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NUNAVUT WATER BOARD  
NUNAVUT IMALIRIYIN KATIMAYINGI  
OFFICE DES EAUX DU NUNAVUT

File No: **2BE-HUC2328**

October 5, 2023

David Frenette  
Agnico Eagle Mines Limited  
C.P. 87, 765 chemin de la mine Goldex  
Val d'Or, Quebec  
J9P 4N9  
Email: [david.frenette@agnicoeagle.com](mailto:david.frenette@agnicoeagle.com)

**RE: NWB Renewal Water Licence No: 2BE-HUC2328**

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Dear Mr. Frenette:

Please find attached Water Licence No: **2BE-HUC2328** issued to Agnico Eagle Mines Limited (Agnico Eagle or Licensee) by the Nunavut Water Board (NWB or Board) pursuant to its authority under Article 13 of the *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in Right of Canada* (Nunavut Agreement). The terms and conditions of the attached Licence related to the use of Water and the deposit of Waste are an integral part of this approval.

If the Licensee contemplates the continuing of this Undertaking after the Water Licence expires, it is the responsibility of the Licensee to apply to the NWB for a renewal water licence. The past performance of the Licensee, new documentation and information, and issues raised during a public hearing, if the NWB is required to hold one, will be used to determine the terms and conditions of the renewal Water Licence. Note that if the Licence expires before the NWB issues a new one, then the use of Water and the deposit of Waste must cease, or the Licensee may be in contravention of the *Nunavut Agreement* and the *Nunavut Waters and Nunavut Surface Rights Tribunal Act (NWNSRTA or Act)*. However, the expiry or cancellation of a licence does not relieve the holder from any obligations imposed by the licence. The NWB recommends that an application for the renewal of this Licence be filed at least **three (3) months** prior to the Licence expiry date. It should be noted that in accordance with s. 75(1)(a) of the *Nunavut Planning and Project Assessment Act (NuPPAA)*, the Board is not allowed to issue a permit or authorization for any project proposal that has not been submitted to the Nunavut Planning Commission (NPC) in accordance with s. 76 of *NuPPAA*.

If the Licensee contemplates or requires an amendment to this Licence, the NWB may decide, in the public's interest, to hold a public hearing. The Licensee should submit application for amendment as soon as possible to give the NWB sufficient time to go through the amendment process. The process and timing may vary depending on the scope of the amendment, however, a minimum of **sixty (60) days** is required from time of acceptance by the NWB. It is the

responsibility of the Licensee to ensure that all application materials have been received and are acknowledged by the Manager of Licensing.

The NWB strongly recommends that the Licensee consult the comments received by Crown-Indigenous Relations and Northern Affairs (CIRNA) on issues identified. This information is attached for your consideration.<sup>1</sup>

Sincerely,

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Lootie Toomasie  
Nunavut Water Board,  
Chair

LT/ns/rh

Enclosure: Renewal Licence No: **2BE-HUC2328**

Comments – CIRNA

Cc: Distribution List – Kivalliq

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<sup>1</sup> Crown-Indigenous Relations and Northern Affairs (CIRNA), September 11, 2023 and September 22, 2023.

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## DECISION

### LICENCE NUMBER: 2BE-HUC2328

This is the decision of the Nunavut Water Board (NWB or Board) with respect to an application dated August 21, 2023 for a renewal of a Water Licence made by:

#### AGNICO EAGLE MINES LIMITED

to allow for the use of Water and the deposit of Waste during camp operations and activities related to exploration that include geophysical surveys, drilling and trenching at the Huckleberry Exploration Project located within the Kivalliq Region, Nunavut, generally located at the geographical coordinates as follows:

#### Project Extents:

Latitude: 62° 8' 00" N	Longitude: 93° 53' 15" W
Latitude: 62° 8' 00" N	Longitude: 93° 48' 45" W
Latitude: 62° 6' 10" N	Longitude: 93° 48' 45" W
Latitude: 62° 6' 10" N	Longitude: 93° 53' 15" W

#### Camp Location(s):

Latitude: 62° 7' 12" N	Longitude: 93° 51' 38" W
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## DECISION

After having been satisfied that the Application was previously reviewed by the NPC and for which the conformity determinations, dated July 11, 2017, remain applicable and is in conformity with the Keewatin Regional Land Use Plan (KRLUP), the Nunavut Planning Commission (NPC) concluded that the project proposal does not require a review by the Nunavut Impact Review Board<sup>2</sup> (NIRB) in accordance with s. 92(1)(a) of Nunavut Planning and Project Assessment Act (*NuPPAA*). The NWB decided that the Application could proceed through the regulatory process. In accordance with s. 55.1 of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* (*NWNSRTA* or *Act*) and Article 13 of the *Nunavut Agreement*, public notice of the Application was given and interested persons were invited to make representations to the NWB.

