



Water Resources Division
Resource Management Directorate
Nunavut Regional Office
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Your file - Votre référence
2AM-DOH1335
Our file - Notre référence
GCDocs# 146324517

May 1, 2026

Robert Hunter
Licensing Administrator
Nunavut Water Board
P.O. Box 119
Gjoa Haven, NU, X0B 1J0
sent via e-mail: robert.hunter@nwb-oen.ca

Re: Crown-Indigenous Relations and Northern Affairs Canada's Response to Round 2 of the Information Request Responses from Agnico Eagle Mining Limited, Hope Bay Project, Type A Water Licence No. 2AM-DOH1335

Dear Robert,

Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) thanks the Nunavut Water Board (the Board) for distributing Agnico Eagle Mining Limited's (Agnico) second round of comments to the 2AM-DOH1335 Water License Amendment Completeness Review.

On April 24, 2026 Agnico Eagle responded to requests from intervenors and provided their opinion that the application could not in fact move to a technical review. This is not however CIRNAC's opinion and we do not think that the Board has provided sufficient time for this process, nor has the Proponent provided sufficient and complete responses as to meet the requirements of the application nor the legal tests contained the Board's own guidance documents.

CIRNAC would like to make it clear that we have 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.

Agnico has indicated that it does not consider information on existing infrastructure to be pertinent to the current review. However, CIRNAC notes that much of the infrastructure presently in place was constructed 10-15 years ago and approved in the context of a substantially smaller operation - approximately 360 personnel on site, a milling rate of 2,000 tpd, and a projected mine life ending in 2017. In contrast, the



current amendment and renewal application proposes up to 1,050 personnel, a milling rate of 8,000 tpd, and operations extending to 2043. This is almost a 300 fold increase to operations.

Given this significant increase in operational scale, there will be corresponding increases in water use, waste generation, and overall site activity and disturbance. These changes, combined with the additional climate change considerations related to the extended operating period, introduce new demands and potential stresses on the site's water management infrastructure. Without updated information on existing infrastructure, CIRNAC cannot verify whether current systems are capable of managing the increased loads associated with the proposed operation, which is necessary to determine whether the application meets the requirements of the the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* (the Act).

CIRNAC has a mandated responsibility to ensure that the Act is upheld during a Water License Amendment and Renewal Process. As per section 48 of the Act:

- (1) "An application in relation to a licence **shall contain the information and be in the form required by the rules or by-laws of the board**, and be accompanied by the fees required by the regulations."
- (2) "An application, except in relation to a cancellation, shall be accompanied by the information and studies concerning the use of waters or the deposit of waste that are required for the Board to evaluate the qualitative and quantitative effects of the use or the deposit on waters"

As per the NWB Guide 7:

- 1) Section 10: "The requirements of a combined renewal and amendment application are the same as those for an amendment application described in section 3 of this part of the guide"
- 2) Section 3: "Amendment applications that do not include all the checklist items listed in the following "Table 1: Amendment Application Checklist" **will be returned to the applicant as incomplete with a request for the deficient information.**"

Agnico has failed to meet the following water license application requirements from NWB Guide 7:

- 1) Table 1: Amendment Application Checklist; Requirement 1: "Completion of the Application for water License Amendment Form in accordance with the guidance provided in the NWB's Guide 4- Completing and Submitting a Water License application for a New License (Guide 4), part 1, section 5." (see IRs 1a, 1b, 1d, and 25)



- 2) Table 1: Amendment Application Checklist; Requirement 2: “Updated information that satisfies the checklist requirements outlined in any Supplemental Information Guidelines that are relevant to the project as described in part 1 section 6 of Guide 4 as well as updated information required to complete Plans, including Designs and Reports as described in Guide 4, part 1, section 7.” (see IRs 2b, 3, 8b, 9, 14, 15, 16a, 16b, 17, 18, 19c, 19d, 21, 22, 23, 25, 27, 28, 29, 31, and 33)
- a. NWB Guide 4, part 1, section 6: All documents referenced in the concordance table must be submitted as part of the overall water licence application and it is critical that information provided in all documentation is consistent. (see IRs 4, 17)
 - b. Section 3: **“Even if information in respect of an SIG(s) was provided upon application for the original license, the Board requires the licensee to submit updated information addressing the SIG.** Legislation, policies, best management practices and the information needs of both the Board and other parties may all change over time. Requirements and plans that were previously accepted may no longer reflect current conditions.” (see IRs 3, 8b, 19c, 19d, 21, 22, 23, 25, 28, and 33)

Accepting an application with this number of known information gaps would be inconsistent with the listed Board guidelines and would undermine the integrity of the completeness review process. The completeness stage exists to ensure that all information required to conduct a technical assessment is available prior to initiating that assessment. Deferring fundamental information gaps to the technical review stage undermines this process and is inconsistent with the Board’s established procedures.

CIRNAC agrees with Agnico that the focus of the NWB should continue to be on following the established procedural steps for an Amendment and Renewal Application. As per these steps, Agnico has failed to provide the necessary information mandated by the Act and by the NWB. 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.

CIRNAC has provided a complete copy of the information necessary to move to the technical review stage, for the proponents benefit in our last submission to the Board.

CIRNAC thanks the Board for its continued commitment to upholding the Act and ensuring freshwater protection in Nunavut.



Sincerely,

Andrew Keim

Andrew Keim

Manager

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Crown-Indigenous Relations and Northern Affairs Canada

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Cc:

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Spencer Dewar, Regional Director General- CIRNAC

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