



NUNAVUT WATER BOARD

WATER LICENCE NO: 2AM-MEL1631

**REASONS FOR DECISION
INCLUDING RECORD OF PROCEEDINGS**



NUNAVUT WATER BOARD

In the Matter of:

Applicant: Agnico Eagle Mines Limited

Subject: Application for Amendments to Type “A” Water Licence
No: 2AM-MEL1631 for Water Use and the Deposit of
Waste

Date: May 13, 2021

Precedence: Where there is any inconsistency or conflict between the *Agreement Between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in Right of Canada (Nunavut Agreement)* and the *Nunavut Waters and Nunavut Surface Rights Tribunal Act (NWNSRTA)*, the Agreement prevails to the extent of the inconsistency or conflict. Where there is any inconsistency or conflict between the *NWNSRTA* and any other act of Parliament, except the *Nunavut Land Claims Agreement Act*, the *NWNSRTA* prevails to the extent of the inconsistency or conflict.



RECORD OF PROCEEDINGS

Applicant: Agnico Eagle Mines Limited

Address: Suite 400, 145 King Street East
Toronto, ON
M5C 2Y7

Purpose: Application to Amend Water Licence
No: 2AM-MEL1631

Application Received on: August 27, 2020

Application Received from: Jamie Quesnel
Regional Manager – Permitting and
Regulatory Affairs
Agnico Eagle Mines Limited

Date of Public Hearing: March 30 and 31, 2021

Public Hearing Record Closed: March 31, 2021



ATTENDEES:

NWB Representatives:		
Nunavut Water Board Panel Members (Panel P21):	Chairman	L. Toomasie
	Member	R. Mrazek
	Member	S. Sowdlooapik
Nunavut Water Board Staff:	Executive Director	S. Autut
	Director of Technical Services	K. Kharatyan
	Technical Advisor	S. Kuflevskiy
	Manager of Licencing	R. Dwyer
	Legal Counsel (Meadows Law)	T. Meadows
Interpreters:	Inuktitut/English	M. Angoshadluk
	Inuktitut/English	J. Ayaruaq
Court Reporter:	Dicta Court Reporting, Inc.	T. Huynh
Sound Technician:	PIDO	R. Dempster
Applicant:		
<u>Attending In Person</u>		
Agnico Eagle Mines Limited (Agnico Eagle)	Regional Manager - Permitting & Regulatory Affairs	J. Quesnel
	Permitting and Regulatory Affairs Superintendent	M. Groleau
	Permitting Technical Advisor - Water Management	C. Prather
	Lead Community Relations	S. Leclair
	Vice President, Operations	M. Plante
	Operations, Water Management General Supervisor	M. Gillman
	Senior Advisor - Nunavut	L. Syvret



D. Krilterdlik	IQ Coordinator
Director - Nunavut Affairs	P. Kusugak
IIBA Coordinator	O. Tagolik
Project Manager	J. Range
Legal Counsel (Lawson Lundell)	C. Kowbel
Water Quality/Marine Scientist (Golder Associates Ltd.)	J. Faithful
Water Quality Environmental Scientist (Golder Associates Ltd.)	G. Lawrence

Attending Via Videoconference

Agnico Eagle	Community Relations and Communications Superintendent	M. Bradley
	Communications General Supervisor	C. Charest
	Community Relations General Supervisor	G. Côté
	Technical Advisor	P. Lapointe
	Senior Coordinator Community Relations	A. Veillette
	Director - Shared Services Nunavut	K. Mayrand
	Communication Specialist (Kirk & Co.)	C. Chok
		A. Amendola
	Water Quality Environmental Scientist (Golder Associates Ltd.)	B. Horne
	Geotechnical Engineer (Tetra Tech)	A. Hospital
	Hydrotechnical Engineer (Tetra Tech)	G. Mann
	Environmental Scientist (Azimuth Group)	



Parties:

Attending In Person

Nunavut Tunngavik Incorporated (NTI)	Assistant Director, Department of Wildlife and Environment	B. Dean
	Chief Operating Officer	D. Kunuk
	Director, Department of Wildlife and Environment	P. Irngaut
	Resource Management Coordinator	R. Mercer
Kivalliq Inuit Association (KIA)	Director of Lands	L. Manzo
	Chief Operating Officer	H. Niakrok
	Land Use Inspector	J. Tulugak
	Lands Administrative Coordinator	A. Aupaluktuq
Crown -Indigenous Relations and Northern Affairs (CIRNA)	Director, Resource Management	S. Dewar
	Water Management Specialist	S. Forte

Attending Via Videoconference

KIA	Legal counsel (Gowlings WLG)	J. King
	Senior Aquatic Scientist (Hutchinson Environmental Sciences Ltd.)	R. Nesbitt
	Geosciences Specialist (GeoVector Management Inc.)	A. Sexton
CIRNA	Regulatory and Science Advisor r	D. Zhong
	External Technical Expert (ARCADIS Canada)	G. Wiatzka
Environment and Climate Change Canada (ECCC)	Senior Water Quality Analyst	A. Wilson
	Senior Environmental Assessment Officer	V. Shore
	Environmental Assessment Officer	J. Sabourin



Written Record of Submissions:

<ftp://ftp.nwb-oen.ca/registry/2%20MINING%20MILLING/2A/2AM%20-%20Mining/2AM-MEL1631%20Agnico/2%20ADMIN/3%20SUBMISSIONS/>

Hearing Record (including Hearing Transcript):

<ftp://ftp.nwb-oen.ca/registry/2%20MINING%20MILLING/2A/2AM%20-%20Mining/2AM-MEL1631%20Agnico/2%20ADMIN/4%20HEARINGS/2%20HEARING/>



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ABBREVIATIONS

Short Form	Full Name
AEM, Agnico Eagle	Agnico Eagle Mines Limited
AMP	Adaptive Management Plan
CIRNA	Crown-Indigenous Relations and Northern Affairs (formerly INAC and AANDC) also referenced as CIRNAC
CRP	Closure and Reclamation Plan
CP	Containment Pond
ECCC	Environment and Climate Change Canada (formerly Environment Canada)
EMPP	Environmental Management and Protection Plan
GN	Government of Nunavut
ICRP	Interim Closure and Reclamation Plan
IIBA	Inuit Impact and Benefit Agreement
INAC	Indigenous and Northern Affairs Canada (formerly AANDC and currently CIRNA)
IR	Information Request
KIA	Kivalliq Inuit Association
m ³ /day	Cubic metres per day
MDMER	<i>Metal and Diamond Mining Effluent Regulations, SOR/2002-222</i>
NIRB	Nunavut Impact Review Board
NPC	Nunavut Planning Commission
<i>Nunavut Agreement</i>	<i>Agreement Between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in Right of Canada</i>
<i>NuPPAA</i>	<i>Nunavut Planning and Project Assessment Act, S.C. 2013, c. 14, s. 2</i>
<i>NWNSRTA</i>	<i>Nunavut Waters and Nunavut Surface Rights Tribunal Act, S.C. 2002, c. 10</i>
NWB	Nunavut Water Board
NWT	Northwest Territories
PHC	Pre-Hearing Conference
PH	Public Hearing
TDS	Total Dissolved Solids
TM	Technical Meeting
TSF	Tailings Storage Facility (tailings deposit in an above ground purpose build facility)
TSS	Total Suspended Solids
WRSF	Waste Rock Storage Facility



REASONS FOR DECISION

Executive Summary

This decision is in relation to an application before the Nunavut Water Board (NWB or Board) filed by Agnico Eagle Mines Limited (Agnico Eagle, AEM, Licensee or Applicant) for amendments to the existing Type “A” Water Licence No: 2AM-MEL1631 (the Licence) for the Meliadine Gold Project, which was received by the NWB on August 27, 2020 (the Application).

The Meliadine Gold Mine is located approximately 25 kilometres (km) north of Rankin Inlet, and 80 km southwest of Chesterfield Inlet, within the Kivalliq Region of Nunavut. Agnico Eagle is the sole owner of the Meliadine Gold Project. The gold deposits are situated on lease claims under the *Canada Mining Regulations* that were staked prior to the *Nunavut Agreement*. The claim block covers 52,173 hectares and is approximately 80 km along the Meliadine greenstone belt.

The NWB conducted a review of the Application, including a completeness check, technical review, and a Technical Meeting and a Pre-Hearing Conference (TM/PHC). The TM/PHC was held via video and audio conference on November 30, 2020, and January 19, 2021, respectively, with the Applicant and Interveners, the Kivalliq Inuit Association (KIA), Crown-Indigenous Relations and Northern Affairs Canada (CIRNA) and Environment and Climate Change Canada (ECCC), participating. A Community Session was also conducted in the evening of January 19, 2021, with participants being able to choose in-person, video or audio links to join the meeting.

Although the TM, a Community Session, and PHC were originally planned to be conducted in person in Rankin Inlet on November 30 and December 1, 2020, on November 13, 2020, when a COVID-19 outbreak was confirmed in Nunavut and public health restrictions were imposed to prevent the spread of COVID-19 resulted in the cancellation of all indoor public gatherings, the Board advised all parties that the form and timelines of the planned meetings were modified. The TM was modified to be conducted via video and audio conference, and the Community Session and PHC were postponed until further notice. On December 10, 2020, the NWB issued correspondence informing the parties that the rescheduled PHC would be conducted via videoconference during the day and that the rescheduled Community Session would follow the PHC in the evening of January 19, 2021.

On January 25, 2021, the NWB provided notice that a combined in-person and audio/video linked Public Hearing would be conducted for the file in the nearest community, Rankin Inlet, during the week of March 29 – April 2, 2021. On March 30 and 31, 2021 the Board held the Public Hearing in respect of the Application as planned. A Community Session was hosted by the NWB on the evening of March 30, 2021. Due to public health restrictions in



place at the time of the Public Hearing (specifically limits on the number of people who could attend indoor gatherings, travel restrictions and isolation requirements associated with travel into Nunavut), the Board make arrangements to support the remote participation of parties outside Nunavut via video or audio links. The Board closed the Public Hearing Record for the Application at the Public Hearing on March 31, 2021, and remitted the file to the Panel for decision-making.

To assess whether to grant Agnico Eagle's request for amendments as proposed in the Application, the Board considered:

- the information provided by Agnico Eagle with the Application;
- technical review comments in respect of the Application by the Board, Interveners and the public;
- the Applicant's commitments and responses to information requests from the parties during the technical review of the Application;
- the final written submissions filed with the Board in advance of and during the Public Hearing, and
- the information provided during the Public Hearing and Community Session.

On this basis, the three-member panel of the Board, Meliadine Panel (P15), duly appointed by the Board to consider the Application has, by way of Motion # 2021-02-P15-05 decided the following:

- To grant Agnico Eagle's request for amendments to the Type "A" Water Licence No: 2AM-MEL1631 (Water Licence), as set out in the attached amended Water Licence;
- Specific terms and conditions of note in the amended Water Licence include the following:
 - the security required to be posted under Part C of the amended Water Licence reflects the submissions of the parties that security in the global amount of **\$69,687,246** is required to reclaim the undertaking, but the NWB has taken note that, as set out in the *Meliadine Security Management Agreement* only 50% of total global security amount (**\$34,843,623**) will be held under the Water Licence, with the remaining 50% to be held under the land lease negotiated by Agnico Eagle and the Kivalliq Inuit Association;
 - Parts D and F of the amended Water Licence reflect amendments to the effluent quality limits that must not be exceeded during discharges to the receiving environment, and specifically the limits applicable to Total Dissolved Solids, which is revised to 3,500 mg/L (Maximum Monthly Mean Concentration) and 4,500 mg/L (Maximum Grab Sample);



- Part E of the amended Water Licence sets out increases to the volume of water Agnico Eagle is authorized to use during various phases of the mine life and specifies that the following total annual water use is authorized:
 - up to sixty two thousand (62,000) cubic metres per year from Meliadine Lake during Construction;
 - up to seven hundred and forty two thousand (742,000) cubic metres per year from Meliadine Lake during Operations; and
 - up to four million (4,000,000) cubic metres per year from Meliadine Lake during Closure; and
- Parts I and J have been amended to align the requirements of the amended Water Licence with other NWB Licences and to include requirements for the Applicant to provide additional information.

SECTION I: FILE BACKGROUND AND REGULATORY HISTORY

Current Application

The Application before the Board was filed by Agnico Eagle on August 27, 2020 and requests amendments to the existing Type “A” Water Licence No: 2AM-MEL1631 to reflect changes to the existing operations and Project infrastructure associated with the construction/operation/closure of Agnico Eagle’s Meliadine Gold Project (the Application). The Application seeks the NWB’s authorization for specific changes (described below) to the existing use of water and deposit of waste associated with the Mining undertaking¹ at the existing Meliadine Gold Mine.

All documents filed in association with the Application, as well as all documents provided by the Applicant in support of the Application are listed in detail in [APPENDIX D: List of Submissions and Correspondence](#) that is attached to these Reasons for Decision. A list of documentation filed as Exhibits during the Public Hearing is provided in [APPENDIX B – Exhibit List](#). The listing below provides a summary of the key Application materials provided by Agnico Eagle from August 27, 2020 through March 31, 2021, and includes the following:

- Application Cover Letter (August 27, 2020);
- Main Application Document with Summaries in English and Inuktitut;
- Completed Type “A” Water Licence Application Form (August 27, 2020);

¹ SOR/2013-69, Schedule 1, Item 2, Column 2, which describes a “Mining undertaking” as: Exploration or prospecting — including bulk sampling — for minerals other than petroleum or gas, the operation of a mine, the processing of minerals other than petroleum or gas, the restoration of the site of a mine and any other mining activity other than an industrial activity described in item 1, column 2 [of Schedule 1].



- NPC Conformity Determination (August 20, 2020);
- Management Plans and Drawings (various dates, reflecting the dates of updates, etc.);
- Applicant's responses to Interveners' submissions (including comments on completeness, technical review comment submissions and the Applicant's commitments from the TM) (various dates);
- TM presentations in English and Inuktitut (November 23, 2020);
- Application summary materials presented at the Public Hearing (various dates).

All submissions in respect of the Application are available from the NWB's public registry at the following link:

<ftp://ftp.nwb-oen.ca/registry/2%20MINING%20MILLING/2A/2AM%20-%20Mining/2AM-MEL1631%20Agnico/1%20APPLICATION/2020%20Amendment/>

All documentation associated with the Application and received from the Applicant, the Board, intervening parties and the public is available from the NWB's public registry at the following link:

<ftp://ftp.nwb-oen.ca/registry/2%20MINING%20MILLING/2A/2AM%20-%20Mining/2AM-MEL1631%20Agnico/2%20ADMIN/4%20HEARINGS/2%20HEARING/>

Scope of the Application

In the Application, Agnico Eagle is proposing changes to the approved project activities under Type "A" Water Licence No: 2AM-MEL1631 to support ongoing operations, including future mining of the Discovery, Pump, Fzone, WES-NORMEG deposits that were included in the Final Environmental Impact Statement (FEIS) (Agnico Eagle 2014), but were not part of previous water licence applications.² Specifically, Agnico Eagle is seeking approval for the following proposed changes under the Application:³

1. Update (increase) to the Total Dissolved Solid (TDS) thresholds for the discharge to Meliadine Lake (similar to the previously approved thresholds associated with the 2020 Emergency Amendment)
 - request that the TDS criteria for the discharges to Meliadine Lake be raised from 1,400 mg/L to 3,500 mg/L and 5,000 mg/L for Maximum Average

² Jamie Quesnel (Agnico Eagle) to Karen Kharatyan (NWB), RE: Application for Amendment to 2AM-MEL1631, dated August 27, 2020.

³ Agnico Eagle Mines Limited, Type "A" Water Licence 2AM-MEL1631 Amendment, Main Application Document, dated August 2020.



Concentration (MAC) and Maximum Grab Sample Concentration (MGC), respectively, and that the limits at the edge of the mixing zone (at 100 m radius) be set at 1,000 mg/L;

2. Increase to the authorized annual freshwater consumption
 - freshwater consumption for operations be increased by 423,706 m³/year from 318,000 m³/year to 741,706 m³/year;
3. Creation of additional laydown area
 - request that the area formerly designated for the Waste Rock Storage Facility 3 (WRSF3) be used for expanded laydown area;
4. Update to the waste management strategy
 - request that expansion of WRSF3 be approved to handle waste from additional deposits already permitted by the Nunavut Impact Review Board (NIRB);
5. Construction of additional site access roads
 - request approval to construct site access roads to future deposits: the Discovery, Pump, Fzone, and WES-Normeg deposits; and
6. Update of the Interim Closure and Reclamation Plan (ICRP)
 - increase the existing total global security amount to reclaim the undertaking by approximately \$7.4 million from \$59,514,717 to \$66,914,717 (half of the updated security to be held under the amended Water Licence).

Licensing History

The original Type “A” Water Licence No: 2AM-MEL1631 (Licence) was issued to Agnico Eagle on April 15, 2016 and authorized the use of water and deposit of waste associated with the construction, operation and reclamation of a Mining undertaking at the Meliadine Gold Project.

In March 2020, Agnico Eagle applied for an Emergency Amendment (Amendment No. 1) to the Licence to allow for the temporary release of water from the Containment Pond 1 (CP1) prior to the 2020 freshet (the Emergency Amendment). Agnico Eagle indicated that urgent circumstances existed to support the Board’s processing of the amendment under the emergency provisions of the NWNSRTA, because higher than normal rainfall over the previous two summers, made necessary to discharge from CP1 prior to spring freshet in 2020, but the Total Dissolved Solids (TDS) concentration of this water exceeded the current Licence criteria. On April 29, 2020, following technical review and comment by the Board and the interveners, the Kivalliq Inuit Association (KIA), Crown-Indigenous Relations and Northern Affairs Canada (CIRNA) and Environment and Climate Change Canada (ECCC), the NWB recommended to the Minister that urgent circumstances existed and that the amendment to allow for the discharges from CP1 be granted with the addition of specific terms and conditions. The additional terms and conditions recommended by the NWB



required Agnico Eagle to implement a specific monitoring program to monitor the discharges from CP1 and also required Agnico Eagle to establish a Water Management Working Group with representatives from Agnico Eagle, the NWB, KIA, CIRNA and ECCC to receive and review the monitoring data on an on-going basis over the course of the summer and fall of 2020. The Emergency Amendment (Amendment No. 1), including the additional terms and conditions recommended by the NWB, was subsequently approved by the Minister of Northern Affairs on May 12, 2020.

Regulatory and Procedural History of the Application

Pre-Licensing Regulatory History of the Application

The Nunavut Planning Commission (NPC)

With respect to this Application, the following pre-licensing requirements associated with the Nunavut Planning Commission's (NPC) land use planning conformity determination for the Application were completed:

On **August 20, 2020**, the NPC issued its land use planning conformity determination for the Application,⁴ which stated that:

- the activities associated with the Application (Project proposal) had previously been reviewed by the NPC and the conformity determination, dated June 8, 2011, still applies to the proposed activities; and
- all activities proposed in the Application (Project proposal) were previously assessed by the Nunavut Impact Review Board (NIRB) (NIRB File No: 11MN034) and the activities did not constitute significant modifications to the scope of the activities previously assessed by the NIRB; and
- the exceptions noted in Section 12.4.3 (a) and (b) of the *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada (Nunavut Agreement)*, as amended, do not apply to require the NIRB to further assess the activities proposed in the Application.

On this basis, the Application was exempt from requiring additional impact assessment by the NIRB and the Application could proceed to the permitting stage without a referral to the NIRB.

⁴ Correspondence from Peter Scholz (NPC) to Richard Dwyer (NWB) and others, RE: NPC File #149399 [Meliadine Mine Water Licence Amendment], dated August 20, 2020.



The Nunavut Impact Review Board (NIRB)

As noted above, in the NPC's August 20, 2020 determination, the NPC concluded that the activities associated with the Application were within the scope of the Project proposal previously assessed by the Nunavut Impact Review Board (NIRB File No: 11MN034) and approved to proceed. Therefore, the activities proposed in the Application were exempt from requiring further assessment by the NIRB and no referral to the NIRB was necessary.

On this basis, the NWB concluded that the applicable pre-licensing conformity and impact assessment requirements for the Application as set out under:

- Articles 11 and 12 of the *Nunavut Agreement*;
- Part 3 of the *Nunavut Planning and Project Assessment Act*, S.C. 2013, c. 14, s. 2 (*NuPPAA*); and
- ss. 38 and 39 of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*, S.C. 2002, c. 10 (*NWNSRTA*)

have been met, and the Application could be processed by the NWB.

Key Steps in the NWB's Procedural History for the Application

The following listing summarizes only selected key steps in the procedural history of the NWB's processing of the Application. Complete information related to the procedural history of the Application and all information received in support of the file can be accessed from the NWB's FTP site and Public Registry using the following link:

<ftp://ftp.nwb-oen.ca/registry/2%20MINING%20MILLING/2A/2AM%20-%20Mining/2AM-MEL1631%20Agnico/>

August 27, 2020

NWB received an Application from Agnico Eagle to amend their Type "A" Water Licence No: 2AM-MEL1631 that governs the Meliadine Gold Project.

August 28, 2020

NWB distributed the Application for an initial three-week preliminary technical assessment and completeness check, with the deadline for submission set for September 18, 2020.

September 15, 2020

NWB extended the deadline for Interveners to provide submissions related to the initial preliminary technical assessment and completeness of the Application to September 22, 2020, following a request from the KIA.



September 22, 2020

NWB received submissions regarding Interveners' preliminary technical assessments and completeness checks of the Application from the KIA, CIRNA and ECCC.

September 23, 2020

NWB requested that Agnico Eagle address the comments received from the Interveners and the NWB during the preliminary technical assessment and completeness check of the Application with a deadline set for September 30, 2020.

September 30, 2020

Agnico Eagle provided responses to the comments submitted by the Interveners, and the NWB forwarded the responses to the parties for confirmation that the Interveners' were satisfied with the responses received.

October 2, 2020

CIRNA and ECCC confirmed their satisfaction with the response of Agnico Eagle to their comments and indicated they considered the Application documents to be sufficient to move forward to the full technical review stage of the process.

October 5, 2020

KIA confirmed their satisfaction with the response of Agnico Eagle to their comments and indicated they considered the Application documents sufficient to move forward to the full technical review stage of the process.

October 7, 2020

NWB deemed the Application to be complete, provided formal Notice of the Application and distributed the Application for a thirty (30) day full public review of the Application, with the deadline for comment submissions set for November 6, 2020.

