





Nunavut Water Board – PHC Decision 2AM-MEA0815 Type “A” – Licence Amendment Application

- Submissions of interested parties;
- List of issues to be dealt with at the Hearing;
- Desirability of amending the Application for the purpose of clarification;
- Procedures for the Public Hearing; and
- Identification of any other matters that may assist in the simplification and disposition of the Hearing.

Introduction and Registration

No community or public members registered with the Board to participate in the TM or PHC. The Applicant and the following Intervenors participated in the TM/PHC:

- Agnico-Eagle Mines Limited (AEM);
- the Kivalliq Inuit Association (KivIA); and
- Aboriginal Affairs and Northern Development Canada (AANDC).

Environment Canada also provided written comments in respect to the Amendment Application in advance of the TM/PHC indicating that they had no issues with the Amendment Application but may provide further comment on review of the water management plan. On this basis, Environment Canada did not appear or otherwise participate in the TM/PHC. A specific list of the individuals participating in the TM/PHC is provided in Appendix B to this Report.

1.0 The Application Before the Board

The Amendment Application before the Board is an application to amend Part E, Item 3 of Type “A” Water Licence 2AM-MEA0815 to increase the authorized use of water from the existing licensed amount of **700,000 m³** per year of freshwater for all purposes (domestic camp use, mining, milling and associated uses), to a total licensed amount of **1,870,000 m³** in 2013 and **1,150,000 m³** per year after 2013.

As indicated in the Amendment Application, the increased water use reflects that since the Meadowbank Gold Mine went into commercial production in March 2010, the annual freshwater consumption at the mine has consistently exceeded the freshwater usage permitted within the existing Type “A” Licence. The Applicant reported annual water use of 1,148,505 m³, 1,088,254 m³ and 1,044,674 m³ of freshwater in 2010, 2011 and 2012, respectively. The Applicant has indicated that the higher than predicted freshwater use is due to higher than anticipated rates of



Nunavut Water Board – PHC Decision 2AM-MEA0815 Type “A” – Licence Amendment Application

ore processing, and an adjustment of the initial water balance model, resulting in a deficit of reclaimed water compared to the information provided in the original water licence application submitted in 2007.

Further, although the Applicant has implemented an action plan to minimize the use of freshwater and come into compliance with the Licence since the increased use was noted, the Applicant conceded in the Amendment Application that despite significant success at engineering solutions to optimize freshwater use, the Applicant’s water use requirements are still projected to continue to exceed the permitted rate. The Applicant indicated that in 2013 additional water use was also required due to operational problems with the reclaim water barge which resulted in limited use of recycled water from approximately February 2013 through to June 2013, and as such, this amendment to the Licence continues to be required.

Application and Supporting Materials Submitted by the Applicant

The following documents were included within the Amendment Application:

- A. Cover Letter;
- B. Completed Application form for Water Licence Amendment;
- C. Compliance assessment/status report;
- D. Water Management Plan 2012, updated March 2013 and including:
 - Appendix A1: Maps;
 - Appendix A2: Water Balances Schematics;
 - Appendix A3: Freshwater Usage Sensitivity Analysis;
 - Appendix B: Water Quality for the Portage Area (2012-2025);
 - Appendix B1: Water Quality Analysis;
 - Appendix C: Ammonia Management Plan;
 - o Appendix C1: Environmental Field Stations – Mine Site View; and
 - o Appendix C2: Spill Control and Loading Procedures Plan;
 - o Appendix C3: Dyno Nobel Emergency Responsibility Plan – Magazine, Plant and Work Site; and
 - o Appendix C4: MSDS for Bulk Emulsion and Presplit.
- E. Freshwater Consumption Executive Summary – English and Inuktitut; and
- F. \$30 application fee.

On July 15, 2013, in response to a query from the NWB dated July 11, 2013 inquiring as to the basis for the water use volumes and discrepancies in amounts sought in the Amendment Application, Stéphane Robert from AEM provided an e-mail entitled “Clarification on Water Consumption” that confirmed that the water use volumes sought included a contingency value that was not identified in the Amendment Application form filed with the Board in April.



