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NUNAVUT WATER BOARD
NUNAVUT IMALIYIN KATIMAYINGI
OFFICE DES EAUX DU NUNAVUT

NWB File No: 2AM-MEL----

August 27, 2015

Stéphane Robert
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Subject: Application for a Type 'A' Water Licence, File No. 2AM-MEL----, Meliadine Gold Project; Agnico-Eagle Mines Ltd.

Dear Mr. Robert,

Further to the Nunavut Water Board (NWB or Board) correspondence¹ of June 11, 2015 with respect to the determination of completeness of the 2AM-MEL---- water licence application and supporting documentation (Application) submitted by Agnico-Eagle Mines Limited (AEM) for the Meliadine Gold Project, the Board received comments² from various intervening parties including: Aboriginal Affairs and Northern Development Canada (AANDC), Environment Canada (EC) and Kivalliq Inuit Association (KIA). The NWB did not receive any indication that the Application should not proceed through the regulatory process.

On July 24, 2015, the AEM provided responses³ to completeness review related comments made by Interveners. AEM and KivIA informed the Board that they will work together in August on the issues raised by KivIA.

Copies of the comments received from Intervening parties, submissions from the Applicant, and all documents associated with the Application have been placed in the Board's Public Registry and made available through the NWB's FTP site using the following link:

¹ Letter from P. Beaulieu, NWB, to S. Robert, AEM, Re: 2AM-MEL---- Application for a Type "A" Water Licence, Meliadine Gold Project, Agnico-Eagle Mines Ltd., June 11, 2015

² Aboriginal Affairs and Northern Development Canada (AANDC), July 13 and July 21, 2015; Environment Canada (EC), July 10, 2015; and Kivalliq Inuit Association (KIA), July 14 and July 21, 2015.

³ Letter and attachments from S. Robert, AEM, to P. Beaulieu, NWB, Response to Aboriginal Affairs and Northern Development Canada Completeness Review of Agnico Eagle Mines Application for a Type A Water Licence, No. 2AM-MEL; Letter from S. Robert, AEM, to P. Beaulieu, NWB, Response to the Kivalliq Inuit Association Completeness Review of Agnico Eagle Mines Application for a Type A Water Licence, No. 2AM-MEL.

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

Based on the scope and nature of undertaking, the Application has been deemed to be a complete application for a Type “A” Water Licence. As such, it will require a public hearing as required by the Act. All public hearing matters will be carried out in accordance with the Board’s *Rules of Practice and Procedure for Public Hearing* dated May 11, 2005 (NWB Rules).

The NWB has determined through the completeness and preliminary assessment, which took into consideration the Application, Interveners’ submissions, and the Board’s initial review, that the Application submitted by AEM generally constitutes an administratively and materially complete Application in accordance with the Guides⁴. The Board has therefore decided that the application can proceed to the next stage(s) of the licensing process, subject to any outstanding pre-licensing considerations that may be associated with the Application. The NWB retains the rights, however, to request additional information and studies pursuant to s. 48(2) of the Act or to issue guidelines for the provision of information pursuant to s. 48(3) of the Act if it becomes necessary.

In accordance with s.s. 55(1) of the Act, the Board gives notice of the Application and invites interested persons to make representation to the Board by no later than September 28, 2015 (3:00 p.m., MST). A Notice of the Application will also be forwarded to the council of each municipality in the area(s) most affected by the Application and shall be published in a newspaper of general circulation in the area(s) affected or, if there is no such newspaper, in such other manner as the Board considers appropriate. Parties are advised that the consequences of failure to respond are outlined in s. 59 and s.s. 60(2) of the Act⁵. **All submissions pertaining to this file should be provided to the NWB’s Manager of Licensing by email to licensing@nwb-oen.ca by September 28, 2015 (3:00 p.m., MST).**

By copy of this letter to the distribution list, all interested parties or persons are requested to complete a thorough technical assessment of the Application for the renewal of Type “A” Water License 2AM-MEL---- available from the NWB Public Registry or by directly contacting Stéphane Robert, AEM at stephane.robert@agnico-eagle.com.

Throughout the technical review phase, interested parties are encouraged to work cooperatively with AEM to discuss issues in advance of the proposed Technical Meeting / Pre-hearing Conference. The NWB, however, requests to be kept informed of any issues and any agreement reached between the parties on specific issues related to the Application. The Board also asks that all technical review comments, particularly for matters such as air quality, noise, and wildlife, be provided within the limits of the NWB’s jurisdiction over the use of waters and the

⁴ The minimum information requirements set out in the NWB Guidance Document- Guide 7 – Licensee Requirements Following the Issuance of a Water Licence, April 2010, see Table 3.

⁵ Section 59: In the circumstances described in paragraph 58(b), an applicant need not compensate the person under section 58 if the person fails to respond to the notice of application given under subsection 55(1) within the time period specified in the notice for making representations to the Board. Section 60(2) Subsection (1) does not apply in respect of a person referred to in that subsection who fails to respond to the notice of application given under subsection 55(1) within the time period specified in that notice for making representations to the Board.

deposit of waste in waters or that may enter waters. As stated above, all comments shall be filed in writing to the NWB's Manager of Licensing.

Following the receipt of technical review comments, the following general steps will be carried out for the Application:

1. Technical Meeting-Pre-Hearing Conference (TM-PHC)

Rule 14 of the NWB Rules permits the Board, through its staff or in conjunction with staff, to hold a Technical Meeting (TM) and Pre-hearing Conference (PHC) with interested parties, either in writing, by teleconference, or in person.

The Board has directed the staff of the NWB, in accordance with NWB Rules, to hold the TM-PHC for the Application, in person, tentatively set during the week of **October 12, 2015 in the Community of Rankin Inlet**. Interested persons should note that in advance of the date on which the TM-PHC will be held, the NWB will issue correspondence confirming the meeting dates and relevant details.

2. Pre-Hearing Conference (PHC) Decision

Following the TM-PHC, the NWB will issue a PHC decision and may outline the technical commitments of the Applicant and the administrative and procedural requirements for a Public Hearing.

Public Hearing (PH) Notice

Sub-section 55(2) of the Act requires that a minimum notice period of sixty (60) days be provided for a Public Hearing (PH). As with the Technical Meeting / Pre-hearing Conference, the Board has the ability to conduct its Public Hearing in writing, by teleconference, or in person. Once the Board has received all information requested through this process and is satisfied that the Public Hearing should proceed, the type or place, date, and time of the hearing will be determined, and a notice will be published by the Board in advance of the Public Hearing and in a manner that promotes public awareness and participation in the hearing.

3. Public Hearing Decision

Following the Public Hearing, the Board will issue a final written decision with reasons (final decision). The final decision will be provided to the Minister of Aboriginal Affairs and Northern Development Canada (AANDC) for the Minister's decision. Interested and intervening parties will also be provided with a copy of the Board's final decision as well as the Minister's decision.

If you have any questions regarding procedural matters related to the file, please contact Phyllis Beaulieu, Manager of Licensing, by phone at (867) 360-6338 or by e-mail to licensing@nwb-oen.ca. For inquiries related to technical matters, please contact Karén Kharatyan, Technical

Advisor, by email to karen.kharatyan@nwb-oen.ca, or David Hohnstein, Director of Technical Services, by e-mail to david.hohnstein@nwb-oen.ca.

Sincerely,



Stephanie Autut
Executive Director

SA/kk/ri

Cc: Meliadine Distribution