



NIRB File No.: 16MN056
NWB File No.: 2AM-WTP1826

January 22, 2020

Whale Tail Pit Distribution List

Sent via email

Re: Minister's Response to NIRB's Reconsideration Report and Recommendations and Draft Project Certificate No. 008 for Agnico Eagle Mines Limited's "Whale Tail Pit Expansion" for the Whale Tail Pit Project

Dear Parties:

On January 22, 2020 the Nunavut Impact Review Board (NIRB or Board) received the enclosed correspondence in response to the Board's October 18, 2019 Reconsideration Report and Recommendations¹ regarding Agnico Eagle Mines Limited's (Agnico Eagle) Whale Tail Pit Expansion Project Proposal for the Whale Tail Pit Project (NIRB File No. 16MN056). Collectively, the responsible ministers with regulatory jurisdiction over the Whale Tail Pit Project (Responsible Ministers) and with authority for responding to the Board's Reconsideration Report and Recommendations for the Whale Tail Pit Expansion proposal include the Minister of Northern Affairs, the Minister of Environment and Climate Change, the Minister of Fisheries, Oceans and the Canadian Coast Guard, and the Minister of Natural Resources.

The Responsible Ministers, pursuant to s. 112(6)(a) of the *Nunavut Planning and Project Assessment Act*, S.C. 2013, c. 14, s. 2 (*NuPPAA*), have accepted the Board's recommendation that the Whale Tail Pit Expansion Project can proceed with revisions to specific Terms and Conditions as well as the issuance of new Terms and Conditions for Project Certificate No. 008. The Responsible Ministers also provided direction to further vary the wording of terms and conditions 30 and 66. As a result of the Responsible Ministers decision to accept the Board's report and allow the project to proceed, under s. 112(10) of *NuPPAA* the NIRB is required to issue an amended Project Certificate No. 008 within 30 days.

Prior to issuance of the amended Project Certificate, the NIRB is proposing to host a **Project Certificate workshop by teleconference on either February 6 or 7, 2020** to facilitate discussions amongst regulatory authorities, the NIRB staff, and the Proponent regarding the expected implementation of the revised or new terms and conditions. Regulatory authorities will be expected to confirm which revised or new terms and conditions will be incorporated into their

¹ Public Registry ID: 327165

respective licences or permits, and discuss their organization's respective role in implementing these terms and conditions as applicable. Therefore, the NIRB requests that, if possible, regulatory agencies participating in the teleconference select staff representatives directly involved in the implementation or monitoring of the Whale Tail Project. Parties are further advised that the NIRB will not be modifying the explicit wording of, nor providing justification for, specific terms and conditions during the workshop, however additional commentary to specific terms and conditions can be contemplated where warranted.

Parties are asked to indicate their availability to participate in the Project Certificate workshop by **January 29, 2020** via email to info@nirb.ca. Following receipt of planned attendance, the NIRB expects to confirm scheduling and timing of the workshop and associated details by January 31, 2020.

The enclosed *Draft* Project Certificate No. 008, Amendment 1, which reflects the required changes from both the Board's and Responsible Minister's decisions, is provided for the information of parties that will be participating in the Project Certificate workshop. All materials related to the NIRB's assessment of the Whale Tail Pit Expansion Project can be accessed online from the NIRB's public registry at www.nirb.ca/project/125418.

Should you have any questions or require additional clarification regarding the NIRB's assessment of the Whale Tail Pit Expansion Project, please contact Erin Reimer, Technical Advisor I at (867) 857-4566 or ereimer@nirb.ca.

Sincerely,



Ryan Barry
Executive Director
Nunavut Impact Review Board

Enclosures (2) Minister Response Re NIRB Final Report (*January 22, 2020*)
DRAFT NIRB Project Certificate No. 008 Amendment 1 (*January 22, 2020*)

cc: Jamie Quesnel, Agnico Eagle Mines Limited
Manon Turmel, Agnico Eagle Mines Limited
Michel Groleau, Agnico Eagle Mines Limited
Stephanie Autut, Nunavut Water Board
Karén Kharatyan, Nunavut Water Board
Luis Manzo, Kivalliq Inuit Association
Maria Serra, Kivalliq Inuit Association
Richard Aksawnee, Baker Lake Hunters and Trappers Organization
Natalie O'Grady, Government of Nunavut
Alex Power, Canadian Northern Economic Development Agency
Tineka Simmons, Canadian Northern Economic Development Agency
Agnes Simonfalvy, Canadian Northern Economic Development Agency
Tracey McCaie, Crown-Indigenous Relations and Northern Affairs Canada
Georgina Williston, Environment and Climate Change Canada

Daniel Coombs, Fisheries and Oceans Canada
Rob Johnstone, Natural Resources Canada
Peter Unger, Natural Resources Canada
Paul Partridge, Health Canada
Transport Canada