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April 17th, 2023

Kelli Gillard
Manager, Project Monitoring
Nunavut Impact Review Board
P.O. Box 534
Arviat, NU
XOC 0E0

Re: Agnico Eagle's response to the NIRB's 2021-2022 Annual Monitoring Report for the Meadowbank Gold Project and the Whale Tail Pit Project with Board Recommendations

Dear Kelli Gillard,

The following information is intended to address the NIRB'S recommendations regarding the Meadowbank (03MN107) and Whale Tail (16MN056) 2021-2022 Annual Monitoring Report:

- Nunavut Impact Review Board – March 17, 2023: The Nunavut Impact Review Board 2021-2022 Annual Monitoring Report for the Meadowbank Gold Mine Project and the Whale Tail Pit Project with Board's Recommendations

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

Regards,

Agnico Eagle Mines Limited – Meadowbank Complex

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Environment & Critical Infrastructures Superintendent



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1 Board's Recommendation Meadowbank Gold Mine Project (03MN107) and Whale Tail Pit Project (16MN056)

1.1 Caribou Collar Data and Government of Nunavut Data and Sampling Sharing Agreement

Comment: As highlighted by parties and the Proponent through the 2021 Annual Reporting process for Agnico Eagle's Kivalliq projects, Agnico Eagle and the Government of Nunavut (GN) still require a Data and Sample Sharing Agreement (DSSA) for sharing satellite collar data on caribou in the region for accurate analysis of Project Impacts on herds in the Region. In 2021 as per Term and Condition 29 of the Whale Tail Project Certificate and 54 of the Meadowbank Project Certificate, the Board requested an update from the GN on the status of its ability to provide the caribou collar data to Agnico Eagle for the Meadowbank Gold Mine and Whale Tail Pit Projects. The GN responded that a series of ongoing delays in negotiating the agreement to share the raw telemetry data and an update to the standard form DSSA was required. The GN stated that although sharing raw telemetry data requires a DSSA, simple telemetry data is provided and this was sufficient to fulfill the basic monitoring and mitigation requirements of the Terrestrial Ecosystem Monitoring and Management Plan.

The Board is noting challenges for it to fully assess how caribou interact with Agnico Eagle Projects in the Kivalliq region and how this could impact future assessments and the data gap that is occurring. The Board would like to stress the importance of the finalization of the DSSA between Agnico Eagle and the GN.

Recommendation 1: Within 30 days of issuance of this correspondence The NIRB requests an update from the Government of Nunavut on the status of the Data and Sample Sharing Agreement and when it can be expected to be implemented.

Agnico Eagle's Response: *Agnico Eagle acknowledges this recommendation. A data and/or sample sharing agreement between Agnico Eagle and the Government of Nunavut was signed on March 3rd, 2023.*

Recommendation 2: Within 30 days, the Board requires that Agnico Eagle describe how the monitoring program at Meadowbank Gold Mine and Whale Tail Pit Projects has been impacted by the missing years of caribou satellite collar data and what contingency plan Agnico Eagle will use now that the data and analysis have not been available for multiple years.

Agnico Eagle's Response: *Agnico Eagle has received a signed data and/or sample sharing agreement between Agnico Eagle and the Government of Nunavut on March 3rd, 2023.*



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As part of the agreement, historical data has been provided to Agnico Eagle. Agnico Eagle will discuss with the TAG, and perform analysis based on recommendations.

The Government of Nunavut (GN) continued in 2020, 2021, and 2022 to provide Agnico Eagle with telemetry maps on a daily basis during sensitive caribou season or less frequently when caribou are not present on projects, and at the request of Agnico Eagle. The telemetry maps provided by the GN continued to be integrated in our day-to-day operations and serve as a notice that caribou are approaching the Projects or show their location around our infrastructures. These maps coupled with the direct field monitoring via road and viewshed survey has allowed Agnico Eagle to fulfill our obligations under the Project Certificate and the TEMP by applying the required caribou protection mitigations when needed. The monitoring continued to be performed at the frequency provided in the TEMP and in collaboration with TAG members.

1.2 Updated Plans for the Whale Tail and IVR Pushbacks

Comment: In 2021 the NIRB received information on Agnico Eagle’s plan to do IVR and Whale Tail Pushbacks between the IVR and Whale Tail Pits allowing Agnico Eagle to access additional gold located between the two (2) pits. The NIRB acknowledged the Nunavut Planning Commission’s determination and noted that the proposed activities would be subject to Project Certificate 008. On May 19, 2021, the NIRB responded in relation to the pushback activities that it expected that the NIRB would:

“...be informed regarding the update and/or status of any management plans that require updates so that if there are substantive changes being proposed, the NIRB could provide parties an opportunity to comment on any updates that have not already been reviewed as part of existing permitting or licensing processes. In addition to considering updates to the management plans, the activities related to this modification, as approved by the Commission under the current framework of project approvals, must be reported in the project-specific annual monitoring report to the NIRB.”

Agnico Eagle has not submitted any plans to the NIRB during the 2021 year and information related to this topic in the 2021 Annual Report was incomplete.

Recommendation 3: The Board requests an update in 30 days on the plans that were updated for Agnico Eagle to undertake the pushback activities between the IVR and Whale Tail Pits. Further, Agnico Eagle’s response will detail if these plans were reviewed through other licencing or permitting processes and confirm if any updated plans were submitted to the NIRB as stand-alone plans for the NIRB’s Public Registry.



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Agnico Eagle's Response: *The Whale Tail Water Management Plan and Whale Tail Waste Rock Management Plan were submitted to the NWB in June 2021 as part of the Water License modification application for pushback activities at IVR and Whale Tail Pits. Subsequent updates to these plans are conducted on an annual basis and are submitted for review by the NIRB and other interested licencing parties as part of the annual reporting process. Other management plans for Whale Tail have been reviewed and updated following the approval of IVR and Whale Tail pushback activities, however this is included as a mention that the IVR Pit is now an approved activity and does not include substantive changes to the plans. Agnico Eagle acknowledges the NIRB's commentary on the availability of updated management plans and will work to update the NIRB Public Registry with the required information.*

1.3 Updated Version of Terrestrial Ecosystem Management Plan

Comment: In 2020, Agnico Eagle submitted a draft of the Terrestrial Ecosystem Management Plan (version 8) to the NIRB for Term and Condition 30 of the Whale Tail Project Certificate. There was a discussion over its status and it was noted that the Terrestrial Advisory Group had not yet been consulted on the contents. In 2021, Agnico Eagle noted it would be discussing the TEMP with the Terrestrial Advisory Group for submission to the NIRB in 2022. The Board notes that Agnico Eagle has stated in the 2020 and 2021 Annual Reports that Agnico Eagle has numerous items that would also be addressed in the update to the Terrestrial Ecosystem Management Plan. As there is limited information on the progress of the latest version of the TEMP to date:

Recommendation 4: The Board requests that within 30 days that Agnico Eagle describe the progress it has made on version 8 of the Terrestrial Ecosystem Management Plan and the schedule for finalization and submission as a stand-alone monitoring plan on the NIRB's Public Registry and the proponent's website.

Agnico Eagle's Response: *An update was prepared internally to be shared with the TAG for comments. However, more pressing matters were needing to be addressed, such as a site visit, flags on the road, and effectiveness of mitigation measures. These discussions will act as groundwork for the TEMP update, for which an in-person workshop will be planned in the summer of 2023, with an intent to complete the TEMP update by end of 2023.*



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2 Annual Report Monitoring for Meadowbank and Whale Tail Sites

2.1 Post-Environmental Assessment Monitoring Plan Evaluation

Comment: As part of its Post Environmental Assessment Monitoring Plan (PEAMP) and the requirement of Appendix D of Project Certificate No. 004 for the Meadowbank Project, Agnico Eagle provided a summary on how the current environmental and socio-economic effects of the Meadowbank mine site compared to the impacts as predicted in the FEIS for the following:

- Freshwater Aquatic Environment
- Vegetation, Terrestrial Wildlife, and Birds
- Noise
- Air Quality
- Permafrost
- Socio-economic

For each of these categories, Agnico Eagle conducted a PEAMP evaluation of the valued ecosystem components (VECs) identified in the FEIS, including a summary of the predicted residual effects for which monitoring was recommended in the FEIS and a summary of lessons learned. Agnico Eagle has revised the PEAMP summary to further include reference to baseline and previous years' monitoring data, identify trends for each VEC where an effect is observed, identify impact predictions that can no longer be supported based on project experience to date, and provide an analysis of the effectiveness of management and mitigation strategies with proposed adaptive management. The evaluation focused on the potential impacts for which monitoring was recommended for the current project phase (i.e., operations). Overall, Agnico Eagle concluded in its *2021 Annual Report* that the impact predictions within the FEIS continue to be supported by the monitoring results, with a few exceptions.

