



Nunavut Impact Review Board 2022-2023 Monitoring Report

Meliadine Gold Mine Project Project Certificate No. 006

Agnico Eagle Mines Limited

NIRB File No. 11MN034



December
2023

Report Title: Nunavut Impact Review Board
2022-2023 Monitoring Report
Meliadine Gold Mine Project
Project Certificate No. 006
Agnico Eagle Mines Limited
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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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 2022 to September 2023.

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.
September 12-20, 2023	The NIRB held the Public Hearing for Agnico Eagle's "Meliadine Extension" Project Proposal.
October 3, 2023	The Board closed the Public Hearing Record for the "Meliadine Extension" Proposal and proceeded to decision-making and reporting to the Responsible Minister(s) in respect of the Board's reconsideration.

PROJECT COMPONENTS

All materials about the NIRB's ongoing Monitoring program for the Meliadine Gold Mine Project can be accessed from the NIRB's online Public Registry:

Project Certificate (PC)	Timeline	Project Dashboard
PC 006	Monitoring information submitted up to March 2, 2022	www.nirb.ca/project/124106
PC 006 Amendment 01		
PC 006 Amendment 02	Monitoring information submitted after March 2, 2022	www.nirb.ca/project/125515

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.

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.

Waterlines Amendment

In 2020, due to higher than predicted saline effluent volumes flowing into the underground mine, Agnico Eagle applied with the “Saline Effluent Discharge to Marine Environment” Proposal (Waterlines Amendment) 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 - 12,000 m^3/day . The Waterlines Proposal included an alternative to also discharge treated surface contact water to an additional 8,000 m^3/day , bringing the total allowable discharge up to 20,000 m^3/day during the open water season. The NIRB issued the second amendment to the Meliadine Gold Mine Project Certificate No. 006, on March 2, 2022.

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 (Extension Proposal or the 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 all associated infrastructure. Agnico Eagle has noted that the Proposal would extend the operation phase (i.e., mine life) by 11 years to 2043 and increase employment. On October 3, 2023, the Board closed the Public Hearing Record for the “Meliadine Extension” Proposal and proceeded to decision-making and reporting to the Responsible Minister(s) in respect of the Board’s reconsideration.

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 6, 2022, the NIRB received Agnico Eagle's completed Meliadine Gold Mine Project *2022 Annual Report*² as required by the Meliadine Gold Mine Project Certificate No. 006 Amendment 02.

Throughout 2022 and 2023, 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 *2022 Annual Report* for a complete list of management plans in use.

Table 1: Management and Monitoring Plans

Plan	Version	Public Registry ID No.
Ammonia Management Plan	4	343929
Aquatic Effects Monitoring Program Design Plan	2	343930
Blast Monitoring Program	5	343931
Cyanide Management Plan	2	344312
Explosives Management Plan	9	343933
Freshet Action Plan	8	343938
Groundwater Management Plan	9	343938
Interim Closure and Reclamation Plan	3	342849
Mine Waste Management Plan	10	344311
Oil Pollution Emergency Plan/ Oil Pollution Prevention Plan	8	343935
Ore Storage Management Plan	5	343936
Spill Contingency Plan	13	344438
Water Management Plan	13	343938

The Proponent's *2022 Annual Report* included results of monitoring activities for the year with associated Inuktitut summaries, including:

- 2022 Drill site locations
- Geotechnical inspection
- Tailings and supernatant sampling
- Geochemical Monitoring
- Water balance and water quality
- Water monitoring station results
- Aquatic Ecosystems monitoring
- Stack testing

² NIRB ID No: 344298 (main report)

- Diamond drill hole samples
- Noise monitoring
- Terrestrial environment monitoring
- Wildlife observations
- TAG Annual Report
- Marine mammal and seabird observations
- Air quality monitoring
- Blast monitoring
- Socio-economic monitoring
- Community engagement
- Training
- Labour market analysis

COMPLIANCE MONITORING

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

On December 16, 2022, the NIRB issued several Board and monitoring recommendations to Agnico Eagle resulting from the NIRB's 2021-2022 monitoring efforts.³ On March 13, 2023, Agnico Eagle provided responses to address each of the recommendations.⁴ Recommendations and responses are summarized in Table 2 and 3.

Table 2: 2022 Board Recommendations to Agnico Eagle and the Responses

<u>BOARD RECOMMENDATION</u>	<u>AGNICO EAGLE'S RESPONSE</u>
The NIRB recommends 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 in appropriate management and monitoring plans. The Board looks forward to an update in Agnico Eagle's 2022 Annual Report on progress made in regard to the audit or any changes made to plans as a result of incorporation of the audit recommendations.	<ul style="list-style-type: none"> ▪ Agnico Eagle is rebooking for 2023 ▪ Environment Department completed internal audits and toolbox meetings with corrective actions identified. <p>Note: The NIRB notes that the wildlife audit had been completed by the NIRB's site visit on July 26-27, 2023.</p>

³ Public Registry ID No.: 342473

⁴ Public Registry ID No.: 342930

<u>BOARD RECOMMENDATION</u>	<u>AGNICO EAGLE'S RESPONSE</u>
<p>The Board requires notice 60 days prior to trucking or release activities within approved trucking and discharge limits being undertaken to advise the amount of effluent expected to be trucked and/or released. Should Agnico Eagle be considering discharge above 800m³/day for one (1) or more years, the NIRB will require a proposal including updated impact assessment from monitoring information and planned mitigation measures.</p>	<p>Agnico Eagle thanks the Board for their recommendation and will report activities in the annual report.</p>
<p>Within 30 days, the Board requires that Agnico Eagle describe how the monitoring program at Meliadine has been impacted by the missing years of caribou satellite collar data and what contingency plan Agnico Eagle will use now that the data and analysis have not been available for multiple years.</p>	<p>Collaring maps are currently being provided by the Government of Nunavut (GN) and additional monitoring is also completed to ensure compliance with the TEMMP. As such, there are no impacts to our ability to reduce activities when caribou are migrating based on the status of the Data Sample and Sharing Agreement.</p> <p>Note: Agnico Eagle has confirmed that the Data Sample and Sharing Agreement was signed in March 2023.</p>
<p>Within 30 days the NIRB requires an explanation in writing from Agnico Eagle explaining the July 10, 2022 blasting event, whether the existing management and monitoring plans were followed, and how parties and community members are informed of major blasting events.</p>	<p>Agnico Eagle provided further information related to the blasting event, confirming that no blast occurred at any time when caribou were within the 5 km radius of the Meliadine Mine during the 2022 caribou migration.</p>

<u>BOARD RECOMMENDATION</u>	<u>AGNICO EAGLE'S RESPONSE</u>
Noting that community members observed a disturbance to caribou from the blasting event, the NIRB recommends Agnico Eagle discuss the suggested additional half kilometer 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.	Agnico Eagle will consider updates to the TEMMP with the Terrestrial Advisory Group (TAG).

Table 3: 2022 Monitoring Officer Recommendations and Agnico Eagle Responses

<u>MONITORING RECOMMENDATION</u>	<u>AGNICO EAGLE'S RESPONSE</u>
The NIRB requires an update on the progress of the Memorandum of Understanding and Terms of Reference with the parties involved in the TAG [Terrestrial Advisory Group]. 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.	Currently and pending the reception of all required authorizations and the finalization of the Terms of Reference, the waterline construction is planned to begin in May 2023. Note: Agnico Eagle has confirmed that the TAG Memorandum of Understandings and Terms of Reference necessary for the TAG have been finalized
Requested a summary of discussions with the TAG within the 2022 Annual Report and an update on when the next version of the caribou collar technical memo, revised in consultation with the TAG, can be expected.	Agnico Eagle confirmed a summary of discussions with TAG will be provided within future annual reports. Note: Agnico Eagle provided a summary of TAG meeting

<u>MONITORING RECOMMENDATION</u>	<u>AGNICO EAGLE'S RESPONSE</u>
<ul style="list-style-type: none"> ▪ The Monitoring Officers would appreciate further explanation on how dust suppressant is applied along the AWAR (e.g. 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. ▪ The Monitoring Officers request Agnico Eagle ensure standardization of data collection to reduce additional variables wherever possible. 	<p>Agnico Eagle thanks the NIRB for their recommendation and will account for them in future annual reports. As recommended by NIRB, data collection will be standardized to reduce additional variables wherever possible in future dust monitoring.</p> <p>Note: Agnico Eagle provided a map of dust suppressant within the 2022 Annual Report.</p>

On December 16, 2022, the NIRB also issued a Board recommendation to the Government of Nunavut – Department of Environment (GN-DoE).⁵ On January 20, 2023, the GN-DoE provided responses to address the 2021-2022 Recommendation,⁶ summarized in Table 4.

Table 4: 2022 Board Recommendations to the GN and Responses

<u>BOARD RECOMMENDATION</u>	<u>GN'S RESPONSE</u>
<p>Within 30 days of issuance of this correspondence the NIRB requests clarification from the Government of Nunavut on whether the simple telemetry data is sufficient to fulfill the basic monitoring and mitigation requirements of the Meliadine Gold Mine Project. The Board also requests an update on the status of the Data and Sample Sharing Agreement and when it can be expected to be implemented.</p>	<p>The GN reassured the NIRB and other parties, that the mapped telemetry data, which is available to Agnico Eagle without the Data Sample and Sharing Agreement, provides adequate information for the fulfillment of the Proponents basic monitoring and mitigation requirements of the Meliadine Gold Mine Project.</p> <p>Note: Agnico Eagle has confirmed that the Data Sample and Sharing Agreement was signed in March 2023.</p>

⁵ Public Registry ID No.: 342476

⁶ Public Registry ID No.: 342931

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.

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: 5, 12, 17, 34, 38, 39, 43, 44, 45, 55, 57, 75, 91, 103, 104, 105, 132. The NIRB has provided direction in both [Appendix A](#) as well as in Sections [5.0](#) and [6.0](#).

Compliance Monitoring by Regulatory Authorities.

On April 26, 2023, 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:

1. 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, licenses, or other approvals issued for the Project, where applicable, and report annually to the NIRB on the status of those incorporated terms and conditions;
 - b. A summary of any inspections conducted during the 2022 reporting period, and the results of these inspections; and
 - c. A summary of Agnico Eagle's compliance status with regard to authorizations that have been issued for the Project.

On or before June 9, 2023, the NIRB received comments from the parties in Table 5. The following table is a summary of comments received by parties.

Table 5: Commenting Parties and NIRB Public Registry ID No.

Commenting Party	Document ID
Kivalliq Inuit Association (KIA)	345877
Government of Nunavut (GN)	345875
Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC)	345465
Environment and Climate Change Canada (ECCC)	345887
Fisheries and Oceans Canada (DFO)	345888
Health Canada (HC)	345483
Transport Canada (TC)	345876
Sayisi Dene First Nation and Northlands Denesuline First Nation (SDFN NDFN)	345858

Agnico Eagle provided its responses to parties' comments on August 4, 2023.⁷ The following is a *summary* of comments received by parties regarding compliance monitoring.

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.

Government of Nunavut

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

Crown-Indigenous Relations and Northern Affairs Canada

CIRNAC reviewed the 2022 Annual Report and related documents in areas under its mandate pertaining to effects and compliance monitoring. CIRNAC further noted that it has a number of different responsibilities related to water management in Nunavut and is responsible for inspecting and enforcing any Terms and Conditions contained within any Water Licence associated with the project. In 2022, CIRNAC's Resource Management Officers conducted a total of five (5) inspections of the Meliadine mine site to ensure compliance with water licences 2AM-MEL1631 and 2BB-MEL 1424.

⁷ Public Registry ID: 346542

Some non-compliances related to Water Licence conditions and *Nunavut Waters and Nunavut Surface Rights Tribunal Act S.C 2002, c. 10* were noted during 2022 inspections. On December 21, 2022, CIRNAC issued two (2) warning letters – one (1) to Agnico Eagle and another to Orbit Garant Drilling Inc – alleging contravention of s. 12(1)(b) of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*. These letters were intended to bring this matter to their attention to prevent further incidents and ensure compliance with *Nunavut Waters and Nunavut Surface Rights Tribunal Act*. These letters were not a finding of guilt or civil liability, nor an administrative adjudication.

Environment and Climate Change Canada

ECCC noted that no authorizations have been issued but both the Meliadine Gold Project is captured under several pieces of ECCC’s legislation. Specifically, both projects are subject to the Metal and Diamond Mining Effluent Regulations (MDMER); the purpose being to authorize a deposit of certain deleterious substance(s) into water frequented by fish while monitoring the environmental effects of those deposits to ensure that deleterious substances are not released in quantities or concentrations that could result in harmful effects on waters frequented by fish. In 2022 Agnico Eagle submitted all required MDMER reports. Effluent was only discharged from Containment Pond 1 into Meliadine Lake in the third quarter with no exceedances observed and no non-compliance was determined for all quarters.

Two (2) on-site inspections were completed. No enforcement were taken under the *Fisheries Act* or the MDMER.

