

Cover Page: Nunavut Impact Review Board
2021-2022 Monitoring Report
Meliadine Gold Mine Project
Agnico Eagle Mines Limited
NIRB File No. 11MN034

Report Title: The Nunavut Impact Review Board's 2021-2022 Annual Monitoring Report for Agnico Eagle Mines Limited's Meliadine Gold Mine Project (NIRB File No. 11MN034)

Project: Meliadine Gold Project
Project Location: Kivalliq Region, Nunavut
Land Tenure: Inuit-Owned Land

Project Owner: Agnico Eagle Mines Limited
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Monitoring Period: October 1, 2021 – September 30, 2022

Date Issued: December 21, 2022

Cover Photo Credit: Photos courtesy of Agnico Eagle
1) Tiriganiaq Pit
2) Processing Plant
3) Vegetation Study

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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)*. On February 26, 2015, under Section 12.5.12 of the *Nunavut Agreement*, the NIRB issued Project Certificate No. 006 (the Project Certificate) for the Meliadine Gold Mine Project (the Project), allowing the Project to comply with the Terms and Conditions issued therein. As per Section 12.7.2, the NIRB is responsible for project monitoring to:

- a) *Measure the relevant effects of projects on the ecosystemic and socio-economic environments of the Nunavut Settlement Area;*
- b) *Determine whether, and to what extent, the land or resource use in question is being carried out within the predetermined terms and conditions;*
- c) *Provide the information base necessary for agencies to enforce terms and conditions of land or resource use approvals; and*
- d) *Assess the accuracy of predictions contained in the project impact statements.*

This report provides findings that resulted from the Board’s monitoring program for the Project from October 2021 to September 2022.

PROJECT HISTORY AND CURRENT STATUS

<u>Date</u>	<u>Milestone</u>
February 20, 2012	The NIRB issues its decision that Phase 1 of the all-weather access road could proceed before the completion of the Review of the Meliadine Gold Mine Project subject to specific Terms and Conditions.
February 26, 2015	After completing an assessment of the Project, and acceptance of the NIRB’s recommendation by the Minister of Aboriginal Affairs and Northern Development ¹ , the NIRB issued Meliadine Gold Mine Project Certificate No. 006.
April 13, 2017	The NIRB determined that the quarry at Itivia Harbour (16QN071) could proceed subject to recommended Terms and Conditions.
February 26, 2019	The NIRB issued the first amendment to the Meliadine Gold Mine Project Certificate No. 006 after completing an assessment of the “Saline Effluent Discharge to the Marine Environment” and the Ministers acceptance of the Board’s report.
May 14, 2019	Agnico Eagle began the commercial production phase of Meliadine.

¹ Now Minister of Crown-Indigenous Relations and Northern Affairs Canada

<u>Date</u>	<u>Milestone</u>
June 9, 2020	The NIRB determined that the proposed 2020 interim measures for increased trucking and saline effluent discharge into Melvin Bay did not require changes to the existing Terms and Conditions of the Project Certificate but requested additional monitoring information for 2020.
July 30, 2021	The NIRB released the Reconsideration Report and Recommendations for the Waterlines Proposal.
October 5, 2021	Agnico Eagle provided notice that eight (8) waterbodies would be drained/dewatered. Five (5) of these waterbodies are required to be dewatered due to their proximity to mining infrastructure. An additional three (3) waterbodies will be dewatered due to the requirement to modify the slope of the Tiriganiaq Pit 1 wall for structural and safety concerns.
January 31, 2022	The Responsible Ministers accepted the NIRB's Reconsideration Report and Recommendations for the Waterlines Proposal with the recommended eleven (11) revised and three (3) new terms and conditions of Project Certificate 006, further varying three (3) of these terms and conditions.
March 2, 2022	The NIRB issued the second amendment to the Meliadine Gold Mine Project Certificate No. 006 from the Waterlines Proposal.
April 1, 2022	The Nunavut Planning Commission referred Agnico Eagle's "Meliadine Extension" Project Proposal to the NIRB for reconsideration and the NIRB started its process for a reconsideration.

PROJECT COMPONENTS

Original Project

The Meliadine Gold Mine Project involves the construction and operation of a gold mine located in the Kivalliq Region, approximately 25 kilometres (km) north of Rankin Inlet on Inuit-owned lands. There are five (5) separate deposits that Agnico Eagle plans to develop in a phased approach. Phase 1 is focused on the Tiriganiaq deposit, which includes two (2) open-pits and one (1) underground mine. Phase 2 includes the development of an approximately 20 km spur road to allow access for the development of the Discovery deposit, haul roads to access the Wesmeg, F-zone, and Pump deposits, and twinning of the all-weather access road (AWAR).

The mine site is comprised of a camp, associated mining infrastructure, and the Tiriganiaq open pit and underground mine which moved into operations in 2019. Additional Project infrastructure is located at Itivia Harbour in the Hamlet of Rankin Inlet and has a barge unloading facility, a laydown storage and marshalling area, a 37.5 million litre (ML) fuel tank farm, and a saline water discharge tank. The Itivia Harbour area is connected to the mine site via the private Bypass Road which allows mine-related traffic from Itivia Harbour to bypass the community before connecting to the AWAR. The approximately 24-kilometre (km) long AWAR is restricted to all-terrain-

vehicle (ATV) access only by the public but will be opened to all public traffic for Phase 2 of the Project which includes expansion of the AWAR to 2-lanes with appropriate turn-offs.

All documentation for the project activities and monitoring before the second amendment to Project Certificate 006 on March 2, 2022, can be found at www.nirb.ca/project/124106.

Saline Effluent Discharge Proposal

In 2019, the NIRB approved the addition of discharging a portion of the salty groundwater (saline effluent) from the Tiriganiaq underground mine into Melvin Bay. In the open water season of 2019, Agnico Eagle began discharging saline effluent into Melvin Bay. Trucks transport saline effluent from the mine site to the saline water discharge tank, located at Itivia Harbour, where the saline effluent is then pumped at a rate of 800 cubic metres per day (m^3/day) through a waterline to an engineered diffuser located in Melvin Bay. The saline effluent transport and discharge into Melvin Bay only happen during the open water season and Agnico Eagle stores groundwater on-site for the additional months.

All documentation for the Project activities and monitoring before the second amendment to Project Certificate 006 on March 2, 2022, is found at the NIRB's Public Registry at www.nirb.ca/project/124106.

2020 Saline Discharge Strategy

In 2020, due to higher than predicted saline effluent volumes flowing into the underground mine, Agnico Eagle requested an interim measure to increase the volume of traffic transporting saline effluent and to double the volume of effluent being discharged to Melvin Bay to 1,600 m^3/day during the open water season. Agnico Eagle provided updated monitoring plans to mitigate and monitor for any adverse impacts and the NIRB released a letter noting its expectations for monitoring updates at the end of the year.

On January 20, 2021, the Nunavut Planning Commission (the Commission) reviewed Agnico Eagle's proposal to extend the "2020 Saline Discharge Strategy" for an additional year and on April 13, 2021, Agnico Eagle provided the NIRB with an update on the Commission's conformity determination that the proposed activities were exempt from screening by the NIRB. Subsequently, on April 21, 2021, the NIRB requested Agnico Eagle provide a submission directly to the NIRB's Public Registry to allow the NIRB to confirm the monitoring requirements for the continuation of the activities under the 2020 Saline Discharge Strategy. Although the requested material was not received, Agnico Eagle did inform the NIRB that saline effluent discharge did occur in 2021 at a rate of 1,600 m^3/day and follow-up associated monitoring results.

All documentation for the Project activities and monitoring before the second amendment to Project Certificate 006 on March 2, 2022, is found at the NIRB's Public Registry at www.nirb.ca/project/124106.

Waterlines Proposal

As a long-term measure to manage increased volumes of saline effluent, in 2020 Agnico Eagle applied to amend its Project Certificate to change the conveyance of the saline effluent from trucking to waterlines constructed alongside the AWAR, as well as increase the volume of saline effluent discharged to 6,000 to 12,000 m³/day. The Waterlines Proposal included an alternative to also discharge treated surface contact water to an additional 8,000 m³/day. The NIRB issued the second amendment to the Meliadine Gold Mine Project Certificate No. 006, on March 2, 2022.

All documentation related to the Waterlines Amendment, and all monitoring data provided to the NIRB after the finalization of the amended Project Certificate, can be found at www.nirb.ca/project/125515.

UNDER ASSESSMENT

Meliadine Extension

On April 1, 2022, the Nunavut Impact Review Board (NIRB or Board) received a referral from the Commission to assess Agnico Eagle's "Meliadine Extension" Project Proposal. The Proposal includes underground mining at the existing open-pit Pump, F Zone, and Discovery deposits and the development of a new portal for Tiriganiaq-Wolf, with associated infrastructure for ore, waste, water, and fuel management. The associated infrastructure for the increase in activities also includes the option to store waste rock and tailings in exhausted pits. The camp and existing mine site infrastructure, AWAR, and the laydown area and fuel farm at Itivia Harbour, would continue to be used. Use of the waterlines and ocean discharge pipeline to manage site water would also be ongoing, with the addition of a waterline from the Discovery deposit to the mine site along the spur road and AWAR. The Proposal also includes the construction and operation of wind turbines and the option to construct and operate an airstrip. Agnico Eagle has noted that the Proposal would extend the operation phase (i.e., mine life) by 11 years to 2043.

All information about the NIRB's assessment of the "Meliadine Extension" Project Proposal can be found at www.nirb.ca/project/125684.

2.0 MONITORING ACTIVITIES

GENERAL REPORTING REQUIREMENTS

On April 19, 2022, the NIRB received Agnico Eagle’s Meliadine Gold Mine Project *2021 Annual Report*² as required by the Meliadine Gold Mine Project Certificate No. 006 Amendment 02. On May 2, 2022, Agnico Eagle provided requested revised copies of the *2021 Annual Report* and select appendices.

Throughout 2021 and 2022, Agnico Eagle provided the following new or revised management plans and monitoring programs as required by the terms and conditions contained within the amended Project Certificate 006 or as specifically requested by the NIRB or Regulatory Authorities. See Agnico Eagle’s *2021 Annual Report* for a complete list of management plans in use.

Table 1: Management and Monitoring Plans

Plan	Version	Public Registry ID No.
Aquatic Effects Monitoring Program Design Plan	2	338869 & 338870
Blast Monitoring Program	4	338871
Explosives Management Plan	8	338872
Incineration Management Plan	7	338873
Landfarm Management Plan	4	338874
Landfill & Waste Management Plan	8	338875
Mine Waste Management Plan	9	338876
Oil Pollution Emergency Plan / Oil Pollution Prevention Plan	6	338877
Ore Storage Management Plan	4	338878
Quality Assurance/Quality Control Plan	4	338879
Shipping Management Plan	9	338880, 338882 & 338883
Spill Contingency Plan	11	338884
Terrestrial Environment Management and Monitoring Plan	4	338885
Water Management Plan	12	338886
Roads Management Plan	9	338285
Groundwater Management Plan	8	339988
Adaptive Management Plan	2	339986

² NIRB ID No: 339295 (main report)

The Proponent's *2021 Annual Report* included results of monitoring activities for the year with associated Inuktitut summaries, including:

- 2021 Drill site locations
- Geotechnical inspection
- Tailings and supernatant sampling
- Geochemical report
- Diamond drill hole samples
- Noise monitoring
- Terrestrial environment monitoring
- Caribou camera study
- Caribou behaviour
- Wildlife observations
- Tundra restoration and recovery monitoring
- Marine mammal and seabird observations
- Water balance and water quality
- Water monitoring station results
- Aquatic Ecosystems monitoring
- Stack testing
- Air quality monitoring
- Blast monitoring
- All weather access road usage
- Socio-economic monitoring
- Community engagement
- Elders advisory committee report
- Training
- Labour market analysis

COMPLIANCE MONITORING

2.1.1. Proponent's Responses to the Board's 2020-2021 Recommendations

On November 9, 2021, the NIRB issued several Board and monitoring recommendations to Agnico Eagle resulting from the NIRB's 2020-2021 monitoring efforts³. On January 24 and February 7, 2022, Agnico Eagle provided responses to address each of the 2020-2021 Recommendations⁴, summarized in Table 3 and Table 4.

Table 2: 2020 Board Recommendations and Agnico Eagle Response

<u>BOARD RECOMMENDATION</u>	<u>AGNICO EAGLE'S RESPONSE</u>
<ul style="list-style-type: none">▪ An update as to whether increased trucking and increased discharge activities occurred in the 2021 open water season;▪ If so, whether any additional monitoring occurred due to the increase in activities;▪ An analysis of the impacts on air quality, the terrestrial environment, the marine environment, and the socio-economic environment from the increased activities for the 2020 and 2021 open water seasons compared to previous years. The reporting of the data and analysis of these year-over-year comparisons should take into consideration that the results will feed into whether any additional management or monitoring would be required should the increased trucking and discharge need to continue.	Agnico Eagle provided the 2021 Saline Discharge Strategy Update on February 7, 2021 ⁵

³ Public Registry ID No.: 337250, 337587, 337589

⁴ Public Registry ID No.: 337711, 337873

⁵ Public Registry ID No.: 337873

<u>BOARD RECOMMENDATION</u>	<u>AGNICO EAGLE'S RESPONSE</u>
<p>The Board requires that Agnico Eagle provide an update within 60 days regarding how the Kangiqliniq Hunters and Trappers Organization (KHTO) is involved in caribou monitoring, what restrictions are in place for access to the all-weather access road for additional KHTO monitoring programs, and how these restrictions and/or monitoring requirements are communicated to the KHTO. Further, Agnico Eagle is to ensure that all parties understand the goals and restrictions of caribou monitoring before the 2022 post-calving migration.</p>	<p>Agnico Eagle noted that the correspondence from the KHTO referred to a single, isolated event, involving a misunderstanding of adapted COVID procedures by a new Agnico Eagle gatehouse employee. Following this event, Agnico Eagle took prompt action and provided reminders to all gatehouse employees to the effect that KHTO wildlife monitors are allowed on the AWAR.</p> <p>As per Term and Condition 46, a Collaboration Agreement was signed between Agnico Eagle and the KHTO in December 2021. The objective of this collaboration agreement is to ensure wildlife and geographical information along the AWAR is collaboratively and effectively managed.</p>
<p>The Board recommends that more detail be provided in the Proponent's 2021 Annual Report and future reports where results from engagement opportunities are considered in the monitoring year. Further, in future updates of monitoring and management plans, the Proponent shall include how community concerns and Inuit Qaujimajatuqangit received were considered, and how the results of monitoring were communicated back to the communities.</p>	<p>Agnico Eagle employs an IQ and Wildlife Advisor who leads various activities with the local community and ensures Inuit Qaujimajatuqangit is appropriately accounted for in the Mine's endeavors.</p> <p>Agnico Eagle will provide additional information on Inuit Qaujimajatuqangit incorporation in its activities and decisions in the 2021 Annual Report.</p> <p>Note: Explanations of incorporation of Inuit Qaujimajatuqangit have improved and the NIRB looks forward to further improvements in future annual reports and management plans.</p>
<p>As Agnico Eagle proposed to submit an updated version of the Terrestrial Environmental Management and Monitoring Plan (TEMMP) within the 2021 Annual Report, the Board recommends that Agnico Eagle collaborate with interested parties to ensure sufficient detail in background data, study design, data collection, data analysis, reporting, discussions, and management triggers and thresholds are discussed. The updated TEMMP will clearly demonstrate all comments and recommendations from parties as summarized.</p>	<p>Agnico Eagle reiterates its commitment to collaborating with interested parties. Agnico Eagle wishes to propose a phased approach to the TEMMP revision; a revised TEMMP report would be submitted within the 2021 Annual Report, and a more substantial revision would take place once the Meliadine Terrestrial Advisory Group is implemented, allowing for more in-depth discussions with interested parties.</p> <p>Note: TEMMP Version 4 was received as an appendix to the <i>2021 Annual Report</i>.</p>

