



August 28, 2024

NWB File No.: 2AM-MEL1631

Richard Dwyer
Nunavut Water Board
PO Box 119
Gjoa Haven, NU
X0B 1J0

Re: Agnico Eagle's Response to Draft Water Licence Framework Comments on the Meliadine Water Licence Amendment Application 2AM-MEL1631

Dear Mr. Dwyer

Agnico Eagle thanks the Kivalliq Inuit Association (KivIA) and Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) for their comments on the Draft Water Licence Framework provided by Agnico Eagle on June 7, 2024.

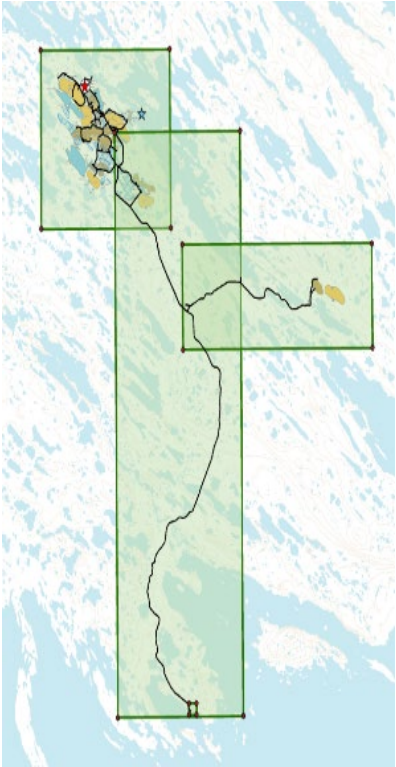
Agnico Eagle notes that comments from the KivIA were received on July 25, 2024 and responses were already provided to the Board in our August 15, 2024 within the submission of the Final Written Submission responses. However, as comments from CIRNAC were received on August 20, 2024; the enclosed provides a summary of all responses for clarity to the Board.

Should you have any questions or require further information, please contact the undersigned at your convenience.

Regards,

Jamie Quesnel
jamie.quesnel@agnicoeagle.com
Director, Permitting & Regulatory Affairs

Table 1: Comments and Responses to 2AM-MEL1631 Draft Water Licence Framework

Draft June 7, 2024 Water Licence Reference (removals highlighted in yellow strikethrough, additions highlighted in green underline)	Party	Party Comment	Agnico Eagle Reply
General Comment	KivIA	The KivIA is seeking to have the commitment list incorporated as an appendix to the licence	<p>As provided in the Final Written Submission responses to KivIA-FWS-7:</p> <p>Agnico Eagle proposes to add a commitment list as an appendix to the annual report where commitments made during the Water Licence Amendment process would be tracked and updated accordingly.</p>
Part A, 1(a) This Licence authorizes Agnico Eagle Mines Limited (“ AEM <u>Agnico Eagle</u> ” or “Licensee”) to use Water and deposit Waste in support of a Mining Undertaking classified as per Schedule 1 of the <i>Regulations</i> , at the Meliadine Gold Project (Project) as outlined in the Type “A” Water Licence <u>Application</u> submitted to the NWB on <u>May 13, 2015</u> , August 27, 2020, and <u>January 26, 2024</u> (Application) and as reviewed throughout the regulatory process.	CIRNAC	Does this change have any legal/formal bearing on various documents?	No, it does not. Agnico Eagle’s preferred short form is “Agnico Eagle”, as it is more easily translated than “AEM”, and so “Agnico Eagle” is typically used in our documentation where possible.
Part A, 1(a) The Licensee may conduct mining and associated activities at the Meliadine Gold Project in the Kivalliq Region of Nunavut, located at the following project extents: ..	CIRNAC	Why are these various coordinates changing for existing facilities?	<p>The coordinates needed to change as the coordinates that are in the Water Licence currently were only encompassing what was previously approved. The updated coordinates now reflects all deposits included in the scope of the January 2024 Application.</p> <p>Like the discussion on the 2BB licence, the extent of the polygon does not dictate we can do as we wish within that boundary. We still have to have project activities approvals/licenses/permits for specifics within the extents.</p> 
Part A, Item 1(a): Dewatering of Lakes A54, H17, H19 and H20 and draining of ponds;	CIRNAC	Why are no Lakes (e.g. B7, etc.) specified?	The licensee is authorized to undertake activities as per the Type A Licence, Type A Amendment application, and as that application is reviewed through the regulatory process. The lakes/ponds are listed in those applications, and so the lakes and ponds listed in the application are incorporated by reference in Part 1(a) above). They do not need to also be listed specifically here.
Part A, Item 1(a): Construction and Operation of Landfill(s) <u>Landfarm(s)</u> and Incinerator(s)	CIRNAC	Are they proposing multiple such facilities?	There are already multiple facilities, for example incinerators. Landfill and landfarm were not multiple.

