



Nunavut Impact Review Board

2019-2020 Monitoring Report

Meliadine Gold Mine Project

Agnico Eagle Mines Limited

NIRB File No. 11MN034



December
2020

Report Title: The Nunavut Impact Review Board’s 2019-2020 Annual Monitoring Report for Agnico Eagle Mines Limited’s Meliadine Gold Mine Project (NIRB File No. 11MN034)

Project: Meliadine Gold Project
Project Location: Kivalliq Region, Nunavut
Land Tenure: Inuit Owned Land

Project Owner: Agnico Eagle Mines Limited
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Monitoring Period: October 1, 2019 – September 30, 2020

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Cover Photo Credit: Photos courtesy of Agnico Eagle

- 1) Sign Post
- 2) Meliadine Mine Site Overview
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1.0 INTRODUCTION

The Nunavut Impact Review Board (NIRB or Board) was established through Articles 10 and 12 of the *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada (Nunavut Agreement)*. On February 26, 2015 pursuant to Section 12.5.12 of the *Nunavut Agreement*, the NIRB issued Project Certificate No. 006 (the Project Certificate) for the Meliadine Gold Project (the Project), allowing the Project to proceed in accordance with the terms and conditions issued therein. As per Section 12.7.2, the NIRB is responsible for project monitoring in order to:

- a) *Measure the relevant effects of projects on the ecosystemic and socio-economic environments of the Nunavut Settlement Area;*
- b) *Determine whether, and to what extent, the land or resource use in question is being carried out within the predetermined terms and conditions;*
- c) *Provide the information base necessary for agencies to enforce terms and conditions of land or resource use approvals; and*
- d) *Assess the accuracy of predictions contained in the project impact statements.*

This report provides findings that resulted from the Board’s monitoring program for the Project from October 2019 to September 2020.

1.1. PROJECT HISTORY AND CURRENT STATUS

<u>Date</u>	<u>Milestone</u>
February 20, 2012	The NIRB issues its decision that Phase 1 of the All-Weather Access Road (AWAR) could proceed prior to the completion of the Review of the Meliadine Gold Mine Project subject to specific terms and conditions
October 10, 2014	The NIRB issued the Final Hearing Report for the Meliadine Gold Mine Project recommending that the Meliadine Gold Mine Project could proceed
January 27, 2015	Then Minister of Aboriginal Affairs and Northern Development accepted the Board’s recommendation
February 26, 2015	The NIRB issued Meliadine Project Certificate No. 006
April 15, 2016	The Nunavut Water Board issued the Type “A” Water Licence (2AM-MEL1631) to Agnico Eagle Mines Limited for a 15-year term
April 13, 2017	The NIRB determined that the quarry at Itivia Harbour quarry (16QN071) could proceed subject to recommended terms and conditions
August 2017	Agnico Eagle received the remaining approvals and permits for development and operation of the Project
October 31, 2018	The NIRB released the Public Hearing Report for the Saline Effluent Discharge to the Marine Environment
January 28, 2019	The Ministers accepted the Board’s report and its recommendations
February 26, 2019	The NIRB issued first amendment to the Meliadine Project Certificate No. 006
May 14, 2019	Agnico Eagle began commercial production phase of Meliadine

March 18, 2020	Agnico Eagle submitted proposed interim measures for additional saline effluent to Itivia Harbour for discharge into Melvin Bay during the summer of 2020
March 25, 2020	The Nunavut Planning Commission referred Agnico Eagle’s “Saline Effluent Discharge to Marine Environment” project proposal to the NIRB for reconsideration.
June 9, 2020	The NIRB determined that the proposed interim measures for additional saline effluent to Itivia Harbour for discharge into Melvin Bay during the summer of 2020 was determined to not require changes to the existing terms and conditions of the Project Certificate but requested specific information
June 9, 2020	The NIRB sent correspondence to the Minister of Northern Affairs to give notice of a reconsideration on the “Saline Effluent Discharge to Marine Environment” project proposal
Postponed due to COVID-19	The NIRB to host a technical meeting by teleconference for the “Saline Effluent Discharge to Marine Environment” project proposal.
Postponed due to COVID-19	The NIRB to host a Community Round Table and Prehearing Conference in Rankin Inlet for the “Saline Effluent Discharge to Marine Environment” project proposal

Agnico Eagle Mines Limited’s (Agnico Eagle or the Proponent) submitted proposed interim measures for additional saline groundwater (saline effluent) to Itivia Harbour for discharge into Melvin Bay during the summer of 2020. On June 9, 2020, the NIRB provided direction regarding the proposed measures and determined that these measures did not constitute a significant modification and requested updates to monitoring and management plans to reflect the activities undertaken in the summer of 2020 as well as a summary of the results of its monitoring program provided to the Board on or before December 10, 2020. Further, the proponent shall continue to engage with the Kangiqliniq Hunters and Trappers Organization, Elders, and community members regarding the 2020 interim program to ensure information is available and that the results of the program are communicated in a meaningful way. All documentation associated with the Meliadine Gold project is available online from the NIRB’s public registry at <http://www.nirb.ca/project/124106>.

During the 2019-2020 monitoring year, Agnico Eagle also submitted a proposed development of a waterline to convey saline effluent from the Meliadine mine site to the existing facility at Itivia Harbour, for discharge of an increased volume of saline effluent to the marine environment, replacing the currently approved trucking method. The Board has received an updated amended Impact Statement, has conducted community information sessions, and has received Agnico Eagle’s response to parties’ technical review comments. The Technical Meeting and Community Roundtable and Pre-hearing Conference scheduled for late November has been postponed due to COVID-19 public health restrictions. All documentation associated with the “Saline Effluent Discharge to Marine Environment” project proposal are accessible via the NIRB’s online public registry at www.nirb.ca/project/125515.

1.2. PROJECT COMPONENTS

The Meliadine Gold Mine project involves the construction and operation of a gold mine located in the Kivalliq Region, approximately 25 kilometres (km) north of Rankin Inlet on Inuit-owned lands. There are five (5) separate deposits that Agnico Eagle plans to develop in a phased approach. Phase 1 is focused on the Tiriganiaq deposit, which will include two (2) open-pits and one (1) underground mine. Phase 2 will include development of a spur road to allow access for development of the Discovery deposit in 2024 and twinning of the All-Weather Access Road (AWAR).

The mine site is comprised of a camp, associated mining infrastructure and the Tiriganiaq underground mine which moved into operations in 2019. Additional Project infrastructure is located at Itivia Harbour in the Hamlet of Rankin Inlet and consists of a barge unloading facility, a laydown storage and marshalling area, a 37.5 million litre (ML) fuel tank farm and the Saline Water Discharge tank. The Itivia Harbour area is connected with the mine site via a private bypass road which allows mine-related traffic from Itivia to bypass the community before connecting to the AWAR. The approximately 24 kilometre (km) long AWAR connecting the bypass road to the mine site is restricted to all-terrain-vehicle access only by the public but will be opened to all public traffic for Phase 2 of the Project which includes expansion of the AWAR to two-lane with appropriate turn offs.

In 2019 after an amendment process, the NIRB approved the addition of saline discharge of a portion of the saline effluent from the Tiriganiaq Underground Mine into Melvin Bay. In the open water season of 2019, Agnico Eagle began discharging saline effluent into Melvin Bay. Trucks transport saline effluent from the mine site to the Saline Water Discharge tank located at the Itivia Facility where the saline effluent is pumped through a waterline to an engineered diffuser located in Melvin Bay at a rate of 800 cubic metres (m³) per day. The saline effluent transport and discharge into Melvin Bay only happens during the open water season and Agnico Eagle stores groundwater on site for the additional months.

In 2020 Agnico Eagle applied for interim measures which would result in the amount of saline effluent transported by truck to storage tanks at Itivia Harbour for discharge into Melvin Bay during the summer of 2020 (2020 Saline Discharge Strategy) which includes the following works:

- An increase to the volume of saline effluent discharged directly into Melvin Bay during the 2020 open water season; from the previously-approved maximum per day of 800 m³ to 1,600 m³; and
- An associated increase in the amount of truck traffic on the AWAR required to transport the additional volume between the Meliadine Gold Mine site and approved Itivia Harbour facility; increasing the maximum daily trips from 16 round trips (32 one way trips) to a maximum of 44 round trips (88 one way trips).

2.0 MONITORING ACTIVITIES

2.1. GENERAL REPORTING REQUIREMENTS

Agnico Eagle submitted the Meliadine Gold Project 2019 Annual Report (*2019 Annual Report*) to the NIRB on April 14, 2020. Following a preliminary completeness check, the NIRB requested additional information and on April 24, 2020 Agnico Eagle submitted revised documents to supplement the *2019 Annual Report* with a final revision submitted on April 30, 2020.

Throughout the 2019-2020 monitoring year Agnico Eagle provided the following new or updated management plans as required by the terms and conditions contained within the Project Certificate or as specifically requested by the NIRB or regulatory authorities: Furthermore, Agnico Eagle updated additional plans to mitigate impacts for the increase in saline effluent discharge for the 2020 open water season.

<u>Plan</u>	<u>Version</u>	<u>Date</u>
<u>2019-2020 Monitoring year</u>		
Water Management Plan	9	March 2020
Groundwater Management Plan	5	April 2020
Freshet Management Plan	6	March 2020
Sediment and Erosion Management Plan	2	March 2020
Water Quality and Flow Monitoring Plan	2	March 2020
Mine Waste Management Plan	6	March 2020
Ore Storage Management Plan	2	March 2020
Explosives Management Plan	6	March 2020
Ammonia Management Plan	2	March 2020
Oil Pollution Emergency Plan	3.1	April 2020
Ocean Discharge Monitoring Plan	2	July 2019
Noise Abatement and Monitoring Plan	3	March 2020
Blast Monitoring Program	2	March 2020
Air Quality Monitoring Plan	2	April 2020
Roads Management Plan	8	December 2019
Interim Closure and Reclamation Plan	1	December 2019
<u>Increased Saline Effluent</u>		
Terrestrial Environment Management and Monitoring Plan (TEMMP)	3	June 2020
Ocean Discharge Monitoring Plan	3	June 2020
Air Quality Monitoring Plan	3	June 2020
Dust Management Plan	6	June 2020

The Proponent’s 2019 Annual Report included results of monitoring activities for the year with associated Inuktitut summaries as well as additional reports and reference material, including:

- TEMMP report
- Marine Mammal and Seabird Observer report
- Air quality monitoring report
- Stack testing report
- Blast monitoring report
- Noise monitoring report
- Spill and follow up reports
- Water monitoring station results
- Post oil transfer report
- Ground temperature cable readings
- Calibration results
- Record of water movement
- Tailing supernatant sampling results
- Geochemical report
- Project Certificate 006 terms and conditions cross-reference table
- Mock spill scenario report
- Analysis certificates for Environmental Effects Monitoring samples
- Aquatic Effects Management Program
- Raptors report
- Toolbox presentations
- Hazardous waste documentation
- Mine Plan
- Traffic log
- Geotechnical report and action table for 2018 and 2019
- Drill site locations
- Training list
- Socio Economic Report
- Public consultation report
- Summary of public consultation and engagement

On May 6, 2020 the NIRB invited interested parties to comment on Agnico Eagle’s 2019 Annual Report by June 22, 2020 in accordance with Project Certificate No. 006, Amendment 001. On May 25, the NIRB extended the deadline for comments to July 6, 2020 on the request of Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC).

On or before July 6, 2020 the NIRB received comments from the following parties, as well the NIRB received a late comment submission on July 30, 2020 from Fisheries and Oceans Canada.

Commenting Party	Public Registry ID No.
Kivalliq Inuit Association (KIA)	330670
Government of Nunavut (GN)	330677
Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC)	330647
Environment and Climate Change Canada (ECCC)	330672
Fisheries and Oceans Canada (DFO)	330902
Transport Canada (TC)	330658

2.2. COMPLIANCE MONITORING

2.2.1. Compliance with the Itivia Quarry

Within its Meliadine Gold Project 2018 Annual Report Agnico Eagle noted that the quarry would not be used in 2019 and the area has been actively reclaimed. No inspections of the site were reported for the 2019 year.

2.2.2. Compliance with the NIRB Project Certificate No. 006

2.2.2.1. Proponent's Responses to the Board's 2019 Recommendations

On October 29, 2019 the Board issued several recommendations to Agnico Eagle resulting from the NIRB's 2018-2019 monitoring efforts including the 2019 site visit.¹ On November 29, 2019 Agnico Eagle provided responses to address each of the Board's 2019 Recommendations², summarized in Table 1.

Following receipt of Agnico Eagle's response to the Board's 2019 recommendations on November 29, 2019³, the NIRB had a follow-up meeting with Agnico Eagle on December 17, 2019 to discuss and clarify the expectations of the Board's 2019 recommendations. At that time, the NIRB requested Agnico Eagle submit a supplementary submission in order to satisfy the Board's recommendations and other recommendations included within the NIRB's 2018-2019 Annual Monitoring Report.

On January 31, 2020 the NIRB received Agnico Eagle's supplemental submission in response to the Board's recommendations and the NIRB's Monitoring Report recommendations, as summarized in Table 1.

¹ Public Registry ID No.: 327347

² Public Registry ID No.: 327327

³ Public Registry ID No: 327611

Table 1 2019 NIRB Recommendations and Agnico Eagle Responses

#	<u>BOARD RECOMMENDATION</u>	<u>AGNICO EAGLE'S RESPONSE</u>	<u>AGNICO EAGLE SUPPLEMENTAL</u>
1	<p>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.</p> <p>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.</p>	<ul style="list-style-type: none"> ▪ Agnico Eagle is collaborating with the Kangiqliniq Hunters and Trappers Organization (KHTO) to develop a Hunter Harvest Survey Calendar. ▪ The KHTO will lead discussions with the Hunters and Trappers in the region and use the calendar as the method to record hunting. KHTO will also discuss with any outfitters in the area the success of hunting in the area. ▪ Agnico Eagle and KHTO have developed a strategy for the calendar through KHTO meeting with the hunters to record pertinent data relating to hunting. Recorded information will start from July 2019 and will go to July 2020. ▪ Agnico Eagle and KHTO will review the success of the program and any changes deemed relevant will be updated in the following Hunter Harvest Survey. 	<ul style="list-style-type: none"> ▪ Agnico Eagle is providing financial and technical support for the Project. ▪ Provided dates and descriptions of regular meetings with KHTO representatives. ▪ Reviewed alternatives to the calendar project and determined that they would be unsuccessful based on success at other mines ▪ Data will be collected from July 2019 to July 2020 and the program will be re-evaluated if needed once it has been completed.

#	<u>BOARD RECOMMENDATION</u>	<u>AGNICO EAGLE'S RESPONSE</u>	<u>AGNICO EAGLE SUPPLEMENTAL</u>
2	<p>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 microdust 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).</p> <p>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.</p>	<ul style="list-style-type: none"> ▪ Agnico Eagle monitoring of dust deposition along the all-weather access road (AWAR) included three (3) transects at kilometres (km) 4, 10 and 23. The use of transects rather than single samplers is in line with common practice and allows Agnico Eagle to verify if dustfall rates decline from the AWAR as predicted in the FEIS. ▪ Meadowbank monitoring along the Meadowbank AWAR show dustfall rates decline below Alberta Air Quality Guidelines for recreational areas within 25 to 100 metres of the AWAR where dust suppressant is used. Dust suppressant is used along the entire AWAR at Meliadine, and discussions have been initiated with the Government of Nunavut (GN) to have a new product approved as dust suppressant in the North. ▪ Should the NIRB initiate a partnership with the GN and Environment and Climate Change Canada (ECCC), Agnico Eagle would participate in any discussions between government, industry and other relevant stakeholders. 	<ul style="list-style-type: none"> ▪ Reiterated that dustfall is within predictions. ▪ Working on implementing ways to reducing dust emission at the source, such as diminishing the traffic by using a waterline rather than water trucks for saline discharge. ▪ Committed to keeping ongoing communications with the NIRB on this topic.

#	<u>BOARD RECOMMENDATION</u>	<u>AGNICO EAGLE'S RESPONSE</u>	<u>AGNICO EAGLE SUPPLEMENTAL</u>
3	<p>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.</p> <p>The submission should be provided to the Board within 30 days following the issuance of this recommendation.</p>	<ul style="list-style-type: none"> ▪ Factors contributing to waste management facilities reaching capacity prior to predicted 10 year life include: <ul style="list-style-type: none"> ▪ More workers were needed at site than predicted during the construction phase; ▪ More facilities were needed at site for water treatment; ▪ Waste management and recycling strategy not fully developed in the early stage of production; ▪ Unexpected major spills occurred during exploration phase generating more contaminated soil than predicted. ▪ Agnico Eagle is taking the following steps to manage existing and future waste and/or contaminated soils appropriately: <ul style="list-style-type: none"> ▪ Creation of an Environment Committee which will focus on domestic waste management; ▪ Analysis and refinement of recycling options, such as metals and wood; ▪ Improvement of internal procedures and more frequent toolbox meetings to increase awareness. ▪ Develop a conceptual plan to store contaminated soils within the waste rock storage facility as temporary measure; 	<ul style="list-style-type: none"> ▪ Agnico Eagle is evaluating amendment possibilities for Landfarm B. ▪ Developing a plan for emergency storage in the Waste Rock Storage Facility (WRSF). ▪ Prioritizing soil remediation in the 2020 summer season. ▪ Update appropriate management plans with the strategy for contaminated soil and land farm. Information to be included in the 2020 annual report.

#	<u>BOARD RECOMMENDATION</u>	<u>AGNICO EAGLE'S RESPONSE</u>	<u>AGNICO EAGLE SUPPLEMENTAL</u>
		<ul style="list-style-type: none"> ▪ Request to rehabilitate Licence B Landfarm to use while soil in Landfarm A is being treated. ▪ Continue soil remediation at site in 2020 following the Landfarm Management Plan. 	
4	<p>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.</p> <p>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.</p>	<ul style="list-style-type: none"> ▪ Agnico Eagle has contracted BearWise to conduct wildlife safety training and audit, focusing on waste management and foxes. GN Department of Environment will be invited to participate in the exercise. ▪ Agnico Eagle is implementing an Environment Committee to focus on improving domestic waste management and significantly reduce the presence of potential wildlife attractants on site. ▪ Agnico Eagle highlights that most of the 22 destroyed foxes were euthanized by the GN Conservation Officer through usage of baited fox traps. 	<ul style="list-style-type: none"> ▪ Agnico Eagle will update and submit relevant plans following the wildlife safety training and audit by BearWise.

