



**Report Title:** The Nunavut Impact Review Board’s 2021–2022 Annual Monitoring Report for the Doris North Gold Mine and Phase 2 Hope Bay Belt Projects (NIRB File No. 05MN047 and 12MN001)

**Project:** Doris North Gold Mine and Phase 2 Hope Bay Projects

**Project Location:** Kitikmeot Region, Nunavut

**Land Tenure:** Inuit Owned Lands and Crown Lands

**Project Owner:** TMAC Resources Inc.  
c/o Agnico Eagle Mines Limited  
145 King Street East Suite 400  
Toronto, ON M5C 2Y7  
Tel: (416) 628-0216

**Monitoring Officers:** Guillaume Daoust, Technical Advisor II  
Email: [gdaoust@nirb.ca](mailto:gdaoust@nirb.ca)  
Kelli Gillard, Manager, Project Monitoring  
Email: [kgillard@nirb.ca](mailto:kgillard@nirb.ca)

**Report Written by:** Kelli Gillard  
Guillaume Daoust

**Monitoring Period:** October 1, 2022 to September 30, 2023

**Date Issued:** January 17, 2024

**Cover Photos:** Top Photo: New Water Treatment Plant at the Tailings Impoundment Area  
Bottom Photo: Decommissioned Windy Camp

# TABLE OF CONTENTS

<b>TABLE OF CONTENTS .....</b>	<b>II</b>
<b>1 INTRODUCTION.....</b>	<b>1</b>
<b>2 PROJECT COMPONENTS.....</b>	<b>1</b>
2.1 PROJECT CERTIFICATE NO. 3, AMENDMENT 2 - DORIS NORTH GOLD MINE .....	1
2.2 PROJECT CERTIFICATE NO. 9 - PHASE 2 HOPE BAY BELT PROJECT .....	3
2.3 PROJECT HISTORY .....	5
<b>3 MONITORING ACTIVITES .....</b>	<b>6</b>
3.1 GENERAL REPORTING REQUIREMENTS.....	6
<b>4 COMPLIANCE MONITORING.....</b>	<b>6</b>
4.1 COMPLIANCE WITH THE NIRB PROJECT CERTIFICATE .....	6
4.1.1 Doris North Project Certificate No. 003.....	7
4.1.2 Phase 2 Hope Bay Belt Project Certificate No. 009 .....	7
4.2 COMPLIANCE MONITORING BY REGULATORY AUTHORITIES .....	8
4.2.1 Compliance Monitoring by Agency.....	9
4.2.1.1 Kitikmeot Inuit Association .....	9
4.2.1.2 Government of Nunavut.....	9
4.2.1.3 Crown-Indigenous Relations and Northern Affairs Canada .....	10
4.2.1.4 Environment and Climate Change Canada.....	10
4.2.1.5 Fisheries and Oceans Canada.....	10
4.2.1.6 Health Canada.....	11
4.2.1.7 Transport Canada .....	11
4.3 COMPLIANCE WITH INSTRUMENTS .....	11
<b>5 EFFECTS MONITORING .....</b>	<b>12</b>
5.1 EFFECTS MONITORING BY REGULATORY AUTHORITIES .....	12
5.2 REQUESTED INFORMATION AND RESPONSES .....	12
<b>6 NIRB’S REVIEW .....</b>	<b>37</b>
6.1 AGNICO EAGLE’S RESPONSE TO THE BOARD’S 2022 RECOMMENDATIONS .....	37
6.2 2023 MONITORING OFFICER RECOMMENDATIONS .....	37
<b>7 SITE VISIT AND PUBLIC INFORMATION SESSION.....</b>	<b>41</b>
<b>8 FINDINGS.....</b>	<b>41</b>
<b>9 CONCLUSION.....</b>	<b>42</b>
<b>10 APPENDIX A: COMPLIANCE WITH TERMS AND CONDITIONS AND COMMITMENTS OF PROJECT CERTIFICATE 003, AMENDMENT 2 .....</b>	<b>44</b>
<b>APPENDIX B: COMPLIANCE WITH TERMS AND CONDITIONS AND COMMITMENTS OF PROJECT CERTIFICATE 009.....</b>	<b>98</b>
<b>TABLES</b>	
Table 1: Hope Bay Projects History .....	5
Table 2: Submitted Plans 2022/2023 .....	6
Table 3: Parties Comment Submissions and Document ID Nos .....	9
Table 4: Spills .....	12

Table 5: Requested Information and Responses ..... 13  
Table 6: NIRB Recommendation and Response ..... 37



# 1 INTRODUCTION

The Nunavut Impact Review Board (NIRB or Board) was established through Articles 10 and 12 of the *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada (Nunavut Agreement)* and is responsible for the assessment of ecosystemic and socio-economic impacts of projects in the Nunavut Settlement Area pursuant to the *Nunavut Agreement*. The NIRB is responsible for post environmental assessment monitoring of projects in accordance with Part 7 of Article 12 of the Nunavut Agreement and s. 135 of the *Nunavut Planning and Project Assessment Act*, S.C. 2013, c. 14, s. 2 (*NuPPAA*).

The purpose of the NIRB's monitoring program as outlined in Section 12.7.2 of the *Nunavut Agreement* and s. 135(3) of the *NuPPAA* are:

- a) *measure the impact of the project on the ecosystemic and socio-economic environments of the designated area;*
- b) *determine whether the project is carried out in accordance with the terms and conditions imposed under subsection 152(6) or set out in the original or amended project certificate;*
- c) *provide the information necessary for regulatory authorities to enforce the terms and conditions of licences, permits or other authorizations that they issue in relation to the project; and*
- d) *assess the accuracy of the predictions contained in the project impact statement.*

This report provides findings that resulted from the Board's monitoring program for the Doris North Gold Mine Project and Phase 2 Hope Bay Belt Project (the Hope Bay Projects) from October 1, 2022 to September 30, 2023.

## 2 PROJECT COMPONENTS

### 2.1 Project Certificate No. 3, Amendment 2 - Doris North Gold Mine

The original Doris North Gold Mine Project (Doris North) consisted of an underground gold mine and associated infrastructure with an ore processing. In 2016, modifications were approved under Project Certificate No. 003, Amendment 2 extending the mine life by four (4) years, increasing the mining and milling rate 2,000 tonnes per day, additional infrastructure including a saline discharge line to Roberts Bay, and increasing the amount of tailings to be deposited in the Tailings Impoundment Area (TIA) from 458,000 tonnes to 2.5 million tonnes. The tailings disposal method was also changed from subaqueous to subaerial.

The major Doris North Project components include a main camp, fuel tank farm, office complex, workshops, power generation plant, sewage treatment plant, waste management, portal with associated underground mine, and a crusher and mill at the main mine site. When tailings are

generated during the milling process, they are deposited in a TIA at Tail Lake created through the construction of a north frozen core dam and south frozen foundation dam. The other major portion of the Doris North project is at Roberts Bay with a jetty, fuel tank farm, laydown area, and saline discharge jetty. A 4.8 kilometre (km) all-weather road links Roberts Bay to the main camp and mine site with an airstrip located parallel to a portion of the road.

As part of the approved 2015 Amendment, a 5.6-kilometre (km) saline discharge pipeline runs overland from the site to Roberts Bay. Completed in 2019, it extends from the saline discharge jetty approximately two (2) km under Roberts Bay to a diffuser to release saline water from underground and the TIA when necessary.

On December 12, 2017, Project modifications in support of the Crown Pillar Recovery were approved by the NIRB, including a temporary trench, a 320-meter (m) spur road, and placement of stockpiled overburden and waste rock as backfill in the trench. Crown Pillar Recovery was carried out and completed in 2018, and the trench was backfilled and reclaimed in 2019.

In March 2020, TMAC Resources Inc. (TMAC or the Proponent) ramped down operations at Hope Bay due to the COVID-19 pandemic, with underground mining stopped and stockpiled ore run through the mill at a reduced rate. Nunavut-based employees were sent home in March and laid off in September 2020. In January 2021, Agnico Eagle Mines Limited (Agnico Eagle) announced the purchase of TMAC. TMAC remains as the legal owner of the Project, with all personnel employees of Agnico Eagle.

In February 2021, TMAC submitted a notice regarding a necessary change in location of the discharge point of the Roberts Bay Discharge System due to some issues in 2020 which required the discharge line be cut 1.4 km from shore and at 20 m depth versus the originally proposed location. After reviewing the Proponent's self-assessment and parties' comments, the NIRB determined that the proposed modifications did not require further assessment by the NIRB and expected TMAC to provide details of implementation in TMAC's 2021 Monitoring Report as discharge from the TIA to Roberts Bay was commencing in April 2021 and the diffuser would be installed in the fall.

In March 2022, Agnico Eagle notified the Nunavut Water Board that it would be suspending commercial production would be suspended under part J, Item 4 of Water Licence 2AM-DOH1335. In May 2022, Agnico Eagle submitted the Doris-Madrid Care and Maintenance Plan to the Nunavut Water Board along with updated Doris-Madrid Water Management, Explosives Management, and Operations, Maintenance, and Surveillance Manual: Doris Tailings Impoundment Area Plans. On June 27, 2022, the NIRB received the Care and Maintenance Plan for both Projects.

On August 25, 2023, Agnico Eagle notified the NIRB that the diffuser has again become detached from the discharge line like in 2021. Until the investigation is complete and corrective actions are identified, effluent discharge will be conducted through the 10-inch line into Roberts Bay. Agnico Eagle will follow up with the NIRB in either the 2023 Annual report or at least 60 days before moving the discharge point if it needs to change.

## 2.2 Project Certificate No. 9 - Phase 2 Hope Bay Belt Project

The Phase 2 Hope Bay Belt Project (Phase 2) was issued Project Certificate No. 009 in November 2018. The Project, once constructed, will include mining for gold at the Madrid North, Madrid South, and Boston mineral deposits. The total mineral reserves at the three (3) sites, based on a cut-off grade of 4.5 grams per tonne, is estimated to be approximately 4.8 million ounces of gold.

Most of the ore would be mined by underground mining methods; however, portions of the ore near the surface would be recovered by surface mining methods (e.g., Crown Pillar Recovery). As part of the mining activities for the Phase 2, the Proponent would continue to use and expand specific infrastructure at the Doris North site and the Roberts Bay site in addition to the construction and operation of new infrastructure at the Madrid and Boston sites. Development of Phase 2 would require the following facilities and activities:

- Underground mine workings;
- Surface mining (Crown Pillar Recovery);
- Ore, waste rock pads, and laydown areas;
- Ore processing facilities (new facility at Boston);
- Quarries;
- Tailings management facilities (new facility at Boston, expansion at Doris North);
- Site water management infrastructure;
- Infrastructure to support land, air, and marine transport, including:
  - An eight (8) km all-weather road between Doris North and Madrid;
  - An approximately 80 km all-weather road between Madrid and Boston;
  - A cargo dock at Roberts Bay; and
  - An airstrip at Boston;
- On-site accommodations (new camp at Boston);
- Shipping to and from site of supplies via barge, and personnel, and gold bars by aircraft;
- Shipping of fuel to the Project site via tanker vessels;
- Sealifting or airlifting of all hazardous waste generated at the Project site;
- Bulk fuel storage;
- Explosives manufacturing, storage, and use;
- Other mine support facilities; and
- Decommissioning and closure.

Construction of Madrid North began in Spring 2019 for mining operations at the Naartok East Crown Pillar and Madrid North underground decline, including stripping, building of laydown pads, waste rock storage pad, infrastructure pads, the contact pond, and overburden stockpile. Ore was removed from the Naartok East Crown Pillar Pit in Fall/Winter 2019-2020.

As noted in the summary for Doris North, in March 2020 operations were ramped down at Hope Bay due to the COVID-19 pandemic, with TMAC’s work at Madrid halted. Operations resumed at lowered levels in 2020 and 2021, and the Naartok East Crown Pillar Pit was completed. Operations at Madrid were halted in 2021 with the temporary closure of the Madrid Portal and removal of some surface infrastructure at Madrid as Agnico Eagle has begun re-evaluating the design of the Madrid operations and carrying out further delineation and exploratory drilling.