After reviewing the submission of the Applicant and considering the representations made by interested persons, the NWB, having given due regard to the facts and circumstances, the merits of the submissions made to it and to the purpose, scope and intent of the *Nunavut Agreement* and of the *Act*, waived the requirement to hold a public hearing, and determined that:

**Renewal Licence No: 2BE-HUC2328 be issued subject to the terms and conditions contained therein. (Motion #: 2023-B1-016)**

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<sup>2</sup> Nunavut Planning Commission (NPC) Determination, dated July 11, 2023

Signed this 5<sup>th</sup> day of October, 2023 at Gjoa Haven, NU.

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Lootie Toomasie  
Nunavut Water Board,  
Chair

LT/ns/rh



The Applicant requested:

- Total water use of two-hundred and ninety-nine cubic meters (299 m<sup>3</sup>) per day;
- Deposit of Waste during camp operations and activities related to exploration that include geophysical surveys, drilling and trenching;
- Term of five (5) years.

*Procedural History:*

With respect to pre-licensing requirements, the NWB received the Nunavut Planning Commission's (NPC) Land Use Conformity Determination<sup>3</sup> for the Undertaking indicating that the project proposal falls within the Keewatin Regional Land Use Plan (KRLUP) and that a screening by the Nunavut Impact Review Board (NIRB) is not required as the current project proposal does not change the original scope of the project.

Following receipt and an internal preliminary review, the NWB distributed the application on August 21, 2023 for a twenty-one (21) day review and comment period with the deadline for submission set for September 11, 2023. The NWB received submission from Crown-Indigenous Relations and Northern Affairs (CIRNA) on September 11, 2023. Agnico Eagle provided responses on September 20, 2023. CIRNA considered Agnico Eagle's responses to be satisfactory on September 22, 2023.

### **III. FILE HISTORY**

The NWB has issued one Licence to this project.

Licence No. 2BE-HUC1823 was issued on July 18, 2018 and expires on October 31, 2023. The scope of the previous licence was:

- Total water use of two-hundred and ninety-nine cubic meters (299 m<sup>3</sup>) per day;
- Deposit of Waste during camp operations and activities related to exploration that include geophysical surveys, drilling and trenching;
- Term of five (5) years.

### **IV. GENERAL CONSIDERATIONS**

The following sections provide general overview of the rationale for some of the main terms and conditions included under the Renewal Licence.

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<sup>3</sup> Nunavut Planning Commission (NPC) Determination, dated July 11, 2023

### Term of the Licence

In accordance with s. 45 of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* (*NWNSRTA* or Act), the NWB may issue a licence for a term not exceeding twenty-five (25) years. In determining an appropriate term for a renewal licence, the Board generally takes into consideration several factors including Interveners' comments, the Licensee's compliance history, as well as the rationale contained in the Application.

In their Application, the Licensee has requested a five (5) year term. The Intervener, in its submission, did not object to the term requested for the renewal licence. The Board, in examining the compliance history of the licensee, felt that the requested term was practical for the undertaking. The Board has therefore granted the five (5) year term requested by the Licensee. In so doing, the Board believes and expects that the five-year term will provide the Licensee with significant opportunities to consistently abide by the terms and conditions in the Licence over time and provide ongoing compliance record prior to a need for renewal.

### Annual Report

Under Part B, Item 1 of the Licence, the Licensee is required to submit Annual Reports for the purpose of ensuring that the NWB has an accurate annual update of activities related to Water use and Waste disposal during each calendar year. This information is maintained on the Public Registry and is available to interested parties upon request. A "Standardized Form for Annual Reporting" is to be used by the Licensee and is available from the NWB file transfer protocol (FTP) site under the Public Registry link at the NWB Website:

<ftp://ftp.nwb-oen.ca/other documents/Standardized Forms/>

### Water Use

The quantity of water requested by the Applicant remains the same, five (5) cubic metres per day for total camp use and two hundred ninety-four (294) cubic metres per day for drill Water and shall be obtained from local Water source(s), proximal to the drilling targets as outlined in the Application. No concerns were expressed by the Interveners with respect to the requested freshwater amount, or the manner in which it is obtained or used. The Board has authorized the Licensee to use a maximum of two hundred ninety-nine (299) cubic metres of water per day under Part C, Item 1 of the Renewal Licence.

### Camp

An exploration camp was installed on site in 2018. However, the camp is not in use as no exploration activities have been conducted from 2018 to 2023 except for the drilling activities from September 1, 2018 to September 28, 2018. Conditions applying to camp operations are included in Part E of the Licence.

