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November 25th, 2019

Sophia Granchinho
Manager Impact Assessment
Nunavut Impact Review Board
P.O. Box 534
Arviat, NU
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Re: Agnico Eagle's response to the NIRB's 2018-2019 Annual Monitoring Report for the Meadowbank Gold Project and the Whale Tail Pit Project with Board's Recommendations

Dear Sophia Granchinho,

The following information are intended to address the NIRB's recommendations regarding the Meadowbank (03MN107) and Whale Tail (16MN056) 2018-2019 Annual Monitoring Report:

- Nunavut Impact Review Board – October 25, 2019: The Nunavut Impact Review Board's 2018-2019 Annual Monitoring Report for the Meadowbank Gold Project and the Whale Tail Pit Project with Board's Recommendations

Should you have any questions or require further information, please do not hesitate to contact us at the below.

Regards,

Agnico Eagle Mines Limited – Meadowbank Division

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1 Board's recommendation Meadowbank Site – 03MN107

1.1.1 Managing attraction of carnivores and/or raptors to reduce or eliminate attraction at all landfills and waste storage areas – Condition 25

Comment: Condition 25 requires the Proponent to manage and control waste in a manner that reduces or eliminates the attraction of carnivores and/or raptors to the site. In addition, the Proponent is required to employ legal deterrents to carnivores and/or raptors at all landfill and waste storage areas. During the 2019 site visit, NIRB staff did not observe wildlife deterrents for the Meadowbank project (landfill, waste storage areas, or fuel tank farm at Baker Lake). Since 2017, raptors (Peregrine Falcon) have nested at various Meadowbank sites including quarry sites along the all-weather access road including quarry 22 which was used as temporary storage for contaminated hydrocarbon soil from 2009 to 2012 until the first contaminated soil storage/pilot remediation site (later converted to a landfarm) landfarm was developed in 2013. Plans are in place to remediate this quarry site and the NIRB has discussed annually regarding reclamation of quarry 22 but delays have occurred due to an active Peregrine Falcon nest at this quarry site since 2017. Further, deterrents were not observed at the Baker Lake Marshalling Area which has attracted other types of nesting birds in the past (ravens and songbirds). Lack of wildlife deterrence at this site and other areas at the Meadowbank site does not fully meet the requirements of Term and Condition 25 of the amended Project Certificate No. 004.

Recommendation 1: The Board requests that Agnico Eagle Mines Ltd. provide an explanation why deterrents were not put in place around the fuel tank farm at Baker Lake or quarry 22 in 2018 where birds have nested and has necessitated the removal of a nest or delay of work. In addition, a proposed timeline of activities for the remediation of quarry 22 and any other quarry sites along the all-weather access road that has been used by raptors should be included.

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

Agnico Eagle's Response:

Agnico Eagle acknowledge NIRB's recommendation and will put effort to eliminate wildlife attraction at the Meadowbank landfill by employing approved deterrents for carnivores. Other waste storage area on Meadowbank Site are well contained and didn't show any problems with wildlife.

Agnico used to add deterrents on top of the Baker Lake fuel tank farm. However, high wind in this area have destroyed the deterrents and make them inefficient. In Agnico's view, Condition 25 of the Meadowbank Project Certificate does not specifically require the



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use of approved deterrent at the Baker Lake Fuel farm as it's not a waste storage area or landfill, as stipulated in the condition. Nevertheless, Agnico will reinstall a deterrent at the top of the fuel tank at Baker Lake to avoid bird nesting.

Deterrents will be installed before the next 2020 nesting season in Quarry 22 at Meadowbank in order to continue the soil decontamination. If the use of deterrents are successful in Quarry 22, Agnico will continue the work previously initiated in this area.

No remediation works were performed in quarries along the AWAR in 2018, and thus, the presence of falcon in quarries does not represent for Agnico a concern at this moment. Timeline for remediation of quarries along the AWAR are provided in the Interim Closure and Reclamation Plan; reclamation is planned to be completed in the post-closure timing.

1.1.2 Placement of local area marine monitors – Term and Condition 36

Comment: Term and Condition 36 for Project Certificate No. 004, Amendment 003 requires that Agnico Eagle place/hire local area marine mammal monitors onboard all vessels transporting fuel or materials for the Project through Chesterfield Inlet. Even though approximately 56 ships with fuel and goods ingress/egress at Baker Lake from Chesterfield Inlet in 2018, only one (1) marine mammal monitor was hired for a period between August 6 to August 23, 2018. Agnico Eagle did not provide a reason on why marine mammal monitors were not hired for the other ships that were travelling through Chesterfield Inlet. This concern was brought up last year by the Board and in response Agnico Eagle indicated that it is committing to hiring monitors for the entire shipping season to fulfill the term and condition. The Board stresses the importance of meeting this condition.

Recommendation 2: The Board requests that Agnico Eagle Mines Ltd. provide an explanation of why local marine mammal monitors were not used for all vessels transporting fuel or materials for the Meadowbank Project during the 2018 season. This explanation should also include a description of any alternative monitoring and mitigation employed by the Proponent and its effectiveness and/or confirmation of planned efforts. A proposed timeline to achieve full compliance with Term and Condition 36 of Project Certificate No. 004 amendment 003 must also be provided.

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

Agnico Eagle's Response:

Agnico remains committed to meet compliance with Condition 36 and is intending to seek out monitors from the Chesterfield Inlet when possible. For multiple reasons (sickness,



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family related matters, personal issues, alternative work), availability of possible monitors being challenging in that area, Agnico would hire monitors from other local communities to ensure the condition is met.

Recruitment is also done within the community agents to find reliable and available monitors that are willing to board the vessels for a significant time period, as the vessels are travelling back and forth from the Inlet to the Baker community. Recruitment from the community has always proved to be challenging as multiple candidates first accepted the proposed work but declined or changed their minds at the last minute. Some monitors that accepted to board the vessels did not appreciate the very different marine life and requested to unboard the vessel on short notice and did not want to pursue this type of work any further. Some monitors had health issues while onboard and could not continue their work. A plethora of personal reasons was also given to stop monitoring work. As an improvement further on, in March 2019, prior to the beginning of the barge season, Agnico Eagle toured the related communities, including Chesterfield Inlet, to advertise the need of having monitors available for the upcoming shipping season. Meetings included sessions with the hamlet counselors and mayor and local HTO representatives.

Being a concern from Chesterfield, Agnico Eagle is still committed to include local monitors but alternatively, local helpers from the Kivalliq region have been hired full-time by the Environmental Department in the fall of 2019 and in cases where monitors from Chesterfield prove to be impossible or very challenging, these helpers would be used to supplement coverage when needed.