The NIRB acknowledges that the Proponent has made significant efforts within its *2021 Annual Report* to improve upon the clarity of its reporting and to include additional trend analyses, which includes comparison of monitoring results to FEIS predictions. With regards to future reporting, the NIRB appreciates the efforts to date and would suggest that Agnico Eagle consider providing a high-level summary of detail needed from cross referenced documents to help the reader follow concepts as it can be difficult to review all the cross-referencing currently in the document.

Even though the NIRB has not yet released the project-specific monitoring program for the Whale Tail Project, the NIRB would expect that some form of post-environmental assessment monitoring would be provided in Agnico Eagle's *2021 Annual Report* as many of the management and monitoring plans state that the comparison would be completed.

In addition to review of Agnico Eagle's PEAMP evaluation, the NIRB reviewed and provides comments on the following topics within the *2021 Annual Report* for both the Meadowbank Project and the Whale Tail Project.



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Update Figure 44

On Page 565 of the 2021 Annual Report the NIRB has noted that materials in the Adaptive Management section of Figure 44 is text from the template that was used to create the figure. The Monitoring Officers request an updated figure with updated information in the 2022 Annual Report to fully understand Agnico Eagle's PEAMP evaluation process as it is missing information.

Agnico Eagle's Response: *Agnico Eagle has provided an update to this request in the 2022 Annual Report as Figure 43 on Page 461 of the document.*

Agnico Eagle would also like to highlight that comparison of Whale Tail monitoring results to FEIS predictions were first provided in the 2019 Annual Report and continued to be included in subsequent reports.

2.2 Active Management and Monitoring Plan Tracking

Comment: As noted last year, the updated management plans shall be submitted and/or uploaded to the NIRB's Public Registry individually, not in one (1) large file or as appendices to other management plans. This ensures that parties can efficiently find and navigate each plan.

The NIRB emphasizes that Management Plans are to be submitted to the NIRB Public Registry once finalized and are active and not held to the submission of the annual report. Additionally, the plans should be available on the Proponent's web portal or web page as well as plans that are submitted to other Regulatory Authorities.

▪Project Certificate No. 008 states "The Proponent shall establish a Project-specific web portal or web page as a means of making all non-confidential monitoring and reporting information associated with the Project available to the general public." After 13 years of construction and operations at the site as well as numerous changes to the Project, plans, and authorizations, this central repository for project-specific information is necessary to allow both public and regulators to access and verify information in a timely way. Therefore, NIRB continues to press for a timely implementation of this Project Certificate requirement, especially to highlight the summary table and current management plans for public access.

Agnico Eagle's Response: *Agnico Eagle acknowledges the NIRB's commentary on the availability of updated management plans on both the NIRB Public Registry and the Agnico Eagle web portal. Agnico Eagle would like to discuss this requirement further with the NIRB at their convenience.*



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3 Annual Monitoring Report Whale Tail Site

3.1 Ongoing engagement in project monitoring, modelling, management, and reporting

Comment: As noted in of this Report outlining compliance with the Whale Tail Pit Project Certificate ([Appendix II](#)) and in the 2021 NIRB Monitoring Report, the NIRB recognizes the COVID-19 pandemic led to challenges fulfilling this request; however, the Proponent has not demonstrated specific efforts to present revisions of monitoring plans or results of its monitoring programs to communities for consultation and comment. The NIRB acknowledges Agnico Eagle’s commitment to improving its media presence in 2020 along with participation in the Terrestrial Advisory Group.

The Proponent reported within its *2021 Annual Report* on various meetings and events held for public consultation purposes in regard to Project Certificate terms and conditions. However, Agnico Eagle did not include information on how engagement on amendments to monitoring plans were communicated through these and how feedback was incorporated into the updates. It continues to remain unclear how results of the ongoing monitoring programs were communicated effectively to the affected communities in 2019, 2020, and 2021.

NIRB Request: The Proponent shall provide a summary to the NIRB that demonstrates the implementation of Item 13 of the Whale Tail Pit Project Certificate. The summary shall be provided to the NIRB within Agnico Eagle’s next annual report.

Agnico Eagle’s Response: *Agnico Eagle acknowledges NIRB’s comment and is continuously striving to integrate IQ and Inuit Societal Values (ISV) in Annual Reports.*

The 2022 Kivalliq Socio-Economic Monitoring Report identifies where specific ISVs have been used or are connected to the subjects being discussed. The purpose for this is to demonstrate Agnico Eagle’s commitment to the use and implementation of IQ and ISVs and to begin to move toward more fulsome integration of IQ and ISVs in its monitoring and reporting. Throughout the report, the “ISV” symbol was used as an indicator and easy reference to one or more specific ISV.

In 2021, Agnico Eagle used the social media platform to keep communities of impact informed and build awareness on the following topics:

- *COVID-19 related support available from Agnico Eagle during the pandemic*
- *Return to work information for employees at home*
- *Rankin Inlet community office hours of operation*
- *Employment information Session (EIS) dates in Kivalliq communities*
- *Business Opportunities Posts—Pre-qualification Information Session*
- *Job posting*



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- *Sealift Season & Cyanide transportation*
- *All Weather Access Road – Awareness and Road Rules*
- *Nunavut Impact Review Board hearing dates*
- *Caribou Migration and related road closures*

The above social media posts are outcomes of active management plans for example, the 'Sealift Season' posts are directly related to the Shipping Management Plan and the 'Caribou Migration' posts are product of Terrestrial Ecosystem Management Plan. Furthermore, the 'EIS Session' posts and 'Pre-qualification Information Session' posts are related to the Socio-Economic Management Plan. The Social media posts were used to encourage engagement from community members.

In 2021, Agnico Eagle developed a Kivalliq Elders' Advisory Committee (KEAC) comprised of 21 Elders from Baker Lake, Chesterfield Inlet, Rankin Inlet, Whale Cove, and Arviat to integrate Inuit Qaujimagatuqangit (IQ), Inuit Societal Values (ISV) and community knowledge into our exploration, management & monitoring planning, workforce, wellness, and operational plans. Moreover, the Elders group is consulted when there are any substantives revision to the Project management and monitoring plans. Feedbacks from the KEAC members are documented in Agnico Eagle's Borealis system and integrated into plans by designated teams.

4 Areas Requiring Further Study or Changes to the Monitoring Program – Meadowbank Gold Mine

4.1 Consultation/Update with Chesterfield Inlet – Condition 40

Comment: Term and Condition 40 requires that the proponent gather traditional knowledge from the local hunters and trappers organizations and conduct at a minimum a one-day workshop with residents of Chesterfield Inlet about activities in the Inlet. Agnico Eagle's 2021 Annual Report discusses the topic but does not give any information regarding the collection of information from Chesterfield Inlet.

NIRB Request: The Proponent shall clarify the information that was provided in the 2021 Annual Report to ensure that Chesterfield Inlet was consulted in the data collection and that other communities were included in the response to provide the Board with information regarding Agnico Eagle's monitoring program for the projects.

Agnico Eagle's Response: *In 2021, due to COVID-19 restrictions Agnico Eagle faced challenges to host in-person workshops or meetings with the community of Chesterfield Inlet. However, despite COVID-19 challenges one (1) meeting was held with Chesterfield Inlet Elders to collect IQ testimony on the 2021 shipping route in Chesterfield Inlet. Feedbacks from the Elders were documented in Agnico Eagle's Borealis system and integrated into plans by designated teams.*



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A teleconference was held on May 26th, 2021, with Chesterfield Inlet Hamlet representatives to present the 2021 Sealift Season schedule. Due to COVID-19 restrictions, Agnico Eagle was not able to hold the usual in-person community information sessions. During the teleconference, the following topics were presented:

- *Vessel routing from Quebec to Nunavut and routing to Rankin Inlet*
- *Monitoring of marine mammals and seabirds*
- *All Weather Access Road (AWAR) closure process*
- *Caribou Monitoring*
- *Process to find live information about the vessel routing*
- *Process to ask questions and raise concerns via Tusaajugut 'We are Listening'*

In 2021, the COVID-19 exceptional circumstances did interfere with the usual Chesterfield Inlet community engagement efforts. Nonetheless, Agnico Eagle acknowledges the NIRB's commentary and will strive to confirm community engagement efforts with Chesterfield Inlet residents and HTO in upcoming reports.

5 Compliance with the Meadowbank Gold Mine Project Certificate No. 004, Amendment 003 – Appendix I

5.1 Water Quality and Waste Management

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

Compliance Achievement 2022: Active Deficient – in Progress

Comment:

1) Incinerator Waste Management Plan Version 9 March 2022; and

2) Landfill Design and Management Plan, Version 5, March 2021.

