



To: Whale Tail Pit Distribution (same as Meadowbank) List

Re: **File No. 2AM-WTP---- ; Invitation for Additional Submissions to Supplement Public Hearing Record in Respect of an application for a new Type “A” Water Licence for 2AM-WTP---- and an amendment application for Licence No. 2AM-MEA1525, by Agnico Eagle Mines Limited for the Whale Tail Pit Gold Mine Project**

Further to the Nunavut Water Board’s (NWB or Board) correspondence of October 10, 2017, and as discussed during the in person portion of the Public Hearing held on September 26 and 27, 2017 in Baker Lake by the Board to consider the Applications of Agnico Eagle Mines Limited (Agnico Eagle or the Applicant) for a new Type “A” Water Licence, file No. 2AM-WTP---- and for consequential amendments to the existing Type “A” Water Licence No. 2AM-MEA1525 associated with the Whale Tail Pit Gold Mine Project (the Applications), the NWB’s Public Hearing Record has remained open pending the receipt of a decision by the Minister of Crown-Indigenous Relations and Northern Affairs (the Minister). Since the adjournment of the in person portion of the NWB’s Public Hearing, the NWB has received additional submissions supplementing the Public Hearing Record from the Applicant, and Interveners, Kivalliq Inuit Association (KIA) Indigenous and Northern Affairs Canada (INAC), Environment and Climate Change Canada (ECCC) and Fisheries and Oceans Canada (DFO).

On February 15, 2018 the Nunavut Impact Review Board (NIRB) received notification from the Minister that the NIRB’s Final Hearing Report for the Review of Agnico Eagle Mines Limited Whale Tail Pit Project Proposal (NIRB File No. 16MN056) had been accepted pursuant to s. 105(a)(i) of the *Nunavut Planning and Project Assessment Act*, S.C. 2013, c. 14, s. 2 (*NuPPAA*).

The Board has placed this information on its public registry and these materials are now included as an addition to the Public Hearing Record for the NWB’s file in respect of File No. 2AM-WTP----. Access to this information is made available through the NWB’s ftp site using the following link:

<ftp://ftp.nwb-oen.ca/registry/2%20MINING%20MILLING/2A/2AM%20-%20Mining/2AM-WTP----%20Agnico/2%20ADMIN/>

On this basis, the NWB would now like to invite the parties to provide any final additional comment submissions to supplement the current Public Hearing Record. In particular, the NWB notes that in the Minister’s letter, she expressly highlighted the following issues within the NWB’s jurisdiction:

I would like to acknowledge the commitment made by Agnico Eagle Mines Limited to conduct additional hydrodynamic modelling of the Waste Rock Storage Facility seepage water and additional modelling and characterization studies related to water quality in the pit lake. This information will help to reduce uncertainty about water quality and help ensure that our common goal of responsible resource development is achieved.

The outstanding water-quality concern is squarely within the mandate and expertise of the Nunavut Water Board. The other responsible ministers and I are confident that the remaining uncertainty related to these arsenic-related water-quality issues will be addressed by the Nunavut Water Board in such a way that the required information is available, the potential for water-quality problems is understood and addressed prior to requiring long-term care and maintenance is minimized or eliminated.

By way of this correspondence, all parties are invited to provide any additional information that they want the Board to consider in respect of the Applications. Recognizing the Minister's direction in her correspondence, the NWB requests that parties include additional comments specifically addressing the need for, timing of and submission of the additional hydrodynamic modelling and studies referenced by the Minister in the excerpt set out above.

The NWB requests that this information to supplement the Board's Public Hearing Record be provided to the Board by all interveners and interested members of the public **on or before March 16, 2018**. Agnico Eagle will then have a final opportunity to reply to the additional information received, on or before **March 26, 2018**.

Upon the receipt of the additional information the NWB will review and provide further direction regarding the closure of the Board's Public Hearing Record. Once the NWB's Public Hearing Record has closed, no additional evidence in respect of the Applications can be filed with the Board and the Hearing Record will consist of the documentation filed with the NWB in respect of the Application in advance of the Public Hearing, the oral evidence and Exhibits filed during the NWB's Public Hearing and the further comments filed with the Board by March 26, 2018. The Applications will then be remitted to the NWB's Whale Tail Pit Panel, who conducted the Public Hearing, and who will, in due course (typically within thirty (30) to forty-five (45) days from the date the Public Hearing Record has closed), issue their Record of Proceedings and Decision, and if applicable, a draft Water Licence and amended Water Licence, for consideration of the Minister.

Sincerely,

Lootie Toomasie
Chairperson, Nunavut Water Board