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# 149605577

September 10, 2026

Robert Hunter
Licensing Administrator
Nunavut Water Board
P.O. Box 119
Gjoa Haven, NU, X0B 1J0
E-mail: licensing@nwb-oen.ca

Re: Crown-Indigenous Relations and Northern Affairs Canada's Final Written Submission in Respect to the Licence Amendment and Renewal Application for Hope Bay Project, Type A Water Licence No. 2AM-DOH1335.

Dear Robert,

Thank you for the August 5, 2026 invitation to submit the final written submission in respect to the referenced licence Amendment and Renewal and the August 7 invitation to review the proponent's response to commitments WLA-13, WLA-15 and WLA-16, submitted by Agnico Eagle Mining Limited, for Type A Water Licence No. 2AM-DOH1335.

Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) examined the application pursuant to its mandated responsibilities under the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* and the *Department of Crown-Indigenous Relations and Northern Affairs Act* and provides the following Final Written Submission for the Board's consideration.

If there are any questions or concerns, please contact me at (873) 800-5240 or Pauline.Firmin@rcaanc-cirnac.gc.ca or Andrew Keim at (867) 975-4550 or Andrew.Keim@rcaanc-cirnac.gc.ca.

Sincerely,

Pauline Firmin

Pauline Firmin, M. Sc,
Regional Coordinator

CIRNAC Final Written Submission
Regarding
Agnico Eagle Mines Limited's
Type A Water Licence Amendment And Renewal Application
2AM-DOH1335

Crown-Indigenous Relations and Northern Affairs

Canada

Final Submission to the Nunavut Water Board
September 10, 2026

EXECUTIVE SUMMARY

Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) has participated in the ongoing review of Agnico Eagle Mines Limited's (Agnico Eagle) Water Licence amendment renewal applications for the Hope Bay project. The application is for the amendment and renewal of its existing Type A Nunavut Water Board Water Licence 2AM-DOH1335 Doris/Madrid gold mine, which is currently in care and maintenance. The project is situated on Roberts Bay off Melville Sound in Nunavut's Kitikmeot region.

During the technical review, topics discussed were:

- Scope of the Type "A" Water Licence Amendment, including
  - Clarification on amendments to the Water Licence
  - Additional infrastructure
  - Duration of the new License
- Increase to fuel storage capacity
- Water Use and Management
  - Increase to water use
  - Groundwater management
- Wastewater Management and Treatment
  - Increase to wastewater discharge
- Waste Management
  - Change to the currently approved tailings management process
- Monitoring and Reporting
  - Aquatic Effects Monitoring
- Updates to Management and Monitoring Plans
  - As per commitments provided by Agnico Eagle during the technical review process
- Closure and Reclamation Planning
  - Updates to Security
- Draft Amendment Licence Framework

CIRNAC presented 23 Technical Review Comments (TRC) in the initial Technical Review submission to the Nunavut Water Board on June 19, 2026. Thirteen of CIRNAC's concerns have been resolved through discussion with Agnico Eagle and commitments made during the technical meeting (TM) and pre-hearing conference (PHC). CIRNAC's outstanding issues relate to the scope of the Type "A" of Water Licence amendment, wastewater management and treatment, waste management, monitoring and reporting, closure and reclamation planning, draft amendment Licence framework and the reclamation cost estimate. CIRNAC is engaging in discussions on reclamation cost estimate with Agnico Eagle and the Kitikmeot Inuit Association.

AULAPKAIYIRYUAT NAUNAITKUTAIT

Kuin – Kivgaqtiingit Nunaqaqqaaqhimayunik Iliqatigiiktukharnik Ukiuqtaqtumi Kavamaliqiiyit Kanatami (CIRNAC) ilauvaktut ihivriuqhiplutik Agnico Eagle Uyaraqtarvit Kigliita'p (Agnico Eagle) Imarmik Laisikhamik nutaannguqtiutikhanut uuktuutikhanik taffumunga Kapihiliktumi havaakhaq. Una uukturutik aallanngurniq nutaanguqtirnikkullu tahamaniittumi Qanurinnia A Nunavut Imaligiyit Katimayiinnin Imakkut Laisikhaq 2AM-DOH1335 uumunnga Doris/Madrid kuulu-mik uyaraqhiurviinnun, tadja munariyauliqtuq ihuaqhaqtauyurlu. Havaakhaq nayugaa uvani Roberts Baymi, haniani Melville Soundmi Nunavunmi Kitikmeoni nayugaani.

Qauyihaqtautitlugit, uqautigiyavut hapkuninnga:

- Anginia Qanurinnia "A" Imakkut Laisit Ihuaqhaqtauyut, ilauyut
    - Naunaiyarlugit aallannguqtirniit haffumunga Imakkut Laisinun
    - Aallanik nappaqtirutikhanik
    - Qanuq hivitunikhaa nutaaq laisikhaq atuqtauniaqqa
- Angikliyuumiqtuq uqhuryuaq tutquumavinga aktikkulaanga
- Imarmik Aturninga Munaqhaidjutinut
    - Imarmik atuqpallaaruvit
    - Nunap iluani imarnik munaqhaidjutinut
- Kuvviqtauhimayut imaq Munaqhaidjutinut Halummaqtirutillu
    - Amigaitqiyanik kuvviqtauhimayut imaq kuvirarvikhanik
- Kuvviqtauhimayut Munaqhaidjutinut
    - Aallannguqtirniit angiqtauhimayut halumailrut munaridjutikkut havauhiit
- Munaridjutit Unniudjutillu
    - Imarmiuttat Ayurnautiqaqtunik Munaridjutit
- Nutaannguqtiqhimayut Munaqhaidjutinut Munaridjutinullu Upalungaiyautit
    - Pidjutigiblugit uqariiyaqtatik Agnico Eagle-kut havaktautilugit qaritauyaliqinikkut ihivriurutit
- Umilirumitku unalu Piffaarninnganullu Ihumaliurniq
    - Qayangnairutikharnik Nuutaannguqtiqhimayut
- Iniqtiqhimaittuq Aallannguqtirniq Laisikhakkut Pidjutikhaq