Agnico Eagle has employed deterrents for carnivores and raptors prior to 2020 and 2021 nesting season with varied results.

The NIRB will reassess in the next monitoring year.

Agnico Eagle's Response: *Agnico Eagle acknowledges the NIRB recommendation and continues to provide information regarding wildlife deterrents as part of the 2022 Annual Report.*



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5.2 Project Alternatives and Planned Changes

Term and Condition - 29: Reporting on plans for expansion, particularly the use of Second Portage Lake as preferred alternative for tailings management.

Compliance Achievement 2022: Active In Compliance

Comment: No permitting was done in 2020.

However, Whale Tail and IVR pushbacks were submitted to the NIRB in 2021 and the NIRB stated that it “expected to be informed regarding the update and/or status of any management plans that require updates so that if there are substantive changes being proposed, the NIRB could provide parties an opportunity to comment on any updates that have not already been reviewed as part of existing permitting or licensing processes. In addition to considering updates to the management plans, the activities related to this modification, as approved by the Commission under the current framework of project approvals, must be reported in the project-specific annual monitoring report to the NIRB.

Therefore, the NIRB requests an update on the plans that were updated as a part of this process and whether or not any other permitting or licencing process has reviewed it.

Agnico Eagle’s Response: *Please refer to Section 1.2 for response.*

5.3 All-Weather Private Access Road

Term and Condition - 31: Stream crossing design criteria along with maintenance plan and mitigation and monitoring expectations.

Compliance Achievement 2022: Active In Compliance

Comment: Complete and part of DFO permits and NWB Water Licence. Some culverts that were flagged in 2019 for erosion issues and have yet to be addressed by Agnico Eagle.

The NIRB looks forward to updates on repairs in the 2022 Annual Report.

Agnico Eagle’s Response: *Agnico Eagle continues to conduct an annual geotechnical inspection on culverts at the Meadowbank Complex. A geotechnical inspection (Appendix 9 of both the 2021 and 2022 Annual Reports) and implementation plan (Appendix 15 of both the 2021 and 2022 Annual Reports) is put in place to address any repairs required. Agnico Eagle will continue to work towards repairing culverts flagged as part of this report.*



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Term and Condition - 36: Local area marine mammal monitors onboard all vessels.

Compliance Achievement 2022: Active Deficient – in Progress

Comment: As COVID-19 restrictions were lifted, Agnico Eagle was able to hire marine mammal monitors again as they were able to be aboard ships. There was one monitor at the time of the site visit.

The Board looks forward to an update in the 2022 Annual Report as there was a hire in 2022.

***Agnico Eagle's Response:** In 2022, Agnico Eagle hired three local monitors from the community of Baker Lake.*

As established in 2020 and 2021, the shipping companies will continue to record marine wildlife sightings while vessels are at anchor near Helicopter Island, or on the tugs/barges between Helicopter Island and Baker Lake to supplement the community observer effort.

For 2023, it is Agnico Eagle's intent to continue to hire local monitors in compliance with Term and Condition 36. Recruitment will be done with the community agents to find reliable and available monitors that are willing to board the vessels for a significant time period, as the vessels are travelling back and forth from the Inlet to the Baker community. Recruitment from the community has always proved to be challenging as multiple candidates first accepted the proposed work but declined and/or changed their minds at the last minute or decide to unboard the vessel on short notice and did not want to pursue this type of work any further.

Additional to the above and as an alternative to ensure data collection as per Condition 36, Agnico Eagle will continue to work with the shipping companies for the possibility to pursue, in the following years, the marine mammal monitoring from Helicopter Island to Baker Lake infrastructures.

Term and Condition - 40: Traditional Knowledge from the local HTOs and Chesterfield Inlet – marine mammals, cabins, hunting, and other local activities in the inlet.

Compliance Achievement 2022: Active Deficient – in Progress

Comment: Meetings were hosted with Chesterfield Inlet Hamlet Reps as well as Elders and a Mental Health Survey.

No mention of how or when the Chesterfield Inlet was engaged in 2021.

As 2020/2021 had many restrictions due to COVID-19 the NIRB requests an update of how Traditional Knowledge was collected from the HTO as listed in the Term and Condition.



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Agnico Eagle's Response: *In 2022, Agnico Eagle collected IQ at the Aqigiq HTO, including:*

- *Previous perception that caribou stopped migrating through Chesterfield because of mining activities were questioned as thousands of caribou were seen migrating near the hamlet.*
- *Aqigiq HTO provided traditional place names of the locations where ships navigate in the inlet such as Tikiraqgyuaq kangilig (Helicopter Island) and Aqusiuaqniq (Demon Point).*

Agnico Eagle Community Relations and Permitting teams also traveled to Chesterfield in July 2022 and attended Nunavut Day with HTO and community members as whole day event on the land. Agnico Eagle joined the community in observing the fishing derby and participated as judges for the traditional clothing contest.

Furthermore, as detailed in Section 11.8.3 of the 2022 Meadowbank Complex Annual Report, in 2022, prior to the beginning of the barge season, Agnico Eagle toured the following communities: Arviat, Whale Cove, Coral Harbour, and Chesterfield Inlet, and held a teleconference with the Hamlet of Baker Lake.

5.4 Wildlife and Terrestrial

Term and Condition – 56: Protection of caribou migration paths, including maps developed in consultation with Elders, HTOs.

Compliance Achievement 2022: Active Deficient – in Progress

Comment: 2020 and 2021 caribou telemetry data was not available for inclusion in the 2021 Annual Report. Last update to migration corridors was provided in the 2014 Annual Report.

Agnico Eagle's Response: *Please refer to Section 1.1 for response.*

Term and Condition – 57: Participate in the caribou collaring program as directed by GN-DoE.

Compliance Achievement 2022: Active Deficient – in Progress

Comment: Agnico Eagle is collaborating with the Government of Nunavut – Department of Environment (GN-DoE) in caribou satellite-collaring program as the per Memorandum of Understanding (MOU) (2017).

GN-DoE did not provide Agnico Eagle with the required information in the 2020 or 2021 monitoring season.



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Agnico Eagle's Response: *Please refer to Section 1.1 for response.*

Term and Condition – 59: Deterrence of caribou at the tailings facility.

Compliance Achievement 2022: Active Deficient – in Progress

Comment: Met with Baker Lake HTO in 2021 to discuss topics related to wildlife management, it is unclear if deterrents were discussed.

The 2022 Site Visit noted no deterrent installed at the tailings storage facility.

The NIRB looks forward to an update on the deterrents and/or the achievement of this term and condition has been achieved in the 2022 Annual Report.

Agnico Eagle's Response: *An audio deterrent was installed at the South Cell during the summer of 2022. This deterrent was primarily aimed towards waterbird, but has also shown varied results towards caribou. Agnico Eagle will further discuss with the TAG in 2023 to best identify viable deterrent for caribou within the tailing ponds.*

Term and Condition – 61: Aircraft flight altitudes and corridors to avoid wildlife incorporated into TEMP and Air Traffic Management Plan. Read with term and condition 62F.

Compliance Achievement 2022: Active Deficient – in Progress

Comment: Partially incorporated into TEMP, Version 7 (June 2019); and Noise Monitoring and Abatement Plan, Version 3 (June 2018). It is not clear if/how flight corridors have been established and implemented.

The NIRB looks forward to more information in the 2022 Annual Report.

Agnico Eagle's Response: *Agnico Eagle acknowledges NIRB's recommendation and will provide clarification in the next iteration of the TEMP, planned to be completed in 2023 and updated in collaboration with TAG.*

Term and Condition - 62: Develop and implement a noise monitoring and abatement plan to protect people and wildlife from significant mine activity noise. Read together with term and condition 61.

Compliance Achievement 2022: Active Deficient – in Progress



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Comment: Noise Monitoring and Abatement Plan, Version 3 (June 2018). Summary of noise monitoring program results provided in the 2021 Annual Report.

TEMP states minimum altitude of 300 m for caribou, muskox, and other wildlife; however, the Term and Condition specific to 610 m and it is unclear how direction was communicated to pilots.

The NIRB looks forward to information in the 2022 report on this material and submission of a new TEMP.

Agnico Eagle's Response: *The 300 m altitude stated in the TEMP Version 7 is the minimum altitude to avoid disturbance to caribou, muskox, and other wildlife. In the Noise Monitoring and Abatement Plan Version 3, 610 m is the altitude to avoid sensitive bird/wildlife areas.*

Pilots flying aircrafts to and from the mine site are to keep a vertical distance of 1,000 m and 1500 m horizontal distance from groups of 50 or more caribou and 10 or more muskox. For large groups of migratory birds, the minimum vertical distance is 1,100 m and 1,500 m horizontal. This information is provided to all pilots flying aircrafts to and from the mine site via a memo in which requires each pilot to sign.