Fisheries and Oceans Canada

DFO noted that the Agnico Eagle is largely compliant with the terms and conditions that pertain to DFO’s mandate but is required to address fish passage issues. Further, DFO conducted a site visit in July 2022 and following is a summary of the results of the inspection:

- DFO issued a Warning Letter to Agnico Eagle related to the infilling of Pond J6 that had been previously reported and was observed during the site visit.
- A number of watercourse crossings on the All-weather Access Road and the Rankin Inlet Bypass Road were identified as being likely barriers to fish movement. Measures to address the fish passage barriers are being discussed with Agnico Eagle, and a plan is required to ensure that the watercourse crossings are in compliance with the *Fisheries Act*.

Health Canada

Health Canada noted that the objective and scope of its review is to verify that the potential health impacts of the project are properly identified and to support Responsible Authorities to prevent, reduce, and mitigate the potential health impacts of project activities.

Transport Canada

Transport Canada (TC) noted that its review was limited to those areas of the annual report that are relevant to the Department's mandate and jurisdiction/areas of expertise.

With respect to Marine Safety and Security, no onsite inspection was carried out in 2022. A site inspection of the Oil Handling Facility was completed in 2022 with no issues or any non-compliance identified.

Under the Navigation Protection Program, TC conducted an inspection in August 2022 of the bridge over the Meliadine River as well as viewing the area of the diffuser outfall. No impacts to navigation were observed. All conditions of approval were adhered to, and no impact was noted.

No inspection or enforcement activities were conducted related to the Meliadine Mine aerodrome in 2022. Further, one (1) Transportation of Dangerous Goods inspection was conducted remotely in 2022 and non-compliances were noted for training and Agnico Eagle provided the compliance response within the timeframe.

In its response, Agnico Eagle noted that the vessel operators are made aware of the Annual Notice to Mariners and related requirements and reminders are sent by the shipping companies at the start of the season.

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 April 26, 2023, 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 2022 reporting period. Specifically:

- a. Whether the conclusions reached by Agnico Eagle in the *2022 Annual Report* are valid; and
- b. Any areas of significance requiring further supporting information or any changes to the monitoring program which may be required.

Tables 6 through 10 contain a summary of comments received by parties and Agnico Eagle's follow-up responses.

Table 6: General Summary of Comments and Responses Received on Agnico Eagles' 2022 Annual Report

<u>Recommendation (Summary)</u>	<u>Proponent Response</u>
Kivalliq Inuit Association	
KIA #1 Ensure that TAG annual report include either copies of reports and presentations or, alternatively, where they are archived.	Reiterates its commitment to maintaining an operational TAG and will prepare subsequent TAG annual report in accordance with item 7.2 of the TAG's Terms of Reference, which can be further discussed as required within the TAG setting.
KIA #2 Develop options for indicators of sensory disturbance, especially the duration of the return to baseline behaviors measured during the behavioral monitoring. Agnico Eagle should provide these options for TAG to consider during a Terrestrial Environment Management and Monitoring Plan review.	Will discuss options for indicators of sensory disturbance using the behaviour monitoring with the Meliadine TAG during the Terrestrial Environment Management and Monitoring Plan review.
KIA #3 1. Report daily traffic frequency for the two broad periods when many caribou (post-calving and early summer) or few caribou (the rest of the year) are in the vicinity of the AWAR and mine site. 2. Provide remote camera data to demonstrate the probability of caribou crossing AWAR relative to the duration of gaps in the traffic and provide data on the duration of the gaps in traffic. 3. Use the behavior and remote camera monitoring data to describe the frequency of group sizes and crossing behavior relative to the concept of leadership in developing options for a group size threshold for TAG.	1. Proposes to discuss daily traffic frequency reporting (Item #1) and frequency of group sizes (Item #3) within the TAG context. 2. An analysis of duration of gaps versus caribou crossings will be included in the 2023 Camera Trail Camera Study Compilation Report. 3. Agnico Eagle proposes this item be discussed with the TAG.
KIA #4 1. Delay conclusions about the impact of Meliadine mine site and AWAR on caribou harvesting until at least 3 years harvest study data are available. 2. Provide more information and the extent of monitoring for caribou harvests relative to ATV use within 1 km of the AWAR relative to the presence of caribou post-calving aggregations.	1. Preliminary conclusions about the effect of the Meliadine mine site and AWAR on caribou harvesting will be made in the 2023 report. Data from the Rankin Inlet component of the NWMB [Nunavut Wildlife Management Board] study will be reassessed to determine hunter numbers and harvesting success so that direct comparisons to 2021 to 2023 data can be made.

Recommendation (Summary)	Proponent Response
	<p>2. Will summarize and provide available information on ATV use during the post calving and early summer (when behaviour and camera monitoring are conducted); however, it is noted that not all ATVs observed refers to automatic harvesting acts. Furthermore, employees are required to avoid areas where harvesting is occurring due to health and safety requirements.</p>
<p>KIA #5 Provide the analyses that the statements are based on or explain the limitations of the statements about impacts on caribou from the AWAR in the 2022 Annual Report.</p>	<p>Will make it clear when statements are supported by statistical analyses in future reports. In some cases, patterns in the data are not sufficient for statistical analyses and Agnico Eagle may state that the data are “suggestive” of a certain outcome but will provide caveats as suggested.</p>
<p>KIA #6 1. Provide details of the mitigation undertaken in 2022 for fox dens at the mine site. 2. Work with GN to explain specifically how the monitoring and mitigation can be improved to prevent attractants and resulting Arctic fox deaths. 3. Provide options for a TAG discussion on how wildlife sightings from the different types of monitoring can be integrated to describe an indicator during the year to trigger when adaptive mitigation will be required to reduce the probability of wildlife incidents.</p>	<p>1. In 2022, no construction occurred around fox dens, hence no mitigations was required. 2. Agnico Eagle is in communication with the GN throughout the year relative to wildlife management and is available to further discuss fox management with the GN. 3. The suggestion could be further discussed within the TAG setting.</p>
<p>KIA #7 Clarify the status of a muskox habitat assessment.</p>	<p>As stated in the TEMPP Annual Report, no muskox habitat assessment was conducted in 2022. An assessment of what types of habitats are being used by muskox would be conducted if and when a regional monitoring programs are conducted by the GN. Agnico Eagle remains committed to collaborating with the GN with future muskoxen surveys as applicable.</p>
<p>KIA #8 1. Adopt changes from the Water Balance Water Quality Model (WBWQM) update submitted to the NWB (January 2023), once the saline waterline is operational, to</p>	<p>1. The current strategy to manage saline groundwater is to pump it to TIRI02 and store it until the waterline is available. As storage capacity is finite, Agnico Eagle is required to mitigate the risk of</p>

Recommendation (Summary)	Proponent Response
<p>prioritize discharge of contact water containing higher concentrations of nutrients and metals, such as waste rock runoff, tailings runoff, and camp waste, to Itivia Harbour. Until this time, if feasible, water from the sewage treatment and Containment Ponds 3,4 and 5 should be redirected to TIR02 for storage.</p> <p>2. Ensure that the capacity of the planned waterline is sufficient to allow the possibility of eliminating discharge to Meliadine Lake, alleviating mine-related impacts to this culturally sensitive area.</p>	<p>exhausting saline storage capacity by limiting the input of non-saline water (i.e., water that is not from the underground mine) to TIRI02. For this reason, the addition of water from the surface runoff collection facilities to TIRI02 is not currently feasible, as the annual volumes of water produced/received by these facilities would rapidly compromise the available volume capacity for its primary purpose of storing saline groundwater.</p> <p>2. The capacity of the approved waterline will be 20,000 m³/day. Agnico Eagle will minimize discharge of contact water to Meliadine Lake by means of maximizing the available capacity of the waterline for discharge of surface contact water to Itivia Harbour.</p>
<p>KIA #9</p> <p>Clarify the assumptions leading to a 70% uptime of the planned waterline. As the 70% is stated to be conservative, Agnico Eagle should provide a realistic uptime for the planned waterline based on similar infrastructure on site.</p>	<p>Assumed availability of the Saline Effluent Treatment Plant-Water Treatment Complex and waterline is based on data collected at other water treatment-related infrastructures on site. At the Effluent Water Treatment Plant (EWTP), an availability of 84% and 87% was observed over the 2021 and 2022 discharge seasons, respectively. The operation of the EWTP is simple and problems rarely occur, with downtimes primarily due to electrical shutdowns and routine maintenance. Whereas the EWTP requires the operation of a single Actiflo unit, the SETP-WTC requires the operation of two (2) Actiflo units in parallel, as well as a breakpoint chlorination process. The operation of the waterline itself adds complexity to the system. Agnico Eagle will strive to achieve a maximum possible availability of the SETP-WTC and waterline and has assumed 70% availability as a conservative input for modeling. Moreover, Agnico Eagle is considering options to improve flexibility of the water treatment process as a means to maintain a high degree of availability.</p>

Recommendation (Summary)	Proponent Response
<p>KIA #10 Does Agnico Eagle plan to complete any field trials to determine effective capping thickness to the Tailings Storage Facility (TSF) in 2023 or 2024?</p>	<p>The thermal performance of the capping is meeting expectations currently based on the instrumentation results. No field trials are currently planned as the capping is meeting expectations.</p>
<p>KIA #11 1. Provide specifics on the number of years after operations have ended that the carbonate will neutralize the acidity. 2. Provide specifics on the number of additional years after operations have ended that the additional carbonate will add for neutralizing the acidity.</p>	<p>1. The referenced statements are presented in the context of other factors discussing the low risk for Acid Rock Drainage generation from the TSF. 2. The statements referenced in Comment KivA-11 discuss a hypothetical scenario which would be applicable for a facility that will not undergo freeze back. In practice, sulfide oxidation is not expected to occur at meaningful rates within the TSF due to several mitigating factors (e.g., limited air and water ingress, co-disposal with non-potentially acid generating materials, freezing conditions), and neutralization potential is expected to be sufficient to buffer acidity in the long term.</p>
<p>KIA #12 1. Provide the total cubic metres (m³) of water used for dust suppression in 2022. 2. Provide the correct volumes for two entries in Appendix 25, Table 1. 3. If reclaim water is used for dust suppression on the AWAR, provide information on whether runoff will be recaptured to the contact water management facilities. 4. Provide the source(s) of the water used for dust suppression in 2022. 5. Provide information whether the total m³ of water used for dust suppression in 2022 is included in the annual volume of water (463,484 m³) withdrawn from Meliadine Lake.</p>	<p>1. Section 3.1.9 of the Annual Report presents the volume of reclaim water from Collection Pond 1 (CP1) that was used for dust suppression purposes within the mining footprint area, where runoff is captured by the Contact Water management facilities reporting back to CP1. The total volume of reclaim water used for dust suppression in 2022 was 6,253 m³. In addition, approximately 2,225 m³ of water from MEL-11 (i.e., fresh water obtained from Meliadine Lake under the NWB Type A Water Licence) was used for dust suppression purposes in 2022. 2. The two (2) entries are typos. The corrected values are included in the totals indicated in the response to comment 1. 3. Agnico Eagle would like to clarify that the water which was used on August 8th on the AWAR was sourced from MEL-11, and not CP1. No reclaim water is used for AWAR dust suppression.</p>

Recommendation (Summary)	Proponent Response
	<ol style="list-style-type: none"> 4. The sources of water used for Project-related dust suppression in 2022 are reclaim water from CP1, and freshwater obtained from Meliadine Lake (MEL-11) under the NWB Type A Water Licence. 5. As mentioned in response to comment #1, the volume of water sourced from MEL-11 is part of the total 463,484 m³ withdrawn from Meliadine Lake.
Government of Nunavut	
<p>GN #1</p> <ol style="list-style-type: none"> 1. Standardize wildlife data by effort and that trends on mortalities, injuries, and wildlife observations be reported. 2. Categorize wildlife observations to indicate observations that may indicate habituated, tolerant, and/or food-conditioned individuals. 3. Report the details and frequency of waste management inspections. 4. Take adaptive management actions immediately to reduce attraction of wildlife to the incinerator, kitchen, landfill, and other problem areas and that these actions be reported. 	<ol style="list-style-type: none"> 1. Wildlife data are collected from various means including surveys and incidental sightings. Efforts have been made to increase incidental sighting collection through implementation of new technology such as text message system to log incidental sightings and the implementation of a QR code. In total (mine site and AWAR), 42 surveys were completed in 2022, compared to 29 and 37 surveys in 2021 and 2020. 2. Behaviour observations are collected as part of wildlife observations, independently of the observation source (survey or incidental sighting), and is reported in the monthly wildlife report submitted to the GN. When an individual appears to be habituated, tolerant and/or food conditioned, this behaviour is documented and is communicated to the GN wildlife officer. 3. In 2022, a total of 1,086 internal inspections were conducted at the mine site. These inspections are conducted on a weekly basis (weather dependant) and are tailored to the sites various working area, and all include a waste segregation and management section. The results of these inspections are communicated with the relevant Department supervisors and corrective actions, when applicable, are followed up upon by the Environment Department.

