



Crown-Indigenous Relations
and Northern Affairs Canada

Relations Couronne-Autochtones
et Affaires du Nord Canada

CIRNAC Comments to NIRB Re: Agnico Eagle Mines Limited's Meadowbank Complex Project 2023 Annual Report



Canada

Nunavut Regional Office
918 Sivumugiaq Street
Iqaluit, Nunavut, X0A 3H0

Your file - Votre référence
03MN107 and 16MN056
Our file - Notre référence
GCdocs# 126387872

June 27, 2024

Leah Klaassen
Impact Assessment Officer
Nunavut Impact Review Board
29 Mitik Street, P.O. Box 1360
Cambridge Bay, Nunavut, X0B 0C0
via email at info@nirb.ca

Re: Comment Request for Agnico Eagle Mines Limited's Meadowbank Complex Project 2023 Annual Report

Dear Leah Klaassen,

On April 29, 2024, the Nunavut Impact Review Board (NIRB) requested parties to review and provide comments on Agnico Eagle Mines (AEM) Limited's Meadowbank Complex Project 2023 Annual Report for effects and compliance monitoring, pursuant to Section 12.7.3 of the *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty The Queen in Right of Canada* (Nunavut Agreement), s. 135(4) of the *Nunavut Planning and Project Assessment Act*, S.C. 2013, c. 14 (NuPPAA), the amended Meadowbank Gold Mine Project Certificate No. 004, and the amended Whale Tail Pit Project Certificate No. 008.

Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) reviewed the 2023 Annual Report and related documents for effects and compliance monitoring, according to its mandated responsibilities and jurisdiction, and has provided comments for NIRB's consideration.

CIRNAC appreciates the opportunity to review AEM's Meadowbank Complex Project 2023 Annual Report and looks forward to working with the NIRB and AEM through any future reviews for these projects. Should you have any questions, please do not hesitate to contact John MacInnis or David Abernethy by email at john.macinnis@rcaanc-cirnac.gc.ca or david.abernethy@rcaanc-cirnac.gc.ca.

Sincerely,


Richard Bingley
A/ Manager, Impact Assessment



1. Effects Monitoring

CIRNAC reviewed the 2023 Annual Report to assess measurable effects to valued components under its mandate against the potential effects that were predicted from the proposed development of the Meadowbank Gold Mine and Whale Tail Pit Projects, taking into account their respective Final Environmental Impact Statements (FEIS), previous years' monitoring reports, and the requirements included in the Project Certificates (as amended). This assessment considered the following:

- a. Whether the conclusions reached by AEM in the 2023 Annual Report are valid; and**
- b. Any areas of significance requiring further supporting information or any changes to the monitoring program which may be required.**

CIRNAC did not identify information under its mandate and jurisdiction that would invalidate the conclusions reached by AEM in the 2023 Annual Report, but has identified information that warrants further clarification. CIRNAC has provided the NIRB and AEM with the following comments for consideration.

Comment Number:	CIRNAC #1
Subject:	Closure Planning
References:	<ul style="list-style-type: none">2023 Annual Report: Section 9NIRB Project Certificate No. 004, Amendment No. 003: Term & Condition 78, 79, and 80NIRB Project Certificate No. 008, Amendment No. 001: Term & Condition 7 and 13
Background/Rationale:	<p>Section 9 of the 2023 Annual Report provides high-level discussion related to the closure planning and implementation processes. For example, the section describes the state of the closure planning process, ongoing studies, information gaps, and progressive reclamation. While CIRNAC appreciates receiving this information, the Department has a wide range of questions and comments regarding the closure planning process for the Meadowbank and Whale Tail sites, including issues related to:</p> <ul style="list-style-type: none">Freeze-back and capping thickness;Progressive reclamation;Results of thermistor measurements for tailings and waste rock storage facilities (WRSF);Meadowbank water treatment requirements;Meadowbank WRSF seepage quality;Meadowbank post-closure in-pit water quality;Meadowbank in-pit tailings covers;Thermal performance of Meadowbank WRSF covers; andWhale Tail Project post-closure water quality. <p>These questions and comments have been submitted in prior annual report reviews conducted by CIRNAC and are pending resolution, as summarized in Table A. While these questions and comments could be deferred until the</p>



Comment Number:	CIRNAC #1
	submission of formal closure planning documents (e.g., periodic, updated Interim Closure and Reclamation Plans (ICRPs) and security estimates), CIRNAC is of the view that a more active dialogue on closure planning is required. This is particularly important for the Meadowbank and Whale Tail Projects, considering that active closure is currently scheduled to begin by 2026. Taking into consideration that relatively limited time remains before the implementation of closure, additional and regular dialogue between AEM, regulators, and interested parties would be beneficial. This would also help facilitate reaching technically sound closure and reclamation decisions in a timely manner.
Recommendation:	CIRNAC recommends that AEM convene an annual workshop with regulators and interested parties to discuss the status of closure planning for the Meadowbank and Whale Tail Mines. The overall goal of the workshop is to ensure that all organizations, including AEM, are fully informed of closure requirements and to proactively identify key issues that need to be resolved on a priority basis. This process will also facilitate the timely design, approval, and implementation of an appropriate closure strategy for the sites.

Comment Number:	CIRNAC #2
Subject:	Water Quality Prediction Methods
References:	<ul style="list-style-type: none"> • 2023 Annual Report Appendix 13: Meadowbank Water Management Plan (Version 12) • 2023 Annual Report Appendix 14: Whale Tail Water Management Plan (Version 12) • CIRNAC Technical Review Comments on the 2022 Annual Report to NIRB • AEM Responses to 2022 Annual Report Review Comments • CIRNAC Technical Review Comments on the Whale Tail Pit Project Expansion Environmental Assessment (Technical Review Comment #3)
Background/Rationale:	<p>CIRNAC provided a number of recommendations related to the water quality predictions for the Meadowbank and Whale Tail Projects in its review of the 2022 Annual Report. The specific request was as follows:</p> <p><i>“...CIRNAC recommends that AEM, on a priority basis, revisit the water quality modelling assumptions and approaches used for both Meadowbank and Whale Tail to ensure all future project decisions (particularly closure) are informed by sufficiently accurate predictions. At minimum, factors to consider when revisiting the assumptions and approaches should include:</i></p> <ol style="list-style-type: none"> <i>1. using monthly (or smaller) time steps for all model inputs instead of the current one-year time step;</i> <i>2. performing hydrodynamic modelling of receivers instead of assuming fully mixed conditions;</i> <i>3. performing sensitivity analyses to accurately capture the range of</i>



Comment Number:	CIRNAC #2
	<p><i>uncertainty associated with water quality predictions; and</i></p> <p>4. <i>expanding efforts to characterize loadings from pit walls.”</i></p> <p>CIRNAC reviewed AEM’s response to the above-noted recommendations and the updated water quality predictions for the Meadowbank and Whale Tail sites, as presented in Appendices 13 and 14 of the 2023 Annual Report. Based on that review, CIRNAC concludes that the status of the recommendations are as follows:</p> <ol style="list-style-type: none"> 1. Unresolved – It is CIRNAC’s understanding that this recommendation has not been acted on, based on the Department’s review of the updated water quality predictions. 2. Unresolved – The updated water quality predictions do not include hydrodynamic modelling of water quality concentrations. Notably, the updated water quality prediction reports include statements such as: <i>“The present mass balance model cannot simulate the treated effluent plume discharged in Kangislulik Lake or Whale Tail South Lake. A hydrodynamic model is required to simulate the discharge of treated effluent in these lakes, which is beyond the scope of this study.”</i> 3. Partially resolved – The updated water quality predictions include sensitivity analyses to address the implications of dry years. The predictions do not, however, address the uncertainty within a broad range of other model inputs (e.g., contaminant source terms). 4. Partially resolved – The updated water quality predictions have incorporated the most recent monitoring data from pit sumps. However, uncertainty remains with respect to loadings from pit wall seeps. <p>For clarity, CIRNAC is of the opinion that these unresolved concerns represent substantive deficiencies in AEM’s water quality prediction methods. Collectively, there are multiple simplifying assumptions and approaches being used by AEM to predict water quality that warrant reconsideration. While CIRNAC supported using simplifying assumptions and approaches during Project approval and the initial years of operation, the Project is now at a stage that justifies the development of more refined and accurate water quality predictions. In the absence of more refined and accurate predictions, CIRNAC lacks confidence in the conclusions reached by AEM that the project will not result in significant adverse impacts in the future.</p> <p>To address the unresolved and partially resolved items noted above, the following recommendation reiterates prior requests from CIRNAC. Please refer to CIRNAC #8 in the 2022 Annual Report for additional details on the rationale for the request.</p>
Recommendation:	CIRNAC recommends that AEM revisit the water quality modelling assumptions and approaches used for both Meadowbank and Whale Tail to ensure that all future Project decisions, particularly those related to closure, are informed by sufficiently accurate predictions. At a minimum, factors to



Comment Number:	CIRNAC #2
	<p>consider when revisiting the assumptions and approaches include the following:</p> <ul style="list-style-type: none"> a) Using monthly (or smaller) time steps for all model inputs instead of the current one-year time step; b) Performing hydrodynamic modelling of receivers instead of assuming fully mixed conditions; c) Performing sensitivity analyses to accurately capture the range of uncertainty associated with water quality predictions; and d) Expanding efforts to characterize loadings from pit walls.

