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NUNAVUT WATER BOARD  
NUNAVUT IMALIRIYIN KATIMAYINGI  
OFFICE DES EAUX DU NUNAVUT

**File No.:** 2AM-MEA0815  
**To:** Meadowbank Distribution List  
**Date:** February 20, 2015  
**Subject:** Type “A” Water Licence 2AM-MEA0815: Pre- Hearing Conference Decision Regarding an Application for Renewal and Amendment

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On February 20, 2015 by Motion #2014-28-P9-03, the members of the Meadowbank Panel (P9), duly appointed by the Nunavut Water Board (NWB or Board) to consider the Renewal and Amendment Application of the Type “A” Water Licence 2AM-MEA0815 approved and directed the release of this Pre-Hearing Conference Decision Report and procedural direction associated with the upcoming in person Public Hearing to be held in the community of Baker Lake in the fourth week of April 2015.

In order to facilitate the licensing process for considering the Type “A” Water Licence 2AM-MEA0815 Renewal and Amendment Application (Application), submitted to the Board by Agnico-Eagle Mines Limited (AEM or the Applicant), the Panel directed that, in accordance with Rule 14 of the NWB *Rules of Practice and Procedure* (the Rules), the staff of the NWB hold a technical meeting (TM) and a Pre-Hearing Conference (PHC) for the Application.

As indicated in the Notice of Application, provided on November 24, 2014, the TM/PHC for the Application was held in person in the community closest to the undertaking, Baker Lake, Nunavut on January 14 and 15, 2015. On the evening of January 14, 2015, the Board’s staff also hosted a Community Session regarding the Application. The TM/Community Session/PHC Agendas are attached as Appendix A to this Decision.

As set out in Rule 14.1 of the Rules, the PHC dealt with the following matters relevant to the Renewal Application:

- Timetable for the Pre-Hearing exchange of information;
- Identification of interested parties;
- Submissions of interested parties;
- List of issues to be dealt with at the Hearing;



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- Desirability of amending the Renewal and Amendment Application for the purpose of clarification;
- Procedures for the Hearing; and
- Identification of any other matters that may assist in the simplification and disposition of the Hearing.

### **Introduction and Registration**

The following parties registered and attended in Baker Lake at the TM/Community Session/PHC:

- The Applicant, Agnico-Eagle Mines Limited (AEM or the Applicant);
- The Kivalliq Inuit Association (KivIA); and
- Environment Canada (EC).

Due to travel issues, representatives from Aboriginal Affairs and Northern Development Canada (AANDC) were unable to attend the TM/Community Session/PHC in person and attended via teleconference. In addition, the Department of Fisheries and Oceans Canada (DFO) provided written comments with respect to the Application but did not attend the TM/Community Session/PHC. The Board also benefitted from the attendance at the TM/Community Session/PHC of several community members who asked questions and provided comments about the Application. Section 5.0 of this Report provides a summary of the questions, comments and issues raised by community members. The listing of attendees at the TM/Community Session/PHC held in Baker Lake (summarized from the sign in sheets recorded at these sessions) is attached as Appendix B to this Report.

### **1.0 The Application Before the Board**

The Application being considered by the Board was filed by Agnico-Eagle Mines Limited (AEM or the Applicant), in August 2014 and requests the renewal, amendment and updates to Licence 2AM-MEA0815 (the Existing Licence). The Existing Licence applies to a Mining Undertaking (as now defined under the *Nunavut Waters Regulations*<sup>1</sup>) at the Meadowbank Gold Mine. The Mine is located approximately 75 km north of the Hamlet of Baker Lake in the Kivalliq Region of Nunavut. The project components under the Existing Licence include marshalling facilities in Baker Lake, an approximately 110 km All Weather Private Access Road (AWPAR) between Baker Lake and the Meadowbank mine site and Vault mine site.

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<sup>1</sup> SOR/2013-69.



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### **The Existing Licence**

On June 9, 2008, the Existing Licence, Type “A” Water Licence 2AM-MEA0815, was issued by the Nunavut Water Board (NWB or Board) to Agnico-Eagle Mines Ltd. to use water and deposit waste in relation to the operation of the Meadowbank Gold Project. The Expiry date of the Existing Licence is May 31, 2015.

The Existing Licence has been amended twice, once in May 2010 to reflect the addition of tanks to increase storage capacity in the Bulk Fuel Storage Facility by 20 million litres (Amendment No. 1), and once in June 2014 to increase the authorized water use from the original amount of 700,000 m<sup>3</sup>/yr. to 1,870,000 m<sup>3</sup> in 2013 and 1,150,000 m<sup>3</sup> per year after 2013 (Amendment No. 2).

### **Application and Supporting Materials Submitted by the Applicant**

On August 5, 2014, AEM submitted the application and supporting documentation for the amendment, renewal and update of the Existing Type “A” Water Licence, Meadowbank Gold Project, Licence No. 2AM-MEA0815. Appendix C provides a listing of the specific information provided with the Application, all of which is available from the Nunavut Water Board’s public registry at the following link:

<ftp://ftp.nwb-oen.ca/1%20PRUC%20PUBLIC%20REGISTRY/2%20MINING%20MILLING/2A/2AM%20-%20Mining/2AM-MEA0815%20Agnico/1%20APPLICATION/2015%20Renewal/>

On October 14, 2014, the Applicant provided responses to the comments provided by Interveners in the context of their completeness review.

On January 7, 2015 the Applicant provided a submission in response to the technical review comments of Interveners filed by December 24, 2014. This submission included a listing of over 90 commitments in response to the parties’ technical review comments.

On January 14, 2015 the Applicant provided the Board with the presentation materials that were presented by AEM at the Technical Meeting and the Community Information Session.



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### **Scope of the Type A Renewal and Amendment Application**

The application filed with the NWB by AEM is for the renewal of, amendments to and updates to the Existing Licence, Type “A” Water Licence 2AM-MEA0815 (the Application). The Scope of the renewed and updated licence requested in the Application includes the following revised general Scope (note: terms that are capitalized are as defined in the Existing Licence):

- Use of Water from Third Portage Lake for mining and milling, associated activities and domestic purposes;
- Withdrawal and use of Water from unnamed lake approximately 250 metres from the Emulsion Plant for use in explosives mixing;
- Quarrying of materials from specified locations;
- Operation of mine site facilities including bulk fuel storage, mill, shops, offices, laboratory, warehouse, camp, and explosives mixing;
- Operation of a camp at the Meadowbank Project site;
- Operation of the Baker Lake Marshalling Facility;
- Operation of the All Weather Private Access Road, site roads, airstrip, and water crossings;
- Construction and operation of the Portage Waste Rock Storage Facility and the Vault Waste Rock Storage Facility;
- Operation of a Sewage Treatment Plant and controlled discharge during Operations;
- Set-up and operation of diesel fired equipment including the waste Incinerator;
- Operation of Contact Water and Non-Contact Water management systems;
- Operation of an Operations Landfill and Construction and Operation of a Demolition Landfill in the Portage Waste Rock Storage Facility;
- Operation of a Landfarm;
- Operation of the Portage Attenuation Ponds and the Vault Attenuation pond;
- Management and disposal of Wastes associated with the Sewage Treatment Plant, the Portage Waste Rock Storage Facility, Vault Waste Rock Storage Facility, Portage Attenuation Pond, Vault Attenuation Pond, Reclaim Pond, Operations Landfill, Demolition Landfill, Landfarm, Incinerator, and other wastes as described in the Water Licence Application;



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- Handling and storage of petroleum products and hazardous materials;
- Controlled and regulated Discharge of effluent to Third Portage Lake from the Portage Attenuation Pond;
- Controlled and regulated Discharge of effluent to Wally Lake from the Vault Attenuation Pond;
- Re-flooding of Portage, Goose Island and Vault open pits following pit development; and
- Progressive Reclamation and Abandonment planning of site facilities and infrastructure.