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Part A, Item 1(a): Construction and Operation of Water Collection Ponds, retention dikes, retention berms, jetties, dams, pump systems, pipelines, <u>waterlines</u> , and channels;	CIRNAC	Should this read “ Contact Water Collection Ponds”?	This suggested change would not add clarity and is not necessary, as Collection Pond is already a clearly defined term – see: ““ Collection Pond ” means a facility designed to temporarily contain runoff from areas impacted by mining activities and from site infrastructure, as described in the <i>Water Management Plan</i> .
Part A, Item 1(a): Construction and Operation of Treatment Plants;	CIRNAC	Should this be <i>Surface Water and Saline Ground Water</i> Treatment Plants ?	Note Agnico Eagle did not propose any changes to the current licence wording on this item, nor are there any relevant changes included in the application. For information purposes, this suggested change would not add clarity and is not necessary, as Treatment Plant is already a defined term.
	CIRNAC	Should there be bullets associated with “ Construction and operation of Saline water collection, storage and treatment systems and facilities ”?	This would be duplicative, as all of the collection, storage and treatment systems and facilities are captured in other bullets.
Part A, Item 1(a): Processing of ore using a conventional gold-milling circuit;	CIRNAC	What does conventional mean? Could be more specific on type of milling operation circuit.	Note Agnico Eagle did not propose any changes to the current licence wording on this item, nor are there any relevant changes included in the application. For information purposes, “conventional” means a typical gold mining circuit, and remains appropriate wording.
Part A, Item 1(a): Development and Operation of an Emulsion Plant;	CIRNAC	Why is this “development” instead of “construction”? Is this difference technically significant or just text difference?	Note Agnico Eagle did not propose any changes to the current licence wording on this item, nor are there any relevant changes included in the application. For information purposes, Agnico Eagle’s interpretation is that there is no technically significant difference between the word “development” and “construction” but also that there is no reason to change this wording at this time.
Part A, Item 1(a): Disposal of Waste Rock and Overburden within <u>two</u> Waste Rock Storage Facilities (WRSF);	CIRNAC	I though overburden was in its own stockpile?	For information purposes, this is an incorrect understanding, overburden is not necessarily in its own stockpile and may be co-disposed with waste rock as outlined in Section 3 of the Mine Waste Management Plan.
Part A, Item 1(a): Management and disposal of Waste associated with the Sewage Treatment Plant(s), Water Collection Ponds, Landfill(<u>s</u>), Landfarm(<u>s</u>), Incinerator(<u>s</u>), and other Wastes as described in the Application;	CIRNAC	What kinds of waste would be associated with water collection ponds?	Sludges would be an example, but Agnico Eagle feels the current licence wording continues to be appropriate, with the small wording adjustments suggested (“s”) to reflect that there may be more than one of these facilities.
Part A, Item 1(a): Diversion of site runoff Water to water management facilities;	CIRNAC	Diversion usually refers to system that prevent non-contact water from being sent to water management facilities. Runoff captured and sent water management facilities is usually collected and directed to these facilities, not diverted to them.	Note Agnico Eagle did not propose any changes to the current licence wording on this item, nor are there any relevant changes included in the application. For information purposes, Agnico Eagle does not agree with CIRNAC’s comment, there are times where you may want to divert contact water.
Part A, Item 1(a): Progressive Reclamation and Abandonment planning of on-site facilities and infrastructure.	CIRNAC	There should also be a bullet for Final Reclamation and Closure of site facilities and post closure maintenance and monitoring	Note Agnico Eagle did not propose any changes to the current licence wording on this item, nor are there any relevant changes included in the application. For information purposes, the current wording is broad enough to include the final reclamation, closure and post closure stages, all of which are also addressed in the various applications listed in the introduction to this section.
Part B, Item 9. The Licensee shall notify the Board of any changes in Project phases and/or operating plans or conditions associated with this Project at least sixty (60) days prior to any such change.	CIRNAC	Suggest adding “..or as otherwise directed by the Board”	Suggest adding “..or as otherwise approved by the Board”
Part B Item 10. The Licensee shall, for all Plans submitted under this Licence, include a proposed timetable for implementation. Plans submitted cannot be undertaken without subsequent written Board approval and direction, <u>subject to the following exception. Unless otherwise directed by the Board, Plans submitted may be undertaken without further Board approval and direction after a 60 day period has elapsed following submission by the Proponent.</u> The Board may alter or modify a Plan if necessary to achieve the legislative	KivIA	The KivIA seeks to ensure, that should the Board otherwise direct that Plans may be undertaken without further Board approval and direction after 60 days, comments of the KivIA and other Participants are addressed prior to issuing any such approval. The "approving the plan because a response hasn't been provided" approach will create restrictions on the NWB's discretion and will risk eliminating consultation and public input on important amendments to Plans.	<i>As provided in the Final Written Submission responses to KivIA-FWS-7:</i> The NWB (rather than the DIO and/or participants in the process) are the decision makers on water licencing matters under the Nunavut Agreement, and the KIA suggested wording could be seen as a delegation of this discretion.