Nunavut Water Board – PHC Decision 2AM-MEA0815 Type “A” – Licence Amendment Application

For further details on the existing Type “A” Water Licence and this Amendment Application for the Meadowbank Project, consult the NWB’s FTP site under 2AM-MEA0815 (user name: “public”, password: “registry”) at the following link:

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

Scope of the Type “A” Water Licence Amendment Application

The scope of the Type “A” Water Licence Amendment Application is proposed to remain the same as the existing Licence. This Amendment seeks only to increase the total authorized amount of water used to **1,870,000 m³** in 2013 and **1,150,000 m³** per year after 2013.

2.0 Procedural History

Licence history

The existing Type “A” Water Licence 2AM-MEA0815 was issued by the NWB on June 9, 2008.¹ The Licence was subsequently approved by the Minister of Indian and Northern Affairs Canada (as the Minister was known then, now Aboriginal Affairs and Northern Development Canada, or AANDC) on July 10, 2008. The existing Licence authorizes the use of water and deposit of waste in relation to the operation of the Mining and Milling undertaking at the Meadowbank Gold Project located approximately 70 km north of Baker Lake, within the Kivalliq Region of Nunavut.

Amendment No. 1 to 2AM-MEA0815 was issued by the NWB on May 6, 2010 and was subsequently approved by the Minister on June 18, 2010. Amendment No. 1 allowed AEM to expand the Marshalling Area Bulk Fuel Storage Facility and fuel storage area, increasing capacity from 40 million litres (ML) to 60 ML of diesel fuel by adding two additional 10 ML capacity diesel fuel tanks. In addition, the amendment authorized the construction of an additional 2 ML tank for the bulk storage of Jet A fuel to refuel aircraft flying into the Meadowbank mine site.

On September 21, 2012 after reporting annual water use that exceeded the licensed limit of 700,000 m³ in 2010, 2011 and 2012, the Applicant provided the NWB and other interested parties with an update of their freshwater usage at the Meadowbank Gold Project site. AEM

¹ Nunavut Water Board, Reasons for Decision for 2AM-MEA0815, Applicant: Agnico-Eagle Mines Limited, issued June 9, 2008.



Nunavut Water Board – PHC Decision 2AM-MEA0815 Type “A” – Licence Amendment Application

indicated in that letter that an action plan had been put into place to minimize the use of freshwater at the mill and that AEM was investigating several different options to increase the usage of reclaim water that would subsequently result in a decrease of the mill’s freshwater requirements.

On January 3, 2013 AEM provided the NWB with an update of the Project’s freshwater consumption. At that time the Applicant indicated that they were able to increase the recirculation of reclaim water by 80%, and that these measures had, in turn, reduced the freshwater consumption at the site by almost 40 m³/hour which represented a total annual volume of 300,000 m³. AEM also indicated that with the completion of the action plan, the Licensee was hoping to reduce freshwater use to meet the current limit of 700,000 m³ per year in 2013.

However, on April 26, 2013, on the basis of an AANDC Inspector recommendation, AEM submitted an Amendment Application to amend Part E, Item 3 of the Licence to increase the volume from the existing limit of **700,000 m³** per year to **1,870,000 m³ in 2013** and **1,150,000 m³ per year thereafter**. The Applicant made it clear that following the completion of the action plan and despite significant success at engineering solutions to optimize freshwater use, the water requirements of the Project would continue to exceed the permitted rate. The Applicant indicated that the need for the increased freshwater use is related to higher than anticipated rates of ore processing and an adjustment of the initial water balance model, both of which resulted in a deficit of reclaimed water.

