



Nunavut Impact Review Board

2024 Monitoring Report

**Meadowbank and Whale Tail
Projects**

Project Certificate Nos. 004 & 008

Agnico Eagle Mines Limited

NIRB File Nos. 03MN107 & 16MN056



April 2025

Report Title: The Nunavut Impact Review Board's 2023 – 2024 Annual Monitoring Report for the Meadowbank Gold Mine Project (NIRB File No. 03MN107) & Whale Tail Pit Project (NIRB File No. 16MN056)

Projects: Meadowbank Gold Mine Project (NIRB File No. 03MN107)
Whale Tail Pit Project (NIRB File No. 16MN056)

Project Location: Kivalliq Region, Nunavut

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Monitoring Period: October 2023 – September 2024

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Cover photos: Meadowbank Property

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LIST OF ACRONYMS & ABBREVIATIONS

Agnico Eagle	Agnico Eagle Mines Limited
AWAR	All-Weather Access Road
CIRNAC	Crown-Indigenous Relations and Northern Affairs Canada
Commission	Nunavut Planning Commission (formerly known as NPC)
CREMP	Core Receiving Environment Monitoring Program
DFO	Fisheries and Oceans Canada
ECCC	Environment and Climate Change Canada
FEIS	Final Environmental Impact Statement
GN	Government of Nunavut
GN-DoE	Government of Nunavut, Department of Environment
HTO	Hunters and Trappers Organization
KIA	Kivalliq Inuit Association
km	kilometre
m	metre
MDMER	Metal and Diamond Mining Effluent Regulations
ML	Million Litre (note that metal leaching is abbreviated as ARD-ML)
Mt	Million tonnes
NIRB	Nunavut Impact Review Board
<i>Nunavut Agreement</i>	<i>Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada</i>
<i>NuPPAA</i>	<i>Nunavut Planning and Project Assessment Act, S.C. 2013, c. 14, s. 2</i>
NWB	Nunavut Water Board
PEAMP	Post-Environmental Assessment Monitoring Program
QA/QC	Quality Assurance/Quality Control
TAG	Terrestrial Advisory Group
TEMMP	Terrestrial Ecosystem Management Plan
TC	Transport Canada
TSF	Tailings Storage Facility
WRSF	Waste Rock Storage Facility
WTHR	Whale Tail Haul Road

1.0 INTRODUCTION

The Nunavut Impact Review Board (NIRB or Board) was established through Articles 10 and 12 of the *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada (Nunavut Agreement)* and is responsible for the assessment of ecosystemic and socio-economic impacts of projects in the Nunavut Settlement Area pursuant to the *Nunavut Agreement*. The NIRB is responsible for post-environmental assessment monitoring of projects in accordance with Part 7 of Article 12 of the *Nunavut Agreement* and s. 135 of the *Nunavut Planning and Project Assessment Act*, S.C. 2013, c. 14, s. 2 (*NuPPAA*).

The purpose of the NIRB's monitoring program as outlined in Section 12.7.2 of the *Nunavut Agreement* and s. 135(3) of the *NuPPAA* are as follows:

- (a) measure the impact of the project on the ecosystemic and socio-economic environments of the designated area;
- (b) determine whether the project is carried out in accordance with the terms and conditions imposed under subsection 152(6) or set out in the original or amended project certificate;
- (c) provide the information necessary for regulatory authorities to enforce the terms and conditions of licences, permits or other authorizations that they issue in relation to the project; and
- (d) assess the accuracy of the predictions contained in the project impact statement.

This report provides findings that resulted from the Board's monitoring programs for the Meadowbank Gold Mine and the Whale Tail Pit Projects from October 2023 to September 2024.

2.0 PROJECT OVERVIEW

1.1 MEADOWBANK GOLD MINE PROJECT

The Meadowbank Gold Mine Project (Meadowbank) as operated by Agnico Eagle Mines Ltd. (Agnico Eagle or Proponent), is located approximately 70 kilometres (km) north of the Hamlet of Baker Lake on Inuit-owned surface lands. Significant events regarding the Meadowbank project history are described in [Table 2-1](#). Active mining has ended at all pits as the ore has been depleted as follows: Goose Pit in April 2015, Portage Pit A in March 2018, Vault Pit in March 2019, Phaser Pit in October 2018, BB Phaser Pit June 2019, and Portage Pit E in October 2019.

On December 30, 2006, the NIRB issued Project Certificate No. 004 for the Meadowbank Gold Mine Project (Meadowbank; NIRB File No. 03MN107), allowing the Project to proceed in accordance with the Terms and Conditions issued therein. In November 2009, the NIRB formally amended Project Certificate No. 004 to modify Term and Condition 32 and an approval to change the name of the assignee from Cumberland Resources Ltd. to Agnico Eagle Mines Limited (Agnico Eagle or Proponent). In August 2016, the NIRB formally amended the Project Certificate No. 004 to include the Vault Pit Expansion Project proposal for the Project.

For information regarding the original Meadowbank Project refer to www.nirb.ca/project/124588.

In December 2018, the NIRB formally amended the Project Certificate No. 004, Amendment 003 to include the In-Pit Tailings Disposal project.¹ For more information please see the NIRB's Public Registry at www.nirb.ca/project/125253.

The current scope of the Project includes maintaining monitoring, management, and other regulatory requirements for current activities of the Project:

- The Meadowbank mine site;
- The Vault site;
- The Baker Lake Marshalling Facility located two (2) kilometers (km) east of Baker Lake;
- The 110 km All-Weather Access Road (AWAR) connecting the mine site with Baker Lake; and
- Associated retention dikes and haul roads within the Project.

Current activities for the Project include utilizing existing infrastructure for ore processing and in-pit tailings disposal for nearby active sites, transportation of ore between the Amaruq/Whale Tail and Meadowbank mine site, and routine operational activities.

Table 2-1. Meadowbank Project History and Current Status

Date	Activity
December 2006	The NIRB issued Meadowbank Project Certificate No. 004.

¹ NIRB Doc ID. 321813

Date	Activity
June 2007	Agnico Eagle acquired Cumberland Resources Ltd.’s assets.
March 2008	Completed construction of the all-weather access road from the Hamlet of Baker Lake to the Meadowbank mine site; the road opened to mine-related transportation.
June 2008	Type “A” Water Licence No. 2AM-MEA0815 issued by the Nunavut Water Board (NWB).
November 2009	The NIRB issued an amendment to Meadowbank Project Certificate modifying Term and Condition 32 pursuant to <i>Nunavut Agreement</i> 12.8.2 relating to the all-weather access road and to change the name of the assignee from Cumberland Resources Ltd. to Agnico Eagle.
February 2010	Operations of the Meadowbank Project commenced.
May 2010	Water Licence amendment by the NWB for an expansion to the Marshalling Area Bulk Fuel Storage Facility to include two (2) additional 10-million-litre (ML) fuel tanks, for a combined total of six (6) 10 ML fuel tanks, and the construction of an additional two (2) ML tank for the bulk storage of Jet-A fuel to refuel aircraft flying into the Meadowbank mine site.
September 2010	The NIRB issued a <i>Nunavut Agreement</i> 12.4.4(a) recommendation to the then-Minister of Indian and Northern Affairs indicating that the proposed expansion to the Meadowbank airstrip project could proceed subject to additional project specific terms and conditions. Additionally, the NIRB expanded its Part 7 <i>Nunavut Agreement</i> monitoring program for the Meadowbank Project to include the airstrip expansion (NIRB File No. 10XN039).
July 2011	The NIRB issued <i>Appendix D – Meadowbank Monitoring Program</i> to Agnico Eagle in accordance with the Project Certificate. ² The Meadowbank Monitoring Program includes responsibilities for Agnico Eagle, the NIRB, and several Regulatory Authorities and government departments.
January 2013	Water Licence amendment by the NWB to allow for the expanded airstrip. The request indicated a revision to the original 2010 request (NIRB File No. 10XN039), substantially reducing the impacts to Third Portage Lake and specified the construction of the expansion occurring during the winter season.
April 2013	The NWB approved the proposed modification to the airport expansion and the airport extension was completed.

² NIRB Doc ID. 288621

Date	Activity
July 2014	<ol style="list-style-type: none"> 1. Agnico Eagle applied to Fisheries and Oceans Canada for a <i>Paragraph 35(2)(b) Fisheries Act Authorization (Normal Circumstances)</i> to expand its current Vault pit operations into Phaser Lake to access additional gold deposits and defer the operations closure date to later in 2017. 2. Water Licence amendment by the NWB to allow for increased all purpose water-use for the site.
April 2015	Mining activities ceased at Bay-Goose Pit.
June 2015	Dewatering of Vault Pit completed.
August 2016	The NWB granted Agnico Eagle's request to renew and amend the Water Licence and issued the amended Licence No. 2AM-MEA1525 for a 10-year period.
August 2016	Following a technical review and a Public Hearing, the NIRB formally approved the Vault Pit Expansion and amendment to the Project and issued an amended Meadowbank Gold Mine Project Certificate on August 19, 2016.
October 2016	Dewatering and fish-out program of the Phaser Lake complete.
March 2018	Mining activities ceased at Portage Pit A.
October 2018	Mining activities ceased at Phaser Pit.
December 2018	December 2017 Agnico Eagle submitted an application to the Nunavut Planning Commission (the Commission) that included a proposed modification of Agnico Eagle's tailings disposal from the current method (use of then tailings storage facility) to an in-pit tailings disposal in Portage Pit A, Portage Pit E, and Goose Pit. The Responsible Ministers accepted the Board's recommendations for the In-Pit Tailings Disposal Modification to proceed under existing Terms and Conditions of Project Certificate No. 004 with one (1) additional Term and Condition.
March 2019	Mining activities ceased at Vault Pit.
June 2019	Mining activities ceased at BB Phaser Pit.
July 2019	In-pit tailings disposal at Goose Pit commenced.
September 2019	Mining activities finished at Portage Pit E, ending active mining at the Meadowbank site, but reclamation and ore processing continued.
August 2020	In-pit tailings disposal at Portage Pit E commenced.

1.2 WHALE TAIL PIT PROJECT

The Whale Tail Pit Project (Whale Tail Project) includes the development of an open pit gold mine located at the Amaruq deposit approximately 150 km north of the Hamlet of Baker Lake and approximately 50 km northwest of the Meadowbank Project. The Whale Tail Project requires the use of existing infrastructure from the Meadowbank Project for production of an estimated

8.3 million tonnes (Mt) of ore. Ore from the mine site is hauled by truck on the Whale Tail Haul Road (WTHR) approximately 65 km road to the Meadowbank mine site for milling. Significant events regarding the Whale Tail Project history are noted within [Table 2-2](#).

In March 2018, the NIRB issued Project Certificate No. 008 for the Whale Tail Pit Project (Whale Tail; NIRB File No. 16MN056), allowing the Project to proceed in accordance with the Terms and Conditions issued therein.³ In February 2020, the NIRB formally amended the Project Certificate to include the Whale Tail Pit Expansion Project Proposal (the Expansion Proposal), which involves expansion of Whale Tail Pit, the addition of a new pit (IVR Pit), as well as underground mining.

Construction of the Whale Tail Project components began mid-2018 with major infrastructure completed by March 2019, and included:

- The main camp, mining infrastructure, associated roads/pads, and the WTHR;
- One (1) open pit within the North Basin of the Whale Tail Lake;
- Dike separating the north and south basins of Whale Tail Lake; and
- Secondary: surface water management structures and exploration camp dismantling.

In November 2018, Agnico Eagle proposed an amendment to the Whale Tail Pit Project to include expansion of Whale Tail Pit, development of a new open pit (IVR Pit), and underground mining below both open pits. The Whale Tail Pit Expansion Project Proposal (the Expansion Proposal) would extend the extraction of ore over an approximate four-year period and generate an additional 15.2 Mt of ore. In 2020, the Expansion Proposal was approved to proceed following the NIRB's amendment process. The Expansion Proposal included the expansion of the WTHR from 9.5 metres (m) wide to 15 m wide, the expansion of infrastructure at the Whale Tail Pit site, and the construction of new infrastructure to support the development of the IVR Pit. The amended Project Certificate was issued in January 2020.

In April 2021, the NIRB received correspondence from Agnico Eagle regarding the IVR and Whale Tail Pushbacks modification to the Whale Tail Pit Project. The Nunavut Planning Commission (The Commission) deemed that a reconsideration by the NIRB was not necessary for this modification. In April 2023, the NIRB received correspondence from Agnico Eagle regarding the 2023 Modification, consisting of increases to the previously modified pushbacks at the IVR and Whale Tail Pits as well as the temporary storage of saline water in the east lobe of the IVR Pit. The Commission deemed that a reconsideration by the NIRB was not necessary for this modification.

³ NIRB Doc ID. 316138 & 316139

Table 2-2. Whale Tail Pit Project History and Current Status

Date	Activity
March 2018	The NIRB issued Project Certificate No. 008 for the Whale Tail Pit Project.
June 2018	Expansion of the Whale Tail Haul Road (WTHR) commenced.
July 2018	1. <i>Paragraph 35(2)(b) Fisheries Act Authorization</i> (16-HCAA-00370) issued by the Fisheries and Oceans Canada. 2. Construction of Whale Tail dike commenced.
August 2018	Fish-out program of the North Basin of Whale Tail Lake commenced.
November 2018	1. Completion of Whale Tail Haul Road. 2. Agnico Eagle applied for the Whale Tail Pit Expansion Project, a proposed modification to the approved Whale Tail Pit Project. The NIRB initiated formal reconsideration of terms and conditions of Project Certificate 008.
March 2019	Completion of Whale Tail dike.
September 2019	Commercial production commenced.
February 2020	The NIRB issued the Whale Tail Pit Project Certificate No. 008, Amendment 001 to include the Expansion Proposal, which involves expansion of Whale Tail Pit, the addition of a new pit (IVR Pit), as well as underground mining.
April 2021	The NIRB received correspondence regarding the “IVR and Whale Tail Pushbacks” modification. On May 19, 2021, the NIRB acknowledged the Commission’s determination and noted that it expects to be informed by Agnico Eagle regarding updates to affected management plans.
April 2023	The NIRB received correspondence regarding the “2023 Modification” involving an increase to the IVR and Whale Tail Pit pushbacks as well as the storage of saline groundwater in IVR Pit.

3.0 MONITORING ACTIVITIES

2.1 PROPONENT’S RESPONSES TO 2022-2023 RECOMMENDATIONS

On December 8, 2023, the Board issued four (4) recommendations to Agnico Eagle and one (1) recommendation to the Government of Nunavut resulting from the NIRB’s 2022-2023 monitoring efforts. On December 19, 2023, the Government of Nunavut provided a response to address the Board’s recommendation. On January 22, 2024, Agnico Eagle provided responses to address each of the Board’s Recommendations⁴. The Board recommendations and responses from both parties are summarized in [Table 3-1](#).

Table 3-1. 2022-2023 Board Recommendations for the Meadowbank Gold Mine and Whale Tail Pit Projects and the Government of Nunavut’s and Agnico Eagle’s Responses

⁴ NIRB Doc ID. 348108

Board Recommendation	Government of Nunavut's Response
<p>The Board requests that the Government of Nunavut provide a response detailing any expected updates to their guidelines on dust management on unpaved roads, including the incorporation of up-to-date dust suppressant research from other jurisdictions.</p>	<p>The Government of Nunavut provided an updated copy of their document entitled <i>Environmental Guidelines – Dust Suppressants (2022)</i> in response to the Board's recommendation.</p>
Board Recommendation	Agnico Eagle's Response
<p>The Board recommends that Agnico Eagle report on the frequency, location, and established triggers for any non-chemical dust suppression activities along the All-weather Access Road starting in their 2023 Annual Report. Agnico Eagle shall also report on any research or updates to dust management that they will be using in 2024 to identify and track dust issues along the All-weather Access Road. This may include updates to all relevant plans that will be placed on the NIRB's Public Registry and Agnico Eagle's website.</p>	<p>Agnico Eagle acknowledges the Board's recommendation and will continue in 2024 to investigate alternatives dust mitigation measures and is committed to continue consultation with the community. Based on the findings or information collected, Agnico Eagle will update the relevant plans, as needed.</p> <p>Table 4 of the Air Quality and Dustfall Monitoring Plan, already establish threshold and mitigation measures to be implemented along the roads. Agnico Eagle will provide more details on the mitigation</p>
<p>The Board requests that Agnico Eagle provide an explanation of the methods used to follow up with affected communities regarding the incorporation of shared Inuit Qaujimajatuqangit into monitoring and management plans, as well as any new follow up measures planned for 2024. The information is also expected to be incorporated into the 2023 Annual Report.</p>	<p>Agnico Eagle confirmed that Inuit Qaujimajatuqangit was incorporated into project activities and operations whenever feasible; example 2022 and 2023 Socio-Economic Monitoring Reports highlighted Inuit Qaujimajatuqangit and Inuit Societal Values, Agnico Eagle's modification of cyanide transportation operations in 2023 was based on community feedback.</p> <p>In 2024, Agnico Eagle intends to disseminate a condensed version of the shared Inuit Qaujimajatuqangit from the preceding year.</p>
<p>The Board requests that Agnico Eagle provide an update on the formation of the Baker Lake Dust Committee and outline</p>	<p>Agnico Eagle met with the Baker Lake HTO and Hamlet Council in 2022 to discuss the</p>

<p>how the information gathered from the group is incorporated into their plans. If the committee is formed, please submit information regarding the meetings, Inuit Qaujimagatunqangit collected, how it was incorporated and reported back to the group and when the NIRB can anticipate the updated stand-alone plans on its Public Registry and/or posting on Agnico Eagle’s website.</p>	<p>development of the Baker Lake Dust Advisory Group. Agnico Eagle has begun the development of a community-based dustfall monitoring program in 2022. In August 2022, a berry picking session was held with two harvesters to collect IQ and listen to the experiences of these individuals to assist Agnico Eagle in better mitigating potential effects of dust. Efforts continued in 2023, including a public session on the All-Weather Access Road. Efforts will continue in 2024.</p>
<p>The Board requests that Agnico Eagle provide commentary on any plans to increase public engagement on the subject of mine closure.</p>	<p>In 2023 Agnico Eagle advanced several items in Social Closure planning, such as working on social closure studies, consulted reports of other northern mine closures, began progressive social closure, planned engagement sessions, and started workforce transition planning. Community consultations are planned for 2024 to focus on identifying risks and mitigation and supporting community priorities for economic development.</p>

Within the NIRB’s 2022 – 2023 Annual Monitoring Report for the Meadowbank Gold Mine and Whale Tail Pit Projects, NIRB listed made several observations or requests for clarification regarding Agnico Eagle’s work on site and for monitoring of the Projects. For the 2022-2023 monitoring year, NIRB staff focused observations on the Meadowbank Gold Mine site. On January 22, 2023, Agnico Eagle provided responses to address these observations and they are summarized in [Table 3-2](#).

