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NUNAVUT WATER BOARD  
NUNAVUT IMALIRIYIN KATIMAYINGI  
OFFICE DES EAUX DU NUNAVUT

**File No: 2AM-DOH1335**

May 7, 2025

Doris North Distribution List

**RE: Licence No: 2AM-DOH1335, Doris-Madrid (Hope Bay) Project; Application to Amend Type A Water Licence by Agnico Eagle Mines Limited; Notice of Application and Commencement of Technical Review**

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On April 30, 2026, the Nunavut Water Board (NWB or Board), following the completion of the Board's completeness check in relation to an Application to amend type A Water Licence No: 2AM-DOH1335 associated with the Doris-Madrid (Hope Bay) Project (the Licence) submitted by Agnico Eagle Mines Limited (the Amendment Application), which included two rounds of comments, submission of Information Requests and the receipt of responses from Agnico Eagle Mines Limited (the Applicant) that commenced on February 3, 2026, the NWB determined that the Amendment Application was complete and issued formal Notice of the Amendment Application and commencement of the Technical Review period.

The Board based its determination of completeness on its review of submissions from Interveners and responses from Agnico Eagle, stating the following:

*After reviewing all submissions from Interveners and responses from Agnico Eagle, the NWB notes that there are some outstanding concerns from the KIA, CIRNA and DFO. The Board is of the opinion that some of these concerns are not necessarily information requests, but rather technical issues that could be more effectively discussed during the Technical Review stage and the in-person Technical Meeting and Pre-Hearing Conference (TM-PHC).*

*Addressing these outstanding technical issues at that stage would help move the review process forward more efficiently. Further, the NWB reminds parties that it was seeking feedback on the completeness of information required to begin the full technical review stage, where technical issues can be examined in greater detail.*

In making this determination, the Board also considered the scope of the Amendment Application and the nature of the Undertaking to determine whether sufficient information was provided in the

Amendment Application to enable parties to commence their technical review and comment on the Amendment Application, stated as follows:

*...the Application submitted by Agnico Eagle generally constitutes an administratively and materially complete Application in accordance with the Guides.*

On May 1, 2026 the Board received a written submission from Crown-Indigenous Relations and Northern Affairs (CIRNA) expressing the opinion that CIRNA has:

*...not received sufficient responses to a large number of its information requests, and believe moving this process to the technical review stage will lead to omissions in the technical review stage. CIRNAC is of the firm opinion that without the requested information, technical reviewers will be missing key information necessary for evaluating the appropriateness of the submitted amendment and renewal.*

CIRNA noted that they did not agree that sufficient updated information in relation to Management Plans and to reflect current conditions in relation to previously approved infrastructure had been provided to satisfy CIRNA's Information Requests (IRs) 2b, 3, 8b, 9, 14, 15, 16a, 16b, 17, 18, 19c, 19d, 21, 22, 23, 25, 27, 28, 29, 31, and 33 and 3, 8b, 19c, 21, 22, 23, 25, 28 and 33.

On this basis, CIRNA stated the following:

*Therefore CIRNAC recommends that the Board immediately reverse the decision to move to the technical stage, determine the application to be incomplete and return it to the Applicant until all required information has been provided.*

All comment submissions filed to date in relation to the Amendment Application are available from the NWB's public registry at the following link:

[Completeness Check submissions](#)

### **The NWB's Response**

As discussed in greater detail below, the Board considered CIRNA's May 1, 2026 request to reconsider whether the Amendment Application is administratively complete and ready to proceed to technical review. After revisiting the scope of the Amendment Application, the Board's standard application requirements, the relevant Technical Guides and Supplemental Information Guidelines, the two rounds of completeness comments from KIA, CIRNA, ECCC, and DFO, the Applicant's responses to information requests, and CIRNA's May 1, 2026 correspondence, the Board's conclusion that the Amendment Application is administratively complete remains

unchanged. Accordingly, the Board has declined CIRNA's request to rescind the Notice of Application, and the technical review period and the timelines and process set out in the Notice of Application remain in effect.

### **The NWB's Analysis**

At the outset, the NWB reminds parties that the focus of the Board's determination of completeness is on administrative completeness and considers whether, based on the scope of the application submitted and the nature of the Undertaking, all items of information required for the Board and Interveners to conduct technical review are present. At this preliminary stage of the Board's consideration of an application, the Board does not perform a substantive review of the Amendment Application and does not assess whether the information submitted is adequate to address the outstanding technical issues or technical questions that may be identified by the Board or parties during the substantive technical review of the Amendment Application.