2.2.2.2. Compliance Achievements

Compliance monitoring involves an assessment undertaken by regulators and other agencies to establish whether a project is being carried out within the legislation, regulations, instruments, commitments and agreements as such are applicable to certain project activities, and further, is a requirement of the NIRB's Post-Environmental Assessment Monitoring Program (PEAMP) for each Project Certificate. At present, the NIRB has not yet issued a PEAMP for the Mary River Project Certificate and expects to do so once sufficient permits are issued for the Project to understand the responsible authorities' operational requirements. A PEAMP is designed to work as an instrument of the Proponent's overall monitoring efforts of the project and should provide the NIRB with information respecting the activities relating to a project, its impacts and the implementation of any mitigative measures through use of the monitoring plans and programs as described in the review or reconsideration processes.

With the commencement of operations in May 2019 Agnico Eagle is now well into the implementation of many of its management and monitoring plans. All terms and conditions are now applicable to the Project and consultations and collaborations should be completed in order to refine and finalize the management and monitoring plans. However, with the NIRB considering an amendment to the Project Certificate, the NIRB is unable to issue the PEAMP at this time.

[Appendix A](#): Compliance with the Meliadine Gold Mine Project Certificate No. 006 Agnico Eagle's compliance achievements with the Project Certificate from 2019 to 2020. During this reporting period, the Proponent was successful in having met most of the requirements of the NIRB Project Certificate No. 006. However, there are several terms and conditions that the Proponent has yet to fully achieve or make progress towards achieving, specifically term and conditions: 1, 7, 19, 36, 37, 43, 44, 46, 56, 57, 66, 86, 88, 91, 104, 116, 131. The NIRB has provided direction in both the Appendix A with each Term and condition as well as in Sections [2.5](#) and [6.0](#).

Agnico Eagle has improved the information contained within Agnico Eagle's Annual Report and the NIRB appreciates the Proponent's effort to date; however the NIRB emphasizes that the data should be analyzed, and a more detailed summary and discussion of what the results mean should be included within the main text of the annual report. Further discussion and recommendations for the annual report format are included in [Section 2.5](#).

2.3. COMPLIANCE MONITORING BY REGULATORY AUTHORITIES.

On May 6, 2020 the NIRB requested that regulatory authorities with expertise or jurisdiction at the Meliadine Gold Mine Project provide a summary of any compliance monitoring and/or site inspections undertaken in association with the Project, including specifically:

- a. Compliance Monitoring
 - i. Provide a summary of any compliance monitoring and/or site inspections undertaken in association with the Project, including specifically:
 - a. Identify the terms and conditions from the Project Certificate which have been incorporated into any permits, certificates, licences or other government approvals issued for the Project, where applicable;

- b. A summary of any inspections conducted during the 2019 reporting period, and the results of these inspections; and
- c. A summary of the Proponent’s compliance status with regard to authorizations that have been issued for the Project.

The following is a summary of comments received by parties on or before July 6, 2020.

2.3.1.1. Kivalliq Inuit Association

The Kivalliq Inuit Association did not provide any information regarding any site inspections conducted at the Meliadine Gold Mine Project site or report any concerns regarding compliance monitoring.

2.3.1.2. Crown-Indigenous Relations and Northern Affairs Canada

Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) noted in its submission that it issued a surface lease for the marine discharge pipe for the Meliadine Gold Mine Project. In 2019, CIRNAC inspectors conducted four (4) onsite inspections to assess compliance with terms and conditions in the Proponent’s water licences and they provided a table in their submission to cross reference these with the NIRB Project Certificate 006 outlining how various terms and conditions have been incorporated into the Type “A” Water Licence 2AM-MEL1631. While onsite, inspectors noted several concerns related to food waste and lack of signage at the landfill, lack of maintenance and unsecure waste, and dust complaints at the Tailings Storage Facility. CIRNAC Inspectors were general satisfied with Agnico Eagle’s response to these.

2.3.1.3. Environment and Climate Change Canada (ECCC)

Environment and Climate Change Canada did not provide any information regarding any site inspections conducted at the Meliadine Gold Mine Project site or report any concerns regarding compliance monitoring.

2.3.1.4. Transport Canada (TC)

Transport Canada did not complete any physical inspections in 2019, however, reported that the Project is in compliance with Marine Transportation Security Regulations and the Rankin Inlet oil handling facility is in compliance with regulatory requirements.

2.4. EFFECTS MONITORING

Effects monitoring can be described as an assessment of the measurable change to a particular environmental or socio-economic component, as compared to the potential effects that were predicted to result from a proposed development. In the case of Meliadine, impact predictions and mitigation measures were outlined and developed throughout the environmental review of the Project and were recorded and presented through the Proponent’s Final FEIS and other related documents.

On May 6, 2020 the NIRB also requested that regulatory authorities with expertise or jurisdiction at the Meliadine Gold Mine Project provide comments and information with respect to effects monitoring for the 2019 reporting period. Specifically:

- a) Whether the conclusions reached by Agnico Eagle in its *2019 Annual Report* are valid;
- b) Whether there are any areas of significance requiring further supporting information.

Tables 2 through 5 contain a summary of comments received by parties on or before July 6, 2020 and Agnico Eagle’s responses from August 7, 2020⁴.

Table 2: Kivalliq Inuit Association (KIA) Recommendations and Agnico Eagle’s Responses

<u>KIA RECOMMENDATION</u>	<u>AGNICO EAGLE’S RESPONSE</u>
<i>Water Quality and Water Balance</i>	
<ul style="list-style-type: none"> ▪ Agnico Eagle should elaborate on why they were unable to meet the total dissolved solids (TDS) discharge criterion at MEL-14 resulting in the failure to complete drawdown of CP1 in 2019. ▪ Recommend that Agnico Eagle take steps to address the identified problem to ensure future adherence to the 1,400 mg/L discharge criterion outlined in the water licence while still drawing down CP1 by the fall of each calendar year 	<ul style="list-style-type: none"> ▪ Agnico Eagle is currently evaluating TDS loading mechanisms to CP1 and is updating the water quality model to develop a sustainable water management strategy for CP1. Agnico Eagle is planning on filling a Water Licence amendment in August 2020 to the Nunavut Water Board to address CP1 water management and will address KIA recommendation through this process.
<ul style="list-style-type: none"> ▪ The next iteration of the water quality and water balance models include sensitivity analysis. ▪ Recommend Agnico Eagle develop specific adaptive management strategies within the scope of the existing Water Licence and Project Certificate that can be used to mitigate potential impacts to the environment and circumvent the need for future project certificate and water licence amendments. 	<ul style="list-style-type: none"> ▪ Agnico Eagle agrees with this KIA comment and will further address it through its repose to NWB comments on the 2019 Annual Report.
<ul style="list-style-type: none"> ▪ The KIA would appreciate if the complete documentation of all the risk assessments and workshops be made available and included in the 2019 Annual Report for review. 	<ul style="list-style-type: none"> ▪ Agnico Eagle will address KIA recommendation during the Water Licence Amendment process.
<ul style="list-style-type: none"> ▪ Agnico Eagle should provide appropriate mine staff with additional guidance to help minimize nitrogenous blasting residues and subsequent loading to Meliadine Lake. Considerations should additional effort to keep blasting materials dry prior to ignition. 	<ul style="list-style-type: none"> ▪ Even though only minor enrichment has occurred in the near field area relative to the rest of Meliadine Lake, Agnico Eagle has proactively initiated an ammonia working group.

⁴ NIRB Document ID: 331021

<u>KIA RECOMMENDATION</u>	<u>AGNICO EAGLE'S RESPONSE</u>
<ul style="list-style-type: none"> ▪ Agnico Eagle should include soluble reactive phosphorus or orthophosphate in the list of parameters assessed at both MEL-13 and MEL-14 and use those concentrations in addition to TP to evaluate the relationship between nutrient concentrations and phytoplankton biomass. 	<ul style="list-style-type: none"> ▪ Orthophosphate is included in the list of analytes measured ▪ Agnico Eagle does not believe a more detailed investigation is warranted for the 2020 program.
<ul style="list-style-type: none"> ▪ Please discuss whether total suspended solids (TSS) measured in pooled water and snowmelt runoff triggers a management response. If so, please explain what level of TSS triggers action, what action is taken, and what mitigation measures are used to prevent recurrence of the problem. 	<ul style="list-style-type: none"> ▪ When monitoring the transport of TSS into a water body, Agnico Eagle references the Maximum Average and Maximum Grab sample concentration limits for TSS. ▪ Management responses are implemented when necessary.
<i>Groundwater Management</i>	
<ul style="list-style-type: none"> ▪ Please explain why the saline water treatment plant (SWTP) did not meet its design capacity for treating groundwater in 2019. Please discuss how its performance will be improved in the future. 	<ul style="list-style-type: none"> ▪ Please refer to answer to the CIRNAC Saline Water Treatment response.
<ul style="list-style-type: none"> ▪ Please clarify what is considered a significant difference between predicted and observed groundwater inflow rates. ▪ Recommended Agnico Eagle updates the groundwater inflow rates in the forthcoming iteration of the water balance model. 	<ul style="list-style-type: none"> ▪ Agnico Eagle considers the following a significant variation: Groundwater inflows to the mine, based on a monthly average of inflow over six consecutive months, is 30% higher than the predicted groundwater inflows. ▪ Agnico Eagle is currently conducting an update to the predicted groundwater inflow rate.
<i>Waste Management</i>	
<ul style="list-style-type: none"> ▪ Please clarify the total volume of tailings and waste rock placed in the tailings storage facility (TSF) in 2019. 	<ul style="list-style-type: none"> ▪ The values for each month and the summary values in the text are correct: a total of 507,583 m³ of tailings material and 75,082 m³ of waste rock was placed in the TSF during 2019.
<ul style="list-style-type: none"> ▪ Please explain how the development of waste rock storage facilities (WRSFs) 1 and 2 will comply with the 2019 <i>Fisheries Act</i> prohibition against the harmful alteration, disruption or destruction of fish habitat. 	<ul style="list-style-type: none"> ▪ Agnico Eagle refers KIA to its Fisheries Screening Assessment and Offsetting Plan submitted to Fisheries and Ocean Canada for further information on this topic.
<ul style="list-style-type: none"> ▪ Neutralization potential (NP)-calcium (Ca) noted in text for acid rock drainage (ARD) from filtered tailings for calcium carbonate (CaCO₃)/tonne and total sulfur (S) percentages are different than the same parameters noted in Table 1 of Appendix C. ▪ The KIA would appreciate confirmation of the correct values. 	<ul style="list-style-type: none"> ▪ Table 1 provides the summary results for waste rock, whereas Table 3 provides the summary for filtered tailings.

<u>KIA RECOMMENDATION</u>	<u>AGNICO EAGLE'S RESPONSE</u>
<i>Accidents and Malfunctions</i>	
<ul style="list-style-type: none"> ▪ Please provide the missing information on (i) how the number of non-reportable spills compares to previous years, (ii) what ultimate action was taken to manage the April 16 fuel spill, and (iii) what hazardous material was spilled on May 19 in Cell 6 TSF. This information should be provided in future Annual Reports. 	<ul style="list-style-type: none"> ▪ Agnico Eagle provided year over year reportable spills. ▪ To manage the April 16, 2020 spill, approximately 20 absorbent diapers were used as well as absorbent sand was used to clean up the spill. ▪ Material spilled on May 19, 2020 was hydraulic oil.
<ul style="list-style-type: none"> ▪ Please ensure consistency in reporting for all reportable spills, by providing government spill report forms for all spills, reporting numbers for all spills, and organizing spill reports in chronological order. 	<ul style="list-style-type: none"> ▪ Agnico Eagle will account for KIA's comment it in the 2020 Annual Report.
<ul style="list-style-type: none"> ▪ Please explain how lengthy delays in responding to and reporting spills to water will be avoided in the future. ▪ Please discuss how effective the delayed clean-up efforts were at removing oil from lake B7. 	<ul style="list-style-type: none"> ▪ Agnico Eagle conducted a follow-up investigation after this incident and determined more thorough pre-op inspections must be completed to identify equipment failures and avoid delays in noticing such spills. ▪ As per the spill follow-up report : #19-171, absorbent sheets and booms were changed and removed from drill site to finish cleaning of the site and drill 3 was removed once the final inspection was completed and showed no oil or sheen remained within the drill site.
<ul style="list-style-type: none"> ▪ Please indicate what steps are being taken to avoid heat from drills melting ice on waterbodies where work is being conducted. ▪ Please describe how spill reporting requirements are communicated to contractors to avoid delays in reporting to regulatory authorities, and what follow-up is in place to ensure compliance. 	<ul style="list-style-type: none"> ▪ Various corrective measures were put in place,
<ul style="list-style-type: none"> ▪ The August 19, 2019 discharge to sea exceeded the Metal and Diamond Mining Effluent Regulations (MDMER) limit for TSS. Internal investigations showed that algae in Saline Pond 3 was a contributing factor and chlorine dosing of the Saline Effluent Treatment Plant and subsequent cessation of discharge. ▪ Please provide more details on the in-house analysis conducted to determine that discharge could resume on September 24, including results of the in-house acute lethality tests. 	<ul style="list-style-type: none"> ▪ The implementation of improved chlorine control measures, more explicit effluent targets, and improved quality of SETP feed water source. ▪ Total chlorine concentrations were confirmed to be below trigger limits before discharge was resumed on September 24, 2019.

<u>KIA RECOMMENDATION</u>	<u>AGNICO EAGLE’S RESPONSE</u>
<i>Marine Environment</i>	
<ul style="list-style-type: none"> ▪ Environmental conditions were not summarized for seabird monitoring but were assumed to be similar to those collected for marine mammal surveys because they alternated with them “<i>numerous times throughout daily monitoring</i>”. ▪ Please discuss whether the assumption that environmental conditions are similar between different survey types (potentially separated by several hours and hundreds of kilometres) is valid. ▪ Agnico Eagle should improve the consistency of reporting during marine mammal and seabirds observation (MMSO) surveys to ensure environmental conditions are reported during each survey. ▪ Please explain how environmental variables are used in the analysis of monitoring data. 	<ul style="list-style-type: none"> ▪ Environmental conditions were summarized in the marine mammal section as overall environmental and sighting conditions for the entire duration of the 2019 MMSO program. ▪ During 2019, Agnico Eagle reviewed the MMSO program. The updated MMSO Program training protocol highlights the need to ensure weather data are collected regularly during each surveys and simplified field data sheets to allow the MMSOs on the vessel to circle weather options to facilitate complete data entry.
<ul style="list-style-type: none"> ▪ Agnico Eagle states that for marine mammal monitoring, “<i>the total survey effort is likely greater than presented...as many datasheets were missing survey times, dates and/or GPS coordinates and therefore could not be incorporated into the analysis</i>”. Please explain how inconsistencies in monitoring are being addressed to avoid missing data, which makes the corresponding surveys unusable for analysis. 	<ul style="list-style-type: none"> ▪ Agnico Eagle developed new training materials, a webinar training workshop, identification resources and data sheets during spring 2020. These new materials are available for the 2020 shipping season. ▪ The updated MMSO Program emphasizes the need to ensure all data is entered correctly.
<i>Terrestrial Environment</i>	
<ul style="list-style-type: none"> ▪ Agnico Eagle should clarify whether and when traffic volumes predicted in the FEIS will be attained, and if they won’t be attained, what implications this has for assessment of impacts of the project on wildlife. 	<ul style="list-style-type: none"> ▪ Based on data collected so far, traffic volume is still within FEIS predictions. Nonetheless, Agnico Eagle has submitted a waterline application in which conveyance of saline water will drastically diminish traffic.
<ul style="list-style-type: none"> ▪ Agnico Eagle should include in the annual Terrestrial Environment Management and Monitoring Plan (TEMMP) systematic and detailed caribou observations and collar data, details of the frequency and type of monitoring and systematic records of the triggers that resulted in increased mitigation (e.g., work stoppages and road closures). 	<ul style="list-style-type: none"> ▪ Please refer to Answers for GN-01, GN-02 and GN-03.
<ul style="list-style-type: none"> ▪ Agnico Eagles should use descriptive statistics and trend analyses to report on natural variation and potential mine-related changes in wildlife. 	<ul style="list-style-type: none"> ▪ The TEMMP has been designed according to the project’s various phases. 2019 represented the first year of operations, and as more data is collected over the next two (2) years to end of and a range of natural variability and other trends can be observed, more robust analyses will be possible.

<u>KIA RECOMMENDATION</u>	<u>AGNICO EAGLE'S RESPONSE</u>
<ul style="list-style-type: none"> ▪ Agnico Eagle should conduct an evaluation of caribou movements through the mine site and AWAR to examine displacement/deflection of caribou and responses to operations during migration. Data analysis should be conducted to test impact predictions, monitor impact thresholds and trends over time, and to support implementation of mitigation measures. 	<ul style="list-style-type: none"> ▪ Deflections were not observed through caribou behaviour monitoring for the 2019 monitoring period. ▪ Caribou collar data are not useful to determine deflection. ▪ More robust analyses will be conducted as more ground monitoring data is collected, particularly over the first three years of operations.
<ul style="list-style-type: none"> ▪ Not enough details to allow analysis are provided on the caribou behavioural data from scan sampling. ▪ Agnico Eagle should provide data on distance from infrastructure, group composition or the proportions of the varying behaviours observed. 	<ul style="list-style-type: none"> ▪ A consultant will be coming to site for the 2020 migration period and will provide training to the staff. It is expected this training will lead to significant improvements to the data recording, which will be reflected in the 2020 Annual Report.
<ul style="list-style-type: none"> ▪ Agnico Eagle should compare the efficacy of collar data and ground observations as triggers for mitigating potential impacts for caribou movement through the mine site. 	<ul style="list-style-type: none"> ▪ Please refer to the response to comment GN-01 and GN-02. Agnico Eagle will consider this type of comparison when there is sufficient ground survey data as well as complete collar data provided by the GN.
<ul style="list-style-type: none"> ▪ Agnico Eagle should provide figures of collar movements at broad and fine (individual collar trajectories) scales in Meliadine Annual Reports to aid in interpretation of monitoring and efficacy of mitigation. 	<ul style="list-style-type: none"> ▪ A data sharing agreement was granted between the GN Department of Environment and Agnico Eagle. The data sharing agreement includes clauses on confidentiality.
<ul style="list-style-type: none"> ▪ Agnico Eagle should clarify the objectives of the wildlife track surveys and present the results in a manner to enable examination of objectives and of spatial and temporal trends over time. 	<ul style="list-style-type: none"> ▪ Wildlife track surveys are conducted as part of general Mine site wildlife sightings and surveillance activities and are not completed systematically. The objectives are to record the presence of wildlife and/or wildlife signs in relation to Mine infrastructure.
<ul style="list-style-type: none"> ▪ Agnico Eagle should clearly indicate what waste and infrastructure management protocols are being implemented to reduce site attraction and fox mortality. Data on past rabies testing and current concerns are also warranted. 	<ul style="list-style-type: none"> ▪ Agnico Eagle has developed an Environmental Working Group which is looking at developing improved methods for site separation and disposal of wastes. ▪ Staff from the Environment Department routinely conduct toolbox meetings with different departments on waste management best practices as well as on wildlife management.
<ul style="list-style-type: none"> ▪ Agnico Eagle should provide detailed and clear reporting of the monitoring that triggered thresholds to intensify (or scale down) mitigation (e.g., collars, incidental observations, site and road surveillance monitoring) and at what distance from infrastructure that monitoring occurred. 	<ul style="list-style-type: none"> ▪ Please refer to answer to GN-05.