CIRNAC tunihiyut 23-nik Qaritauyaliqinikkut Ihivriugutinik Uqagakhanik (TRC) hivullirmi Qaritauyakkut Ihivriugutinik tuyuqtauyut hapkununga Nunavut Imaligiyit Katimayiinun uvani Imaruqtirvia 19, 2026. 13-nguyut hapkua CIRNAC-kut ihumaaluutit tutqikhaqtauyut uqaqatigiblugit ukua Agnico Eagle-kut uqariiyaqtaillu uvani qaritauyaliqinikkut katimadjutini (TM) unalu hivuani tuhaqtittinikkut katimaryuarutit (PHC). CIRNAC-kut avaliiqtut ihumaaluutit mikhaagun hunat ilauyut uvani Qanurinnia "A" Imakkut Laisikkut aallannguqtirniq, qanuq kuvviqtauhimayut imaq munaqhaidjutinut halummaqtirutillu, kuvviqtauhimayut munaqhaidjutinut, munaridjutit unniudjutillu, umilirumitku unalu piffaarninnganullu ihumaliurniq, iniqtiqhimaittuq aallannguqtirniq Laisikhakkut pidjutikhaq unalu utiqtiffaarmilugulu akikhangit itqurniarutait. CIRNAC uqaqatigiliqtait Agnico Eagle ukualu Kitikmeot Inuit Katimayiit qanuq akikhangit itqurniarutait.

RÉSUMÉ OPÉRATIONNEL

Relations Couronne-Autochtones et Affaires du Nord Canada (RCAANC) a pris part à l'examen en cours des demandes de renouvellement et de modification du permis d'utilisation de l'eau présentées par Agnico Eagle Mines Limited (Agnico Eagle) dans le cadre du projet Hope Bay. La demande porte sur la modification et le renouvellement du permis d'utilisation de l'eau de type A 2AM-DOH1335 délivré par l'Office des eaux du Nunavut pour la mine d'or Doris/Madrid, qui est actuellement en phase d'entretien et de maintenance. Le projet est situé dans la baie Roberts, au large du détroit de Melville, dans la région de Kitikmeot, au Nunavut.

Au cours de l'examen technique, les sujets abordés ont été les suivants :

- Portée de la modification du permis d'utilisation de l'eau de type « A », notamment
  - Précisions concernant les modifications apportées au permis d'utilisation de l'eau
  - Infrastructure supplémentaire
  - Durée de validité du nouveau permis
- Augmentation de la capacité de stockage de carburant
- Utilisation et gestion de l'eau
  - Augmentation de la consommation d'eau
  - Gestion des eaux souterraines
- Gestion et traitement des eaux usées
  - Augmentation des rejets d'eaux usées
- Gestion des déchets
  - Modification du processus de gestion des résidus miniers actuellement approuvé
- Surveillance et rapports
  - Surveillance des effets aquatiques
- Mises à jour des plans de gestion et de surveillance
  - Conformément aux engagements pris par Agnico Eagle pendant le processus d'examen technique
- Planification de la fermeture et de la remise en état
  - Mises à jour de sécurité
- Projet de cadre de modification du permis

RCAANC a présenté 23 commentaires issus de l'examen technique (CET) dans le cadre de la soumission initiale de l'examen technique à l'Office des eaux du Nunavut, le 19 juin 2026. Treize des préoccupations soulevées par RCAANC ont été résolues dans le cadre de discussions avec Agnico Eagle et grâce aux engagements pris lors de la réunion technique (RT) et de la conférence préparatoire à l'audience (CPA). Les questions en suspens soulevées par RCAANC portent sur la portée de la modification du permis d'utilisation de l'eau de type « A », la gestion et le traitement des eaux usées, la gestion des déchets, la surveillance et les rapports, la planification de la fermeture et de la remise en état, le projet de cadre de modification du permis et l'estimation des coûts de remise en état. RCAANC mène actuellement des discussions avec Agnico Eagle et l'Association inuite du Kitikmeot concernant l'estimation de ces coûts.

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INTRODUCTION

Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) has participated in the ongoing review of the Agnico Eagle Mines Limited's (Agnico Eagle) amendment renewal application for the Hope Bay project Type A water licence 2AM-DOH1335.

On March 19, 2026, CIRNAC submitted information requests (IRs) and on April 20 and May 1, 2026, CIRNAC submitted responses to replies by the proponent or the NWB to CIRNAC's IR. On June 19, 2026, CIRNAC submitted a technical review of the applications. The review included 23 technical review comments (TRCs). CIRNAC then participated in a Technical Meeting (TM) and Pre-Hearing Conference (PHC) on July 16 and 17, 2026 in Cambridge Bay. The Nunavut Water Board (Board) distributed the Pre-Hearing Conference Decision on August 5, 2026 inviting interested parties to submit final written submissions.