While it remains exclusively within the NWB's jurisdiction to determine whether the minimum information requirements for a complete application have been met in any given circumstance, the Board, recognizing the significant role of Interveners (regulators, Designated Inuit Organizations, interested groups) and interested members of the public in the NWB's consideration of an application, the NWB invites interested parties to provide comments on completeness during the Board's completeness check. Specifically, in the case of this Amendment Application, the opportunity to comment on completeness commenced on February 3, 2026 and two rounds of comments, IRs, Applicant's responses and further comment were received from the Applicant and the Kitikmeot Inuit Association (KIA), Crown-Indigenous Relations and Northern Affairs (CIRNA), Environment and Climate Change Canada (ECCC) and Fisheries and Oceans Canada (DFO), concluding with a final response from the Applicant being provided on April 24, 2026.

While the Board understands that the KIA, CIRNA and DFO have identified outstanding concerns that were not, in their view, addressed fully by the Applicant in their responses to IRs, no parties other than CIRNA objected that the Amendment Application was administratively complete and could progress to the full technical review stage. As indicated in the Notice of Amendment Application issued on April 30, 2026, the NWB considered all comments received and concluded that the outstanding concerns identified by all parties involve technical issues that will be more effectively addressed during the substantive technical review process that is now underway.

With respect to CIRNA's position specifically about requiring submission of information and updates in relation to existing and previously approved activities/infrastructure, the Applicant has identified in the Amendment Application that many previously approved activities/infrastructure will remain unchanged. If no changes to previously approved activities/infrastructure are

requested, the NWB does not require resubmission in the Amendment Application of information that is already on the public registry for the Licence such as technical information from the original applications and renewals, monitoring information and previously approved plans, etc. The Board highlights, however, that the onus remains on the Applicant to provide the Board and parties with sufficient information to support their requested amendments to the existing Licence. For example, if the Applicant, during technical review of the Amendment Application determines that significant changes to the existing/previously approved activities/infrastructure are required, the Board retains the discretion to request additional information and suspend the Board's consideration of the Amendment Application until sufficient information and technical review of the information necessary to support such requests is made.

Consequently, the NWB does not agree with CIRNA's opinion that advancing to the technical review stage is inappropriate and will unduly hamper the ability of the Board and parties to engage in the technical review of the Amendment Application, including the completion of next steps, such as identifying outstanding technical issues and concerns, entering into discussions with the Applicant and parties to address outstanding technical issues and providing the Board with technical comment submissions for the Board's consideration.

### **Conclusion and Next Steps**

In conclusion, as outlined above, the Board has confirmed that the information necessary for the Amendment Application to be deemed administratively complete has been received and that it is appropriate for the Amendment Application to advance to the technical review stage. Accordingly, the NWB has declined CIRNA's request to rescind the Notice of Application, and the technical review of the Amendment Application as set out in the NWB's April 30, 2026 Notice of Application is continuing.

It is the Board's understanding that the Applicant and CIRNA will be meeting to discuss CIRNA's concerns in relation to the Amendment Application, and the Board encourages all parties with outstanding concerns to work together throughout the NWB's consideration of the Amendment Application to address concerns, provide clarity and to make commitments as may be required to address and resolve issues as the Amendment Application proceeds through the regulatory process.

In closing, the Board recognizes that several comments on completeness have sought clarity in relation to the Applicant's current and future plans for changes to the existing and previously approved activities and infrastructure. In the interest of clarity regarding the nature and extent of the Applicant's planned changes to previously approved activities/infrastructure in the scope of this Amendment Application, the NWB requests that Agnico Eagle provide in their future response to technical review comments a simplified listing of planned changes and a detailed site diagram,

identifying existing approved infrastructure at the site, including design characteristics, and depicting planned changes to the existing approved infrastructure.

If you have any questions regarding the filings associated with the Amendment Application, please contact Richard Dwyer, Licensing Manager, at [richard.dwyer@nwb-oen.ca](mailto:richard.dwyer@nwb-oen.ca) or by phone at (867) 360-6338 (ext. 27). For any other inquiries, please contact the undersigned, Karén Kharatyan, Director of Technical Services, by e-mail to [karen.kharatyan@nwb-oen.ca](mailto:karen.kharatyan@nwb-oen.ca).

Sincerely,

**NUNAVUT WATER BOARD**

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Karén Kharatyan  
Director, Technical Services