Agnico have, as part of Condition 40 of the Whale Tail Project Certificate, to develop and implement a Marine Mammal Management and Monitoring Plan (MMMMP). Desgagnés Group, the contractor responsible of fuel and goods delivery at Baker Lake, has been collaborating on the voluntary whale watching data collection project of the Marine Mammal Observation Network (MMON) since 2015. Each year, training is given by MMON to ship officers to train them in marine mammal identification and observation. Desgagnés, in collaboration with MMON, also developed a Poster and a manual with supporting documents for marine mammal identification. Those tools are available on each ships to increase the effectiveness of the marine mammal survey. Currently, Desgagnés Group apply the Marine Mammal and Seabird observer (MMSO) as described in the MMMMP. As an alternative to ensure data collection as per Condition 36, Agnico will evaluate with Desgagnés Group the possibility to pursuit, in the following years, the marine mammal monitoring from Helicopter Island to Baker Lake infrastructures.



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1.1.3 Suppression of surface dust – Term and Condition 74

Comment: Term and Condition 74 of Project Certificate No. 004, Amendment 003 directs the Proponent to employ environmentally protective techniques to suppress surface road dust. As noted in previous NIRB annual reports and during site visits, Agnico Eagle has limited dust suppression to specific areas at Meadowbank: the haul roads at the mine site; a road between the Meadowbank gatehouse and Exploration Camp site; between the Baker Lake marshalling facility and the Baker Lake gatehouse; and the airstrip. Agnico Eagle uses calcium chloride on all the aforementioned roads except water is used on mine site haul roads and the airstrip. Along the all-weather access road (AWAR) between Baker Lake and Meadowbank dust suppression is only applied at five (5) areas identified by the community of Baker Lake, and monitoring results in 2018 indicated that rates of dustfall were effectively reduced in those specific locations and dust levels continued to be well within the range of historical values for those locations. In its response to the Board's 2018 recommendations, Agnico Eagle maintained that it is meeting Term and Condition 74 of Project Certificate No. 004, Amendment 002 and that the approach where chemical suppressants are used in an intermittent fashion along a long-distance roadway in priority areas only is similar to other project sites in Nunavut.

The NIRB acknowledges the efforts made by Agnico Eagle to suppress dust around the Meadowbank and Exploration Camp sites, and further recognizes the dustfall monitoring program Agnico Eagle has conducted along the AWAR since 2012 and the additional studies that are ongoing since 2016. As noted in the previous Annual Reports by Agnico Eagle and in the 2018 Annual Report, monitoring results at areas along the AWAR with dust suppressants were still at times above the predictions and above the Alberta Dustfall and Government of Nunavut – Total Suspended Particulate guidelines (three [3] out of 75 samples exceeding the GN 24-hour standard of 120 microgram/cubic metre [$\mu\text{g}/\text{m}^3$]). The mine site dust predictions in the original Final Environmental Impact Statement (FEIS) for the Meadowbank project did not assume mitigations such as road watering or dust suppressants would be used. As such, it appears that the FEIS predictions have potentially underestimated the amount of dust that would be produced on the mine site.

Agnico Eagle's dust methodology with the installation of canisters at ground level and not on 1.5-2 metre poles, as is the common practice, has raised concerns from both the NIRB and regulatory authorities as the placement of canisters on the ground can have negative implications on data quality (e.g., downwash, ground dust or interference by wildlife). These limitations make it difficult to compare the dustfall data to other sites as well as any dustfall objective due to possible biases in the data collected. Further, the other four (4) other projects in Nunavut follow the ASTM standard test method for measurement of dustfall by deploying canisters on stands at heights of two (2) metres.



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With the exception of continuing the dustfall monitoring along the AWAR and applying dust suppressants along the high priority areas, Agnico Eagle has not made any further commitment to applying dust suppressant to the whole AWAR in the near future. Term and Condition 74 requires the application of dust suppression measures along all project roads including the AWAR [emphasis added]. The Proponent has not fully met the requirements of Condition 74, as dust suppression was not conducted along the AWAR from Baker Lake to the mine site again in 2018. The NIRB stresses that Term and Condition 74 applies to all mine roads including the AWAR. The NIRB notes that Agnico Eagle has been in non-compliance with this condition since the Project entered operations, as no dust suppression measures have been employed along the AWAR from Baker Lake to the mine site with the exception of the five (5) areas since 2017 as identified by the community to be of importance.

Recommendation 3: The Board requests that Agnico Eagle Mines Ltd. provide a written submission on whether the predictions in the Final Environmental Impact Statement has potentially underestimated the amount of dust produced on the mine site including along the all-weather access road (AWAR) as the AWAR is considered a surface/project road by the NIRB. The submission must identify where original impact predictions can no longer be supported based on project experience to date and include an analysis of the effectiveness of management and mitigation strategies employed. The update must also provide a summary of lessons learned from the Project which can be used to improve future performance at this and other mining developments in Nunavut. Further, a justification for the validity of using these predictions as a comparison to the data currently being collected along the AWAR is to be provided.

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

Recommendations related to concerns with respect to applying dust suppressants along the mine roads for Meadowbank and with respect to the dust methodology are addressed under the Whale Tail Pit section of this Board memo.

Agnico Eagle's Response:

The modelled predictions of fugitive dust emissions from the mine site, or any unpaved haul road generally should not be considered definitive. Rather, these predictions should be considered as a tool to be used to evaluate the potential for dust deposition to occur in the vicinity of the haul roads and fugitive dust generating activity locations. The methodology used to evaluate the dustfall deposition rate and ambient concentrations in the FEIS remains consistent with methods being used today in air quality assessments. The emissions from traffic were quantified using the industry-standard emission factors presented in the US EPA AP-42 Chapter 13.2.2: Un-paved Roads, which considers vehicle



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traffic parameters (number and size of vehicles) and road surface parameters (silt content and natural mitigation) and follow-on predictions were made using standard models and methodology. The fleet was estimated using the best available information.

If the input parameters to the model were to change, it could reasonably be assumed that a commensurate change in the predicted deposition rates next to the roads and other fugitive dust sources could be expected. With this context considered, there is no reason to suggest that the FEIS predictions underestimated fugitive dust deposition rates.