The Amendment Renewal Application of the Hope Bay project scope includes the following work activities and undertaking, as presented by the Nunavut Water Board (NWB) in the Pre-hearing Decision Report:

- Increase in annual freshwater use, from the current 2,033,800 m3/yr, to 2,916,855 m3/yr
- Extension of the Licence term by 22 years from 2026, to expire in 2048
- Redesigned ore processing mill at Doris site to process up to 8000 tonnes per day, from the previously approved 2000.
- Increased fuel storage at Doris (5 ML), Madrid (10 ML) and Roberts Bay (34 ML) sites
- Increased Jet-A fuel storage at Roberts Bay site (2 ML)
- Widening the Windy Road to support mining at Madrid site
- Relocating the Madrid South Portal to Patch 7
- Two new waste rock stockpiles at Doris site
- Three new waste rock stockpiles and one expanded stockpile at Madrid site
- One new ore stockpile at Doris site and three new ore stockpiles at Madrid site
- New Contact Water Ponds at Doris and Madrid sites
- Increase in Doris camp size to from 400 people to 800 people, and construction of a 250-person camp at Madrid site
- The addition of seven 5.6 MW diesel generators at Doris site and three 1.8 MW diesel generators at Madrid site
- Two new wind turbines at Doris and Madrid sites
- Updates to reclamation security for the undertaking

In addition to those work activities and undertaking, the incomplete information related to a proposed transition to dry-stacked and filtered tailings was also identified in the application and the NWB decided to include this as part of the scope of the amendment.

The NWB has provided a list of topics to be discussed at the public hearing. The topics have been used as headings in this document to organize CIRNAC's comments.

Comments in this submission are made in the context of CIRNAC policy and mandated responsibilities under the Nunavut Waters and Nunavut Surface Rights Tribunal Act and the Department of Indian Affairs and Northern Development Act. Comments are structured as issues and supported by observations made during the course of the application review and any recommendations are made directly to the Board.

TECHNICAL COMMENTS

Exchanges and discussion with Agnico Eagles through the completeness review stage, the technical review stage, at the technical meeting and in follow-up correspondence have allowed CIRNAC to clarify a portion of the concerns regarding the proposed project. Of the 23 Technical Review Comments (TRC) submitted, 11 are considered resolved, 2 are considered resolved with commitments, 2 are considered partially resolved and 8 remain unresolved.

Different comments submitted by CIRNAC have been assigned to one of the topics in the Board's list of topics to be addressed in the Public Hearing, but several comments could be assigned to more than one heading.

1. Scope of the Type "A" Water Licence Amendment

Agnico Eagle Mines Limited hold the Type A Water Licence 2AM-DOH1335 for the operation of the Doris-Madrid/Hope Bay project. This topic includes clarification on amendments to the Water Licence, additional infrastructure and additional term of the Licence.

TRC	Issue	Status
R-09	Outstanding Information Requests With Commitment From Proponent	Resolved
R-12	Life of Mine (LOM) Reconciliation with Increased Throughput	Partially resolved

R-09 – Outstanding Information Requests with Commitment from Proponent

CIRNAC requested clarification regarding several information requests (IR-08c, IR-14, IR-25, IR-37a, IR-37b), for which the proponent had previously committed to provide follow-up information. Agnico Eagle responded that the requested information had been provided directly to CIRNAC on June 18, 2026, and was included as an attachment to its submission. This TRC is resolved.

R-12 – Life of Mine (LOM) Reconciliation with Increased Throughput

CIRNAC requested clarification of mine life, total mined tonnes, and implications for cumulative water withdrawals and discharges. Agnico Eagle confirmed a 14-year operational mine life consistent with previous assessments and advised that water use projections were incorporated into the amendment modelling.

- R-12(a) – CIRNAC requested clarification regarding the remaining future Life Of Mine, which has been clarified as a 14-year future operating period by the proponent. This sub-recommendation is resolved.
- R-12 (b),(c) and (d) – CIRNAC requested clarification regarding the total revised project duration, tonnes and cumulative water implications comparison between the original FEIS, actual operations to date and the proposed remaining operating period. These sub-recommendations remain unresolved due to the proponent declining to provide a clarifying table containing the requested information, which was proposed by CIRNAC during the TM and PHC.

As a result, this TRC is only partially resolved.

2. Water Use and Management

The proposed amendment to Water Licence 2AM-DOH1335 includes a significant increase in freshwater withdrawals to support the restart of the Hope Bay Mine and the expansion of milling capacity to 8,000 tonnes per day. Key changes include increasing the total authorized freshwater use from approximately 2.03 million m³/year to 2.92 million m³/year from Doris, Windy, and Patch Lakes, the addition of water management infrastructure such as contact water ponds and associated collection systems, and updates to water treatment and discharge management.

TRC	Issue	Status
R-01	Quality Of Water Sources	Resolved
R-02	Discharge Criteria	Resolved
R-04	Method(s) Of Extraction And Operating Of Pump(s)	Resolved
R-05	Water Management Infrastructure Information	Resolved
R-07	Ice Road	Resolved
R-18	Water Balance Stress Test (Non-Average Conditions)	Withdrawn

R-19	No Freshwater Discharge Commitment	Resolved
R-21	Under-Ice/Seasonal Operations Constraint	Resolved

R-01 – Quality of the Water Source

CIRNAC recommended that the proponent provide updated and consolidated seasonal baseline water quality and water source capacity information for Doris, Patch, and Windy Lakes, as well as long-term monitoring throughout the life of the mine. Agnico Eagle responded that sufficient baseline information already exists on the NWB registry and that the existing AEMP provides ongoing long-term monitoring, making additional information unnecessary for the amendment application. This TRC is resolved as the NWB indicated that the proponent did not have to provide the information in the requested format.

R-02 – Discharge Criteria

CIRNAC recommended updating discharge criteria to include the full suite of current CCME freshwater quality guidelines. Agnico Eagle disagreed, stating that CCME guidelines are not intended to serve as direct discharge limits and that the existing licensed criteria remain protective and appropriate. This TRC is resolved.