Recommendation (Summary)	Proponent Response
	<p>4. An external consultant conducted a wildlife audit in April 2023 and the results will be detailed in the 2023 annual report. Agnico Eagle will continue to discuss adaptive management related to foxes with the GN to ensure problematic animals can be dealt with appropriately.</p>
<p>GN #2</p> <ol style="list-style-type: none"> 1. Keep records tracking and annually reporting wildlife awareness training and tool-box meetings. 2. Continue Marine Mammal and Seabird Observation (MMSO) training and focuses on data collection procedures. 3. Develop a Quality Assurance and Quality Control procedure to verify that data is complete. 	<ol style="list-style-type: none"> 1. Wildlife awareness training and reporting is mandatory and provided to staff and contractors through various means and continuously throughout the year. Other educational efforts include toolbox presentations to different departments throughout the year; and seasonal or punctual awareness efforts through other communication means such as daily operational meetings with supervisors, weekly management meetings with all the department managers and “Meliadine Minutes” 2. In working with a third-party consultant on MMSO program improvements since 2020, greater survey efforts have resulted every year compared to previous years. Training sessions are conducted on a yearly basis. Yearly kick-off meetings and post-mortems are conducted with the shipping companies to ensure lessons learned from the previous season are accounted for in the next season. 3. The management plans are continually being revised and updated and Agnico Eagle will assess how to further integrate the QA/QC aspect during next revisions of the relevant management plans.
<p>GN #3</p> <ol style="list-style-type: none"> 1. Confirm whether peak caribou migration as either between June 28 and 29 or between July 11 and 15. 2. Adjust the modelling approach to reduce bias, improve power, and retain information. It is recommended that the Proponent consider analyzing the 3-minute behaviour data as nested within the 30-minute survey 	<ol style="list-style-type: none"> 1. In 2022, caribou occurrence at the Meliadine Mine site occurred in two (2) phases; a series of pulses of observations of caribou moving east in the last week of June and a second more concentrated pulse in the second week of July. As such, both are correct. 2. Previously, the proposed analysis analysing the 3-minute data nested

<u>Recommendation (Summary)</u>	<u>Proponent Response</u>
<p>and that each survey and group be treated as a mixed effect, rather than averaging data.</p> <p>3. Do not treat group size and distance as categorical but considered a continuous variable to improve the power of the model, retain potentially important information, prevent convergence issues, and allow for the examination of other non-linear patterns in the data. Alternatively, identify other potential modeling approaches to overcome loss of information and biased results.</p>	<p>within the survey period has been tried with limited success due to sample size. However, the sample size has grown due to additional years of data, and this analysis will be attempted for the 2023 annual report.</p> <p>3. To date, categorical variables have been used to maximize the power to detect change in other variables, but there may be sufficient sample size now to analyze these variables as continuous rather than categorical variables. The use of categorical variables does not inherently bias the results obtained.</p>
<p>GN #4</p> <p>1. Table 6.2 be adjusted to reflect accurate average caribou harvest data.</p> <p>2. Provide more detail on the communities that participated and/or assumptions made when comparing 2022 data with historical surveys.</p>	<p>1. The average number of caribou was incorrectly reported in Table 6.2 and should have been 608.5 individuals.</p> <p>2. The 2022 Rankin Inlet Hunter Harvest Study only reports data collected from hunters (participants) in Rankin Inlet. For the 2023 annual report, an attempt will be made to access hunter number data for the Rankin Inlet component of the Nunavut Wildlife Management Board (NWMB) study and compare these numbers and harvest rates to Rankin Inlet data from 2021 to 2023.</p>
<p>GN #5</p> <p>1. Explicitly state what buffers or setbacks were applied to protect nests, identify nests where work encroaches within 1.5 km of nests or where nests were constructed in proximity to existing disturbance and work activities, and/or provide the nest-specific guidelines and procedures that were implemented to ensure the nests were protected and confirm that the young fledged.</p> <p>2. Report on the fate of nesting for those nests where mitigation was necessary.</p> <p>3. Continue to explore the relationship of raptor nesting and the potential for disturbance to affect occupancy.</p>	<p>1. When comparing models, best statistical practice obligates one to choose the simplest explanation (i.e., the one with fewest model parameters), particularly when measures such as log-likelihood are similar. For peregrine falcon, the null model has greater parsimony. In general, this would also apply to rough-legged hawk, but interpretation of model differences is less straightforward given model rank, and selection metrics specific to the species. For this reason, the interpretation was limited to stating simply that adding distance to disturbance did not improve model fit. Agnico Eagle does not conclude that distance to disturbance has no effect on occupancy; rather, that "no evidence of</p>

<u>Recommendation (Summary)</u>	<u>Proponent Response</u>
	<p>an effect of distance to disturbance on occupancy" was found, which is an accurate statement given the data.</p> <ol style="list-style-type: none"> 2. Raptor nesting activities observed on the Mine or within 1.5 km of the Mine are reported to the GN Department of Environment. The mitigation measures around active raptor nests consist mainly of implementing setbacks to mitigate impacts with monitoring as detailed in the Terrestrial Environment Management and Monitoring Plan. For 2022, no nesting activities from raptors at previously identified nests were reported. For that reason, no setback, mitigation, or monitoring was required. 3. Through its annual participation at the Arctic Raptors Research Program, Agnico Eagle keeps exploring the relationship of raptor nesting and the potential for disturbance to affect occupancy.
<p>GN #6</p> <ol style="list-style-type: none"> 1. Include a lesson learned topic in the spill prevention training for employees, whereby the results of root cause analyses of past incidents are outlined, and the lessons learned and improvements made to the spill prevention program and related processes (spill identification, response/clean-up and reporting) are detailed. 2. That the Spill Contingency Plan Section 8.1 Training be updated to note inclusion of past incident root cause analyses and lessons learned in the training program. 	<ol style="list-style-type: none"> 1. All incidents, regardless of their consequence, are recorded and tracked through an internal software (Intalex), which allows tracking and trending of the type and quantity of material spilled, the areas where the spill happened, the type of equipment involved, immediate corrective actions, root causes of the incident, lessons learned, follow-up actions and spill consequence and probability. For all spills reported through the spill line, more thorough investigations are conducted. Furthermore, on a daily basis, environmental incidents are discussed at the daily operational meetings. 2. Lessons learned from investigations on past spills are communicated to workers by various means such as toolbox meetings, changes in operational procedures, updates in training material or development of new mandatory trainings, site-wide communications, etc.

Recommendation (Summary)	Proponent Response
	<p>There is a Spills Working Group which provides inputs on the communication strategies relative to lessons learned through various incidents. Additionally, Agnico Eagle is developing a summary communication that would be sent out to staff across different divisions when an incident with a consequence of moderate or up occurs.</p>
<p>GN #7</p> <ol style="list-style-type: none"> 1. Review the specifics of all equipment failures and develop a plan to avoid extended periods of data loss due to such failures in the future. This may include increasing the availability of backup equipment on the site or re-evaluating the equipment maintenance schedule or elements. 2. Recommends that a greater commitment be made to QA/QC program outlined in the Air Quality Monitoring Plan which states travel blanks will be included with each shipment. 3. Review dust mitigation options for construction activities that are conducted throughout the year, not just the winter. 	<ol style="list-style-type: none"> 1. Specific records are maintained on each downtime incident, as well as audits and calibrations and will review the primary causes of equipment failure to date to identify any trends and mitigate potential future events. Of note, the Partisol equipment are complex instruments operating under extreme conditions, and some amount of downtime is anticipated; however, Agnico Eagle continues to improve onsite capacity for resolving Partisol equipment failures. 2. In 2022, travel blanks were accidentally not shipped for suspended particulates from August to November, due to an error in communications. This has been rectified and so far in 2023, travel blanks were included in each shipment. 3. A broad-scale review of dust management options for construction activities is not considered necessary as dust in the summer months is efficiently controlled through the use of water. Monitoring results to date indicate that both suspended particulates and dustfall are generally controlled below FEIS predictions and regulatory criteria on the Meliadine site with the management practices currently in place. Agnico Eagle remains committed to controlling dust on site to the extent practical, and should any new mitigation options be identified, the year-round implementation will be evaluated.

Recommendation (Summary)	Proponent Response
Crown-Indigenous Relations and Northern Affairs Canada	
<p>CIRNAC #1</p> <ol style="list-style-type: none"> 1. Monitor thermal conditions at the portions of the site in the vicinity of areas where permafrost degradation has been observed including areas adjacent to channels and ditches close to existing berms and material storage facilities to ensure that any permafrost degradation does not impact the long-term stability of these infrastructure elements. This should include the installation of horizontal and/or vertical thermistors in critical areas where degradation has already begun. 2. Comment on the monitoring of thermal conditions at ancillary facilities (e.g., roads, borrow areas) where standing water continues to be observed. 3. Expand the discussion in Section 4.1.9 of the Annual Report to include additional permafrost thermal monitoring and discussions as per items 1 and 2 above. 	<ol style="list-style-type: none"> 1. Thermistors have been installed within the infrastructure and additional thermistors are planned to be installed as the infrastructure under construction are completed, with no additional ones planned. The permafrost degradation observed so far has been localized and hasn't negatively impacted surrounding infrastructure. These areas have either been repaired or are planned to be repaired. Agnico Eagle will continue monitoring and will repair areas of degradation that may negatively impact the performance of the structure itself, or surrounding structures if not repaired. 2. Will request the design engineer to comment on areas where no permafrost degradation has been observed along with where it has been in the future Annual Geotechnical Reports. Currently, only the areas mentioned within the Annual Geotechnical Report or Annual Report have had observable permafrost degradation, areas not mentioned, have not. 3. See responses above.
<p>CIRNAC #2</p> <ol style="list-style-type: none"> 1. A reference section in future Annual Reports providing full citations to documents referenced in the main body of the report. 2. Better links in the pdf to the table of contents, list of tables and figures and references to tables and figures in the text. 3. A site plan that clearly indicates the location and view direction of each photograph in future reporting that provides site specific photographs, especially the Geotechnical Report. 	<ol style="list-style-type: none"> 1. Will include a reference section in future Annual Reports, providing full citations to documents referenced in the main body of the report. 2. Will assess additional improvements to improve navigation in the main Annual Report document in future submissions. 3. Will request the design engineer to include a photograph location plan in the 2024 Annual Geotechnical Report.
<p>CIRNAC #3</p> <ol style="list-style-type: none"> 1. Clarify why it was not practical in 2022 to use water from the Contact Water management facilities as Reclaim Water for milling purposes. 	<ol style="list-style-type: none"> 1. CP1 water contains a slightly elevated degree of total dissolved solids (TDS) relative to the concentration of TDS in Meliadine Lake. Given that the porewater salinity of the tailings is very

<u>Recommendation (Summary)</u>	<u>Proponent Response</u>
<ol style="list-style-type: none"> 2. Clarify what the TSF design assumptions are with respect to tailings porewater salinity, which is a critical control parameter for the performance of the dry stack TSF. 3. Provide further information to clearly illustrate and describe the observed oscillating decreasing trend in the tailings porewater salinity over time and the reason for the decreasing trend. 	<p>close to the upper design target and was not sufficiently and consistently below the design target, feeding the mill with CP1 water was considered not practical in 2022 from a geotechnical risk management perspective.</p> <ol style="list-style-type: none"> 2. A porewater salinity of 15 parts per thousand (ppt) was assumed for the TSF design. 3. In 2019, the average porewater salinity was 20 ppt (TDS), in 2020 it was 19 ppt, in 2021 it was 16 ppt (slightly above the design limit), and in 2022, the average porewater salinity was 14 ppt (slightly below the design limit). Thus far in 2023, the average porewater salinity is below the design limit, with a few points at the limit and two (2) points above it. Assessment into the impact of elevated salinity within the porewater on the TSF is ongoing, but the main impact will be freezing point depression, which may alter the thermal performance of the TSF from that which was predicted in design. Currently, most of the tailings are near the measured freezing point or cooler. Below about 2m from the tailings surface, the tailings are below zero degrees, but slightly warmer than the depressed freezing point, however, the tailings are continuing to cool as the permafrost aggrades into the TSF. It is expected that the decrease in porewater salinity is due to the inclusion of open pit ore into the mill feed which is less saline compared to the underground ore.
<p>CIRNAC #4 Commit to conducting a study to verify the attenuation of nutrients (specifically ammonia and phosphorous) by algae in CP1 and provide a timeline for completing the study in the Meliadine 2023 Annual Report.</p>	<p>Will conduct a study to further explore this hypothesis and will provide a discussion on this study in the 2023 Annual Report.</p>
<p>CIRNAC #5 1. Provide additional discussion on why no saline water was discharged in 2022 and why</p>	<ol style="list-style-type: none"> 1. Agnico Eagle made the decision to utilize onsite saline water storage capacity and to suspend the discharge to