The above notwithstanding, of the compounds that are routinely evaluated by air quality assessors, the one with arguably the highest level of uncertainty is likely fugitive dust deposition. One of the considerations to be mindful of is that the standard emission factors used consider particles in the size range of approximately 30 microns (μm) in aerodynamic diameter and smaller. Dustfall, measured in the collection jars, often contains particles considerably larger than 30 μm . What this means in practice is that when dustfall deposition rates are measured and found to be lower than the modelled predictions, the modelled predictions can be considered exceptionally conservative as they have not included the largest particles and still over-predict the measured values. If there was a standard method to calculate the largest particle size emission rates and include them in the modelling, neither of which is possible using methods available then or now, the predicted values would be higher.

The Board is asked to consider the dust (airborne and deposited) monitoring results in their full context, which shows the vast majority of the data being widely compliant with the applicable guidance with only a few outliers and no trend toward increasing concentrations or deposition rates. The Board is also asked to consider the extensive monitoring results as a whole when evaluating the ongoing applicability of the modelling results and to give priority to the monitoring results above the modelling predictions. For dust evaluation in particular, there is more certainty in the monitoring than in the modelling.

Considering all of the above and based on a careful re-evaluation of the modelling and assumptions used to make predictions for dust deposition and ambient particulate concentrations, Agnico assert that the modelling methods and results can continue to be relied on to provide guidance on dust management for the Project including the associated roads.



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1.1.4 Appendix D, the Annual Report and the PEAMP

Comment: The NIRB notes that Agnico Eagle's 2018 Annual Report provided a detailed analysis of results from its 2018 monitoring program and that it compared observed impacts observed in 2018 to predictions made within the FEIS. Agnico Eagle's evaluation focused on the valued ecosystemic components (VECs) that had been identified in the FEIS, including the aquatic environment, the terrestrial and wildlife environment, noise quality, air quality, permafrost and socio-economics. The NIRB acknowledges that Agnico Eagle has worked to improve upon its reporting of findings within its post-environmental assessment monitoring program (PEAMP) and notes the general clarity of the presentation of information in its tables of potential impacts, potential cause(s), proposed monitoring, monitoring conducted for the year, predicted values and measured values/observed impacts. However, this does not meet the requirements of Appendix D of the Meadowbank Project Certificate as the NIRB found that the discussion and analysis within the PEAMP should be expanded upon especially to include trends that may be observed over multiple years at the site. As such the NIRB requires Agnico Eagle provide this trend analysis as part of the summary report in its annual report.

Recommendation 4: The Board requires that Agnico Eagle Mines Ltd. (Agnico Eagle) begin implementation of the post-environmental assessment monitoring program for the Project within the next annual report due March 31, 2020. The program updates must include:

- 1) A discussion that references the baseline and all the years that monitoring data has been collected and identifies any trends for each valued ecosystem component where an effect has. Include this information in table and graphic format in order to clearly demonstrate what is being observed;
- 2) Identify of instances where original and/or amended impact predictions can no longer be supported based on project experience to date and include an analysis of the effectiveness of management and mitigation strategies currently employed; and
- 3) Include a summary of lessons learned from the Project to date which can be applied to both updating existing project plans and to any of Agnico Eagle's other planned or ongoing projects as applicable.

The summary report should be provided to the Board within **60 days** following the issuance of this recommendation and shall be included in future annual reports.



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Agnico Eagle's Response:

Agnico had a discussion with NIRB on November 6 to clarify the expectation regarding the PEAMP for Meadowbank. The updated information will be provided to NIRB by December 25.

2 Board's recommendation Whale Tail Pit – 16MN056

2.1.1 Suppression of surface dust – Condition 2

Comment: Term and Condition 2 of Project Certificate No. 008 for Whale Tail Pit requires Agnico Eagle to verify commitments to the utilization of dust suppressants along not only the all-weather access road (AWAR), but the Whale Tail haul road (also referred to as the Amaruq Haul Road) and any other roads and trails associated with the Whale Tail Pit Project as well. This is similar to Term and condition 74 for Meadowbank and why the NIRB is considering them together. Agnico Eagle noted in the 2018 Annual Report that daily road watering and, if necessary, the application of chemical dust suppressants would be employed at the Whale Tail Pit Project to mitigate emissions of fugitive road dust during the frost-free summer season as per the Air Quality and Dustfall Monitoring Plan. The Plan also states that the use of chemical dust suppressants may only be used as a last resort for the Whale Tail haul road in accordance with the Environmental Guidance for Dust Suppression (published by the Government of Nunavut, Department of Environment, 2014). No information on the thresholds is provided within the Plan on when the dust mitigation measures would be triggered except to note that dust mitigation measures for the road would be employed when road visibility is impaired, or in areas where dust deposition is potentially impacting traditional land use, fish habitat and/or water quality. However, as observed during the 2019 site visit and as stated in the 2018 Annual Report, Agnico Eagle did not employ dust suppressants along the whole AWAR, nor along the Whale Tail haul road, and the Whale Tail Pit site roads. Therefore, carrying forward the discussion for Meadowbank, the Proponent does not appear to have fully met the requirements of Condition 2 or Condition 74 of the Whale Tail Pit or Meadowbank Project certificates, as dust suppression techniques were not applied along the Project roads. The NIRB stresses that both of these conditions apply to all surface/project roads including the AWAR, the Haul Road, and roads at the mine sites.

Recommendation 1: The Board reminds Agnico Eagle Mines Ltd. (Agnico Eagle) that Term and Condition 2 of Project Certificate 008 and Term and Condition 74 of Project Certificate No. 004, Amendment 3 concerns the suppression of dust on all surface/project roads that are used by Agnico Eagle for the Meadowbank and Whale Tail Pit Projects. The surface roads for the two Projects include the all-weather access road, the Whale Tail haul road, and both the Meadowbank and the Whale Tail Pit sites roads. As such, Agnico Eagle must update its Air Quality and Dustfall Monitoring Plan to include the objectives of both these terms and conditions along with a clear



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indication of timelines and triggers for adaptive management. Should Agnico Eagle be unable to meet these conditions of the Project Certificates, Agnico Eagle must submit a proposed alternative management measures with discussions and/or justifications for the variance from the terms and conditions.

The updated Air Quality and Dustfall Monitoring Plan should be provided to the Board within **60 days** following the issuance of this recommendation.

Agnico Eagle's Response:

Agnico had provided an updated version of the Air Quality and Dustfall Monitoring Plan (Version 4, March 2019) via the 2018 Annual Report. This updated version was to fulfill ECCC's concern detailed in the letter submitted on December 16, 2018 related to NIRB 2018 Recommendations.

With the Whale Tail Pit Expansion Project permitting on going, a version 4.1 was submitted in July 2019 to regulators.