R-04 – Method(s) of Extraction and Operating Capacity of Pump(s)

CIRNAC requested information regarding water extraction methods and pump operating capacities to assess potential effects of increased water withdrawals. CIRNAC requested the information in a consolidated format, to ensure all information was up to date and reflective of the current site conditions and ensure that the present and planned capacity was sufficient for the proponent's requested withdrawal increase and that there were no obvious concerns related to drawdown at the identified water bodies. Agnico Eagle stated that existing water intake infrastructure is unchanged and previously approved, and that details for any future intake infrastructure would be provided through the normal design review process. This TRC is considered resolved as the NWB indicated that the proponent did not have to provide the information in the requested format. On June 23, 2026, Agnico submitted the design report for an additional freshwater intake at Windy lake in order to have enough capacity for the planned increase in freshwater withdrawal, which was after the June 19 deadline for written submission by interveners for the TM and PHC.

R-05 – Water Management Infrastructure Information

CIRNAC requested updated consolidated information on reservoirs, crossings, diversions, and other water management infrastructure to verify their suitability under the amended project, given the planned increase in mine life, mining activity and age of the infrastructure. Agnico Eagle responded that these facilities were previously reviewed and approved and continue to be

inspected and monitored under existing regulatory requirements. This TRC is considered resolved as the NWB indicated that the proponent did not have to provide the information in the requested format.

R-07 – Ice Road

CIRNAC requested information on anticipated water use, construction methods, monitoring, and safety measures associated with ice roads. Agnico Eagle responded that ice-road water use was approved under the 2018 licence amendment and remains unchanged, with activities continuing under existing licence conditions and DFO protocols. This TRC is resolved.

R-18 – Water Balance Stress Test (Non-Average Conditions)

CIRNAC requested stress testing of the water balance model under drought and extreme inflow conditions. Agnico Eagle responded that climate variability and extreme events were incorporated into its modelling and infrastructure design, and concluded that storage, pumping, and treatment systems are adequately sized. This TRC was withdrawn as the subject was covered by other TRCs and IRs.

R-19 – No Freshwater Discharge Commitment

CIRNAC requested confirmation that no project-related discharges to freshwater would occur and requested details on contingency measures. Agnico Eagle responded that contact water would generally be routed to treatment and marine discharge, while existing authorized tundra discharges would continue under existing licence conditions. This TRC is resolved.

R-21 – Under-Ice/Seasonal Operations Constraint

CIRNAC requested clarification regarding operational constraints and water management under winter and ice-covered conditions. Agnico Eagle responded that seasonal conditions are already incorporated into infrastructure design and operational planning and that its experience operating in Nunavut supports effective winter management. This TRC is resolved.

3. Wastewater Management and Treatment

The proposed amendment to Water Licence 2AM-DOH1335 includes increased wastewater generation associated with the restart of mining operations, expansion of the processing plant capacity to 8,000 tonnes per day, and increased site camp occupancy. To manage these additional wastewater volumes, the application proposes expanded contact water management infrastructure, continued management and treatment of process water, mine water, saline water, and domestic wastewater, segregation of saline water and tailings impoundment area (TIA) water streams, upgrades to wastewater treatment systems, and an additional marine discharge diffuser in Roberts Bay.

TRC	Issue	Status
R-03	Summary Table Of Expected Quality And Quantity Of Water And Adaptative Management Criteria	Unresolved
R-20	Source Term Conservatism and Sensitivity	Unresolved

R-03 – Summary Table of Expected Quality and Quantity of Water and Adaptive Management Criteria

CIRNAC requested a consolidated summary of predicted water quality, water quantities, adaptive management triggers, and response actions throughout the site. Presenting water quality and quantity estimates, adaptive management criteria and water quality criteria, would allow detection of early warning signs of water management issues. In case of unplanned discharge or spill, this would decrease risk to the receiving environment. Agnico Eagle responded that this information is already contained within the Water and Load Balance Model and existing management plans, and that additional summary tables are not required. This TRC is unresolved as the requested information was not provided and is not contained in the documents referenced by the proponent.

R-20 – Source Term Conservatism and Sensitivity

CIRNAC requested clarification of conservative modelling assumptions and sensitivity analyses for geochemical source-term predictions. The Interim Source Term Report provided estimates of constituent releases but the application does not identify whether these assumptions represent conservative conditions, nor did it evaluate sensitivity to key parameters such as arsenic, sulphate and nitrogen species. Geochemical source terms directly control predicted effluent quality and contaminant loading. Without the requested information, it is not possible to confirm that predicted effluent quality and associated loading remain within acceptable bounds under plausible conditions. Agnico Eagle responded that both base-case and conservative upper-case scenarios were modelled and that sensitivity analyses were completed for key parameters including arsenic and sulphate.

- R-20(a) – CIRNAC requested that the proponent identify conservative source-term assumptions. The proponent identifies Base Case and Upper Case source-term methods using median and 95th-percentile weathering and solubility inputs. This is responsive only to parameter uncertainty within a preselected project configuration and is not sufficient..

  The integrated environmental assessment is not conservative with respect to the more consequential configuration uncertainty. The WLB was run under a single Base Case configuration that assumes the transition to filtered tailings and, at closure, takes credit for

a low-permeability geomembrane. The proponent has not committed to either the filtered-tailings transition or the geomembrane. The model therefore evaluates the most optimistic tailings-management and closure configuration among the configurations the proponent seeks to retain.

- R-20(b) – CIRNAC requested that the proponent provide sensitivity analysis for arsenic, sulphate and nitrogen. The proponent identified Upper Case source terms, but did not propagate those Upper Case source terms through the integrated WLB to assess end-of-pipe concentrations, treatment requirements or receiving-environment loads. It also did not test continued slurry deposition or closure without the geomembrane.