Table 3-2. Monitoring Officer 2022-2023 Findings to the Meadowbank Gold Mine Project and Agnico Eagle’s Responses

Staff Recommendation	Agnico Eagle’s Response
<p>Agnico Eagle should reference each Term and Condition in the Meadowbank Project Certificate Amendment 3 starting in the 2023 Annual Report and future Annual Reports.</p>	<p>Terms and Conditions applicable to the operation phase will be included in upcoming Meadowbank Complex Annual Report.</p>

Staff Recommendation	Agnico Eagle’s Response
<p>Agnico Eagle and Regulatory Authorities should comment on the Commitments listed in Appendix A of Project Certificate No. 004 during the 2023-2024 Monitoring Process.</p>	<p>Commitments listed in Appendix A applicable to the operation phase will be included in upcoming Meadowbank Complex Annual Report.</p>
<p>Agnico Eagle should include in their 2023 Annual Report and future Annual Reports a thorough discussion of local area marine mammal monitor recruitment practices, training programs, and/or engagement activities undertaken each year.</p>	<p>Agnico Eagle will provide more information in the 2023 Meadowbank Complex Annual Report.</p>
<p>Agnico Eagle should work with DFO on the Marine Mammal Monitoring Policy. The NIRB requests an update on this Term and Condition from Agnico Eagle in their 2023 Annual Report and from DFO in their written comments.</p>	<p>Agnico Eagle will continue to emphasize the importance of multiple surveys per day on ships. In addition, crew members are always scanning for marine mammals. If a marine mammal is observed during the voyage outside of the dedicated marine mammal observation period (i.e., off-effort), this is recorded as an incidental sighting, and any mitigation required to avoid marine mammals during shipping is recorded and reported in the annual report. Agnico Eagle acquires position data from Vesseltracker software, and the frequency of the data is beyond the Proponent’s control. Agnico Eagle will continue to engage with DFO on the Marine Mammal Management and Monitoring Plan in the future.</p>

2.2 GENERAL REPORTING REQUIREMENTS

On March 30, 2024, the NIRB received Agnico Eagle’s Meadowbank Gold Mine Project and Whale Tail Pit Project 2023 Annual Report (*2023 Annual Report*). After a completeness check, the NIRB requested additional information which was submitted by April 26, 2024.

The Proponent has provided the following updated management and monitoring plans as required by the terms and conditions contained within Project Certificate No. 004, Amendment 003 and Project Certificate No. 008, Amendment 001 for the current monitoring period of October 2023

through September 2024 ([Table 3-3](#)). Each of the plans is contained within the annual report submitted for that year.

Table 3-3. Updated Management and Monitoring Plans Submitted for the Meadowbank and Whale Tail Projects Submitted in 2023 Annual Report

Plan	Meadowbank NIRB Doc. ID	Whale Tail NIRB Doc. ID
Meadowbank Water Management Plan Version 12	348895, 348896	348997, 349001
Meadowbank Mine Waste Rock and Tailings Management Plan Version 14	348901	349018
Dewatering Dikes Infrastructure Operations, Maintenance and Surveillance Manual (OMS) Version 11	348921	349042
Meadowbank Tailings Management OMS Version 12	348922	349043
Meadowbank Landfarm Design and Management Plan Version 5	348966	349021
Meadowbank Landfill Design and Management Plan Version 6	348968	349024
Whale Tail Water Management Plan Version 12	348897, 348898	349005, 349009
Whale Tail Waste Rock Management Plan Version 12	348902	349022
Whale Tail Water Management Infrastructure OMS Version 4	348923	348976
Whale Tail Incinerator and Composter Waste Management Plan Version 2	348954	349007
Whale Tail Landfarm Design and Management Plan Version 3	348967	349023
Whale Tail Landfill Design and Management Plan Version 5	348969	349025
Meadowbank and Whale Tail Spill Contingency Plan Version 21	348908	349033
Meadowbank and Whale Tail Core Receiving Environment Monitoring Program	348913, 348914, 348915, 348916, 348917, 348918, 348919	349031, 349032, 349034, 349035, 349036, 349038
Meadowbank and Whale Tail Blast Monitoring Program Version 9	348929	348982

Plan	Meadowbank NIRB Doc. ID	Whale Tail NIRB Doc. ID
Wildlife and HHRA Country Foods Screening Level Risk Assessment Plan Version 9	348950	349003
Meadowbank and Whale Tail Quality Assurance-Quality Control (QAQC) Plan Version 9	348955	349008
Meadowbank and Whale Tail Emergency Response Plan Version 18	348958	349011

2.3 MONITORING BY REGULATORY AUTHORITIES

On April 29, 2024, the NIRB requested that regulatory authorities with expertise or jurisdiction at the Meadowbank Gold Mine and Whale Tail Pit Projects provide comments and information with respect to compliance monitoring and/or site inspections undertaken in association with the Projects, including specifically:

Compliance Monitoring:

- Identify the terms and conditions from the Project Certificate which have been incorporated into any permits, certificates, licences, or other approvals issued for the Project, where applicable and report annually to the NIRB on the status of those incorporated terms and conditions;
- A summary of any inspections conducted during the 2023-2024 reporting period, and the results of these inspections; and
- A summary of the Proponent’s compliance status regarding authorizations that have been issued for the Project.

Effects Monitoring:

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

Initially, Parties were requested to provide their comments on the *2023 Annual Report* by June 13, 2024; however, after receiving several requests, NIRB provided an extension to the commenting period. On or before June 27 2024, the NIRB received comments from the following parties:

Table 3-4. Comment Submissions

Commenting Party	Meadowbank Gold Mine (03MN107)	Whale Tail Pit (16MN056)
Kivalliq Inuit Association (KIA)	350554	350556
Government of Nunavut (GN)	350623	350624

Commenting Party	Meadowbank Gold Mine (03MN107)	Whale Tail Pit (16MN056)
Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC)	350577	350578
Environment and Climate Change Canada (ECCC)	350580	350581
Fisheries and Oceans Canada (DFO)	350582	350583
Health Canada (HC)	350553	350555
Transport Canada (TC)	350299	350301

Agnico Eagle provided its responses to parties' comments on July 30, 2024. The following is a *summary* of comments received by parties regarding compliance monitoring.

2.3.1 Compliance Monitoring

The following is a summary of comments received by parties regarding compliance monitoring.

2.3.1.1 Kivalliq Inuit Association

The Kivalliq Inuit Association (KivIA) did not provide any information regarding any site inspections conducted at the Meadowbank Gold Mine or the Whale Tail Pit Projects sites or report any concerns regarding compliance monitoring.

2.3.1.2 Government of Nunavut

The Government of Nunavut (GN) did not provide any information regarding any site inspections conducted at the Meadowbank Gold Mine or the Whale Tail Pit Projects sites or report any concerns regarding compliance monitoring.

2.3.1.3 Crown-Indigenous Relations and Northern Affairs Canada

Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) conducted the following site inspections in 2023:

- March 21, 2023 to assess compliance under the Type A Water Licence 2AM-WTP1830 (Whale Tail Pit Project).
- May 25, 2023 to assess compliance under the Type A Water Licence 2AM-MEA1530 (Meadowbank Gold Mine Project).
- November 2-28, 2023 to assess compliance with Project Certificate No. 004 Term & Condition 54 and Project Certificate No. 008 Term & Condition 28, and to make observations for the Terrestrial Ecosystem Management Plan (TEMP).

Several issues were observed during these inspections, but no non-compliances were noted.

On May 26, 2023, CIRNAC issued an Order to Agnico Eagle stating there were reasonable grounds to believe that, between December 30, 2006 and December 31, 2021, Agnico Eagle failed to adequately implement caribou protection measures, to comply with the TEMP, and to accurately and appropriately report activities. Following subsequent discussions with Agnico

Eagle, CIRNAC determined there was no specific non-compliance. Following the November 2023 site inspection, CIRNAC provided several comments to the TAG to improve wildlife monitoring and mitigation.

CIRNAC also commented on the issue of seepage observed on the west side of Assay Road in December 2023, noting that based on the information provided by Agnico Eagle, the measures taken to address the issue appear reasonable.

2.3.1.4 Environment and Climate Change Canada

Environment and Climate Change Canada (ECCC) has not issued any authorizations for the Project. ECCC conducted a site inspection at the Baker Lake Storage Tank System, All Weather Access Road and Meadowbank mine site from July 22-24, 2023 to verify compliance under the *Fisheries Act*, the Metal and Diamond Mining Effluent Regulations (MDMER), Environmental Emergency (E2) Regulations, Cross-Border Movement of Hazardous Waste and Hazardous Recyclable Material Regulations (CBX), and Storage Tank Systems for Petroleum Products and Allied Petroleum Products Resolutions (STSR). MDMER chemistry and toxicity sampling was not conducted at the Final Discharge Points (FDP) during this inspection as they were not discharging to the receiving environment. ECCC noted that no non-compliances were determined from this inspection. ECCC also noted that in 2023 the Proponent submitted all required MDMER reporting on time and no non-compliance issues were noted.

2.3.1.5 Fisheries and Oceans Canada

Fisheries and Oceans Canada (DFO) has previously issued various *Fisheries Act* Authorizations for Meadowbank:

- NU-03-190
- NU-03-191.3 and NU-03-191.4
- NU-14-1046

DFO has also issued the following Authorizations for Whale Tail:

- 16HCAA-00370;
- 20HCAA-00275.

In 2023 DFO noted that the Proponent is largely in compliance with the terms and conditions that pertain to DFO's mandate. DFO did not conduct any compliance monitoring or site visits/inspections in 2023.

2.3.1.6 Health Canada

Health Canada did not provide any information regarding any site inspections conducted at the Meadowbank Gold Mine or the Whale Tail Pit Projects sites or report any concerns regarding compliance monitoring.

2.3.1.7 Transport Canada

Transport Canada noted the oil handling facility is in compliance with regulatory requirements. No inspection of the facility was carried out in 2023. Tanker Marlin Hestia, associated with project shipping, was inspected by Transport Canada in 2023 and no deficiencies were noted. No enforcement activity was undertaken or required.

Agnico Eagle reported a spill to Transport Canada that occurred during a ship to shore transfer of fuel on August 27, 2023. Agnico Eagle responded appropriately and Transport Canada indicated no further follow-up is required at this time.

Transport Canada conducted an inspection of small boats/vessels used at the Meadowbank Complex in 2023. Transport Canada notes that all deficiencies identified during the inspection were followed up and completed by Agnico Eagle.

No Transportation of Dangerous Goods (TDG) monitoring was carried out at the Meadowbank Complex by Transport Canada in 2023. No complaints or concerns regarding TDG were received by Transport Canada and no TDG-related enforcement actions were required.

2.3.2 Effects monitoring

[Tables 3-5](#) through 5-11 contain a summary of comments received by parties and Agnico Eagle's follow-up responses.

Table 3-5. Kivalliq Inuit Association's Comments and Agnico Eagle's Responses on the 2023 Annual Report

Comment	Agnico Eagle's Response
<p>KivIA 1 – Define mitigation effectiveness and propose thresholds for each type of caribou mitigation to measure whether mitigation is effective.</p>	<p>Thresholds and adaptive management actions are included in the TEMP and in the annual monitoring summary reports. Agnico Eagle considers the thresholds as indices of effectiveness as they reflect the intent of mitigation hierarchy, which is minimization of residual effects of the Project.</p>
<p>KivIA 2 – Provide descriptive statistics and tabulation of daily traffic during closure, partial closure, and open road periods.</p>	<p>Agnico Eagle would like to explore the feasibility to improve the camera study to address KivIA's concern and would require further discussion in an upcoming TAG meeting.</p>
<p>KivIA 3 – Analyze 2023 caribou behavioural responses to vehicle convoys along the WTHH and AWAR including convoy duration and number of daily disturbances.</p>	<p>Analysis in 2023 based on time to return to baseline following a disturbance event indicate that convoys that concentrate multiple vehicles within a short period effectively reduce overall disturbance to caribou. Moving forward, Agnico Eagle will endeavor to collect duration of exposure to each convoy wherever possible and conduct an analysis including convoy duration and number of vehicles within convoys.</p>
<p>KivIA 4 – Assess why caribou detection rate through remote camera was so low, provide options on how to detect daily traffic frequencies, and describe the timing of caribou presence and road crossings relative to traffic.</p>	<p>The remote camera program aims to monitor caribou interactions with the WTHR and the physical parameters such as backfill height, slope and grain size and traffic rates. Other monitoring methods may be more appropriate to address the KivIAs's recommendations. T&C 29 does not require the use of remote camera monitoring specifically and the future of the program should be discussed with the TAG.</p>
<p>KivIA 5 – Describe overlap of caribou movement pathways from collar data with the AWAR and WTHR for different herds at an annual scale. Update the TEMP to consider herd-specific exposures.</p>	<p>Table 1 of Appendix F of the 2023 Wildlife Monitoring Summary Report summarizes the annual spring and fall interactions of the Ahiak, Beverly, Lorillard, Northeast Mainland, Qamanirjuaq and Wager Bay collared caribou with north-south reference lines that represent the most westerly and easterly points of the Meadowbank and Whale Tail development, including roads. Lorillard caribou have the</p>

	most frequent and regular annual interactions. Agnico Eagle’s mitigation is not herd specific.
KivIA 6 – Describe additional mitigation to reduce carnivore deaths and collect detailed information on why mitigation failed and whether there were underlying causes for nuisance wildlife.	Wildlife awareness and waste management continues to be delivered to on site personnel. Site inspections occur regularly (and more frequently after an incident) to ensure there is no food waste or shelter for wildlife. Agnico Eagle will continue improving on the mortality reporting process should an incident occur again in the future. Agnico Eagle will also engage with the GN and the HTO to perform a site tour so mitigation can be reviewed, and recommendations provided.
KivIA 7 – Improve flow and readability of the annual wildlife report with appropriate cross-referencing in the table of contents.	Agnico Eagle acknowledges KivIA’s comment and will work to improve flow and readability in future split documents. Agnico Eagle would like to remind that the full version and the split documents are both available and shared with all the regulators via OneDrive.
KivIA 8 – The company name in the Commitments has not been changed from Cumberland to Agnico Eagle.	The Meadowbank Project Certificate clarifies that references to Cumberland Resources apply to Agnico Eagle.
KivIA 9 - Provide an opportunity for the KivIA to review the results of SNC Lavalin’s annual open pit geomechanical inspection.	Agnico Eagle is working with WSP to complete the assessment; results are expected at the end of 2024 and the reporting will be included as part of the 2024 Annual Report.
KivIA 10 – Clarify how the potential for dust generation from the north tailing cell was mitigated in 2023.	Agnico Eagle managed the North Cell using a combined approach that included water level management, tailings surface capping in strategic areas and building temporary infrastructures to allow fresh tailings deposition.

Table 3-6. Government of Nunavut’s Comments and Agnico Eagle’s Responses on the 2023 Annual Report

Comment	Agnico Eagle’s Response
GN AR #01 – Explain why the frequency of pit and mine site ground surveys for wildlife at Whale Tail in 2023 were not increased in April and May as required by the TEMP. Provide additional information about the 69 caribou reported in April in Table 4-2 of Appendix 39. Provide a table in all future reports that integrates the frequency of	Blast monitoring is completed prior to any blasts and often in conjunction with Mine and Pit surveys. All aspects of the Mine and Pit survey are covered in the Blast Monitoring survey and mitigation measures will be applied according to the TEMP. The additional information requested was provided in Appendix A, Table A-4, of the 2023 Wildlife Monitoring Summary Report.

ground surveys, all caribou observations, and any mitigation taken.	
GN AR #02 – Summarize the in-kind versus financial contributions made by AEM towards the collection of caribou collar data. Provide details of plans to collaborate with the GN in the collection of collar data.	As per the previous Memorandum of Understanding (MOU) between Agnico Eagle and the GN, a yearly contribution of \$150,000 was made between 2017 and 2019, for the term of the MOU (3 years). In early 2023, Agnico Eagle and the GN signed the Data and/or Sample Sharing Agreement (DSSA) which is intended to replace the previous MOU.
GN AR #03 – Compare the road and viewshed surveys for caribou adjusting for length of survey and number of observers.	Agnico Eagle believes the differences in spatial coverage and observer effort between the two survey types are negligible. Triggering of mitigation from viewshed surveys is rare. The usefulness of these surveys will continue to be explored.
GN AR #04 – Justify the implemented definition for short-range flights. Justify all low-level flights. Ensure the mean height above ground is provided for each flight along with the specific purpose for each flight.	Short-range flights are those staying in and around one area of work (e.g. within 25 km of Meadowbank Mine or within 25 km of Whale Tail Mine) but not moving long distances between areas (e.g. from Meadowbank to Whale Tail). Agnico Eagle intends to discuss long-range and short-range flights at future TAG meetings. Agnico Eagle will continue to work with helicopter contractors and pilots to improve the recording of flight information. See full response for additional details.
GN AR #05 – Specify the type of coolant(s) involved in Project activities and spills. If and where applicable, use less toxic propylene glycol instead of ethylene glycol.	Coolant type will be specified for any future reportable spill. The use of ethylene glycol is a manufacturing requirement of operating equipment during harsh winters, however Agnico Eagle will continue to look for alternatives.
GN AR #06 – What modifications are being contemplated for programs intended to increase female employment rate.	The 2023 update to the Inuit Workforce Barriers Study (IWBS) specifically identifies barriers to Inuit women. Agnico Eagle is currently assessing these with the objective of developing action plans.
GN AR #07 – Assess whether the strategy to support Inuit employment is working as intended. Explain why Inuit employee turnover rate has decreased at all of Agnico Eagle’s Kivalliq mine sites.	Agnico Eagle will seek to provide an assessment on employment strategy. It is important to note that Inuit workforce returned to work in 2022, and that 2023 is the new baseline year (12 full months) of Inuit and Nunavummiut at work – post pandemic. Multiple year's reference will support a more in-depth analysis of our strategies. During the