Helicopter pilots are asked to avoid helicopter flights over known areas of raptor nests, molting snow geese (during molting period (July-August)), waterfowl and shorebird staging areas during critical seasons (when birds are present –spring and summer months). The Environment Department informs pilots of these areas. If maintaining this altitude is not possible, they must maintain a horizontal distance of at least 1,500m from key sites.

All pilots at the Meadowbank and Whale Tail sites are required to review and sign an Air Traffic Management Procedure for which the primary objective is to minimize to the greatest extent possible all potential impacts to wildlife from low flying aircraft and helicopters.

Agnico Eagle will provide clarification in the next iteration of the TEMP, planned to be completed in 2023, and updated in collaboration with TAG.

5.5 Socio-Economic

Term and Condition - 63: GN and INAC form a Meadowbank Gold Mine Socio-Economic Monitoring Committee (“Meadowbank SEMC”) and develop terms of reference.

Compliance Achievement 2022: Active In Compliance

Comment: Related to Project Certificate 004 Term and Condition 68 and Project Certificate 008 Terms and Conditions 44 and 54 for further information.



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Finalized terms of reference provided March 2019. Referred to as the "Kivalliq SEMC" and includes the Whale Tail Pit Project and Meliadine Gold Mine Project. Supported by Socioeconomic Monitoring Working Group (includes GN and CIRNAC). In 2020 KIA joined the group and Agnico Eagle presented to the group the 2021 update (Appendix 62).

Agnico Eagle proposed new socio-economic indicators for 2022 for cultural and traditional lifestyle, individual and community wellness which includes housing and food security. Agnico Eagle is redesigning the report in 2022 and with the accepted new socio-economic indicators, Agnico Eagle has updated the Socio-Economic Monitoring Plan in Appendix 59 of the 2021 Annual Report.

The NIRB looks forward to the new reporting style and update on the information that is collected in the 2022 Annual Report.

***Agnico Eagle's Response:** Agnico Eagle is always striving for continuous improvement and appreciates NIRB for the comment. The 2022 Socio-Economic Monitoring Program Report can be found as Appendix 4 for the 2022 Annual Report.*

5.6 Human Health

Term and Condition – 68: Demonstrate incorporation of Inuit societal values into mine operation policies.

Compliance Achievement 2022: Active Deficient – in Progress

Comment: Related to Project Certificate 004 Term and Condition 63 and Project Certificate 008 Terms and Conditions 44 and 54 for further information.

Multiple meetings and teleconferences with Baker Lake HTO regarding activities at site and along the AWAR.

As 2020 had many restrictions due to COVID-19 the NIRB looks forward to updates of how Traditional Knowledge was collected from all HTOs listed in the Terms and Conditions in future reports as well as how this information was incorporated into the projects and plans as appropriate.

In the 2021 report Agnico Eagle outlines the application of Inuit Qaujimaningit and Traditional knowledge into Monitoring plans.

In 2022 Agnico Eagle is planning to implement a Community Liaison Committee in Baker Lake and this group would also be utilized to review and comment on implementation of the Kivalliq projects Socio-Economic Monitoring Committee.



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The NIRB looks forward to an update on the group in the 2022 Annual Report as well as how the new indicators are working.

Agnico Eagle's Response: *In 2022, the Community Relations team implemented a methodology to allow consistent collection and integration of Inuit Qaujimagatuqangit and Inuit Traditional Knowledge into Agnico Eagle project phases.*

The Inuit Qaujimagatuqangit and Inuit Traditional Knowledge Methodology consists of four steps:

1. Collection

Inuit Qaujimagatuqangit and Inuit Traditional Knowledge are collected and validated through multiple engagement channels with Kivalliq individuals, communities, and community groups. Engagement channels include one-on-one conversations, focus groups, public consultations and open house with field experts and knowledge holders.

2. Documentation

The IQ and TK collected during engagement are documented in IQ/TK collection forms. The forms gather details such as the date, engagement purpose, engagement type, engagement leader, Agnico Eagle supporting team, community participants and their organization, meeting notes, questions, and comments. Furthermore, the form also documents outcomes of the engagement and commitments made by Agnico Eagle to the participants. Lastly, the IQ/TK form requires the participants to provide consent that allows Agnico Eagle to use the shared information on Inuit Qaujimagatuqangit and Inuit Traditional Knowledge.

3. Interpretation

This step consists of two sub-steps:

a. Cross-referencing—New IQ/TK collected are cross-referenced with past collected IQ/TK to avoid duplication.

b. Linking Valued Components—Agnico Eagle Inuit knowledge holders and supporting staff links the collected IQ/TK to specific Environmental and Socio-Economic Valued Components

4. Storing

All collected and interpreted data are stored in an internal database software system that allows history tracking and reporting. The database tracks all the consented and validated IQ/TK as well as the integration into the operational management and monitoring plans.

Furthermore, in 2022, the Socio-Economic Monitoring Report (SEMR) identifies where specific ISVs have been used or are connected to the subjects being discussed. The purpose for this is to demonstrate Agnico Eagle's commitment to the use and



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implementation of IQ and ISVs and to begin to move toward more fulsome integration of IQ and ISVs in its monitoring and reporting. Throughout the 2022 SEM Report, the “ISV” symbol is used as an indicator and easy reference to one or more specific ISV.

In 2022, three mechanisms were utilized to review and receive feedback on operational activities, monitoring plans and reporting results:

- 1. The Kivalliq Socio-Economic Monitoring Committee (KvSEMC) meets annually to present data and consider socio-economic impacts and benefits of mining projects generally on the Kivalliq region. Members of the KvSEMC include Government of Nunavut (including specific departmental representation), Government of Canada, Kivalliq Inuit Association, Hunters and Trappers Organizations, Community representatives, community organizations and Project owners. The Government of Nunavut chairs the KvSEMC. Feedback provided in the KvSEMC informs the final Socio-Economic Monitoring Report. Additionally, the KvSEMC can recommend additional monitoring priorities. In 2022, Kivalliq Socio-Economic Monitoring Committee meeting was scheduled in December. Agnico Eagle participated the three (3) days committee meeting along with 24 organizations. During the meeting Agnico Eagle provided an overview of key results of the 2020 and 2021 Socio Economic Monitoring Reports. Additionally, other Kivalliq and Nunavut organizations provided update at the SEMC in 2020 and 2021 regional socio-economic results, social & cultural programs in place to support Nunavummiut, and upcoming projects related to infrastructure, housing, employment, and business support.*
- 2. In 2022, a new version of the Community Liaison Committee in Baker Lake was implemented to encourage a dialogue exchange between Agnico Eagle and the local sub-groups (youth, women, Elders, etc.). A newsletter, containing operational activities and achievements, including a section on how to reach out to the company for questions/ concerns/ suggestions, was produced and sent to the members of the Baker Lake Community Liaison Committee. Engagement with specific community sub-groups will allow better understanding of the issues and provide a venue for stakeholder sub-groups to advice Agnico Eagle management for solutions.*
- 3. Tusaajugut (We’re Listening) is the formal Nunavut Community Communication System, that addresses questions, comments and concerns from individuals and organizations in the Kivalliq region about environmental issues, tendering and hiring processes, or any other aspects of Agnico Eagle’s operations. Inquiries made through this system are taken seriously – dedicated staff will review and investigate all inquiries and a response will be given back.*



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5.7 Air Quality

Term and Condition – 72: On-site incinerators to comply with standards. Stack testing annually.

Compliance Achievement 2022: Active Deficient – in Progress

Comment: Incinerator Waste Management Plan (Version 9, March 2022) will continue stack testing. In 2021 testing was completed with some variance in the numbers and in 2022 Agnico Eagle has test results that exceed dioxins and furans. The 2021 Annual Report noted an investigation is ongoing to assess the issue.

The NIRB looks forward to an update in the 2022 Annual Report.

***Agnico Eagle's Response:** Following the 2021 and 2022 exceedances of dioxins and furans, Agnico Eagle retained the services of a consultant to conduct an investigation to determine causation of these exceedances. The investigation included discussions with the stack test contractor to confirm test results, review of incinerator logs, discussion with the operator to confirm normal operating conditions, and literature review to identify specific potential causal factors for further assessment.*

Based on the investigation described above, low stack gas temperature was identified as the most likely cause of elevated PCDD/F emission during stack testing in 2021 and 2022. Pending resolution of this issue, operation of the incinerator ceased on November 27th, 2022.

Term and Condition – 74: Employ environmentally protective techniques to suppress any surface road dust.

