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NUNAVUT WATER BOARD  
NUNAVUT IMALIRIYIN KATIMAYINGI  
OFFICE DES EAUX DU NUNAVUT

**File: 2AM-WTP1830/G1**

August 3, 2021

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**RE: Licence No: 2AM-WTP1830 Type “A”; Whale Tail Pit Project, Agnico Eagle Mines Limited; IVR and Whale Tail Pushbacks Modification**

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Dear Jamie Quesnel and Michel Groleau:

On June 11, 2021, the Nunavut Water Board (NWB or the Board) received a request by Agnico Eagle Mines Limited (Agnico Eagle or Licensee) for IVR and Whale Tail Pushbacks Modification (Request) to the Licence No: 2AM-WTP1830 (Licence) issued to Agnico Eagle for the Whale Tail Pit Project (Project). In the Request, the Licensee outlined that IVR Pushback was to be located in the southwest portion of the IVR Pit and under the east portion of the Whale Tail Waste Rock Storage Facility (Whale Tail WRSF), and the Whale Tail Pushback was to be located in the northeast portion of the Whale Tail Pit. The Request included the *Water Management Plan* and the *Whale Tail Project – Waste Rock Management Plan*, both dated June 2021.

The Board was advised that on April 20, 2021, the Nunavut Planning Commission (NPC) issued its determination that the previous conformity determinations dated July 12, 2002, July 21, 2003, March 10, 2011, October 15, 2015, July 16, 2015, and October 16, 2018 still apply, and that the Request is exempt from screening by the Nunavut Impact Review Board (NIRB) because the proposed activities do not change the scope of the original or amended Project activities.

On June 14, 2021, the NWB distributed the Request for public review with the deadline for comments set for July 14, 2021. On July 14, 2021, Crown-Indigenous Relations and Northern Affairs (CIRNA) provided its comments requesting the following clarifications:

- Provide engineering drawings of any water management structures within the footprints of the IVR and Whale Tail Pits; and
- Outline the plans for the Underground WRSF.

On July 23, 2021, Agnico Eagle responded:

- “(e)ngineered drawings that detail the locations of the Whale Tail and IVR sumps are typically not provided due to the dynamics of mining activities”. No new infrastructure will be constructed for the pushbacks. Any water captured in the sumps of the pits will be moved to an attenuation pond; and
- No changes to the Underground WRSF will be undertaken.

On July 29, 2021, having reviewed the Licensee’s response, CIRNA responded that it had no further comments.

Copies of all documents received in support of the Request can be accessed through the NWB’s Public Registry and FTP site using the following link:

<ftp://ftp.nwb-oen.ca/registry/2%20MINING%20MILLING/2A/2AM%20-%20Mining/2AM-WTP1830%20Agnico/3%20TECH/G%20MODIFICATIONS/>

### NWB’s Review and Decision

The NWB, having fully reviewed the Licensee’s Request in the context of interveners’ comments and recommendations, potential impact of the proposed activities on the freshwater environment, and consistency of the proposed activity in relation to the scope of the Licence, as well as the clarification provided by the Licensee, determined that the modification proposed are consistent with the scope of activities considered under the Licence issued to the Project. Therefore, by way of this correspondence and in accordance with **Motion No: 2021-A1-03** and Part G, Item 1 of the Licence, the Board authorizes Agnico Eagle to undertake the modification in accordance with Agnico Eagle’s Request. The authorization takes into account Agnico Eagle’s commitments made during the technical review process, such as moving any water captured in pit sumps to an attenuation pond and using the Whale Tail and IVR Waste Rock Storage Facilities for waste rock from the IVR and Whale Tail Pushbacks. The Board also approves the *Water Management Plan* and the *Whale Tail Project – Waste Rock Management Plan*, both dated June 2021, in accordance with the above Motion and Part B, Item 14 of the Licence. The Licensee is advised that the management plans can be implemented upon the issuance of this letter by the Board

In addition, the Board advises the Licensee that in accordance with Part G, Item 2 of the Licence, changes in excess of those authorized under this modification, may constitute a separate potential modification or amendment to the Licence, which may require respective determination(s) from the Nunavut Planning Commission (NPC) and/or the NIRB prior to receiving any consideration(s) and/or determination(s) from the NWB. Further, in keeping with Part G, Item 4 of the Licence’s terms and conditions, the submission of post-construction information, including as-built plans and drawings (if any), shall remain applicable to this authorization.

Should you have any questions regarding the above, please contact the NWB Licensing Department by email to [licensing@nwb-oen.ca](mailto:licensing@nwb-oen.ca) or by phone at (867) 360-6338.

Sincerely,

Assol Kubeisinova  
Technical Advisor  
Nunavut Water Board

Cc: Distribution List – Meadowbank