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Kugluktuk

Bathurst Inlet
Kingaok

Bay Chimo
Umingmaktok

Cambridge Bay
Ikaluktutiak

Gjoa Haven
Okhoktok

Taloyoak

Kugaaruk

Mr. Karén Kharatyan

Manager of Licensing
Nunavut Water Board
P.O. Box 119
Gjoa Haven, Nunavut
X0B 1J0

Sent by E-mail: karen.kharatyan@nwb-oen.ca

2026-09-10

Re: KIA's Final Written Submission for the 2AM-DOH1335 Water Licence Amendment for the Hope Bay Project

Dear Mr. Kharatyan,

KIA, AEM and CIRNAC have continued discussions regarding the overall quantum of security for the Type A Water Licence Amendment for the Doris–Madrid Operational Update. The parties have made progress and are close to resolution on the overall quantum. Recent discussions have included adjustments to indirect costs associated with residual fuel percentage, the length of Interim Care and Maintenance, and contingency. With this progress in mind, the parties expect that a final quantum and security calculation will be available for consideration at the Public Hearing.

Separate from the overall quantum, KIA and CIRNAC continue to discuss the allocation of security between land and water. On August 6, 2026, CIRNAC provided KIA with its technical position on environmental security allocation and water-related risk. KIA has reviewed CIRNAC's position internally and with its engineering consultant and has provided CIRNAC with a response. Discussions regarding the appropriate allocation remain ongoing and no final split has been agreed to between KIA and CIRNAC at this time.

KIA and CIRNAC intend to continue working toward a pragmatic and technically defensible resolution of the allocation as the overall quantum is finalized. KIA notes for the Board's awareness that the allocation remains an outstanding issue and will need to be resolved between KIA and CIRNAC so that the security ultimately required under the Water Licence can be appropriately furnished and maintained. KIA will continue those discussions while the Water Licence amendment proceeds.

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In addition to the security discussions, KIA has, in coordination with our water quality consultant, provided five technical comments on Agnico Eagle's proposed draft Water Licence. These comments are provided below.

Sincerely,

C. Barker

Cory Barker, M.Sc.
Director, Major Projects
Department of Lands, Environment, and Resources
Kitikmeot Inuit Association

Cc: John Roesch, Kitikmeot Inuit Association

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Technical Comments on Draft Water Licence submission.

Review Comment Number	KIA-NWB-01
Subject/Topic	Inclusion of Dry Stack Tailings in Project Scope
References	Part A Scope, P5/59
Detailed Review Comment	AEM has proposed inclusion of the following text under the description of project scope: *"Deposition of tailings (slurry and/or dry stack or other methods) into the Tailings Impoundment Area"*. Understanding CIRNAC has expressed a desire for additional detail regarding the transition to deposition of dry stack tailings under the licence, and barring that detail excluding the option from the licence, KIA wishes to expressly support the inclusion of this tailings deposition method into the language of the water licence to codify this option for the project.
Recommendation/Request	KIA expressly supports the inclusion of the dry stack tailings deposition method within the water licence to codify this option for the project.

Review Comment Number	KIA-NWB-02
Subject/Topic	Review Time for Amended Plans
References	Part B, Condition 11, P10/59
Summary	
Detailed Review Comment	AEM has proposed streamlining the process through which new plans may be implemented, providing the following draft language: *The Licensee shall, for all Plans submitted under this Licence, include a proposed timetable for implementation. Plans submitted cannot be undertaken without subsequent written Board approval and direction, subject to the following exception. Unless otherwise directed by the Board, Plans submitted may be undertaken without further Board approval and direction after a ninety (90) day period has elapsed following submission to the Board by the Proponent.*

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	The Board may alter or modify a Plan if necessary to achieve the legislative objectives and will notify the Licensee in writing of acceptance, rejection, or alteration of the Plan. While KIA appreciates AEM's expressed rationale that "*they should be able to proceed with implementation of amended plans in order to ensure site is operated using most up to date protocols for operational efficiency and environmental protection"*, KIA maintains that a degree of minimum oversight should still be codified in the licence.
Recommendation/Request	KIA recommends that the Board maintain their capacity to approve plans prior to implementation. To provide certainty to the proponent, we suggest that language surrounding a 90-day timeline be retained, putting the onus for compliance with that timeline on the Board. KIA views three months as a reasonable period for the Board to receive and approve/provide feedback on plan modifications.

