



August 12<sup>th</sup>, 2020

Nunavut Water Board  
P.O. Box 119  
Gjoa Haven, NU  
X0B 1J0

**Subject: Review of Water Management Working Group Terms of Reference**

Dear Mr. Dwyer,

Please find attached Agnico Eagle Mines Limited (Agnico Eagle)'s response to the Kivalliq Inuit Association (KIA) comments on the proposed Terms of Reference (TOR) for the Water Management Working Group's (WMWG) shared by the Nunavut Water Board (NWB) July 22<sup>nd</sup>, 2020.

Agnico Eagle is confident the proposed rewording of Item 16 addresses parties concerns and is in line with the WMWG's objectives.

Agnico Eagle remains available to further discuss these comments with members of the WMWG if required.

Kind regards,

A handwritten signature in black ink, appearing to read "Michel Groleau", with a stylized flourish at the end.

Michel Groleau  
Superintendent, Permitting and Regulatory Affairs  
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#	Reference	KIA Comments (June 19 <sup>th</sup> 2020)	AEM Comments (June 24 <sup>th</sup> 2020)	KIA Comments (June 30 <sup>th</sup> 2020)	AEM Comments (July 7 <sup>th</sup> 2020)	KIA Comments (July 10 <sup>th</sup> 2020)	AEM Comments (July 14 <sup>th</sup> 2020)	Updated TOR (July 16 <sup>th</sup> 2020)	KIA Comments (July 20 <sup>th</sup> 2020)	AEM Comments (July 27 <sup>th</sup> 2020)
1.	Page 3, Item 16	KivIA is still concerned with the transparency of data collected in addition to that described in Schedule I Table 3 to characterize discharges of surface contact water from CP1 to Meliadine Lake, and request the following amendment to Item 16 as agreed upon during the Working Group teleconference on June 3rd: "Should additional monitoring to that described in Schedule I Table 3 be undertaken by Agnico Eagle in collaboration	Agnico Eagle proposes to reword Item 16 as follows: "Should additional monitoring to that described in Schedule I Table 3 be undertaken by Agnico Eagle in collaboration with another member of the Working Group, such additional monitoring results shall be treated as confidential by the members of the Working Group and will not be shared outside the Working Group until after approval of all members of the Working Group and all members of the Working Group to confirm QA/QC, use of an accredited lab, chain of custody,	We understand Agnico Eagle's concern with ensuring that data shared publicly is accurate and meets applicable QA/QC standards. However, Agnico Eagle's proposed wording does not provide a timeline for when validated data will become available for public dissemination, and still requires the unanimous consent of all members of the WMWG. KivIA requires assurance that monitoring results meeting applicable QC/QC standards will be available to Kivalliqmiut and	The intention behind the wording proposed by Agnico Eagle is to ensure that all data collected under the framework of the Water Management Working Group be treated in the same way, whether it be data collected by Agnico Eagle or a third party. Prior to sharing any data with the public, all data should be presented and discussed with the Water Management Working Group members and should be confirmed to have been analyzed by an	KIA proposes the following revisions to Agnico Eagle's proposed language to add clarity: Should additional monitoring to that described in Schedule I Table 3 be undertaken by Agnico Eagle in collaboration with another member of the Working Group under this Terms of Reference, such additional monitoring results shall be treated as confidential by the members of the Working Group confirm	Agnico Eagle proposes to reword Item 16 as follows: Should additional monitoring to that described in Schedule I Table 3 be undertaken by Agnico Eagle in collaboration with another member of the Working Group <b>under this Terms of Reference</b> , such additional monitoring results shall be treated as confidential by the members of the Working Group and will not be shared outside the Working Group until members of the Working Group confirm	Group. The applicable data quality objectives and QA/QC Standards will be defined by the Working Group for the additional monitoring."	KivIA continue to maintain that the TOR must be explicit that any vote should be decided by a majority. We therefore propose the following amendment to Item 16 in line with our July 10 submission: "Should additional monitoring to that described in Schedule I Table 3 ( <b><u>i.e. monitoring undertaken outside of licence requirements</u></b> ) be undertaken by Agnico Eagle in collaboration with another member of the	It is not clear why a consensus approach is not considered acceptable, given the goals of the Working Group, but in the interest of resolving the TOR Agnico Eagle suggests the following wording: "Should additional monitoring to that described in Schedule I Table 3 ( <b><u>i.e. monitoring undertaken outside of licence requirements</u></b> ) be undertaken by Agnico Eagle in collaboration with another member of the

