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October 29, 2019

Martin Theriault
Compliance Counselor
Agnico Eagle Mines Limited
Meliadine Division, Nunavut

Sent via email: martin.theriault@agnicoeagle.com

Re: The Nunavut Impact Review Board's 2018-2019 Annual Monitoring Report for the Meliadine Gold Mine Project and Board's Recommendations

Dear Martin Theriault:

The Nunavut Impact Review Board (NIRB or Board) is hereby releasing its 2018-2019 *Annual Monitoring Report for Agnico Eagle Mine Limited's Meliadine Gold Mine Project* (NIRB File No. 11MN034) (Monitoring Report) along with the NIRB's Assessment of Agnico Eagle Mine Limited's Compliance Status (Appendix I) with the Meliadine Gold Mine Project Certificate No. 006. The enclosed Monitoring Report is based on the NIRB's monitoring activities as set out within the Meliadine Gold Mine Project Certificate No. 006 and pursuant to Sections 12.7.1 and 12.7.2 of the *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada* (Nunavut Agreement) and s. 135 of the *Nunavut Planning and Project Assessment Act*, S.C. 2013, c. 14, s. 2 (NuPPAA). This report provides findings that resulted from monitoring of this Project that took place from October 2018 to September 2019.

All materials pertaining to the NIRB's ongoing Monitoring program for the Meliadine Gold Mine Project can be accessed from the NIRB's online public registry at www.nirb.ca/project/124106.

By way of a motion carried during its regular meeting held in October 2019, the Board has issued the following recommendations to assist Agnico Eagle Mines Limited (Agnico Eagle or Proponent) in achieving compliance with the Meliadine Gold Mine Project Certificate. These recommendations ensure that the NIRB has all the information necessary to adequately discharge its mandate with respect to provisions within Section 12.7 of the *Nunavut Agreement* and s. 135 of *NuPPAA* as they pertain to the Meliadine Gold Mine Project.

Hunter Harvest Survey

Board Recommendation No. 3 from 2017 and Board Recommendation No. 6 from 2018 both relate to the Hunter Harvest Survey for the Meliadine Project as the NIRB has not received the Hunter Harvest Survey Plan from Agnico Eagle. The NIRB appreciates the updates from the Kangiqliniq Hunters and Trappers Organization (KHTO) and that a memorandum of understanding was signed in 2019; however, the development and implementation of a Hunter Survey Plan still has not occurred. Terms and Conditions 46 and 48 require the Proponent to work with the KHTO, the Kivalliq Inuit Association, and the Government of Nunavut to gather baseline and monitoring data related to harvesting to understand the impacts of the all-weather access road (AWAR) on caribou harvest. Further, Term and Condition 105 encourages consultation with local outfitting and guiding businesses be included for this survey.

As part of the original assessment for the Meliadine Gold Mine Project, Agnico Eagle highlighted at the Final Hearing that it would collaborate to develop the Hunter Harvest Survey and many intervenors supported the concept of the plan and its development and implementation. It was important to ensure that information was captured regarding the wildlife (specifically caribou) in the area as the AWAR followed a traditional hunting route and the Meliadine Gold Mine Project was taking place in a known post-calving area for the Qamanirjuaq and Beverly herds. In the Final Hearing Report, the Board stressed both the importance of monitoring impacts to the terrestrial environment as well as impacts to the socio-cultural environment. The expectation of the Hunter Survey plan was also to link baseline and regular monitoring data with information from hunters in order to assess the impact of the AWAR on caribou and other wildlife due to the uncertainty related to increased accessibility to caribou and increased traffic throughout the area. The plan was expected to be in place prior to preconstruction of the Project. Agnico Eagle has provided updates to the Board regarding development of a more regional approach to the survey as it has also discontinued the Hunter Harvest Survey at Meadowbank and wanted to redesign the plan to ensure long-term success. In 2017, Agnico Eagle stated that the survey would be modelled after the one in place at its Meadowbank mine, which was being refined due to decreasing participation, and in 2018 a similar commitment was made.

