

June 11, 2021

NWB File No. 2AM-WTP1830

NPC File No. 149515

NIRB File No.: 16MN056

Stephanie Autut
Executive Director
Nunavut Water Board
PO Box 119
Gjoa Haven, NU X0B 1J0

Re: Type A Water Licence 2AM-WTP1830 Modification – IVR and Whale Tail Pushbacks

Dear Stephanie Autut,

Agnico Eagle Mines Limited (Agnico Eagle) is writing to the Nunavut Water Board (NWB) to provide sixty (60) days' notice of a proposed Modification to the Whale Tail Project under Part G of Type A Water Licence (2AM-WTP1830); specifically, the IVR Pushback and Whale Tail Pushback.

1. Background

On March 30, 2021 Agnico Eagle submitted an application to the Nunavut Planning Commission (NPC) to complete a screening of the proposed project changes, whereby Agnico Eagle has advanced engineering and design to include the IVR and Whale Tail Pushbacks. The NPC concluded on April 20, 2021 that the proposed changes were exempt from screening by the Nunavut Impact Review Board (NIRB) as the IVR and Whale Tail Pushbacks do not change the general scope of the original or previously amended activities (Attachment A).

Subsequently, Agnico Eagle is submitting this notification of Modification per Type A Water Licence 2AM-WTP1830, Part G, Item 3a-g for the NWB review and approval, as described in the sections below.

The NPC also noted Agnico Eagle should inform the NIRB on potential implications to monitoring programs. Agnico Eagle submitted a notice to the NIRB on May 18, 2021 to address this request. The NIRB acknowledged this communication on May 19, 2021 indicating Management Plan changes should also be sent to the NIRB (Attachment B).

2. Conditions Applying to Modifications

Part G, Item 3a: Description of Facilities and/or Works to be Constructed

As noted above, the Modification includes the:

- IVR Pushback located in the southwest portion of the IVR Pit and under the east portion of the Whale Tail Waste Rock Storage Facility (WRSF)
- Whale Tail Pushback located in the northeast portion of the Whale Tail Pit

Activities associated with the IVR and Whale Tail Pushbacks (i.e., waste material and water management) will fit into the approved and permitted Whale Tail Project. The global change to ore and waste is approximately 4% and not a major change.

The IVR and Whale Tail Pushbacks will generate approximately 7.9 MT of mine waste material (i.e., waste rock and overburden). From those 7.9 MT, 1.9 MT will be used for backfill material of the IVR Pushback, and 6.0 MT will be stored in the approved WRSF.

Waste rock generated from the Whale Tail Pushback will be disposed of in the approved Whale Tail and IVR WRSFs. The Whale Tail and IVR WRSFs were designed to accommodate waste rock and overburden generated from the Whale Tail and IVR Pits; per the Whale Tail WRSF Expansion and IVR WRSF Design Report and Drawings (Agnico Eagle 2019). The incremental tonnage would only result in an increase of the elevation of the WRSF and no incremental footprint will be required. The monitoring system developed as per the design of the Whale Tail and IVR WRSF would not require an adjustment.

