



Water Resources Division
Resource Management Directorate
Nunavut Regional Office
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Your file - Votre référence
2AM-DOH1335
Our file - Notre référence
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July 29, 2026

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July 28, 2026

Karen K
Licensing Administrator
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P.O. Box 119
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Sent via e-mail

Re: Crown-Indigenous Relations and Northern Affairs Canada's Submission on the Proposed Licence Condition Respecting Transition from Approved Slurry Tailings Deposition to Dry-Stack Tailings Deposition at the Hope Bay Project, Type A Water Licence No. 2AM-DOH1335

Dear Karen,

CIRNAC has reviewed an E-mail that contained a suggested workable option to facilitate/initiate CIRNAC's and Agnico Eagle's discussion on this issue as well as Agnico Eagle Mines Limited's subsequent proposed wording regarding the potential transition from the currently approved slurry tailings deposition methodology to dry-stack tailings deposition.

CIRNAC remains of the view that the information currently before the Board is insufficient to allow a comprehensive assessment of the environmental, water management, closure, reclamation, and security implications associated with the proposed transition. For this reason,



CIRNAC previously proposed that the dry-stack tailings component be removed from the amendment application and considered separately once sufficient supporting information had been developed and submitted for review. As an alternative, CIRNAC supported the development of a licence condition that would address the identified information deficiencies while preserving the opportunity for future review and approval prior to implementation.

Following review of AGNICO EAGLE's proposed wording, CIRNAC does not support reliance on existing Part B Item 9 and Part B Item 13 of the Licence as the primary mechanism for regulating the proposed transition. In CIRNAC's view, those provisions were not intended to address a project change of this magnitude. The proposed transition from slurry tailings deposition to dry-stack tailings deposition has the potential to affect site-wide water management, water quality predictions, seepage generation, closure planning, reclamation requirements, monitoring obligations, and environmental security. As such, the transition represents a significant change to a core project component and should not be addressed through provisions intended to facilitate routine operational changes.

More importantly, CIRNAC is concerned that the wording proposed by AGNICO EAGLE creates an implication that the transition to dry-stack tailings has already been accepted in principle and that only implementation details remain to be submitted. CIRNAC does not agree that such an interpretation is supported by the current record.

The purpose of the proposed licence condition is to address a recognized information deficiency. The Board has not yet had the opportunity to assess the full implications of the proposed transition because the information necessary to complete that assessment has not been provided. Accordingly, CIRNAC continues to support the establishment of a dedicated licence condition that clearly identifies the information requirements, review process, and approval framework applicable to any future transition from the currently approved slurry tailings deposition methodology.

At a minimum, CIRNAC submits that any condition adopted by the Board should clearly establish that:

- the currently approved tailings deposition methodology remains slurry tailings deposition;
- the transition to dry-stack tailings has not yet been approved;
- implementation of dry-stack tailings cannot occur unless and until the Board reviews and approves the required technical information; and
- the Board retains full discretion to determine whether the proposed transition is acceptable following review of that information.



CIRNAC further maintains that the information submitted in support of any future transition should be sufficient to allow the Board and interveners to assess the technical, environmental, closure, and financial implications of the proposed change. At a minimum, this review should include:

- a detailed technical rationale and alternatives assessment;
- an updated Water Quality and Load Balance Model;
- an updated Interim Closure and Reclamation Plan for the Tailings Impoundment Area;
- an updated environmental security estimate;
- an updated Tailings Deposition Plan; and
- all relevant design and construction documentation.

In summary, CIRNAC's concern is not with future consideration of dry-stack tailings. Rather, CIRNAC's concern is that the licence clearly establish that approval of the proposed transition has not yet been granted. The information currently before the Board is insufficient to assess the environmental, water management, closure, and security implications of the proposed change. The purpose of the proposed condition is therefore to ensure that the information necessary to complete that assessment is provided and reviewed before the Board determines whether the transition should be approved.

Accordingly, CIRNAC does not support reliance on Part B Item 9 and Part B Item 13 as proposed by AGNICO EAGLE and continues to support the inclusion of a stand-alone approval condition specifically addressing the transition from the currently approved slurry tailings deposition methodology to dry-stack tailings deposition.