The NWB's correspondence accompanying the Notice of the Application also indicated that a Technical Meeting (TM), including a Community Information Session, and Pre-Hearing Conference (PHC) for the Application had been scheduled for November 30 and December 1, 2020, and would be conducted in-person in the closest community of Rankin Inlet.

November 5-8, 2020

NWB received technical review comments for the Application from the Interveners, the KIA, CIRNA and ECCC, and forwarded the comment submissions to the Applicant, requesting that Agnico Eagle provide relevant responses by November 13, 2020.

November 13, 2020

NWB received and distributed Agnico Eagle's responses to the Interveners' comments along with additional documentation.



NWB distributed correspondence informing the parties that the form and timelines for the previously scheduled TM, Community Session and PHC had to be modified to reflect the public health measures put in place in Nunavut in response to an outbreak of COVID-19 in the Kivalliq Region. The NWB advised that the TM would proceed by audio and video conference on November 30, but that the Community Session and PHC had been cancelled and would be rescheduled at a later date when public health measures would allow for indoor public gatherings.

November 16, 2020

NWB distributed correspondence, including the draft Agenda for the TM scheduled for November 30, 2020.

November 23 – 24, 2020

NWB received confirmation of participation in the TM from Agnico Eagle, the KIA, CIRNA and ECCC, along with the copies of their presentations, and these materials were distributed by NWB.

November 26, 2020

NWB distributed the final Agenda for the TM and sent a Zoom invitation to the confirmed attendees for the TM.

November 30, 2020

NWB conducted the TM via video and audio conference.

December 10, 2020

NWB issued follow-up guidance indicating that the PHC and Community Information Session had tentatively been rescheduled to take place on January 19, 2021. NWB also circulated the draft list of commitments and the draft list of issues as reviewed and revised during the Technical Meeting.

January 15, 2021

NWB distributed the final Agenda for the PHC and Community Session and sent an invitation to participants to join the PHC by video or audio links and to join the Community Session by attending at one of two in-person hubs in Rankin Inlet (hosted by Agnico Eagle) or via video or audio links.

January 19, 2021

NWB conducted the Pre-Hearing Conference via video and audio conference during the day.

NWB conducted the Community Information Session in the evening (6:00 – 10:00 pm CST) with participants being able to participate in English or Inuktitut in-person, on-line by video link or on the phone by teleconference link.

January 29, 2021

NWB published a Notice of Public Hearing to be held in Rankin Inlet in the week of March 29, 2021.



January 29-31, 2021

NWB received and distributed Agnico Eagle's responses to address the outstanding commitments.

February 26, 2021

The NWB issued the Pre-Hearing Conference Decision for the file; including providing a list of commitments, identifying issues to be addressed at the Public Hearing and proposing tentative timelines as the Application proceeded to a Public Hearing.

March 30-31, 2021

The NWB conducted the in-person Public Hearing for the Application, including hosting a Community Information Session in the evening of March 30, 2021.

NWB Timeline for Processing the Application

As set out under the *NWNSRTA*, s. 55.2, the NWB is required to process an Application for a Type "A" Water Licence within 9 months from the receipt of a complete application. The Board provided notice of a complete application on October 7, 2020.⁵ However, as expressly noted in s. 55.4, this 9-month period excludes the time that elapses while the NWB is awaiting receipt of information requested from the Applicant.⁶ In this case, and as illustrated by the key procedural steps listed above and outlined in the detailed list of submissions included in [APPENDIX D: List of Submissions and Correspondence](#), the Board awaited receipt of additional information from the Applicant in October-November 2020, and in February-March 2021. By the Board's calculation, the 9-month timeline was suspended while the Board awaited information submissions from the Applicant and the Parties for approximately 6 weeks (1.5 months).

Additionally, the NWB's timeline for processing the Application was adversely affected by having to postpone the Community Information Session and Pre-Hearing Conference originally scheduled for December 1, 2020, when public health restrictions limiting indoor public gatherings, requiring non-essential office closures and imposing travel restrictions were adopted in November 2020 in response to an outbreak of COVID-19 in the Kivalliq Region. However, notwithstanding the postponement of the Community Information

⁵ NOTE: the initial Notice of Application on August 28, 2020 was intended to solicit comments on completeness of the application only, with the notice of a complete application only being issued after the completeness comments had been received and considered by the Board.

⁶ As stated in s. 55.4 of the *NWNSRTA*: *If the Board requires an applicant or a licensee to provide information or studies, the period that, in the Board's opinion, is taken by the applicant or licensee to comply with that requirement is not included in the calculation of the time limit under section 55.2 or its extension.*



Session and PHC, when the 6 weeks of time spent by the NWB waiting for submissions from the Applicant and Intervenor is excluded from the NWB's timeline for processing the application, the NWB has rendered this Decision well within the 9-month timeline required under s. 55.2 of the *NWNSRTA*.

SECTION II: SUMMARY OF FINAL SUBMISSIONS OF THE PARTIES

Kivalliq Inuit Association (KIA)

The Kivalliq Inuit Association (KIA) is a Designated Inuit Organization under the *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in Right of Canada (Nunavut Agreement)*, representing the rights and values of the Inuit within the Kivalliq Region of Nunavut. The specific focus of the KIA's review of the Application relates to rights to water and wildlife compensation, landowner rights (including requirements associated with the Applicant posting security for reclamation of the components of the undertaking on Inuit Owned Lands) and negotiation of an Inuit Impact and Benefit Agreement (IIBA), (including water user compensation).

In its technical review prior to the Technical Meeting, the KIA raised a number of issues, with a focus on the following topics:

- Proposed Total Dissolved Solids (TDS) targets and alternatives to manage Containment Pond 1 (CP1) water;
- Diversion of CP1 water to potential waterline;
- TDS measurements;
- Chronic toxicity monitoring results;
- Consideration of Inuit Qaujimajatuqangit (IQ) in closure objectives;
- Evaluation of impacts to Meliadine Lake water levels from alternative water management approaches;
- Design capacity for CP1 and D-CP1;
- Groundwater inflows and storage capacity;
- Viability of medium-term strategy to manage saline groundwater;
- Future freshet management;
- Water retention Dikes and Berms;
- Thermal monitoring;
- Lessons learned from other projects;
- Site Specific Water Quality Objectives (SSWQOs) for TDS constituents;
- Water quality model inputs;



- Containment Pond 3 (CP3) TDS loading to CP1;
- Water management alternatives; and
- Rankin Inlet facilities closure objectives.

Specifically, the KIA provided the Board with the following requests resulting in the commitments outlined in the List of Commitments provided within the Pre-Hearing Conference Decision:⁷

- Agnico Eagle should provide an Adaptive Management Plan (AMP) which includes:
 - the conditions under which the Site-Specific Water Quality Objectives (SSWQO) for Chloride would be developed; and
 - a decision tree specifying the conditions under which surface contact water will be diverted into the saline effluent pipeline for marine disposal (that is currently being assessed by the Nunavut Impact Review Board) and the volumes that will be diverted under those conditions. The decision tree should be designed so that discharges to Meliadine Lake are minimized.
- Agnico Eagle should submit, for the approval of the NWB, updates to the following documents to reflect the proposed changes to the management of surface contact water:
 - Water Management Plan; and
 - Water Balance and Water Quality Model.
- Agnico Eagle should provide an updated Groundwater Management Plan, which:
 - addresses the viability of the short, medium and long-term strategy for saline groundwater management; and
 - proposes a threshold (e.g. 80%) for when the available saline storage is approaching capacity and identifies additional mitigation measures that may be undertaken to ensure that, if the saline effluent pipeline is not available, Agnico Eagle has sufficient time to proceed through any applicable regulatory process to authorize the additional mitigation measures, if required.
- Agnico Eagle should provide an explanation of how the groundwater inflows have been reduced, information on the effectiveness of grouting and an evaluation of the available saline groundwater storage, including a discussion of the estimated time to reach groundwater storage capacity.

⁷ NWB, Pre-Hearing Conference Decision Regarding an Application for Amendment to the existing Type “A” Water Licence No: 2AM-MEL1631, February 26, 2021.



- Agnico Eagle should provide updates to the Site Water Balance (as applicable) to incorporate the most recent precipitation, in-flows, and monitoring data.
- Agnico Eagle should update the Meliadine Interim Closure and Reclamation Plan (ICRP) to include the results of the discussions between Agnico Eagle, KIA and CIRNA with respect to the update to reclamation security for the undertaking to reflect the changes to the scope of the Water Licence.
 - All future versions of the Meliadine Interim Closure and Reclamation Plan (ICRP), provided after the amendment to the Water Licence is approved by the Minister, should include 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 applicable management plans. The applicable management plans that should be used to define contaminated soil management and the water quality monitoring program include:
 - Water Quality and Flow Monitoring Plan
 - Water Management Plan
 - Spill Contingency Plan
 - Landfarm Management Plan
 - Itivia Oil Handling Facility Management Plan; and
 - Oil Pollution Emergency Plan for Meliadine Mine Fuel Farm in Rankin Inlet.
- Agnico Eagle should conduct a detailed geotechnical investigation to characterize the overburden in the vicinity of CP2 to determine the depth to bedrock and assess permafrost depth.

In addition to the above comments, as set out in detail in [APPENDIX D: List of Submissions and Correspondence](#), on March 17, 2021, the KIA provided their final written submission⁸ to the NWB summarizing KIA's comments on the Application received throughout the NWB's process. The KIA also attended the in-person Public Hearing for the Application in Rankin Inlet on March 30 and 31, 2021, and engaged in further discussion of outstanding issues at that time.⁹

⁸ Kivalliq Inuit Association, "Final Written Submission, Application For Amendment to Type A Water Licence 2AM-MEL1631 for the Meliadine Gold Project", prepared by Hutchinson Environmental Sciences Ltd. and GeoVector Management Inc., dated March 17, 2021.

⁹ KIA, Exhibit #4, NWB Public Hearing File No: Water Licence 2AM-MEL1631; PowerPoint Presentation (*English/Inuktitut*), filed on March 30, 2021.



In their final written submission, the KIA stated that all of their Information Requests and technical comments had been resolved through discussions during the Technical Meeting and through the Agnico Eagle's submissions of new supporting documentation, including new and updated management plans, which according to the KIA demonstrated that *the proposed discharge criteria would be protective of aquatic life*. However, the KIA indicated that the review of Agnico Eagle's new supporting documentation resulted in 12 new technical comments, for which Agnico Eagle provided responses in the Technical Memorandum,¹⁰ resolving 5 of KIA's concerns and leaving 7 issues unresolved. In their written submission, the KIA clarified the following:

KIA's outstanding concerns with Agnico Eagle's application pertain to the Draft Amended Water Licence and ensuring the AMP for surface contact water and saline groundwater at the Meliadine Site using the twin waterlines currently under review by the NIRB avoids any discharges to Meliadine Lake unless absolutely necessary.

At the Public Hearing, the KIA presented¹¹ the following outstanding concerns and recommended that the NWB add new or modify existing terms and conditions to the Water Licence as follows:

- Add requirements to minimize discharges to Meliadine Lake, prioritizing the use of the waterlines (currently under assessment by the NIRB) for disposal of water with higher levels of TDS into the marine environment:
 - Specifically, KIA recommended that the Board include specific conditions in the amended Water Licence requiring Agnico Eagle to prioritize the discharge of CP1 effluent with higher levels of TDS through the waterline into Melvin Bay, upon approval by the NIRB, rather than discharging to Meliadine Lake;
 - KIA suggested adding a requirement to annual reporting requirements under the amended Water Licence to require Agnico Eagle to summarize in the Annual Report how the Adaptive Management Plan (AMP) had been implemented to prevent discharges to Meliadine Lake during the *three periods defined in the AMP: pre-freshet, open-water, and pre-freeze*; and
 - KIA recommended that Agnico Eagle prioritize the discharge of surface contact water to Melvin Bay *even under the lower bound scenario when only "one waterline is operational"*, on the basis that the saline groundwater storage capacity provided through Tiriganiaq-2 affords Agnico Eagle with significant operational flexibility in the management of site water.

¹⁰ Agnico Eagle, "2AM-MEL1631 Water Licence Amendment Additional Information Technical Comment Responses", dated March 8, 2021.

¹¹ NWB Public Hearing, File No: 2AM-MEL1631, Transcript, Public Hearing, Volume 1 – March 30, 2021, pp. 68-74.



- KIA indicated the Board should reject Agnico Eagle’s proposal in the Draft Water Licence Framework to include a “deemed approval” mechanism for updates to Plans that must be approved by the Board before implementation, because the “deemed approvals” would circumvent the Board’s normal approval and public participation processes associated with review and approval of updated Plans;
- KIA recommended that the Board not add the term that would allow Agnico Eagle to apply to amend the security "at any time", because responding to such requests would be administratively burdensome for the KIA, the Board and other Interveners;
- KIA recommended that the Water Licence be amended to impose preventative obligations on Agnico Eagle to proactively minimize surface drainage impacts;
- KIA expressed their concern that Agnico Eagle had not clarified how excess saline groundwater stored in Tiriganiaq-2 would be handled under the AMP until the waterlines are available and Tiriganiaq-2 is dewatered, and recommended that Agnico Eagle be required to provide clarification of these plans;
- KIA made the following recommendations in respect of Agnico Eagle’s management of water during spring freshet:
 - KIA requested commitments from Agnico Eagle to link the commencement of the annual use of the waterlines discharging into the marine environment in AMP Table 1 Note 1 to temperature, (similar to the approach applied at the end of the season to determine when operations should cease); and
 - KIA further recommended that Agnico Eagle should specify within the AMP that the diversion of water from CP1 to Melvin Bay will be prioritized ahead of saline water during freshet given the ample additional saline storage capacity provided through the use of Tiriganiaq-2.

Additionally, at the Public Hearing, the KIA provided the Board with the following confirmation (Exhibit #5¹²) that Agnico Eagle and the KIA have resolved all issues of water compensation associated with the changes proposed in the Application, stating as follows:

The Kivalliq Inuit Association has reached an agreement with Agnico Eagle Mines Limited on the Meliadine Water Compensation Amendment, whereby Agnico Eagle Mines Ltd. agrees to pay compensation for loss or damage to the water that may be caused by the Meliadine Mine Project.

¹² KIA, Exhibit #5, NWB Public Hearing File No: Water Licence 2AM-MEL1631; Electronic Copy of the Letter from L. Manzo (KIA) to S. Autut (NWB), RE: Agnico Eagle Mines Ltd’s Meliadine Gold Mine – Type A Water Licence Application Amendment 2AM-MEL1631, dated March 26, 2021 and filed on March 30, 2021.



Crown-Indigenous Relations and Northern Affairs (CIRNA/CIRNAC)

Crown-Indigenous Relations and Northern Affairs (CIRNA) administers Crown land and resources and enforces regulatory permits affecting land and water resources in Nunavut, under the following Acts and associated regulations:

- *Department of Crown-Indigenous Relations and Northern Affairs Act*;¹³
- *Agreement Between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in Right of Canada (Nunavut Agreement)*;
- *Nunavut Waters and Nunavut Surface Rights Tribunal Act (NWSRTA)*;¹⁴
- *Territorial Lands Act*;¹⁵ and
- *Arctic Waters Pollution Prevention Act*.¹⁶

As set out under the *NWSRTA*, CIRNA is responsible for enforcing the provisions of water licences issued by the NWB, and specifically, the terms and conditions of the Applicant's existing Water Licence No: 2AM-MEL1631.

CIRNA participated in all phases of the Application process, providing specialist advice, expert information and knowledge in accordance with the *Nunavut Agreement*. Reflecting CIRNA's responsibilities and jurisdiction, the following key issues were highlighted in CIRNA's initial comment submissions on the completeness of the Application, in their full technical review comment submissions, and in their submissions at the Technical Meeting (TM):

- Risks to freshwater that could result from a water pipeline spill;
- Amendment to surface contact water Discharge Criterion;
- Total Dissolved Solids (TDS) thresholds;
- Works related to additional deposits;
- Water balance clarifications;
- Updated waste management strategy (Waste Rock Storage Facility 3 (WRSF3) expansion);
- Surface contact water management and waterline discharge to Melvin Bay; and
- Reclamation security estimate update.

¹³ S.C. 2019, c. 29, s. 337.

¹⁴ S.C. 2002, c. 10.

¹⁵ R.S.C. 1985, c. T-7.

¹⁶ R.S.C. 1985, c. A-12.



Specifically, CIRNA provided the Board with the following requests resulting in the commitments outlined in the List of Commitments provided within the Pre-Hearing Conference Decision:¹⁷

- Agnico Eagle should provide additional information, explaining how the water quality modelling of the upper limits was conducted;
- Agnico Eagle should provide a high-level summary of the projected infrastructure changes:
 - upgrades to the Saline Effluent Treatment Plant (SETP);
 - increased sludge generation; and
 - waterline.

In addition to the above comments, as set out in detail in [APPENDIX D: List of Submissions and Correspondence](#), on March 17, 2021, the NWB received CIRNA's final written submission¹⁸ summarizing CIRNA's comments on the Application received throughout the NWB's process. CIRNA also attended the in-person Public Hearing for the Application in Rankin Inlet on March 30 and 31, 2021, and engaged in further discussion of outstanding issues at that time.¹⁹

In their final written submission, CIRNA summarized its previous recommendations and the Applicant's responses as follows:

CIRNAC submitted two Information Requests (IRs) and seven Technical Review Comments (TCs). Exchanges and discussion with AEM during the water licence amendment process so far have allowed CIRNAC to clarify the issues we identified. CIRNAC's outstanding concerns are more procedural than technical in nature; and

CIRNAC's technical comments have been addressed. Our follow-up recommendation is for AEM to provide a detailed technical assessment describing the TDS loading rates from surface sources, with additional site monitoring as necessary, to provide further information on the sources of TDS and management from the "rest of site".

¹⁷ NWB, Pre-Hearing Conference Decision Regarding an Application for Amendment to the existing Type "A" Water Licence No: 2AM-MEL1631, dated February 26, 2021.

¹⁸ CIRNA, "Meliadine Gold Mine Project (Agnico Eagle Mines Limited) Amendment of Water Licence 2AM-MEL1631, Crown-Indigenous Relations and Northern Affairs Canada, Submission to the Nunavut Water Board," dated March 17, 2021.

¹⁹ CIRNA, Exhibit #6, NWB Public Hearing File No: Water Licence 2AM-MEL1631 ; Hard Copy and Electronic Copy of the PowerPoint Presentation (*English/Inuktitut*), filed on March 30, 2021.



With respect to differences in TDS models highlighted during the Technical Meeting, CIRNA recommended that the NWB include a condition in the amended Water Licence that would require Agnico Eagle to undertake additional site monitoring and sampling to provide further information on sources of TDS and management from the “rest of site”. Specifically, CIRNA recommended the following:

CIRNAC recommends that AEM present a detailed technical assessment describing [...] specific sources of loadings (e.g., saline drainage from ore piles/piles, tailings storage facility (TSF), landfarm, landfill, catchment area around CP1, P-Areas) and quantifying the TDS loading rates from each source. In the event that there is insufficient information to characterize these TDS loading sources, AEM should design and implement a monitoring program to collect the missing information. The assessment should also identify potential mitigations that could reduce the TDS loading rates.

At the Public Hearing, CIRNA recommended²⁰ that the total global reclamation security amount be increased to \$69,687,246 in order for the Crown and the KIA to be fully secured for the reclamation of the undertaking, recognizing the changes to the activities and infrastructure associated with the Meliadine Gold Project included within the scope of the Application. Further, CIRNA recommended Agnico Eagle be required to update the Interim Closure and Reclamation Plan to include the proposed site changes.

Additionally, CIRNA suggested that the following management plans require revisions to reflect the changes proposed under this Application:

- Water Management Plan;
- Waste Management Plan;
- Interim Closure and Reclamation Plan.

With respect to the Waste Management Plan updates, CIRNA specifically requested that management and operation of the TSF should be re-evaluated, if tailings chemistry becomes different from expected (e.g. PAG instead of non-PAG).

Additionally, CIRNA requested the following elements be added to the Water Licence terms and conditions pertaining to the for-construction drawing and report requirements:

- Ditching and pumping piping systems for site underground and contact water management; and
- Drainage plans for roads, laydown areas etc.

CIRNA also recommended that the implementation of the Monitoring Plan for the Phase 1 All-Weather Access Road between Rankin Inlet and the Meliadine site should remain a

²⁰ NWB Public Hearing, File No: 2AM-MEL1631, Transcript, Public Hearing, Volume 1 – March 30, 2021, pp. 94-103.



condition of the amended Water Licence through construction and continuing during operations, because Agnico Eagle should still be required to implement the Plan.

With respect to adaptive management strategy on site and the KIA's recommendation that the NWB incorporate requirements into the amended Water Licence to require Agnico Eagle to prioritize the use of the waterline into the marine environment to limit discharges of higher level TDS water into Meliadine Lake, CIRNA stated the following:

CIRNA recognizes that regardless of the NIRB decision, the Board does not intend to integrate the Adaptive Management Plan for Water Management in the water licence. Should the NIRB approve the waterline to Melvin Bay, site wastewater management will change. At minimum this needs to be reflected in the plans approved under the water licence, and it may require further changes.²¹

With respect to the requested effluent quality limits for Total Dissolved Solids, CIRNA, in its final written submission, stated the following:

CIRNA defers to Environment and Climate Change Canada and the Kivalliq Inuit Association for determining appropriate discharge limits.

Environment and Climate Change Canada (ECCC)

The focus of Environment and Climate Change Canada's (ECCC) involvement in respect of the Application is based on their jurisdiction under the *Department of the Environment Act*,²² *Canadian Environmental Protection Act, 1999*,²³ *Fisheries Act*,²⁴ *Migratory Birds Convention Act*,²⁵ and *Species at Risk Act*.²⁶ ECCC has general responsibility for environmental management and protection; preservation and enhancement of water, air and soil quality; conservation and protection of migratory birds, species at risk, flora and fauna; the gathering and provision of meteorological information; coordination of various specific environmental policies and programs; and enforcement of the pollution prevention provisions of the *Fisheries Act*.

ECCC participated in all phases of the Application process, providing specialist advice, expert information and knowledge in accordance with the *Nunavut Agreement*. The

²¹ CIRNA, "Meliadine Gold Mine Project (Agnico Eagle Mines Limited) Amendment of Water Licence 2AM-MEL1631, Crown-Indigenous Relations and Northern Affairs Canada, Submission to the Nunavut Water Board," dated March 17, 2021.

²² R.S.C. 1985, c. E-10

²³ S.C. 1999, c. 33.