	COVID-19 pandemic there was limited turnover as all Nunavummiut employees were at home.
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Table 3-7. Crown-Indigenous Relations and Northern Affairs Canada’s Comments and Agnico Eagle’s Responses on the 2023 Annual Report

Comment	Agnico Eagle’s Response
CIRNAC #1 - Convene an annual workshop with regulators and interested parties to discuss the status of closure planning.	Agnico Eagle intends to continue providing updates on progressive closure work, closure planning and closure engineering concepts, for both Meadowbank and Whale Tail sites, through the Annual Report and the next version of the Closure and Reclamation Plans. The next version of the Closure and Reclamation Plans will include a preliminary schedule of workshops with regulators and interested parties.
CIRNAC #2 – Revisit the water quality modelling: Consider using monthly or smaller time steps; Perform hydrodynamic modelling of receivers; Perform sensitivity analyses; Expand efforts to characterize loadings from pit walls.	Refinements to water quality forecasting have been initiated that integrate CIRNAC’s recommendations related to smaller time steps, sensitivity analyses and characterizing pit wall loadings. At this point, monitoring results do not suggest a need for hydrodynamic modelling of receivers, but this will be reviewed annually.
CIRNAC #3 – Confirm whether local area marine mammal monitors were onboard all vessels serving the Meadowbank Complex through Chesterfield Inlet.	Local wildlife observers surveyed a total of 27 days in July, August and October 2023. Monitors were unable to board on other occasions for reasons beyond Agnico Eagle’s control.
CIRNAC #4 – Consider virtual / telephone meetings when in-person meetings and workshop are not possible. Provide an update on the completion of in-person information meetings and Traditional Knowledge workshops in 2024.	Agnico Eagle have held teleconference calls, phone sessions, and mandated the local Community Liaison Officer to hold engagement and/or information sessions. Engagement activities, including information sessions and workshop, for 2024 will be available in the 2024 annual report.
CIRNAC #5 – Collect and consider feedback from local communities with respect to aesthetic values for progressive reclamation efforts.	Agnico Eagle has met with community and local stakeholders regularly to discuss project closure and continues to do so. The Closure and Reclamation Plan has been and will continue to be updated as additional community feedback is collected.
CIRNAC #6 - Provide details as to how Inuit Qaujimagatuqangit has been considered and utilized in TEMP activities and plan updates.	A draft update to the TEMP is under review with the TAG and includes two recent examples of how Agnico Eagle incorporates Inuit

	Qaujimaqatunqangit (IQ). One example includes consensus decision making with IQ holders and elders (in addition to KivIA, BLHTO and GN) about the application of mitigation levels. Another includes the use of a lead caribou approach to trigger road mitigation during spring migration.
CIRNAC #7 – Confirm if efforts were made to communicate with community representatives regarding scheduled ship transits through the regional study area in 2023.	In 2023 Agnico Eagle was unable to inform community representatives of shipping activities in-person, but held calls, meetings and information sessions with various local representatives and community groups.
CIRNAC #8 – Provide submission status of the Conceptual Socio-economic Closure Plan and indicate when the Whale Tail Pit Project Interim Closure and Reclamation Plan will be updated to include the Conceptual Socio-economic Closure Plan.	The Conceptual Socio-economic Closure Plan can be found on the NIRB public registry as Appendix 52 of Agnico Eagle’s <i>2018 Annual Report</i> . The next update of the Closure and Reclamation Plan for Meadowbank and Whale Tail will be completed during the remainder of the operation phase and will include a summary of the Updated Conceptual Socio-economic Closure Plan for the Project.
CIRNAC #9 – Provide update on cross-cultural training initiatives.	The cross-cultural training program underwent a comprehensive overhaul. For the first half of 2024, Meadowbank Complex delivered over 125 hours of the new Cultural Awareness training to its employees. In total, more than 40 people at Meadowbank Complex received this training.
CIRNAC #10 – Provide update on implementation of Project Certificate No. 004, Amendment No. 003, Commitment 102 relating to pre-employment orientation for potential hires.	In 2023 five (5) pre-employment training programs were delivered with a total of 45 participants across Arviat, Rankin Inlet and Baker Lake.

Table 3-8. Environment and Climate Change Canada’s Comments on the 2023 Annual Report and Agnico Eagle’s Response

Comment	Agnico Eagle’s Response
ECCE #1 – Describe how the potential causes of higher-than-forecasted contaminant loading identified in the <i>2023 Annual Report</i> are incorporated into the ongoing updates to the water quality predictions.	The Water Quality Forecasts model is updated annually to consider actual site conditions, site constraints, water volume transfers and tailings characteristics. Where measured loadings are higher than forecasted, the model is adjusted so forecasted trend follows the measured concentration.

<p>ECCC #2 – Verify that laboratory detection limits are sufficiently low to meet the water quality detection limits specified in the MDMER and in the EEM technical guidance documents.</p>	<p>In 2023, except for some of the mercury results, all method detection limits from the accredited laboratory were below requirements.</p>
<p>ECCC #3 – Discuss the implications over the life-of-mine if pH in Portage and Goose pit water continues to exceed predicted levels. Describe potential effects of higher-than-expected pH on water quality and the aquatic environment. Discuss adaptive management options and whether updates to site water quality model are required.</p>	<p>During the life of mine there is currently no plan for contact water to be discharged to the environment from the portage and goose pits. At closure, contact water will be treated if necessary prior to discharge, including pH adjustment.</p>
<p>ECCC #4 – Discuss implications of levels of nitrate and phosphorus in sewage treatment plant discharge being higher than operational targets.</p>	<p>Treated sewage effluent is discharged to the IVR Attenuation Pond and from there to the As-WTP for treatment prior to being discharged to the environment. No issues in the receiving environment and no non compliances have occurred as a result of the deviation from the operational parameters.</p>
<p>ECCC #5 – Include toxicity reports in the annual report submission.</p>	<p>Toxicity results are reported through the ECCC SWIM platform as required by the MDMER. Agnico Eagle can provide reports on request but will not include them in the annual report to minimize its size.</p>
<p>ECCC #6 – Review the PM2.5 and PM10 data for July 2023 for artifacts that may cause readings too high for PM2.5 or too low for PM10.</p>	<p>Agnico Eagle has reviewed the 2023 suspended particulate results for the Whale Tail Mine and confirms the values in question are correct as presented. The distribution of measured values is within the range of those reported historically in the literature.</p>
<p>ECCC #7 – Add a table in the Spill Contingency Plan summarizing the commodities subject to the E2 Regulations. A notice should be submitted if a situation covered under subsection 3(5) of the E2 Regulations occur.</p>	<p>Updated notices under the E2 SWIM platform have been submitted to account for the new tank at Meadowbank. Agnico Eagle will continue to submit notice under the E2 SWIM platform if a situation detailed in subsection 3(5) of the Environmental Emergency (E2) Regulations occurs. A table summarizing the commodities subject to the E2 regulation will be provided in the next update of the Spill Contingency Plan.</p>
<p>ECCC #8 – Install a lined and bermed area or appropriate secondary containment method for storage of hazardous chemicals / waste where not currently used. Seek out other means of containment that might be</p>	<p>It is industry practice not to use secondary containment in the case of seacans received from a sealift operation. These are inventory seacans not in use. As per the approved Hazardous Materials Management Plan</p>

more suitable to harsh conditions. Clarify the new procedure put in place to minimize accidents related to operation of forklifts in the storage area.	hazardous material is stored within their container within seacans. A spotter is now in place for all forklift transfers of all totes, drums etc. As well, forks are assessed prior to transfers to ensure they are properly adjusted and all loads are properly secured.
ECCC #9 – Identify which toxic gas(es) are at risk of being released for the presented scenario and the associated preparedness measures. Specify the relevant air quality monitoring practices / identify what type of monitoring is accessible.	Agnico Eagle will include these components in the next version of the Emergency Response Plan.
ECCC #10 – Ensure the latest version of the Emergency Response Guidebook from 2024 is referenced. Additionally, the Emergency Response Team training should incorporate best practices demonstrated in the free training package.	Agnico Eagle has already implemented the 2024 Emergency Response Guidebook and will update the information in the next version of the Emergency Response Plan.
ECCC #11 – Assign each hazardous material listed in Table 3-1 of the Spill Contingency Plan to a specific response plan.	The spill contingency plan specifies a general spill response procedure and clearly instructs a responder to consult the SDS for the specific spilled compound to determine whether deviations from the general guidance are required. Agnico Eagle will evaluate ECCC’s suggestion and determine how and if it needs to be integrated in the next version of the Spill Contingency Plan.
ECCC #12 – Take additional steps to improve compliance related to low altitude flights.	Helicopter contractors and pilots will continue to be reminded of the migratory bird breeding season. Agnico Eagle will also consider the proposed designations of caribou crossings and Thelon Areas of significance under the Draft Nunavut Land Use Plan with the TAG.
ECCC #13 – Provide link / copy / reference to “Assessing and Mitigating the Impacts of Mining-Induced Flooding on Arctic-Nesting Birds” (Holmes 2022)” which was referenced in the 2023 <i>Annual Report</i> .	A copy of the referenced report has been included in Agnico Eagle’s response to Parties comments. Agnico Eagle will provide any new publications as appendices in the 2024 Annual Report.
ECCC #14 – Clarify how light disturbance in sensitive wildlife and birds was monitored and/or mitigated and include in future revisions of the TEMP.	Lighting and use of lights are required for human safety. Light mitigation includes directing lighting downward where it does not affect human safety. Agnico Eagle also uses motion activated light controls at the Mine site so that light is not emitted when rooms are

	empty of people. It should be noted that most bird species are present during spring and summer when nighttime is minimized and the need for lighting is less.
ECCE #15 – Consult the federal Species at Risk registry to obtain most current information on species at risk in the Project area and update the TEMP as needed.	Species at risk registries are reviewed annually for updated information on new species at risk and recovery plans are included when applicable. The COSEWIC assessment for Harris’s sparrow shows the closest occurrence as being 250 km south of the project and so Agnico Eagle does not agree this species needs to be included in the TEMP.

Table 3-9. Fisheries and Ocean’s Canada’s Comments and Agnico Eagle’s Responses on the 2023 Annual Report

Comment	Agnico Eagle’s Response
DFO - #1. Provide a list of culverts along the WTHR and AWAR that cross fish bearing waters and if these require repair or replacement.	List of culverts crossing fish-bearing streams provided to DFO in 2023. Culvert assessment undertaken in spring 2024 and results will be discussed with DFO once available. Obstructed and damaged culverts are listed in the Annual Geotechnical Inspection Report. It will be specified into the 2024 Annual Geotechnical Inspection report if the culvert is fish bearing.
DFO - #2. Provide additional details on efforts to ensure accurate vessel tracks and compliance with setbacks from sensitive marine habitats. Provide summary of satellite outages and missing location data from 2023.	Vessel tracking data vary in frequency based on distance from shore, location of shore-based stations, and position of satellites. There may be 12 hours or more between fixes due to scarcity of satellites over the remote Arctic. These gaps in coverage mean the exact route a vessel passes is not always accurately reflected. Agnico Eagle investigates all cases where it appears vessels may have intersected setbacks. Shipping companies are regularly reminded of the importance of maintaining sensitive habitat buffers.
DFO - #3. DFO will work with the Proponent to update their marine mammal monitoring protocol and include increased monitoring efforts.	Agnico Eagle thanks DFO for their comment and wishes to reiterate that Agnico Eagle is operating as per its approved Shipping Management Plan and Marine Mammal Monitoring Protocol. Agnico Eagle is available to discuss with DFO at their convenience.

DFO - #4. Consider a non-Indigenous species/aquatic invasive species monitoring program. Provide specific measures that are used to mitigate risks.	Agnico Eagle contracts shipping companies that comply with all applicable regulations, including the Ballast Water Regulations, which reduces the risk of invasive species being introduced.
DFO - #5. DFO will work with the Proponent to monitor and model underwater noise footprint from shipping. A Shipping Management Plan should be updated according to the model.	Agnico Eagle would like to note that discussion was already initiated between Agnico Eagle and DFO on the topic of underwater noise monitoring. As previously communicated to DFO, Agnico Eagle is willing to participate in a committee led by DFO and including all relevant stakeholders involved with shipping activities in Nunavut.

Table 3-10. Health Canada’s Comments and Agnico Eagle’s Responses on the 2023 Annual Report

Comment	Agnico Eagle’s Response
HC - #01. Consumption of fish should be included in the potential exposure pathways for the Country Foods Screening Level Risk Assessment Plan unless data can demonstrate fish from nearby lakes are and will not be consumed.	No-fishing policies are in place for workers and consumption of fish from project lakes is expected to be negligible. Annual creel surveys continue to indicate that fish are not caught in lakes near the Meadowbank Complex. Consumption of fish by members of the public will be considered in the closure-phase HHERA as a complete pathway, since fishing is a possible activity in the lakes following the closure of the mine.

Table 3-11. Transport Canada’s Comments and Agnico Eagle’s Responses on the 2023 Annual Report

Comment	Agnico Eagle’s Response
TC - #01 - Make vessel operators serving the Project aware of the 2024 Annual Notice to Mariners, and in particular section A2 Marine Mammal Guidelines and Marine Protected Areas and section 7A Voyage Planning for Vessels Intending to Navigate in Canada’s Northern Waters.	Vessel operators are made aware of the notice and related requirements and reminders are sent by the shipping companies at the start of the season.
TC - #02 - Update shipping Management Plan to reflect the requirements of	Relevant sections of the Shipping Management Plan will be updated to reflect the current Ballast Water Regulations. Note

<p>the Ballast Water Regulations which came into effect in 2021. A new version of the Shipping Management Plan to be included with the 2024 Annual Report.</p>	<p>that the contracted shipping companies comply with all applicable regulations, including the Ballast Water Regulations, and that the Shipping Management Plan update is not required annually, but as needed when changes occur.</p>
<p>TC - #03 – In 2022 Transport Canada published its Voluntary Guidance for Relevant Authorities on In-Water Cleaning of Vessels which includes guidance on biofouling management. Additionally, in 2023 the International Maritime Organization's (IMO) Marine Environment Protection Committee (MEPC) adopted the revised "Guidelines for the Control and Management of Ship's Biofouling to Minimize the Transfer of Invasive Aquatic Species".</p>	<p>Agnico Eagle confirms that confirms this information has been shared with the currently contracted shipping companies.</p>
<p>TC - #04. Explain the discrepancy between the <i>2023 Annual Report</i> and the Transport Manifest with respect to the shipment of lead batteries for recycling.</p>	<p>Agnico Eagle will engage with TC to determine the best way to address this matter.</p>

2.4 NIRB MONITORING

2.4.1 Effects monitoring

The NIRB's comprehensive assessment of the Project Certificate is provided in [Appendix A](#) and [Appendix B](#). During the 2023-2024 reporting period, the Proponent has continued to provide the require plans, information and programs required under in the Project Certificate. Non-compliances are noted, and where appropriate, brought forward as part of this year's recommendations to the Proponent.

2.4.2 Compliance with the NIRB Screening Decision Report 11EN010

A recommendation of the NIRB's March 7, 2017, Screening Decision Report for Agnico Eagle's "Amaruq Exploration Access Road – Additional Quarry Amendment" Project (File No. 11EN010; now referred to as the "Amaruq Project") is that Agnico Eagle include a summary of activities undertaken within its Annual Report for the Meadowbank Project. Agnico Eagle provided the description of activities for the Amaruq project in its *2023 Annual Report*.

2.4.3 Compliance as required under the Project Certificates

[Appendix A](#) of this report documents Agnico Eagle's compliance achievements with Project Certificate No. 004 during the 2023-2024 monitoring period. During this period, the Proponent

was successful in generally meeting the objectives of monitoring and mitigation plans and procedures put in place for the Project. However, certain outstanding issues will require the Proponent's attention as discussed throughout this report, with a focus on the main issues identified in this monitoring period. There are several terms and conditions that the Proponent has yet to fully achieve or make progress towards achieving, specifically Terms and Conditions 25, 39, 40, 56, 61, 62, 77, 86.

[Appendix B](#) of this report documents Agnico Eagle's compliance achievements with Project Certificate No. 008 during the 2023-2024 monitoring period. During this reporting period, the Proponent was successful in generally meeting the objectives of monitoring and mitigation plans and procedures put in place for the Project. However, certain outstanding issues will require the Proponent's attention as discussed throughout this report, with a focus on the main issues identified in this monitoring period. There are several Terms and Conditions that the Proponent has yet to fully achieve, specifically Terms and Conditions 13, 26, 28, 29, 30, 35, 42, 51, 54, 58, 60 (under Whale Tail Pit Project Specific Terms and Conditions).

For both of the Projects, the NIRB has provided direction in the Appendices with each term and condition, as well as in Section 5 of this Report.

Table 3-12. Summary of Instances where FEIS Predictions were exceeded or not supported in 2023 (Meadowbank)

Potential Impact or Benefit	FEIS Prediction /Threshold ¹	2023 Results ²	Agnico Eagle’s Conclusions
Change in water levels.	No change in lake levels (levels will remain within modeled range).	Water levels in Third Portage Lake higher than predicted but no change from baseline.	Monitoring programs and existing mitigation measures considered effective.
Change in water quality.	Measured concentrations will stay w/in model predictions	Concentrations for some parameters in Wally Lake, Second Portage Lake, Third Portage Lake exceeded predictions, but are below level of concern for aquatic life.	Monitoring programs and existing mitigation measures considered effective.
Project-related wildlife mortality	Destruction of two (2) problem Grizzly Bear, Wolverine, or Wolf per year	Three wolverine and three wolves dispatched following unsuccessful deterrence actions.	TEMP monitoring and mitigation programs are effective. Given high number of wildlife mortalities, reminders were sent to all departments regarding wildlife procedures. Related TEMP measures are being emphasized in 2024. Reorganization of composter building, and relocation of landfill are expected to reduce possible wildlife attractants.
Noise disturbance from project-related activities	Max 1 hr $L_{eq} = 57$ dBA at Monitoring Station R5	2 of 44 $L_{eq 1-h} > 57$	Infrequent, short-duration exceedances due to helicopter or aircraft flyovers, which were not included in the noise modeling. No clear trend towards increasing sound levels above FEIS predictions therefore monitoring and mitigation measures considered effective.