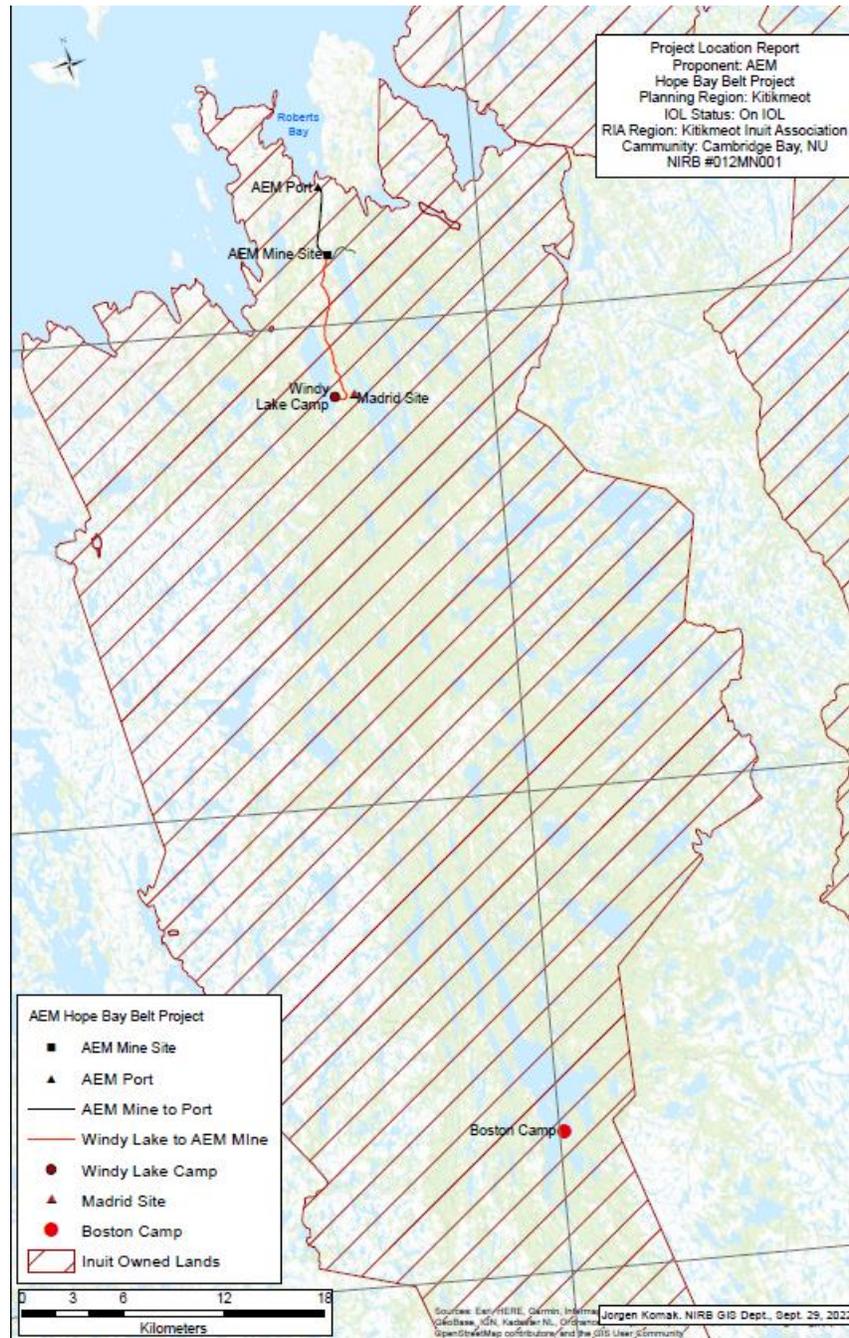


FIGURE 1: HOPE BAY PROJECT

## 2.3 Project History

**TABLE 1: HOPE BAY PROJECTS HISTORY**

<b>Year</b>	<b>Achievement/Comment</b>
<b>September 2006</b>	Issuance of Project Certificate No. 003 (Doris North Gold Mine) to Miramar Hope Bay Limited
<b>2008</b>	Hope Bay Belt properties acquired by Newmont Mining Corporation
<b>2009</b>	Start of Doris North Construction
<b>2012</b>	Doris North Project placed in care and maintenance; construction stopped at site
<b>March 2013</b>	TMAC Resources Inc. (TMAC) acquired Hope Bay Belt properties
<b>April 2013</b>	Project Certificate No. 003 amended to indicate TMAC as holder
<b>2015</b>	Operations resumed; mine construction recommenced until the site was completed
<b>September 2016</b>	Amendment 2 of Project Certificate No. 003 was issued
<b>February 2017</b>	First gold pour at Doris North
<b>May 2017</b>	Start of commercial production at Doris North
<b>November 2018</b>	Issuance of Project Certificate No. 009 (Phase 2 Hope Bay: Madrid and Boston deposits)
<b>Winter 2018</b>	Trenching and reclamation of Doris Crown Pillar
<b>Spring 2019</b>	Start of construction at Madrid for Phase 2 Hope Bay Belt
<b>Fall 2019</b>	Ore recovery started at Naartok East Crown Pillar Trench
<b>Winter 2019</b>	Underground decline construction started at Madrid
<b>March 2020</b>	Operations ramped down at Hope Bay due to COVID-19 pandemic. Naartok East Crown Pillar Pit completed
<b>2020-2021</b>	Through COVID-19 operations resume at lower production levels
<b>2021</b>	Agnico Eagle purchased TMAC; Agnico Eagle suspended operations at Madrid pending potential redesign and modifications made to Doris North TIA discharge pipeline to Roberts Bay.
<b>2022</b>	Agnico Eagle announced that it is suspending commercial production with the Nunavut Water Board. It suspended until further notice, the camp remains active with exploration. In June 2022, the NIRB received a copy of the care and maintenance plans and the Proponent anticipated that this would last until 2024.  Relocation of Diffuser was completed, and 233,000 cubic metres of TIA water was discharged into Roberts Bay.
<b>2023</b>	Agnico Eagle continues to suspend commercial production and focus on exploration

### 3 MONITORING ACTIVITIES

#### 3.1 General Reporting Requirements

Agnico Eagle submitted the Hope Bay Project 2022 Annual Report (*2022 Annual Report*) and other associated documents to the NIRB on April 29, 2022. Agnico Eagle combined the Doris North Project Certificate and reporting requirements from the Phase 2 Hope Bay Belt Project Certificate within its *2022 Annual Report*. With the Annual Report, Agnico Eagle submitted the following updated management plans:

**TABLE 2: SUBMITTED PLANS 2022/2023**

PLAN	VERSION	NIRB ID	
		DORIS	PHASE 2 HOPE BAY BELT
Spill Contingency Plan	16	344503	344528
Incinerator and Composter Waste Management Plan	6	344846	344847
Doris-Madrid Water Management Plan	17	344505	344530
Waste Rock, Ore and Mine Backfill	11	344506	344531
Wildlife Mitigation and Monitoring Plan	8	344511	344536
Hope Bay Shipping Management Plan	2	344507	344532
Doris Tailings Impoundment Area Operations, Maintenance and Surveillance Manual	6	344508 through 344510	344533 through to 344535

### 4 COMPLIANCE MONITORING

Compliance monitoring involves an assessment undertaken by Regulators and other agencies to establish whether the Project is being carried out as required by relevant legislation, regulations, instruments, commitments, and agreements. Compliance monitoring, as reported by Authorizing Agencies, is also a requirement of the NIRB's Monitoring Program for the Doris North Gold Mine and Phase 2 Hope Bay Belt Projects.

#### 4.1 Compliance with the NIRB Project Certificate

During the 2022-2023 reporting period, the Proponent was generally successful in meeting the requirements of the Project Certificates. Further, the requirements of some terms and conditions have not been fully met by Agnico Eagle; in this case the Board or the NIRB's Monitoring Officers made recommendations in [Sections 6.2](#) and [8](#) to achieve compliance. As per the Project

Certificate Terms and Conditions, the Proponent is also required to meet its commitments as presented in the Final Hearing Reports and/or Amendments as appropriate for both the Doris North Gold Mine and Phase 2 Hope Bay Belt Projects.

#### **4.1.1 Doris North Project Certificate No. 003**

As per [Appendix A](#), TMAC demonstrated a general compliance with reporting requirements imposed through commitments resulting from the NIRB's review and subsequent reconsideration of the Doris North Project, including those contained in related reports, plans, and the NIRB's Project Certificate No. 003, Amendment 2 for the Doris North Project.

The NIRB received the 2022 Socio-Economic Monitoring Report and supporting materials in July 2023. As parties were not able to comment on this material, observations or compliance status are not included in this Report. The NIRB will invite parties to review the 2022 Socio-Economic Monitoring Report and supporting materials along with the responses that Agnico Eagle provided to socio-economic questions during the 2023/2024 monitoring period.

Appendix D of Project Certificate No. 003 is designed to provide direction to the Proponent, the NIRB's Monitoring Officers, government departments, and Regulatory Authorities regarding the monitoring program established for the project pursuant to Section 12.7 of the *Nunavut Agreement*. Appendix D also outlines the Proponent's responsibilities to maintain the monitoring program for the Doris North Project that were developed through the NIRB's Review and any subsequent reconsiderations. The Appendix also describes the requirement of the NIRB's Monitoring Officers to support the production and interpretation of various monitoring reports and outlines the NIRB's requirements of various Authorizing Agencies/Regulatory Authorities in reporting compliance monitoring activities. Finally, the Appendix states that the Proponent is required to submit an Annual Report by April 30<sup>th</sup> annually which includes an updated status of the Doris North Project operations, an overview of the site and its operation during the reporting period, as well as a discussion of the observations made as a result of, or illustrated through, the monitoring program.

#### **4.1.2 Phase 2 Hope Bay Belt Project Certificate No. 009**

As per [Appendix B](#), Agnico Eagle demonstrated a general compliance with reporting requirements imposed through commitments resulting from the NIRB's Review of the Phase 2 Hope Bay Project, including those contained in related reports, plans, and the NIRB's Project Certificate No. 009 for the Phase 2 Hope Bay Belt Project Certificate issued November 2018. As noted in the previous section, review and comments on Agnico Eagle's 2022 Socio-economic report will occur in the 2023/2024 monitoring period.

At present, the NIRB has not yet issued the Post Environmental Assessment Monitoring Program of the Phase 2 Hope Bay Belt Project Certificate. However, Agnico Eagle completed an analysis in the *2022 Annual Report*.

## 4.2 Compliance Monitoring by Regulatory Authorities

On May 1, 2023, the NIRB invited interested parties to comment on the *2022 Annual Report*, and requested regulatory authorities with expertise or jurisdiction at the Doris North and Phase 2 Hope Bay Belt Projects for comments and information with respect to compliance monitoring and/or site inspections undertaken in association with the Projects, including specifically:

- a. Provide a summary of any compliance monitoring and/or site inspections undertaken in association with the Project, including specifically:
  - i. Identify the terms and conditions from the Project Certificate which are incorporated into any permits, certificates, licences, or other government approvals issued for the Project;
  - ii. A summary of inspections conducted during the 2022 reporting period and the results of these inspections; and
  - iii. A summary of the Proponent's compliance status regarding authorizations that were issued for the Project.

On or before June 26, 2023, later extended to July 4, 2023, the NIRB received comments from the following parties:

**TABLE 3: PARTIES COMMENT SUBMISSIONS AND DOCUMENT ID NOS**

Comment Submission	Document ID	
	Doris North (05MN047)	Phase 2 Hope Bay (12MN001)
Kitikmeot Inuit Association (KIA)	345918	345911
Government of Nunavut (GN)	345917	345910
Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC)	345915	345908
Environment and Climate Change Canada (ECCC)	345916	345909
Fisheries and Oceans Canada (DFO)	345947	345946
Health Canada (HC)	345919	345912
Transport Canada (TC)	345914	345913

On July 7, 2023, the NIRB provided Agnico Eagle an Opportunity to Respond to Comments due August 4, 2023. On September 8, 2023, Agnico Eagle provided written responses to address all the comments identified by parties, and where applicable the Proponent also provided additional action plans and commitments aimed to address all the outstanding monitoring issues identified during site visits and inspections of the Projects.<sup>1</sup>

#### 4.2.1 Compliance Monitoring by Agency

##### 4.2.1.1 KITIKMEOT INUIT ASSOCIATION

The Kitikmeot Inuit Association (KIA) noted that Agnico Eagle provided the *Hope Bay Project 2022 Annual Report for KIA Framework Agreement* in accordance with the Framework Agreement between KIA and Agnico Eagle. Under the *Inuit Impact and Benefits Agreement*, KIA noted that as the Hope Bay Project went into Care and Maintenance in March 2022 only one (1) Implementation Committee meeting was held. The formal meeting was held in August 2022 and discussions covered the proposed Fisheries Offsetting Plan, Roberts Lake Outflow monitoring, Cambridge Bay proposed offsetting measures, and marine infrastructure updates.

KIA noted that an inspection was conducted in July 2022 of the Hope Bay mine facility with only 62 site components out of 117 inspected due to time constraints. Overall, it was noted that the mine site was being maintained in good condition while in Care and Maintenance.

##### 4.2.1.2 GOVERNMENT OF NUNAVUT

The Government of Nunavut (GN) did not provide any information regarding any site inspections conducted at the Doris North or Hope Bay projects or report any concerns regarding compliance monitoring.

<sup>1</sup> Proponent Response found at: Doris North Document ID No.: 347155 and Phase 2 Document ID No.: 347156

#### 4.2.1.3 CROWN-INDIGENOUS RELATIONS AND NORTHERN AFFAIRS CANADA

CIRNAC reviewed the *2022 Annual Report* and related documents in areas under its mandate pertaining to effects and compliance monitoring. CIRNAC further noted that it has several different responsibilities related to water management in Nunavut and is responsible for inspecting and enforcing any Terms and Conditions contained within any Water Licence associated with the Project. In 2022, CIRNAC's Water Resource Officers conducted two (2) inspections of the Doris North Gold Mine and Phase 2 Hope Bay Belt Projects to ensure compliance with water licences 2AM-DOH1323 (Amendment #2), 2AM-DOH1335 (Amendment #2), 2BB-MAE1727, 2BB-BOS1727, 2BE-HOP1222, and land lease N2015H003.

CIRNAC inspectors noted several concerns during the 2022 inspections with a non-compliance with Project Authorizations regarding the storage of hazardous materials they were not properly stored in a secondary containment. CIRNAC noted that it will continue to work with Agnico Eagle to ensure continued compliance with all water licence and Crown land lease requirements associated with the Doris North Gold Mine and Phase 2 Hope Bay Belt Projects.

In response, Agnico Eagle noted that it will continue to work with CIRNAC and ensure compliance with all water licenses and Crown land lease requirements associated with the Project.

#### 4.2.1.4 ENVIRONMENT AND CLIMATE CHANGE CANADA

ECCC noted that no authorizations were issued but the Hope Bay/Doris North Projects are captured under several pieces of ECCC's legislation. Specifically, both projects are subject to the *Metal and Diamond Mining Effluent Regulations* (MDMER); the purpose being to authorize a deposit of certain deleterious substance(s) into water frequented by fish while monitoring the environmental effects of those deposits to ensure that deleterious substances are not released in quantities or concentrations that could result in harmful effects on waters frequented by fish.

In 2022 Agnico Eagle submitted all required MDMER reports. Effluent was discharged from the Roberts Bay Discharge point during the second, third, and fourth quarter with no exceedances noted. However, non-compliance was determined for during these periods as Agnico Eagle failed to record the pH and concentrations of the deleterious substances, did not conduct acute lethality tests on *Acartia tonsa*, rainbow trout, and threespine stickleback, and did not collect grab samples on several occasions of the effluent and record the concentrations of the deleterious substances. Therefore, warning letters were issued by ECCC.

In response, Agnico Eagle noted that it will continue to work with ECCC to review, correct, and address the various non-compliances for the Project.

#### 4.2.1.5 FISHERIES AND OCEANS CANADA

DFO noted that the Agnico Eagle is largely compliant with the terms and conditions that pertain to DFO's mandate. DFO conducted a site visit in August 2022 and no enforcement actions were taken.

#### 4.2.1.6 HEALTH CANADA

Health Canada (HC) noted that the objective and scope of its review is to verify that the potential health impacts of the Project are properly identified and to support Responsible Authorities to prevent, reduce, and mitigate the potential health impacts of Project activities.

In response to the NIRB's request for information on the Board's 2021-2022 Monitoring Report, HC acknowledged the Proponent's plan to monitor nitrogen dioxide (NO<sub>2</sub>) and confirms that Commitments 63 and 65 reflect HC's advice on potential mitigations provided during the environmental assessment review for the Phase 3 Hope Bay Project. HC noted that results from the new NO<sub>2</sub> monitoring stations could help the Proponent meet these Commitments, and the NO<sub>2</sub> monitoring results could be used to evaluate the effectiveness of the current mitigation operations in relation to the Canadian Ambient Air Quality Standards (CAAQS), and inform decisions related to project emissions and efforts to continuously improve air quality. Finally, HC noted that the inclusion of NO<sub>2</sub> monitoring in the Project's annual reporting will help demonstrate how these commitments have been met.

In response, Agnico Eagle provided the results of the NO<sub>2</sub> monitoring in 2022.

#### 4.2.1.7 TRANSPORT CANADA

Transport Canada (TC) noted that its review was limited to those areas of the annual report that were relevant to the Department's mandate and jurisdiction/areas of expertise.

Under marine safety and security TC reviewed the Oil Pollution Emergency Plan (OPEP) and Oil Pollution Prevention Plan (OPPP) for the oil handling facility and no issues or non-compliance were noted. With respect to the Marine Security Facility, TC noted that the facility was in compliance with the regulation and was re-certified with an inspection completed in 2022 with no deficiencies noted. TC further noted that vessel operators should be made aware of the Annual Notice to Mariners.

Under the Navigation Protection Program, TC issued three (3) approvals for works associated with the Project and noted that no compliance issues with the approvals were noted. No site visits of these works were conducted in 2022.

TC further noted that it did not issue approvals for any Emergency Response Assistance Plans, did not conduct any inspections or monitoring activities, did not receive any complains or concerns and did not issue any enforcement actions in 2022 for TDG.