The Board is troubled that the Hunter Harvest Survey is not in place given that operations have commenced at the Meliadine site, the 2018 AWAR traffic was double that which was predicted in the Final Environmental Statement (FEIS), and additional traffic on the road was recently approved with the saline effluent amendment. The Board requires this gap in Agnico Eagle's monitoring program for the development of the Meliadine site be addressed as Agnico Eagle intends to develop the Discovery Deposit and associated roads in 2024, and the lack of data that is currently not collected will now make it more difficult to identify trends. This is also important at the Meadowbank site as this knowledge is important as Agnico Eagle is proposing additional development in the region through the Whale Tail Pit Project, the associated Whale Tail Pit Expansion Proposal, and other exploration developments.

Recommendation 1: The Board requires Agnico Eagle to provide an action plan for meeting the objectives of Terms and Conditions 46, 48, and 105 in the next monitoring year. The plan must include a clear indication of timelines, next steps in development of the Hunter Harvest Survey, discussion of limitations of the survey originally carried out at Meadowbank and proposed solutions, measures for success, and contingency planning. A discussion of the feasibility of alternative studies should be included to prevent further delays in implementation.

The requested information should be provided to the Board within 30 days following the issuance of this recommendation and implementation of the Hunter Harvest Survey in 2020.

Dust Monitoring

Term and Condition 3 of the Meliadine Gold Mine Project Certificate requires that the Proponent monitor dust along the all-weather access road (AWAR) as well as project associated roads and trails. The development of the dust management plan was discussed during the Final Hearing for the Meliadine Gold Mine Project due to several concerns from parties, specifically related to assumptions and uncertainty of conclusions based on the knowledge from other northern projects such as the Meadowbank Gold Mine Project. Community members also expressed concerns related to dust as the by-pass road is adjacent to Rankin Inlet's water source, Nipissar Lake. In the Final Hearing Report, the Board also expressed concerns related to dustfall and vehicle traffic as both of these were provided as predictions in the Agnico Eagle's Final Environmental Impact Statement (FEIS). During the Final Hearing Agnico Eagle committed to monitor and adjust their dust mitigation strategies as required throughout the life of the Meliadine Gold Mine Project.¹

The Board emphasizes that traffic levels are nearly at twice what was predicted in the original FEIS and traffic is expected to increase again due to the transport of saline effluent for disposal into Melvin Bay, which commenced in 2019. The Board acknowledges that Agnico Eagle has developed a Dust Management Plan with the Road Management Plan; however, the Board would like more information about dust suppressants and their effectiveness at the Meliadine site.

Recommendation 2: The NIRB requires Agnico Eagle conduct a formal dust suppression study in the 2020 monitoring season to collect real time Total Suspended Particles data using equipment such as Casella micodust detectives, dustfall monitors and pair this with real time visual observations through cameras and staff observations. Data collected should be compared to real time road usage, road conditions and/or weather-related events (e.g., rainfall and wind) and be comparable across projects in the North. The dust suppression study is proposed particularly to see specific dust generation events due to different types of equipment (light vehicles vs haul trucks).

The study should be developed in partnership with the Government of Nunavut and Environment and Climate Change Canada in order to confirm that data that is collected would be comparable across Nunavut as well as to other projects. The study design should be presented to the NIRB by December 2019 and initiated in 2020. Agnico Eagle should then present the findings of the study within Agnico Eagle's 2021 annual report and incorporate the outcomes into appropriate plans for the Meliadine, Meadowbank, and Whale Tail Pit Projects.