Recommendation (Summary)	Proponent Response
<p>no saline water discharge is planned to occur until 2025.</p> <p>2. Provide a discussion why completion of the waterline construction has been rescheduled to 2025.</p> <p>3. Provide a discussion on potential consequences of any schedule delays in saline water discharge via the waterline.</p>	<p>Melvin Bay via trucking, thereby reducing traffic and potential dust emissions on the AWAR until the waterline is commissioned. The TIRI02 provides sufficient capacity for saline water storage in order to accommodate for this delay in waterline operation.</p> <p>2. The remote and northern nature of the Meliadine Gold Mine led to waterline construction constraints, which, in conjunction with permitting delays and caribou migration constraints resulted in the waterline construction schedule to be revised and the commissioning of the waterline being forecasted for 2025.</p> <p>3. The main consequence of schedule delays in saline water discharge is the requirement to store water in TIRI02 for an additional year. The impact of operating this discharge through 2023 and 2024 would be negligible on the long-term water balance outlook.</p> <p>4. Agnico Eagle will provide updated predicted groundwater inflow rates in the 2023 Annual Report, which will consequently be reflected in the updated WBWQM.</p>
Environment and Climate Change Canada	
<p>ECCC #1</p> <p>Review of the modeling for ammonia and total phosphorus in CP1 to identify the source of the discrepancy in observed versus predicted concentrations and that consideration be given to validating under-ice predictions.</p>	<p>Will conduct a study to further explore the cause of the discrepancy and include a discussion on this study in the 2023 Annual Report.</p>
<p>ECCC #2</p> <p>Clarify what the tailings pore water salinity is in relation to the TSF design assumptions and how this will affect the chemical performance of the facility</p>	<p>As detailed in response to CIRNAC-3, in 2021, the average porewater salinity was marginally above the design limit and slightly below the design limit in 2022. Thus far in 2023, the average porewater salinity is below the design limit. Assessment of the impact of elevated salinity within the porewater on the TSF is ongoing, but the main impact will be freezing point depression, which may alter the thermal</p>

Recommendation (Summary)	Proponent Response
	<p>performance of the TSF from that which was predicted in design. The laboratory testing conducted to measure the freezing point temperature is only slightly lower (-0.02°C) than what was assumed during the design. Currently, most of the tailings are near the measured freezing point or cooler. Below about 2 m from the tailings surface, the tailings are below zero degrees, but slightly warmer than the depressed freezing point, however, the tailings are continuing to cool as the permafrost aggrades into the TSF. Minimal negative impact to the geochemical performance of the TSF is expected at this time.</p>
<p>ECCC #3 Provide an explanation to resolve the inconsistency in stated wind directions.</p>	<p>The date of February 29, 2023, was erroneously included in Table 1 of Appendix B of <i>Appendix 25- Air Monitoring Report</i> of the 2022 Annual Report which shifted the subsequent data set. An updated Table was provided and Agnico Eagle confirmed that wind directions of 307° and 310° for March 18 and 24 respectively are the correct values.</p>
Fisheries and Oceans Canada	
<p>DFO #1 Provide details on if the toe berm construction interacted with Fish or Fish Habitat and whether erosion resulted in sediment being mobilized to the aquatic environment downstream of CP1.</p>	<p>The berm was constructed between the downstream toe of the dike and the downstream water collection ditch. The construction did not interact with fish habitat. Rockfill was used as the construction material and as such minimal sediment was observed coming from the berm. All contact water from the berm is collected within the downstream water collection ditch where it is pumped to CP1.</p>
<p>DFO #2 1. Provide a plan for repair and/or replacement of damaged culverts prioritizing repairs to culverts with potential to affect fish passage and those affecting fish and fish habitat along the roads. 2. Provide an updated Road Management Plan that includes actions to be taken to avoid contravention of the <i>Fisheries Act</i> by the deposit of sediment into fish habitat and</p>	<p>Further work (repair/replacement) is being prioritized at the crossing locations containing salmonids (Culvert 11-Rankin Inlet Bypass Road KM 3.5, Culvert 10-AWAR KM 16.5, and Culvert 7-AWAR KM 27.5), including a new culvert to be installed at KM 8.8 of the AWAR. Work is planned for the summer/fall of 2023 once the required authorizations are received. The next update of the Road Management Plan will address</p>

<u>Recommendation (Summary)</u>	<u>Proponent Response</u>
addresses potential fish passage concerns at crossings.	assessment of potential fish passage for eventual future culvert replacement.
DFO #3 Provide additional details on the “Additional effort” being implemented to ensure accurate vessel tracks, and compliance with setbacks from sensitive habitats. Proponent to retrieve the missing information from other sources of information.	Agnico Eagle acquires archived Automatic Identification System (AIS) data from Vesseltracker, a commercial AIS supplier that aggregates AIS data for satellite and shore-based stations. These data vary in frequency based on distance from shore, location of shore-based stations, and position of satellites. The frequency of fixes is beyond the control of Agnico Eagle, as it is often due to a “gap” in satellite availability over the location of the vessel in the Arctic at the time. Agnico Eagle continues to investigate alternatives; however, Vesseltracker remains the most reliable at this time. Agnico Eagle continues to train vessel captains regularly and remind them of the importance of maintaining sensitive habitat buffers prior to the start of each shipping season.
DFO #4 Update their marine mammal monitoring protocol and include increased monitoring efforts. This updated protocol should be developed by a marine mammal expert, be reviewed and approved by DFO and aim at effectively detecting and avoiding marine mammals during shipping.	The marine mammal monitoring protocol is described in the MMMMP (within the Shipping Management Plan) and the Marine Mammal Survey SOP. The protocol is for a dedicated MMSO to complete a minimum of one survey per day, however two (2) or three (3) surveys daily is preferred when timing allows, with each marine mammal survey lasting for a minimum of 1.5 hours to not more than two (2) hours to mitigate observer fatigue and eyestrain. More than one (1) dedicated marine mammal survey per day is frequently conducted during shipping, and survey effort continues to improve each year. If a marine mammal is observed outside of the dedicated marine mammal observation period, this is recorded as an incidental sighting, and any mitigation required to avoid marine mammals during shipping is recorded and reported in the annual report.
DFO #5 Include a non-Indigenous Species/Aquatic Invasive Species Monitoring Program around zones of higher risk. This monitoring plan	As per its Shipping Management Plan, shipping companies contracted to supply the Meliadine Mine through the annual sea-lift operations are required to comply with the

<u>Recommendation (Summary)</u>	<u>Proponent Response</u>
<p>should be developed by an expert, be reviewed and approved by DFO and response measure should be added to the shipping management plan.</p>	<p>Ballast Water Regulations (which requires a Ballast Water Management Plan). This reduces the risk of invasive species being introduced as a result of mine related shipping activities. The ballast water treatment systems from the vessels used to supply the Meliadine Mine also comply with the applicable requirements and regulation for ballast water management. The Shipping Management Plan was developed in collaboration with third party experts and was reviewed by parties through the NIRB process. Subsequent updates of the Shipping Management Plan have been submitted to NIRB and have been made available for parties to review and comment.</p>
<p>DFO #6 Monitor and model the noise footprint using expert support. This model should aim at evaluating the impact of shipping noise on marine mammals present on the shipping route. A Shipping Management Plan should be updated according to the model.</p>	<p>The FEIS predicted that in some cases, vessel noise may elicit behavioural changes in individual marine mammals that are in close proximity to these vessels. The residual environmental effect of a change in marine mammal behaviour as a result of Project vessel noise was considered to be low in magnitude, and the likelihood of behavioural disturbance from Project-related vessel noise was considered likely, but would be reversible soon after underwater noise effects subsided. Agnico Eagle continues to follow the Shipping Management Plan and the Marine Mammal Management and Monitoring Plan that was developed for the Project to meet commitments made during the hearings related to Marine Shipping.</p>
<p>DFO #7 Proponent to provide an appendix including, but not limited to:</p> <ul style="list-style-type: none"> ▪ Report on death of fish; ▪ Report on Harmful Alteration, Disruption and Destruction of fish habitat; ▪ Report on fish passage issues; ▪ Fish-out activities; ▪ Measures implemented to avoid and mitigate impacts • to fish or fish habitat; and ▪ Offsetting activities. 	<p>No <i>Fisheries Act Authorization</i> has been issued for the Meliadine Mine. As stated in Section 1 of the Meliadine Annual Report, the report is intended to address annual reporting requirements under the current authorizations, namely the NWB Water Licences, NIRB Project Certificate, KivIA Permits and Production Lease, and Inuit Impact and Benefit Agreement (IIBA). Agnico Eagle is committed to fulfilling reporting requirements from its various authorization and proposes to have a meeting</p>

Recommendation (Summary)	Proponent Response
	with DFO to clarify current reporting requirements related to DFO authorizations.
Health Canada	
<p>HC #1</p> <ol style="list-style-type: none"> 1. Annual monitoring reports demonstrate increasing arsenic concentrations in exceedance of health-based guidelines. HC supports the continued monitoring of arsenic during all project phases. 2. To facilitate review and observe trends, HC requests that future TEMMP reports compare arsenic results for each sampling location over time in order to determine whether additional mitigation or adaptive management is needed. 	<ol style="list-style-type: none"> 1. Will continue to monitor arsenic in all project phases as per current and approved Management Plans including the TEMMP and Aquatic Effects Management Plan. As stated in the 2022 AEMP report, no exceedances of the AEMP Action Levels were observed in any of the samples collected in 2022, including the Peninsula Lakes water quality samples. 2. Will include a comparison of arsenic results for each sampling station over time in future TEMMP reports and would like to reiterate the fact the results from the 2022 soil and vegetation health monitoring indicate that soil characteristics and vegetation health remain comparable to baseline conditions, with the exception of a small, localized area near the Waste Rock Storage Facility and TSF which showed higher arsenic concentrations in the soil and vegetation.
<p>HC #2</p> <ol style="list-style-type: none"> 1. Use the most stringent federal, provincial, or territorial air quality standards applicable to the given area. In many cases, although they are not based on health effects alone, the Canadian Ambient Air Quality Standards (CAAQS) will be the most stringent levels for key air pollutants, especially for longer-term projects with emissions after 2025. 2. Implement all economically and technologically feasible mitigation measures to limit emissions of non-threshold air contaminants to the extent possible. 	<ol style="list-style-type: none"> 1. Agnico Eagle will provide additional comparison to the 2020/2025 CAAQS in future reports, where these standards are available for parameters and averaging times measured at the Meliadine Mine. Currently, the measured values of these parameters have never exceeded current or future CAAQS. 2. Agnico Eagle is continually reviewing air quality management measures onsite, as described in the Air Quality Monitoring Plan.
<p>HC #3</p> <ol style="list-style-type: none"> 1. Encourages locating noise monitoring stations where they can monitor future noise levels (particularly night-time levels) experienced inside of dwelling spaces and 	<p>Agnico Eagle is currently monitoring noise as per its approved Noise Abatement and Monitoring Plan. As part of its continuous improvement process, Agnico Eagle remains available to further discuss improvements to</p>

Recommendation (Summary)	Proponent Response
<p>inform the need for additional mitigations should measured levels exceed noise guidelines.</p> <p>2. Supports the implementation of additional mitigations under the Proponent's noise abatement plan should monitoring results indicate potential adverse noise-related health impacts for off-duty workers.</p>	<p>its monitoring plan with HC and will assess inclusion of these recommendations in future iteration of the monitoring plan.</p>
Sayisi Dene First Nation and Northlands Denesuline First Nation	
<p>SDFN/NDFN #1</p> <p>Requests that revisions be made to Appendix H regarding <i>Spills on the AWAR and/or Bypass Road due to Waterline Leak</i> which does not include specific mention of employing fencing and deterrents to exclude caribou from accessing saline waterline discharges. In addition, ensure annual mock spill exercises be conducted for saline water discharges on land and near water along the AWAR, By-Pass Road, and future Discovery Road. The objective of this type of mock spill exercise would be to minimize the average response time that would occur for waterline discharges on land along the waterlines next to the AWAR. To minimize response time, spill materials may need to be strategically placed near caribou crossing locations, if not already done.</p>	<p>As mentioned in the Appendix H of the Spill Contingency Plan, in a case of a spill or leak from the waterline during caribou migration, mitigation measures will be deployed to protect caribou from being in contact with the saline water. In addition, as committed during the waterline application, and as outlined in the Spill Contingency Plan, additional measures are in place specific to the waterline such as a leak detection system, which will respond to the slightest changes in pressure waterline. This leak detection system is the primary mitigation to address leaks and spills. Agnico Eagle will ensure that a Mock Spill related to the waterline will be conducted before the first discharge and annually afterwards.</p>
<p>SDFN/NDFN #2</p> <p>Does Agnico Eagle have any intention of using the wildlife survey and incidental wildlife observation information for any Project objective, additional analysis, or to draw any conclusions as indicated in Project Certificate Condition 56?</p>	<p>As per the Table presented in Appendix 40 of the 2022 Annual Report, Sections 7.8, 11.11 of the annual report, and related appendices, present the information related to Condition 56. The TEMMP is currently being revised through the TAG and Agnico Eagle remains available to discuss improvements to this document within the TAG context during which the SDFN/NDFN could clarify their comment and recommendations.</p>
<p>SDFN/NDFN #3</p> <p>Request Agnico Eagle to produce a summary caribou distribution map (by week) during caribou migration from the caribou alert maps.</p>	<p>Agnico Eagle details its monitoring programs conducted over the year in the Annual TEMMP Report which includes caribou monitoring. Caribou collaring maps are shared with the SDFN/NDFN on a daily basis and the caribou alert maps are shared</p>