### Deposit of Waste

As per the “Waste Management Plan” dated February 2018 and approved by Licence No: 2BE-HUC1823:

- i. Putrescible wastes such as paper, food packaging and food wastes will be incinerated. Until the incinerator is in operation at Huckleberry exploration camp, daily transport of waste could be sent to the Meliadine Gold Mine for proper disposal to avoid attracting wildlife.
- ii. Waste segregation will be practiced and the wastes which are not combustible will be stocked and transported for recycling to southern facilities.
- iii. Additionally, hazardous wastes will be properly packaged in a Transportation of Dangerous Goods (TDG) approved containers and labelled before transporting it to a proper treatment facility.
- iv. A grease trap to remove the grease and food waste will be installed and the greywater will be disposed of in a natural depression located at more than 31 meters from any water body.
- v. Pseudo toilets waste will be incinerated or temporarily stocked in 205-litre drums with bolted lids and stored in seacan. Should the storage in 205-litre drums be the chosen option, the seacan would then be transported south for final disposal in an authorized disposal facility.
- vi. Drill cutting will be disposed of in natural depressions located at a distance of at least thirty-one (31) metres from the ordinary High-Water Mark of any adjacent water body and where direct flow into a water body is not possible.

Terms and conditions for waste disposal are included in Part D of this Licence.

### Spill Contingency Plan

The Licensee is required to submit an updated Spill Contingency Plan, with the 2023 Annual Report, as discussed in their response<sup>4</sup> addressing CIRNA’s concerns.

CIRNA recommended that the Licensee prepare and submit a Fuel Management Plan. The Licensee stated that they do not have plans to start exploration activities on site and agreed to submit one prior to commencing exploration. A condition is included in Part H of the Licence, requiring the Licensee to submit a Fuel Management Plan, 60 days prior to commencing exploration activities.

### Closure and Reclamation Plan

Conditions applying to closure and reclamation are included in Part I of this Licence.

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<sup>4</sup>2BE-HUC1823 AEM Response to comments, September 18, 2023

## Monitoring

Part J of the Licence details the environmental monitoring requirements. Requirements are similar to the existing Licence.

It should also be noted that additional sampling may be required upon request by the Board or the Inspector

## Summary of Comments

Crown-Indigenous Relations and Northern Affairs (CIRNA) provided the following comments on September 11, 2023:

1. CIRNA recommended that the applicant complete all required documents such as the renewal application form when submitting documents to the Nunavut Water Board.

Applicant response: *“Should any additional information be required by the Board to complete this administrative renewal, Agnico Eagle will provide documentation to improve the quality of its application.”*

2. CIRNA requested clarification regarding if refueling will be done within 31 meters of the normal high-water mark of any water body.

Applicant response: *“Spill Contingency Plan section 2.2. will be updated with the following: “Refueling must not take place below the high-water mark neither inside the 31-metre protection buffer area and will be carried out in a manner to prevent hydrocarbons from entering any water body.” Additionally, spill response equipment and supplies will be readily available during the refueling.”*

3. CIRNA recommended that the applicant consider creating a fuel management plan.

Applicant response: *“Agnico Eagle will consider the opportunity to improve the documentation associated to fuel management helping to reduce the risk associated with this activity.”*

On September 22, 2022, CIRNA responded that they have no further comments at this time however encourages the Applicant to complete all sections of the renewal application form to allow for all parties to participate in the renewal process.



## NUNAVUT WATER BOARD WATER LICENCE RENEWAL

**Licence No: 2BE-HUC2328**

Pursuant to the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* and the *Agreement Between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada*, the Nunavut Water Board, hereinafter referred to as the Board, hereby grants to

**AGNICO EAGLE MINES LIMITED**

(Licensee)

**C.P. 87, 765 CHEMIN DE LA MINE GOLDEX, VAL D'OR, QUEBEC J9P 4N9**

(Mailing Address)

hereinafter called the Licensee, the right to alter, divert or otherwise use water or dispose of Waste for a period subject to restrictions and conditions contained within this Licence Renewal:

Licence Number/Type: **2BE-HUC2328 / TYPE "B"**

Water Management Area: **FERGUSON WATERSHED (12)**

Location: **KIVALLIQ REGION, NUNAVUT**

Classification: **MINING UNDERTAKING**

Purpose: **DIRECT USE OF WATER AND DEPOSIT OF WASTE**

Quantity of Water use not to Exceed: **TWO HUNDRED AND NINETY-NINE (299) CUBIC METRES PER DAY**

Effective Date: **NOVEMBER 1, 2023**

Expiry of Licence: **OCTOBER 31, 2028**

This Licence renewal, issued and recorded at Gjoa Haven, Nunavut, includes and is subject to the annexed conditions.