Compliance Achievement 2022: Active – Non-compliance

Comment: Utilized adaptive management techniques when following ongoing communication with ECCC and NIRB; Planning to implement public communications and incorporation of Inuit Qaujimajatuqangit regarding dust control.

The 2022 Site Visit noted that dust suppressant was only applied to five (5) key areas along the AWAR in 2020 and 2021 and 2022.

Based on community concerns in relation to dust along the AWAR the NIRB has requested Agnico Eagle discuss with both Baker Lake HTO and the community to assess the effectiveness of the dust control along the road and if additional dust control locations are needed.

The NIRB looks forward to an update in the Proponent's 2022 Annual Report.



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Agnico Eagle's Response: In response to the NIRB's 2019-2020 Recommendations, Agnico Eagle has begun the development of a community-based dustfall monitoring program. Agnico Eagle met with Hamlet Council on February 16th, 2022 and the Baker Lake HTO on February 17th, 2022 to discuss the development of the Baker Lake Dust Advisory Group (BLDAG). In August 2022, a berry picking session was held with harvesters to collect IQ and listen to the experiences of these individuals to assist Agnico Eagle in better mitigating potential effects of dust. A dust monitoring information session was planned for October, but had to be cancelled due to travel restrictions during caribou migrations. Collaborations will continue in 2023 and subsequent provided in future annual report.

5.8 Accidents and Malfunctions

Term and Condition – 75: Complete list of possible accidents and malfunctions and accident risk assessment for the Project; assessment of risk/mitigation with Elders and affected communities.

Compliance Achievement 2022: Active Deficient – in Progress

Comment: Accidents, malfunctions and spills were listed within the 2021 Annual Report and the following reports were referenced:

- Hazardous Materials Management Plan, Version 7, March 2022 (Appendix 55);
- Spill Contingency Plan, Version 16, April 2022 (Appendix 27);
- Emergency Response Plan, Version 17, October 2021 (Appendix 31);
- Oil Pollution Emergency Plan and Oil Pollution Prevention, Version 15, March 2022 (Appendix 32);
- Meadowbank OMS Manual for Tailing Management, Version 10, July 2021 (Appendix 67);
- Meadowbank OMS Manual for the dewatering dikes, Version 9; November 2021 (Appendix 68);
- Whale Tail OMS Manual for Water Management Infrastructure, Version 2, November 2021 (Appendix 68).

Agnico Eagle noted in their 2021 annual report that it states that no public engagement outside the NIRB or NWB process was undertaken.

The NIRB notes that in the 2020 Annual Report that Agnico Eagle said Elder and affected community collaboration on risk assessment was completed as best as possible, considering COVID-19 restrictions, via emails, teleconferencing, social media and uploading content onto www.aemunavut.ca/community/roads.

As the NIRB encourages Proponents to discuss modifications to monitoring plans and programs with communities and the NIRB requests information about how this information is communicated and suggestions incorporated into reports.

Agnico Eagle's Response: In 2022, during Cyanide Transportation information session was held with the Baker Lake Hamlet, Fire Department, HTO and the Health Center



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representatives. During the meeting, the Cyanide Transportation safety, monitoring procedures and TDG information were presented as well as the communication plans. In addition, during this meeting Agnico Eagle do emphasize any changes to the management plans from previous years to collect feedback and comments from the attendees. Similarly, during the 2022 Sealift Season tour the information presented to the communities were directly related to the Shipping Management Plan and Spill Contingency Plan. Any updates from previous years were presented during these sessions to receive feedbacks and comments. Agnico Eagle would like to discuss this requirement further with the NIRB at their convenience.

5.9 Duty to Comply

Term and Condition – 86: Duty to comply to Project Certificate Terms and Conditions.

Compliance Achievement 2022: Active Deficient – in Progress

Comment: Majority of Terms and Conditions are in compliance; however, the following Terms and Conditions determined non-compliant or deficient for the 2021 monitoring period: 25, 36, 40, 56, 57, 59, 61, 62, 68, 72, 74, and 86.

Agnico Eagle's Response: *Agnico Eagle has addressed the above conditions that the NIRB has determined to be non-compliant or deficient within Section 5 of this document.*

6 Compliance with the Whale Tail Pit Project Certificate No. 008, Amendment 1 - Appendix II – 1 Board Guidance on General Regulatory and Administrative Responsibilities

6.1 Monitoring Records

Term and Condition – 12: 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

Compliance Achievement 2022: Active Deficient – in Progress

Comment: The web portal (<https://aemnunavut.ca/media/documents/>) was updated to contain more of the materials for both sites and is set up by project.

Information related to both Projects are available on the Agnico Eagle websites. Facebook page active since 2018 and used in 2020 for public communication as well as with employees.

The NIRB continues to encourage Agnico Eagle to make all nonconfidential monitoring data available to the public at these new central locations as well as previous Annual Reports as



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Agnico Eagle references years previous to 2020 in the 2021 Annual Report and this information is not on Agnico Eagle's website.

Agnico Eagle's Response: *Agnico Eagle acknowledges the NIRB's recommendation and commits to updating the portal to work to fulfill this condition. Agnico Eagle looks forward to discussing this further with the NIRB to determine the best path forward.*

6.2 On-going Engagement in Project Monitoring, Modelling, Management and Reporting

Term and Condition – 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.

Compliance Achievement 2022: Active Deficient – in Progress

Comment: The NIRB notes it appears the Proponent considers fulfillment of this Term and Condition through the implementation of other Terms and Conditions related to the monitoring program. The Proponent has noted that the community has had the opportunity to ask questions related to the Project during different public consultations.

The Board acknowledges that 2021 was challenging due to COVID-19 restrictions in the Kivalliq Region and looks forward to updates on progress in the 2022 annual report.

Agnico Eagle's Response: *In 2022, three mechanisms were utilized to review and receive feedback on operational activities, monitoring plans and reporting results:*

1. *The Kivalliq Socio-Economic Monitoring Committee (KvSEMC) meets annually to present data and consider socio-economic impacts and benefits of mining projects generally on the Kivalliq region. Members of the KvSEMC include Government of Nunavut (including specific departmental representation), Government of Canada, Kivalliq Inuit Association, Hunters and Trappers Organizations, Community representatives, community organizations and Project owners. The Government of Nunavut chairs the KvSEMC. Feedback provided in the KvSEMC informs the final Socio-Economic Monitoring Report. Additionally, the KvSEMC can recommend additional monitoring priorities. In 2022, Kivalliq Socio-Economic Monitoring Committee meeting was scheduled in December. Agnico Eagle participated the three (3) days committee meeting along with 24 organizations. During the meeting Agnico Eagle provided an overview of key results of the 2020 and 2021 Socio Economic Monitoring Reports. Additionally, other Kivalliq and Nunavut organizations provided update at the SEMC in 2020 and 2021 regional socio-economic results, social & cultural programs in place to support Nunavummiut, and upcoming projects related to infrastructure, housing, employment, and business support.*



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2. In 2022, a new version of the Community Liaison Committee in Baker Lake was implemented to encourage a dialogue exchange between Agnico Eagle and the local sub-groups (youth, women, Elders, etc.). A newsletter, containing operational activities and achievements, including a section on how to reach out to the company for questions/ concerns/ suggestions, was produced and sent to the members of the Baker Lake Community Liaison Committee. Engagement with specific community sub-groups will allow better understanding of the issues and provide a venue for stakeholder sub-groups to advise Agnico Eagle management for solutions.

3. Tusaajugut (We're Listening) is the formal Nunavut Community Communication System, that addresses questions, comments and concerns from individuals and organizations in the Kivalliq region about environmental issues, tendering and hiring processes, or any other aspects of Agnico Eagle's operations. Inquiries made through this system are taken seriously – dedicated staff will review and investigate all inquiries and a response will be given back.

7 Compliance with the Whale Tail Pit Project Certificate No. 008, Amendment 1 - Appendix II-2: Whale Tail Pit Project Specific Terms and Conditions

7.1 Air Quality

Term and Condition – 2: Mitigation dust impacts on project roads. Includes dust suppression on all project roads.

Compliance Achievement 2022: Active Non-compliance

Comment: Utilized adaptive management techniques when following ongoing communication with ECCC and NIRB; expected exceedances from FEIS Addendum did not occur, as described within the 2021 Annual Report. In 2021 some specific FEIS Addendum model predictions were exceeded for the 25 m downwind location at km 151. At 500 m from the road, the AB-REC guidelines were met.

Dust Suppressant is applied along the entire length of the Whale Tail Haul Road and NIRB observed it being applied during the 2022. However, the NIRB observed during the site visit that dust suppressant is not applied on all of the All- Weather Access Road.

