



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

November 9, 2021

Robin Allard
General Supervisor Environment
Agnico Eagle Mines Limited – Nunavut
Nunavut, Canada X0C 0A0

Sent via email: robin.allard@agnicoeagle.com

Re: The Nunavut Impact Review Board's 2020-2021 Annual Monitoring Report for the Meliadine Gold Mine Project and Board's Recommendations

Dear Robin Allard:

The Nunavut Impact Review Board (NIRB or Board) is hereby releasing its *2020-2021 Annual Monitoring Report for Agnico Eagle Mine Limited's Meliadine Gold Mine Project* (NIRB File No. 11MN034) (Monitoring Report) along with the NIRB's Assessment of Agnico Eagle Mine Limited's (Agnico Eagle) Compliance Status (Appendix A) based on the NIRB's monitoring activities as set out within the Meliadine Gold Mine Project Certificate No. 006, Amendment 1 pursuant to Sections 12.7.1 and 12.7.2 of the *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada (Nunavut Agreement)* and s. 135 of the *Nunavut Planning and Project Assessment Act*, S.C. 2013, c. 14, s. 2 (*NuPPAA*). This Monitoring Report provides findings that resulted from monitoring of this Project that took place from October 2020 to September 2021.

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

By way of a motion carried during its regular meeting held in October 2021, the Board has issued the following recommendations to assist Agnico Eagle in achieving compliance with the Meliadine Gold Mine Project Certificate Amendment 1. These recommendations ensure that the NIRB has all the information necessary to adequately discharge its mandate with respect to provisions within Section 12.7 of the *Nunavut Agreement* and s. 135 of *NuPPAA* as they pertain to the Meliadine Gold Mine Project.

2021 Update on the Continuation of the Saline Discharge Strategy

On April 13, 2021, Agnico Eagle provided the NIRB with an update on a proposal submitted to the Nunavut Planning Commission in December 2020 to continue the activities, previously approved under the “2020 Saline Effluent Discharge Strategy”, for an additional open water season (2021)¹ as the NIRB’s continued assessment of the Waterlines Proposal was delayed in its completion due to the ongoing COVID-19 pandemic. The 2020 activities included the following:

- Increase in trucking of saline effluent along the AWAR and Bypass Road from 16 round trips to 44 round trips per day; and
- Increased discharge of saline effluent into Melvin Bay from 800 m³/day to 1,600 m³/day during the open water season.

On April 21, 2021, the NIRB provided correspondence to Agnico Eagle that acknowledged the Nunavut Planning Commission’s determination that further assessment was not required for an additional season of activity² but that the Board’s previous decision to approve the “2020 Saline Effluent Discharge Strategy” was contingent on specific additional monitoring therefore the Board required Agnico Eagle to provide the submission directly to the NIRB to allow confirmation of monitoring requirements.

Recommendation 1: As a submission was not received by the NIRB in the 2020-2021 monitoring year for the continuation of the “2020 Saline Effluent Discharge Strategy” in 2021, the Board requires the following within 90 days:

- An update as to whether increased trucking and increased discharge activities occurred in the 2021 open water season;
- If so, whether any additional monitoring occurred due to the increase in activities; and
- An analysis on the impacts on air quality, the terrestrial environment, the marine environment, and the socio-economic environment from the increased activities for the 2020 and 2021 open water seasons compared to previous years. The reporting of the data and analysis of these year-over-year comparisons should take into consideration that the results will feed into whether any additional management or monitoring would be required should the increased trucking and discharge need to continue.

Coordination with the Kangiqliniq Hunters and Trappers Organization

Term and Condition 46 of the Meliadine Gold Mine Project Certificate No. 006 requires “*Hiring of a dedicated local survey coordinator through local Hunters and Trappers Organizations (HTOs) and provision of adequate resources for the HTOs to run the program*”. Within the Terrestrial Environment Management and Monitoring Plan, Version 3 (June 2020), Agnico Eagle states that it collaborates with the Kangiqliniq Hunters and Trappers Organization (KHTO) to conduct wildlife surveys along the all-weather access road (AWAR) which contributes to

¹ Public Registry ID No.: 334918

² Public Registry ID No.: 334910

cumulative effects monitoring and managing mine activities during migration events. However, it is also understood that the Wildlife Protection and Response Plan, Version 8 (January 2019)³ states that access restrictions are placed on the AWAR when caribou are near the road, and in 2020/2021 additional restrictions were placed on Nunavut mines due to COVID-19 public health restrictions limiting access of Nunavummiut to site. Even with these restrictions, Agnico Eagle addressed concerns submitted by the KHTO in 2021, regarding speed limits and blasting during caribou migration⁴, and materials demonstrated that the KHTO was monitoring the migration with Agnico Eagle in a physically distanced manner with the COVID-19 restrictions.

On September 17, 2021, the NIRB received correspondence from the KHTO that wildlife monitors were denied access to monitor caribou and caribou harvest along the AWAR⁵. However, given previous evidence that the KHTO participated in caribou monitoring in 2021, it is unclear in what capacity the KHTO monitors were denied access to the road, whether these monitors were a part of Agnico Eagle's wildlife surveys, whether there were multiple incidents of denied access, and whether different KHTO monitors may have different access restrictions. As such, the NIRB would like to provide Agnico Eagle with an opportunity to communicate with the KHTO and respond to the most recent submission regarding access to the AWAR during caribou migration and COVID-19 restrictions.

