



NIRB File No.: 11MN034
NWB File No.: 2AM-MEL1631
NPC File No.: 149337

August 27, 2020

To: Jamie Quesnel
Regional Manager – Permitting and Regulatory Affairs
Agnico Eagle Mines Limited
Baker Lake, NU X0C 0A0

Sent via email: jamie.quesnel@agnicoeagle.com

RE: Conformity Determination for Agnico Eagle Mines Limited's Impact Statement Addendum for the "Saline Effluent Discharge to Marine Environment, Rankin Inlet, Meliadine Gold Mine, Nunavut" Project Proposal and Commencement of the NIRB's Technical Review Period

Dear Jamie Quesnel:

On August 17, 2020 the Nunavut Impact Review Board (NIRB or Board) received Agnico Eagle Mines Limited's (Agnico Eagle or the Proponent) revised Impact Statement Addendum¹ (IS Addendum) submission for the "Saline Effluent Discharge to Marine Environment"² Project Proposal (NIRB File No. 11MN034). The Board initiated an internal review of the revised IS Addendum to determine conformity with the relevant requirements of the Environmental Impact Statement Guidelines (EIS Guidelines) for the Meliadine Gold Mine Project³ applicable to the Board's assessment of the Project Proposal, and the minimum EIS requirements as set out under Section 12.5.2 of the *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada (Nunavut Agreement)*, and s. 101(3) of the *Nunavut Planning and Project Assessment Act*, S.C. 2013, c. 14, s. 2 (*NuPPAA*), with a focus on the areas of non-conformity previously identified by the NIRB.

The NIRB has determined that the revised IS Addendum as submitted by Agnico Eagle conforms to the requirements as set out in the *Nunavut Agreement*, the *NuPPAA*, the EIS Guidelines, and the NIRB's additional direction to the level which would enable the assessment to proceed. The NIRB

¹ Also referred to as Final Environmental Impact Statement (FEIS) Addendum

² Full title "Saline Effluent Discharge to Marine Environment, Rankin Inlet, Meliadine Gold Mine, Nunavut"

³ Guidelines for the Preparation of an Environmental Impact Statement for Agnico-Eagle Mines Ltd.'s Meliadine Project (NIRB File No. 11MN034). Issued by the Nunavut Impact Review Board, February 20, 2012. [Public Registry ID: 286775].

is formally initiating the public technical review of the IS Addendum which can be accessed from the NIRB's online public registry at www.nirb.ca/project/125515.

While the Board has determined that the revised IS Addendum submission meets the necessary requirements in order to initiate the technical review period, there remain several items of uncertainty which must be addressed by the Proponent within its Information Request (IR) Response Package, as follows:

1) Melvin Bay effluent discharge rate alternative

The NIRB notes that the revised IS Addendum describes the option to discharge up to a maximum of 20,000 m³ per day of surface contact water, and that the proposed project infrastructure has been designed to accommodate this alternative, if necessary in the future. The Board notes that the Proponent has completed dispersion modelling with respect to the 20,000 m³ per day discharge volume, however the revised IS Addendum also states that “*Agnico Eagle has not completed a full environmental and socio-economic assessment of this alternative*”.⁴ The Board therefore expects that the Proponent will submit an assessment of the anticipated ecosystemic and socio-economic impacts of this alternative, in accordance with s. 101(3)(g) of *NuPPAA*, as part of its' IR Response Package.

2) Treatment of increased volume of saline effluent

The NIRB also notes that the scope of the previously assessed 2018 Saline Effluent Discharge Project included the “*treatment of saline groundwater, as necessary, to ensure it meets criteria for discharge into the marine environment*”, however in the context of an expected maximum discharge volume of 800 m³ per day.⁵ As the volume of the proposed discharge under the current project proposal is considerably higher in scale than what was previously assessed, the Board expects that the associated treatment process would require to be scaled up appropriately in order to accommodate the treatment of the higher volume of saline effluent over the life of mine. The Board expects that additional information on the treatment of the proposed discharge volumes will be provided as part of the Proponent's IR Response Package, in order to provide certainty that the currently approved process will be able to treat the volumes of saline effluent proposed to a level that continues to meet regulated discharge guidelines and criteria.