Potential Impact or Benefit	FEIS Prediction /Threshold ¹	2023 Results ²	Agnico Eagle's Conclusions
Reduced air quality	PM10, PM2.5, NO2 will not exceed modelled values	PM2.5 at monitoring station DF2 exceeded FEIS prediction	No clear trends over time. Only rare exceedances of various parameters /locations between 2018-2024. Monitoring programs and existing mitigation measures considered effective.
Positive impact on employment	Construction phase workforce will average 160 and peak at 310; operation phase workforce estimated at 370.	Employment at Meadowbank / Whale Tail decreased by 6.3% in 2023 to 1,898. Contractors account for 39% of Meadowbank / Whale Tail employment.	Overall project employment has exceeded predictions.
Positive impact on Inuit income levels	Direct project wages paid to people in Kivalliq Region, primarily Baker Lake, could exceed \$4M annually.	Total income paid to Meadowbank /Whale Tail Inuit employees (excluding contractors) in 2023 was \$20.8M.	There continues to be a significant and positive impact on the personal income of people in the region.
Change in population demographics /migration	Migration of Southerners to Baker Lake would be a concern. Migration to communities other than Baker Lake would not be significant.	At Meadowbank / Whale Tail, the number of Inuit employees residing outside Nunavut increased from 22 in 2022 to 26 in 2023. Population changes in Kivalliq communities in 2022 were on par with those in previous years.	Since 2015 there has been relatively little change in the number of Inuit employees residing outside of Nunavut, with the exception of 2021 likely due to the COVID-19 pandemic. The number of Inuit and non-Inuit employees moving into and out of Nunavut and between Baker Lake and Rankin Inlet has been minimal. There is no evidence of project-induced migration.

¹For terrestrial wildlife, thresholds from the Terrestrial Ecosystem Management Plan (Version 7, 2019) are used as reference rather than FEIS predictions.

²Socio-economic monitoring results reported for Meadowbank and Whale Tail sites together.

Table 3-13. Summary of Instances where FEIS Predictions were exceeded or not supported in 2023 (Whale Tail)

Potential Impact or Benefit	FEIS Prediction /Threshold	2023 Results	Agnico Eagle’s Conclusions
Dustfall generation	3.67 mg/cm ² /30d within 25 m of the WTHR	13.17 mg/cm ² /30d within 25 m of the WTHR	Dustfall from 2019 through 2023 is consistently higher than predicted within 25 m of the road, but below the thresholds for all other distances from the road. The overarching FEIS prediction that that maximum deposition rates would decline below 0.53 mg/cm ² /30 d within 500 m of the road has been met in all monitoring events.
Reduction of air quality	PM _{2.5} 24-h: 21-28 µg/m ³	Max. 31 µg/m ³	This exceedance was localized and non-significant. Air quality monitoring results difficult to compare to modeled FEIS predictions which consider only certain sources, however observed values can be compared to regulatory guidelines and management thresholds. Existing mitigation considered effective.
Positive impact on employment	Direct average operational employment is expected to be 1,166 positions.	Employment at Meadowbank / Whale Tail decreased by 6.3% in 2023 to 1,898. Contractors account for 39% of Meadowbank / Whale Tail employment.	Overall project employment has exceeded predictions.
Positive impact on Inuit employment	Excluding the final year of operations, direct average operational	Inuit employment as a proportion of total was 16%, representing a decrease from 18% in 2022. At Meadowbank /	Inuit labour supply in the region does not meet Agnico Eagle’s labour demands. Sanajiksanut is the primary vehicle through which Agnico Eagle recruits and hires new Inuit employees. In total in

Potential Impact or Benefit	FEIS Prediction /Threshold	2023 Results	Agnico Eagle's Conclusions
	employment is expected to be 1,166. Of these, nearly half (491 or 42%) are expected to be filled by Nunavummiut/	Whale Tail, Inuit contractor employment decreased by 1 FTE to 23 FTEs in 2023. Inuit FTE for contractors was 3% in 2022 and 2023.	2023, the Sanajiksanut program hired 94 Inuit employees at the Meadowbank Complex (87 for Agnico Eagle, and 7 for contractors). Other programs such as the Leadership Development program, Adult Educators Program, Career Path training programs, Cross-Cultural training have also been designed to support Inuit employment levels.
Employment opportunities for Kivalliq communities	Baker Lake is expected to fill 3 management jobs, 16 skilled jobs, 187 semi-skilled jobs, and 66 entry level jobs, for a total of 272 jobs.	173 employees were Kivalliq-based. 123 of these were from Baker Lake.	The number of Kivalliq-based employees generally trended downward year-over-year at Meadowbank / Whale Tail, decreasing by 22% in 2023.
Positive impact on Inuit income levels	During operations, the Project is projected to generate \$421.1 million (cumulatively) in direct labour income in Nunavut, and \$509.3 million in total territorial labour income.	By the end of 2023, Agnico Eagle has paid a cumulative total of \$305.8M of employment income to Inuit employees of all Agnico Eagle projects since 2010.	There continues to be a significant and positive impact on the personal income of people in the region.
The number of Nunavut	Inuit employees expected to hold 154	In 2023, the number of Inuit employees continued to	Inuit employees are underrepresented in management & professional / skilled roles.

Potential Impact or Benefit	FEIS Prediction /Threshold	2023 Results	Agnico Eagle's Conclusions
residents in the skilled, professional and management employment categories will increase	entry level positions, 305 semi-skilled positions, 29 skilled positions and 4 management positions.	decrease in semi-skilled and unskilled job categories at Meadowbank, but remained constant for skilled, and decreased for management and professional positions. Inuit employees held 90 unskilled roles, 99 semi-skilled roles and 0 management /professional roles.	Programs such as the Leadership Development program, Adult Educators Program, Career Path training programs, Cross-Cultural training and others have been designed to help address this gap.
Change in population demographics /migration	Project employment opportunities could spur migration to Baker Lake and Rankin Inlet.	At Meadowbank / Whale Tail, the number of Inuit employees residing outside Nunavut increased from 22 in 2022 to 26 in 2023. Population changes in Kivalliq communities in 2022 were on par with those in previous years.	Since 2015 there has been relatively little change in the number of Inuit employees residing outside of Nunavut, with the exception of 2021 likely due to the COVID-19 pandemic. The number of Inuit and non-Inuit employees moving into and out of Nunavut and between Baker Lake and Rankin Inlet has been minimal. There is no evidence of project-induced migration.

2.5 NIRB SITE VISIT AND PUBLIC INFORMATION SESSION

Meadowbank and Whale Tail Gold Mine Site Visit and Public Information Session

The NIRB staff completed a site visit to the Meadowbank and Whale Tail Gold Mine Projects on July 23-25, 2024 and observed that facilities at the Property were generally maintained according to required environmental protection measures under Project Certificate No. 006. NIRB staff identified the following specific areas for improvement:

Meadowbank

- Re-covering of berm liner in the secondary containment berms at the fuel storage areas at the Baker Lake Marshalling Facility which was noted in 2022 and 2023. Agnico Eagle said they would be repairing in 2024.
- Ensure that sediment fences are in good condition (e.g., Baker Lake Laydown Area) and ready to function in future flood events.

Whale Tail

- Recovering of berm liners in the secondary containment berms at the fuel storage area at Whale Tail similar to 2023, and
- Ensuring all signage is appropriate at site.

The NIRB also conducted a Public Information Session in Baker Lake on July 22, 2024, to provide community members with an update on mine activities as well as engage with the community members on any questions or concerns related to the Project. General topics raised by community members regarding monitoring the Project included the following:

- Community Members noted that there hadn't been as much concern around dust since the application of Dust suppressant along the All-Weather Access Road;
- Challenges with being able to obtain employment at the site; and
- More community engagement from the Agnico Eagle team.

4.0 FINDINGS AND RECOMMENDATIONS

Monitoring Officer Findings

1. The NIRB is aware of an ongoing discussion between CIRNAC the Proponent regarding adequacy of secondary containment for hazardous materials and whether closed sea containers are considered to be adequate secondary containment. The NIRB will be closely monitoring these conversations and expects to be apprised of any definitive outcomes or decisions in order to align expectations with other Proponents across Nunavut.
2. Through the *2023 Annual Report*, the Board noted that the current version of the Terrestrial Environment Monitoring and Mitigation Plan (TEMMP) is from 2019 and Agnico Eagle has noted that an updated version would be completed in 2024. There has also been ongoing discussion for the new version including greater clarity regarding the

monitoring of helicopter flights, reporting requirements for flights, updated definitions and thresholds for caribou group sizes as well as updated caribou migration path mapping. NIRB Staff expect to receive the updated TEMMP as part of the 2024 Annual Report to aid parties in evaluating potential impacts and mitigation measures.

Board Recommendations

In the *2023 Annual Report*, the Proponent indicated that it had completed a “Natural Recovery and Active Restoration of Tundra Plant-Soil Systems study in 2022” as part of their work on the Meliadine Project (NIRB File No. 11MN034). The Proponent also noted that this work could help to inform the closure planning for Meadowbank; however, the results of this work have not yet been reported and the interim closure and reclamation plan has not been updated to reflect this work.

Recommendation 1: Agnico Eagle provide an update within its 2024 Annual Report on the results of their Natural Recovery and Active Restoration of the Tundra Plan Soil Systems study at Meliadine (NIRB File No. 11MN034) and when they will be incorporated into the Interim Closure and Reclamation plan for the Meadowbank Project.

In the 2022 Monitoring Report, the Board requested that Agnico Eagle provide commentary on plans to increase public engagement with respect to mine closure. In the *2023 Annual Report*, the Proponent noted that there were several initiatives in place such as working on social closure studies, reports of other northern mine closures, beginning progressive social closure, planned engagement sessions, and started workforce transition planning. Community consultations are planned for 2024 to focus on identifying risks and mitigation and supporting community priorities for economic development.

Recommendation 2: Agnico Eagle provide with the 2024 Annual Report a progress update including a list of actions to address issues from the consultations as well as an updated Interim Closure and Reclamation Plan.

5.0 CONCLUSIONS

Pursuant to Sections 12.7.2 and 12.7.3 of the *Nunavut Agreement* and ss. 135(3) and 135(4) of the *NuPPAA*, the NIRB will continue to work with Agnico Eagle and other regulatory authorities in order to provide the required evaluation of monitoring efforts, results and compliance as outlined within the Board’s project-specific monitoring programs and in accordance with the requirements set out in the Meadowbank and Whale Tail Project Certificate No. 004, Amendment No. 03 and Project Certificate No. 008, Amendment 01.

During the 2023-2024 monitoring period, Agnico Eagle demonstrated compliance with the majority of the applicable requirements of the Project Certificates. Further, the Proponent is generally meeting the objectives of monitoring and mitigation plans and procedures put in place

for the Project. The Board looks forward to hearing updates from Agnico Eagle, Authorizing Agencies, and other Parties in the coming monitoring year as it continues to track compliance.

Prepared by: Cory Barker, M.Sc.
Title: Manager, Project Monitoring
Date: April 2, 2025
Signature:



Reviewed by: Tara Arko, EP
Title: Director, Operations
Date: April 2, 2025
Signature:



Appendix A - Compliance with the Meadowbank Gold Mine Project Certificate No. 004, Amendment 003

Term & Condition	Compliance Achievement 2022-2023	Compliance Achievement 2023-2024	NIRB Comment
Regulatory Requirements (General)			
1. Adherence to the commitments from the original Final Hearing.	Active In Compliance	Active In Compliance	Status of commitments applicable to the operation phase is provided in Appendix 1 of Agnico Eagle's <i>2023 Annual Report</i>
2. The NIRB's assignment of a Monitoring Officer.	Active In Compliance	Active In Compliance	Completed by NIRB and overseen by Manager, Project Monitoring
3. Must obtain all required federal and territorial permits and other approvals and shall comply with the requirements of such regulatory instruments.	Active In Compliance	Active In Compliance	Confirmed in Agnico Eagle's <i>2023 Annual Report</i> and by Agencies.
4. Prompt and appropriate action to remedy any noncompliance and annual reporting of noncompliance with environmental laws and regulations and/or regulatory instruments.	Active In Compliance	Active In Compliance	Summary of non-compliance provided in section 11.6.1 of Agnico Eagle's <i>2023 Annual Report</i> . One (1) order from CIRNAC was issued to the Proponent in 2023 for non-compliance for the protection of caribou under Project Certificates 004 and 008, however further information submitted by Agnico Eagle determined that compliance was achieved and the order was subsequently closed.
5. Posting of adequate performance bonding.	Active In Compliance	Active In Compliance	Supported through Nunavut Water Board licensing process and site-specific Type 'A' Water Licence.
Monitoring Records			
6. Information requirements for monitoring reporting.	Active In Compliance	Active In Compliance	
7. Maintain the records and results of any monitoring, data, or analysis, for a minimum of the life of the Project, including closure and post-closure monitoring.	Active In Compliance	Active In Compliance	
Water Quality and Waste Management			
8. Conduct groundwater Monitoring.	Active In Compliance	Active In Compliance	The 2023 Groundwater Monitoring Report was included as Appendix 35 of Agnico Eagle's <i>2023 Annual Report</i> .

Term & Condition	Compliance Achievement 2022-2023	Compliance Achievement 2023-2024	NIRB Comment
9. Provide 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.	Active In Compliance	Active In Compliance	Complete and part of NWB Type “A” Water License 2AM-MEA1526.
10. Provide details of sewage treatment.	No Longer Active Completed	No Longer Active Completed	Completed prior to Water License approval and monitored through Water License.
11. Provide details regarding the effluent outfall configuration for Wally Lake in the water license application to the NWB.	No Longer Active Completed	No Longer Active Completed	Completed prior to Water License approval and monitored through Water License.
12. Provide details of a comprehensive water use and water management plan for the Baker Lake marshalling area, including monitoring of the discharge from the marshalling area sump.	No Longer Active Completed	No Longer Active Completed	Completed prior to Water License approval and monitored through the Water License.
13. Meet water discharge requirements for Wally Lake and Third Portage Lake.	Active In Compliance	Active In Compliance	As per Agnico Eagle’s <i>2023 Annual Report</i> , no discharge to Wally Lake or Third Portage Lake occurred in 2023. The lakes are monitored.
14.. Maintain dewatering dikes until water quality meets discharge criteria.	Not Yet Active Not Yet Applicable	Not Yet Active Not Yet Applicable	At end of Mine life; Part E, Item 7 of NWB Type “A” Water License 2AM-MEA1526.
15. Characterize mine waste materials, including the Vault area, for acid generating potential, metal leaching and non-metal constituents within two years of commencing operations.	Active In Compliance	Active In Compliance	Section 5.1.1 of Agnico Eagle’s <i>2023 Annual Report</i> provides a summary of activities completed related to each item listed in the Term and Condition. Agnico Eagle notes that no leaching was observed on the pit slope or dike faces. It is also noted that seepage occurred at the base of the Vault Waste Rock Storage Facility (WRSF) and the results of water sampling reveal that the water seepage is of suitable quality to be released into the environment.
16. N/A-Missed Number.			n/a
17. Undertake detailed technical review of all dike and pitwall designs at the final design stage and submit the final dike designs for	No Longer Active Completed	No Longer Active Completed	

Term & Condition	Compliance Achievement 2022-2023	Compliance Achievement 2023-2024	NIRB Comment
water depths of greater than 10 metres for an expert analysis.			
18. Commit to a pro-active tailings management strategy through active monitoring, inspection, and mitigation.	Active In Compliance	Active In Compliance	Currently operating with a revised Tailings Deposition Plan submitted with Agnico Eagle's <i>2022 Annual Report</i> as Appendix 22 – 2022 Mine Waste Rock Management Plan Version 13. The deposition model will be valid until operations end in 2026 and aims to minimize freshwater consumption and ensure operational flexibility to react to potential challenges from in-pit deposition.
19. Meet tailings cover requirements for both existing Tailings Storage Facility and the In-Pit Tailings. Report annually on freezeback effectiveness.	Active In Compliance	Active In Compliance	<p>The current Final Closure and Reclamation Plan (FCRP) includes plans to use a minimum of 2 meters (m) thick rockfill cover at the TSFs and 4 m rockfill at the WRSF at closure. A study is ongoing to determine if new structures are required for the TSFs and a study of the design of the Portage WRSF began in 2022. The progress of the TSF cover design will be included in the next version of the Interim Closure and Reclamation Plan (ICRP)</p> <p>Thermal monitoring of the TSF and WRSF is reported in Appendix 19 of Agnico Eagle's <i>2023 Annual Report</i>. Freezeback at the TSF North Cell is occurring and modelling shows that full freezeback will occur more quickly than anticipated. Freezeback at the Portage WRSF has not reached a state of equilibrium and has an approximately 3 meter (m) active layer.</p>

Term & Condition	Compliance Achievement 2022-2023	Compliance Achievement 2023-2024	NIRB Comment
20. Identify mitigation measures for contamination from tailings. Assess / monitor fault permeability to groundwater movement.	Active In Compliance	Active In Compliance	Characterization of geologic structures and hydrogeological 3-D model completed in 2017 and updated in 2018 to assess potential contaminant transfer from in-pit tailings. Further updates to model planned for closure to adapt closure and post-closure groundwater monitoring program. See the following for additional details: -Groundwater Monitoring Plan, Version 11, March 2020 - Groundwater Management Plan, Version 11, March 2020. -Pore Water Monitoring Plan, Version 2, March 2020.
21. Install a weather station at the mine site to collect atmospheric data, including air temperature and precipitation.	Active In Compliance	Active In Compliance	
22. Fund an on-site 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.	Active In Compliance	Active In Compliance	A certified laboratory is on-site.
23. Water quality monitoring Quality Assurance/Quality Control (QA/QC). Independent accredited lab analysis.	Active In Compliance	Active In Compliance	The revised QA/QC Plan (February 2024) – Version 8 is included as Appendix 44 of Agnico Eagle’s <i>2023 Annual Report</i> . Chemical analyses and toxicity tests were performed by Bureau Veritas, Aquatox/Nautilus. Agnico Eagle also uses services from H2Lab and SGS.
24. Identify an area and design for a landfill for disposal of operational and closure non-salvageable materials with design incorporated into Waste Management Plan.	Active In Compliance	Active In Compliance	Onsite landfill is operational and hazardous waste is shipped offsite to disposal facilities in Quebec. Several recycling programs took place at the Meadowbank site during 2023 to reduce waste volumes, including PPE, steel, oil, battery, and tire recycling.
25. Managing attraction of carnivores and/or raptors to reduce or eliminate attraction at all landfills and waste storage areas.	Active In Compliance	Active Deficient – in Progress	Addressed in the Landfill Design and Management Plan, Version 5, March 2021 and Terrestrial Ecosystem Management Plan, Version 7, 2019. As reported in Agnico Eagle’s <i>2023 Annual Report</i> , monitoring of the TSF by staff took place on a regular basis