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objectives and will notify the Licensee in writing of acceptance, rejection or alteration of the Plan.			Agnico Eagle does not see the June 7 wording as a limit on the NWB’s discretion. 60 days is a reasonable public comment period. The current approach has the undesirable effect of requiring the Proponent to operate under out of date plans, which is not optimal from an environmental standpoint.
	CIRNAC	I would recommend that the Board not accept this revision.	Agnico Eagle continues to be of the view that this change would be an appropriate inclusion that would balance the need for the reasonable opportunity for public comment with the need to implement Plan updates at site in a timely way that ensures water and waste is managed in the most up to date way possible.
Part B, Item 13. The Board has approved the following Plans for implementation under the relevant sections in the Licence: ...	CIRNAC	This assumes all plans have been reviewed and approved by the Board	Yes, that is also Agnico Eagle’s assumption. As all the listed updated plans were submitted with the Application and opportunities to consider them were available as part of the amendment process, Agnico Eagle is asking for them to be reviewed and approved at the same time as the issuance of the amended Water License. This is a typical approach when an amendment is issued.
Part B, Item 13, n: Meliadine Interim Closure and Reclamation Plan – Update 2024, January 2024;	CIRNAC	Still needs to be discussed / resolved	Agnico Eagle has resolved security with CIRNAC and the KivIA. Which in our view the ICRP has been reviewed as the activities in the ICRP are related to the approved security. Agnico Eagle feels we can move forward with the ICRP as submitted and that it should be approved by the Board with the issuance of the amendment.
Part B, Item 15. Licensee shall, within sixty (60) days of the approval of this Licence by the Minister, submit to the Board for review the following updated management plans to reflect the proposed changes and to take into account commitments made during the technical review of the Application and Public Hearing process: 1. _____ 2. _____ Water Management Plan; 3. _____ Groundwater Management Plan 4. _____ Waste Management Plan; and 5. _____ Interim Closure and Reclamation Plan.	KivIA	The KivIA is of the view that there must be language within the licence reflecting the commitments that the Proponent made to update certain Plans. If the Proponent's commitment is to update various Plans and provide them to KivIA and other Participants within 60 days, there is no reason to exclude the commitments from the licence.	<i>As provided in the Final Written Submission responses to KivIA-FWS-7:</i> Agnico Eagle had provided the following notice to NWB in the June 7 mark-up: Agnico Eagle has already made commitments to update various plans and are presented in the commitment list to provide 60 days from licence amendment. Agnico Eagle is of the opinion that one-time commitments (e.g., like a plan update) should not be embedded as a Licence condition as those should be reflective of ongoing conditions for Agnico Eagle to comply with. Therefore, Agnico Eagle proposes to add a commitment list as an appendix to the annual report where commitments made during the Water Licence Amendment process would be tracked and updated accordingly.
	CIRNAC	So why not leave in here for the record?	This particular item was referring to past updates. Having commitments embedded within a licence presents unnecessary confusion once the commitment is achieved (e.g., the plan is submitted 60 days after) as the Item would have to remain in the licence until there is an amendment. Note to NWB: Agnico Eagle has already made commitments to update various plans and are presented in the commitment list to provide 60 days from licence amendment.
Part B, Item 17. The Licensee shall review the Plans or Manuals referred to in this Licence as required by changes in operation and/or technology and modify the Plans or Manuals accordingly. Revisions to the Plans or Manuals are to be submitted in the form of an Addendum to be included with the Annual Report required by Part B, Item 2 , complete with a revisions list detailing where significant content changes are made, and should incorporate design changes and adaptive engineering required and implemented during construction and on the basis of actual site conditions and monitoring results over the life of the Meliadine Mine.	CIRNAC	What does “in the form of an Addendum” actual mean? It seems to me to different than submitted the original report with only a revision record in the document control section noting changes	Note Agnico Eagle did not propose any changes to the current licence wording on this item, nor are there any relevant changes included in the application. For information purposes, Agnico Eagle’s understanding is that the full plan does not necessarily need to updated, rather a submission of the changes through a document log and the specific edits is accepted. An addendum may be in the form of a revision record or a stand alone document.
Part B, Item 21: The Licensee is encouraged to adopt an Adaptive Management approach to the management of uncertainty regarding potential for effects associated with the Undertaking, including identifying mitigation, monitoring or management actions to be taken when specified thresholds and triggers identified in the <i>Adaptive Management Plan</i> are exceeded.	CIRNAC	The existing AMP was developed for the operation of the water line to ensure it was used to maximum effect to minimize discharge to Meliadine Lake. It is “an” Adaptive Management Plan for that purpose. It is not the Adaptive Management Plan for the Mine site operations.	Note Agnico Eagle did not propose any changes to the current licence wording on this item, nor are there any relevant changes included in the application. For information purposes, the AMP is not restricted only to the topics described in CIRNAC’s comments and applies generally to Mine site operations. Therefore, the NWB should not accept CIRNAC’s suggestion to refer to the AMP as “an” AMP. It creates confusion to have multiple plans on the same topic.