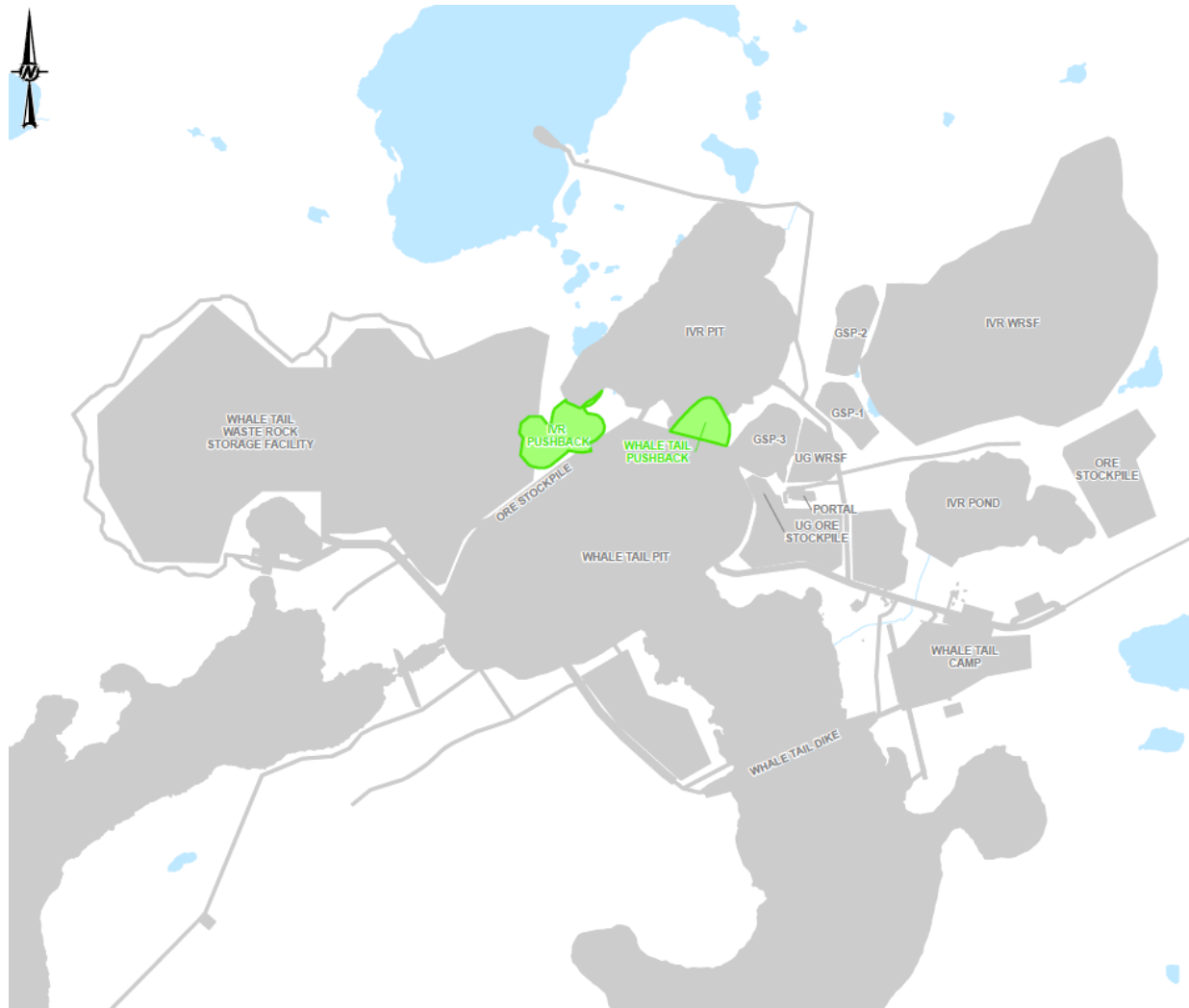
Consistent with Whale Tail Pit operations and the approved Operational ARD-ML Sampling and Testing Plan for the Whale Tail Project, a classification system will be used to identify and safely store PAG and ML rock. PAG mine rock will be stored in the designated storage areas designed for long-term stability. NPAG and NML rock will be either stockpiled or used in construction, including for WRSF cover material. Run-off will be appropriately handled.

As with IVR Pushback, there is no dewatering or additional pump outs required for the Whale Tail Pushback; therefore, all existing water management infrastructure will be able to manage the pushback activities and no new water management infrastructure is anticipated.

Part G, Item 3b: Proposed Location of Structure(s)

The IVR and Whale Tail Pushbacks are located within the approved Project footprint (Project Certificate No. 008, Amendment 001), as presented in Figure 1.

Figure 1: IVR Pushback and Whale Tail Pushback



Part G, Item 3c: Potential Impacts to the Receiving Environment

Agnico Eagle completed an update to the water balance and site and downstream water quality model to account for the IVR and Whale Tail Pushbacks.

The updated water quantity and quality predictions for the IVR and Whale Tail Pushbacks suggest that no changes to the current water management systems will be required. The updated results of the water quality predictions associated with the IVR and Whale Tail Pushbacks are provided in Appendix C of the Water Management Plan (Attachment C).

Part G, Item 3d: Monitoring Required

Agnico Eagle does not anticipate any additional monitoring from that already included within the Type A Water Licence 2AM-WTP1830, particularly as there are no new structures associated with the Modification. Agnico Eagle will adhere to the sampling locations, parameters measured, and frequencies of sampling as outlined in Schedule D, Table 2 – Monitoring Program of the Water Licence, as well as the Whale Tail Project Water Quality and Flow Monitoring Plan.