²⁴ R.S.C. 1985, c. F-14.

²⁵ S.C. 1994, c. 22.

²⁶ S.C. 2002, c. 29.



following key issues were highlighted in ECCC's initial comment submissions on the completeness of the Application, in their full technical review comment submissions, and in their submissions at the Technical Meeting (TM):

- Characterization of Actiflo treatment sludge deposited to CP1;
- Effluent discharge volumes for average and wet years scenarios;
- Effluent quality criteria for TDS;
- Federal Total Suspended Solids (TSS) guidelines;
- Use of Reverse Osmosis (RO) and decommissioning of P-area ponds;
- Validation of proposed TDS discharge criteria and Site-Specific TDS objective for edge of mixing zone; and
- Clarification of water balance.

As part of the Technical Meeting, the ECCC requested the following commitments be included in the List of Commitments provided within the Pre-Hearing Conference Decision:

- Agnico Eagle should provide confirmation of suitability of the 5,000 mg/L TDS as a Maximum Grab Sample Concentration (MGC) for the Effluent Quality Criteria (EQC);
- Agnico Eagle should provide an updated flow diagram to show water use associated with tailings management; and
- Agnico Eagle should update the Erosion and Sediment Control Plan.

Additionally, following receipt of Agnico Eagle's clarification²⁷ on the suitability of the revised MGC of 5,000 mg/L TDS (Commitment 15), ECCC provided the following additional recommendations:²⁸

- Use of a lower TDS MGC;
- Ongoing review of sub-lethal toxicity testing conducted under the Environmental Effects Program or other monitoring be done, along with monitoring of receiving environment conditions (if the proposed TDS EQC of 5000 mg/L (calculated) MGC is accepted as the revised limit); and
- Changes (increases) in the chloride proportion in effluent be monitored, and benchmarks for effluent and receiving environment Chloride concentrations be identified.

In addition to the above comments, as set out in detail in [APPENDIX D: List of Submissions and Correspondence](#), on March 17, 2021, the NWB received ECCC's final

²⁷ Technical Memorandum prepared by Golder, RE: Meliadine Lake Effluent – Summary of Rational for Effluent Quality Criterion – Maximum Grab Concentration, dated December 8, 2020.

²⁸ Margaret Fairbairn (ECCC) to Richard Dwyer (NWB) Letter, RE: 2AM-MEL1631 Agnico Eagle Mines Ltd. - Meliadine Water Licence Amendment Application, dated January 29, 2021.



written submission²⁹, summarizing their comments on the Application received throughout the NWB's process.

Unfortunately, due to departmental and public health restrictions on travel into Nunavut, ECCC personnel were not able to attend the Public Hearing in person, and ECCC participated by videoconference only. During the Public Hearing, despite these limits on their participation, ECCC engaged in further discussion of outstanding issues via their presentation, answering and asking questions.³⁰

In their final written submissions, ECCC identified concerns and provided recommendations with regard to proposed treatment sludge disposal, the water balance, the proposed TDS effluent quality criteria and comments on the Draft Water Licence Framework.

At the Public Hearing, ECCC presented³¹ the Department's outstanding concerns, recommending that the Board consider the following revisions (additions and modifications) to the existing terms and conditions of the Water Licence to reflect the following:

- Options for sludge disposal should be identified and incorporated into the Water Management Plan for 2022 disposal;
- The Water Quality and Flow Monitoring Plan should be updated following the decommissioning of the P-area;
- The use of a lower (Total Dissolved Solids) TDS Maximum Grab Sample Concentration (MGC) limit would be more protective of the receiving environment and in line with observed and evaluated concentrations;
- If the proposed TDS Effluent Quality Criteria (EQC) of 5000 mg/L (calculated) MGC is accepted by the Board, ongoing review of sub-lethal toxicity testing should be conducted under the Environmental Effects Monitoring Program and/or other routine monitoring should be done, along with monitoring of receiving environment conditions. This monitoring can be used as an indicator of the need to revisit the proposed EQC;
- Changes (increases) in Chloride concentrations in the effluent and the receiving environment should be monitored and evaluated, and the Site-Specific Water Quality Objectives (SSWQO) should be developed for Chloride, following the *CCME (2007)* derivation procedures, if there are any changes in the composition, such as:

²⁹ ECCC, "Environment and Climate Change Canada's Final Written Submission to the Nunavut Water Board Respecting the Meliadine Gold Project Type A Water Licence Amendment Application," dated March 17, 2021.

³⁰ ECCC, Exhibit #7, NWB Public Hearing File No: Water Licence 2AM-MEL1631 ; PowerPoint Presentation (*English/Inuktitut*), filed on March 30, 2021.

³¹ NWB Public Hearing, File No: 2AM-MEL1631, Transcript, Public Hearing, Volume 1 – March 30, 2021, pp. 115-119.



- Proportion of Chloride concentration relative to that of calculated Total Dissolved Solids (TDS) in the Effluent at Monitoring Program Station MEL-14 meets or exceeds 60%; or
- Measured Chloride concentration at the edge of the mixing zone at Monitoring Program Station MEL-13 meets or exceeds 75% of the long-term *CCME Guidelines for the Protection of Aquatic Life Freshwater*.
- Non-regulated parameters, such as Chloride and Nitrate, should be included into the water quality model updates:
 - All parameters, for which annual average measured concentrations are within 10% of the Maximum Average Concentrations, should be included into the Water Balance and Water Quality Forecast on an annual basis; and
 - The mean annual concentrations for all discharge parameters in the current reporting year should be compared to those reported in the previous year, and if the respective concentrations are increased by more than 20%, a detailed technical assessment identifying specific sources of loadings and the proposed parameter forecasts should be provided to the Board for review.
- The definition of “Acute Lethality” should include a reference to the tests to be used, either explicitly or by reference to acute toxicity tests prescribed under the *Metal and Diamond Mining Effluent Regulations*, SOR/2002-222 (MDMER) for Rainbow Trout (*Oncorhynchus mykiss*) and *Daphnia magna*; and
- Provision for implementation of the Aquatic Effects Monitoring Program (AEMP) should be retained.

Agnico Eagle Mines Limited (Agnico Eagle, Applicant or Licensee)

Responses to Issues Raised by Interveners

During the licensing process, Agnico Eagle was fully engaged and participating actively. At the Technical Meeting, the parties agreed that the Applicant provided sufficient information to resolve the following issues:

- Issues raised by the KIA:
 - Total Dissolved Solids (TDS) measurements (calculated vs. measured);
 - Chronic toxicity monitoring results at the edge of the mixing zone done at a depth with the highest conductivity;
 - Consideration of Inuit Qaujimajatuqangit in closure planning;
 - Evaluation of impacts to Meliadine Lake water levels from alternative water management approaches;
 - Design capacity for CP1 and stability assessment for Dike D-CP1;



- Conservativeness of the predicted daily groundwater inflow rates;
 - Groundwater storage capacity;
 - Contingencies in management of groundwater in the medium term;
 - Future freshet management and effects on the integrity of CP1;
 - Lessons of permafrost development in Waste Rock Storage Facilities (WRSF) learned from other projects;
 - Site Specific Water Quality Objectives (SSWQO) for TDS constituents;
 - Water Quality Model inputs;
 - Water management alternatives; and
 - Rankin Inlet facilities closure objectives.
- Issues raised by CIRNA:
 - Works related to additional deposits;
 - Water Balance clarifications;
 - Waste Rock Storage Facility 3 (WRSF3) expansion and updated waste management strategy; and
 - Validation of proposed TDS discharge criteria; and
 - Risk to fresh water from water pipeline spills.
 - Issues raised by ECCC:
 - CP1 discharge volumes for average and wet years scenarios;
 - Characterization of *Actiflo* treatment sludge;
 - Justification for additional requested water volumes;
 - Total Suspended Solids (TSS) management in the context of the Erosion and Sediment Control Plan;
 - Decommissioning of P-area ponds and updates to the Water Quality and Flow Monitoring Plan; and
 - Evaluation of the proposed TDS limits and SSWQOs for TDS at the edge of the mixing zone.
 - Issues raised by the NWB:
 - Operational state of all treatment plants on site;
 - Water Balance on site; and
 - Saline water management.

In the Applicant's final written submission,³² Agnico Eagle responded to the concerns outlined by the Interveners in their respective final submissions.

³² Agnico Eagle Mines Limited, 2AM-MEL1631 Water Licence Amendment Final Written Statement Responses, dated March 22, 2020.



In response to the KIA's final submission, the Applicant argued that the waterline and all associated discharges of contact water to Melvin Bay are not a part of this Application and should not be included into the Amended Licence. The Applicant also clarified that the Adaptive Management Plan is a part of a different proposal that is currently being reviewed by the Nunavut Impact Review Board (NIRB) and was only provided to the NWB for information to fulfill commitment # 3 listed within the Pre-Hearing Conference Decision.³³ Agnico Eagle further clarified the following:

...if the waterline is approved by the NIRB after an amended 2AM-MEL1631 is issued, then any related changes to water management on site (including the referenced commitment to minimize discharge to Meliadine Lake should the waterline be approved) will be described in updates to the Water Management Plan appendices. For example, the Groundwater Management Plan and Adaptive Management Plan are appendices to the Water Management Plan and will be submitted to the NWB in accordance with Part B of 2AM-MEL1631 prior to implementation of such changes.

With respect to the KIA's recommendation pertaining to prioritization of discharges of contact water through the waterline during freshet, Agnico Eagle clarified that this is against the primary purpose of the waterline, since accumulation of additional saline water inventories on site will create additional risks to permafrost degradation and subsequent risk of increased groundwater inflows.

With respect to the KIA's concern regarding potential additional reclamation costs resulting from saline storage ponds, Agnico Eagle confirmed the following:

Agnico Eagle will continue to monitor conditions of the saline ponds to inform the Final Closure Plan and develop the most appropriate reclamation strategy for the Saline ponds.

In response to CIRNA's comment regarding the differences between the SNC and Golder models for TDS loadings and CIRNA's recommendation to conduct a detailed technical assessment to further describe the TDS loading rates and sources, the Applicant, in their final written submission, proposed to develop the following sampling program and to provide the results within the 2021 Annual Report:

Agnico Eagle is developing a sampling program to be executed in 2021, which will aim to identify TDS loading sources in surface contact water reporting to Containment Pond 1 (CP1). Key areas to be investigated will likely be the ore pad (OP2), Tailings Storage

³³ NWB, Pre-Hearing Conference Decision Regarding an Application for Amendment to the existing Type "A" Water Licence No: 2AM-MEL1631, February 26, 2021.



Facility (TSF), Waste Rock Storage Facilities (WRSFs), and disturbed areas within the CP1 catchment (e.g., the Industrial Pad).

With respect to CIRNA's request to revise the Water Management Plan, Waste Management Plan, and Interim Closure and Reclamation Plan, Agnico Eagle committed to update these plans 60 days following approval of the requested amendments to Licence by the Minister.

When responding to ECCC's final submission, and specifically to the comment regarding the disposal of sludge from treatment plants, Agnico Eagle confirmed that sludge will not be deposited in CP1 in 2021 and will be placed within the saline ponds. The Applicant further committed to the following:

Agnico Eagle will provide identification of the primary sludge disposal option for 2022 disposal in the Water Management Plan, as well as discussion of alternative options, which may be explored in future years.

With respect to ECCC's comment about the TDS Effluent Quality Criteria (EQC), Agnico Eagle agreed to continue collecting sub-lethal toxicity data for the discharge at the end of pipe and confirmed that the effluent will be discharged in compliance with the *MDMER* and would not be a "deleterious substance". In addition, Agnico Eagle proposed a revised Maximum Grab Sample Concentration (MGC) of 4,500 mg/L TDS (calculated) to provide additional margin of safety. To address the ECCC's concern about Chloride contribution to TDS, Agnico Eagle agreed to monitor the proportion of major ions in the effluent and to evaluate the need for Site-Specific Water Quality Objectives for Chloride:

Agnico Eagle will continue to monitor and evaluate chloride concentrations in the discharge and mixing zone, and an SSWQO for chloride will be developed if concentrations in the mixing zone are either: (1) greater than 75% of the generic CCME chloride guideline; or (2) if the composition of chloride to TDS (calculated) in the discharge reaches 60% or greater. The SSWQO derivation, if required, will follow the CCME (2007) derivation procedures.

Draft Water Licence Framework

As this is becoming a standard practice, Agnico Eagle filed two versions of the Draft Water Licence Framework, in which the Applicant provided recommendations regarding amendments to the existing Licence that they consider to be appropriate and necessary to reflect the proposed changes to the Project.³⁴ During the Public Hearing for the Application,

³⁴ Versions of the Draft Water Licence Frameworks were filed on December 17, 2020 and March 30, 2021.



the Board's legal counsel provided the following clarification with regards to how the Board treats these submissions and whether the Board consider themselves bound to adopt the wording proposed by Agnico Eagle in the Draft Water Licence Framework:

...this is considered like any other evidence before the Board. · The Board retains the discretion to determine what are the appropriate terms and conditions of any given water licence or any amendment to a water licence. · A few years ago, the Board started inviting the Draft Water Licence Frameworks to be submitted, as we found it was a useful tool to focus the discussion. · But that is what it is; it's a tool. · And the Board retains their full discretion to determine what are appropriate terms and conditions in the Draft Water Licence Framework..³⁵

The Board included its discussion of the items provided by Agnico Eagle for the Board's consideration and inclusion into the Amended Licence, along with the summary of comments provided by the Interveners, in [SECTION VII](#) of this document.

SECTION III: SUBMISSIONS BY OTHER INTERVENING PARTIES OR MEMBERS OF THE PUBLIC

There were no written submissions provided to the NWB by any other intervening party or members of the public. On the evening of March 30, 2021, as part of the in-person Public Hearing, a Community Information Session was conducted by the Board, and community members in attendance were invited to question Agnico Eagle and any of the Interveners. Community members were also invited to share with the Board any comments or concerns they may have with respect to the Application. For more detail regarding attendees from the community, [APPENDIX E - Sign-in Sheets – List of Participants in the Public Hearing](#) provides the sign in sheets for the Public Hearing, including the Community Session. Table 1 below provides a summary of key issues raised by community members in attendance during the Public Hearing and Community Information Session. Those parties interested in a review of all comments received in their entirety are advised to consult the transcripts for the Public Hearing available on-line from the NWB's website.³⁶

The Board notes that an additional information session was conducted by the NWB at the local radio station in Rankin Inlet on March 24, 2021. However, no questions were asked and no comments were provided at the time of the radio show.

³⁵ T. Meadows, Nunavut Water Board, NWB Public Hearing, File No: 2AM-MEL1631, Transcript, Public Hearing, Volume 2 – March 31, 2021, pp. 269-270.

³⁶ NWB Public Hearing, File No: 2AM-MEL1631, Transcript, Public Hearing, Volume 1 – March 30, 2021, Community Session, pp. 128-237.



TABLE 1: KEY ISSUES RAISED BY MEMBERS OF THE PUBLIC DURING THE PUBLIC HEARING AND COMMUNITY INFORMATION SESSION

Topic	Issues/Concerns/Comments
Access Roads	Are the new access roads to new deposits that have been discovered, or are they already known deposits that have already been approved?
Access Roads	The additional access roads will result in more traffic on the roads to the mining camp, which will have more impact on caribou herds. The new road to Discovery will have impact on caribou herds also, both winter and summer, and also on fish and on the lake's cabin owners. The community does not want to see any additional effects on caribou, freshwater and fish.
Access Roads	How can the Water Board consider approving the additional roads knowing that there are major issues with regards to impacts on caribou from the roads that are already approved and constructed?
Amendment Application	It would be easier for the community to understand the application if Agnico Eagle could identify the parts of the project that have already been approved and the parts that are included in this amendment application.
Amendment Application	Why is the current amendment application so urgent that it needs to be addressed in 2021 before freshet?
Bioaccumulation	Once the Total Dissolved Solids (TDS) is discharged into Meliadine Lake even though it may be diluted eventually it doesn't actually leave the Lake, so what about the possibility of the TDS bioaccumulating in the Lake?
Climate Change	With regards to changing weather, does Agnico Eagle expect to amend their Licence in future to allow them to discharge earlier if they start to see that the open-water season is starting earlier than they originally predicted?
Community-based Monitoring	It would be a good idea for everyone participating in the Public Hearing to contribute to the education of people in the community so that they would be able to carry out water sampling and monitoring.
Community-based Monitoring	It would be a good idea to teach the youth in the community about water and fish sampling, and to understand more about what Agnico is discharging into the water and using the water for. (E.g. so that youth can participate in monitoring what the water tastes like now, and identify changes, or so people can tell if there are effects on fish).



Topic	Issues/Concerns/Comments
Crown Land	Does the water potentially used/impacted by the mine flow over Crown Land? What does the federal Government have to say about that?
Drinking Water Source	My family and I use the Meliadine River as a drinking water source. The water in Meliadine River is very clean and we have not noticed effects on the water to date, and we want it to stay that way.
Fish	I am wondering about the potential for mining to result in the build up of gases (such as methane) under the ice, and whether any gases trapped under the ice might do damage to the fish.
Fish	How is the potential for impacts on the health of fish going to be monitored, when those fish are migrating away from the area and reproducing potentially elsewhere, closer to other communities, like Chesterfield Inlet?
Fish	What fish are sampled by Agnico Eagle?
Fish	Last year I caught a fish (lake trout) in Meliadine Lake, and it was skinny and did not look good to eat so we threw it back, why is that? What could be affecting the health of the fish making them skinny and not taste the same?
Effects on Fish and Marine Wildlife	With more water consumption, we will see more waste, and will see more ships coming into our communities. That increases more chances of an oil spill and also more effect on the seals, whales, fish, and so on.
Effects on Fish and Marine Wildlife	Many in the communities feel that our water has already been affected. Our community and other communities are also being affected along the coast, because the number of ships to serve the mine is increasing. Fish, whales and seals are being affected. What Agnico Eagle is proposing to discharge into Meliadine Lake is not freshwater.
Effects on Fish and Terrestrial Wildlife	How do we know the reproduction of the fish wouldn't be impacted? It's not only fish that are impacted, it's also geese, fox, and any terrestrial animals that drink from Meliadine Lake, and that's what we eat, and those are impacts we are concerned about.
Monitoring	Why doesn't Agnico Eagle do testing on fecal coliforms in Meliadine Lake and River?
Saline Water	Is the saline water going to be treated prior to discharge to Melvin Bay, and where will it be treated?



Topic	Issues/Concerns/Comments
Snow	How much snow does Agnico Eagle plough into the lake every year? Can Agnico Eagle plough less snow off the roads to lessen the amount of water being drained into Meliadine Lake? Does the snow get tested before it is discharged into the Lake?
Surface Water	Does Agnico Eagle test the surface water before it is released into Meliadine Lake?
Threshold (Proposed)	Can we confirm that Agnico Eagle is looking to triple their TDS allowance from 1,400 to 5,000 mg/L at Meliadine Lake? Why are we moving the “goalposts” for Agnico Eagle? There was a set limit in the Licence for a reason.
Threshold (Proposed)	How was the Total Dissolved Solids (TDS) threshold proposed by Agnico Eagle identified? What was the scientific basis for the numbers proposed and how was it chosen by Agnico Eagle?
Threshold (Proposed)	Shouldn't the threshold that is chosen be closer to baseline so that Agnico Eagle can ensure that the potential for impacts is kept to a minimum?
Threshold (Proposed)	Would we be able to see and taste a difference in the water if it was at the 5000mg/L TDS limit?
Total Dissolved Solids (TDS)	The TDS charts provided talk about chlorides and chlorine. In addition to chlorides what makes up the TDS? Are there any heavy metals in the TDS?
Total Dissolved Solids (TDS)	Where is that extra TDS coming from, that would drive up that much a difference? Because we know that snow melt and rain does not contain elevated TDS. Are the high levels because saline groundwater is going into CP1? Could there be any treated saline water going from CP5 into CP1?
Water discharged into Meliadine Lake	Where is the water coming from that is going into the lake? Is this “dirty water” or where is it from?
Water Management	Why can't Agnico Eagle simply recirculate and reuse the surface water collected at the site rather than discharge into Meliadine Lake at freshet and then later on the year withdraw more freshwater from Meliadine Lake?
Water Management	Why is Agnico Eagle even seeking permission to increase their discharge limits when the community is already noticing effects on water quality in Meliadine Lake?
Water Movement	Agnico Eagle should make a movie on how the water moves on site to help the community understand, where water is coming from on-site and where it is being discharged off the mine site.



Topic	Issues/Concerns/Comments
Water Quality	The current levels of discharge seem to be well below the proposed thresholds, so the community has concerns that if Agnico Eagle continues to discharge at the levels proposed in the new thresholds, that damage could occur, and that adverse effects could not be identified by monitoring until it is too late.
Water Quality	What is the quality of the water in Meliadine River and Meliadine Lake, and what is Agnico Eagle doing to educate the community about the current water quality and to inform them?
Water Quality	I would like to understand, whether there have been any effects on the water quality associated with the mine? It seems like the water in that area is not the best anymore. Who monitors that?
Water Quality	People are noticing a difference in the taste of the water from Meliadine Lake and so the Elders don't want to drink tea from the water coming from the Lake already and we don't want to see it getting worse.
Water Quality	Agnico Eagle has shown that concentrations go up during the discharge, but then shows that once the discharge stops, the predictions are that the levels will go down. Do the effects of climate change with the potential longer open water season affect Agnico Eagle's discharge? Does Agnico Eagle expect to amend their licence to discharge earlier, if they start to see that the open water season is starting a lot earlier than they originally anticipated?

SECTION IV: JURISDICTION OF THE NWB

Under Division 2³⁷ of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*, S.C. 2002, c. 10 (*NWNSRTA*) the NWB has jurisdiction to issue a licence,³⁸ amend a licence,³⁹ or in certain circumstances, cancel a licence.⁴⁰ In exercising the Board's statutory functions under the *Agreement Between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in Right of Canada* (*Nunavut Agreement*) and the statutory regime governing the Board (the *NWNSRTA* and the *Nunavut Waters Regulations*⁴¹), the NWB must be guided by the following objects:

³⁷ Sections 42-81 of the *NWNSRTA*.

³⁸ See ss. 42, 48, 55, 56, and 70 of the *NWNSRTA*.

³⁹ See s. 43(1)(b) of the *NWNSRTA*.

⁴⁰ See s. 43(1)(c) of the *NWNSRTA*.

⁴¹ SOR/2013-69.