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		with another member of the Working Group, such additional monitoring results shall be treated as confidential by the members of the Working Group and will not be shared outside the Working Group until <b>the earlier of: 1) release of such information is approved by all members of the Working Group; or 2) a period of four weeks once those data have become available to the Working Group has elapsed.</b> "	etc. prior to release of such additional monitoring results" This proposed rewording of Item 16 addresses data transparency concerns as well as ensures the data shared publicly is accurate and meets QA/QC standards (which could take more or less than four weeks to establish).	other stakeholders. We therefore propose an amendment to Agnico Eagle's proposed wording as follows:  "Should additional monitoring to that described in Schedule I Table 3 be undertaken by Agnico Eagle in collaboration with another member of the Working Group, such additional monitoring results shall be treated as confidential by the members of the Working Group and will not be shared outside the Working Group until a majority of the members of the Working	accredited laboratory and have the associated QA/QC checks and chain of custody information available to the members of the working group.  Agnico Eagle proposes the following wording for Item 16:  Should additional monitoring to that described in Schedule I Table 3 be undertaken by Agnico Eagle in collaboration with another member of the Working Group, such additional monitoring results shall be treated as confidential by the members of	Group and will not be shared outside the Working Group until <b>a majority of the</b> members of the Working Group confirm that applicable data quality objectives and QA/QC standards have been met for such additional monitoring results. Voting by the working group will occur no later than four weeks after the data and associated QA/QC information have become available to the Working Group. The applicable data	that applicable data quality objectives and QA/QC standards have been met for such additional monitoring results. Voting by the working group will occur no later than four weeks after the data and associated QA/QC information have become available to the Working Group. The applicable data quality objectives and QA/QC standards will be defined by the Working Group for the additional monitoring.		such additional monitoring results shall be treated as confidential by the members of the Working Group and will not be shared outside the Working Group until <b>a majority of the</b> members of the Working Group confirm that applicable data quality objectives and QA/QC standards have been met for such additional monitoring results. Voting by the working group will occur no later than four weeks after the data and associated QA/QC information	Working Group under this Terms of Reference <b>or by another member of the Working Group</b> , such additional monitoring results shall be treated as confidential by the members of the Working Group and will not be shared outside the Working Group until a majority of the members of the Working Group confirm that applicable data quality objectives and QA/QC standards have been met for such additional monitoring occur no later than four weeks after



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				Group confirm <b>that applicable data quality objectives and QA/QC standards have been met for such additional monitoring results. Voting by the working group will occur no later than four weeks after the data and associated QA/QC information have become available to the Working Group.</b>	the Working Group and will not be shared outside the Working Group until members of the Working Group confirm <b>that applicable data quality objectives and QA/QC standards have been met for such additional monitoring results. Voting by the working group will occur no later than four weeks after the data and associated QA/QC information have become available to the Working Group. The applicable data quality objectives and QA/QC Standards will be defined by the Working</b>	quality objectives and QA/QC Standards will be defined by the Working Group for the additional monitoring.			have become available to the Working Group. The applicable data quality objectives and QA/QC Standards will be defined by the Working Group for the additional monitoring."	the data and associated QA/QC information have become available to the Working Group. The applicable data quality objectives and QA/QC Standards will be defined by the Working Group for the additional monitoring."



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					Group for the additional monitoring.					