### **4.3 Compliance with Instruments**

During 2022, six (6) spills were reported to the Nunavut Spill Line, Water Licence Inspector, and KIA Major Projects. All spills were reported within a 30-day period with a description of the event. Remaining spills that occurred in 2022 were minor in nature and did not meet the external reporting requirements, occurring on camp pads and infrastructure. Agnico Eagle stated that these spills had quick responses and clean up which resulted in negligible impact to the receiving environment.

**TABLE 4: SPILLS**

<b>Fluid</b>	<b>Number of incidents</b>
Anfo	1
Hydraulic Fluid	1
Contact water	3
Glycol	1

## **5 EFFECTS MONITORING**

Effects monitoring is an assessment of the measurable change to a particular environmental or socio-economic component, as compared to the potential effects that were predicted to result from a proposed development. For the Hope Bay Projects, impact predictions and mitigation measures were outlined and developed throughout the impact assessment review of the individual projects and were recorded and presented through the respective Final Environmental Impact Statements (FEIS), amendments, and other related documents.

### **5.1 Effects Monitoring by Regulatory Authorities**

As a part of its annual monitoring program, the NIRB requested that Regulatory Authorities with jurisdiction over Project Components or activities, or those with specific expertise, provide comment regarding the effects assessment associated with the Project.

### **5.2 Requested Information and Responses**

In their submissions reviewing the *2022 Annual Report*, parties made comments for Agnico Eagle which they responded to on September 8, 2023. A summary of parties' submissions and Agnico Eagle's responses are provided in Table 3. For the full comments and response to comments, see [Table 3](#) for Public Registry information.

As the Proponent provided their responses to socio-economic questions after they released their 2022 Socio-economic Report, the NIRB has accepted them as information and parties will have an opportunity to respond in the 2023/2024 monitoring period.

**TABLE 5: REQUESTED INFORMATION AND RESPONSES**

Recommendation (Summary)	Proponent Response
<b>Kitikmeot Inuit Association</b>	
<i>Hope Bay 2022 Annual Report to NIRB</i>	
<p><b>KIA-NIRB-01</b></p> <ol style="list-style-type: none"> <li>1. Clarify if potential attraction of wildlife to the composter was considered in this modification proposal. For example, has Agnico Eagle studied the potential effects of keeping organic material on site for 9 days (composting process) vs. 1 day (incineration schedule) within the containers planned to store compostables?</li> <li>2. Describe the composter design (e.g., inclusion of an odour dispersion or treatment system), management measures, and monitoring program that will be applied to mitigate wildlife attraction to the composter. These details must be included in the next iteration of the Hope Bay Wildlife Mitigation and Monitoring Plan (WMMP).</li> <li>3. Clarify if dedicated waste containers for organic material will be restricted to the kitchen facilities or as per the current management and safe storage of food waste prior to incineration, which appears to be effective in mitigating wildlife attraction.</li> </ol>	<ol style="list-style-type: none"> <li>1. Agnico Eagle will update the WMMP to reflect details of operations outlined in the recommendation. In response, the composter design and specifications were provided as an Appendix. To further reduce any wildlife attraction due to composting, odours and wind-blown debris will be controlled during composting with the composter being housed inside a refurbished coverall located in Quarry 2.</li> <li>2. To reduce fuel consumption, greenhouse gas emissions and atmospheric pollutants, Agnico Eagle is including in-vessel composting of organic waste as an alternative to on-site incineration which is expected to result in a potential reduction of approximately 1,100 litres of fuel per day and an estimated net reduction in greenhouse gas emissions of approximately 21–62 tonne CO<sub>2</sub> emissions/year.</li> <li>3. In consultation with various agencies, Quarry 2 was selected for siting to reduce any additional terrestrial habitat with the composter being housed inside a refurbished coverall. Processed compost will be stockpiled for progressive closure and will store the material in the overburden stockpile west of the Doris Camp or in Quarry 2. Future use of the processed compost from domestic waste will be used in progressive closure and reclamation.</li> <li>4. Activities will be managed to ensure reduced attraction of scavengers. Agnico Eagle will continue to work with the KIA to discuss the effectiveness of composting. Agnico Eagle feels there is a net improvement to include composting at the Hope Bay Project which will reduce greenhouse gases (GHGs), reduce combustion-related gases, and convert waste into materials that will be used for</li> </ol>

Recommendation (Summary)	Proponent Response
<p><b>KIA-NIRB-02</b></p> <ol style="list-style-type: none"> <li>1. Clarify if any corrective actions identified after the May 30, 2022, underground contact water spill event were implemented before the next spill event on June 16<sup>th</sup>. If not, commit undertaking corrective actions immediately to prevent recurrence.</li> <li>2. Clarify whether the July 11, 2022, spill investigation considered both May 30<sup>th</sup> and June 16<sup>th</sup> event, and clarify the reporting timeline to the Inspector.</li> <li>3. Comply with the procedures already outlined in the Quarry Management Plan regarding water quality testing by an accredited laboratory and when discharge can occur. Corrective actions listed are already present in the existing plans. It is therefore critical that all employees know those plans and adhere to them.</li> </ol>	<p>progressive reclamation and closure.</p> <ol style="list-style-type: none"> <li>1. After the May 30<sup>th</sup> spill, certain action elements were already in place such as daily inspection of the Sedimentation Control Pond (SCP) culvert which greatly decreased the severity of the spill on June 16<sup>th</sup>. The remaining steps had not been put in place yet when the second spill occurred, however they were completed shortly afterwards, and no other events of this nature have occurred since.</li> <li>2. Regarding the spill investigation on July 11<sup>th</sup> the investigation addressed only the spill which occurred on June 16<sup>th</sup>. There was an error in the follow-up report sending date; it was submitted to ECCC, KIA and CIRNAC on July 12, 2022, and not on June 12, 2022.</li> <li>3. All corrective actions proposed as part of the follow-up report to the Quarry D spill on August 28<sup>th</sup> have been put in place and all employees taking samples at the Hope Bay quarries have reviewed the Quarry Management Plan since the incident.</li> </ol>
<p><b>KIA-NIRB-03</b></p> <p>Correct the discrepancies related to the wildlife species of conservation concern as the descriptions are inconsistent within and between the Hope Bay Project documents.</p>	<p>Will correct the discrepancies noted by the KIA in the 2024 submission of the updated WMMP (plan) as well as the annual 2023 WMMP Report.</p>
<p><b>KIA-NIRB-04</b></p> <ol style="list-style-type: none"> <li>1. Clarify if helicopter pilots observed caribou in 2022 and confirm that caribou were avoided by 300 metres (m) vertically and 600 m horizontally. Also, consider requesting pilots to record incidental caribou observations during their flights.</li> <li>2. Clarify whether or not snow track surveys were completed alongside snowbank monitoring in 2022, as required in Section 3.1.6.2 of the WMMP. Also consider distributing the Snow Track and Snowbank Height Monitoring Standard Operating Procedure (SOP) to the KIA and other interested parties for review.</li> <li>3. Consider flagging upland bird and waterbird species of conservation concern for reporting if any are detected through the</li> </ol>	<ol style="list-style-type: none"> <li>1. Pilots are trained at the start of each season regarding helicopter mitigations and avoidance requirements for wildlife, including maintaining 300 m vertically and 600 m horizontally as described in the WMMP. Pilots also report incidental sightings of wildlife which was summarized as observations in the 2022 annual WMMP Report. Helicopter activity reporting has been consistent since 2019. Elevation is not included because helicopters fly at varied elevations and are only required to maintain specific elevation when wildlife are in the vicinity. The WMMP (plan) will be updated to accurately reflect the reporting design for helicopter activity at site, and confirmation of mitigations and caribou sightings will be</li> </ol>

Recommendation (Summary)	Proponent Response
camera monitoring program.	<p>provided through pilot reporting.</p> <ol style="list-style-type: none"> <li>2. The height of land monitoring and snow track surveys were delayed during the COVID-19 pandemic due to a lack of site visits. Snow track surveys have not yet been implemented at Hope Bay. Height of land survey methods and protocols were finalized in 2023 with the Inuit Environmental Advisory Committee (IEAC). Agnico Eagle will continue discussions regarding snow track survey methods and will report on progress and implementation of these surveys in the annual WMMP Report.</li> <li>3. Camera data are processed with a focus on identifying wildlife Valued Ecosystem Components (VECs) and nest predators, including foxes, wolves, gulls, ravens, and raptors. Other wildlife, including upland birds, waterbirds, and small mammals, are not identified as these animals are not targeted by camera monitoring and they are monitored through other methods. When species of conservation concern have been identified in camera photos (e.g., short-eared owls) they are reported in the annual WMMP report.</li> </ol>
<p><b>KIA-NIRB-05</b></p> <ol style="list-style-type: none"> <li>1. Provide rationale and supporting information or previous experience at other projects for the use of drones as a deterrent option for caribou and/or muskox.</li> <li>2. Include additional details in Table 2.9-1 of the WMMP for species-specific criteria and preferred hierarchy of methods, if applicable.</li> </ol>	<ol style="list-style-type: none"> <li>1. Options were added based on known deterrent methods from other projects as well as experience using deterrents on site. Drones are commonly used for remote research but are also known to annoy wildlife with it being successfully used to deter grizzly bears from site. Any use of drones to deter caribou and/or muskox will be reported, though drones have not been used to date. As default, blasts and other activities are delayed until wildlife have naturally left the area, and deterrents are only used as a last resort.</li> <li>2. Table 2.9-1 currently includes considerations for use of each method; there is not a specific hierarchy to follow in all circumstances as it's dependent on the number of animals and the area.</li> </ol>
<p><b>KIA-NIRB-06</b></p> <ol style="list-style-type: none"> <li>1. Consider adjusted impact predictions if</li> </ol>	<ol style="list-style-type: none"> <li>1. The WMMP includes the mitigations for aircraft to avoid caribou and muskox by at</li> </ol>

Recommendation (Summary)	Proponent Response
<p>unanticipated Project activities not included in the 2017 FEIS are occurring. Alternatively, provide additional data and mitigation measures alongside clear compliance monitoring data that includes elevation, as required in Section 3.1.5.4 of the WMMP, to prove that additional aircraft will not impact caribou beyond levels predicted in the FEIS.</p> <p>2. Clarify how Agnico Eagle will apply adaptive management if air traffic monitoring results exceed FEIS predictions and include these details in the next iteration of the WMMP.</p>	<p>least 300 m vertical and 600 m horizontal separation (including starts and takeoffs) from caribou and muskox, where safe to do so. These mitigations are considered robust and are consistent with management plans for other sites in the Arctic, including both exploration programs and operating sites.</p> <p>2. Helicopter activity reporting has been consistent since 2019. Elevation is not included because helicopters fly at varied elevations and are only required to maintain specific elevation when wildlife are in the vicinity. The WMMP (plan) will be updated to accurately reflect the reporting design for helicopter activity at site, and confirmation of mitigations and caribou sightings will be provided through pilot reporting.</p>
<p><b>KIA-NIRB-07</b></p> <p>1. Confirm that no blasting activities occurred in 2022.</p> <p>2. Explain why the noise monitoring equipment was changed and clarify if the Quarry Blast Noise Monitoring SOP will be ready for deployment in 2023.</p> <p>3. Update the noise monitoring field data sheet as described in the detailed review comment.</p>	<p>1. The WMMP plan states that no blasting will occur if muskox or caribou are within sight. If caribou or muskox are present, blasting is delayed until they have left the area. Of note, very few caribou have been observed during baseline studies and early operation within the Hope Bay Project region.</p> <p>2. The Noise Monitoring SOP is intended to further refine the distances at which caribou may be present, based on modelled levels of noise vibration known to cause disturbance to caribou. Until noise monitoring is conducted, the default mitigation is that no wildlife are visible prior to blasts, as a conservative measure. Pre-blasting wildlife surveys were conducted for each blast as per the Quarry Management Plan to confirm that no wildlife were visible prior to blasting.</p> <p>3. Blasting did occur in 2022; this was an error in the text in this section. Noise monitoring was conducted on three (3) occurrences in August 2022 and data are being collected as needed in 2023.</p>
<p><b>KIA-NIRB-08</b></p> <p>1. Clarify if the camera enclosure shown in Photo 3.3-1 in the WMMP is meant to mitigate snow occlusion. If this design is</p>	<p>1. Five (5) camera tripods were repaired in 2022, all of these tripods already had side-shields installed from the original construction in 2016. Some but not all</p>

Recommendation (Summary)	Proponent Response
<p>effective, please endeavour to ‘upgrade’ the remaining 83 cameras deployed in the Project study areas (55 at Doris-Madrid, 28 at Boston).</p> <p>2. Provide a timeline for how long it would take to install the camera enclosures on all cameras. If it is estimated to take several years, consider selecting the same number of cameras in the treatment, zone of influence, and control zones each year.</p>	<p>cameras have side-shields installed with the original intention of reducing sun glare and damage by grizzly bears. Cameras with side-shields have been noted to have more snow/ice buildup due to the shields providing a structure for the snow to accumulate on and reducing wind clearing the snow off.</p> <p>2. The 2023 WMMP Report will include an assessment of whether there is any difference in camera effort days overwinter for cameras with and without side-shields. If the overwinter effort days are higher for these cameras with side-shields, the remaining cameras will have the shields added in 2024.</p>
<p><b>KIA-NIRB-09</b></p> <p>1. Explain why the ground-based waterbird surveys in 2022 focused only on Doris-Madrid and clarify if this monitoring program will be expanded to Boston and the all-weather road in future years.</p> <p>2. Encourage Project staff to continue recording incidental wildlife observations as rare or unusual species may occur.</p> <p>3. Confirm if the two (2) nesting waterbirds observed on site required mitigation and monitoring due to nearby Project activities.</p>	<p>1. After 10 years of compliance monitoring, the results indicated that the Project was not having detectable effects on waterbirds. The analysis results and the monitoring program was amended in 2021 from aerial transects to a lower-intensity ground-based monitoring following extensive discussion with Canadian Wildlife Service (CWS). The first amended monitoring program was conducted in 2022. The Phase 2 Project Certificate No 009 only includes requirements for monitoring bird activity at Project ponds and the TIA, which is conducted every two (2) years as per the WMMP plan. The current waterbird program monitoring area includes the all-weather road as part of Madrid but does not include Boston as the monitoring requirement is related to the Doris project.</p> <p>2. In 2022, 288 incidental wildlife sightings were reported and noted in the 2022 WMMP Report. Agnico Eagle will continue to report incidental wildlife sightings and is aware of the shifting ranges of some species. Moose, yellow warblers, and American robins are species which occur in the Hope Bay area with increasing regularity.</p> <p>3. The two (2) waterbird nests observed incidentally did not require mitigation or monitoring as they were not located near</p>