Comment Number:	CIRNAC #3
Subject:	Local Area Marine Mammal Monitors
References:	<ul style="list-style-type: none"> • NIRB Project Certificate No. 004, Amendment No. 003: Term & Condition 36 • NIRB Project Certificate No. 004, Amendment No. 003: Appendix A, Commitment 37 • 2023 Annual Report: Sections 11.8.1 and 11.8.2 • 2023 Annual Report Appendix 32: Meadowbank and Whale Tail 2023 Marine Mammal and Seabird Report
Background/Rationale:	<p>NIRB Project Certificate No. 004, Amendment No. 003, Term & Condition 36 states:</p> <p><i>“Cumberland shall ensure the placement of local area marine mammal monitors onboard all vessels transporting fuel or materials for the Project through Chesterfield Inlet.”</i></p> <p>Term & Condition 36 is consistent with Commitment No. 37 in Appendix A of the amended Meadowbank Gold Mine Project Certificate.</p> <p>The 2023 Annual Report does not make reference to the placement of local area marine mammal monitors onboard such vessels throughout the 2023 barge season. Sections 11.8.1 and 11.8.2 of the Annual Report communicates that there was a Marine Mammal and Seabird Observer Program in place. According to Section 11.8.2 and the 2023 Marine Mammal and Seabird Annual Report (Appendix 32), it is understood that AEM is experiencing challenges in recruiting and retaining local area marine mammal monitors. With the involvement of only one local monitor sourced from Baker Lake, AEM must rely on the crew of contracted shipping companies to perform the full scope of the observation work in the Chesterfield Inlet area, necessitated by Term & Condition 36.</p> <p>If there were no local area marine mammal monitors onboard all vessels transporting fuel or materials through Chesterfield Inlet during the Project's 2023 barge season, AEM is in non-compliance with Term & Condition 36 of the amended Meadowbank Gold Mine Project Certificate.</p>
Recommendation:	CIRNAC recommends that AEM confirm whether or not it employed local area marine mammal monitors onboard all vessels transporting fuel or materials through Chesterfield Inlet in 2023, pursuant to Term & Condition



Comment Number:	CIRNAC #3
	36. If it was not successful in doing so, a description of efforts that will be performed in 2024 to address this issue should be provided.

Comment Number:	CIRNAC #4
Subject:	Community Information Meetings in Chesterfield Inlet
References:	<ul style="list-style-type: none"> • NIRB Project Certificate No. 004, Amendment No. 003: Term & Condition 39 and 40 • NIRB Project Certificate No. 004, Amendment No. 003: Appendix A, Commitment 42 and 105 • 2023 Annual Report: Section 11.9.1
Background/Rationale:	<p>NIRB Project Certificate No. 004, Amendment No. 003, Term & Condition 39 states:</p> <p><i>“...Cumberland shall annually advertise and hold a community information meeting in Chesterfield Inlet to report on the Project and to hear from Chesterfield Inlet residents and respond to concerns. A consultation report shall be submitted to NIRB’s Monitoring Officer within one month of the meeting.”</i> This Term & Condition is consistent with Commitment No. 42 in Appendix A of the Project Certificate.</p> <p>Furthermore, pursuant to Term & Condition 40 of the Project Certificate:</p> <p><i>“Cumberland shall gather Traditional Knowledge from the local HTOs and conduct a minimum of a one-day workshop with residents of Chesterfield Inlet to more fully gather Traditional Knowledge about the marine mammals, cabins, hunting, and other local activities in the Inlet. Cumberland shall report to the Kivalliq Inuit Association and NIRB’s Monitoring Officer annually on the Traditional Knowledge gathered including any operational changes that resulted from concerns shared at the workshop.”</i></p> <p>This Term & Condition is consistent with Commitment 105 in Appendix A of the Project Certificate.</p> <p>Section 11.9.1 of the 2023 Annual Report notes that the company was unable to visit Chesterfield Inlet and meet with community members in 2023 to satisfy the requirements of Project Certificate Term & Condition 39 and 40. Attempts to visit the community were unsuccessful due to unfavorable weather and limited availability of accommodations within the community due to competing demands from the construction industry. The company committed to proactively holding a community visit in Chesterfield Inlet in early 2024 before the recommencement of local construction projects.</p>
Recommendation:	<p>CIRNAC recommends that AEM:</p> <ul style="list-style-type: none"> a) Consider alternate means of interacting with Chesterfield Inlet community representatives when it is unable to hold in-person information meetings and Traditional Knowledge workshops (e.g., video or telephone conference meetings can facilitate communication when in-person attendance is not possible or to supplement such interactions); and



Comment Number:	CIRNAC #4
	b) Provide an update on the completion status of in-person information meetings and Traditional Knowledge workshops in 2024.

Comment Number:	CIRNAC #5
Subject:	Consideration of Local Community Aesthetic Values in Reclamation Efforts
References:	<ul style="list-style-type: none"> NIRB Project Certificate No. 008, Amendment No. 001: Term & Condition 12 2023 Annual Report: Section 9.1.2.1
Background/Rationale:	<p>NIRB Project Certificate No. 008, Amendment No. 001, Term & Condition 12 states:</p> <p><i>“As part of the Closure and Reclamation Plan, the Proponent shall develop and implement a program to:</i></p> <ul style="list-style-type: none"> <i>a) Progressively reclaim disturbed areas within the project footprint, with an emphasis on restoring the natural aesthetics of the area through re-contouring to the extent practicable; and</i> <i>b) In a manner that demonstrates that the Proponent has considered the aesthetic values of local communities (e.g., information regarding the acceptability of the topography and landscape of the project areas following progressive reclamation efforts).”</i> <p>Furthermore, the reporting requirements for Term & Condition 12 state:</p> <p><i>“The Proponent shall provide a summary of its progressive reclamation efforts and associated feedback received from communities with respect to aesthetic values solicited by the Proponent as part of its public engagement processes in its annual reporting to the Nunavut Impact Review Board.”</i></p> <p>Section 9.1.2.1 of the 2023 Annual Report provides an update on AEM's compliance with Term & Condition 12. The Annual Report references the submission of an updated version of the Whale Tail Interim Closure and Reclamation Plan as part of the 2020 Annual Report. Reference is also made to the progressive placement on non-potentially acid generating aggregate material on the side slopes of the Whale Tail and IVR Waste Rock Storage Facilities. No mention is made to the collection of feedback from local communities with respect to their aesthetic values for closure planning in 2023 and how this feedback was applied to progressive reclamation efforts.</p>
Recommendation:	<p>CIRNAC recommends that AEM:</p> <ul style="list-style-type: none"> a) Inform the NIRB on its efforts to collect and consider feedback from local communities with respect to their aesthetic values for progressive reclamation efforts in 2023; and b) Provide descriptions of the collection and consideration of feedback from local communities with respect to their aesthetic values for progressive reclamation efforts in future Annual Report submissions.



Comment Number:	CIRNAC #6
Subject:	Consideration for Inuit Qaujimajatuqangit Contributed by Knowledge Holders in Terrestrial Ecosystem Management Plan Monitoring Results
References:	<ul style="list-style-type: none"> NIRB Project Certificate No. 008, Amendment No. 001: Term & Condition 28 2023 Annual Report: Section 8.18 and 8.18.2
Background/Rationale:	<p>The reporting requirements for Term & Condition 28 state:</p> <p><i>“The Proponent shall submit a revised [Terrestrial Ecosystem Management Plan] TEMP to the Nunavut Impact Review Board (NIRB) within one (1) year of issuance of the Project Certificate, with subsequent versions provided as appropriate. Results of the TEMP shall be reported to the NIRB annually, including details of how Inuit Qaujimajatuqangit contributed by knowledge holders has been considered and utilized in associated activities and updates.”</i></p> <p>Section 8.18 and 8.18.2 of the 2023 Annual Report provide updates on the status of the TEMP and the Terrestrial Advisory Group (TAG) activities. While information is provided on the management plan’s revision status and TAG meeting outcomes, no details were provided on how Inuit Qaujimajatuqangit, contributed by local knowledge holders, has been considered and utilized within TEMP activities and plan updates.</p>
Recommendation:	CIRNAC recommends that AEM provide details as to how Inuit Qaujimajatuqangit, contributed by local knowledge holders, has been considered and utilized in TEMP activities and plan updates. This would ensure compliance with the reporting requirements of Term & Condition 28 of the amended Whale Tail Project Certificate.

Comment Number:	CIRNAC #7
Subject:	Marine Shipping – Public Engagement
References:	<ul style="list-style-type: none"> NIRB Project Certificate No. 008, Amendment No. 001: Term & Condition 41 2023 Annual Report: Section 11.8.3
Background/Rationale:	<p>NIRB Project Certificate No. 008, Amendment No. 001, Term & Condition 41 states:</p> <p><i>“The Proponent shall provide notification to communities regarding scheduled ship transits throughout the regional study area, including Hudson Bay and Chesterfield Inlet.”</i></p> <p>The reporting requirement for this Term & Condition states:</p> <p><i>“The Proponent shall provide a summary of public consultation activities undertaken to address this term and condition in its annual report to the Nunavut Impact Review Board.”</i></p> <p>According to Section 11.8.3 of the 2023 Annual Report, AEM intended to visit the communities of Chesterfield Inlet, Coral Harbour, Nauyasat, Rankin</p>



Comment Number:	CIRNAC #7
Subject:	Marine Shipping – Public Engagement
	Inlet, and Baker Lake in May 2023, before the barge season. Although multiple attempts were made to reach the communities, the tour was cancelled due to unfavorable weather conditions that prevented aircraft landings. Whale Cove was the sole community where an in-person presentation was delivered.
Recommendation:	CIRNAC recommends that AEM provide details as to whether or not any other efforts were made to communicate with community representatives regarding scheduled ship transits through the regional study area, including Hudson Bay and Chesterfield Inlet in 2023.