**Lootie Toomasie**  
**Nunavut Water Board, Chair**

**PART A: SCOPE, DEFINITIONS AND ENFORCEMENT**

**1. Scope**

This Licence allows for the use of Water and the deposit of Waste for a Mining undertaking classified as per Schedule I and II of the *Regulations* at the Huckleberry Exploration Project, located approximately 65 km west of Whale Cove within the Kivalliq Region, Nunavut, within the geographical boundaries:

Project Extents:

Latitude: 62° 8' 00" N	Longitude: 93° 53' 15" W
Latitude: 62° 8' 00" N	Longitude: 93° 48' 45" W
Latitude: 62° 6' 10" N	Longitude: 93° 48' 45" W
Latitude: 62° 6' 10" N	Longitude: 93° 53' 15" W

Camp Location(s):

Latitude: 62° 7' 12" N	Longitude: 93° 51' 38" W
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- a. This Licence is issued subject to the conditions contained herein with respect to the taking of Water and the deposit of Waste of any type in any Waters or in any place under any conditions where such Waste or any other Waste that results from the deposits of such Waste may enter any Waters. Whenever new *Regulations* are made or existing *Regulations* are amended by the Governor in Council under the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*, or other statutes imposing more stringent conditions relating to the quantity or type of Waste that may be so deposited or under which any such Waste may be so deposited, this Licence shall be deemed, upon promulgation of such *Regulations*, to be subject to such requirements; and
- b. Compliance with the terms and conditions of this Licence does not absolve the Licensee from responsibility for compliance with the requirements of all applicable Federal, Territorial and Municipal legislation.

**2. Definitions**

“**Act**” means the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*;

“**Addendum**” means the supplemental text that is added to a full plan or report usually included at the end of the document and is not intended to require a full resubmission of the revised report;

“**Amendment**” means a change to original terms and conditions of this Licence requiring correction, addition or deletion of specific terms and conditions of the Licence; modifications inconsistent with the terms of the set terms and conditions of the Licence;

“**Applicant**” means the Licensee;

“**Appurtenant Undertaking**” means an undertaking in relation to which a use of Water or a deposit of Waste is permitted by a licence issued by the Board;

“**Board**” means the Nunavut Water Board established under the *Nunavut Agreement* and the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*;

“**Closure and Reclamation Plan**” means a Plan developed to reach the closure goal and taking in account the “Guidelines for the Closure and Reclamation of Advanced Mineral Exploration and Mine Sites in the Northwest Territories” 2013;

“**Effluent**” means treated or untreated liquid Waste material that is discharged into the environment from a structure such as a settling pond, landfarm or a treatment plant;

“**Engineer**” means a professional engineer registered to practice in Nunavut in accordance with the *Consolidation of Engineers and Geoscientists Act S. Nu 2008, c.2* and the *Engineering and Geoscience Professions Act S.N.W.T. 2006, c.16 Amended by S.N.W.T. 2009, c.12*;

“**Greywater**” means all liquid Wastes from showers, baths, sinks, kitchens and domestic washing facilities, but does not include toilet Wastes;

“**Hazardous Waste**” means Waste classified as “hazardous” by Nunavut Territorial or Federal legislation, or as “dangerous goods” under the *Transportation of Dangerous Goods Act*;

“**High Water Mark**” means the usual or average level to which a water body rises at its highest point and remains for sufficient time so as to change the characteristics of the land (ref. Department of Fisheries and Oceans Canada, Operational Statement: Mineral Exploration Activities);

“**ICP Scan**” means the laboratory method for determining trace metals in water through Emission Spectroscopy using inductively coupled plasma (including from approximately 22 to 32 elements, depending on the laboratory performing the analysis);

“**Inspector**” means an Inspector designated by the Minister under Section 85 (1) of the *Act*;

“**Licensee**” means the holder of this Licence;

“**Modification**” means an alteration to a physical work that introduces a new structure or eliminates an existing structure and does not alter the purpose or function of the work, but does not include an expansion;

**“Nunavut Agreement”** means the “*Agreement Between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada*”, including its preamble and schedules, and any amendments to that agreement made pursuant to it;

**“Regulations”** means the *Nunavut Waters Regulations* SOR/2013-69 18<sup>th</sup> April, 2013;

**“Secondary Containment”** means an impermeable structure, external to and separate from primary containment, which prevents unplanned spills of hazardous materials and provides a minimum capacity of 110% of the original vessel. Where multiple vessels are stored within the containment, it must provide a minimum capacity equal to the sum of the largest vessel and 10% of the aggregate volume of all other vessels located in the containment. This structure shall also provide containment and control of hoses and nozzles;

**“Sewage”** means all toilet Wastes and greywater;

**“Spill Contingency Plan”** means a Plan developed to deal with unforeseen petroleum and hazardous materials events that may occur during the operations conducted under the Licence;

**“Sump or Sumps”** means a structure or depression that collects, controls, and filters liquid Waste before it is released to the environment. This structure should be designed to prevent erosion while allowing percolation of liquid Waste;

