



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

Your file - Votre référence
2AM-MEL1631
Our file - Notre référence
CIDM#1284457

April 2, 2020

Mr. 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 comments on Agnico Eagle's Request to Process Amendment to NWB Water Licence No. 2AM-MEL1631 to Authorize the Release of Water from Containment Pond 1 (CP1) on an Emergency Basis

Dear Mr. Dwyer,

Thank you for your March 25, 2020 email invitation to review the information provided by Agnico Eagle in the request for an emergency amendment of Water Licence 2AM-MEL1631, and to provide comments to the Nunavut Water Board on:

- "1. whether they are in agreement that emergency circumstances exist and the Board should process the Amendment Application on that basis;*
- 2. identifying any questions or technical review comments in respect of the Amendment Application that should be considered by the Board; and*
- 3. indicating whether they are interested and available to participate in a Board-hosted teleconference to give parties an opportunity to discuss technical and procedural issues associated with the Amendment Application (tentatively April 8 or 9, 2020)."*

Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) reviewed 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 would like to provide the following comments to the Nunavut Water Board for consideration.

Agnico Eagle stated in the request that *"Agnico Eagle wishes to emphasize that no emergency at the Meliadine Mine currently exists, and no emergency will occur if Agnico Eagle is permitted to release the CP1 waters in a timely way. While the current situation at the Meliadine Mine is not an emergency in the near term, in order to ensure*



that the infrastructure remains protected it is essential to dewater CP1 starting in May 2020.”

As it is unclear as to whether an emergency scenario will occur, it is important that Agnico Eagle provide the following information:

1. designed capacity of CP1;
2. volume of water currently in CP1;
3. predicted volume of water from the 2020 freshet event;
4. volume of water that had been treated and discharged prior to freeze-up;
5. chemistry of water in CP1 besides TDS; and
6. geotechnical assessment on stability or integrity of CP1.

The availability of this relevant information will enable CIRNAC to decide if the emergency circumstances exist and to advise the Board if the Amendment Application should proceed on that basis.

CIRNAC also has the following technical questions:

1. What adaptive measures Agnico Eagle have implemented to resolve or mitigate the potential challenges and why this request was not made soon after CP1 freeze-up in 2019;
2. What other alternatives has Agnico eagle considered for managing the water in CP1 with high TDS, including treatment before discharge; and
3. How will Agnico Eagle mitigate any unanticipated potential adverse effects on water quality of the receiving environment during this discharge.

CIRNAC would like to recommend that Agnico Eagle provide sufficient information and response to the technical review questions as soon as possible so that interested parties could conduct further review of the request.

CIRNAC is interested and available to participate in a Board-hosted teleconference on April 8 or 9, 2020 to discuss technical and procedural issues associated with the Amendment Application. In order to have a productive and an effective discussion, CIRNAC strongly encourages Agnico Eagle to provide the relevant information in advance of the teleconference.

CIRNAC appreciates the opportunity to participate in this review. If there is any question, please contact me at (867) 975-4555 or david.zhong@canada.ca or Mr. Godwin Okonkwo, Manager of Water Resources, at (867) 975-4550 or godwin.okonkwo@canada.ca.

Sincerely,

David Zhong
Regulatory and Science Advisor