<u>KIA RECOMMENDATION</u>	<u>AGNICO EAGLE'S RESPONSE</u>
<ul style="list-style-type: none"> ▪ Agnico Eagle should: <ul style="list-style-type: none"> ▪ Provide a table of raptor nesting metrics; ▪ Clarify peregrine falcon nesting sites and territories; and ▪ Provide more information on raptor nesting metrics to better inform trends over time. 	<ul style="list-style-type: none"> ▪ Agnico Eagle will account for KIA's comment in future reports when applicable.
<i>Dust Suppression</i>	
<ul style="list-style-type: none"> ▪ Agnico Eagle should clearly detail dust suppression activities conducted on Meliadine roads. If these activities are not reported in the annual Air Quality Monitoring Report, then Agnico Eagle should clarify where these data are annually presented. 	<ul style="list-style-type: none"> ▪ Agnico recognizes the KIA's request and will include details on dust suppressant application (dates, locations, quantities, types) within subsequent annual Air Quality Monitoring Reports. ▪ In 2019, Agnico applied dust suppressant (water and calcium chloride) to service roads, haul roads, and the all-weather access road based on results of daily visual inspections during the snow-free season, in accordance with the accepted Dust Management Plan.
<i>Mine Activity</i>	
<ul style="list-style-type: none"> ▪ The KIA would appreciate confirmation that the tonnages to be extracted and milled in 2020 are those described in Appendix I-11. 	<ul style="list-style-type: none"> ▪ Agnico Eagle confirms numbers in tables 4.1, 4.2 and 4.3 of the 2020 Mine Plan (Appendix I-11) are correct.
<i>Cost Estimates</i>	
<ul style="list-style-type: none"> ▪ The discussions regarding this cost estimate are to be held in 2020. The KIA would appreciate any information on the possible schedule for these discussions. 	<ul style="list-style-type: none"> ▪ Agnico Eagle will liaise with KIA and CIRNAC directly on this matter.

Table 3: Government of Nunavut (GN) Recommendations and Agnico Eagle's Responses

<u>GN RECOMMENDATION</u>	<u>AGNICO EAGLE'S RESPONSE</u>
<i>Terrestrial Effects Monitoring and Mitigation Program (TEMMP)</i>	
<ul style="list-style-type: none"> ▪ The Proponent should prepare a technical memo describing the study design for the caribou behavioral observation study. This document should contain relevant details on sample size and effort needed to achieve statistical power to detect Project effects, sampling strategy(s) for selecting caribou groups for observation, timing of observations, data collection protocols (including data on covariates affecting behavior), and analytical approaches. The memo should also provide a schedule for data collection, analysis and the reporting of final results. 	<ul style="list-style-type: none"> ▪ Opportunities to collect information on caribou behaviour is limited due to the short duration that caribou interact with the Project, and the shutdown protocols. ▪ During 2020, Agnico Eagle updated the caribou behaviour monitoring program to follow the standard methods for caribou behaviour monitoring. ▪ Following completion of the 2020 season, Agnico Eagle intends to evaluate data from the 2020 standard methods and results will be reported in the 2020 NIRB Report.

<u>GN RECOMMENDATION</u>	<u>AGNICO EAGLE'S RESPONSE</u>
<ul style="list-style-type: none"> ▪ The Proponent should revise the study design memo in response to reviews of this document by the GN and other parties. 	
<ul style="list-style-type: none"> ▪ Since the Project was assessed, overlap between the Project and the range of the Qamanirjuaq caribou herd has increased dramatically. This trend has not been acknowledged, reported or analyzed in detail by the Proponent. ▪ Recommended that the NIRB require an adaptive response by the Proponent to the significant changes in baseline conditions for caribou that have occurred since the Project was assessed and approved. 	<ul style="list-style-type: none"> ▪ Traditional Knowledge and Inuit Qaujimajatuqangit indicating that caribou migrate though the Project area, cyclically, every six (6) to 12 years and this was incorporated into the impact assessment. ▪ The TEMMP is already a conservative management plan for caribou. ▪ Agnico Eagle does not believe the TEMMP's caribou monitoring and mitigation provisions require an update.
<ul style="list-style-type: none"> ▪ The 2019 TEMMP Annual Report concludes that a threshold of no more than 10% deflection of caribou groups was not exceeded in 2019. The report does not present enough information for technical reviewers to evaluate the validity of this conclusion in terms of methods, timing, number of surveys conducted, the data collected or a quantitative analysis of the data to support this conclusion. Contrary to requirements under the TEMMP and the Project Certificate the report does not present wildlife survey data for the AWAR or data on incidental observations. ▪ Recommended revisions to TEMMP report and submit the revised report to NIRB and circulate it for review by interested parties including the GN. 	<ul style="list-style-type: none"> ▪ Qualitative comparisons were made of the available data, indicating where observations were comparable year to year or other trends. As more data is collected over the next two (2) years to end of 2021 and a range of natural variability and other trends can be observed and analyzed, the results can be presented and thresholds may be determined or refined. ▪ Caribou response to stressors observed during 2019 surveys indicated no response or change in behaviour, which suggests deflection may not be a primary concern. As additional data is collected this will be better understood.
<ul style="list-style-type: none"> ▪ Results from the monitoring of caribou harvesting along the AWAR are not reported in the Proponent's 2019. Although the required Road Management Agreement has been developed, implementation of this agreement and its effectiveness cannot be evaluated since the <i>2019 Annual Report</i> does not present the necessary data. ▪ Given the observed trend towards increasing overlap between the Project's AWAR and the Qamanirjuaq caribou herd. ▪ Recommended revisions to the <i>2019 Annual Report</i> and submit the revised report to NIRB and circulate it for review by interested parties including the GN. 	<ul style="list-style-type: none"> ▪ Prior to the approach of caribou, based off satellite collar data, Agnico Eagle and the KHTO begin daily monitoring of the AWAR. ▪ Agnico Eagle has worked with the KHTO to develop a one (1) kilometre (km) exclusion zone for harvest surrounding the road. ▪ There are several safety and logistic constraints to monitoring harvesting along the AWAR. ▪ To address these issues Agnico Eagle is collaborating with the KHTO and Hunter Harvest Surveys were commenced.

<u>GN RECOMMENDATION</u>	<u>AGNICO EAGLE'S RESPONSE</u>
<ul style="list-style-type: none"> ▪ The extent to which Caribou Protection Measures (CPMs) are being implemented by the Proponent and the effectiveness of these measures cannot be assessed by reviewers based on the information provided. Key data and analyses are lacking to demonstrate that observations of caribou were triggering mitigation actions as required under the CPMs. ▪ Recommended that Agnico Eagle provide additional data and analysis and submit the revised report to NIRB and circulate it for review by interested parties including the GN. 	<ul style="list-style-type: none"> ▪ Agnico Eagle is working with its on-site environment team and consultants to determine the best way to report these data and will update the reporting format for the 2020 Annual Report as appropriate.

Table 4: Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) Recommendations and Agnico Eagle's Responses

<u>CIRNAC RECOMMENDATION</u>	<u>AGNICO EAGLE'S RESPONSE</u>
<i>Previous CIRNAC Recommendations</i>	
<ul style="list-style-type: none"> ▪ CIRNAC recommends that moving forward Agnico Eagle track volumes of Waste Rock classified as uncertain in the net potential ratio (NPR) range. 	<ul style="list-style-type: none"> ▪ Agnico Eagle does not consider the number of sedimentary rock samples with an NPR in the uncertain range significant nor indicative of ARD risk.
<ul style="list-style-type: none"> ▪ Present in future annual reports a year-over-year comparison of actual volumes of water reporting to water retaining structures with FEIS predictions. ▪ Provide the necessary information pertaining to the reporting of daily, monthly and annual flow volumes of any watercourse diverted during construction activities, and of seepage from dikes, dams and other structures ▪ Update Appendices A-1, A-2 and A-3 of the 2019 Annual Report to include data collected in 2019. 	<ul style="list-style-type: none"> ▪ Agnico will provide this, as applicable, in future annual reports ▪ The Mine is no longer in construction and thus is not expected to require the diversion of any watercourse due to construction activities. No seepage through dikes or dams is currently observed at the Mine and was not observed in 2019. ▪ Appendices A-1, A-2, and A-3 of the 2019 Annual report include data collected in 2019.
<ul style="list-style-type: none"> ▪ Provide a year-over-year comparison of total reportable and non-reportable spills. ▪ Provide more details when describing spill response actions taken. 	<ul style="list-style-type: none"> ▪ Please refer to KIA-5 for year-over-year comparison of total reportable and non-reportable spills. Agnico Eagle will account for Recommendation 2 in the 2020 Annual Report.
<ul style="list-style-type: none"> ▪ Present water quality data summaries for all mine site monitoring stations; and, ▪ Present (preferably in tabular format) year-over-year comparison of the measured concentrations for the various water quality parameters to FEIS predictions, where available. 	<ul style="list-style-type: none"> ▪ Agnico Eagle will continue to provide summaries and discussions of data pertaining to Monitoring Station to which MDMER and Water License criteria are applicable, and will continue to provide the remaining monitoring station data in tabular format for review in Appendix H-3 of the Annual Report.

<u>CIRNAC RECOMMENDATION</u>	<u>AGNICO EAGLE'S RESPONSE</u>
<ul style="list-style-type: none"> ▪ CIRNAC recommended multiple changes to improve the general accessibility of the Annual Report. 	<ul style="list-style-type: none"> ▪ Agnico Eagle will account for these comments in the 2020 Annual Report.
<ul style="list-style-type: none"> ▪ Modify the content of the Feedback/Outcome section to provide more specific / meaningful notes on the inspection summary. ▪ For any inspections where Action Required or Non-Compliance items are noted, include a summary description of Agnico Eagle's actions to address the issues. 	<ul style="list-style-type: none"> ▪ Agnico Eagle will account for these recommendations in the 2020 Annual Report.
<ul style="list-style-type: none"> ▪ Agnico Eagle identify excavated ore by source and track the associated tonnages. 	<ul style="list-style-type: none"> ▪ Agnico Eagle will account for this comment in future annual reports.
<ul style="list-style-type: none"> ▪ Review mine ore lithology and geochemistry to update predictions of ARD potential of ores and clarify how the ARD was underestimated. ▪ Carry out geochemical modelling of the tailings facility to establish a new set of predictions for source term behaviour and potential impacts on water quality. ▪ Perform a comprehensive assessment to identify what if any changes are necessary to the tailing management and closure strategies. 	<ul style="list-style-type: none"> ▪ Agnico Eagle does not consider the tailings to pose an ARD risk for the site. ▪ The geochemical properties of the tailings, design of the Tailings Storage Facility, climate and progressive reclamation inhibit ARD development, if ever there was a potential for it to develop.
<i>Water Balance and Water Quality</i>	
<ul style="list-style-type: none"> ▪ Agnico Eagle provide information on the current status of the CP-1 and CP-5 containment ponds and dikes D-CP1 and D-CP5 to ensure that they are performing in accordance with environmental and geotechnical requirements. ▪ Agnico Eagle conduct logging and tracking of issues identified as part of the geotechnical inspection work in the same format used at the Meadowbank/Whale Tail (log and track issues with unique identifiers, location, date, concern and Agnico Eagle response along with proposed mitigation status). ▪ Agnico Eagle establish a Trigger Action Response Plan similar to that currently being implemented at the Meadowbank/Whale Tail project. 	<ul style="list-style-type: none"> ▪ Meliadine has a Trigger Action Response Plan (TARP) for dikes D-CP1 and D-CP5 that has been in place since Revision A of the OMS for these structures was issued in 2018. ▪ Dikes D-CP1 and D-CP5 continue to perform adequately from a geotechnical standpoint. No significant concerns with the structures themselves have been noted throughout the 2020 visual observations or instrumentation analysis.

<u>CIRNAC RECOMMENDATION</u>	<u>AGNICO EAGLE'S RESPONSE</u>
<ul style="list-style-type: none"> ▪ Immediately update the water balance and water quality models for the Meliadine site to incorporate effluent discharge to Melvin Bay and any other changes to the site's water management strategies, and to cover the life of mine duration and provide to CIRNAC for review by September 30, 2020. ▪ Update the models annually moving forward and include with each subsequent Annual Report along with year-over-year comparisons of actual volumes and measured contaminant concentrations versus those predicted with the models. 	<ul style="list-style-type: none"> ▪ Agnico Eagle is currently updating the water balance and water quality model for the Meliadine site which incorporates discharge to Melvin Bay and other changes to the site's water management strategies. ▪ Part E, Item 12 of the Water License requires an updated Water Balance and Water Quality model included in an updated Water Management Plan at a minimum of every two (2) years. Agnico Eagle will continue applying water licence conditions moving forward.
<ul style="list-style-type: none"> ▪ To better understand the site water management system at the Meliadine Mine, CIRNAC recommends that Agnico Eagle provide: ▪ A detailed technical report that: <ul style="list-style-type: none"> a) identifies and quantifies the factors that contributed to the contact water ponds being operated outside of the design guidelines; b) describes potential environmental consequences and operational risks associated with the reduction in surplus pond storage capacity; and c) presents and evaluates options being considered by Agnico Eagle to rectify the situation. ▪ A more comprehensive process flow-diagram providing predicted flows, flow management controls, water treatment inflow and outflow and offsite discharges. 	<ul style="list-style-type: none"> ▪ Within the 2020 Annual Report, Agnico Eagle will provide a water balance and water quality model which identifies projected flows and transfers of water on site as well as associated water quality. ▪ Water quality and water balance modelling is being conducted to evaluate the forecasted progression of the situation and ensure the operation can be managed whilst minimizing negative impact to the environment is underway. ▪ Agnico Eagle will provide a more comprehensive flow diagram within an updated Water Management Plan to be submitted with the 2020 Annual Report.
<ul style="list-style-type: none"> ▪ Conduct a detailed analysis to determine why the SWTP is underperforming and provide a road map of steps that will be taken to improve its performance. ▪ Provide CIRNAC with Agnico Eagle's review of the saline effluent treatment plant (SETP) monitoring and reporting practices that Agnico Eagle expects to have completed prior to the 2020 open water season. 	<ul style="list-style-type: none"> ▪ An internal audit was conducted in May 2019 to understand the root cause of the SWTP underperformance. ▪ As short-term solutions, a microfilter was added to the bag filtration system, the packing was changed to Teflon, but the plant still experienced a major derating, which is approximately half than what was expected. ▪ Agnico Eagle considers the waterline being the longer terms solution to manage saline water on site. This strategy is presented in the 2020 Groundwater Management Plan.

<u>CIRNAC RECOMMENDATION</u>	<u>AGNICO EAGLE'S RESPONSE</u>
<ul style="list-style-type: none"> ▪ CIRNAC recommends that Agnico Eagle ensure that all responsible personnel are trained in regard to QA/QC sampling requirements. The proper implementation of the QA/QC program is necessary to ensure that program objectives are met for each type of sample/matrix collected 	<ul style="list-style-type: none"> ▪ Agnico Eagle will ensure all personnel are trained in regard to QA/QC sampling requirements and will aim to reach a 10% target for each sample group.
<ul style="list-style-type: none"> ▪ Clarify reasons for anticipated increased mill freshwater requirements beyond the permitted usage limit from Meliadine Lake. ▪ Provide information on the water balance quantity and quality implications associated with increased effluent loading resulting from the increased use of process water in the mill. 	<ul style="list-style-type: none"> ▪ Clarification for the required increase in permitted water usage from Meliadine Lake will be provided with the application for the Water Licence Amendment. ▪ The Mill does not produce an effluent and thus increased water usage is not anticipated to impact the water balance or water quality model.
<ul style="list-style-type: none"> ▪ CIRNAC recommends that Agnico Eagle provide information on the operation/performance of the Reverse Osmosis (RO) plant in 2019 and clarify why the RO plant was not used to lower TDS levels in CP1 to meet the discharge limit to allow for the pond to be properly drawn down as required. 	<ul style="list-style-type: none"> ▪ The RO treatment plant operates with a total design flow of 2,605 m³/day. The rationale behind the installation of this treatment plant was to reduce elevated TDS levels of CP5 water before being pumped to CP1. At this rate, the system was in fact contributing to the reduction of TDS levels in CP1, but at a fraction of the required capacity.
<i>Socio-Economic Monitoring</i>	
<ul style="list-style-type: none"> ▪ CIRNAC recommends that Agnico Eagle confirm whether it provides information on the registration of all trades occupations, journeypersons and apprentices employed at the project to the Government of Nunavut on an annual basis pursuant to T&C #93. 	<ul style="list-style-type: none"> ▪ Agnico Eagle provides information on this topic through different reports. Information on apprentices is incorporated into Agnico Eagle's annual Socio-Economic Monitoring Report.
<ul style="list-style-type: none"> ▪ CIRNAC recommends that Agnico Eagle include employment data by location of hire for all of parameters identified in T&C #101 in future Annual Report submissions. 	<ul style="list-style-type: none"> ▪ Agnico Eagle will include the requested data in future Annual Report submissions. ▪ Please note that employee's origin information is already included in the Socio-Economic Monitoring Program and reported annually though the Socio-Economic Monitoring Report (SEMR).
<ul style="list-style-type: none"> ▪ CIRNAC recommends that Agnico Eagle summarize consultation efforts undertaken with outfitters and guiding business pursuant to T&C #104 	<ul style="list-style-type: none"> ▪ Consultation efforts with local outfitter is ongoing and results will be presented in the 2020 Annual Report.

