



NIRB File No.: 16MN056

October 18, 2019

The Honourable Carolyn Bennett
Minister of Crown-Indigenous Relations and Northern Affairs
Government of Canada
House of Commons
Ottawa, ON K1A 0A6

Sent via email and courier: carolyn.bennett@canada.ca and carolyn.bennett@parl.gc.ca

Re: Reconsideration Report and Recommendations of the Nunavut Impact Review Board Regarding a Significant Modification to the Whale Tail Pit Project as Proposed by Agnico Eagle Mines Limited under the Whale Tail Pit Expansion Project Proposal

Dear Honourable Carolyn Bennett:

As set out in the Nunavut Impact Review Board's (NIRB or Board) Notice of Reconsideration sent to the relevant Minister on November 16, 2018, the NIRB has undertaken an assessment of the "Whale Tail Pit Expansion Project" Proposal, a proposed modification by Agnico Eagle Mines Limited to the existing Whale Tail Pit Project. The Board initiated a reconsideration of the Terms and Conditions of existing Project Certificate No. 008 under Article 12, Section 12.8.2 of the *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada (Nunavut Agreement)* and s. 112 *Nunavut Planning and Project Assessment Act*, S.C. 2013, c. 14, s. 2 (*NuPPAA*). As required by Article 12, Section 12.8.3 of the *Nunavut Agreement* and s. 112(5) of *NuPPAA*, the NIRB is providing this Reconsideration Report and Recommendations to the Minister for your consideration.

The enclosed Reconsideration Report and Recommendations summarizes the NIRB's assessment of the potential ecosystemic and socio-economic effects of the "Whale Tail Pit Expansion Project" Proposal (Expansion Proposal) and concludes that it should be allowed to proceed. The Board has concluded that the Expansion Proposal should be allowed to proceed, subject to the recommended amendments and additions to the Terms and Conditions of existing Project Certificate No. 008 and consequential revisions to the Monitoring Program for Project Certificate No. 008, as described in

detail in the attached Report, and is consistent with the objectives set out in Article 12, Section 12.2.5 of the *Nunavut Agreement* and s. 23 of *NuPPAA*.

Translated versions of the Reconsideration Report and Recommendations are being prepared in Inuktitut and French and will be made available as soon as possible.

Should you have questions or require clarification regarding this matter, please contact the NIRB's Executive Director, Ryan Barry at (867) 983-4608 or rbarry@nirb.ca.

Sincerely,

A handwritten signature in blue ink, appearing to read "M. Kaviq Kaluraq". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Kaviq Kaluraq
Acting Chairperson
Nunavut Impact Review Board

cc: The Honourable Jonathan Wilkinson, P.C. Minister of Fisheries and Oceans and the Canadian Coast Guard
The Honourable Catherine McKenna, P.C., Minister of Environment and Climate Change
The Honourable Hunter Tootoo, MP for Nunavut
The Honourable Joe Savikataaq, Premier of Nunavut
Aluki Kotierk, President, Nunavut Tunngavik Incorporated
David Ningeongan, President, Kivalliq Inuit Association
Lootie Toomasie, Chairperson, Nunavut Water Board
Jamie Quesnel, Agnico Eagle Mines Limited
Philippe Lapointe, Agnico Eagle Mines Limited
Whale Tail Pit Distribution List