Table 3: 2020 Monitoring Officer Recommendations and Agnico Eagle Responses

<u>MONITORING RECOMMENDATION</u>	<u>AGNICO EAGLE'S RESPONSE</u>
<p>The Monitoring Officers recommend that the Wildlife and Safety Audit occur within the next monitoring year if Public Health restrictions permit and that the results of this audit lead to updates on wildlife deterrence and adaptive management triggers in appropriate management and monitoring plans.</p>	<p>Agnico Eagle will schedule a Wildlife and Safety Audit in 2022, pending COVID-19 measures and restrictions allow for it. Appropriate plans and reports will be updated according to the Audit results as per usual practice.</p>
<p>Within the next annual report, Agnico Eagle shall describe how annual AWAR dust monitoring stations relate to AWAR transect stations for ease of reader consideration (i.e., is one (1) sample unit of the transect used or is it a separate collection unit in the location).</p> <p>Within the next annual report, please include more discussion on whether there are trends on locations or timing of increased dustfall and whether additional dust suppressant application should be considered.</p>	<p>Agnico Eagle thanks the NIRB for their recommendation and will account for it in the <i>2021 Annual Report</i>.</p> <p>Note: AWAR dust monitoring station description provided.</p>
<p>The NIRB will work with Agnico Eagle and parties in the 2021-2022 monitoring year to develop the Post Environmental Assessment Monitoring Program to provide guidance and allow coordination for all participants in the monitoring of the Meliadine Gold Mine Project.</p>	<p>Agnico Eagle looks forward to working with NIRB and parties to develop the Post Environmental Assessment Monitoring Program.</p>
<p>The Proponent shall maintain a table of management plans that were active for the monitoring year in each annual report. The NIRB has completed Table 1 with management and monitoring plans from 2020 and 2021 as an example of how this information could be included in the annual report;</p>	<p>A table of management plans active for the monitoring year will be maintained in the 2021 Annual Report.</p> <p>Note: A table of management plans was provided in the <i>2021 Annual Report</i>.</p>

<u>MONITORING RECOMMENDATION</u>	<u>AGNICO EAGLE’S RESPONSE</u>
<p>Project Certificate 006 states “The Proponent shall establish a Project-specific web portal or web page as a means of making all non-confidential monitoring and reporting information associated with the Project available to the general public.” The NIRB requests that Agnico Eagle have a means of housing house active management plans (e.g., on the existing website for the Meliadine Gold Mine Project or a specific document portal like Baffinland Iron Mines Corporation has done for the Mary River Project).</p>	<p>As per management plans and non-confidential monitoring and reporting information associated with the project, Agnico Eagle will work on consolidating the information available through its existing project-specific web portal as well as the external stakeholder website.</p>
<p>Within future annual reports, the Proponent should provide a specific discussion of the cumulative effects from Project-related shipping activities.</p>	<p>Agnico Eagle thanks the NIRB for their recommendation and will account for it in the 2021 Annual Report.</p> <p>Note: Agnico Eagle provided more of a discussion on cumulative effects within the <i>2021 Annual Report</i>.</p>
<p>Within 60 days the Proponent should provide a discussion on what measures are taken to inform community members of the rules of the road, including the no-shooting zone.</p>	<p>Agnico Eagle will hold meetings with community members to go over the rules of the road, including the no-shooting zone before the 2022 caribou migration period.</p>

2.1.2. Compliance Achievements

Compliance monitoring involves an assessment undertaken by regulators and other agencies to establish whether a project is being carried out within the legislation, regulations, instruments, commitments, and agreements as such apply to certain project activities, and further, is a requirement of the NIRB's Post-Environmental Assessment Monitoring Program (PEAMP) for each Project Certificate. At present, the NIRB has not yet issued a PEAMP for the Meliadine Gold Mine Project Certificate and expects to do so once sufficient permits are issued for the Project to understand the responsible authorities' operational requirements. A PEAMP is designed to work as an instrument of the Proponent's overall monitoring efforts of the project and should provide the NIRB with information respecting the activities relating to a project, its impacts, and the implementation of any mitigative measures through the use of the monitoring plans and programs as described in the review or reconsideration processes.

With the commencement of operations in May 2019 Agnico Eagle is now well into the implementation of many of its management and monitoring plans. All terms and conditions are now applicable to the Project and consultations and collaborations should be completed to refine and finalize the management and monitoring plans. However, with the NIRB considering an amendment to the Project Certificate, the NIRB is unable to issue the PEAMP currently. Upon completion of the reconsideration process and after sufficient time to receive licences and permits, the NIRB will work with the Proponent and parties to establish the PEAMP.

During this reporting period, the Proponent was successful in having met most of the requirements of the NIRB Project Certificate No. 006 Amendment 02. However, there are several Terms and Conditions that the Proponent has yet to fully achieve, specifically Terms and Conditions: 1, 8, 10, 12, 17, 43, 44, 45, 54, 55, 57, 66, 75, 86, 91, 104, 105, and 132. The NIRB has provided direction in both [Appendix A](#) as well as in Sections [5.0](#) and [6.0](#).

2.1.3. Compliance Monitoring by Regulatory Authorities.

On May 4, 2022, the NIRB requested that regulatory authorities with expertise or jurisdiction at the Meliadine Gold Mine Project provide comments about the report along with a summary of any compliance monitoring and/or site inspections undertaken in association with the Project, including specifically:

- a. Compliance Monitoring
 - i. Provide a summary of any compliance monitoring and/or site inspections undertaken in association with the Project, including specifically:
 - a. Identify the terms and conditions from the Project Certificate which have been incorporated into any permits, certificates, licences or other government approvals issued for the Project, where applicable;

- b. A summary of any inspections conducted during the 2020 reporting period, and the results of these inspections; and
- c. A summary of the Proponent’s compliance status with regard to authorizations that have been issued for the Project.

On or before June 20, 2022, the NIRB received comments from the parties in Table 4. Following the table is a summary of comments received by parties.

Table 4: Commenting Parties and NIRB Public Registry ID No.

Commenting Party	Public Registry ID No.
Kivalliq Inuit Association (KIA)	340196
Government of Nunavut (GN)	340195
Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC)	340192
Environment and Climate Change Canada (ECCC)	340194
Fisheries and Oceans Canada (DFO)	340193
Transport Canada (TC)	340197
Ghotelnene K’odtineh Dene (GKD)	340198

2.1.3.1. Agnico Eagle Mines Limited

Agnico Eagle noted that due to the COVID-19 pandemic, in person site inspections or visits were limited in 2021. Agnico Eagle worked with parties for virtual site visits as well as in conducting non-contact site visits following all applicable public health guidelines. Agnico Eagle summarized site inspections/visits from CIRNAC and the Kangiqliniq Hunters and Trappers Organization where no non-compliances were identified.

2.1.3.2. Kivalliq Inuit Association

The KIA did not provide any information regarding site inspections conducted at the Meliadine Gold Mine Project site or report any concerns regarding compliance monitoring.

2.1.3.3. Crown-Indigenous Relations and Northern Affairs Canada

CIRNAC stated that it is responsible for inspecting and enforcing any terms and conditions contained within any Water Licence associated with the project and that CIRNAC issued the surface lease for the marine discharge pipe for the Meliadine Gold Mine Project in 2019. In 2021, CIRNAC inspectors conducted four (4) non-contact site inspections and no instances of non-compliance were recorded.

CIRNAC also noted that it participates in Agnico Eagle’s Kivalliq Projects Socio-Economic Monitoring Working Group, which met by teleconference on various occasions in 2021 to discuss

the implementation of Agnico Eagle's Kivalliq Projects Socio-Economic Monitoring Program. CIRNAC is also a participant in the more regional Kivalliq Socio-Economic Monitoring Committee, which did not meet in 2021 due to COVID-19 restrictions.

2.1.3.4. Environment and Climate Change Canada

ECCC did not provide any information regarding any site inspections conducted at the Meliadine Gold Mine Project site or report any concerns regarding compliance monitoring.

2.1.3.5. Fisheries and Oceans Canada

DFO did not complete compliance monitoring or site visits in 2021. Upon review of the *2021 Annual Report*, DFO noted the following comments related to compliance monitoring:

- DFO identified that Pond J6 was partially infilled during 2021, which resulted in a barrier to fish passage, and as yet, unquantified effects on fish and fish habitat. Additional monitoring may be required to determine the adverse effects of the infill and barrier to fish passage from ponds J4 and J5 up through Pond J6 to pond J7; and
- DFO has received multiple reports of TSS exceedances at the Meliadine site. DFO will examine the situation when visiting the site to ensure proper mitigation measures are in place.

2.1.3.6. Transport Canada

TC did not complete any on-site physical inspections in 2021. TC reported that the Project is in compliance with marine safety and security, navigation protection, civil aviation (Meliadine Mine flights), and transportation of dangerous goods.

EFFECTS MONITORING

Effects monitoring can be described as an assessment of the measurable change to a particular environmental or socio-economic component, as compared to the potential effects that were predicted to result from a proposed development. In the case of the Meliadine Gold Mine Project, impact predictions and mitigation measures were outlined and developed throughout the environmental review of the Project and were recorded and presented through the Proponent's Final Environmental Impact Statement (FEIS), subsequent addendums, and other related documents.

On May 8, 2022, the NIRB also requested that regulatory authorities with expertise or jurisdiction at the Meliadine Gold Mine Project provide comments and information for effects monitoring for the 2021 reporting period. Specifically:

- a) Whether the conclusions reached by Agnico Eagle in its *2021 Annual Report* are valid;
- b) Whether there are any areas of significance requiring further supporting information.

Tables 5 through 10 contain a summary of comments received by parties and Agnico Eagle’s responses⁶. Agnico Eagle provided follow-up responses on August 22, 2022⁷ and September 20, 2022.⁸

Table 5: Kivalliq Inuit Association Recommendations and Agnico Eagle’s Responses

<u>KIA RECOMMENDATION</u>	<u>AGNICO EAGLE’S RESPONSE</u>
<p>Clarify whether and when traffic volumes predicted in the FEIS will be attained, and if they won’t be attained, what implications this has for assessment of impacts of the project on wildlife.</p>	<p>Traffic monitoring results have been reported in different ways making the comparison to the FEIS challenging. Traffic during the operations phase on the AWAR during July has been less than predicted. Agnico Eagle will look into modifying the AWAR Monthly Traffic Summary to facilitate the review for future Annual Reports.</p>
<p>Clarify why so many Arctic foxes were at the mine site and why they required euthanizing. The TEMMP should also clarify whether rabies was confirmed among foxes at site.</p>	<p>During the winter months, cover habitat, and food are scarce resources in the tundra for the Arctic fox. The infrastructures at the Mine site provide wind shelter, which can contribute to attracting Arctic foxes.</p> <p>The GN informed Agnico Eagle of the presence of rabies in the fox population to ensure precautions were taken to protect the workers.</p>
<p>Agnico Eagle and the GN should develop a long-term data-sharing agreement to enable Agnico Eagle to analyze collar movements to aid in the interpretation of monitoring and mitigation effectiveness.</p>	<p>Discussions to this effect with the GN are ongoing. This topic will be further discussed within the TAG in upcoming meetings.</p>
<ol style="list-style-type: none"> 1. Consider the comments received on its April 2022 revised collar caribou Meliadine AWAR interactions report, and through consultation with interested parties, conduct a more comprehensive analysis. 2. Identify the proportion of collars within the Regional and Local Study areas for the years when the collared caribou are within those areas. 	<ol style="list-style-type: none"> 1. At the moment, the comments are under revision. The main findings and next actions will be discussed within the TAG. 2. Agnico Eagle will consider this approach and discuss it within the TAG.

⁶ Public Registry ID: 340971

⁷ Public Registry ID: 341426

⁸ Public Registry ID: 341691

<u>KIA RECOMMENDATION</u>	<u>AGNICO EAGLE'S RESPONSE</u>
<p>1. Provide a more detailed accounting of the monitoring surveys and their caribou observations and relate them to the application of the decision tree and site work suspension or road closures.</p> <p>2. Relate traffic frequency from the camera study to road closures and integrate these data with the information on crossings and site work suspension or road closures to estimate mitigation effectiveness.</p>	<p>1. Agnico Eagle follows the decision tree stated in the TEMMP.</p> <p>2. Agnico Eagle noted that the cameras are taking photos and not videos, which could have limitations on the eventual interpretation.</p>
<p>Identify in Tables 2 and 24 which monitoring method will be used to identify caribou deflections from AWAR.</p>	<p>The 30-minute behaviour survey was designed to document how caribou groups respond to different kinds of disturbances and give a timeline of the recovery period, behaviour surveys are not designed to measure deflections. The spatial and temporal requirements of detecting deflections necessitate the use of satellite collar data.</p>
<p>1. Continue monitoring behaviour responses but focus on responses to stopped vehicles and convoys;</p> <p>2. Re-analyze the behaviour data to examine average behaviour within a 30-minute sampling period and separate cow-calf groups from non-calf groups; and</p> <p>3. Determine how the duration of behavioural responses can be used to determine thresholds for sensory responses with the TAG.</p>	<p>1. Focus was placed on observing caribou during convoys and for stopped vehicles.</p> <p>2. The 2022 analyses are ongoing and will allow confirming if the sample size allows for, examining behaviour within each survey period. Group composition will be included in the 2022 analysis.</p> <p>3. Agnico Eagle will address it within the TAG.</p>
<p>1. Continue the camera study but provide greater details on vehicle passage rate and timing of the last vehicle's passage relative to caribou crossing.</p> <p>2. Provide data that tests the assumption that a caribou within 5 m of the road actually crossed the road.</p> <p>3. Examine if and how the cameras could be complimentary with the behaviour study.</p> <p>4. Discuss with TAG if and how cameras can be used to address cumulative effects.</p>	<p>1. Vehicle passage rate and approximate caribou group size and composition will be considered in the next report. It will be difficult or impossible to estimate the expected crossing rate with the cameras alone because there is no control dataset.</p> <p>2. The photos themselves typically have enough of the adjacent road in the view to directly capture caribou crossing the road.</p> <p>3. This recommendation will be investigated for the 2022 data analysis.</p> <p>4. Agnico Eagle will refer the comment to the TAG for further discussion.</p>

<u>KIA RECOMMENDATION</u>	<u>AGNICO EAGLE'S RESPONSE</u>
Provide greater detail on how it is meeting the Terms and Conditions relative to caribou and other wildlife.	Agnico Eagle refers the KIA to the responses provided to the KIA and GN and notes that Term and Condition 45 is addressed through various programs and initiatives such as the TEMMP and the Marine Mammal and Seabird Observation program (MMSO), or the hunter harvest calendar that supports the regional studies of population health and harvest programs for caribou.
Integrate incidental sightings, road survey, behaviour and camera monitoring results with collared caribou data to clearly describe year-round monitoring for caribou and to evaluate the function and validity of the monitoring strategies.	Agnico Eagle thanks the KIA for their recommendation and will account for it in future years.
Work with TAG and Inuit elders to apply Inuit Qaujimagatuqangit principles and knowledge to define the deflection of caribou from the AWAR and mine site.	Agnico Eagle thanks the KIA for their comment and will account for it during TAG discussions.
Ensure that future exploration drilling follows the report recommendations to support natural vegetation recovery at drilling sites. Involve the TAG in reviewing the studies and how their results can be applied to reclamation at Meliadine.	Agnico Eagle will assess how to include the University of Saskatchewan's findings in future exploration drilling activities.
Amend the statement in Section 7.1.4 to acknowledge that phosphorus concentrations have increased over time in the East Basin of Meliadine Lake. Agnico Eagle should explore strategies to mitigate the impact of nutrient enrichment in the East Basin, including but not limited to increasing the volume of contact water diverted to Itivia Harbour.	Total phosphorus concentrations have, in general, increased since the baseline period from the lower end of oligotrophic status near the AEMP Action Level. There is, however, some uncertainty about the natural range of phosphorus concentrations in Meliadine Lake given sparse and highly variable data collected during the baseline period. The effect of phosphorus and other nutrients on primary productivity will continue to be evaluated each year as part of the Phytoplankton Study.
Continue to monitor the effectiveness of the current mitigation methods for dusting and should characterize the sediment and the method of transport related to dusting from the tailings storage facility.	Agnico Eagle will continue to monitor dust and the effectiveness of current mitigation methods and will investigate the sediment along the toe of the tailings storage facility to be reported in the 2022 Annual Report.
The KIA strongly recommends that testing to determine how much of the tailings remain frozen be implemented in Q4, 2022.	Agnico Eagle is working with the design engineer to develop an adequate testing program to determine the unfrozen content curve. The expected start date of this testing remains Q4, 2022 pending laboratory availability.

