



May 26, 2023
 NPC FILE No. 150084

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Dear Francis Emingak, Richard Dwyer, Luis Manzo, D'Amours-Gauthier, Daniel Haney, Tracey McCaie, Carson Gillis, and Manon Turmel:

RE: NPC File No. 150084 [Whale Tail 2023 Modification]

- Related NPC FILE No. 148297, 148953, and 149515
- Related NIRB FILE No. 03MN107, 11EN010, 16MN056, Related NWB FILE No.: 2AM-WTP1830.
- Location: Kivalliq Region; [approximately 150 km north of the Hamlet Baker Lake, near Amaruq]

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The following works and activities have been proposed in the above-noted project proposal:

1. Mineral Exploration : Agnico Eagle is proposing an amendment to their Project Certificate No. 008 and Water License 2AM-WTP 1830 to support additional changes to the Whale Tail Pit mine site development. Proposed activities include the expansion of the Whale Tail Pushback, expansion of the IVR Pushback, and temporary storage of saline water in IVR Pit.

A complete description of the project proposal reviewed by the NPC can be accessed online using the link below.

The Nunavut Planning Commission (NPC) has completed its review of the above noted project proposal. The NPC previously reviewed works and activities associated with the current proposal on July 12, 2002, July 21, 2003, March 10, 2011, October 15, 2015, July 16, 2015, October 16, 2018, and on April 20, 2021, which still apply. In addition, associated activities were previously reviewed by the Nunavut Impact Review Board, including the development of an open pit mine (Whale Tail and IVR) and a haul road establishment (NIRB FILE NO.: 16MN056, Project Certificate No. 008). It conforms to the Keewatin Regional Land Use Plan (KRLUP). The proponent has undertaken to comply with the applicable conformity requirements of Appendix C, G, and H of the KRLUP.

The above-noted project proposal is exempt from screening by the NIRB because the NPC is of the understanding that the proposed expansions of whale tail and IVR push backs and construction of a temporary storage of saline water in IVR Pit do not change the general scope of the original or previously amended project activities, and the exceptions noted in Section 12.4.3 (a) and (b) of the Nunavut Agreement do not apply. However, the proponent is encouraged to discuss potential implications for the project's monitoring program with the NIRB.

By way of this letter, the NPC is forwarding the modification request to NIRB for further reconsideration of the project certificate no. 008. Project materials, including the applicable conformity requirements, are available at the following address:

<https://lupit.nunavut.ca/portal/project-dashboard.php?appid=150084&sessionid=>

The regulatory authorities to which this letter is addressed are responsible under the Nunavut Planning and Project Assessment Act (NUPPAA) to implement any of the applicable requirements by incorporating the requirements directly, or otherwise ensuring that they must be met, in the terms and conditions of any authorizations issued.

This conformity determination applies only to the above noted project proposal as submitted. Proponents may not carry out projects and regulatory authorities may not issue licenses, permits and other authorizations in respect of projects if a review by the NPC is required. Regulatory authorities may consult with the NPC to obtain recommendations on their duties to implement the existing land use plans prior to issuing licenses, permits and other authorizations under subsection 69(6) of the NUPPAA.

My office would be pleased to discuss how best to implement the applicable requirements and to review any draft authorizations that regulatory authorities wish to provide for that purpose. If you have any questions, please do not hesitate to contact me at (867) 979-3444.

Sincerely,



Goump Djalogue, MCIP, RPP
Manager of Planning and Implementation
Nunavut Planning Commission