... to provide for the conservation and utilization of waters in Nunavut, except in a national park, in a manner that will provide the optimum benefit from those waters for the residents of Nunavut in particular and Canadians in general.⁴²

In setting the terms and conditions of a licence, the NWB is guided by these objects and the NWB's statutory duty to make *all* reasonable efforts to minimize *any* adverse effects on aquatic ecosystems. Reading several of the Articles of the *Nunavut Agreement* together,⁴³ the NWB relies on the broad definition of "ecosystemic" found in Article 12, Section 12.1.1. of the *Nunavut Agreement*, requiring not only the Nunavut Impact Review Board (NIRB) but also the NWB to ensure that all components of the ecosystem, such as fish and fish habitat, are protected within the parameters of s. 71 of the *NWNSRTA*.

In accordance with Article 13, Section 13.3.6 of the *Nunavut Agreement* and s. 29 of the *NWNSRTA*,⁴⁴ the Board delegated the power to dispose of all matters related to the Application for amendments to the existing Type "A" Water Licence No: 2AM-MEL1631, including the conduct of the Public Hearing, to a Panel of the Board (which is referred to as Panel P15 or the Meliadine Panel).

As with any applications considered by the NWB, the burden of proof rests with the Applicant, Agnico Eagle, to demonstrate that their request for an amended Type "A" Water Licence should be granted, and that the proposed terms and conditions should be granted. In addition, the NWB Rules of Practice state: "[a]ny party offering evidence before the NWB shall have the burden of introducing sufficient and appropriate evidence to support its position."⁴⁵

SECTION V: REQUIREMENTS OF THE NWNSRTA, THE NUNAVUT AGREEMENT AND NUPPAA

Objects of the NWB and its Relationship to other Bodies

As established under the *Agreement Between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada (Nunavut Agreement)* and Part 3 of the *Nunavut Planning and Project Assessment Act*, S.C. 2013, c. 14, s. 2 (*NuPPAA*), prior to the NWB's consideration of the Application, the Applicant must meet the pre-licensing requirements of the Nunavut Planning Commission (land use planning) and the Nunavut Impact Review Board (impact assessment). As outlined under the [Pre-Licensing Regulatory History of the Application](#) section of this Decision, the Application was considered by the Nunavut

⁴² See s. 35 of the *NWNSRTA*.

⁴³ This approach is consistent with the direction provided in Article 2, Section 2.9.1 of the *Nunavut Agreement*.

⁴⁴ S.C. 2002, c. 10.

⁴⁵ Section 23.1 of the Nunavut Water Board "Rules of Practice and Procedure for Public Hearing" (May 11, 2005).



Planning Commission, and no referral to the Nunavut Impact Review Board for further impact assessment was considered to be necessary.

Land Use Planning

On August 20, 2020, the Nunavut Planning Commission (NPC) issued its land use planning conformity determination for the Application,⁴⁶ which stated that:

- the activities associated with the Application (Project proposal) had previously been reviewed by the NPC and the conformity determination, dated June 8, 2011, still applied to the proposed activities;
- the activities associated with the Application (Project proposal) were also previously assessed by the Nunavut Impact Review Board (NIRB) (NIRB File No: 11MN034) and therefore the Application was exempt from requiring additional assessment by the NIRB; and
- the exceptions noted in Section 12.4.3 (a) and (b) of the *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada (Nunavut Agreement)*, do not apply.

On this basis, the NPC indicated that the Application could proceed to the permitting stage without a referral to the NIRB for further assessment.

Impact Assessment

As noted above, in the NPC's determination, the NPC concluded that the activities associated with the Application were previously screened by the Nunavut Impact Review Board (NIRB File No: 11MN034) and therefore the activities were exempt from requiring further assessment by the NIRB. The NPC's determination also confirmed that the changes requested under the Application did not constitute a significant modification to the general scope of the original project activities previously assessed by the NIRB, and the exceptions noted in Section 12.4.3 (a) and (b) of the *Nunavut Agreement* do not apply.

On this basis, the NWB concluded that the applicable pre-licensing conformity and impact assessment requirements for the Application under Articles 11 and 12 of the *Nunavut Agreement*, Part 3 of the *Nunavut Planning and Project Assessment Act*, S.C. 2013, c. 14, s. 2 (*NuPPAA*) and ss. 38 and 39 of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*, S.C. 2002, c. 10 (*NWNSRTA*) had been met and the Application was processed by the NWB.

⁴⁶ Correspondence from Peter Scholz (NPC) to Richard Dwyer (NWB) and others, RE: NPC File #149399 [Meliadine Mine Water Licence Amendment], dated August 20, 2020.



Inuit Water Rights

Separate from the Inuit Impact and Benefits Agreement (IIBA), the KIA and Agnico Eagle addressed the impacts of the Project on Inuit water rights pursuant to Article 20 of the *Nunavut Agreement* and s. 63 of the *NWNSRTA*. As previously discussed, at the in-person Public Hearing, the KIA provided the Board with the following confirmation (Exhibit #5⁴⁷) regarding the status of their water compensation discussions with the Applicant:

The Kivalliq Inuit Association has reached an agreement with Agnico Eagle Mines Limited on the Meliadine Water Compensation Amendment, whereby Agnico Eagle Mines Ltd. agrees to pay compensation for loss or damage to the water that may be caused by the Meliadine Mine Project.

In addition, the NWB confirmed that there were no outstanding issues of water compensation with Agnico Eagle as follows: “Yes, we've reached an agreement, a water compensation agreement, with the Kivalliq Inuit Association.”⁴⁸

On this basis the Board has determined that the compensation requirements of s. 63(1)(a)41 of the *NWNSRTA* have been met with respect to the Application.

SECTION VI: DECISION TO ISSUE

Based on the information and materials provided during the Board’s consideration of the Application, and for the reasons outlined in these Reasons for Decision, the NWB’s duly-appointed Meliadine Panel, Panel P15, has, by Motion # 2021-02-P15-05, decided to grant the Application and issue amended Type “A” Water Licence No: 2AM-MEL1631 (Amendment No. 2) to the Applicant. The Panel also authorized the release of these Reasons for Decision and the amended Water Licence No: 2AM-MEL1631 (Amendment No. 2). It is the Board’s view that the amended terms and conditions included in the Water Licence are necessary to protect the environment, conserve freshwater resources, and provide appropriate safeguards in respect of the changes and additions to the water uses and waste deposits associated with the Meliadine Gold Project.

⁴⁷ KIA, Exhibit #5, NWB Public Hearing File No: Water Licence 2AM-MEL1631; Electronic Copy of the Letter from L. Manzo (KIA) to S. Autut (NWB), RE: Agnico Eagle Mines Ltd’s Meliadine Gold Mine – Type A Water Licence Application Amendment 2AM-MEL1631, dated March 26, 2021 and filed on March 30, 2021.

⁴⁸ J. Quesnel, Agnico Eagle, NWB Public Hearing, File No: 2AM-MEL1631, Transcript, Public Hearing, Volume 1 – March 30, 2021, p. 65, lines 3-4.



The amended Water Licence continues to authorize the use of water and deposit of waste associated with the construction, operation, reclamation, closure and post-closure monitoring of a Mining undertaking, as defined under Schedule 1 of the *Nunavut Waters Regulations*.⁴⁹

Conditions for Issuance of a Licence

As set out under sections 57, 58, 60, 63 of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*, S.C. 2002, c. 10 (NWNSRTA) and as specifically discussed below, there are a number of conditions that must be met before the Board can consider issuing a water licence.

Section 57 of the NWNSRTA provides several key legislative requirements that must be satisfied before the NWB may issue a licence, as follows:

The Board may not issue a licence unless the applicant satisfies the Board that

- (a) any waste produced by the appurtenant undertaking will be treated and disposed of in a manner that is appropriate for the maintenance of the water quality standards and effluent standards that are prescribed by the regulations or, in the absence of such regulations, that the Board considers acceptable; and*
- (b) the financial responsibility of the applicant, taking into account the applicant's past performance, is adequate for*
 - (i) the completion of the appurtenant undertaking,*
 - (ii) such measures as may be required in mitigation of any adverse impact, and*
 - (iii) the satisfactory maintenance and restoration of the site in the event of any future closing or abandonment of that undertaking.*

Financial Responsibility of the Applicant

As outlined under the NWNSRTA, s. 57(b), the NWB considers three aspects of the responsibility of an Applicant to carry out a licensed undertaking:

- (i) the financial ability of the Applicant to complete the appurtenant undertaking;

⁴⁹ SOR/2013-69.



- (ii) the ability of the Applicant to undertake measures to adequately monitor for impacts and implement measures to mitigate any impacts; and
- (iii) the Applicant's ability to maintain and restore the site during care and maintenance, closure and abandonment.

The third aspect of financial responsibility under s. 57(b) will be specifically addressed in the section of these Reasons for Decision discussing reclamation security.

The NWB's assessment of the Applicant's financial responsibility under s. 57(b) is a contextual analysis that considers not only the specific activities in relation to the current Application, but also the Applicant's overall financial capacity to carry out the Undertaking that is the subject of the amended Water Licence. In this regard, recognizing that this is an existing Mining undertaking that has been in operation in some form since 2016, the Board has paid particular attention to the Applicant's past performance as well.

With respect to considering Agnico Eagle's past performance to assess their financial capacity to carry out the undertaking governed by the amended Water Licence, the Board notes that:

- Agnico Eagle has been operating the Meliadine Gold Project which is approximately 25 km north of Rankin Inlet, since 2016, with no indication that the Applicant has been unable to meet the financial responsibilities of carrying out the Mining undertaking under the terms and conditions of the existing Water Licence No: 2AM-MEL1631;
- With respect to Agnico Eagle's Meadowbank Gold Mine Project, Agnico Eagle's other active operating gold mine in Nunavut, which is approximately 70 km north of the Hamlet of Baker Lake, Nunavut, that site has been developed into an operating gold mine since 2008, with no indication that the Applicant has been unable to meet the financial responsibilities of carrying out that Mining undertaking under the terms and conditions of the existing Water Licence No: 2AM-MEA1530;
- With respect to Agnico Eagle's Whale Tail Pit Project, Agnico Eagle's other active operating gold mine in Nunavut, Agnico Eagle has undertaken construction and operation of the Whale Tail Pit Gold Mine, which is located approximately 50 km northwest of Agnico Eagle's Meadowbank Gold Mine, commencing in 2018, with no indication that the Applicant has been unable to meet the financial responsibilities of carrying out that Mining undertaking under the terms and conditions of the existing Water Licence No: 2AM-WTP1830.

There was no evidence before the Board of any outstanding issues that would suggest limits on the financial ability of Agnico Eagle to successfully fulfill the obligations arising from the amended terms and conditions in the amended Water Licence. The Board also notes that



with respect to all elements of the Applicant's financial responsibility, none of the parties, including community members in Rankin Inlet presented evidence that would call into question the Applicant's financial capacity to fulfill their responsibilities as required by s. 57(b) of the *NWNSRTA*.

On the basis of the financial information provided with the Application, and with the Board's acknowledgement of Agnico Eagle's prior operating history at the Meliadine Gold Mine, the Board has concluded that Agnico Eagle has established that they have the financial resources to meet the obligations imposed under the amended Water Licence.

Compensation of Existing or Other Users

The *NWNSRTA* requires that the NWB be satisfied that compensation of existing or other water users affected by the Application has been or will be paid.⁵⁰ To ensure that all parties with the potential to bring a water compensation claim have been notified of their rights under s. 55 of the *NWNSRTA*, the Notice of the Application issued by the Board on October 7, 2020, and the Notice of Public Hearing, published on January 29, 2021, invited anyone having a water user compensation claim to inform the Board of their interests in accordance with the timeline specified in the Notices. The NWB confirms that other than the representations of the Kivalliq Inuit Association and confirmation by Agnico Eagle regarding Inuit water rights compensation (referenced in the previous section of these Reasons for Decision), no water compensation claims were made to the NWB.

Issuance of a Licence

As stated above and pursuant to s. 42(1) of the *NWNSRTA*, by way of Motion # 2021-02-P15-05, the NWB's duly appointed decision-making Panel for the file, Panel P15, has decided to issue amended Type "A" Water Licence No: 2AM-MEL1631 - Amendment No. 2 (the Amended Water Licence). In issuing the Amended Water Licence, the NWB is satisfied that the Application contained the required information and was received in the proper form having regard to the requirements of the *NWNSRTA*⁵¹ and associated Regulations.⁵²

Assumptions

When faced with choices regarding monitoring requirements such as standards or parameters to be imposed under the Licence, the Board has opted to impose stringent monitoring

⁵⁰ See ss. 58-60 of the *NWNSRTA*.

⁵¹ See s. 48 of the *NWNSRTA*.

⁵² *Nunavut Waters Regulations*, SOR/2013-69.



requirements in an effort to ensure that the Applicant meets their on-going environmental protection obligations.

Application in Relation to the Licence

Overall, the NWB is satisfied that the requirements of s. 48 of the *NWNSRTA* have been met. Agnico Eagle filed an Application that complied with the NWB's Guide No.4 (*Guideline for Completing and Submitting an Application for a New Water Licence*) and associated *Supplemental Information Guideline (MM3) for Mine Development*, accompanied by the fees required by the *Nunavut Waters Regulations*, including the application fee. In addition, Agnico Eagle has provided the necessary materials to support the Application and responses to supplementary information requests provided by the Board and other parties as necessary for the Board to evaluate whether the Amended Water Licence should be granted.

Application to Amend or Application for Future Modifications

In relation to future applications to undertake significant modifications to the activities included within the scope of the Type "A" Water Licence, the NWB reminds Agnico Eagle that it must comply with all requirements of the *Nunavut Agreement*,⁵³ the *NuPPAA*,⁵⁴ and the *NWNSRTA*.⁵⁵ In particular, the Board notes that the scope of the authorized use of water and deposit of waste is as provided by Agnico Eagle in the Application and as set out in Part A of the Amended Water Licence, and any requested changes to that scope may trigger additional amendments to the Water Licence. In addition, any significant modifications to the undertaking are required to be submitted to the Nunavut Planning Commission and may subsequently be referred to the Nunavut Impact Review Board prior to the NWB's consideration of any associated amendments to the Water Licence.

Assignment of the Licence

If Agnico Eagle wishes to assign the Amended Water Licence, the Board highlights that the licence is only assignable if the requirements of s. 44 of the *NWNSRTA* have been met. This section states:

A sale or other disposition by a licensee of any right, title or interest in an appurtenant undertaking constitutes, subject to the authorization of the Board, an assignment of the licence to the person to whom the sale or other disposition is made.

⁵³ See Article 12, Clause 12.4.3 (b) of the NLCA.

⁵⁴ *Nunavut Planning and Project Assessment Act* S.C. 2013, c. 14 (*NuPPAA*).

⁵⁵ See s. 43 of the *NWNSRTA*.



Cancellation or Expiry of the Licence

As indicated above, the NWB reminds the Applicant that the provisions of s. 46 of the *NWNSRTA* state: “[t]he expiry or cancellation of a licence does not relieve the holder from any obligations imposed by the licence.”

The Applicant is also reminded that pursuant to the NWB’s authority under s. 43(1)(c)(iii) of the *NWNSRTA*, the NWB may, on application by a licensee, or on its own motion, cancel a licence at any time if the NWB considers the cancellation to be in the public interest.

Term of Licence

Section 45 of the *NWNSRTA* provides that the term of a Type “A” Licence or any renewal shall not exceed the longer of twenty-five years or the “anticipated duration” of an undertaking (other than an undertaking, for which the maximum term is prescribed by Regulation as 25 years).

The Applicant did not request any changes to the current term of the Licence. During the review process, no Parties indicated that the Licence term should be changed. Therefore, the term of the Amended Water Licence remains as previously approved, with an expiration date of March 31, 2031.

SECTION VII: WATER LICENCE 2AM-MEL1631 TERMS AND CONDITIONS

The Licence does not take effect until the Minister approves or is deemed⁵⁶ to have approved the NWB’s recommendation to issue the Amended Water Licence. As indicated in Section VI, the Panel has decided to issue amended Type “A” Water Licence No: 2AM-MEL1631 – Amendment No. 2, subject to the conditions contained herein.

To provide context and clarity, the NWB has provided a discussion and comments about specific amendments to the terms and conditions that follow. The NWB has not, however, provided specific comments for those amendments to licence terms and conditions that are clear in their wording and intent on the face of the Amended Water Licence.

⁵⁶ Section 56 of the *NWNSRTA* states:

The issuance, amendment, renewal and cancellation of a type A licence, and if a public hearing is held, a Type B licence are subject to the approval of the Minister.

Under s. 56(2.2) if the Minister does not issue a decision within 45 days of receiving the Licence from the Board, (or within 90 days if the Minister has extended the decision-making period by an additional 45 days) the Minister is deemed to have approved the Licence.



Part A: Scope, Definitions and Enforcement

Scope

The undertaking, for which the Amended Water Licence is issued, is classified as a Mining undertaking in accordance with Schedule 1, Item 2 of the *Nunavut Waters Regulations*.⁵⁷

In the Application,⁵⁸ Agnico Eagle requested that the scope of activities authorized under the Water Licence be updated to include the construction of site access roads to the Discovery, Pump, Fzone, and Wes-Normeg deposits. Agnico Eagle specified that these activities were included in the Final Environmental Impact Statement (FEIS) (Agnico Eagle 2014) assessed by the Nunavut Impact Review Board, but were not part of previous water licence applications considered by the NWB.

Additionally, Agnico Eagle proposed to remove the Waste Rock Storage Facility No. 2 (WRSF2) from the Scope of activities currently approved under the Water Licence, stating the following:

As part of the updated waste management strategy, Agnico Eagle is proposing the waste rock and overburden originally planned to be placed in WRSF2 will instead be placed within an increased footprint of WRSF3.

The remainder of the amendments to the Water Licence requested by the Applicant (Total Dissolved Solids (TDS) thresholds to Meliadine Lake, freshwater consumption, expansion of laydown area, and security) fall within the existing Scope of activities under the Water Licence and required no amendments.

At the Public Hearing, both KIA⁵⁹ and CIRNA⁶⁰ recommended that the NWB consider including within amendments to the Scope of the Water Licence an item directing Agnico Eagle to, once the required assessments and approvals have been granted and the water pipelines discharging effluent to the marine environment (Melvine Bay) have been constructed, eliminate discharge to Meliadine Lake under normal operating conditions and to discharge to Melvin Bay via the waterline instead. However, as the NWB clarified during the Public Hearing:

⁵⁷ SOR/2013-69.

⁵⁸ Agnico Eagle Mines Limited, Type "A" Water Licence 2AM-MEL1631 Amendment, Main Application Document, dated August 2020.

⁵⁹ NWB Public Hearing, File No: 2AM-MEL1631, Transcript, Public Hearing, Volume 1 – March 30, 2021, pp. 68-74.

⁶⁰ NWB Public Hearing, File No: 2AM-MEL1631, Transcript, Public Hearing, Volume 1 – March 30, 2021, pp. 94-103.



There is a recognition of the interrelationship between water management, overall, at the site and the Nunavut Impact Review Board project proposal -- or project proposal that's before the Nunavut Impact Review Board, involving the water pipeline. But the discharge and that pipeline itself are not within the scope of the Water Board's water licence because the Water Board does not have jurisdiction over discharges into the marine environment. And the infrastructure, so the water pipeline itself, does not have unique water-crossings of freshwater.⁶¹

Consequently, the NWB has not amended the Scope of the Amended Water Licence to include references to the use of the water pipelines discharging into the marine environment, for several reasons,⁶² including the following:

- the NWB does not have jurisdiction to regulate discharges into the marine environment;
- the NIRB's assessment of the proposed infrastructure is not complete, and the required regulatory approval processes have yet to be engaged;
- based on the NWB's current understanding of the construction/operation of the water pipelines discharging into the marine environment, the proposed activity will not trigger amendments to the Water Licence; and
- this infrastructure was not included within the scope of Agnico Eagle's amendment application as considered by the Board.

However, the Board has added to the description of the effluent discharge from Control Pond No. 1 (CP1) to allow the Board to subsequently approve alternatives to discharging into Meliadine Lake through an effluent Diffuser as follows under Part A, Item 1(a), bullet 29 (amended text underlined):

- *Controlled and regulated discharge of Effluent from Control Pond No. 1 (CP1), after treatment at the Contact Water Treatment Plant, to Meliadine Lake through an effluent Diffuser, or as otherwise approved by the Board*

Definitions

All definitions were carried over from the existing Water Licence. In addition, definitions for the "2020 Discharge", "Contact Water Treatment Plant", "Mean Annual Concentration", "Monthly Mean Concentration", "Site Specific Water Quality Objectives" and "Treatment Plants" have been added.

⁶¹ T. Meadows, NWB Legal Counsel, NWB Public Hearing, File No: 2AM-MEL1631, Transcript, Public Hearing, Volume 1 – March 30, 2021, p. 88, lines 1-15.

⁶² See the discussions by the Board's staff and legal counsel regarding this issue during the Public Hearing, NWB Public Hearing, File No: 2AM-MEL1631, Transcript, Public Hearing, Volume 1 – March 30, 2021, pp.81- 88.



Part B: General Conditions

Agnico Eagle submitted a Draft Water Licence Framework⁶³ during the licensing process proposing a number of revisions to the existing Water Licence for the Board to consider including in the Amended Water Licence. With respect to management plans specifically requiring the approval of the NWB before implementation, Agnico Eagle recommended that management plans should be deemed to be approved by the Board within sixty days of submission, unless otherwise advised by the Board. Under the suggested revision to allow for the deemed approval, if the NWB determined that a plan was unacceptable to the NWB, Agnico Eagle would be required to file a revised version, which would then be approved.

Both the KIA and CIRNA expressed concerns and voiced their disagreement with the proposed “deeming” provisions for plan approvals. The KIA noted that adopting such an approach erodes the Board’s jurisdiction, and CIRNA stated that the approach was impractical due to the short timeline for review. The Board shares the concerns noted by the KIA and CIRNA, and notes that given the substantive nature of many of the management plans filed under the Amended Water Licence, adopting Agnico Eagle’s recommended timelines and “deeming” approach is not appropriate. The Board also notes that this would be a significant change to the Board’s standard approach to the review and approval process for management plans that governs all other licensees in Nunavut. Adopting Agnico Eagle’s requested approach would create a plan review and approval process and timelines that would be unique to this licence. This is unwarranted and would create inconsistency and confusion for parties such as the KIA, CIRNA and ECCC, who typically provide comment on management plans filed by various licensees under several other water licences.