On July 15, 2013, the NWB acknowledged receipt of the Amendment Application and asked interested persons to review the scope and completeness of information provided, as well as to identify any deficiencies with the Application. The Board also requested that the Nunavut Impact Review Board (NIRB) confirm whether any additional screening, reconsideration or review of the NIRB’s Project Certificate [004] for the project would be required as a result of the Amendment Application.

The NWB also provided notification to the Nunavut Planning Commission (NPC), as the Commission provided the original conformity determination for the Meadowbank Gold Mine Project. The NPC has not provided any indication that an additional conformity determination is required for the Amendment Application.

By August 6, 2013, the NWB was in receipt of comments on the completeness of the application from Aboriginal Affairs and Northern Development Canada (AANDC) and Environment Canada



Nunavut Water Board – PHC Decision 2AM-MEA0815 Type “A” – Licence Amendment Application

(EC). In the comments received and as a result of the Board’s own review there was no indication that the application should not proceed through the regulatory process. Therefore, on August 29, 2013, the Board gave notice of the Amendment Application in accordance with s. 55(1) of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*, S.C. 2002, c. 10 (NWNSTRA), inviting interested person to continue their technical review of the application and make representations within thirty days of the Notice of Application (September 29, 2013). The Notice also indicated that the Meadowbank Panel (P9) had directed the staff to hold a Technical Meeting and Pre-Hearing Conference in Baker Lake (tentatively scheduled to take place over two days during the week of October 14th – 18th, 2013).

By September 29, 2013, the NWB received written technical review comments from AANDC and EC. On October 1, 2013, the Board confirmed October 16-17, 2013 as the dates of the Technical Meeting and Pre-Hearing Conference in Baker Lake, and provided parties with a proposed Agenda for the TM/PHC (attached as Appendix A). Interested parties were asked to provide comments on the proposed Agenda and to confirm their attendance at the Technical Meeting and Pre-Hearing Conference by October 10, 2013.

On October 1, 2013, the Nunavut Impact Review Board (NIRB) issued correspondence to the NWB stating that the Amendment Application was exempt from the requirement for further screening by the NIRB pursuant to Section 12.4.3 of the Nunavut Land Claims Agreement (NLCA) because the Amendment Application would not change the general scope of the Meadowbank Gold Project as previously reviewed by the NIRB and as subject to NIRB Project Certificate [004]. The NIRB also determined that the Amendment Application did not trigger reconsideration or other change to the terms and conditions of the NIRB Project Certificate [004] and therefore the Amendment Application could proceed to the next steps in the licensing process, namely the NWB’s TM/PHC.

On October 9, 2013, the Kivalliq Inuit Association (KivIA), citing internet problems that prevented the electronic delivery of their submissions on September 29, 2013, provided the Board with their written technical review comments. The KivIA also confirmed their participation at the Technical Meeting and Pre-hearing Conference in Baker Lake. On October 10, 2013 AANDC confirmed their attendance at the Technical Meeting and Pre-Hearing Conference in Baker Lake. EC indicated that as they had not identified any issues with respect to the Amendment Application, EC would not be in attendance at the Technical Meeting and Pre-Hearing Conference.



Nunavut Water Board – PHC Decision 2AM-MEA0815 Type “A” – Licence Amendment Application

On October 22, 2013, as follow up to the attendance and participation of Sophia Granchinho, the NIRB’s Monitoring Officer for the Meadowbank Project, at the NWB TM/PHC, the NWB received correspondence from the NIRB clarifying that “no additional monitoring or reporting with regard to the current water licence amendment are required at this time.”

On October 31, 2013, by Panel Motion #2013-18-P9-03, the members of the Meadowbank Panel (P9), on the basis of the results of the Technical Meeting and confirmation from the parties in attendance at the Pre-hearing Conference, approved the Amendment Application proceeding to Public Hearing. The Meadowbank Panel (P9) also approved the release of this Pre-Hearing Conference Decision Report along with the procedural direction for the written Public Hearing to be conducted for the Amendment Application.

