

December 16, 2020

Karén Kharatyan, Director of Technical Services
Sergey Kuflevskiy, Technical Advisor
Richard Dwyer, Manager of Licensing

Nunavut Water Board
P.O. Box 119
Iqaluit, NU X0B 1J0

Re: **Response to NWB Guidance of December 10, 2020 re Community Session and Pre-Hearing Conference Tentatively Scheduled for January 19, 2021**

Request that Nunavut Water Board Issue Notice of Public Hearing on Amendment Application before December 31, 2020

Dear Mr. Kharatyan, Mr. Kuflevskiy, and Mr. Dwyer:

Thank you for your letter of December 10, 2020, following the successful completion of the Technical Meeting, that provides guidance and next steps in relation to Agnico Eagle Mines Limited (**Agnico Eagle**)'s application to amend Type A Water Licence 2AM-MEL1631 that was submitted on August 27, 2020..

We are pleased to provide the enclosed confirmations and request for the NWB to consider issuing a Notice of Public Hearing on this Amendment Application prior to December 31, 2020, for the reasons set out in this letter.

1. Confirmation of Availability for Community Session and Pre-Hearing Conference (Jan. 19, 2021)

Agnico Eagle confirms that it will be available to participate in the rescheduled Community Session and Pre-hearing Conference occurring during the week of January 18-22 and specifically will be available to participate in the teleconference tentatively scheduled for January 19, 2021.

The names of the individuals who will be participating in the Community Sessions and Prehearing Conference on January 19, 2021 on behalf of Agnico Eagle are:

Jamie Quesnel, Agnico Eagle	Michel Groleau, Agnico Eagle
Colleen Prather, Agnico Eagle	Anh-Long Nguyen, SNC Lavelin
John Faithful, Golder Associates	Gary Laurence, Golder Associates
Jenyfer Mosquera, Agnico Eagle	Aurelien Hospital, Tetra Tech
Ryan Vanengen, Agnico Eagle	Suzanne Leclair, Agnico Eagle
Melissa Bradley, Agnico Eagle	Gabriel-Antoine Cote, Agnico Eagle
Christine Kowbel, External Legal Counsel	Chris Chok – Kirk & Company

Agnico Eagle confirms it will provide any presentation materials to the NWB by 3:00 pm on January 8, 2021 as requested.

2. Update to Reflect Resolution of Technical Comments, Follow Up with Respect to Commitments

Agnico Eagle is not aware of any unresolved Information Requests or Technical Comments in relation to the Amendment Application and is pleased to note the high degree of resolution achieved. All IRs and TCs were confirmed resolved at the Technical Meeting or were resolved through commitments made as reflected in the Commitment List.

There are now minimal outstanding issues on the Amendment Application for consideration during the Public Hearing. On any items of disagreement, Agnico Eagle intends to work with those parties to determine if a bilateral resolution is possible. Agnico Eagle appreciates the efforts of all parties involved in the process to work towards consensus despite the challenging circumstances we all find ourselves working in.

3. Request that the NWB Issue 60 Day Notice of Public Hearing in Advance of Community Session and Prehearing Conference so that Public Hearing on this File Could Proceed the Week of February 22, 2021 or Alternatively the Week of March 1, 2021

As acknowledged in the NWB's letter of December 10, 2020, the NWB's processing of the Amendment Application has been delayed as a result of the COVID-19 pandemic.

Even a short delay has potentially serious consequences for the Amendment Application. Agnico Eagle has been consistent since filing the Amendment Application in August 2020 that it is important that the amended Type A Water Licence be issued by May 2021 so that it is in place by freshet and to avoid the potential need for future emergency amendment applications and to appropriately manage waters on site. Agnico Eagle is aware of the feedback from community members and Kivalliq Inuit Association (KIA) that such applications should be avoided wherever possible.

In order for the amended Type A Water Licence to be in place by May 2021, Agnico Eagle has identified that the public hearing on this Amendment Application should be scheduled for the last week of February 2021, and should be completed by March 5, 2021 at latest.

Agnico Eagle is aware that section 55 of the the *Nunavut Waters and Nunavut Surface Rights Tribunal Act (NWNSRTA)* requires 60 days notice of any public hearing for a Type A Water Licence. Agnico Eagle is concerned about the consequences of a delay in scheduling the public hearing if public notice is not issued by the NWB until after the Prehearing Conference tentatively scheduled for January 19, 2020.

Agnico Eagle is also mindful of the busy Q1 schedule for both NWB and the Nunavut Impact Review Board (NIRB) as a result of delays in other regulatory applications resulting from the pandemic.

Accordingly, given the unusual circumstances of the global pandemic, the potential for negative consequences from further delays in the processing of the Amendment Application, and the high degree of consensus on this file that has been achieved to date, **Agnico Eagle requests that the NWB give consideration to issuing a Notice of Public Hearing on this file before the end of December 2020, giving notice of Public Hearings scheduled to occur during the week of February 22 or March 1, 2021.**

Agnico Eagle acknowledges and respects that if a Notice of Public Hearing is issued before December 31, 2020, the dates announced could be subject to change depending on the outcome of the January 19, 2021 Prehearing Conference.

If you have any questions regarding this letter or Agnico Eagle's request, please contact me directly.

Regards,



Jamie Quesnel
Jamie.Quesnel@agnicoeagle.com
Director - Permitting & Regulatory Affairs