In addition, the Whale Tail Project Water Management Plan and Whale Tail Project Waste Rock Management Plan have been updated to account for the Modification and are provided in Attachment C and Attachment D, respectively.

Part G, Item 3e: Schedule for Construction

The IVR and Whale Tail Pushbacks schedule are linked to the Mine Plan as outlined in Section 3 the Whale Tail Project Waste Rock Management Plan (Attachment D). Following required approvals, the IVR and Whale Tail Pushbacks would initiate in Q4 of 2021.

There are no changes to the overall operations phase as currently authorized under the Type A Water Licence 2AM-WTP1830.

Part G, Item 3f: Drawings of Engineering Structures

Per the description of Modification in Item 3a, there are no new structures associated with the IVR and Whale Tail Pushbacks; therefore, no drawings of engineered structures stamped by an Engineer are required.

There are no changes to the approved Whale Tail WRSF or the IVR WRSF. The *Whale Tail WRSF Expansion and IVR WRSF Design Report and Drawings* were submitted in December 2019 (Agnico Eagle 2019) and were accepted by the NWB, per Part D, Item 4 of Type A Water Licence 2AM-WTP1830.

Part G, Item 3g: Sediment and Erosion Control Measures

No new sediment or erosion control measures are required. The measures outlined in Section 3.1.4.5 of the Whale Tail Project Water Management Plan (Attachment C), are sufficient for the Modification associated with the IVR and Whale Tail Pushbacks.

3. Closure

Agnico Eagle thanks the NWB for their review and consideration of the proposed Modification of the IVR and Whale Tail Pushbacks under Type A Water Licence 2AM-WTP1830. Agnico Eagle is committed to responsibly manage waste and water resources to minimize or eliminate potential effects to the environment in accordance with the Type A Water Licence 2AM-WTP1830, the Project Certificate No. 008-Amendment 001, and objectives as outlined in Management Plans for the Project.

Should you have any questions, please do not hesitate to contact me directly.

Sincerely,



Jamie Quesnel
Director, Permitting & Regulatory Affairs
Agnico Eagle Mines Limited

cc:

Nunavut Impact Review Board

Attachments:

- Attachment A NPC Letter - Exempt from Screening
- Attachment B NIRB Letter - Acknowledgement of Modification
- Attachment C Water Management Plan
- Attachment D Waste Rock Management Plan

References:

- Agnico Eagle (Agnico Eagle Mines Limited). 2019. Whale Tail WRSF Expansion and IVR WRSF Design Report and Drawings. 60-Day Notice to Nunavut Water Board In Accordance with Water License 2AM-WTP-1826. December 2019.

Attachment A NPC Letter - Exempt from Screening



ᓄᓇᓂᓂᓂᓂᓂᓂ
Nunavut Planning Commission
Commission d'Aménagement du Nunavut

April 20, 2021
NPC FILE No. 149515

Richard Dwyer
Manager of Licensing
Nunavut Water Board (NWB)
P.O. Box 119, Gjoa Haven, NU X0B 1J0
By email: richard.dwyer@nwb-oen.ca
licensing@nwb-oen.ca

Luis Manzo
Director of Lands
Kivalliq Inuit Association (KivIA)
P.O. Box 340, Rankin Inlet, NU, X0C 0G0
By email: dirlands@kivalliqinuit.ca ;
bosmond@kivalliqinuit.ca ;
aburton@kivalliqinuit.ca

Veronique D'Amours-Gauthier
Senior Fisheries Protection Biologist
Fisheries and Oceans Canada (DFO)
5204 50th Ave, Yellowknife, NT X1A 1E2
By email: veronique.damours-gauthier@dfo-mpo.gc.ca ;
fisheriesprotection@dfo-mpo.gc.ca

Amy Robinson
A/ Manager, Land Use Planning;
Department of Environment (GN-DOE)
P.O. Box 1000, Iqaluit, NU X0A 0H0
By email: arobinson@gov.nu.ca ;
cspencer@gov.nu.ca ; JNeely@GOV.NU.CA
dgissing@gov.nu.ca ;
wildlife_research@gov.nu.ca