Comment Number:	CIRNAC #8
Subject:	Socio-economic Closure Planning
References:	<ul style="list-style-type: none"> • NIRB Project Certificate No. 008, Amendment No. 001: Term & Condition 51 • 2023 Annual Report: Section 9.5 • 2020 Annual Report: Appendix 51
Background/Rationale:	<p>AEM is required to develop a conceptual Socio-economic Closure Plan and advance the recommendations contained within this plan through the development of a Final Socio-economic Closure Plan that will be part of the Whale Tail Pit Project Final Closure and Reclamation Plan, pursuant to Term & Condition 51 of the amended Whale Tail Project Certificate.</p> <p>Furthermore, the reporting requirement for Term & Condition 51 states:</p> <p><i>“The Conceptual Socio-economic Closure Plan will not be a stand-alone plan but will be included as part of the Whale Tail Pit Project Interim Closure and Reclamation Plan. The Whale Tail Pit Project Interim Closure and Reclamation Plan will be updated to include the Conceptual Socio-economic Closure Plan one year after the issuance of the amended water license and be provided to the Nunavut Water Board and Nunavut Impact Review Board.”</i></p> <p>Section 9.5 of the 2023 Annual Report summarizes AEM’s efforts to advance the recommendations presented within its Conceptual Socio-economic Closure Plan; including the development of a workforce transition plan between the Whale Tail Project and any other mines owned and operated in the Kivalliq region. No reference is made as to where the Conceptual Socio-economic Closure Plan is located on the NIRB Public Registry or confirmation that it has been integrated into the Whale Tail Pit Project Interim Closure and Reclamation Plan. Upon review of the Interim Closure and Reclamation Plan included in AEM’s 2020 Annual Report (Appendix 51), it appears that it has not yet been revised to include the Conceptual Socio-economic Closure Plan.</p>
Recommendation:	<p>CIRNAC recommends that AEM:</p> <ol style="list-style-type: none"> Provide the submission status of its Conceptual Socio-economic Closure Plan, including where it can be found on the NIRB public



Comment Number:	CIRNAC #8
Subject:	Socio-economic Closure Planning
	<p>registry; and</p> <p>b) Provide an update as to when the Whale Tail Pit Project Interim Closure and Reclamation Plan will be updated to include the Conceptual Socio-economic Closure Plan.</p>

Comment Number:	CIRNAC #9
Subject:	Cross-cultural Awareness
References:	<ul style="list-style-type: none"> • NIRB Project Certificate No. 008, Amendment No. 001: Term & Condition 59 • 2023 Annual Report: Section 11.10.3.2.3.2 • AEM's response to the NIRB's 2022-2023 Annual Monitoring Report for the Meadowbank Gold Project and Whale Tail Pit Project with Board Recommendations
Background/Rationale:	<p>NIRB Project Certificate No. 008, Amendment No. 001, Term & Condition 59 states:</p> <p><i>"The Proponent is encouraged to work with the Kivalliq Inuit Association to establish cross-cultural training initiatives, which promote respect and consideration for the importance of Inuit Qaujimajatuqangit to the Inuit identity and to make this training available to Project employees and on-site sub-contractors."</i></p> <p>CIRNAC appreciates that section 11.10.3.2.3.2 of the 2023 Annual Report notes that, in 2022, the company decided to put this form of training on hold while it was being redeveloped to better achieve its intent. This was deemed necessary to ensure its continued relevance and effectiveness for enhancing cultural awareness. It was noted that no workshops were delivered at the Meadowbank Complex in 2023, but plans were made to deliver a new cross-cultural training program in 2024. Updates on the delivery of cross-cultural training initiatives in future annual reports will be required in order to determine AEM's compliance with this Term & Condition.</p>
Recommendation:	CIRNAC requests that in 2024, AEM provide an update on its plans to deliver cross-cultural training initiatives. This update can assist CIRNAC and other interested parties in determining whether necessary actions are being taken to implement the requirements of Term & Condition 59.

Comment Number:	CIRNAC #10
Subject:	Pre-employment Orientation for Potential Hires
References:	<ul style="list-style-type: none"> • NIRB Project Certificate No. 004, Amendment No. 003: Appendix A, Commitment 102 • 2023 Annual Report: Appendix 1
Background/Rationale:	<p>Pursuant to Commitment 102 in Appendix A of the amended Meadowbank Project Certificate, AEM is:</p> <p><i>"...to include pre employment orientation for potential hires by Cumberland</i></p>



Comment Number:	CIRNAC #10
Subject:	Pre-employment Orientation for Potential Hires
	<p><i>in the Labour Force Development Plan that will be developed under the terms of the IIBA. This commitment is in recognition that it is in the interest of both potential hires and Cumberland to ensure to the extent practicable that potential hires are well informed of the implications (nature of work, workforce management, personal and family challenges etc.) of accepting employment with Cumberland".</i></p> <p>According to the commitment update in Appendix 1 of the 2023 Annual Report, this commitment has been completed and is included in Term & Condition 63 of the Amended Meadowbank Gold Mine Project Certificate. This Term and Condition concerns the formation of the Meadowbank Gold Mine Socio-Economic Monitoring Committee, which has since transformed into the Kivalliq Regional Socio-Economic Monitoring Committee and is supported by AEM's Kivalliq Socio-Economic Working Group. Upon further review of the 2023 Annual Report and the Kivalliq Projects 2023 Socio-Economic Monitoring Program Report (Appendix 47), no information can be found that provides an update on Commitment 102. It is important for potential hires to receive adequate pre-employment orientation to maximize their likelihood of succeeding in their careers with AEM.</p>
Recommendation:	CIRNAC requests that AEM provide an update on its implementation of Commitment 102 from Appendix A of the amended Meadowbank Project Certificate. This commitment concerns the provision of pre-employment orientation for potential hires as part of its Labour Force Development Plan, required under the terms of its IIBA.



Table A. Ongoing closure and reclamation comments for future closure planning processes.

CIRNAC Closure and Reclamation Comment #	Topic	CIRNAC's Prior Recommendations	AEM Response/Action	CIRNAC Assessment of Comment Status
1	Freeze-back and Capping Thickness	CIRNAC recommended that AEM include a meaningful discussion of the results from the thermal monitoring in the Annual Report. FEIS predictions should be compared with monitoring results and be clearly presented. AEM should present the updated modeling supporting their conclusions that the conceptual plans for thermal encapsulation of the Tailings Storage Facility (TSF) and the Waste Rock Storage Facility (WRSF) remain effective to prevent and control deleterious seepage over long term. Finally, if results show discrepancies from the predicted values, AEM should discuss the management actions that should be implemented to address the risk.	Agnico Eagle acknowledged CIRNAC's comment on thermal monitoring of the WRSF and will continue to report in the annual report the work and the data that are being gathered to assess the performance of the WRSF. These data will continue to be analysed to ensure they are aligned with closure predictions and the model will be revised periodically to ensure the goal of meeting closure objective. In 2020 instrumentation installation continued on both sites as per O'Kane recommendation. The data gathered at Meadowbank are aligned with the latest review of the thermal model performed in 2019. Agnico Eagle also acknowledged CIRNAC's comment on the progressive reclamation for the cover of the WRSF. Agnico Eagle will be submitting, in due time, the necessary documentation to support its claim of completion of the progressive reclamation work done on the WRSF.	AEM continues to assess the existing and predicted long-term thermal performance of mine wastes and cover systems. However, similar to 2020, 2021, and 2022, the 2023 Annual Report provides limited new information in this regard and the topic remains a work in progress.
2	Freeze-back and Capping Thickness	CIRNAC recommended that AEM provide more information on the nature and extent of research efforts, results of the research and a discussion of how the proposed cover design has been influenced by these results.	Refer to response for 1.	AEM, their consultants, and research partners continue to assess the existing and predicted long-term thermal performance of mine wastes and cover systems. However, similar to 2020, 2021, and 2022, the 2023 Annual Report provides limited new information in this regard and the topic remains a work in progress.
3	Progressive Reclamation – Mine Site	CIRNAC recommended that future updates to the ICRP include more details on progressive reclamation at Meadowbank such as areas of Tailings Storage Facility (TSF) and Waste Rock Storage Facility (WRSF) facilities covered in the prior year, total areas covered to date, along with the volumes associated with these areas.	In response to the 2019-2020 NIRB recommendations, Agnico Eagle has committed to include more details on progressive closure in the 2020 Annual Report. Relevant information related to progressive closure can be found in Section 9.1 of the 2020 Annual Report and will continue to be updated annually. Details related to work completed and schedules of	AEM's Annual Reports provide only high-level summaries of all progressive reclamation completed to date. CIRNAC continues to request that the missing information be incorporated into future ICRPs.

Table A. Ongoing closure and reclamation comments for future closure planning processes.

CIRNAC Closure and Reclamation Comment #	Topic	CIRNAC's Prior Recommendations	AEM Response/Action	CIRNAC Assessment of Comment Status
			progressive reclamation is also included in the closure schedule presented in Appendix P of the ICRP which was updated in March 2020 and provided in the 2019 Annual Report in Appendix 55. Agnico is of the opinion that the last update March 2020 version fulfills the current request. Agnico Eagle is nevertheless committed to providing more details on the progressive closure in the next iteration of the Meadowbank ICRP.	
4	Results of Thermistor Measurements for Tailings and Waste Rock Storage Facilities	CIRNAC recommended that AEM analyze the thermistor monitoring results against early thermal modelling predictions and update its Waste Rock and Tailings Management Plans if large discrepancies are observed between the monitoring results and model predictions. While the 2020 Annual Report presents a high-level summary of the topic, the document contains insufficient detail to understand the status of thermal monitoring/modelling as it relates to final closure. CIRNAC expects that the next iteration of the Meadowbank ICRP will include a comprehensive analysis of all thermal monitoring data and modelling.	Agnico Eagle is monitoring freeze back in tailings and the waste rock and will continue to do so and expand the monitoring program as required. The data gathered will continue to be analyzed and compared to the FEIS prediction as more data becomes available to ensure that the closure strategy and concept still meet the closure prediction. Agnico Eagle acknowledged CIRNAC's comment and will evaluate this recommendation during the next updated of the Meadowbank ICRP.	AEM continues to assess the existing and predicted long-term thermal performance of mine wastes and cover systems at the Meadowbank and Whale Tail sites. While the Annual Reports present a high-level summary of the topic, the document contains insufficient detail for the reader to understand the status of thermal monitoring/modelling as it relates to final closure. CIRNAC expects that the next iteration of the Meadowbank ICRP will include a comprehensive analysis of all thermal monitoring data and modelling.
5	Meadowbank Water Treatment Requirements	CIRNAC recommended that the next iteration of the Meadowbank ICRP identify and examine potential water treatment scenarios based on current and future water quality projections during the closure phase. Although final decisions are not required at this time, costs associated with implementing the most likely water treatment scenario should also be incorporated into security estimates.	Agnico Eagle acknowledged CIRNAC comments and intended to assess the requirement for treatment of the re-flooded pits within the next iteration of the ICRP.	AEM continues to assess the requirements for treatment of reclaimed water stored in the Goose and Portage pits at the Meadowbank Mine. CIRNAC notes that the strategy is limited to treatment of reclaimed water and does not address whether water in the re-flooded pits will require on-going treatment after the reclaimed water has been treated and discharged. Despite progress, this issue remains a work in progress and significant work will need to be done prior to reaching final decisions.