3.0 Technical Review Comments Received by the Board

Technical review comments specific to the Licence Amendment Application were submitted on or before October 9 by the Kivalliq Inuit Association, Aboriginal Affairs and Northern Development Canada and Environment Canada.

Kivalliq (KivIA)

Overall, the KivIA indicated that they did not have issues with the Amendment Application specifically. The KivIA noted that they were satisfied with AEM’s commitment to increase monitoring from monthly to weekly frequency if changes in water levels or erosion were observed at the source where the increased water withdrawal would take place (Third Portage Lake).

Although KivIA did not identify specific technical issues associated with the increased water use proposed under the Amendment Application, KivIA did identify concerns in relation to understanding the effects associated with the increased rate of ore processing (increased ore processing having been identified as one of the central factors that resulted in AEM requiring the use of additional freshwater). In particular, the KivIA identified concerns that the increased ore processing could also increase the footprint of the waste rock storage and could also then create more contact water points and associated seepage. Further the KivIA indicated that they wanted to ensure that the level of monitoring is sufficient to identify adverse impacts to the water chemistry in the north cell of the Tailings Storage Facility (TSF) resulting from recently identified seepage be continued. Overall the KivIA indicated that additional information should be supplied regarding whether the reclamation plan, security deposit and monitoring plans provided by the Applicant should also be updated to reflect the increased ore processing rate.



Nunavut Water Board – PHC Decision 2AM-MEA0815 Type “A” – Licence Amendment Application

AANDC

AANDC stated overall that “it is not anticipated that the increased freshwater consumption rate will cause significant impacts to Third Portage Lake’s local aquatic ecosystem.” AANDC’s submission did, however identify some key recommendations intended to improve the modeling, monitoring and reporting aspects of the existing Licence as follows:

- ensuring that going forward, annual water balance and water quality modeling reports compare predicted and measured water quantity and water quality parameters;
- ensuring that future water balance, water quality modeling reports and/or Water Management Plan updates detail what measures are being implement to ensure that the water quality of the re-flooded Portage, Goose and Vault Pits will be acceptable to the local aquatic ecosystem before perimeter dikes are breached;
- the existing Licence should be amended to reconcile differences between licence requirements and the Applicant’s management planning procedures; and
- the existing Licence should be updated to reference the most recent plans submitted by AEM to meet the objectives of the planning, monitoring and reporting aspects of the Licence.

Environment Canada

Environment Canada indicated that they had no concerns with the increase in water use and with the Amendment Application however, they trust there will be opportunity for future discussions on the water management issues.

4.0 Technical Meeting

The Technical Meeting (TM) for the Amendment Application was held in the closest community to the Project, Baker Lake, on October 16 and 17, 2013. From a procedural standpoint, it should be noted that, as is the Board’s practice, the TM was somewhat informal and the meeting was administered by the Board’s staff and chaired by David Hohnstein, the Board’s Director of Technical Services. It should also be noted that the Panel Members of the Board who will be the decision-makers for the Amendment Application, were not in attendance at either the TM or the PHC.

The objectives of the TM were outlined to the participants as follows:



**Nunavut Water Board – PHC Decision
2AM-MEA0815 Type “A” – Licence Amendment Application**

- examine technical data and other materials submitted to date as part of the Amendment Application, including interveners’ submissions;
- informally discuss and resolve, to the extent possible, any technical matters/issues raised between interveners and the applicant, particularly those matters that could affect the Board’s determination on any PHC issues, in advance of the PHC;
- provide the opportunity for the applicant and interveners to identify for the Board the issues and concerns that have been resolved and to discuss any unresolved or ongoing issues related to the Amendment Application;
- identify opportunities for streamlining the issues and process so as to eliminate existing or potential duplication; and
- document any commitments made by the various parties involved in the TM, with the aim of carrying forward those commitments to the PHC.