In addition to the requested changes to the scope, the Application also includes requested updates and amendments to Terms and Conditions of the Existing Licence, such as the following:<sup>2</sup>

- AEM requested a 10 year licence renewal, with an expiry of June 1, 2025 which would govern the mine through operations and into closure;
- AEM requested updates to water usage volumes required for pit re-flooding which is scheduled to begin in 2015; AEM estimates that Portage and Goose Pit re-flooding will require 450,000 m<sup>3</sup>/yr in 2015, 1.2 million m<sup>3</sup>/yr in 2016-2017, 4.88 million m<sup>3</sup>/yr in 2018-2025 and that Vault Pit re-flooding will require 4.18 million m<sup>3</sup>/yr from 2018-2023 and 4.05 million m<sup>3</sup>/yr in 2024;
- AEM requested updates to the Existing Licence to remove items that no longer apply (such as items applicable to construction that has now been completed, items that have not been relevant since operations commenced, requirements to file updated plans for approval that have been submitted and approved by the Board, etc.);
- AEM requested that the monitoring requirements set out in Schedule I Tables 1 and 2 be simplified so that parameters are grouped into 6 monitoring categories – mine site, receiving environment, prior to mine site discharge (i.e. non-contact diversion ditches and attenuation pond discharge), prior to secondary containment of fuel storage areas, MMER (Metal Mining Effluent Regulations) and Full Suite; and
- AEM requested changes to reflect recent amendments to legislative requirements and changes requested by regulatory authorities (e.g. Department of Fisheries and Oceans Canada).

The Applicant has indicated that the requested changes are intended to improve clarity, consistency and reduce redundancy for future monitoring as the mine moves towards closure.

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<sup>2</sup> For a detailed listing of the requested changes to the Existing Licence, see the Type “A” Renewal Main Supporting Document filed by AEM on August 5, 2014, Section 9 commencing at p. 66 (AEM Water Licence with modifications in tracked changes).



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### **2.0 Procedural History**

#### **Licence history**

On June 9, 2008, the Existing Licence, Type “A” Water Licence 2AM-MEA0815, was issued by the Nunavut Water Board (NWB or Board) to Agnico-Eagle Mines Ltd. (AEM) to use water and deposit waste in relation to the operation of the Meadowbank Gold Project. The Expiry date of Licence is May 31, 2015. Construction of the mine, mill and associated infrastructure continued from 2008 until operations began at the Meadowbank mine site in early 2010.

On May 6, 2010, the Existing Licence was amended to allow the Licensee to expand the Marshalling Area Bulk Fuel Storage Facility, and fuel storage from 40 million litres (ML) to 60 ML of diesel fuel by adding two more 10 ML capacity diesel fuel tanks, and to construct a storage area for 2ML Jet A fuel to refuel aircraft flying into the Meadowbank mine site. This amendment, Amendment No. 1, was subsequently approved by the Minister of Aboriginal Affairs and Northern Development Canada (AANDC) on June 18, 2010.

On June 30, 2014, the Existing Licence was also amended to increase the authorized use of water associated with the Meadowbank Gold Project from the former licensed amount of 700,000 m<sup>3</sup> per year of freshwater for all purposes (domestic camp use, mining, milling and associated uses), to a total licensed amount of 1,870,000 m<sup>3</sup> in 2013 and 1,150,000 m<sup>3</sup> per year after 2013. Amendment No. 2 was subsequently approved by the Minister of AANDC on July 23, 2014.

#### **Pre-Licensing Requirements**

With respect to this Application, the following pre-licensing requirements have been completed:

- On September 30, 2014 the NWB received the Nunavut Impact Review Board’s (NIRB) decision stating that the Application is exempt from the requirement for screening pursuant to Article 12, Section 12.4.3 of the Nunavut Land Claims Agreement (NLCA) and also indicating the amendments proposed in the Application are within the scope of the NIRB’s previous review of the Meadowbank Gold Mine Project. The NIRB also indicated that the activities proposed in the Application would remain subject to the terms and conditions of the NIRB Project Certificate [004] as issued on December 31, 2006.
- On November 28, 2014, the Nunavut Planning Commission (NPC) issued correspondence to both the NIRB and the NWB indicating that the NPC had reviewed the associated documents related to the Application and had determined that it does not warrant a further review by the NPC at this time.



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On this basis, the NWB has concluded that the conformity and environmental assessment requirements for the Application under ss. 38 and 39 of *the Nunavut Waters and Nunavut Surface Rights Tribunal Act*, S.C. 2002, c. 10 (NWNSRTA) have been met and the Application could be processed by the NWB.

### **Procedural History – Existing Type “A” Water Licence 2AM-MEA0815 Renewal and Amendment Application**

The following includes a brief overview of the procedural history for the Application. It should be noted that the following listing captures only the major procedural steps associated with the Application. All documentation and the complete history of the NWB component of the licensing file are available from the NWB’s ftp site at the link provided in Section 1.0 of this decision.

- **August 5, 2014**
  - AEM submitted an application and supporting documentation for the renewal, amendment and updating of the existing Type “A” Water Licence No. 2AM-MEA0815 which currently authorizes the mining undertaking associated with the Meadowbank Gold Project
- **August 29, 2014**
  - the NWB acknowledged receipt of the Application and asked interested persons to review the scope and completeness of information provided, as well as to identify any deficiencies by September 29, 2014
- **September 29, 2014**
  - the NWB received comments on the completeness of the Application from Aboriginal Affairs and Northern Development Canada (AANDC), Environment Canada (EC), Fisheries and Oceans Canada (DFO) and the Kivalliq Inuit Association (KivIA). The comments indicated that the Application was complete and should be allowed to proceed through the regulatory process
- **October 14, 2014**
  - AEM provided responses to the comments provided by Interveners in the context of their completeness review





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### ▪ **November 24, 2014**

- the Board gave notice of the application in accordance with s. 55(1) of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* (NWNSRTA), inviting interested persons to continue their technical review of the Application and to identify any outstanding water user compensation issues. The deadline for filing parties’ further technical review comments was set at December 24, 2014 and the Board provided notice that an in person Technical Meeting and Pre-Hearing Conference (TM/PHC) would be held in Baker Lake, (with a tentative date set for the week of January 12-16, 2015)

### ▪ **December 15, 2014**

- DFO advised the Board that the responses AEM provided to Interveners’ comments on October 14, 2014 had addressed their general concerns regarding water levels and so DFO would not be submitting further technical review comments and would not be attending or otherwise participating at the in person TM/PHC in Baker Lake in January 2015

### ▪ **December 24, 2014**

- the NWB received technical review comments from AANDC, EC and the KivIA

### ▪ **January 7, 2015**

- the NWB received confirmation of attendance at the Technical Meeting and Pre-Hearing Conference (TM/PHC) from AEM, AANDC, EC and KivIA
- AEM provided responses to the technical review comments received from AANDC, EC and KivIA, including a listing of 94 commitments in response to the parties’ technical review comments
- AANDC requested that the NWB make teleconference arrangements for its consultant (BGC Engineering Inc.) to participate in the Technical Meeting via teleconference

### ▪ **January 8, 2015**

- the Board confirmed the venue and dates of the Technical Meeting, Community Session and Pre-Hearing Conference as January 14-15, 2015, and provided parties with a proposed Agenda. Interested parties were asked to provide comments on the proposed Agenda by January 12, 2015