CIRNAC has prepared the following draft condition based on previous submissions made by both CIRNAC and the Nunavut Water Board. While the proposed wording is more prescriptive than conditions typically found within a Type A Water Licence, CIRNAC considers this level of detail appropriate given the significance of the proposed change and the current absence of information necessary to fully assess its implications. The proposed condition is intended to provide clarity respecting the information requirements, review process, and approval framework applicable to any future transition from the currently approved slurry tailings deposition methodology. The condition is also intended to ensure that the Board retains a clear and transparent decision-making process through which the environmental, water management, closure, reclamation, and security implications of the proposed transition can be evaluated prior to implementation.

Part E: Conditions Applying to Water Use and Management



Transition to Alternative Tailings Deposition Methodologies

XX. The Licensee shall continue to deposit tailings in accordance with the approved slurry tailings deposition methodology unless otherwise approved in writing by the Board.

XX. The Licensee, in seeking approval to transition from the approved slurry tailings deposition methodology, shall, at least one hundred and twenty (120) days prior to any proposed transition, submit the following information to the Board for review and approval:

- a. a report describing the proposed tailings deposition methodology and providing the rationale and justification for the proposed transition;
- b. a detailed alternatives assessment demonstrating the basis for selecting the proposed tailings deposition methodology;
- c. an updated Water Quality and Load Balance Model incorporating the proposed tailings deposition methodology and associated infrastructure;
- d. updated water quantity and water quality predictions, including an assessment of potential impacts to site-wide water management, seepage generation, contact water management, water treatment requirements, and receiving waters;
- e. an updated Interim Closure and Reclamation Plan incorporating the proposed tailings deposition methodology, including the proposed closure strategy for the Tailings Impoundment Area;
- f. an updated reclamation liability and security estimate reflecting the proposed operational, closure, post-closure, monitoring, water management, and adaptive management requirements associated with the proposed tailings deposition methodology;
- g. an updated Tailings Deposition Plan;
- h. all relevant final design reports, engineering analyses, and for-construction drawings stamped and signed by a Professional Engineer licensed to practice in Nunavut; and
- i. any other information required by the Board to assess the environmental, operational, closure, reclamation, monitoring, water management, or security implications of the proposed transition.

XX. The Licensee shall not construct, operate, implement, or deposit tailings using a dry-stack tailings deposition methodology, filtered tailings deposition methodology, or any other tailings deposition methodology not currently approved under this Licence unless authorized in writing by the Board.



XX. The Licensee shall provide written confirmation that the information required under Item XX has been provided to CIRNAC and the applicable Designated Inuit Organization at least thirty (30) days prior to submission to the Board.

XX. Nothing within this Licence shall be interpreted as approval of a transition from the currently approved slurry tailings deposition methodology to dry-stack tailings deposition or any other alternative tailings deposition methodology unless expressly authorized in writing by the Board. The Licensee shall not implement the proposed tailings deposition methodology until written approval has been issued by the Board.

CIRNAC submits that the proposed condition is most appropriately located within Part E – Conditions Applying to Water Use and Management. While the proposed transition involves tailings deposition, the principal issues identified during technical review relate to water management, water quality, seepage generation, closure planning, environmental monitoring, and environmental security. Accordingly, CIRNAC considers the proposed review and approval process to be fundamentally a water management matter rather than an administrative notification requirement.

CIRNAC recognizes that the location and final wording of any licence condition are matters within the Board's discretion. CIRNAC appreciates the Board's consideration of the submissions provided by all parties and respectfully submits the attached draft condition for consideration as a mechanism to ensure that sufficient information is available to support future evaluation of the proposed transition while preserving the Board's authority to determine whether such a transition should ultimately be approved.

Should you have any questions respecting this submission, please do not hesitate to contact the undersigned.

Sincerely,

Andrew Keim
Manager, Water Resources
Crown-Indigenous Relations and Northern Affairs Canada

Cc: Spencer Dewar – Regional Director General -CIRNAC