- R-20(c) – CIRNAC requested that the proponent demonstrate acceptable effluent quality under a range of plausible conditions. The proponent's statement that predicted water quality is acceptable and that treatment is available relies on the single favourable Base Case. It does not demonstrate acceptable performance over the range of plausible source-term, tailings-management and closure configurations.

To resolve this concern, the proponent committed during the TM and PHC to provide water and load balance results for slurry only deposition with comparison of results to the already provided model (Appendix 4-F; Commitment WLA-16). CIRNAC has reviewed the proponent’s response to that commitment distributed by the NWB on August 7, 2026.

As part of this submission, the proponent has only presented 4 years of predictions beyond the operations period and has not provided the requested long-term post-closure water quality predictions for the TIA closure scenarios they are now proposing to construct (i.e., 0.3 m Run Of Quarry (ROQ) covers). Instead, the modelling provided is limited to the operational and closure phases which are not representative of long-term closure conditions.

CIRNAC also notes that the predictions are compared against the MDMER criteria, which are not appropriate performance benchmarks for closed sites. Similarly, the predictions only describe the seepage quality from the TIA and predictions have not been provided to demonstrate that water quality in the downstream receivers will protect aquatic life throughout the post-closure phase. On this basis, the proponent has not demonstrated that the site's long-term post-closure water quality will be acceptable and TRC-20 remains unresolved.

4. Waste Management

The proposed amendment to Water Licence 2AM-DOH1335 includes changes to waste management practices required to support the restart and expansion of mining operations at Hope Bay, including tailings, waste rock, ore stockpiles, and overburden management. Key elements of the amendment include the proposed transition from the current tailings management approach to potential future implementation of dry-stack filtered tailings, as well as the addition of temporary

ore stockpiles, expanded waste rock and overburden storage areas, and associated water management infrastructure.

TRC	Issue	Status
R-10	Tailing Volume Comparison and Reconciliation to FEIS	Unresolved
R-11	Waste Rock Quantities and Mining Area Reconciliation to FEIS	Unresolved
R-13	Multiple-Accounts Analysis (MAA) – Tailings Management Strategy Selection	Unresolved
R-14	Dry Stack Tailings Closure Strategy	Partially resolved
R-15	Fugitive Dust and Air Quality – Dry Stack Tailings (Operational Phase)	Unresolved
R-16	Updated Tailings Facility Design and Operation	Resolved
R-17	Justification of Maximum Water Withdrawal Rates (Dry Stack Transition)	Resolved

R-10 – Tailings Volume Comparison and Reconciliation to FEIS

CIRNAC requested a reconciliation between proposed tailings quantities and volumes assessed during previous approvals, including the FEIS and that the proponent demonstrate that the approximately 90% increase in tailings production remains within the previously assessed environmental impact assessment envelope. The proponent responded that the amendment focuses on maximizing use of the existing TIA and maintained that sufficient storage capacity exists to accommodate the proposed tailings management strategy.

This does not answer CIRNAC's request for a numerical reconciliation of previously assessed or authorized mined and tailings quantities against the amended quantities. Nor does it provide the technical analysis requested to demonstrate that the approximately 90% increase in tailings

inventory remains within the previously assessed environmental impact envelope. This TRC is unresolved.

R-11 – Waste Rock Quantities and Mining Area Reconciliation to FEIS

CIRNAC requested that the proponent reconcile mined tonnes and waste rock volumes with FEIS assumptions, confirm spatial limits or quantify expansions, identify increased total mining versus sequencing/throughput change only and demonstrate that geochemical and water-management effects remain within prior bounds.

The proponent responded that geochemical and water management effects remain generally consistent with previous assessments and that future facilities will continue to be governed by existing plans and design review requirements. The requested material-quantity reconciliation remains absent and the geochemical comparability conclusion materially understates the change identified in the proponent's data. This TRC is unresolved.

R-13 – Multiple-Accounts Analysis (MAA) – Tailings Management Strategy Selection

CIRNAC requested the Multiple-Accounts Analysis supporting the selection of filtered tailings over alternative tailings management approaches. Agnico Eagle provided a short list of alternatives and a brief qualitative statement indicating that filtered tailings were preferred because they reduce water inventories, seepage potential, dam raising requirements, and support progressive reclamation. The response does not show how the alternatives performed against the relevant technical, environmental, closure, geotechnical and economic considerations; does not show the relative importance of those considerations; and does not present scores, rankings or sensitivity. This TRC is unresolved.

R-14 – Dry Stack Tailings Closure Strategy

CIRNAC requested additional details regarding closure design, performance predictions, and closure costs for the dry-stack tailings facility. Agnico Eagle responded that closure planning remains conceptual at this stage and will be refined through future ICRP updates, while noting that modelling considered geomembrane cover scenarios and predicted achievement of closure objectives.

- R-14(a) – CIRNAC requested that the proponent provide a conceptual dry-stack closure design. The proponent initially confirmed that the dry-stack closure concept remains preliminary and no defined dry-stack cover, infiltration control system or closure water-management approach was provided. At the TM and PHC, the proponent committed to add a statement for inclusion to the Interim Closure and Reclamation Plan of the conceptual closure concept of the dry-stack facility. (WLA-15). CIRNAC has reviewed the proponent’s response to that commitment distributed by the NWB on August 7, 2026, which is contained in Annex B. Given that the information submitted as part of the proponent’s response to commitments WLA-15 was found to not answer CIRNAC’s concerns, the sub-recommendation is unresolved.
- R-14(b) – CIRNAC requested that the proponent confirm the use of a geomembrane assumption in source-term/WLB modelling. This sub-recommendation is resolved.