Waste Management and Capacity Issues at Waste Facilities

The Board was disappointed to learn that the Meliadine site appeared different than the Meadowbank/Whale Tail sites. At Meadowbank/Whale Tail Project sites, Agnico Eagle maintains the wastes, construction materials, and other assorted items required to construct and operate these sites in a visually appealing manner with minimal debris laying around the sites. However, during the 2019 site visit, NIRB staff observed that the Meliadine Project did not appear as clean and

¹ Final Hearing Report, Document ID No. 287854

organized as the Meadowbank/Whale Tail Projects and staff observed materials and debris laying around site where it should not be. Agnico Eagle has ensured that at all the Meliadine Project sites, waste is sorted and placed appropriately; however, there remained a substantial amount of materials and debris laying around ponds and buildings. Further, during the 2019 site visit NIRB staff were informed that the landfill and landfarm were at their design capacity and Agnico Eagle did not have information or plans available on how these sites would be managed to continue meeting the needs of the operation as the facility capacity has been reached. Information was also not available on when the temporary fuel tank farm and temporary landfarm at the exploration site will had been planned for closure and reclamation. It was observed that the work had not started despite the initial plan to remediate and clean up these sites by 2018; a similar issue is also noted at the Meadowbank Project.

Recommendation 3: The Board requires Agnico Eagle explain the conditions and/or circumstances which contributed to the waste management facilities, specifically the landfarm and landfill, at the Meliadine site to reach capacity before the predicted 10 year life. Agnico Eagle shall explain what steps it will take to manage existing and future waste and/or contaminated soils appropriately considering the existing facilities are at capacity and exceed the original predictions made in the Final Environmental Impact Statement (e.g., tracking long term success and how analyze of why certain activities have succeeded or failed is completed). Agnico Eagle will also provide an update on progressive reclamation of areas, including estimated timelines, for areas such as the temporary fuel tank farm and temporary landfarm and/or other areas no longer in active use for the Project.

The submission should be provided to the Board within 30 days following the issuance of this recommendation.

Under the theme of adaptive management and the precautionary principle, the Board shared the same concern as the Kivalliq Inuit Association and the Government of Nunavut that 22 Arctic foxes were destroyed at the Meliadine Project. The Board also stated concerns for not only the attractant of large numbers of scavengers to the Meliadine Project site but the potential human health and safety issue as some of the foxes could be carrying rabies and the potential for attraction of larger scavengers and/or wildlife. The NIRB staff at site did not observe any wildlife deterrents at any of the waste facilities and the Board would emphasize that 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. Again, NIRB staff observed that segregation and storage of all domestic, hazardous, and combustible wastes appear to be conducted appropriately; however, the site continues to attract wildlife and Agnico Eagle will also need to consider Term and Condition 55 which required the establishment of thresholds for project-related mortality of foxes and other wildlife, compensation agreements, and the adaptive management that would take place once that threshold is reached.

Recommendation 4: The Board requires Agnico Eagle conduct a Bear and Wildlife Safety Audit in order to identify potential hazards and/or attractions to wildlife (e.g., bears, foxes, birds of prey) and identify and implement corrective measures at site to ensure the objectives of Terms and Conditions 75 are met. Further, Agnico Eagle will be required to report this audit and its findings to the Board and incorporate the findings into the plans for the Meliadine, Meadowbank and Whale Tail Pit Projects.

The Bear and Wildlife Safety Audit shall be developed in consultation with the Government of Nunavut – Department of Environment. Once the audit is completed a report detailing the findings and corrective actions implemented shall be provided within 90 days of receipt of this recommendation. Plans that require updating for all three projects will be presented to the Board with each of Agnico Eagle's Meadowbank/Whale Tail and Meliadine 2019 Annual Reports, respectively.

The Board respectfully requests that for items requiring follow-up action by the Proponent that a response be provided within the timeline as requested for each of the recommendations.

Should you have any questions or require further clarification regarding this request or related to the NIRB's monitoring program for the Meliadine Gold Mine Project, please contact the undersigned at (867) 983-4619 or at kgillard@nirb.ca or Erin Reimer, Technical Advisor I, at (867) 857-4566 or at ereimer@nirb.ca.

Sincerely,



Kelli Gillard B.Sc., PAg
Manager, Project Monitoring
Nunavut Impact Review Board

cc: Nancy Harvey, Agnico Eagle Mines Limited
Meliadine Distribution List

Enclosure: The Nunavut Impact Review Board's 2018-2019 *Annual Monitoring Report for Agnico Eagle Mine Limited's Meliadine Gold Mine Project (NIRB File No. 11MN034)*