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

Water Resources Division
Resource Management Directorate
Nunavut Regional Office
918 Nunavut Drive
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Your file - Votre référence
2AM-DOH1335
Our file - Notre référence
GCDocs# 149159911

August 11, 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 Review of Applicant's Reply to Comments on the Design Report for the Hope Bay Project, Type A Water Licence No. 2AM-DOH1335.

Dear Robert,

Thank you for the August 6, 2026 invitation to review the applicant's reply to comments on the referenced Design Report, submitted by Agnico Eagle 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 Technical Review Memorandum for the Board's consideration.

Sincerely,

Pauline Firmin

Pauline Firmin, M. Sc,
Regional Coordinator

Canada

Table 1: Summary of Recommendations

Recommendation Number	Subject	Status
R-01	Construction Activities Near Or In Windy Lake	Resolved with commitment
R-02	Water Returned To Source	Resolved
R-03	Pipeline Route	Resolved
R-04	Construction Quality Control/ Quality Assurance Program	Partially resolved

A. DOCUMENTS REVIEWED AND REFERENCED

The following table (Table 2) provides a list of the documents reviewed under the submission and reference during the review.

Table 2: Documents Reviewed and Referenced

Document Title	Author, File No., Rev., Date
DESIGN REPORT - Fresh Water Intake, Pumping Station and Pipelines at Windy Lake North	AtkinsRéalis, June 18, 2026
Nunavut Water Board Amended Water Licence No: 2AM-DOH1335	TMAC Resources Inc., 2018
Doris-Madrid Water Management Plan	Agnico Eagle Mines Limited, January 2026

B. RESULTS OF REVIEW

1. Construction Activities Near Or In Windy Lake

Comment:

CIRNAC notes that construction activities associated with the proposed freshwater intake will need to occur in close proximity to or in Windy Lake. Section 6.1 of the Design Report indicates that a construction/operations pad will be established within approximately 15 m of the shoreline, and the pumping station will also be located near the lake.

Ensuring that proper measures are followed to be protective of the water body is important, given that construction of the intake infrastructure will occur in or closer than 31 m from Windy Lake. Additional risks may be present during construction due to the proximity, which could result in negative impacts to freshwater.

CIRNAC further notes that the Design Report provides limited information regarding erosion and sediment control measures, shoreline stabilization measures, and the management of potentially contaminated water during construction. The Water Licence requires the implementation of sediment and erosion control measures to prevent the entry of sediment into waters and the submission of technical specifications for sedimentation, erosion control, and bank stabilization measures as part of the design documentation. (Water Licence 2AM-DOH1335, Part D, Item 6; Schedule D, Item 1(e)).

Recommendation:

(R-01) CIRNAC recommends that the Proponent provide additional information regarding the following:

a) The erosion and sediment control measures that will be implemented during construction and operation of the intake, pumping station and construction/operations pad to prevent sediment mobilization into Windy Lake;
b) Any shoreline stabilization, bank protection, or erosion protection measures proposed for the intake area and associated infrastructure;
c) Measures that will be used to minimize potential water quality impacts during construction activities occurring near or in water; and
d) How any potentially contaminated water generated during construction (e.g., runoff, dewatering water, or water affected by equipment operation and material handling) will be contained, managed, and, if applicable, treated prior to release to the environment.

The above are to be provided prior to any site work being implemented by the proponent.

Applicant's Reply

Agnico Eagle's Response to Request:

Response to bullet a)

The Water Management Plan (Section 4.1.1) outlines mitigations used to minimize potential water quality impacts during and after construction activities. These measures may include silt fencing and coco matting around construction activities and during rainfall and snowmelt periods.

Response to bullet b)

No shoreline destabilization and erosion concerns are anticipated from the construction and operation of the Windy North Intake as Agnico Eagle will be applying relevant mitigations as per the Water Management Plan during construction (Section 4.1.1), and the infrastructure will be regularly inspected during operations.

Response to bullet c)

The Water Management Plan (Section 4.1.1) outlines mitigations used to minimize potential water quality impacts during and after construction activities. These measures may include silt fencing and coco matting around construction activities and during rainfall and snowmelt periods. In the event of a spill, Agnico Eagle will follow the Spill Contingency Plan.

Response to bullet d)

The working pad will be constructed from clean material evaluated or determined through testing as NPAG. Best management practices for machinery are employed, with machinery arriving at the work site clean and free of leaks, inspected prior to use. Any water will be non-contact water and will be managed per the Water Management Plan (Section 4.1.1).