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### ▪ **January 12, 2015**

- the parties suggested revisions to the draft Agenda to allow for discussion by specific topic areas as set out in the Existing Licence

### ▪ **January 14, 2015**

- the parties provided the Board with their presentation materials to be presented at the Technical Meeting and Community Session
- AANDC representatives indicated that due to travel problems they were unable to attend in person in Baker Lake and would be participating in the TM/PHC via teleconference

### ▪ **January 23, 2015**

- as discussed at the TM/PHC (and outlined in more detail in Section 6.0 of this decision), AEM submitted a request to the Board for a Short-Term Renewal (STR) not to exceed 180 days from the date of the expiry of the Existing Licence to bridge any gap between the May 2015 expiry of the Existing Licence and the potential issuance of a renewed and updated Type “A” Licence if the Board and Minister approve the grant of a renewed and amended licence

### ▪ **February 2, 2015**

- the Board provided notice to the distribution list of the STR Application

### ▪ **February 6, 2015**

- Notice of the STR Application was published in the newspaper, commencing a 30 day technical review and comment period that will close on March 9, 2015

## **3.0 Technical Review Comments Received by the Board**

Prior to the Technical Meeting and Pre-hearing Conference two opportunities for comment on the Application were provided. The Board’s first request for comments requested parties to consider whether the Application was complete and to identify any outstanding issues that should prevent the Board from continuing to process the Application. This comment period closed on September 29, 2014. The second comment period requested parties to file substantive technical review comments on or before December 24, 2014. The sections that follow outline the comments provided during these comment periods, but also reflect comments provided to the Board staff during the Technical Meeting/Pre-hearing Conference.



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### **Kivalliq Inuit Association (KivIA)**

The KivIA is the representative of the Inuit beneficiaries of the Kivalliq Region, at both the territorial and regional levels and supports sustainable economic development opportunities for Inuit beneficiaries. KivIA’s participation in the review of the Application was focused on ensuring that adequate protection of the environment occurs by requiring the Applicant to implement best practices in their mitigation and monitoring programs.

Specifically, the KivIA provided the Board with comments on the following issues:

- Terms and conditions in the existing licence and AEM’s proposed changes;
- Review of approved plans with specific comments provided on:
  - the Aquatic Effects Management Program (AEMP) (Appendix B1);
  - Core Receiving Environment Monitoring Program (CREMP) (Appendix B2);
  - Spill Contingency Plan (Appendix B9);
  - Interim Closure and Reclamation Plan (Appendix B14);
  - Dewatering Dike: Operation, Maintenance and Surveillance Manual (Appendix B19);
  - Tailings Storage Facility: Operation, Maintenance and Surveillance Manual (Appendix B20); and
  - Mine Waste Rock and Tailings Management Plan (Appendix B21);
- Specific recommendations regarding suggested changes to the plans, monitoring programs and Existing Licence terms and conditions; and
- Recommendations regarding the monitoring programs in relation to the following specific issues:
  - annual comparisons of predicted water quality and quantity within the pits to the water quality and quantity actually measured during project monitoring;
  - inclusion of additional effluent discharge criteria (free cyanide) and use of the lowest commercially available detection limits for water quality parameters;
  - discussions on inconsistencies between water quality predictions for Second Portage and Third Portage Lakes;
  - establishing a reference site for Wally Lake;



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- using more stringent Data Quality Objectives (DQO) to evaluate blanks and duplicates;
- altering the minimum criteria (10% of the samples exceeding the method detection limit (MDL)) for reporting water quality parameter exceedances;
- more stringent discharge criteria for chromium;
- depth sampling from 1 meter off lake bottom as part of the CREMP at sample sites where stratification has been demonstrated through routine lake profiles of field temperature, conductivity, dissolved oxygen and pH;
- inclusion of event monitoring requirements in the Spill Contingency Plan; and
- recommendations to establish an accredited laboratory on-site.

### **Aboriginal Affairs and Northern Development Canada (AANDC)**

AANDC administers Crown land and resources and enforces regulatory permits affecting land and water resources in Nunavut, including enforcing the provisions of the Existing Licence. Reflecting AANDC’s responsibilities and jurisdiction, the following key issues were highlighted in AANDC’s initial comment submissions on the completeness of the Application and also in their technical review comment submissions:

- Terms and conditions in the Existing Licence and AEM’s proposed changes;
- Requesting additional information with respect to the Freshet Action Plan within the Water Management Report and Plan (Appendix B17);
- Comments arising from the review of approved plans, with specific issues identified in respect of:
  - Water Management Report and Plan (Appendix B17);
  - Interim Closure and Reclamation Plan (Appendix B14); and
  - Mine Waste Rock and Management Plan (Appendix B21);
- Reclamation financial security cost estimate, final closure covers’ details for tailings storage facility (TSF) and waste rock storage facilities (WRSF), water management structures around the TSF and WRSF and thermal monitoring of TSF and WRSF for closure;



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- Information requests and recommendations related to the Assay Road Seepages, Phase 2 Environmental Site Assessment and Engineering Quality Assurance and Quality Control (QA/QC);
- Water management plans for possible WRSF seepage into Lake NP-2 area with potential specific measures or monitoring reflected in the closure cost estimate; and
- Recommendations to the plans, annual monitoring reports, and additional information to be included within the Final Closure and Reclamation Plan.

### **Department of Fisheries and Oceans Canada (DFO)**

DFO is responsible for regulating coastal and inland fisheries as well as administering habitat and serious harm provisions under the Federal *Fisheries Act*. Although not a participant in the TM/PHC, DFO provided initial review comments with respect to the Renewal and Amendment Application regarding the following:

- Review of approved plans, highlighting specific issues with respect to:
  - the Water Quality Monitoring and Management Plan for Dike Construction and Dewatering (Appendix B3);
  - Water Quality Flow and Monitoring Plan (Appendix B6);
  - Water Management Report and Plan (Appendix B17); and
  - Interim Closure and Reclamation Plan (Appendix B14);
- Clarification on whether a similar schedule and plan will be used during re-watering (re-flooding), and posing questions regarding specific threshold criteria to be used to determine unacceptable low water lake levels;
- Requesting AEM to provide a date for the Final Closure and Reclamation Plan with detailed engineering closure designs, prior to the first re-flooding event beginning in 2015;
- Details regarding engineering practices to be used to mitigate permafrost-related terrain instability during re-watering of lakes;
- Clarification of data, modeling or other factors used to determine that lake water levels will not be affected;



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- Details regarding All-weather Private Access Road (AWPAR) reclamation approach, and more specifically plans for channel bed reclamation;
- Clarification on how fish passage needs have been taken into account when considering possible locations for dike breaches, given that these locations will vary seasonally, and requesting detailed designs of the dike breaches;
- Clarification on how the withdrawal volumes from Third Portage Lake and Wally Lake were selected for the purposes of pit re-flooding, and whether Second Portage or Third Portage Lake is the intended source of water for re-flooding of Goose and Portage Pits;
- Clarification on calculation of water volume from Wally Lake for Vault Pit re-flooding; and
- Clarification on AEM’s plans related to the potential development of Phaser Pit involving de-watering of Phaser Lake.

