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NUNAVUT WATER BOARD
NUNAVUT IMALIRIYIN KATIMAYINGI
OFFICE DES EAUX DU NUNAVUT

File: 2AM-MEA0815/TR/D11

February 16, 2010

Stéphane Robert
Environment Superintendent
Agnico-Eagle Mines Limited – Meadowbank Division
20, Route 395
Cadillac, Quebec, J0Y 1C0
Email: stephane.robert@agnico-eagle.com

Subject: NWB Approval of Submission under Part D, Item 11: Water Quality Monitoring and Management Plan for Dike Construction and Dewatering (Version 3).

Dear Mr. Robert,

The Nunavut Water Board distributed the above-cited Plan to interested parties for review and comment on December 4, 2009. As of the January 8, 2010 comment deadline, submissions were provided by Indian and Northern Affairs Canada, Environment Canada, Fisheries and Oceans Canada, and the Kivalliq Inuit Association. Based on the number of recommendations made by parties, the NWB provided Agnico-Eagle Mines Ltd (AEM) with an opportunity to respond to the recommendations. On February 1, 2010, the NWB received AEM's response. All comments and AEM's response are available on the NWB's ftp-site using Username: **public**, Password: **registry**, at the following link:

[ftp://nunavutwaterboard.org/1%20PRUC/2%20MINING%20AND%20MILLING/2A/2AM%20-%20Mining/2AM-MEA0815/3%20TECH/5%20CONSTRUCT%20\(D\)/D11%20Water%20Quality%20Monitoring%20Dike/](ftp://nunavutwaterboard.org/1%20PRUC/2%20MINING%20AND%20MILLING/2A/2AM%20-%20Mining/2AM-MEA0815/3%20TECH/5%20CONSTRUCT%20(D)/D11%20Water%20Quality%20Monitoring%20Dike/)

The NWB has reviewed the comments provided by parties and is pleased with the detailed response provided by AEM (see attached), which is accepting of the vast majority of recommendations that were made and provides reasonable justification for those that cannot be met. In consideration of the submissions, the NWB has approved the Water Quality Monitoring and Management Plan for Dike Construction and Dewatering under **Motion No. 2009-21-L03**, dated February 16, 2010. The approval is subject to the following:

1. The responses provided by AEM in its submission of February 1, 2010 become part of the Approved Plan.
2. An update to Version 3 of the Plan, incorporating the comments from parties, responses from AEM and conditions of approval, shall be provided with the 2009 Annual Report, due March 31, 2010. (The revision will not be subject to further review and approval, but will be reviewed internally by the NWB and posted to the ftp site).
3. The Licensee shall provide an executive summary translation in Inuktitut with the requested update.

4. All data supporting the derivation of the turbidity/TSS correlation shall be provided to the NWB with the 2009 Annual Report submission, due March 31, 2010.
5. The Licensee shall submit a Water Quality Monitoring and Management Plan for the Vault dike construction and dewatering, at least six (6) months prior to construction.
6. Concerning the SOP for Open Water Construction of the Bay-Goose Dike (Phase 2) bullet #5 (Pg 14): Rather than using the mean of the moving 24-hour average TSS concentrations of all the routine stations to determine whether the moving 24-hour average exceeds the Short Term Maximum, AEM shall implement the action plan described in bullet #5 if the moving 24-hour average exceeds the Short Term Maximum **at any sampling location**. The alteration from using the mean is required to maintain consistency with the definition of Short Term Maximum provided in the Licence, where each monitoring location represents a point where compliance with TSS Licence limits must be achieved.
7. Concerning the SOP for Open Water Construction of the Bay-Goose Dike (Phase 2) bullet #5 (Pg 14): AEM shall shutdown dike construction activity in the event the 24-hour moving average exceeds the Short Term Maximum, with construction activities resuming only upon AEM demonstrating that TSS levels are within the limit. Exceedances and actions taken shall be reported to the NWB within seven (7) days in accordance with bullet #5(vi).
8. For the action plans generally, with the exception of bullet #4 which outlines the course of action taken when a single sample exceeds the Short Term Maximum, AEM shall shutdown dike construction activities when TSS exceeds licence limits and resume only upon demonstration that TSS levels are within the limit. Exceedances and actions taken shall be reported to the NWB within seven (7) days.

The NWB appreciates the cooperative efforts made by all parties, including AEM, during the development and review of the Plan. If you have any questions, please do not hesitate to contact the undersigned at your convenience.

Yours truly,

Original signed by:

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

DH/tla

c.c. Meadowbank Distribution List

Attachment: AEM letter of February 1, 2010