Table 5 Environment and Climate Change Canada (ECCC) Recommendations and Agnico Eagle’s Responses

<u>ECCC RECOMMENDATION</u>	<u>AGNICO EAGLE’S RESPONSE</u>
<i>Explosives Management</i>	
<ul style="list-style-type: none"> ▪ ECCC recommended expanding Section 2.1.1 (Explosive Storage) of the Ammonia Management Plan to clarify where runoff/drainage from storage locations (i.e., surface storage area, underground storage areas, and emulsion plant storage area) would report, and updating Table 1 (Water Monitoring Stations) to include monitoring details for runoff/drainage from all storage locations. 	<ul style="list-style-type: none"> ▪ Agnico Eagle will update the Ammonia Management Plan in the 2020 Annual Report to make the requested clarification. ▪ Agnico Eagle also clarified that ammonia is monitored throughout all of the Water Licence 2AM-MEL1631 monitoring stations presented in Table 1 and the updated Ammonia Management Plan will further clarify this point.
<ul style="list-style-type: none"> ▪ ECCC recommended that the Ammonia Management Plan describe what measures are in place to prevent ammonia-based explosives and raw materials from directly and indirectly entering the aquatic receiving environment. 	<ul style="list-style-type: none"> ▪ Chemicals are stored in such a way that they aren’t exposed to water and the emulsion is formed inside the plant, which is contained. The Ammonia Management Plan will be updated in the 2020 Annual Report to clarify the underground closed circuit water management and treatment process to address the underground runoff/drainage from ammonia nitrate based explosives.
<i>Water Quality and Reporting</i>	
<ul style="list-style-type: none"> ▪ ECCC recommended the Proponent provide clarification as to whether there is any surface runoff monitoring at the main mine site, and if so, provide locations and how it is reported. If the Proponent is not currently conducting surface water runoff monitoring, then we recommend that it commence. 	<ul style="list-style-type: none"> ▪ Agnico Eagle monitors and reports surface runoff as per Nunavut Water Board (NWB) Water Licence 2AM-MEL1631 obligation and approved Water Quality and Flow Monitoring Plan and throughout monthly monitoring reports sent to the NWB.
<ul style="list-style-type: none"> ▪ ECCC recommends that the proponent verify and correct the Total Cyanide annual average, and that they provide the correct value to all parties. 	<ul style="list-style-type: none"> ▪ The Total Cyanide Annual Average for monitoring station MEL-14 reported in Appendix H-3 of the annual report is incorrect due to a calculation error. The correct value for this average is 0.0035 mg/L. Agnico Eagle will evaluate a means to report the corrected value to all parties.
<ul style="list-style-type: none"> ▪ ECCC recommended the Proponent provide clarification of the rationale for conducting sublethal testing on untreated rather than treated effluent. 	<ul style="list-style-type: none"> ▪ Agnico Eagle clarified that sublethal testing was conducted on MEL-12 as part of an internal monitoring procedure and not as part of MDMER or Water Licence obligations.

<u>ECCC RECOMMENDATION</u>	<u>AGNICO EAGLE'S RESPONSE</u>
<i>Groundwater Reporting</i>	
<ul style="list-style-type: none"> ▪ ECCC recommended that the Groundwater Management Plan include a reporting section that describes how the proponent will report management actions and monitoring results. The proponent should outline any additional information requirements and specify the reporting frequency. ECCC recommends that the reports provide raw and summarized monitoring data, highlight any exceedances, describe management actions and outcomes, and include any updated predictions or other relevant information collected in the reporting year. 	<ul style="list-style-type: none"> ▪ The Groundwater Management Plan is intended to summarize the up-to-date understanding of hydrogeology as it pertains to the Mine, and to present the associated groundwater management and monitoring strategies. ▪ Agnico Eagle reports Mine water pumped from the Underground as per Water License 2BB-MEL1424 Part B, Item 6b, this information appears in Section 3.1.3 of the 2019 Annual report.
<i>Air Quality</i>	
<ul style="list-style-type: none"> ▪ ECCC recommended that the proponent provide a mid-year update to its Air Quality Monitoring Report in order to provide details on the progress of reinstallation of particulate monitoring at the mine site. ECCC recommended that this update include an analysis on how the Proponent has considered real-time air pollutant monitoring in the Meliadine Air Quality Monitoring Plan. 	<ul style="list-style-type: none"> ▪ Agnico Eagle will provide a mid-year update with the requested information and analysis by December 2020.
<i>Bird and Bird Habitat Monitoring</i>	
<ul style="list-style-type: none"> ▪ ECCC recommended that the Proponent also summarize PRISM-specific habitat classes of plots surveyed in future annual reports to ensure habitat class ratio sampling conditions are being met. 	<ul style="list-style-type: none"> ▪ PRISM surveys monitor 24 randomly selected plots (of a subset of 48 regional plots) over 2 years, every five years. ▪ The dominant habitat type in the vicinity of the Mine is heath tundra. ▪ Surveyed habitat classes per monitoring period for PRISM surveys will be included in future annual reports, indicating habitat type per field observation and ecological land classifications for the area.
<ul style="list-style-type: none"> ▪ ECCC recommends that the proponent confirm that the MMSO program followed established ECCC seabird survey protocols (Gjerdrum et al. 2012) and include a reference to the protocols in future annual monitoring reports. 	<ul style="list-style-type: none"> ▪ It should, and will in future reports, indicate that "Surveys from moving and stationary platforms were completed according to the Eastern Canada Seabirds at Sea (ECSAS) standardized protocol for pelagic surveys from moving and stationary platforms (Gjerdrum et al. 2012)" as only surveys from moving platforms were completed in five-minute intervals.

<u>ECCC RECOMMENDATION</u>	<u>AGNICO EAGLE'S RESPONSE</u>
<ul style="list-style-type: none"> ▪ ECCC recommended that the Proponent compare the habitat types sampled during point count surveys to habitat available within the LSA and/or RSA. ▪ ECCC recommended that the Proponent briefly describe the weather conditions during bird surveys in annual reports. 	<ul style="list-style-type: none"> ▪ The Point Count Surveys specifically examine the potential effects of the AWAR on upland breeding birds and are thus focused on the AWAR and in proximity to the Mine site. Habitat types include those listed in Table 14 and 15 of the 2019 TEMMP Annual Report. ▪ Surveys are conducted under favorable weather conditions for all surveys.
<ul style="list-style-type: none"> ▪ ECCC recommends the proponent provide a copy of the seabird and PRISM datasets for inclusion in ECCC's regional and national monitoring databases. 	<ul style="list-style-type: none"> ▪ The MMSO data available for the 2019 monitoring period was submitted to the Eastern Canada Seabird at Sea (ECSAS) database on 26 February 2020. This data will be provided along to ECCC with the raw data for 2017 and 2018. ▪ The PRISM raw data available for the 2019 monitoring and reporting period (2018 and 2019) will also be provided.

Fisheries and Oceans Canada (DFO)

DFO reviewed Agnico Eagles' 2019 Annual Report and commented that it and has no comments to provide to the Board at this time.

2.5. NIRB'S REVIEW OF THE ANNUAL REPORT

The NIRB has reviewed Agnico Eagle's 2019 Meliadine Gold Mine Annual Report and provides the following comments.

In Meliadine's 2019 Annual Report, Agnico Eagle provided a summary of the activities at site as well as mitigation measures implemented for Project effects on valued ecosystemic components (VECs) and valued socio-economic components (VSECs), and monitoring results. The NIRB appreciates that the Proponent improved upon providing comparisons of residual project effects with predictions in the original Final Environmental Impact Statement (FEIS) and FEIS Addendum for Meliadine. However, there does continue to be components of the Annual Report that lack information. As seen in comments by parties as well as reviewed by the NIRB the Proponent shall work to improve the quality of its Annual Report through the following:

- Provide enough data to allow parties to assess the impacts of the Project on VECs and VSECs and validity of conclusions made. This includes a thorough description of methods (sample size, sample type, study effort), possible covariates (weather, group make up), data or a summary of data, analysis method and conclusions.
- Provide year over year comparisons for measured mine components, preferably in tabular or graphical format, such as reportable and non-reportable spills and greenhouse gas emissions.
- For management decisions made onsite provide reasoning for why decisions were made. For example, what triggered road closures (how many caribou, at what distance) or resumption of saline effluent discharge after cessation due to an exceedance.

Agnico Eagle shall also make the following improvements to their Annual Report to improve accessibility:

- Develop a table in the annual report for Management Plan updates that contains a completed list of all the Management Plans for the Meliadine Project as well as the version and revision date. Agnico Eagle also should work with the NIRB monitoring officer to ensure that the most up to date copy is posted to the NIRB's Public Registry so it is available to the public without having to go into the annual report.
- Include parties' previous comments and an update on how they were addressed within the annual report with what section or management plan implemented the updates.

Agnico Eagle requires submission of the following missing documents to the NIRB:

- The Socio-Economic Monitoring Working Group updated Terms of Reference;
- Greenhouse Gas Emissions Report or a summary thereof; and
- Waste Rock Storage Facility Monitoring Plan.

3.0 COVID-19 UPDATE

On May 7, 2020 the NIRB corresponded with all proponents that had project certificates with the Board to note that the NIRB would be continuing to fulfill its on-going project assessment and monitoring responsibilities during the COVID-19 (novel coronavirus) pandemic, but noting that modifications to the Board's normal practices may be required to ensure compliance with public health measures imposed to prevent the spread of COVID-19. In the Board's correspondence, proponents were encouraged to contact NIRB to identify whether their COVID-19 response measures would have implications for their respective operations and monitoring programs, particularly their ability to fulfill their environmental protection and monitoring requirements, including highlighting any effects on compliance reporting for the 2020-2021 reporting year.

Agnico Eagle submitted the following update on June 11, 2020 to the NIRB regarding changes at site:

- Detached Operation Protocol has been put in place to allow:
 - Continuation of sampling of AWAR but frequency may be reduced;
 - Regulator site visits;
 - Discharge of saline water during the open water season;
- Contractors have been delayed until as soon as COVID-19 restrictions lift:
 - For the BearWise audit and training;
 - Partisol unit installation;
- Noise monitors that are close to cabins are being assessed whether cabins are in-use to get to equipment
- The University of Saskatchewan has postponed their revegetation study on site for one year;
- Have adjusted the Wildlife Monitor contract with the KHTO to address current COVID restrictions and awaiting signature from KHTO;
- MMSO training will take place over webinar;
- The Socio-Economic Monitoring Working Group (SEMWG) is operating by conference calls and emails:

- Looking at Conference calls, videoconference calls, webinars, Facebook communications and other alternatives to the annual in-person meeting and to update the Socio-Economic Monitoring Program (SEMP);
- In contact with parties that collect statistics on potential indirect effects (substance abuse, gambling etc.) education and demographics in the community as this effects the SEMP;
- Looking at alternatives to survey Nunavummiut employees if site restrictions continue;
- Consultation with KHTO and Elders and community members is occurring to understand how best to adjust engagement and consultation; and
- Looking for alternatives to reiterate rules of the AWAR to communities.

4.0 MELIADINE GOLD MINE SITE UPDATE

Owing to travel restrictions imposed by Nunavut’s Chief Public Health Officer as a result of the ongoing COVID-19 pandemic, NIRB staff were unable to organize a site visit in the summer of 2020. NIRB staff remain committed to working with the Proponent to obtain observations of site facilities that are of interest to the Board and its mandate for the 2019-2020 monitoring period. This year, to ensure parties are kept up to date at site, the NIRB has developed a Site Update Report based on discussions, updates, and photos provided courtesy of Agnico Eagle. For the details regarding the site update please refer to the 2020 Site Update Report.⁵

Based on the update and photos the NIRB noted several successes at the Meliadine site including:

- Excellent implementation of COVID-19 Public Health restrictions for employees;
- Improved waste sorting;
- Implementation of site-wide Sunday site clean-ups; and
- Successful use of bird deterrents at the pits and landfarm.

As with years past, Agnico Eagle appears to be in compliance with a majority of the terms and conditions contained within the Meliadine Project Certificate No. 006; however, there may be certain situations in which the Proponent has not yet fully met the requirements of the Project Certificate and which require further consideration and attention.

Condition 1: Air Quality Monitoring Plan

Term and Condition 1 requires the Proponent to collect total suspended dust samples year-round. The *2019 Annual Report* indicated that the Partisol units used to collect this data were not yet working. Within its 2020 update Agnico Eagle noted that the units were still not installed but should be by the end of September.

Condition 75: Predatory Attractants

Agnico Eagle provided an update that waste management is improved on site and that site wide Sunday cleanups have been implemented to improve waste management. However, the NIRB notes that the landfill is still accessible to predators and scavengers and no wildlife deterrents are present.

⁵ Public Registry ID No.: 331815

5.0 PUBLIC INFORMATION SESSION

The NIRB conducted public information sessions in the community of Rankin Inlet on August 24 and 25, 2020 to provide community members with an update on mine activities as well as engaging with the community members on any questions or concerns related to the Project. For more information regarding the community meeting, please refer to the 2020 Site Update Report⁵.

A summary of topics raised by community members regarding monitoring of the Meliadine Gold Mine Project includes:

- Confusion related to the number of increased truck trips to increase the saline water discharge for the 2020 open water season.
- Questions on Project emissions.
- Concerns that dust is seen on the snow on Meliadine Lake which melts into the lake.
- Dust can be seen being produced at site and along the AWAR.
- Concerns related to increased hunting accessibility due to the AWAR.
- Impacts of dust on caribou.
- Garbage and debris are found along the AWAR.

6.0 AREAS REQUIRING FURTHER STUDY OR CHANGES TO THE MONITORING PROGRAM

Monitoring Equipment

During the 2018 monitoring year blast monitoring was not conducted for any of the 13 blasts as the blast monitoring equipment was not functioning and a replacement was not in place until the end of the year. During the 2019 monitoring year the Partisol suspended particulate sampling units were not functional for the majority of the year continuing into the majority of the 2020 year. The NIRB would like to emphasize that long periods where monitoring equipment does not function creates large gaps in data which lead to issues of trend comparisons when entire years are missing. Monitoring equipment should be periodically tested, and nonfunctional equipment should be remedied as soon as possible or an alternative method for data collection implemented.

- The NIRB requests an update in 60 days regarding the installation and functioning of the Partisol suspended particulate sampling units as Agnico Eagle noted that Partisol units would be installed by the end of September 2020. If not yet installed, the Proponent should provide a timeline for installation or an alternate strategy for collecting suspended particulate data until units are functional.

Hunter Harvest Study

During the community information sessions, the NIRB heard concerns from the community that increased hunting accessibility has occurred from use of the All Weather Access Road (AWAR) which is increasing pressure on the community organizations to consider options for restricting hunting. Agnico Eagle addresses changes in hunting pressure in the Terrestrial Ecosystem Management and Monitoring Plan (TEMMP) through the establishment of a Hunter Harvest Survey where data will be collected and reported annually on harvesting success compared to use of the AWAR. The TEMMP states that Agnico Eagle will begin working with the GN after three (3) years of data collection from the Hunter Harvest Survey to establish thresholds. In 2019 the Hunter Harvest Survey data had yet to be presented; however, the Proponent has stated that a

Memorandum of Understanding was signed with the KHTO and collaboration is occurring to create a calendar for data collection from hunters and outfitters. The NIRB looks forward to seeing the results of the Hunter Harvest Survey in the 2020 Annual Report.

However, the NIRB remains concerned that collaboration with the GN on establishing thresholds for caribou protection will not start until 2023 due to a delayed initiation of the Hunter Harvest Survey with additional time required to discuss and implement any adaptive management strategies. To encourage a more efficient implementation of the thresholds of caribou protection once the data is collected:

- The NIRB requests that the Proponent begin consultations with the GN before three (3) years of data collection to discuss possible adaptive management strategies and initial data analysis and findings on the Hunter Harvest Survey. The NIRB requests an update be included on the schedule and/or process of discussions within the 2020 Annual Report.

Wildlife deterrence

Term and Condition 75 requires the Proponent to implement mitigation measures and monitoring programs to limit the attraction of predators and scavengers to Project facilities. The Board recommendations for the *2018-2019 Annual Monitoring Report*⁶ for the Meliadine Gold Mine Project recommended conducting a Bear and Wildlife Safety Audit in order to identify potential hazards and/or attractions to wildlife due to 22 fox mortalities in the 2018 year and requested revision of the Waste Management Plan to be provided with the *2019 Annual Report*. Based on results presented in the *2019 Annual Report* the site continues to attract wildlife as 15 fox mortalities occurred in 2019 and no updated Waste Management Plan was provided.

The NIRB and KIA note that six (6) foxes were found at the main kitchen and two (2) foxes were found at the landfill indicating that there may be certain areas where wildlife deterrence efforts should be focused. Within the site update provided by the Proponent the NIRB recognizes Agnico Eagle's efforts to improve site debris through site-wide Sunday site clean ups and the waste management appears to be organized at the landfill, however there is a lack of fencing and wildlife deterrence at this facility.

The NIRB also recognizes that the Bear and Wildlife Safety Audit was postponed due to COVID-19 and that the Proponent has developed an Environmental Working Group to review waste management and establish training materials. Direct actionable items to be taken on the mine site to deter wildlife have yet to be provided.

- Within 60 days of the issuance of this report the NIRB requests Agnico Eagle provide an update on the review from the Environmental Working Group and what actions will be taken at the mine site to deter wildlife. Actions should be updated in the Waste Management Plan and provided to the NIRB in the 2020 Annual Report.

⁶ Public Registry ID No.: 327326

- The NIRB recommends that the Wildlife and Safety Audit occur as soon as Public Health restrictions allow and that the results of this audit lead to updates on wildlife deterrence and adaptive management triggers in appropriate management and monitoring plans.

Dust Monitoring

During the 2019 site visit NIRB staff noted that dust continued to be an issue along the Project roads. That year the Board recommended conducting a dust suppression study comparing real time dust collection and visual monitoring data to traffic and road conditions to better understand the cause of dust. The NIRB appreciates that the Proponent updated the Dust Management Plan (Version 6; June 2020) and added data from transects to sample dust on either side of the road. The Proponent reported within its *2019 Annual Report* that dustfall decreases to regulatory guidelines for recreational areas between 25 m and 100 m from the road. The amount of dust created as well as length of time in the air seem to be variable to the area as transect DF-3 did not exceed regulatory guidelines for recreational areas, however all other transects did at and just downwind of the source, as well as the sample date (July samples vary greatly from August samples).

As dust levels continue to be brought to the attention of the NIRB as community concerns, the NIRB emphasizes that supplementing dust monitoring with data such as, weather conditions and real-time traffic, would benefit Agnico Eagle and parties in determining the cause and relationships of dust.

- The Proponent shall supplement dust collection data with traffic from sample days (mine related and public), weather, and time since the last dust suppressant activities in the 2020 and subsequent annual report.