**“Toilet Wastes”** means all human excreta and associated products, but does not include greywater;

**“Waste”** means, as defined in s. 4 of the *Act*, any substance that, by itself or in combination with other substances found in water, would have the effect of altering the quality of any water to which the substance is added to an extent that is detrimental to its use by people or by any animal, fish or plant, or any water that would have that effect because of the quantity or concentration of the substances contained in it or because it has been treated or changed, by heat or other means;

**“Water” or “Waters”** means waters as defined in section 4 of the *Act*.

### 3. Enforcement

- a. Failure to comply with this Licence will be a violation of the *Act*, subjecting the Licensee to the enforcement measures and the penalties provided for in the *Act*;
- b. All inspection and enforcement services regarding this Licence will be provided by Inspectors appointed under the *Act*; and
- c. For the purpose of enforcing this Licence and with respect to the use of water and deposit or discharge of Waste by the Licensee, Inspectors appointed under the *Act*,

hold all powers, privileges and protections that are conferred upon them by the *Act* or by other applicable law.

**PART B: GENERAL CONDITIONS**

1. The fees payable to the Receiver General for Canada for the right to use Waters, shall be sent to the Board annually in accordance with Section 12 of the *Regulations*.
2. The Licensee shall file an Annual Report on the Appurtenant Undertaking with the Board no later than March 31<sup>st</sup> of the year following the calendar year being reported, containing the following information:
  - a. A summary report of Water use and Waste disposal activities;
  - b. quantity of Water (in cubic metres/day) obtained for domestic and other purposes from sources on, in or flowing through Inuit-Owned Lands;
  - c. quantity of Water (in cubic metres/day) obtained for domestic and other purposes from sources on, in or flowing through Crown Lands;
  - d. quantity of Waste disposed of on on-site Waste disposal facility;
  - e. quantity of Waste backhauled to approved facility for disposal;
  - f. A list of unauthorized discharges and a summary of follow-up actions taken;
  - g. Any revisions to Plans, as required by Part B, Item 7, submitted in the form of an Addendum;
  - h. A description of all progressive and/or final licensed reclamation work undertaken, including photographic records of site conditions before, during and after completion of operations;
  - i. Report all artesian flow occurrences as required under Part F, Item 3;
  - j. A summary of all information requested and results of the Monitoring Program;
  - k. Details pertaining to locations of sump(s) and drill holes;
  - l. GPS co-ordinates (in degrees, minutes and seconds of latitude and longitude) for the locations of all temporary camps established in support of the Project if the actual coordinates differ from that provided in the application;
  - m. A summary, including photographic records before, during and after any relevant construction activities or Modifications and/or major maintenance work carried out on facilities under this Licence and an outline of any work anticipated for the next year;
  - n. Detailed discussion on the performance, installation, and evaluation, including the use of photographic record, of the primary and secondary containment functions used in fuel storage to safeguard impacts to freshwaters;
  - o. A summary of public consultation/participation, describing consultation with local organizations and residents of the nearby communities, if any were conducted;
  - p. Any other details on Water use or Waste disposal requested by the Board by the 1<sup>st</sup> November of the year being reported.

3. The Licensee shall notify the NWB of any changes in operating plans or conditions associated with this project at least thirty (30) days prior to any such change.
4. The Licensee shall install flow meters or other such devices, or implement suitable methods required for the measuring of water volumes as required under Part J, Item 1.
5. The Licensee shall, for all Plans submitted under this Licence, include a proposed timetable for implementation. Plans submitted, cannot be undertaken without subsequent written Board approval and direction. The Board may alter or modify a Plan if necessary to achieve the legislative objectives and will notify the Licensee in writing of acceptance, rejection or alteration of the Plan.
6. The Licensee shall, for all Plans submitted under this Licence, implement the Plan as approved by the Board in writing.
7. The Licensee shall review the Plans referred to in this Licence, as required by changes in operation and/or technology, and modify the Plan accordingly. Revisions to the Plans shall be submitted in the form of an Addendum to be included with the Annual Report.
8. Every Plan to be carried out pursuant to the terms and conditions of this Licence shall become a part of this Licence, and any additional terms and conditions imposed upon approval of a Plan by the Board become part of this Licence. All terms and conditions of the Licence should be contemplated in the development of a Plan where appropriate.
9. The Licensee shall ensure a copy of this Licence is maintained at the site of operations at all times. Any communication with respect to this Licence shall be made in writing to the attention of:

**(a) Manager of Licensing:**

Nunavut Water Board  
P.O. Box 119  
Gjoa Haven, NU X0B 1J0  
Telephone: (867) 360-6338  
Fax: (867) 360-6369  
Email: [licensing@nwb-oen.ca](mailto:licensing@nwb-oen.ca)

**(b) Inspector Contact:**

Manager of Field Operations, CIRNA  
Nunavut District, Nunavut Region  
P.O. Box 100  
Iqaluit, NU X0A 0H0  
Telephone: (867) 975-4284  
Fax: (867) 979-6445

10. The Licensee shall submit an electronic copy of all reports, studies, and plans to the Board. Reports or studies submitted to the Board by the Licensee shall include a detailed executive summary in Inuktitut.
11. The Licensee shall ensure that all documents or correspondence submitted by the Licensee to the NWB are received and acknowledged by the Manager of Licensing.
12. This Licence is assignable as provided for in Section 44 of the *Act*.
13. The expiry or cancellation of this Licence does not relieve the Licensee from any obligation imposed by the Licence, or any other regulatory requirement.