Review Comment Number	KIA-NWB-03
Subject/Topic	Adaptive Management
References	Part B, Condition 19, P11/59
Detailed Review Comment	AEM has suggested the following language be included in the licence pertaining to adaptive management: *"The Licensee is encouraged to adopt an Adaptive Management approach to the management of uncertainty regarding potential for effects associated with the Undertaking, including identifying mitigation, monitoring or management actions."* KIA suggests that the phrase "encouraged" does not provide regulatory certainty that an adaptive management approach will be undertaken.
Recommendation/Request	KIA recommends the draft language be amended *to "The Licenses will adopt an Adaptive Management approach…"*

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Review Comment Number	KIA-NWB-04
Subject/Topic	Water Withdrawal Limits
References	Part E, Condition 1, P17/59
Detailed Review Comment	*AEM has proposed amending the language of the condition pertaining to water withdrawal limits as follows:* *The Licensee shall obtain fresh Water from Doris Lake, Windy Lake, and Patch Lake for domestic camp use, mining, milling, and associated industrial uses. ~~from Windy Lake designated using the designated fresh Water Intake at Monitoring Program Station ST-7a, with the volume not exceeding forty-three thousand eight hundred (43,800) cubic metres per year. The Licensee shall obtain fresh Water for mining, milling, and associated industrial uses from Doris Lake using the designated fresh Water Intake at Monitoring Program Station ST-7, with the volume not exceeding one million nine hundred thirty thousand (1,930,000) cubic metres per year.~~ Drill Water may also be obtained from locations proximal to the drilling targets. Water for winter ice road construction may be obtained from proximal sources ~~and shall not exceed sixty thousand (60,000) cubic metres per year.~~* *The total volume of Water use from all sources and for all purposes shall not exceed two million nine hundred sixteen thousand eight hundred fifty-five (2,916,855)~~wo million thirty-three thousand eight hundred (2,033,800)~~ cubic metres per year.* We are concerned AEM's proposal reduces clarity as to the specific withdrawal limits from each source, instead posing a project wide water withdrawal limit. The lake specific limits are required to help ensure withdrawals from each water body do not exceed the proposed volume, resulting in excessive drawdown that may impact the aquatic environment.
Recommendation/Request	KIA recommends the licence maintain lake specific water withdrawal limits within the body of the licence. These lake specific limits may be provided in tabular form for ease of interpretation.

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Review Comment Number	KIA-NWB-05
Subject/Topic	Contact Water Definition
References	Schedule A, P34/59
Detailed Review Comment	AEM has proposed the following change to the definition of Contact Water: ***"Contact Water"*** *means ~~any~~ surface water or runoff that ~~may be~~is physically or chemically affected by ~~mining~~ the Project mine development areas and activities~~; and facilities, including all tailings water, process water, waste rock runoff, and ore stockpile runoff and seepage~~* The adjusted definition places the burden of proof when determining if water is "contact" or not on demonstrating that it has been affected by the Project. Further, it limits the definition to only apply to surface water, a particularly problematic change as the project impacts groundwater which is subsequently brought to the surface and managed.
Recommendation/Request	KIA recommends the verbiage "may be" be maintained within the definition of contact water to help ensure all water that has intersected the project and may be affected is managed as contact water. Further, we recommend the Board not accept AEM's proposed change from the term "any water" to "surface water" to ensure the definition encompasses groundwater that has been brought to the surface and subsequently managed to limit impacts to the aquatic environment. The other proposed alterations to the definition are accepted.