



<sup>1</sup> Kivalliq Inuit Association, dated February 5, 2021; Environment and Climate Change Canada (ECCC), February 5, 2021; Crown-Indigenous Relations and Northern Affairs (CIRNA), dated February 5, 2021.

- Define operating water levels for both the summer and fall/winter and clarify how it is proposed to manage freshet meltwater if the pond is at maximum operating level over winter.

On February 9, 2021, the Licensee submitted its response to the inquiries:

- The Licensee acknowledged an error in the Whale Tail Project Water Management Plan and clarified that the maximum capacity of the pond is 534,819 m<sup>3</sup> at the level of 163.9 m. The maximum operating capacity is to be 410,899 m<sup>3</sup> at the level of 163.17 m. Agnico Eagle committed to addressing the error in the next revision of the Whale Tail Project Water Management Plan and
- “The maximum operating level for normal conditions is set at El. 163.2 at all time. The normal operating level will be set at a lower elevation based on operational strategy. Details on the operating level will be included in the next update of the Water Management Plan.”

While, on February 12, 2021, CIRNA expressed its satisfaction with the commitment to address the error in capacities, it also noted in regards to the issue of operating levels the Licensee should “provide the requested information in a plan addendum or commit to updating the plan prior to the pond coming into service.”

The Board acknowledges that the Report addresses the requirements of Part D, Items 1 and 3 of Licence No: 2AM-WTP1830 and has accepted the “Design Report for IVR Attenuation Pond D-1 Dike” as required by Part D, Item 1 of Licence.

The Board directs the Licensee to submit an update to the Water Management Plan addressing the error in pond capacity values and CIRNA’s recommendation for more information on operating levels **by March 31, 2021 or thirty (30) days prior to commissioning the pond, whichever comes first.**

The Licensee is advised that the Board's review of the Report is a verification that the proposed activity is consistent with the existing terms and conditions of the Licence and more specifically with Part D, Item 1 and may proceed in accordance with the Report provided. It should be noted that the Board's acceptance is NOT intended or offered as any representation regarding the suitability of the plans nor third-party verification of the design, construction, planning or engineering discussed in the document.

Should you have any questions, please feel free to contact the undersigned at (867) 360-6338 or [assol.kubeisinova@nwb-oen.ca](mailto:assol.kubeisinova@nwb-oen.ca) at your earliest convenience.

Regards,

Assol Kubeisinova  
Technical Advisor

Water Licence No: 2AM-WTP1830 Design Report for IVR Attenuation Pond D-1 Dike

cc: Distribution List - Meadowbank