Agnico Eagle's Response: The results of the 2022 dustfall monitoring program (Appendix 50 of the 2022 Annual Report) along the AWAR showed no relevant exceedances of the established dust management threshold ($0.53 \text{ mg/cm}^2/30\text{d}$ at 500 m). Total dustfall in two samples exceeded the threshold, but in both cases the associated results for fixed dustfall (non-organic fraction; more representative of road material) were less than the guideline, so these results are not considered to be mine-related.



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The NIRB requested Agnico Eagle to provide an action plan for the development of a community-based monitoring program for dust. In response to the NIRB's recommendations, Agnico Eagle met with Hamlet Council on February 16, 2022 and the Baker Lake HTO on February 17, 2022 to discuss the development of the Baker Lake Dust Advisory Group (BLDAG). This meeting was scheduled earlier in 2021 but postponed due to COVID restrictions. The role of this Dust Advisory Group will mainly be to articulate concerns and identify areas that need special attention and involve the community of Baker Lake in a dust sampling information session with the Environmental Department in 2022.

The first meeting in February 2022 was to identify the groups impacted by dust generated by Agnico Eagle operations. The Baker Lake HTO were asked to identify the berry pickers. Agnico Eagle also requested names of berry pickers from the Kivalliq Elders Advisory Committee. We are pleased to report Agnico Eagle is now engaging with a select group of berry pickers in the community of Baker Lake.

On August 24, 2022, two berry pickers from the community of Baker Lake were consulted and participated into a berry harvesting session along the AWAR up to km 46. This activity was to collect IQ and TK information and listen to the experience from these berries harvesters that will serve Agnico Eagle to better mitigate the potential effect of the dust along the AWAR. One of the participants was selected to investigate berry harvesters interested in participating in a group to identify preferred locations for berry harvesting along the AWAR. A meeting was also planned on October 25, 2022 but extended road closures due to the caribou migration prevented the Environmental team from attending and they were unable to carry out a dust sampling information session. Thus, in 2023, Agnico Eagle will continue to collaborate with the community of Baker Lake to identify some areas of concern along the road. These areas will be further discussed during the first BLDAG meeting planned in July 2023.

In the past, consultation with the Hamlet was conducted to identify major areas of concern along the AWAR. Five areas were identified, and Tetraflake (CaCl₂) is applied during the summer to mitigate dust in those areas. Additional dust suppression methods could be implemented along the AWAR and WTHR depending on community concerns and traditional knowledge information given during regular consultations.

7.2 Geological Features, Soils, and Permafrost

Term and Condition – 13: Explore the feasibility of topsoil/organic matter salvage as part of project development and provide updates to the Closure and Reclamation Plan.

Compliance Achievement 2022: Active In Compliance



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Comment: *2020 & 2021 Annual Reports:* As per the 2019 Whale Tail ICRP, "active revegetation has not been planned at this time as part of the reclamation plan given the cold climate setting of the Project."

Proponent states that research is planned for 2021, and that ongoing studies from the Meliadine Gold Mine Project will inform management of the Whale Tail site. The information is found in Appendix 32 of Meliadine 2020 Annual Report. The March 2022 natural recovery and active restoration of tundra plant-soil systems at Agnico Eagle Mines' Meliadine site, Nunavut is provided in Appendix 30 of the 2021 Meliadine Project Annual Report.

In the 2021 Annual Report Agnico Eagle noted that in 2020 a baccalaureate student used their internship to assess the possibility of revegetation in the northern condition and results of the study will be reported in subsequent reports.

The NIRB looks forward to reviewing the results of the study completed in 2020 in future annual reports.

Agnico Eagle's Response: *Agnico Eagle acknowledges this comment and has removed references to the results of the study in the text of the 2022 Annual Report as the report on revegetation in northern conditions was unfortunately never received from the student.*

7.3 Hydrogeology and Groundwater Quantity and Quality

Term and Condition – 15: Groundwater Monitoring Plan.

Compliance Achievement 2022: Active Deficient – in Progress

Comment: Whale Tail 2021 Groundwater Management Monitoring Report within 2021 Annual Report (Appendix 42) contains all required information.

Note: **Groundwater Monitoring Plan, Version 3 (NWB, May 2019) was referenced for implementation, however, the document was not found. Only Groundwater Monitoring Plan, Version 3 (April 2020) within the 2019 Annual Report was provided. As noted last year, please provide referenced/applicable documentation for further reports.**

Agnico Eagle's Response: *The Groundwater Monitoring Plan, Version 3 (April 2020) is an updated version for the Whale Tail Pit Project that was submitted as part of the 2019 Annual Report to answer questions pertaining to the plan that regulators had at that time.*

Concurrently, the Permitting team at Agnico Eagle was in the process of gaining approval for the Whale Tail Pit Expansion Project using the Groundwater Monitoring Plan, Version



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3_NWB (May 2019). Once approval was received from the NWB, the document dated May 2019 became the official version as it included details on the expansion project.

Agnico Eagle acknowledges the confusion regarding these two plans and will commit to ensuring that this does not occur in the future.

7.4 Freshwater Aquatic Environment

Term and Condition – 23: Mammoth Lake monitoring of trophic status and/or change.

Compliance Achievement 2022: Active Deficient – in Progress

Comment: a) & c) In-Progress: Meadowbank and Whale Tail 2021 CREMP provided with 2021 Annual Report (Appendix 33). Commentary with KIA noted continued monitoring in 2022.

b) In-Progress: Annual update, Fish Habitat Offset Monitoring Report, is available within the 2021 Annual Report (Appendix 44).

Proponent filed an updated Fish Habitat Offsets Monitoring Plan for the Whale Tail Site (Version 2) 28 July 2021. In process of gathering data.

Agnico Eagle's Response: *Agnico Eagle continues to follow the approved plan and collect data relative to Mammoth Lake monitoring and will provide updates on this term and condition in subsequent annual reports.*

7.5 Vegetation

Term and Condition – 25: Prevention of invasive species

Compliance Achievement 2022: Active In Compliance

Comment: Non-native plant monitoring study completed in 2021. Actions were taken as appropriate and required and a trial for eradication of flixweed was undertaken in 2021 and will be updated in future years. Summary in Appendix 47 of the 2021 Annual Report

The NIRB looks forward to information regarding the trials in the 2022 Annual Report.

Agnico Eagle's Response: *From 2019 to 2021, many observations of what was then identified as flixweed (*Descurainia ophioides*) were reported. A specimen of this species was collected in July 2022 and sent to the Canadian Museum of Nature for identification by a botanist. The specimen was confirmed to be the native species, northern tansy mustard (*Descurainia sophioides*). This species is a biennial herb that colonizes gravel bars,*



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roadsides, waste sites and disturbed soils which is why it is so abundant at the Meadowbank site.

Trials of eradication on what were thought to be flixweed populations, but are now known as northern tansy mustard, were implemented in July 2021 at the Meadowbank Mine site. In total 17 sites underwent trials involving a combination of geotextile placement, hand pulling and mechanical removal. Results of these trials and more information regarding non-native plant surveys can be found in Section 16 of the 2022 Wildlife Monitoring Summary Report – Appendix 47 of the 2022 Meadowbank Complex Annual Report. The eradication trials will be suspended now that it is known that northern tansy mustard is a native species.

Term and Condition – 26: Revegetation strategies to promote progressive reclamation in Closure and Reclamation Plan.

Compliance Achievement 2022: Active In Compliance

Comment: 2020 Annual Report: As per the 2019 Whale Tail ICRP, "active revegetation has not been planned at this time as part of the reclamation plan given the cold climate setting of the Project."

Proponent states that research is planned for 2020, and that ongoing studies from the Meliadine Gold Mine Project will inform strategies at the Whale Tail site. The information is in Appendix 32 of Meliadine 2020 Annual Report.

The NIRB did not find information related to the topic at the section referenced. The NIRB requests the section number so it can do an assessment of the status of this term and condition.

Agnico Eagle's Response: *Agnico Eagle acknowledges that the cross-referencing in the 2021 Annual Report to a previous appendix under Meliadine's 2020 Annual Report confusing. As mentioned in Section 9.3 of the 2022 Annual Report, details pertaining to this condition will be found in the Final Closure and Reclamation Plan for Meadowbank and Whale Tail.*

7.6 Terrestrial Ecosystem Management Plan (TEMP)

Term and Condition - 27: Participate in a Terrestrial Advisory Group (TAG). Inuit Qaujimagatuqangit shared by knowledge holders and other monitoring data as available should be considered for incorporation as appropriate.

Compliance Achievement 2022: Active In Compliance



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Comment: Finalized Terms of Reference submitted November 1, 2018. Summary of outcomes provided in 2021 Annual Report.