### **Environment Canada (EC)**

The focus of EC’s involvement in respect of the Application is based on their jurisdiction under the *Canadian Environmental Protection Act, 1999*, the *Species at Risk Act* and EC’s jurisdiction under the pollution prevention provisions of the *Fisheries Act*. The following key issues were highlighted in EC’s initial comment submissions on the completeness of the Application and also in their technical review comment submissions;

- Terms and conditions in the Existing Licence and AEM’s proposed changes;
- Review of approved plans with specific comments provided in regards to:
  - Groundwater Monitoring Plan (Appendix B4);
  - Quality Assurance and Quality Control (QA/QC) Plan (Appendix B5);
  - Water Quality and Flow Monitoring Plan (Appendix B6);
  - Operational ARD/ML Testing and Sampling Plan (Appendix B10);
  - Water Management Report and Plan (Appendix B17);
  - Ammonia Management Plan (Appendix B18);
  - Tailings Storage Facility: Operation, Maintenance and Surveillance Manual (Appendix B20);
  - Interim Closure and Reclamation Plan (Appendix B14);



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- Mine Waste Rock and Management Plan (Appendix B21); and
- Operation and Maintenance Manual: Sewage Treatment Plant (Appendix B22);
- Recommendations to the plans, monitoring programs and Existing Licence terms and conditions;
- Recommendations related to the monitoring of water chemistry and hydrologic dynamics of the Goose Pit attenuation pond with potential treatment option of water prior to deposition in Goose Pit; additional pit water quality forecasting for the interval between 2015 and 2025; details on thickness of the non-potentially acid generating (NPAG) material that will provide encapsulation for the potentially acid generating (PAG) material; ammonia management and additional ammonia treatment options; seepage management as an effluent from the mine site; and
- Recommendations regarding collection and monitoring of seepage and runoff from the Vault WRSF, details on the predicted thermal behavior of the Vault waste rock pile and final cover of Vault WRSF.

### **4.0 Technical Meeting (TM)**

The TM for the Application was held in person in the nearest community, Baker Lake, Nunavut all day on January 14 and the morning of January 15, 2015. Unfortunately, due to travel issues, representatives from Aboriginal Affairs and Northern Development Canada (AANDC) were unable to attend the TM in person, and were required to attend via teleconference. As is the Board’s practice, the TM was an informal meeting and was chaired by David Hohnstein, the Board’s Director of Technical Services. The meeting was attended by the Board staff, the Applicant, interveners and community members. It should also be noted that, as is the Board’s normal practice, the Panel Members of the Board (Meadowbank Panel, P9), the decision-makers for the Application, were not present at the TM, the Community Session or the subsequent Pre-hearing Conference (PHC) having delegated the conduct of these meetings to the Board’s staff.

At the commencement of the TM the objectives of the meeting were outlined by the NWB’s Director of Technical Services as follows:

- Examine technical data and other materials submitted as part of the Application, including Intervenors’ submissions that the Board had received to date for the Application;



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- 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 of any PHC issues, in advance of the PHC;
- Provide an 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 Application;
- Identify opportunities for streamlining the issues and process so as to eliminate existing or potential duplication or delay; and
- Document any commitments made by the various parties involved in the TM, with the aim of carrying forward those commitments to the PHC.

The TM participants were advised that upon completion of the TM, the Board expected any outstanding issues in respect of the Application would be resolved, or if not resolved, that some form of agreement, including commitments by the parties would be provided by the parties to enable the Application to proceed to the next step of the licensing process, the Pre-Hearing Conference, notwithstanding any unresolved issues.

At the TM, the following topics were discussed:

- Water Use and Management
  - Water Management Report and Plan
- Waste Disposal and Management including tailings and waste rock disposal
  - Mine Waste Rock and Tailings Management Plan
- Emergency and Spill Contingency Planning
- Operation and Maintenance Procedures
  - Operational ARD/ML Testing and Sampling Plan
  - Tailings Storage Facility Operation, Maintenance and Surveillance Manual
  - Operation and Maintenance Manual; Sewage Treatment Plant
- Monitoring
  - Aquatic Effects Monitoring Program
  - Core Receiving Environment Monitoring Program
  - Water Quality and Flow Monitoring Plan
  - Groundwater Monitoring Plan





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### ■ Closure and Reclamation 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 a Public Hearing in respect of the Application. A number of commitments (approximately 94) had already been provided by the Applicant in their January 7, 2015 submission filed with the Board. The NWB expects AEM to comply with the commitments provided in that submission. In addition, during the TM there were several commitments made by other parties as well and these commitments have been summarized in the Commitment List provided in Appendix D and attached to this Report. For the convenience of the parties, where commitments made by the Applicant will result in the submission of additional or updated documentation, the Board has provided a summary listing of the associated document submissions in Appendix E attached to this Report.

## **5.0 Community Session**

As set out in Appendix A, the NWB hosted a Community Session regarding the Application on the evening of January 14, 2015. Approximately 15 members of the public attended the Session. The Session commenced with an overview of the NWB process by the Board’s technical staff, an overview of the Application provided by the Applicant, Agnico-Eagle Mines Limited (AEM) and short presentations summarizing their technical review comments from the Interveners, the Kivalliq Inuit Association (KivIA), Aboriginal Affairs and Northern Development Canada (AANDC) and Environment Canada (EC).

The session concluded with a question and answer session during which community members from Baker Lake were invited to ask questions of the Applicant, Interveners and the Board staff and express their concerns and provide comments with respect to the Application. Table 1 that follows provides a summary of the comments, issues and concerns expressed by members of the community throughout the TM/Community Session/PHC.

**Table 1 Key Issues as Raised by Community Members**

Topic	Issues/Concerns/Comments
Archaeological Sites	Are there any graves along the route of the road to the Amaruq deposit?
Community Sessions	Advance notification of these meetings should be better and there should have been more notification on the radio, while the meetings are going on



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Topic	Issues/Concerns/Comments
Community Sessions	The presentation of the NWB is not understandable for most community members and should be set out in a way that makes it easier to understand by the Board is here, what the technical meeting is all about and how community members can be involved
Dust Impacts	How will the dust be minimized along the road (because the community is noticing the effects of dust on the snow and then into the water)?
Fish	The fish that were provided to the community during the “fish out” process, were they contaminated? Could they have been contaminated?
	Will your future plans involve draining any more lakes or removing any more fish?
	Will you put back the fish into the water after you refill the pits and if you do, will you also add food sources back into the pits to make sure they have food and don’t starve?
	When you are dewatering do you take out the minnows and the other smaller animals and other living things that are in the lakes?
Human health impacts	With respect to people who have experienced illnesses after being out on the land and eating fish when out on the land, could they have been exposed to contaminants from the mine?
Licensing	When the NWB makes their decision and it goes to the Minister what happens then—can the Minister reject the Board’s decision?
Monitoring	Who generates the annual monitoring reports (and does KivIA or other agencies provide input into those reports and review them to verify that they are complete and correct)?
	How do members of the community get access to monitoring reports; can they request them from the NWB, AEM or the KivIA?
	What kinds of substances do you use for monitoring the water quality?
	If you are not removing minnows and smaller animals, are you and will you be monitoring the health of this type of fish and animals and checking whether these types of animals return?



## 2AM-MEA0815 Type “A” – Application for Renewal and Amendment PHC Decision

Topic	Issues/Concerns/Comments
Monitoring	Want the water quality monitoring and data not just to include water quality into the tailings facilities but also into any of the small creeks and lakes near the site so that everyone can know that the water surrounding the site is okay to drink.
Tailings Facility	What is tailings; what is a tailings facility; and how will it be covered/capped?
	How is permafrost incorporated into the design of the tailings facility?
Technical Issues	How many technical issues have been raised during the technical review period? How many have been addressed and discussed during these meetings?
Uranium	Is there uranium and or other metals (other than gold) in the waste rock at the mine site?
Water Use	Why is the applicant seeking a huge jump in water use from just over 1 million cubic metres to 9 million cubic metres?
Wildlife effects	When the caribou were crossing in this area the mining vehicles were supposed to stop and we noticed that not all the trucks and mining vehicles stopped; how does AEM control that?
Workers	What are the workers who are working at Meadowbank now going to do when the operations at the mine cease?