Table A. Ongoing closure and reclamation comments for future closure planning processes.

CIRNAC Closure and Reclamation Comment #	Topic	CIRNAC's Prior Recommendations	AEM Response/Action	CIRNAC Assessment of Comment Status
6	Meadowbank WRSF Seepage Quality	CIRNAC recommended that AEM confirm whether long-term modelling of seepage from the Meadowbank Waste Rock Storage Facilities (WRSFs) is of sufficient duration to characterize seepage after breakthrough. If not, CIRNAC recommends that AEM extend the temporal scope of its WRSF seepage modelling to ensure that potential seepage impacts after breakthrough are accurately characterized.	Long term seepage from the Meadowbank WRSF was not identified as a concern during the FEIS and was not examined. For the next iteration of the Interim Closure & Reclamation Plan, Agnico Eagle will review if this mechanism can have an impact on the closure objectives and if so, will do the necessary analysis to characterize this impact and develop mitigation measure as required. However, it must be noted that, as opposed to Whale Tail WRSF, there is no metal leaching material in the Meadowbank WRSF and the pile is expected to remain in permafrost condition which would suggest that water seeping from the Meadowbank WRSF beyond the NAG capping is unlikely and would have little bearing on the water quality objective at closure.	AEM's response does not address CIRNAC's request. They have, however, indicated that the issue will be considered during preparation of the next Meadowbank ICRP if they determine there is a potential impact on the ability of AEM to achieve its closure objectives. The response indicates that the potential for leaching from the Meadowbank WRSF is lower than for the Whale Tail WRSF due to an absence of metal leaching material and the expectation that the rock will remain frozen. On this basis, AEM concludes that water seeping from the Meadowbank WRSF beyond the NAG capping is unlikely and would have little bearing on the water quality objective at closure. Regardless, CIRNAC is of the opinion that quantitative long-term modelling of seepage from the Meadowbank WRSF is required in order to confirm AEM's assumptions.
7	Meadowbank Post-Closure In-Pit Water Quality	CIRNAC recommended that AEM: a) Conduct a modelling exercise to predict post-closure water quality in the re-flooded Goose and Portage mine pits at the Meadowbank Gold Mine site. b) Incorporate the findings of the modelling into the next iteration of the Meadowbank ICRP. c) Use the modelling results to inform the design of various other closure components, including, but not limited to, capping of the in-pit tailings and post-closure water management, water treatment facility designs, sludge generation and disposal, requirements as well expected treatment duration, all of which should be included in the next	a) Agnico Eagle acknowledged CIRNAC comments. Agnico Eagle will integrate this recommendation during the next update of the Meadowbank ICRP. b) Agnico Eagle acknowledged CIRNAC's comment. Findings of the modelling will be taken into consideration in a future update of the Meadowbank ICRP. c) Agnico Eagle acknowledged CIRNAC's comments. Agnico Eagle will integrate this recommendation during the next update of the Meadowbank ICRP.	While the topics included in the comment have yet to be resolved, AEM has committed to address CIRNAC's recommendations during future updates to the Meadowbank ICRP.



Table A. Ongoing closure and reclamation comments for future closure planning processes.

CIRNAC Closure and Reclamation Comment #	Topic	CIRNAC's Prior Recommendations	AEM Response/Action	CIRNAC Assessment of Comment Status
		iteration of the ICRP.		
8	Meadowbank In-Pit Tailings Covers	<p>CIRNAC recommended that AEM:</p> <p>a) Describe the strategy they will use to evaluate cover requirements and methods for the in-pit tailings (e.g., water covers, coarse/fine granular covers, construction/leave a submerged berm at the connection to the pit).</p> <p>b) Provide the strategy and an update on progress towards the selection of a preferred closure concept in the next update to the Meadowbank Interim Closure and Reclamation Plan (ICRP).</p> <p>CIRNAC requested that this information be provided to assist in satisfying the New Commentary of Project Certificate 004 (Amendment 003) Term and Condition 19.</p>	<p>a) Agnico Eagle will present a timeline for further study to determine the requirement of a cover and possible construction strategy during the next update of the ICRP.</p> <p>b) Agnico Eagle will present this information in the next update of the ICRP.</p>	While the topics included in the comment have yet to be resolved, AEM has committed to address CIRNAC's recommendations during future updates to the Meadowbank ICRP.
9	Thermal Performance of Meadowbank WRSF Covers	CIRNAC recommended that AEM describe the technical rationale for using different WRSF cover thicknesses at the Meadowbank Gold Mine and Whale Tail Pit sites. Any notable differences in the design assumptions for the two sites should be provided in the rationale.	Waste rock covers are designed based on project specific attributes and will naturally have variables that differentiate between sites (i.e., the active layer depth in the region is variable). The freezing mechanism is impacted by the material characteristics, such as the grain size distribution. The attributes of the cover system at Whale Tail include low annual precipitation (less than 300 mm per year); high summer evapotranspiration; coarse-texture soil availability; high spring surface runoff; and creation of low permeability ice barriers. The development of the 4.7 m cover was based on an active layer depth in the WRSF of 4.2 m during operations and closure with an additional 0.5 m for contingency. The active layer was determined by preliminary 1D steady-state numerical modelling and further confirmed by O'Kane's 2D transient	AEM has yet to address CIRNAC's specific recommendation. While the topics included in the comment have yet to be resolved, CIRNAC is of the opinion that the recommendation is best addressed through the closure and reclamation planning process.



Table A. Ongoing closure and reclamation comments for future closure planning processes.

CIRNAC Closure and Reclamation Comment #	Topic	CIRNAC's Prior Recommendations	AEM Response/Action	CIRNAC Assessment of Comment Status
			model. Both simulations considered predicted effects of climate change. Material properties for the cover system and waste rock materials were calibrated based on observed ground temperature measurements obtained from thermistors in Meadowbank's WRSFs. Numerical modelling considered the effect of slope angle, slope aspect, wind exposure on thermal conditions within the WRSF. Modelling of the WRSF cover system indicates a greater thaw depth in the WRSF than observed regional data. Thus, the thaw depth simulated by numerical modelling, rather than the less conservative regional thaw depth, was used in support of the detailed design of the Whale Tail and IVR WRSF cover system. Agnico Eagle refers CIRNAC to the Whale Tail Project – Thermal Modelling of Whale Tail and IVR WRSFs (O'Kane 2019) report which was previously issued to address CIRNAC's comments under the Whale Tail Expansion Project.	
10	Whale Tail Project Post-Closure Water Quality	<p>CIRNAC recommended that AEM address the following in the next iteration of the Whale Tail Interim Closure and Reclamation Plan (ICRP):</p> <p>a) Clearly indicate which modelling parameters have been adjusted since the last modelling run. In situations where the level of conservatism has reduced relative to FEIS predictions, appropriate justification should be provided.</p> <p>b) Future modelling results should explicitly and quantitatively report the range of predicted modelling outcomes based on AEM's assumptions regarding model prediction accuracy (i.e., +/- one order of</p>	<p>a) Agnico Eagle agreed with CIRNAC to indicate which modelling parameters were adjusted since the last modelling run and to explain situations where the level of conservatism has reduced relative to FEIS predictions.</p> <p>b) Agnico Eagle agreed with CIRNAC for the next iteration of the water quality forecast model to explicitly report the range of predicted modelling outcomes based on model prediction accuracy.</p> <p>c) Agnico Eagle acknowledged CIRNAC's recommendation for the next iteration water quality forecast model to clearly indicate the spatial extent of post-closure water quality</p>	AEM has yet to address CIRNAC's specific recommendation. While the topics included in the comment have yet to be resolved, CIRNAC is of the opinion that the recommendation is best addressed through the closure and reclamation planning process.



Table A. Ongoing closure and reclamation comments for future closure planning processes.

CIRNAC Closure and Reclamation Comment #	Topic	CIRNAC's Prior Recommendations	AEM Response/Action	CIRNAC Assessment of Comment Status
		<p>magnitude). Any required mitigations should be based on a reasonable worst-case scenario. For example, what actions would be required if post-closure arsenic concentrations in Mammoth Lake are at the upper end of the potential prediction range?</p> <p>c) Water quality predictions should clearly indicate the spatial extent of post-closure water quality exceedances within surface water receivers.</p>	exceedances within surface water receivers.	



2. Compliance Monitoring

CIRNAC has a broad mandate for the co-management of water resources and the management of Crown land in Nunavut under the following applicable acts and regulations:

- The *Department of Crown-Indigenous Relations and Northern Affairs Act*;
- The *Nunavut Land Claims Agreement Act* and the Nunavut Agreement;
- The *Arctic Waters Pollution Prevention Act and Regulations*;
- The *Nunavut Waters and Nunavut Surface Rights Tribunal Act and Regulations*; and
- The *Territorial Lands Act and Regulations*.