Meetings hosted throughout 2021. Discussions included updates to the TEMP caribou monitoring and mitigation for the WTHR and AWAR and changes to mitigation trigger values and methods of calculating Group Size Thresholds. Agnico Eagle stated they used the GN proposal for Group Size Threshold (GST) during the migration seasons.

The NIRB looks forward to seeing these updates in the next version of the TEMP.

Agnico Eagle's Response: *During the TAG meeting #11, an in-person workshop, three (3) elders were invited to share their knowledge and their experience. As mentioned in Section 1.3, this meeting will act as groundwork for an in-person workshop with the goal of finalizing the TEMP update in 2023.*

Term and Condition – 28: Terrestrial Ecosystem Management Plan (TEMP)

Compliance Achievement 2022: Active Deficient – in Progress

Comment: Terrestrial Ecosystem Management Plan, Version 7 submitted June 2019.

Agnico Eagle notes that version 7 was submitted in 2019 as part of the Whale Tail Pit Expansion Proposal assessment, and prior to the approval of Amendment 001 of the Project Certificate and is now the plan in effect through 2022.

Terrestrial Ecosystem Management Plan, Version 8 was submitted April 22, 2020, but is only in draft form and this version will be discussed with the TAG in 2022 and anticipates submitting an updated version.

Agnico Eagle's Response: *Refer to Section 1.3 and 7.6 for submission timeline.*

Term and Condition – 29: Collaborate with GN to collect collar data and quantify effects of project components on caribou movement

Compliance Achievement 2022: Active Deficient

Comment: 2021 caribou collar data was not available for analysis or inclusion into the 2021 Annual Report.

Agnico Eagle's Response: *Refer to Section 1.1 Caribou Collaring data.*



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Term and Condition – 30: Caribou group size thresholds (GST) to trigger mitigation.

Compliance Achievement 2022: Active Deficient – in Progress

Comment: Agnico Eagle noted that “more stringent monitoring and mitigations measures were incorporated into the TEMP”.

Additional study on the parturition rates of caribou is ongoing and additional analysis on the effects of the road to caribou was completed in 2021. Agnico Eagle will continue discussions with the TAG on caribou protection measures in 2022.

Agnico Eagle’s Response: *In 2021, mitigation measures were triggered due to caribou observations exceeding GST. Discussions held with the TAG in 2022, led to further temporary mitigation measures, applied based on telemetry maps. In 2022, Agnico Eagle continued improving on data reporting to further demonstrate compliance to Term and Condition 30. Agnico Eagle will refer to Appendix 47 of the 2022 Meadowbank Complex Annual Report for further details.*

Term and Condition – 32: Project infrastructure design for wildlife crossing.

Compliance Achievement 2022: Active In Compliance

Comment: Following consultations of Baker Lake HTO, Agnico Eagle resloped the WTHR at km 127 and no further concerns have been expressed. Permeability and road designs continue to be discussed at TAG meetings along with alternative methods for observing caribou and other wildlife. Site visit was postponed until the COVID pandemic restrictions were lifted. Agnico Eagle noted that further discussion will be had with the Terrestrial Advisory Group whether additional crossings are required with the expansion of the WTHR, in the 2021 Site Update Report.

The TAG site visit was delayed again in 2021 and discussions are expected in 2022.

The NIRB looks forward to an update in the 2022 annual report.

Agnico Eagle’s Response: *Within the TAG meetings, permeability and road design discussions are ongoing and will meet the satisfaction of all parties. Different projects are also ongoing and are being discussed at the TAG meetings, including monitoring movement of caribou with cameras. The TAG projects will be highly useful into the determination of the preferred wildlife passage and behavior in the field.*

A site visit was organized for TAG members in November 2022. The Whale Tail Haul Road was observed on the field to discuss caribou obstruction. It is Agnico Eagle’s understanding that flags are a more important nuisance needing addressing than further refining the Road’s slope design. Further discussion remains needed to conclude the design requirement.



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Following this, a Construction Plan, will be provided to TAG members and the NIRB, if the WTHR enlargement to its full permitted width is required.

7.7 Birds and Bird Habitat

Term and Condition – 35: Species at Risk - monitoring and mitigation strategies.

Compliance Achievement 2022: Active Deficient – in Progress

Comment: Agnico Eagle committed to including any applicable status reports, recovery strategies, action plans, and management plans that may become available through the duration of the Projects and consider this during annual review and each new revision of the TEMP.

The NIRB looks forward to seeing information related to this topic in the next version of the TEMP, when submitted.

Agnico Eagle's Response: *Agnico Eagle acknowledges NIRB's comment and will provide the required information in the next iteration of the TEMP, planned to be completed in 2023.*

7.8 Marine Environment Including Marine Wildlife and Habitat

Term and Condition – 40: Ship-based Marine Mammal Monitoring Program in consultation with DFO, communities and interested parties.

Compliance Achievement 2022: Active Deficient – in Progress

Comment: Marine Mammal Management and Monitoring Plan, Version 4 (April 2021) was submitted in the 2021 Annual Report. Marine Mammal and Seabird Observer Report submitted in 2021 Annual Report (Appendix 57)

No marine mammal vessel strikes recorded in 2021. 35 sightings of marine mammals occurred. Monitors were not allowed on barges in 2021 due to the COVID-19 pandemic, monitoring was done by ship crew. The program will continue in 2022 if restrictions are lifted.

Agnico Eagle's Response: *Please refer to Section 5.3 for response.*

Term and Condition – 42: Feedback opportunities for impacts of project-related shipping.

Compliance Achievement 2022: Active Deficient – in Progress

Comment: COVID-19 restrictions impacted the degree of public meetings, however there were opportunities to comment via email or teleconference. Community Engagement documentation present within 2021 Annual Report Appendix 60.



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CIRNAC commentary requesting an Inuit Advisory Committee comprised of Baker Lake and Chesterfield Inlet Elders, women, youth, and HTO members for adequate representation during present operations and future endeavors. Proponent began forming the committee in 2020. Details relating to the new community liaison committee in the 2021 annual report and it is hoped that the community coordinators will help collect information.

The NIRB looks forward to hearing more about the progress of the community coordinators in the 2022 report, but the NIRB would like to hear a summary of how feedback opportunities for impacts of project related shipping.

Agnico Eagle's Response: *The Community Coordinators program consists of full or part-time Agnico Eagle Officer in all Hamlets in the Kivalliq Region, including Agnico Eagle's offices in the communities of Rankin Inlet and Baker Lake.*

The objective of the community based Agnico Eagle Officer is to provide a point of contact in each community to facilitate communications, provide services, and coordinate activities in the following areas:

- *Support Human Resources (HR) department and the recruitment team.*
- *Assist HR and other Agnico Eagle departments to locate employees or potential employees as required.*
- *Provide advice and assistance to Agnico Eagle to organize and hold information sessions in the community on Agnico Eagle projects, initiatives, and engagement activities, including Labour Pool and business opportunities initiatives outlined in the Meadowbank and Whale Tail IIBA.*
- *Provide updates to the Hamlet Council and to other community stakeholders on Agnico Eagle activities.*
- *Distribute Agnico Eagle information and promotional materials.*
- *Participate in Agnico Eagle's Nunavut donation initiatives and processes.*
- *Participate in organization community events, consultations and education initiatives.*

This increased community involvement by the Community Officers will allow Agnico Eagle to achieve recruitment goals and the obligations for the NIRB and IIBA; therefore, rendering this position essential to Agnico Eagle's Nunavut operations. In 2022, CLOs were present in six (6) communities most of the year. However, by the end of 2022, Agnico Eagle had four (4) CLOs present in the following communities—Rankin Inlet, Baker Lake, Arviat, Coral Harbour.

Refer to Section 6.2 for further information on the feedback mechanism utilized by Agnico Eagle.



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7.9 Economic Development and Business Opportunities

Term and Condition – 46: Develop a project-specific Whale Tail Pit Socio-Economic Monitoring Program including success of existing and newly implemented gender-specific initiatives to determine success or challenges.

Compliance Achievement 2022: Active In Compliance

Comment: Kivalliq Projects Socio -Economic Monitoring Program Report provided to the NIRB in 2021 Annual Report Appendix 59.

The NIRB looks forward to updates on the new indicators and how they are incorporated into the SEMC reporting and planning.

***Agnico Eagle's Response:** Agnico Eagle continues to remain aligned with the Socio-Economic Monitoring Program. The Socio-Economic Monitoring Report continues to highlight quality data for each indicator and striving to provide an in-depth understanding of project specific social and economic impact in the Kivalliq region. The 2022 Socio-Economic Monitoring Program Report can be found as Appendix 4 for the 2022 Meadowbank Complex Annual Report.*

7.10 Employment, Education and Training

Term and Condition – 49: Career development including hiring procedures and policies and long-term labour market plans in collaboration with GN.

