitoring information (water balance and water quality) and referencing updated management plans in licence terms and conditions should be addressed in the upcoming licence renewal process.

Monitoring of Third Portage Lake's Water Level

3. Agnico Eagle should provide the criteria that will be used to trigger increased frequency of monitoring Third Portage Lake's water levels (from monthly to weekly) and review the lake's water balance should water levels diminish.

Context: Section 4.1 of the April 2013 application support document outlines Agnico Eagle's commitment to investigate any reduction in Third Portage Lake's water level (including erosion or water flow changes) but does not provide the criteria that would trigger action. This issue was raised by the NWB during the Technical Meeting. Agnico Eagle committed to provide the criteria that will be used to increase monitoring of Third Portage Lake's water levels and review its water balance.

Prepared by David Abernethy