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NUNAVUT WATER BOARD  
NUNAVUT IMALIRIYIN KATIMAYINGI  
OFFICE DES EAUX DU NUNAVUT

**Files: 2BC-WTP1819;  
8BC-AEA1525**

November 9, 2018

Manon Turmel  
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**Subject:** Cancellation of Water Licenses:  
8BC-AEA1525 Amaruq Exploration Access Road Project; and  
2BC-WTP1819, Whale Tail Pit and Haul Road Site Preparation Project.

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Dear Ms. Turmel,

On May 29, 2018, the Nunavut Water Board (NWB or Board) issued a Type “A” Water Licence 2AM-WTP1826 to Agnico Eagle Mines Limited (Agnico Eagle or Licensee) for the development of Whale Tail Pit Project. The Licence 2AM-WTP1826 was subsequently approved by the Minister of Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC or formerly INAC) on July 11, 2018. The Reasons for Decision accompanying this Licence stated that *the Board expects that the entire scope of Licence No. 8BC-AEA1525 (Amaruq Exploration Access Road Project) and Licence No. 2BC-WTP1819 (Whale Tail Pit and Haul Road Site Preparation Project) will be included under the new Licence. On this basis, upon issuance of the new Type “A” Licence, Agnico Eagle may apply to cancel Licence No. 8BC-AEA1525 and 2BC-WTP1819 and upon the receipt of the cancellation request, the Board may cancel these Licences as the full scope of the water uses and waste deposits authorized under these Type “B” Licences will be included under the new Type “A” Licence.*

On October 3, 2018, the Board received from Agnico Eagle applications to cancel the stated mentioned Type “B” Water Licences 8BC-AEA1525 and 2BC-WTP1819. The applications included the CIRNAC Inspector letter dated October 3, 2018, stating that *a final compliance inspection was conducted of water licence no. 8BC-AEA1525 and 2BC-WTP1819 between August 28 and 30<sup>th</sup> 2018. These licences were issued to Agnico Eagle Mines Limited (AEM) for operation and construction of the Amaruq exploration road and Whale Tail Pit /Haul Road. The inspector determined that conditions of the two licences have been met and understands from correspondence with the Nunavut Water Board that the components of the predevelopment*

*licences will be covered by the type 'A' water licence no. 2AM-WTP1826, issued May 29th 2018. The inspector sees no reason to deny any application for the cancellation of licences 8BC-AEA1525 and 2BC-WTP1819 if requested by AEM.*

On October 3, 2018, the Board provided a Notice as per s.55(1) *Nunavut Waters and Nunavut Surface Rights Tribunal Act* (Act)<sup>1</sup> distributed the application for a thirty (30) day comment period. No comments or concerns were received.

Upon review of all information, NWB determined that the applications fulfill the requirements of s. 43(1)(c) of *Act*<sup>2</sup> and *NWB Guide* 7<sup>3</sup>. The NWB has, therefore, approved the cancellation of Water Licenses 8BC-AEA1525 and 2BC-WTP1819 through Board Motion No. **2018-B1-030**, dated November 9, 2018.

The Board notes that the Water Licences 8BC-AEA1525 and 2BC-WTP1819 include a requirement to maintain financial security with the Minister, and there are Irrevocable Standby Letters of Credit (Letters of Credit) issued to Her Majesty the Queen in Right of Canada, as Represented by the Minister of CIRNAC. The NWB understanding is that these Letters of Credit shall also be cancelled along with the cancellation of the above stated Water Licences.

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

Sincerely,

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Lootie Toomassie  
Nunavut Water Board, Chair

LT/kk/rqd

cc: Distribution – Meadowbank

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<sup>1</sup> The Board shall give notice of every application in relation to a licence to the council of each municipality in the area affected by the application and shall publish the notice in a newspaper of general circulation in the area affected or, if there is no such newspaper, in such other manner as the Board considers appropriate.

<sup>2</sup> The s. 43(1)(c) indicates when the Board may cancel a licence.

<sup>3</sup> The minimum information requirements set out in the NWB Guidance Document- *Guide 7 – Licensee Requirements Following the Issuance of a Water Licence, April 2010*, see Part 11 and Table 4.