At the TM, the following key issues were discussed by the parties:

- the updated water management plan for the site;
- activities undertaken by the Applicant to increase reclaim water use and to reduce freshwater requirements;
- the timing and anticipated contents of AEM’s separate amendment/renewal application to be submitted one year before the expiry of the existing licence (July 2014);
- confirmation that the scope of this Amendment Application includes only the increase to water use volume and will not include changes to reclamation plans, security, waste rock disposal areas and tailings management;
- the updating of water user compensation to be undertaken by the KivIA and AEM in November; and
- monitoring, reporting and plan reconciliation necessary for the terms and conditions of an amended Licence to adequately reflect AEM’s updated approach to monitoring, reporting and planning .

At the completion of the TM it was confirmed by all participants that there were no outstanding issues that would prevent the Board from moving forward to the Pre-Hearing Conference and Public Hearing in respect of the Amendment Application.



Nunavut Water Board – PHC Decision 2AM-MEA0815 Type “A” – Licence Amendment Application

5.0 Community Session

To promote public awareness and public participation in the NWB licensing process, the NWB coordinated a community meeting in Baker Lake on the evening of October 16, 2013 that commenced at 7:00 pm. Representatives of the Board, the Applicant, the KivIA and AANDC attended the session and were available to address public comments and questions about the Amendment Application specifically and the water licensing process in general.

Attendance at the community session was very low (two participants). Consequently, the community session was conducted without formal presentations, instead consisting of an informal roundtable discussion between the participants and the parties. The Applicant and the NWB presented a very brief overview and summary of the existing Type “A” Water Licence for the Project, the Amendment Application before the NWB and the water licensing process. This was followed by an informal question and answer period where the following questions were discussed:

- Were the pits completely fished out before being mined?
- Is it possible for freshwater to become contaminated because of waste rock disposal and tailings disposal?
- Could contamination result from melting snow passing through the waste rock disposal and tailings disposal areas?
- How will the company and/or governmental organizations make sure that no water contamination happens after mining is complete?
- Are the fish in water bodies close to the mine safe to eat?
- What will happen after the active mining is done? And in particular:
 - how will the mining areas be cleaned up;
 - will buildings be moved, demolished or remain on site;
 - will it be safe to go on-site and walk around the site when the site is reclaimed;
 - will the fish be gone from the area by then;
 - how long will the water quality be checked to make sure that it remains clean and safe to drink; and
 - will the site be secured for future generations?
- How long will the active mining continue?
- What does the final product of the mine (gold bar) look like (i.e. how big is it, how much does it weigh)?
- How many Inuit employees does AEM have?



Nunavut Water Board – PHC Decision 2AM-MEA0815 Type “A” – Licence Amendment Application

6.0 Pre-Hearing Conference (PHC)

As the parties confirmed in the TM that there were no outstanding issues that would prevent the Amendment Application from being considered by the Board in a Public Hearing, the PHC portion of the Agenda proceeded in the morning of October 17, 2013. The PHC was chaired by the Board’s Executive Director, Damien Côté, with the same participants as the TM. The purpose of the PHC was to discuss the various matters as set out in Rule 14 of the NWB Rules of Practice and Procedure for Public Hearings (the Rules), in preparation for the Public Hearing.

Timetable for the Pre-Hearing Exchange of Information

At the outset of the PHC there was considerable discussion amongst the parties regarding the extent to which additional information needed to be supplied by the Applicant in advance of the Public Hearing. In the course of these discussions, it became clear that some of the additional information requested by the parties was in relation to information that AEM was anticipating supplying for the upcoming Licence Renewal application (anticipated to be filed in July 2014) and that would not be available in time for this Amendment Application. The Applicant also indicated that this additional information was not, in AEM’s view, relevant to the water use issues arising from this Amendment Application but rather related to the overall operation and reclamation of the mine itself.