In order to avoid confusion between the operation plan version 4 currently used by Meadowbank and version 4.1 submitted in regards of the expansion project, Agnico is respectfully requesting to update the Air quality and Monitoring Plan as part of the 2019 Annual Report to be submitted in March 2020. This updated version will include the stakeholder's recommendations and Agnico's commitment is regards to dust management.

Comment: As noted previously for the Meadowbank Project, Agnico Eagle's dust methodology with the installation of canisters at ground level along the Whale Tail haul road and not on 1.5-2 metre poles as is the common practice raises concern for the NIRB and other parties. In its response to 2018 Board Recommendations Environment and Climate Change Canada also noted that the installation of canisters at the ground level and not on poles is not a common practice and recommended that sampling methods be consistent with the standards and consistent across all sites. Placing canisters on the ground have limitations to data quality, making it difficult to compare the dustfall data to other sites as well as any dustfall objective such as the ASTM standard test method.

Recommendation 2: To improve the effectiveness of its dust sampling program and comparability with similar programs at other sites, the Board requires that Agnico Eagle Mines Ltd. install the current dust sampling canisters on stands (or equivalent) at a minimum height of two (2.0) metres above the ground at all dust sampling locations including along the all-weather access road and the Whale Tail haul road. Further, the Board requests that Agnico Eagle ensure that at least one



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(1) transect along the all-weather access road and one (1) along the Whale Tail haul road include a duplicate set of dust monitoring canisters placed on the ground to ensure comparability between the methodologies.

The stands should be in place before the start of next year's dust monitoring program with conformation of implementation of this recommendation provided to the Board within 30 days following installation of the stands.

Agnico Eagle's Response:

Agnico acknowledge NIRB's recommendation and the next dust campaign will be from a sampling height of 2 meters. One transect along the AWAR and WTHR will have duplicate on the ground. Notification will be provided to NIRB 30 days following the installation of the stands.

2.1.2 Safety barriers, berms and crossing with project infrastructure – Condition 32

Comment: Condition 32 requires Agnico Eagle to work with the Baker Lake Hunters and Trapper Organization (HTO) and other parties to ensure that safety barriers, berms, and designed crossings associated with project infrastructure, including the Whale Tail haul road, are constructed and operated as necessary to allow for the safe passage of caribou and other terrestrial wildlife. The Proponent has reported in the 2018 Annual Report that expansion of the haul road to 9.5 metres wide was completed in November 2018, and its mine work plan for the haul road indicates future work includes only road maintenance and operation. During the 2019 site visit it was noted that there were no specific caribou/wildlife crossings incorporated into the current Whale Tail haul road design or for other project infrastructure such as access roads and NIRB staff observed caribou hesitating to cross the road and the caribou searched for less steeply sloped areas to eventually cross. While the 2018 Annual Report notes engagement with the Baker Lake HTO regarding selection of traditional land use crossings to be used by members of the public for crossing the road, this does not meet the intent of the term and condition as it relates to wildlife specifically nor does it include any discussion of consultation with other parties regarding wildlife crossings. In addition, details of the selected crossings (if any) were not provided in the 2018 Annual Report. Therefore, the Board concludes the Proponent has not met the requirements of term and condition 32.

Recommendation 3: The Board requires that Agnico Eagle Mines Ltd. (Agnico Eagle) clarify whether engagement with the Baker Lake Hunters and Trappers Organization and any other parties in 2018 regarding construction of project infrastructure to allow for safe passage of terrestrial wildlife was completed. If so, include details regarding the selection of areas for proposed wildlife crossings. If this information is not available, justification as to why this has not



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been completed, and information on the timeline and proposed activities that Agnico Eagle is planning to conduct to meet this term and condition for all project infrastructure should be provided.

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

Agnico Eagle's Response:

Following consultation of the Baker Lake HTO, Agnico re-sloped the Whale Tail Haul Road (WTHR) at KM 127 to facilitate the wildlife passage in this area. BLHTO came back once the re-slopping was finalized and didn't not express any other concern.

Within the TAG, permeability and road design discussions are ongoing and will meet satisfaction of all parties. Different projects are also ongoing and are being discussed at the TAG, including monitoring movement of caribou with cameras, a pilot drone study and satellite imagery. All of the above project will be highly useful into the determination of the preferred wildlife passage and behavior on the field.

As part of the Whale Tail expansion project, Agnico has committed to conduct an analysis of available scientific and IQ caribou data (including collar, road sightings, trails, oral testimony and mapping) to determine sections of the Haul Road that are most likely to be used by migrating caribou. In July 2019, Agnico submitted to NIRB and TAG member a memo to fulfill this commitment. Following this submission, only the KIA provided comments. Agnico Eagle submitted a revised version in August 2019 and only received comments from KIA since submission. Agnico Eagle will make a presentation of its final report to the TAG on November 26, 2019 for final approval. The following step will be to organize a site visit with TAG member to refine further required changes along the Whale Tail Haul Road (and based on sections identified in the report provided). The site visit is tentatively planned for Q2 2020. Following this, a Construction Plan, will be provided to TAG members and the NIRB.

3 Annual Monitoring Report Whale Tail Site

3.1 Compliance Achievements

Comment: As noted in Section 2.1.2 and Appendix II, Agnico Eagle has demonstrated a general compliance with the reporting requirements imposed through the NIRB's Project Certificate No. 008. Please note that there are some terms and conditions within the NIRB's Project Certificate No. 008 that has been noted as "compliance unclear" as the NIRB does not appear to have the



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information on record (see terms and conditions # 9 and 12 under Board Guidance – Appendix II-1 and terms and conditions # 11, 12 and 30 under Appendix II-2).

Recommendation 1: The NIRB requests information with respect to each term and condition noted as compliance is unclear in the next 30 days.

Agnico Eagle's Response:

Board Guidance #9

Condition: *Make significant monitoring results and/or summaries of significant results available in English, Inuinnaqtun, and Inuktitut, to the extent feasible*

NIRB Comment: *COMPLIANCE UNCLEAR: NIRB only received the monitoring results and/or summaries of significant results in English.*

Agnico response: *Meadowbank and Whale Tail Executive Summary found in Appendix 53 of the 2018 Annual Report include the requirement of Board Guidance #9.*

Section 1 of this Appendix include a summary of revisions and executive summary with translation in English, French and Inuktitut for all the management plans submitted in 2018 and as part of the 2018 Annual Report.

Section 2 of this Appendix include summary of reports or studies submitted in 2018 with a translation in English, French and Inuktitut for Meadowbank Project. Translations were in English, French, Inuktitut and Inuinnaqtun for the Whale Tail Project as required by Board Guidance #9.