Recommendation (Summary)	Proponent Response
<p><b>KIA-NIRB-10</b></p> <ol style="list-style-type: none"> <li>1. Provide more information about the GN-DoE permit for stick nest removal and clarify if the common raven nest should have been relocated to an area where it can be reused (as-is) by stick-nesting species.</li> <li>2. Provide more information about the deceased Lapland longspur, such as suspected cause of mortality and if the mortality was reported to ECCC/CWS.</li> <li>3. Include the wolf circling/stalking and aircraft close call with flying loons interactions in the 2022 WMMP compliance report.</li> </ol>	<p>any Project activities.</p> <ol style="list-style-type: none"> <li>1. The raven’s nest removal from the satellite at Boston camp was conducted under an Exemption Permit issued by the GN-DoE with authorization to destroy the nest. The nest was left at the end of the Boston runway to indicate what actions were taken and did not mean to imply that the nest would be adequately located for reuse in future.</li> <li>2. Agnico Eagle recognizes that some of the incidental sightings listed in Appendix 3.2-5 should be categorized as wildlife interactions. The deceased Lapland longspur was not suspected to be related to Project activities. Agnico Eagle will be more specific in the reporting of wildlife interactions and wildlife mortalities in the 2023 WMMP Report.</li> </ol>
<p><b>KIA-NIRB-11</b></p> <ol style="list-style-type: none"> <li>1. Provide some insight into the very low camera effort for certain units in 2021-2022, especially for months where the cameras may be expected to be the most functional (i.e., after checks).</li> <li>2. Confirm that all cameras were checked twice yearly at minimum, as per the WMMP.</li> <li>3. Verify that the comments in Appendix 3.2-3 have not been accidentally reshuffled amongst wildlife event entries.</li> <li>4. Clarify if there were other camera malfunctions in 2021/2022, including date errors.</li> </ol>	<ol style="list-style-type: none"> <li>1. The camera program will be reviewed in the future, and at present continue to be executed according to the 2023 WMMP. Rarely do some cameras experience deployment issues including camera malfunctions requiring repairs or replacement, corrupted data cards, or human error (e.g., faulty formatting).</li> <li>2. All cameras are checked twice per year in the spring and fall. Some cameras are knocked down by grizzly bears shortly after being serviced. It’s unknown whether bears investigate the area after they smell or notice activity, or if knockdowns occur due to bad luck. During the 2021/2022 camera period, cameras 45 and 49 were knocked down shortly after servicing.</li> <li>3. The 2022 camera events summarized in the Appendix in the report have some errors where comments do not refer to the associated animal/set of photos. Agnico Eagle will carefully review the camera events and data entry for the 2023 monitoring year in order to reduce errors.</li> </ol>
<p><b>KIA-NIRB-12</b></p> <ol style="list-style-type: none"> <li>1. Provide rationale for how visual surveys alone will accomplish the noise monitoring requirements outlined in the Project</li> </ol>	<ol style="list-style-type: none"> <li>1. The marine mammal monitoring program in Robert’s Bay was designed to assess potential disturbance to marine wildlife during shipping activity, however there is</li> </ol>

Recommendation (Summary)	Proponent Response
<p>Certificate No. 009, new Term and Condition No. 33.</p> <ol style="list-style-type: none"> <li>2. Explain what additional noise monitoring is planned when marine construction activities begin.</li> <li>3. Include hydrophone acoustic monitoring and noise modelling to assess and monitor underwater noise disturbance by shipping vessels (and marine construction activities in the future) at Robert’s Bay.</li> </ol>	<p>no monitoring requirement for underwater noise modelling. Data are being collected in 2023 for the first time and will be reported as part of the 2023 WMMP. Vessel activity in Robert’s Bay is usually limited to fuel transfer from a large ship and two (2) small ships carrying goods back and forth from the larger transport ships, which limits the scope and scale of underwater noise generation.</p> <ol style="list-style-type: none"> <li>2. Monitoring for dock construction will include methods of measuring the noise output because construction activity is likely to vary in the amount and types of noise generated. Agnico Eagle will implement a monitoring program with sufficient lead time to collect underwater noise and marine mammal presence data prior to construction.</li> </ol>
<p><b>KIA-NIRB-13</b> Clarify whether the review comments for the Doris North and Phase 2 Hope Bay Belt commitments have been or are being reviewed by Agnico Eagle and are in the process of being addressed.</p>	<p>Will address the comments noted in upcoming meetings with KIA.</p>
<p><b>KIA-NIRB-14</b> Clearly state in Section 2.2.3.2 of the Aquatic Effects Monitoring Program (AEMP) whether the three (3) criteria are sufficient to trigger a low action level response (which appears to be the intended meaning), or whether they are merely necessary conditions, and the determination as to whether a low action level exceedance has occurred is subject to additional considerations and professional judgement (as in Section 3.5.1 of the Proponent’s Annual Report).</p>	<p>Section 2.2.3.2 of the 2022 AEMP report reiterates the low action level criteria as indicated in the approved Hope Bay AEMP Plan; however, this does not clearly indicate any additional considerations such as professional judgement or Project-related causation. Thus, a low action level was mistakenly not triggered in 2022. A Response Plan for phytoplankton biomass will be written in response to this low action level trigger as required under the AEMP Plan. The 2023 open-water season monitoring has already been completed, and this data will be insightful for further understanding chlorophyll-a trends in Doris Lake.</p>
<p><b>KIA-NIRB-15</b> Evaluate the effectiveness of alternative modelling approaches (e.g., generalized additive mixed models) and clarify the rationale for the chosen modelling approach and how the visualizations (including LOESS curves) related to the model predictions.</p>	<ol style="list-style-type: none"> <li>1. Agnico Eagle does not recommend changes to the statistical analyses but the 2023 AEMP will provide clarity in method description where warranted, including presenting the data visually using the modelled relationships rather than the LOESS (local regression) curves.</li> </ol>

Recommendation (Summary)	Proponent Response
	<p>2. Generalized models can be a good way to handle log-normally distributed data, however in practice the differences in estimation are rarely substantially different. Agnico Eagle feels that applying data transformation is appropriate for the intention of the data and analyses.</p> <p>3. The text regarding the inclusion of seasonality will be addressed in the 2023 AEMP report. For water quality, seasonality is included as a factor (i.e., under-ice and open water) in the model and, although modelled together, results were reported for each season separately. Concentrations of water quality variables may fluctuate across seasons due to natural phenomena, typically greater during the ice-covered season. For sediment, phytoplankton and benthic invertebrates, data were collected from only one (1) season, hence the season was not a part of the model.</p> <p>4. Fish and other aquatic organisms are not restricted to particular depths/strata of a lake and water will naturally and frequently be mixed throughout the water column. Water quality is not always uniform throughout the water quality and two (2) depths are monitored to capture the overall concentration of water quality variables throughout the water column for a lake. Depth was considered in two (2) ways in the analysis: a fitted value across depths for a lake mean and fitted values by depth to compare the averages of surface and deep samples. Including both depths allows for a direct comparison of their means.</p> <p>5. The LOESS curves were initially used as a visualization tool, that led to fitting non-linear models to the data. The suggested revision will be to remove the LOESS plots and instead include only the lines estimated from the regression models. The models used were linear mixed-effects models, however they were fit using cubic splines for Year allowing for non-linear relationships with outcome variables. We</p>

Recommendation (Summary)	Proponent Response
	<p>believe linear mixed-effect models are a better option than generalized additive mixed models (GAMM) as comparisons across models, and interaction terms are more difficult to interpret using GAMM.</p> <p>6. Agree the section describing the Tobit regressions could benefit from a less technical description of how Tobit regression works and how the results can be interpreted.</p>
<p><b>KIA-NIRB-16</b> Provide further information on the reasons for the dustfall exceedances in June and August 2022, given that July monitoring was well below other summer dustfall concentrations.</p>	<p>There were two (2) months (June and August 2022) at one (1) location M-DF07 where elevated dustfall levels were measured. It is likely due to the dryness of the road and lack of precipitation. These measurements were however, less than the Alberta Ambient Air Quality Guidelines (AAAQO) of 158 mg/100-cm<sup>2</sup>/30-days for commercial and industrial areas, the station is immediately adjacent to the road (50 m from the road), not near a waterbody, is within the project development area, and did not extend to stations M-DF08 and M-DF09, thus did not warrant mitigative actions such as dust suppression. In the future, Agnico Eagle will provide additional details in the annual report to describe measures and rationale taken to mitigate dustfall when levels exceed FEIS predictions.</p>
<p><b>KIA-NIRB-17</b> Include discussion of the sampling stations from the Seepage Survey Locations and include them on Figure 2.1 of the 2022 Waste Rock and Ore Monitoring Report or provide text that explains why these sites have been neglected.</p>	<p>Although two (2) sampling locations are licensed sample locations; no pooled water, no water flow, nor seepage were observed at the southern end of the airstrip and therefore samples could not be taken in 2022.</p>
<p><b>KIA-NIRB-18</b> Provide the year and location of the BOS-8A to BOS-8D sampling stations and an explanation addressing the differences in values.</p>	<p>The seepage station BOS-8A to BOS-8D, which are collectively referred to as BOS-8 represent contact water from Boston waste rock and ore stockpiles. The footnotes defining the terminology P5, P50, P95 and count are missing from the tables and indicates the 5th, 50th and 95th percentile values of the seepage samples collected at BOS-8A to BOS-8D, respectively. The count is the number of data points for each parameter. All historic seepage samples presented in Tables 4.3 and 4.4 represent contact water from Boston waste</p>

Recommendation (Summary)	Proponent Response
	rock stockpile and are collectively referred to as BOS-8. Locations of the 2017 to 2021 sampling locations are shown in Figure 2.1.
<p><b>KIA-NIRB-19</b> Provide rationale or hypotheses that explain the differences in water quality for both seepage and ephemeral stream results between 2022 and historical.</p>	For the ephemeral stream sampling program, the data are similarly presented as noted in the response to KIA-NIRB-18. Table 5.2 is missing the footnote and presents the statistical distribution of concentrations for each parameter; the complete data record for selected parameters are presented in Section 5.2.3, a discussion of concentration trends are also in that section.
<p><b>KIA-NIRB-20</b> Provide a detailed emergency response plan for a spill to water of sodium cyanide.</p>	Agnico Eagle is committed to identifying and therefore planning for the worst-case scenarios, including a sodium cyanide (NaCN) spill. Though NaCN will not be used on site during Care and Maintenance (C&M), Agnico Eagle will thoroughly review this portion of the plan and if deemed necessary, complete updates to the Spill Contingency Plan that include additional specifics on how to respond to a NaCN spill into water in the next cycle of management plan reviews and resubmit a revised plan in 2024.
<p><b>KIA-NIRB-21</b></p> <ol style="list-style-type: none"> <li>1. More specific frequency of inspection should be identified for the sedimentation pond, contact water ponds 1 and 2, the Tailings Impoundment Area and the freshwater intake.</li> <li>2. Frequency details are also required for the Madrid north contact water pond, Madrid south primary and secondary contact water ponds and freshwater intake.</li> </ol>	<ol style="list-style-type: none"> <li>1. Regular inspections implies at a minimum weekly, however during freshet it may increase to daily, depending on the infrastructure.</li> <li>2. Will consider the recommendation and update the Water Management Plan in the next cycle of plan reviews and resubmit a revised plan in the 2023 annual report with the recommended revisions.</li> </ol>
<p><b>KIA-NIRB-22</b> Update figures and text in Section 3.7 Construction Timing to present consistent and updated information as the date on this report is March 2023.</p>	Agrees with the recommendation for clarification and will complete the updates in the next cycle of management plan reviews and resubmit a revised plan in the 2023 annual report with the recommended revisions.
<p><b>KIA-NIRB-23</b> Describe management procedures in place to minimize the potential for saline water and freshwater intrusion, and to monitor any potential water flowing through the temporary dam.</p>	Agnico Eagle has updated the Operations, Maintenance and Surveillance Manual based on KIA's comments, the geotechnical inspection and best practices monitor salinity over time for a number of reasons, most of all to understand the potential impact to freeze-back of the tailings beach within the pond

Recommendation (Summary)	Proponent Response
	footprint, near the south dam. Additional monitoring of saline water and freshwater intrusion within the TIA are completed according to the Hope Bay Doris-Madrid Water Management Plan.
<p><b>KIA-NIRB-24</b> Investigate if the increase in salinity at RBD1 is related to the construction of the Saline Water Storage within the tailings impoundment area (TIA).</p>	<p>The exceedances were noted and investigated. Agnico Eagle is working with the laboratory and ECCC to improve consistency of the testing at Hope Bay. Based on the investigation, it was not due to the construction of the Saline Water Storage within the TIA, rather segregation within an approved facility which improved water management at Hope Bay. Agnico Eagle has followed up on these exceedances and is managing saline water storage as per Nunavut Water Board (NWB) license and regulatory requirements and is ensuring pro-active measures are taken to protect the environment.</p>
<p><b>KIA-NIRB-25</b> Review the water management plan to clearly identify the two sections (saline water and fresh water) of the TIA and specify, for each type of water (Contact Water, Mine water, Treated Water), in which section (saline water and fresh water) of the TIA will be initially discharged to.</p>	<p>Agnico Eagle will consider the recommendations, will update the plan accordingly, and submit it in the next cycle of plan reviews that are submitted as part of the NWB annual report submission which are due in 2024.</p>
<p><b>KIA-NIRB-26</b> Indicate source of water and water license in the drilling section.</p>	<p>In 2022, Agnico Eagle sourced the drilling water from Patch Lake, Windy Lake, and Doris Lake. Depending on the drill location, the water use was reported under the specific NWB water licence. All water sourced from Patch Lake was reported under the 2BB-MAE1727 license.</p>
<p><b>KIA-NIRB-27</b> Provide a Noise Abatement Plan, as per PC No. 003 Condition 29 and PC Certificate No. 009 Condition 4, for fish habitat.</p>	<p>Doris North is primarily an underground mine, with blasting occurring primarily to support underground mining and advanced exploration, and only periodically in quarries to support road and surface infrastructure projects. During C&amp;M in 2022, only periodic blasts occurred at the surface in quarries, that are situated greater than one (1) kilometre (km) from any nearby waterbody. Agnico Eagle has consulted with DFO on various occasions in the past year and will continue to adhere to best management practices for blasting and blast monitoring to protect wildlife and fish habitat.</p>

Recommendation (Summary)	Proponent Response
<p><b>KIA-NIRB-28</b> Provide clarity on why current under ice measurement methods are being used if they are not a useful measure of lake levels, potential use of alternate methods, or elimination of this requirement. If the latter, proof that lake levels are not likely to be affected by the Project would be required.</p>	<p>While the method of measuring under ice water level using a Real Time Kinematic (RTK) survey has some limitations, it is likely the most effective method for obtaining under ice measurements in this circumstance. As more surveys have been performed, adapted quality assurance/quality control (QA/QC) has reduced the occurrence of survey/measurement errors and additional data allows for differentiation between erroneous measurements vs natural variability. Uncertainty around converting water level to volume, the uniformity of ice development, the impacts of snow deposition or removal by wind etc. will apply for all methods of under ice measurement. However, the current approach of adding the annual fluctuation in water level to the ice thickness, then comparing the value with observed baseline conditions, is flawed and should be replaced by an alternate method. Further, because of the issues with using annual water level fluctuation, it would be better to use a different criterion to assess impact to fish habitat due to water level reduction in winter. Winter water levels, except for Doris Lake, were not collected prior to 2019. However, development at Madrid North has not reached a point where it will impact water quantity in the surrounding lakes. Data collected to date from lakes and outflows triggered by the Madrid North development are effectively baseline data and could be used to develop new criteria for assessing impact to lakes once development of Madrid North reaches a point where it could potentially impact water quantity in the surrounding lakes.</p> <p>Agnico Eagle proposes to eliminate this monitoring during C&amp;M and prior to the operational re-start of the Madrid underground mine consult with the KIA on monitoring lake levels according to Condition 36.</p>
<p><b>KIA-NIRB-29</b> Provide the required information for the Aimaokatalok Watershed in the Aquatic Effects Monitoring Plan (AEMP) to back up statements made in the Annual Report.</p>	<p>During 2022, water management at Hope Bay Project Site was in line with the NWB water licences for Doris, Madrid, Hope Bay, and Boston which does not include an AEMP for sites in the Aimaokatalok Watershed. In 2022,</p>

