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

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#1291242

November 19, 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 Reply to Agnico Eagle Response to Comments on 2AM-MEL1631 2019 Annual Report.

Dear Mr. Dwyer,

Thank you for your October 22, 2020 email invitation to confirm if Agnico Eagle (AEM) response addresses Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) comments on the above-noted annual report.

CIRNAC reviewed AEM response and would like to provide the following additional comments to the Nunavut Water Board for consideration.

1. High Water Levels in CP1, CP3 and CP4 and Potential Risk to Stability of D-CP1

In its original submission, CIRNAC recommended that AEM provide a summary of the measures taken in 2019 to address the issues related to the high water levels of CP-1, CP3 and CP4 and the potential stability risk of D-CP1.

AEM stated in its response that *"… Information related D-CP1 has been reviewed with Parties during the Emergency Amendment Application Process and the Nunavut Water Board (NWB) has granted Agnico Eagle an Emergency Amendment for the 2020 Discharge Season."*

CIRNAC was a party during the Emergency Amendment Application Process and was not aware that AEM presented a full or an adequate summary of the measures taken by AEM in 2019 to address the issues related to the high water levels of CP-1, CP3 and CP4 and the potential stability risk of D-CP1.

This comment remains to be addressed by AEM. CIRNAC would like to reiterate its recommendation that AEM provide a summary of the measures taken in 2019 to address the issues related to the high water levels of CP-1, CP3 and CP4 and the potential stability risk of D-CP1.

2. Higher-Than-Expected TDS in CP1

In its original submission, CIRNAC recommended that AEM provide a summary of the measures taken in 2019 to identify the sources and to reduce the TDS loads to CP1.

AEM responded that *"Agnico Eagle is currently evaluating TDS loading mechanisms to CP1 and is updating the water quality model to develop a sustainable water management strategy for CP1. "*

CIRNAC notes that the issue of high TDS in CP1 was observed as early as the summer of 2019 and requested a summary of actions taken in the second half of 2019 to identify and mitigate the issue. CIRNAC seeks further clarification from AEM on if any underground saline water, either treated or untreated, ended up eventually in CP1 in 2019.

CIRNAC does not find AEM response adequate in addressing this comment and would like to request AEM to provide a summary of the measures taken in 2019 to identify the sources and to reduce the TDS loads to CP1.

3. **Reclaiming Water in CP1 for Ore Processing**

The response provided by AEM addresses CIRNAC comment.

4. Higher-Than-Predicted ARD Potential of Filtered Tailings

In its original submission, CIRNAC recommended that AEM re-evaluate and update the Water Quality Model and all Management Plans associated with the monitoring and management of the filtered tailings and submit them for review, as the current geochemical monitoring and the tailings Management Plans were designed based on the assumption that the filtered tailings were Non-PAG, instead of PAG.

AEM disputed the fact that monitoring data in the 2019 annual report did show that some of the filtered tailings were PAG.

A summary statement from AEM in the 2019 Annual Report on this issue reads:

"… all of the samples collected to date are primarily classified as uncertain with regards to ARD potential using an NPR ratio of 2, with all but two of the samples above an NPR of 1. The median was 1.4"

CIRNAC would like to point out that tailings that are primarily classified as uncertain would not be classified as Non-PAG. Furthermore, CIRNAC would also like to point out that AEM predicted an NPR ratio of 2.7 for tailings in its FEIS, which would classify the tailings as Non-PAG. CIRNAC is of the opinion that a change in classification from Non-PAG to uncertain regarding ARD potential would warrant a re-evaluation and update of the Water Quality Model and all related Management Plans.

CIRNAC does not find AEM response adequate in addressing this comment and would like to recommend again that AEM re-evaluate and update the Water Quality Model and all Management Plans associated with the monitoring and management of the filtered tailings and submit them for review, as the current geochemical monitoring and the tailings Management Plans were designed based on the assumption that the filtered tailings were Non-PAG, instead of PAG.

5. 2019 Updates to the Water Balance and Water Quality Models and Modeling Results

In its original submission, CIRNAC recommended that AEM update the Water Balance and Water Quality Models and provide modelling results for review, so that the issues and the causes of the issues can be fully understood and appropriate mitigation measures identified.

AEM responded that *"The Water Quality and Water Balance Model was updated as part of the Water Licence Amendment."*

CIRNAC looks forward to reviewing the updated models and modeling results and providing its comments in the amendment review process.

The response provided by AEM addresses CIRNAC comment and concerns.

6. Insufficient Details in the Main Report

In its original submission, CIRNAC recommended that AEM produce the main Annual Report document to adequately address all the annual reporting requirements of NWB Type A Water License 2AM-MEL1631 and Type B Water License 2BBMEL1424 with sufficient details, analysis, discussions, and summaries in future years, as some of the critical data and information were buried in the various thick-volume appendices.

AEM responded that *"Agnico Eagle is open to discuss CIRNAC suggestions to improve its reporting efficiency.* "

CIRNAC appreciates AEM's willingness to discuss and is open to further discussion with all parties to improve Annual reporting requirements.

CIRNAC looks forward to discussing further with AEM on this issue.

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 Godwin Okonkwo at (867) 975-4550 or godwin.okonkwo@canada.ca.

Sincerely,

David Zhong
Regulatory and Science Advisor