CIRNAC's monitoring responsibilities are fulfilled by reviewing and providing expert advice and comments to the NIRB and the Nunavut Water Board (NWB) on Annual Reports and conducting site inspections. CIRNAC Inspectors conduct site inspections to ensure project activities are compliant with terms and conditions in any water licence(s), land use authorization(s), such as land use permits and leases, and the Project Certificate. Inspectors prepare site inspection reports with observations and recommendations, and they have the authority to issue and enforce directions with a timeline for implementing corrective measures.

The NIRB requested that regulatory authorities provide comments and/or information associated with their mandates and jurisdictions with respect to the following:

- a. Provide a summary of any compliance monitoring and/or site inspections undertaken in association with the Project, including specifically:***
 - i. Identify the terms and conditions from the Project Certificate which have been incorporated into any permits, certificates, licenses or other approvals issued for the Project, where applicable, and report annually to the NIRB on the status of those incorporated terms and conditions.***

CIRNAC issued the following Crown Land Leases for AEM's Meadowbank Gold Mine and Whale Tail Pit projects, respectively:

- 66A/8-71-3 (AWAR) and 66A/8-72-6 (AWAR Quarries); and
- 66H/8-02-1 (Whale Tail Haul Road) and 66H/8-01-4 (Whale Tail Haul Road Quarries).

CIRNAC has reviewed the Type A Water Licences associated with the Meadowbank Gold Mine and Whale Tail Pit Projects with respect to Project Certificate No. 004 (Amendment No. 003) and Project Certificate No. 008 (Amendment No. 001) and has included concordance tables (Appendix A and Appendix B) that outline how Project Certificates Terms & Conditions have been incorporated in the Water Licences and Crown Land Leases.

- ii. A summary of any inspections conducted during the 2023 reporting period, and the results of these inspections;***

In 2023, the projects activities and monitoring were conducted under the following NWB Water Licences:

- Type A Water Licence [2AM-MEA1530](#) (Meadowbank Gold Mine Project); and
- Type A Water Licence [2AM-WTP1830](#) (Whale Tail Pit Project).

An overview of the inspections is presented below, and a detailed summary can be accessed using the hyperlinks above.

Inspection 1	Licence No. 2AM-MEA1530
Area(s):	Meadowbank site
Inspection Dates:	March 21 and 22, 2023
Observations:	<p>The primary focus of this inspection was snow management in and around the area of operations, and compliance with Part J of 2AM-MEA1530 (Conditions Applying to Abandonment, Reclamation, and Closure).</p> <p>The Inspector noted that signage was installed at snow dumps near the mill, and that snow around the mill is transported to the Stormwater Management Pond snow dump. Snow management concerns were not identified.</p> <p>The Inspector was informed that the incinerator has not been used to burn household waste since an exceedance event, and that the backhauling of this waste was planned for 2023. The Inspector did not identify any spill material for Spill 2023-042.</p> <p>The Inspector noted that the laydown area near the East Dike contained pieces of equipment, remnants of vehicles, unknown structures, and other assorted items. These items appeared to have no functional use.</p> <p>Information was provided to the Inspector for intended uses of infrastructure (i.e., Emulsion Plant, North Cell and South Cell Tailing Storage Facilities, Goose Pit).</p> <p>No instances of non-compliance were noted during the inspection.</p>
Result:	<p>The Inspector requested that the Licensee present a plan by July 1, 2023, for the items identified in the laydown area near the East Dike, which describes:</p> <ul style="list-style-type: none"> • An inventory of items in the area and their condition; • How the items will be used or reused, with a completion date; and • Any contingencies for the removal, dismantling, sale, or demolition of the items, with an expected completion date. <p>The Licensee later provided a response, noting that the East Dike laydown road has a large inventory of items, and some of which will be necessary to secure closure operations. Descriptions on how the items would be used were provided.</p>

Inspection 1	Licence No. 2AM-WTP1830
Area(s):	Whale Tail site
Inspection Date:	March 21, 2023
Observations:	<p>The primary focus of this inspection was snow management in and around the area of operations, compliance with Part J of 2AM-WTP1830 (Conditions Applying to Abandonment, Reclamation, and Closure), and any new construction.</p> <p>The Inspector noted that a sign was not present at the Whale Tail Landfarm stating this area is a waste disposal facility, as required under Part B, Item 10 of 2AM-WTP1830. No signage was identified at the Nemo Lake water</p>



Inspection 1	Licence No. 2AM-WTP1830
	<p>intake facilities, however, the Licensee later installed temporary signage.</p> <p>Snow management issues were not identified during the inspection.</p> <p>Unused equipment and items subject to progressive abandonment and reclamation were identified during the inspection:</p> <ul style="list-style-type: none"> • Marine shipping container structure • Incinerator building; and • Burned marine shipping container. <p>The Licensee was not aware of the current use of the marine shipping container structure, or what it was used for in the past. The incinerator building has not been used since 2018, according to the Licensee. The burned marine shipping container appears to have no apparent use.</p> <p>No instances of non-compliance were noted during the inspection.</p>
Result:	<p>The Inspector requested that the Licensee present a plan by July 1, 2023, for the unused equipment and items identified during the inspection, which describes how the items will be used or reused, and any contingencies for the removal, dismantling, sale, or demolition of the items, with an expected completion date.</p> <p>The Licensee later provided a response to clarify the use and management of the items identified during the inspection.</p>

Inspection 2	Licence No. 2AM-MEA1530
Area(s):	Meadowbank site
Inspection Date:	May 25, 2023
Observations:	<p>The Inspector made the following observations during the inspection:</p> <ul style="list-style-type: none"> • A bridge along the all-weather access road did not have proper skirting along the inside of the bridge walls to prevent sedimentation into the river/stream below it; • Sedimentation build-up was observed on all bridges; and • Water meters throughout the facilities did not show the total amount of water withdrawn.
Result:	<p>The Inspector requested that the Licensee:</p> <ul style="list-style-type: none"> • Remove sedimentation build-up on the bridges; • Build lips on the bridges that do not have them; and • Adjust the water meter display to view total amount of water withdrawn in cubic metres or litres.

Inspection 3	Project Certificate No. 004 and 008
Area(s):	Meadowbank and Whale Tail sites
Inspection Date:	November 2-8, 2023
Observations:	The focus of this inspection was to verify compliance with Term & Condition



Inspection 3	Project Certificate No. 004 and 008
	<p>No. 54 and 28 in Project Certificate No. 004 and 008, respectively, and make observations for the Terrestrial Ecosystem Management Plan (TEMP).</p> <p>The Inspector identified several concerns related to AEM's ability to observe wildlife:</p> <ul style="list-style-type: none"> • Low-grade optics can impede the identification of caribou. • Vehicle-based observations of wildlife can be impeded if windows are not cleaned. • Experience of staff in observing caribou in the field. • Observing caribou at 5 km was noted by staff as being nearly impossible, impacting compliance related to Level 2 mitigation for caribou. <p>The Inspector identified areas where the Proponent did not sufficiently demonstrate due diligence:</p> <ul style="list-style-type: none"> • Identification of individuals (and their affiliate organizations) that were consulted for decision-making on reopening roads or infrastructure. • If it is determined, through consultations, that activities may occur on a closed road where caribou are present, then the Proponent shall report this information to the Inspector and in annual reporting. • Justification shall be provided in annual reporting when vehicles travel on closed roads and in daily email distributions when the road is used beyond regular road wildlife monitoring during closure. • Helicopter transit data demonstrating minimum cruising altitudes. • Group size thresholds are not static and must be communicated to parties and regulators as they become available. <p>No instances of non-compliance were identified during the inspection.</p>
Result:	<p>The Inspector provided comments for the Terrestrial Advisory Group:</p> <ul style="list-style-type: none"> • Establishing a new protocol for decision-making among parties (i.e., Hunters and Trappers Organizations, Kivalliq Inuit Association, Government of Nunavut) for activities (e.g., opening roads, permit convoys, other activities during road closure) could simplify compliance and prevent impacts to wildlife. • Consider the Inspector's concerns related to wildlife observation. • Figure 9 of the TEMP: <ul style="list-style-type: none"> • Does not differentiate between above-ground and below-ground blasting for Whale Tail Pit; and • Current monitoring methods make it difficult to meet the identified thresholds. • Consider evaluating existing methods and threshold distances (5 km) for observing caribou. • Viewshed Surveys could be improved if observations are made outside of vehicles. • Modifications to survey methods must be clearly described in the TEMP.



iii. A summary of AEM's compliance status with regard to authorizations that have been issued for the project.

On May 26, 2023, CIRNAC issued an Order to AEM's Meadowbank Division, pursuant to Section 214 of the NuPPAA, stating there were reasonable grounds to believe that, between December 30, 2006 and December 31, 2021, AEM failed to:

- Implement caribou protection measures;
- Comply with the Terrestrial Ecological Management Plan; and
- Accurately and appropriately report activities.

After receiving information from AEM, CIRNAC determined that compliance with the Order has been achieved and is now closed. Any ongoing compliance issues shall be addressed through the Terrestrial Advisory Group. The points of compliance raised in the Order will continue to be inspected and monitored by CIRNAC Inspectors. Other items of compliance may be established into the future which apply to the Terrestrial Ecological Management Plan or the Project Certificates.

Although some issues were identified during the inspections in 2023, CIRNAC is generally satisfied with AEM's response to the concerns raised by the Inspectors. CIRNAC will continue to work with AEM to ensure compliance with all water licence requirements associated with Meadowbank Gold Mine and Whale Tail Pit Projects.