### **6.0 Pre-Hearing Conference (PHC)**

As the parties confirmed at the conclusion of the Technical Meeting that there were no outstanding issues that would prevent the Application from proceeding to the next step in the licensing process, a Public Hearing, the PHC portion of the Agenda proceeded on the afternoon of January 15, 2015.

The PHC was chaired by the Board’s Director of Technical Services and Acting Executive Director Dave Hohnstein with the same parties in attendance as those who participated in the



## 2AM-MEA0815 Type “A” – Application for Renewal and Amendment PHC Decision

TM. The purpose of the PHC was to discuss the various matters as set out in Rule 14 of the Nunavut Water Board’s Rules in preparation for the Public Hearing. Specifically, Rule 14 directs that the following matters be addressed through the PHC:

- To set a timetable for the Pre-Hearing exchange of information;
- To finalize the list of issues to be dealt with at the Hearing;
- To identify interested parties;
- To consider the desirability of amending the Application for the purposes of clarification;
- To finalize procedures to be followed in the Hearing; and
- To consider any other matters that may aid in the simplification and disposition of the application at the Hearing.

### **Timetable for Pre-Hearing Exchange of Information**

It was noted at the beginning of this discussion that, as required by s. 55(2) of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*, S.C. 2002, c. 10 (NWNSTRA), the NWB must give the public and parties a minimum of sixty (60) days’ notice in advance of a Public Hearing.

The Applicant and Interveners in attendance were polled regarding any outstanding information requirements that must be supplied in advance of a Public Hearing and indicated, that as outlined in the commitments prepared by the Applicant and filed with the Board on January 7, 2015 and as well as those commitments provided in Appendix D and the associated documentation identified in Appendix E, the preparation and submission of additional information is not expected to delay a potential Public Hearing.

On this basis, the Board has established a proposed timetable for the pre-hearing exchange of information as set below. However, the Board reserves the right to revisit the timing set out below in the event that parties are unable to meet the deadlines in the commitments, in response to the requests of the parties, the community, or as may subsequently be considered necessary by the Board. In establishing the following schedule, the Board was mindful that the parties and the Board indicated that the most feasible timing for an in person Public Hearing is likely April (as early as possible). Unless modified as outlined above, the Board requires the participants to observe the following timetable:

- On or before **Friday, February 27, 2015**, the NWB will issue Notice of the Public Hearing;



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- All further and final written submissions to be provided by Interveners must be filed with the Board on or before **Tuesday, March 24, 2015**;
- All further and final responses of the Applicant to the information filed to date must be filed with the Board on or before **Tuesday, April 7, 2015**;
- Any presentations (e.g. PowerPoint Presentations, etc.) upon which anyone intends to rely at the Public Hearing must be filed with the Board on or before **Tuesday, April 21, 2015**;
- If the Interveners and/or the Applicant file additional written submissions, final responses and presentation materials as outlined above, they are also required to provide **an Executive Summary of their written submissions in both English and Inuktitut and fully translated copies of their presentation materials or final responses in English and Inuktitut at the same time** as they file the full submission; and
- The Board requires any party requesting French translation of the Executive Summary materials, presentation materials and/or requesting the Board to provide simultaneous French translation at the Public Hearing to make such requests to the Board in writing **on or before Friday, March 13, 2015**.

All submissions will be posted on the NWB’s ftp-site (<ftp://ftp.nwb-oen.ca/>) and in the public registry upon receipt. A copy of the public registry as it relates to the Application will be available for review at the Public Hearing.

### Identification of Interested Parties

Summary listings identifying the attendees at the TM/Community Session/PHC (based on the sign in sheets completed at these sessions) are provided in Appendix B attached to this Report. During the PHC, the following parties confirmed their participation and attendance at the Public Hearing:

- The Applicant, Agnico-Eagle Mines Limited;
- The Kivalliq Inuit Association;
- Aboriginal Affairs and Northern Development Canada; and
- Environment Canada.

Further, the parties indicated that in addition to the general public notice, a specific invitation to the Public Hearing should be extended to the Baker Lake Hamlet Council and the local Hunters and Trappers Organization, as well as specifically identifying community members representing



## 2AM-MEA0815 Type “A” – Application for Renewal and Amendment PHC Decision

youth, Elders and women’s groups. It was also identified that an invitation to the Public Hearing should be provided to community representatives from the communities of Chesterfield Inlet and possibly also Rankin Inlet.

### **Provision of Final Written Submissions from Interested Parties**

Any additional information that the parties wish the Board to consider during their review of the Application must be filed with the Board in advance of the Public Hearing and in accordance with the timelines outlined above under the heading “Pre-hearing Exchange of Information”.

### **List of Issues**

The intervening parties in attendance at the TM/PHC confirmed that none of the issues for discussion associated with the Application and the related information requirements should prevent the Board from proceeding with the Public Hearing.

At the end of the TM, the parties reviewed the following list of items for discussion at the Hearing and agreed that, subject to adding issues following the review of information that may be exchanged in advance of the Public Hearing, the following topics should be items for discussion at the Public Hearing:

1. Scope of the Licence
2. Annual Reporting
3. Security
4. Water Use and Management
  - Confirmation of Water User Compensation
5. Waste Disposal and Management including tailings and waste rock disposal
6. Operations and Maintenance Planning and Procedures
7. Review and Comments on Updated and Revised Plans
  - (including all updated plans available for review prior to Public Hearing)
8. Monitoring (including)
  - Aquatic Effects Monitoring Program,
  - Core Receiving Environment Monitoring Program,
    - Detection Limits
  - Water Quality and Flow Monitoring Plan
  - Groundwater Monitoring Plan.
  - QA/QC Procedures
9. Closure and Reclamation Planning



## 2AM-MEA0815 Type “A” – Application for Renewal and Amendment PHC Decision

### Changes to the Application for the Purposes of Clarification

The Applicant made a brief presentation during this part of the PHC that identified that given the prescribed timelines for the Board’s prescribed notice period in advance of a Public Hearing, the likely timing of a Public Hearing, the typical timelines for the Board’s decision-making and reporting following a Public Hearing and recognizing the Minister’s timelines for decision-making, AEM had concerns that the timing of the renewal of the Existing Licence may result in the Existing Licence expiring before the Board and Minister have completed their consideration of the Application. Consequently, it was discussed that the Applicant may file a short term renewal application (STR Application) (as allowed for under s. 9(1)(b) under the *Nunavut Waters Regulations*, SOR/2013-69<sup>3</sup>) to request a renewal of the Existing Licence on the following basis:

- Absolutely no changes to the Existing Licence (administrative or otherwise);
- The short term renewal would not exceed 180 days from the date on which the Existing Licence expires (May 31, 2015) with the expiry of the STR occurring on the earlier of November 27, 2015 or on the grant of a renewed water licence if the Board and Minister grant the Application for a renewed water licence;
- No plans, studies, reports, or designs would be submitted in support of the STR as this information has already been provided or will be provided during the Board’s processing of the Application; and
- The assumption that even if the STR is granted, this renewal Application will continue to be processed by the Board in as timely and efficient a manner as possible.

On January 23, 2015 the Board received the STR Application and following the publication of Notice of the Application on February 6, 2015 and a 30 day technical review and comment period (closing on March 9, 2015), the Board will consider the STR Application and provide a report on the Board’s decision regarding the STR Application to the Minister for his review and consideration.