Site Water Management

In 2019, Agnico Eagle was not able to complete drawdowns of containment pond 1 (CP-1) prior to freeze-up. This led to the Agnico Eagle's Meliadine Gold Mine Project emergency water licence amendment allowing higher than approved Total Dissolved Solids (TDS) in CP-1 requiring discharge into Meliadine Lake.

In line with comments provided by the KIA and CIRNAC, the NIRB reiterates that updates to the water balance and water quality model should be provided annually within the NIRB's annual report. Further, lessons learned should be used to improve mitigation measures and design of adaptive management to ensure that strategies are in place to avoid emergency releases in the future.

- The NIRB requests an updated water balance be provided to the NIRB within 60 days of this report and annually thereafter.
- The NIRB also requests that appropriate monitoring and management plans be updated to include improve mitigation measures and adaptive management strategies and these updated reports be submitted to the NIRB as they are completed.

Post Environmental Assessment Monitoring Program – Appendix A

In the 2019-2020 monitoring year the NIRB received an application to amend the Meliadine Project Certificate so was unable to complete the issuance of the Post Environmental Assessment Monitoring Program as was recommended by the NIRB's Monitoring Officers in 2019.

The Monitoring Officers will continue to work with Agnico Eagle, government departments and regulatory authorities regarding the monitoring program established pursuant to Article 12, Section 12.7 of the *Nunavut Agreement* and s 135 of *NuPPAA*.

- The NIRB will work with Agnico Eagle and parties in the 2020-2021 monitoring year to develop the Post Environmental Assessment Monitoring Program to provide guidance and allow coordination for all participants in the monitoring of the Meliadine Gold Mine Project.

7.0 FINDINGS

As noted in [Section 1.0](#), the objectives of the NIRB's monitoring programs are:

- (a) Measure the relevant effects of projects on the ecosystemic and socio-economic environments of the Nunavut Settlement Area;*
- (b) Determine whether, and to what extent, the land or resource use in question is being carried out within the predetermined terms and conditions;*
- (c) Provide the information base necessary for agencies to enforce terms and conditions of land or resource use approvals; and*
- (d) Assess the accuracy of predictions contained in the project impact statements.*

Update on the 2020 Saline Discharge Strategy and total suspended solids exceedances

On June 9, 2020 the Board determined that Agnico Eagle's *2020 Saline Discharge Strategy* did not require an amendment to the terms and conditions of the Meliadine Gold Mine Project Certificate. In response to the Board's recommendations regarding the 2020 activities, the Proponent submitted a revised *Ocean Discharge Monitoring Plan, Version 3 (June 2020)*. The Plan requires deleterious substance monitoring, including sampling of total suspended solids, which is done once a week during open water season. Samples are then sent to an accredited laboratory for analysis and results may take up to one (1) week to become available. Between the sampling frequency and the added time for sample analysis, the Board is concerned that total suspended solids exceedances may not be identified for up to two (2) weeks. The Board expects to receive a report from the Proponent on the results of its' monitoring programs, including the *Ocean Discharge Monitoring Plan* by December 10, 2020. Therefore, the Board will await the submission of this report and make recommendations at that time as more information may be available with regards to this concern.

Within the *2019 Annual Report* Agnico Eagle reported a total suspended solids concentration which exceeded the Metal and Diamond Mining Effluent Regulations (MDMER) authorized limit of 30 milligrams/litre (initially reported on August 26, 2019) from a sample collected on August 19, 2019; additional testing indicated that the high total suspended solids level was related to algal

growth in the saline pond holding treated saline effluent. Monthly averages for total suspended solids also exceeded the allowable limit in August 2019. Furthermore, the increased chlorine dosing used to treat the algal bloom in the Saline Effluent Treatment Plant lead to two (2) acute lethality failures in September 2019 and release of an estimated 0.3 litres/day of chlorine into Melvin Bay before shut down of discharge after the second failed test. During 2020, Agnico Eagle reported two additional total suspended solids exceedances: first, approximately 8,000 cubic metres (m³) of saline water was discharged prior to August 31, 2020 when results were received from an August 23, 2020 sample which did not meet the MDMER limits and a second halt to discharge occurred on September 18, 2020 after a second sample exceeded the MDMER for total suspended solids.

On October 2, 2020 Agnico Eagle submitted its follow up spill report on the August 23 exceedance determining that the TSS exceedance was due to algal growth and intermittent filter failure. Additionally, on October 22, Agnico Eagle provided the follow up spill report determining that the September 18 exceedance was due to one (1) truck not pre-rinsing between loads. The latter exceedance only amounted to the volume of one truck, however, the relatively fast turn around time of two (2) days for test results would have ensured that a maximum of 798 m³ of out of compliance water was discharged into Melvin Bay.

The Board has considered the above issues with respect to the Board's ongoing assessment of the "Saline Effluent Discharge to Marine Environment" Project Proposal and the direction provided by the Minister of Northern Affairs to ensure the NIRB's assessment focuses in part on impacts to fish and fish habitat in Melvin Bay from increased volume of saline effluent discharge. The Board anticipates that any required updates to the mitigation measures or monitoring programs regarding MDMER compliance could be identified through the assessment process, and the Board would be in a position to recommend appropriate revisions or requirements following conclusion of its assessment.

Terrestrial Environment Management and Monitoring Plan and Report

Within its *2018-2019 Monitoring Report*⁷ the NIRB acknowledged that as the site moved from Construction to Operations, the TEMMP should be reviewed because the approved version was completed in 2015 when the Meliadine Gold Mine Project was in preconstruction. Comments on the *2018 Annual Report* from parties including the GN⁸ and KIA⁹ highlighted that with experience in many aspects of Project activities throughout construction and operations mitigation measures should be updated for those that are not working and that improved requirements from reporting be implemented to allow parties to see the data and analysis that was used to come to conclusions or make adaptive management decisions. Within the 2019 monitoring year the TEMMP, Version 2 from 2015 continued to be the implemented plan and similar comments continued to be expressed in 2019.

This year in comments, the GN and KIA recommended that improved data be presented within the TEMMP Report on caribou response to the Project as details such as method for selection of group

⁷ Public Registry ID No.: 327326

⁸ Public Registry ID No.: 324915

⁹ Public Registry ID No.: 325661

caribou group observed, make up of group, direction of movement around the Project, associated variables to observation data such as noise, dust, time of day or environmental conditions were missing from the 2019 TEMMP Report. Assessment of Agnico Eagle's conclusions made off of monitoring done within the TEMMP including that caribou deflection was less than ten percent (10%) during the 2019 year and "*observations showed no obvious behavioral response to mine activity over the three years of monitoring*", are impossible to verify as appropriate data and analysis is not presented. The NIRB understands, from the Proponent's response to parties' comments that Agnico Eagle plans to analyze trends in results from the first three (3) years of operations and determine thresholds after 2021. However, appropriate data collection is required throughout this period in order to analyze results and establish thresholds and mitigation responses. As well, the NIRB would like to reiterate the comments received from the GN and KIA on requirements for better reporting of the data collected and analyzed which allows parties to review techniques and results providing their expertise throughout the monitoring process.

Additionally, the GN highlights that since the original assessment of the Meliadine Gold Mine Project the distribution of the Qamanirjuaq caribou herd has dramatically changed. The Meliadine Gold Mine FEIS¹⁰ states that baseline studies were completed from 1998 to 2009 and collar data up to 2011 with the caribou density observed in aerial studies being relatively low. Observation of increased caribou in 2013 and 2014 are addressed in the TEMMP Version 2 (November, 2015) which states that "*larger herds (i.e., a few thousand) have come through the Project area each of the last two years and IQ information has suggested that this happens every 10-12 years.*" Agnico Eagle reiterated that the caribou migrate cyclically through the Project area in response to the comments from the GN and KIA. The data presented through annual reporting suggests that the number of caribou interacting with the Project remains high through 2019, indicating that there are lengthy periods of overlap within the migration cycle. As the Proponent has diligently collected caribou monitoring data each year it is expected that this data will feed into the monitoring program through updates of baseline data and trends in natural variability as Term and Condition 56 requires the proponent to provide a "*description of all updates to the terrestrial ecosystem baseline data*", Term and Condition 57 details that the provide "*An examination for trends in the measured natural variability of Valued Ecosystem Components in the region relative to the baseline reporting*", and finally, within the General Project Specific Terms and Conditions:

"The Proponent shall maintain the Final Environmental Impact Statement and the Environmental Effects Monitoring program developed for the Project, with predictions updated as new baseline data is collected. If the results of monitoring programs necessitate updates to effects predictions, the Proponent shall update the associated management programs and plans as required to address or reflect the updated assessment of effects."

The NIRB received an updated TEMMP Version 3 in June 2020 with the *2020 Saline Discharge Strategy* which included a table acknowledging parties comments and how they were addressed in the updated Plan; however, minimal updates between the TEMMP Version 2 and TEMMP Version 3 were made to address comments requesting further details on study methods, reporting and analysis. Furthermore, the TEMMP Version 3 has not been updated to incorporate up to date

¹⁰ Public Registry ID No.: 287491

monitoring data from which trends in natural variability (such as caribou migration numbers through the Project area) could be seen.

Traffic levels along the AWAR have continuously been higher than predicted, and due to Agnico Eagle using almost triple the amount of water truck trips on the road for the 2020 open water season, it is critical that the TEMMP is updated to reflect any changes or increased knowledge in natural variability in baseline conditions as well as improvement of data collection and reporting for each Valued Ecosystemic Component, where increased knowledge may allow for improvement of analysis on previously determined effects on Valued Ecosystemic Components, such as caribou, and inform appropriate modifications to thresholds and mitigation measures as part of adaptive management. Therefore, the Proponent shall provide a comprehensive update to the Terrestrial Ecosystem Management and Monitoring Plan with the next annual report.

8.0 CONCLUSION

During the 2019-2020 monitoring period, Agnico Eagle demonstrated compliance with the majority of the requirements of the Project Certificate of the Meliadine Gold Mine Project. Further, Agnico Eagle is generally meeting the objectives of monitoring and mitigation plans and procedures put in place for the Project. However, certain outstanding issues will require the Proponent's attention as discussed throughout this report with the main issues identified in this monitoring period as follows:

1. Lack of achievement or progress towards achieving of the following term and conditions: 1, 7, 19, 36, 37, 43, 44, 46, 56, 57, 66, 86, 88, 91, 104, 116, 131
2. Improvements to the Annual Report;
3. Improvements to the Annual Report;
4. Improvements on data presentation;
5. Updates on monitoring equipment;
6. Development and implementation of a Hunter Harvest Survey;
7. Updates to dust monitoring;
8. Site Water Management;
9. Improvement on discharge testing;
10. Update to Terrestrial Environment Management and Monitoring Plan and reporting; and
11. Improvements of wildlife deterrence.

Prepared by: Emily Koide
Title: Technical Advisor I
Date: December 3, 2020

Signature: 

Reviewed by: Kelli Gillard PAg, CTAJ
Title: Manager, Project Monitoring
Date: December 3, 2020

Signature: 

Appendix A: Compliance with the Meliadine Gold Mine Project Certificate No. 006, Amendment 1

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>2020 Compliance Achievement</u>	<u>2020 NIRB Comment</u>
General Regulatory Requirements			
1. Appointment of Monitoring Officer(s)	n/a	Active Completed	Completed by NIRB.
2. NIRB to report annually on the monitoring program (in English and Inuktitut)	Annually	Active Completed	Completed by NIRB.
3. NIRB to conduct periodic community meetings updates regarding its Monitoring Program	n/a	Active Completed	Completed by NIRB
4. NIRB to schedule periodic site inspections.	n/a	Active Completed	Site update was provided by the Proponent due to Public Health restrictions on site access in 2020.
5. Proponent must obtain all required federal and territorial permits and other approvals and shall comply with the requirements of such regulatory instruments.	n/a	Active In Compliance	All active permits provided in the 2019 Annual Report.
6. Duty to Comply with environmental laws and regulations and/or regulatory instruments and shall report any non-compliance as required by law immediately.	Annually	Active In Compliance	No non-compliance issues reported in 2019 Annual Report.
7. Posting of adequate performance bonding.	n/a	Completed	
Monitoring Records			
8. Information requirements for monitoring reporting.	Annually	Active In Compliance	

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>2020 Compliance Achievement</u>	<u>2020 NIRB Comment</u>
9. Make significant monitoring results and/or summaries of significant results available in English and Inuktitut, to the extent feasible.	Annually	Active In Compliance	The NIRB received the monitoring summaries of significant results in Inuktitut.
10. Maintain the records, including results, of all Project-related monitoring data and analysis for the life of the Project, including closure and post-closure monitoring.	Annually	Active In Compliance	
11. Maintenance of an up to date the Environmental Impact Statement and the updated environmental monitoring programs developed for the Project as new information is collected.	As information is updated	Active In Compliance	The NIRB emphasizes that as the Project continues to collect monitoring data. Baseline data and effects predictions should be updated as appropriate.
Publicly-accessible Project-specific web portal or web page to make available in a central location all significant non-confidential monitoring and reporting information submitted to regulatory authorities	n/a	Active Non-compliance	Portal not established yet by Proponent. Information on the compliance with this condition to be reported in the next monitoring period.

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>2020 Compliance Achievement</u>	<u>2020 NIRB Comment</u>
On-going Engagement in Project Monitoring, Modelling, Management and Reporting			
13. Provide on-going opportunities for consultation and comment on any substantive revisions to the Project-specific monitoring program, modelling, studies, management plans, management measures, and reporting.	Annually	Active In Compliance	
14. To the extent feasible, the NIRB will provide an opportunity for comment on any substantive revisions to the Project-specific monitoring, modelling, studies, management plans, management measures, and reporting provided by the Proponent under the Project Certificate.	Annually	Active In Compliance	

Meliadine Gold Mine Project Specific Terms & Conditions

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>2020 Compliance Achievement</u>	<u>2020 Comments</u>
AIR QUALITY			
1: Updated Air Quality Monitoring Plan	<i>The updated plan should be submitted to the NIRB at least 90 days prior to the start of construction, with results submitted annually thereafter or as may otherwise be required.</i>	Active Deficient – In Progress	See: <ul style="list-style-type: none"> Air Quality Monitoring Plan Terrestrial Environment Management and Monitoring Plan, Version 3 (June 2020). Total suspended dust sample monitoring has not been completed for over a year as the monitoring units were broken and needed reinstalling. Agnico Eagle stated that the units should be installed prior to October and the NIRB looks forward to seeing results for the remainder of 2020 and following years.
2: Emissions Monitoring	<i>The Proponent shall report on the development and implementation of this Plan and associated monitoring results annually to the NIRB. The report must clearly identify the parameters being evaluated if the results are being compared to predicted levels set out in the Environmental Impact Statement or limits established by applicable guidelines and regulations.</i>	Active In Compliance	See: <ul style="list-style-type: none"> Air Quality Monitoring Plan. 2019 Air Quality Monitoring Report and 2019 Annual Report, in which it is noted that the measured annual average concentrations were well below the Government of Nunavut Ambient Air Quality Standards, and FEIS maximum predicted values.
3: Dust Management and Monitoring Plans	<i>The updated plan should be submitted to the NIRB for review and comment at least 60 days prior to commencement of construction activities.</i>	Active In Compliance	2019 Annual Report section 3.1.2 provides water used for dust suppressant on the road. As detailed by KIA, more detail on whether chemical dust suppressant was used, where and how dust suppressant was used is should be reported within the Annual Report.
4: Incineration Management Plan	<i>The updated plan should be submitted to the NIRB for review and comment at least 60 days prior to commencement of construction activities [construction of the incinerator].</i>	Active In Compliance	See: <ul style="list-style-type: none"> Incineration Management Plan, Version 6 (February 2019).

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>2020 Compliance Achievement</u>	<u>2020 Comments</u>
5: Stack Testing Results	<i>Stack test results are to be reported to the NIRB and to Environment Canada annually, or as may otherwise be required.</i>	Active In Compliance	Stack testing was conducted as per Incineration Management Plan, Version 6 (February 2019). The applicable standards for dioxins and furans were met for all tests, as well as the applicable standard for mercury. See appendix E-1 Stack Testing Report.
6: Dust Suppression Measures at Landfill	<i>Implementation of these measures shall be reported and discussed in the Proponent's annual report to the NIRB.</i>	Active In Compliance	Landfill dust suppressant during topping and capping contained within the Dust Management Plan Version 6, 2020. Within future Annual Reports the NIRB requests an update on whether any topping or capping is occurring at the landfill.
CLIMATE AND METEOROLOGY			
7: Calculations of Greenhouse Gas Emissions generated by the Project	<i>Implementation of these measures shall be reported and discussed in the Proponent's annual report to the NIRB.</i>	Active Deficient – In Progress	The 2019 Annual Report states “ <i>Environment Canada's Greenhouse Gas Emissions Reporting Program will be completed by June 1st, 2020</i> ”. No update was provided to the NIRB.
8: Engage Inuit in initiatives related to climate change when undertaking climate-change related studies and research.	<i>A summary of consultation and how the information was used to inform planning for the Project shall be provided in the Proponent's annual report to the NIRB.</i>	Active In Compliance	Agnico Eagle collaborated with the University of Saskatchewan to provide an education program on sampling techniques.
9: Greenhouse Gas Emissions (GHG) Reduction Plan	<i>The plan should be submitted to the NIRB at least 90 days prior to the commencement of operations.</i>	Active In Compliance	See: <ul style="list-style-type: none"> ▪ Greenhouse Gas Emissions Reduction Plan, Version 1 (Jan 2019).
NOISE AND VIBRATION			
10: Noise and Vibration Abatement Plan	<i>The finalized noise abatement plan should be submitted to the NIRB at least 90 days prior to the commencement of construction.</i>	Active In Compliance	See: <ul style="list-style-type: none"> ▪ Noise Abatement and Monitoring Plan Version 3 (March 2020). ▪ Terrestrial Environment Management and Monitoring Plan, Version 3 (June 2020).
11: Noise and Vibration Monitoring at Accommodation Sites.	<i>Monitoring results and implementation of these measures shall be reported and discussed in the Proponent's annual report to the NIRB.</i>	Active In Compliance	See: <ul style="list-style-type: none"> ▪ Noise Abatement and Monitoring Plan Version 3 (March 2020).