Recommendation (Summary)	Proponent Response
	<p>Boston camp operated as an exploration site and no construction at the Boston development had been initiated. The approved AEMP Plan includes monitoring the Windy, Doris, and Aimaokatalok watersheds based on Project-related activities at each Development along with specific monitoring triggers for each watershed. The Aimaokatalok Watershed monitoring will be initiated by Boston Development construction and operations due to potential indirect Project-related effects and direct Project-related effects.</p>
<p><b>KIA-NIRB-30</b> Provide clarity on the lack of project-specific thresholds, mitigation, and monitoring requirements for blasting activities in 2022.</p>	<p>During C&amp;M, there will be a reduction in surface blasting and an overall noise reduction at Hope Bay. The WMMP Plan states that no blasting will occur if muskox or caribou are within sight; and if caribou or muskox are present, blasting is delayed until they have left the area. The Noise Monitoring SOP is intended to further refine the distances at which caribou may be present and have blasting occur. Until noise monitoring is conducted, the default mitigation is that no wildlife are visible prior to blasts, as a conservative measure. The environmental team conducted pre-blasting wildlife surveys as per the Quarry Management Plan to confirm that no wildlife were visible prior to blasting. DFO guidance has been developed to protect fish that are near or adjacent to “the detonation of explosives in or adjacent to fish habitat”. It is important to note that Doris North is primarily an underground mine, with blasting occurring to support underground mining and advanced exploration, and only periodically in quarries to support road and surface infrastructure projects. During C&amp;M in 2022, only periodic blasts occurred at the surface in quarries, that are situated greater than 1 km from any nearby waterbody.</p>
<p><b>KIA-NIRB-31</b> 1. Request a description as to why samples were not collected at BOS-8B and BOS 8C in 2022. 2. Request chemical time-series graphs use symbols/identifiers to allow the reader to assess trends on a station by-station basis.</p>	<p>In the next reporting cycle, Agnico Eagle will consider the recommendations regarding the time-series graphs to improve the reviewer’s readability.</p>

Recommendation (Summary)	Proponent Response
<p>For the data presented in Appendix D-5 (in the Waste Rock and Ore Monitoring Report), a description of the potential presence/absence of station-specific trends from the BOS-8 dataset should be provided.</p>	
<p><b>KIA-NIRB-32</b></p> <ol style="list-style-type: none"> <li>1. Total metals should be analyzed from ephemeral streams in addition to dissolved metals as surface water quality aquatic life guidelines are provided for total metals values.</li> <li>2. Request a description of the relevance of comparing 2009 model predictions of dissolved metals to measured dissolved metals in assessing potential impacts to Aimaokatalok Lake from the camp pad.</li> </ol>	<p>Will discuss this with the KIA in the future, but believes that Agnico Eagle’s current approach to monitoring meets the license requirements and are sufficient at Boston, especially under C&amp;M. For the ephemeral stream sampling program, the data are presented and discussed in detail in Section 5.2.3: 2022 Waste Rock and Ore Monitoring Report, Boston Camp Monitoring Requirements and a discussion of concentration trends are also in that section of the report.</p>
<p><b>KIA-NIRB-33</b></p> <ol style="list-style-type: none"> <li>1. Section 5.2.4 of the Waste Rock and Ore Monitoring should be revised if the presented dissolved copper value for Station B2 is accurate, and if not, Table 5.4 should be updated.</li> <li>2. Comment as to why the 2009 model predictions for average and maximum dissolved copper concentrations at Station B2 are the same value.</li> </ol>	<p>Will discuss this with the KIA in the future, but believe that the current approach to monitoring, and modeling meet the license requirements and are sufficient at Boston, especially under C&amp;M. For the ephemeral stream sampling program, the data are presented and discussed in detail in Section 5.2.3 of the 2022 Waste Rock and Ore Monitoring Report, Boston Camp Monitoring Requirements and a discussion of concentration trends are also in that section of the report.</p>
<p><b>KIA-NIRB-34</b></p> <ol style="list-style-type: none"> <li>1. Request further comment on the seepage data used to support the statement to the Inuit Environmental Advisory Committee (IEAC) regarding lower salt contents.</li> <li>2. Request further comment on what data from Windy Lake was used to support the statement made to the IEAC that no contamination signs were noted.</li> <li>3. The monitoring network for Windy Lake should be reviewed to assess if additional stations could be included to improve the assessment/monitoring of potential impacts from discharge/drainage from the Madrid North portal area.</li> </ol>	<p>Will provide clarity to the IEAC on Windy Lake. An update on monitoring and plans for assessing impacts due to historical drainage and discharge from Madrid North Portal will be provided in subsequent annual reports.</p>
<p><b>KIA-NIRB-35</b></p> <ol style="list-style-type: none"> <li>1. Requests further comment on whether the</li> </ol>	<ol style="list-style-type: none"> <li>1. The operation of the Interim Dike currently complies with the guidance of the Doris</li> </ol>

Recommendation (Summary)	Proponent Response
<p>operation of the Interim Dike for the temporary storage of saline mine water comply with the guidance in the Operations, Maintenance and Surveillance (OMS) manual to deposit such water in the centre of the facility.</p> <ol style="list-style-type: none"> <li>2. Request information on the maximum water level upstream of the Interim Dike and the corresponding minimum beach length upstream of the South Dam.</li> <li>3. Request comment on what would be the impact of a loss of containment of the Interim Dike under the maximum retained water level on the water level of the Reclaim Pond. Are there any modifications to the FSL [Full Supply Level] of the North Dam required while the Interim Dike is retaining water.</li> <li>4. Request the information above be included within the OM&amp;S manual.</li> </ol>	<p>TIA OMS Manual. The current outlet location has been reviewed by the Engineer of Record and Design Engineer for the Doris TIA. It is not expected to impact the thermal performance of the South Dam foundation.</p> <ol style="list-style-type: none"> <li>2. The maximum water level upstream of the Interim Dike is 34.5 metres above sea level (masl) and this elevation is controlled passively by a spillway structure at the east abutment of the interim dike. The condition of the spillway is monitored during regular inspections of the Interim Dike. In the unlikely event of a spillway blockage, water in the Interim Dike can be managed actively via pumping to the TIA reclaim pond. This method was found to be an effective way of controlling the water level impounded by the dike.</li> <li>3. The maximum water level in the Interim Dike (34.5 masl) is below the maximum water level of the TIA water reclaim pond (35.0 masl). In the event that the water in the TIA Reclaim Pond has reached the maximum retained water level, the Interim Dike would already be overtopped. This means a loss of containment would incrementally increase the water level in the TIA reclaim pond. The Water Elevation Trigger Action Response Plans (TARPs) for the TIA were updated by Agnico Eagle in summer 2023 and will be included in the next revision of the TIA OMS Manual, which will be submitted with the 2023 Hope Bay Annual Report. The 2023 updated TIA Water Elevation TARPs levels considered the Interim Dike. And the updated TARPs were reviewed by the Engineer of Record, the Design Engineer and the Hope Bay Independent Review Board.</li> <li>4. This information and related information regarding the operation of the Interim Dike will be included in the next revision of the TIA OMS Manual, which will be submitted with the 2023 Hope Bay Annual Report, due to the NWB in 2024.</li> </ol>

Recommendation (Summary)	Proponent Response
<p><b>KIA-NIRB-36</b> Request more information on specific opportunities that Agnico Eagle has identified in consultation with its partners to address the barriers to prepare itself to achieve the high hiring scenario predicted for the operations phase.</p>	<p>In 2022, the Project hired up to 46 Kitikmeot Inuit (11% of total workforce) and up to 10 Inuit (2% of total workforce) from outside the region. In addition, Agnico Eagle made efforts to transition two (2) Inuit employees from operation specific roles to C&amp;M, and two (2) other Inuit were redeployed from Hope Bay to other Agnico Eagle projects. Inuit workforce effort in 2020 and 2021 were severely affected by the COVID-19 pandemic challenges and reduced operations at the Project. These unusual circumstances made it impossible to meet Inuit hiring targets in those years. Limited operations, pandemic induced challenges, and the change of Project ownership from TMAC to Agnico Eagle made it challenging to organize and coordinate meetings with different working groups. This hindered the collection of input from these groups on various topics, including the implementation of potential opportunities by Agnico Eagle to address barriers to employment and increasing Inuit participation in Project roles. Meetings are in plans to provide an opportunity to collect feedback and input from participants which will be included, to the extent possible, in the future iterations of the SEMP Report.</p> <p>The 2022 SEMP Report notes many commitments that Agnico Eagle is undertaking. These efforts have been initiated by Kitikmeot Corporation.</p> <p>Once the Project resumes operations, the Implementation Committee of the Inuit Impact Benefits Agreement (IIBA) will set new annual Inuit Employment Targets (IET); setting IET and other IIBA obligations is not required during C&amp;M.</p>
<p><b>KIA-NIRB-37</b> Report on:</p> <ol style="list-style-type: none"> <li>1. Data for how it has recognized Inuit skills equivalencies,</li> <li>2. Employment policies to engage Inuit who do not have the education normally required for work at the Project and</li> <li>3. Data on how many Inuit summer students are hired.</li> </ol>	<ol style="list-style-type: none"> <li>1. The 2022 Socio-Economic Monitoring Program (SEMP) Report contains the most recent data, information and commitments related to Inuit priority hiring. These commitments are applied during the hiring process for the Hope Bay Project, however, there is no specific process for tracking how many Inuit were identified to have the same skills as non-Inuit and thus hired for</li> </ol>

Recommendation (Summary)	Proponent Response
	<p>the Project. Employment numbers and employment trends for Inuit, by gender, and by skill and department are reported in the 2022 SEMP Report.</p> <ol style="list-style-type: none"> <li data-bbox="821 352 1437 898">2. The Hope Bay Project and subcontractors for the Project offer entry level and unskilled positions that require no previous work experience or Project-specific education. Community Information Sessions, High School Information Sessions, Career Awareness Sessions, Career Awareness Presentations, and site visits are common tools used by the Project to engage Inuit from Kitikmeot communities to communicate employment opportunities and requirements, and to provide other Project specific information. Agnico Eagle will identify additional opportunities to engage Inuit.</li> <li data-bbox="821 905 1437 1081">3. Summer student employment has yet to be made available at the Project. Agnico Eagle has successfully hired summer students at its other projects and similar initiatives will be undertaken at Hope Bay Project.</li> </ol>
<p><b>KIA-NIRB-38</b> Would like to see continued dedicated spots for women in pre-employment training.</p>	<p>The 2022 SEMP Report contains the most recent data and information and notes that “[i]n 2022, under C&amp;M, workforce effort by women reached 13% of the total effort at the Project” (Page 5-8). Workforce effort by Inuit women represented 1% of total effort. While there are no specific IIBA Implementation Committee (IC) targets for the employment of women at the Project, the Project has practices in place, including pre-employment training, to encourage the employment and retention of women. The practices in place are provided in the 2022 SEMP Report. With the return to operations, Agnico Eagle will be looking to implement additional practices to increase Inuit women employment at the Hope Bay Project, mirroring some of those implemented at the Kivalliq Projects.</p> <p>Agnico Eagle notes that the Nunavut Arctic College (NAC) program offerings are often not suitable or applicable for mine related employment as it does not offer specific mine</p>

Recommendation (Summary)	Proponent Response
	<p>related training. NAC has committed to building and operating a mine training center in Rankin Inlet; however, construction has not begun. Until that time, regardless of how many women are enrolled in NAC programming, there are limits to how many trained Inuit women are available for employment.</p>
<p><b>KIA-NIRB-39</b>  Seeks information on the reasons for Inuit employees leaving the Project, such as are exit interviews conducted, what data is collected, how Inuit employment barriers are identified in the interviews, and how many Inuit employees are taking up each of the measures and programs listed.</p>	<p>Sections 5.10.2 on Page 5-22 and Section 9.1.2 on Page 9-1 and 9-2 of the 2022 SEMP Report provide information on the reasons for terminations or voluntary leave for Inuit employees, collected during exit interviews or through other means.</p> <p>While programs are available to all direct Project employees, Agnico Eagle does not record statistics on how often or how many times these various Human Resources (HR) programs or measures are utilized by Inuit employees. For confidentiality reasons and since the Employee and Family Assistance Program (EFAP) is managed by external providers, Agnico Eagle does not have access to specific statistics as of genre, ethnicity, reasons for calling, number of used of the program for each employee, etc.</p> <p>It is also important to consider the specific employment context at Hope Bay in relation to the C&amp;M phase and have the company offering seasonal or temporary jobs. The turnover results and effects should be considered and compared to a permanent job offer context.</p>
<p><b>KIA-NIRB-40</b>  Recommends more training for Inuit employees, in particular for professional and management related opportunities. What is being done to meet the stated commitment to train Inuit for managerial positions and how much resources are being directed to the program?</p>	<p>The 2022 SEMP Report states that “[i]n 2022, despite the placement of the Project under C&amp;M, 13,193 hours of training were delivered to Project employees, including 2,294 hours of training delivered to Inuit employees (which represented 17% of total training)” (Page 5-17). Training delivered to Inuit employees in 2022 was provided in a table format as a response to KIA’s recommendation.</p>
<b>Government of Nunavut</b>	
<p><b>GN AR # 01</b>  1. Recommends setting a minimum altitude of 610 m for all aircraft, except in</p>	<p>Sufficient aircraft mitigations are important to reduce disturbance to wildlife, including caribou. The WMMP includes the mitigations</p>