Term & Condition	Compliance Achievement 2022-2023	Compliance Achievement 2023-2024	NIRB Comment
			<p>during the open water season to ensure caribou did not frequent the facilities. Staff concluded that caribou did not frequently visit the area. Agnico Eagle reported that 62 wildlife deterrence activities were reported in 2023 for caribou, muskox, wolf, and wolverine. Deterrence at waste management areas is deployed on an as-needed basis. In 2023 three wolverines and three wolves were killed.</p> <p>In their comments on the <i>2023 Annual Report</i>, the KivIA noted that the number of deterrence actions in 2023 was the highest since 2015 and higher than the threshold identified in the TEMP that would trigger additional mitigation. In response, Agnico Eagle noted they increase the frequency of site inspections after an incident and will engage with the GN and the HTO to discuss additional mitigation opportunities.</p>
26. Ensure spills are cleaned up and site maintained clean of debris.	Active In Compliance	Active In Compliance	The Meadowbank Site, AWAR, and Baker Lake Facilities experienced 15 reportable spills and 46 non-reportable spills in 2023. Spills are summarized in Agnico Eagle's <i>2023 Annual Report</i> .
27. Ensure that fuel and hazardous materials are contained using safe, environmentally protective methods based on practical, best engineering practices.	Active In Compliance	Active In Compliance	<p>The storage of fuel and hazardous materials is addressed in Agnico Eagle's Hazardous Materials Management Plan, Version 7, March 2022 and Spill Contingency Plan, Version 21, April 2024.</p> <p>ECCC's comment on Agnico Eagle's <i>2023 Annual Report</i> noted 2 instances in 2023 where the use of secondary containment could have minimized the impact of spills/accidents. ECCC recommended Agnico Eagle commit to installing a lined and bermed area wherever secondary containment is not currently used. Agnico Eagle noted it is industry practice not to use secondary containment in the case of seacans received from a sealift operation.</p>

Term & Condition	Compliance Achievement 2022-2023	Compliance Achievement 2023-2024	NIRB Comment
28. Signatory to the International Cyanide Management Code (ICMC), communicate this to shippers.	Active In Compliance	Active In Compliance	<p>Agnico Eagle received full ICMC certification in March 2016. Recertification received January 2019 and internal audit completed in 2020.</p> <p>Third-party audit was completed in 2021 for recertification and the official ICMC certificates were received in September 2022.</p> <p>Agnico Eagle held information sessions in Baker Lake and Chesterfield Inlet in 2023 on the subject of Cyanide transportation.</p>
Project Alternatives and Planned Changes			
29. Reporting on plans for expansion, particularly the use of Second Portage Lake as preferred alternative for tailings management.	Active In Compliance	Active In Compliance	<p>No new permitting activities for mine expansion were undertaken in 2022 for the Meadowbank Complex. Two modifications were submitted by Agnico Eagle in 2023, both of which were exempt from screening by the NIRB. The first modification was an addition of infrastructure at the Baker Lake facilities to improve water management. The second modification was to increase the pushbacks to IVR and Whale Tail pits that had been originally modified in 2022. The second modification also involved the use of IVR pit to store saline groundwater. In response, the NIRB requested that updated management plans associated with these activities be submitted to the NIRB. Updated management plans were subsequently received during the monitoring year.</p>
30. Application to Schedule 2 of the Metal Mining Effluent Regulations, including the No Net Loss Plan expectations.	No Longer Active Completed	No Longer Active Completed	

Term & Condition	Compliance Achievement 2022-2023	Compliance Achievement 2023-2024	NIRB Comment
All-Weather Private Access Road			
31. Provide stream crossing design criteria along with maintenance plan and mitigation and monitoring expectations.	Active In Compliance	Active In Compliance	In 2023 the Proponent provided DFO a list of culverts along the WTHR and AWAR that cross fish-bearing waters. Agnico Eagle conducted geotechnical and inspections of all bridges and culverts along the AWPAR in 2023 as well as regular visual inspections at fish bearing streams. The <i>2023 Annual Report</i> does not note any issues with the crossings however the 2023 annual geotechnical inspection report identified several obstructed and damaged culverts. Agnico Eagle noted in their response to DFO in 2024 that no issues were observed with respect to the capacity of these culverts to handle flow.
32. (Amended) All-weather Access Road (AWAR) to be operated as private access road with limited access for all-terrain vehicles.	Active In Compliance	Active In Compliance	<p><u>32e</u>: Agnico Eagle held two (2) engagement sessions to discuss the AWAR procedures during 2023.</p> <p><u>32f</u>: Agnico Eagle reported using Facebook to share AWAR procedures and closures throughout 2023.</p> <p><u>32g</u>: A summary of the non-mine authorized road use was provided in the <i>2023 Annual Report</i>.</p> <p><u>32h</u>: Agnico Eagle reported two (2) wildlife fatalities on the AWAR in their 2023 Wildlife Monitoring Summary Report (Appendix 39 of the <i>2023 Annual Report</i>) as well as 12 environmental spills. Procedures for reporting these incidents were followed according to Agnico Eagle’s Spill Contingency Plan.</p>
33. Maintain an Access and Air Traffic Management Plan.	Active In Compliance	Active In Compliance	Agnico Eagle’s Transportation Management Plan replaced the Access and Air Traffic Management Plan in 2006. The AWAR Transportation Management plan was last updated in October 2022 and is found in Appendix 45 of Agnico Eagle’s <i>2022 Annual Report</i> .

Term & Condition	Compliance Achievement 2022-2023	Compliance Achievement 2023-2024	NIRB Comment
34. Maintain a full-time road safety, search, and rescue position.	Active In Compliance	Active In Compliance	Agnico Eagle staffs their AWAR gatehouse 24 hours per day, and non-mine use of the road requires check-in with gatehouse staff. Gatehouse staff are aware of mine and non-mine use of the road and are able to contact RCMP if needed.
35. Reclaim the all-weather private access road at the end of the mine life unless approval obtained to maintain and operate beyond life of mine.	Not Yet Active Not Yet Applicable	Not Yet Active Not Yet Applicable	At end of Mine life which includes the life of the Whale Tail Pit project.
36. Ensure placement of local area marine mammal monitors onboard all vessels.	Active Deficient - in progress	Active In Compliance	Agnico Eagle described their efforts to recruit local monitors in their <i>2023 Annual Report</i> and challenges they faced. In 2023, Agnico Eagle employed one wildlife observer from the community of Baker Lake for a total of 27 days in July, August, and October. Agnico Eagle noted they will continue work to hire local monitors in 2024 and as an alternative they will discuss with shipping companies the possibility of having a marine mammal observer for a smaller length of Chesterfield Inlet (from Helicopter Island to Baker Lake).
37. Contract only Transport Canada certified shippers and require up-to-date emergency response/spill handling equipment.	Active In Compliance	Active In Compliance	Agnico Eagle confirmed in their <i>2023 Annual Report</i> that only certified vessels were used to carry cargo to the Meadowbank Site. The carriers were trained on Agnico Eagle's shipping and emergency plans. Mock spill exercises also took place at the Baker Lake facilities, as described in the Oil Pollution Emergency Plan and Oil Pollution Prevention Plan in Appendix 25 of Agnico Eagle's <i>2023 Annual Report</i> .
38. Shipping requirements through Chesterfield Inlet – limited number of ships where possible.	Active In Compliance	Active In Compliance	Agnico Eagle monitored ingress/egress of cargo ships during 2023 and reported the results within their <i>2023 Annual Report</i> . Number of trips was reduced in 2020 due to COVID-19 and increased again in 2021, with trip numbers steady from 2021-2023.

Term & Condition	Compliance Achievement 2022-2023	Compliance Achievement 2023-2024	NIRB Comment
39. Annual community information meeting in Chesterfield Inlet to fully discuss the shipping program for the Project.	Active In Compliance	Active Deficient – in Progress	Agnico Eagle was not able to hold a community information meeting in Chesterfield Inlet in 2023 due to weather concerns during their spring community tour and subsequently due to lack of availability of accommodations in Chesterfield Inlet. Agnico Eagle is strategizing proactive strategies for 2024.
40. Gather traditional Knowledge from the local HTOs and Chesterfield Inlet - marine mammals, cabins, hunting, and other local activities in the Inlet.	Active Deficient – in Progress	Active Deficient – in Progress	Agnico Eagle was not able to hold a community information meeting in Chesterfield Inlet in 2023 due to weather concerns during their spring community tour and subsequently due to lack of availability of accommodations in Chesterfield Inlet. Agnico Eagle is strategizing proactive strategies for 2024.
41. Require shippers to follow mitigation procedures for marine mammals (e.g., giving wildlife the right-of-way).	Active In Compliance	Active In Compliance	Section 4.2 of the Shipping Management Plan (version 4, April 2022, Appendix 56 of the 2021 Annual Report) outlines mitigation measures to minimize potential impacts on marine mammals. No incidents/vessel strikes with marine mammals were reported in 2023.
42. Fuel transfer operational requirements.	Active In Compliance	Active In Compliance	Agnico Eagle experienced a diesel spill in Baker Lake during 2023 and took actions in accordance with the Vessel Pollution and Dangerous Chemicals Regulations. No other issues related to this Term and Condition were reported in 2023.
43. Lightering activities at Helicopter Island are not approved, except in case of emergency only, with explanation required if used.	Active In Compliance	Active In Compliance	No issues of non-compliance reported in Agnico Eagle’s 2023 Annual Report.
44. Spill Contingency and Emergency Response Plan.	Active In Compliance	Active In Compliance	<p>This Term and Condition is satisfied by the following plans submitted by Agnico Eagle:</p> <ol style="list-style-type: none"> 1) Spill Contingency Plan, Version 21, February 2024; 2) Emergency Response Plan, Version 18, August 2023; and 3) Oil Pollution Emergency Plan and Oil Pollution Prevention, Version 17, February 2024. <p>Agnico Eagle also held an annual mock spill exercise at the Baker Lake facilities in 2023.</p>

Term & Condition	Compliance Achievement 2022-2023	Compliance Achievement 2023-2024	NIRB Comment
45. Insurance requirements for contracted shippers.	Active In Compliance	Active In Compliance	All shipping contractors using marine transport vessels or vehicles travelling on the AWAR and WTHR have the appropriate insurance. In 2023 Agnico Eagle claimed Arctic Fuel Services concerning a diesel spill of 29,000 L that occurred during 2022. No marine shipping claims occurred in 2023.
Fish and fish-habitat			
46. Freshwater intake pipe requirements and design.	Active In Compliance	Active In Compliance	No changes to the freshwater intake in Third Portage Lake were made in 2023. No freshwater was obtained from Unnamed Lake in 2023 and the freshwater intake pipe was removed.
47. Water flow from Third Portage Lake, including consideration of alternatives.	Active In Compliance	Active In Compliance	The NIRB notes that this T&C was not mentioned in Agnico Eagle's 2023 Annual Report, however the NIRB understands that effluent discharge to Wally Lake and Third Portage Lake have ceased.
48. Term and condition deleted following review of Vault Pit Amendment.	No Longer Active Completed	No Longer Active Completed	Term and Condition was removed in Project Certificate Amendment 2.
49. (Revised) Fish-out programs for the dewatering of Second Portage Lake, Third Portage Lake, Vault Lake and <u>Phaser Lake</u> .	No Longer Active Completed	No Longer Active Completed	Fish-out programs completed and reported 2008-2016. No fish out programs were conducted in 2023.
50. Barge landing facility design to prevent infilling of fish habitat.	No Longer Active Completed	No Longer Active Completed	
51. Creel surveys within waterbodies affected by the Project and in consultation with the HTO.	Active In Compliance	Active In Compliance	Section 10 of the 2023 Wildlife Summary Monitoring Report found in Appendix 39 of Agnico Eagle's 2023 Annual Report discusses the results of the survey. Participants were interviewed 3 times in the year to ensure that all harvest data were recorded and to collect incidental

Term & Condition	Compliance Achievement 2022-2023	Compliance Achievement 2023-2024	NIRB Comment
			information. The data were used to evaluate adherence to the impact predictions. No thresholds were surpassed in 2023.
52. No-fishing policy.	Active In Compliance	Active In Compliance	No incidents to report in 2023.
53. (Revised) Fish Habitat Monitoring Plan to be developed to also include Phaser Lake.	Active In Compliance	Active In Compliance	Under the Habitat Compensation Monitoring Plan, Version 4, February 2017, a monitoring report is required every 2 years. Monitoring last occurred in 2021 and therefore occurred again in 2023. The 2023 Habitat Compensation Monitoring Report is included as Appendix 38 of Agnico Eagle's 2023 Annual Report.
Wildlife and Terrestrial			
54 a. Update terrestrial ecosystem baseline data.	Active In Compliance	Active In Compliance	2023 terrestrial monitoring data was provided as the 2023 Wildlife Monitoring Summary Report in Appendix 39 of Agnico Eagle's 2023 Annual Report.
54 b, c, d. Maintain a Terrestrial Ecosystem Management Plan (TEMP) with details of methods for monitoring and analyses	Active In Compliance	Active In Compliance	The TEMP was last updated in 2019 (Version 7). Version 8 was produced in 2020 but not approved. Discussions with the Terrestrial Advisory Group continue. The TAG recommended postponing submission of an updated TEMP to 2024. Therefore Version 7 of the TEMP continues to be the basis of monitoring and mitigation in 2023, modified in collaboration with the TAG.
54e TEMP to include a detailed hunter harvest survey.	Active In Compliance	Active In Compliance	Hunter Harvest Study (HHS) had 75 participants in 2023, which is a larger amount than previous years. Caribou were harvested by 63 of the participants. A detailed discussion of the HHS is included in section 10 of the 2023 Wildlife Summary Monitoring Report in Appendix 39 of Agnico Eagle's 2023 Annual Report.
54f Conduct annual aerial waterfowl surveys in the regional study area during construction and for at least the first three (3) years of operation.	Active In Compliance	Active In Compliance	Agnico Eagle suspended the waterbird nest survey program in 2013 along the mine site and along the AWAR due to low densities of waterbird nests identified for Meadowbank. Results of 2022 surveys conducted at the Whale Tail site by Trent University, ECCC, and Agnico Eagle will be published

Term & Condition	Compliance Achievement 2022-2023	Compliance Achievement 2023-2024	NIRB Comment
			as a Trent University Master's Thesis and will be released in September 2024 and included in Agnico Eagle's <i>2024 Annual Report</i> .
54g Conduct annual breeding bird surveys along the all-weather road during construction and for at least the first three (3) years of operation.	Active In Compliance	Active In Compliance	In 2022 Agnico Eagle finalized a collaboration agreement with ECCC, which includes a commitment to conduct 48 PRISM plots over 10 years (2021-2031) and to complete Breeding Bird Surveys (BBS) along the AWAR and WTHR every three (3) years at minimum. Details about the 2023 surveys are included in section 15 of the 2023 Wildlife Monitoring Summary Report in Appendix 39 of Agnico Eagle's <i>2023 Annual Report</i> . Two (2) BBS routes of 50 stations were surveyed in 2023 along the AWAR and the WTHR.
54h Monitoring and mitigation for caribou, carnivores, Shorteared owls and any other species of special concern.	Active In Compliance	Active In Compliance	Discussed in the 2023 Wildlife Monitoring Summary Report submitted as Appendix 39 of Agnico Eagle's <i>2023 Annual Report</i> .
55. Provide Wildlife Summary Monitoring Report including further analysis up to 2007.	Active In Compliance	Active In Compliance	2023 Wildlife Monitoring Summary Report included in Appendix 39 of Agnico Eagle's <i>2023 Annual Report</i> includes monitoring results.
56. Develop maps of caribou migration paths in consultation with Elders, HTOs and post on-site.	Active Deficient - in progress	Active Deficient - in progress	The last update to migration corridors was provided in the <i>2014 Annual Report</i> . Agnico Eagle signed a caribou collaring data sharing agreement with the GN-DoE on March 3, 2023. The NIRB looks forward to seeing this information reflected in Agnico Eagle's <i>2024 Annual Report</i> .
57. Participate in the caribou collaring program as directed by GN-DoE.	Active Deficient -in progress	Active In Compliance	Agnico Eagle signed a data sharing agreement with GN-DoE on March 3, 2023. The NIRB looks forward to observing Agnico Eagle's use of this data to assist them in complying with Condition 56.
58. Design the lighting and use of lights at the mine site to minimize sensory disturbance to wildlife.	Active In Compliance	Active In Compliance	Information with respect to this Term and Condition in the Proponent's <i>2023 Annual Report</i> was lacking. In response to a request by ECCC to clarify how compliance with this

Term & Condition	Compliance Achievement 2022-2023	Compliance Achievement 2023-2024	NIRB Comment
			<p>T&C is being met, Agnico Eagle noted that lighting is directed downward where possible, and indoor lighting is minimized through the use of motion activated lights. The Proponent also noted that most bird species are present during spring and summer when the need for lighting is minimized.</p> <p>Note: The NIRB requests Agnico Eagle provide details in the 2024 Annual Report.</p>
59. Deterrence of caribou at the tailings facility.	Active Deficient - in progress	Active In Compliance	<p>In their response to NIRB Monitoring Officer 2022-2023 Findings and in their <i>2023 Annual Report</i>, Agnico Eagle stated that regular monitoring (near-daily) was conducted at the Tailings Storage Facilities and caribou were manually deterred by staff if they were encountered. Agnico Eagle also stated that one of the reasons caribou do not frequent the area is due to recent construction activities.</p> <p>NIRB staff acknowledge Agnico Eagle’s efforts to manually deter caribou as compliant with the Term and Condition. To maintain compliance, the NIRB expects that the regular (near-daily) monitoring of caribou at the TSF will continue as long as permanent deterrents are not in place and that changes in construction activities that deter caribou will be considered when deciding on appropriate deterrence methods.</p>
60. Whenever practical, implement a stop work policy when wildlife in the area may be endangered by work.	Active In Compliance	Active In Compliance	<p>Agnico Eagle noted that numerous (80 days) road closures were implemented in 2023 to ensure safe passage to groups of migrating caribou in accordance with the TEMP (Version 7, 2019). Details included in the 2023 Wildlife Monitoring Summary Report (Appendix 39 of Agnico Eagle’s <i>2023 Annual Report</i>).</p>