Tracey McCaie
Manager Land Administration
Indigenous and Northern Affairs Canada (INAC)
P.O. Box 100, Iqaluit, NU X0A 0H0
By email: tracey.mccaie@canada.ca ;
aadnc.landsmining.aandc@canada.ca ;
isa.qamaniq-mason@canada.ca

Carson Gillis
Director, Lands and Resources
Nunavut Tunngavik Inc. (NTI)
P.O. Box 1269,
Cambridge Bay, NU X0B 0C0
By email: cgillis@tunngavik.com

Talia Maksagak
Manager, Technical Administration
Nunavut Impact Review Board (NIRB)
P.O. Box 1360, Cambridge Bay, NU X0B 0C0
By email: tmaksagak@nirb.ca, info@nirb.ca

Manon Turmel
Agnico Eagle Mines Ltd.
10600 Rue Louis-Bisson
Mirabel Quebec J7C0T6 Canada
By email: manon.turmel@agnicoeagle.com ;
nunavut.environment.permitting@agnicoeagle.com

Dear Mr. Dwyer, Mr. Manzo, Ms. D'Amours-Gauthier, Ms. Robinson, Ms. McCaie, Mr. Gillis, Maksagak, and Ms. Turmel:

RE: **NPC File No. 149515 [IVR and Whale Tail Pushbacks]**

- Related NPC FILE No. 148297, and 148953
- Related NIRB FILE No. 03MN107, 11EN010, 16MN056, Related NWB FILE No.: 2AM-WTP1830.
- Location: Kivalliq Region; [approximately 150 km north of the Hamlet Baker Lake, near Amaruq]

ttcsyfz 2101
wcl4jgtx6, kNK5 X0B 0C0
scjltz 867-983-4625
h4vj4f5 867-983-4626

P.O. Box 2101
Cambridge Bay, NU X0B 0C0
1 867-983-4625
867-983-4626

P.O. Box 2101
Ikaluktutiak, NU X0B 0C0
1 867-983-4625
867-983-4626

The following works and activities have been proposed in the above-noted project proposal:

1. Mineral Exploration : A change to the Whale Tail Pit mine site development and intensification of mining activities including IVR Pushback in the southwest portion of the IVR Pit and under the east portion of the Whale Tail WRSF, and Whale Tail Pushback in the northeast portion of the Whale Tail Pit.

A complete description of the project proposal reviewed by the NPC can be accessed online using the link below.

The Nunavut Planning Commission (NPC) has completed its review of the above noted project proposal. The NPC previously reviewed works and activities associated with the current proposal on July 12, 2002, July 21, 2003, March 10, 2011, October 15, 2015, July 16, 2015, and October 16, 2018, which still apply. In addition, associated activities were previously reviewed by the Nunavut Impact Review Board, including the development of an open pit mine (Whale Tail and IVR) and a haul road establishment (NIRB FILE NO.: 16MN056, Project Certificate No. 008). It conforms to the Keewatin Regional Land Use Plan (KRLUP). The proponent has undertaken to comply with the applicable conformity requirements of Appendix C, G, and H of the KRLUP.

The above-noted project proposal is exempt from screening by the NIRB because the NPC is of the understanding that the proposed IVR and Whale Tail Pushbacks do not change the general scope of the original or previously amended project activities, and the exceptions noted in Section 12.4.3 (a) and (b) of the Nunavut Agreement do not apply. *However, the proponent is encouraged to discuss potential implications for the project's monitoring program with the NIRB.*

By way of this letter, the NPC is forwarding the project proposal to the regulatory authorities identified by the proponent. Project materials, including the applicable conformity requirements, are available at the following address:

<https://lupit.nunavut.ca/portal/project-dashboard.php?appid=149515&sessionid=>

The regulatory authorities to which this letter is addressed are responsible under the Nunavut Planning and Project Assessment Act (NUPPAA) to implement any of the applicable requirements by incorporating the requirements directly, or otherwise ensuring that they must be met, in the terms and conditions of any authorizations issued.

This conformity determination applies only to the above noted project proposal as submitted. Proponents may not carry out projects and regulatory authorities may not issue licenses, permits and other authorizations in respect of projects if a review by the NPC is required. Regulatory authorities may consult with the NPC to obtain recommendations on their duties to implement the existing land use plans prior to issuing licenses, permits and other authorizations under subsection 69(6) of the NUPPAA.

