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Dear Richard Dwyer, Tracey McCaie, Calvin Ehaloak, Carson Gillis, Luis Manzo, and Jennifer Range:

RE: NPC File No. 151293 [Whale Tail 2026 Modification]

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

1. **Primary Land Use:** Mining
2. **Project summary description:** Continuation of mining activities including optimizations to previously approved mining activities and components.
3. **Summary of modifications:** Agnico Eagle proposes modifying the Whale Tail Waste Rock Storage Facility to hold additional waste rock (90M tonnes) from continued Whale Tail Pit pushback mining. Requires an NWB Water Licence Modification with no new infrastructure or other operational changes needed.
4. **Related NPC File Nos.:** 148297, 148953, 149515, 150084 and 150376; **Related NIRB File Nos.:** 03MN107, 11EN010, 16MN056; **Related NWB File No.:** 2AM-WTP 1830
5. **Location:** Kivalliq Region; [approximately 150 km north of the Hamlet of Baker Lake, near Amaruq]

A complete description of the project proposal reviewed by the Nunavut Planning Commission (NPC) can be accessed online using the link below.

The NPC has completed its review of the above-noted project proposal. The NPC previously reviewed works and activities associated with the current proposal, and the conformity determination was most recently issued on April 19, 2024 which still applies. In addition, associated activities were previously reviewed by the Nunavut Impact Review Board (NIRB), 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) and expansion of Whale Tail Ore Stockpile No. 3. 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 expansion of the Whale Tail Waste Rock Storage Facility 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 NIRB.

By way of this letter, the NPC is forwarding the project proposal to the regulatory authorities identified by the proponent. Project materials, including the applicable conformity requirements, are available at the following address: <https://lupit.nunavut.ca/portal/registry/registry.aspx?appid=151293>

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) 447-4563.

Sincerely,



Solomon Amuno, PhD
Senior Planner
Nunavut Planning Commission

Jurisdictional Note:

This conformity determination applies only to the components of the proposed project located within the Nunavut Settlement Area and under the Nunavut Planning Commission's statutory jurisdiction as defined in the Nunavut Agreement and the Nunavut Planning and Project Assessment Act (NuPPAA). Activities outside the NPC's jurisdiction remain subject to the review and regulatory processes of the relevant authorities. Proponents are responsible for identifying, contacting, and obtaining all required approvals from the appropriate regulators in every applicable jurisdiction to ensure compliance with all legislation, policies, and licensing requirements.