<u>KIA RECOMMENDATION</u>	<u>AGNICO EAGLE'S RESPONSE</u>
<p>Confirm what capacity remains in the current landfill, when a new landfill will be required and where it will be located.</p>	<p>As of July 2022, there is approximately 3,200 m³ of storage within the current landfill. In the short to medium term, the existing landfill berms will be raised to accommodate additional storage. The existing landfill will require a raise of the berms before the end of the year. For the long term, an alternate landfill location is being assessed.</p>

Table 6: Government of Nunavut Recommendations and Agnico Eagle’s Responses

<u>GN RECOMMENDATION</u>	<u>AGNICO EAGLE’S RESPONSE</u>
<p>1. Revise the <i>2021 Annual Report</i> to include the following:</p> <p>a) Reporting of compliance with the 1 km no-shooting zone on either side of the AWAR including presentation and analysis of the monitoring data used to assess compliance with this policy.</p> <p>b) A summary of incidents involving shooting across or along the AWAR, and any trends in these incidents since the AWAR entered operation.</p> <p>c) Information on the number of dedicated road monitors tasked with monitoring harvesting along the AWAR.</p> <p>d) Information demonstrating that caribou monitoring and caribou harvest monitoring along the AWAR was increased during periods when large aggregations of caribou were observed in the vicinity of the road.</p> <p>2. If harvest monitoring is taking place using other methods, it should be clearly stated that the aforementioned measures are no longer being used.</p>	<ul style="list-style-type: none"> ▪ Communications relative to the 1 km no-shooting zone are made before the migration ▪ No incidents involving shooting across or along the AWAR in 2021, Agnico Eagle will make sure to add this information in future annual reports. ▪ KHTO leads convoys when travel was required on the AWAR during the caribou migration and the Environmental Department and its third-party contractor ERM monitored caribou presence and harvesting as per the caribou migration protocol. ▪ Agnico Eagle will add details on harvest monitoring in future annual reports.
<p>Report where road safety barriers or berms are associated with Project infrastructure, all-weather access road and associated roads/trails are used.</p>	<p>Information will be included in future annual reports.</p>
<p>1. Thresholds for wolves, grizzly bears, polar bears, and wolverines shall be set within the Proponent’s TEMMP Report with adequate adaptive management measures.</p> <p>2. Discussion and consultation on the compensation of wildlife mortality resulting from the Project’s activities shall be reported in the TEMMP.</p>	<p>1. Suggests further discussing thresholds within the TAG.</p> <p>2. Compensation for wildlife mortality resulting from the Project’s activities is determined in the Inuit Impact and Benefit Agreement</p>
<p>Include information on the timing of the green-up in the Annual Report.</p>	<p>In 2021 and 2022, the green-up dates are estimated to be June 31st and June 21st, respectively, based on pictures taken at the Mine site.</p>
<p>1. Confirm that bird nest avoidance training was included in the wildlife environmental awareness training given to employees.</p> <p>2. Include this information within the Wildlife Protection and Response Plan.</p>	<p>Bird nest avoidance training is included in various environmental awareness training provided to employees.</p> <p>The Wildlife Protection and Response Plan will be reviewed within the TAG.</p>
<p>A statement should be included within the Proponent’s Annual Monitoring Report if any scientific research licences were required and acquired for the annual monitoring period.</p>	<p>As per 2021, no research activities were undertaken that would trigger the requirement for a scientific research licence under the Nunavut Scientists Act.</p>

Table 7: Crown-Indigenous Relations and Northern Affairs Canada Recommendations and Agnico Eagle’s Responses

<u>CIRNAC RECOMMENDATION</u>	<u>AGNICO EAGLE’S RESPONSE</u>
<i>Previous CIRNAC Recommendations</i>	
<ul style="list-style-type: none"> ▪ Track volumes of waste rock classified as Uncertain and Potentially Acid Draining (PAG) from the underground mine and open pits; and ▪ Confirm that waste rock used for construction was not PAG. 	<ul style="list-style-type: none"> ▪ Moving forward, Agnico Eagle will track the volumes of waste rock classified as uncertain and PAG and report this information in the Annual Report, if applicable. ▪ The waste rock used for construction purposes in 2021 was not PAG.
<ul style="list-style-type: none"> ▪ Clarify whether the ore quantity values presented in the Ore Storage Management Plan for years 2019-2021 are actual or plan values; ▪ Clarify whether all or only a portion of high-grade ore goes directly to the mill; ▪ Describe ore storage operations and how much fresh ore is placed on the ore pad each year along with a description of ore retention times on the pad; and ▪ Update the SNC Lavalin load analysis and report. 	<ul style="list-style-type: none"> ▪ Table 4-3 from the <i>2021 Annual Report</i> represents the actual ore quantities at year-end. ▪ High-Grade material is always prioritized; the aim is to send 25% as direct dump and 75% rehandled. ▪ Fresh ore placement on ore pad varies from year to year and follows an ore placement strategy. ▪ The more recent GoldSim Water Balance and Water Quality Model (WBWQM) will be used and updated annually as per the Water Licence
<ul style="list-style-type: none"> ▪ Include a section in future annual reports that explicitly discusses uses of CP-1 water in the mill and how Agnico Eagle is complying with the licence condition to “<i>maximize to the greatest practical extent, the use of Reclaim Water from Contact Water management facilities for use in the mill.</i>” 	<ul style="list-style-type: none"> ▪ To be included in future reports.
<ul style="list-style-type: none"> ▪ Agnico Eagle provide a discussion on the status of permafrost degradation that may be occurring because of construction and operation activities. 	<ul style="list-style-type: none"> ▪ In general, permafrost and the active layer will adjust itself (or aggrade) and change from the depth it is into the fills placed on the natural ground and Agnico Eagle has not observed permafrost degradation across the industrial pad. Some localized permafrost degradation has been observed within/adjacent to some of the water management structures. Agnico Eagle monitors these areas and repairs them when required.

<u>CIRNAC RECOMMENDATION</u>	<u>AGNICO EAGLE'S RESPONSE</u>
<ul style="list-style-type: none"> ▪ CIRNAC requests that future Annual Report submissions include summaries of any interactions with local outfitting and guiding companies regarding the administration of its Hunter Harvest Survey, should they occur. 	<ul style="list-style-type: none"> ▪ To be included in future reports.
<ul style="list-style-type: none"> ▪ Update its management and operational plans to reflect the commitment to minimize discharges to Meliadine Lake. ▪ Describe what steps were taken in 2021 to minimize discharges to Meliadine Lake. 	<ul style="list-style-type: none"> ▪ In the Adaptive Management Plan, the commitment to minimize discharge to Meliadine Lake via discharge to Melvin Bay through the waterline is emphasized. The Adaptive Management Plan will take effect upon the operation of the waterline.
<p>CIRNAC requests clarification on the following items about predictions of the Water Balance and Water Quality Model:</p> <ol style="list-style-type: none"> a) If the total dissolved solids (TDS) discharge limit is exceeded again, how will water stored in CP1 be managed? b) As cryo-concentration is already considered in the model, could the underestimated ammonia concentrations be the result of blasting? c) How will Agnico Eagle reduce the arsenic values at closure to meet stricter post-closure passive discharge requirements? d) Provide a discussion on whether the presence of elevated TDS in waste rock and tailings has the potential to affect the long-term performance of the waste rock and tailings storage facilities. 	<ol style="list-style-type: none"> a) Forecasted TDS concentrations in CP1 over are expected to remain below the discharge criteria limit. b) The increase in observed concentrations compared to model predictions is still attributed to cryo-concentration during ice formation. c) The closure plan for the tailings storage facility is to progressively place an engineered cover over the tailings. The contact water management system will remain in place until mine closure activities are completed and monitoring results demonstrate acceptable water quality. d) To be reported in future Annual Reports.
<ul style="list-style-type: none"> ▪ Provide the year-over-year or cumulative quantities of ore and waste rock with comparisons to FEIS predicted quantities. ▪ Provide information on the deposition and distribution quantities of waste rock. ▪ Clearly indicate waste rock quantities that are actual as opposed to planned and use the same approach for waste rock as used for tailings. 	<ul style="list-style-type: none"> ▪ Provided a summary of total actual waste rock and ore tonnage for the years 2019-2021 compared to FEIS predictions. ▪ Table 4.1 of the Mine Waste Management Plan presents the waste rock deposition information. ▪ Confirmed the quantities in Tables 4.1 and 4.2 of the Mine Waste Management Plan are actual (as-built) values for the years 2019 to 2021.
<ul style="list-style-type: none"> ▪ CIRNAC recommends that Agnico Eagle provide a full citation to its Analysis of the Risk of Temporary Mine Closure, the relevant NIRB Public Registry Identification Number, and a brief statement on whether updates are deemed necessary in future Annual Report submissions. 	<ul style="list-style-type: none"> ▪ To be included in future reports.

<u>CIRNAC RECOMMENDATION</u>	<u>AGNICO EAGLE'S RESPONSE</u>
<ul style="list-style-type: none"> Provide the employee origin information and ensure this information is provided in future Annual Report submissions. Clarify how the “Outside of Kivalliq” category included in Table 29 of the <i>2021 Annual Report</i> is defined. 	<ul style="list-style-type: none"> Provided a detailed breakdown of headcount data by employee location Clarified that ‘Outside of Kivalliq’ should be ‘Outside of Nunavut’.
<ul style="list-style-type: none"> Confirm whether or not it is making available necessary treatment and counselling services for employee and family well-being as encouraged in T&C 108 of the amended Project Certificate. 	<ul style="list-style-type: none"> Agnico Eagle provides support to employees and family well-being through Employee Assistant Programs. In addition, the clinic nurses were providing mental health support to the Nunavummiut employees during their return-to-work re-integration.

Table 8 Environment and Climate Change Canada Recommendations and Agnico Eagle's Responses

<u>ECCC RECOMMENDATION</u>	<u>AGNICO EAGLE'S RESPONSE</u>
<ul style="list-style-type: none"> Confirm the units for Radium-226 as Bequerels/litre (Bq/L) or provide the conversion. 	<ul style="list-style-type: none"> The values presented are indeed in units of Bq/L.
<ul style="list-style-type: none"> ECCC recommends a review of the modelling for ammonia and total phosphorus in CP1 to identify the source of the discrepancy in observed vs predicted concentrations, and that consideration is given to validating under-ice predictions. 	<ul style="list-style-type: none"> Agnico Eagle hypothesizes that algal growth in CP1 may be responsible for the attenuation of ammonia and total phosphorus in CP1. Agnico Eagle will assess how best to account for it in future annual reports.
<ul style="list-style-type: none"> The definition for IC25 provided should be corrected from “inhibition concentration affecting 25% of tested organisms” to “effluent concentration that causes a 25% inhibitory effect in the sublethal endpoint being measured” 	<ul style="list-style-type: none"> The definition of the IC25 has been updated
<ul style="list-style-type: none"> The Proponent clarifies the use of QA/QC blanks, noting the different purposes between field and travel blanks. 	<ul style="list-style-type: none"> Agnico Eagle defined Travel Blanks, Field Blanks, and Equipment Blanks.

<u>ECCC RECOMMENDATION</u>	<u>AGNICO EAGLE’S RESPONSE</u>
<ul style="list-style-type: none"> ▪ The first part of the Phytoplankton Assessment Criteria is “Phytoplankton community metrics at the Near-field area beyond the range of baseline/reference conditions”. ECCC recommends revision of the assessment criteria statement to specify “below” or “outside” rather than “beyond” the range of baseline/reference conditions. 	<ul style="list-style-type: none"> ▪ The assessment criteria were revised to state “outside the range of baseline/reference conditions”.
<ul style="list-style-type: none"> ▪ Recommends replacing the term “lake-wide” with “near-field” when considering phosphorous concentrations for action levels for water quality. 	<ul style="list-style-type: none"> ▪ The AEMP Action Level for phosphorus will be applied to the near-field area.
<ul style="list-style-type: none"> ▪ ECCC recommends continued monitoring and evaluation of parameters that are showing consistent increases in biotic and abiotic components of the Meliadine Lake ecosystem. 	<ul style="list-style-type: none"> ▪ Chemistry analysis in sediment fish tissue is part of the Aquatic Effects Monitoring Program Design Plan. The next monitoring program is scheduled for 2024.
<ul style="list-style-type: none"> ▪ Recommends that the proponent implement a monitoring plan to verify its conclusion on filtered tailing classified as uncertain. 	<ul style="list-style-type: none"> ▪ Management of the tailings in a dry, compacted, and frozen facility will ensure that the potential of these tailings to produce acid rock drainage is inhibited, and subsequently will not pose a risk for the site. Several monitoring programs are in place at Meliadine related to filtered tailings acid rock drainage potential.
<ul style="list-style-type: none"> ▪ Assess the impact of the heavier 2021 summer precipitation on the reduced rate of dustfall. 	<ul style="list-style-type: none"> ▪ Agnico Eagle has conducted a basic review of summer precipitation rates concerning dustfall results since 2019 when roadside transect sampling began.
<ul style="list-style-type: none"> ▪ Perform a quality assurance of the relative humidity data. 	<ul style="list-style-type: none"> ▪ Upon review, values presented in Appendix B of the 2021 Air Quality Monitoring Report are maximum daily relative humidity, rather than average as indicated in the table caption.

