



KIA Lands Department
Proposed T&C

Nunavut Impact Review Board
Exhibit: 23
Date Filed: June 17, 2021

To: Nunavut Impact Review Board

**CC: Agnico Eagle Mines Limited
Crown Indigenous Relations and Northern Affairs Canada
Environment and Climate Change Canada
Nunavut Tunngavik Inc.
Government of Nunavut
Kivalliq Wildlife Board**

DATE: June 17, 2021

ISSUE: Proposed Terms and Conditions and Commitments for NIRB File No.: 11MN034

Recommendation to the NIRB

The Project Certificate should confirm that the total daily volumes of water the Board permits the Proponent to transport via the dual waterlines and discharge to Melvin Bay will be used to manage both saline effluent and surface contact water in accordance with the Adaptive Management Plan, which sets out the guiding principles, normal operating conditions, and the adaptive thresholds for management of water for the waterlines, and that will be consistent with the NIRB decision and revised Project Certificate as approved by the Minister.

Agnico Eagle has reviewed and accepted these recommendations, and has confirmed its commitment to minimize or eliminate surface contact water discharges to Meliadine Lake.

KIA confirms that the aquatic issues noted in their final written submissions and presentation to NIRB during the public hearing are resolved by the following recommendations, and on the basis that Agnico Eagle and KIA agree that the scope of the Project before the NIRB in this application allows for a maximum discharge of 20,000 m³/day via the dual waterlines, managed in accordance with the Adaptive Management Plan.

T&C1

The total daily volumes of water the Board permits the Proponent to discharge via the dual waterlines into Melvin Bay shall be managed in accordance with the Adaptive Management Plan. The Adaptive Management Plan sets out the guiding principles, normal operating conditions, and the adaptive thresholds for management of water for the waterlines and any other matters as directed by the Board.



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The Proponent shall minimize or eliminate surface contact water discharges to Meliadine Lake by discharging on-site surface contact water in accordance with the Adaptive Management Plan.

T&C2

The Proponent will update the Adaptive Management Plan for NIRB review and acceptance within six months of receiving the amended Project Certificate. The Proponent will also submit the updated Adaptive Management Plan to the Nunavut Water Board. The updated plan shall include the following:

- Page 7 Guiding Principle 1, “Water discharges to Meliadine Lake will be minimized”, will be updated to include the following sub bullet:
 - The Proponent will provide supporting documentation in the annual reports to both the NIRB and NWB indicating compliance with this commitment.
- Page 9 bullet 2 will be updated as follows:
 - Under the “Normal” Adaptive Management Levels, while the dual waterlines are operational, the capacity is 6,000 m³/day to 12,000 m³/day of saline water with the remainder (8,000 m³/day to 14,000 m³/day) comprised of surface contact water for a total capacity of 20,000 m³/day.
- Add new bullets to Page 9 as follows:
 - Before or within 24 hours of any change between “Normal”, “Caution” and “At Risk” Adaptive Management Level, the Proponent will notify CIRNAC inspectors and the KIA in writing of the change.
 - Under the “At Risk” Adaptive Management Level, the dual waterline’s total capacity of 20,000 m³/day will be comprised of saline water and/or surface contact water with specific volumes to be determined by the Proponent, consistent with the NIRB decision and revised Project Certificate as approved by the Minister.
 - Under the “Caution” Adaptive Management Level, the capacity is 6,000 m³/day to 12,000 m³/day of saline water with the remainder (8,000 m³/day to 14,000 m³/day) comprised of surface contact water for a total capacity of 20,000 m³/day. This applies from when the dual waterlines become operational each year until July 30. After July 30 until the end of the operating season, under the “Caution” Adaptive Management Level, the capacity is 6,000 m³/day to 16,000 m³/day of saline water with the remainder (4,000 m³/day to 14,000 m³/day) comprised of surface contact water for a total capacity of 20,000 m³/day.
 - When one line is shut down under the “Caution” Adaptive Management Level, the dual waterlines’ reduced total capacity of 10,000 m³/day will be comprised of saline water and/or surface contact water with specific volumes to be determined by the Proponent, consistent with the NIRB decision and revised Project Certificate as approved by the Minister.
 - The AMP applies to the project as described in Water Licence 2AM-MEL1631, amended in 2020-2021. Future Amendments to Water Licence 2AM-MEL1631 or application for new Water Licences for the Meliadine Gold Project to allow for mining of additional deposits will require a review and a possible revision of the AMP to ensure the Proponent



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continues to minimize or eliminate discharges of surface contact water to Meliadine Lake by discharging surface contact water through the waterlines.

- Add new superscript to “Saline Pond” on Page 12, Table 1 as follows:
 - Saline Pond Storage Capacity is defined under Table 2 of the Groundwater Management Plan Version 6 dated January 2021 as Saline Pond 1, Saline Pond 2, Saline Pond 4 and Tiriganiaq Pit 2 and as revised from time to time.
- Section 2.1.2 Volume will be updated as follows to include the following understanding:
 - Volumes of surface contact water discharged to Melvin Bay via the waterlines will be limited by compliance with the Metal and Diamond Mining Effluent Regulations (MDMER) requirement that effluent should not be acutely toxic to aquatic life as determined through acute toxicity testing.

Reporting Requirements:

- Agnico Eagle will provide supporting documentation in the annual reports to both the NIRB and NWB indicating compliance with its commitment to minimize surface contact water discharges to Meliadine Lake, including documentation indicating the full capacity of the dual waterlines available for surface contact water and total amounts of saline effluent and surface contact water discharged for the reporting period.
- Agnico will update the AMP in accordance with all other commitments made during the review of the FEIS Addendum.