



NIRB File Nos.: 03MN107 & 16MN056
NWB File Nos.: 2AM-MEA1530 & 2AM-WTP1830

December 8, 2023

Marie-Pier Marcil
Environmental Project Coordinator
Agnico Eagle Mines Limited - Meadowbank Division
Suite 540 - Baker Lake
Nunavut, Canada, X0C 0A0

Sent via email: marie-pier.marcil@agnicoeagle.com

Re: The Nunavut Impact Review Board's 2021-2022 Annual Monitoring Report for the Meadowbank Gold Mine and Whale Tail Pit Projects and Board Recommendations

Dear Marie-Pier Marcil,

The Nunavut Impact Review Board (NIRB or Board) is hereby releasing its 2022-2023 *Annual Monitoring Report for Agnico Eagle Mines Limited's Meadowbank Gold Mine Project* (Meadowbank; NIRB File No. 03MN107) and the *Whale Tail Pit Project* (Whale Tail; NIRB File No. 16MN056) (the Monitoring Report) and the NIRB's Assessment of Compliance Status with the Meadowbank Gold Mine and Whale Tail Pit Project Certificates No. 004 and No. 008, respectively (Appendix I and Appendix II).

The NIRB is responsible for post-environmental assessment monitoring of projects in accordance with Part 7 of Article 12 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*) and the associated Project Certificates. This Report provides findings that resulted from the monitoring of the Meadowbank Gold Mine and the Whale Tail Pit Projects from October 2022 to September 2023.

By way of a motion carried during its regular meeting held in November 2023, the Board has issued the following recommendations to assist Agnico Eagle Mines Limited (Agnico Eagle or the Proponent) in achieving compliance with the Meadowbank Gold Mine Project Certificate No. 004, Amendment 003 and Whale Tail Pit Project Certificate No. 008, Amendment 001. 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 the *NuPPAA* as they pertain to both the Meadowbank Gold Mine and the Whale Tail Pit Projects.

The NIRB requests a response from Agnico Eagle in the timelines indicated in each of the recommendations. A letter will be released under separate cover for those recommendations made to the Government of Nunavut.

RECOMMENDATIONS FOR THE MEADOWBANK GOLD MINE AND WHALE TAIL PIT PROJECTS

Recommendations for Both Meadowbank and Whale Tail Project Certificates

Dust Suppression Measures on the All-Weather Access Road

During the 2022-2023 monitoring year, Agnico Eagle reported on their dust suppression measures in their *2022 Annual Report* and the September 29, 2023 memo. Agnico Eagle applies chemical dust suppressant or Tetraflake (CaCl₂) at:

- The Baker Lake Facilities,
- The entire Whale Tail Haul Road (WTHR),
- Five (5) critical sections of the All-Weather Access Road (selected with the Baker Lake Hunters and Trappers Association in 2016), and
- The first 20 kilometres (km) of the AWAR.

Agnico Eagle listed their non-chemical dust suppression methods as road watering, placement of coarse material on the all-weather access road, road grading, and enforcement of lower speed limits.

The NIRB acknowledges improvements in the amount of area covered by chemical dust suppressant over previous years but highlights that the wording of Project Certificate 008 Term and Condition 2 and Project Certificate 003 Term and Condition 74 requires that all surface roads emitting dust must receive dust suppression measures.

Further, without specific reporting on frequency, location, or established triggers for non-chemical dust suppression measures, the NIRB is not able to evaluate these measures towards compliance with terms and conditions. Therefore, these Terms and Conditions are not being met by Agnico Eagle's current dust suppression methods on the All-Weather Access Road.

The Board also acknowledges the Government of Nunavut's (GN) role in evaluating and releasing a list of approved dust suppressants for use in the Territory, and that this guidance has not been revised since 2014.

Recommendation 1: The Board recommends that Agnico Eagle report on the frequency, location, and established triggers for any non-chemical dust suppression activities along the All-weather Access Road starting in their 2023 Annual Report.

Within 45 days, Agnico Eagle shall also report on any research or updates to dust management that they will be using in 2024 to identify and track dust issues along the All-weather Access Road. This may include updates to all relevant plans that will be placed on the NIRB's Public Registry and Agnico Eagle's website.

Recommendation 2: Within 45 days of the issuance of this correspondence, the Board requests that the Government of Nunavut provide a response detailing any expected

updates to their guidelines on dust management on unpaved roads, including the incorporation of up-to-date dust suppressant research from other jurisdictions.