Recommendation (Summary)	Proponent Response
<p>circumstances where it is not feasible (e.g., external loads) or safe to fly at this minimum flight altitude.</p> <p>2. Provide more detail when reporting helicopter traffic and its intensity around the Project area; specifically, flight paths and altitudes, as is done for other projects (e.g., Back River Project).</p>	<p>for aircraft to avoid caribou and muskox by at least 300 m vertical and 600 m horizontal separation (including starts and takeoffs) from caribou and muskox, where safe to do so. These mitigations are considered robust and are consistent with management plans for other sites in the Arctic, including both exploration programs and operating sites. These measures were proposed and approved by stakeholders and regulators during the Phase 2 FEIS Hearing and address in Term and Condition 22 and Commitment 61 for Project Certificate No 009.</p>
<p><b>GN AR # 02</b></p> <p>1. Address all outstanding issues related to wildlife camera monitoring for wildlife, including an update to its wildlife camera monitoring program to include more frequent equipment checks for improved operational capacity.</p> <p>2. Investigate and implement the use of alternate cameras or methods of setting up the cameras that may be more reliable for data collection during winter.</p> <p>3. Clarify how instances of snow obscuring camera lenses are proposed to be reduced going forward.</p>	<p>1. As stated in previous years, loss of camera functioning due to snow occlusion is difficult to address, as cameras (particularly in the Control Zone) are very remote and may occlude following storms in winter (October to April). If the cameras were checked monthly or every two (2) weeks, it is unlikely that the cameras would be less occluded by snow since snow occlusion occurs on a day-to-day basis. Cameras accessible in the Treatment Zone and Zones of Influence (ZOI) are serviced regularly through the year because they are accessible without extensive helicopter travel. Additional servicing of remotely located cameras in the winter is not feasible given the extreme weather conditions and likelihood of occlusion recurring at the next storm in a few days.</p> <p>2. See response to KIA’s Recommendation KIA-NIRB-08 regarding the five (5) camera tripods that were repaired in 2022, a discussion on side-shields and what assessment will be included in the 2023 WMMP Report regarding camera effort days overwinter for cameras with and without side-shields.</p> <p>3. Snow occlusion reduces camera effort in winter, particularly December through February, with an average of 90% occluded days. However, these winter months naturally have minimal detections due to the lack of daylight and lower wildlife activity. Agnico Eagle has updated the</p>

Recommendation (Summary)	Proponent Response
	management of camera data, including correcting for effort due to snow occlusion and daylight hours. The camera program has been in place with its current distribution since 2016, with the overall volume of data available for analysis increasing each year. The reliability of camera analyses testing Zone(s) of Influence around the project improve with each year of additional data.
<p><b>GN AR # 03</b> Requests that the noise monitoring report for any blasting occurring in the reporting year be submitted to interveners for review and be included in all subsequent annual reports.</p>	During C&M, there will be a reduction in surface blasting and an overall noise reduction at Hope Bay. Noise monitoring testing was conducted on three occurrences in August 2022. This work is scheduled to continue according to the Monitoring Plan. Further information on blasting methodology at the site can be found in response to KIA's Recommendation #30.
<p><b>GN AR # 04</b></p> <ol style="list-style-type: none"> <li>1. All spills, regardless of volume or legal reporting requirements, be reported in all subsequent annual reports.</li> <li>2. Note which type of glycol (propylene or ethylene) is used on site, as the Report does not specify.</li> </ol>	Agnico Eagle disagrees with GN's recommendation and will continue to adhere to the approved Hope Bay Spill Contingency as per the NWB License and report spills according to quantities outlined in the <i>Nunavut Environmental Protection Act</i> . In the future, Agnico Eagle will report if the glycol is propylene or ethylene glycol.
<p><b>GN AR # 05</b> Provide additional detail on dust suppression methods, frequency, and any thresholds used to initiate dust suppression efforts, as well as a description of which measures were taken during the reporting year in all subsequent annual reports.</p>	A summary of the estimated monthly dustfall levels at each monitoring location in the Madrid Road are presented in the Atmospheric Compliance Monitoring Program. Further information regarding the elevated dustfall levels can be found in response to KIA's Recommendation #16.
<b>Crown-Indigenous Relations and Northern Affairs Canada</b>	
<p><b>CIRNAC #1</b> Provide updates on the status of decision-making regarding the future of the Hope Bay Project in the subsequent Annual Reports and/or periodic project status meetings, including:</p> <ol style="list-style-type: none"> <li>a) A discussion of critical factors determining the duration of C&amp;M, and ability to restart operations and information on any potential changes to the Life of Mine Plan.</li> <li>b) The actions to be taken to inform</li> </ol>	Will provide parties an update on the status of decision-making regarding the future of the Hope Bay Project in the 2023 Annual Report and adaptations made to the C&M plan to ensure ongoing and future environmental compliance in the 2023 and future Annual Reports. There are no specific timelines to resume production; the focus at Hope Bay is on advanced exploration and the results of the exploration campaign will be integrated into updated feasibility and evaluations. At this time a full closure is not anticipated.

Recommendation (Summary)	Proponent Response
<p>decisions, the anticipated timelines, and adaptations that Agnico Eagle is making to the C&amp;M plan to ensure ongoing and future environmental compliance.</p>	
<p><b>CIRNAC #2</b> Provide further details on the progress of the construction and commissioning of the new TIA effluent water treatment plant, including but not limited to any updates on the design basis, the technologies used, treatment throughput, anticipated effluent quality, discharge locations/periods, sludge management.</p>	<p>Design information (design basis, technologies used, treatment throughput, anticipated effluent quality, discharge locations/periods and sludge management) on the TIA water treatment plant can be found in the design report 6205-693-132-REP-002 approved by the NWB in 2022. Construction and commissioning continued in 2023. Operation began late in August 2023, with some noncritical construction and commissioning elements remaining to be completed.</p>
<p><b>CIRNAC #3</b> Provide an updated Figure 5.1 of the C&amp;M plan that includes:</p> <ol style="list-style-type: none"> <li>The addition for construction of the WTP;</li> <li>Any additional activities Agnico Eagle has identified as necessary during the C&amp;M period.</li> <li>Update to the 2022 to 2024 schedule to include actual timelines for each activity so as to illustrate actual vs. planned comparison.</li> <li>Discuss any major variance to the plan.</li> </ol>	<p>Agnico Eagle provided an updated Figure 5.1 with the requested information but noted that Hope Bay project timelines and schedules may change due to feasibility, engineering and/or economics of the project. Further information regarding the water treatment plant construction and operation schedule can be found in CIRNAC #2 response. Further noted that it does not foresee any major variance to the plan and there are no specific timelines to resume operation and production. Rather, the focus at Hope Bay is on advanced exploration and the results of the exploration campaign will be integrated into updated feasibility and evaluation of the project.</p>
<p><b>CIRNAC #4</b></p> <ol style="list-style-type: none"> <li>Provide description of the options for carrying out mining operations within the context of compliance with the new toxicity criteria for <i>Acartia tonsa</i> as required by the MDMER.</li> <li>Plans for a permanent long-term water segregation strategy when the site resumes production.</li> </ol>	<p>During C&amp;M, Hope Bay mine is managing the water to meet MDMER requirements by segregating saline mine water from other contact water respectively in the saline water storage (formerly Aquadam area) and the TIA. Agnico Eagle will continue to meet the MDMER requirements; segregation as well as water treatment will be part of the management strategy when the toxicants are well understood for <i>Acartia tonsa</i>.</p>
<p><b>CIRNAC #5</b></p> <ol style="list-style-type: none"> <li>For the Waste Rock, Ore and Mine Backfill Management Plan, March 2023, clarify if the reference to V11 in the document control is an editorial error or otherwise.</li> <li>Update the document control section accordingly.</li> </ol>	<p>Agnico Eagle agrees with the recommendation and will complete the updates in the next cycle of management plan reviews and resubmit a revised plan in 2024.</p>

Recommendation (Summary)	Proponent Response
<ol style="list-style-type: none"> <li>3. Update the cover page of the plan with the proper version number.</li> <li>4. For the Doris and Madrid Water Management Plan, Rev 17, March 2023, revise the document control section to be more specific on updates made.</li> <li>5. In general, endeavour to ensure that document control for all future plan updates is as specific as reasonably possible and avoid generic statements or references to other documents without additional detail.</li> </ol>	
<b>Fisheries and Oceans Canada</b>	
<p><b>DFO #1</b></p> <ol style="list-style-type: none"> <li>1. Clarify what data has been collected so far for underwater noise from shipping vessels.</li> <li>2. Monitor and model the noise footprint using expert support. This model should evaluate the impact(s) of shipping noise on marine mammals present in the shipping route.</li> </ol>	<ol style="list-style-type: none"> <li>1. A monitoring program was designed in January 2023 to address T&amp;C 33 for Project Certificate No 009, and this program is designed to assess disturbance to marine wildlife resulting from vessel noise in Roberts Bay. However, there is no monitoring requirement for underwater noise modelling. Data are being collected in 2023 for the first time and will be reported as part of the 2023 WMMP.</li> <li>2. Thresholds of negative impacts can be established once two (2) years of data are collected, with sufficient data on the overall detections of marine wildlife with and without shipping activity. Agnico Eagle continues to follow the Shipping Management Plan that was developed to meet the commitments made during the NIRB hearings related to Marine Shipping. Agnico Eagle will engage through the annual report process with DFO to review the marine mammal monitoring plan and for input on thresholds and mitigations.</li> </ol>
<p><b>DFO #2</b></p> <p>Provide additional details on project shipping vessel activity, including a summary of vessel activity, with tracks of shipping vessels, to verify that shipping routes observed setback distances in sensitive habitat areas.</p>	<p>Project shipping vessel activity and vessel tracks are provided in the 2022 WMMP Report. Methods are described in Section 3.12.1 and results are described in Section 3.12.2.2 of the WMMP.</p>
<p><b>DFO #3</b></p> <p>Implement a marine mammal monitoring protocol for shipping vessels. The protocol should be developed by a marine mammal expert, be reviewed and approved by DFO and</p>	<p>During C&amp;M, there will be a reduction in shipping vessels required at Hope Bay. Nevertheless, all vessels are required to avoid sensitive habitat, as identified in Section 2 of the Shipping Management Plan and T&amp;C 31</p>

Recommendation (Summary)	Proponent Response
<p>aim at effectively detecting and avoiding marine mammals during shipping.</p>	<p>for Project Certificate No 009, and to report any vessel strikes. Vessel crews are also required to scan for sightings of marine mammals during shipping and to record incidental sightings. Results are reported in the annual WMMP Report. In addition, Agnico Eagle asks vessels to confirm at least daily whether there were any sightings of marine mammals.</p>
<p><b>DFO #4</b>            Include a non-Indigenous Species/Aquatic Invasive Species Monitoring Program around zones of higher risk. This monitoring plan should be developed by an expert, be reviewed and approved by DFO and response measure should be added to the shipping management plan.</p>	<p>Agnico Eagle is committed to mitigating risks of introducing aquatic invasive species and requires the shipping companies contracted to supply the Hope Bay mine through the annual sea-lift operations to comply with the Ballast Water Regulations, which reduces the risk of invasive species being introduced as a result of mine related shipping activities.</p> <p>Under the Ballast Water Regulations, all vessels are required to have a Ballast Water Management Plan which aims to prevent, minimize, and ultimately eliminate the risk of introducing harmful aquatic organisms and pathogens from vessels' ballast water and associated sediments, while protecting vessel's safety.</p> <p>The Shipping Management Plan was developed in collaboration with third party experts and was reviewed by Parties through the NIRB process. Subsequent updates have been submitted to NIRB and have been made available for Parties to review and comment.</p>
<p><b>DFO #5</b>            Provide an appendix including:</p> <ul style="list-style-type: none"> <li>• Report on death of fish;</li> <li>• Report on Harmful Alteration, Disruption and Destruction of fish habitat;</li> <li>• Report on fish passage issues;</li> <li>• Fish-out activities;</li> <li>• Measures implemented to avoid and mitigate impacts to fish or fish habitat; and</li> <li>• Offsetting activities.</li> </ul>	<p>Agnico Eagle disagrees with DFOs recommendation. DFO Authorization NU 02 0117.3 conditions related to death of fish, HADDs, fish-out activities have been fulfilled, offsets have been completed and Agnico Eagle will continue to follow DFO measures to Protect Fish and Fish Habitat under C&amp;M. During C&amp;M, approved works and undertakings of bridges, culverts, and roads will remain in a steady state and are not expected to change and there are no specifics to report. Presently, there has been no alteration nor loss of fish or fish habitat, nor a <i>Fisheries Act</i> Authorization granted for predicted effects on fish and fish habitat by the Madrid-Boston Project.</p>

Recommendation (Summary)	Proponent Response
<b>Health Canada</b>	
<p><b>HC-01</b>  Recommends that future annual reports provide the Noise Abatement Monitoring Plan as a stand-alone document, as suggested by the NIRB in the <i>Nunavut Impact Review Board 2021-2022 Monitoring Report</i>.</p>	<p>During C&amp;M, operational noise will be reduced as site activities will be focussed on advanced exploration. Mitigations to reduce Project-related noise, monitoring and reporting are in place as per the Noise Abatement Monitoring Plan.</p> <p>While there are occasionally land users in the surrounding area, there are no nearby communities close enough to be impacted by Project-related noise. Agnico Eagle believes a stand-alone annual report related to noise abatement related to potential human health impacts is not necessary. Noise monitoring that is related to wildlife are reported in the WMMP.</p>
<p><b>HC-02</b>  Recommends the implementation of a communications plan to notify the public prior to any excessively noisy activities or an accident or malfunction that results in unforeseen changes to the acoustic environment, and a complaint resolution process to address noise-related complaints in a timely manner.</p>	<p>Mitigations to reduce Project-related noise are in place as per the Noise Abatement Monitoring Plan. Additionally, announcements occur onsite so that personnel are aware of blasts. While there are occasionally land users in the surrounding area, there are no nearby communities close enough to be impacted by Project-related noise (Cambridge Bay is 125 km away), making information distribution for events like blasting unnecessary.</p>
<p><b>HC-03</b>  Encourages ongoing monitoring of contaminants in freshwater and marine fish, and communication with local consumers to confirm local consumption patterns.</p>	<p>While there are occasionally land users in the Hope Bay Project surrounding area, there are no nearby communities close enough to be impacted. Agnico Eagle will monitor contaminants in freshwater and marine environments as a requirement of Environmental Effects Monitoring (EEM) and will adhere to AEMP action levels and triggers agreed upon by regulatory agencies.</p>
<b>Transport Canada</b>	
<p><b>Transport Canada</b>  No information regarding the transportation of dangerous goods (TDG) from the site.</p>	<p>No response from Proponent</p>

## 6 NIRB’S REVIEW

### 6.1 Agnico Eagle’s Response to the Board’s 2022 Recommendations

On March 24, 2023, the Board made one (1) recommendation based on the 2021-2022 monitoring efforts.

**TABLE 6: NIRB RECOMMENDATION AND RESPONSE**

Board Recommendation	Agnico Eagle and Parties Response
<p>The Board requests that Agnico Eagle and Regulatory Authorities comment on the 2006 and 2016 Doris North commitments and the Phase 2 Hope Bay Belt commitments as part of the Annual Monitoring process commencing in 2023.</p> <p>The NIRB looks forward to receiving this in Agnico Eagle’s Annual Report, and Parties’ comment submissions.</p>	<p>The NIRB received comments from the Kitikmeot Inuit Association and Health Canada. These were incorporated into Appendix A and Appendix B and were considered during assessment of compliance with the Project Certificates.</p>

The Monitoring Officers made several recommendations released in March 2023 for inclusion in Agnico Eagle’s next annual report that was due on April 30, 2023. As the recommendations were not addressed in that annual report, the recommendations are carried over to the next annual report due April 30, 2024.

### 6.2 2023 Monitoring Officer Recommendations

The NIRB has reviewed Agnico Eagle’s *2022 Annual Report* as well as Parties’ comments and provides the following recommendations and timelines.

