



Water Resources Division  
Resource Management Directorate  
Nunavut Regional Office  
P.O. Box 100  
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Your file - Votre référence  
2AM-MEL1631  
Our file - Notre référence  
GCDocs# 118653766

November 9, 2023

Mohammad Ali Shaikh  
Technical Advisor  
Nunavut Water Board  
P.O. Box 119  
Gjoa Haven, NU, X0B 1J0  
E-mail: ali.shaikh@nwb-oen.ca

**Re: Crown-Indigenous Relations and Northern Affairs Canada's (CIRNAC) Response to the Nunavut Water Boards Request to provide suggested wording with respect to the draft list of commitments generated from the October 2023 technical meetings on the 2AM-MEL1631 Extensions Application submitted by Agnico Eagle Mines Inc.**

Dear Mohammad,

Thank you for the November 3, 2023 email invitation to review and provide CIRNAC's suggested wording related to the list of commitments generated on the technical meetings held in Rankin Inlet in October of 2023. CIRNAC has produced the following document to ensure that our comments and recommendations related to the documents submitted by Agnico Eagle for Type A Water Licence No. 2AM-MEL1631 Application for amendment are clearly defined for the board's consideration

CIRNAC has continued to engage with Agnico Eagle throughout this process, in an effort to find commonality and agreement pursuant to our responsibilities under the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* and the *Department of Crown-Indigenous Relations and Northern Affairs Act*.

Further, with respect to your email of November 3, 2023, the Nunavut Water Board requested that Parties review an attached List of Issues for discussion in the potential Public Hearing. Parties were asked to confirm by November 8, 2023, whether they agree with these topics or if there may be additional topics that were not included within the draft. CIRNAC notes there remain outstanding issues. This, and the lack of an approved project certificate, make any discussion of scheduling a public hearing premature. CIRNAC submits that a further technical hearing, following the issuance of a Project Certificate, may be necessary to bring parties closer to resolving outstanding issues.

Please find CIRNAC comments and recommendations related to this list below.



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

Sincerely,

*Andrew Keim*

Andrew Keim  
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Crown-Indigenous Relations and Northern Affairs Canada  
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## **CIRNAC'S REVIEW OF THE PROPOSED LIST**

1. CIRNAC acknowledges and thanks the Board for the development of the list provided but at this time does not think that the process is ready to move to the Public hearing stage. Too many outstanding items remain unresolved, and until such time as the Project Certificate is issued and these items can be reviewed in light of the terms and conditions contained within the Project Certificate, the advancement of the Water Licensing Amendment process is premature. CIRNAC recommends that the board consider waiting until a Project Certificate is issued by the NIRB.
2. With respect to the section defining issues around Water Management and Treatment, CIRNAC notes that issues around the storage ( long versus short term) of Saline water on-site appear to be missing from the list, as well as information related to the overall and cumulative impact of storage on groundwater. Saline water storage in the volumes and the proposed duration have not been properly assessed.
3. With respect to the section defining issues around Waste Management, CIRNAC at this time is not prepared to enter into the discussion surrounding approval for the alternative of in-pit tailings and rock disposal in mined-out pits. CIRNAC is committed to ongoing discussions on clearly defining what information and the process related to the submission of an application for such activities. This may include defining the specific studies, source terms, pit properties, fill depths and modelling.
4. Finally, it is noted that as part of the amendment package submitted to the NWB, the proponent included a revised Adaptive Management Plan. That submission has yet to be approved. CIRNAC seeks clarification on what version of the Adaptive Management Plan is being referenced in comments from Agnico Eagle related to Saline / Contact Water Management. Reviewing the provided list of plans, it appears that this is not included as a topic for review.