THE NIRB TECHNICAL REVIEW PROCESS

As part of the NIRB's reconsideration of the terms and conditions of Project Certificate No. 006 and assessment of the impacts of the “Saline Effluent Discharge to Marine Environment” Project Proposal, the technical review process is meant to provide a detailed review of the IS Addendum to analyse the quality of the information presented by the Proponent. Parties are invited to review the IS Addendum submission and develop technical review comments which address:

- Determination of whether Parties agree/disagree with the conclusions in the IS Addendum regarding the alternatives assessment, environmental impacts, proposed mitigation,

⁴ NIRB Public Registry www.nirb.ca/project/125515, Document ID: 331124

⁵ Nunavut Impact Review Board, Reconsideration Report and Recommendations, Saline Effluent Discharge to Marine Environment Proposal, Agnico Eagle Mines Limited, NIRB File No. 11MN034, October 31, 2018 (the 2018 Saline Effluent Discharge Proposal). Document ID: 320879.

significance of impacts, and monitoring measures – and reasons to support the determination;

- Determination of whether or not conclusions in the IS Addendum are supported by the analysis – and reasons to support the determination;
- Determination of whether appropriate methodology was utilized in the IS Addendum to develop conclusions – and reasons to support the determination, along with any proposed alternative methodologies which may be more appropriate (if applicable);
- Assessment of the quality and presentation of the information in the IS Addendum; and
- Any comments regarding additional information which would be useful in assessing impacts – and reasons to support any comments made.

NIRB Call for Information Requests

To facilitate the development of technical review comments by parties, the NIRB invites interested parties to provide the NIRB with Information Requests (IRs) directed to the Proponent and/or other parties involved in the assessment of the “Saline Effluent Discharge to Marine Environment” Project Proposal. It should be noted that IRs are not meant to serve as technical review comments, but rather should identify information gaps within the IS Addendum that need to be addressed so that parties can complete their substantive and qualitative technical review of the IS Addendum and develop their respective technical review comments. Please note that parties are encouraged to review [Appendix A](#) of this letter, which provides the NIRB’s suggested format for the development of IRs and additional clarification regarding the information that must be included with submissions:

- A clear reference to the volume, document, section, and/or page number in the IS Addendum where relevant information may be found, if applicable;
- To whom the IR is directed;
- Identification of the issue and the specific information being requested;
- The concern associated with the issue and need for information; and
- A clear rationale of the issue and information’s importance to the impact assessment of the proposed project.

The NIRB has also updated the process map (see Enclosure) to reflect the release of the positive conformity determination, and the relevant adjusted timelines are indicated in the following table.

Dates	Process Step
August 17, 2020	Agnico Eagle submits revised IS Addendum.
August 27, 2020	NIRB issues positive conformity determination. Technical review initiated by requesting parties submit Information Requests (IRs) directly to the NIRB (30 days).
September 11, 2020	Participant Funding applications due to Crown-Indigenous Relations and Northern Affairs Canada.
September 25, 2020	Interested parties submit IRs directly to the NIRB.
September 28, 2020	NIRB considers all IRs and makes decisions regarding their suitability. NIRB forwards all appropriate requests to the Proponent (and other parties if applicable) (15 days provided for response).