CIRNAC's Response

CIRNAC thanks the Proponent for the response. Given that construction of the proposed intake infrastructure, pumping station, and associated pad will occur in close proximity to, or within, Windy Lake, CIRNAC stresses the importance of implementing effective erosion and sediment control, spill prevention, runoff management, and other protective measures to prevent adverse effects on water quality.

CIRNAC notes that the Water Licence contains requirements related to the prevention of sediment and contaminant entry into water, implementation of sediment and erosion control measures, construction monitoring, runoff management, and minimizing impacts to surface waters (Part D, Items 3, 5, 6, 7, 8, 9 and 13; Part E, Item 10). The Licence also

requires technical specifications for sedimentation, erosion control, and bank stabilization measures as part of the design documentation (Schedule D, Item 1(e)).

CIRNAC recommends that all applicable Water Licence conditions and approved management plans will be implemented throughout construction and operation of the Windy Lake intake infrastructure to ensure the protection of the water source.

2. Construction Quality Control/ Quality Assurance Program

Comment:

CIRNAC notes that the Design Report states that a "*quality control/quality assurance (QA/QC) program will be implemented during construction of all infrastructure components to ensure that construction-sensitive aspects of the design are properly executed*." However, the report does not provide details regarding the proposed QA/QC program, nor does it reference an existing management plan or procedure where this information can be found. (Design Report, Section 6.5).

CIRNAC further notes that robust QA/QC procedures are particularly important for this project given that construction of the intake infrastructure will occur in and adjacent to Windy Lake, where potential risks present during construction could result in negative impacts to freshwater.

CIRNAC further notes that Water Licence 2AM-DOH1335 requires that the detailed report submitted 60 days prior to construction include QA/QC measures to be used and that engineered structures be constructed under appropriate engineering supervision and field checks. (Water Licence 2AM-DOH1335, Part D, Item 10; Schedule D, Item 1(d)).

Recommendation:

(R-04) CIRNAC recommends that the Proponent provide additional information regarding the QA/QC program that will be implemented for construction of the freshwater intake, pumping station, pipeline, and associated infrastructure, including:

a) Whether construction will be carried out under an existing approved QA/QC Plan or a project-specific QA/QC program;
b) QA/QC measures related to protection of freshwater during construction, including implementation of erosion and sediment control measures, management of construction runoff, and protection of Windy Lake and adjacent water resources; and
c) How QA/QC activities will verify that water management and freshwater protection measures are functioning as intended throughout construction.

The above are to be provided prior to any site work being implemented by the proponent.

Applicant's Reply

Response to bullet a)

Construction activities would be carried out following task specific QA/QC measures, which may include the following:

- A representative of the design engineer could be on site to monitor construction and ensure the design is adhered to and/or approve field design changes, or to conduct inspection(s) of the project at critical stages or once complete.
- Complete surveys of the area at key stages including:
  - The existing ground where materials are expected to be placed.
  - Each interface / surface of material placement prior to a change in material type.
  - The final as-built condition including earthworks and liner placement.
- A set of construction record drawings shall be produced, accompanied by a summary memorandum.
- As-built reporting will be prepared and submitted to regulatory authorities within 90 days of project completion.

Response to bullet b)

See responses to CIRNAC-NWB-01.

Response to bullet c)

Water management measures (i.e., erosion and sediment control measures) are regularly inspected when required to ensure they are functioning as intended.

CIRNAC's Response

CIRNAC thanks the Proponent for the response and acknowledges the clarification that construction QA/QC measures will be implemented on a task-specific basis, including engineering oversight, surveys, construction records, and as-built reporting.

CIRNAC notes that the response provides examples of potential QA/QC activities but does not clearly describe the overall QA/QC framework that will be applied to the construction of the Windy Lake intake infrastructure. Given the proximity of the proposed works to Windy Lake, CIRNAC highlights the importance of implementing and documenting appropriate QA/QC measures to verify that erosion and sediment controls, runoff management measures, and other freshwater protection measures are functioning as intended throughout construction. CIRNAC further notes that the Water Licence requires construction methods, procedures, quality assurance and quality control measures to be included in the detailed design report (Schedule D, Item 1(d)), and

requires appropriate engineering supervision and field checks during construction of engineered structures (Part D, Item 10).

CIRNAC recommends that specific quality assurance and quality control measures be established and documented prior to to any site work being implemented by the proponent and that all applicable Water Licence requirements related to construction, water protection, monitoring, quality control, and reporting be implemented and documented throughout construction, including within the Construction Summary Report, as required under Part D, Item 11 and Schedule D, Item 2.