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Part C (all replaced)	KivIA	The entirety of Part C remains under review by KivIA pending resolution of the Security Management Agreement outstanding issues. In addition, the KivIA is of the view the 2025 Work Plan be added to paragraph 1.	<i>As provided in the Final Written Submission responses to KivIA-FWS-7:</i> Agnico Eagle had provided proposed updates to this whole Part and replaced with new items, which were issued to KivIA and CIRNAC for review. Review is ongoing with both parties and will be finalized by the Final Hearing.
Part C, Item 1: The Licensee shall, within thirty (30) days following the approval of this Licence by the Minister, furnish and maintain security with the Minister in the amount of \$XXX based on existing site infrastructure and work included in the 2024 Work Plan. As set out in the Meliadine Security Management Agreement, this is 50% of the current security amount (the Current Security Amount) required to reclaim the Undertaking. The Meliadine Security Management Agreement reflects that 50% of the Current Security Amount will be held outside the Licence by the Kivalliq Inuit Organization, in accordance with the terms and conditions of that Agreement. The Current Security Amount may be adjusted from time to time based on the milestones set out in Schedule C of this Licence. The Licensee shall provide the Board with at least ninety [90] days prior notice of the milestone(s) set out in Schedule C of this Licence and shall furnish the specified additional security amounts (the Adjusted Current Security Amount) set in Schedule C with the Minister and KIA at least thirty [30] days before proceeding with the milestone(s).	CIRNAC	Basis of estimate for each of these Milestones needs to be reviewed and agreed to	Agnico Eagle notes agreement has now been reached on security number and associated milestones.
Part C, Item 2: As set out in the Meliadine Security Management Agreement, a total global security amount of \$XXX (the Global Security Amount) will be required to reclaim the Undertaking should the Licensee proceed with all activities and infrastructure included in the scope and set out at Schedule C of this Licence, of which 50% the Licensee shall be required to furnish and maintain with the Minister and the other 50% of the global security amount will be held outside the Licence by the Kivalliq Inuit Organization, in accordance with the terms and conditions of the Meliadine Security Management Agreement.	CIRNAC	Suggest replacing with “Is presently estimated”	Agnico Eagle disagrees with this revision. We will provide the Board with the final number to be included in the Licence which has been agreed to.
Part C, Item 3: The security held under Part C, Item 1 shall be in the form, of the nature, and subject to such terms and conditions, as prescribed by the Act and Regulations.	CIRNAC	Note that: Items 3 to 9 are the same as current licence Items 10 & 11 of current licence are deleted	Agnico Eagle recommends to use the suggested wording as proposed on June 7.
Part C, Item 7: The Licensee shall, within six (6) months following commencement of Commercial Operation and at the time the Licensee files the Final Reclamation and Closure Plan as required under the Licence, submit to the Board for review in writing an updated reclamation cost estimate, using the RECLAIM Reclamation Cost Estimating Model (Version 7.0 or the most current version at the time the updated reclamation cost estimate is submitted to the Board).	KivIA	The KivIA is of the view that section 7 should not be removed but instead be amended to state: The Licensee shall, at the time the Licensee files the Final Reclamation and Closure Plan as required under the Licence, submit to the Board for review in writing an updated reclamation cost estimate, using the RECLAIM Reclamation Cost Estimating Model (Version 7.0 or the most current version at the time the updated reclamation cost estimate is submitted to the Board)	<i>As provided in the Final Written Submission responses to KivIA-FWS-7:</i> Agnico Eagle agrees with the KivIA’s revised wording.
Part D, Item 1: The Licensee shall, at least sixty (60) days prior to Construction (unless otherwise approved), submit to the Board for review final design and for-Construction drawings accompanied with a detailed report described in Part D, Item 2 and stamped and signed by an Engineer, for the following:	CIRNAC	Given that this is for Final Review it would seem that AEM should be able to plan and schedule such work in a manner that does not compromise ability for the Board and others to review.	Note to NWB: The Board should have the ability to reduce this timeline with reasonable rationale provided by Agnico Eagle. This is important due to the short window of Arctic construction window. In some cases, the Board should determine that less than 60 days is acceptable, particularly given that this item refers to stamped engineered drawings. The recommended edit “unless otherwise approved” would also add clarity as it would apply to designs that may have been submitted with an Application and therefore receives approval through the Application process and would not require a 60-day construction notice as they would be deemed approved with the issuance of the amended Licence. Designs that were submitted with an application should not have to be resubmitted after an amendment is issued in order to ensure compliance with this section.