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<sup>3</sup> Section 9(1)(b) establishes that:

9. (1) For the purposes of section 13.7.3 of the Agreement and subsection 52(1) of the Act, no public hearing is required in respect of an application for... (b) one or several renewals of a type A licence if the total duration of the renewal or renewals does not exceed 180 days;





## 2AM-MEA0815 Type “A” – Application for Renewal and Amendment PHC Decision

### **Procedures for the Public Hearing**

Parties were asked for their views with respect to the form of the Public Hearing (written, teleconference or in-person). Recognizing the importance of public engagement in this phase of the project’s licensing, the Applicant favored an in person public meeting. Noting budget and travel concerns, the Kivalliq Inuit Association indicated a preference for a teleconference Public Hearing, with opportunities being provided for community representatives to participate. The KivIA also wanted the Board to note that in the absence of an intervener funding program, and with considerable development in the Kivalliq Region underway, the KivIA is experiencing difficulty in ensuring that comment submission timelines can be maintained and that full participation at in person Public Hearings can occur, as this involves significant travel and human resource costs. The Board acknowledged the KivIA’s concerns and indicated that the Board has indicated support for amendments to the NWNSRTA that would allow for participant funding support, but such changes do not appear to be forthcoming. Consequently, although the Board is mindful of these issues, the decision as to form and venue of a Public Hearing must be based primarily on the considerations set out in the Nunavut Land Claims Agreement and not on the fiscal or resource constraints of the parties.

Aboriginal Affairs and Northern Development Canada also indicated a preference for the Public Hearing to be held by way of teleconference with opportunities for members of the community to participate, although AANDC noted that the decision as to form remains the NWB’s decision. Environment Canada indicated a preference for a written Public Hearing or alternatively a teleconference Public Hearing, noting current travel limits and budgetary issues, and also identifying that as many of the technical issues associated with the Application will likely have been resolved by the time a Public Hearing is scheduled, a written Public Hearing may be appropriate.

Members of the public in attendance favored an in person Public Hearing in the community of Baker Lake and indicated that evening sessions should be included in the Public Hearing schedule to allow people who work during the day to be able to participate. With respect to the location of a potential in person Public Hearing, the parties indicated that the most directly affected community is Baker Lake.

Given the likely public interest in the significant increase in water use requested by AEM to support the re-flooding of the open pits, the increase to the term of the Licence to 10 years, which will span the completion of operations and the initial closure of the mine and the updates to security and reclamation planning associated with the requested changes to the Existing



## 2AM-MEA0815 Type “A” – Application for Renewal and Amendment PHC Decision

Licence, the NWB Board Meadowbank Panel, P9, has determined that it is most appropriate for the Board to hold an in-person Public Hearing for the Application.

With respect to the location of the Public Hearing, on the basis that Baker Lake is the most directly affected community, the Board’s Meadowbank Panel, P9, has decided, by Motion #2014-28-P9-03, that an in person Public Hearing should be held in the Hamlet of Baker Lake.

At present, based on the time commitments outlined in the discussion of the exchange of documents set out above, the Public Hearing is tentatively scheduled for the week **of April 27 – May 1**. These dates are subject to final confirmation by way of the Public Notice to be issued on February 27, and the Board reserves the right to adjust this schedule if Hearing logistics dictate, if the documentation required to be supplied in advance of the Hearing has not been provided, etc.

The parties have confirmed that they do not anticipate that any deviations from the Board’s *Rules of Practice and Procedure* (May 2005) (Rules), will be required, and as such, the Board directs all parties that the Public Hearing will be conducted in accordance with Parts III and IV of the Board’s Rules.

### **Measures to Simplify the Disposition of the Application**

No measures to simplify the disposition of the Application were identified at the PHC.

### **Steps following the Public Hearing**

When the Panel has reached a decision, which is typically within thirty (30) to forty five (45) 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 renewal requested in the Application be granted, a draft Licence would also be provided for the Minister’s consideration with the decision.



## 2AM-MEA0815 Type “A” – Application for Renewal and Amendment PHC Decision

If you require additional information regarding this Application, the Board’s specific direction or the Board’s processes in general, please do not hesitate to contact the NWB’s Acting Executive Director and Director of Technical Services, David Hohnstein, [david.hohnstein@nwb-oen.ca](mailto:david.hohnstein@nwb-oen.ca). For any administrative matters related to the Public Hearing, please contact the NWB’s Manager of Licensing, Phyllis Beaulieu, at [licensing@nwb-oen.ca](mailto:licensing@nwb-oen.ca).

Regards,

David Hohnstein  
Director Technical Services/Acting Executive Director  
Nunavut Water Board

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### **Attachments:**

- Appendix A: Technical Meeting, Community Session and Pre-Hearing Conference Agenda
- Appendix B: Summary Listing of Attendees at the Technical Meeting, Community Session and Pre-Hearing Conference
- Appendix C: List of Application Submissions
- Appendix D: List of Commitments Generated during the Technical Meeting/Pre-Hearing Conference held January 14 and 15, 2015 for Licence 2AM-MEA0815, Renewal/ Amendment Application
- Appendix E: Listing of Written Submissions Associated with Commitments Made During the Technical Review of Licence 2AM-MEA0815, Renewal/Amendment Application



2AM-MEA0815 Type “A” – Application for Renewal and Amendment  
PHC Decision

**APPENDIX A: AGENDAS**

**TECHNICAL MEETING, COMMUNITY SESSION AND PRE-HEARING  
CONFERENCE  
MEADOWBANK GOLD PROJECT**

**TYPE “A” WATER LICENCE 2AM-MEA0815; RENEWAL APPLICATION**

**JANUARY 14-15, 2015**

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**Technical Meeting**

**Date:** January 14, 2015

**Time:** 8:30 AM – 5:00PM (CT)

**Location:** Baker Lake Community Hall

1. Introduction and Registration
2. Application to the Board, NWB Opening Remarks (15 Minutes)
3. Purpose of the Technical Meeting
4. Technical Review of the Application
  - a. Agnico-Eagle Mines Ltd. (AEM) presentation on the current status of the Project (30min)
  - b. Identification of Interested Parties
  - c. Presentation from Interested parties (20min/party) and formulation of Issues by topics:
    - Water Use and Management
      - Water Management Report and Plan.
    - Waste Disposal and Management including tailings and waste rocks disposal
      - Mine Waste Rock and Tailings Management Plan.
    - Emergency and Spill Contingency Planning
    - Operation and Maintenance Procedures
      - Operational ARD/ML Testing and Sampling Plan,
      - Tailings Storage Facility Operation, Maintenance and Surveillance Manual,
      - Operation and Maintenance Manual,: Sewage Treatment Plant.
    - Monitoring
      - Aquatic Effects Monitoring Program,
      - Core Receiving Environment Monitoring Program,
      - Water Quality and Flow Monitoring Plan



## 2AM-MEA0815 Type “A” – Application for Renewal and Amendment PHC Decision

- Groundwater Monitoring Plan.
- Closure and Reclamation Planning

### d. Recording Commitments of the Parties Resolving Technical Issues

**January 14, 2015, 7:00 - 9:30 PM (CT)**

**Location: Baker Lake Community Hall**

5. Community Session
  - a. Overview of NWB process by NWB (15 minutes)
  - b. Presentation of Application by Applicant (30 minutes)
  - c. Presentation/statements by Intervening Parties (15 minutes/party)
  - d. Questions and comments from community



2AM-MEA0815 Type “A” – Application for Renewal and Amendment  
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**AGENDA (CONT.)**