3. Status of Commitments for the Meadowbank Gold Mine Project Certificate No. 004

In Section 3.4.1 of the 2022-2023 Annual Monitoring Report for the Meadowbank Gold Mine and Whale Tail Pit Projects, the NIRB makes the following comments and request regarding commitments made by AEM for the Meadowbank Project, as documented in Appendix A of Project Certificate No. 004:

"Term and Condition 1 of Project Certificate No. 004 specifies that each commitment made in during the Final Hearing must be incorporated and met. During the 2023 Monitoring year, no comments or information were received from Parties regarding the commitment updates in Agnico Eagle's 2022 Annual Report. This gap in information results in difficulty determining whether Parties agree that commitments are fulfilled. The NIRB intends to ensure that parties agree on which commitments remain part of the active monitoring process.

The NIRB requires information from both the Proponent and Parties in order to coordinate, integrate, and ensure that the NIRB's project-specific monitoring programs yield the information required to accurately measure effects and adequately assess compliance with Terms and Conditions, Regulatory Instruments, and Agreements.

- *NIRB staff request that Agnico Eagle and Regulatory Authorities comment on the Commitments listed in Appendix A of Project Certificate No. 004 during the 2023-2024 Monitoring Process."*

Appendix 1 (Meadowbank Update on Implementation of Commitments) in the 2023 Annual Report includes a table outlining the commitments listed in Appendix A of the amended Project Certificate No. 004. It is understood that commitments completed at the onset of the Project, or during the engineering design, construction, and closure periods are excluded from the table in Appendix 1 (i.e., Nos. 1, 2, 6, 9-11, 14, 16, 17, 20, 24, 25, 27, 28, 32, 36, 39, 45, 47, 50-53, 55, 57, 58, 61-69, 75, 76, 79-88, 91-100, 113). The remaining commitments are applicable to operations, and most are listed by AEM as "completed", with only a few (5) as "ongoing". While Commitment No. 76 ("Provide a list of all personnel trained to operate the incinerator") also applies to operations, it has been excluded by AEM from the table, likely because operation of the Meadowbank incinerator ceased on November 27th, 2022, as noted in Section 6.1.1.1 of the 2023 Annual Report.



Table B outlines commitments that are applicable to the operations phase of the Project and CIRNAC's mandate. These commitments have been addressed, or are being addressed, on an ongoing basis by AEM; based on the information in the 2023 Annual Report and other documents (e.g., Water Management Plan and Annual Water Quality Forecast, Core Receiving Environment Monitoring Program, Acid Rock Drainage-Metal Leaching Management Plan, All-weather Access Road Transportation Management Plan, Incinerator Management Plan). However, CIRNAC requested that AEM provide an update on its implementation of Commitment 102 from Appendix A of the amended Meadowbank Project Certificate (see CIRNAC #10).

Section 8.5.8.1.6 of the 2023 Annual Report (Mill Seepage Meadowbank Site) discusses an issue relevant to Commitment 4, which states:

“Commit to identifying mitigation measures if groundwater contamination (tailings) has occurred during operation. Include what triggers would be used in this evaluation”.

As noted in the Annual Report, water was observed seeping through the road in front of the Assay Lab on November 4, 2013. An interception trench was completed in April-May 2014, and repairs and sealing of containment structures within the mill were completed during the summer of 2014. In November 2015, additional work was conducted to repair portions of the mill floor and ensure its watertight integrity. Additional elastomeric sealant was applied in the floor joints. An internal action plan and monitoring program for this seep, which is part of the Freshet Action Plan, were also put into place by AEM in 2014. The trench is pumped out during the warmer months once freshet commences.

A site assessment on December 15, 2023 demonstrated evidence of water inflow on the west side of the Assay Lab Road. Upon further investigation, an inflow of water was found to be contained within existing water management infrastructure previously constructed. AEM indicates that the corrective measures implemented in previous years are still effective, and potentially contaminated water is prevented from reaching any receiving environment. As a precaution, AEM states that an expert consultant will be brought to site to inspect and repair, if needed, all foundation sealants, within the Mill sumps.

The actions taken by AEM appear to be reasonable and any environmental impacts, if any, would presumably be minor, as the seepage seems to have been fully contained within the “capture zone” of the site contact water management system, based on the information provided in the Annual Report by AEM.

Table B. Commitments for the Meadowbank Project from the Final Hearing applicable to the operations phase and CIRNAC's mandate (based on Appendix A of Amended Project Certificate No. 004 and Appendix 1 of 2023 Annual Report).

No.	Commitments	Timing	Commitment Status as Determined by AEM
3	Commit to considering capping Vault pile with fine grain material and/or establish corridors for wildlife	Operations / Closure	Completed
4	Commit to identifying mitigation measures if groundwater contamination (tailings) has occurred during operation. Include what triggers would be used in this evaluation	Operations	Completed
5	Commit to assessing permeability of fault upon drawdown of North arm of Second Portage Lake and commit to establishing trigger levels and mitigation strategies	Construction / Operations	Completed
13	Develop a wellness monitoring plan for Baker Lake and other communities that might be impacted by the project. The geographic scope of wellness monitoring to be defined at that time	Construction / Operations	Completed
19	Consult with stakeholders and update its reclamation and closure plan with the	Operations	Completed



	final design for decommissioning once this information becomes available		
21	Track the community of origin of hired Nunavimmiut to direct monitoring and follow-up activities	Operations	Completed
22	Consider adaptive monitoring and mitigation measures for communities other than Baker Lake should these be substantially affected by the Project	Operations	Completed
23	Data collected during normal mine operation will be gathered and reported in a form that is compatible with socio-economic project monitoring	Operations	Completed
37	Cumberland will place a local monitor from Chesterfield Inlet on ships carrying fuel for the Meadowbank project	Construction / Operations	Completed
42	Cumberland will conduct annual community consultation visits in Chesterfield to report on the project and related shipping activities and to hear any concerns/comments from Chesterfield Inlet residents	Operations	Completed
43	Re-do WQ modeling with less conservative assumptions: no rock wetting factors, no permafrost, use 1-kg IV rather than 100-kg IV rates for poor-end; used 100-kg for best estimate; higher temperature of soil to air by 4.4oC; long-term WQ w global warming; minimal improvement to WQ from UM cover (not automatic transition)	Detailed Engineering / Operations	Completed
44	Additional Field and lab analysis of WR to segregated PAG and non-PAG rock	Operations	Completed
46	Adaptive management of (placement of) mine waste material considering monitoring results obtained during operation	Operations	Completed
48	Detailed plans for water treatment	Operations	Completed
49	Evaluation of viability of proposed in-situ and active treatment system and subsequent effects of effluent to receiving environment (near and far-field)	Operations	Completed
54	1.2 Long-term chemical stability (metal leaching) of UM rock	Operations	Completed
56	1.5 operational criteria for waste management and use of WR	Operations	Completed
59	1.9 Monitoring of all-weather road rock quality, ARD/ML potential	Operations	Completed - Ongoing
60	1.10 Continued geochemical characterization (laboratory and filed tests) of UM, PAG and uncertain PAG rock and input into adaptive waste management plan	Operations / Closure	Completed
70	Prepare and implement Incinerator Waste Management Plan	Construction / Operations	Completed
74	Provide annual report of the quantity and type of waste generated at the mine site distinguishing landfilled, recycled and incinerated streams	Construction / Operations	Completed
102	Cumberland has agreed with INAC, as a commitment, to include pre employment orientation for potential hires by Cumberland in the Labor Force Development Plan that will be developed under the terms of the IIBA. This commitment is in recognition that it is in the interests of both potential hires and Cumberland to ensure to the extent practicable that potential hires are well informed of the implications (nature of the work, workforce management, personal and family challenges etc.) of accepting employment with Cumberland	Construction / Operations	Completed



Appendix A. Meadowbank Gold Mine Project Certificate Terms and Conditions (T&C) incorporated into any permits, certificates, licenses or other approvals issued for the Project¹

T&C#	NIRB Project Certificate No. 004	Implemented in Licences or Permits
5	Cumberland shall meet with respective licensing authorities prior to the commencement of construction to discuss the posting of adequate performance bonding. Licensing authorities are encouraged to take every measure to require that sufficient security is posted before construction begins. This bonding should not duplicate other amounts of security required (e.g., the NWB).	All of Part C of NWB Water Licence (2AM-MEA1530). Parts 16-19 of Lease No. 66A/8-71-3 (covers the sections of the all-weather access road) located on Crown land). Part 34-37 of Lease No. 66A/8- 72-6 (covers the quarries located on Crown land).
9	Cumberland shall provide detailed plans for water treatment for the tailings (reclaim pond) discharge, and on a contingency basis for the attenuation pond discharge(s) and for the pits, including estimates of treatment efficiency for each parameter of concern and the description of pH adjustments in the water license application to the NWB.	Part B, Item 13 of NWB Water Licence (2AM-MEA1530).
13	Cumberland shall not permit the water discharged into Wally Lake and Third Portage Lake to exceed receiving environment discharge criteria established by the NWB or as otherwise required by law.	Partially, the portion referring to criteria established by the NWB is found in Part F, Items 3 and 4 within the NWB Water Licence (2AM-MEA1530).
14	Cumberland shall not remove dewatering dikes until the quality of water contained within them is of sufficient quality to meet receiving environment discharge criteria established by the NWB or as otherwise required by law.	Part E, Item 7 of NWB Water Licence (2AM-MEA1530).

¹ The following Meadowbank Gold Mine Project Certificate No. 004 (Amendment No. 003) T&Cs continue to apply also to the Whale Tail Pit Project: 9, 13, 14, 18, 19, 23, 25-27, 35, and 79.