Table 9: Fisheries and Oceans Canada Recommendations and Agnico Eagle’s Responses

<u>DFO RECOMMENDATION</u>	<u>AGNICO EAGLE’S RESPONSE</u>
<ul style="list-style-type: none"> Recommends the monitoring program is revisited to ensure that potential changes to fish and fish habitat are effectively monitored and potential mitigations can be implemented to avoid adverse impacts to the aquatic environment, as necessary. 	<ul style="list-style-type: none"> Noted that the Aquatic Effects Monitoring Program is an adaptive program and results from previous cycles are used to make informed and timely changes to the study design. Provided a brief summary of the benthic invertebrate and fish population data.
<ul style="list-style-type: none"> Agnico Eagle meets with DFO to discuss the monitoring effort for Marine Mammal Observations to ensure the robustness of the survey design. 	<ul style="list-style-type: none"> Agnico Eagle thanks DFO for their comment and looks forward to meeting with DFO.
<ul style="list-style-type: none"> DFO recommends that the monitoring that identified the safety concerns about the sloping of Tiriganiaq 01 pit and the subsequent plan to address the concerns be added to the Annual Report. 	<ul style="list-style-type: none"> An explanation for pit wall re-sloping of Tiriganiaq Pit 1 was provided. The 2022 Annual Report will further discuss the dewatering process that took place during the summer of 2022 and associated monitoring.

Table 10: Ghotelnene K’odtineh Dene Recommendations and Agnico Eagle’s Responses

<u>GKD RECOMMENDATION</u>	<u>AGNICO EAGLE’S RESPONSE</u>
<ul style="list-style-type: none"> Having two (2) related reports referred to with the same acronym (TEMMP) is sometimes confusing and probably not necessary. 	<ul style="list-style-type: none"> “TEMMP” refers to Agnico Eagle’s approved management plan, the Terrestrial Environment Management and Monitoring Plan. The report discussing the implementation of the TEMMP is referred to as “TEMMP Report”.
<ul style="list-style-type: none"> Why are Term & Conditions #43 and #44 not included in Table 1 of the TEMMP? 	<ul style="list-style-type: none"> To be included in future reports.
<ul style="list-style-type: none"> Caribou Behaviour Monitoring is shown as the method to be used for the Monitoring Indicator for “Sensory Disturbance” and the Proposed Threshold of “<10% caribou deflections from AWAR”. However, this is not stated as an objective of the Caribou Behaviour Monitoring program nor is it specifically addressed in the results presented in this Section of the report. 	<ul style="list-style-type: none"> The 30-minute behaviour survey was designed to document how caribou groups respond to different kinds of disturbances and give a timeline of the recovery period. While it is possible to use the results of the behaviour study to get some sense of the occurrence of deflections for caribou observed immediately next to the road, behaviour surveys are not designed to measure deflections.

<u>GKD RECOMMENDATION</u>	<u>AGNICO EAGLE'S RESPONSE</u>
<ul style="list-style-type: none"> ▪ In the results it is stated that the cameras were successful at capturing many caribou crossing the AWAR; it would have been more meaningful to express this in actual numbers. 	<ul style="list-style-type: none"> ▪ Clarified that with the methodology currently used, it is not possible to differentiate caribou unless they have specific markings. Therefore, caribou numbers from these data are only approximations of group size assessed by experts.
<ul style="list-style-type: none"> ▪ There is no mention of the review and concerns expressed by the GN, KIA, and GKD regarding the “2020 Collared Caribou Meliadine AWAR Interactions” Technical Memorandum, including those related to how deflections were defined. 	<ul style="list-style-type: none"> ▪ See the response to KIA.
<ul style="list-style-type: none"> ▪ The GKD supports the objective, methods, and implementation of the Caribou Advisory Monitoring Program 	<ul style="list-style-type: none"> ▪ Agnico Eagle thanks GKD for their comment.
<ul style="list-style-type: none"> ▪ The GKD supports the proposed development and use of “Monitoring Indicators” and “Thresholds” as a means of measuring the accuracy of impact predictions so long as these can be measured quantitatively. 	<ul style="list-style-type: none"> ▪ Agnico Eagle thanks GKD for their comment and looks forward to further discussing this matter within the TAG.
<ul style="list-style-type: none"> ▪ It is not clear how the Caribou Behaviour Study will be used to quantify caribou crossings/deflections 	<ul style="list-style-type: none"> ▪ The behaviour study is primarily designed to measure the degree to which caribou respond to disturbances on the road, and the various factors that influence this response. Movement patterns are a separate question and are best assessed by satellite collar data.
<ul style="list-style-type: none"> ▪ Given that both group size and distance to the AWAR appear to influence caribou behaviour it would have been beneficial to present this in the exploratory analysis concerning “Upstream or Downstream Observations” 	<ul style="list-style-type: none"> ▪ Agnico Eagle thanks GKD for their comment and remains available for further discussion.
<ul style="list-style-type: none"> ▪ There is a lack of any discussion/conclusions/recommendations based on the key findings presented in the Caribou Behaviour Study related to the objectives of the study or in the context of Term and Condition 57 of the Project Certificate. 	<ul style="list-style-type: none"> ▪ Agnico Eagle thanks GKD for their comment and will account for it in future annual reports.

<u>GKD RECOMMENDATION</u>	<u>AGNICO EAGLE’S RESPONSE</u>
<ul style="list-style-type: none"> ▪ The statement that “All recorded caribou crossings occurred between 5 minutes and 8.75 hours of a vehicle crossing...” is not entirely accurate in that only four “vehicle cameras” and 43 caribou detections were used for this analysis. 	<ul style="list-style-type: none"> ▪ Agnico Eagle thanks GKD for their comment and acknowledges this statement could benefit from further clarifications in future annual reports as applicable.
<ul style="list-style-type: none"> ▪ According to Section 6.1, the field portion of the Trail Camera Study ended on July 12 and not at the end of July as stated in Section 5.1. 	<ul style="list-style-type: none"> ▪ Agnico Eagles thanks GKD for their comment and will ensure information to this effect provided in future annual reports is consistent.
<ul style="list-style-type: none"> ▪ It would have been useful to include the total number of caribou actually recorded by the camera. Also, it appears that a number of the results presented are based on the number of caribou detections versus actual caribou numbers (Figures 6.2 & 6.3 for example); would the same conclusions be reached had actual caribou numbers been used (that 27% of all caribou crossings occurred at KM 22 for example)? And is there a reason why the number of caribou detections were used in favour of actual caribou numbers? 	<ul style="list-style-type: none"> ▪ See response to Comment #3. Because it is not possible to ensure 100% coverage of the road, and because caribou may walk behind the camera or out of trigger range, it is assumed that the numbers presented in Section 6.2 of the camera appendix are almost certainly underestimates. Because of the uncertainty around group size, it was determined that the detection rate was more reliable for analyzing rates of crossing than the number of caribou.
<ul style="list-style-type: none"> ▪ It is unclear as to what is intended by the statements that “cameras are a far more effective way of capturing road crossings than collar data” and “the 91 and 128 caribou detection events captured on the AWAR cameras in 2020 and 2021 (respectively) represent a more than 540% increase from the average collar rate”. 	<ul style="list-style-type: none"> ▪ The statements are meant to highlight that the camera study was successful and provides added value when combined with collar data. The goal of the camera study was to monitor caribou along the road, which is a much more granular scope than the collar study.
<ul style="list-style-type: none"> ▪ In the text, it is stated that road structure features were compared to the “number of caribou detected in 2021”. It is unclear whether actual caribou numbers or the number of caribou detections were used in this analysis. 	<ul style="list-style-type: none"> ▪ Agnico Eagle wishes to clarify the number of caribou detections used in this analysis.
<ul style="list-style-type: none"> ▪ The GKD agrees with the “insights” suggested improving data collection in the future (leaving cameras out longer, replacing cameras with programming errors and setting cameras in the southern section of the road). 	<ul style="list-style-type: none"> ▪ Agnico Eagle thanks GKD for their comment.

3.0 MELIADINE GOLD MINE SITE UPDATE

NIRB staff were able to go to all areas of the Meliadine Project on July 26 and 27, 2022. Based on the observations made during this site visit, all Meliadine facilities and sites, in operation and/or are under construction, continue to appear to be well managed and generally maintained with adequate environmental protection measures and procedures in place. The Monitoring Officers noted the following successes at the Meliadine site facilities:

- The cleanliness of the site and the Sunday Clean-up initiative;
- Segregation and storage of all domestic, hazardous, and combustible wastes appear to be conducted appropriately;
- The improvement of the Incinerator; and
- Dust suppression was applied along all the AWAR that Agnico Eagle manages.

Agnico Eagle appears to comply with a majority of the terms and conditions contained within the Meliadine Gold Mine Project Certificate No. 006; however, there may be certain situations in which the Proponent has not yet fully met the requirements of the Project Certificate, and which require further consideration and attention. The Monitoring Officers will be looking at the following during the next site visit:

- Erosion Control Fences along the ditches at site.

Please refer to the 2022 Site Visit Report⁹ for further detail on the NIRB's site visit.

4.0 PUBLIC INFORMATION SESSION

The NIRB conducted a Public Information Session in Rankin Inlet on July 28, 2022, 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. These meetings included an afternoon and evening session to allow the community a chance to speak to NIRB staff.

Topics raised by community members regarding monitoring of the Meliadine Gold Mine Project included the following and for more information regarding the community meeting, please refer to the 2022 Site Visit Report.⁹:

- Impacts of blasting events on caribou
- Assistance for Terrestrial Advisory Group participants
- Concern about Agnico Eagle's practices during caribou migration
- Concerns were expressed related to hunting around the Project Area
- Discussions around the best time of year for the NIRB to host Community Information Sessions and potential outreach options other than face-to-face meetings
- Questions about the "Meliadine Extension"

⁹ Public Registry ID: 342242

- Concerns regarding the water quality of Meliadine Lake
- Discussions around employee satisfaction at the Agnico Eagle Meliadine Site and availability of jobs for disabilities
- Questions regarding where funds go once it is received by Kivalliq Inuit Association
- Discussion about the translation of Nunavut Impact Review Board into Inuktitut and how site visits are conducted
- Comment to Agnico Eagle about translated signs along the all-weather access road.

The NIRB also heard during its Information Sessions for the Meliadine extension project proposal tour of the Kivalliq that there were several concerns related to monitoring:

- Questions regarding past helicopter work in the Baker Lake area
- Questions about how flight recordings are taken
- Is it possible to know the flight schedules in advance of the work? Is a month's notice possible?
- What managers can we talk to at Agnico Eagle to express our concerns
- Concern expressed by impacts from Meadowbank/Whale Tail and Meliadine in Chesterfield Inlet
- Questions about studies being conducted in saline water discharge areas in Itivia Harbour
- Questions about where saline water is stored when it is not being discharged into Itivia Harbour

5.0 AREAS REQUIRING FURTHER STUDY OR CHANGES TO THE MONITORING PROGRAM

The NIRB has reviewed Agnico Eagle's *2021 Annual Report* and provides the following comments.

TAG Terms of Reference and Memorandum of Understanding

Term and Condition 132 states that a finalized Memorandum of Understanding (MOU) and Terms of Reference (TOR) for the Terrestrial Advisory Group (TAG) between the Proponent and Responsible Parties shall be provided to the NIRB a minimum of sixty (60) days before any construction of the waterlines. On April 1, 2022, Agnico Eagle provided correspondence to the NIRB proposing to file a finalized version of the MOU and TOR on or before May 3, 2022, to allow time for consensus among parties.¹⁰ This correspondence to update the NIRB was provided to meet the sixty (60) day timeline to begin construction before June 1, 2022. Further, during the November 23-24 Technical Meeting for Agnico Eagle's "Meliadine Extension" Project Proposal the NIRB heard that the TAG is in the process of finalizing the MOU and TOR, thus the NIRB would appreciate an update on when to expect the finalized copies.

¹⁰ Public Registry ID: 338507

- As the original construction start date has passed, the NIRB requires an update on the progress of the MOU and TOR with the parties involved in the TAG. The Monitoring Officers also request an update on how delays with the establishment of the TAG have affected the construction and operation timeline of the waterline and if there is an anticipated construction date in 2023.

Terrestrial Environment Management and Monitoring Plan

In both the 2019-2020 and 2020-2021 Monitoring Reports, the NIRB recommended that Agnico Eagle complete a comprehensive update to the Terrestrial Environment Management and Monitoring Plan (TEMMP) and consider comments from parties. Agnico Eagle provided an updated version of the TEMMP in the *2021 Annual Report*; however, it is unclear to the NIRB how parties' comments were incorporated into the update. Further, the NIRB recognizes that in response to the 2020-2021 Board Recommendations Agnico Eagle proposed a phased approach to the TEMMP revision with more substantial revisions once the Meliadine TAG is implemented.

- As the TAG is yet in its early development stages, the Monitoring Officers request an update on when the next version of the TEMMP will be completed and this information can be included in the 2022 Annual Report.

Caribou Collar Technical Memo

On May 11, 2022, Agnico Eagle submitted the Revised Collard Caribou Meliadine AWAR Interactions technical memorandum¹¹ to satisfy Term and Condition 44 which states:

“The Proponent in consultation with the Terrestrial Advisory Group shall revise the 2021 Technical Memorandum entitled “Collared Caribou Meliadine All-Weather Access Road Interactions” describing the crossings and deflections of caribou in relation to the all-weather access road as assessed using caribou collar data and shall provide a copy to the NIRB prior to construction/installation of the waterlines.”

The associated cover letter¹² highlighted that consultation with the TAG was not complete and that TAG participants would have until May 27, 2022, to provide comments to Agnico Eagle for inclusion in the technical memo. Both the KIA and GKD stated in their comment submissions that their comments have not yet been considered. Based on Agnico Eagle’s response to these comments the NIRB understands that the main findings and next actions will be discussed within the TAG.

¹¹ Public Registry ID: 339504

¹² Public Registry ID: 339505

- The NIRB looks forward to a summary of these discussions with the TAG within the 2022 Annual Report and an update on when the next version of the technical memo, revised in consultation with the TAG, can be expected.

Dust Monitoring

The NIRB commends Agnico Eagle for improving the dust suppressant reporting and discussion in the *2021 Annual Report* and noted during the site visit that calcium chloride is applied along the all-weather access road (AWAR). The NIRB also notes that Agnico Eagle manages, Appendix A Table 2 (Record of dust suppressant application (CaCl₂ product) at the Meliadine site) of the Air Quality Monitoring Report to report dust suppressant application. It appears that more dust suppressant was applied in 2021 than 2020 and that certain areas of the AWAR are receiving more dust suppressant than others, however this is difficult to understand in tabular format without more discussion.

- As in 2020 the NIRB requested information about locations or timing of applications along the road where increased dustfall may happen, the Monitoring Officers would appreciate further explanation on how dust suppressant is applied along the AWAR (ex. whether there are certain areas that are more problematic that may receive more dust suppressant). The NIRB also suggests a map or figure to assist with demonstrating what sections of the AWAR are managed and how often (e.g., colour of road sections indicates number of applications).

Agnico Eagle also noted that sampling periods were later in 2021 than 2020 and therefore sampling occurred into October when snow cover on the road may affect the results. While this allowed Agnico Eagle to compare periods of actively suppressing the dust to natural suppressant of snow, these changes to sampling periods make year-over-year comparisons difficult.