**TECHNICAL MEETING, COMMUNITY SESSION AND PRE-HEARING  
CONFERENCE  
MEADOWBANK GOLD PROJECT**

**TYPE “A” WATER LICENCE 2AM-MEA0815; RENEWAL APPLICATION**

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**January 15, 2015, 08:30 AM**

**Location: Baker Lake Community Hall**

**Continuation of Technical Meeting discussions if required**

6. Pre-Hearing Conference

- a. Identify issues preventing application from proceeding to a hearing
- b. Discuss form, timing and location for any potential Public Hearing
- c. Establish timetable for the pre-hearing exchange of information, including:
  - i. preparation and service of documents to parties (deadlines, form, public registry); and
  - ii. document translation requirements
  - iii. documentation to be included in the hearing record
- d. Finalize list of issues to be dealt with at the Hearing
- e. Identify interested parties
- f. Identify any changes to Application for the purposes of clarification
- g. Final procedures to be followed at the Hearing, including:
  - i. requested modifications to the applicable *NWB Rules of Practice and Procedure for Public Hearing* (May 2005)
  - ii. language requirements at the Hearing
- h. Consider any other matters that may aid in the simplification and disposition of the Application at the Hearing

7. Other Issues

8. Closing of the Meeting



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NUNAVUT WATER BOARD  
NUNAVUT IMALIRIYIN KATIMAYINGI  
OFFICE DES EAUX DU NUNAVUT

**APPENDIX B: Summary Listings of Attendees at Technical Meeting, Community Session and Pre-Hearing Conference**  
In Person TM, Baker Lake — January 14, 2015  
Registration Form

NO.	First Name	Last Name	Organization/ Representing	Address	Phone	Fax	E-mail
1	Kevin	Buck	AEM	Meadowbank	819-856-1956		<a href="mailto:kevin.buck@agnicoeagle.com">kevin.buck@agnicoeagle.com</a>
2	Stephane	Robert	AEM				<a href="mailto:Stephane.Robert@agnicoeagle.com">Stephane.Robert@agnicoeagle.com</a>
3	Erika	Voyer	AEM	Meadowbank	819-989-4366		<a href="mailto:Erika.voyer@agnicoeagle.com">Erika.voyer@agnicoeagle.com</a>
4	Marie-Pier	Marcil	AEM	Meadowbank	819-759-3700		<a href="mailto:marie-pier.marcil@agnicoeagle.com">marie-pier.marcil@agnicoeagle.com</a>
5	Pierre	McMullen	AEM	Meadowbank	819-759-3700		<a href="mailto:Pierre.mcmullen@agnicoeagle.com">Pierre.mcmullen@agnicoeagle.com</a>
6	Alexander	Alooq		Baker Lake			
7	Dionne	Filiatrault	AEM-Golder				<a href="mailto:Dionne.Filiatrault@golder.com">Dionne.Filiatrault@golder.com</a>
8	Gary	Mann	AEM-Azimuth	Vancouver	604-730-1220		<a href="mailto:gmann@azimuthgroup.ca">gmann@azimuthgroup.ca</a>
9	Luis	Manzo	KIA				
10	Richard	Nesbitt	KIA-HESL	Waterloo	519-500-3055		
11	Ben	Kogvik	NWB				
12	Dave	Hohnstein	NWB				





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NO.	First Name	Last Name	Organization/ Representing	Address	Phone	Fax	E-mail
13	Phyllis	Beaulieu	NWB				
14	Karen	Kharatyan	NWB				
15	Teresa	Meadows	NWB				
16	Ryan	Dempster	PIDO				
17	Anne	Wilson	Env. Canada	Edmonton			<a href="mailto:Anne.wilson@ec.gc.ca">Anne.wilson@ec.gc.ca</a>
18	Tom	Tutauak		Baker Lake	793-1757		
19	David	Abernathy	AANDC	Via-Telecon			
20	Andrea	Morgan	AANDC	Via-Telecon			
21	Amjad	Tariq	AANDC	Via-Telecon			
22	Christine	Wilson	AANDC	Via-Telecon			
23	Justin	Hack	AANDC	Via-Telecon			
24	Jack	Seto	BGC	Via-Telecon			



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In Person Community Session — January 14, 2015 Day 1 Evening Session  
Registration Form

NO.	First Name	Last Name	Organization/ Representing	Address	Phone	Fax	E-mail
1	Stephane	Robert	AEM				Stephane.Robert@agnicoeagle.com
2	Richard	Nesbitt	KIA-HESL	Waterloo	519-502-3055		
3	Dionne	Filiatrault	AEM-Golder				
4	Marie-Pier	Marcil	AEM				
5	Luis	Manzo	KIA				
6	Paul	Mikiyungiak	AEM				
7	John	Tagoona	Baker Lake				
8	Pierre	McMullen	AEM				
9	Erika	Voyer	AEM				
10	Kevin	Buck	AEM				
11	Dave	Hohnstein	NWB				
12	Teresa	Meadows	NWB				
13	Phyllis	Beaulieu	NWB				
14	Ben	Kogvik	NWB				
15	Karen	Kharatyan	NWB				



2AM-MEA0815 Type “A” – Application for Renewal and Amendment  
PHC Decision

NO.	First Name	Last Name	Organization/ Representing	Address	Phone	Fax	E-mail
16	Ryan	Dempster	PIDO				
17	Alexander	Alooq	Baker Lake				
18	Nancy	Qangiyuaq	Baker Lake				
19	Timothy	Evviuk	Baker Lake				
20	James	Kalluk	Baker Lake				
21	Thomas	Kabloona	Self				
22	Barb	Kabloona	Self				
23	Anne	Wilson	EC				
24	David	Assawnee	Baker Lake				
25	Paul	Atutuvaa	Baker Lake				
26	Clara	Noah	Baker Lake				
27	Philippa	Iksiraq	Baker Lake				
28	William	Manernaluk	Baker Lake				
29	Abner	Kaluraq	Baker Lake				
30	Paul	Niego	Baker Lake				
31	David	Abernathy	AANDC	Via-Telecon			
32	Andrea	Morgan	AANDC	Via-Telecon			



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In Person TM/PHC, Bake Lake, NU — January 15, 2015, Day 2 Technical Meeting and Pre-Hearing Conference  
Registration Form

NO.	First Name	Last Name	Organization/ Representing	Address	Phone	Fax	E-mail
1	Anne	Wilson	EC				
2	Richard	Nesbitt	KIA-HESL				
3	Kevin	Buck	AEM				
4	Pierre	McMullen	AEM				
5	Luis	Manzo	KIA				
6	Craig	Beardsell	KIA				
7	Jeff	Hart	KIA				
8	Alexander	Alooz	Baker Lake				
9	Gary	Mann	Azimuth-AEM				
10	Stephane	Robert	AEM				
11	Erika	Voyer	AEM				
12	Marie-Pier	Marcil	AEM				
13	Phyllis	Beaulieu	NWB				
14	Dave	Hohnstein	NWB				
15	Ben	Kogvik	NWB				



2AM-MEA0815 Type “A” – Application for Renewal and Amendment  
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NO.	First Name	Last Name	Organization/ Representing	Address	Phone	Fax	E-mail
16	Karen	Kharatyan	NWB				
17	Ryan	Dempster	PIDO				
18	Teresa	Meadows	NWB				
19	Dionne	Filiatrault	AEM-Golder				
20	David	Abernathy	AANDC	Via Telecon			
21	Andrea	Morgan	AANDC	Via Telecon			
22	Amjad	Tariq	AANDC	Via Telecon			
23	Paul	Atutuvaa	Baker Lake				
24	Basil	Tiktaalaaq	Baker Lake				
25	James	Kalluk	Baker Lake				
26	Thomas	Kabloona	Baker Lake				
27	Ryan	Vanegen	AEM	Via-Telecon			
28	Thomas	Iksiraq	Baker Lake				
29	Phillipa	Iksiraq	Baker Lake				
30	Timothy	Evviuk	Baker Lake				
31	Abner	Kaluraq	Baker Lake				
32	Elizabeth	Evviuk	Baker Lake				