T&C#	NIRB Project Certificate No. 004	Implemented in Licences or Permits
15	Cumberland shall within two (2) years of commencing operations re-evaluate the characterization of mine waste materials, including the Vault area, for acid generating potential, metal leaching and non-metal constituents to confirm FEIS predictions, and re-evaluate rock disposal practices by conducting systematic sampling of the waste rock and tailings in order to incorporate preventive and control measures into the Waste Management Plan to enhance tailing management during operations and closure. The results of the re-evaluations shall be provided to the NWB and NIRB's Monitoring Officer.	Part B, Item 13 of NWB Water Licence (2AM-MEA1530).
18	Cumberland shall commit to a pro-active tailings management strategy through active monitoring, inspection, and mitigation. The tailings management strategy will include the review and evaluation of any future changes to the rate of global warming, compliance with regulatory changes, and the ongoing review and evaluation of relevant technology developments, and will respond to studies conducted during the mine operation.	Part B, Item 13 of NWB Water Licence (2AM-MEA1530).
19	Cumberland shall provide for a minimum of two (2) metres cover of tailings at closure, and shall install thermistor cables, temperature loggers, and core sampling technology as required to monitor tailing freeze-back efficiency. Cumberland shall report to NIRB's Monitoring Officer for the annual reporting of freeze-back effectiveness.	Schedule B, Item 18 and Part B, Item 13 of NWB Water Licence (2AM-MEA1530).
20	Prior to construction, Cumberland shall identify mitigation measures that can be taken if groundwater monitoring around the tailings facility demonstrates that contamination from tailings has occurred through the fault. Upon drawdown of the North arm of Second Portage Lake, Cumberland shall conduct further tests to assess the permeability of any faults and provide the results to regulators. If doubt remains Cumberland shall seal the fault and conduct further permeability testing and monitoring.	Part B, Item 13 of NWB Water Licence (2AM-MEA1530).



T&C#	NIRB Project Certificate No. 004	Implemented in Licences or Permits
22	Prior to the commencement of the Project, Cumberland shall fund and install an onsite lab that has the capability to monitor parameters at a type and at a frequency acceptable to the NWB and EC at all site discharge points. The results of these analyses, as well as any other water quality monitoring required by regulatory authorities shall be used in the submission of a receiving water assimilative capacity water quality assessment study of concern to regulators. The lab shall be certified for environmental water quality analysis purposes with standards to include the calibration of water quality monitoring instruments. Cumberland shall file proof of application to become accredited upon the request of the NWB.	Partially, Part I, Items 16, 17, 18, 19 and 20 of NWB Water Licence (2AM-MEA1530) relate to this condition, but not to the installation of an onsite lab prior to construction.
23	For the purposes of monitoring quality assurance and quality control ("QA/QC"), Cumberland shall ensure that water quality monitoring performed at locations within receiving waters that allow for an assimilative capacity assessment of concern to regulators, be carried out by an independent contractor and submitted to an independent accredited lab for analysis, on a type and frequency basis as determined by the NWB. Results of analysis shall be provided to the NWB and NIRB's Monitoring Officer.	Part I, Item 16 of NWB Water Licence (2AM-MEA1530).
24	Cumberland shall identify an area and design for a landfill for disposal of operational and closure non-salvageable materials, including a list of any non-salvageable materials, and a procedural manual for preparation of location and placements of these materials, and incorporate the design into the final Waste Management Plan as instructed by the NWB.	Part B, Item 13 of NWB Water Licence (2AM- MEA1530).
25	Cumberland shall manage and control waste in a manner that reduces or eliminates the attraction to carnivores and/or raptors. Cumberland shall employ legal deterrents to carnivores and/or raptors at all landfill and waste storage areas. The deterrents are to be developed taking into consideration Traditional Knowledge and in consultation with the HTO, EC and CIRNAC and incorporated into the final Waste Management Plan prior to filing the Plan with the NWB.	Partially, this was not captured within the NWB Water Licence as it was already completed prior to licence approval. AEM's NWB Water Licence (2AM-MEA1530) does however require adherence to the Waste Management Plan under Part B, Item 13.



T&C#	NIRB Project Certificate No. 004	Implemented in Licences or Permits
26	Cumberland shall ensure that spills, if any, are cleaned up immediately and that the site is kept clean of debris, including wind-blown debris.	<p>Part H, Items 1 and 2 of NWB Water Licence (2AM- MEA1530).</p> <p>Partially, Conditions 45-47 of Lease No. 66A/8-71-3 (covers the sections of the AWAR located on Crown land).</p> <p>Partially, Conditions 47, 52-56 and 55 of Lease No. 66A/8-72-6 (covers the quarries located on Crown land).</p>
27	Cumberland shall ensure that the areas used to store fuel or hazardous materials are contained using safe, environmentally protective methods based on practical, best engineering practices.	<p>Part H, Item 3 of NWB Water Licence (2AM-MEA1530).</p> <p>Partially, Conditions 45-47 of Lease No. 66A/8-71-3 (covers the sections of the AWAR located on Crown land).</p> <p>Partially, Conditions 52-56 of Lease No. 66A/8-72-6 (covers the quarries located on Crown land).</p>
33	<p>Cumberland shall update the Access and Air Traffic Management Plan to:</p> <ol style="list-style-type: none"> 1. Include an All-weather Private Access Road Management Plan, including a right-of-way policy developed in consultation with the KivIA, GN, CIRNAC and the Hamlet of Baker Lake, for the safe operation of the all-weather private access road; and 2. To facilitate monitoring of the environmental and socio-economic impacts of the private road and undertake adaptive management practices as required, including responding to any concerns regarding the locked gates. 	Partially, item 1 is addressed under Condition 54 of Lease No. 66A/8-71-3 (covers the sections of the AWAR located on Crown land).
35	Cumberland shall reclaim the all-weather private access road at the end of the mine life to prevent any future use of the road, including scarification of the road and restoration of the natural hydrology, topography, and vegetation, subject only to Cumberland and/or its successor seeking NIRB Article 12 approval for the road to be maintained and operated beyond the life of the mine.	Partially, Conditions 12 and 15 of Lease No. 66A/8-71-3 (covers the sections of the AWAR located on Crown land).



T&C#	NIRB Project Certificate No. 004	Implemented in Licences or Permits
78	Cumberland shall file a complete Closure and Reclamation Plan developed to comply with CIRNAC's policy of full cost of restoration and any related NWB requirements such that the Inuit and taxpayers are not liable for any cost associated with the cleanup, modification, decommission, or abandonment.	<p>Partially, Part B, Item 13 of NWB Water Licence (2AM- MEA1530).</p> <p>Partially, Conditions 12, 15, 16-19, 26 of Lease No. 66A/8-71-3 (covers the sections of the AWAR located on Crown land).</p> <p>Partially, Conditions 14, 17, 26, 34-38 of Lease No. 66A/8-72-6 (covers the quarries located on Crown land).</p>
79	<p>In addition to the NWB's requirements, the final Closure and Reclamation Plan shall require Cumberland to:</p> <p>a. Ensure that mine facilities and infrastructure are abandoned in such a manner that:</p> <ul style="list-style-type: none"> • The Project site is physically stable and any requirements for long term maintenance and monitoring are minimized; • Threats to public safety and wildlife are eliminated; and • Affected areas are returned to the original undisturbed conditions to the fullest extent possible. <p>b. Prevent continuing impacts from contaminants and wastes on the environment including those associated with acid rock drainage;</p> <p>c. Remove all hazardous materials and waste and as much salvageable waste as practicable from the Project area; and</p> <p>d. Enter into written arrangements with its abandonment and reclamation contractors to ensure all site debris is cleaned up off the lands, including wind-blown debris.</p>	<p>Partially, Part B, Item 13 of NWB Water Licence (2AM- MEA1530).</p> <p>Partially, Conditions 12, 15, 16-19, 26 of Lease No. 66A/8-71-3 (covers the sections of the AWAR located on Crown land).</p> <p>Partially, Conditions 14, 17, 26, 34-38 of Lease No. 66A/8-72-6 (covers the quarries located on Crown land).</p>
80	Cumberland shall file annually with NIRB's Monitoring Officer an updated report on progressive reclamation and the amount of security posted, as required by KivIA, CIRNAC, and/or the NWB.	<p>Does not incorporate filing to the NIRB's Monitoring Officer, but does refer to reporting on progressive reclamation and security:</p> <p>Partially, Conditions 19 (bi-annual reporting requirement), 20, and 33 of Lease No. 66A/8-71-3 (covers the sections of the AWAR located on Crown land).</p> <p>Partially, Conditions 24 and 38 of Lease No. 66A/8-72-6 (covers the quarries located on Crown land).</p>



Appendix B. Whale Tail Pit Project Certificate T&Cs incorporated into any permits, certificates, licenses or other approvals issued for the Project

T&C#	NIRB Project Certificate No. 008	Implemented in Licences or Permits
2	<p>Prior to commencing construction activities the Proponent shall update the existing Dust Management and Monitoring Plan for the Meadowbank Mine site to address and/or include the following additional items:</p> <ul style="list-style-type: none"> Align plan requirements with commitments made in the Final Environmental Impact Statement and during the Final Hearing to monitor dust along the existing all-weather access road, the Amaruq haul road and any other roads and trails associated with the Project. Verify commitments to the utilization of dust suppressants along the all-weather access road, the Amaruq haul road and any other roads and trails associated with the Project, including a description of the type of suppressant to be utilized and the frequency and timing of applications to be made throughout the various seasons of road use. Outline the specific triggers, thresholds, and adaptive management measures that will apply if monitoring indicates that dust deposition is higher than predicted. 	Part F, Item 12 of NWB Water Licence (2AM-WTP1830)
6	The Proponent shall conduct detailed hydrodynamic modelling during operations and closure to evaluate the mixing of the Waste Rock Storage Facility seepage into Mammoth Lake post-closure; and Based on the results of the modelling implement monitoring programs and adaptive management strategies that minimize the need for active intervention, including long-term treatment of mine contact water.	Part E, Item 8 of NWB Water Licence (2AM-WTP1830)
9	The Proponent shall undertake the additional site-specific geotechnical investigations required to identify sensitive land features and to inform final engineering design prior to the construction of project components such as the waste rock storage facility and quarries.	Part D, Item 2 of NWB Water Licence (2AM-WTP 1830)
11	The Proponent shall develop and implement an Erosion Management Plan to prevent or minimize erosion and its resulting effects from project-related land disturbance.	<p>Lease 66H/8-02-2 Whale Tail Haul Road (lease clauses 32 and 33)</p> <p>Lease 66H/8-01-4 Whale Tail Haul Road Quarries (lease clause 41)</p>



