



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

Your file - Votre référence
2AM-MEA1530
Our file - Notre référence
GCDocs#110118343

February 22, 2023

Richard Dwyer
Manager of Licensing
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 the Baker Lake Water Management Improvement plan for water licence 2AM-MEA1530.

Dear Mr. Dwyer,

Thank you for your February 09, 2023, invitation to review the Baker Lake Water Management Improvement plan by Agnico Eagle Mines Limited for the water licence referenced above.

Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) examined the plan 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.

If there are any questions or concerns, please contact me at Aminul.Haque@rcaanc-cirnac.gc.ca or Andrew Keim at (867) 975-4550 or Andrew.Keim@rcaanc-cirnac.gc.ca.

Sincerely,

Aminul

Aminul Haque
Regional Water Management Coordinator



Technical Review Memorandum

Date: February 22, 2023

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

From: Aminul Haque, Regional Water Management Coordinator, CIRNAC

Subject: **Crown-Indigenous Relations and Northern Affairs Canada's Review of the Baker Lake Water Management Improvement plan for water licence 2AM-MEA1530.**

Region: ☐ Kitikmeot ☒ Kivalliq ☐ Qikiqtani

A. BACKGROUND

On February 09, 2023, the Nunavut Water Board (NWB) invited interested parties to submit comments on the Baker Lake Water Management Improvement plan (the plan). The plan is submitted by Agnico Eagle Mines Limited (the licensee) as part of the requirements of notification of Modification per Water Licence 2AM-MEA1530, Part G, Item 3a-g for review and approval of the Nunavut Water Board (NWB). The licensee operates a laydown area for dry freight storage at Baker Lake Marshalling, located on the north shore of Baker Lake, approximately 2 km east of Baker Lake hamlet in Nunavut. The Marshalling area acts as a transfer point for goods and materials transported by barge to Baker Lake before its land shipment to the Meadowbank Gold mine site, located approximately 70 km to the north.

On June 15, 2022, CIRNAC inspected the licensee's Baker Lake Marshalling Facility to ensure compliance with applicable terms and conditions of water licence no. 2AM-MEA1530 (licence). The inspection reported non-compliance as per the Part D Item 19 of the licence – "Failure to undertake corrective measures to mitigate impacts to surface drainage of the marshalling facility and the culvert connecting lake NP-2 and NP-1." The inspection report also required the licensee to develop a long-term plan to address water management issues at the marshalling facility and submit it to the inspector and the NWB no later than December 1, 2022. With the submitted plan, the licensee proposes to address reported non-compliance related to the water management system at its Baker Lake Marshalling area. The main components of the proposed water management infrastructures consist of reshaping some existing ditches, creating four (4) ditches and installing three (3) new culverts sites.

CIRNAC provides the following comments and recommendations about the plan. A summary of the subjects of recommendations can be found in Table 1. Documents reviewed as part of this submission can be found in Table 2 of Section B. Detailed technical review comments can be found in Section C.



Table 1: Summary of Recommendations

Recommendation Number	Subject
R-01	Sampling and monitoring
R-02	Reporting

B. DOCUMENTS REVIEWED AND REFERENCED

The following table (Table 2) lists the documents reviewed under the submission and references during the review.

Table 2: Documents Reviewed and Referenced

Document Title	Author, File No., Rev., Date
Water Licence 2AM-MEA1530 Modification – Baker Lake Water Management Improvement	Agnico Eagle Mines Limited, February 03, 2023
2AM-MEA1530 2022 Inspection Report	Crown-Indigenous Relations and Northern Affairs Canada, June 28, 2022
2AM-MEA1530 2022-KIV8-KA-2AM-MEA1530-Inspection Report	Crown-Indigenous Relations and Northern Affairs Canada, October 18, 2022
Amended Water Licence 2AM-MEA1530	Nunavut Water Board, July 23, 2015
Water Licence 2AM-WTP1830 and 2AM-MEA1530, Reasons for Decision Including Record of Proceedings	Nunavut Water Board, March 27, 2020



C. RESULTS OF REVIEW

1. Sampling and Monitoring

Comment:

The plan proposed water management infrastructures such as creating four (4) ditches and installing three (3) new culvert sites. In Attachment B, section 6.6 of the design report mentioned instrumentation and performance monitoring of the new structures. However, it did not discuss the sampling and water quality requirements for new constructions as outlined in Part D (e.g., Item 12) of the licence. Sampling and water quality monitoring are needed to ensure the effectiveness of the proposed water management infrastructures and compliance with the licensing conditions.

Recommendation:

(R-01) CIRNAC recommends that the licensee monitor water quality requirements as per the licence during and after the modification to ensure the effectiveness of the proposed water management infrastructures and compliance with the licencing conditions. Also, report the monitoring data in the annual report.

2. Reporting

Comment:

Field inspections from CIRNAC identified non-compliance and the need for a long-term water management strategy. As a result, the licensee proposed the plan as a corrective measure and to comply with the licencing terms and conditions. Therefore, inspecting the new construction and assessing its effectiveness will be prudent.

Recommendation:

(R-02) CIRNAC recommends that the licensee provide the project update to the CIRNAC inspector identified in the inspection report so that an inspection can be done to ensure compliance and effectiveness of the proposed management strategy.