- R-14(c) – CIRNAC requested that the proponent provide incremental geomembrane closure cost. This sub-request is being addressed through a parallel security process.
- R-14(d) – CIRNAC requested that the proponent model post-closure seepage under baseline and climate-change conditions. It is CIRNAC's position that this information should be provided for review prior to approval for transition to dry-stack tailing by the NWB. This sub-recommendation is in discussion as part of WLA-13 with the proponent and the NWB, with CIRNAC's position on the matter contained in Annex A. This sub-recommendation is currently unresolved.
- R-14(e) – CIRNAC requested the proponent demonstrate that closure objectives can be achieved without long-term active treatment. It is CIRNAC's position that this information should be provided for review prior to approval for transition to dry-stack tailing by the NWB. This sub-recommendation is in discussion as part of WLA-13 with the proponent and the NWB, with CIRNAC's position on the matter contained in Annex A. This sub-recommendation is currently unresolved.

As a result, this TRC is only partially resolved.

R-15 – Fugitive Dust and Air Quality – Dry Stack Tailings (Operational Phase)

CIRNAC requested assessment of dust generation, contaminant composition, mitigation measures, and potential impacts on water quality. The proponent responded that dust management is already addressed through approved air quality and operational management programs and that dry-stack tailings are not expected to cause measurable adverse environmental effects.

- R-15(a) – CIRNAC requested the quantitative dry-stack dust assessment. The proponent declined to provide a quantitative dry-stack dust assessment because the design remains conceptual and implementation is planned later in the mine life. This sub-recommendation is unresolved.
- R-15(b) – CIRNAC requested characterization of the expected dust composition, including key parameters such as arsenic. The proponent provided the bulk tailings chemistry, however bulk tailings chemistry does not characterize the wind-transportable particulate fraction and does not address the composition of material that may actually be dispersed and deposited to surface water. This sub-recommendation is unresolved.
- R-15(c) – CIRNAC requested that the proponent describe dry-stack-specific mitigation and monitoring. The proponent relies on the existing Doris TIA dust-control approach developed for subaerial slurry tailings. It does not provide a dry-stack-specific dust management approach addressing filtered-tailings handling, placement, haul traffic, compaction, exposed lift surfaces, inactive placement areas or progressive stabilization. This sub-recommendation is unresolved.
- R-15(d) – CIRNAC requested that the proponent demonstrate no measurable adverse environmental effects from fugitive dust associated with dry stack tailings. The proponent relies on predictions for the unbuilt Boston dry-stack facility rather than operating performance evidence. It does not address the directly relevant operating analogue at the proponent's Meliadine Mine, where dry-stack dust dispersion is known to be contributing

to significant water-quality impacts. Reliance on an unbuilt facility while ignoring the proponent's own operating dry-stack experience does not resolve the concern. This sub-recommendation is unresolved.

In commitment WLA-14, the proponent committed that "*At least 60 days prior to transitioning to dry stack tailings or any other tailings management strategies, Agnico Eagle will submit a fugitive dust modelling report.*" However, CIRNAC maintains that the information should be provided prior to approval to transition to dry stack or another method of tailings management from the currently approved method, which is slurry tailings. This TRC is unresolved.

R-16 – Updated Tailings Facility Design and Operation

CIRNAC requested clarification regarding references to future tailings remaining within the existing TIA footprint. Agnico Eagle clarified that the amended tailings facility would remain within the existing Tail Lake TIA catchment area and would not involve a new tailings disposal site or receiving environment. This TC is resolved.

R-17 – Justification of Maximum Water Withdrawal Rates (Dry Stack Transition)

CIRNAC requested justification for proposed freshwater withdrawal limits in light of increased water recovery associated with filtered tailings. Agnico Eagle responded that the proposed limits include a 20% contingency for operational flexibility and represent maximum possible requirements rather than expected annual withdrawals. This TC is resolved.

5. Monitoring and Reporting

The proposed amendment to Water Licence 2AM-DOH1335 relies on existing monitoring, reporting, and adaptive management programs to support the restart and expansion of operations at the Hope Bay Mine. The application includes updated technical studies and confirms continued implementation of monitoring programs related to surface water, groundwater, water quality, aquatic effects, effluent discharge, fish habitat, and mine waste management, with results to be reported through existing regulatory processes.

TRC	Issue	Status
R-22	Uncertainty Register And Commitments	Unresolved

R-22 – Uncertainty Register and Commitments

CIRNAC recommended that the proponent produce a formal uncertainty register identifying risks, mitigation measures, timelines, and commitments. The proponent declined the recommendation, stating that the identified issues do not represent significant project uncertainties requiring a formal uncertainty register. The current record contains multiple unresolved matters that the proponent proposes to determine through future analysis or design, including whether filtered tailings will be implemented, whether slurry deposition will continue, the final dry-stack

configuration, the final closure cover, whether a geomembrane is required, closure performance without the geomembrane, Upper Case source-term implications and extreme-condition system performance. These are unresolved environmental-performance and design uncertainties. This TC is unresolved.

6. Updates to Management Plans and Monitoring Plans

The proposed amendment to Water Licence 2AM-DOH1335 relies on a suite of existing management and monitoring plans to support the restart and expansion of operations at the Hope Bay Mine, while recognizing that several plans may require updates as operations evolve. The application commits to maintaining and updating plans related to water management, groundwater management, aquatic effects monitoring, wastewater treatment, tailings management, waste rock management, spill response, closure and reclamation, and other environmental protection measures in accordance with Water Licence requirements.