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>2020 Compliance Achievement</u>	<u>2020 Comments</u>
TERRESTRIAL ENVIRONMENT			
12: Permafrost Mapping and Monitoring	<i>The Proponent shall provide a summary discussion of its implementation of this term and condition as well as the results of mapping to the NIRB through the Proponent's annual monitoring report.</i>	Active In Compliance	See: <ul style="list-style-type: none"> ▪ Agnico Eagle's Meliadine Gold Project 2019 Annual Report – Appendix B-1: 2019 Annual Geotechnical Inspection.
13: Terrain, Soils, and Geotechnical Investigations	<i>The updated plan is to be submitted to the NIRB within 90 days of the issuance of a Project Certificate. Implementation of these measures, updates to the Plan, and monitoring results shall be reported and discussed in the Proponent's annual report to the NIRB.</i>	Active In Compliance	Environmental Management and Protection Plan provided within 90 days of issuance of the Project Certificate (Version 4 - April 2015). Updated March 2019 (Version 9). Appendix B-2 and B-3: 2018 Annual Geotechnical Report Agnico Eagle Responses and 2019 Annual Geotechnical Report Agnico Eagle Responses and Actions Table include recommendations and the Proponent's implementation plan to address the recommendations.
14: Dike and Tailings Storage Facility Design.	<i>Details are to be provided to the NIRB at least 60 days prior to the commencement of construction, and the results of any required additional reporting shall be submitted to the NIRB through the Proponent's annual monitoring report.</i>	Active In Compliance	See: <ul style="list-style-type: none"> ▪ Agnico Eagle's Meliadine Gold Project 2018 Annual Report – Appendix B-1: 2019 Annual Geotechnical Inspection. Appendix B-4: Site wide GTC Locations and Readings.
15: Tailings Storage Facility Design and Management	<i>A summary of the assessment and updated plans should be submitted to the NIRB 6 months following issuance of the Project Certificate and the results of any required additional reporting shall be submitted to the NIRB through the Proponent's annual monitoring report.</i>	Active In Compliance	Scenarios for dike/TSF failures and associated mitigation activities contained within the Proponent's Risk Management and Emergency Response Plan, Version 4 (April 2015) and closure and post-closure monitoring details are provided in the Interim Closure and Reclamation Plan (ICRP; December 2019).
16: Erosion Management Plan	<i>Finalization of plan, implementation of these measures and monitoring results as well as any subsequent updates to the Plan, shall be reported and discussed in the Proponent's annual report to the NIRB.</i>	Active In Compliance	See: <ul style="list-style-type: none"> ▪ Water Management Plan (March 2020, Version 9) Appendix B: Freshet Management Plan (March 2020, version 6), Appendix D: Sediment and Erosion Management Plan (March 2020, Version 2).

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>2020 Compliance Achievement</u>	<u>2020 Comments</u>
17: Permafrost Integrity	<i>The Proponent shall provide a summary discussion of its implementation of this term and condition, including the results of monitoring or adaptive management strategies, to the NIRB through the Proponent's annual monitoring report.</i>	Active In Compliance	The Proponent continues to monitor and map permafrost conditions through its thermal monitoring program. See Meliadine Gold Project 2019 Annual Report – Appendix B-1: 2019 Annual Geotechnical Inspection (February 2019).
18: As-built Drawings and Final Design Plans	<i>The Proponent shall submit copies of the drawings and final designs as they are completed as well as provide a summary discussion of its implementation of this term and condition to the NIRB through the Proponent's annual monitoring report.</i>	Active In Compliance	The NIRB has been copied on correspondence between the Proponent and the NWB regarding final designs for Project infrastructure. The NIRB also received monthly construction summary reports from the Proponent. As the Project is now in Operations the last report was received in June of 2019. The NIRB received as-built drawings for the saline effluent diffuser. See also response to Condition 128.
19: Tailings and Waste Rock Monitoring Program	<i>Details of the monitoring program should be submitted to the NIRB at least 90 days prior to the establishment of either facility, with subsequent plan revisions or updates submitted annually thereafter. Results of any required reporting shall be submitted to the NIRB through the Proponent's annual monitoring report.</i>	Active Deficient – In Progress	As of Agnico Eagle's update in September 2020, the Waste Rock Storage Facility is in use but still under construction. The NIRB expects a Waste Rock Storage Facility Monitoring Plan in the 2020 Annual Report.
20: Closure and Reclamation Plan	<i>The updated plan is to be submitted to the NIRB within 6 months of the issuance of the Project Certificate. Implementation of these measures and monitoring results as well as any subsequent updates to the Plan, shall be reported and discussed in the Proponent's annual report to the NIRB.</i>	Active In Compliance	The Interim Closure and Reclamation Plan (ICRP; December 2019) discusses revegetation, however, there are limited details on topsoil/organic matter salvage. The NIRB expects this plan to be updated as further reclamation knowledge is gained and submitted for posting.

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>2020 Compliance Achievement</u>	<u>2020 Comments</u>
21: Waste Management Plan	<i>The updated plan is to be submitted to the NIRB at least 90 days prior to operation of Project landfills. Implementation of these measures and monitoring results as well as any subsequent updates to the Plan, shall be reported and discussed in the Proponent's annual report to the NIRB</i>	Active In Compliance	See: <ul style="list-style-type: none"> ▪ Landfill and Waste Management Plan, Version 7 (March 2019).
GEOLOGY (INCLUDING GEOCHEMISTRY)			
22: Adaptations to the Mine Waste Management Plan and practices based on results obtained through monitoring.	<i>The Proponent shall provide a summary discussion of its implementation of this term and condition, including the results of monitoring or adaptive management strategies, to the NIRB through the Proponent's annual monitoring report.</i>	Active In Compliance	See: <ul style="list-style-type: none"> ▪ Mine Waste Management Plan Version 6 (March 2020).
23: Mine Waste Management Plan – Discovery Deposit.	<i>Details of the Plan should be submitted at least 90 days prior to construction at the Discovery deposit, with subsequent plan revisions submitted annually thereafter; if accompanying the Proponent's annual report to the NIRB the document must be separated so as to be directly retrievable via the NIRB's public registry. Results of any required reporting shall be submitted to the NIRB through the Proponent's annual monitoring report.</i>	Not Yet Active Not Yet Applicable	The Proponent has indicated it will begin excavation at the Discovery deposit in 2024.
HYDROGEOLOGY AND GROUNDWATER QUANTITY AND QUALITY			
24: Hydraulic Data	<i>The Proponent shall provide a summary discussion of its implementation of this term and condition (including the results of monitoring or adaptive management strategies) to the NIRB through the Proponent's annual monitoring report.</i>	Active In Compliance	The Proponent submitted results of its 2015 hydrogeological investigations in 2016. The NIRB expects updated reports and/or information in the Annual Report throughout operations.

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>2020 Compliance Achievement</u>	<u>2020 Comments</u>
25: Groundwater Management Plan	<i>An updated plan shall be submitted to the NIRB within 90 days of receipt of the amended Project Certificate. The Proponent shall provide a summary discussion of its implementation of this Term and Condition, including the results of monitoring or adaptive management strategies, to the NIRB through the Proponent's annual monitoring report.</i>	Active In Compliance	In compliance. See Groundwater Management Plan, Version 5 (April 2020). The NIRB also notes the Proponent's submission of an IS Addendum (August 2020) and the NIRB's ongoing reconsideration of Agnico Eagle's proposal to increase discharged saline effluent to the marine environment.
26: Pit Refill Rates	<i>The Proponent shall provide a summary discussion of its implementation of this term and condition to the NIRB through the Proponent's annual monitoring report.</i>	Active In Compliance	See: <ul style="list-style-type: none"> Water Management Plan version 9 (March 2020).
HYDROLOGY (INCLUDING SURFACE WATER QUANTITY) AND WATER AND SEDIMENT QUALITY			
27: Aquatic Effects Monitoring Plan (AEMP)	<i>The Proponent shall provide a summary discussion of its implementation of this term and condition, including the results of monitoring or adaptive management strategies, to the NIRB through the Proponent's annual monitoring report.</i>	Active In Compliance	See: <ul style="list-style-type: none"> Aquatics Effects Monitoring Program (AEMP) Design Plan Version 2 (October 2018); Aquatic Effects Monitoring Program (AEMP); and Air Quality Monitoring Plan, Version 2 (April 2020).
28: Sediment and Erosion Management Plan	<i>The Proponent shall provide a summary discussion of its implementation of the plan, including the results of monitoring or adaptive management strategies, to the NIRB through the Proponent's annual monitoring report.</i>	Active In Compliance	See: <ul style="list-style-type: none"> Water Management Plan (March 2020, Version 9), Appendix D: Sediment and Erosion Management Plan (March 2020, Version 2).
29: Water Infrastructure Monitoring	<i>The Proponent shall provide a summary discussion of its implementation of this term and condition, including the results of monitoring or adaptive management strategies, to the NIRB through the Proponent's annual monitoring report.</i>	Active In Compliance	See: <ul style="list-style-type: none"> Water Management Plan (March 2020, Version 9) Appendix B: Freshet Management Plan (March 2020, version 6); Roads Management Plan, Version 8 (December 2019).

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>2020 Compliance Achievement</u>	<u>2020 Comments</u>
FRESHWATER AQUATIC ENVIRONMENT			
30: Aquatic Effects Monitoring Plan (AEMP) to include, at a minimum info related to reference lakes, sedimentation and additional testing for fish	<i>The Proponent shall provide a summary discussion of its implementation of this term and condition, including any updates to the Plan, to the NIRB through the Proponent's annual monitoring report.</i>	Active In Compliance	See: <ul style="list-style-type: none"> ▪ Aquatics Effects Monitoring Program (AEMP); Design Plan Version 2 (October 2018); ▪ Aquatic Effects Monitoring Program (AEMP).
31: Setback distance between project quarries and fish-bearing or permanent water bodies	<i>Implementation of these measures shall be reported and discussed in the Proponent's annual report to the NIRB.</i>	Active In Compliance	Borrow Pits and Quarries Management Plan, Version 6 (March 2018) commits to maintaining a setback of at least 31 m from watercourses where possible. One (1) NPAG sample was used as underground road bed material. The Proponent should provide more details on NPAG when discovered in future annual reports.
32: Site Drainage and Silt Control Plan	<i>The Proponent shall provide a summary discussion of its implementation of this term and condition, including any updates to the Plan, to the NIRB through the Proponent's annual monitoring report</i>	Active In Compliance	See: <ul style="list-style-type: none"> ▪ Water Management Plan (March 2020, Version 9) Appendix B: Freshet Management Plan (March 2020, version 6), Appendix D: Sediment and Erosion Management Plan (March 2020, Version 2); ▪ Roads Management Plan, Version 8 (December 2019).
33: Blasting	<i>Implementation of these measures shall be reported and discussed in the Proponent's annual report to the NIRB.</i>	Active In Compliance	<i>2019 Annual Report</i> Appendix H-4: Blast Monitoring Report reported one blast threshold exceedance. Proponent states this is likely due to improper placement of instrumentation.
34: Watercourse Maintenance	<i>The Proponent shall provide a summary discussion of its implementation of this term and condition, including any updates to the Plan, to the NIRB through the Proponent's annual monitoring report.</i>	Active In Compliance	The NIRB recognizes that the Project is in operations and acknowledges the Proponent's planned management and mitigation discussed in its Water Management Plan (Version 9, March 2020) and Roads Management Plan (Version 8, December 2019) such as use of screens on water intake pipes, adjustments of flow rates, use of clear-span bridges, and avoiding in-water construction works during sensitive periods, as per guidelines from Fisheries and Oceans Canada.

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>2020 Compliance Achievement</u>	<u>2020 Comments</u>
VEGETATION			
35: Site Footprint	<i>A summary of consultation and how the information was used to inform planning for the Project shall be provided in the Proponent's annual report to the NIRB</i>	Active In Compliance	Direct habitat loss was not assessed in 2019 as it is assessed every three years beginning in the first year post-construction (next assessment 2021). Project footprint unchanged from 2018 (<i>2018 Annual Report Appendix H-6: TEMMP Report</i>).
36: Invasive Species – Vehicle Inspections	<i>The Proponent shall provide a summary discussion of its implementation of this term and condition to the NIRB through the Proponent's annual monitoring report.</i>	Active Non-compliance	The NIRB noted that no reporting on vehicle inspections in the 2019 year was present, information is requested in the 2020 Annual Report and any subsequent annual reports.
37: Monitoring for Invasive Species	<i>The Proponent shall provide a summary discussion of its implementation of this term and condition, including any updates to the Plan, to the NIRB through the Proponent's annual monitoring report</i>	Active Deficient – In Progress	The Proponent's <i>Terrestrial Environment Management and Monitoring Plan, Version 3 (June, 2020)</i> was updated to provide monitoring locations, however it is missing key monitoring information such as timing and frequency of monitoring, determination of invasive species and survey plot details at each of the monitoring locations. 2019 Annual Report Appendix H-7: TEMMP Report recorded two (2) occurrences of the common dandelion along the AWAR.
38: Vegetation – Updated Baseline and Ongoing Monitoring	<i>Monitoring results and implementation of these measures shall be reported and discussed in the Proponent's annual report to the NIRB.</i>	Active In Compliance	See: ▪ <i>2019 Annual Report Appendix H-7: TEMMP Report.</i>
39: Vegetation Monitoring	<i>Details for the program are to be submitted to the NIRB within 6 months of the issuance of the Project Certificate. Implementation of these measures, updates to the Plan, and monitoring results shall be reported and discussed in the Proponent's annual report to the NIRB.</i>	Active In Compliance	<i>2019 Annual Report Appendix H-7: TEMMP Report.</i> The Proponent has reported no major plant stresses compared to 2017.
40: Vegetation – Adaptive Management	<i>The Proponent shall provide a summary discussion of its implementation of this term and condition, including any updates to the</i>	Active In Compliance	See: ▪ <i>2019 Annual Report Appendix H-7: TEMMP Report;</i> ▪ <i>Terrestrial Environment Management and Monitoring Plan, Version 3 (June 2020).</i>

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>2020 Compliance Achievement</u>	<u>2020 Comments</u>
	<i>Plan, to the NIRB through the Proponent's annual monitoring report.</i>		
41: Vegetation – Reclamation and Revegetation	<i>The Proponent shall provide a summary discussion of its implementation of this term and condition, including any updates to the Plan, to the NIRB through the Proponent's annual monitoring report</i>	Active In Compliance	The 2019 Annual Report indicates a revegetation restoration trial at three different locations on the Meliadine site was established. The NIRB would appreciate more details on the methods and results of this study be reported in future annual reports.
42: Vegetation – Closure and Reclamation plan	<i>The Proponent shall provide a summary discussion of its implementation of this term and condition to the NIRB through the Proponent's annual monitoring report.</i>	Not Yet Active Not Yet Applicable	Lessons learned from Ekati revegetation and progressive reclamation and revegetation are included in Interim Closure and Reclamation Plan (ICRP; December 2019). The NIRB expects updated and final closure plans to provide greater detail on revegetation plans as results from revegetation studies obtained and inclusion of lessons learned from Meadowbank closure activities.
TERRESTRIAL WILDLIFE AND WILDLIFE HABITAT			
43: Terrestrial Environment Management and Monitoring Plan - Thresholds	<i>The Proponent shall provide a summary discussion of its implementation of this term and condition, including any updates to the Plan, to the NIRB through the Proponent's annual monitoring report</i>	Active Deficient – In Progress	The NIRB appreciates submission of an Updated TEMMP (Version 3, June 2020). Future updates of this plan should more clearly incorporate refinements to design, elaborate on methodologies and incorporate analytical strategies.
44: Caribou Monitoring	<i>Results of discussions, implementation of measures, updates to the Plan, and monitoring results shall be reported and discussed in the Proponent's annual report to the NIRB.</i>	Active Deficient – In Progress	The Proponent participates in regional caribou monitoring programs and collects data on caribou interaction with site (TEMMP Version 3, June 2020). The NIRB emphasizes that this monitoring and reporting must be sufficient enough to test impact predictions over time and support implementation of mitigation measures.
45: Wildlife General Monitoring	<i>The Proponent shall provide a summary discussion of its implementation of this term and condition, including the results of monitoring, adaptive management strategies, consultation, and contribution efforts undertaken, to the NIRB through the Proponent's annual monitoring report.</i>	Active In Compliance	The Proponent summarizes in its Terrestrial Environment Management and Monitoring Plan (TEMMP) that it: Provides support for the Government of Nunavut's (GN) caribou satellite-collaring program for the Qamanirjuaq herd:

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>2020 Compliance Achievement</u>	<u>2020 Comments</u>
			<ul style="list-style-type: none"> ▪ Provides the GN - Department of Environment with in-kind contributions and support for regional muskoxen surveys [see Condition #52]; ▪ Signed an MOU to collaborate with t the KHTO on a Hunter Harvest Survey [see Condition #46]; ▪ Collaborates with the KHTO to conduct wildlife surveys along the AWAR; ▪ Collaborates with the Arctic Raptor Project; and ▪ Collaborates with the ECCC to implement shorebird monitoring.
46: Hunter Harvest Survey	<i>The Proponent shall provide a summary discussion of its implementation of this term and condition (including the results of monitoring, adaptive management strategies, and contribution efforts undertaken) to the NIRB through the Proponent's annual monitoring report.</i>	Active Deficient – In Progress	<p>See also condition #105.</p> <p>In June 2020 Agnico Eagle Signed renewed its Memorandum of Understanding with the KHTO for the development and execution of a Hunter Harvest Survey.</p> <p>The NIRB looks forward to seeing the results of the Hunter Harvest Survey in the 2020 Annual Report.</p>
47: Caribou Monitoring – Collar data	<i>The Proponent shall provide a summary discussion of its implementation of this term and condition, including any updates to the Plan, to the NIRB through the Proponent's annual monitoring report</i>	Active In Compliance	In its 2017 Annual Report (Appendix M), Agnico Eagle noted that it entered into a Memorandum of Understanding with the GN on March 1, 2017 to share and increase the common knowledge of possible disturbance effects on caribou and muskoxen and their migration.
48: Management of Road Access	<i>Road Access Management Agreement to be submitted to the NIRB at least 60 days prior to the commencement of increased traffic related to the marine outflow activities, with implementation of these measures and monitoring results as well as any subsequent updates to the Plan, reported and discussed in the Proponent's annual report to the NIRB.</i>	Active In Compliance	Road Access Management Agreement Conditions implemented into the Roads Management Plan Version 8 (December 2019).
49: Ensure proper permitting for research through NRI	<i>The Proponent shall provide a summary discussion of its implementation of this term and condition to the NIRB through the Proponent's annual monitoring report.</i>	Not Yet Active Not Yet Applicable	The Proponent indicated that it currently does not have any active NRI permits in the 2019 Annual Report.