Term & Condition	Compliance Achievement 2022-2023	Compliance Achievement 2023-2024	NIRB Comment
			<p>Note: May 26, 2023, CIRNAC issued a Designated Person’s Order to Agnico Eagle regarding road management for caribou and several other topics. On September 9, 2023, CIRNAC followed up on the order and after speaking to Agnico Eagle and other partners it withdrew some items and provided direction for items such as caribou and road management that it would be following up on. Following a site inspection in November 2023, CIRNAC issued several recommendations to the TAG to improve caribou monitoring, mitigation and reporting.</p>
<p>61. Commitment for aircraft to maintain minimum flight altitudes and to use flight corridors that avoid sensitive wildlife and bird areas.</p> <p>Read with term and condition 62f.</p>	<p>Active Deficient - in progress</p>	<p>Active Deficient– in Progress</p>	<p>Minimum flight altitudes noted in the TEMP, Version 7 (June 2019); and Noise Monitoring and Abatement Plan, Version 4 (December 2018).</p> <p>The 2023 Wildlife Monitoring Summary Report (Appendix 39 of the <i>2023 Annual Report</i>) indicates that 11% of short-range heights and 32% of long-range heights in 2023 were below the minimum height requirement without documentation of the purpose of the low flight. The GN and ECCC noted their concern with these numbers in their comments on the <i>2023 Annual Report</i>.</p> <p>Agnico Eagle has identified ways in which it will improve compliance rates for low flights in 2024 and ECCC offered additional suggestions. The NIRB looks forward to seeing improved compliance rates in the 2024 Annual Report. The NIRB also expects to see an updated TEMP in 2024 that clearly outlines helicopter monitoring and reporting requirements including description of how requirements are communicated to pilots.</p>

Term & Condition	Compliance Achievement 2022-2023	Compliance Achievement 2023-2024	NIRB Comment
<p>62. Develop and implement a noise monitoring and abatement plan to protect people and wildlife from significant mine activity noise including blasting, drilling, equipment, vehicles and aircraft.</p> <p>Read together with term and condition 61.</p>	Active Deficient - in progress	Active Deficient- in Progress	<p>Discussed in the Noise Monitoring and Abatement Plan, Version 4 (December 2018), the Terrestrial Ecosystem Management Plan, Version 7 (2019), the 2023 Noise Monitoring Report in Appendix 41 of Agnico Eagle’s 2023 Annual Report and the 2023 Wildlife Monitoring Summary Report (Appendix 39 of the 2023 Annual Report).</p> <p>The NIRB acknowledges Agnico Eagle’s findings at noise monitoring stations that noise levels generally remain within predicted ranges with some exceptions. However, as numerous flights were below the minimum altitude (see Term and Condition 61), further attention to this Term and Condition is required.</p>
Socio-economic			
<p>63. GN and INAC form a Meadowbank Gold Mine Socio-Economic Monitoring Committee (“Meadowbank SEMC”).</p>	Active In Compliance	Active In Compliance	<p>The Agnico Eagle Kivalliq Projects Socio-Economic Monitoring Working Group (SEMWG) includes the GN, CIRNAC, the KivIA and the Proponent. The SEMWG supports the socio-economic monitoring program for Agnico Eagle’s Meadowbank, Whale Tail, and Meliadine projects and associated annual reporting.</p> <p>The 2023 Agnico Eagle Kivalliq Projects Socio-Economic Monitoring Report was included as Appendix 47 in the 2023 Annual Report.</p>
<p>64. Develop terms of reference for Socio-economic Monitoring Program.</p>	Active In Compliance	Active In Compliance	<p>The Agnico Eagle Kivalliq Projects Socio-Economic Monitoring Working Group (SEMWG) includes the GN, CIRNAC, the KivIA and the Proponent. The SEMWG supports the socio-economic monitoring program for Agnico Eagle’s Meadowbank, Whale Tail, and Meliadine projects and associated annual reporting.</p> <p>The 2023 Agnico Eagle Kivalliq Projects Socio-Economic Monitoring Report was included as Appendix 47 in the 2023 Annual Report.</p>

Term & Condition	Compliance Achievement 2022-2023	Compliance Achievement 2023-2024	NIRB Comment
65. Information on community of origin of hired Nunavummiut.	Active In Compliance	Active In Compliance	Reported in the 2023 Agnico Eagle Kivalliq Projects Socio-Economic Monitoring Report in Appendix 47 of Agnico Eagle's 2023 Annual Report.
Human Health			
66. Establish a nursing station and hire a registered on-site nurse.	Active In Compliance	Active In Compliance	Temporary nursing station established in 2008 and a permanent station was established in 2011 and was viewed during the 2024 site visit.
67. Monitoring of contaminant levels in country foods through a plan developed in consultation with HC.	Active In Compliance	Active In Compliance	<p>An update to the Wildlife Screening Level Risk Assessment Plan is provided in Appendix 39 of Agnico Eagle's 2023 Annual Report. Monitoring is scheduled to be completed every three (3) years and was last completed in 2021. The field program is next scheduled to occur in 2024.</p> <p>Recent assessments included a specific focus on shorebirds making use of the TSF as habitat. Follow up testing based on 2021 results occurred in 2023, and concluded that there is negligible risk to shorebirds making use of the TSF as habitat.</p>
68. Demonstrate incorporation of Inuit societal values into mine operation policies.	Active Deficient - in progress	Active In Compliance	<p>Refer to Project Certificate 008 Terms and Condition 54 for further information.</p> <p>The Kivalliq Elders Advisory Committee was formed in 2021 with a focus on integrating IQ and ISV and community knowledge into Agnico Eagle's operations. The Proponent's 2023 Annual Report notes that multiple consultations, meetings, site visits and events took place in 2023 with the KEAC. Details are provided in Appendix 52 of the 2023 Annual Report.</p> <p>The 2023 Socio-Economic Monitoring Report (Appendix 47 of the 2023 Annual Report) identifies where specific Inuit Societal Values (ISVs) have been utilized or are relevant.</p>

Term & Condition	Compliance Achievement 2022-2023	Compliance Achievement 2023-2024	NIRB Comment
69. Conduct proper archaeological surveys with reporting provided to the GN.	Active In Compliance	Active In Compliance	No archaeological surveys were required in 2023.
70. Report any archaeological site discovered during the course of construction, including a burial site, immediately and concurrently to the GN and KIA.	No Longer Active Completed	Active In Compliance	No archaeological surveys were required in 2023.
Air Quality			
71. Install an atmospheric monitoring station to focus on particulates of concern generated at the mine site.	Active In Compliance	Active In Compliance	<p>The results of the 2023 Air Quality and Dust Monitoring Program conducted by Agnico Eagle were provided in Appendix 42 of their <i>2023 Annual Report</i>.</p> <p>Air Quality and Dustfall Monitoring Plan (March 2022), Version 6, submitted with Agnico Eagle's <i>2021 Annual Report</i>.</p>
72. On-site incinerators to comply with standards. Stack testing annually.	Active In Compliance	Active In Compliance	Agnico Eagle's incinerator stack testing in 2021 and 2022 produced test results that exceeded the regulatory limits for dioxins and furans. An investigation of this issue indicated that sub-optimal stack gas temperatures were likely causing this issue. In November 2022 the incinerator use had ceased. The incinerator was removed in 2023 and therefore stack testing was not required.
73. Energy conservation, monitoring of greenhouse gas emissions, and consideration of new technologies to meet Canadian standards.	Active In Compliance	Active In Compliance	Section 4 of the Greenhouse Gas Reduction Plan (Version 3, April 2020) details greenhouse gas emissions reduction initiatives. Monitoring results combined with Whale Tail Pit Project (see Project Certificate No. 008, Term and Condition 3).
74. Employ environmentally protective techniques to suppress any surface road dust.	Active Non-compliance	Active In Compliance	Agnico Eagle reports that dust mitigation in 2023 was carried out in accordance with the Air Quality and Dustfall Monitoring Plan (Version 6, March 2022). Specifically, water was regularly applied to mine site roads and the airstrip, and between May 13 and August 17, 2023, calcium chloride (dry flake product) was applied once or twice to the

Term & Condition	Compliance Achievement 2022-2023	Compliance Achievement 2023-2024	NIRB Comment
			<p>required sections of the AWAR as well as multiple times on various sections between Baker Lake and km 10 and once to km 20. Full details are provided in the Proponent's 2023 Annual Report.</p> <p>Calcium chloride is an approved dust suppressant in Nunavut (see Government of Nunavut Department of Environment's 2022 Environmental Guideline – Dust Suppressants).</p> <p>The Proponent also noted they began a community-based dustfall monitoring program in 2022. Meetings with Hamlet Council, Baker Lake HTO and the Kivalliq Elders Advisory Committee in 2022 identified a group of berry pickers with potential to be impacted by dust generation. Agnico Eagle noted that in 2023 they held an open public session on the AWAR and took a group of interested elders on the AWAR, pointing out areas where dust suppressant had been added. Agnico Eagle notes they will continue to investigate alternative dust mitigation measures in 2024 and is committed to continuing consultation with the community and specifically with the group of berry pickers.</p>
Accidents and Malfunctions			
75. Provide a list of possible accidents and malfunctions with an assessment of risk and mitigation developed in consultation with Elders and affected communities.	Active Deficient - In Progress	Active In Compliance	<p>Agnico Eagle's 2023 Annual Report references the following reports which include details on various scenarios and various types of accidents and malfunctions as well response plans:</p> <ul style="list-style-type: none"> • Hazardous Materials Management Plan, Version 7, March 2022 (Appendix 55 of the 2021 Annual Report); • Spill Contingency Plan, Version 21, February 2024 (Appendix 22 of the 2023 Annual Report); • Emergency Response Plan, Version 18, August 2023 (Appendix 46 of the 2023 Annual Report);

Term & Condition	Compliance Achievement 2022-2023	Compliance Achievement 2023-2024	NIRB Comment
			<ul style="list-style-type: none"> • Oil Pollution Emergency Plan and Oil Pollution Prevention, Version 17, February 2024 (Appendix 25 of the <i>2023 Annual Report</i>); • Meadowbank OMS Manual for Tailings Management, Version 12, January 2024 (Appendix 29 of the <i>2023 Annual Report</i>); • Meadowbank OMS Manual for the dewatering dikes, Version 11; January 2024 (Appendix 28 of the <i>2023 Annual Report</i>); • Whale Tail OMS Manual for Water Management Infrastructure, Version 4, January 2024 (Appendix 30 of the <i>2023 Annual Report</i>). <p>As an example of managing risk in consultation with Elders and communities, Agnico Eagle has noted that in 2023 they held an in-person meeting in Baker Lake to share details of cyanide shipping and transportation along the AWAR and noted that they modified closures of the AWAR during transportation to allow the community to retain access to the land.</p>
76. Early Warning Monitoring Program along the east boundary of the Project's local study area (mine and road) including the location where Third Portage Lake flows into Tehek Lake with involvement from Baker Lake and Chesterfield Inlet.	Active In Compliance	Active In Compliance	The program and study results are included in the 2023 Core Receiving Environment Monitoring Program (CREMP) Report in Appendix 26 of Agnico Eagle's <i>2023 Annual Report</i> .
77. Review Emergency Response Plan in coordination with Hamlets of Baker Lake and Chesterfield Inlet.	Active In Compliance	Active Deficient - In Progress	T&C not addressed in Agnico Eagle's <i>2023 Annual Report</i> . Note: the NIRB looks forward to receiving information in Agnico Eagle's 2024 Annual Report and in future annual reports as the Proponent should be reporting on all terms and conditions in monitoring.

Term & Condition	Compliance Achievement 2022-2023	Compliance Achievement 2023-2024	NIRB Comment
Abandonment and Reclamation			
78. Closure and Reclamation Plan.	Active In Compliance	Active In Compliance	Meadowbank Interim Closure and Reclamation Plan – Update 2019 (V.01, Appendix 55 of Agnico Eagle’s 2019 Annual Report).
79. Final Closure and Reclamation Plan; additional expectations in addition to NWB requirements.	Not yet Active Not Yet Applicable	Not yet Active Not Yet Applicable	
80. Updates on progressive reclamation and security posted for KIA, INAC and/or NWB.	Active In Compliance	Active In Compliance	Current progressive reclamation plan along with security costs found in Meadowbank Interim Closure and Reclamation Plan – Update 2019 (V.01, Appendix 55 of the 2019 Annual Report). In 2023 progressive reclamation activity occurred at the tailings storage facility of the Meadowbank Site. Agnico Eagle also continued to work on the closure landform design of the TSF. Flooding of Valet and Phase/BB Phase pits with natural inflow continued through 2023. Work also progressed on the development and implementation of the closure water treatment system for the Portage and Goose Pits water as a result of in-pit deposition. No progressive reclamation has been completed on the AWAR or associated quarries in 2023.
Other			
81. 24-hour security at the Baker Lake Facility.	Active In Compliance	Active In Compliance	
82. Monitor the ingress/egress of ship cargo at Baker Lake and report any accidents or spills immediately.	Active In Compliance	Active In Compliance	Monitoring of ingress/egress occurred in 2023 and a summary of results is reported in Agnico Eagle’s 2023 Annual Report. One (1) diesel spill of less than 2L occurred in Baker Lake during the ingress/egress of ship cargo in 2023, which was reported appropriately.
83. Adherence to Natural Resources Canada’s regulations for explosives.	Active In Compliance	Active In Compliance	No comments were received from NRCAN for the 2023-2024 monitoring period.

Term & Condition	Compliance Achievement 2022-2023	Compliance Achievement 2023-2024	NIRB Comment
84. Hamlet of Baker Lake the first right of refusal to purchase salvageable mine assets located within the Hamlet of Baker Lake boundaries.	Not Yet Active Not Yet Applicable	Not Yet Active Not Yet Applicable	At the end of mine life.
85. Blasting Monitoring Program.	Active In Compliance	Active In Compliance	Blast Monitoring Program is in place; no longer active as mining operations ceased in 2019.
Duty to Comply			
86. Duty to Comply to Project Certificate Terms and Conditions.	Active Deficient - in progress	Active Deficient - in progress	Proponent is in compliance with most but not all Terms and Conditions.
Monitoring/Water Quality and Waste Management			
87. <i>(New for in-pit tailings disposal modification)</i> Prior to the deposition of tailings into the Portage or Goose Pits, file with the NWB a report containing updated hydrogeological modelling addressing information gaps.	No Longer Active Completed	No Longer Active Completed	Agnico Eagle's <i>2018 Annual Report</i> included the In-Pit Tailings Deposition Thermal Modelling Report (Appendix 19) and the Meadowbank In-Pit Tailings Disposal – Thermal and Hydrogeological Modelling Update to Address Natural Resources Canada's (NRCan) Comments (Appendix 20). Groundwater Management Plan (Version 11, March 2020 – Appendix 60 of Agnico Eagle's <i>2019 Annual Report</i> .

Appendix B - Compliance with the Whale Tail Pit Project Certificate No. 008, Amendment 1

Term & Condition	Compliance Achievement 2022-2023	Compliance Achievement 2023-2024	NIRB Comment
General Regulatory Requirements			
1. Appointment of Monitoring Officer(s).	Active In Compliance	Active In Compliance	Completed by NIRB and overseen by Manager, Project Monitoring
2. NIRB to report annually on the monitoring program (in English, Inuinnaqtun, and Inuktitut).	Active In Compliance	Active In Compliance	Completed by NIRB in 2023; Translations of the 2023/2024 report will be posted as they are completed.
3. NIRB to conduct periodic community meetings updates regarding its Monitoring Program.	Active In Compliance	Active In Compliance	The NIRB conducted an in-person community update on July 22, 2024.
4. NIRB to schedule periodic site inspections.	Active In Compliance	Active In Compliance	Completed by NIRB on July 24-25, 2024.
5. Proponent must obtain all required federal and territorial permits and other approvals and shall comply with the requirements of such regulatory instruments.	Active In Compliance	Active In Compliance	
6. Duty to Comply with environmental laws and regulations and/or regulatory instruments, prompt action to remedy non-compliance and report any non-compliance.	Active In Compliance	Active In Compliance	
7. Posting of adequate performance bonding.	Active In Compliance	Active In Compliance	
Monitoring Records			
8. Information requirements for monitoring reporting.	Active In Compliance	Active In Compliance	
9. Make significant monitoring results and/or summaries of significant results available in English, Inuinnaqtun, and Inuktitut, to the extent feasible.	Active In Compliance	Active In Compliance	Translated executive summaries for all plan updates, reports and studies were provided in Appendix 57 of Agnico Eagle's <i>2023 Annual Report</i> .

Term & Condition	Compliance Achievement 2022-2023	Compliance Achievement 2023-2024	NIRB Comment
10. Maintain the records, including results, of all Project-related monitoring data and analysis for the life of the Project, including closure and post-closure monitoring.	Active In Compliance	Active In Compliance	
11. Maintenance of an up to date Environmental Impact Statement and the updated environmental monitoring programs developed for the Project as new information is collected.	Active In Compliance	Active In Compliance	
12. Publicly accessible Project-specific web portal or web page to make available in a central location all significant non-confidential monitoring and reporting information submitted to regulatory authorities.	Active Deficient - in progress	Active In Compliance	Agnico Eagle’s web portal has copies of license and approvals, annual reports, the FEIS, the IIBA, various management plans, etc. https://aemnunavut.ca/media/documents/
On-going Engagement in Project Monitoring, Modelling, Management and Reporting			
13. Provide on-going opportunities for consultation and comment on any substantive revisions to the Project-specific monitoring program, modelling, studies, management plans, management measures, and reporting.	Active Deficient - in progress	Active In Compliance	As noted in the Proponent’s 2023 Annual Report, Agnico Eagle continues to consult with the Terrestrial Advisory Group (TAG) with respect to the Terrestrial Ecosystem Management Plan. A new version is expected in 2024. The Proponent also meets with the Kivalliq Socio-Economic Monitoring Committee annually to review data and discuss monitoring priorities.
14. To the extent feasible, the NIRB will provide an opportunity for comment on any substantive revisions to the Project-specific monitoring, modelling, studies, management plans, management measures, and reporting provided by the Proponent under the Project Certificate.	Active In Compliance	Active In Compliance	Completed by NIRB.

