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NUNAVUT WATER BOARD
NUNAVUT IMALIRIYIN KATIMAYINGI
OFFICE DES EAUX DU NUNAVUT

NWB File No: 2AM-MEA0815 / Renewal

August 29, 2014

Stéphane Robert
Manager Regulatory Affairs Nunavut
Agnico-Eagle Mines Limited – Meadowbank Division
10200, Route de Preissac,
Rouyn-Noranda, Quebec J0Y 1C0
Email: stephane.robert@agnico-eagle.com

Subject: Application for the renewal of Licence No. 2AM-MEA0815, Agnico-Eagle Mines Ltd.

Dear Mr. Robert,

The Nunavut Water Board (NWB or Board) acknowledges receipt on August 5, 2014, of the renewal application (Application) for a Type “A” Water Licence and supporting documentation from Agnico-Eagle Mines Limited (the Applicant or AEM) for the Meadowbank Gold Project, Licence No. 2AM-MEA0815.

Your submission has been placed in the Board’s Public Registry and is available from our ftp site using the following access (Username: *public* and Password: *registry*) and link:

<ftp://nunavutwaterboard.org/1%20PRUC%20PUBLIC%20REGISTRY/2%20MINING%20MILLING/2A/2AM%20-%20Mining/2AM-MEA0815%20Agnico/1%20APPLICATION/2015%20Renewal/>

The following documents are included within the Application:

- Cover Letter;
- \$30 application fees;
- Nunavut Water Board (NWB 2AM-MEA0815) Type A Water Licence Renewal Application – Main Supporting Document including:
 - Executive Summary – English and Inuktitut;
 - Water Licence Compliance Assessment;
 - Appendix A – List of Leases, Permits and Authorizations;
 - Appendix B – Management Plans including:
 - Appendix B1 – Aquatic Effect Management Program (AEMP), Version 2 (Dec. 2012);
 - Appendix B2 – Appendix B2- Core Receiving Environment Monitoring Program (CREMP), Design Document, Version 1 (Dec. 2012);

- Appendix B3 - Water Quality Monitoring and Management Plan for Dike Construction and Dewatering, Version 4 (April 2010);
- Appendix B4- Groundwater Monitoring Plan, Version 4 (Jan. 2014);
- Appendix B5- Quality Assurance/Quality Control (QA/QC) Plan, Version 2 (July 2014);
- Appendix B6- Water Quality and Flow Monitoring Plan, Version 3 (July 2014);
- Appendix B7 - Emergency Response Plan, Version 6 (Aug. 2013);
- Appendix B8 - Hazardous Material Management Plan, Version 3 (Oct. 2013);
- Appendix B9 - Spill contingency Plan, Version 4 (Nov. 2013);
- Appendix B10 - Operational ARD/ML Testing and Sampling Plan, Version 2 (Nov. 2013);
- Appendix B11 - Baker Lake Bulk Fuel Storage Facility: Environmental Performance Monitoring Plan, Version 3 (June 2014);
- Appendix B12 - Meadowbank Bulk Fuel Storage Facility: Environmental Performance Monitoring Plan, Version 2 (June 2014);
- Appendix B13 - Incinerator Waste Management Plan, Version 5 (July 2014);
- Appendix B14 - Interim Closure and Reclamation Plan, Version 2 (Jan.2014);
- Appendix B15 - Landfarm Design and Management Plan, Version 3 (Feb. 2013);
- Appendix B16 - Landfill Design and Management Plan, Version 2 (March. 2013);
- Appendix B17 - 2013 Water Management Report and Plan, Version 1 (March 2014);
- Appendix B18 - Ammonia Management Plan, Version1 (Feb. 2013);
- Appendix B19 - Dewatering Dike : Operation, Maintenance and Surveillance Manual, Version 3 (Sept. 2013);
- Appendix B20 - Tailings Storage Facility: Operation, Maintenance and Surveillance Manual, Version 3 (Sept. 2013);
- Appendix B21 - Mine Waste Rock and Tailings Management Plan, Version 1 (March 2014);
- Appendix B22 - Operation and Maintenance Manual: Sewage Treatment Plan, Version 4 (Apr. 2013);
- o Appendix C – Nunavut Water Board Type A Licence Renewal Application;
- o Appendix D – Core receiving Environment Monitoring Program (CREMP) 2013 (Azimuth, 2014); and
- o Appendix E – AANDC Inspectors Direction and AEM’s Response.

The NWB’s preliminary review of your submission determines that your Application meets the requirements allowing for public distribution in support of an initial technical assessment. Further, the preliminary review confirms that the Application is for a renewal of Type “A” Water Licence 2AM-MEA0815, which will require a public hearing in accordance with s. 52¹ of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* (NWNSTRA or Act). All public hearing matters will be carried out in accordance with the Board’s *Rules of Practice and Procedure for Public Hearing*, dated May 11, 2005 (NWB Rules).

¹ *Nunavut Waters and Nunavut Surface Rights Tribunal Act*, section 52 (1) Subject to subsection 37(2), a public hearing shall be held by the Board before it disposes of (a) any application in relation to a licence, unless the application is of a class that is exempted by the regulations from the requirement of a public hearing.

The next step in processing your Application involves a completeness review and an initial technical assessment to determine if all of the necessary information and studies to evaluate quantitative and qualitative effects of your project on the freshwater environment have been provided. **Accordingly, by copy of this letter, the Board requests that interested parties review the submission for completeness and initial technical assessment, including any Information Request (IRs) identified. Further, the NWB invites interested parties to comment on the type of Technical Meeting-Pre-Hearing Conference to be held for the application (written, teleconference, or in person as outlined in steps 3 and 5 in the process overview set out below).**

All intervening parties should provide their submissions to the NWB's Manager of Licensing at licensing@nwb-oen.ca by **October 29, 2014 (4:00 p.m. MST)**.

