



Affaires autochtones et
Développement du Nord Canada

Aboriginal Affairs and
Northern Development Canada

Sous-ministre adjoint

Assistant Deputy Minister

Ottawa, Canada
K1A 0H4

01 SEP 2016

Ms. Elizabeth Copland
Chairperson
Nunavut Impact Review Board
PO Box 1360
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Via e-mail: ecoplant@nirb.ca; info@nirb.ca; rbarry@nirb.ca

Dear Elizabeth:

Thank you for your Screening Decision Report (Report) of August 18, 2016, addressed to the Honourable Carolyn Bennett, regarding Agnico Eagle Mines Ltd.'s "Whale Tail Pit" project proposal (proposal). The Report indicates that the Nunavut Impact Review Board (Board) has determined that the proposal may have significant adverse ecosystemic or socio-economic impacts; may have significant adverse impacts on wildlife habitat or Inuit harvest activities; will cause significant public concern; and involves technological innovations, the effects of which are unknown. Accordingly, the Board has determined pursuant to section 92(1)(b) of the *Nunavut Planning and Project Assessment Act* (Act) that a review of the proposal is required.

I, on behalf of the Minister of Indigenous and Northern Affairs, and along with the federal departments of Fisheries and Oceans, Natural Resources, and Transport (responsible Ministers) have jurisdictional responsibility to determine whether the proposal is to proceed to a review by either agreeing with or rejecting the Board's Report pursuant to section 94(1) of the Act. After having reviewed the Board's Report, the responsible Ministers concur to send the proposal to the Board for a review pursuant to section 94(1)(a)(iv) of the Act.

As the Board notes in its Report, you have identified three issues including, cumulative effects; process coordination; and participant funding relating to the proposal that require further consideration.

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Pursuant to section 96(1) of the Act, the responsible Ministers would like to address these below and identify some matters for the Board to consider in the course of its review.

Given the current and increasing levels of mineral development in the Kivalliq Region, the Whale Tail Pit project proposal has the potential for cumulative ecosystemic and socio-economic impacts which warrant special consideration. As noted by the Board in the Report, a thorough cumulative impacts assessment will be very important for the review. However, when assessing these impacts, I urge the Board to focus its cumulative effects assessment on impacts from reasonably foreseeable mine and transportation infrastructure developments.

With respect to the request for a coordinated Nunavut Impact Review Board and Nunavut Water Board regulatory process, I agree with this suggested approach which was also effective for past reviews. Given that Agnico Eagle is seeking an amendment to its Meadowbank Mine Type A Water Licence from the Nunavut Water Board to include mining of Whale Tail Pit and construction and operation of associated infrastructure, a coordinated regulatory process would ensure harmonized timelines, and minimize delays in the review process while providing for a fulsome assessment.

In regards to the availability of participant funding, the Board indicated in its Report that participant funding would assist in promoting effective participation by potentially affected groups in the review of the proposal. While funding has been provided for a limited number of complex projects in Nunavut on a case-by-case basis for previous reviews, Indigenous and Northern Affairs does not have an established participant funding program. For this proposal, I am confident that the Board's review process will provide sufficient and meaningful opportunities for potentially affected groups to effectively participate in the review.

The responsible Ministers would also like to encourage the Board to make use of existing documentation from past assessments as much as possible during the review process. I propose that the Board structure the review in a manner that will facilitate a thorough, yet expeditious review of the project proposal in close collaboration with the Nunavut Water Board.

I appreciate the work that the Board has done in screening the project proposal. The responsible Ministers look forward to receiving the Board's Final Hearing Report upon completion of the review.

Respectfully,

For 

Stephen M. Van Dine
Assistant Deputy Minister, Northern Affairs

c.c.: Ms. Photinie Koutsavlis
Mr. Nicholas Winfield
Mr. Matt Klaverkamp
Mr. Thomas Kabloona
Mr. David Ningeongan