My office would be pleased to discuss how best to implement the applicable requirements and to review any draft authorizations that regulatory authorities wish to provide for that purpose. If you have any questions, please do not hesitate to contact me at (867) 979-3444.

Sincerely,



Goump Djalogue
Senior Planner, MCIP, RPP
Nunavut Planning Commission

Attachment B NIRB Letter - Acknowledgement of Modification



NIRB File No.: 16MN056
NWB File No.: 2AM-WTP1826

May 19, 2021

To: Manon Turmel
Agnico Eagle Mines Limited
10600 Rue Louis-Bison
Mirabel, QC J7C 0T6

Sent via email: manon.turmel@agnicoeagle.com

Re: Acknowledgement Regarding Agnico Eagle Mines Limited's "IVR and Whale Tail Pushbacks" Modification to the Whale Tail Pit Project

Dear Manon Turmel:

On April 20, 2021 the Nunavut Impact Review Board (NIRB or Board) received correspondence from the Nunavut Planning Commission (the Commission) regarding Agnico Eagle Mines Limited's (Agnico Eagle) application for the "IVR and Whale Tail Pushbacks" modification to the Whale Tail Pit Project, noting that the activities conform to the Keewatin Regional Land Use Plan and were exempt from NIRB assessment as they were within the scope of activities considered for the original Whale Tail and Whale Tail Expansion Projects (NIRB File No.: 16MN056).¹ The Commission also encouraged Agnico Eagle to discuss potential implications for the project's monitoring program with the NIRB.

After reviewing the proposed modification application provided to the Commission on March 30, 2021,² the NIRB is of the understanding that activities at site are summarized as follows:

- IVR Pushback in the southwest portion of the IVR Pit and under the east portion of the Whale Tail waste rock storage facility;
- Whale Tail Pushback in the northeast portion of the Whale Tail Pit;
- Continued use of existing waste and water management facilities; and
- Modifications to the closure and reclamation of the IVR and Whale Tail pits.

¹ Public Registry ID: 334901

² Public Registry ID: 335252

The NIRB acknowledges the Commission's determination, and notes that the proposed activities would be subject to the terms and conditions of the NIRB's Project Certificate No. 008 Amendment 1, and applicable plans as noted below to monitor for, or mitigate effects, specifically:

- Water Management Plan,
- Waste Management Plan,
- Terrestrial Ecosystem Management Plan, and
- Interim Closure and Reclamation Plan.

The NIRB expects to be informed regarding the update and/or status of any management plans that require updates so that if there are substantive changes being proposed, the NIRB could provide parties an opportunity to comment on any updates that have not already been reviewed as part of existing permitting or licensing processes. In addition to considering updates to the management plans, the activities related to this modification, as approved by the Commission under the current framework of project approvals, must be reported in the project-specific annual monitoring report to the NIRB.

On May 18, 2021 Agnico Eagle provided an additional update to the NIRB³ outlining the expected next steps in relation to the permitting of these modification activities, and specifically noting the applicability of Project Certificate No. 008 Amendment 1, and the Nunavut Water Board's Water Licence 2AM-WTP1826.

The NIRB appreciates receiving the update in respect of the proposed modifications to project activities that may affect the monitoring of the Whale Tail Pit Project and looks forward to continued communication with Agnico Eagle. All updated management plans for the "IVR and Whale Tail Pushbacks" modification can be submitted directly to the NIRB's Public Registry dashboard at www.nirb.ca/project/125418.

Should you have any questions or require clarification regarding the NIRB's direction on the "IVR and Whale Tail Pushbacks" Project Proposal please contact Emily Koide, Technical Advisor I, at (867) 983-4612 or ekoide@nirb.ca.

Sincerely,



Karen Costello
Executive Director
Nunavut Impact Review Board

cc: Mari-Pier Marcil, Agnico Eagle Mines Limited
Cassandra DeForge, Agnico Eagle Mines Limited

³ Public Registry ID: 335357

Attachment C Water Management Plan

(document provided as stand-alone file)

Attachment D Waste Rock Management Plan

(document provided as stand-alone file)