**PART C: CONDITIONS APPLYING TO WATER USE**

1. The Licensee shall obtain all Water for domestic camp use from local Water source(s), proximal to the camp. Total camp Water use shall not exceed five (5) cubic metres per day. Drill Water shall be obtained from local Water source(s), proximal to the drilling targets as outlined in the Application and shall not exceed two hundred and ninety-four (294) cubic metres per day. The volume of Water for all purposes under this Licence shall not exceed two hundred and ninety-nine (299) cubic metres per day.
2. The use of Water from streams or any water bodies not identified in Part C, Item 1, is prohibited unless authorized and approved by the Board in writing.
3. The withdrawal of Water from any stream shall not exceed ten (10) per cent of the low flow of that stream unless approved by the Board in writing.
4. The Licensee shall submit to the Board for approval in writing, the following information at least thirty (30) days prior to the use of Water of a sufficient volume that the source water body may be drawn down: volume required, hydrological overview of the water body, details of impacts, and proposed mitigation measures.
5. The Licensee shall equip all Water intake hoses with a screen of an appropriate mesh size to ensure that fish are not entrained and shall withdraw Water at a rate such that fish do not become impinged on the screen.
6. The Licensee shall not conduct any work below the ordinary High-Water Mark of any water body unless approved by the Board in writing.
7. The Licensee shall not cause erosion to the banks of any water body and shall provide necessary controls to prevent such erosion.
8. Sediment and erosion control measures shall be implemented prior to and maintained during the undertaking to prevent entry of sediment into Water.

9. The Licensee shall continue to implement the *Water Management Plan – Huckleberry Exploration Project*, dated April 2018, that was previously approved by the Board.

**PART D: CONDITIONS APPLYING TO WASTE DISPOSAL**

1. The Licensee shall locate areas designated for Waste disposal at a minimum distance of thirty-one (31) metres from the ordinary High-Water Mark of any water body such that the quality, quantity or flow of Water is not impaired, unless otherwise approved by the Board in writing.
2. The Licensee shall not practice on-site land-filling of domestic Waste, unless otherwise approved by the Board in writing.
3. The Licensee is authorized to dispose of all acceptable food Waste, paper Waste and untreated wood products in an incinerator.
4. The Licensee shall not open burn plastics, wood treated with preservatives, electric wire, Styrofoam, asbestos or painted wood to prevent the deposition of Waste materials of incomplete combustion and/or leachate from contaminated ash residual, from impacting any surrounding Waters, unless otherwise approved by the Board in writing.
5. The Licensee shall provide to the Board, documented authorization from all communities in Nunavut receiving wastes from the Huckleberry Exploration project prior to any backhauling and disposal of Wastes to those communities.
6. The Licensee shall backhaul and dispose of all hazardous Wastes, Waste oil and non-combustible Waste generated through the course of the operation at a licensed Waste disposal site.
7. The Licensee shall maintain records of all Waste backhauled and records of confirmation of proper disposal of backhauled Waste. These records shall be made available to an Inspector upon request.
8. The Licensee shall contain all greywater in a Sump located at a distance of at least thirty-one (31) metres above the ordinary High-Water Mark of any water body, at a site where direct flow into a water body is not possible and no additional impacts are created, unless otherwise approved by the Board in writing.
9. The Licensee shall dispose of all toilet wastes through incineration, chemical or composting toilets. Any remaining residue generated through the course of the operation shall be backhauled and disposed of in an approved Waste disposal site.
10. The Licensee shall provide for Board review an Incinerator Waste Management Plan sixty (60) days prior to commencement of incineration of any Waste.

11. The Licensee shall continue to implement the *Waste Management Plan – Huckleberry Exploration Project*, dated February 2018 that was previously approved by the Board.