<u>Recommendation (Summary)</u>	<u>Proponent Response</u>
	up to three (3) times a day during the migration. It is Agnico Eagle's view, that weekly summary maps are not needed in light of the above and as discussed during the December 2022 TAG meeting.
SDFN/NDFN #4 Please add PRISM to Abbreviations list.	Agnico Eagle will ensure to add all the abbreviations in the Abbreviations list in future Annual Reports.
SDFN/NDFN #5 Explain if the discrepancy between actual and predicted traffic numbers is solely due to Agnico Eagle not estimating saline groundwater correctly in the FEIS or if additional factors are in play. It is important to understand if this underestimation will be a future concern when the Discovery Road and waterline is built, as it pertains to caribou crossing interactions with vehicles.	Agnico Eagle prepared a response on traffic volume on the AWAR relative to predictions for the GN (GN-TRC-07) as part of the Waterline FEIS Addendum in November 2020. The response acknowledges that traffic monitoring results have been reported in a number of different ways making comparison to the FEIS (Agnico Eagle 2014) and 2018 FEIS Addendum (Agnico Eagle 2018) challenging. GN-TRC-07 shows that the results from 2019 traffic monitoring were 35 round trips per day during July whereas 44 and 49 round trips per day in July were predicted in the FEIS and 2018 FEIS Addendum, respectively, traffic during the operations phase on the AWAR during July has been less than predicted in either the FEIS or the 2018 FEIS Addendum.
SDFN/NDFN #6 Investigate the implementation of a Biological Trainee Program with the assistance and leadership of elders and biological staff as the surrounding area of the mine would provide numerous opportunities for "hands-on" learning.	Training of young Indigenous people is highly beneficial, and also believes this serves as an equally beneficial learning experience for non-Indigenous Agnico Eagle employees through learning of Inuit Qaujimagatuqangit and Traditional Knowledge and related biological monitoring techniques. Agnico Eagle works with young Indigenous people through various means throughout the year, namely supporting students from the Arctic College and young Indigenous people being recruited as part of Agnico Eagle's Environment Department to work on various tasks related to biological monitoring.
SDFN/NDFN #7 It is suggested to remove or clarify the statement on fuel delivery during AWAR traffic suspension protocol as it is not clear from	Agnico Eagle proposes the request be further discussed with the TAG within the context of the ongoing TEMMP review.

<u>Recommendation (Summary)</u>	<u>Proponent Response</u>
<p>reading the information for the first time with the understanding that a Level 3 closure is the highest level of caribou advisory; yet exceptions exist. Assess this suggestion and the Toolbox presentation and make the necessary changes for clarity and reinforce the importance of a Level 3 shutdown.</p>	
<p>SDFN/NDFN #8 Develop a program to monitor noise using noise monitoring equipment that measure frequencies specific to caribou, in conjunction with the TAG to gather baseline information and determine if and how caribou are responding to Project noise levels.</p>	<p>Agnico Eagle completes regular noise monitoring at locations surrounding the Meliadine Mine as part of the Noise Abatement and Monitoring Plan (NAMP). This monitoring is conducted using Type I integrating sound level meters, which are configured to log noise levels in unweighted decibels (dBZ) at frequency bands from 12.5 Hertz (Hz) to 20,000 Hz. Agnico Eagle currently collects noise data at Meliadine for a wider range of frequency (i.e., 12.5 Hz to 20,000 Hz) than what was established in literature for reindeer hearing thresholds [Perra et al. (2022); i.e., 30 Hz to 16,000 Hz]. Therefore, Agnico Eagle submits that new/additional noise monitoring is not required to capture “frequencies specific to caribou” since the current noise monitoring program already collects data at these frequencies.</p>
<p>SDFN/NDFN #9 It is recommended that Agnico Eagle stick to one definition of the acronym “TEMMP” for future clarity.</p>	<p>Agnico Eagle will refer to the Terrestrial Environment Management and Monitoring Plan as "TEMMP". The annual report discussing the implementation of TEMMP requirements and monitoring results will be referred to as the “TEMMP Report”.</p>
<p>SDFN/NDFN #10 Would like to know why Project Certificate Conditions 74 and 75 are missing in the TEMMP Concordance Table. Provide an update on these activities as per the Conditions reporting requirements.</p>	<p>Agnico Eagle will ensure this is corrected in the 2023 Annual Report, however Agnico Eagle would like to note that the 2022 NIRB Project Certificate Concordance Table presented in Appendix 40 of the 2022 Annual Report may also be consulted.</p>
<p>SDFN/NDFN #11 Clarify the details of the waterlines leak detection system and potential valve stations as the need to purge a waterline or the inability to shut-down a certain section of the waterline during caribou migration could be problematic</p>	<p>The leak detection system uses multimode leak detector to identify the physical characteristics of a leak, such as changes in temperature, pressure, ground strain and acoustics. The fiber-optic cable acts as a fully distributed sensor that offers thousands</p>

<u>Recommendation (Summary)</u>	<u>Proponent Response</u>
to caribou, their calves, and the emergency response team.	of detection points along the entire pipeline, capable of pinpointing the location of a leak within 10 metres in real time. As outlined in the Failure Modes and Effects Analysis (as presented in the waterline application to the NIRB), a potential consequence of an effluent release event generally depends on the location and magnitude of effluent release, where the magnitude depends on the size of waterline failure, the flow rate, pump and valve shutoff times (which in turn is a function of the leak detection system and its connections to the pumps and valves).
SDFN/NDFN #12 Place specific and strategic effort and staffing towards the prevention of Arctic fox deaths on the Meliadine mine site.	As detailed in responses to GN-01, GN-02 and KivIA-06, several mitigation measures are implemented at the Meliadine Mine site to limit wildlife attraction and potential resulting animal deaths. As mentioned previously, a Wildlife Audit was conducted by a third-party expert in April 2023 which confirmed several good waste management practices adapted to the site's operational reality are implemented. Site specific recommendations provided during this audit are currently being assessed and implemented as applicable. Relative to the Arctic fox deaths, Agnico Eagle wishes to clarify that other factors such as health and safety considerations also need to be accounted for when analyzing fox mortality numbers. Agnico Eagle works closely with the GN-DoE on matters related to wildlife management and it is the GN's decision whether arctic foxes need to be captured and euthanized.
SDFN/NDFN #13 Enhance the caribou remote camera study by installing more cameras along the Awar.	The 2020 to 2022 camera program used 34 cameras along the 30 km long Awar and represents excellent coverage of the road with an average of 1 camera per km of the road. It should be noted that any number of cameras still represents a sample of caribou interactions with the Awar, as complete coverage is impractical. It should be noted that KivIA consultants have suggested moving camera effort away from the Awar

<u>Recommendation (Summary)</u>	<u>Proponent Response</u>
	because questions about use of the road have been addressed. They have suggested moving the cameras to the mine site and future windfarm location to answer questions at these locations.
SDFN/NDFN #14 Re-confirm that statement from the 2021 Annual report response and make corrections to Table 19 in Appendix 27 of the TEMMP noting that the text will be modified to reflect that satellite collar data is the primary method that can be used for monitoring deflections.	Agnico Eagle will update the text in question for the 2023 report.
SDFN/NDFN #15 Refers Agnico Eagle back to their response to the August 12, 2022, Comment 4 from SDFN/NDFN where it states “Agnico Eagle was careful not to place too much emphasis on numbers because groups may partially pass behind cameras or beyond trigger distance, and as a result numbers will almost certainly be underestimates. In addition, because the whole road is not covered by the cameras, the information captured by the cameras represent a fraction of the caribou crossing the road.”	Agnico Eagle will make it clear when statements are supported by statistical analyses in future versions of the report. In some cases, patterns in the data are not sufficient for statistical analyses and Agnico Eagle may state that the data are “suggestive” of a certain outcome but will provide caveats as suggested.
SDFN/NDFN #16 Do not agree that PC Condition 44 has been fulfilled/satisfied until the new analysis on “collared caribou Meliadine AWAR interactions” is shared and/or made available for review and discussion with the TAG.	Agnico Eagle confirms that the analysis was recently completed and presented to the TAG. Agnico Eagle provided a brief history of the process and status as a response.

3.0 MELIADINE GOLD MINE SITE UPDATE

The NIRB carried out a site visit to determine whether, and to what extent, the land or resource use in question was being carried out within the predetermined Terms and Conditions as set out in the amended Project Certificate 006 as issued for the Project. Based on the observations made during this site visit, all Meliadine facilities continue to appear to be well managed, and generally are maintained with adequate environmental protection measures and procedures in place.

Overall, Agnico Eagle appeared to be in compliance with the majority of the Terms and Conditions contained within the Meliadine Gold Mine Project Certificate. Appendix A further details where site visit observations were considered in compliance of the Project Certificate. The NIRB looks forward to the 2024 site visit which will include a follow up on the below items:

- waterline installation and cover, and
- implementation of the results from the wildlife safety audit.

Please refer to the 2023 Site Visit Report⁸ for further detail on the NIRB's 2023 Site Visit.

4.0 PUBLIC INFORMATION SESSION

The NIRB conducted a Public Information Session in Rankin Inlet on July 25, 2023, 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:

- Project Components – waterlines, boat launch, pit size
- Freshwater Environment – water treatment, water quality, arsenic levels in water
- Terrestrial Environment – caribou, dust, waste management
- Socio-Economic Environment – wellness of community, employment, Inuit employment, racial issues
- NIRB process – Project Certificate, Meliadine Extension Proposal, general

For more information regarding the community meeting, please refer to the 2023 Site Visit Report.⁹

5.0 AREAS REQUIRING FURTHER STUDY OR CHANGES TO THE MONITORING PROGRAM

The NIRB has reviewed Agnico Eagle's 2022 *Annual Report* and provides the following comments.

General Reporting

The NIRB would like to acknowledge Agnico Eagle's achievements in improving the presentation of data, discussions, and overall annual monitoring report over the years. The NIRB would like to encourage the Proponent to implement the following general items for future improvements of the reports:

- Ensure all figures and tables are readable (examples: ensuring that the community consultation is in a readable font size, and site map labels are not blurry).

⁸ Public Registry ID: 347012

⁹ Public Registry ID: 347012

- Consider year-over-year graphs where data is presented in tables and readers may want to understand year-over-year changes or differences from baseline (example: vegetation monitoring data presented as a table in Appendix D of the TEMMP report could be better represented as graphs for heavy metals of concern).
- The NIRB is requesting that Proponents provide the active versions of management and monitoring plans as stand-alone documents to improve ease of access. These plans do not need to be provided as part of the annual reporting process and can be provided to the NIRB as they become active.

Community Consultation

During the Waterlines Amendment, the NIRB heard the importance of a feedback mechanism for consulting with residents of the Kivalliq. Further, throughout Community Information Sessions and the more recent Meliadine Extension Proposal Assessment, the NIRB heard comments from community members where Project impacts described by Agnico Eagle's monitoring results do not align with perception of Project impacts (i.e., impacts of Project-related discharges to the water quality of Meliadine Lake). For future Annual Reports, the NIRB requests that Agnico Eagle more clearly link how what was heard by community members and Inuit Qaujimajatuqangit, and Traditional Knowledge were considered in management and monitoring. As well, more explicitly state how these updates were provided back to the community.

Fish Passage

DFO identified that there were several watercourse crossings along the AWAR and Bypass Road that were likely barriers to fish crossings, within their comments on the *2022 Annual Report*. During the NIRB's site visit, Agnico Eagle discussed that they were working with DFO on culverts that would need to be repaired or replaced. Further, within their response to DFO comments, Agnico Eagle provided specific information on the culverts that would be prioritized at the crossing locations containing salmonids, once authorizations were received. The NIRB requests that an update be provided within the 2023 Annual Report on the status of culvert repairs and whether further work is required to ensure safe fish passage.

Wildlife Safety Audit

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 later annual reports, the site has continued to attract wildlife as 15 fox mortalities occurred in 2019 and 30 in 2021, and now 38 in 2022. The NIRB understands that the Bear and Wildlife Safety Audit was postponed due to the COVID-19 pandemic, and during the 2023 NIRB Site Visit, Agnico Eagle confirmed that the audit was able to occur in the spring of 2023. Agnico Eagle verbally listed some deliverables from the audit but

as the site appears to continue to be an attractant to Arctic foxes, Agnico Eagle should provide a fulsome list of activities to be implemented in 2023 to limit possible attractants at the site in the 2023 Annual Report.

Arsenic in Incinerator Ash Sampling

In December 2021, Agnico Eagle reported that leachable arsenic in the incinerator ash testing was above the GN's guidelines for industrial waste discharge. At this point the Proponent switched to monthly ash sampling as described in Agnico Eagle's Incineration Management Plan. Within their 2022 Annual Report, Agnico Eagle has continued monthly ash sampling as there has been an exceedance at least once every three (3) months. The NIRB understands that non-compliant ash is disposed of appropriately, according to the Incinerator Management Plan, and that the cause of the exceedances is being investigated. As the exceedances have been ongoing for at least one (1) year, the NIRB requests an update on the investigation and what management measures have been, or can be, put in place to reduce arsenic levels in the next annual report.