- The Monitoring Officers request Agnico Eagle ensure standardization of data collection to reduce additional variables wherever possible.

6.0 FINDINGS

As noted in [Section 1.0](#), the objectives of the NIRB’s monitoring programs are:

- (a) Measure the relevant effects of projects on the ecosystemic and socio-economic environments of the Nunavut Settlement Area;*
- (b) Determine whether, and to what extent, the land or resource use in question is being carried out within the predetermined terms and conditions;*
- (c) Provide the information base necessary for agencies to enforce terms and conditions of land or resource use approvals; and*
- (d) Assess the accuracy of predictions contained in the project impact statements.*

Wildlife Deterrence

Term and Condition 75 requires the Proponent to implement mitigation measures and monitoring programs to limit the attraction of predators and scavengers to Project facilities. The Board recommendation for the *2018-2019 Annual Monitoring Report for the Meliadine Gold Mine Project* recommended conducting a Bear and Wildlife Safety Audit to identify potential hazards and/or attractions to wildlife due to 22 fox mortalities in the 2018 year and requested revision of the Waste Management Plan be provided with the 2019 Annual Report. In later annual reports, the site has continued to attract wildlife as 15 fox mortalities occurred in 2019 and 30 in 2021. Further, the *2021 Annual Report* noted an incident regarding a fox attack on an Agnico Eagle employee.

The NIRB understands that the Bear and Wildlife Safety Audit was postponed due to the COVID-19 pandemic. To start the process, Agnico Eagle has initiated programs on-site to better manage attractants including site-wide weekly clean-ups to manage waste at the site, and the development of an on-site Environmental Working Group to review waste management and establish training materials. However, due to the continued number of fox mortalities, the Board emphasizes the need to identify and implement additional mechanisms to limit possible attractants at the site and recommended that the Wildlife and Safety Audit occur as soon as practicable and that the results of this audit lead to updates on wildlife deterrence and adaptive management triggers.

2021 Update on the Continuation of the Saline Discharge Strategy

In 2020, Agnico Eagle received approval from the NIRB for the “2020 Saline Discharge Strategy” to truck and discharge for one (1) year up to 1,600 m³/day of treated water into Melvin Bay during the open water season. This approval required specific reporting to the NIRB for monitoring of the terrestrial environment, dust management, air quality, and ocean discharge as specifically related to the increased trucking and discharge. In 2021, the Nunavut Planning Commission determined that no further assessment was required to continue the 1,600 m³/day discharge for the 2021 open

water season. As the NIRB did not receive an application to continue the 2020 Saline Discharge Strategy, the NIRB's 2021 Recommendation #1 requested an update and specific mitigation and monitoring information. In response, Agnico Eagle stated that increased trucking and discharge had occurred in 2021 and provided a report with monitoring details related to the activities.

During the 2022 Site Visit, the NIRB confirmed that trucking and/or discharge of saline effluent will not occur in 2022 as water is being stored in Tiriganiaq Pit 2. The Board recognizes the approved 800 m³/day trucking and releases into Melvin Bay may be intermittent, and Agnico Eagle has successfully gained approval for shorter-term 1600 m³/day trucking and release rates. However, the Board has been limited in its ability to advise appropriate levels of monitoring and mitigation due to delayed or missing notice before activities occur. Therefore, the Board has requested notice before trucking or release of saline effluent. Additionally, the Board noted that a proposal will be required should Agnico Eagle be considering discharge above 800 m³/day.

Caribou Collar Data and Government of Nunavut Data and Sample Sharing Agreement

As highlighted by parties and the Proponent through the 2021 Annual Reporting process for Agnico Eagle's Kivalliq projects, Agnico Eagle and the Government of Nunavut (GN) still require a Data and Sample Sharing Agreement (DSSA) for sharing satellite collar data on caribou in the region for accurate analysis of Project impacts on herds in the Region. Last year, the Board requested an update from the GN on the status of its ability to provide the caribou collar data to Agnico Eagle through the Meadowbank Gold and Whale Tail Pit Projects' annual monitoring. The GN responded that a series of ongoing delays in negotiating the agreement to share the raw telemetry data and an update to the standard form DSSA was required. The GN stated that although sharing raw telemetry data requires a DSSA, simple telemetry data is provided and this was sufficient to fulfill the basic monitoring and mitigation requirements of the Terrestrial Ecosystem Management Plan for those projects.

The Board is noting challenges for it to fully assess how caribou interact with Agnico Eagle Projects in the Kivalliq region and how this lack of information could impact future assessments and the data gap that is occurring. The Board would like to stress the importance of the finalization of the DSSA and requested a discussion on the implications of the missing data to monitoring and mitigation as well as an update on when the DSSA can be expected to be finalized from both Agnico Eagle and the GN.

Blasting Concerns

In the summer of 2022, the NIRB received emails from members of the public regarding a blasting event on July 10, 2022.¹³ The concerns focused on the migration of caribou at the time, and whether community members were informed. As described within the Blast Monitoring Program (Version 4, April 2022) and the TEMMP (Version 4, April 2022) blasting must be restricted when

¹³ Public Registry ID: 341869-341871

caribou are in the vicinity of the Project and blasting activities will not occur when caribou herds are within five (5) kilometres of the mine site. After the NIRB forwarded the emails to Agnico Eagle and the Kivalliq Inuit Association, verbal responses noted that all required agencies and community organizations had been part of planning the blasting event, but the NIRB did not receive a clear response to these community emails in writing.

The NIRB notes that it is unclear from the community emails whether caribou were within the specified range at the time of the blast. Further, the NIRB heard concerns from community members during the NIRB's Community Update Session held in July, noting behavioural changes in the herd during the blasting event. Community members suggested that the five (5) kilometre buffer zone may not be sufficient to mitigate indirect disturbance to caribou and that adding an additional half of a kilometre should be considered. During the November 23-24 Technical Meeting for Agnico Eagle's "Meliadine Extension" Project Proposal, Agnico Eagle stated that it feels its current mitigation measures for blasting are satisfactory. However, given the community concerns the NIRB encourages that the Proponent discuss these with the Kivalliq Inuit Association and Kangiqliniq Hunters and Trappers Organization and provide the NIRB with an update.

Within 30 days the Board requires an explanation in writing from Agnico Eagle outlining the July 10, 2022 blasting event, and whether the existing management and monitoring plans were followed. Additionally, information regarding how parties and community members are notified of major blasting events.

Noting that community members observed a disturbance to caribou from the blasting event, the Board recommends Agnico Eagle discuss the suggested additional half-kilometre offset with the Kangiqliniq Hunters and Trappers Organization and/or Kivalliq Inuit Association's caribou monitors and advise if updates to the Terrestrial Environment Management and Monitoring Plan should be considered. This discussion shall be provided in the next annual monitoring report from Agnico Eagle.

7.0 CONCLUSION

During the 2021-2022 monitoring period, Agnico Eagle demonstrated compliance with the majority of the Meliadine Gold Mine Project Certificate requirements. Further, Agnico Eagle is 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 the main issues identified in this monitoring period as follows:

1. Lack of achievement or progress towards achieving the following terms and conditions: 1, 8, 10, 12, 17, 43, 44, 45, 54, 55, 57, 66, 75, 86, 91, 104, 105, 132
2. Terrestrial Advisory Group Terms of Reference and Memorandum of Understanding
3. Terrestrial Environment Management and Monitoring Plan

4. Caribou Collar Technical Memo
5. Dust Monitoring
6. Wildlife Deterrence
7. Saline Effluent Discharge
8. Caribou Collar Data and Government of Nunavut Data and Sample Sharing Agreement
9. Blasting Concerns

Prepared by: Emily Koide, MSc
Title: Technical Advisor III
Date: December 21, 2022
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Date: December 21, 2022
Signature:



Appendix A: Compliance with the Meliadine Gold Mine Project Certificate No. 006, Amendment 02

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>2021 Compliance Achievement</u>	<u>2022 Compliance Achievement</u>	<u>NIRB Comment</u>
General Regulatory Requirements				
1. Appointment of Monitoring Officer(s).	n/a	Active In Compliance	Active In Compliance	Completed by NIRB.
2. NIRB to report annually on the monitoring program (in English and Inuktitut).	Annually	Active In Compliance	Active In Compliance	Completed by NIRB.
3. NIRB to conduct periodic community meetings and updates regarding its Monitoring Program.	n/a	Active In Compliance	Active In Compliance	An afternoon open house and evening presentation were held in Rankin Inlet on July 28, 2022. See section 4.0 for more details.
4. NIRB to schedule periodic site visits.	n/a	Active In Compliance	Active In Compliance	Site Visit was completed on July 26-27, 2022. See Section 3.0 of this report for more details.
5. Proponent must obtain all required federal and territorial permits and other approvals and shall comply with the requirements of such regulatory instruments.	n/a	Active In Compliance	Active In Compliance	List of active permits and authorizations provided in the <i>2021 Annual Report</i> .
6. Duty to Comply with environmental laws and regulations and/or regulatory instruments and shall report any non-compliance as required by law immediately.	Annually	Active In Compliance	Active In Compliance	Due to COVID-19, in-person inspections were limited to non-contact and/or virtual visits in 2021 as further detailed in the <i>2021 Annual Report</i> .

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>2021 Compliance Achievement</u>	<u>2022 Compliance Achievement</u>	<u>NIRB Comment</u>
7. Posting of adequate performance bonding.	n/a	Completed	Completed	
Monitoring Records				
8. Information requirements for monitoring reporting.	Annually	Active In Compliance	Active In Compliance	
9. Make significant monitoring results and/or summaries of significant results available in English and Inuktitut, to the extent feasible.	Annually	Active In Compliance	Active In Compliance	The monitoring summaries of significant results in Inuktitut were submitted as part of the <i>2021 Annual Report</i> .
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.	Annually	Active In Compliance	Active In Compliance	
11. Maintenance of an up-to-date Environmental Impact Statement and updated environmental monitoring programs developed for the Project as new information is collected.	As information is updated	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	n/a	Active Deficient - In Progress	Active Deficient - In Progress	http://aemnunavut.ca/operations/meliadine/ The NIRB appreciates that Agnico Eagle is improving their website and hosting more documents related to annual monitoring. However, the NIRB stresses the importance of hosting all active monitoring and

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>2021 Compliance Achievement</u>	<u>2022 Compliance Achievement</u>	<u>NIRB Comment</u>
information submitted to regulatory authorities				mitigation plans and other publicly available information regarding the Project.
On-going Engagement in Project Monitoring, Modelling, Management and Reporting				
13. Provide ongoing opportunities for consultation and comment on any substantive revisions to the Project-specific monitoring program, modelling, studies, management plans, management measures, and reporting.	Annually	Active In Compliance	Active In Compliance	
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.	Annually	Active In Compliance	Active In Compliance	Comments from parties on compliance and effects monitoring received based on the <i>2021 Annual Report</i> and 2021 monitoring year.

Meliadine Gold Mine Project Specific Terms & Conditions

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
AIR QUALITY				
1: Updated Air Quality Monitoring Plan	<i>The updated plan at least 90 days before the start of construction, with results submitted annually.</i>	Active Deficient - In Progress	Active Deficient - In Progress	<ul style="list-style-type: none"> ▪ Samples from DF-1 and DF-WT began later than other transects due to a lack of sampling canisters. ▪ Averaged dustfall results were lower than seen in previous years but this may be confounded by the sampling taking place later in the season when snow cover may reduce dust. ▪ In order to complete year-over-year comparisons, Agnico Eagle should standardize the timings of dustfall collection.
2: Emissions Monitoring	<i>Annual reporting and parameters must clearly identify the results and compared to predicted levels in the FEIS or limits established by applicable guidelines and regulations.</i>	Active In Compliance	Active In Compliance	The 2021 Air Quality Monitoring Report and <i>2021 Annual Report</i> note that the measured annual average emissions were well below the Government of Nunavut (GN) Ambient Air Quality Standards, and FEIS maximum predicted values for the 2020 year.
3: Dust Management and Monitoring Plans	<i>The updated plan is submitted at least 60 days before the commencement of construction activities.</i>	Active In Compliance	Active In Compliance	The 2021 Air Quality Monitoring Report detail the use of dust suppressant along the Project roads and site area.

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
4: Incineration Management Plan	<i>The updated plan should be submitted at least 60 days before the commencement of construction of the incinerator.</i>	Active In Compliance	Active In Compliance	Incineration Management Plan, Version 7 (April 2022).
5: Stack Testing Results	<i>Stack test results are to be reported annually, or as may otherwise be required.</i>	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> ▪ Stack testing was conducted as per Incineration Management Plan, Version 7 (April 2022). ▪ One (1) test exceeded the Total Toxic Equivalent limit of 80 pg/m³ at 11% O₂; however, the average of the three (3) tests remained below the allowable limit. ▪ Average measured concentrations of mercury and total dioxins and furans were below the GN standards for these parameters.
6: Dust Suppression Measures at Landfill	<i>Implementation is reported and discussed in the Proponent's annual report.</i>	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> ▪ Landfill dust suppressant during topping and capping is contained within the Dust Management Plan Version 6, 2020. ▪ Within future Annual Reports, the NIRB requests an update on whether any topping or capping is occurring at the landfill.
CLIMATE AND METEOROLOGY				

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
7: Calculations of Greenhouse Gas Emissions generated by the Project	<i>Implementation is reported and discussed in the Proponent's annual report.</i>	Active In Compliance	Active In Compliance	The 2021 Air Quality Monitoring Report and <i>2021 Annual Report</i> note that the measured annual average emissions were well below the GN Ambient Air Quality Standards, and FEIS maximum predicted values for the 2020 year.
8: Engage Inuit in initiatives related to climate change when undertaking climate-change related studies and research.	<i>An annual summary of the consultation and how the information was used to inform planning for the Project.</i>	Active In Compliance	Active Deficient - In Progress	In the previous year, Agnico Eagle engaged community members with the University of Saskatchewan's Tundra Restoration and Natural Recovery Study; however, no description of the engagement of Inuit or community members was provided in the <i>2021 Annual Report</i> .
9: Greenhouse Gas Emissions (GHG) Reduction Plan	<i>The plan should be submitted 90 days before the commencement of operations.</i>	Active In Compliance	Active In Compliance	Greenhouse Gas Emissions Reduction Plan, Version 1 (Jan 2019).
NOISE AND VIBRATION				
10: Noise and Vibration Abatement Plan	<i>The finalized noise abatement plan submitted at least 90 days before the commencement of construction.</i>	Active In Compliance	Active Deficient - In Progress	<ul style="list-style-type: none"> ▪ Noise Abatement and Monitoring Plan, Version 3 (March 2020). ▪ TEMMP, Version 4 (April 2022) ▪ Concerns were received from the KHTO regarding blasting while caribou were within the vicinity.