Whale Tail Pit Project Specific Terms and Conditions

Term & Condition	Compliance Achievement 2022-2023	Compliance Achievement 2023-2024	NIRB Comment
Air Quality			
<p>1. Air Quality Monitoring and Management Plan including specific air quality monitoring thresholds that will trigger adaptive management responses and actions. Active and passive monitoring shall be used. Revision: Undertake continuous NO₂ monitoring downwind of mining activities and comparison to CAAQS.</p>	Active In Compliance	Active In Compliance	<p>The 2023 monitoring program was conducted according to the Air Quality and Dustfall Monitoring Plan, Version 6, March 2022 submitted as Appendix 51 of Agnico Eagle’s 2021 Annual Report. The Plan includes specific thresholds that will trigger when mitigation measures need to be applied.</p> <p>Agnico Eagle reported that the vast majority of measurements from 2023 at the Whale Tail Mine monitoring station were below regulatory guidelines or monitoring thresholds. Four samples for TSP, two for PM₁₀ and one for PM_{2.5} exceeded the 24-h guidelines. All NO₂ measurements June-December were below regulatory guidelines. It is noted the continuous NO₂ monitor was not operational until June.</p>
<p>2. Mitigate dust impacts on project roads. Includes dust suppression on all project roads.</p>	Active Non-compliance	Active In Compliance	<p>Agnico Eagle’s 2023 Annual Report notes that dust mitigation in 2023 was carried out in accordance with the Air Quality and Dustfall Monitoring Plan (Version 6, March 2022). Between May 10 and September 24, 2023, two to three applications of calcium chloride (dry flake product) were applied to the entire length of the Whale Tail Haul Road. Road watering also occurred as needed throughout the summer. Water and chemical dust suppressants were applied along all other project roads as well (See also Project Certificate No. 004 T&C 74). Dustfall monitoring showed some exceedances of the FEIS predictions within 25 m of the road; dustfall levels decreased with further distance from the road to below the established threshold.</p>

Term & Condition	Compliance Achievement 2022-2023	Compliance Achievement 2023-2024	NIRB Comment
Climate and Meteorology			
3. Greenhouse Gas (GHG) Reduction Plan.	Active In Compliance	Active In Compliance	Greenhouse Gas Reduction Plan, Version 3, March 2020. Preliminary results summary of the 2023 monitoring program is presented in the <i>2023 Annual Report</i> with final results submitted to Environment and Climate Change Canada in June 2024.
Noise and Vibration			
4. Site design for noise reduction.	No Longer Active Completed	No Longer Active Completed	
5. Noise monitoring to minimize sensory disturbance to wildlife.	Active In Compliance	Active In Compliance	Monitoring was completed in accordance with the Noise Monitoring and Abatement Plan, Version 4 (December 2018). Results are shown in the 2023 Noise Monitoring Report, included as Appendix 41 of Agnico Eagle's <i>2023 Monitoring Report</i> .
Terrestrial Environment (Geology and Geochemistry)			
6. Hydrodynamic modelling to evaluate mixing of WRSF seepage into Mammoth Lake post-closure. Adaptive management strategies.	Active In Compliance	Active In Compliance	Addressed in Appendix 16 – Whale Tail Hydrodynamic Modelling for Kangislulik Lake of Agnico Eagle's <i>2018 Annual Report</i> .
7. Mine Waste Rock and Tailings Management Plan.	Active In Compliance	Active In Compliance	Whale Tail Mine – Waste Rock Management Plan Version 12 was submitted as Appendix 18 of Agnico Eagle's <i>2023 Annual Report</i> .
8. Acid Rock Drainage and Metal Leaching Management Plan.	Active In Compliance	Active In Compliance	An update to the revised Operational ARD-ML Sampling and Testing Plan (Appendix 21 available within <i>2020 Annual Report</i>) is provided in Appendix 31 of Agnico Eagle's <i>2022 Annual Report</i> ; Thermal Monitoring Plan, (Appendix 25 of the <i>2021 Annual Report</i>) includes all required elements indicated within Terms and Conditions.
Geological Features, Soils and Permafrost			
9. Site-specific geotechnical investigations.	Active In Compliance	Active In Compliance	Submitted Site Specific Geotechnical Studies of 2018, (Appendix 18 of <i>2018 Annual Report</i>) for all investigations completed up to 2018.

Term & Condition	Compliance Achievement 2022-2023	Compliance Achievement 2023-2024	NIRB Comment
			Geotechnical Investigations occurred between 2019-2020 within projected IVR D-1 Dike, identifying no sensitive land features. Further information within IVR D-1 Dike Design Report (refer during construction phases).
10. Site-specific permafrost monitoring, mapping and thermal analysis in consultation with INAC and NRCan.	Active In Compliance	Active In Compliance	Discussed in the 2023 Thermal Monitoring Report included as Appendix 20 of Agnico Eagle's <i>2023 Annual Report</i> , as per the Whale Tail Thermal Monitoring Plan, Version 4 (Appendix 39 of Agnico Eagle's <i>2021 Annual Report</i>).
11. Erosion Management Plan.	Active In Compliance	Active In Compliance	Maintains use of the Erosion Management Plan, Version 2 (December 2018).
12. The Closure and Reclamation Plan to include a program to progressively reclaim disturbed areas in a manner that demonstrates the Proponent has considered aesthetic values of local communities.	Active In Compliance	Active In Compliance	<p>Whale Tail Pit Interim Closure and Reclamation Plan was submitted to NWB in July 2020 and provided to NIRB in Appendix 51 of the <i>2020 Annual Report</i>.</p> <p>The NIRB notes that Appendix 48 of Agnico Eagle's <i>2023 Annual Report</i> does not reference a public meeting held in the Hamlet of Baker Lake in 2023 regarding closure, and this was the top concern of community members during the NIRB's 2023 Community Information Session. In their response to NIRB's 2023 Board Recommendation #5, Agnico Eagle states that consultations are planned throughout 2024 to address community concerns about closure. In response to a comment from CIRNAC on the <i>2023 Annual Report</i>, Agnico Eagle indicated that they have regularly met with community and local stakeholders to discuss project closure and continue to do so.</p>
13. Explore the feasibility of topsoil/organic matter salvage as part of project development and provide updates to the Closure and Reclamation Plan.	Active In Compliance	Active Deficient - In Progress	<p>This term and condition requires that a summary of topsoil management be provided in each annual report. The NIRB requests additional detail from the Proponent on the subject.</p> <p>The Interim Closure and Reclamation Plan describes topsoil/organic material as being very limited in the area.</p>

Term & Condition	Compliance Achievement 2022-2023	Compliance Achievement 2023-2024	NIRB Comment
			<p>The Proponent also notes in the <i>2023 Annual Report</i> that during project development, overburden material was disposed of in the waste rock storage facility along with other material (i.e., not segregated) due to the layer being too thin.</p> <p>Note: The NIRB understands that revegetation studies occurred between 2018 and 2021 at Agnico Eagle’s Meliadine project. Further, Agnico Eagle notes that monitoring of natural revegetation is occurring at Meadowbank and that methods to promote natural revegetation are being assessed. The NIRB looks forward to seeing specific details of how lessons learned elsewhere can be applied for the Whale Tail Project, specifically with respect to topsoil/organic matter salvage if applicable.</p>
Hydrogeology and Groundwater Quantity and Quality			
14. Thermal Monitoring Plan.	Active In Compliance	Active In Compliance	The 2023 Thermal Monitoring Report is included as Appendix 20 of Agnico Eagle’s <i>2023 Annual Report</i> , as per the Whale Tail Thermal Monitoring Plan, Version 4 (Appendix 39 of Agnico Eagle’s <i>2021 Annual Report</i>).
15. Groundwater Monitoring Plan.	Active Deficient - In Progress	Active In Compliance	The 2023 Groundwater Monitoring Report is included as Appendix 36 of Agnico Eagle’s <i>2023 Annual Report</i> .
16. Groundwater Monitoring Plan to include hydrogeological characterization to assess potential arsenic diffusion from wall of Whale Tail Pit.	Active In Compliance	Active In Compliance	The 2023 Groundwater Monitoring Report is included as Appendix 36 of Agnico Eagle’s <i>2023 Annual Report</i> and includes the required information.
Surface Water Hydrology, Surface Water Quality and Sediment Quality			
17. Monitor surface water quality.	Active In Compliance	Active In Compliance	Requirements met by the updated CREMP. The updated and NWB-approved CREMP is included as Appendix 34 of Agnico Eagle’s <i>2022 Annual Report</i> . 2022 CREMP findings are found in Appendix 26 of Agnico Eagle’s <i>2023 Annual Report</i> .

Term & Condition	Compliance Achievement 2022-2023	Compliance Achievement 2023-2024	NIRB Comment
18. Maintain a Site Water Monitoring and Management Plan to minimize and manage contact water.	Active In Compliance	Active In-Compliance	Requirements met within the Meadowbank and Whale Tail Water Quality and Flow Monitoring Plan and AEMP, as approved by the NWB. See also Section 8.5 Agnico Eagle's <i>2023 Annual Report</i> .
19. Core Receiving Environment Monitoring Program (CREMP).	Active In Compliance	Active In Compliance	The updated and NWB-approved CREMP is included as Appendix 34 of Agnico Eagle's <i>2022 Annual Report</i> . 2023 CREMP findings are found in Appendix 26 of Agnico Eagle's <i>2023 Annual Report</i> .
Freshwater Aquatic Environment			
20. Setback distance between project quarries and borrow pits from fish-bearing or permanent waterbodies.	Active In Compliance	Active In Compliance	Setback distance (31 meters from high water mark) was previously chosen and is incorporated into infrastructure design (past and present). All quarries on the Whale Tail Haul Road respect this setback distance.
21. Design of project infrastructures in watercourses that do not prevent or limit the movement of water or fish species in fish bearing streams and rivers.	Active In Compliance	Active In Compliance	In 2023 the Proponent provided DFO a list of culverts along the WTHR and AWAR that cross fish-bearing waters. Agnico Eagle conducted geotechnical and inspections of all bridges and culverts along the AWPAR in 2023 as well as regular visual inspections at fish bearing streams. The <i>2023 Annual Report</i> does not note any issues with the crossings however the 2023 annual geotechnical inspection report identified several obstructed and damaged culverts. Agnico Eagle noted in their response to DFO in 2024 that no issues were observed with respect to the capacity of these culverts to handle flow.
22. Blast Monitoring Program.	Active In Compliance	Active In Compliance	The Blast Monitoring Program (Version 8) is included as Appendix 40 of Agnico Eagle's <i>2022 Annual Report</i> . The 2023 results of this program are included in Appendix 34 of the <i>2023 Annual Report</i> .
23. Mammoth Lake monitoring of trophic status and/or change.	Active In Compliance	Active In Compliance	Proponent filed an updated Fish Habitat Offsets Monitoring Plan for the Whale Tail Site (Version 2) 28 July 2021. Agnico Eagle continues to follow their approved plan and is

Term & Condition	Compliance Achievement 2022-2023	Compliance Achievement 2023-2024	NIRB Comment
			collecting data according to their Mammoth Lake monitoring program.
24. Fish habitat offsetting viability of Whale Tail Lake and Pit at closure.	Active In Compliance	Active In Compliance	The Fish Habitat Offsetting Plan was included as Appendix 51 of Agnico Eagle's 2018 Annual Report. The Plan was accepted by DFO in 2018.
Vegetation			
25. Prevention of invasive species.	Active In Compliance	Active In Compliance	Non-native plant monitoring studies have been completed from 2019 to 2023. Results are provided in Section 16 of Appendix 47 of Agnico Eagle's 2022 Annual Report. One (1) non-native plant species was observed during the 2023 monitoring season. The plants were disposed of, and the area will continue to be monitored in 2024. Measures to prevent non-native species from entering the site continue to be implemented as per the TEMP Version 7.
26. Revegetation strategies to promote progressive reclamation in Closure and Reclamation Plan.	Active In Compliance	Active Deficient – In Progress	The Interim Closure and Reclamation Plan describes topsoil / organic material as being very limited in the area and notes that while active revegetation has not been planned due to the cold climate setting of the Project, natural revegetation is promoted. Note: This term and condition requires that revegetation strategies be developed within 3 years from the start of construction. The NIRB understands that revegetation studies occurred between 2018 and 2021 at Agnico Eagle's Meliadine project. Further, Agnico Eagle has indicated that monitoring of natural revegetation is occurring at Meadowbank and that methods to promote natural revegetation are being assessed. The NIRB looks forward to seeing specific details of how lessons learned elsewhere can be applied for the Whale Tail Project.
Terrestrial Wildlife and Wildlife Habitat			
27. Participate in a Terrestrial Advisory Group (TAG). Inuit Qaujimajatuqangit shared by	Active In Compliance	Active In Compliance	Finalized Terms of Reference of the TAG submitted November 1, 2018 and signed by all parties in 2019. Several

Term & Condition	Compliance Achievement 2022-2023	Compliance Achievement 2023-2024	NIRB Comment
knowledge holders and other monitoring data as available should be considered for incorporation as appropriate.			<p>TAG meetings were held in 2023, the outcomes of which are summarized in Section 8.18.2 of Agnico Eagle’s 2023 Annual Report.</p> <p>One item discussed in 2023 were updates to the TEMP. The TAG recommended postponing submission of an updated TEMP to 2024 to allow for further discussion and agreement on updates to the plan.</p> <p>Note: In response to last year’s Board’s comment on Agnico Eagle’s 2022 Annual Report regarding incorporation of Inuit Qaujimajatuqangit into monitoring plans, Agnico Eagle indicated that in 2024 they will be disseminating a condensed version of the IQ shared with them in the preceding year.</p> <p>Additionally, in response to CIRNAC’s comment on the 2023 Annual Report, Agnico Eagle confirmed IQ shared during TAG meetings is being incorporated into the update to the TEMP. As an example, Agnico Eagle has initiated a pilot program that uses a lead caribou approach to trigger mitigation.</p> <p>The NIRB looks forward to seeing the forthcoming revised version of the TEMP and explicit details therein on how Inuit Qaujimajatuqangit has been incorporated.</p>
28. Maintain a Terrestrial Ecosystem Management Plan (TEMP).	Active Deficient – in progress	Active Deficient – in progress	The TEMP was last updated in 2019 (Version 7). Version 8 was produced in 2020 but not approved. Discussions with the Terrestrial Advisory Group continue. The TAG recommended postponing submission of an updated TEMP to 2024.

Term & Condition	Compliance Achievement 2022-2023	Compliance Achievement 2023-2024	NIRB Comment
29. Collaborate with GN to collect collar data and quantify effects of project components on caribou movement.	Active Deficient	Active Deficient – in progress	The last update to migration corridors was provided in the <i>2014 Annual Report</i> . Agnico Eagle signed a caribou collaring data sharing agreement with the GN-DoE on March 3, 2023. The NIRB looks forward to seeing this information reflected in Agnico Eagle’s <i>2024 Annual Report</i> .
30. Caribou group size thresholds (GST) to trigger mitigation.	Active Deficient – in progress	Active Deficient – in progress	Group Size Thresholds are described in the TEMP (v7, 2019) however Agnico Eagle states that the GST methodology used in 2023-2024 was agreed upon during a 2021 TAG meeting. In 2024 a pilot program will also be implemented based on lead caribou protection. The NIRB expects the forthcoming (v8) TEMP to provide additional details. Note: On May 26, 2023, CIRNAC issued a Designated Person’s Order to Agnico Eagle regarding road management (road closures) for caribou and several other topics. CIRNAC later withdrew some items, and provided direction for other items such as caribou and road management that it would be following up on. Following a site inspection in November 2023, CIRNAC issued several recommendations to the TAG to improve caribou monitoring, mitigation, and reporting.
31. Monitor traffic levels along WTHR via Road Access Management Plan.	Active In Compliance	Active In Compliance	Whale Tail Haul Road Management Plan intended to meet Term and Condition requirement. Summary of traffic rates provided in Section 11.7.1.2 of Agnico Eagle’s <i>2023 Annual Report</i> ; no exceedances of FEIS predictions were noted in 2023.
32. Ensure project infrastructure does not interfere with wildlife crossing / passage.	Active In Compliance	Active In Compliance	Previous consultations with Baker Lake HTO led to Agnico Eagle re-sloping the WTHR at km 127 and no further concerns have been expressed. Permeability and road designs continue to be discussed at TAG meetings along

Term & Condition	Compliance Achievement 2022-2023	Compliance Achievement 2023-2024	NIRB Comment
			with alternative methods for observing caribou and other wildlife. TAG members visited the site in November 2022, where road flags were identified as point of concern. Agnico Eagle notes that further discussion is needed. If the WTHR is required to be expanded, a construction plan will be submitted to the TAG and the NIRB.
33. Report all wildlife incidents / mortalities to the appropriate authorities in a timely fashion and annually to the NIRB.	Active In Compliance	Active In Compliance	<p>Results are reported in the 2023 Wildlife Monitoring Summary Report included as appendix 39 of Agnico Eagle's 2023 Annual Report.</p> <p>Agnico Eagle reports that there were no project-related caribou, grizzly bear, wolverine, or wolf mortalities in 2023 along the AWAR or WTHR. At the Meadowbank mine site there were three (3) wolverine and three (3) wolf mortalities. There were no project-related mortalities at Whale Tail in 2023.</p> <p>Mortalities were reported to the GN and the KivIA and the KivIA received compensation for wolverine, Arctic fox and muskox mortalities.</p>
Birds and Bird Habitat			
34. Maintain and report annually on the implementation of a Migratory Birds Protection Plan that includes mitigation for Whale Tail South area flooding.	Active In Compliance	Active In Compliance	<p>The Migratory Bird Protection Plan, Version 3, March 2020 was included as Appendix 64 of Agnico Eagle's 2019 Annual Report.</p> <p>Studies were initiated in 2018 in collaboration with ECCC and Trent University to determine the effectiveness of planned mitigation measures. The studies suggest that tested mitigation methods were ineffective in deterring nesting birds. Previous annual reports provide additional details on the estimated number of nests lost. The studies also showed that birds moved to adjacent areas for nesting post-flooding. Agnico Eagle considers reporting under the Migratory Bird Protection Plan complete at this time.</p>

Term & Condition	Compliance Achievement 2022-2023	Compliance Achievement 2023-2024	NIRB Comment
35. Maintain Species at Risk monitoring and mitigation strategies.	Active Deficient-In Progress	Active Deficient-In Progress	Agnico Eagle committed to including any applicable status reports, recovery strategies, action plans, and management plans that may become available through the duration of the Projects and consider this during annual review and each new revision of the TEMP. The current version of the TEMP (v7) is five (5) years old, however in response to a comment from ECCC on the <i>2023 Annual Report</i> , Agnico Eagle indicated that it reviews species at risk registries annually. The NIRB looks forward to seeing information related to this topic in the Version 8 of the TEMP.
36. Consult with the GN-DoE prior to removal/deterrence of raptors.	Active In Compliance	Active In Compliance	Appendix 39 of the Proponent's <i>2023 Annual Report</i> indicates that two (2) active peregrine falcon nests were documented in 2023 in Quarries 3 and 8, with observations of one egg in Quarry 3 and two chicks in Quarry 8. No nests were removed. Deterrents were applied to Quarry 22 and Quarry 2 in 2023 to discourage raptor nesting ahead of planned project activities. NIRB staff did not observe any raptors or nests while onsite in 2024. Note: The NIRB would appreciate clarity on the method of deterrence and confirmation that the GN was consulted.
Marine Environment including Marine Wildlife and Habitat			
37. Maintain a Shipping Management Plan.	Active In Compliance	Active In Compliance	Agnico Eagle continues to follow their Shipping Management Plan, Version 4 (April 2022), included as Appendix 56 of their <i>2021 Annual Report</i> .
38. Plan ship routing to avoid sensitive wildlife habitat and species.	Active In Compliance	Active In Compliance	As noted in the Shipping Management Plan and as required by this T&C, the preferred shipping route is south of Coats Island. Agnico Eagle's <i>2023 Annual Report</i> notes that nine vessels serviced the Meadowbank project, six serviced the Meliadine project, and eight serviced both projects in that year, and that 78% of these vessels travelled south of Coats Island. Remaining vessels travelled north of Coats Island due to poor conditions / inclement weather.