Incorporation of Inuit Qaujimajatuqangit into Monitoring and Management Plans

Agnico Eagle submitted their “Meadowbank and Whale Tail 2022 Public Consultations Report” as Appendix 5 of their *2022 Annual Report*. This Appendix is referenced by Agnico Eagle throughout their *2022 Annual Report* to comply with terms and conditions in Project Certificates 003 and 008 relating to the collection and incorporation of Inuit Qaujimajatuqangit. However, this Appendix does not provide a discussion of any information collected at the meetings, how it was incorporated into documents, and how the discussion went with the community/communities when Agnico Eagle reported back to the public. It is also noted that currently only information from organizations such as the Baker Lake Hunters and Trappers Organization or the Kivalliq Inuit Association appears to be tracked.

The NIRB heard feedback at their 2023 Community Information Session in Baker Lake that community members are also unclear about how their knowledge is used by Agnico Eagle and where they can find their knowledge reflected in monitoring and management plans. The NIRB notes that addressing these community concerns will require that information be accessible, straightforward and direct, and easy to locate. The NIRB discussed possible methods for addressing this community concern with Agnico Eagle staff during the NIRB’s 2023 Site Visit, including dedicated print materials, tables, and summaries in the body of Agnico Eagle’s future annual reports, and dedicated follow up meeting with communities and individuals.

The NIRB also notes that it remains unclear on the status of the Baker Lake Dust Committee, which would be considered a method for collecting Inuit Qaujimajatuqangit specific to dust concerns. Based on Agnico Eagle’s *2022 Annual Report* and subsequent discussions with Agnico Eagle staff, it is unclear whether this group has been established.

Recommendation 2: Within 45 days of the issuance of this correspondence, the Board requests that Agnico Eagle provide an explanation of the methods used to follow up with affected communities regarding the incorporation of shared Inuit Qaujimajatuqangit into monitoring and management plans, as well as any new follow up measures planned for 2024. The information is also expected to be incorporated into the 2023 Annual Report.

Recommendation 3: Within 45 days of the issuance of this correspondence, the Board requests that Agnico Eagle provide an update on the formation of the Baker Lake Dust Committee and outline how the information gathered from the group is incorporated into their plans. If the committee is formed, please submit information regarding the meetings, Inuit Qaujimajatuqangit collected, how it was incorporated and reported back to the group and when the NIRB can anticipate the updated stand-alone plans on its Public Registry and/or posting on Agnico Eagle’s website.

Community Engagement on the Subject of Mine Closure


During the NIRB's 2023 Community Information Session, the primary concern shared by community members was uncertainty and lack of accessible information regarding the closure of the Meadowbank and Whale Tail mines. Concerns centered around the assumed loss of infrastructure such as the All-weather Access Road and economic impacts on community members and local businesses. Community members stated that they are interested in receiving ongoing communication from Agnico Eagle regarding closure updates, timelines, and any re-employment programs that may be offered. While some of this information is covered in Agnico Eagle's Interim Closure and Reclamation Plan, the NIRB notes that this plan is not currently available on Agnico Eagle's public website, nor does it address all the specific concerns that community members shared orally.

Recommendation 4: Within 45 days of the issuance of this correspondence, the Board requests that Agnico Eagle provide commentary on any plans to increase public engagement on the subject of mine closure.

All materials pertaining to the NIRB's ongoing monitoring program for the Meadowbank Gold Mine and the Whale Tail Pit Projects can be accessed from the NIRB's online Public Registry at www.nirb.ca/project/125253 (Meadowbank) and www.nirb.ca/project/125418 (Whale Tail Pit).

If you have any questions or require further clarification regarding these recommendations in particular or relating to the NIRB's monitoring programs for the Meadowbank Gold Mine or Whale Tail Pit Projects, please contact Leah Klaassen, Technical Advisor II directly at lklaassen@nirb.ca or Emily Koide, Technical Advisor III, at ekoide@nirb.ca.

Sincerely,



Leah Klaassen
Technical Advisor II
Nunavut Impact Review Board

cc: Meadowbank Distribution List
Whale Tail Distribution List

Enclosure (1): The Nunavut Impact Review Board's 2022-2023 *Annual Monitoring Report for the Meadowbank Gold Mine Project (NIRB File No. 03MN107) & Whale Tail Pit Project (NIRB File No. 16MN056)*