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
11: Noise and Vibration Monitoring at Accommodation Sites.	<i>Monitoring results and implementation are reported in the annual report.</i>	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> Noise Abatement and Monitoring Plan Version 3 (March 2020). App 32-2 Blast Monitoring Program, Version 4 (April 2022)
TERRESTRIAL ENVIRONMENT				
12: Permafrost Mapping and Monitoring	<i>An annual summary discussion of its implementation of this term and condition in the report as well as the results of mapping.</i>	Active Deficient - In Progress	Active Deficient - In Progress	<ul style="list-style-type: none"> Appendix 6: 2020 Annual Geotechnical Inspection Report. More discussion within future annual reports is required for parties to understand the effect of mine structures on permafrost.
13: Terrain, Soils, and Geotechnical Investigations	<i>The updated plan within 90 days of the issuance of a Project Certificate with updates provided as required and monitoring results discussed annually.</i>	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> Environmental Management and Protection Plan, Version 9 (March 2019). Appendix 7 and 8: 2020 and 2021 Annual Geotechnical Report Agnico Eagle Responses and Actions Table.
14: Dike and Tailings Storage Facility Design.	<i>Details are provided at least 60 days before the commencement of construction, and results of any additional reporting are included in the annual monitoring report.</i>	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> Appendix 6: 2021 Annual Geotechnical Inspection Report. Appendix 7 and 8: 2020 and 2021 Annual Geotechnical Report Agnico Eagle Responses and Actions Table.
15: Tailings Storage Facility	<i>A summary of the assessment and updated plans submitted 6 months following the issuance of</i>	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> Risk Management and Emergency Response Plan, Version 4 (April 2015).

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
Design and Management	<i>the Project Certificate and the results required reporting included in the annual monitoring report.</i>			<ul style="list-style-type: none"> Interim Closure and Reclamation Plan (ICRP; December 2019).
16: Erosion Management Plan	<i>The plan and information about the implementation of these measures and monitoring results shall be reported and discussed in the annual report with updates provided as required.</i>	Active In Compliance	Active In Compliance	Sediment and Erosion Management Plan (Version 3, March 2021).
17: Permafrost Integrity	<i>A summary discussion of the implementation of this term and condition, including the results of monitoring or adaptive management strategies in the annual monitoring report.</i>	Active Deficient - In Progress	Active Deficient - In Progress	<ul style="list-style-type: none"> Appendix 6: 2020 Annual Geotechnical Inspection Report. In response to CIRNAC, Agnico Eagle provided more detail on permafrost degradation, however, more discussion within future annual reports is required for parties to understand the effect of mine structures on permafrost.
18: As-built Drawings and Final Design Plans	<i>Copies of the drawings and final designs are submitted as they are completed, and an update is provided in the annual monitoring report.</i>	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> The NIRB received monthly construction summary reports from the Proponent. As the Project is now in Operations the last report was received in June of 2019. Appendix 9: As-built Drawing of Containment Pond 6.

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>	<u>Comments</u>	
19: Tailings and Waste Rock Monitoring Program	<i>The monitoring program is submitted at least 90 days before the establishment of either facility and plan revisions or updates are submitted as required and reported in the annual monitoring report.</i>	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> ▪ Mine Waste Management Plan, Version 9 (April 2022). ▪ The 2021 Annual Geotechnical Inspection noted that dusting from the tailings storage facility is evident in the adjacent waste rock storage facility area and measures to reduce dusting should be implemented.
20: Closure and Reclamation Plan	<i>The updated plan is submitted within 6 months of the issuance of the Project Certificate with measures and monitoring results submitted annually and plan updates filed as required.</i>	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> ▪ Appendix 31: 2021 Tundra Restoration and Natural Recovery Monitoring Report explores revegetation options for reclamation. ▪ The NIRB expects the Interim Closure and Reclamation Plan to be updated as further reclamation knowledge is gained.
21: Waste Management Plan	<i>The updated plan was submitted at least 90 days before the operation of Project landfills with measures and monitoring results in the annual report and updates submitted as required.</i>	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> ▪ Landfill and Waste Management Plan, Version 8 (April 2022). ▪ In response to the KIA, Agnico Eagle noted that the existing landfill will require berm raises and an alternate landfill location is being assessed. The NIRB expects to be informed of these changes when they are closer to implementation.
GEOLOGY (INCLUDING GEOCHEMISTRY)				

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
22: Adaptations to the Mine Waste Management Plan and practices based on results obtained through monitoring.	<i>A summary discussion of its implementation, including the results of monitoring or adaptive management strategies in the annual monitoring report.</i>	Active In Compliance	Active In Compliance	Mine Waste Management Plan, Version 9 (April 2022).
23: Mine Waste Management Plan – Discovery Deposit.	<i>The Plan is submitted 90 days before construction with subsequent plan revisions submitted annually thereafter along results of any reporting in the annual monitoring report.</i>	Not Yet Active Not Yet Applicable	Not Yet Active Not Yet Applicable	
HYDROGEOLOGY AND GROUNDWATER QUANTITY AND QUALITY				
24: Hydraulic Data	<i>A summary discussion of its implementation (including the results of monitoring or adaptive management strategies) in the annual monitoring report.</i>	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> ▪ The Proponent submitted the results of its 2015 hydrogeological investigations in 2016. ▪ Groundwater model updated to reflect as-built development stages for Tiriganiaq underground mine. Groundwater Management Plan, Version 8 (May 2022).

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
25: Groundwater Management Plan	<i>An updated plan submitted within 90 days of receipt of the amended Project Certificate. A summary discussion of implementation including the results of monitoring or adaptive management strategies in the annual monitoring report.</i>	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> ▪ Groundwater Management Plan, Version 8 (May 2022). ▪ Adaptive Management Plan for Water Management, Version 2 (May 2022). ▪ In response to CIRNAC, Agnico Eagle noted that the Adaptive Management Plan will take effect upon the operation of the waterline. ▪ The NIRB would appreciate more details on consultation as these plans become active.
26: Pit Refill Rates	<i>A summary discussion of implementation in the annual monitoring report.</i>	Active In Compliance	Active In Compliance	Water Management Plan, Version 12 (April 2022).
HYDROLOGY (INCLUDING SURFACE WATER QUANTITY) AND WATER AND SEDIMENT QUALITY				
27: Aquatic Effects Monitoring Plan (AEMP)	<i>A summary discussion of implementation including the results of monitoring or adaptive management strategies, in the annual monitoring report.</i>	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> ▪ Aquatics Effects Monitoring Program (AEMP) Design Plan Version 2 (April 2022). ▪ AEMP 2021 Annual Report. ▪ Air Quality Monitoring Plan, Version 2 (April 2020). ▪ 2021 Air Quality Monitoring Report
28: Sediment and Erosion Management Plan	<i>A summary discussion of implementation including the results of monitoring or adaptive management strategies, in the annual monitoring report.</i>	Active In Compliance	Active In Compliance	Sediment and Erosion Management Plan (Version 3, March 2021).

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
29: Water Infrastructure Monitoring	<i>A summary discussion of implementation including the results of monitoring or adaptive management strategies, in the annual monitoring report.</i>	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> ▪ Freshet Management Plan Version 7, (April 2022). ▪ Roads Management Plan, Version 9 (March 2022).
FRESHWATER AQUATIC ENVIRONMENT				
30: Aquatic Effects Monitoring Plan (AEMP) to include, at a minimum info related to reference lakes, sedimentation, and additional testing for fish	<i>A summary discussion of implementation including the results of monitoring or adaptive management strategies, in the annual monitoring report.</i>	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> ▪ Aquatics Effects Monitoring Program (AEMP) Design Plan Version 2 (April 2022). ▪ AEMP 2021 Annual Report.
31: Setback distance between project quarries and fish-bearing or permanent water bodies	<i>Implementation of these measures shall be in the annual report.</i>	Active In Compliance	Active In Compliance	Borrow Pits and Quarries Management Plan, Version 6 (March 2018) commits to maintaining a setback of at least 31 m from watercourses where possible.
32: Site Drainage and Silt Control Plan	<i>A summary discussion of implementation including any updates to the Plan, in the annual monitoring report.</i>	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> ▪ Water Management Plan, Version 12 (April 2022). ▪ Sediment and Erosion Management Plan (Version 3, March 2021).

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
				<ul style="list-style-type: none"> Roads Management Plan, Version 9 (March 2022).
33: Blasting	<i>Implementation of these measures shall be reported and discussed in the Proponent's annual report to the NIRB.</i>	Active In Compliance	Active In Compliance	2021 Annual Report, Appendix 22: Blast Monitoring Report reported one (1) blast threshold exceedance. The Proponent states this is likely due to improper placement of instrumentation.
34: Watercourse Maintenance	<i>A summary discussion of implementation, including any updates to the Plan, in the annual monitoring report.</i>	Active In Compliance	Active In Compliance	Mitigation measures discussed in the Water Management Plan, Version 12 (April 2022) and Roads Management Plan, Version 9 (March 2022) such as the use of screens on water intake pipes, adjustments of flow rates, use of clear-span bridges, and avoiding in-water construction works during sensitive periods, as per guidelines from Fisheries and Oceans Canada.
VEGETATION				
35: Site Footprint	<i>A summary of the consultation and how the information was used to inform planning for the Project shall be provided in the Proponent's annual report to the NIRB.</i>	Active In Compliance	Active In Compliance	Direct habitat loss was assessed in 2021, the project footprint is currently at 38% (633 ha) of the total approved footprint (1,682 ha).

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
36: Invasive Species – Vehicle Inspections	<i>A summary discussion of implementation, including any updates to the Plan, in the annual monitoring report.</i>	Active Non-compliance	Active In Compliance	2021 Annual Report Section 10.4 noted that all equipment and bulk supplies arrive at the site free of soil and plant debris.
37: Monitoring for Invasive Species	<i>A summary of consultation and how the information was used to inform planning for the Project shall be provided in the Proponent’s annual report to the NIRB.</i>	Active Deficient - In Progress	Active In Compliance	Two (2) occurrences of common dandelion were recorded along the AWAR. The NIRB acknowledges the posters of invasive species posted at the site and is included in onboarding materials for staff training.
38: Vegetation – Updated Baseline and Ongoing Monitoring	<i>Monitoring results and implementation of these measures shall be reported and discussed in the Proponent’s annual report to the NIRB.</i>	Active In Compliance	Active In Compliance	Vegetation and soil monitoring is completed every three (3) years with the next assessment to be completed in 2022.
39: Vegetation Monitoring	<i>The program is submitted within 6 months of the issuance of the Project Certificate and implementation, updates to the Plan, and monitoring results in the Proponent’s annual report.</i>	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> ▪ Direct habitat loss was assessed in 2021, the project footprint is currently at 38% (633 ha) of the total approved footprint (1,682 ha). ▪ Vegetation and soil monitoring is completed every three (3) years. The NIRB looks forward to an update on the distribution, abundance, and health of vegetation species used as caribou forage in 2022.

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
40: Vegetation – Adaptive Management	<i>A summary discussion of implementation, including any updates to the Plan, in the annual monitoring report.</i>	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> Appendix 26: 2021 TEMMP Report. TEMMP, Version 4 (April 2022).
41: Vegetation – Reclamation and Revegetation	<i>A summary discussion of implementation, including any updates to the Plan, in the annual monitoring report.</i>	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> Appendix 31: 2021 Natural Recovery and Active Restoration of Tundra Plant-Soil Systems Report and 2021 Annual Report.
42: Vegetation – Closure and Reclamation plan	<i>A summary discussion of implementation in the Proponent’s annual monitoring report.</i>	Not Yet Active Not Yet Applicable	Not Yet Active Not Yet Applicable	<ul style="list-style-type: none"> Lessons learned from Ekati revegetation and progressive reclamation are included in the Interim Closure and Reclamation Plan (December 2019). The NIRB expects updated and final closure plans to provide greater detail on revegetation plans.
TERRESTRIAL WILDLIFE AND WILDLIFE HABITAT				
43: Terrestrial Environment Management and Monitoring Plan (TEMMP) - Thresholds	<i>A summary discussion of implementation, including any updates to the Plan, in the annual monitoring report.</i>	Active Deficient - In Progress	Active Deficient - In Progress	<ul style="list-style-type: none"> TEMMP, Version 4 (April 2022) provided to the NIRB. Unclear how parties were involved in the update. The NIRB expects the TEMMP to be revised through consultation with the TAG.
44: Caribou Monitoring	<i>Results of discussions, implementation of measures, updates to the Plan, and</i>	Active Deficient - In Progress	Active Non-compliance	<ul style="list-style-type: none"> The collared caribou memo was submitted but it is unclear how the TAG or parties to be involved in the

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
	<i>monitoring results in the annual report.</i>			TAG were engaged in updates to the memo as submitted to the NIRB.
45: Wildlife General Monitoring	<i>A summary discussion of implementation, including the results of monitoring, adaptive management strategies, consultation, and contribution efforts undertaken, in the annual monitoring report.</i>	Active In Compliance	Active Deficient - In Progress	<ul style="list-style-type: none"> ▪ The Proponent summarizes in its TEMMP, Version 4 (April 2022) that collaborations with parties including ECCC, GN, and KHTO are established for monitoring of muskoxen, caribou, and birds. ▪ The NIRB acknowledges improved reporting on Inuit Qaujimagatuqangit and community concerns. ▪ The GN and Proponent need to establish a data sharing agreement for caribou collar data sharing to ensure collaboration in regional monitoring.
46: Hunter Harvest Survey	<i>A summary discussion of implementation (including the results of monitoring, adaptive management strategies, and contribution efforts undertaken) in annual monitoring report.</i>	Active Deficient - In Progress	Active In Compliance	<p>See also Term and Condition #105.</p> <ul style="list-style-type: none"> ▪ The NIRB appreciates Agnico Eagle’s efforts in improving the Hunter Harvest Survey which included 40 participants in 2021.
47: Caribou Monitoring – Collar Data	<i>A summary discussion of implementation, including any updates to the Plan, in the annual monitoring report.</i>	Active In Compliance	Active Deficient - In Progress	<ul style="list-style-type: none"> ▪ The GN and Proponent need to establish a data sharing agreement for caribou collar data sharing to ensure collaboration in regional monitoring.

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
48: Management of Road Access	<i>Road Access Management Agreement to be submitted at least 60 days before the commencement of increased traffic related to the marine outflow activities, with implementation of these measures and monitoring results and subsequent updates to the Plan, in the annual report.</i>	Active Deficient - In Progress	Active In Compliance	<ul style="list-style-type: none"> ▪ Road Access Management Agreement Conditions in the Roads Management Plan, Version 9 (March 2022). ▪ The NIRB notes that the Proponent discussed the no-shooting zone with Elders, the KHTO and the KWB. ▪ In response to the GN, Agnico Eagle noted that there were no incidents involving shooting across the AWAR in 2021.
49: Ensure proper permitting for research through NRI	<i>A summary discussion of implementation in the annual monitoring report.</i>	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> ▪ In response to the GN, Agnico Eagle noted that there are currently no research permits with the Nunavut Research Institute. ▪ Unclear which research permits or licences are required for the tundra restoration research with the University of Saskatchewan. Information should be provided in future annual reports.
50: Recovery of Terrestrial Wildlife Habitat	<i>A summary discussion of implementation in the annual monitoring report.</i>	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> ▪ Appendix 31: 2021 Natural Recovery and Active Restoration of Tundra Plant-Soil Systems Report.