Term & Condition	Compliance Achievement 2022-2023	Compliance Achievement 2023-2024	NIRB Comment
39. Ships will maintain a setback distance of at least 500 m from colonies and aggregations of seabirds and marine mammals within Hudson Strait, Hudson Bay and Chesterfield Inlet.	Active In Compliance	Active In Compliance	The 2023 Marine Mammal and Seabird Report was included as Appendix 32 of Agnico Eagle's 2023 Annual Report. Agnico Eagle noted some difficulties with ship tracking when evaluating ship presence within setback polygons related to poor satellite coverage in the north. They intend to investigate additional tracking systems in 2024. However, Agnico Eagle investigates all cases where tracking data indicates vessels have intersected setbacks and confirm vessels servicing the project in 2023 were in compliance with this T&C and with the Shipping Management Plan.
40. Maintain a ship-based marine mammal monitoring program.	Active Deficient - in progress	Active In Compliance	The Marine Mammal Management and Monitoring Plan, Version 4 (April 2022) outlines the ship-based marine mammal monitoring program. In their comments on both the 2022 and 2023 Annual Reports, DFO noted that the survey effort outlined in the Plan (a minimum of one survey per day, 1.5 to 2 hours in length) is not sufficient. In their response, Agnico Eagle reiterated that one survey a day is the minimum and that two or three per day is preferable. They also noted crew are continually scanning for marine mammals and any incidental sightings are recorded. Agnico Eagle has indicated they will continue to work with DFO on this. The 2023 Marine Mammal and Seabird Observer Report was submitted in Appendix 32 of the 2023 Annual Report and includes details on the monitoring program. No marine mammal vessel strikes or interactions with seabirds were recorded in 2023.
41. Notify communities of scheduled ship transits.	Active In Compliance	Active In Compliance	Agnico Eagle noted that the majority of the community meetings they had planned for May 2023 had to be cancelled due to unfavourable weather conditions. However, the Whale Cove presentation was delivered and a virtual

Term & Condition	Compliance Achievement 2022-2023	Compliance Achievement 2023-2024	NIRB Comment
			session was held with community members from Chesterfield Inlet in December 2023 to discuss shipping routing.
42. Share information about project-related shipping and provide opportunities for local users to give feedback on monitoring and mitigation plans.	Active Deficient-In Progress	Active Deficient-In Progress	Agnico Eagle noted that the majority of the community meetings they had planned for May 2023 had to be cancelled due to unfavourable weather conditions. A virtual meeting was held in December 2023 with community members from Chesterfield Inlet during which time Agnico Eagle presented results of their marine mammal and seabird observation program. Note: Agnico Eagle has not demonstrated how community feedback on the marine mammal and seabird observation program has or will be incorporated into the program.
43. Contract only certified vessels to carry cargo and ensure shippers are aware of the requirements of the Shipping Management Plan, the Risk Management and Emergency Response Plan, and the Oil Pollution Emergency Plan.	Active In Compliance	Active In Compliance	Agnico Eagle confirms in their <i>2023 Annual Report</i> that only certified vessels were hired for the Meadowbank site. They indicated that annual meetings were held with carriers to review the shipping and emergency plans and that annual mock spill exercises take place at Baker Lake. A hardcopy of the OPEP/OPPP is located on site for reference.
Economic Development and Business Opportunities			
44. Participate in the Kivalliq Socio-Economic Monitoring Committee.	Active In Compliance	Active In Compliance	The Kivalliq Socio-Economic Monitoring Committee is a regional committee that meets annually to present data, consider socio-economic impacts and benefits of mining projects in the Kivalliq region, and discuss monitoring priorities. Members include the GN, Government of Canada, KivIA, HTOs, community representatives, and Project owners.
45. Establish a project-specific socio-economic monitoring committee.	Active In Compliance	Active In Compliance	The Agnico Eagle Kivalliq Projects Socio-Economic Monitoring Working Group (SEMWG) includes the GN, CIRNAC, the KivIA and the Proponent. The SEMWG supports the socio-economic monitoring program for

Term & Condition	Compliance Achievement 2022-2023	Compliance Achievement 2023-2024	NIRB Comment
			Agnico Eagle’s Meadowbank, Whale Tail and Meliadine projects and associated annual reporting. The 2023 Agnico Eagle Kivalliq Projects Socio-Economic Monitoring Report was included as Appendix 47 in the <i>2023 Annual Report</i> .
46. Develop a project-specific Whale Tail Pit Socio-Economic Monitoring Program including success of existing and newly implemented gender-specific initiatives to determine success or challenges.	Active In Compliance	Active In Compliance	The Agnico Eagle Kivalliq Projects Socio-Economic Monitoring Working Group (SEMWG) includes the GN, CIRNAC, the KivIA and the Proponent. The SEMWG supports the socio-economic monitoring program for Agnico Eagle’s Meadowbank, Whale Tail and Meliadine projects and associated annual reporting. The 2023 Agnico Eagle Kivalliq Projects Socio-Economic Monitoring Report was included as Appendix 47 in the <i>2023 Annual Report</i> . Gender-specific initiatives are highlighted in Section 2 of that report.
47. Assess and mitigate risks of temporary mine closure.	No Longer Active Completed	No Longer Active Completed	Analysis of the Risk of Temporary Mine Closure was submitted in September 2018 as Appendix 50 of Agnico Eagle’s <i>2018 Annual Report</i> . There have been no updates since.
Employment, Education, and Training			
48. Staff schedule forecasts that include job titles and national occupational classification codes quantity of positions available, and transferable skills. Also include registry of all trades occupations, journeypersons and apprentices.	Active In Compliance	Active In Compliance	Staff Schedule submitted May 2018 for construction and operations phase staff schedule was sent on April 25, 2019 with updated version on June 25 th , 2019 <i>2019 Annual Report</i> Appendix 54). A summary of the project workforce in 2023 is provided in the <i>2023 Annual Report</i> .
49. Collaborate with the GN on career development initiatives including training.	Active In Compliance	Active In Compliance	Agnico Eagle and the Government of Nunavut-Department of Family Services met on several occasion in the fall of 2023 to discuss apprenticeships and internships. Details are provided in the Proponent’s <i>2023 Annual Report</i> .
50. Conduct Labour Market Analysis (LMA) and Inuit Work Barrier Study (IWBS) to assess	Active In Compliance	Active In Compliance	Labour Market Analysis and Inuit work barrier study first submitted March 6, 2019. In 2023 the Employment and

Term & Condition	Compliance Achievement 2022-2023	Compliance Achievement 2023-2024	NIRB Comment
and address gaps between the Kivalliq labour market and mining market needs, and integrate into SEMP.			<p>Culture Committee, which includes representatives from KivIA and Agnico Eagle, signed an MOU on the Kivalliq LMA updates. The KLMA will now be performed every three (3) years, with the next update in 2024. An update to the IWBS was conducted in 2023 with results summarized in Appendix 47 and Appendix 51 of the <i>2023 Annual Report</i>.</p> <p>The Labour Market Analysis found that the challenges of navigating the recruitment process was a barrier to Inuit employment. Agnico Eagle is aiming to address this through its Sanajiksanut Program which was launched in 2022. The program aims to build a recruitment process that is inclusive and accessible to Inuit candidates. Information about the Sanajiksanut Program is found in Appendix 4 of Agnico Eagle's <i>2022 Annual Report</i>.</p>
51. Develop a Socio-economic Closure Plan.	Active In Compliance	Active Deficient – In Progress	<p>The Conceptual Socio-Economic Closure Plan (March 2019) is included as Appendix 52 of Agnico Eagle's <i>2018 Annual Report</i>. The Whale Tail Expansion Amendment (February 2020) of Project Certificate 008 (Amendment 001) added the requirement for a Workforce Transition Plan between the Whale Tail Project and other Agnico Eagle mines in the Kivalliq Region.</p> <p>Agnico Eagle has indicated that they initiated several studies and plans in 2023-2024 including evaluation of re-training opportunities for Inuit employees who may not be able to transfer into similar positions elsewhere upon mine closure, and development of a workforce transition plan to facilitate transition between the Whale Tail Project and other mines owned and operated in the Kivalliq region. Agnico Eagle has also noted they have planned community</p>

Term & Condition	Compliance Achievement 2022-2023	Compliance Achievement 2023-2024	NIRB Comment
			consultations for 2024 to identify risk and mitigation and support community priorities for economic development. The NIRB appreciates Agnico Eagle’s attention to this Term and Condition and looks forward to seeing an update in the Proponent’s 2024 Annual Report.
52. Listing of formal certificates and licenses and indication of which of these would be transferable to similar job sites within Nunavut.	Active In Compliance	Active In Compliance	Initial listing provided December 2018 and was included as Appendix 59 of Agnico Eagle’s 2018 Annual Report. There have been no updates made since this submission. Agnico Eagle noted in the 2023 Annual Report that they are exploring options for employees to demonstrate transferrable skills.
Population Demographics			
53. Collect and provide data concerning employee community of residence and relocation.	Active In Compliance	Active In Compliance	Summaries of Inuit employment by community and discussion of migration provided in the 2023 Socio-Economic Monitoring Report (Appendix 47 of Agnico Eagle’s 2023 Annual Report).
Traditional Activity and Knowledge			
54. Integration and incorporation of Inuit Qaujimaningit into Monitoring Plans.	Active In Compliance	Active Deficient – in progress	In its 2021-2022 and 2022-2023 monitoring reports, the NIRB identified inconsistencies with reporting on the inclusion of Inuit Qaujimajatuqangit into management and monitoring plans. Agnico Eagle has noted it will be producing a condensed report for the 2024 Annual Report that summarizes the shared Inuit Qaujimajatuqangit from the preceding year. The Terrestrial Ecosystem Management Plan (TEMP), version 7, notes that Traditional Knowledge and Inuit Qaujimaningit on caribou group sizes will be incorporated if appropriate but also notes that allowance for undisturbed passage of the lead caribou may also be an effective means of mitigation. The Proponent has indicated the current draft update to the TEMP also incorporates IQ. NIRB looks

Term & Condition	Compliance Achievement 2022-2023	Compliance Achievement 2023-2024	NIRB Comment
			forward to seeing further details in the expected 2024 release of version 8 of the TEMP and to seeing the results of the lead caribou pilot project described in the <i>2024 Annual Report</i> . See also Project Certificate No. 008 T&C 27.
Heritage Resources			
55. Conduct archaeological surveys prior to land disturbance.	Active In Compliance	Active In Compliance	No archaeological surveys were required in 2023.
56. Report any archaeological site discovered.	Active In Compliance	Active In Compliance	No archaeological surveys were required in 2023.
Individual and Community Wellness			
57. Update Occupational Health and Safety Plan to include sexual health and well-being information, and education program.	Active In Compliance	Active In Compliance	Occupational Health and Safety Plan (December 2018) included as Appendix 51 of Agnico Eagle's <i>2018 Annual Report</i> was intended to address T&C.
58. Subcommittee for health services in collaboration with GN to reach consensus on health-related programs /services / monitoring / reporting.	Active Deficient - in progress	Active Deficient - in progress	Agnico Eagle noted they held two meetings with the GN Health department in late 2023 to discuss needs from each group and possibilities for collaboration. Additional details are provided in the Proponent's 2023 Annual Report. Agnico Eagle indicated an additional meeting was planned for Q2 or Q3 2024. The NIRB looks forward to seeing an update in the Proponent's next annual report.
59. Establish cross-cultural training initiatives.	Active Deficient-In progress	Active In Compliance	Agnico Eagle's 2024 Socio-Economic Monitoring Report, provided as Appendix 47 to the <i>2023 Annual Report</i> , summarizes several cross-cultural initiatives including hosting country food nights and celebrations for Nunavut day. A classroom based cross-cultural training workshop was offered at Agnico Eagle's Meliadine project in 2023 but not at the Meadowbank Complex. Agnico Eagle noted in its response to CIRNAC's comments on the <i>2023 Annual Report</i> that for the first half of 2024, Meadowbank Complex delivered over 125 hours of the new Cultural Awareness

Term & Condition	Compliance Achievement 2022-2023	Compliance Achievement 2023-2024	NIRB Comment
			training to its employees. In total, more than 40 people at Meadowbank Complex received this training.
Community Infrastructure and Public Services			
60. Coordinate with community health centers to ensure individuals first treated at the mine that require ongoing care are appropriately accommodated.	Active Deficient - in progress	Active Deficient - in progress	See also Project Certificate Nol 008 T&C 58. Agnico Eagle initiated discussions with the GN to discuss health issues and services including possibilities for patient file sharing. The NIRB looks forward to seeing an update in the Proponent's next annual report related specifically to ongoing care in communities.
61. Assist employees in pursuing home ownership or accessing affordable housing. Provide access to financial literacy, financial planning, and personal budgeting programs.	Active In Compliance	Active In Compliance	Agnico Eagle's <i>2023 Annual Report</i> note that in 2023 financial literacy training resumed on site for employees after cancellations in 2020, 2021 and 2022 due to COVID-19. Agnico Eagle also notes they continue to work with partners on energy efficiency building initiatives. The NIRB looks forward to seeing additional details of these initiatives in the Proponent's next annual report.
62. Monitor project-related pressures to community infrastructure.	Active Deficient-in progress	Active In Compliance	In Agnico Eagle's Socio-Economic Monitoring Report, included in Appendix 47 of the <i>2023 Annual Report</i> , it is stated that Meadowbank and Whale Tail are largely non-reliant on the community infrastructure of Baker Lake or other Kivalliq communities. Exceptions include the Baker Lake airport and other community airports as well as community barge landing facilities. Specific details are provided in Section 8 of the 2023 Socio-Economic Monitoring Report.
Human Health and Ecological Risk Assessment			
63. Ensure methylmercury concentrations in the aquatic environment do not exceed regulatory requirements and assess potential risks of consumption of fish containing methylmercury.	Active Deficient - in progress	Active In Compliance	The Mercury Monitoring Plan was last updated in March 2023 and was included as Appendix 54 of the <i>2022 Annual Report</i> .

Term & Condition	Compliance Achievement 2022-2023	Compliance Achievement 2023-2024	NIRB Comment
			Detailed results of the 2023 monitoring program are found in Appendix 27 of the <i>2023 Annual Report</i> . In general, methylmercury concentrations were found to be below or similar to predicted values.
Cumulative Effects			
64. Provide updates on the status of ongoing exploration and/or future phase developments.	Active In Compliance	Active In Compliance	Status update provided in Agnico Eagle's <i>2023 Annual Report</i> .
65. Mitigate potential impacts to migrating caribou associated with widening of the Whale Tail Haul Road by facilitating caribou movement across the road.	Not Yet Active Not Yet Applicable	Not Yet Active Not Yet Applicable	There was no widening of the Whale Tail Haul Road in 2023.
66. Operate the WHTH as a private access road.	Active In Compliance	Active In Compliance	In 2023 AWAR/WHTH safety information and procedures were posted on the Meadowbank Complex Facebook page, and were discussed during a community coffee chat session in Baker Lake. An employee from Baker Lake works at the gatehouse as a dispatcher. There were no incidents involving non-mine authorized use in 2023. NIRB staff viewed appropriate road signage during the 2024 site visit.
67. Evaluate the potential aquatic effects to Lakes D1 and D5 and downstream that may result from the discharge of treated effluent.	Not yet Active Not Yet Applicable	Not yet Active Not Yet Applicable	Discharge to these lakes is not currently planned.
68. Demonstrate accountability for the proponent commitments associated with the Whale Tail Pit Project Proposal and the Whale Tail Pit Expansion Project Proposal.	Active In Compliance	Active In Compliance	Updates on the implementation of commitments are included as Appendix 2 of Agnico Eagle's <i>2023 Annual Report</i> .