Crown-Indigenous Relations and Northern Affairs Canada
Relations Couronne-Autochtones et Affaires du Nord Canada

Water Resources Division
Resource Management Directorate
Nunavut Regional Office
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Your file - Votre référence
2AM-DOH1335
Our file - Notre référence
GCDocs#149319584

August 17,2026

Karén Kharatyan and Ali Shaikh
Nunavut Water Board
P.O. Box 119
Gjoa Haven, NU X0B 1J0

Sent via e-mail

Re: Type A Water Licence No. 2AM-DOH1335 - Commitment WLA-13 - Transition to Dry-Stack Tailings Deposition

Dear Mr. Kharatyan and Mr. Shaikh,

Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) has reviewed Agnico Eagle Mines Limited's (Agnico Eagle) letter dated August 6, 2026, concerning Commitment WLA-13 and the proposed transition from the currently approved slurry tailings deposition methodology to dry-stack tailings deposition.

CIRNAC is not opposed to changes to the licence but does have a responsibility to ensure a fulsome review and understanding of what is being proposed so that CIRNAC can provide the Nunavut Water Board (the Board) with their best available scientific, technical, and regulatory advice. CIRNAC understands its role and participates fully in the Board's process to develop and provide independent advice to the Board for its consideration.

CIRNAC respects the roles and positions of the Kitikmeot Inuit Association, Environment and Climate Change Canada, Fisheries and Oceans Canada, and all other participants. The fact that another party has resolved its concerns does not establish that CIRNAC's concerns have been resolved. As you know, each organization participates under a distinct mandate, applies its own expertise, and remains accountable for the advice it provides.

CIRNAC also respects the significance of Inuit Owned Lands and the Kitikmeot Inuit Association's responsibilities in relation to those lands. CIRNAC's submission addresses a distinct and complementary responsibility: the Minister's obligations and interests under the federal water-licensing and security framework.

CIRNAC will continue to provide advice directed to the evidence, the applicable statutory and Licence provisions, and the merits of the competing regulatory approaches.

Procedural history of Commitment WLA-13

CIRNAC identified that the application did not contain sufficient information to permit a complete assessment of the environmental, water-management, closure, reclamation, monitoring, and security implications of the proposed transition to dry-stack tailings. CIRNAC initially proposed that the dry-stack

component be removed from the present amendment and considered separately when sufficient supporting information became available.

Agnico Eagle declined that approach.

As a practical alternative, wording was proposed addressing the outstanding issue through a dedicated licence condition that would establish the information and approval requirements applicable before the transition could occur. CIRNAC engaged constructively in developing that alternative.

During the closing stages of the Technical Meeting, wording was discussed and developed that CIRNAC understood to provide an acceptable path forward. On the basis of those discussions, and the understanding reached concerning the need for a future submission and approval process, CIRNAC advised that this issue no longer prevented the proceeding from advancing toward a public hearing. All parties were in agreement.

Agnico Eagle subsequently advised that it no longer supported the wording developed through that process and advanced materially different language relying primarily on existing Part B, Item 9; Part B, Item 13; Part D, Item 1; and Part G of the Licence.

Agnico Eagle's revised language did not merely refine the wording discussed at the Technical Meeting, it changed the regulatory premise of the proposed condition. Rather than requiring the Licensee to seek future Board approval of the transition itself, CIRNAC's interpretation of Agnico Eagle's wording leads to an understanding that the submission would be made "prior to transitioning," thereby treating the transition as an anticipated activity for which implementation materials would be provided.

CIRNAC could not reasonably accept that change because it reintroduces the precise concern the discussions at the Technical Meeting had been intended to resolve: the risk that the amended Licence would be interpreted as approving dry-stack tailings in principle before the information necessary to assess the transition had been submitted and reviewed.

Agnico Eagle is entitled and encouraged to revise its position and place alternative wording before the Board and accordingly CIRNAC has provided its revised response.

CIRNAC maintains the recommendation that the amended Licence include a dedicated condition that:

- confirms slurry deposition as the currently approved methodology;
- states that dry-stack tailings deposition has not yet been approved;
- identifies the technical, environmental, closure, monitoring, and security information required to support a future decision;
- provides sufficient time for regulatory and technical review;
- prohibits implementation before express written approval by the Board; and
- preserves the Board's authority to approve, condition, require further information on, or decline the proposed transition.

CIRNAC remains available to assist the Board and participate constructively in any further technical or regulatory discussions required to resolve Commitment WLA-13.

CIRNAC respectfully requests that the Board determine the appropriate wording and regulatory mechanism based on the evidence and procedural record. CIRNAC respects and will proceed in accordance with the Board's direction.

Sincerely,

Jeff Hart

A/Director – Resource Management
Crown-Indigenous Relations and Northern Affairs Canada

Cc:

Andrew Keim, Manager Waters – CIRNAC
Pauline Firmin, Regional Coordinator- CIRNAC