In support of the Application, the Proponent submitted a number of Programs/Plans that have been either approved or accepted by the Board⁶⁴ with the issuance of the Amended Water Licence. The following documents were approved (accepted) under this Part of Amended Water Licence:

- a. Ammonia Management Plan, Version 3, March 2021;
- b. Aquatic Effects Monitoring Program (AEMP) Design Plan, Version 1, June 2016;
- c. Borrow Pits and Quarries Management Plan, Version 6, March 2018;
- d. Bulk Fuel Storage Facility: Environmental Performance Monitoring Plan, Version 1, August 2019;
- e. Dust Management Plan, Version 6, June 2020;

⁶³ Agnico Eagle, Commitment 1 – AEM - Draft Water Licence, dated December 17, 2020.

⁶⁴ NOTE: Under the NWB’s approach to review and consideration of relevant Management Plans, the NWB “approves” plans that are directly required or applicable to the activities within the scope of the Water Licence and “accepts” plans that may be less directly relevant or that may contain components outside the scope of the activities governed by the Water Licence. For the purposes of the discussion of this section of the Amended Licence, the Board has referenced the plans as “approved (accepted)” to denote the distinction between the NWB’s process of reviewing the two different types of plans.



- f. Environmental Management and Protection Plan (EMPP), Version 9, March 2019;
- g. Freshet Management Plan, Version 6, March 2020;
- h. Groundwater Management Plan, Version 6, January 2021;
- i. Hazardous Materials Management Plan, Version 5, March 2018;
- j. Incineration Management Plan, Version 6, February 2019;
- k. Itivia Oil Handling Facility Oil Pollution Emergency Plan, Version 3.1, April 2020;
- l. Landfarm Management Plan, Version 3, February 2019;
- m. Landfill and Waste Management Plan, Version 7, March 2019;
- n. Meliadine Interim Closure and Reclamation Plan – Update 2020, Revision 2, January 28, 2021;
- o. Mine Waste Management Plan, Version 7, March 2021;
- p. Ore Storage Management Plan, Version 3, March 2021;
- q. Quality Assurance and Quality Control Plan, Version 3, March 2019 (accepted);
- r. Risk Management and Emergency Response Plan, Version 4, April 2015;
- s. Roads Management Plan, Version 8, December 2019;
- t. Sediment and Erosion Management Plan, Version 3, March 2021;
- u. Spill Contingency Plan, Version 10, December 2019;
- v. Water Management Plan; Version 10, August 2020;
- w. Water Quality and Flow Monitoring Plan, Version 2, March 2020; and
- x. Water Quality Management and Optimization Plan, Revision 4a, November 13, 2020.

The NWB notes that the Board’s approval or acceptance of a plan does not imply that the NWB has considered, or has otherwise approved elements of that plan that may be outside of the NWB’s jurisdiction. In addition, reflecting the scale and scope of the future changes to an approved plan, the Board may subsequently process the changes as solely an amendment to the plan, as a Modification under Part G of the Licence, or, if the proposed changes are significant, as an amendment to the Water Licence.

In addition to the Plans listed above, the KIA recommended that the NWB include the Adaptive Management Plan (AMP) filed with the NIRB as a commitment during the NIRB’s assessment of the Project proposal involving the construction/operation/reclamation of two water pipelines for discharging saline effluent into the marine environment to the list of approved (accepted) Plans under the Amended Water Licence. However, as the NWB explained during the Board’s consideration of the Application and during the Public Hearing⁶⁵ the NWB does not consider the AMP to be required as part of the NWB’s consideration of the Application, and the AMP was only provided to the Board for information in response to a commitment made during the NWB’s Technical Meeting.

⁶⁵ NWB Public Hearing, File No: 2AM-MEL1631, Transcript, Public Hearing, Volume 1 – March 30, 2021, pp. 81-88.



Therefore, the Board is of a view that the AMP should not be included into the list of the Plans approved or accepted under this Part at this time.

For a number of Management Plans, the NWB is setting a sixty-day deadline after the Minister has provided his approval of the Amended Water Licence for Agnico Eagle to submit updates to the Plans, taking into account commitments made with respect to the submissions received during the technical review of the Application, as well as final submissions and issues raised during the Public Hearing process. The Management Plans that the Board requires Agnico Eagle to update within 60 days of the approval of the Amended Water Licence are as follows:

- Water Management Plan;
- Groundwater Management Plan;
- Waste Management Plan; and
- Interim Closure and Reclamation Plan.

With respect to the updated Water Management Plan, the Board reminds the Licensee to include the options for sludge disposal to address ECCC's request,⁶⁶ as summarised in Section II. The Board also appreciates Agnico Eagle's confirmation *that sludge will not be deposited in CP1 in 2021, and that sludge will be deposited within the saline ponds in 2021*.⁶⁷

With respect to the Groundwater Management Plan, the Board notes that the definition of significant variations in inflow rates, which trigger the need to recalibrate the model, was removed from Version 6 of the plan, compared to the previous versions. The Board recommends to include this information back into the updated plan to ensure that all adaptive measures are captured.

With respect to the updated Waste Management Plan, the Board reminds Agnico Eagle to reflect the decommissioning of the P-Area, along with other changes to the waste management strategy, when updating the plan.

Additionally, the Board has included a requirement to update all relevant Management Plans at least six months prior to initiating the discharge of contact water through any means other than those included under part F, Item 3 of the Licence to reflect the comments of both KIA⁶⁸

⁶⁶ NWB Public Hearing, File No: 2AM-MEL1631, Transcript, Public Hearing, Volume 1 – March 30, 2021, pp. 115-119

⁶⁷ Agnico Eagle, "2AM-MEL1631 Water Licence Amendment Additional Information Technical Comment Responses", dated March 8, 2021.

⁶⁸ NWB Public Hearing, File No: 2AM-MEL1631, Transcript, Public Hearing, Volume 1 – March 30, 2021, pp. 68-74.



and CIRNA⁶⁹ with respect to the potential for Agnico Eagle to discharge contact water through the water pipelines into the marine environment (Melvin Bay) if the NIRB and subsequent regulators approve the construction and operation of the water pipelines for discharging of contact water into the marine environment.

In the Draft Water Licence Framework,⁷⁰ Agnico Eagle proposed to modify Part B, Item 9 to require the Licensee to inform the Board of any changes in Project phases, as opposed to changes in operating plans or conditions, at least 60 days prior to any such change. Both the KIA and CIRNA expressed their disagreement with this modification, stating that “*Project phases are not synonymous with operating plans or conditions and would likely not include changes in conditions.*” The Board agrees with the comments of Interveners and therefore has amended the Water Licence to now include Part B, Item 9 that requires notifications triggered by changes to “*Project phases and/or operating plans or conditions.*”

The remainder of the revisions to the General Conditions section have been included by the Board to ensure that the terms and conditions of the Amended Water Licence in this Part are consistent with the other Type “A” Water Licences applicable to Mining Undertakings previously issued by the NWB.

Part C: Conditions Applying to Security

In determining the amendments to the security section of the Water Licence, the Board was required to consider that Agnico Eagle, the Kivalliq Inuit Association (KIA) and Crown-Indigenous Relations and Northern Affairs (CIRNA) have entered into a Security Management Agreement that governs how the overall reclamation security (the global security amount) for the Mining undertaking will be allocated between the KIA, under their commercial land lease, and CIRNA, under the applicable water licences.

In this respect, the NWB is bound by s. 76.1 of the *NWNSRTA* , which states as follows:

Arrangements relating to security

76.1 (1) If a licence is in respect of an appurtenant undertaking that is situated, partially or wholly, on Inuit-owned land, the Minister may enter into a written arrangement with the designated Inuit organization and the applicant, licensee or prospective assignee of the license that provides for

(a) the amount of security to be furnished and maintained by the applicant, licensee or prospective assignee, as well as the form and nature and any

⁶⁹ NWB Public Hearing, File No: 2AM-MEL1631, Transcript, Public Hearing, Volume 1 – March 30, 2021, pp. 94-103.

⁷⁰ Agnico Eagle, Commitment 1 – AEM - Draft Water Licence, dated December 17, 2020.



conditions of the security, for the purpose mentioned in paragraph 76(2)(b) or for the purpose of reimbursing the designated Inuit organization for the costs specified in the arrangement; and

(b) the periodic review of the security, including by taking into account any material changes to the undertaking or the risk of environmental damage, and the adjustment of the amount of the security as a result of the review.

Copy of arrangement to be provided to Board

(2) The Minister shall, as soon as possible after entering into the written arrangement described in subsection (1), provide a copy of it to the Board.

Arrangement to be taken into account under subsection 76(1)

(3) The Board shall take into account the written arrangement when it determines the amount of the security required to be furnished and maintained by the applicant, licensee or prospective assignee under subsection 76(1).

As outlined in the NWB's Reasons for Decision associated with the issuance of the Water Licence in 2016, the Board reviewed the *Meliadine Security Management Agreement* filed by the parties and took the 50/50 allocation of the global security amount between KIA and CIRNA into account when fixing the security required to be held under the Water Licence:

As confirmed during the Board's review of the Application, and confirmed by the parties during the Public Hearing, the *Meliadine Security Management Agreement* has been updated, and remains in force to govern the reclamation of undertaking, including the additional activities included within the scope of the Amended Water Licence: "Crown-Indigenous Relations and Northern Affairs Canada, the Kivalliq Inuit Association, and Agnico -- and Agnico Eagle agree and propose that the security be held, subject to a security management arrangement."⁷¹

Accordingly, as governed by s. 76.1 of the *NWNSRTA*, the Board has taken the *Security Management Agreement* into account when fixing the amount of security that must be held under the Amended Water Licence.

Review of the Amount of Security

Throughout the Board's consideration of the Application the Board has considered the information provided by the Applicant and the technical review comments provided by the

⁷¹ S. Dewar, CIRNA, NWB Public Hearing, File No: 2AM-MEL1631, Transcript, Public Hearing, Volume 1 – March 30, 2021, pp. 101-102, lines 25-26 and 1.



Intervenors with respect to the additional security that is required to reflect the increases to reclamation liability associated with the additional activities, works and undertakings included within the scope of the Amended Water Licence. Although the parties did not initially agree with respect to the required updated total global security amount, at the Public Hearing, CIRNA summarized the agreement of the parties as follows: “The department [CIRNA] worked with the Kivalliq Inuit Association and Agnico Eagle and has reached a final security amount of just over \$69 million.”⁷²

Noting the parties’ agreement and, based on the Board’s consideration of the works and activities added to the scope of the Amended Water Licence, the Board has concluded that the total global security amount of \$49,555,000 fixed originally under the existing Water Licence should be increased by approximately \$20.13 million to \$69,687,246 under the Amended Water Licence. The Board is confident that the additional amount represents an appropriate increase to the total amount of security required to reclaim the Mining undertaking when additional activities, works and undertakings included in the Amendment Application are taken into account, and also reflects the factors that the NWB must take into account when fixing security under a Type “A” Water Licence as set out in s. 10(1) of the *Nunavut Waters Regulations*.⁷³

10 (1) For the purposes of subsection 76(1) of the Act, the Board may fix the amount of security required to be furnished by an applicant for a licence, a licensee or a prospective assignee in an amount not exceeding the aggregate of

(a) the costs of the abandonment of the undertaking;

(b) the costs of the restoration of the site of the undertaking;

(c) the costs of any ongoing measures that may remain to be taken after the abandonment of the undertaking; and

(d) the compensation that a person, including the designated Inuit organization, who is adversely affected by the use of waters or deposit of waste may be entitled to under section 13 of the Act.

On this basis, the Board has amended Part C, Item 1 of the Licence to increase the global security amount as noted above. With respect to the updated security required to be posted by Agnico Eagle under the Amended Water Licence, recognizing that the updated *Meliadine Security Management Agreement* between CIRNA, KIA and Agnico Eagle requires 50% of the total global security amount to be posted under the Water Licence, Part C, Item 1 has been amended to increase the security that Agnico Eagle is required to post under the

⁷² S. Dewar, CIRNA, NWB Public Hearing, File No: 2AM-MEL1631, Transcript, Public Hearing, Volume 1 – March 30, 2021, pp. 101-102, lines 21-26 and 1.

⁷³ *Nunavut Waters Regulations*, SOR/2013-69.



Amended Water Licence to **\$34,843,623**. The revised amount represents 50% of the increased total global reclamation security amount of \$69,687,246.

Periodic Review of the Amount of Security

As noted in the discussion of the parties' submissions in [SECTION II: SUMMARY OF FINAL SUBMISSIONS OF THE PARTIES](#), in the Draft Water Licence Framework, Agnico Eagle proposed including a condition that would allow the Applicant to apply for a change to the amount of security "at any time". The KIA expressed their disagreement⁷⁴ with the proposed "at any time" provision for change in the amount of security, citing the administrative burden that such periodic reviews could cause to the KIA, other Interveners and the Board. However, the Board notes that this type of opportunity for the Licensee and the NWB to periodically review security, to take into account any material changes to the project or the risk of environmental damage, and the adjustment of the amount of security as a result of such reviews is standard in other water licences, where Security Management Agreements have been considered and incorporated into the Board's process for fixing and periodically reviewing security. With respect to the KIA's concerns that the ability of the Licensee to submit an application to change the amount of security "at any time" could result in an undue burden and constant applications, the Board reminds all parties that the amended Part C, Item 9 establishes that such a submission by Agnico Eagle "...shall include supporting evidence to justify the amendment. The Licensee's request to amend security will be processed by the Board as an amendment to the terms and conditions of the Licence." As a result, the Board's normal notice, timelines and other processing requirements for an amendment to a Type "A" Water Licence would apply. Consequently, the Board considers it very unlikely that the Board and Interveners will be inundated with this type of amendment applications after the amended clause is in force.

The Board acknowledges the benefit of making this clause consistent with the existing terms and conditions in other Type "A" Water Licences where security is held under a Security Management Agreement, and so the Board has adopted this proposed condition into the Amended Water Licence on this basis.

Part D: Conditions Applying to Construction

The scope of the Application includes the construction of engineered facilities and infrastructure at the Meliadine Mine site. The Board has modified the condition requiring the Licensee to submit to the Board for review for-construction drawings for all engineered facilities and infrastructure designed to contain, withhold, divert or retain waters, from thirty (30) days prior to the construction, as required under the previous Water Licence, to sixty

⁷⁴ NWB Public Hearing, File No: 2AM-MEL1631, Transcript, Public Hearing, Volume 1 – March 30, 2021, pp. 68-74.



(60) days prior to the construction under the Amended Water Licence. This change is consistent with the requirements applicable to other Type “A” Water Licences governing Mining undertakings, and is being included in the Amended Water Licence to bring the Amended Water Licence in line with Type “A” Water Licences across Nunavut.

Additionally, the Board considered CIRNA’s request⁷⁵ to include the following elements into the list of items, for which “for-construction” drawings are required:

- Ditching and pumping piping systems for site underground and contact water management;
- Drainage plans for roads, laydown areas etc.

The Board has considered CIRNA’s request, but the Board agrees with the Applicant that *“these are the items that normally do not require engineer sign-off,”*⁷⁶ and therefore, has not modified the original list of infrastructure items, which require for-construction drawings and Engineer’s sign-off, under this provision.

As part of the suggestions under the Water Licence Framework, Agnico Eagle proposed to modify the condition requiring the Licensee to minimize surface drainage impacts and undertake corrective measures if such impacts occur. Both the KIA and CIRNA expressed their disagreement with Agnico Eagle’s proposed changes, suggesting that the new wording reduces the obligation to proactively minimize impacts on surface drainage. The Board agrees with the recommendation of the Interveners and has not modified the original language of this provision under Part D, Item 20 of the Water Licence.

Part E: Conditions Applying to Water Use and Management

Section 11 of the NWNSRTA states “... *no person shall use, or permit the use of, water in Nunavut except in accordance with the conditions of a licence.*”

The Board has amended the Licence to approve the Applicant’s request to increase the originally approved volume of fresh water used on an annual basis during the Operations Phase of the Project from the currently authorized volume of three hundred and eighteen thousand (318,000) cubic metres to seven hundred and forty two thousand (742,000) cubic metres per year. The Board notes that the exact volume requested in the Application was 741,706 cubic metres per year. However, the Board rounded this number to 742,000 cubic metres per year to allow the Licensee to have some operational flexibility.

⁷⁵ CIRNA, “Meliadine Gold Mine Project (Agnico Eagle Mines Limited) Amendment of Water Licence 2AM-MEL1631, Crown-Indigenous Relations and Northern Affairs Canada, Submission to the Nunavut Water Board,” dated March 17, 2021.

⁷⁶ Agnico Eagle, “2AM-MEL1631 Water Licence Amendment Additional Information Technical Comment Responses”, dated March 8, 2021.



In the Draft Water Licence Framework, Agnico Eagle proposed to remove the provision requiring the volume of water used for dust suppression to be included into the total volume permitted. Both the KIA and CIRNA expressed their disagreement with the removal of this provision, suggesting that *authorized water use volumes need to include all water used including that for dust suppression*.⁷⁷ The Board agrees that adopting Agnico Eagle's proposed change is not appropriate, and therefore, all water uses (including dust suppression) must continue to be included in the calculation of the total volume of water used by the Undertaking.

The Board has included a provision to update (at least on an annual basis) the Water Balance and Water Quality Forecast and submit it to the Board for review. To reflect the recommendations provided by CIRNA and ECCC during the review process, the Board has clarified that the updated forecast should focus on all, as opposed to just regulated, parameters, which annual average measured concentrations are within 10% of the Maximum Authorized Monthly Mean Concentrations.^{78,79} Additionally, the mean annual concentrations for all regulated parameters in the current reporting year should be compared to those reported in the previous year, and if the respective concentrations are increased by more than 20%, a detailed technical assessment identifying specific sources of loadings and the proposed parameter forecasts should be provided to the Board for review.

In the Draft Water Licence Framework, Agnico Eagle proposed to modify the provision directing how the dikes should be breached under the Licence, including the Site-Specific Water Quality Objectives (SSWQO), such as the pit lake predictions in the *Final Environmental Impact Statement* (FEIS, 2014, Table 7.4-22, or more recent SSWQOs adopted), to the water quality objectives to be met in the re-flooded area. The Board acknowledged CIRNA's recommendation⁶⁵ not to include FEIS pit lake predictions as an acceptable gauge of water quality for breaching dikes. However, the Board notes that the modification proposed is consistent with other Type "A" Water Licences applicable to Mining Undertakings previously issued by the NWB. Therefore, the Board has included this modification in Part E, Item 18 of the Licence. The Board also supports the ECCC's comment⁸⁰ informing the Applicant that Table 7.4-22 of the FEIS (2014) did not specify Total Metals, and the NWB is requesting that Agnico Eagle supplement the information provided to date with Total Metals and include this information within future predictions.

⁷⁷ NWB Public Hearing, File No: 2AM-MEL1631, Transcript, Public Hearing, Volume 1 – March 30, 2021, pp. 68-74.

⁷⁸ CIRNA, "Meliadine Gold Mine Project (Agnico Eagle Mines Limited) Amendment of Water Licence 2AM-MEL1631, Crown-Indigenous Relations and Northern Affairs Canada, Submission to the Nunavut Water Board," dated March 17, 2021.

⁷⁹ Draft Water Licence Frameworks filed on March 30, 2021.

⁸⁰ NWB Public Hearing, File No: 2AM-MEL1631, Transcript, Public Hearing, Volume 1 – March 30, 2021, pp. 115-119.



The remainder of the revisions to the Part E, the Water Use and Management section ensure that the terms and conditions of the Amended Water Licence under this Part are consistent with the other Type “A” Water Licences applicable to Mining undertakings previously issued by the NWB.

Part F: Conditions Applying to Waste Disposal and Management

The Board has included conditions in the Amended Water Licence to ensure that the main types of waste and/or effluent generated by the Project do not negatively impact the receiving freshwater environment.

As proposed by Agnico Eagle and outlined in the Amended Water Licence, the NWB requires that all contact water from major mine infrastructure, including runoff from the open pits and seepage and runoff water from the WRSFs and ore stockpiles, be diverted and/or collected in the collection ponds. Under the existing Water Licence, the only authorized direct discharge of contact water is from the Control Pond No.1 (CP1) to Meliadine Lake, if the Effluent discharge criteria were met.

In the Application, Agnico Eagle requested to change the discharge criteria for Total Dissolved Solids (TDS) from the current limit of 1,400 mg/L to 3,500 mg/L Maximum Authorized Monthly Mean Concentration (calculated) and 5,000 mg/L Maximum Grab Sample Concentration (MGC, calculated). In the ECCC’s final submission⁸¹, ECCC recommended that the Agnico Eagle use a lower TDS MGC limit, because a lower limit would be “...*more protective of the receiving environment and in line with observed and evaluated concentrations.*” Additionally, ECCC recommended that if the proposed TDS Effluent Quality Criteria (EQC) of 5000 mg/L (calculated) MGC is accepted by the Board, then ongoing review of sub-lethal toxicity testing should be conducted under the Environmental Effects Monitoring Program and/or other routine monitoring should be done, along with monitoring of receiving environment conditions (this monitoring can be used as an indicator of the need to revisit the proposed EQC). At the Public Hearing, Agnico Eagle agreed⁸² to lower the TDS MGC to 4,500 mg/L (calculated), which partially addressed ECCC’s concerns, but left ECCC’s recommended requirement for ongoing monitoring of the receiving environment unchanged.⁸³

⁸¹ ECCC, “Environment and Climate Change Canada’s Final Written Submission to the Nunavut Water Board Respecting the Meliadine Gold Project Type A Water Lice Amendment Application,” dated March 17, 2021.

⁸² NWB Public Hearing, File No: 2AM-MEL1631, Transcript, Public Hearing, Volume 1 – March 30, 2021, p. 53.

⁸³ NWB Public Hearing, File No: 2AM-MEL1631, Transcript, Public Hearing, Volume 1 – March 30, 2021, pp. 117, 122-123.



Additionally, ECCC recommended⁸⁴ that Agnico Eagle should be required to continue monitoring and evaluating the Chloride % concentrations within the Total Dissolved Solids (TDS) in the receiving environment and in the effluent, and to develop Site Specific Water Quality Objectives for Chloride, if there are any changes in Chloride % content, as summarized in Section II. The Board requires the Applicant to take a note of ECCC's recommendation and update the Water Quality Management and Optimization Plan within 60 days from the approval of the Licence by the Minister to incorporate a discussion on the thresholds for Chloride.