In addition, there was discussion regarding how best to ensure that the parties can access and review existing information contained in the Annual Monitoring Report, management plans, etc. being filed by AEM with the NWB. In this regard, it was suggested by the parties and the Board that it may be helpful, as a precursor to the parties filing further written submissions, to hold, by teleconference, an Annual Report Workshop involving the parties at the PHC (with the possible addition of Environment Canada). The purpose of the Workshop would be to have AEM provide a “guided tour” of the existing Annual Report and then have an open discussion with the parties regarding potential improvements to the reporting structure that reflect not only the Water Licence requirements but also greater ease of access and use for the parties to the information contained in the Annual Report.

The parties agreed that, taking into account the timing of the Public Hearing, the NWB’s 60 day Notice Period requirements in advance of a Public Hearing and the Board’s usual requirements under Rule 12.4 of the NWB Rules of Practice and Procedure for Public Hearings, which establishes that a minimum of fifteen (15) days be provided for review of all pre-Hearing written submissions, this Workshop must take place during the week of November 25-29 or earlier.



Nunavut Water Board – PHC Decision 2AM-MEA0815 Type “A” – Licence Amendment Application

Following the Workshop, the parties may decide that they do not need to provide additional written submissions other than the technical review comments already received by the Board, but if any additional materials are filed, these materials are expected to be quite limited in scope. It should be noted that if unanticipated and substantive submissions are provided to the Board in advance of the Public Hearing, the Board may be required to reconsider the timelines set out below to meet the requirements of procedural fairness.

Reflecting these factors, the Board requires that the participants observe the following timetable:

- Workshop related to the reporting requirements of Licence 2AM-MEA0815 to be held by Teleconference some time during the **week of November 25-29, 2013 or earlier;**
- all further and final written submissions to be provided by interveners, including the translated summaries of the interveners’ comments, and comments on the Amendment Application by members of the public must be filed with the Board on or before **1:00 pm Mountain Time on Friday, December 20, 2013;**
- all further and final responses provided by the Applicant to the information filed with the NWB to date and interveners’ written submissions filed on December 20, 2013 must be filed with the Board on or before **1:00 pm Mountain Time on Friday, January 3, 2014;**

As the parties are aware, all submissions will be posted on the NWB’s ftp-site (<ftp://nunavutwaterboard.org/>) and in the public registry upon receipt. A copy of the public registry as it relates to the Amendment Application is available on-line at the link identified previously for review prior to the Public Hearing.

Identification of Interested Parties

A complete list of interested parties that attended the TM/PHC is set out in Appendix B. During the PHC, these same parties confirmed their interest and participation in the Public Hearing associated with the Amendment Application:

- Agnico-Eagle Mines Limited (AEM);
- the Kivalliq Inuit Association (KivIA); and
- Aboriginal Affairs and Northern Development Canada (AANDC).



Nunavut Water Board – PHC Decision 2AM-MEA0815 Type “A” – Licence Amendment Application

In addition, the parties attending the TM/PHC identified that Environment Canada may be an additional interested party that should be invited to participate in the remaining processing of the Amendment Application and associated Public Hearing.

In addition, in the formal notice of the Public Hearing that will be issued by the Board in this matter to a broad distribution list including the parties identified above and the general public, the Board will invite any other parties who wish to provide written submissions in respect of the Amendment Application in advance of the Public Hearing to do so. These parties will be advised to notify the Board and will be expected to observe the timelines for submission of written materials to the Board established for the other interveners.

List of Issues

The intervening parties in attendance at the TM-PHC confirmed that none of the unresolved or outstanding issues associated with the Amendment Application and the related information requirements should prevent the Board from proceeding with the Public Hearing in respect of the Amendment Application.

Based on the prior written submissions of the parties and the information exchanged at the TM/PHC, the Board has identified that the following issues remain to be considered by the Board at the Public Hearing:

- water use;
- water balance/water quality and associated monitoring and reporting requirements (including pit in-filling monitoring and reporting);
- impacts that increased ore production may have not only on water usage but also waste disposal and tailings storage;
- changes to waste rock storage and tailings facility associated with increased water use;
- overall requirements for existing plan revisions including abandonment and reclamation plans, monitoring plans and security amounts attributable to increased water use;
- clarification of the triggers for changes to monitoring requirements if monitoring identifies impacts from increased water use;
- whether issues of water user compensation have been resolved or remain outstanding; and
- any other issues that may be identified by the parties or the public as warranting consideration at the Public Hearing.