Board Guidance #12

Condition: *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*

NIRB Comment: *COMPLIANCE UNCLEAR: Portal not established yet by Proponent.*

Agnico response: *Agnico Eagle is planning to update its website and will be evaluating in 2020 ways to integrate the data.*

Term and Condition #2

Condition: *Dust suppression on all site roads including all-weather access road, Amaruq (Whale Tail Pit) haul road and any other roads associated with the Whale Tail Pit site. The*



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Proponent shall report annually to the NIRB with a summary of its dust management activities

NIRB Comment: *NOT IN COMPLIANCE - Updated Dust Management and Monitoring Plan with the required additional items have not been submitted.*

Agnico response: *As mentioned in the Agnico's response to 2018 NIRB recommendation, Agnico does not have an existing Dust Management and Monitoring Plan. Information related to dust management and monitoring are include in the Air Quality and Dustfall Management Plan. Agnico had provided an updated version of the Air Quality and Dustfall Monitoring Plan (Version 4, March 2019) via the 2018 Annual Report. This updated version was to fulfill ECCC's concern detailed in the letter submitted on December 16, 2018 related to NIRB 2018 Recommendations.*

Term and Condition #10

Condition: *Undertake additional site-specific permafrost monitoring, mapping and thermal analysis in consultation with INAC and NRCan. Results of these studies should be submitted to the NIRB at least 30 days prior to the start of construction of these facilities, with subsequent updates submitted annually thereafter.*

NIRB Comment: *Permafrost conditions on the Project site were estimated based on thermistor data up to October 2017 and previous works; No results from studies following the release of the Project Certificate has been provided; Thermal Monitoring program memo provided to CIRNAC and NRCan, November, 2018; Thermal Monitoring Plan, version 2 submitted in 2018 Annual Report.*

COMPLIANCE UNCLEAR: *CIRNAC noted that Proponent has not met the requirements and an updated Groundwater Monitoring Plan was requested*

Agnico response: *Agnico will like to point out to the thermistor results up to January 2019 provided in Appendix A of the Thermal Monitoring Plan, Version 2 March 2019.*

Regarding the updated Groundwater Monitoring Plan, before Agnico received CIRNAC's response to NIRB 2018 recommendation on December 14, 2018, Agnico was already in a discussion process with CIRNAC to address their concerns related to TC 15. Following several discussions with them, a Groundwater Management Plan (GWMP) Version 2 was submitted to CIRNAC on November 2018 and an updated Version 2.1 February 2019 was submitted to NWB to addressed CIRNAC's concern. At the beginning of March 2019, CIRNAC replied to Agnico to let us know that the overall objective of Term and Condition



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No. 15 has been met currently. On April 25, the NWB accept the Whale Tail GWMP Version 2.1. Based on the information received, Agnico considers that we are actually in compliance with TC 15 and CIRNAC's concerns are resolved. Agnico acknowledges that the information provided to CIRNAC and NWB may not have reach NIRB. Agnico will ensure in the future to include NIRB in discussion with CIRNAC and NWB related to the groundwater monitoring.

Term and Condition #11

Condition: *Develop and implement an Erosion Management Plan. The Plan should be submitted to the NIRB at least 30 days prior to the start of construction, with updates submitted annually thereafter or as may otherwise be required by the NIRB.*

NIRB Comment: *COMPLIANCE UNCLEAR: updates not provided in the annual report.*

Agnico response: *Erosion Management Plan, version 1 was submitted on June 4, 2018, and thus no updated version of the plan was requested to be submitted in the Annual Report.*

The Plan presents the monitoring and mitigating actions related to three (3) specific periods of activity for the Whale Tail Pit: the period of construction and dewatering (during construction and operation), the period of freshet (during construction, operation and closure) and the period of rise in water level in the South Basin of Whale Tail Lake (during operation).

This Plan should be consulted in association with the Water Quality Monitoring and Management Plan for Dike Construction and Dewatering (2016) and the Whale Tail Freshet Action Plan (2019).

Result of the monitoring related to the Whale Tail Dike Construction can be found in Appendix 63 of the 2018 Annual Report (2018 Water Quality Monitoring for Dike Construction and Dewatering Report). Neither construction of the Mammoth Dike nor dewatering activities occurred in 2018, and thus monitoring result will be provided in the 2019 Annual Report.

Monitoring related to Freshet and Water Level rise will be provided in the 2019 Annual Report.



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Term and Condition #12

Condition: *The Closure and Reclamation Plan to include a program to progressively reclaim disturbed areas in a manner that demonstrates the Proponent has considered aesthetic values of local communities. The Proponent shall provide a summary of its progressive reclamation efforts and associated feedback received from communities with respect to aesthetic values solicited by the Proponent as part of its public engagement processes in its annual reporting to the NIRB.*

NIRB Comment: *COMPLIANCE UNCLEAR: Meadowbank Interim Closure and Reclamation Plan, submitted August 2018; does not include Whale Tail Pit and no separate plan submitted. Whale Tail Pit Interim Closure and Reclamation Plan submitted June 2016 as part of FEIS.*

Agnico response: *Meadowbank and Whale Tail both have a separate Interim Closure and Reclamation Plan. Agnico Eagle submitted the Meadowbank Interim Closure and Reclamation Plan – update 2018 via the 2018 Annual Report. The Meadowbank Interim Closure and Reclamation Plan – update 2019 (May 2019) was submitted to CIRNAC to CIRNAC on June 7, 2019 and on July 24, 2019 to the NWB. This update is in relation with the In-Pit Disposal and will be included in the 2019 Annual Report.*

Regarding the Whale Tail Interim Closure and Reclamation Plan, the last version approved version is the one from June 2016. As required by NWB Water License 2AM-WTP1826 Part J, Item 2: ‘The Licensee shall submit to the Board for approval within twelve (12) months of Operations, an updated Interim Whale Tail Pit Closure and Reclamation Plan... The Plan shall include all mine related facilities and Whale Tail Pit Haul Road.’ This update version will be submitted in 2020.

Term and Condition #14

Condition: *Develop and implement a Thermal Monitoring Plan to identify potential changes in talik distribution and flow path. The Plan should be submitted to the NIRB at least 60 days prior to the start of construction of these facilities, with subsequent updates submitted annually thereafter or as may otherwise be required by the NIRB.*

NIRB Comment: *COMPLIANCE UNCLEAR: CIRNAC requested Thermal Monitoring Plan include more details.*

Agnico response: *Thermal Monitoring Plan, Version 2 (March 2019) was submitted via the 2018 Annual Report. Thermal Monitoring Plan Version 2 was updated to address CIRNAC’s concern detailed in their response to NIRB 2018 Recommendation received on December*



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14, 2018. Agnico didn't received any comments from CIRNAC or NWB to advise that the monitoring plan was not compliant, among other via the review of the 2018 Annual Report, and thus, Agnico consider the Thermal Monitoring Plan accepted and to be in compliance with the Project Certificate.