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
51: Iqalugaaruup Nunanga Territorial Park.	<i>Information regarding the Proponent's consultation, coordination and other contribution efforts undertaken shall be provided in the annual report.</i>	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> ▪ Air Traffic Management Plan (2018). ▪ Wildlife Protection and Response Plan, Version 8 (January 2019). ▪ Also, see the response to Terms and Conditions #69 and #70.
52: Muskox Monitoring Programs	<i>A summary discussion of implementation in the annual monitoring report.</i>	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> ▪ Agnico Eagle supports the GN for muskoxen surveys. ▪ No surveys were completed by the GN in 2021, consequently, no in-kind contributions were requested.
53: Furbearer Surveys	<i>Survey results submitted at least 60 days before the increase in traffic and implementation of these measures and monitoring results as well as any subsequent updates to the Plan, including the annual report.</i>	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> ▪ Appendix 26: 2021 TEMMP Report / Appendix D: All Weather Access Road and Rankin Inlet Road Bypass Den Survey ▪ Two (2) Arctic fox dens were observed during the surveys conducted.
54: Movement of Wildlife	<i>A summary discussion of implementation in the annual monitoring report.</i>	Active In Compliance	Active Deficient - In Progress	<ul style="list-style-type: none"> ▪ TEMMP, Version 4 (April 2022). ▪ Roads Management Plan, Version 9 (March 2022). ▪ During the “Meliadine Extension” Community Tour, the NIRB heard concerns about the slope of the AWAR for caribou crossing. ▪ In response to the GN, Agnico Eagle noted that a discussion of the

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
				<p>implementation of this term and condition will be included in future annual reports.</p> <ul style="list-style-type: none"> The NIRB looks forward to seeing any final discussion of implementing the waterline covers once constructed.
55: Wildlife Mortality	<i>A summary discussion of implementation in the annual monitoring report.</i>	Active In Compliance	Active Non-compliance	<ul style="list-style-type: none"> TEMMP, Version 4 (April 2022). 37 mortalities and two (2) wildlife incidents were reported in 2021. In response to the GN, Agnico Eagle noted that discussion of thresholds for additional animals will be discussed with the TAG. <p>The NIRB looks forward to an update in the next annual report.</p>
56: Terrestrial Monitoring Reporting	<i>A summary discussion of implementation (including the results of monitoring, adaptive management strategies, consultation, and contribution efforts undertaken) in the annual monitoring report.</i>	Active Deficient - In Progress	Active In Compliance	<ul style="list-style-type: none"> The Proponent summarizes in its TEMMP, Version 4 (April 2022). The NIRB expects the TEMMP to be revised through consultation with the TAG. The NIRB acknowledges improved reporting on Inuit Qaujimajatuqangit and community concern reporting. In response to the GN, Agnico Eagle noted that the green-up was June 31, 2022.

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
57: Terrestrial Trend Reporting	<i>A discussion is included in the Proponent's annual monitoring report.</i>	Active Deficient - In Progress	Active Deficient - In Progress	<ul style="list-style-type: none"> The Proponent summarizes in its TEMMP, Version 4 (April 2022). The NIRB expects the TEMMP to be revised through consultation with the TAG. In response to the GKD, Agnico Eagle noted that more discussion and conclusions will be included in future Caribou Behaviour Study Reports.
BIRDS AND BIRD HABITAT				
58: Migratory Bird Awareness	<i>Information regarding the term and condition shall be included in the annual report.</i>	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> Wildlife Protection and Response Plan, Version 8 (January 2019). In response to GN comments, Agnico Eagle noted that bird nest avoidance training is included for employees.
59: Birds – Species at Risk Nesting	<i>Information regarding the term and condition shall be included in the annual report.</i>	Active In Compliance	Active In Compliance	TEMMP, Version 4 (April 2022) provides details on bird protection setback distances.
60: Birds – Species at Risk Regular Updates	<i>Information regarding the term and condition shall be included in the annual report.</i>	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> TEMMP, Version 4 (April 2022) Shipping Management Plan, Version 9 (March 2022).
61: Construction and clearing activities – deterrents and checks for nests	<i>Information regarding the term and condition shall be included in the annual report.</i>	Active In Compliance	Active In Compliance	Agnico Eagle's 2021 TEMMP Report and the NIRB's Site Update Report provide evidence of wildlife deterrents used at site to deter birds from nesting.

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
before disturbance				
62: Construction and Clearing Activities – Protection of Nests	<i>Information regarding the term and condition shall be included in the annual report.</i>	Active In Compliance	Active In Compliance	TEMMP, Version 4 (April 2022) setback distances for nests where mining activities were active.
63: Marine Considerations	<i>Information included in the annual report.</i>	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> ▪ Shipping Management Plan, Version 9 (March 2022). ▪ Appendix D: Marine Environment Management Plan (March 2017). ▪ 2021 Marine Mammal and Seabird Report - Standard Operating Procedure. Proponent to report bird strikes to ECCC Wildlife Enforcement Officer.
64: Marine Spill Plans	<i>The framework is submitted at least 90 days before conducting any Project-related shipping. Implementation, updates to the Plan, and monitoring results in the annual report.</i>	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> ▪ Shipping Management Plan, Version 9 (March 2022). ▪ Marine Environment Management Plan (March 2017).
65: Marine Shipping – Ship Wakes	<i>Information included in the annual report.</i>	Active In Compliance	Active In Compliance	Shipping Management Plan, Version 9 (March 2022).
66: Marine Shipping – Bird Strikes	<i>Information included in the annual report.</i>	Active Deficient - In Progress	Active Deficient - In Progress	<ul style="list-style-type: none"> ▪ 2021 Marine Mammal and Seabird Report - Standard Operating Procedure. Proponent to report bird

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
				<p>strikes to ECCC Wildlife Enforcement Officer.</p> <ul style="list-style-type: none"> No vessel strikes of seabirds were reported. <p>The NIRB requests more clarity on the inspection protocol if a vessel strike is suspected.</p>
67: Updated Oil Pollution Prevention Plan	<i>A summary discussion of implementation (including the results of monitoring or adaptive management strategies) in the annual monitoring report.</i>	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> Oil Pollution Emergency Plan and Oil Pollution and Prevention Plan, Version 6 (April 2022). Marine Environment Management Plan (March 2017).
68: Demonstrate consideration for the potential cumulative effects of other development projects and shipping activities on marine birds in the Hudson Strait	<i>Information included in the annual report.</i>	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> 2021 Marine Mammal and Seabird Report.
69: Flight altitude requirements – horizontal and vertical distances	<i>Information included in the annual report.</i>	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> Wildlife Protection and Response Plan, Version 8 (January 2019). Air Traffic Management Plan (April 2018).

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
				<ul style="list-style-type: none"> Also, see the response to Terms and Conditions #51 and #70.
70: Flight altitude requirements – flight record log	<i>Information included in the annual report.</i>	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> Wildlife Protection and Response Plan, Version 8 (January 2019). Air Traffic Management Plan (April 2018). Also, see the response to Terms and Conditions #51 and #69.
71: Develop detailed and robust mitigation and monitoring plans for migratory birds	<i>A summary discussion of implementation (including the results of monitoring or adaptive management strategies) in the annual monitoring report.</i>	Active Deficient - In Progress	Active In Compliance	<ul style="list-style-type: none"> TEMMP, Version 4 (April 2022). Provided details of consultation with ECCC.
72: Monitoring with key indicators in the TEMMP and EPP	<i>A summary discussion of implementation (including the results of monitoring or adaptive management strategies) in the annual monitoring report.</i>	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> TEMMP, Version 4 (April 2022). Shipping Management Plan, Version 9 (March 2022).

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
73: Monitoring - Reporting	<i>Monitoring results and implementation of these measures in the annual.</i>	Active Deficient - In Progress	Active In Compliance	<ul style="list-style-type: none"> Direct habitat loss was assessed in 2021, the project footprint is currently at 38% (633 ha) of the total approved footprint (1,682 ha). Also, see the response to Term and Condition #35.
74: Terrestrial Management and Monitoring Plan (TEMMP) Waterfowl and Waterbirds Monitoring	<i>A summary discussion of implementation (including the results of monitoring or adaptive management strategies) in the annual monitoring report.</i>	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> TEMMP, Version 4 (April 2022) Shipping Management Plan, Version 9 (March 2022). Wildlife deterrents (i.e., propane cannons and fake owls) were implemented at six locations to deter birds from nesting on-site.
75: Mitigation measures and monitoring programs to limit the attraction of predators and scavengers to the Project.	<i>A summary discussion of implementation (including the results of monitoring or adaptive management strategies) in the annual monitoring report.</i>	Active In Compliance	Active Non-compliance	<ul style="list-style-type: none"> TEMMP, Version 4 (April 2022). 30 foxes were trapped and euthanized in 2021 and one (1) incident of a fox attacking an employee.
MARINE ENVIRONMENT				

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
76: Update all Relevant Plans for the Marine Environment	<i>A summary discussion of implementation, including the results of monitoring or adaptive management strategies, and any updates to plans in the annual monitoring report.</i>	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> ▪ Shipping Management Plan, Version 9 (March 2022). ▪ Marine Environment Management Plan (March 2017). ▪ Spill Contingency Plan, Version 11 (April 2022). ▪ Oil Pollution Emergency Plan and Oil Pollution and Prevention Plan, Version 6 (April 2022).
77: Equipment Spill and Training.	<i>Information shall be included in the annual report.</i>	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> ▪ Shipping Management Plan, Version 9 (March 2022). ▪ Agnico Eagle held a mock spill training course (Appendix 17: 2021 Mock Spill Scenario Report).
78: Prevention Spill - Models	<i>Results of the spill dispersion modelling were submitted at least 90 days before the commencement of construction, and updates provided annually.</i>	Active In Compliance	Active In Compliance	Shipping Management Plan, Version 9 (March 2022).
MARINE WILDLIFE				

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
79: Updated Baseline for Shipping Management Plan	<i>Updated baseline provided before the commencement of Project-related shipping. A summary discussion of implementation (including the results of monitoring or adaptive management strategies) in the annual monitoring report.</i>	Active In Compliance	Active In Compliance	Shipping Management Plan, Version 9 (March 2022).
80: Baseline Information for Melvin Bay	<i>Information is included in the Proponent's annual report to the NIRB.</i>	Active In Compliance	Active In Compliance	Shipping Management Plan, Version 9 (March 2022). Appendix B: Revised Marine Environmental Baseline.
81: Mitigation and Monitoring for Marine Species	<i>Updates to the relevant plan(s) are provided a minimum of 120 days before the commencement of Project-related shipping. Implementation and monitoring results shall be reported and discussed in the annual report.</i>	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> ▪ Shipping Management Plan, Version 9 (March 2022). ▪ Marine Environment Management Plan (March 2017). ▪ Agnico Eagle updated the training materials for marine mammals and seabird monitoring for captains and bridge crew.
82: Monitoring for Marine Wildlife During Shipping	<i>Updated monitoring plans should be provided a minimum of 120 days before the commencement of Project-related shipping. Implementation and monitoring results shall be reported and discussed in the annual report.</i>	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> ▪ Shipping Management Plan, Version 8 (March 2019). ▪ Appendix 31: Marine Mammal and Seabird Observer Report. ▪ Updated training on avoidance of sensitive areas for marine wildlife and survey protocols was provided to vessel crews.

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
				<ul style="list-style-type: none"> During 2020 and 2021, due to COVID-19, local monitors could not board vessels and the vessel crew conducted the monitoring
83: Marine Mammal Interactions	<i>Information is included in the Proponent's annual report to the NIRB.</i>	Active In Compliance	Active In Compliance	Shipping Management Plan, Version 8 (March 2019).
84: Planning for Shipping.	<i>Mapping and associated details should be provided a minimum of 180 days before the commencement of Project-related shipping. Implementation and monitoring results shall be reported and discussed in the annual report.</i>	Active In Compliance	Active In Compliance	Shipping Management Plan, Version 8 (March 2019).
85: Monitor Disturbance to Walruses	<i>A summary discussion of its implementation (including the results of monitoring or adaptive management strategies) to the NIRB through the Proponent's annual monitoring report.</i>	Active In Compliance	Active In Compliance	Ten (10) walruses were reported in Appendix 30: Marine Mammal and Seabird Observer Report.

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
86: Cumulative Effects	<i>Information regarding the Proponent's fulfillment of this term and condition shall be included in the Proponent's annual report to the NIRB.</i>	Active Deficient - In Progress	Active In Compliance	The NIRB appreciates that more discussion on cumulative effects from shipping was discussed in the <i>2021 Annual Report</i> .
ECONOMIC DEVELOPMENT, CONTRACTING, AND BUSINESS OPPORTUNITIES				
87: Participate in the work of the Kivalliq Socio-Economic Monitoring Committee along with other agencies and the communities for a collaborative monitoring framework	<i>A summary discussion of implementation (including the results of monitoring) in the annual monitoring report.</i>	Active In Compliance	Active In Compliance	The Proponent participates in the Kivalliq Socio-Economic Monitoring Committee and works with the Socio-Economic Monitoring Working Group.
88: Establish a socio-economic working group for the Project	<i>Information included in the annual report. All updates are submitted during annual socio-economic reporting.</i>	Active In Compliance	Active In Compliance	Socio-Economic Monitoring Working Group Terms of Reference provided as requested in 2020.

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
89: Meliadine Socio-economic Monitoring Program	<i>Details of the Meliadine Socio-economic Monitoring Program should be submitted within one (1) year of issuance of the amended Project Certificate. An annual Meliadine socio-economic monitoring report is submitted and shared with the wider Socio-Economic Monitoring Committee.</i>	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> ▪ Agnico Eagle Kivalliq Projects Socio-Economic Monitoring Program (March 2022). ▪ 2021 Annual Report Appendix 38: 2021 Socio-Economic Monitoring Program Report.
90: Closure Planning and Monitoring	<i>The initial results of the analysis should be provided within nine (9) months of the issuance of the amended Project Certificate. Any updates are provided as completed and include plans or details in respect of informing the regional socio-economic committee of these results.</i>	Active In Compliance	Active In Compliance	Analysis of the Risk of Temporary Mine Closure (February 2019).

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
91: Updated Socio-Economic Management Plan After Risk Plan Submitted.	<i>The required updates to the Socio-Economic Monitoring Program (and the Socio-Economic Management Plan included within the Program) be provided within three (3) months of the completion of the analysis or updates to the analysis of the risk of temporary mine closure. any updates to Socio-Economic Monitoring Program and associated management plan are submitted in the annual Meliadine socio-economic monitoring reports and shared with the wider Socio-economic Monitoring Committee.</i>	Active Deficient - In Progress	Active Deficient - In Progress	<ul style="list-style-type: none"> The Proponent submitted an Analysis of the Risk of Temporary Mine Closure in February 2019. <p>The NIRB requires the Socio-Economic Monitoring Program to detail data collection, analysis and mitigation measures in the closure and post-closure phases.</p>
EMPLOYMENT				
92: Employment Schedule	<i>Within 6 months of Project Certificate issuance and as required thereafter.</i>	Active In Compliance	Active In Compliance	Sent by email to NIRB November 5, 2015.
93: Registration of Trades Workers	<i>Information is included in the Proponent's annual report to the NIRB and shared with the wider regional socio-economic monitoring committee.</i>	Active In Compliance	Active In Compliance	At the end of 2021, there were two (2) apprentices and pre-apprentices at Meliadine.