- 1. Comments and Evaluation of the 2022 Socio-Economic Report** – Agnico Eagle submitted the report in July 2023 after the comment periods had closed and this meant that Reviewers were unable to comment on the report. As such, the NIRB will be allowing comments to be submitted on the report and the status of the terms and conditions associated with the report during the 2023/2024 Monitoring Year. This also includes outstanding plans and reports (e.g., Human Resources Plan and Wellness Strategy and Community Engagement) that are due to the NIRB as the Project has moved into unanticipated temporary care and maintenance.
- 2. General Regulatory and Administrative Responsibilities Item 12, Publicly-accessible Project-specific web portal or web page** – The Monitoring Officers noted several instances where Agnico Eagle referenced the Reader/Reviewer to another website to view materials for updates on Terms and Conditions within the *2022 Annual Report*. The NIRB does not review materials not on its Public Registry to ascertain if a Term and

Condition is being met by a Proponent. If the Proponent is going to refer to a document not included with the annual report, at a minimum the Proponent should provide a summary of the materials or otherwise submit the material to the NIRB for inclusion on the Public Registry. The NIRB expects the issue to be addressed in the 2023 Annual Report.

- a. The NIRB requests that all non-confidential documents referred in Agnico Eagle's Annual Report are available to NIRB and other reviewers to verify the materials. Agnico Eagle is required to have a website/portal that contains all non-confidential materials for the file that the information be here. Further, if the material is not available for review or required on the NIRB's Public Registry, the Proponent should include a summary of the material in the annual report. The NIRB has included text in Appendix A and Appendix B as appropriate and may have in some cases this lack of information in the document is reflected in the 2023 Status.
3. **Appendix D** – Within its *2022 Annual Report*, Agnico Eagle provided some information from its 2022 monitoring program and compared observed impacts to predictions made within the FEIS. Agnico Eagle's evaluation focused on the valued ecosystemic components (VECs) that were identified in the FEIS, including the aquatic environment, the terrestrial and wildlife environment, noise quality, air quality, and permafrost.

The NIRB appreciates the general clarity of the presentation of information in Agnico Eagle's tables but found that the discussion and analysis within the PEAMP was not comprehensive, particularly as related to observed effects, accuracy of predictions, and monitoring protocol and mitigation measures. The reader is expected to either go to an appendix for all the information on trend analysis and/or to another website to find the material that represents the proof of the Proponent's actions for this VEC. This lack of summary and important information in the report adds additional work to the reviewer and sometimes reports cannot be found. Furthermore, given the current presentation of data, it was difficult for the NIRB to ascertain whether trends of effects over time may be resulting from, or associated with, the Doris North Gold Mine Project.

As the 2022 Monitoring Officers Recommendations and the Board Recommendations were released in March 2023, as such the Monitoring Officers continue to request that the following be included in the 2023 Annual Report to the NIRB.

- a. The Proponent provide a summary description of any changes between proposed monitoring measures as included within its FEIS and/or Amended FEIS and the measures it has employed within its evaluation of the effectiveness of project monitoring procedures and plans;
- b. A discussion that references the baseline and all the years that monitoring data has been collected and identifies any trends for each valued ecosystem component where an effect has. Include this information in table and graphic format in order to clearly demonstrate what is being observed;

- c. Identify instances where original and/or amended impact predictions can no longer be supported based on project experience to date and include an analysis of the effectiveness of management and mitigation strategies currently employed; and
- d. Include a summary of lessons learned from the Project to date which can be applied to both updating existing project plans and to any of Agnico Eagle's other planned or ongoing projects as applicable.
- e. Ensure that materials presented in response to Appendix D match the responses given in each VEC as there were some instances of inconsistencies.

#### **4. Project Certificate No 003-Doris North Monitoring Officers Recommendations**

- a. **T&C 26-** the NIRB requests information on how feedback or discussions that happened at the Inuit Environmental Advisory Group (IEAC) are considered and incorporated into plans or actions regarding the Tailings Impoundment Area. Information is to be included in the 2023 Annual Report and future reports.
- b. **T&C 32** – Not all the monitoring plans listed in the Term and Condition are identified in Agnico Eagle's Management Plan Table in the 2022 Annual Report. The Proponent is asked to update the Monitoring Plans Table in the 2023 Annual Report and ensure all plans are listed and submitted to the NIRB independently of Annual Reports. Information is to be provided in the 2023 Annual Report and future reports.
- c. **T&C 44** – Six (6) months after the Project entered the unanticipated temporary closure or Care & Maintenance, an updated Human Resources Plan and Wellness Strategy was due to the NIRB which would be designed to include a workforce transition strategy designed to mitigate the potential negative effect of the temporary closure. The 2022 Annual Report stated that the materials had not been prepared or submitted to the NIRB and no submission date was given. As of September 30, 2023, the NIRB had not received an update on submission of the Plan and Strategies. Therefore, the NIRB is requesting updated Human Resources Plan and Wellness Strategy including the Workforce Transition Strategy be submitted simultaneously with the 2023 Annual Report. If this is not possible, the NIRB requests an update in the 2023 Annual Report including an anticipated submission date for the Plan and Strategies.
- d. **PC T&C 46-** The NIRB expects that information should be reported to the Government of Nunavut and the NIRB as the Project transitioned into Care and Maintenance in 2022. The NIRB looks forward to an update in Agnico Eagle's 2023 Annual Report.

#### **5. Project Certificate No 009 - Monitoring Officers Recommendations**

- a. **T&C 2** – the NIRB requests information regarding the Greenhouse Gas (GHG) Reduction Plan for the Project and/or information regarding the status of the Report within the 2023 Annual Report.

- b. **T&Cs 13 and 16**– According to the reporting requirement, the Proponent is required to report on mitigation measures or maintenance. Section 2 of the *2022 Annual Report* only list Fisheries Authorizations and does not outline the maintenance or mitigation measures of how Agnico Eagle is achieving the Terms and Conditions. Agnico Eagle shall report on maintenance or mitigation measures or how it maintained infrastructure in watercourses to prevent the movement of water or fish species in the next annual report. The NIRB requests the information in the 2023 Annual Report and all future annual reports.
  - c. **T&Cs 19 and 26** - the Proponent shall report or discuss any updates that resulted from the "audit process" with other parties (including the IEAC) even if no updates are adopted for Monitoring Officers awareness and rating of status. NIRB expects updates identified through the audit process in the next annual report. The NIRB requests the information in the 2023 Annual Report and all future annual reports.
  - d. **T&C 32** - The Monitoring Officers request a summary of vessels strike within 30 days of receiving this report as information could not be located in the *2022 Annual Report*. The NIRB requests the information in the 2023 Annual Report and all future annual reports.
  - e. **T&C 34** - Agnico Eagle is cross-referencing Memorandums of Understanding (MOUs) that it has in place in the Kivalliq Region with the Government of Nunavut (GN), but it is not clear how the MOUs would be applicable in the Kitikmeot Region. Can Agnico Eagle and the GN clarify what MOUs with which GN department that it has in place in the Kivalliq Region that may be used instead of stand alone plans in the Kitikmeot Region within 30 days of receipt of this report.
  - f. **T&C 44** – the Monitoring Officers request an update on consultation with outfitters and other businesses now that COVID-19 restrictions were reduced and an updated Engagement Plan reflecting Agnico Eagle’s current status of Temporary Care and Maintenance. The NIRB requests the information in the 2023 Annual Report and all future annual reports.
  - g. **T&C 47** – Agnico Eagle is requested to update information related to this Term and Condition as much of the information written appears outdated. As the Projects are in Care and Maintenance therefore there are still local hires at site. The NIRB requests the information in the 2023 Annual Report and all future annual reports.
6. **Shipping Management Plan Development**-the NIRB notes that in response to DFO #4 Agnico Eagle stated that the Shipping Management Plan was developed with third party experts and the NIRB’s process. The NIRB requests clarification regarding how Inuit Qaujimagatuqangit was incorporated into the Plan within 30 days of receipt of this report.

## 7 SITE VISIT AND PUBLIC INFORMATION SESSION

As part of the monitoring activities, the Monitoring Officer visited the Hope Bay Project on August 14, 2023. The site visit included observations of the Roberts Bay facilities, the Doris North Camp, the Tailings Impoundment Area (TIA); All-weather Road to Madrid; and the Madrid North site including the Naartok East Crown Pillar Pit. For the full 2023 Site Visit Report refer to the NIRB Document ID Nos: for 12MN001 - for English use 347158, for Inuinnaqtun use 347212, and Inuktitut use 347211 and 05MN047 - for English use 347113, Inuinnaqtun use 347210, and Inuktitut use 347209, on the NIRB's Public Registry.

NIRB Staff observed that Agnico Eagle continues to pause commercial production at site and has completed the construction of the Aqua Dam in the TIA. A method identified by Agnico Eagle to comply with new requirements under the *Metal and Diamond Mining Effluent Discharge Regulations* before discharging into Roberts Bay. Additionally, Agnico Eagle has completed construction of the Water Treatment Plant for treatment of TIA water before discharge into Roberts Bay.

On September 14, 2023, the NIRB held an information session at the Luke Novoligak Community Hall in Cambridge Bay, Nunavut to update, discuss, and receive feedback from community members on the NIRB's monitoring program for the Doris North and Phase 2 Projects. The afternoon session had one (1) attendee and the evening session had three (3) attendees and there were no questions or comments shared by participants.

## 8 FINDINGS

As noted in Section 1, the objectives of the NIRB's monitoring programs are:

- a) *measure the impact of the project on the ecosystemic and socio-economic environments of the designated area;*
- b) *determine whether the project is carried out in accordance with the terms and conditions imposed under subsection 152(6) or set out in the original or amended project certificate;*
- c) *provide the information necessary for regulatory authorities to enforce the terms and conditions of licences, permits or other authorizations that they issue in relation to the project; and*
- d) *assess the accuracy of the predictions contained in the project impact statement.*

The NIRB notes that Agnico Eagle is not in full compliance with the following Terms and Conditions of the Doris North Gold Mine and the Phase 2 Hope Bay Belt Project Certificates, and that a recommendation from the Board have been provided to the Proponent and Regulatory Authorities and/or Parties under separate cover.

## Reporting on Commitments by Proponent and Parties

Project Certificates No. 003 and 009 require the Proponent to update Parties within the Annual Report on the progress of implementing commitments made during the review processes of Doris North Gold Mine (and subsequent 2016 Amendment) and the Phase 2 Hope Bay Belt Projects. Agnico Eagle provided the information on the commitments in Appendix B of Project Certificate No. 009 in its *2022 Annual Report*.

The Terms and Conditions 1 and 2 of Project Certificate No. 003 and Appendix B of Project Certificate No. 009 specify the regulator related to each commitment. Specifically, the Kitikmeot Inuit Association, the Government of Nunavut, and the Government of Canada. During the 2022 Monitoring process, comments were received from the Kitikmeot Inuit Association for Project Certificate 003 commitments 2006 and 2016 and Health Canada Project Certificate 009 Commitments, but no other Parties made comments regarding the commitment updates in the Proponent's *2022 Annual Report*. This makes it difficult to understand if the listed Parties agree that commitments for both Project Certificates are fulfilled as indicated by the Proponent, if work is ongoing, or if commitments are not yet achieved.

The Board requires information from both the Proponent and Parties to coordinate, integrate, and ensure that the NIRB's project-specific monitoring programs yield the information required to accurately measure effects and adequately assess compliance with terms and conditions, regulatory instrument, and agreements. To clearly understand the commitments that parties consider completed or still active, the Board is focusing its recommendation on ensuring parties agree on which commitments remain part of the active monitoring process. Therefore, the Board requests that Agnico Eagle and Regulatory Authorities comment on the 2006 and 2016 Doris North Commitments and the Phase 2 Hope Bay Belt commitments in the 2023-2024 Monitoring Process.

## **9 CONCLUSION**

In its *2022 Annual Report*, Agnico Eagle provided evidence of its general compliance with the Terms and Conditions in the Project Certificates and a summary of project-related baseline and monitoring data it collected in the 2022 monitoring period. Agnico Eagle also provided a list of updated management plans and programs used to inform monitoring and mitigation measures for project activities in 2022 and demonstrated evidence of general compliance with licenses, authorizations, regulations, and guidelines applicable to the site.

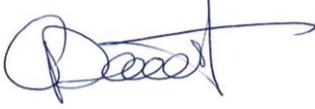
The 2022 Socio-economic Monitoring Report being submitted after the NIRB's comment period has led to the NIRB's adjustment of reviewing the 2022 report in the 2023/2024 monitoring period. It is hoped that this adjustment will allow the materials to be reviewed and recommendations made going forward.

Agnico Eagle continues to suspend commercial production at site in 2023, the Monitoring Officers expect the same level of reporting by the Proponent in the next annual report. The NIRB will continue to work the Agnico Eagle to maintain full compliance with the Project Certificate.

Prepared by: Kelli Gillard PAg CTAJ  
Title: Manager, Project Monitoring  
Date: January 17, 2024  
Signature:



Prepared by: Guillaume Daoust  
Title: Technical Advisor II  
Date: January 17, 2024  
Signature:



## 10 APPENDIX A: COMPLIANCE WITH TERMS AND CONDITIONS AND COMMITMENTS OF PROJECT CERTIFICATE 003, AMENDMENT 2

T&C	Subject	Status 2022	Status 2023	Notes/Reference
1	Monitor the commitments made during the Final Hearing (Appendix A of Project Certificate) and any new commitments made during amendments.	Active Deficient-In Progress	Active Deficient-In Progress	<p>Appendix C of Agnico Eagle’s 2022 Annual Report does not have reporting for the 2006 Commitments listed in Appendix A of the Project Certificate. Agnico Eagle has included <i>Status Update for 2016 Commitments (2022)</i>, Appendix C to Agnico Eagle’s 2022 Annual Report, NIRB ID No: 339256</p> <p><b>The NIRB recognizes the submission of the Kitikmeot Inuit Association but continues to require the Proponent and commenting parties to report on both the 2006 and 2016 commitments and requests that the information include information in the 2023 Annual Report.</b></p>
2	Monitor the commitments presented as Exhibit 37 during the Final Hearing (Appendix A of Project Certificate) and any new commitments made during amendments.	Active Deficient-In Progress	Active Deficient-In Progress	<p>Appendix C of Agnico Eagle’s 2022 Annual Report does not have reporting for the 2006 Commitments listed in Appendix A of the Project Certificate. Agnico Eagle has included <i>Status Update for 2016 Commitments (2022)</i>, Appendix C to Agnico Eagle’s 2022 Annual Report, NIRB ID No: 339256</p> <p><b>The NIRB recognizes the submission but the Kitikmeot Inuit Association but continues to require the Proponent and commenting parties to report on both the 2006 and 2016 commitments and requests that the information include information in the 2023 Annual Report.</b></p>