Term and Condition #15

Condition: Groundwater Monitoring Plan to collect additional site-specific hydraulic data in key areas from new monitoring wells. The required Groundwater Monitoring Plan should be submitted to the NIRB at least 30 days prior to the start of construction, with subsequent plan revisions or updates submitted annually thereafter.

NIRB Comment: COMPLIANCE UNCLEAR: additional monitoring wells not installed.

Agnico response: Agnico will refer to response provided in Section 3.2 below.

Term and Condition #30

Condition: Collect additional data on caribou group sizes in proximity to the Project, and work with the TAG to refine appropriate caribou group size thresholds that trigger additional mitigation. The Proponent shall ensure modifications to the group size thresholds are incorporated into the Terrestrial Ecosystem Management Plan and that this Plan along with a summary of consultation with the Terrestrial Advisory Group are submitted on an annual basis or as thresholds are otherwise modified in the Proponent's annual report to the to the NIRB.

NIRB Comment: COMPLIANCE UNCLEAR: TEMP version 7 provided in June 2019, however it is unclear how GST modifications have been incorporated.

Agnico response: Discussion on GST are constant and ongoing within the Terrestrial Advisory Group. Multiple interventions are completed to revise caribou group size thresholds for adaptive management, taking into account the frequency of monitoring effort, spatial coverage of monitoring and likelihood of detecting groups of caribou, in order to ensure a majority (75%) of caribou are subject to enhanced mitigation. Thereafter, further revisions may be made annually within the TEMP, taking into account ongoing project monitoring. The revisions shall adhere to advice provided by the TAG, as per applicable terms of reference.

3.2 Hydraulic Conditions and Groundwater Monitoring – Condition 15

Comment: Groundwater samples were collected from ports 2, 3, 4 and 6 of the Westbay multi-level well in November 2018. As noted by Agnico Eagle, although the calculated total dissolved



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solid (TDS) concentrations were higher than when the well was sampled in 2016, the concentrations were not considered to represent an increase in formation groundwater TDS because the TDS profile in the hydrogeological models were based on the more reliable and applicable 2016 data.

Similar to Crown-Indigenous Relations and Northern Affairs Canada's concern in Section 2.2.3.2, the NIRB notes that only a single Westbay multi-level well is used by Agnico Eagle to collection groundwater samples from the Whale Tail property with no specific plans to install any new monitoring wells. This does not appear to satisfy the requirements of Condition 15 as an additional deep groundwater well would be desirable to define and monitor both vertical and horizontal groundwater flows.

Recommendation 2: The NIRB requests that within 30 days Agnico Eagle provide reasoning on why additional deep groundwater wells have not been installed to be able to define and monitor both vertical and horizontal groundwater flows especially when Agnico Eagle has had problems with the groundwater monitoring program at the Meadowbank site since its inception until 2018.

Agnico Eagle's Response:

Agnico Eagle does not consider that the installation of an additional Westbay well is required based on the result of the November 2018 sampling. The estimated downward groundwater flux measured is similar to the long-term predicted discharge from the Whale Tail pit lake at post-closure for the Approved Project (1.7 m³/d; Golder 2016) and supports the conclusion in the FEIS that long-term predicted flows from the pit lake to the groundwater flow system will be negligible relative to the surface water exchange into the pit lake. Moreover, TDS is not a parameter of concern for the pit lake water quality at closure and the higher calculated total dissolved solid concentration will be also negligible into the pit lake.

Recommendation 3: The NIRB further requires that Agnico Eagle revise the Groundwater Monitoring Plan to include details of effective and feasible options available for mitigation if arsenic concerns materialized. The revised Groundwater Monitoring Plan should be provided as part of the 2019 Annual Report.

Agnico Eagle's Response:

Before we received CIRNAC's response to NIRB 2018 recommendation on December 14, 2018, Agnico was already in a discussion process with CIRNAC to address their concerns related to TC 15. Following several discussion with them, a Groundwater Management Plan (GWMP) Version 2 was submitted to CIRNAC on November 2018 and an updated Version 2.1 February 2019 was submitted to NWB to addressed CIRNAC's concern. At the beginning of March 2019, CIRNAC reply to Agnico to let us know that the overall objective



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of Term and Condition No. 15 has been met currently. On April 25, the NWB accept the Whale Tail GWMP Version 2.1. Based on the information received, Agnico consider that we are actually in compliance with TC 15 and CIRNAC's concerns are resolved. Agnico acknowledge that the information provided to CIRNAC and NWB may not have reach NIRB. Agnico will ensure in the future to include NIRB in discussion with CIRNAC and NWB related to the groundwater monitoring.

Agnico acknowledges NIRB'S recommendation and will evaluate the possibility to update the Groundwater Monitoring Plan Version 2.1 to include details of effective and feasible options available for mitigation if arsenic concerns materialized.

3.3 Road Closures

Comment: As described in Section 2.3.2.2, most 2018 caribou activity was observed during the spring migration triggering numerous road closures and restrictions along the Meadowbank AWAR and the haul roads. The roads were also observed to be deflecting many of the collared caribou during the spring, late summer, and fall seasons. During this time period, the Whale Tail haul road (or Amaruq haul road) had multiple road closures from approximately mid-April to late-May and the third week of October due to significant movements of caribou in or near the area. However, the Whale Tail haul road was open to authorized convoys of essential traffic during most of these closures with the convoys escorted by the Environment Department. Further, in review of Tables 3.7, 3.8 and 3.9 of the 2018 Wildlife Monitoring Report (Agnico Eagle, 2019e) it is noted that there were periods where the road was re-opened to 'restricted' traffic, however there is no explanation between what is meant by "restricted" versus "closed". In response to the Government of Nunavut's question on what is meant by the term "restricted", Agnico Eagle noted that "restricted" meant that "only obligatory small vehicles or light trucks are permitted to use the road. Tankers or other heavy equipment for hauling, construction or maintenance are not allowed. This means that the amount of traffic using this portion of the road was significantly decreased." Agnico Eagle continues with stating that when delivering goods or when allowing crew change, convoys are led by the Environment Department in collaboration with the Baker Lake Hunters and Trappers Organization and/or Kivalliq Inuit Association. This response is confusing as there is no clear distinction between what is considered "restricted" traffic versus "closed – except for authorized convoy" traffic. Further, no information was provided in Table 3.9 of the 2018 Wildlife Monitoring Report on what vehicles consisted as part of the convoy traffic during the "restricted" and "closed" periods for the haul road. It is also noted that the implementation of 'restricted' traffic during road closure periods does not appear to align with the mitigation measures specified in the Terrestrial Ecosystem Management Plan (TEMP). This makes it difficult to determine if the mitigation measures for caribou are being implemented consistently and according to thresholds agreed upon in the TEMP, and if they are effective in reducing impacts to caribou.

