



Water Resources Division
Resource Management Directorate
Nunavut Regional Office
P.O. Box 100
Iqaluit, NU, X0A 0H0

Your file - Votre référence
2AM-DOH1335
Our file - Notre référence
GCdocs # 106225914

October 17, 2022

Mr. Richard Dwyer
Manager of Licensing
Nunavut Water Board
P.O. Box 119
Gjoa Haven, NU, X0B 1J0
sent via e-mail: licensing@nwb-oen.ca

**Re: Crown-Indigenous Relations and Northern Affairs Canada Comments on
Agnico Eagle Mine Ltd.'s Notice of Interim Dike Construction Design Report
for Type A Water Licence 2AM-DOH1335 for the Hope Bay Project.**

Dear Mr. Dwyer,

Thank you for your September 16, 2022 invitation to review the referenced Notice of Interim Dike construction design report for the Hope Bay Project.

Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) examined the Report and its attachments 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*.

Please find CIRNAC comments and recommendations in the attached Technical Memorandum for the Nunavut Water Board's (NWB) consideration.

If there are any questions or concerns, please contact me at (867) 975-4738 or by e-mail at vincent.okonkwo@canada.ca or Andrew Keim at (867) 975-4550 or by e-mail at andrew.keim@rcaanc-cirnac.gc.ca

Sincerely,

Vincent Okonkwo
Sr. Environmental Assessment Specialist



Technical Review Memorandum

Date: October 17, 2022

To: Richard Dwyer, Manager of Licensing, Nunavut Water Board

From: Vincent Okonkwo, Senior Environmental Assessment Specialist, CIRNAC

Subject: Crown-Indigenous Relations and Northern Affairs Canada Comments on Agnico Eagle Mine Ltd.'s Notice of Interim Dike Construction Design Report for Type A Water Licence 2AM-DOH1335 for the Hope Bay Project.

Region: Kitikmeot Kivalliq Qikiqtani

A. BACKGROUND

Hope Bay gold mine project is located on a property approximately 20km x 80km along the south shore of Melville Sound in the Kitikmeot region of Nunavut, and continued to be operated by TMAC Resources Inc. (TMAC) in 2021. TMAC was acquired by Agnico Eagles Mines (AEM) on February 2, 2021 and is now a wholly owned subsidiary of AEM. On January 1st, 2022, AEM and TMAC amalgamated and continued to exist under the name AEM. Accordingly, by operation of law and without any further acts or steps necessary, TMAC ceased to exist and continued as AEM.

On February 18, 2022, AEM announced its decision to place the Hope Bay project into care and maintenance to enable them to upgrade the existing infrastructure that included the construction of an interim dike that will help to provide a location within the Tailings Impoundment Area (TIA) to help segregate different contact water streams. A temporary water filled portable dam (AquaDam) was originally installed in the area to segregate underground water already in the TIA and isolate the construction area for the “permanent dike”. The Nunavut Water Board (NWB) invited interested parties on September 16, 2022 to comment on the AEM interim dike notification design report.

The documents reviewed are listed in Table 2 under Section B. A summary of CIRNAC recommendations can be found in Table 1. Review comments for the interim dike design report are provided in Section C and References are in Section D.



Table 1: Summary of Recommendations

Recommendation Number	Subject
R-01	Temporary Water Filled Portable Dam Removal
R-02	Interim Dike or Permanent Dike

B. DOCUMENTS REVIEWED

The following table (Table 2) provides a summary of the documents reviewed under the submission.

Table 2: Documents Reviewed

Document Title	Author, File No., Rev., Date
220907 2AM-DOH1335 Interim Dike Notice of Construction-IMLE	Agnico Eagle, September 7, 2022
220527 2AM-DOH1335 Agnico Eagle Notice of AquaDam Installation-ILAE	Agnico Eagle, May 27, 2022

C. RESULTS OF REVIEW

The following comments and recommendations are provided for the NWB's consideration.

1. Temporary Water Filled Portable Dam Removal

Comment

CIRNAC noted in section 3.7 of the report, that AEM did not provide any information with regards to the Temporary Water filled portable Dam (AquaDam) currently in place at the site of the proposed "interim" dike construction. No information as whether the AquaDam system will be removed or remain in place after the construction of the interim dike.

Recommendation

CIRNAC recommends that AEM provide further clarification as whether the AquaDam will remain in place or be removed after the construction of the "interim" dike.

2. Interim Dike or Permanent Dike

Comment

NWB email dated June 6, 2022: Modification – Water filled portable dam with TIA, states that:



*“The Notice of Modification outlined Agnico Eagle’s plans to install a temporary water filled portable dam within the approved Tailings Impoundment Area (TIA). The “**permanent TIA dike**” is proposed to be built in the next 12 months. Agnico Eagle states that the final design and for-construction drawings for the “**permanent TIA dike**” infrastructure will be provided to the NWB at least 60 days prior to commencement of construction as per Water Licence Part D Items 1 & 2”.*

Also, on the notification letter of the AquaDam installation, AEM stated that:

*“The rationale for installing a temporary water filled portable dam prior to the installation of the “**permanent dike**” is to segregate underground water that is already in the TIA and to isolate the construction area for the “**permanent dike**” that will be built in the next 12 months”.*

CIRNAC note that AEM has consistently referred to the structure as a “**Permanent Dike**” but in the recent notice of construction of the dike, tagged it an “**Interim Dike**” where as in section 3.7 of the dam construction report, AEM stated that the dike would be planned to be used during the care and maintenance period on site only and there will be a re-evaluation of the need when the site resumes operation.

It is uncertain to reviewers as to whether AEM has decided if the dike will remain beyond care and maintenance or not.

Recommendation

CIRNAC recommends that AEM clarify if the dike will remain in place or be removed when the site resumes operation post care and maintenance.

D. REFERENCES

Department of Crown-Indigenous Relations and Northern Affairs Act (2019)

Nunavut Waters and Nunavut Surface Rights Tribunal Act (2019)

Nunavut Water Board, December 7, 2018: Amended Type A Water Licence 2AM-DOH1335