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Part D, Item 1 (c): Engineered Fuel Storage Containment Facilities (Meliadine Site and Itivia Site).	CIRNAC	What about: a) saline water storage, conveyance and treatment systems at the mine site, at Discovery, from Discovery to the Mine Site b) The AWAR c) Quarries	Note to NWB: this item was added during the waterline process. It should be removed because the wording requires Agnico Eagle to provide engineered drawings that don't relate to water and waste drawings, which is outside the NWB jurisdiction. Agnico Eagle feels the items listed in Items a and b capture water and waste engineered works. Water crossing (Culverts and bridges) covers the AWAR. Therefore, the wording suggested by CIRNAC is unnecessary.
Part D, Item 11: The Licensee shall direct contact runoff and Seepage to the Collection Ponds for storage and transfer.	CIRNAC	Transfer to what? This section is for "Construction" so something has to be done with the water	Agnico Eagle suggests the proposed update: The Licensee shall direct contact runoff and Seepage to the Collection Ponds for storage and transfer to approved Collections Ponds.
Part D, Item 13: All Waters, exceeding the Effluent quality limits under Part D, Item 12, shall be released to Collection Ponds for storage and transfer.	CIRNAC	"directed to " and as per above comment, "Transfer to" where ? Or do what with these waters	Agnico Eagle suggests the proposed update: All Waters, exceeding the Effluent quality limits under Part D, Item 12, shall be released to Collection Ponds for storage and transfer to approved Collections Ponds.
Part D, Item 17: The Licensee shall not excavate and/or remove material from the quarry beyond a depth of one (1) metre above the ordinary High Water Mark or above the Groundwater table, to prevent the potential contamination of surface and Groundwater. The quarrying shall be in accordance with all applicable legislation. Quarrying should also give due consideration to industry standards including the <i>Northern Land Use Guidelines, Pits and Quarries</i> (INAC, 2009, or as revised).	KIVIA	The KivIA does not agree to the amendment proposed by the Proponent. The KivIA recommends that section 17 be amended to state the following: <i>17. The Licensee shall not excavate and/or remove material from the quarry beyond a depth of one (1) metre above the ordinary High Water Mark or above the Groundwater table, to prevent the potential contamination of surface and Groundwater. The quarrying shall be in accordance with all applicable legislation, and give due consideration to industry standards including the Northern Land Use Guidelines, Pits and Quarries (INAC, 2009, or as revised).</i>	<i>As provided in the Final Written Submission responses to KivIA-FWS-7:</i> The KivIA's revised wording is acceptable.
	CIRNAC	The existing wording is "all applicable legislation"	Agnico Eagle agreed with language provided by the KivIA as provided above.
Part D, Item 19: The Licensee shall, during the Construction of all engineered structures relating to water and waste , provide the required supervision and field checks by an appropriately qualified Engineer in such a manner that the project specification can be enforced and, where required, the quality control measures can be followed. The Licensee shall maintain all Construction records of all engineered structures to be made available at the request of the Board and/or an Inspector.	KIVIA	The KivIA is seeking clarity from the Proponent as to why the addition of "relating to water and waste" was made.	<i>As provided in the Final Written Submission responses to KivIA-FWS-7:</i> The addition was made because not all engineered structures at a mine site relate to water and waste. As the Water Licence only has jurisdiction to regulate water and waste, the revision is suggested for clarity.
	CIRNAC	I don't believe that this should be limited only to structures relating to water and waste.	
Part E, Item 10: The Licensee shall implement the <i>Water Management Plan</i> . The Licensee shall, at least six (6) months prior to initiating the discharge of Contact Water through any means other than those approved under Part F, Item 3 , update the <i>Water Management Plan</i> to reflect any changes in management of Water on site and shall submit the updated Plan to the Board for approval in writing.	CIRNAC	Not sure why "approved" is being removed	Agnico Eagle provided the following note to the NWB in Part D, Item 14. Overall, there are inconsistencies in Licenses and so we have proposed the following for the Boards consideration. This is also important as updates may be approve from time to time and so referencing simply to Part ,Item 14 could fall out of date. <i>Note to NWB: for consistency with other Licenses (i.e., Whale Tail), Agnico Eagle proposes to simply reference the plan title. This edit has been made throughout the licence.</i>
Part E, Item 15: The Licensee shall implement the <i>Groundwater Management Plan</i> . The Licensee shall, at least six (6) months prior to initiating the discharge of Contact Water through any means other than those approved under Part F, Item 3 , update the <i>Groundwater Management Plan</i> and submit the updated Plan to the Board for approval in writing.	CIRNAC	Not sure why "approved" is being removed	Please see response to comment in Part E, Item 10
Part E, Item 17: The Licensee shall not breach dikes until the Water quality in the re-flooded area meets the <i>CCME Water Quality Guidelines for the Protection of Aquatic Life</i> , baseline concentrations, or appropriate Site-Specific Water Quality Objectives (SSWQO), such as the pit lake predictions in the <i>Final Environmental Impact Statement</i> (FEIS, 2014, Table 7.4-22, or more recent SSWQO). If Water quality parameters are above the <i>CCME Guidelines</i> and/or	CIRNAC	Don't the SSWQOs also first need to be "approved" ?	Agnico Eagle feels the language is appropriate as worded