Following the receipt of comments, the NWB will determine whether the Application is complete, or whether additional information and studies are required (IR's) to evaluate all quantitative and qualitative effects of the undertaking pursuant to s. 48 of the Act. The NWB will advise AEM of the Board's determination at that time.

Once the application is deemed complete, the following general process will be undertaken; however, complete details on the NWB's licensing process are available in NWB Guide 5².

1. Notice of the Application

A notice of the Application will be made in accordance with s. 55(1) of the Act. This notice will invite interested persons to make representation to the Board. Parties will be advised of the consequences of failure to respond as outlined in ss. 59 and 60(2) of the Act. Furthermore, the Board will distribute notice to the communities and interested parties affected by the application and shall publish the notice in a newspaper of general circulation in the areas that are affected. If there is no such newspaper, the Board shall publish the notice in such other manner as the Board considers appropriate.

2. Detailed Technical Review

Interested parties will be invited to undertake a detailed technical assessment or review of the complete application for the undertaking. Parties will be encouraged to work cooperatively to address technical issues identified during the review period. Generally, the Board provides at least thirty (30) days for a technical review in advance of a technical meeting. However, to assist the Board in expediting the technical assessment, parties are encouraged to begin their detailed technical assessment as early as possible.

3. Technical Meeting (TM)/Pre-Hearing Conference (PHC)

Rule 14 of the NWB Rules permits the Board, through its staff or in conjunction with staff, to hold a Technical Meeting (TM) and Pre-hearing Conference (PHC) with interested parties, either in writing, by teleconference, or in person. The Board

² Guide 5 – Processing Water Licence Applications (April 2010).

anticipates setting a date for a TM-PHC shortly after the deadline for receiving technical review submissions, which will be announced according and subsequently. The PHC is typically scheduled to immediately follow the TM.

4. **Pre-Hearing Conference (PHC) Decision**

Following the TM/PHC, the NWB will issue a PHC decision and may outline any technical commitments of the Applicant and the administrative and procedural requirements for a Public Hearing.

5. **Public Hearing (PH)**

Sub-section 55(2) of the Act requires that a minimum notice period of sixty (60) days be provided for a Public Hearing (PH). As with the Technical Meeting and Pre-hearing Conference, the Board has the ability to conduct its Public Hearing in writing, by teleconference, or in person. Once the Board has received all information requested through this process and is satisfied that the Public Hearing should proceed, the type or place, date, and time of the hearing will be determined and a notice will be published by the Board in advance of the public hearing and in a manner that promotes public awareness and participation in the hearing.

6. **Public Hearing Decision**

Following the Public Hearing, the Board will issue a written decision with reasons (final decision) for the Application. The Board's final decision will be provided to the Minister of Aboriginal Affairs and Northern Development Canada (AANDC) for consideration. Interested and intervening parties will also be provided with a copy of the of the Board's final decision. The Minister of AANDC typically issues his/her response to the Board's final decision with 45 or 90 days from the date of receipt.

The Licensee should note that as part of the NWB's process for the file, confirmation of pre-licensing requirements related to the Nunavut Impact Review Board's (NIRB) Environmental Assessment process and the Nunavut Planning Commission's (NPC) Land Use Conformity Determination will be required. While the Board is well-aware that original and recent, separate decisions³ issued by both the NIRB and NPC for activities and undertakings related to the original and most recent Amendment No. 2 applications may be consistent with those included in the Application, the NWB still requires confirmation from both organizations on whether or not the entire scope of the Application was considered in the decisions issued. Therefore, by copy of this correspondence, the NWB requests that the NIRB and NPC conduct their review, as may be required, and/or provided the Board with a copy of their respective determination for the Application. It should be understood that, in accordance with s. 39 (1) of the Act, the NWB may

³ NIRB Meadowbank Gold Mine Project Certificate (004), December 30, 2006, NIRB Correspondence to NWB stating that Amendment No. 2 application is exempt from screening, October 1, 2013
NPC Conforms to Keewatin Regional Land Use Plan (KRLUP) Determination, July 21, 2003; NPC Correspondence to NWB stating that NPC has no comments with respect to the Amendment No. 2 application.

not issue, renew, or amend a licence until the NIRB has completed the screening, reconsideration, or where a review is required, issued an amended Project Certificate.

Notwithstanding the pre-licensing matters mentioned above, in the interests of ensuring that this Application is dealt with in a timely manner, while recognizing the absence of directions/confirmation from the NPC and the NIRB regarding any pre-licensing requirements at this time, the Board will continue with its processing of your application to the extent possible at this stage in the process.

To re-state the above, the NWB is inviting interested persons to comment on the following: completeness of the Application based on their initial technical assessment, proposed updates to terms and conditions in the current licence, type of TM-PHC to be held, and any Information Requests (IRs) related to the Application. All comments and recommendations should to be submitted to the NWB's Manager of Licensing at licensing@nwb-oen.ca no **later than October 29, 2014 (4:00 p.m. MST)**.

If you have any questions regarding the above or procedural matters, please contact Phyllis Beaulieu, Manager of Licensing, at (867) 360-6338 or by e-mail to licensing@nwb-oen.ca . For inquiries related to Technical matters, please contact Karén Kharatyan, Technical Advisor, by email to Karen.Kharatyan@nwb-oen.ca or David Hohnstein, Director of Technical Services, by email to David.Hohnstein@nwb-oen.ca.

Sincerely,

Original signed by:

Phyllis Beaulieu
Manager of Licensing

PB/kk

Cc: Kivalliq Distribution