Vegetation Monitoring

Agnico Eagle completed its vegetation sampling program in 2022 which evaluates the potential for adverse health effects to terrestrial life due to chemical releases from the Project. Term and Condition 38 and 39 specify the need for monitoring of berry-producing plants and vegetation species used as caribou forage (such as lichens), due to their use by humans and caribou, respectively. In their 2022 TEMMP Report, Agnico Eagle presents observations of higher arsenic concentrations in the soil and vegetation by the tailings and waste rock storage facilities compared to Canadian Soil Quality Guidelines. Although Agnico Eagle states that the results in the Final Environmental Impact Statement indicate areas of high naturally occurring arsenic, the arsenic levels in these samples are higher than past sampling years and baseline data. It is unclear whether the high arsenic values are associated with new sampling location, or these are a direct result of Project releases. In response to Heath Canada's recommendation, Agnico Eagle confirmed that they would include a comparison of arsenic results for each sampling station over time in future TEMMP reports, which the NIRB appreciate being presented as a visual analysis (e.g. graph) as a valuable way to observe trends and understand project effects. To further this, the NIRB requests more discussion on the following within the next TEMMP Report or 2023 Annual Report:

- Whether high arsenic values are considered an effect of project activities;
- What mitigation measures would be considered should high levels of arsenic be determined to be from Project activities; and
- What the risk of any exceedances may be on caribou or other terrestrial wildlife.

Socio-Economic Closure Reporting

Term and Condition 91 states that within the Socio-Economic Monitoring Plan (or other plan as appropriate) the Proponent should include *“a description of its plan to collect and analyze Project-specific and regional data at closure and post-closure phases, as well as its defined measures to*

help mitigate impacts which may result from Project closure(s), both temporary and final.” The NIRB is unclear how data collection, analysis and mitigation measures for potential socio-economic impacts in the closure and post-closure phases are detailed within the Socio-Economic Report or Interim-Closure and Reclamation Plan. The Proponent should provide an update of when this information will be available or an update of the appropriate plan, within the 2023 Annual Report.

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.*

Hunter Harvest Study

Term and Condition 46 of the Meliadine Project Certificate requires that Agnico Eagle work with the Hunters and Trappers Organizations and the Government of Nunavut to establish a Hunter Harvest Study. This Study was proposed, in part, to understand the potential impact of the community having increased access to the caribou and other terrestrial species. The NIRB acknowledges that Agnico Eagle has established their Hunter Harvest Study and has had successes in participation in 2021 and 2022. However, as the Hunter Harvest Study began during operations of the Meliadine Gold Mine Project, there is no baseline data or early data regarding the interaction of the road/caribou/hunters to compare pre-construction or construction (2017 through 2019). In their Terrestrial Environment Management and Monitoring Plan (version 4 (April 2022)), Agnico Eagle stated that due to lack of baseline data for caribou harvesting, thresholds cannot be identified but that they would work with the Government of Nunavut to identify next steps.

Within their 2022 Hunter Harvest Study Summary, Agnico Eagle compared 2022 and 2023 results to historical data from the Nunavut Wildlife Management Board’s Nunavut Wildlife Harvest Study which was conducted between 1996-2001. During commenting, the Kivalliq Inuit Association requested a delay on making conclusions until at least 3 years of data are collected and the Government of Nunavut requested that more detail be provided on the assumptions made when comparing 2022 data with historical surveys. Agnico Eagle responded that they would attempt to

provide hunter number data from the Nunavut Wildlife Harvest Study and make preliminary conclusions on the effect of the All-weather Access Road and mine site on caribou harvesting in the 2023 Annual Report. Within the 2022 Hunter Harvest Survey Report, Agnico Eagle had also proposed that the caribou harvest thresholds should be established after the collection of the 2023 Hunter Harvest Study data, therefore the Board recommended Agnico Eagle provide limitations of using the 1996-2001 Nunavut Wildlife Harvest Study and how these limitations will be factored into setting caribou harvest thresholds. In setting these thresholds, the Board recommended Agnico Eagle collaborate with the Terrestrial Advisory Group and/or other relevant parties.

Commitment 38 Analysis

On July 17, 2023, Agnico Eagle submitted the Commitment 38 Analysis to fulfill a commitment made to the Kivalliq Inuit Association during the 2020 Saline Effluent Discharge to Marine Environment Amendment (Waterlines Amendment).¹⁰ The analysis was to consider collared caribou movements relative to the Meliadine Mine and the All-weather Access Road. This commitment was also incorporated into Term and Condition 44 of Project Certificate 006 Amendment 2 by the Responsible Ministers which requires that the Proponent revise the memo regarding collar caribou interaction with the All-weather Access Road in consultation with the Terrestrial Advisory Group.

The Board acknowledges that the study design for the Commitment 38 Analysis had the input of members from the Terrestrial Advisory Group. However, throughout the Public Hearing for Agnico Eagle's "Meliadine Extension" Project Proposal, the Board heard many concerns from parties about the presented analysis and its conclusions. Within its closing statements, Agnico Eagle proposed a commitment for continued collaboration on this analysis through discussing further steps and timelines in the October 2023 Terrestrial Advisory Group meeting for the following items with Agnico Eagle stating the completion target of these steps would be March 2024:

- Exchange written comments on the Commitment 38 Analysis;
- Any additional opportunities for discussion; and
- Issuance of written responses to comments or a revised memo.

Given the lack of consensus heard from members of the Terrestrial Advisory Group on the conclusions of how the limited number of collared caribou move in relation to the Project site and All-weather Access Road the Board recommends that information be included in the 2023 Annual Report clearly outlining either the progress or revised analysis of the Commitment 38 Analysis.:

Terrestrial Advisory Group

¹⁰ Public Registry ID: 346323

As described in Term and Condition 132, the objective of developing the Terrestrial Advisory Group was “[t]o establish an advisory group to provide technical oversight on the Project’s impact management, mitigation, and monitoring measures related to the protection of terrestrial wildlife and wildlife habitat based on Inuit Qaujimaningit, Inuit Qaujimajatuqangit, Traditional and Community Knowledge and knowledge from the western science perspective shared by Responsible Parties”.¹¹ During the Public Hearing for Agnico Eagle’s “Meliadine Extension” Project Proposal, Agnico Eagle highlighted that although the Terrestrial Advisory Group is relatively new, there is continued interest by parties in developing the advisory group and making sure that it functions as intended.

The Board has concern, however, about the lack of consensus on the Commitment 38 Analysis, which was expressed by most parties involved in the Terrestrial Advisory Group during the Public Hearing. Although it is recognized that the Commitment 38 Analysis is one of the earlier outcomes of collaboration from these parties, ensuring proper functioning of the Terrestrial Advisory Group is of particular importance as Agnico Eagle collaborates on the next iteration of the Terrestrial Environment Management and Monitoring Plan and future wildlife monitoring and management decisions. The Board has requested, within 60 days, a summary of the process for the Terrestrial Environment Management and Monitoring Plan update and how Agnico Eagle has factored in sufficient time for input and revision by the Terrestrial Advisory Group members.

7.0 CONCLUSION

During the 2022-2023 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 still in-progress towards achieving the following terms and conditions: 5, 12, 17, 34, 38, 39, 43, 44, 45, 55, 57, 75, 91, 103, 104, 105, 132
2. Hunter Harvest Study
3. Commitment 38 Analysis
4. Terrestrial Advisory Group
5. Community Consultation
6. Fish passage
7. Wildlife Safety Audit
8. Arsenic in Incinerator Ash Sampling
9. Vegetation Monitoring

¹¹ Public Registry ID: 338097

10. Socio-Economic Closure Reporting

Prepared by: Emily Koide, MSc

Title: Technical Advisor III

Date: December 7, 2023

Signature:



Reviewed by: Kelli Gillard PAg, CTAJ

Title: Manager, Project Monitoring

Date: December 7, 2023

Signature:



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

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>2022 Compliance</u>	<u>2023 Compliance</u>	<u>NIRB Comment</u>
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 25, 2023. 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, 2023. 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>2022 Annual Report</i> .
6. Duty to Comply with environmental laws and regulations and/or regulatory instruments and shall report any non-	Annually	Active In Compliance	Active In Compliance	A table of inspections and site visits by regulators and the feedback/outcome were detailed in the <i>2022 Annual Report</i> .

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>2022 Compliance</u>	<u>2023 Compliance</u>	<u>NIRB Comment</u>
compliance as required by law immediately.				
7. Posting of adequate performance bonding.	n/a	Completed	Completed	
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>2022 Annual Report</i> . During the site visit Agnico Eagle noted improvements were being made to a more community-based summary of project highlights and the NIRB looks forward to this summary document and translation.
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	

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>2022 Compliance</u>	<u>2023 Compliance</u>	<u>NIRB Comment</u>
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 information submitted to regulatory authorities	n/a	Active Deficient - In Progress	Active In Compliance	<p>Documents – Agnico Eagle Nunavut (aemnunavut.ca)</p> <p>The NIRB appreciates that Agnico Eagle is improving their website and hosting the annual report. The NIRB requests that Agnico Eagle host all non-confidential materials on the website as well as the annual reports.</p> <p>The NIRB is also requesting Agnico Eagle to separate its management plans so they are stand alone documents to make them more accessible to parties and the public.</p>

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>2022 Compliance</u>	<u>2023 Compliance</u>	<u>NIRB Comment</u>
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	<p>Comments from parties on compliance and effects monitoring received based on the <i>2022 Annual Report</i> and are available on the NIRB's Public Registry at www.nirb.ca/project/125515.</p> <p>See Section 2.0 for comment summaries.</p>

Meliadine Gold Mine Project Specific Terms & Conditions

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
		<u>2022</u>	<u>2023</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 In Compliance	<ul style="list-style-type: none">▪ Appendix 25: 2022 Air Quality Monitoring Report▪ Data loss occurred from a Partisol unit needing a replacement part. The NIRB observes that Agnico Eagle included details of how other units were used and mitigation measures to prevent this in the future and described the addition of repair parts to the NIRB during the site visit.▪ The NIRB suggests that Agnico Eagle consult other projects in the Kitikmeot and Qikiqtani Regions to ensure lessons learned from all sites is incorporated into air monitoring.
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 2022 Air Quality Monitoring Report and 2022 <i>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 2021 year.

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
		<u>2022</u>	<u>2023</u>	
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	<ul style="list-style-type: none"> ▪ The 2022 Air Quality Monitoring Report details the use of dust suppressant along the Project roads and site area. ▪ The NIRB appreciates the addition of a map depicting locations and dates of dust suppression
4: Incineration Management Plan	<i>The updated plan should be submitted at least 60 days before the commencement of construction of the incinerator and kept up to date.</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 Deficient - In Progress	<ul style="list-style-type: none"> ▪ Stack testing was conducted as per Incineration Management Plan, Version 7 (April 2022). ▪ All tests complied with the applicable standard for mercury, dioxins, and furans. ▪ Arsenic exceedance in ash sampling. Ash sampling has been increased to monthly and continues to see exceedances in arsenic. Non-compliant ash is disposed of according to the Incineration Management Plan.
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.

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
		<u>2022</u>	<u>2023</u>	
				<ul style="list-style-type: none"> ▪ Agnico Eagle noted that landfill compaction reduces dust emissions. ▪ During the site visit, Agnico Eagle noted that they are not yet capping the landfill.
CLIMATE AND METEOROLOGY				
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 2022 Air Quality Monitoring Report and 2022 Annual Report 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 2021 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 Deficient - In Progress	Active In Compliance	<ul style="list-style-type: none"> ▪ Agnico Eagle noted that these were no climate-change related studies and research in 2022. ▪ Community members have expressed climate change related concerns during the NIRB's Community Information Sessions for both the monitoring of the Meliadine Gold Mine Project and the "Meliadine Extension" Project Proposal so the NIRB encourages Agnico Eagle to include Inuit in climate change initiatives in future years. Further, comments or Inuit Qaujimajatuqangit related to climate and climate change should be tracked and included in Agnico Eagle's Annual Report.
9: Greenhouse Gas Emissions	<i>The plan should be submitted 90 days before</i>	Active In Compliance	Active In Compliance	Greenhouse Gas Emissions Reduction Plan, Version 1 (Jan 2019).

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
		<u>2022</u>	<u>2023</u>	
(GHG) Reduction Plan	<i>the commencement of operations.</i>			
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 Deficient - In Progress	Active In Compliance	<ul style="list-style-type: none"> Noise Abatement and Monitoring Plan, Version 3 (March 2020). TEMMP, Version 4 (April 2022) No exceedances occurred in 2022 In response to SDFN/NDFN Agnico Eagle noted that noise monitors are sufficient to capture noise heard by caribou.
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). Appendix 31-3: Blast Monitoring Program, Version 5 (March 2023). Health Canada recommended locating noise monitoring stations where they can monitor future noise levels experienced inside of dwelling spaces. Although Angico Eagle references its noise abatement plan in response to HC, future annual reports to the NIRB shall provide further discussion on whether the noise monitoring locations are appropriate to understand impacts of vibrations on employees and implementation of this Term and Condition.