Dates	Process Step
October 13, 2020	Agnico Eagle (and other parties) submits its response to IRs; NIRB initiates 30-day technical review period.
November 12, 2020	Parties submit technical review comments to the NIRB; NIRB forwards technical review comments to Proponent (and other parties).
November 18, 2020	Agnico Eagle (and other parties) files a response to technical review comments.
November 23-26, 2020	Technical Meeting, Community Roundtable and Pre-Hearing Conference (written submissions/in-person/virtual)
December 9, 2020	Pre-Hearing Conference decision issued determining timing, format, and any associated logistics for the Public Hearing; Public Hearing announced
To be determined	NIRB Public Hearing

At this time the NIRB invites all interested parties to submit their IRs on the IS Addendum as [Appendix A](#) of this letter, to the NIRB via info@nirb.ca on or before **September 25, 2020**. Should any parties have questions or require additional clarification regarding the NIRB's assessment of the "Saline Effluent Discharge to Marine Environment" Project Proposal please contact Erin Reimer, Technical Advisor I, at ereimer@nirb.ca.

Sincerely,

Karen D. Costello
Executive Director
Nunavut Impact Review Board

Attachments: *Appendix A: Suggested Format for NIRB Information Requests*

Enclosure (1): *Revised Anticipated Process for NIRB Assessment of Agnico Eagle Mines Limited's "Saline Effluent Discharge to Marine Environment" Project Proposal (NIRB File No. 11MN034/125515), August 27, 2020*

cc: Meliadine Distribution List
Manon Turmel, Agnico Eagle Mines Limited
Michel Groleau, Agnico Eagle Mines Limited
Stephanie Autut, Nunavut Water Board
Karén Kharatyan, Nunavut Water Board
Carson Gillis, Nunavut Tunngavik Inc.
Luis Manzo, Kivalliq Inuit Association
Natalie O'Grady, Government of Nunavut
Amy Robinson, Government of Nunavut
Saba Qazi, Northern Projects Management Office
Adrian Paradis, Northern Projects Management Office
Tracey McCaie, Crown-Indigenous Relations and Northern Affairs Canada
John Olyslager, Environment and Climate Change Canada
Daniel Coombs, Fisheries and Oceans Canada
Anita Gudmundson, Transport Canada

APPENDIX A: SUGGESTED FORMAT FOR NIRB INFORMATION REQUESTS

Format and File Size

Parties must provide submissions in a fully functional, electronically searchable Word or PDF file with the latest version of Adobe being acceptable format. Noting the current constraints with respect to internet bandwidth and speed in Nunavut, the NIRB requests that all documents be submitted as files between 10 to 25 MB.

Information Requests

The purpose of Information Requests is to identify information gaps or areas of uncertainty within the IS Addendum that need to be addressed so that parties can develop their respective technical review comments. These are not a judgment of the quality of assessment provided, requests for re-assessment or changes to conclusions of the IS Addendum, but rather to identify if any additional information is required to understand the conclusions made in the document, identify missing supporting materials, or clarify the context surrounding an issue and assumptions made through the modelling. Information requests can originate from, and be directed to, any of the parties involved in the assessment.

Submissions must identify what specific information is required and outline why the information required is necessary to facilitate the party's technical analysis of the IS Addendum or the potential impacts of the project. The NIRB will assess the suitability of each request, consider the underlying issue being identified, and balance these requirements with the types of investigations that would be expected to occur in the technical review period.

Parties are asked to ensure that Information Requests address the points set out below:

IR Source:	Identify the organization/department/intervenor proposing the request.
IR Number:	Each specific Information Request must be numbered to allow for effective cross-referencing of the submission.
IR Directed To:	Clearly identify the organizations/departments/agencies to which the IR is directed (e.g., the Proponent and/or specific organization(s) of whom the information is requested).
Subject:	Identify the issue; list the general subject or topic associated with the request (e.g., monitoring of sediment quality).
Reference:	Provide a clear reference to any applicable volume, document, section, and/or page number in the IS Addendum where information relevant to the request may be found.
Issue/Concern:	Provide background information and justification for the request. The issue/concern should identify any shortcomings of available information, concerns associated with the issue and how the requested information is relevant to the technical analysis of information within the IS Addendum. A clear rationale of the issue's importance to the formulation of technical review comments and the overall impact assessment of the proposed project is required.

Information Request:	Specifically state the question and/or outline the specific information being requested of the Proponent or organization. Separate items requested should be appropriately numbered in order to track the provision of responses.
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