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

## **APPENDIX C: List of Application Submissions**

The following documents were included with the Application:

1. Cover Letter;
2. \$30 application fees;
3. Nunavut Water Board (NWB 2AM-MEA0815) Type A Water Licence Renewal Application – Main Supporting Document including:
  - Executive Summary – English and Inuktitut;
  - Water Licence Compliance Assessment;
  - Appendix A – List of Leases, Permits and Authorizations;
  - Appendix B – Management Plans including:
    - Appendix B1 – Aquatic Effect Management Program (AEMP), Version 2 (Dec. 2012);
    - Appendix B2 – Appendix B2- Core Receiving Environment Monitoring Program (CREMP), Design Document, Version 1 (Dec. 2012);
    - Appendix B3 - Water Quality Monitoring and Management Plan for Dike Construction and Dewatering, Version 4 (April 2010);
    - Appendix B4- Groundwater Monitoring Plan, Version 4 (Jan. 2014);
    - Appendix B5- Quality Assurance/Quality Control (QA/QC) Plan, Version 2 (July 2014);
    - Appendix B6- Water Quality and Flow Monitoring Plan, Version 3 (July 2014);
    - Appendix B7 - Emergency Response Plan, Version 6 (Aug. 2013);
    - Appendix B8 - Hazardous Material Management Plan, Version 3 (Oct. 2013);
    - Appendix B9 - Spill contingency Plan, Version 4 (Nov. 2013);
    - Appendix B10 - Operational ARD/ML Testing and Sampling Plan, Version 2 (Nov. 2013);
    - Appendix B11 - Baker Lake Bulk Fuel Storage Facility: Environmental Performance Monitoring Plan, Version 3 (June 2014);
    - Appendix B12 - Meadowbank Bulk Fuel Storage Facility: Environmental Performance Monitoring Plan, Version 2 (June 2014);
    - Appendix B13 - Incinerator Waste Management Plan, Version 5 (July 2014);
    - Appendix B14 - Interim Closure and Reclamation Plan, Version 2 (Jan. 2014);
    - Appendix B15 - Landfarm Design and Management Plan, Version 3 (Feb. 2013);
    - Appendix B16 - Landfill Design and Management Plan, Version 2 (March. 2013);
    - Appendix B17 - 2013 Water Management Report and Plan, Version 1 (March 2014);
    - Appendix B18 - Ammonia Management Plan, Version 1 (Feb. 2013);
    - Appendix B19 - Dewatering Dike : Operation, Maintenance and Surveillance Manual, Version 3 (Sept. 2013);
    - Appendix B20 - Tailings Storage Facility: Operation, Maintenance and Surveillance Manual, Version 3 (Sept. 2013);
    - Appendix B21 - Mine Waste Rock and Tailings Management Plan, Version 1 (March 2014);



## 2AM-MEA0815 Type “A” – Application for Renewal and Amendment PHC Decision

- Appendix B22 - Operation and Maintenance Manual: Sewage Treatment Plan, Version 4 (Apr. 2013);
- Appendix C – Nunavut Water Board Type A Licence Renewal Application;
- Appendix D – Core receiving Environment Monitoring Program (CREMP) 2013 (Azimuth, 2014); and
- Appendix E – AANDC Inspectors Direction and AEM’s Response.





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

**APPENDIX D: List of Commitments Generated during the Technical Meeting/Pre-Hearing Conference held January 14 and 15, 2015 for Licence 2AM-MEA0815, Renewal/Amendment Application**

	Issue	Party(s) who raised	TM Commitment (Draft)	Party Responsible for Commitment	Timeline for Submission	Additional Comment
1	Inclusion of Effluent Quality Criteria for TDS for sampling location ST-9 should a discharge occur in the future.	AEM	EC will provide a recommendation for Effluent Quality Criteria (EQS) for total dissolved solids, nitrate and sulphate for discussion.	EC	January 31, 2015	
2	Aquatic Effects Management	NWB	EC wording for the requirements Aquatic Effects Monitoring Plan	EC	January 16, 2015	
3	Water User Compensation	NWB	Confirm that there are no outstanding issues in relation to water user compensation under s. 63 of the <i>Nunavut Waters and Nunavut Surface Rights Tribunal Act</i> .	KivIA	To be filed with KivIA Final Written Submissions	



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**APPENDIX E: Listing of Written Submissions Associated with Commitments Made During the Technical Review of Licence 2AM-MEA0815, Renewal/Amendment Application**

Plan	Commitment Made By:	Item #	Name of Submission	Expected Submission Date	Form of Submission
1	AEM	AANDC (B1, B2, BGC 5.1), KIA-15	2014 Annual Report, Annual Reporting	By March 31th, 2015 and following years	Annual Reporting
2	EC	EC-4	Recommendation on additional parameters discharge criteria	By January 31, 2015	Recommendation
3	AEM	EC-4	Aquatic Effects Monitoring Program	Within 60 days of Issuance of Licence	Updated Environmental Management Plan
4	AEM	EC-13, KIA-25	Freshet Action Plan	Within 60 days of Issuance of Licence	Updated Environmental Management Plan
5	AEM	EC-19, NWB	Groundwater Monitoring Plan	Within 60 days of Issuance of Licence	Updated Environmental Management Plan
6	AEM	EC-23, NWB	Water Quality and Flow Monitoring Plan	By January 31th or at least 30 days prior to PH	Updated Environmental Management Plan
7	AEM	EC-24, KIA-5, 9, 12, 14, 15, 16, 18, 21	Core Receiving Environment Monitoring Program (CREMP)	Within 60 days of Issuance of Licence	Updated Environmental Management Plan



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Plan	Commitment Made By:	Item #	Name of Submission	Expected Submission Date	Form of Submission
8	AEM	EC-26, 32	Ammonia Management Plan	Within 60 days of Issuance of Licence	Updated Environmental Management Plan
9	AEM	EC-34	Tailings Storage Facility: Operation, Maintenance and Surveillance Manual	Within 60 days of Issuance of Licence	Updated Environmental Management Plan
10	AEM	EC-36	Operation and Maintenance Manual: Sewage Treatment Plant	Within 60 days of Issuance of Licence	Updated Environmental Management Plan
11	AEM	KIA-20, 22	Spill Contingency Plan	Within 60 days of Issuance of Licence	Updated Environmental Management Plan
12	AEM	AANDC (BGC 5.2), NWB	Thermal Model to be included within Final Closure and Reclamation Plan	At least 12 months prior to end of mining	Technical Memorandum or Recommendations
13	AEM, AANDC KivIA	AANDC (BGC 5.11)	Security Cost Estimate Recommendation	At least 30 days prior to PH	Technical Memorandum



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Plan	Commitment Made By:	Item #	Name of Submission	Expected Date	Submission	Form of Submission
14	AEM	AANDC (A1-A8, C1, C2, E1, BGC 5.2-5.7), EC-25, 31, 33, 35, KIA-23, 24 , NWB	Final Closure and Reclamation Plan	At least 12 months prior to end of mining		Environmental Management Plan
		By March 31th, 2015, and the year following the calendar year being reported.				
		Documents to be submitted prior to the Public Hearing, however no precise deadline was determined during TM/PHC.				