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
		<u>2022</u>	<u>2023</u>	
TERRESTRIAL ENVIRONMENT				
12: Permafrost Mapping and Monitoring	An annual summary discussion of its implementation of this term and condition in the report as well as the results of mapping.	Active Deficient - In Progress	Active Deficient - In Progress	<ul style="list-style-type: none">Appendix 6: Geotechnical Inspection Report.During the Site Visit Agnico Eagle and the NIRB discussed improvements to reporting on permafrost. The NIRB looks forward to seeing these improvements in the 2023 Annual Report.
13: Terrain, Soils, and Geotechnical Investigations	The updated plan within 90 days of the issuance of a Project Certificate with updates provided as required and monitoring results discussed annually.	Active In Compliance	Active In Compliance	<ul style="list-style-type: none">Environmental Management and Protection Plan, Version 9 (March 2019).Appendix 6: Geotechnical Inspection ReportAppendix 7 and 8: 2021 and 2022 Annual Geotechnical Report Agnico Eagle Responses and Actions Table.
14: Dike and Tailings Storage Facility Design.	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.	Active In Compliance	Active In Compliance	<ul style="list-style-type: none">Appendix 6: Annual Geotechnical Inspection ReportAppendix 7 and 8: 2021 and 2022 Annual Geotechnical Report Agnico Eagle Responses and Actions Table.
15: Tailings Storage Facility Design and Management	A summary of the assessment and updated plans submitted 6 months following the issuance of the Project Certificate	Active In Compliance	Active In Compliance	<ul style="list-style-type: none">Risk Management and Emergency Response Plan, Version 4 (April 2015).Interim Closure and Reclamation Plan Rev 4 (ICRP; December 2022).

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
		<u>2022</u>	<u>2023</u>	
	<i>and the results required reporting included in the annual monitoring report.</i>			
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: Geotechnical Inspection Report. CIRNAC requested monitoring of thermal conditions at ancillary facilities. During the Site Visit Agnico Eagle and the NIRB discussed improvements to reporting on permafrost. The NIRB looks forward to seeing these improvements in the 2023 Annual Report.
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 fill by Containment Pond 4.

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
		<u>2022</u>	<u>2023</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 10 (March 2023) ▪ Dust concerns from the 2021 Annual Geotechnical Inspection were addressed (Appendix 7- 2021 Annual Geotechnical Report Agnico Eagle Responses and Action Table). ▪ During the site visit Agnico Eagle discussed increased monitoring activities for dust at the Tailings Storage Facility. ▪ The NIRB notes higher levels of arsenic in vegetation sampling by the Tailings Storage Facility (See T&C 38 and 39)
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"> ▪ In 2022, progressive reclamation of the Tailings Storage Facility took place with the addition of berms, lifts and cover. ▪ In response to the KIA, Agnico Eagle confirmed that the thermal performance of the Tailings Storage Facility capping is meeting expectations. ▪ Agnico Eagle and the NIRB discussed the completion of the tundra restoration program at the site visit. ▪ The NIRB expects the Interim Closure and Reclamation Plan to be updated as further reclamation knowledge is gained.

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
		<u>2022</u>	<u>2023</u>	
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). During the site visit Agnico Eagle discussed the 2023 landfill stage 4 berm raise to increase the landfill capacity, as described in the Proponent's 2022 Annual Report section 5.1.
GEOLOGY (INCLUDING GEOCHEMISTRY)				
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	<ul style="list-style-type: none"> Mine Waste Management Plan, Version 10 (March 2023)
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	As Agnico Eagle prepares for the development of the Discovery area, the NIRB reminds the Proponent of requirements related to Term and Condition 23.

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
		<u>2022</u>	<u>2023</u>	
HYDROGEOLOGY AND GROUNDWATER QUANTITY AND QUALITY				
24: Hydraulic Data	A summary discussion of its implementation (including the results of monitoring or adaptive management strategies) in the annual monitoring report.	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 Management Plan, Version 9 (March 2023).
25: Groundwater Management Plan	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.	Active In Compliance	Active In Compliance	<ul style="list-style-type: none">▪ Groundwater Management Plan, Version 9 (March 2023).▪ 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.▪ 25e: The NIRB would appreciate more details on consultation with parties and incorporation of Inuit Qaujimajatuqangit as the Adaptive Management Plan becomes active
26: Pit Refill Rates	A summary discussion of implementation in the annual monitoring report.	Active In Compliance	Active In Compliance	<ul style="list-style-type: none">▪ Water Management Plan, Version 13 (March 2023).▪ Groundwater Management Plan, Version 9 (March 2023).
HYDROLOGY (INCLUDING SURFACE WATER QUANTITY) AND WATER AND SEDIMENT QUALITY				

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
		<u>2022</u>	<u>2023</u>	
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_NWB (December 2022). ▪ AEMP 2021 Annual Report. ▪ Air Quality Monitoring Plan, Version 3 (June 2020). ▪ Appendix 25: 2022 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).
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 8_NWB, (March 2023). ▪ Roads Management Plan, Version 9 (March 2022).
FRESHWATER AQUATIC ENVIRONMENT				
30: Aquatic Effects Monitoring Plan (AEMP) to include, at a minimum info	<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_NWB (December 2022). ▪ AEMP 2021 Annual Report. ▪ Fish tissue chemistry was conducted in 2021 and is collected every three (3) years.

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
		<u>2022</u>	<u>2023</u>	
related to reference lakes, sedimentation, and additional testing for fish				
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 13 (March 2023). Sediment and Erosion Management Plan (Version 3, March 2021). 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	<ul style="list-style-type: none"> Appendix 23: 2022 Blast Monitoring Report No exceedances occurred in 2022.
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 Deficient - In Progress	<ul style="list-style-type: none"> DFO identified watercourse crossings along the AWAR and Bypass Road as being likely barriers to fish crossings. During the site visit, Agnico Eagle and the NIRB discussed culverts that would be

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
		<u>2022</u>	<u>2023</u>	
				repaired or replaced and the NIRB looks forward to an update in the <i>2023 Annual Report</i> .
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). The NIRB looks forward to the next assessment in 2024.
36: Invasive Species – Vehicle Inspections	<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"> 2022 Annual Report Section 10.4 noted that all equipment and bulk supplies arrive at the site free of soil and plant debris. Appendix 27: TEMMP Report, Appendix F: 2022 Shipping Inspection Forms
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 In Compliance	Active In Compliance	<ul style="list-style-type: none"> No non-native invasive plant species occurrences were observed. The NIRB acknowledges the posters of invasive species posted at the site and is included in onboarding materials for staff training. Appendix 27: TEMMP Report, Appendix E: Non-Native and Invasive Species in Nunavut
38: Vegetation – Updated Baseline	<i>Monitoring results and implementation of these measures shall be</i>	Active In Compliance	Active Deficient - In Progress	<ul style="list-style-type: none"> Lichen and vascular plant sampling completed in 2022.

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
		<u>2022</u>	<u>2023</u>	
and Ongoing Monitoring	<i>reported and discussed in the Proponent's annual report to the NIRB.</i>			<ul style="list-style-type: none"> Soil and vegetation arsenic levels were above guidelines in some sampling locations near the Waste Rock Storage Facility and Tailing Storage Facility
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 Deficient - In Progress	<ul style="list-style-type: none"> Lichen and vascular plant sampling completed in 2022. Soil and vegetation arsenic levels were above guidelines in some sampling locations near the Waste Rock Storage Facility and Tailing Storage Facility.
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"> Agnico Eagle completed the Natural Recovery and Active Restoration of Tundra Plant-Soil Systems study. The NIRB looks forward to seeing how the results are incorporated into site reclamation and knowledge learned from its other Nunavut sites.

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
		<u>2022</u>	<u>2023</u>	
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"> The NIRB expects updated and final closure plans to provide greater detail on revegetation plans and knowledge learned from its other Nunavut sites and incorporation of Inuit Qaujimajatuqangit.
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. In response to the NIRB's recommendations in the 2021 Monitoring Report, Agnico Eagle stated that the TEMMP would be updated with the TAG. The NIRB appreciates the progress that Agnico Eagle has made thus far and looks forward to seeing the updated plan with the input of the TAG which addresses parties concerns with the TEMMP thus far and considers Inuit Qaujimajatuqangit/Traditional Knowledge. As the TAG is recently established, the Board is recommending an update on the process for revising the TEMMP
44: Caribou Monitoring	<i>Results of discussions, implementation of measures, updates to the Plan, and monitoring results in the annual report.</i>	Active Non-compliance	Active Non-compliance	<ul style="list-style-type: none"> On July 21, 2023, Agnico Eagle submitted this the Commitment 38 Analysis - Caribou Movements Relative to Meliadine Mine and Other Factors. During the Extension Proposal Public Hearing the NIRB heard a number of outstanding

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
		<u>2022</u>	<u>2023</u>	
				concerns from TAG members that did not agree with this analysis.
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 Deficient - In Progress	Active Deficient - In Progress	<ul style="list-style-type: none"> ▪ Agnico Eagle confirmed that the Data and Sample Sharing Agreement was signed with the Government of Nunavut in March 2023. ▪ Throughout the Meliadine Extension Assessment the NIRB heard that there is considerable uncertainty regarding the Qamanirjuaq Caribou herd (eg. Shifts in calving and post-calving grounds). The NIRB looks forward to how Agnico Eagle will be working with the TAG in considering these concerns in the update to the TEMMP.
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 In Compliance	Active In Compliance	<p>See also Term and Condition #105.</p> <ul style="list-style-type: none"> ▪ Harvest Survey which included 44 participants in 2022. ▪ The NIRB would appreciate more details on comparisons to historical studies and collaboration with the TAG before caribou harvest thresholds are set.
47: Caribou Monitoring – Collar Data	<i>A summary discussion of implementation, including any updates to the Plan, in the annual monitoring report.</i>	Active Deficient - In Progress	Active In Compliance	<ul style="list-style-type: none"> ▪ Agnico Eagle confirmed that the Data and Sample Sharing Agreement was signed with the Government of Nunavut in March 2023.

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
		<u>2022</u>	<u>2023</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 In Compliance	Active In Compliance	<ul style="list-style-type: none"> ▪ Road Access Management Agreement Conditions in the Roads Management Plan, Version 9 (March 2022).
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"> ▪ No research activities were undertaken that would trigger the requirement for a scientific research licence under the Nunavut Scientists Act.
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"> ▪ 2021 Natural Recovery and Active Restoration of Tundra Plant-Soil Systems Report
51: Iqalugaaruup Nunanga Territorial Park.	<i>Information regarding the Proponent's consultation, coordination and other contribution efforts undertaken shall be</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.

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
		<u>2022</u>	<u>2023</u>	
	<i>provided in the annual report.</i>			
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"> No surveys were completed by the GN in 2022 and in-kind contributions were not 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 27: 2022 TEMMP Report / Appendix I: Waterlines Alignment Den Survey No new dens found during the survey. Three (3) historic fox dens are located at proximity of the waterlines. Agnico Eagle stated that an additional den survey would be conducted after the snow melt and during the fox denning season. The NIRB looks forward to seeing these results.
54: Movement of Wildlife	<i>A summary discussion of implementation in the annual monitoring report.</i>	Active Deficient - In Progress	Active In Compliance	<ul style="list-style-type: none"> TEMMP, Version 4 (April 2022). Roads Management Plan, Version 9 (March 2022). During the site visit, Agnico Eagle discussed how waterline installation did not occur during caribou migration. During the site visit completed as part of the “Meliadine Extension” Public Hearing, the NIRB observed the waterline covering along portions of the AWAR and looks forward to an update on this Term and Condition in the next Annual Report.

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
		<u>2022</u>	<u>2023</u>	
55: Wildlife Mortality	<i>A summary discussion of implementation in the annual monitoring report.</i>	Active Non-compliance	Active Deficient - In Progress	<ul style="list-style-type: none"> TEMMP, Version 4 (April 2022). 38 fox mortalities were reported in 2022. During the site visit, Agnico Eagle discussed the completion of the Wildlife Safety Audit. The NIRB looks forward to seeing how outcomes from the audit will be implemented at site.
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 In Compliance	Active In Compliance	<ul style="list-style-type: none"> TEMMP Appendix J: Meliadine Project Caribou Behaviour Study, 2022 The NIRB expects the TEMMP to be revised through consultation with the TAG and continued reporting on Inuit Qaujimagatuqangit and community concerns.
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"> In response to the NIRB's recommendations in the 2021 Monitoring Report, Agnico Eagle stated that the TEMMP would be updated with the TAG. The NIRB appreciates the progress that Agnico Eagle has made thus far and looks forward to seeing the updated plan with the input of the TAG which addresses parties concerns with the TEMMP thus far and considers Inuit Qaujimagatuqangit/Traditional Knowledge.
BIRDS AND BIRD HABITAT				

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
		<u>2022</u>	<u>2023</u>	
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).
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 before disturbance	<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"> Agnico Eagle’s 2022 TEMMP Report provides evidence of wildlife deterrents used at site to deter birds from nesting. During the site visit, bird deterrents had been removed for caribou migration.
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).