Nunavut Water Board – PHC Decision 2AM-MEA0815 Type “A” – Licence Amendment Application

Desirability of amending the Amendment Application prior to the Hearing

Although it was discussed at the PHC, whether, given the requirement for AEM to submit a renewal application in July 2014 it was preferable for AEM to combine the Amendment Application with the upcoming renewal, AEM confirmed that due to timing and the availability of information such as the updated overall security assessment for the site, AEM requires the Amendment Application to be considered separately from the upcoming renewal application which will not be submitted until July 2014. On this basis, the Amendment Application to be considered by the Board relates only to an increase to the water use volume and there will be no change in scope to the Amendment Application as submitted to the Board in April 2013.

Public Hearing Procedures for the Amendment Application

The Board has determined, based on the factors listed below and as authorized under the Board’s Rules of Practice and Procedure, that it is appropriate for this Public Hearing to be conducted in the form of a **written Public Hearing** rather than an in person Public Hearing. The factors that in the Board’s view support having a written Public Hearing are as follows:

- the Board’s review of the Amendment Application;
- the very limited scope of the amendment to the existing Licence requested by the Applicant;
- the lack of public concern associated with the Amendment Application (as demonstrated by the receipt of no written submissions by community members or other members of the public and by low attendance at the TM/PHC and the community session hosted by the Board on October 16);
- the request of the Applicant and the KivIA regarding the suitability of conducting a written Public Hearing to consider the Amendment Application; and
- the recognition that significant opportunities for future public consultation and engagement will arise during the regulatory process associated with the upcoming renewal application to be submitted by AEM in July 2014.

In making this determination, the Board is mindful of the submissions of AANDC at the PHC that in person Public Hearings are the preferred approach and there is always a benefit associated with the hearing process being carried out in person and in the community most affected by a project. However, in light of the circumstances identified above, in the Board’s view, the benefits of an in person Public Hearing in respect of an amendment that is so limited in scope are



Nunavut Water Board – PHC Decision 2AM-MEA0815 Type “A” – Licence Amendment Application

outweighed by the significant cost, time and human resource requirements associated with an in person Public Hearing in respect of this Amendment Application.

Assuming that the dates for pre-Hearing exchange of materials set out above are met, the written Public Hearing may proceed on **Friday, January 17, 2013**. Therefore, if all pre-hearing information exchange timelines are met, at the close of the day on January 17, 2013 the Hearing Record associated with the Amendment Application will close and the matter will be remitted to the duly appointed 3-Member Panel of the Board (Meadowbank Panel P9) for a decision. The Panel will consider all the evidence contained within the Hearing Record to arrive at a decision with respect to the Amendment Application.

Provision of Final Written Submissions from Interested Parties

As this Public Hearing will be conducted as a written Public Hearing, all technical review submissions and other forms of comment on the Amendment Application will be considered as evidence in the written Public Hearing, and the parties do not need to re-file these materials in the form of final written submissions. However, any additional information that the parties wish the Board to consider during their review of the Amendment Application must be filed with the Board in accordance with the timelines outlined under the heading “Pre-hearing Exchange of Documentation” above. Further, **the Board requests that all interveners who have filed comments with the Board to date, if they have not already done so, provide translated summaries of their comments in Inuktitut, Inuinnaqtun and French on or before December 20, 2013.**

Measures to Simplify the Disposition of the Amendment Application

At the PHC, the parties identified that with the exception of the Annual Report Workshop teleconference (as discussed above) there are no additional measures that can be taken to further simplify the disposition of the Amendment Application.