**PART E: CONDITIONS FOR CAMPS, ACCESS INFRASTRUCTURES AND OPERATIONS**

1. The Licensee shall not erect camps or store material on the surface of frozen streams or lakes including the immediate banks except what is for immediate use. Camps shall be located such as to minimize impacts on surface drainage.
2. The Licensee shall conduct all activities in such a way as to minimize impacts on surface drainage and the Licensee shall immediately undertake corrective measures in the event of any impacts on surface drainage.
3. The Licensee shall construct all winter lake and stream crossings, including ice bridges, entirely of Water, ice or snow. The Licensee shall minimize disturbance by locating ice bridges in an area that requires the minimum approach grading and the shortest crossing route. Stream crossings shall be removed or the ice notched prior to spring break-up.
4. With respect to access road, pad construction or other earthworks, the deposition of debris or sediment into or onto any water body is prohibited. These materials shall be disposed a distance of at least thirty-one (31) metres from the ordinary High-Water Mark in such a fashion that they do not enter the water.
5. Stream crossing shall be a minimum of five hundred (500) meters from spawning areas.
6. Sediment and erosion control measures shall be implemented prior to and maintained during the construction and operation where necessary to prevent entry of sediment into Water.
7. The Licensee shall not mobilize heavy equipment or vehicles for trenching or other activities unless the ground surface is capable of fully supporting the equipment or vehicles without rutting or gouging. Overland travel of equipment or vehicles shall be suspended if rutting occurs.

**PART F: CONDITIONS APPLYING TO DRILLING OPERATIONS**

1. The Licensee shall not conduct any land-based drilling within thirty-one (31) metres of the ordinary High-Water Mark of any water body, unless otherwise approved by the Board in writing.
2. The Licensee shall dispose of all drill waste, including Water, chips, muds and salts (CaCl<sub>2</sub>) in any quantity or concentration, from land-based and on-ice drilling, in a

properly constructed Sump or an appropriate natural depression located at a distance of at least thirty-one (31) metres from the ordinary High-Water Mark of any adjacent water body, where direct flow into a water body is not possible and no additional impacts are created.

3. If artesian flow is encountered, drill holes shall be immediately sealed and permanently capped to prevent induced contamination of groundwater or salinization of surface Waters. The Licensee shall report all artesian flow occurrences within the Annual Report, including the location (GPS coordinates) and dates.
4. Drilling additives or mud shall not be used in connection with holes drilled through lake ice unless they are re-circulated or contained such that they do not enter the Water, or are demonstrated to be non-toxic.
5. For “on-ice” drilling where drill additives are not being used, return Water released must be non-toxic, and not result in an increase in total suspended solids in the immediate receiving Waters, above the Canadian Council of Ministers for the Environment, Guidelines for the Protection of Freshwater Aquatic Life (i.e., 10 mg/L for lakes with background levels under 100 mg/L, or 10% for those above 100 mg/L).
6. The Licensee shall establish water quality conditions prior to and upon completion of any drilling program through lake ice.

#### **PART G: CONDITIONS APPLYING TO MODIFICATIONS**

1. The Licensee may, without written consent from the Board, carry out Modifications to the Water Supply Facilities and Waste Disposal Facilities provided that such Modifications are consistent with the terms of this Licence, within the scope of the Water license application and the following requirements are met:
  - a. the Licensee has notified the Board in writing of such proposed Modifications at least sixty (60) days prior to beginning the Modifications;
  - b. such Modifications do not place the Licensee in contravention of the Licence or the *Act*;
  - c. the Board has not, during the sixty (60) days following notification of the proposed Modifications, informed the Licensee that review of the proposal will require more than sixty (60) days; and
  - d. the Board has not rejected the proposed Modifications.
2. Modifications for which all of the conditions referred to in Part G, Item 1 have not been met can be carried out only with written approval from the Board.
3. The Licensee shall provide as-built plans and drawings of the Modifications referred to in this Licence within ninety (90) days of completion of the Modification. These plans and drawings shall be stamped by an Engineer.

**PART H: CONDITIONS APPLYING TO SPILL CONTINGENCY PLANNING**

1. The Licensee shall submit with the 2023 Annual Report for Board review the updated *Spill Contingency Plan* November 2017 that includes the commitments made during the 2023 licensing process.
2. The Licensee shall prevent any chemicals, petroleum products or Wastes associated with the Project from entering Water. All Sumps and fuel caches shall be located at a distance of at least thirty-one (31) metres from the ordinary High-Water Mark of any adjacent water body and inspected on a regular basis.
3. The Licensee shall conduct any equipment maintenance and servicing in designated areas and shall implement special procedures (such as the use of drip pans) to manage motor fluids and other Waste and contain potential spills.
4. If during the term of this Licence, an unauthorized discharge of Waste occurs, or if such a discharge is foreseeable, the Licensee shall:
  - a. Employ the approved Spill Contingency Plan;
  - b. Report the spill immediately to the NWT/NU 24-Hour Spill Line at (867) 920-8130 and to the Inspector at (867) 975-4284; and
  - c. For each spill occurrence, submit to the Inspector, no later than thirty (30) days after initially reporting the event, a detailed report that will include the amount and type of spilled product, the GPS location of the spill, and the measures taken to contain and clean up the spill site.
5. The Licensee shall, in addition to Part H, Item 4, regardless of the quantity of releases of harmful substances, report to the NWT/NU 24-Hour Spill Line if the release is near or into a water body.
6. The Licensee shall submit for Board approval sixty (60) days prior to commencing exploration activities a Fuel Management Plan as committed to during the 2023 licensing process.

