

To: Emily Koide
Technical Advisor I, Nunavut Impact Review Board
From: Luis Manzo, Director of Lands, Kivalliq Inuit Association

Arviat

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Baker Lake

Δ¹-C₂₈ 92b
Chesterfield
Inlet

46-56
Coral
Harbour


 Naujaat

Rankin Inlet

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Whale Cove

Commitment Comments of KivIA

Commitment 5 includes topics relative to KivIA Technical Comments 01 and 02. Agnico Eagle suggests that Commitment 5 is resolved because the windfarm will be shut down during caribou migration. KivIA still requires a definition of deflection, and baseline analyses of caribou movements and monitoring around the entire mine site, including noise levels, prior to assessing the Extension project. Shutting down the windfarm operation during caribou migration still leaves the requirement for the analyses of caribou movements relative to the intensified mine activity and associated structures as well as the windfarm structures. The windfarm will still be built and even though Agnico Eagle is proposing to suspend its operation during the caribou migration period (Commitment 49),

the windfarm as a structure will be visible to caribou and that impact on caribou is uncertain. Therefore, this commitment cannot be considered resolved.

2) Commitment 6 – provisionally resolved.

The commitment to update the Windfarm Management Plan is provisionally resolved as Agnico Eagle will provide it prior to the public hearing.

3) Commitment 15- not resolved

Underground mining is planned to start at the Discovery mine in three years (2026). Only one fault (Pyke) is noted in the Discovery mine area. However, at the main Meliadine mine site an additional five (5) known faults (WM-A, WM-B, WM-C, WM-D and Lower) have been identified in relation to the Pyke fault. This limited amount of structural data at the Discovery site does not allow for a complete assessment of the hydrogeology conditions, which also limits the assessment of the thermal and groundwater conditions.

Collection and analysis of additional geotechnical and thermal information for the Discovery mine area would better inform the viability of the alternative methods of In Pit Deposition of waste rock and tailings being proposed. The Discovery mine area covers an area of 1.5 square kilometers so the area impacted will be smaller; versus the five (5) square kilometer gap between the Pump / F Zones and Lakes B-46 / WES05 at the main Meliadine mine site. This large gap has limited geotechnical and thermal information, which would be required to assess the potential impacts on Meliadine Lake.

The KivIA recommends that Agnico Eagle collect additional geotechnical and thermal information for the smaller Discovery mine area prior to the commencement of underground mining. This will allow for a better assessment of the impacts in this area and will also better inform the viability of the alternative methods of In Pit Deposition of waste rock and tailings being proposed for the main Meliadine mine site.

The KivIA also recommends that the NIRB exclude the proposed alternative of In-Pit Deposition from the scope of the current review.

The reference documents used for the Commitment 15 comments were submitted to the NWB and consist of:

- 1) In-Pit Tailings Disposal Study for the Meliadine Extension, Figure 1-1, page 1-2; and Appendix E-7, Westbay monitoring Well System M20-3071, 2021 Groundwater Monitoring Program, Meliadine Extension, Figure 1, page 2.

- 2) In-Pit Tailings Disposal Study for the Meliadine Extension, Figure 1-1, page 1-2; and Appendix E-3, Meliadine Extension, 2022 Thermal Assessment, Figure 01B, page 22.

4) Commitment 16- not resolved

Commitment 16 states that the contact water management concerns of the KivIA are better resolved under the NWB process. The KivIA disagrees with this position, as Agnico Eagle has the obligation to minimize or eliminate the contact water discharge under the NIRB Project Certificate. In addition, the impacts of additional infrastructure required to meet this obligation should be assessed under the NIRB process. To date Agnico Eagle has not provided a mechanism for dealing with the excess discharge to Meliadine Lake as presented in the Extension Proposal.

5) Commitment 38 – potentially resolved.

This commitment was for Agnico Eagle to meet with KivIA. KivIA has indicated that they are available, but requests the joint discussions to include the GN and SDFN/NDFN. No meeting date has been set but KivIA is optimistic that this will occur.

6) New Commitment 48 – resolved,

New Commitment 48 is resolved pending addressing an overall assessment and analysis of caribou movement through the mine site, windfarm and Tiriganiaq-Wolf mining area integrating Inuit Knowledge, the mapped visible trails and collar data, as requested in KivIA TC 01 and addressed above in comments on Commitment 5.

7) New Commitment 49 – partially resolved.

Commitment 49 states “Agnico Eagle will add shut down of the wind turbines during caribou migration to the list of activities included in the work suspension protocol described in the Terrestrial Environment Management and Monitoring Plan [TEMMP]”.

Firstly, Commitment 49 only partially resolves KivIA TC 02 which was that Agnico Eagle add a specific primary pathway to assess impacts on caribou from the windfarm. KivIA considers that the primary pathway is appropriate as the windfarm will be the first time barren-ground caribou will be exposed to a large windfarm, especially during early post-calving when cows and young calves are more sensitive to disturbance. Recent experience from Scandinavia with domesticated reindeer and windfarms indicates a cautionary approach is required. Although Agnico Eagle's proposed mitigation is that the blades are

not turning during caribou migration, the towers, blades and associated infra-structure (roads, lines) will still be visible to the caribou, on top of the effects of intensified mine activity. In addition, caribou occur, albeit in much lower numbers, in the vicinity of the Meliadine mine outside of the main post-calving migration period. These caribou are of paramount importance to Inuit hunters during late summer and fall (better meat and hides), and should also be addressed in a primary pathway.

Secondly, Commitment 49 only partially resolves KivIA TC 03 which was the KivIA's request for a new Term and Condition for a monitoring and mitigation plan for construction and operation of the windfarm, wind generators, access roads and associated structures to ensure that caribou movements are not hindered or deflected. Although Agnico Eagle is proposing that halting the operation of the windfarm during migration will be added to work suspension proposal in the TEMMP, KivIA is requesting a specific plan to highlight the importance of designing monitoring and mitigation for the first large windfarm on seasonal ranges of barren-ground caribou. This plan should consider the intensified mine activity relative to the effectiveness of the existing work suspension protocols at the mine site. The plan should separately identify monitoring to trigger mitigation for the windfarm given the height and visibility of the wind towers and blades.

The KivIA also requests that Agnico Eagle incorporate the Nunavut Wildlife Harvest Study Caribou Harvest Density information into the impact assessment of the proposed wind farm.

Pre-Hearing Conference Logistics

The KivIA confirms its availability for the Pre-Hearing Conference being held on March 16, 2023 via video-conference and confirms that the following representatives wish to attend:

Luis Manzo- KivIA-Director of Lands
Jeff Tulugak- KivIA- Land Inspector
Gabriel Karlik- KivIA-Chief Operating Officer
Jonathan Katz- legal counsel
Matthew McDougall- aquatic consultant
Anne Gunn- Wildlife consultant
Alan Sexton- Geological consultant



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The KivIA looks forward to participating in the Pre-Hearing Conference and continuing to analyze all aspects of the Extension Proposal as more information is made available by Agnico Eagle.

Regards,

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