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
		<u>2022</u>	<u>2023</u>	
				<ul style="list-style-type: none"> Appendix D: Marine Environment Management Plan (March 2017).
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 In Compliance	<ul style="list-style-type: none"> 2022 Marine Mammal and Seabird Report. No vessel strikes of seabirds were reported. Agnico Eagle and the NIRB discussed how bird strikes would be easily observed and updated the wording in the Meadowbank and Meliadine Project Seabird Monitoring Standard Operating Procedure, July 2023.
67: Updated Oil Pollution Prevention Plan	<i>A summary discussion of implementation (including the results of monitoring or adaptive management strategies)</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).

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
		<u>2022</u>	<u>2023</u>	
	<i>in the annual monitoring report.</i>			
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"> 2022 Marine Mammal and Seabird Report. Appendix 29: Technical analysis on understanding potential cumulative effects of shipping to the Meliadine Mine (March 2023).
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). 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	<i>A summary discussion of implementation (including the results of</i>	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> TEMMP, Version 4 (April 2022).

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
		<u>2022</u>	<u>2023</u>	
mitigation and monitoring plans for migratory birds	<i>monitoring or adaptive management strategies) in the annual monitoring report.</i>			
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).
73: Monitoring - Reporting	<i>Monitoring results and implementation of these measures in the annual.</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). ▪ 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). ▪ Agnico Eagle's 2022 TEMMP Report provides evidence of wildlife deterrents used at site to deter birds from nesting. ▪ During the NIRB's site visit, bird deterrents had been removed for caribou migration.
75: Mitigation measures and monitoring	<i>A summary discussion of implementation (including the results of</i>	Active Non-compliance	Active Deficient - In Progress	<ul style="list-style-type: none"> ▪ TEMMP, Version 4 (April 2022). ▪ 41 total mortalities were reported in 2022.

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
		<u>2022</u>	<u>2023</u>	
programs to limit the attraction of predators and scavengers to the Project.	<i>monitoring or adaptive management strategies) in the annual monitoring report.</i>			<ul style="list-style-type: none"> During the site visit, Agnico Eagle discussed the completion of the Wildlife Safety Audit. The NIRB looks forward to seeing how outcomes from the audit will be implemented at site and an update in the 2023 Annual Report.
MARINE ENVIRONMENT				
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 13 (March 2023). Oil Pollution Emergency Plan and Oil Pollution and Prevention Plan, Version 8 (March 2023).
77: Spill Equipment 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 18: 2022 Mock Spill Scenario Report).

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
		<u>2022</u>	<u>2023</u>	
78: Spill Prevention - 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				
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.

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
		<u>2022</u>	<u>2023</u>	
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).
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 30: Marine Mammal and Seabird Observer Report 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	<ul style="list-style-type: none"> Shipping Management Plan, Version 8 (March 2019). Vessel tracks, where sufficient data are available, show vessels avoiding sensitive areas for marine wildlife.

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
		<u>2022</u>	<u>2023</u>	
84: Route for Planning 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	Three (3) walruses were reported in the 2022 Marine Mammal and Seabird Observer Report.
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 In Compliance	Active In Compliance	Appendix 29: Technical analysis on understanding potential cumulative effects of shipping to the Meliadine Mine (March 2023).

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
		<u>2022</u>	<u>2023</u>	
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	A summary discussion of implementation (including the results of monitoring) in the annual monitoring report.	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	Information included in the annual report. All updates are submitted during annual socio-economic reporting.	Active In Compliance	Active In Compliance	Socio-Economic Monitoring Working Group Terms of Reference provided as requested in 2020.
89: Meliadine Socio-economic Monitoring Program	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	Active In Compliance	Active In Compliance	<ul style="list-style-type: none">▪ Agnico Eagle Kivalliq Projects Socio-Economic Monitoring Program, Version 4 (March 2022).▪ Appendix 37: 2022 Socio-Economic Monitoring Program Report.

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
		<u>2022</u>	<u>2023</u>	
	<i>report is submitted and shared with the wider Socio-Economic Monitoring Committee.</i>			
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).
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</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>

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
		<u>2022</u>	<u>2023</u>	
	<i>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>			
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	In 2022 there was one (1) pre-trades apprentice successfully passed their trades entrance exam. One (1) pre-apprentice and three (3) apprentices.

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
		<u>2022</u>	<u>2023</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 39 Kivalliq Labour Market Analysis.
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 37: 2022 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 38: 2022 Training. <p>During the 2023 site visit, the NIRB and Agnico Eagle discussed ways to improve reporting on any certificates or licences that are transferrable to other employment opportunities.</p>

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
		<u>2022</u>	<u>2023</u>	
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).
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 37: 2022 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"> ▪ Appendix 37: 2022 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</i>	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> ▪ Appendix 37: 2022 Socio-Economic Monitoring Program Report. ▪ Also, see Term and Condition #113.

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
		<u>2022</u>	<u>2023</u>	
	<i>wider Socio-economic Monitoring Committee.</i>			
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 37: 2021 Socio-Economic Monitoring Program Report. Also, see Term and Condition #99.
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	As Agnico Eagle prepares for the development of the Discovery area, the NIRB reminds the Proponent of requirements related to Term and Condition 102.

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
		<u>2022</u>	<u>2023</u>	
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 socio-economic monitoring committee.</i>	Active Deficient - In Progress	Active Deficient - In Progress	<ul style="list-style-type: none"> Appendix 33: 2022 Community Engagement Table Appendix 35: 2022 Rankin Inlet Community Liaison Committee Newsletter During the Waterlines Amendment, the NIRB heard the importance of a feedback mechanism for consulting with residents of the Kivalliq. The NIRB requests that this is more explicitly described within future Annual Reports, as it is not clear whether this mechanism was fulfilled or whether Rankin Inlet residents have many opportunities for feedback other than the one (1) coffee and chat. During the site visit Agnico Eagle noted improvements were being made to a more community-based summary of project highlights and the NIRB looks forward to this summary document.
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</i>	Active Deficient - In Progress	Active Deficient - In Progress	<ul style="list-style-type: none"> Agnico Eagle noted recruitment of local outfitters or guides proved challenging and it remains an objective to further develop this aspect during the 2023 Hunter Harvest Survey process. The NIRB looks forward to information in the next annual report.

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
		<u>2022</u>	<u>2023</u>	
	<i>contribution efforts) in the annual monitoring report.</i>			<ul style="list-style-type: none"> Also, see Term and Condition #105.
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"> Harvest Survey which included 44 participants in 2022. Agnico Eagle noted recruitment of local outfitters or guides proved challenging and it remains an objective to further develop this aspect during the 2023 Hunter Harvest Survey process. The NIRB looks forward to information in the next annual report. See also Term and Condition #104.
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	<i>2022 Annual Report.</i> Inspections were conducted regularly and areas for concern were noted and corrected appropriately
107: Mitigation of Ice Buildup.	<i>Evidence submitted in the annual report.</i>	Active In Compliance	Active In Compliance	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	Appendix 37: 2022 Socio-Economic Monitoring Program Report.

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
		<u>2022</u>	<u>2023</u>	
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 37: 2022 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	<ul style="list-style-type: none"> Appendix 37: 2022 Socio-Economic Monitoring Program Report. During the site visit the NIRB observed the country foods kitchen and posters for employee activities. The NIRB also discussed cultural programming with Agnico Eagle staff.
111: Employee Training Opportunities	<i>Evidence submitted in the annual report.</i>	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> Appendix 37: 2022 Socio-Economic Monitoring Program Report. The NIRB looks forward to seeing the outcomes to training and employment from establishment of the Sanajiksanut Program in the next annual report and all future reporting.
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</i>	Active In Compliance	Active In Compliance	Appendix 37: 2022 Socio-Economic Monitoring Program Report.

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
		<u>2022</u>	<u>2023</u>	
	<i>annual Meliadine Socio-Economic Monitoring Report.</i>			
COMMUNITY INFRASTRUCTURE				
113: Employee Survey	<p><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.</i></p> <p><i>Non-confidential results of the survey should be reported to the GN and other members of the</i></p>	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> ▪ Appendix 37: 2022 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>
		<u>2022</u>	<u>2023</u>	
	<i>Socio-economic Monitoring Committee and summary information of these results should be reported to the NIRB 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 37: 2022 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 37: 2022 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 25: Air Quality Monitoring Report. ▪ Also, see Terms and Conditions #1 and #5.
ACCIDENTS AND MALFUNCTIONS				

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
		<u>2022</u>	<u>2023</u>	
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.
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) ▪ In the next iteration of the TEMMP, Agnico Eagle may want to work with the TAG to more clearly describe how monitoring programs trigger management actions due to comments from parties throughout 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	<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. ▪ Spill Contingency Plan, Version 13 (March 2023), Appendix H: General Response Procedures for Spilled Saline Water ▪ SDFN and NDFN requested additional details on caribou deterrents that will be used in the case of a saline effluent spill

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
		<u>2022</u>	<u>2023</u>	
traffic along the AWAR				
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"> Appendix 30: 2022 Marine Mammal and Seabird Report lists project related shipping
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: 2022 Marine Mammal and Seabird Report lists project related shipping
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 Deficient - In Progress	Active In Compliance	<ul style="list-style-type: none"> Shipping Management Plan, Version 9 (March 2022) Oil Pollution Emergency Plan and Oil Pollution and Prevention Plan, Version 8 (March 2023) Appendix 32: Post-oil transfer reports
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 18: Mock Scenario Spill Report.
124: Updated Spill Contingency	<i>The updated plan be submitted at least 90 days before the start of</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>
		<u>2022</u>	<u>2023</u>	
Plan Specific to a Major Spill Event Occurring on the Bypass Road.	<i>construction. Implementation of these measures and monitoring results are included in the annual report. Updates to the Plan, filed as required.</i>			
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 In Compliance	Active In Compliance	<ul style="list-style-type: none"> ▪ Roads Management Plan, Version 9 (March 2022). ▪ 2022 Annual Report details monthly traffic usage on the AWAR. ▪ SDFN and NDFN requested information on the discrepancy between actual and predicted traffic numbers. ▪ The NIRB reminds Agnico Eagle regarding the update to the Road Management Plan as it looks to begin development of the Discovery Deposit.
ALTERNATIVES ANALYSIS				

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
		<u>2022</u>	<u>2023</u>	
126: Clear Communication of AWAR Usage	<i>The updated plan should be submitted at least 90 days before the start of construction.</i> <i>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.</i> <i>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	<ul style="list-style-type: none"> Shipping Management Plan, Version 9 (March 2022). DFO recommended updating the marine mammal monitoring program and monitoring of underwater noise.
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	Not Yet Active Not Yet Applicable	<ul style="list-style-type: none"> Submitted to the NIRB by Agnico Eagle on February 15, 2019 for the saline effluent trucking related pipeline and diffuser. Not yet active for waterlines associated subsea pipeline and diffuser since not yet constructed.

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
		<u>2022</u>	<u>2023</u>	
				<ul style="list-style-type: none"> The NIRB requires a detailed design of the new subsea pipeline and diffuser 90 days prior to construction.
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	Not Yet Active Not Yet Applicable	<ul style="list-style-type: none"> Submitted to the NIRB by Agnico Eagle on February 15, 2019 for the saline effluent trucking related pipeline and diffuser. Not yet active for waterlines associated subsea pipeline and diffuser since not yet constructed. The NIRB will require a hazard and operability assessment of the diffuser and any portions of the subsea pipeline that are above the seabed as necessary
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"> As follow up to the NIRB's site visit, Agnico Eagle confirmed that they plan to remove the current diffuser in 2025. The NIRB expects plans for the removal of the current subsea pipeline and diffuser to be submitted 12 months before removal.

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
		<u>2022</u>	<u>2023</u>	
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"> No saline effluent discharge occurred in 2022.
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</i>	Active Non-compliance	Active Deficient - In Progress	<ul style="list-style-type: none"> Appendix 35: TAG Annual Report Agnico Eagle provided correspondence on September 6, 2023 confirming the status of the Terms of Reference and Memorandum of Understandings with TAG parties. Throughout the Extension Proposal Public Hearing the NIRB heard that there seems to be a lack of consensus between TAG members on some deliverables and made recommendations to ensure this group is functioning as intended.

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
		<u>2022</u>	<u>2023</u>	
	<i>management, mitigation, and monitoring measures shall be provided to the NIRB on an annual basis in the Proponent's Annual Report.</i>			
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 days before the commencement of discharges of effluent from the waterlines into the marine environment.</i>	Not Yet Active Not Yet Applicable	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 updates to the plan at least 60 days 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,</i>	Not Yet Active Not Yet Applicable	Not Yet Active Not Yet Applicable	The NIRB looks forward to receiving this report at least 60 days before the waterlines are operational.

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>Compliance Achievement</u>		<u>Comments</u>
		<u>2022</u>	<u>2023</u>	
	<i>Maintenance and Monitoring section that shall be submitted to the NIRB as part of the annual report</i>			