Compliance Achievement 2022: Active In Compliance

Comment: Meetings with GN Career Development Officer and three (3) Family Services representatives at Meadowbank site in 2020; however, follow up meetings were delayed due to COVID-19. In 2021 due to scheduling conflicts and COVID-19 the meetings did not occur.

The NIRB looks forward to an update in the 2022 annual report.

***Agnico Eagle's Response:** In 2020 and 2021, the COVID-19 exceptional circumstances did interfere with on-going collaboration with GN Career development officer. Nonetheless, the Agnico Eagle Inuit Employment Coordinator will strive to remain connected with the GN Career development officer.*

Term and Condition – 51: Conceptual Socio-economic Closure Plan

Compliance Achievement 2022: Active In Compliance



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Comment: Conceptual Socio-Economic Closure Plan, March 2019. In the 2021 Annual Report Agnico Eagle stated that it has established a framework (Figure 40) that would allow completion of the 2019 conceptual plan.

In 2022 Agnico Eagle anticipates developing an engagement plan and roles and responsibilities of the internal working group.

The NIRB looks forward to updates in future annual reports.

***Agnico Eagle's Response:** Agnico Eagle established a framework to ensure progressive completion of the recommendations highlighted in the 2019 Conceptual Socio-Economic Closure Plan.*

7.11 Population Demographics

Term and Condition – 53: Employee community of residence and relocation.

Compliance Achievement 2022: Active In Compliance

Comment: Summaries provided in the 2021 Socio-Economic Monitoring Report.

New indicators are proposed in 2021 and would begin to collect data in 2022.

The NIRB looks forward to an update on items in the 2022 Annual Report.

***Agnico Eagle's Response:** Agnico Eagle acknowledges NIRB's comment and is continuously striving to integrate IQ and ISV in Annual Reports.*

7.12 Traditional Activity and Knowledge

Term and Condition – 54: Integration and incorporation of Inuit Qaujimaningit into Monitoring Plans.

Compliance Achievement 2022: Active In Compliance

Comment: Related to Project Certificate 004 Terms and Conditions 63 and 68 and Project Certificate 008 Term and Condition 44 for further information.

Summaries of engagement provided. 2021 Kivalliq Socio-Economic Monitoring Report provided to the NIRB in Appendix 54.

The NIRB notes that it is looking forward to updates in the plan and further information related to integration as there is inconsistency in the report on which plans have incorporated Inuit Qaujimajatuqangit in the 2022 Annual Report.



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Agnico Eagle's Response: *Agnico Eagle acknowledges NIRB's comment and is continuously striving to integrate IQ and ISV in Annual Reports.*

The 2022 Kivalliq Socio-Economic Monitoring Report (Appendix 4 for the 2022 Meadowbank Complex Annual Report) identifies where specific ISVs have been used or are connected to the subjects being discussed. The purpose for this is to demonstrate Agnico Eagle's commitment to the use and implementation of IQ and ISVs and to begin to move toward more fulsome integration of IQ and ISVs in its monitoring and reporting. Throughout the report, the "ISV" symbol was used as an indicator and easy reference to one or more specific ISV.

7.13 Individual and Community Wellness

Term and Condition – 58: Subcommittee for health services in collaboration with GN.

Compliance Achievement 2022: Active Deficient – in Progress

Comment: A MOU was planned for presentation in 2020 but has been delayed due to COVID-19. Agnico Eagle strives to meet the objectives of the Term and Condition and the NIRB looks forward to future updates

The NIRB notes that the information is not at the location indicated in the report.

Agnico Eagle's Response: *Agnico Eagle Meadowbank and Whale Tail Mine have several initiatives directed to sexual health, preventative health, and mental health. For example, the site clinics promoted safe sexual health practices by having condoms available around the camps and sharing topics on safe sexual health practices during toolbox meetings. The clinics also offer Hepatitis A and B, flu, and Tetanus and Diphtheria vaccinations to workers when needed. Mental health support is available for all employees through the Employee Assistance Program (EAP) for immediate help as well as a psychologist or social worker is made available on-site throughout the year.*

Agnico Eagle acknowledges that the progress forming the subcommittee with GN for health services has been slower than desired. However, in 2023, the Meadowbank and Whale Tail Health and Safety team is planning to start establishing a path forward with GN to increase collaboration and synergy in health programs.

Term and Condition – 59: Cross-cultural training

Compliance Achievement 2022: Active Deficient – in Progress

Comment: Summary provided in 2021 Annual Report. But the reference is incorrect.



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The NIRB requests the correct location within the 2021 Annual Report and ensure that the correct location is advised in the 2022 Report.

***Agnico Eagle's Response:** Agnico Eagle acknowledges the NIRB's comment and has provided the correct location reference for this condition in Table 1-1 of the 2022 Meadowbank Complex Annual Report. Information on cross-cultural training can be found in Section 11.10.3.2.3.2 of the 2022 Annual Report.*

7.14 Community Infrastructure and Public Services

Term and Condition – 60: Coordination of ongoing care with community health centres.

Compliance Achievement 2022: Active Deficient – in Progress

Comment: Proponent notes clinics collaborate with health centres, but information exchange a challenge.

New reporting will be presented in 2022 and the NIRB looks forward to the information and the reception of this information.

***Agnico Eagle's Response:** Due to COVID-19, there were very few interactions with the community health centers in the past two years. Nonetheless, the situation has not improved from 2020 for the following two reasons. First, most communities have had a challenge in keeping a stable nursing team, making it difficult building trust and collaboration with Agnico Eagle's clinic personnel. Second, the community health centers view the clinic personnel as "the employer" therefore prefer sharing generic information only. As an example, they will fill Return to Work forms for Nunavummiut employees but will leave some sections blank. This subsequently requires several follow-ups and loss of information at times due to change in community clinic personnel.*

Term and Condition – 61: Home ownership and access to affordable housing.

Compliance Achievement 2022: Active In Compliance

Comment: Proponent reports engagement with Nunavut Housing Corporation (NHC) in 2019. NHC currently working on curriculum and tools for financial literacy to be shared with Agnico Eagle.

Throughout 2020 GN-Housing met to discuss home ownership options and Agnico Eagle conducted a survey of Kivalliq home builders to assess price point as well as current supply and demand. Agnico Eagle also met with NRCan to explore any HVAC innovations forthcoming to



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accommodate housing with high rate of dwellers and University of Ottawa (Engineering) to update Net Zero Home for the Arctic.

In 2021 Agnico Eagle secured funding for 2021 to look at Energy Efficient Worker Housing Program. NRCan and Agnico Eagle made contribution for the program to identify current supply chain gaps and uncover energy efficient and economical solutions for local builders.

The NIRB looks forward to updates on the information identified in its 2022 Annual Report.

***Agnico Eagle's Response:** Agnico Eagle will continue to work with the Nunavut Housing Corporation (NHC) to support and collaborate on initiatives.*

Term and Condition – 62: Monitor project-related pressures to community infrastructure.

Compliance Achievement 2022: Active Deficient – in Progress

Comment: Summary provided in the 2021 Annual Report but reference incorrect.

The NIRB requests a correct location in the 2021 Annual Report.

***Agnico Eagle's Response:** Agnico Eagle acknowledges the NIRB's comment. Information to this term and condition can be found as part of the Socio-Economic Monitoring Program Report that is submitted annually (Appendix 59 of the 2021 Annual Report and Appendix 4 of the 2022 Annual Report).*

7.15 Human Health and Ecological Risk Assessment

Term and Condition – 63: Methylmercury concentrations in the aquatic environment and potential risk of consumption of fish containing methylmercury.

Compliance Achievement 2022: Active Deficient – in Progress

Comment: Reported in CREMP: Whale Tail 2020 Mercury Monitoring Report (Appendix G) within the 2020 Annual Report (Appendix 33, Part 3) as per Mercury Monitoring Plan (Version 2, March 2019).

Water and Sediment monitoring was able to occur, fish tissue sample processing and analysis from 2020 was included in the 2021 report and a similar delay in analysis was experienced in 2021. Therefore, the analysis of fish tissues would be included in the 2022 annual report.

An increase in mercury levels in lake trout, slimy sculpin, and ninespine stickleback in the impoundment area was expected and is similar to baseline conditions. Testing in 2022 and 2023 will assist in determining if the increase has peaked as per FEIS predictions.



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Agnico Eagle's Response: *Water and sediment monitoring will continue in 2023 as per the CREMP and Mercury Monitoring Plans and results will continue to be provided in upcoming annual reports.*