TRC	Issue	Status
R-06	Prediction Of Climate Trends	Resolved with commitment
R-08	Management Plans	Resolved with commitment

R-06 – Prediction of Climate Trends

CIRNAC recommended that the proponent produce climate change assessment using the higher-emissions SSP5-8.5 scenario to evaluate long-term project risks. The proponent responded that sensitivity analysis demonstrated minimal differences between SSP2-4.5 and SSP5-8.5 during the operational period and therefore maintained that SSP2-4.5 was appropriate for the amendment assessment. This TRC is considered resolved based on the proponent's commitment WLA-19.

R-08 – Management Plans

CIRNAC recommended that the proponent correct inconsistencies in management plans and update water management, spill contingency, dam emergency, and emergency response plans covering all project phases. The proponent committed to updating the plans after licence approval and noted that management plans are routinely revised throughout the life of the project. This recommendation is considered resolved based on the proponent's commitment WLA-01.

7. Closure and Reclamation Planning

The proposed amendment to Water Licence 2AM-DOH1335 includes updates to closure and reclamation planning to reflect the revised mine plan, expanded operational footprint, and proposed changes to water and waste management infrastructure associated with the restart of

the Hope Bay Mine. Key considerations include the closure of additional waste rock, ore, tailings, water management, and fuel storage facilities; long-term management of the Tailings Impoundment Area, including the potential use of dry-stack filtered tailings; decommissioning of water management infrastructure; flooding of underground workings; and reclamation of disturbed areas.

In addition, CIRNAC is currently engaging in discussions on reclamation cost estimate and the water/land split of security with Agnico Eagle and the Kitikmeot Inuit Association.

TRC	Issue	Status
R-23	Interim Closure And Reclamation Plan (ICRP) And Security	Unresolved

R-23 – Interim Closure and Reclamation Plan (ICRP) and Security

CIRNAC recommended that the proponent produce a more detailed ICRP and an updated closure security estimate reflecting the amended project scope. The proponent responded that an updated security estimate had already been provided and committed to further updating the ICRP following approval of the amendment.

- R-23(a) – CIRNAC requested that the proponent provide closure elements, activities, quantities and schedules. The proponent acknowledges that the ICRP remains preliminary and states that it will update the ICRP after Ministerial approval of the Water Licence Amendment. However, closure assumptions are already embedded in the source terms and Water and Load Balance Model used to support the amendment. In particular, the modelling assumes a low-permeability geomembrane over the dry stack tailings even though the proponent has not selected or committed to that tailings management or closure measure. The proponent cannot rely on closure assumptions to obtain favourable predictive water-quality results and then defer the actual closure strategy until after licence approval. Commitment WLA-15 by the proponent indicates that the proponent will add a statement for inclusion to the Interim Closure and Reclamation Plan of the conceptual closure concept of the dry-stack facility. CIRNAC has reviewed the proponent's response to that commitment distributed by the NWB on August 7, 2026, which is contained in Annex B. Given that the information submitted as part of the proponent's response to commitments WLA-15 was found to not answer CIRNAC's concerns, the sub-recommendation is unresolved.

- R-23(b) – CIRNAC recommended that the proponent provide technical support for selected closure approaches. However, the proponent cannot provide technical support for the selected dry-stack closure approach because no closure approach has been selected. The geomembrane is characterized as one option and further analysis is proposed to determine whether mitigation is required. This sub-recommendation is in discussion as part of WLA-13 with the proponent and the NWB, with CIRNAC's position contained in Annex A. This sub-recommendation is currently unresolved.

- R-23(c) – CIRNAC recommended that the proponent provide performance objectives and measurable acceptance criteria. The proponent response did not provide that information. Commitment WLA-15 by the proponent indicates that the proponent will add a statement for inclusion to the Interim Closure and Reclamation Plan of the conceptual closure concept of the dry-stack facility. CIRNAC has reviewed the proponent's response to that commitment distributed by the NWB on August 7, 2026, which is contained in Annex B. Given that the information submitted as part of the proponent's response to commitments WLA-15 was found to not answer CIRNAC's concerns, the sub-recommendation is unresolved.

- R-23(d) – CIRNAC recommended that the proponent provide closure security including the dry-stack. This sub-recommendation is being worked through during the parallel security process. As part of WLA-2, the proponent committed to updating Section 7 of the Interim Closure and Reclamation Plan to reflect the agreed upon global security number, once an agreement is reached.

8. Draft Amendment Licence Framework

The proponent submitted the Draft Amendment Licence Framework to the Board on July 31, 2026, in fulfillment of the commitment made by Agnico Eagle Mines Ltd. during the Technical Meeting and Pre-Hearing Conference held in Cambridge Bay on July 16 and 17, 2026. CIRNAC has reviewed the draft framework and provided its comments to the board on September 10.

ANNEX A – CIRNAC's review of Commitment WLA-13

Reference

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, CIRNAC, July 28, 2026

Re: 2AM-DOH1335 Water Licence Amendment – Commitment WLA-13: Transition to Dry-stack Tailings Deposition, Agnico Eagle, August 6, 2026

Re: Type A Water Licence No. 2AM-DOH1335 – Commitment WLA-13: Transition to Dry-stack Tailings Deposition, CIRNAC, August 17, 2026

Comment

The subject of commitment WLA-13 is the potential future transition from the currently approved slurry tailings deposition methodology to dry-stack tailings deposition, or any other deposition method, at the Hope Bay Project.

CIRNAC has maintained throughout the proceeding that the information submitted as part of the Water Licence amendment renewal process was insufficient to fully assess the environmental, water management, closure, reclamation, monitoring, and security implications of transitioning to dry-stack tailings deposition. As a result, CIRNAC proposed that the dry-stack tailings component could be removed from the current amendment application and considered separately once sufficient supporting information became available. When that approach was declined, in discussion with the proponent and the Board during the TM and PHC, CIRNAC supported the development of a dedicated licence condition that would establish the information requirements, review process, and approval framework applicable to any future transition. Wording was developed during those discussions that provided an acceptable path forward and reflected a future submission and approval process for the transition. Based on that understanding, CIRNAC advised that the issue no longer prevented the amendment proceeding from advancing.