Additionally, the Board notes that starting on June 1, 2021, amendments to the *Metal and Diamond Mining Effluent Regulations*, SOR/2002-222 (*MDMER*) will impose more stringent limits on several regulated parameters, such as Arsenic, Cyanide and Lead. Therefore, the Board has updated Part F, Item 3 to reflect these changes to concentrations of Lead, as an *MDMER*-regulated parameter.

In the Draft Water Licence Framework, Agnico Eagle proposed to remove the specifications of the Acute Lethality test, indicating that this test is defined in Schedule A of the *MDMER*. Both CIRNA and ECCC expressed their disagreement with the proposed change suggesting that a reference to the tests to be used should be included either explicitly or by reference to acute toxicity tests prescribed under the *MDMER* for Rainbow Trout (*Oncorhynchus mykiss*) and *Daphnia magna*.⁸⁵ Taking into account this request from CIRNA and ECCC, the Board has not amended the reference to the Acute Lethality test within Part F, Item 4. This Licence term does not have a specific reference to the *Daphnia magna* test, because this test was not required under the *MDMER* at the time of issuance of the Licence. However, the Board notes that this condition refers to all future tests that will be required under the *MDMER*.

In the KIA's final submission⁸⁶, the KIA recommended that the NWB should include a provision prohibiting the Licensee from discharging Effluent into Meliadine Lake, unless there was insufficient capacity in the water pipelines discharging effluent into the marine environment (that are currently being assessed by the Nunavut Impact Review Board) as well as insufficient storage capacity in the Collection Ponds and *Containment Ponds*. As discussed under the discussion of amendments to the Scope of the Licence in [Part A: Scope, Definitions and Enforcement](#) of this Decision, water pipelines discharging into the marine environment are not a part of this Application and for the reasons stated in the Board's review

⁸⁴ NWB Public Hearing, File No: 2AM-MEL1631, Transcript, Public Hearing, Volume 1 – March 30, 2021, p. 120.

⁸⁵ NWB Public Hearing, File No: 2AM-MEL1631, Transcript, Public Hearing, Volume 1 – March 30, 2021, pp. 115-119.

⁸⁶ Kivalliq Inuit Association, "Final Written Submission, Application For Amendment to Type A Water Licence 2AM-MEL1631 for the Meliadine Gold Project", prepared by Hutchinson Environmental Sciences Ltd. and GeoVector Management Inc., dated March 17, 2021.



of the Scope of the Amended Water Licence, the Board did not include the KIA's recommended terms and conditions into the Amended Water Licence.

The Board considered CIRNA's request⁸⁷ to include additional provisions for operation of the Tailings Storage Facility (TSF) and has included a condition requiring the Licensee to re-evaluate management and operation of the TSF, if tailings chemistry becomes different from expected (e.g. PAG instead of non-PAG).

Under this Part, the Board has also included a requirement to operate the Treatment Plants in accordance with the following previously approved Operation and Maintenance Manuals:

- *"Operation and Maintenance Manual, Freshwater Treatment Plant Upgrade"*, dated June 2020;
- *"Operation & Maintenance Manual (OMM), Sewage Treatment Plant Upgrade"*, dated July 17, 2020;
- *"Operation and Maintenance Manual, Effluent Water Treatment Plant (EWTP)"*, dated January 2021;
- *"Operation & Maintenance Manual, Saline Water Treatment Plan"*, dated July 2018;
- *"PALL Agnico, Two 450 GPM Reflex CCRO units, Operation and Maintenance Manual"*, dated April 10, 2018; and
- *"Operation and Maintenance Manual, Saline Effluent Treatment Plant (SETP) Upgrade"*, dated June 2020.

The remainder of the revisions to the Part F: Waste Disposal and Management ensure that the terms and conditions in this Part of the Amended Water Licence are consistent with other Type "A" Water Licences applicable to Mining Undertakings previously issued by the NWB.

Part G: Conditions Applying to Modification

There were no substantive revisions to Part G, with all terms and conditions of the previous Water Licence being carried over with minor edits and updates.

⁸⁷ CIRNA, "Meliadine Gold Mine Project (Agnico Eagle Mines Limited) Amendment of Water Licence 2AM-MEL1631, Crown-Indigenous Relations and Northern Affairs Canada, Submission to the Nunavut Water Board," dated March 17, 2021.



Part H: Conditions Applying to Emergency Response and Spill Contingency Planning

The development and implementation of measures to respond to spills and other emergencies are fundamental to ensuring that any potential unpredicted adverse effects on the environment from Project activities are prevented and/or minimized. Accordingly, the Applicant submitted the *Spill Contingency Plan*, dated December 2019, and the *Risk Management and Emergency Response Plan*, dated April 2015, as part of the Application. These Plans identify potential emergencies that could arise while carrying out the undertaking and provide a procedural framework for responding to those emergencies.

As requested by the Interveners during the Public Hearing, and as required under Part B, Item 14, these Plans should be updated at least 6 months prior to initiating the discharge of contact water through any means other than included under part F, Item 3 of the Licence (i.e. if the water pipelines for discharging effluent to the marine environment are approved to proceed and Agnico Eagle chooses to discharge contact water via the water pipelines).

Additionally, the Board has updated the Emergency phone number of the Inspector, which should be included in all future updated Plans under this Part.

Part I: Conditions Applying to General and Aquatic Effects Monitoring

As previously noted, s. 73 of the *NWNSRTA*⁸⁸ requires the NWB to set conditions at least as stringent as conditions prescribed by regulations pursuant to ss. 36(5) of the *Fisheries Act*. Furthermore, for the purpose of ensuring compliance with the Water Licence or regulations, an Inspector designated by the Minister may inspect or examine works, waters or waste and exercise other powers according to the *NWNSRTA*⁸⁹. For the purpose of monitoring, the NWB may include conditions in the licence regarding monitoring programs to be undertaken.⁹⁰

The following monitoring plans were included as part of Application:

- Aquatic Effects Monitoring Program (AEMP) Design Plan, Version 1, June 2016;
- Blast Monitoring Program, Version 3, March 2021;

⁸⁸ Section 73 of the *NWNSRTA* states:

Where the Board issues a licence in respect of any waters to which regulations made under subsection 36(5) of the Fisheries Act apply, any conditions in the licence relating to the deposit of waste in those waters shall be at least as stringent as the conditions prescribed by those regulations.

⁸⁹ See ss. 85-94 of the *NWNSRTA*.

⁹⁰ See s. 70(1)(c) of the *NWNSRTA*.



- Bulk Fuel Storage Facility: Environmental Performance Monitoring Plan, Version 1, August 2019;
- Environmental Management and Protection Plan (EMPP), Version 9, March 2019;
- Monitoring Plan for the Phase 1 All- Weather Access Road between Rankin Inlet and the Meliadine site”, dated January 2012;
- Quality Assurance and Quality Control Plan, Version 3, March 2019 (accepted);
- Water Quality and Flow Monitoring Plan, Version 2, March 2020; and
- Water Quality Management and Optimization Plan, Revision 4a, November 13, 2020.

In this Part of the Amended Water Licence, the NWB directs the Applicant to undertake the updated Monitoring Program described in Schedule I of the Amended Water Licence and to measure and record monthly quantities of water used from various sources and of waste produced. In addition, the Board included conditions requiring the Applicant to undertake geotechnical inspections of facilities and infrastructure designed and constructed to withhold, divert or retain waters in accordance with set intervals as well as adherence to the *Canadian Dam Association Safety Guidelines* for relevant infrastructure/facilities.

In the Draft Water Licence Framework, Agnico Eagle proposed to remove the condition pertaining to implementation of the Aquatic Effects Monitoring Program justifying this change by noting that it duplicates the obligations to implement this Plan under Part B of the Water Licence. CIRNA expressed their disagreement with the proposed change suggesting to keep this condition under Part I as well.⁹¹ Additionally, the Board notes that as per the conditions included into the Emergency Amendment, dated April 29, 2020, the Aquatic Effects Monitoring Program (AEMP) Design Plan had to be updated within the 2020 Annual Report. In correspondence,⁹² dated March 26, 2021, Agnico Eagle suggested that “*it would be more efficient and advantageous to submit the revised AEMP Design Plan after the Cycle 2 EEM Study Design and the 2020 AEMP Report have been reviewed by Parties and feedback from community consultations in Rankin has been gathered.*” Considering all this information, the Board has kept the condition under this Part of the Licence and has included a requirement for submission of the updated Plan for approval within the 2021 Annual Report.

⁹¹ CIRNA, “Meliadine Gold Mine Project (Agnico Eagle Mines Limited) Amendment of Water Licence 2AM-MEL1631, Crown-Indigenous Relations and Northern Affairs Canada, Submission to the Nunavut Water Board,” dated March 17, 2021.

⁹² S. Savoie (AEM) to R. Dwyer and others (NWB), E-mail, RE: Meliadine AEMP Design Plan, dated March 26, 2021.



Additionally, in the Draft Water Licence Framework, Agnico Eagle proposed to remove the condition pertaining to implementation of the *Monitoring Plan for the Phase 1 All- Weather Access Road (AWAR) between Rankin Inlet and the Meliadine site*, which CIRNA disagreed with,⁷⁷ suggesting that this Plan should remain in the list of conditions under this Part as it discusses necessary monitoring along the AWAR. The Board notes that this Plan was brought forward from the expired Type “B” Licence No: 2BW-MEL1215, which governed the construction and operation of the AWAR before the Type “A” Water Licence was approved. Consequently, the Board notes that updates to the Plan are likely required, including items such as contact information and references to the Licence, at a minimum. The Board has kept this Plan in Part I of the Amended Water Licence and has included a requirement to update the Plan within 60 days of approval of the Amended Water Licence by the Minister.

As a requirement under Part I, Item 12 of the existing Water Licence, Agnico Eagle was required to prepare and submit to the NWB the following two plans for environmental and performance monitoring:

- one upon construction of the Mine Site Fuel Storage and Containment Facility, and
- upon construction of the Itivia Site Fuel Storage Facility.

The Board notes that, to date, only the Environmental Performance Plan for the Bulk Fuel Storage Facility has been submitted to the NWB. The Board also notes that the Oil Pollution Emergency Plan for the Itivia Fuel Farm was provided to the NWB. While this Plan includes an attachment entitled “*Product Transfer Area Assessment*,” prepared for Environment Canada in 2019, it does not address all requirements of Part I, Item 12 of the existing Water Licence. Therefore, the Board requires, under Part I, Item 11 of the Amended Water Licence, that Agnico Eagle implements the already submitted plans and submit to the Board the Environmental Performance Plan for the Itivia Site Fuel Farm.

Additionally, the Board considered KIA’s recommendation⁹³ to require that Agnico Eagle conduct a detailed geotechnical investigation to characterize the overburden in the vicinity of Collection Pond No.2 (CP2) to determine depth to bedrock. The Board has determined that the KIA’s request is reasonable and has included a new term and condition in this Part of the Licence requesting Agnico Eagle to conduct such geotechnical investigation at least 60 days prior to initiating construction of CP2. In the new term and condition, the Board has clarified that during this geotechnical investigation, thermistors should be installed to assess permafrost depth, and that an assessment of a liner system should be conducted based on the results of the geotechnical investigation.

⁹³ NWB Public Hearing, File No: 2AM-MEL1631, Transcript, Public Hearing, Volume 1 – March 30, 2021, pp. 89-90.



As part of the suggestions under the Draft Water Licence Framework, Agnico Eagle proposed to remove French from the list of required languages for the monitoring station signage, explaining that “*the working languages at site are English and Inuktitut and that the change is to simplify signage*”.⁹⁴ CIRNA expressed their disagreement with this modification. The Board agrees with CIRNA’s recommendation that French continue to be one of the required languages for signage and has kept this requirement under both Part I and Part B of the Amended Water Licence. The Board emphasizes that this requirement reflects the official languages requirements in Canada and Nunavut and is consistent with the requirements across the NWB’s Type “A” Water Licences for Mining Undertakings.

Additionally, during the Public Hearing, Agnico Eagle agreed to conduct community-based monitoring to evaluate impacts to Meliadine Lake and to submit the results within the 2021 Annual Report. As read into the Public Hearing Record by Agnico Eagle, this commitment to community-based monitoring is as follows:

Agnico Eagle commits to collaborate with the Kangiqliniq Hunters & Trappers Association to develop and implement a community-based monitoring program that considers issues of concern raised by the community of Rankin Inlet, including the taste of water and the health of fish in Meliadine Lake. The results of the community-based monitoring program will be included in the Meliadine annual report, and results will be shared with the community.⁹⁵

The remainder of the revisions to the Part I with respect to Monitoring ensure that the terms and conditions of the Amended Water Licence under this Part are consistent with the other Type “A” Water Licences applicable to Mining Undertakings previously issued by the NWB.

Part J: Conditions Applying to Abandonment, Reclamation and Closure

The Board requires all Type “A” Water Licence licensees to prepare an Interim Closure and Reclamation Plan, and, eventually, a Final Closure and Reclamation Plan in accordance with the *Guidelines for the Closure and Reclamation of Advanced Mineral Exploration and Mine Sites in the NWT (2013)* (Guidelines)⁹⁶ and consistent with the *Mine Site Reclamation Policy for Nunavut, 2002* (Policy).⁹⁷

⁹⁴ Agnico Eagle, “2AM-MEL1631 Water Licence Amendment Additional Information Technical Comment Responses”, dated March 8, 2021.

⁹⁵ S. Leclair, Agnico Eagle, NWB Public Hearing, File No: 2AM-MEL1631, Transcript, Public Hearing, Volume 2 – March 31, 2021, p. 291, lines 15-25.

⁹⁶ Mackenzie Valley Land and Water Board, (Yellowknife: Mackenzie Valley Land and Water Board, 2013) *Guidelines for the Closure and Reclamation of Advanced Mineral Exploration and Mine Sites in the NWT* (2013).

⁹⁷ Minister of Indian Affairs and Northern Development, (Ottawa: Minister of Public Works and Government Services Canada, 2002) *Mine Site Reclamation Policy for Nunavut*.



As clearly outlined by the Board in the Shear Diamonds Licence Renewal Decision:

The Board's approach to reclamation reflects the four main objectives outlined in the Policy:

The Mine Site Reclamation Policy⁹⁸ for Nunavut serves four main objectives:

- 1. Ensure the impact of mining on the environment and human health and safety is minimized;*
- 2. Reduce the environmental liability that falls to government to the greatest extent possible;*
- 3. Provide industry and the public with a clear signal of the government's expectations; and*
- 4. Build positive and supportive relationships with the new regulatory authorities coming into operation in the North.⁹⁹*

With respect to the specific components of the plans, in the Amended Water Licence the Board has maintained the approach put forward in the *Guidelines* that recognizes that there are three stages in the development of a Closure and Reclamation Plan (CRP). The first stage involves the preparation of a Preliminary Closure and Reclamation Plan that is typically prepared as part of the environmental assessment of the project that demonstrates “*how the mine site is proposed to be reclaimed and describes the likely residual risks to human health and the environment*”. The second stage involves the development of one or more Interim Closure and Reclamation Plans (ICRP) through the operating life of the mine, which builds on the Preliminary CRP, and is updated to reflect significant changes to the mine plan or key milestones in terms of the mine life.

As stated in the *Guidelines*:

The general purpose of the Interim CRP is to update preceding plans according to the current mine operating plan, updated or renewed community values, or advances in mine reclamation technology. Interim Reclamation Plans provide conceptual detail on the reclamation of mine components, which will not be closed until near the end of the mining operations, and operational detail for components which are to be progressively reclaimed earlier in the mine life. The Interim CRP should include increased detail and more specific closure criteria regarding reclamation components as these become available and as those areas of the mine are developed (e.g. rock

⁹⁸ Minister of Indian Affairs and Northern Development, (Ottawa: Minister of Public Works and Government Services Canada, 2002), Mine Site Reclamation Policy for Nunavut, p. 2.

⁹⁹ Nunavut Water Board, Reasons for Decision: 2AM-JER1119 Type A – Licence Renewal at pp. 66-68.



*piles that are completed or reclamation test studies that have been conducted).*¹⁰⁰

The third stage involves the preparation of a Final CRP that should be provided and approved before a scheduled permanent closure takes place, or as soon as is practical after an unplanned closure. The general purpose of the Final CRP is to provide complete details, usually for regulatory approval, regarding the proposed reclamation activities such that they can be subsequently implemented¹⁰¹. The Licence requires the filing of a Final Closure and Reclamation Plan at least twelve (12) months prior to the closure of the mine.

In compliance with these requirements, Agnico Eagle included the *Meliadine Interim Closure and Reclamation Plan (ICRP)*, dated January 28, 2021 as part of the Amendment Application.

The ICRP will be updated throughout the phases of the Project, as new information (such as monitoring results) becomes available. The Board has included a requirement in the Amended Water Licence to update the ICRP for the Board's approval within 18 months of approval of this Licence by the Minister. In addition, the Board included a provision in Part B of the Amended Water Licence, requiring Agnico Eagle to update the ICRP within sixty days of Licence approval.

In deciding upon the amendments to this Part of the Water Licence, the Board considered the recommendations of the KIA, as set out in Section II, suggesting that all future versions of the ICRP should include 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 applicable management plans. The KIA indicated that the applicable management plans for Meliadine Gold Project that should be used to define contaminated soil management and water quality monitoring programs include the following Plans:

- Water Management Plan;
- Water Quality and Flow Monitoring Plan;
- Spill Contingency Plan;
- Landfarm Management Plan;
- Itivia Oil Handling Facility Management Plan; and
- Itivia Oil Handling Facility Oil Pollution Emergency Plan.

¹⁰⁰ Mackenzie Valley Land and Water Board, (Yellowknife: Mackenzie Valley Land and Water Board, 2013) Guidelines for the Closure and Reclamation of Advanced Mineral Exploration and Mine Sites in the NWT (2013), at p. 22.

¹⁰¹ Mackenzie Valley Land and Water Board, (Yellowknife: Mackenzie Valley Land and Water Board, 2013) Guidelines for the Closure and Reclamation of Advanced Mineral Exploration and Mine Sites in the NWT (2013), at pp. 24-26.



The Board agrees with this recommendation and has included this requirement, along with the originally required information, under Part J, Item 2 of the Amended Water Licence. The Board is of the understanding that 18 months following approval of the Amended Water Licence by the Minister should provide Agnico Eagle with sufficient time to collect all necessary data to include the additional details on the closure and post-closure soil and water quality monitoring programs. The Board also notes that all applicable management plans should be taken into account for future revisions of the ICRP.

The Board has also included a requirement that Agnico Eagle must notify the Board in writing, as soon as practically possible, and in any event, at least sixty (60) days prior to entering into a Care and Maintenance Phase. A Care and Maintenance Plan shall also be submitted to the Board within thirty (30) days of Agnico Eagle providing such a notification of intent, and the Plan shall detail the Licensee's plans for maintaining compliance with the Terms and Conditions of the Licence during Care and Maintenance.

In the Draft Water Licence Framework, Agnico Eagle proposed to remove the provision requiring Agnico Eagle to notify the Board upon achieving "Recognized Closed Mine" status. Although, both the KIA and CIRNA recommended keeping this item, the Board notes that the definition of "Recognized Closed Mine" has been removed from the *MDMER*, and therefore this status is no longer a defined stage, and has accordingly removed this term from the Amended Water Licence. The Board also notes that the existing wording of Part E, Item 20 imposes an obligation on the Licensee to provide notice of changes to the phase of the Mining undertaking, requiring that Agnico Eagle "...provide at least ninety (90) days' notice to the NWB and an Inspector prior to the start of the next phase (Closure, Post-Closure) of mine development."

The remainder of the revisions to Part J regarding Abandonment, Reclamation and Closure ensure that the terms and conditions of the Amended Water Licence under this Part are consistent with the other Type "A" Water Licences applicable to Mining Undertakings previously issued by the NWB.



Schedules A through J

The Schedules in the Amended Water Licence provide instructive detail to the conditions appearing in more general terms in the main body of the Amended Water Licence and are spelled out in this format for greater clarity and as an aid to interpretation for the Licensee. Except for Schedule A, the Schedules provide, if needed, specific requirements for plans or reports to be submitted to the Board.

If the Board subsequently determines that an item in any of the Schedules requires revision in order to better reflect the intent and objectives of the Amended Licence, the Board may at its discretion, and upon consulting and providing written notice to the Licensee and intervening parties, revise the Schedule. Unless the Board directs otherwise, such revision may not necessarily be considered as an Amendment to the Licences.

Schedule A: Scope, Definitions and Enforcement

All definitions in Schedule A were carried over from the previous Water Licence with slight modifications to keep these definitions up to date. In addition, definitions for the “2020 Discharge”, “Contact Water Treatment Plant”, “Mean Annual Concentration”, “Monthly Mean Concentration”, “Site Specific Water Quality Objectives” and “Treatment Plants” have been added to this section of the Amended Water Licence.

Schedule B: General Conditions

Schedule B outlines general and specific annual reporting requirements for the Mining undertaking. The following items were added to the Annual Reporting requirements of the Amended Water Licence, to satisfy the concerns raised by the Interveners during the Public Hearing:

- Updated Water Balance and Water Quality Forecast;
- Summary of the Adaptive Management procedures implemented to minimize the discharges into Meliadine Lake during the pre-freshet, open-water and pre-freeze periods.
- Discussions on the available storage volume for both saline and fresh water, including the volumes of water transported to Melvin Bay and the volumes of water discharged to Meliadine Lake, as well as the proposed estimated inflows for the upcoming year.
- Discussion on the behavior of the Total Dissolved Solids (TDS) concentrations in surface contact water reporting to CP1 during the reported year, and if any TDS concentration peaks are observed, identification of potential sources that might have contributed to higher loads of TDS.



Schedule C: Conditions Applying to Security

There is no Schedule for Security under the Water Licence.

Schedule D: Conditions Applying to Construction

There were no changes to Schedule D under the Water Licence.

Schedule E: Conditions Applying to Water Use and Management

There is no Schedule for Water Use and Management under the Water Licence

Schedule F: Conditions Applying to Waste Disposal and Management

There is no Schedule for Waste Disposal and Management under the Water Licence

Schedule G: Conditions Applying to Modifications

There is no Schedule for Modifications under the Water Licence

Schedule H: Conditions Applying to Emergency Response and Spill Contingency Planning

There is no Schedule for Emergency Response and Spill Contingency Planning under the Water Licence

Schedule I: Conditions Applying to General and Aquatic Effects Monitoring

This Schedule is linked to Part I of the Licence and the Conditions Applying to Monitoring. The amendments to this Schedule includes updates or changes to the monitoring requirements, taking into consideration the Licensee's requests, Intervener's recommendations, the Board's mandate and the changes to the Scope of the Undertaking.

