



NIRB File No.: 08EN005

AANDC File No.: N2013C003

Previous AANDC File No.: N2007C0041

May 3, 2013

The Honorable Bernard Valcourt
Minister of Aboriginal Affairs and Northern Development
c/o Jeff Mercer
Manager, Land Administration
Aboriginal Affairs and Northern Development Canada
Iqaluit, NU

Sent via Email: jeff.mercer@aandc.gc.ca and landsmine@aandc.gc.ca

Re: Application Exempt from the Requirement for Screening pursuant to Section 12.4.3 of the NLCA: Agnico Eagle Mines Ltd.'s "CWM Claim Group – Mining Exploration" project, Kivalliq Region

Dear Jeff Mercer:

On December 10, 2012 the Nunavut Impact Review Board (NIRB or Board) received an application from the Nunavut Water Board (NWB) to amend Agnico-Eagle Mines Ltd.'s (AEM) Type B Water Licence (No. 2BE-MEP0813) associated with its "CWM Claim Group – Mining Exploration" project. On April 23, 2013 the NIRB received an application from Aboriginal Affairs and Northern Development Canada (AANDC, formerly INAC) for a new Land Use Permit (No. N2013C003) which would replace the previously issued and expiring Land Use Permit (No. N2007C0041) issued for the aforementioned project. On April 5, 2013 the NIRB received a positive conformity determination (Keewatin Regional Land Use Plan) from the Nunavut Planning Commission (NPC) for this file.

Please be advised that the NIRB received the original project proposal with a positive conformity determination (Keewatin Regional Land Use Plan) from the NPC on January 8, 2008. On January 16, 2008 the NIRB received applications from AANDC for a new Land Use Permit (No. N2007C0041) to replace the previously issued and expiring permit (No. N2005C0014), a new Quarry Permit (No. N2007Q0040) to replace the previously issued and expiring permit (No. N2005Q0001), as well as request to extend Land Use Permit No. N2006X0012 for project-related overland resupply and fuel caching activities (previously screened under NIRB File No. 06RN050). These permit requests were included within the NIRB's assessment of File No. 08EN005 and were screened by the Board in accordance with Part 4, Article 12 of the Nunavut Land Claims Agreement (NLCA). On March 27, 2008 the NIRB issued a NLCA 12.4.4(a) screening decision to the Minister of Indian and Northern Affairs Canada (now Minister of

Aboriginal Affairs and Northern Development) indicating the proposed project could proceed subject to the NIRB's recommended project-specific terms and conditions.

Additional authorization and extension requests associated with the "CWM Claim Group – Mining Exploration" project have also been reviewed by the NIRB following screening of the original project proposal (File No. 08EN005). In each instance the NIRB confirmed that the applications were exempt from the requirement for further screening pursuant to Section 12.4.3 of the NLCA and the activities therein remained subject to the terms and conditions recommended in the original June 27, 2006 and March 27, 2008 Screening Decision Reports. A summary of the additional applications associated with NIRB File No. 08EN005 is presented in Table 1.

Table 1: Additional applications associated with NIRB File No. 08EN005

Authorization	Application			NIRB Decision	
	Date Received by NIRB	Type	Reason for Application	Date Issued	Type
AANDC Land use permit N2007C0041	April 6, 2010	Extension	To continue exploration activities on the property	April 21, 2010	Reissued June 27, 2006 and March 27, 2008 screening decision reports
AANDC Quarry Permit N2007Q0040	April 16, 2010	Extension	To continue quarrying activities	May 13, 2010	Reissued June 27, 2006 and March 27, 2008 screening decision reports
AANDC Quarry Permit N2007Q0040	October 19, 2010	Extension	To continue quarrying activities	October 25, 2010	Reissued March 27, 2008 screening decision reports
AANDC Land use permit N2007C0041	February 17, 2011	Extension	To continue exploration activities on the property	March 14, 2011	Reissued June 27, 2006 and March 27, 2008 screening decision reports
AANDC Quarry Permit N2007Q0040	June 8, 2012	n/a	Did not want to seek renewal	n/a	n/a

Notes: AANDC = Aboriginal Affairs and Northern Development Canada); NIRB= Nunavut Impact Review Board; NRI= Nunavut Research Institute; SDR= Screening Decision Report

The current NWB and AANDC applications, the original NIRB Screening Decision Report (File No. 08EN005) and related file information are available from the NIRB's online public registry at the following location:

<http://ftp.nirb.ca/01-SCREENINGS/COMPLETED%20SCREENINGS/2008/08EN005-Comaplex%20Minerals/>.

PREVIOUSLY-SCREENED PROJECT PROPOSAL:

As previously screened by the NIRB (File No. 08EN005), the "CWM Claim Group – Mining Exploration" project was located within the Kivalliq region, approximately 40 kilometres (km) north of Rankin Inlet. The Proponent indicated that it intended to replace the expiring AANDC Land Use Permit (No. N2005Q0001) and Quarry Permit (No. N2005C0014) and to request an extension for a further Land Use Permit (No. N2006X0012) to allow for AEM's continued overland resupply and fuel caching activities with activities originally proposed from 2008 to 2010.

The activities/components associated with this proposal included:

- Diamond drilling;
- Prospecting and Mapping;
- Ground and/or airborne geographical surveys;
- Claim staking and trenching; and
- Quarrying.

On April 6, 2010 the NIRB received a request from INAC (now AANDC) to extend Land Use Permits N2007C0041 and N2006X0012. No new activities were associated with this application.

On April 16, 2010 the NIRB received an extension request from INAC (now AANDC) for Quarry Permit N2007Q0040. No new activities were associated with this application.

The October 19, 2010 extension request from INAC (now AANDC) for Quarry Permit N2007Q0040 also included an application for a new Quarry Permit, to continue quarrying activities related to this project. No new activities were associated with these applications.

On February 7, 2011 AEM applied with INAC (now AANDC) to extend the period of authorization for Land Use Permit No. N2007C0041 for an additional year to allow for continued exploration activities in the project area.

CURRENT APPLICATION:

AEM is proposing to amend its Type B Water Licence (No. 2BE-MEP0813) to include exploration activities within additional areas of adjacent Crown land as set out within the currently requested AANDC Land Use Permit (No. N2013C003) for this file.

Please note that Section 12.4.3 of the NLCA states that:

“Any application for a component or activity of a project proposal that has been permitted to proceed in accordance with these provisions shall be exempt from the requirement for screening by NIRB unless:

(a) such component or activity was not part of the original project proposal; or

(b) its inclusion would significantly modify the project.”

After completing a review of the information provided in support of the current application, the NIRB is of the understanding that the proposed amendment and application for a new Land Use Permit do not change the general scope of the original project activities, and the exceptions noted in NLCA 12.4.3(a) and (b) do not apply. Therefore, this application is exempt from the requirement for screening pursuant to Section 12.4.3 of the NLCA and the activities therein remain subject to the terms and conditions recommended in the original June 27, 2006 and March 27, 2008 Screening Decision Reports (enclosed).

If you have any questions or require additional clarification, please contact Kelli Gillard, Technical Advisor, at (867) 983-4619 or kgillard@nirb.ca.

Sincerely,



Ryan Barry
Executive Director
Nunavut Impact Review Board

cc: David Frenette, Agnico-Eagle Mines Ltd.
Tracey McCaie, Aboriginal Affairs and Northern Development Canada
Phyllis Beaulieu, Nunavut Water Board
Luis Manzo, Kivalliq Inuit Association

Enclosure: NIRB Screening Decision Reports, File No.: 08EN005 (June 27, 2006 and March 27, 2008)