- **Recommendation 2:** The Board requires that Agnico Eagle provide an update within 60 days regarding how the Kangiqliniq Hunters and Trappers Organization (KHTO) is involved in caribou monitoring, what restrictions are in place for access to the all-weather access road for additional KHTO monitoring programs, and how these restrictions and/or monitoring requirements are communicated to the KHTO. Further, Agnico Eagle is to ensure that all parties understand the goals and restrictions of caribou monitoring before the 2022 post-calving migration.

Community Engagement and Inuit Qaujimajatuqangit Incorporation

Term and Condition 103 highlights the importance of community consultation and understanding of Inuit Qaujimajatuqangit to inform updates to monitoring and management plans and/or decisions which is a vital component of monitoring for the Meliadine Gold Mine Project. It is understood that Agnico Eagle works with the Kivalliq Socio-Economic Monitoring Committee, has ongoing collaboration with the KHTO, and plans to establish a community liaison committee.

Some of Agnico Eagle's management plans, including the Terrestrial Environment Management and Monitoring Plan, contain a section where it outlines what and how Inuit Qaujimajatuqangit was included into their formation, and information about how Inuit Qaujimajatuqangit is used to inform yearly monitoring. However, the *2020 Annual Report* does not clearly link how comments

³ Public Registry ID No.: 330530

⁴ Public Registry ID No.: 336632

⁵ Public Registry ID No.: 336819

received from community members or Inuit Qaujimajatuqangit led to management actions or updates in the monitoring year. Additionally, detail is required on the feedback mechanism for reporting monitoring results back to communities so the public can understand not only the results of the monitoring programs but also how their previous concerns and suggestions are addressed or considered.

- **Recommendation 3:** The Board recommends that more detail be provided in the Proponent's 2021 annual report and future reports where results from engagement opportunities are considered in the monitoring year. Further, in future updates of monitoring and management plans, the Proponent shall include how community concerns and Inuit Qaujimajatuqangit received was considered, and how results of monitoring were communicated back to the communities.

Terrestrial Environment Management and Monitoring Plan

Within its 2019-2020 Monitoring Report the NIRB recommended that Agnico Eagle complete a comprehensive update to the Terrestrial Environment Monitoring and Mitigation Plan (TEMMP), to which Agnico Eagle noted that an updated version would be provided in the 2021 Annual Report. This recommendation was for improved data collection, analysis, reporting and discussion for parties to be able to sufficiently assess impacts and relate monitoring results to management actions. Previous comments and suggestions to update the TEMMP from the NIRB, and other parties are summarized in Section 2.3 of the 2020-2021 NIRB's Monitoring Report, in the 2018-2019 Monitoring Report⁶ and the 2019-2020 Monitoring Report⁷ and include, but are not limited to, the following:

- Increased detail in caribou behaviour monitoring study design, data collection, consideration of variables and data analysis;
- Improved analysis of caribou movement and determination of deflection from mine operations;
- Trend analyses to detect potential mine-related changes in wildlife;
- Mitigation measures and monitoring design pertaining to migratory birds;
- More detail on how individual monitoring programs (e.g., wildlife track survey) fit into the greater terrestrial environment monitoring or management actions;
- Clear delineation of thresholds when management actions are implemented;
- Update in background data where appropriate; and
- Improvements to the Hunter Harvest Survey and understanding of how this survey and/or other monitoring programs will function to monitor any changes to hunting pressures from the development of the AWAR.

⁶ Public Registry ID: 327327, 328255, 328256

⁷ Public Registry ID: 332018, 333457, 333458

Many of the concerns expressed by parties this year and in previous monitoring years were topics highlighted throughout the reconsideration process for the “Saline Effluent Discharge to Marine Environment” Project Proposal. As part of this process a Terrestrial Advisory Group was committed to as a method to collaborate with interested parties to improve the terrestrial environment monitoring program. However, at the time of the submission of the *2020 Annual Report* and response to parties’ comments on the report, the NIRB’s assessment of the Waterlines Proposal was still ongoing, and the Terrestrial Advisory Group had not yet been formed and is therefore not available to address these concerns. Agnico Eagle is reminded that it is still expected to find methods to engage with parties in the current situation in order to ensure all parties can understand and sufficiently access impacts to the terrestrial environment to provide feedback for revisions of the TEMMP.

- **Recommendation 4:** As Agnico Eagle proposed to submit an updated version of the Terrestrial Environmental Management and Monitoring Plan (TEMMP) within the 2021 Annual Report, the Board recommends that Agnico Eagle collaborate with interested parties to ensure sufficient detail in background data, study design, data collection, data analysis, reporting, discussions, and management triggers and thresholds are discussed. The updated TEMMP will clearly demonstrate all comments and recommendations from parties as summarized.

Should you have any questions or require further clarification regarding this request or related to the NIRB’s monitoring program for the Meliadine Gold Mine Project, please contact the undersigned at (867) 983-4612 or ekoide@nirb.ca, or Caitlin Pelletier at (867) 983-4603 or cpelletier@nirb.ca.

Sincerely,



Emily Koide
Technical Advisor I
Nunavut Impact Review Board

cc: Meliadine Distribution List

Enclosure: The Nunavut Impact Review Board’s 2020-2021 *Annual Monitoring Report for Agnico Eagle Mine Limited’s Meliadine Gold Mine Project (NIRB File No. 11MN034)*