Steps following the Public Hearing

Following the close of the Public Hearing Record, the Panel will deliberate, and when the Panel has reached a decision, (typically within thirty (30) days of the close of the Hearing Record), the Board will issue its Record of Proceedings and Decision to the Minister of Aboriginal Affairs and Northern Development Canada. If the Panel recommends that the Amendment be granted, a draft of the Amended Licence will be attached to the Board’s Decision.



**Nunavut Water Board – PHC Decision
2AM-MEA0815 Type “A” – Licence Amendment Application**

If you require additional information, please do not hesitate to contact the Board’s Director of Technical Services, David Hohnstein, dts@nunavutwaterboard.org or the Board’s Director of Licensing, Phyllis Beaulieu, at licensing@nunavutwaterboard.org for any other matter related to the Public Hearing.

Regards,

A handwritten signature in blue ink, which appears to read "Damien Côté".

Damien Côté
Executive Director

Attachments:

Appendix A: Technical Meeting and Pre-Hearing Conference Agenda

Appendix B: List of Participants at the Technical Meeting and Pre-Hearing Conference



ᐃᓄᐱᓂ ᐱᓕᓕᓂᐱᓂ ᐅᐱᓂᐱᓂ
NUNAVUT WATER BOARD
NUNAVUT IMALIRIYIN KATIMAYINGI
OFFICE DES EAUX DU NUNAVUT

APPENDIX A—TM/PHC Agenda October 16-17

AGENDA

MEADOWBANK GOLD PROJECT TYPE “A” WATER LICENCE AMENDMENT APPLICATION TECHNICAL MEETING AND PRE-HEARING CONFERENCE OCTOBER 16-17, 2013

Technical Meeting

Date: October 16, 2013

Time: 8:30 AM

Location: Baker Lake Community Hall

1. Introduction and Registration
2. Application to the board
3. Purpose of the Pre-Hearing / Technical Meeting
 - a. Agnico-Eagle Mines Ltd. presentation on the current status of the Project
 - b. Identification of Interested Parties
 - c. Presentations from Interested parties
 - d. Formulation of Issues
 - e. Identification and Service of Documents to Parties (deadline, public registry, form)
 - f. Translation and the Record (language, transcripts)

Community Session

Date: October 16, 2013

Time: 19:00-21:00 PM

Location: Baker Lake Community Hall

Pre-Hearing Conference

Date: October 17, 2013

Time: 08:30 AM

Location: Baker Lake Community Hall

1. Hearing
 - a. Date, Time and Location
 - b. Order of Events
 - c. Equipment
2. Other Issues
3. Closing of the Meeting



Nunavut Water Board – PHC Report
2AM-MEA0815 Type “A” – Licence Amendment Application

APPENDIX B – Attendees at TM/PHC

Participant	Representing
Stéphane Robert, Manager, Regulatory Affairs Nunavut	AEM
Kevin Buck, Environmental Superintendent	AEM
Erika Voyer, Principal Geotechnical Engineer	AEM
Luis Manzo, Director of Lands	KivIA
Karen Costello, Director of Resource Management	AANDC
David Abernethy, Regional Coordinator, Water Resources Division, Resource Management Directorate	AANDC
(Via Teleconference at TM) Murray Ball, Manager of Water Resources	AANDC
Damien Côté, Executive Director	Nunavut Water Board
David Hohnstein, Director Technical Services	Nunavut Water Board
Phyllis Beaulieu, Manager of Licensing	Nunavut Water Board
Karén Kharatyan, Technical Advisor	Nunavut Water Board
Sonia Aredes, Technical Advisor (Public Hearings)	Nunavut Water Board
Robin Ikkutisluk, Licensing Administrator	Nunavut Water Board
Ben Kogvik, Secretary to the Board, Interpreter/Translator	Nunavut Water Board
Angie Akammak, Interpreter/translator	Nunavut Water Board
Corey Francis, Sound Technician, PIDO Productions	Nunavut Water Board
Teresa Meadows, Legal Counsel, Miller Thomson	Nunavut Water Board