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>2020 Compliance Achievement</u>	<u>2020 Comments</u>
50: Recovery of Terrestrial Wildlife Habitat	<i>The Proponent shall provide a summary discussion of its implementation of this term and condition to the NIRB through the Proponent's annual monitoring report.</i>	Active In Compliance	Revegetation trial with the university of Saskatchewan continued in 2019. Agnico Eagle informed the NIRB that the trial would be postponed in the 2020 year due to COVID-19 but that this would not lead to an overall negative effect.
51: Iqalugaaruup Nunanga Territorial Park.	<i>Information regarding the Proponent's consultation, coordination and other contribution efforts undertaken in fulfillment of this term and condition shall be provided in the Proponent's annual report to the NIRB.</i>	Active In Compliance	Also see response to Condition #70 See: <ul style="list-style-type: none"> ▪ Wildlife Protection and Response Plan version 8 (January 2019)– Appendix A: Air Traffic Management Plan (2018).
52: Muskox Monitoring Programs	<i>The Proponent shall provide a summary discussion of its implementation of this term and condition to the NIRB through the Proponent's annual monitoring report.</i>	Active In Compliance	Muskox monitoring included within the TEMMP Version 3 (June 2020).
53: Furbearer Surveys	<i>Survey results shall be submitted to the NIRB at least 60 days prior to the commencement of traffic associated with the transport of saline water on the all-weather access road. Implementation of these measures and monitoring results as well as any subsequent updates to the Plan, shall be reported and discussed in the Proponent's annual report to the NIRB.</i>	Active In Compliance	Den Surveys completed in 2018 and report submitted to the NIRB in December 2018 with a follow up report submitted in May 2019. No active dens were reported.
54: Movement of Wildlife	<i>The Proponent shall provide a summary discussion of its implementation of this term and condition to the NIRB through the Proponent's annual monitoring report.</i>	Active In Compliance	See: <ul style="list-style-type: none"> ▪ TEMMP, Version 3 (June 2020).
55: Wildlife Mortality	<i>The Proponent shall provide a summary discussion of its implementation of this term and condition to the NIRB through the Proponent's annual monitoring report.</i>	Active In Compliance	See: <ul style="list-style-type: none"> ▪ TEMMP, Version 3 (June 2020) ▪ Inuit Impact Benefit Agreement (IIBA) between the Proponent and the Kivalliq Inuit Association.

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>2020 Compliance Achievement</u>	<u>2020 Comments</u>
56: Terrestrial Monitoring Reporting	<i>The Proponent shall provide a summary discussion of its implementation of this term and condition (including the results of monitoring, adaptive management strategies, consultation, and contribution efforts undertaken) to the NIRB through the Proponent's annual monitoring report.</i>	Active Deficient – In Progress	The Proponent is required to update baseline information over time where appropriate as well as discuss distribution of wildlife compared to mining infrastructure.
57: Terrestrial Trend Reporting	<i>The Proponent shall provide its discussion of these factors to the NIRB through the Proponent's annual monitoring report</i>	Active Deficient – In Progress	The NIRB understands that the Proponent will be completing trend analyses with appropriate statistics after three (3) years in operations, however, as the Proponent has increased traffic on the road and is currently in an amendment process to implement a waterline along the AWAR, analysis of trends in natural variability of VECs is pertinent to allow proper assessment of impacts.
BIRDS AND BIRD HABITAT			
58: Migratory Bird Awareness	<i>Information regarding the Proponent's fulfillment of this term and condition shall be included in the Proponent's annual report to the NIRB.</i>	Active In Compliance	See: <ul style="list-style-type: none"> TEMMP, Version 3 (June 2020) Appendix 4: Wildlife Protection and Response Plan, Version 8 (January 2019).
59: Birds – Species at Risk Nesting	<i>Information regarding the Proponent's fulfillment of this term and condition shall be included in the Proponent's annual report to the NIRB.</i>	Active In Compliance	See: <ul style="list-style-type: none"> TEMMP, Version 3 (June 2020) for setback distances. TEMMP Report indicates nine (9) nests were observed within the Project footprint and no nests or eggs were disturbed, and none needed to be relocated.
60: Birds – Species at Risk Regular Updates	<i>The Proponent shall provide a summary discussion of its implementation of this term and condition to the NIRB through the Proponent's annual monitoring report.</i>	Active In Compliance	See: <ul style="list-style-type: none"> TEMMP, Version 3 (June 2020) Shipping Management Plan, Version 8 (March 2019).
61: Construction and clearing activities – deterrents and checks for nests prior to disturbance	<i>Information regarding the Proponent's fulfillment of this term and condition shall be included in the Proponent's annual report to the NIRB.</i>	Active In Compliance	TEMMP Report indicates nine (9) nests were observed within the Project footprint and no nests or eggs were disturbed, and none needed to be relocated.
62: Construction and Clearing Activities – Protection of Nests	<i>Information regarding the Proponent's fulfillment of this term and condition shall</i>	Active In Compliance	TEMMP Report details setback distances for nests where mining activities were active.

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>2020 Compliance Achievement</u>	<u>2020 Comments</u>
	<i>be included in the Proponent's annual report to the NIRB.</i>		
63: Marine Considerations	<i>Information regarding the Proponent's fulfillment of this term and condition shall be included in the Proponent's annual report to the NIRB</i>	Active In Compliance	Shipping Management Plan, Version 8 (March 2019) Appendix D: Marine Environment Management Plan (March 2017). Proponent committed to reporting bird strikes to ECCC CWS.
64: Marine Spill Plans	<i>The framework should be submitted to the NIRB at least 90 days prior to conducting any Project-related shipping. Implementation of these measures, updates to the Plan, and monitoring results shall be reported and discussed in the Proponent's annual report to the NIRB.</i>	Active In Compliance	See: <ul style="list-style-type: none"> Shipping Management Plan, Version 8 (March 2019).
65: Marine Shipping – Ship Wakes	<i>Information regarding the Proponent's fulfillment of this term and condition shall be included in the Proponent's annual report to the NIRB.</i>	Active In Compliance	See: <ul style="list-style-type: none"> Shipping Management Plan, Version 8 (March 2019).
66: Marine Shipping – Bird Strikes	<i>Information regarding the Proponent's fulfillment of this term and condition shall be included in the Proponent's annual report to the NIRB.</i>	Active Deficient – In Progress	The Proponent indicated that there were no bird-vessel interactions recorded in 2019 (2019 Annual Report Appendix H-8: Marine Mammal and Seabird Observer (MMSO) Report for the 2019 Shipping Season). However, the NIRB notes that a protocol for ship inspection after suspected bird strike events is not present in the TEMMP or Shipping Management Plan.
67: Updated Oil Pollution Prevention Plan	<i>The Proponent shall provide a summary discussion of its implementation of this term and condition (including the results of monitoring or adaptive management strategies) to the NIRB through the Proponent's annual monitoring report.</i>	Active In Compliance	See: <ul style="list-style-type: none"> Oil Pollution Prevention Plan, Version 2 (January 2019); Shipping Management Plan, Version 8 (March 2019). Appendix D: Marine Environment Management Plan (March 2017).

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>2020 Compliance Achievement</u>	<u>2020 Comments</u>
68: Demonstrate consideration for the potential cumulative effects of other development projects and shipping activities on marine birds in the Hudson Strait	<i>Information regarding the Proponent's fulfillment of this term and condition shall be included in the Proponent's annual report to the NIRB.</i>	Active Non-Compliance	In the <i>2018 Annual Report</i> the Proponent indicated that the first cumulative effects assessment would be completed for the 2019 Annual Report to allow for three (3) years of data collection. The NIRB notes that no analysis on cumulative effects from shipping activity is present within the annual report.
69: Flight altitude requirements – horizontal and vertical distances	<i>Information regarding the Proponent's fulfillment of this term and condition shall be included in the Proponent's annual report to the NIRB.</i>	Active In Compliance	See: <ul style="list-style-type: none"> ▪ Wildlife Protection and Response Plan Version 8, January 2019 Appendix 4 Air Traffic Management Plan (April 2018) ▪ TEMMP, Version 3 (June 2020).
70: Flight altitude requirements – flight record log	<i>Information regarding the Proponent's fulfillment of this term and condition shall be included in the Proponent's annual report to the NIRB.</i>	Active In Compliance	Also see response to Condition #51 and #69 See: <ul style="list-style-type: none"> ▪ Wildlife Protection and Response Plan Version 8, January 2019 Appendix A Air Traffic Management Plan (April 2018).
71: Develop detailed and robust mitigation and monitoring plans for migratory birds	<i>The Proponent shall provide a summary discussion of its implementation of this term and condition (including the results of monitoring or adaptive management strategies) to the NIRB through the Proponent's annual monitoring report.</i>	Active In Compliance	See: <ul style="list-style-type: none"> ▪ TEMMP, Version 3 (June 2020).
72: Monitoring with key indicators in the TEMMP and EPP	<i>The Proponent shall provide a summary discussion of its implementation of this term and condition (including the results of monitoring or adaptive management strategies) to the NIRB through the Proponent's annual monitoring report.</i>	Active In Compliance	See: <ul style="list-style-type: none"> ▪ TEMMP, Version 3 (June 2020) ▪ Shipping Management Plan, Version 8 (March 2019).

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>2020 Compliance Achievement</u>	<u>2020 Comments</u>
73: Monitoring - Reporting	<i>Monitoring results and implementation of these measures shall be reported and discussed in the Proponent's annual report to the NIRB.</i>	Active In Compliance	Also see response to Condition #35. Direct habitat loss was not assessed in 2019 as it is assessed every three (3) years beginning in the first year post-construction (next assessment 2021). Project footprint unchanged from 2018 (2018 Annual Report Appendix H-6: TEMMP Report).
74: Terrestrial Management and Monitoring Plan (TEMMP) Waterfowl and Waterbirds Monitoring	<i>The Proponent shall provide a summary discussion of its implementation of this term and condition (including the results of monitoring or adaptive management strategies) to the NIRB through the Proponent's annual monitoring report.</i>	Active In Compliance	See: <ul style="list-style-type: none"> ▪ TEMMP, Version 3 (June 2020); ▪ Shipping Management Plan, Version 8 (March 2019); and ▪ Deterrent measures include water cannons, predatory kites and decoys.
75: Mitigation measures and monitoring programs to limit the attraction of predators and scavengers to Project.	<i>The Proponent shall provide a summary discussion of its implementation of this term and condition (including the results of monitoring or adaptive management strategies) to the NIRB through the Proponent's annual monitoring report.</i>	Active In Compliance	See: <ul style="list-style-type: none"> ▪ TEMMP, Version 3 (June 2020); ▪ Landfill and Waste Management Plan Version 7 (March 2019).
MARINE ENVIRONMENT			
76: Update all Relevant Plans for the Marine Environment	<i>The Proponent shall provide a summary discussion of its implementation of this term and condition, including the results of monitoring or adaptive management strategies, and any updates to plans to the NIRB through the Proponent's annual monitoring report.</i>	Active In Compliance	See: <ul style="list-style-type: none"> ▪ Shipping Management Plan, Version 8 (March 2019); ▪ Spill Contingency Plan, Version 8 (February 2019); ▪ Oil Pollution Emergency Plan, Version 3.1 (April 2020).
77: Spill Equipment and Training.	<i>Information regarding the Proponent's fulfillment of this term and condition shall be included in the Proponent's annual report to the NIRB.</i>	Active In Compliance	See <ul style="list-style-type: none"> ▪ Spill Contingency Plan, Version 8 (February 2019). The Proponent also held a mock spill training course (Annual Report Appendix F-2: Mock Scenario Report).

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>2020 Compliance Achievement</u>	<u>2020 Comments</u>
78: Spill Prevention - Models	<i>Results of the spill dispersion modeling should be submitted to the NIRB at least 90 days prior to the commencement of construction, with requirements for annual reporting to be determined following approval of the Project by the Minister.</i>	Active In Compliance	See: <ul style="list-style-type: none"> ▪ Shipping Management Plan, Version 8 (March 2019).
MARINE WILDLIFE			
79: Updated Baseline for Shipping Management Plan	<i>Updated baseline should be provided to the NIRB and appropriate authorities prior to the commencement of Project-related shipping. The Proponent shall provide a summary discussion of its implementation of this term and condition (including the results of monitoring or adaptive management strategies) to the NIRB through the Proponent's annual monitoring report.</i>	Active In Compliance	See: Shipping Management Plan, Version 8 (March 2019).
80: Baseline Information for Melvin Bay	<i>Information regarding the Proponent's fulfillment of this term and condition shall be included in the Proponent's annual report to the NIRB.</i>	Active In Compliance	See: <ul style="list-style-type: none"> ▪ Shipping Management Plan, Version 8 (March 2019).
81: Mitigation and Monitoring for Marine Species	<i>Updates to the relevant plan(s) should be provided to the NIRB a minimum of 120 days prior to the commencement of Project-related shipping. Implementation of these measures, updates to the Plan, consultation records, and monitoring results shall be reported and discussed in the Proponent's annual report to the NIRB.</i>	Active In Compliance	See: <ul style="list-style-type: none"> ▪ Shipping Management Plan, Version 8 (March 2019).

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>2020 Compliance Achievement</u>	<u>2020 Comments</u>
82: Monitoring for Marine Wildlife During Shipping	<i>Updated monitoring plans should be provided to the NIRB a minimum of 120 days prior to the commencement of Project-related shipping. Implementation of these measures, updates to the Plan, and monitoring results shall be reported and discussed in the Proponent's annual report to the NIRB.</i>	Active In Compliance	See: <ul style="list-style-type: none"> ▪ Shipping Management Plan, Version 8 (March 2019) ▪ 2019 Annual Report Appendix H8: Marine Mammal and Seabird Observer Report.
83: Marine Mammal Interactions	<i>Information regarding the Proponent's fulfillment of this term and condition shall be included in the Proponent's annual report to the NIRB.</i>	Active In Compliance	See: <ul style="list-style-type: none"> ▪ Shipping Management Plan, Version 8 (March 2019).
84: Route Planning for Shipping.	<i>Mapping and associated details should be provided to the NIRB a minimum of 180 days prior to the commencement of Project-related shipping. Implementation of these measures, updates to the Plan, and monitoring results shall be reported and discussed in the Proponent's annual report to the NIRB.</i>	Active In Compliance	See: <ul style="list-style-type: none"> ▪ Shipping Management Plan, Version 8 (March 2019).
85: Monitor Disturbance to Walruses	<i>The Proponent shall provide a summary discussion of its implementation of this term and condition (including the results of monitoring or adaptive management strategies) to the NIRB through the Proponent's annual monitoring report.</i>	Active In Compliance	Vessel monitor is currently monitoring for walrus 2019 Annual Report Appendix H8: Marine Mammal and Seabird Observer Report.
86: Cumulative Effects	<i>Information regarding the Proponent's fulfillment of this term and condition shall be included in the Proponent's annual report to the NIRB.</i>	Active Deficient – In Progress	The NIRB expects details of the Proponent's communication/collaboration with other stakeholders and agencies to be provided in its future Annual Reports.

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>2020 Compliance Achievement</u>	<u>2020 Comments</u>
ECONOMIC DEVELOPMENT, CONTRACTING, AND BUSINESS OPPORTUNITIES			
87: Participate in the work of the Kivalliq Socio-Economic Monitoring Committee along with other agencies and the communities for a collaborative monitoring framework	<i>The Proponent shall provide a summary discussion of its implementation of this Term and Condition (including the results of monitoring) to the NIRB through the Proponent's annual monitoring report</i>	Active In Compliance	The Proponent participates in the Kivalliq Socio-Economic Monitoring Committee and works with the Socio-Economic Monitoring Working Group.
88: Establish a socio-economic working group for the Project	<i>Information regarding the Proponent's fulfillment of this term and condition shall be included in the Proponent's annual report to the NIRB. All updates to the Terms of Reference should be submitted to the NIRB during annual socio-economic reporting.</i>	Active Deficient – In Progress	The SEMWG updated its Terms of Reference to include Whale Tail Project Certificate requirements on March 11, 2019. The NIRB requires a copy of the most recent Terms of Reference to be submitted to post on the Public Registry.
89: Meliadine Socio-economic Monitoring Program	<i>Details of the Meliadine Socio-economic Monitoring Program should be submitted to the NIRB within one (1) year of issuance of the amended Project Certificate. The Proponent shall produce annual Meliadine socio-economic monitoring reports throughout the life of the Project that are submitted to the NIRB and shared with the wider Socio-Economic Monitoring Committee.</i>	Active In Compliance	See: <ul style="list-style-type: none"> ▪ Agnico Kivalliq Projects Socio-Economic Monitoring Program (February 2018) ▪ 2019 Annual Report Appendix K-3: 2019 Socio-Economic Monitoring Report.
90: Closure Planning and Monitoring	<i>The initial results of the Proponent's analysis should be provided to the NIRB within nine (9) months of the issuance of the amended Project Certificate. Any updates to the analyses should be provided to the NIRB as completed by the Proponent and include plans or details in respect of informing the regional socio-economic committee of these results.</i>	Active In Compliance	See: <ul style="list-style-type: none"> ▪ Analysis of the Risk of Temporary Mine Closure (February 2019).

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>2020 Compliance Achievement</u>	<u>2020 Comments</u>
91: Updated Socio-Economic Management Plan After Risk Plan Submitted.	<i>The required updates to the Socio-Economic Monitoring Program (and the Socio-Economic Management Plan included within the Program) should be provided to the NIRB within three (3) months of the completion of the analysis or updates to the analysis of the risk of temporary mine closure in the term and condition noted above. The Proponent shall reference any updates to its Socio-Economic Monitoring Program and associated management plan in the annual Meliadine socio-economic monitoring reports that are submitted to the NIRB and shared with the wider Socio-economic Monitoring Committee throughout the life of the Project.</i>	Active Deficient – In Progress	The Proponent submitted Analysis of the Risk of Temporary Mine Closure in February 2019). The NIRB requires an updated SEMP detailing data collection, analysis and mitigation measures in the closure and post-closure phases.
EMPLOYMENT			
92: Employment Schedule	<i>Within 6 months of Project Certificate issuance and as required thereafter.</i>	Active In Compliance	Sent by email to NIRB November 5, 2015.
93: Registration of Trades Workers	<i>Information regarding the Proponent's fulfillment of this term and condition shall be included in the Proponent's annual report to the NIRB and shared with the wider regional socio-economic monitoring committee throughout the life of the Project.</i>	Active In Compliance	At the end of 2019, there was two (2) apprentices and pre-apprentices at Meliadine.