However, the proponent modified the proposed wording of the licence condition and submitted the modified wording to the Board after the PHC had concluded and after CIRNAC had confirmed the process could proceed to a Public Hearing. The modified wording materially changed the substance of the previously discussed and agreed to approach by placing reliance on existing licence conditions, which the Board has explicitly said were not adequate for this purpose, and by implying that the transition itself could effectively been accepted in principle, subject only to later submission of implementation details. CIRNAC considers this a reintroduction of the core concerns that had prompted earlier objections.

In its July 29, 2026 submission, CIRNAC expressed concern that reliance on existing licence provisions, particularly Part B, Item 9 and Part B, Item 13, was not sufficient to regulate a change of the magnitude proposed. CIRNAC's position was that transitioning from slurry tailings to dry-stack tailings could have implications for site-wide water management, water quality, seepage generation, closure planning, reclamation requirements, monitoring programs, and environmental security. CIRNAC therefore recommended the following stand-alone licence condition :

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 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 further notes that, during discussions with Board staff at the Technical Meeting and the Pre-Hearing Conference, it was confirmed that existing Part B, Item 9 of the licence had not been developed to address a project change of the significance associated with transitioning from the approved slurry tailings deposition methodology to an alternative tailings management method. Consistent with this understanding, CIRNAC maintains that a dedicated licence condition is necessary to establish a clear approval pathway for any future transition.

In addition, CIRNAC is concerned that certain amendments proposed elsewhere in the draft licence, when read together with the proponent's proposed Commitment WLA-13 wording, could potentially be interpreted as providing implicit acceptance of a future transition to dry-stack tailings deposition or another alternative tailings deposition methodology.

In conclusion, CIRNAC reiterates that it is not opposed to transition of dry-stack tailings but maintains that the amended licence should contain a dedicated condition with explicit language confirming that slurry deposition remains the approved methodology, that dry-stack deposition has not yet been approved, that specified technical and environmental information must be submitted for review as part of the approval process, and that implementation cannot occur unless expressly authorized by the Board following review of that information.

CIRNAC further emphasized that this position is intended to preserve the Board's authority to approve, request additional information regarding, or decline a future proposal to transition to dry-stack tailings, or any other tailing deposition method.

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

ANNEX B – CIRNAC's review of Commitment WLA-15

Reference

Re: 2AM-DOH1335 Water Licence Amendment - Commitment WLA-15: Tailings Closure Statement Update, Agnico Eagle, August 6, 2026

2AM-DOH1335 Water Licence Amendment - Hope Bay Operational Update Main Application Document, Agnico Eagle, January 2026

Application for Water Licence Amendment, Agnico Eagle, January 30, 2026

Appendix 6-I: Interim Closure and Reclamation Plan Doris-Madrid, Agnico Eagle, V8, January 2026

Comment

The subject of commitment WLA-15 is the addition of "*a statement for inclusion to the Interim Closure and Reclamation Plan of the conceptual closure concept of the dry-stack facility."*

CIRNAC notes that in the Main Application Document and the Application for Water Licence Amendment Form, the proponent states that it intends for tailings operations to transition to Dry Stack in approximately 3.5 years. However, the proponent still presents continued slurry deposition as a potential option. Now, in the proposed ICRP text provided in the proponent's response to WLA-15, two scenarios for the primary tailings deposition strategies are described. The scenarios are as follows:

1) Slurry Tailings Only, as described in Section 4.5.3.1 of the revised ICRP proposed by the proponent. This concept involves placing a 0.3 m Run of Quarry (ROQ) cover which is consistent with the cover concept described in the ICRP for the existing project; and
2) Transitioning from Slurry Tailings to Filtered Tailings, as described in Section 4.5.3.2 of the revised ICRP proposed by the proponent. In this instance, the proponent states that the conceptual closure design also assumes placement of a 0.3 m thick ROQ cover. The proponent also states that, based on the closure water quality assessment completed to date, an infiltration reduction cover is not currently considered required to achieve the closure objectives for the TIA.

CIRNAC notes that the water quality predictions included in the proponent's application documents (i.e. Appendix B of Appendix 4-F) assessed a scenario involving placement of a low-permeability geomembrane and a 1m ROQ over the entire tailings facility, not the less protective 0.3 m ROQ cover now being proposed for both tailings closure scenarios described above.

Although the proponent's response to WLA-16 (see R-20) presents updated water quality predictions for the operational phase of the mine for both tailings scenarios described above, the modelling extends only 4 years beyond the end of operations, and long-term post-closure

predictions are not provided for either of the ROQ cover scenarios. Without these predictions, it is unclear how the proponent concluded that an infiltration-reduction cover is not required to achieve the TIA's closure objectives.

In summary, the proponent has not provided long-term post-closure water quality predictions for either of the ROQ cover scenarios described in their response to WLA-15. Instead, the only available long-term post-closure water quality predictions are for a geomembrane cover that the proponent has not committed to constructing.

In CIRNAC's opinion, the TIA represents the most significant post-closure environmental and financial liability of the Hope Bay Project, especially if a 1 meter ROQ cover with a geomembrane is needed as suggested by the SRK Source Term report. Therefore, CIRNAC recommend that the proposed expansion of the TIA and changes to the tailings deposition strategy not be approved until the proponent provides long- term post-closure water quality predictions that clearly demonstrate that the preferred tailings management and closure strategies will be adequately protective of the environment.