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FEIS predictions, a site specific risk assessment must be conducted in order to identify the appropriate SSWQO for the site. Where the SSWQO are required, the SSWQO shall be incorporated into the approved <i>Final Reclamation and Closure Plan</i> .			
Part F, Item 2: The Licensee shall direct all Contact Water to the Collection Ponds or to Saline Ponds if required , or as otherwise approved by the Board in writing.	CIRNAC	Why would Contact water be mixed with Saline water ? Has there been any discussion of this to date ? This is an open ended statement.	Agnico Eagle feels this addition should remain as it allows for flexibility on-site and storage requirements.
Part F, Item 4: The Discharge of Effluent from the Final Discharge Point at Monitoring Program Station MEL-14 to Meliadine Lake shall not exceed the total authorized volume of two million six hundred thousand (2,600,000) cubic metres per year during the Operations of the Meliadine Mine, or as otherwise approved by the Board in writing.	CIRNAC	Suggest adding “ be minimized to the degree possible but under no circumstance to exceed !”	Agnico Eagle does not agree with the addition, as the language has been developed and agreed with the KivIA.
Part F, Item 5: The Discharge of Effluent from the Final Discharge Point at Monitoring Program Station MEL-14 shall tested and in compliance with the <i>Metal and Diamond Mining Effluent Regulations (MDMER)</i> .	CIRNAC	:Why is this test removed ?	As the licence states, Agnico Eagle has to be in compliance with MDMER at the final discharge point. The MDMER contain this particular method. In addition, if the method were to change, the Licence would need to be amended.
Part F, Item 11: The Licensee shall operate all Treatment Plants in accordance with the following Operation and Maintenance Manuals that were previously approved by the Board:	CIRNAC	Need to confirm that these are latest versions of these plans	The latest versions of the plans referenced in Part F, Item 10 are updated as follows: <ul style="list-style-type: none">- “Operation and Maintenance Manual, Freshwater Treatment Plant Upgrade”, dated June 2020;- “Operation & Maintenance Manual (OMM), Sewage Treatment Plant Upgrade”, dated March, 2021;- “Operation and Maintenance Manual, Effluent Water Treatment Plant (EWTP)”, dated January 2021;- “Operation and Maintenance Manual, Saline Water Treatment Plant”, dated July 2018;- “PALL Agnico, Two 450 GPM Reflex CCRO units, Operation and Maintenance Manual”, dated April 10, 2018; and- “Operation & Maintenance Manual, Saline Effluent Treatment Plant (SETP-WTC), Water Treatment Complex”, dated January 2022”
Part F, Item 15: The Licensee shall implement the <i>Mine Waste Management Plan</i> . The Licensee shall review the <i>Mine Waste Management Plan</i> on an annual basis and submit an updated version of the Plan with a summary of changes to the Board for review within the annual report submission, if significant content changes are required.	CIRNAC	Not sure why “approved” is being removed	Please see response to comment in Part E, Item 10
Part F, Item 16: The Licensee is authorized to dispose of all acceptable food waste, paper waste and untreated wood products in an Incinerator in accordance with the <i>Incineration Management Plan</i> , which may include an Adaptive Management approach for use of a Composter or as otherwise approved by the Board in writing.	CIRNAC	Not sure why “approved” is being removed	Please see response to comment in Part E, Item 10
Part F, Item 18: The Licensee shall remove from the Project site, all solid and liquid Hazardous Wastes generated through the course of the Project’s activities, for disposal at an approved hazardous waste disposal facility in accordance with the <i>Hazardous Materials Management Plan</i> .	CIRNAC	Not sure why “approved” is being removed	Please see response to comment in Part E, Item 10
Part F, Item 21: The Licensee shall dispose of / treat all petroleum hydrocarbon contaminated soils in the Landfarm facility in accordance with the <i>Landfarm Management Plan</i> .	CIRNAC	Not sure why “approved” is being removed	Please see response to comment in Part E, Item 10
Part F, Item 22: The Licensee shall dispose of tailings and operate the Tailings Storage Facility (TSF) in accordance with the <i>Mine Waste Management Plan Guide to the Management of Tailings Facilities (Mining Association of Canada, September 2011, or more recent)</i> and with relevant engineering standards, such that ...	CIRNAC	Not sure why “approved” is being removed	Please see response to comment in Part E, Item 10
Part H, Item 1: The Licensee shall implement the <i>Spill Contingency Plan</i> , the <i>Hazardous Materials Management Plan</i> , the <i>Risk Management and Emergency Response Plan</i> , and the <i>Itivia Oil Handling Facility Oil Pollution Emergency Plan</i> . The Licensee shall comply with the Plan(s), and any changes deemed significant by the Board shall require the submission and subsequent approval of the Board in writing.	CIRNAC	Not sure why “approved” is being removed	Please see response to comment in Part E, Item 10