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>2020 Compliance Achievement</u>	<u>2020 Comments</u>
94: Labour Force Analysis	<i>The Proponent should summarize the results of these efforts in the annual Meliadine socio-economic monitoring reports submitted to the NIRB and shared with the wider Socio-Economic Monitoring Committee throughout the life of the Project.</i>	Active In Compliance	Labour Market Analysis summarized and incorporated into the <i>2019 Annual Report</i> Appendix K-3: 2019 Socio-Economic Monitoring Report. The NIRB understands the finalization of the Kivalliq Labour Market Analysis may fall after submission of the Meliadine Gold Mine Annual Report.
EDUCATION AND TRAINING			
95: Transferable Skills and Certifications	<i>Information regarding the Proponent's fulfillment of this term and condition shall be included in the Proponent's annual report to the NIRB. Updates to the list should be included in the annual Meliadine socio-economic monitoring reports submitted to the NIRB and shared with the wider Socio-Economic Monitoring Committee throughout the life of the Project.</i>	Active In Compliance	See <ul style="list-style-type: none"> ▪ <i>2019 Annual Report</i> and Appendix K-3: 2019 Socio-Economic Monitoring Report.
96: Listing of formal certificates and licences that may be acquired via on-site training or training during Project employment	<i>The initial listing should be provided to the NIRB at least 60 days prior to the start of construction, and annually thereafter or as may otherwise be required.</i>	Active In Compliance	See: <ul style="list-style-type: none"> ▪ <i>2019 Annual Report</i> Appendix L-1: Training List.
97: Monitoring Impacts of Closure	<i>Information regarding the Proponent's fulfillment of this term and condition shall be included in the Proponent's annual report to the NIRB and shared with the wider regional socio-economic monitoring committee throughout the life of the Project.</i>	Active In Compliance	See: <ul style="list-style-type: none"> ▪ Analysis of the Risk of Temporary Mine Closure (February 2019).
98: Monitoring Impacts to Education System	<i>The summary of this information should be included in the annual Meliadine socio-economic monitoring reports submitted to the NIRB and shared with the wider Socio-economic Monitoring Committee throughout the life of the Project.</i>	Active In Compliance	See: <ul style="list-style-type: none"> ▪ <i>2019 Annual Report</i> Appendix K-3: 2019 Socio-Economic Monitoring Report.

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>2020 Compliance Achievement</u>	<u>2020 Comments</u>
POPULATION DEMOGRAPHICS			
99: Monitoring Demographic Changes	<i>The summary of this information should be included in the annual Meliadine socio-economic monitoring reports submitted to the NIRB and shared with the wider Socio-economic Monitoring Committee throughout the life of the Project.</i>	Active In Compliance	Also see response to Condition #101. See: <ul style="list-style-type: none"> ▪ 2019 Annual Report Appendix K-3: 2019 Socio-Economic Monitoring Report.
100: Survey of Nunavummiut employees.	<i>The summary of this information should be included in the annual Meliadine socio-economic monitoring reports submitted to the NIRB and shared with the wider Socio-economic Monitoring Committee throughout the life of the Project.</i>	Active In Compliance	Also see response to Condition #113. See <ul style="list-style-type: none"> ▪ 2019 Annual Report Appendix K-3: 2019 Socio-Economic Monitoring Report. Inuit and Nunavummiut Employee Survey developed which includes questions on housing and migration.
101: Employee Origin	<i>The summary of this information should be included in the annual Meliadine socio-economic monitoring reports submitted to the NIRB and shared with the wider Socio-economic Monitoring Committee throughout the life of the Project.</i>	Active In Compliance	Also see response to Condition #99. See: <ul style="list-style-type: none"> ▪ 2019 Annual Report Appendix K-3: 2019 Socio-Economic Monitoring Report.
TRADITIONAL ACTIVITY AND KNOWLEDGE			
102: Marine Lake community Boat Launch	<i>Initial details to be provided prior to commencement of construction of the Discovery spur road. The Proponent shall provide a summary discussion of its implementation of this term and condition, monitoring results, implementation of adaptive management strategies, and updates to relevant plans to the NIRB through the Proponent's annual monitoring report.</i>	Not Yet Active Not Yet Applicable	The Proponent has indicated this will be in 2024.

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>2020 Compliance Achievement</u>	<u>2020 Comments</u>
103: Community Input into Monitoring	<i>Updated plans shall be submitted to the NIRB 30 days prior to their revision/finalization. Further, the Proponent shall provide a summary discussion of its implementation of this term and condition (including the results of monitoring, adaptive management strategies, consultation, and contribution efforts undertaken) to the NIRB through the Proponent's annual monitoring report. Plans should explain specifically how the information will be shared with the wider regional socio-economic monitoring committee throughout the life of the Project</i>	Active In Compliance	See: <ul style="list-style-type: none"> ▪ 2019 Annual Report Appendix K-1: Shipping tour and presentation and Appendix: K-2: NWB and NIRB Engagement and Consultation Table. <p>The NIRB encourages inclusion of outcomes from consultation presented and how these outcomes are incorporated into plans and programs.</p>
NON-TRADITIONAL LAND USE AND RESOURCE USE			
104: Consultation with Outfitting and Guiding Businesses	<i>The Proponent shall provide a summary discussion of its implementation of this term and condition (including results of monitoring, adaptive management strategies, consultation, and contribution efforts) to the NIRB through the Proponent's annual monitoring report.</i>	Active Deficient – In Progress	See also Condition #105 The Proponent has indicated that the Hunter Harvest Survey will focus on data collection from hunters and outfitters in the local community. The NIRB looks forward to seeing the results of the Hunter Harvest Survey in the <i>2020 Annual Report</i> .
105: Hunter Harvest Survey	<i>The Proponent shall provide a summary discussion of its implementation of this term and condition (including results of monitoring, adaptive management strategies, consultation, and contribution efforts) to the NIRB through the Proponent's annual monitoring report and shared with the wider regional Socio-Economic Monitoring Committee throughout the life of the Project.</i>	Active Deficient – In Progress	See also Condition #104. The Proponent has indicated that the Hunter Harvest Survey will focus on data collection from hunters and outfitters in the local community. The NIRB looks forward to seeing the results of the Hunter Harvest Survey in the <i>2020 Annual Report</i> .
CULTURAL, ARCHAEOLOGICAL, AND PALEONTOLOGICAL RESOURCES			
106: Inspection Reporting for Freshet at Bridge Crossings	<i>Evidence of meeting the requirements of this term and condition shall be submitted</i>	Active In Compliance	See:

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>2020 Compliance Achievement</u>	<u>2020 Comments</u>
	<i>as part of the Proponent's annual reporting to the NIRB.</i>		<ul style="list-style-type: none"> ▪ 2019 Annual Report. Weekly inspection of the bridges during the 2019 freshet.
107: Mitigation of Ice Buildup.	<i>Evidence of meeting the requirements of this term and condition shall be submitted as part of the Proponent's annual reporting to the NIRB.</i>	Active In Compliance	See: <ul style="list-style-type: none"> ▪ Roads Management Plan, Version 8 (December 2019).
INDIVIDUAL AND COMMUNITY WELLNESS			
108: Counseling and treatment programs	<i>Evidence of meeting the requirements of this term and condition shall be submitted as part of the Proponent's annual reporting to the NIRB.</i>	Active In Compliance	See: <ul style="list-style-type: none"> ▪ 2019 Annual Report Appendix K-3: 2019 Socio-Economic Monitoring Report.
109: Indirect Effects of the Project, to Health and Well-being.	<i>Evidence of meeting the requirements of this term and condition shall be submitted as part of the Proponent's annual reporting to the NIRB.</i>	Active In Compliance	See: <ul style="list-style-type: none"> ▪ 2019 Annual Report Appendix K-3: 2019 Socio-Economic Monitoring Report. Inuit and Nunavummiut Employee Survey includes section on individual and community wellness.
110: Employee Cohesion	<i>Summaries of all cross-cultural training initiatives should be provided in the annual Meliadine Socio-Economic Monitoring Report.</i>	Active In Compliance	See: <ul style="list-style-type: none"> ▪ 2019 Annual Report Appendix K-3: 2019 Socio-Economic Monitoring Report.
111: Employee Training Opportunities	<i>Evidence of meeting the requirements of this term and condition shall be submitted as part of the Proponent's annual reporting to the NIRB.</i>	Active In Compliance	See: <ul style="list-style-type: none"> ▪ 2019 Annual Report Appendix K-3: 2019 Socio-Economic Monitoring Report.
112: Access to Housing – Home Ownership	<i>Provided the sharing of such information is consistent with and not limited by the terms and conditions of any applicable Inuit Impact Benefit Agreement, these efforts should be reported to the NIRB within the annual Meliadine Socio-Economic Monitoring Report.</i>	Active In Compliance	See: <ul style="list-style-type: none"> ▪ 2019 Annual Report Appendix K-3: 2019 Socio-Economic Monitoring Report.

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>2020 Compliance Achievement</u>	<u>2020 Comments</u>
COMMUNITY INFRASTRUCTURE			
113: Employee Survey	<p><i>The frequency and content of the survey should be determined by the collaborating parties, but content may include changes to address, housing status (i.e., public/social, privately owned/rented, government, etc.) and migration intentions of Project employees.</i></p> <p><i>Non-confidential results of the survey should be reported to the GN and other members of the Socio-economic Monitoring Committee and summary information of these results should be reported to the NIRB within the annual Meliadine Socio-Economic Monitoring Report.</i></p>	Active In Compliance	<p>Also see response to Condition #100. See:</p> <ul style="list-style-type: none"> 2019 Annual Report Appendix K-3: 2019 Socio-Economic Monitoring Report. Inuit and Nunavummiut Employee Survey developed which includes questions on housing and migration.
114: Financial Literacy and Planning	<p><i>Evidence of meeting the requirements of this term and condition shall be submitted as part of the Proponent's annual reporting to the NIRB.</i></p>	Active In Compliance	<p>See:</p> <ul style="list-style-type: none"> 2019 Annual Report Appendix K-3: 2019 Socio-Economic Monitoring Report. The Proponent indicated that the Nunavut Housing Corporation is working on and will be sharing tools and a curriculum for financial literacy.
115: Impacts to Health Services	<p><i>Evidence of meeting the requirements of this term and condition shall be submitted as part of the Proponent's annual reporting to the NIRB.</i></p>	Active In Compliance	<p>See:</p> <ul style="list-style-type: none"> 2019 Annual Report Appendix K-3: 2019 Socio-Economic Monitoring Report.
PUBLIC AND WORKER HEALTH AND SAFETY			
116: Air Quality Monitoring	<p><i>If required, updated information regarding mitigation measures or management plans should be provided to the NIRB at least 90 days following issuance of the amended Project Certificate, and subsequent modifications to these plans should be identified and included in the Proponent's annual report to the NIRB.</i></p>	Active, Deficient – In Progress	<p>Partially in compliance. See also Conditions #1 and #5. Cadmium and Iron were added to the Air Quality Monitoring Plan Version 2 (April 2020). This data was not collected as Partisol units were not functional for the majority of the 2019 year. The NIRB looks forward to seeing these results in the 2020 year.</p> <p>The 2018 annual report indicates aldehydes were tested in 2019 but an update was not provided within the 2019</p>

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>2020 Compliance Achievement</u>	<u>2020 Comments</u>
			report. The Proponent should provide an update with results as well as planned frequency of aldehyde testing determined with the GN.
ACCIDENTS AND MALFUNCTIONS			
117: Bypass Road	<i>Proponent shall provide a summary discussion of its implementation of this term and condition (including the results of monitoring, adaptive management strategies, and consultation) to the NIRB through the Proponent's annual monitoring report.</i>	Active In Compliance	Bypass road completed in 2018 and community meeting commenced and inspection with regulators was completed in 2018. Phase 2 of the All Weather Access Road not yet in applicable.
118: Ensure monitoring of wildlife presence informs road management and operations.	<i>The Proponent shall provide a summary discussion of its implementation of this term and condition (including results of monitoring, adaptive management strategies, consultation, and contribution efforts) to the NIRB through the Proponent's annual monitoring report.</i>	Active In Compliance	See: ▪ TEMMP, Version 3 (June 2020).
119: Establishing Deterrents Along the AWAR at any Areas Where it is observed that caribou are attracted to the AWAR and their presence may present a risk of collisions with traffic along the AWAR	<i>The updated plan should be submitted to the NIRB at least 90 days prior to the start of construction. Implementation of these measures, updates to the Plan, and monitoring results shall be reported and discussed in the Proponent's annual report to the NIRB.</i>	Active In Compliance	See: ▪ TEMMP, Version 3 (June 2020). No deterrents are used for caribou on the road as it is closed during migration.
120: Marine Shipping	<i>The Proponent shall provide a summary discussion of its implementation of this term and condition to the NIRB through the Proponent's annual monitoring report.</i>	Active In Compliance	See: ▪ 2019 Annual Report. 2019 cargo ships provided.
121: Monitor the Ingress/Egress of Project Related Ships at Rankin Inlet and Reporting and Monitoring	<i>The Proponent shall provide a summary discussion of its implementation of this term and condition (including the results of monitoring or adaptive management strategies) to the NIRB through the Proponent's annual monitoring report</i>	Active In Compliance	See ▪ Shipping Management Plan, Version 8 (March 2019).

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>2020 Compliance Achievement</u>	<u>2020 Comments</u>
122: Fuel Transfer Events	<i>The Proponent shall provide a summary discussion of its implementation of this term and condition (including the results of monitoring or adaptive management strategies) to the NIRB through the Proponent's annual monitoring report.</i>	Active In Compliance	See <ul style="list-style-type: none"> ▪ Shipping Management Plan, Version 8 (March 2019); ▪ Oil Pollution Emergency Plan, Version 3.1 (April 2020); ▪ 2019 Annual Report Appendix J-2: Post Oil Transfer Report.
123: Spill Response Equipment and Training	<i>Evidence of meeting the requirements of this term and condition shall be submitted as part of the Proponent's annual reporting to the NIRB.</i>	Active In Compliance	See: <ul style="list-style-type: none"> ▪ Shipping Management Plan, Version 8 (March 2019) ▪ 2019 Annual Report Appendix F-2: Mock Scenario Report.
124: Updated Spill Contingency Plan Specific to a Major Spill Event Occurring on the Bypass Road.	<i>The updated plan should be submitted to the NIRB at least 90 days prior to the start of construction. Implementation of these measures and monitoring results as well as any subsequent updates to the Plan, shall be reported and discussed in the Proponent's annual report to the NIRB.</i>	Active In Compliance	See: <ul style="list-style-type: none"> ▪ Spill Contingency Plan, Version 8 (March 2019).
125: Communication of Rules of the AWAR	<i>The updated plan should be submitted to the NIRB at least 90 days prior to the start of construction of Phase 2 of the AWAR. As noted in the Board's decision on the Saline Effluent Discharge to the Marine Environment proposal, updated plans shall be submitted to the NIRB prior to undertaking transport of saline groundwater from the Meliadine site to the temporary storage tank near Rankin Inlet. Implementation of these measures and monitoring results as well as any subsequent updates to the Plan, shall be reported and discussed in the Proponent's annual report to the NIRB.</i>	Active Deficient – In Progress	The NIRB understands Phase 2 of the AWAR is planned for 2024; however, as there is expected to be increased traffic due to the saline disposal amendment this is now applicable to Phase 1 of the road and acknowledges the following: <ul style="list-style-type: none"> ▪ Consultation plans and logs in the Roads Management Plan version 8 (December 2019) and 2019 Annual Report Appendix K-2: Nunavut Water Board and NIRB Engagement and Consultation Table. ▪ Regulation and monitoring of traffic on the AWAR with signage and two manned gatehouses. ▪ 2019 Annual Report Appendix J-1: Daily AWAR Users ▪ 2019 Annual Report traffic observed in comparison to predictions ▪ Road signage

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>2020 Compliance Achievement</u>	<u>2020 Comments</u>
			<ul style="list-style-type: none"> ▪ Community meetings regarding usage of access road. 2019 Annual Report Appendix K-1: Public Consultation Report ▪ No accidents occurred along the AWAR <p>The updated Roads Management Plan Version 8 (December 2019) references that the AWAR has unrestricted access to the public and that public pick-up trucks are allowed on the road. As unrestricted public access is not currently allowed, the NIRB expects an updated Roads Management Plan with these references removed.</p>
ALTERNATIVES ANALYSIS			
126: Clear Communication of AWAR Usage	<i>The updated plan should be submitted to the NIRB at least 90 days prior to the start of construction. Implementation of these measures and monitoring results as well as any subsequent updates to the Plan, shall be reported and discussed in the Proponent's annual report to the NIRB.</i>	Active In Compliance	The Proponent has provided: Rules of the Road, public information session requirements and other communication tools, and consultation plans and logs in the Roads Management Plan Version 8 (December 2019).
127: Adaptive management Measures for Marine Mammals	<i>The updated plan should be submitted to the NIRB at least 90 days prior to the start of construction. Implementation of these measures and monitoring results as well as any subsequent updates to the Plan, shall be reported and discussed in the Proponent's annual report to the NIRB.</i>	Active In Compliance	See: <ul style="list-style-type: none"> ▪ Shipping Management Plan, Version 8 (March 2019).
Saline Effluent Disposal New Terms and Conditions			
128: Detailed Design for the Saline Effluent Waterline	<i>To be provided to the Nunavut Impact Review Board at least 90 days prior to construction of the effluent waterline and diffuser system.</i>	Active In Compliance	Submitted to the NIRB by Agnico Eagle on February 15, 2019.

<u>Term & Condition</u>	<u>Reporting Requirements</u>	<u>2020 Compliance Achievement</u>	<u>2020 Comments</u>
129: Hazard and Operability Assessment of Waterline	<i>To be provided to the Nunavut Impact Review Board at least 90 days prior to operation of the effluent waterline and diffuser system.</i>	Active In Compliance	Submitted to the NIRB by Agnico Eagle on February 15, 2019.
130: Plan for Waterline at End of Life	<i>Information necessary to support an application for removal of the subsea waterline and diffuser must be provided to the Nunavut Impact Review Board for consideration at least 12 months prior to planned removal.</i>	Not Yet Active Not Yet Applicable	The NIRB notes that the IS addendum associated with the Saline Discharge to Marine Environment reconsideration includes plans for building a new subsea waterline and diffuser and ending use of the current subsea waterline and diffuser. The NIRB expects plans for removal of the current subsea waterline and diffuser to be submitted 12 months before removal.
131: Decision Regarding Annual Open Water for Discharge	<i>A summary of actions taken are to be included in the Proponent's annual reporting to the NIRB.</i>	Active Deficient – In Progress	Agnico Eagle intends to engage with the KHTO and community of Rankin Inlet about start and end of open water season and determine appropriate communication and safety protocols, however, results of these intentions are not provided within the annual report