Recommendation 4: The NIRB requests that Agnico Eagle clearly identify the difference between "restricted" traffic, "closed – except for authorized convoy" traffic, and "closed" traffic for all



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roads including the Meadowbank AWAR, Vault haul road and the Whale Tail haul road in its TEMP. The updated Terrestrial Ecosystem Management Plan is expected in the 2019 Annual Report.

Agnico Eagle's Response:

Agnico acknowledges NIRB's recommendation and will provide clarification in the next revision of the TEMP.

Recommendation 5: The NIRB also requests a summary of what type of vehicles were allowed on the roads during the restricted periods and/or road closures, including detailed reporting of the frequency and composition of convoys during each road closure in the annual report and include. This information should be provided as part of the table that summarizes the road restrictions (e.g., Table 3.7 of the 2018 Wildlife Monitoring Report). In addition, the Proponent should ensure that road closures as a mitigation measure are being applied according to thresholds established in the TEMP and the definitions of essential and non-essential traffic. This information should be included in the 2019 Annual Report.

Agnico Eagle's Response:

Agnico acknowledge NIRB's recommendation and will improve reporting of the traffic allowed during restriction period / road closures. This recommendation will be enforces as of November 25.

3.4 Air Quality and Dustfall Monitoring Plan

Comment: Similar to Environment and Climate Change Canada's concern (see Table 7), the NIRB notes that the 2018 Air Quality and Dustfall Monitoring Plan did not provide for the management of any air quality or dust issues indicated by the data collected by following the monitoring plan.

Recommendation 3: The NIRB is requesting that Agnico Eagle compile all of the air quality and dust monitoring, mitigation, management information, and studies into one document to be submitted within 30 days of receipt of the request. This document should then be updated based on the data that is collected and presented in the annual report.

Agnico Eagle's Response:

Agnico had provided an updated version of the Air Quality and Dustfall Monitoring Plan (Version 4, March 2019) via the 2018 Annual Report. This updated version was to fulfill ECCC's concern detailed in the letter submitted on December 16, 2018 related to NIRB 2018 Recommendations.

Agnico is of the opinion that all the requested information was already provided in annual report, the annual Air Quality and Dustfall Monitoring Report and the PEAMP section,



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which present the results compare to the FEIS. Agnico could potentially consider improving to the information provided in subsequent annual report.

3.5 Permafrost and Talik Distribution

Comment: Agnico Eagle noted that in 2018, studies were initiated with a consultant to develop the detailed engineering design for the capping of the Whale Tail rock storage facility as per the requirements of Condition 10. This included thermal modelling to re-assess the capping thickness. This information would be used in the future to inform the instrumentation program to ensure that the Waste Rock Storage Facility cover perform according to its design intent.

As noted by Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC), Agnico Eagle did not satisfy the requirements under Condition 10 for the reason as summarized in Table 8 of this document.

Recommendation 6: The NIRB requires that within 30 days Agnico Eagle adequately respond to all aspects of the requirements established by Condition 10 including providing the following:

- Provide description of how the Proponent interprets the raw data provided and how the collected site-specific data documents the permafrost conditions and seasonal thaw;
- Provide information on the amount of ground ice for not only the Whale Tail Dike area but also the other relevant infrastructure;
- The design and drawing reports should demonstrate how the detailed designs of the infrastructure were informed by the site-specific data and how these considerations ensure the integrity of the infrastructure as the thermal conditions discussed in the design reports are general and not aligned with the descriptions of the site conditions in the Thermal Monitoring Plan;
- Provide documentation resulting from permafrost characterization undertaken for specific infrastructure components of the project as part of the permafrost mapping; and
- Provide a copy of the post-closure pit-lake thermal assessment, that included general permafrost characterization of the site in the form of a thermistor data summary from ten (10) thermistors on site, that was submitted to Natural Resources Canada.

Agnico Eagle's Response:

It is Agnico opinion that all the requirement of Condition 10 has been met for the water management infrastructure, waste rock storage facility, Whale Tail Pit and tailings storage facility. This information can be found in the Thermal Monitoring Plan and in the Design Report submitted for these structure 60 days in advance of construction. A summary of the information that can be found in these document is presented below:



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The baseline thermal condition prior to the construction of each structures was obtained by installation of thermistors as documented in the Thermal Monitoring Plan. This information is presented in the document reference in the Thermal Monitoring Plan. This information was used to inform the design for each infrastructure to ensure that their performance would not be impacted by impact to the thermal condition of the foundation. It must be noted that the amount of information required on this aspect will vary based on the structure and the construction methodology. The design process and the information used is documented in each of the design report submitted as part of the 60 days notice process as per Water licence 2AM-WTP1826 condition Part D Item 1. This design reports were reviewed by the different parties and Agnico Eagle received the approval for the construction of the listed above infrastructure.

The amount of ground ice was characterise during field investigation for Whale Tail dikes as this structures could be negatively impacted by settlement. A 4 m thick layer of ice rich material was observed during field investigation on the East abutment. For the other structures the amount of ground ice was not measured as it was not relevant to the performance of the structure.

For infrastructure which performance could by impacted by the aggravation or degradation of permafrost additional thermistors are installed after construction to confirm the thermal condition during the operation and closure of the structure.

A structure specific summary of these concept is presented below:

Whale Tail Dike: *The abutments of this structure were in permafrost condition while the part in the lake was generally in a talik condition. It was identified in the design that the abutment could be subjected to permafrost degradation during the operation of the structure. Presence of ice rich material was also observed in the east abutment during field investigation. The design of the structure was adjusted to ensure complete removal of the ice rich material in the East abutment during construction. The available information was used to build a thermal model to predict the performance of the structure. Degradation of the ice-poor permafrost in the Whale Tail Dike area is not anticipated to have any adverse impact on the performance of the structure.*

WRSF Dike, NE Dike, Mammoth Dike: *The design of these structures is made so that their foundation are maintained frozen as they are built within permafrost area. These structure were built in winter and their foundation were excavated until ice poor material was encountered. A thermal cover was built over the foundation to maintain the active*



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layer in the rockfill and keep the foundation in permafrost condition during operation (the thickness of the cover was designed using thermal modelisation). Thermistor were installed after the construction and are currently showing that these structure are performing as intended. The thermal data for these structure is reviewed frequently as thermal degradation of the permafrost could have an impact on the performance of these structure.