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Part I, Item 1: The Licensee shall implement the <i>Environmental Management and Protection Plan</i> (EMPP).	CIRNAC	Not sure why “approved” is being removed	Please see response to comment in Part E, Item 10
Part I, Item 2: The Licensee shall implement the Plan entitled “ <i>Bulk Fuel Storage Facility: Environmental Performance Monitoring Plan</i> ”.	CIRNAC	Not sure why “approved” is being removed	Please see response to comment in Part E, Item 10
Part I, Item 3: The Licensee shall implement the Plan entitled “Monitoring Plan for the Phase 1 All-Weather Access Road between Rankin Inlet and the Meliadine site”, dated January 2012, that was previously approved by the Board with the issuance of Water Licence No. 2BW-MEL1215 related to AWAR construction/ operation. The Licensee shall, within sixty (60) days from the approval of the Licence by the Minister, submit to the Board for review an updated version of this Plan to incorporate, at a minimum, the changes in Licences and the contact information.	CIRNAC	What is rationale for deleting these conditions?	<p>The deletion is because these updates were to be applied 60 days from approval of the licence in 2016. This has been done.</p> <p>This is an instance to support our recommended removal of Part B, Item 14. The only way to remove such items is through an Amendment process. Updates to plans 60 days after Licence approval should be tracked as commitments and reported on annually.</p>
Part I, Item 11: The Licensee shall undertake the Waste Rock Storage Facilities’ and Tailings Storage Facility’s Thermal Monitoring Program detailed in the <i>Mine Waste Management Plan</i> .	CIRNAC	As per previous comments, why is “approved” removed	Please see response to comment in Part E, Item 10
Part J, Item 1: The Licensee shall implement the <i>Meliadine Interim Closure and Reclamation Plan</i> (ICRP).	CIRNAC	:Which one? Need the word “approved” or “as approved”	Please see response to comment in Part E, Item 10
Part J, Item 2: Licensee shall, within eighteen (18) months of approval of this Licence by the Minister, submit to the Board for approval an updated <i>Interim Closure and Reclamation Plan</i> prepared in accordance with the <i>Guidelines for the Closure and Reclamation of Advanced Mineral Exploration and Mine Sites in the Northwest Territories</i> (MVLWB/AANDC, 2013) and consistent with the <i>Mine Site Reclamation Policy for Nunavut</i> (INAC, 2002). In addition to the information required in the Guidelines and Policy, the updated ICRP shall also include the following information: Additional details on the Closure and post-Closure soil and Water quality Monitoring Programs, as information becomes available from operational data and from future versions of all applicable management plans.	CIRNAC	<p>While the original obligation may be complete, no detailed review of the January 2024 CP has been completed, nor have the issues related to the lasted Security submission been resolved, appropriate unit rates, basis of estimate quantity estimates, etc. been provided for review.</p> <p>There should be a requirement for periodic updates and/or when additional material changes are requested / made</p>	<p>Agnico Eagle has resolved security with CIRNAC and the KivIA. Which in our view the ICRP has been reviewed as the activities in the ICRP are related to the approved security. Agnico Eagle feels we can move forward with the ICRP submitted and can be approved by the Board</p> <p>Agnico Eagle does not feel this is required.</p>
2AM-MEL1631 [Schedule A]	CIRNAC	Note that there is no definition of Saline Water in this section	Agnico Eagle does not feel one is required as Contact Water is already defined
“Acutely Lethal” in respect of an effluent as defined in the <i>Metal and Diamond Mining Effluent Regulations</i> (SOR/2002-222, dated June 6, 2002, last amended on June 18, 2020, and as may be further amended from time to time).	CIRNAC	<p>As per earlier comment - why was it removed on page 33?</p> <p>Also note that “Acutely Lethality tests” are included in table 1, Group 2 tests on page 42</p>	As the licence states, Agnico Eagle has to be in compliance with MDMER at the final discharge point. The MDMER contain this particular method. In addition, if the method were to change, the Licence would need to be amended.
“ Application ” for the purposes of this Licence includes the totality of relevant documents filed by Agnico Eagle Mines Limited on the NWB and NIRB Public Registries in support of Water Licence Applications submitted to the NWB May 13, 2015, August 27, 2020, and January 26, 2024, as well as all supporting documents and Technical Meeting information supplemental documents;	CIRNAC	What about the relevant documents and exchanges from the Extension Application that AEM also submitted and claimed to be included in the process?	Agnico Eagle feels no changes are required as the question is covered within this definition
“ Collection Pond ” means a facility designed to temporarily contain runoff from areas impacted by mining activities and from site infrastructure, as described in the <i>Water Management Plan</i> ;	CIRNAC	Consider adding <i>commonly referred to as “surface contact water”</i> S	Agnico Eagle does not feel an update is needed
“ Collection Pond No.1 ” or “ CP1 ” means a final site-wide Contact Water Collection Pond, as described in the <i>Water Management Plan</i> .	CIRNAC	Will changes in pond names be reflected in all site documents and drawings?	Documents will be updated as appropriate and when/if required.
“ Operation ” or “ Operations ” means the entire set of site activities (excluding Construction, Care and Maintenance, and decommissioning activities) associated with mining, processing and recovery of gold at the Meliadine Gold Project;	CIRNAC	Elsewhere changed to Meliadine Mine	Thank you for the comment - this could be updated throughout
“ Open Pit ” means the Meliadine Gold mine deposits to be developed using a traditional open-pit mining method;	CIRNAC	Should this be Open Pits?	Agnico Eagle does not think that is necessary with the reference to “deposits” in the definition