T&C#	NIRB Project Certificate No. 008	Implemented in Licences or Permits
12	<p>As part of the Closure and Reclamation Plan, the Proponent shall develop and implement a program to:</p> <ol style="list-style-type: none"> Progressively reclaim disturbed areas within the project footprint, with an emphasis on restoring the natural aesthetics of the area through re-contouring to the extent practicable; and In a manner that demonstrates that the Proponent has considered the aesthetic values of local communities (e.g. information regarding the acceptability of the topography and landscape of the project areas following progressive reclamation efforts). 	<p>Part J, Item 2 of NWB Water Licence (2AM-WTP 1830)</p> <p>Lease 66H/8-02-2 Whale Tail Haul Road (lease clause 23)</p> <p>Lease 66H/8-01-4 Whale Tail Haul Road Quarries (lease clause 33)</p>
13	<p>The Proponent shall explore the feasibility of topsoil/organic matter salvage as part of project development and provide updates to the Closure and Reclamation Plan based on this investigation.</p>	<p>Part J, Item 3 of NWB Water Licence (2AM-WTP 1830)</p>
15	<p>Subject to the additional direction and requirements of the Nunavut Water Board, the Proponent shall prepare and implement a Groundwater Monitoring Plan that, at a minimum includes:</p> <ul style="list-style-type: none"> The collection of additional site-specific hydraulic data (e.g., from new monitoring wells) in key areas during the pre-development, Nunavut Impact Review Board Page 23 of 49 Project Certificate No. 008 construction and operation phases; Definition of vertical and horizontal groundwater flows in the project development areas; Delineates monitoring plans for both vertical and horizontal ground water; and Thresholds that will trigger the implementation of adaptive management strategies that reflect site- specific conditions encountered at the project site. 	<p>Part I, Item 1e of NWB Water Licence (2AM-WTP 1830)</p>



T&C#	NIRB Project Certificate No. 008	Implemented in Licences or Permits
16	<p>Within two years of commencing operations, the Proponent shall:</p> <ul style="list-style-type: none"> a. Conduct additional analyses to determine the approximate fill time for the Whale Tail Pit at closure; b. Undertake a hydrogeological characterization study to assess the potential for arsenic and phosphorous diffusion from submerged Whale Tail pit walls; c. If the results of the characterization study indicate a moderate to high potential for arsenic and/or phosphorous diffusion, perform detailed hydrodynamic modelling of the flooded pit lake prior to closure to evaluate meromictic conditions and flooded pit water quality; and d. Add these required activities to the site Groundwater Monitoring Plan. 	Part E, Item 7 of NWB Water Licence (2AM-WTP1830)
17	<p>The Proponent shall:</p> <ul style="list-style-type: none"> a. Monitor the effects of project activities and infrastructure on surface water quality conditions; b. Ensure the monitoring data is sufficient to compare the impact predictions in the Environmental Impact Statement (EIS) for the Project with actual monitoring results; c. Ensure that the sampling locations and frequency of monitoring is consistent with and reflects the requirements of the Water Quality and Flow Plan and the Core Receiving Environmental Monitoring Program; and d. On an annual basis, the Proponent will compare monitoring results with the impact assessment predictions in the EIS and will identify any significant discrepancies between impact predictions and monitoring results. 	Part D, Items 10-14 of NWB Water Licence (2AM-WTP1830)



T&C#	NIRB Project Certificate No. 008	Implemented in Licences or Permits
18	<p>The Proponent shall, reflecting any direction from the Nunavut Water Board, maintain a Site Water Monitoring and Management Plan designed to:</p> <ul style="list-style-type: none"> Minimize the amount of water that contacts mine ore and wastes; Appropriately manage all contact water and discharges to protect local aquatic resources; and Implement water conservation and recycling to maximize water reuse and minimize the use of natural waters. <p>The Plan should include monitoring that demonstrates contact water (runoff and shallow groundwater) from the ore storage and waste rock storage areas is captured and managed, as per the Waste Rock Facility Management Plan.</p>	Part E, Items 7-11 of NWB Water Licence (2AM-WTP1830)
19	<p>The Proponent shall, reflecting any direction from responsible authorities such as the Nunavut Water Board, Fisheries and Oceans Canada and Environment and Climate Change Canada, maintain a Core Receiving Environment Monitoring Program (CREMP) designed to:</p> <ul style="list-style-type: none"> Determine the short and long-term effects in the aquatic environment resulting from the Project; Evaluate the accuracy of Project effect predictions; Assess the effectiveness of mitigation and management measures on Project effects; Identify additional mitigation measures to avert or reduce environmental effects due to Project activities; Comply with Metal Mining Effluent Regulations requirements, should an Environmental Effects Monitoring program be triggered; Reflect site-specific water quality conditions; <ul style="list-style-type: none"> Include details comparing the watershed features in the Whale Tail watershed to those watersheds used as reference lakes; and Evaluate the mixing and non-mixing portion of the pit. <p>The CREMP should include sufficient sampling and monitoring programs to appropriately characterize the receiving environment to ensure that adequate data is available to assess impact predictions made within the Environmental Impact Statement for the Whale Tail Pit Project.</p>	Part E, Items 7-11 of NWB Water Licence (2AM-WTP1830)



T&C#	NIRB Project Certificate No. 008	Implemented in Licences or Permits
20	Unless otherwise authorized, the Proponent shall maintain an appropriate setback distance between project quarries and borrow pits from fish-bearing or permanent waterbodies as required to prevent acid rock drainage or metal leaching into such waterbodies.	Part I, Item 1 of NWB Water Licence (2AM-WTP1830) Lease 66H/8-01-4 Whale Tail Haul Road Quarries (lease clause 54)
21	The Proponent shall ensure that all project infrastructures in watercourses are designed and constructed in such a manner that they do not unduly prevent or limit the movement of water or fish species in fish bearing streams and rivers, unless otherwise authorized by Fisheries and Oceans Canada.	Part E, Item 25 of NWB Water Licence (2AM-WTP1830)
22	The Proponent shall engage with Fisheries and Oceans Canada to develop project specific thresholds, mitigation and monitoring for any blasting activities that would exceed the requirements of Fisheries and Oceans Canada's Guidelines for the Use of Explosives In or Near Canadian Fisheries Waters.	Part I, Item 1 of NWB Water Licence (2AM-WTP1830)
24	<p>The Proponent shall engage Fisheries and Oceans Canada, and other interested parties to further assess:</p> <ul style="list-style-type: none"> • Whether the increased surface area of Whale Tail Lake is a viable offset to habitat losses resulting from development of the Project; and • Whether Whale Tail end pit would support fish in the post closure scenario. <p>Results of this assessment should be incorporated into the Habitat Compensation Plan and/or the Conceptual Fisheries Offsetting Plan as appropriate.</p>	Part I, Item 1 of NWB Water Licence (2AM-WTP1830)
26	The Proponent shall include revegetation strategies within its Mine Closure and Reclamation Plan that support progressive reclamation, and promote natural revegetation and recovery of disturbed areas compatible with the surrounding natural environment. These strategies should include exploration of the feasibility and practicality of topsoil/organic matter salvage through Project development. Consideration for the results of similar reclamation efforts at other northern projects, including the Meadowbank Gold Mine Project, must be demonstrated.	Part J, Item 8 of NWB Water Licence (2AM-WTP1830)



T&C#	NIRB Project Certificate No. 008	Implemented in Licences or Permits
31	<p>The Proponent shall develop and implement a Road Access Management Plan and maintain traffic monitoring logs along the haul road between the Whale Tail Pit project and the Meadowbank mine. Where traffic exceeds levels predicted within the Environmental Impact Statement, the Proponent shall develop and implement appropriate modifications to its wildlife protection measures.</p>	<p>Lease 66H/8-02-2 Whale Tail Haul Road (lease clauses 54 and 60)</p>
56	<p>The Proponent shall report any archaeological site discovered during the construction, operation, and closure phases to the Government of Nunavut – Department of Culture and Heritage and the Kivalliq Inuit Association.</p> <p>Upon discovering an archeological site, the Proponent shall:</p> <ol style="list-style-type: none"> Take all reasonable precautions necessary to protect the site until further direction is received from the Government of Nunavut – Department of Culture and Heritage; and If it becomes necessary to disturb an archaeological site, the Proponent shall consult with the Government of Nunavut – Department of Culture and Heritage, the Kivalliq Inuit Association, and potential impacted communities to establish a site specific mitigation plan, and obtain all necessary authorizations and comply with all applicable laws. 	<p>Lease 66H/8-02-2 Whale Tail Haul Road (lease clause 74)</p> <p>Lease 66H/8-01-4 Whale Tail Haul Road Quarries (lease clause 66)</p>
66	<p>The Proponent shall operate the Whale Tail haul road as a private access road, implement any reasonable measures to limit public access to the road, and develop strategies that account for unauthorized use. These measures must include, but are not limited to, the following:</p> <ol style="list-style-type: none"> The posting of signs in English and Inuktitut at the gate, each major bridge crossing, and each 10 kilometers of road, stating that public use of the road is prohibited; Annually advertise and hold at least one community meeting in the Hamlet of Baker Lake to explain to the community that the road is restricted to mine use only; Place local notices (e.g., radio, television, social media) at least quarterly to explain to the community that the road is restricted to mine use only; Record all unauthorized non-mine use of the road, and require all mine personnel using the road to monitor and report unauthorized non-mine use of the road; and Develop management strategies to ensure public and operator safety in the event of unauthorized public use. 	<p>Lease 66H/8-02-2 Whale Tail Haul Road (lease clauses 61, 62, 63 and 64)</p>