Waste Rock Storage Facility: *The WRSF is built over a permafrost area and water is not expected to accumulate within that footprint. Permafrost degradation is not a likely mechanisms to impact the performance of this structure as the WRSF is expected to act as a thermal cover and contain the active layer while maintaining the permafrost in the foundation. Thermistor have been installed in the foundation of the WRSF in 2019 to monitor the thermal behaviour of its foundation and additional thermistors are planned to be installed in 2020. These data will be used to confirm the assumption of frozen foundation of the WRSF.*

Whale Tail Pit: *Some area of the pit are located in talik while other are located in permafrost. The design of the pit took this information into consideration for aspect related to slope stability and water inflow into the pit during operation. No permafrost base cohesion was added to the slope stability analysis. Permafrost is expected to aggregate in operation, however local thawing of the permafrost during excavation is expected and could results in ravelling and bench scale failure which would require cleaning of the catch bench. Instrumentation such as piezometer and thermistor are planned to be installed in the South-East wall to better understand the extent of the talik this sector and the phreatic surface that will develop behind the open pit wall located in talik.*

Copy of the report 'Pit Lake Thermal Assessment in support of hydrogeological post-closure analysis' is attached with this letter.

A copy of the Permafrost and Hydrogeological Characterization (Knight Piésold (2015)) and Whale Tail Pit Project Waste Rock Storage Facility Cover Thermal Assessment (Golder, 2017) referenced in the Thermal Monitoring Plan were also attached with this letter as per NIRB request. These documents were all previously submitted to regulators.

Comment: Further as noted by CIRNAC, the Thermal Monitoring Plan as submitted did not adequately identify potential changes in talik distribution and flow paths that may result from the development of project infrastructure as per the requirement of Condition 14. Particularly, the



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monitoring plan presents inconsistencies regarding the number of thermistors currently active in the Whale Tail Pit area, as well as no clear commitments regarding the thermal monitoring of the pit area. CIRNAC noted that details on how the Proponent intends to adapt the monitoring strategy defined for each facility as needed has not been provided and the timing to trigger the decision to install additional thermistors was not described and should be provided.

Recommendation 7: The NIRB requests that within 30 days Agnico Eagle revise the current Thermal Monitoring Plan and the Groundwater Monitoring Plan to include more comprehensive details on the monitoring strategy the Proponent will employ to confirm the predicted impacts on talik distribution and groundwater flows in the vicinity of the Whale Tail Pit. Additionally, based on the importance of permafrost conditions to the behaviour of the hydrological regime, the site-specific permafrost mapping, monitoring and the thermal analysis should be incorporated into the Groundwater Monitoring Plan and consideration of this information should be included in the next revision of the Closure and Reclamation Plan.

Agnico Eagle's Response:

For the Groundwater Management Plan, before Agnico received CIRNAC's response to NIRB 2018 recommendation on December 14, 2018, Agnico was already in a discussion process with CIRNAC to address their concerns related to TC 15. Following several discussion with them, a Groundwater Management Plan (GWMP) Version 2 was submitted to CIRNAC on November 2018 and an updated Version 2.1 February 2019 was submitted to NWB to address CIRNAC's concern. At the beginning of March 2019, CIRNAC replied to Agnico to let us know that the overall objective of Term and Condition No. 15 has been met currently. On April 25, the NWB accept the Whale Tail GWMP Version 2.1. Based on the information received, Agnico consider that we are actually in compliance with TC 15 and CIRNAC's concerns are resolved. Agnico acknowledge that the information provided to CIRNAC and NWB may not have reach NIRB. Agnico will ensure in the future to include NIRB in discussion with CIRNAC and NWB related to the groundwater monitoring.

For the Thermal Monitoring Plan, a Version 2 (March 2019) was submitted via the 2018 Annual Report. Thermal Monitoring Plan Version 2 was updated to address CIRNAC's concern detailed in their response to NIRB 2018 Recommendation received on December 14, 2018. Agnico didn't received any comments from CIRNAC or NWB to advise that the monitoring plan was not compliant, among other via the review of the 2018 Annual Report, and thus, Agnico considers the Thermal Monitoring Plan accepted and to be in compliance with the Project Certificate.



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4 Annual Monitoring Report Meadowbank Site

4.1 Final Closure and Reclamation Plan

Comment: Throughout the 2018/2019 operating year, Agnico Eagle has been completing mining in a number of the deposits in the Meadowbank Area as noted at the beginning of this report. Further, the NIRB notes that Agnico Eagle is at the end of the predicted mining life of the Project. No information has been provided to the NIRB on the Interim Closure and Reclamation Plan on the closure of these deposits.

Recommendation 8: The NIRB is requesting Agnico Eagle update the Interim Closure and Reclamation Plan to the Final Closure and Reclamation Plan and include more details on progressive reclamation for these areas as well as for the areas identified by Crown-Indigenous Relations and Northern Affairs Canada, Comment 1.4 (see CIRNAC Comments on 2018 Annual Report); tailings storage facility and waste rock storage facility. The NIRB requires the updated plan in the 2019 Annual Report.

Agnico Eagle's Response:

At this time, Agnico will not be submitting the Final Closure and Reclamation Plan as there is no cessation of operations at the Meadowbank facility with the ore processing, in-pit tailings deposition, airstrip, camp facilities and recovery of gold remains at full production. See further below on the Water Licence definitions for clarification. Agnico Eagle submitted the Meadowbank Interim Closure and Reclamation Plan dated May 29, 2019 to CIRNAC on June 7, 2019 and on July 24, 2019 to the NWB. During the ICRP review process, Agnico has provided responses to CIRNAC's comments. On October 21, NWB provided to Agnico the approval for this management plan. Action items were identified by the NWB and an updated Meadowbank Interim Closure and Reclamation Plan will be submitted as part of the 2019 Annual Report.

"Operations" means the set of activities associated with mining, ore processing and recovery of gold; excluding construction and decommissioning activities.

"Interim Closure and Reclamation Plan" means a conceptual detailed plan on the reclamation of mine components which will not be closed until the end of the mining operations, and operational detail for components which are to be progressively reclaimed throughout the mine life.

"Closure" means when an Operator ceases operations at a facility without the intent to resume mining activities in the future.