Table 1 of this Schedule was modified to reflect the change in the Total Dissolved Solids (TDS) reporting from "measured" to "calculated" with a detailed explanation how TDS will be calculated.

Table 2 was updated to reflect the changes in the infrastructure on site. Additionally, in the Draft Water Licence Framework, Agnico Eagle proposed to add a notation to the MEL-13 (mixing zone) sampling station specifying that sampling may not occur during ice break up (June). The Board would like to emphasize that it is extremely critical to monitor the mixing zone throughout the entire discharge season (pre-freshet, open-water and pre-freeze periods) and is recommending that Agnico Eagle consider alternative monitoring approaches, such as installation of the remote monitoring stations at the edge of the mixing zone, that would enable the Licensee to continue to collect the necessary data, if limitations (i.e. ice cover on Meliadine Lake) arise while the proposed Monitoring Program is being carried out.

Schedule J: Conditions Applying to Abandonment, Reclamation and Closure

There is no Schedule for Abandonment, Reclamation and Closure under the Water Licence.



APPENDIX A – Agendas for Public Hearing and Community Session

AGENDA

APPLICATION FOR AMENDMENT TO WATER LICENCE NO: 2AM-MEL1631 MELIADINE PROJECT

PUBLIC HEARING

March 30, 2021, 8:30 a.m. – 5:00 p.m. CT, Rankin Inlet Community Hall

March 31, 2021, 8:30 a.m. – 5:00 p.m. CT, Rankin Inlet Community Hall

Teleconference Call-In Information: Phone: +1 587 328 1099; Meeting ID: 943 8901 6715

Zoom link: <https://zoom.us/j/94389016715>

1. Opening Prayer
2. Opening Remarks by the Chairperson, which shall include the purpose of the Public Hearing and the scope of matters which will be considered by the Board
3. Introduction of the Board Members and staff
4. Identification and introduction of the Parties
5. Introduction of the Elders and their role in the Public Hearing
6. Introduction and identification of the persons, associations, agencies, etc., who have not submitted interventions but who have expressed a desire to speak at the Public Hearing
7. Identification of any Motions or any objections
8. Presentation by the Applicant
9. Questioning of the Applicant by Parties respecting the Applicant's presentation
10. Questioning by the Board staff and Panel Members
11. Presentation by Interveners
12. Questioning of Interveners by Parties
13. Questioning by the Board staff and Panel Members



14. Presentation by any other persons, associations, agencies, etc. who have advised the Chairperson that they wish to speak
 15. Questioning of other persons, associations, agencies, etc. by Parties
 16. Questions by the Board staff and Panel Members
 17. Upon completion of presentations by all Parties, the Board will give the Applicant the opportunity to reply. Then all Parties will have the opportunity to make final closing statements taking into account matters raised at the Hearing
 18. Closing remarks by the Chairperson; and
 19. Closing Prayer
-



AGENDA

APPLICATION FOR AMENDMENT TO WATER LICENCE NO: 2AM-MEL1631 MELIADINE PROJECT

COMMUNITY SESSION

March 30, 2021, 6:00 p.m. – 10:00 p.m. CT, Rankin Inlet Community Hall

Teleconference Call-In Information: Phone: +1 587 328 1099; Meeting ID: 943 8901 6715

Zoom link: <https://zoom.us/j/94389016715>

1. Opening Prayer
2. Opening Remarks by the Chair
3. Introductions of the Board Members and Staff
4. Purpose and Scope of the Evening Session
5. Presentation by the Nunavut Water Board (NWB) – Type “A” water licensing process for the Application (15 minutes)
6. Questions and/or comments from community members and other participants
7. Presentation by the Applicant on the Application before the Board for the Amendment to Type “A” Water Licence 2AM-MEL1631 (20 Minutes)
8. Question and/or comments from community members and other participants
9. Presentation from each intervening party pertaining to its mandate and role(s) in the water licensing process as well as an overview of their findings during their technical review (15 Minutes/Intervener).
10. Questions and/or comments from community members and other participants
11. Closing Remarks
12. Closing Prayer



APPENDIX B – Exhibit List

Exhibit	Exhibit Description (copies of all Exhibits available from links in the Transcript)	Date	From
1	Electronic Copy PowerPoint Presentation Meliadine Project Water Licence Amendment March 30-31, 2021 (English/Inuktitut)	March 30, 2021	Agnico Eagle Mines Limited
2	Electronic Copy Technical Memo, Re: Assessment of Water Storage in Tiriganiaq II Open Pit, Meliadine Mine, Canada, dated March 28, 2021 (English)	March 30, 2021	Agnico Eagle Mines Limited
3	Electronic Copy Reformatted Slide 38 From Agnico Eagle's Presentation (English)	March 30, 2021	Agnico Eagle Mines Limited
4	Electronic Copy PowerPoint Presentation Meliadine Gold Project Water Licence Amendment Application, Amendment To Type A Water Licence 2AM-MEL1631, Final Public Hearing (English/Inuktitut)	March 30, 2021	Kivalliq Inuit Association
5	Electronic Copy Letter from L. Manzo (KIA) to S. Autut (NWB), RE: Agnico Eagle Mines Ltd's Meliadine Gold Mine – Type A Water Licence Application Amendment 2AM-MEL1631, dated March 26, 2021 and filed on March 30, 2021 (English)	March 30, 2021	Kivalliq Inuit Association



Exhibit	Exhibit Description (copies of all Exhibits available from links in the Transcript)	Date	From
6	Electronic Copy PowerPoint Presentation Water Licence Amendment Application for Agnico Eagle Mines Ltd.'s Meliadine Project, Water Licence No. 2AM-MEL1631 Nunavut Water Board Public Hearing Rankin Inlet, Nunavut March 30-31, 2021 (English/Inuktitut)	March 30, 2021	Crown- Indigenous Relations and Northern Affairs Canada
7	Electronic Copy PowerPoint Presentation Environment and Climate Change Canada's Presentation to the Nunavut Water Board Respecting the Meliadine Gold Project Type A Water Licence Amendment Application by Agnico Eagle Mines Ltd., 2AM-MEL1631 – Nunavut Water Board Public Hearing March 30-31, 2021 (English/Inuktitut)	March 30, 2021	Environment and Climate Change Canada
8	Electronic Copy Agnico Eagle Mines Draft Water Licence Framework, dated March 26, 2021 (English)	March 30, 2021	Agnico Eagle Mines Limited
9	Electronic Copy Community Session PowerPoint Presentation Meliadine Project Water Licence Amendment March 30, 2021 (English/Inuktitut)	March 30, 2021	Agnico Eagle Mines Limited
10	Electronic Copy CV of John Faithful (English)	March 31, 2021	Agnico Eagle Mines Limited



Exhibit	Exhibit Description (copies of all Exhibits available from links in the Transcript)	Date	From
11	Electronic Copy CV of Bill Horne <i>(English)</i>	March 31, 2021	Agnico Eagle Mines Limited
12	Electronic Copy CV of Gary Lawrence <i>(English)</i>	March 31, 2021	Agnico Eagle Mines Limited
13	Electronic Copy Commitments List and Status Update from Agnico Eagle Mines as of March 30, 2021 <i>(English)</i>	March 31, 2021	Agnico Eagle Mines Limited
14	Electronic Copy KIA Comments on Agnico Eagle's Draft Water Licence Framework Dated March 26, 2021 <i>(English)</i>	March 31, 2021	Kivalliq Inuit Association
15	Electronic Copy CV of Richard Nesbitt <i>(English)</i>	March 31, 2021	Kivalliq Inuit Association
16	Electronic Copy CV of Alan Sexton <i>(English)</i>	March 31, 2021	Kivalliq Inuit Association



APPENDIX D – List of Submissions and Correspondence

Application:

1. Cover letter and initial submission of water licence amendment for Agnico Eagle Mines Meliadine Water Licence 2AM-MEL1631 **August 27, 2020**.

Submissions & Correspondence:

2. Cover Letter to Karén Kharatyan, Nunvaut Water Board (NWB), RE: Application for Amendment to 2AM-MEL1631, from Jamie Quensel, Agnico Eagle Mines Limited (Agnico Eagle), dated **August 27, 2020**.
3. Submitted **August 27, 2020** by Agnico Eagle Appendix A – Water Balance and Water Quality Forecast.
4. Submitted **August 27, 2020** by Agnico Eagle Appendix B – Water Quality Management and Optimization Plan.
5. Submitted **August 27, 2020** by Agnico Eagle Appendix C – Water Management Plan.
6. Submitted **August 27, 2020** by Agnico Eagle Appendix D – Mine Waste Management Plan.
7. Submitted **August 27, 2020** by Agnico Eagle Appendix E – Prefeasibility Level Design WRSF3 & Water Management Infrastructure.
8. Submitted **August 27, 2020** by Agnico Eagle Appendix F – Road Drawings.
9. Submitted **August 27, 2020** by Agnico Eagle Appendix G – Security.
10. Submitted **August 27, 2020** by Agnico Eagle Appendix H – Impact Assessment of the Diversion of Site Runoff to Melvin Bay on the Flow and Water Level Regimes of Meliadine Lake.
11. Submitted **August 27, 2020** by Agnico Eagle Appendix I – Supplement Information Guideline (SIG).
12. Submitted **August 27, 2020** by Agnico Eagle Appendix J – NPC Conformity Determinations.
13. Submitted **August 27, 2020** by Agnico Eagle Water Licence Amendment Application.
14. Letter to Jennifer Range, Golder Associates Ltd. (Consultant to Agnico Eagle), RE: Acknowledgement and Receipt of Application Fee for Amendment Water Licence Application – Agnico Eagle’s Meliadine Mine, from Richard Dwyer, NWB, dated **August 27, 2020**.
15. Letter to Jamie Quensel, Agnico Eagle, RE: Water Licence No: 2AM-MEL1631; Amendment Application by Agnico Eagle Mines Limited; Meliadine Project, from Richard Dwyer, NWB, dated **August 28, 2020**.



16. E-mail Cover to Jamie Quensel, Agnico Eagle, Meliadine Distribution List, RE: Water Licence No: 2AM-MEL1631; Amendment Application by Agnico Eagle Mines Limited; Meliadine Project, from Richard Dwyer, NWB, dated **August 28, 2020**.
17. Letter to Richard Dwyer, NWB, RE: RE: Information request and extension request for 2AM-MEL1631, from Chris Kanaan, public commenter, dated **September 9, 2020**.
18. Cover E-mail to Richard Dwyer, NWB, RE: Water Licence No: 2AM-MEL1631; Amendment Application by Agnico Eagle Mines Limited; Meliadine Project, from Ashley Aupaluktuq-Burton, KIA, dated **September 14, 2020**.
19. Cover E-mail to Jamie Quensel Agnico Eagle, Meliadine Distribution List, RE: Water Licence No: 2AM-MEL1631; Amendment Application by Agnico Eagle Mines Limited; Meliadine Project, from Richard Dwyer, NWB, dated **September 15, 2020**.
20. Cover E-mail to Chris Kanaan, public commenter, RE: Water Licence No: 2AM-MEL1631; Amendment Application by Agnico Eagle Mines Limited; Meliadine Project., from Sergey Kuflevskiy, NWB, dated **September 22, 2020**.
21. Letter to Richard Dwyer, NWB, RE: Crown-Indigenous Relations and Northern Affairs Canada Comments on Water Licence 2AM-MEL1631 Amendment Application Completeness and Information Requests, from David Zhong, CIRNA, dated **September 22, 2020**.
22. Letter to Richard Dwyer, NWB, RE: 2AM-MEL1631 Agnico Eagle Mines Ltd. – Meliadine Water Licence Amendment Application, from Margaret Fairbairn, ECCC, dated **September 22, 2020**.
23. Submitted by **September 22, 2020** by KIA COMPLETENESS REVIEW OF APPLICATION FOR AMENDMENT TO TYPE A WATER LICENCE 2AM-MEL1631 FOR THE MELIADINE GOLD PROJECT.
24. Letter to Jamie Quensel, Agnico Eagle, RE: Water Licence No: 2AM-MEL1631; Amendment Application by Agnico Eagle Mines Limited; Meliadine Project, from Sergey Kuflevskiy, NWB, dated **September 23, 2020**.
25. E-mail Cover to Jamie Quensel, Agnico Eagle, Meliadine Distribution List, RE: Water Licence No: 2AM-MEL1631; Amendment Application by Agnico Eagle Mines Limited; Meliadine Project, from Richard Dwyer, NWB, dated **September 23, 2020**.
26. Letter to Richard Dwyer, NWB, RE: Agnico Eagle Responses to Information requests for Amendment Application for 2AM-MEL1631 Meliadine Project, from Jamie Quensel, Agnico Eagle, dated **September 30, 2020**.
27. Submitted **September 30, 2020** by Agnico Eagle 2AM-MEL1631 Water Licence Amendment Information Request Responses.
28. Cover E-mail to Jamie Quensel, Agnico Eagle, Meliadine e-mail distribution list, RE: Water Licence No: 2AM-MEL1631; Amendment Application by Agnico Eagle Mines Limited; Meliadine Project, from Richard Dwyer, NWB, dated **October 1, 2020**.
29. Cover E-mail to Richard Dwyer, NWB, RE: Water Licence No: 2AM-MEL1631; Amendment Application by Agnico Eagle Mines Limited; Meliadine Project, from Godwin Okonkwo, CIRNA, dated **October 2, 2020**.



30. Letter to Richard Dwyer, NWB, RE: 2AM-MEL1631 Agnico Eagle Mines Ltd. – Meliadine Water Licence Amendment Application, from Margaret Fairbairn, ECCC, dated **October 2, 2020**.
31. Letter to Richard Dwyer, NWB, RE: Agnico Eagle Mines Ltd 2AM-MEL1631 Water License Amendment Application; Meliadine Project, from Luis Manzo, KIA, dated **October 5, 2020**.
32. Letter to Jamie Quensel, Agnico Eagle, RE: Application for Amendment to the Type “A” Water Licence No: 2AM-MEL1631; Meliadine Project; Agnico Eagle Mines Limited, from Stephanie Autut, NWB, dated **October 7, 2020**.
33. Cover E-mail to Jamie Quensel, Agnico Eagle, Meliadine Distribution List, RE: Meliadine Mine Amendment Application for Agnico Eagle Water Licence 2AM-MEL1631, from Richard Dwyer, NWB, dated **October 7, 2020**.
34. Letter to Richard Dwyer, NWB, RE: 2AM-MEL1631 Agnico Eagle Mines Ltd. - Meliadine Water Licence Amendment Application, from Margaret Fairbairn, ECCC, dated **November 6, 2020**.
35. Submitted **November 6, 2020** by KIA, TECHNICAL REVIEW OF APPLICATION FOR AMENDMENT TO TYPE A WATER LICENCE 2AM-MEL1631 FOR THE MELIADINE GOLD PROJECT.
36. Letter to Richard Dwyer, NWB, RE: Crown-Indigenous Relations and Northern Affairs Canada Technical Review of Agnico Eagle Mines (Agnico Eagle) Application to Amend Type “A” Water Licence No: 2AM-MEL1631 for the Meliadine Project in Nunavut, from Godwin Okonkwo, CIRNA, dated **November 8, 2020**.
37. Submitted **November 9, 2020** by KIA, Inuktitut Executive Summary TECHNICAL REVIEW OF APPLICATION FOR AMENDMENT TO TYPE A WATER LICENCE 2AM-MEL1631 FOR THE MELIADINE GOLD PROJECT.
38. Letter to Stephanie Autut, NWB, RE: Agnico Eagle Mines Limited Responses to Technical Comments for Amendment Application for Type “A” Water Licence No.: 2AM-MEL1631, Meliadine Project, from Jamie Quensel, Agnico Eagle, dated **November 13, 2020**.
39. Cover E-mail to Jamie Quensel, Michel Groleau, Agnico Eagle, Meliadine E-mail Distribution List, RE: Meliadine Mine Amendment Application for Agnico Eagle Water Licence 2AM-MEL1631, from Richard Dwyer, NWB dated **November 13, 2020**.
40. Letter to Jamie Quensel, Agnico Eagle, RE: Application for Amendment of Type ‘A’ Water Licence No: 2AM-MEL1631; Agnico Eagle Mines Limited; Meliadine Project, from Richard Dwyer, NWB, dated **November 13, 2020**.
41. Cover E-mail to Jamie Quensel, Michel Groleau, Agnico Eagle, Meliadine E-mail Distribution List, RE: Meliadine Amendment - Technical Meeting/ Pre-Hearing Conference Changes, from Richard Dwyer, NWB, dated **November 13, 2020**.
42. Submitted **November 13, 2020** by Agnico Eagle, 2AM-MEL1631 Water Licence Amendment Technical Comment Responses.



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66. Prepared **November 30, 2020**, by NWB, RE: TECHNICAL MEETING MELIADINE MINE, AGNICO EAGLE NOVEMBER 30, 2020 Registration Form.
67. Submitted **November 30, 2020** by Agnico Eagle, MELIADINE PROJECT WATER LICENCE AMENDMENT NOVEMBER 30, 2020.
68. Cover E-mail to Sergey Kuflevskiy, NWB, RE: Fwd: Diamond Mine Legal info, from Christine Kowbel, Agnico Eagle, dated **December 1, 2020**.
69. Submitted **December 2, 2020** by Agnico Eagle, MELIADINE PROJECT WATER LICENCE AMENDMENT NOVEMBER 30, 2020.
70. Submitted **December 2, 2020** by Agnico Eagle, TECHNICAL MEETING MELIADINE MINE, AGNICO EAGLE NOVEMBER 30, 2020 Registration Form.
71. Letter to Richard Dwyer, NWB, RE: Agnico Eagle Mines (Agnico Eagle) Application to Amend Type "A" Water Licence No: 2AM-MEL1631 Technical Meeting Follow-up Questions from Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC), from David Zhong, CIRNA, dated **December 4, 2020**.
72. Submitted **December 8, 2020** by Agnico Eagle, MELIADINE LAKE EFFLUENT – SUMMARY OF RATIONALE FOR EFFLUENT QUALITY CRITERION – MAXIMUM GRAB CONCENTRATION.
73. Prepared **December 10, 2020** by NWB, List of Commitments Resulting from the Technical Meeting held on November 30, 2020 for Amendment Application to the Water Licence No: 2AM-MEL1631.
74. Letter to Jamie Quensel, Agnico Eagle, RE: Follow up Guidance - Application for Amendment to the Type "A" Water Licence No: 2AM-MEL1631; Meliadine Project; Agnico Eagle Mines Limited, from Richard Dwyer, NWB, dated **December 10, 2020**.
75. Prepared **December 10, 2020** by NWB, LIST OF ISSUES TECHNICAL MEETING TYPE "A" WATER LICENCE AMENDMENT APPLICATION LICENCE NO: 2AM-MEL1631, MELIADINE PROJECT.
76. Submitted **December 11, 2020** by Agnico Eagle, 2AM-MEL1631 Water Licence Amendment Technical Meeting Commitment 13.
77. Letter to Karén Kharatyan, NWB, RE: Conference Tentatively Scheduled for January 19, 2021, Request that Nunavut Water Board Issue Notice of Public Hearing on Amendment Application before December 31, 2020, from Jamie Quensel, Agnico Eagle, dated **December 16, 2020**.
78. Submitted **December 17, 2020** by Agnico Eagle, Meliadine Water Licence Amendment Consultation and Engagement Report.
79. Submitted **December 17, 2020** by Agnico Eagle, Agnico Eagle Draft in prep for submission as of December 17, 2020 NUNAVUT WATER BOARD AMENDED WATER LICENCE NO: 2AM-MEL1631.
80. Submitted **January 7, 2021**, by Agnico Eagle, MELIADINE PROJECT WATER LICENCE AMENDMENT JANUARY 19, 2020.



for Type “A” Water Licence No: 2AM-MEL1631; Meliadine Project; Agnico Eagle Mines Limited, from Stephanie Autut, NWB, dated **January 22, 2021**.

103. Letter to Richard Dwyer, NWB, RE: 2AM-MEL1631 Agnico Eagle Mines Ltd. - Meliadine Water Licence Amendment Application, from Margaret Fairbairn, ECCC, dated **January 29, 2021**.
104. Cover E-mail to Meliadine E-mail Distribution List, RE: Meliadine Project amendment application to water licence 2AM-MEL1631 ECCC response to Commitment #16, from Richard Dwyer, NWB, dated **January 29, 2021**.
105. Submitted **January 29, 2021**, by Agnico Eagle Meliadine – ICRP Update 2020 – Financial Security Cost Estimate Methodology and Assumptions (Internal version).
106. Submitted **January 29, 2021**, by Agnico Eagle Groundwater Management Plan JANUARY 2021 VERSION 6.
107. Prepared **January 29, 2021** by NWB List of Commitments Resulting from the Technical Meeting held on November 30, 2020 for Amendment Application to the Water Licence No: 2AM-MEL1631 As of January 29, 2021, 12 out of 21 commitments have been completed and submitted to the Nunavut Water Board and interested parties.
108. Cover E-mail to Jenyfer Mosquera, Michel Groleau, Agnico Eagle, RE: Meliadine Mine Application for Amendment to the Type “A” Agnico Eagle Mines Limited Water Licence No: 2AM-MEL1631, from Richard Dwyer, NWB, dated **February 1, 2021**.
109. Submitted **February 1, 2021** by Agnico Eagle Meliadine Interim Closure and Reclamation Plan - Update 2020.
110. Submitted **February 23, 2021**, by Agnico Eagle, Community Session Covid Questionnaires.
111. Submitted **February 23, 2021**, by Agnico Eagle, Community Session Registration Form.
112. Prepared **February 26, 2021**, by NWB, Pre-Hearing Conference Decision Regarding an Application for Amendment to the existing Type “A” Water Licence No: 2AM-MEL1631.
113. Cover E-mail to Meliadine E-mail Distribution List, RE: Meliadine Mine Pre-Hearing Conference Decision of Agnico Eagle's Application for Amendment to the existing Type “A” Water Licence No: 2AM-MEL1631, from Richard Dwyer, NWB, dated **February 26, 2021**.
114. Letter to Richard Dwyer, NWB, RE: Meliadine Project, Agnico Eagle Amendment Application for Water Licence 2AM-MEL1631: Crown-Indigenous Relations and Northern Affairs Canada comments on additional information provided by Agnico Eagle as per the Commitments List following the Pre-public Hearing Conference, from David Zhong, CIRNA, dated **March 1, 2021**.
115. Cover E-mail to Richard Dwyer, NWB, RE: Meliadine Project, Agnico Eagle amendment application for water licence 2AM-MEL1631, Notice of Public Hearing, from Victoria Shore, ECCC, dated **March 1, 2021**.