Draft June 7, 2024 Water Licence Reference (removals highlighted in yellow strikethrough, additions highlighted in green underline)	Party	Party Comment	Agnico Eagle Reply
Schedule C	KivIA	Security Schedule Milestones: This Schedule remains under review by KivIA.	<p>As provided in the Final Written Submission responses to KivIA-FWS-7:</p> <p>Agnico Eagle proposed a new Schedule related to security, which was issued to KivIA and CIRNAC for review. Review is ongoing with both parties and will be finalized by the Final Hearing.</p>
TABLE 1 MONITORING GROUP	CIRNAC	Why is A Tonsa not mentioned in this table or in Table 2?	<p>Atonsa is part of a test method within the MDMER just like freshwater toxicity testing methods. Specific reference to a test method is not required; rather reference to the MDMER and Acute Lethality tests within is all that is required.</p>
Table 2 [MEL-26]: As per MDMER requirements (not reported under Type A Water Licence as discharge is to marine)	CIRNAC	<p>Shouldn't discharge waters be monitored before pumping to Itivia?</p> <p>As I recall Saline water from SP6 goes to the SETP for treatment and then gets discharged to SP3 (which may also get Contact Water from CP1 and from EWTP).</p> <p>Water is pumped from SP3 to Itivia through the Saline water lines. (see WMP, App D, Lorax S2</p>	<p>MEL-26 is the final discharge point which is technically at the mine site, so yes, it is tested before discharge to Itivia.</p> 