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
94: Labour Force Analysis	<i>A summary of results and efforts in the annual Meliadine socio-economic monitoring reports and shared with the wider Socio-Economic Monitoring Committee.</i>	Active In Compliance	Active In Compliance	Appendix 40 Kivalliq Labour Market Analysis. Since 2015, a total of eight (8) employees successfully completed their apprenticeship training within Agnico Eagle.
EDUCATION AND TRAINING				
95: Transferable Skills and Certifications	<i>Information included in the annual report with updates in the annual Meliadine socio-economic monitoring reports submitted and shared with the wider Socio-Economic Monitoring Committee.</i>	Active In Compliance	Active In Compliance	Appendix 38: 2021 Socio-Economic Monitoring Program Report.
96: Listing of formal certificates and licences that may be acquired via on-site training or training during Project employment	<i>The initial listing is at least 60 days before the start of construction, and annually thereafter or as may otherwise be required.</i>	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> ▪ Appendix 39: 2021 Training. <p>The NIRB notes that an additional column should be added to the list of training opportunities to note whether they provide any certificates or licences that are transferrable to other employment opportunities.</p>
97: Monitoring Impacts of Closure	<i>Information is included in the annual report and shared with the wider regional socio-economic monitoring committee.</i>	Active In Compliance	Active In Compliance	Analysis of the Risk of Temporary Mine Closure (February 2019).

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
98: Monitoring Impacts on Education System	<i>A summary is included in the annual Meliadine socio-economic monitoring reports submitted and shared with the wider Socio-economic Monitoring Committee.</i>	Active In Compliance	Active In Compliance	Appendix 38: 2021 Socio-Economic Monitoring Program Report.
POPULATION DEMOGRAPHICS				
99: Monitoring Demographic Changes	<i>A summary is included in the annual Meliadine socio-economic monitoring reports submitted and shared with the wider Socio-economic Monitoring Committee.</i>	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> ▪ 2021 Annual Report Appendix 38: 2021 Socio-Economic Monitoring Program Report. ▪ Also, see Term and Condition #101.
100: Survey of Nunavummiut employees.	<i>A summary is included in the annual Meliadine socio-economic monitoring reports submitted to the NIRB and shared with the wider Socio-economic Monitoring Committee.</i>	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> ▪ 2021 Annual Report Appendix 38: 2021 Socio-Economic Monitoring Program Report. ▪ Also, see Term and Condition #113.
101: Employee Origin	<i>A summary is included in the annual Meliadine socio-economic monitoring reports submitted and shared with the wider Socio-economic Monitoring Committee.</i>	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> ▪ Appendix 38: 2021 Socio-Economic Monitoring Program Report. ▪ In response to CIRNAC, Agnico Eagle provided a detailed breakdown of headcount data by employee location ▪ Also, see Term and Condition #99.

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
TRADITIONAL ACTIVITY AND KNOWLEDGE				
102: Marine Lake Community Boat Launch	<i>Initial details are to be provided before the commencement of construction of the Discovery spur road. The Proponent shall provide a summary discussion of its implementation of this term and condition, monitoring results, implementation of adaptive management strategies, and updates to relevant plans to the NIRB through the Proponent's annual monitoring report.</i>	Not Yet Active Not Yet Applicable	Not Yet Active Not Yet Applicable	
103: Community Input into Monitoring	<i>Updated plans are submitted 30 days before their revision/finalization. A summary discussion of implementation (including the results of monitoring, adaptive management strategies, consultation, and contribution efforts undertaken) in the annual monitoring report. Plans should explain how the information will be shared with the wider regional</i>	Active Deficient - In Progress	Active In Compliance	<ul style="list-style-type: none"> ▪ Appendix 34: 2021 Community Engagement Table ▪ Appendix 35: Tea Testing Event Summary Report ▪ Appendix 36: Kivalliq Inuit Elders Advisory Committee Report <p>The NIRB understands that monitoring program suggestions were provided by community members and looks forward to seeing how these are incorporated into future reports.</p>

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
	<i>socio-economic monitoring committee.</i>			
NON-TRADITIONAL LAND USE AND RESOURCE USE				
104: Consultation with Outfitting and Guiding Businesses	<i>A summary discussion of implementation (including results of monitoring, adaptive management strategies, consultation, and contribution efforts) in the annual monitoring report.</i>	Active Deficient - In Progress	Active Deficient - In Progress	<ul style="list-style-type: none"> ▪ The Hunter Harvest Survey began in 2020. ▪ In response to CIRNAC, Agnico Eagle noted that information on local outfitting and guiding companies will be provided in future annual reports. ▪ Also, see Term and Condition #105. The NIRB looks forward to information in the next annual report.
105: Hunter Harvest Survey	<i>A summary discussion of implementation (including results of monitoring, adaptive management strategies, consultation, and contribution efforts) in the Proponent's annual monitoring report and shared with the wider regional Socio-Economic Monitoring Committee.</i>	Active Deficient - In Progress	Active Deficient - In Progress	<ul style="list-style-type: none"> ▪ The Hunter Harvest Survey began in 2020. ▪ In response to CIRNAC, Agnico Eagle noted that information on local outfitting and guiding companies will be provided in future annual reports. ▪ See also Term and Condition #104. The NIRB looks forward to information in the next annual report
CULTURAL, ARCHAEOLOGICAL, AND PALEONTOLOGICAL RESOURCES				
106: Inspection Reporting for Freshet at Bridge Crossings	<i>Evidence submitted in the annual report.</i>	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> ▪ <i>2021 Annual Report.</i> Inspection of the bridges occurred at least once per week during the 2021 freshet.

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
107: Mitigation of Ice Buildup.	<i>Evidence submitted in the annual report.</i>	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> Roads Management Plan, Version 9 (March 2022).
INDIVIDUAL AND COMMUNITY WELLNESS				
108: Counseling and treatment programs	<i>Evidence submitted in the annual report.</i>	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> Appendix 38: 2021 Socio-Economic Monitoring Program Report. In response to CIRNAC, Agnico Eagle noted that support for employee and family well-being is provided through Employee Assistant Programs.
109: Indirect Effects of the Project, on Health and Well-being.	<i>Evidence submitted in the annual report.</i>	Active In Compliance	Active In Compliance	Appendix 38: 2021 Socio-Economic Monitoring Program Report.
110: Employee Cohesion	<i>Summaries of all cross-cultural training initiatives in the annual Meliadine Socio-Economic Monitoring Report.</i>	Active In Compliance	Active In Compliance	Appendix 38: 2021 Socio-Economic Monitoring Program Report.
111: Employee Training Opportunities	<i>Evidence submitted in the annual report.</i>	Active In Compliance	Active In Compliance	Appendix 38: 2021 Socio-Economic Monitoring Program Report.

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
112: Access to Housing – Home Ownership	<i>Provided the sharing of such information is consistent with and not limited by the terms and conditions of any applicable Inuit Impact Benefit Agreement, these efforts should be reported to the NIRB within the annual Meliadine Socio-Economic Monitoring Report.</i>	Active In Compliance	Active In Compliance	Appendix 38: 2021 Socio-Economic Monitoring Program Report.
COMMUNITY INFRASTRUCTURE				
113: Employee Survey	<i>The frequency and content of the survey should be determined by the collaborating parties, but content may include changes to address, housing status (i.e., public/social, privately owned/rented, government, etc.) and migration intentions of Project employees. Non-confidential results of the survey should be reported to the GN and other members of the Socio-economic Monitoring Committee and summary information of these results should be reported to the NIRB</i>	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> ▪ Appendix 38: 2021 Socio-Economic Monitoring Program Report. ▪ Also, see the response to Term and Condition #100.

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
	<i>within the annual Meliadine Socio-Economic Monitoring Report.</i>			
114: Financial Literacy and Planning	<i>Evidence submitted in the annual report.</i>	Active In Compliance	Active In Compliance	Appendix 38: 2021 Socio-Economic Monitoring Program Report.
115: Impacts on Health Services	<i>Evidence submitted in the annual report.</i>	Active In Compliance	Active In Compliance	Appendix 38: 2021 Socio-Economic Monitoring Program Report.
PUBLIC AND WORKER HEALTH AND SAFETY				
116: Air Quality Monitoring	<i>Updated information should be provided at least 90 days following issuance of the amended Project Certificate, and modifications to plans included in the annual report.</i>	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> ▪ Appendix 24: Air Quality Monitoring Report. ▪ Also, see Terms and Conditions #1 and #5.
ACCIDENTS AND MALFUNCTIONS				
117: Bypass Road	<i>A summary discussion of implementation (including the results of monitoring, adaptive management strategies, and consultation) in the annual monitoring report.</i>	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> ▪ The Bypass Road was completed in 2018, community meetings commenced and inspection with regulators was completed in 2018. ▪ Phase 2 of the All-Weather Access Road has not been constructed.

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
118: Ensure monitoring of wildlife presence informs road management and operations.	<i>A summary discussion of implementation (including results of monitoring, adaptive management strategies, consultation, and contribution efforts) in the annual monitoring report.</i>	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> ▪ TEMMP, Version 4 (April 2022) ▪ Agnico Eagle may want to consider how to more clearly describe how monitoring programs trigger management options due to similar comments from parties throughout the monitoring and the “Waterlines Proposal” assessment.
119: Establishing Deterrents Along the AWAR at any areas where it is observed that caribou are attracted to the AWAR and their presence may present a risk of collisions with traffic along the AWAR	<i>The updated plan should be submitted at least 90 days before the start of construction. Implementation in the annual report.</i>	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> ▪ TEMMP, Version 4 (April 2022) ▪ No deterrents are used for caribou on the road as it is closed during migration except for essential vehicles.
120: Marine Shipping	<i>A summary discussion of implementation in the annual monitoring report.</i>	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> ▪ 2021 Annual Report and Appendix 30: 2021 Marine Mammal and Seabird Report provided 2021 vessels.

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
121: Monitor the Ingress/Egress of Project Related Ships at Rankin Inlet and Reporting and Monitoring	<i>A summary discussion of implementation (including the results of monitoring or adaptive management strategies) in the annual monitoring report.</i>	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> ▪ Shipping Management Plan, Version 9 (March 2022). ▪ Appendix 30: 2021 Marine Mammal and Seabird Report.
122: Fuel Transfer Events	<i>A summary discussion of implementation (including the results of monitoring or adaptive management strategies) in the annual monitoring report.</i>	Active In Compliance	Active Deficient - In Progress	<ul style="list-style-type: none"> ▪ Shipping Management Plan, Version 9 (March 2022). ▪ Oil Pollution Emergency Plan and Oil Pollution and Prevention Plan, Version 6 (April 2022). ▪ The Proponent must provide Post Oil Transfer Reports and/or a discussion of the implementation of best practices used annually.
123: Spill Response Equipment and Training	<i>Evidence submitted as part of the annual report.</i>	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> ▪ Shipping Management Plan, Version 9 (March 2022). ▪ Appendix 17: Mock Scenario Spill Report.
124: Updated Spill Contingency Plan Specific to a Major Spill Event Occurring on the Bypass Road.	<i>The updated plan be submitted at least 90 days before the start of construction. Implementation of these measures and monitoring results are included in the annual report. Updates to the Plan, filed as required.</i>	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> ▪ Spill Contingency Plan, Version 11 (April 2022).

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
125: Communication of Rules of the AWAR	<i>The updated plan be submitted at least 90 days before the start of construction of Phase 2 of the AWAR. Updated plans shall be submitted before undertaking transport of saline groundwater from the Meliadine site to the temporary storage tank near Rankin Inlet. Implementation of these measures and monitoring results as well as any subsequent updates to the Plan included in the annual report.</i>	Active Deficient - In Progress	Active In Compliance	<ul style="list-style-type: none"> ▪ Roads Management Plan, Version 9 (March 2022). The NIRB appreciates the updates to this plan that align with the AWAR being restricted to public access by ATV and snowmobile. ▪ Appendix 33: 2021 AWAR Traffic Data. ▪ In response to the GN, Agnico Eagle noted that there were no incidents involving shooting across the AWAR in 2021.
ALTERNATIVES ANALYSIS				
126: Clear Communication of AWAR Usage	<i>The updated plan should be submitted at least 90 days before the start of construction. Implementation of these measures and monitoring results as well as any subsequent updates to the Plan included in the annual report.</i>	Active In Compliance	Active In Compliance	Roads Management Plan, Version 9 (March 2022).
127: Adaptive management Measures for Marine Mammals	<i>The updated plan should be submitted at least 90 days before the start of construction. Implementation of these measures and monitoring results</i>	Active In Compliance	Active In Compliance	Shipping Management Plan, Version 9 (March 2022).

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
	<i>as well as any subsequent updates to the Plan included in the annual report.</i>			
Saline Effluent Disposal New Terms and Conditions				
128: Detailed Design for the Saline Effluent Waterline	<i>To be provided at least 90 days before construction of the effluent waterline and diffuser system.</i>	Active In Compliance	Active In Compliance	Submitted to the NIRB by Agnico Eagle on February 15, 2019.
129: Hazard and Operability Assessment of Waterline	<i>To be provided at least 90 days before the operation of the effluent waterline and diffuser system.</i>	Active In Compliance	Active In Compliance	Submitted to the NIRB by Agnico Eagle on February 15, 2019.
130: Plan for Waterline at End of Life	<i>Information necessary to support an application for the decommissioning and removal of the subsea pipelines and diffusers and waterline infrastructure at Itivia Harbour must be provided to the Nunavut Impact Review Board for consideration at least 12 months before the planned decommissioning and removal.</i>	Not Yet Active Not Yet Applicable	Not Yet Active Not Yet Applicable	<ul style="list-style-type: none"> ▪ The NIRB expects plans for the removal of the current subsea waterline and diffuser to be submitted 12 months before removal.
131: Decision Regarding Annual Open Water for Discharge	<i>A summary of actions taken is to be included in the annual reporting.</i>	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> ▪ <i>2021 Annual Report.</i> Agnico Eagle noted that the KHTO was engaged for the commencement and end of the

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
				open water season for saline effluent discharge.
132: Establishment of a Terrestrial Advisory Group	<i>A finalized Memorandum of Understanding and Terms of Reference for the Terrestrial Advisory Group between the Proponent and Responsible Parties shall be provided to the Nunavut Impact Review Board (NIRB) a minimum of sixty (60) days before any construction of the waterlines being undertaken. An overview of information shared during Terrestrial Advisory Group meetings and how information from the TAG was considered and incorporated by Agnico Eagle into the Project's impact management, mitigation, and monitoring measures shall be provided to the NIRB on an annual basis in the Proponent's Annual Report.</i>	N/A New as of March 2022	Active Non-compliance	<ul style="list-style-type: none"> The NIRB has not yet received the finalized Memorandum of Understanding and Terms of Reference for the Terrestrial Advisory Group and requested an update.
133: Ocean Discharge Monitoring Plan	<i>The updated Ocean Discharge Monitoring Plan must be submitted to the Nunavut Impact Review Board (NIRB) at least 60</i>	N/A New as of March 2022	Not Yet Active Not Yet Applicable	The NIRB acknowledges the existence of the current Ocean Discharge Monitoring Plan, Version 4 (September 2021) and looks forward to seeing the required

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
	<i>days before the commencement of discharges of effluent from the waterlines into the marine environment.</i>			updates to the plan before the commencement of discharge from the waterlines.
134: Waterlines System Operation, Maintenance and Monitoring	<i>The initial version of this summary shall be submitted to the NIRB and interested parties at least 60 days before the operation of the waterlines system. Subsequently, this information shall be provided in a Waterline System, Operation, Maintenance and Monitoring section that shall be submitted to the NIRB as part of the annual report</i>	N/A New as of March 2022	Not Yet Active Not Yet Applicable	The NIRB looks forward to receiving this report before the waterlines are operational.