116. Submitted **March 1, 2021**, by KIA, Assessment of Material Provided by Agnico Eagle's in Response to NWB Commitments.
117. Cover E-mail to Richard Dwyer, NWB, RE: 2AM-MEL1631 CIRNAC comments on Draft Water Licence Framework to be submitted with final written statement, from Sarah Forte, CIRNA, dated **March 3, 2021**.
118. Cover E-mail to Richard Dwyer, NWB, RE: Meliadine Mine Pre-Hearing Conference Decision of Agnico Eagle's Application for Amendment to the existing Type "A" Water Licence No: 2AM-MEL1631, from Ashley Apualuktuq-Burton, KIA dated **March 5, 2021**.
119. Cover E-mail to Meliadine E-mail Distribution List, RE: Meliadine Mine Pre-Hearing Conference Decision of Agnico Eagle's Application for Amendment to the existing Type "A" Water Licence No: 2AM-MEL1631, from Richard Dwyer, NWB, dated **March 8 2021**.
120. Submitted March 8, 2021, by Agnico Eagle, 2AM-MEL1631 Water Licence Amendment Additional Information Technical Comment Responses.
121. Cover E-mail to Meliadine E-mail Distribution List, RE: Meliadine Mine Pre-Hearing Conference Decision of Agnico Eagle's Application for Amendment to the existing Type "A" Water Licence No: 2AM-MEL1631, from Richard Dwyer, NWB, dated **March 9, 2021**.
122. Cover E-mail to Richard Dwyer, NWB, RE: Meliadine Mine Pre-Hearing Conference Decision of Agnico Eagle's Application for Amendment to the existing Type "A" Water Licence No: 2AM-MEL1631, from Jamie Quensel, Agnico Eagle, dated **March 9, 2021**.
123. Cover E-mail to Meliadine E-mail Distribution List, RE: Meliadine Mine Pre-Hearing Conference Decision of Agnico Eagle's Application for Amendment to the existing Type "A" Water Licence No: 2AM-MEL1631, from Richard Dwyer, dated **March 9, 2021**.
124. Submitted **March 17, 2021** by CIRNA Meliadine Gold Mine Project (Agnico Eagle Mines Limited) Amendment of water licence 2AM-MEL1631 Crown-Indigenous Relations and Northern Affairs Canada Submission to the Nunavut Water Board March 17, 2021.
125. Submitted **March 17, 2021** by ECCC, ENVIRONMENT AND CLIMATE CHANGE CANADA'S FINAL WRITTEN SUBMISSION TO THE NUNAVUT WATER BOARD RESPECTING THE MELIADINE GOLD PROJECT TYPE A WATER LICENCE AMENDMENT APPLICATION MARCH 17, 2021.
126. Submitted **March 17, 2021** by KIA FINAL WRITTEN SUBMISSION APPLICATION FOR AMENDMENT TO TYPE A WATER LICENCE 2AM-MEL1631 FOR THE MELIADINE GOLD PROJECT.
127. Submitted **March 17, 2021** by CIRNA Water Licence Amendment Application for Agnico Eagle Mines Ltd.'s Meliadine Project, Water Licence No. 2AM-MEL1631 Nunavut Water Board Public Hearing Rankin Inlet, Nunavut, March 30-31, 2021



128. Submitted **March 17, 2021**, by KIA ᑕᓯᖅᐱᐳᐣᐥᐤ ᐭ ᐱᐸᐢᐲᐳᐣᐥᐤ ᐃᒪᖅᓴᐤ ᐸᐃኡᔨᐦᐩ ᐼᖁᐰᐦᐳᐣᐥᐤᐤ ᐵᔨᓯᐻᐅᐢ, Meliadine Gold Project Water Licence Amendment Application, Amendment To Type A Water Licence 2AM-MEL1631 Final Public Hearing.
129. Submitted **March 17, 2021**, by KIA (Inuktitut Summary) FINAL WRITTEN SUBMISSION APPLICATION FOR AMENDMENT TO TYPE A WATER LICENCE 2AM-MEL1631 FOR THE MELIADINE GOLD PROJECT.
130. Letter to Karen Kharatyan, NWB, RE: Agnico Eagle Response to Comments by the Interveners on Final Written Statements, from Jamie Quensel, Agnico Eagle, dated **March 22, 2021**.
131. Prepared **March 23, 2021**, by NWB Nunavut Water Board (NWB) Community Session Presentation Regarding an Application for Amendment to Type “A” Water Licence 2AM – MEL1631 Meliadine Project.
132. Submitted **March 25, 2021** by Agnico Eagle, MELIADINE PROJECT WATER LICENCEAMENDMENT MARCH 30-31, 2021.
133. Submitted **March 25, 2021** by ECCC, Environment and Climate Change Canada’s Presentation to the Nunavut Water Board Respecting the Meliadine Project Type A Water Licence Amendment Application by Agnico Eagle Mines Ltd.
134. Submitted **March 25, 2021**, by KIA ᑕᓯᖅᐱᐳᐣᐥᐤ ᐭ ᐱᐸᐢᐲᐳᐣᐥᐤ ᐃᒪᖅᓴᐤ ᐸᐃኡᔨᐦᐩ ᐼᖁᐰᐦᐳᐣᐥᐤᐤ ᐵᔨᓯᐻᐅᐢ, Meliadine Gold Project Water Licence Amendment Application, Amendment To Type A Water Licence 2AM-MEL1631 ᐼᖁᐰᐦᐳᐣᐥᐤᐤ ᐃᒪᖅᓴᐤ ᐸᐃኡᔨᐦᐩ ᐊᑐᐃᐬᐛᑕᐷᐣᐥᐤ ᐱᐦᐤ ᐸᐃኡᔨᐦᐤᐤ ᐃኡᐅᐢᖄ MEL1631 Final Public Hearing ᐹᙶᐤᐸᐣᐸᐣᐤ ᐃᐆᐃᐤ ᑲᐢᒪᐢᑕᐅᐢᐸᐣᐤᐤᐤ.
135. Letter to Jamie Quensel, Agnico Eagle, RE: Application for Amendment to the Type “A” Water Licence No: 2AM-MEL1631; Meliadine Project; Agnico Eagle Mines Limited; Public Hearing Agenda, from Richard Dwyer, NWB, dated **March 25, 2021**.
136. Submitted **March 29, 2021** by ECCC (Inuktitut Executive Summary) ᓯᏍᐸᐸᐣᐤᐢᐤ ᐊᐃᐊᐣᐤᐮᐤᐤ
137. Submitted **March 30, 2021** by CIRNA (Inuktitut Executive Summary) ᐊᐃᐸᐦᐳᐣᐥᐤᐤᐤ ᐱᐸᐢᐲᐳᐣᐥᐤᐤᐤ
138. Submitted **March 30, 2021** by CIRNA Water Licence Amendment Application for Agnico Eagle Mines Ltd.’s Meliadine Project, Water Licence No. 2AM-MEL1631 Nunavut Water Board Public Hearing Rankin Inlet, Nunavut, March 30-31, 2021, ᐃᐦᐅᐤᐤ ᐸᐃኡᖄᑕ ᐳᐦᐳᐣᐥᐤᐤᐤᐤᐤ ᐵᔨᓯᐻᐅᐤ ᐅᏈᖄ ᐳᐤᐭ ᐃᐤᐽᐤ ᑕᓯᖅᐱᐳᐣᐥᐤ ᐅኡᐻᐣᑕᐢᐳᐣᐥᐤᐤᐤ, ᐃᐦᐅᐤᐤ ᐸᐃኡᖄ ᐃኡᐅᐢᖄ 2AM-MEL1631 ᐆᐊᏉ ᐃᒪᐸᐢᐤᐤ ᑲᐢᒪᐤᖅᐦᑕ ᐃᐆᐃᐤ ᐵኡᐢᐣᓯᐤᖄ ᑲᖅᐦᐸᐣᐥᐤ, ᐆᐊᏉ ᐱᐸᐣ 30-31, 2021
139. Submitted **March 30, 2021** by Agnico Eagle, Assessment of Water Storage in Tiriganiaq II Open Pit, Meliadine Mine, Canada.



140. Prepared **March 30, 2021** by NWB List of Commitments as of March 30, 2021 for the Amendment Application to the Water Licence No: 2AM-MEL1631.
141. Prepared **March 30, 2021** by NWB Public Hearing Registration Sheet Community Session.
142. Prepared **March 30, 2021** by NWB Public Hearing Registration Sheet Day One.
143. Prepared **March 30, 2021** by NWB **Exhibit 1** Hard Copy and Electronic Copy of the PowerPoint Presentation By Agnico Eagle Mines in English and in Inuktitut.
144. Prepared **March 30, 2021** by NWB **Exhibit 2** Hard Copy and Electronic Copy of Technical Memo From Bill Horne of Tetra Tech to Michel Groleau of Agnico Eagle, Dated March 28, 2021.
145. Prepared **March 30, 2021** by NWB **Exhibit 3** Hard Copy of Reformatted Slide 38 From Agnico Eagle's Presentation.
146. Prepared **March 30, 2021** by NWB **Exhibit 4** Hard Copy and Electronic Copy of the PowerPoint Presentation By Kivalluq Inuit Association.
147. Prepared **March 30, 2021** by NWB **Exhibit 5** Letter from the Kivalliq Inuit Association dated March 26, 2021.
148. Prepared **March 30, 2021** by NWB **Exhibit 6** Hard Copy and Electronic Copy of the PowerPoint Presentation By Crown-Indigenous Relations and Northern Affairs in English and in Inuktitut.
149. Prepared **March 30, 2021** by NWB **Exhibit 7** Hard Copy and Electronic Copy of the PowerPoint Presentation By Agnico Eagle Mines in English and in Inuktitut.
150. Prepared **March 30, 2021** by NWB **Exhibit 8** Agnico Eagle Mines Draft Water Licence Framework Dated March 26, 2021.
151. Prepared **March 30, 2021** by NWB **Exhibit 9** Electronic Copy of the Community Session PowerPoint Presentation By Agnico Eagle Mines in English and in Inuktitut.
152. Submitted **March 30, 2021** by Agnico Eagle John Faithful, Bill Horne, Gary Lawrence, Resumes.
153. Submitted **March 30, 2021** by Agnico Eagle Agnico Eagle Draft in prep for submission as of March 26, 20210 NUNAVUT WATER BOARD AMENDED WATER LICENCE NO: 2AM-MEL1631.
154. Submitted **March 30, 2021** by Agnico Eagle (Slide 38 Reformatted) HEALTH OF MELIADINE LAKE – CURRENT MONITORING.
155. Submitted **March 31, 2021** by Agnico Eagle List of Commitments as of March 31, 2021 for the Amendment Application to the Water Licence No: 2AM-MEL1631.
156. Prepared **March 31, 2021** by NWB Public Hearing Registration Sheet Day Two.
157. Submitted **March 31, 2021** by KIA Agnico Eagle Draft in prep for submission as of December 17 March 26, 20210 NUNAVUT WATER BOARD AMENDED WATER LICENCE NO: 2AM-MEL1631.



158. Prepared **March 31, 2021** by NWB **Exhibit 10** CV of John Faithful.
159. Prepared **March 31, 2021** by NWB **Exhibit 11** CV of Bill Horne.
160. Prepared **March 31, 2021** by NWB **Exhibit 12** CV of Gary Lawrence.
161. Prepared **March 31, 2021** by NWB **Exhibit 13** Commitments List and Status Update from Agnico Eagle Mines as of March 30, 2021.
162. Prepared **March 31, 2021** by NWB **Exhibit 14** KIA Comments on Agnico Eagle's Draft Water Licence Framework Dated March 26, 2021.
163. Prepared **March 31, 2021** by NWB **Exhibit 15** CV of Richard Nesbitt.
164. Prepared **March 31, 2021** by NWB **Exhibit 16** CV of Alan Sexton.
165. Submitted **April 26, 2021** by Dicta Court Reporting Inc. on behalf of the NWB, ·NUNAVUT WATER BOARD, Agnico Eagle Mines Limited, Type "A" Water Licence Number 2AM-MEL1631, Amendment Application, ·**PUBLIC HEARING VOLUME 1**, · Rankin Inlet, Nunavut, March 30, 2021.
166. Submitted **April 26, 2021** by Dicta Court Reporting Inc. on behalf of the NWB, ·NUNAVUT WATER BOARD, Agnico Eagle Mines Limited, Type "A" Water Licence Number 2AM-MEL1631, Amendment Application, ·**PUBLIC HEARING VOLUME 2**, · Rankin Inlet, Nunavut, March 31, 2021.



APPENDIX E – Sign-in Sheets – List of Participants in the Public Hearing

PUBLIC HEARING RANKIN INLET
MARCH 30, 2021
Meliadine Public Hearing **DAY ONE**

No.	First Name	Last Name	Organization/ Address	Phone	Fax	E-mail
1.	Jen	Rangl	Agnico			jrangel@golder.com
2.	Matt	Gillman	Agnico			matt.gillman@agnicoeagle.com
3.	Gary	Lawrence	Golder	778 231 6567		glawrence@golder.com
4.	Suzanne	Leclair	AEM	819 355 9472		Suzanne.leclair@agnicoeagle.com
5.	Colleen	Prather	Agnico			colleen.prather@agnicoeagle.com
6.	Michel	Godeau	Agnico	418-670-6570		michel.godeau@agnicoeagle.com
7.	JAMIE	QUESNEL	AGNICO	819 850 0891		JAMIE.QUESNEL@AGNICOEAGLE.COM
8.	LARRY	Syrot	Agnico	1 402 551 466		LARRY.Syrot@agnicoeagle.com
9.	Dale	Dale	NTI	645-5425		dale@thungait.com
10.	MANZO	Luis	KIA	222 24416		dielquid3@Kivalliqinuit.ca
11.	Dewar	Spencer	CIRNAC	222 8452		Spencer.Dewar@canada.ca
12.	Kritterlik	Susie	Agnico	867 896 9877		skritterlik1@gmail.com
13.	Mercer	Raymond	NTI	367 645421		rmccr@Tungavik.com
14.	A. Burton	Ashley	KIA	807 645 5730		aburton@Kivalliqinuit.ca
15.	Harry	Niakrok	KIA	" "		
16.	Thomas	Angishadluk	-	867 688 7645		thomasangishadluk@hotmail.ca
17.	Christine	Wilson	CIRNAC	2-6482		Christine.Wilson3@canada.ca
18.	TOM	SAMMURIK	✓	5-44568		SAKAAT@hotmail.com
19.	Sergey	Kufletskiy	NWB	867 360 6369		Sergey.Kufletskiy@nwb.ca
20.	SYLVIA	EKEUK	NWB	867 360 6369		
21.	RICHARD	DWYER	NWB	— " —		
22.	MOHAMMAD ALI	SHAIKH	NWB	— " —		
23.	KAREN	KHARATYAN	NWB	— " —		
24.	STEPHANIE	AUTUT	NWB	— " —		
25.	TERESA	MEADOWS	NWB	— " —		
26.	WILFRED	BAGLEY	NWB	— " —		
27.	LOOTIE	TOOMASIE	NWB	— " —		
28.	SAKIASIE	SANDLOAPIK	NWB	— " —		
29.	ROSS	MRAZEK	NWB	— " —		
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PUBLIC HEARING RANKIN INLET
MARCH 30, 2021
Meliadine Public Hearing DAY ONE

No.	First Name	Last Name	Organization/ Address	Phone	Fax	E-mail
63.	MARTIN	PLANTE	AEM	819-856-1873		martin.plante@agnico.ca
64.	Joni	FATHALL	GOLDER	403-880-4399		joni.fathall@golder.com
65.	Gill	Tulogah	KIA	867-645-6632		jtulogah@kdp-elli.org.ca
66.	Sarah	Forte	CIRNAC	975-3876		Sarah.Forte@canada.ca
67.	David	Kuukuk	NTI	222-8853		dkuukuk@turnagain.com
68.	DAVID	Krittentlik	AGNICO	645-7859		dkrittentlik@agnico.ca
69.	Paul	Wingard	NTI	222-3815		pwingard@turnagain.com
70.	ROSEMARY	Kusudak	AGNICO	645-6960		rkusudak@agnico.ca
71.	Cheryl	Tachak	Public	645-7457		ctachak@turnagain.com
72.						
73.	Johnny	Ayameq	Interpreter	645-7527		jayameq@turnagain.com
74.						
75.	Jackie	NAKOOKAK		226-1264		jnakookak@turnagain.com
76.	Lisa	Ooloojute				looloojute@turnagain.com
77.						
78.	Sakiasie	Soodloogak	Panguituk	867-473		ssoodloogak@turnagain.com
79.	Gabe	Korli	GN	645-724475		gkorli@turnagain.com
80.	ANDREW	AKRODIL	HTO	645-2350		akrodil@turnagain.com
81.	KONO	Tattuineq	KIA	645-5725		ktattuineq@turnagain.com
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Zoom

PUBLIC HEARING RANKIN INLET
MARCH 30, 2021
Meliadine Public Hearing **DAY ONE**

No.	First Name	Last Name	Organization/ Address	Phone	Fax	E-mail
32.	Carl	Charest	AEM			
33.	Gabriel	Karliik	EDNT / GN			
34.	Jennifer	King	KIA League			
35.	Richard	Nesbitt	HESL / KIA			
36.	Melissa	Bradley	AEM			
37.	Robert	Konnelley	GN			
38.	Cadey	Pavaddis	AEM			
39.	Andrew	Amendola	Golden for AEM			
40.	Anne	Wilson	ECCE			
41.	Bill	Korne	Tetra tech for AEM			
42.	Chris	Choke	Kirk for AEM			
43.	Gabriel Antoin	Cote	AEM			
44.	Garry	Mann	Azimuth for AEM			
45.	Gerd	Watzke	CIRNA / ARCADIS			
46.	Jennifer	Sabourin	ECCE			
47.	Jason	Wallace	Christine			
48.	Jennifer	King				
49.	Jennifer	Masquera	AEM			
50.	Laurence	Pocline	Tactconcell for AEM			
51.	Philippe	Lapointe	AEM			
52.	Robert	Connolly	GN			
53.	Steve	Borbsok	Baffinland			
54.	Victoria	Shore	ECCE			
55.	David	Zhong	CIRNA			
56.	Aurelian	Hospital	Tetra tech for AEM			
57.						
58.						



PUBLIC HEARING RANKIN INLET

MARCH 30, 2021

Meliadine Public Hearing **COMMUNITY SESSION**

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PUBLIC HEARING RANKIN INLET

MARCH 30, 2021

Meliadine Public Hearing COMMUNITY SESSION

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88.	KAREN	KHARATYAN	NWB			
89.	STERHAMIE	AUTUT	NWB			
90.	TERESA	MEADOWS	NWB			
91.	WILFRED	BAGLEY	NWB			
92.	LOOTIE	TOOMASIE	NWB			
93.	SAKIASIE	SOWDLOAPAK	NWB			
94.	ROSS	MRAZEK	NWB			
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Zoom Participants

PUBLIC HEARING RANKIN INLET
MARCH 30, 2021
Meliadine Public Hearing COMMUNITY SESSION

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33.	Andrea	Amendola	Golden for AEM			
34.	Anne	Wilson	ECCC			
35.	Aurelien	Hospital	Tetra Tech / AEM			
36.	Bill	Horne	Tetra Tech / AEM			
37.	Carl	Charest	AEM			
38.	Chris	Kanan				
39.	Chris	Chok	Kirk for AEM			
40.	Eva	Falk Pedersen				
41.	Frederic	Langvin	AEM			
42.	Gabriel Antoine	Cote	AEM			
43.	Gabriel	Karlík	EDNT / GN			
44.	Garry	Mann	Azimuth for AEM			
45.	Jennifer	King	KIA Legal			
46.	Krystal	Maynard	AEM			
47.	Laurence	Pacalín	AEM / Tactconseil			
48.	Richard	Nesbitt	HESI for KIA			
49.	Steve	Borchok	Baffinland			
50.	Victoria	Shore	ECCC			
51.	David	Zhong	CIRNA			
52.	Melissa	Bradley	AEM			
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PUBLIC HEARING RANKIN INLET

MARCH 30, 2021

March 31, 2021

Meliadine Public Hearing DAY TWO

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13.	RICHARD	DWYER	"			
14.	MOHAMMAD ALI	SHAIKH	"			
15.	SERGEY	KUFLEVSKY	"			
16.	KAREN	KHARATYAN	"			
17.	STEPHANIE	AUTUT	"			
18.	TERESA	MEADOWS	"			
19.	WILFRED	BAGLEY	"			
20.	Lootier	LOOMIS	"			
21.	Sask					
22.	Sakiasie	Sandlooper	"			
23.	Koss	KAZAK	"			
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PUBLIC HEARING RANKIN INLET
MARCH 30, 2021
Meliadine Public Hearing **DAY TWO**

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81.	Tommy	Skura	NTI	2450		
82.						
83.	Xavier	Cadioux	AEM/Tactocoreil			
84.	Casey	Paradis	AEM/Tactocoreil			
85.	Andrea	Amendola	Golder for AEM			
86.	Anne	Willson	ECCE			
87.	Aurélien	Hospital	Tetra Tech / AEM			
88.	Bill	Horne	Tetra Tech / AEM			
89.	Carl	Charest	AEM			
90.	Chris	Chok	Kirk for AEM			
91.	Frederic	Langevin	AEM			
92.	Garry	Mahn	Azimuth for AEM			
93.	Gerd	Wietzke	ARCADIS for CIRNA			
94.	Jason	Wallace				
95.	Jennifer	King	KIA Legal			
96.	Krystal	Mayrand	AEM			

zoom participants



PUBLIC HEARING RANKIN INLET
MARCH 31 2021
Meliadine Public Hearing DAY TWO

Zoom Participants

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98.	Philippe	Lapointe	AEM			
99.	Richard	Abbott	HESLI KIA			
100.	Robert	Connelly	GN/ADNT			
101.	Rosie	Smith				
102.	Steve	Boisjoly	Baffinland			
103.	Victoria	Shore	ECOC			
104.	David	Zhong	CIRNA			
105.	Gabriel Antoine	Cote	AEM			
106.	Jenyfer	Mosquera	AEM			
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