**PART I: CONDITIONS APPLYING TO CLOSURE AND RECLAMATION OR TEMPORARY CLOSURE**

1. The Licensee will continue to implement the *Conceptual Closure and Reclamation Plan – Huckleberry Exploration Project* dated May 2018, which was previously approved by the Board.
2. The Licensee shall complete all restoration work prior to the expiry of this Licence.

3. The Licensee shall carry out progressive reclamation of any licensed components of the Project no longer required for the Licensee's operations related to Water use, deposition of Waste to Water and/or Appurtenant Undertakings, subject to the *Act* and *Regulations*.
4. The Licensee shall backfill and restore, to the satisfaction of an Inspector, all sumps, sewage/wash-water pits to the pre-existing natural contours of the land when possible.
5. The Licensee shall remove from the site, all infrastructure and site materials, including all fuel caches, drums, barrels, buildings and contents, docks, water intakes, pumps and lines, material and equipment prior to the expiry of this Licence.
6. All roads and airstrips, if any, shall be re-graded to match natural contours to reduce erosion.
7. The Licensee shall remove any culverts and restore the drainage to match the natural channel. Measures shall be implemented to minimize erosion and sedimentation.
8. In order to promote growth of vegetation and the needed microclimate for seed deposition, all disturbed surfaces shall be prepared by ripping, grading, or scarifying the surface to conform to the natural topography.
9. Areas that have been contaminated by hydrocarbons from normal fuel transfer procedures shall be reclaimed to meet objectives as outlined in the *Government of Nunavut's Environmental Guideline for Site Remediation, 2010*. The use of reclaimed soils for the purpose of back fill or general site grading may be carried out only upon consultation and approval by the Government of Nunavut, Department of Environment and an Inspector.
10. The Licensee shall restore all drill holes and disturbed areas to natural conditions immediately upon completion of the drilling. The restoration of drill holes must include the removal of any drill casing materials and if having encountered artesian flow, the capping of holes with a permanent seal. Where drill casings cannot be removed the Licensee shall cut off the casings at ground level and identify with signage.
11. The Licensee may leave the casings on site, if it intends to continue drilling in existing casings, but shall add signaling to keep the area safe for the other territory users. The drill casings left cannot stay on the field for more than 2 years after the drilling.
12. The Licensee may store drill core produced by the appurtenant undertaking in an appropriate manner and location at least thirty-one (31) metres above the ordinary High-Water Mark of any adjacent water body, where any direct flow into a water body is not possible and no additional impacts are created, or as directed by an Inspector.
13. The Licensee shall contour and stabilize all disturbed areas to reduce erosion and sedimentation to Water, upon completion of work upon completion of the undertaking and as per Part I, Item 3.

**PART J: CONDITIONS APPLYING TO THE MONITORING PROGRAM**

1. The Licensee shall measure and record, in cubic metres, the daily quantities of Water used for camp, drilling and all other purposes. The daily quantities of Water used for drilling shall be recorded for each Water source used in accordance with Part C, Item 1.
2. The Licensee shall provide the GPS co-ordinates (in degrees, minutes and seconds of latitude and longitude) of all locations where sources of Water are utilized for all purposes.
3. The Licensee shall determine the GPS co-ordinates (in degrees, minutes and seconds of latitude and longitude) of all locations where Wastes associated with camp operations and drilling operations are deposited.
4. The Licensee shall obtain representative samples of the Water column below any ice where required under Part F, Item 5 and 6. Monitoring shall include but not be limited to the following:
  - Total Suspended Solids
  - pH
  - Electrical Conductivity,
  - Total Trace Metals as determined by a standard ICP Scan (to include at a minimum, the following elements: Al, Sb, Ba, Be, Cd, Cr, Co, Cu, Fe, Pb, Li, Mn, Mo, Ni, Se, Sn, Sr, Tl, Ti, U, V, Zn), and
  - Trace Arsenic and Mercury
5. All sampling, sample preservation and analyses shall be conducted in accordance with methods prescribed in the current edition of *Standard Methods for the Examination of Water and Wastewater*, or by such other methods approved by the Board.
6. All analyses shall be performed in a laboratory accredited according to ISO/IEC Standard 17025. The accreditation shall be current and in good standing.
7. The Licensee shall include in the Annual Report required under Part B, Item 2 all data, monitoring results and information required by this Part.
8. An Inspector may impose additional monitoring requirements.