T&C	Subject	Status 2022	Status 2023	Notes/Reference
3	Obtain Necessary Permits and approvals	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>All permits and other approvals are listed in Section 2 of Agnico Eagle's 2022 Annual Report.</li> </ul>
4	The NIRB requires a full-time Monitoring Officer for the file	Active In Compliance	Active in Compliance	<ul style="list-style-type: none"> <li>The NIRB has assigned two (2) Monitoring Officers to the Doris North and Phase 2 Hope Bay Belt files.</li> </ul>
5	To update on Development Plans.	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>Agnico Eagle provided an update on development plans for 2023 in December 2022 and information included in section 4 of Agnico Eagle's 2022 <i>Annual Report</i>.</li> </ul>
6	To provide notice of alternatives to tailings impoundment area (TIA).	Active Deficient-in progress	Active In Compliance	<ul style="list-style-type: none"> <li>Tail Lake has been selected as the Tailings Impoundment Area (TIA) and notice would be given should this change and Agnico Eagle confirmed this would remain the same in 2022.</li> </ul> <p><b>Note:</b> During the 2023 Site Visit the Monitoring Officer confirmed the TIA had not changed and would not change.</p>
7	Add Tail Lake to Schedule 2 of <i>Metal Mining Effluent Regulations (now the Metal and Diamond Mining Effluent Regulations (MDMER))</i>	No Longer Active Completed	No Longer Active Completed	<ul style="list-style-type: none"> <li>TMAC confirmed that Schedule 2 to the Metal Mining Effluent Regulations (now MDMER) was amended on July 9, 2008, to authorize the use of Tail Lake as a Tailings Impoundment Area.</li> <li>Environment and Climate Change Canada and other parties confirmed that Agnico Eagle is in compliance during this monitoring period.</li> </ul>
8	Collect atmospheric data and install a Weather Station.	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>Atmospheric data are presented in the <i>Q1-Q3 2022 Atmospheric Compliance Monitoring Program Report</i>, Appendix D-1 to Agnico Eagle's 2022 Annual Report, NIRB ID No: 344517.</li> <li>The Monitoring Officer confirmed its location and included information in the 2023 Site Visit Report.</li> </ul>

T&C	Subject	Status 2022	Status 2023	Notes/Reference
				<b>Note:</b> Information should be summarized for the reader within the annual report and the appendix used as supplementary material
9	N/A	N/A	N/A	Removed from the Project Certificate in 2016.
10	To monitor Tail Lake (TIA) and Doris Creek if discharge into Creek occurs.	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>In its <i>2022 Annual Report</i>, Agnico Eagle confirmed that there was no discharge into Doris Creek from the TIA in 2022.</li> </ul> <p><b>Note:</b> Agnico Eagle is referencing reports that are found on other Regulatory Authority websites which does not meet the requirements of the Project Certificate. If the Proponent is going to refer to a document not included with the annual report, at a minimum the Proponent should provide a summary of the materials or otherwise submit the material to the NIRB for inclusion on the Public Registry.</p> <p>Further, Agnico Eagle is responsible for operating its own webpage/portal where all non-confidential information regarding the files is kept including the 2022 Annual Report for the NIRB and the Nunavut Water Board.</p>
11	To maintain monitoring information Tail Lake (TIA) Water Monitoring	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>In its <i>2022 Annual Report</i>, Agnico Eagle confirmed that there was no discharge into Doris Creek from the TIA in 2022. Additionally, Agnico Eagle stated that monitoring information is collected, and results are provided monthly to the Nunavut Water Board (NWB).</li> </ul> <p><b>Note:</b> Agnico Eagle is referencing reports that are found on other Regulatory Authority websites which does not meet the requirements of the Project Certificate. If the Proponent</p>

T&C	Subject	Status 2022	Status 2023	Notes/Reference
				<p>is going to refer to a document not included with the annual report, at a minimum the Proponent should provide a summary of the materials or otherwise submit the material to the NIRB for inclusion on the Public Registry.</p> <p>Further, Aginco Eagle is responsible for operating its own webpage/portal where all non-confidential information regarding the files is kept including the 2022 Annual Report for the NIRB and the Nunavut Water Board.</p>
12	To keep Tail Lake (TIA) Water Monitoring records for the life of the project.	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>In its <i>2022 Annual Report</i>, Aginco Eagle stated that sampling results from water quality monitoring activities are archived at site for the life of the Project and reported to the Nunavut Water Board on a monthly and annual basis.</li> </ul> <p><b>Note:</b> Aginco Eagle is referencing reports that are found on other Regulatory Authority websites which does not meet the requirements of the Project Certificate. If the Proponent is going to refer to a document not included with the annual report, at a minimum the Proponent should provide a summary of the materials or otherwise submit the material to the NIRB for inclusion on the Public Registry.</p> <p>Further, Aginco Eagle is responsible for operating its own webpage/portal where all non-confidential information regarding the files is kept including the 2022 Annual Report for the NIRB and the Nunavut Water Board.</p>

T&C	Subject	Status 2022	Status 2023	Notes/Reference
13	To collect baseline water data for the water license application.	No Longer Active Completed	No Longer Active Completed	<ul style="list-style-type: none"> <li>Hope Bay Mining Limited submitted aquatic study reports for 2006, 2007, and 2008 and Agnico Eagle stated that discharges into Roberts Bay were in compliance with the <i>Metal and Diamond Mining Effluent Regulations</i> and the <i>Arctic Waters Pollution Prevention Act</i>.</li> </ul> <p><b>Note:</b> on July 15, 2023, Agnico Eagle reported that its discharge to Roberts Bay was acutely toxic for <i>Acartia tonsa</i> and had released 21,432 cubic metres (4,714,381 gallons) of treated underground contact water. Discharge was shut down for investigation. After testing water to ensure it was non-lethal, discharge resumed August 1, 2023, with increased acute lethality monitoring.</p> <p>The NIRB looks forward to receiving an update on this event and a discussion on the resolution of the issue in the Proponent's 2023 Annual Report.</p>
14	To collect additional data for Revised Water Balance Report as part of the water licence application	No Longer Active Completed	No Longer Active Completed	<ul style="list-style-type: none"> <li>Requirements were met when Type "A" Water Licence 2AM-DOH1335 amended in November 2016 and December 2018.</li> </ul>
15	To monitor the environmental impacts of effluents in Doris Creek.	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>There was no discharge to Doris Creek in 2022.</li> </ul> <p><b>Note:</b> this term and condition includes monitoring of effluent in TIA as well as notification and monitoring of discharges into Doris Creek. As Agnico Eagle is referencing reports that are found on other Regulatory Authority websites which does not meet the requirements of the Project Certificate. If the Proponent is going to refer</p>

T&C	Subject	Status 2022	Status 2023	Notes/Reference
				<p>to a document not included with the annual report, at a minimum the Proponent should provide a summary of the materials or otherwise submit the material to the NIRB for inclusion on the Public Registry.</p> <p>Further, Agnico Eagle is responsible for operating its own webpage/portal where all non-confidential information regarding the files is kept including the 2022 Annual Report for the NIRB and the Nunavut Water Board.</p>
16	To monitor the effluent in the Tailings Impoundment Area and Doris Creek.	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>In 2022, discharge to Roberts Bay was in compliance with the Metal and Diamond Mining Effluent Regulations and data are presented in the <i>2022 Hope Bay Project – Effluent Monitoring Reports</i>, Appendix F or Agnico Eagle’s Annual report, NIRB ID No: 344499.</li> <li>Information of discharge into Roberts Bay is in section 3.2 of Agnico Eagle’s <i>2022 Annual Report</i>.</li> </ul> <p><b>Note:</b> on July 15, 2023, Agnico Eagle reported that its discharge to Roberts Bay was acutely toxic for <i>Acartia tonsa</i> and had released 21, 432 cubic metres (4,714,381 gallons) of treated underground contact water. Discharge was shut down for investigation. After testing water to ensure it was non-lethal, discharge resumed August 1, 2023, with increased acute lethality monitoring.</p> <p>Additionally, information should be summarized for the reader within the text of the main annual report and the appendix used as supplementary material.</p>
17	To report any exceedances or compliance problem to	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>Agnico Eagle stated that it continues to report any exceedances or compliance problems with the NIRB.</li> </ul>

T&C	Subject	Status 2022	Status 2023	Notes/Reference
	regulatory agencies and NIRB's Monitoring Officers.			<b>Note:</b> Information should be summarized for the reader in the main text of the report to substantiate the statement made so that the NIRB may cross-reference events reported.
18	To submit acid rock generation and metal leaching methodology.	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>The methodology is within the Hope Bay Project Quarry Management and Monitoring Plan (Agnico Eagle, 2022), NIRB ID No: 341973</li> <li>Results of the monitoring are presented in the 2022 <i>Waste Rock, Quarry and Tailings Monitoring Report</i> (SRK, 2023), Appendix D-2 of Agnico Eagle's Annual Report, NIRB ID No: 344493.</li> </ul> <p><b>Note:</b> Information should be summarized for the reader within the annual report and the appendix used as supplementary material</p>
19	To monitor the impacts of the jetty on shallow water permafrost.	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>The 2009 installed thermistor cables and temperature loggers in the jetty foundation as required and monitoring results are presented in the 2022 TIA Annual Geotechnical Inspection Report (SRK, 2023)</li> <li>The NIRB confirmed the logger was in place during its 2023 Site Visit.</li> </ul> <p><b>Note:</b> Agnico Eagle is referencing reports that are found on other Regulatory Authority websites which does not meet the requirements of the Project Certificate. If the Proponent is going to refer to a document not included with the annual report, at a minimum the Proponent should provide a summary of the materials or otherwise submit the material to the NIRB for inclusion on the Public Registry.</p> <p>Further, Aginco Eagle is responsible for operating its own</p>

T&C	Subject	Status 2022	Status 2023	Notes/Reference
				webpage/portal where all non-confidential information regarding the files is kept including the 2022 Annual Report for the NIRB and the Nunavut Water Board.
20	To ensure spill response are at Roberts Bay.	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>Location of spill kits can be found in the Hope Bay Spill Contingency Plan (Agnico Eagle, 2023), NIRB ID No: 344503.</li> <li>Agnico Eagle has a Transport Canada approved Oil Pollution Prevention/Oil Pollution Emergency Plan (TMAC, 2017), NIRB ID No: 314719.</li> </ul> <p><b>Note:</b> The NIRB's Monitoring Officer confirmed the location and included photos in the 2023 Site Visit Report.</p> <p>Also, the NIRB is unable to locate the most recent OPEP (2021) and requests information on the location of the report or the submission of the plan for filing on the Public Registry.</p>
21	To consult on closure of the jetty.	Not Active Yet Not Yet Applicable	Not Active Yet Not Yet Applicable	<ul style="list-style-type: none"> <li>Due prior to start of closure, as the jetty remains in use by Agnico Eagle. Agnico Eagle has committed to consult with local Elders, KIA, and NTI on the closure plan for the Roberts Bay jetty.</li> </ul>
22	To collect wolverine and grizzly bear data.	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>Agnico Eagle continues to monitor for wolverine and grizzly bear through its wildlife monitoring, results are presented within the <i>Wildlife Mitigation and Monitoring Program Compliance Report (ERM, 2023)</i>, Appendix D-3 of Agnico Eagle's Annual Report, NIRB ID No: 344494.</li> </ul> <p><b>Note:</b> The Monitoring Officer observed Wildlife Cameras</p>

T&C	Subject	Status 2022	Status 2023	Notes/Reference
				around site as part of the Facility/Wildlife Interaction Monitoring program.
23	To designate a wildlife contact to report wildlife activities.	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>The Environmental Coordinator reports wildlife interactions, incidents, and mortalities are reported to NIRB in a timely manner.</li> <li>Reporting is presented in the <i>Wildlife Mitigation and Monitoring Program Compliance Report (ERM, 2023)</i>, Appendix D-3 of Agnico Eagle’s Annual Report, NIRB ID No: 344494.</li> </ul> <p><b>Note:</b> Additionally, information should be summarized for the reader within the text of the main annual report and the appendix used as supplementary material.</p>
24	To ensure training on wildlife.	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>Agnico Eagle provides site orientation to all employees and methods about wildlife interaction are described in the <i>Wildlife Mitigation and Monitoring Program Compliance Report (ERM, 2023)</i>, Appendix D-3 of Agnico Eagle’s 2022 Annual Report, NIRB ID No: 344494.</li> </ul> <p><b>Note:</b> Additionally, information should be summarized for the reader within the text of the main annual report and the appendix used as supplementary material.</p>
25	To report on wildlife interactions.	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>Methodology is described in the <i>Wildlife Mitigation and Monitoring Plan (Agnico Eagle, 2023)</i>, NIRB ID No: 344511.</li> <li>Reporting is presented in the <i>Wildlife Mitigation and</i></li> </ul>

T&C	Subject	Status 2022	Status 2023	Notes/Reference
				<p><i>Monitoring Program Compliance Report (ERM, 2023)</i>, Appendix D-3 of Agnico Eagle’s Annual Report, NIRB ID No: 344494.</p> <p><b>Note:</b> The Monitoring Officer observed Wildlife Cameras around site as part of the Facility/Wildlife Interaction Monitoring program.</p>
26	To consult parties on wildlife monitoring, mitigation measures and measures to discourage bird interaction with the TIA.	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>Wildlife mitigation and monitoring are discussed through the Inuit Environmental Advisory Group in 2022 and through the NIRB commenting period.</li> </ul> <p><b>Note:</b> In its 2021 and in 2022 Annual Reports, Agnico Eagle indicated that it was making progress in meeting the requirements of this term and condition. Agnico Eagle noted that workshops were held with local Elders and land users in 2016 and 2017, including a meeting in the fall of 2017 to review results of long-term bird dataset analyses with relevant stakeholders. In 2021, Agnico Eagle confirmed that the Inuit Environmental Advisory Group (IEAC) continues in operation and there were two (2) meetings in 2021.</p> <p>During the NIRB’s 2022 Site Visit, Monitoring Officers noted a variety of bird species through the various locations that were viewed and discussed the action plan that Agnico Eagle was using to deter wildlife and birds from the TIA. Agnico Eagle confirmed that it monitored the facility through both a camera and observations as well as takes measures to deter birds when appropriate. There was no tailings deposition occurring in 2022 as the mill is in care and maintenance while Agnico Eagle conducts</p>

T&C	Subject	Status 2022	Status 2023	Notes/Reference
				<p>exploration and determines how it will operate the two (2) Projects. During the 2023 Site Visit the NIRB did not see any wildlife; however, discussions happened regarding monitoring at the TIA and no deposition of tailings happened in 2023 either.</p> <p><b>The NIRB requests information on how feedback or discussions had at the meetings was incorporated into the plans and reports.</b></p>
27	To update the Wildlife Mitigation and Management Plan	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>• Agnico Eagle updated the <i>Wildlife Mitigation and Monitoring Plan (Agnico Eagle, 2023)</i>, NIRB ID No: 344511.</li> <li>• The latest version of the Plan was submitted with the annual report and parties commented about: road dust management, waste management, wildlife camera placement, noise/blasting recording, data analysis, and helicopter flights.</li> </ul> <p><b>Note:</b> The Proponent committed to updating the helicopter reporting in the WMMP (plan) to confirm how flights and reporting are conducted. Agnico Eagle also committed to reporting on Camera effort says for cameras with and without side shields for future monitoring considerations.</p> <p>The Monitoring Officer observed Wildlife Cameras around site as part of the Facility/Wildlife Interaction Monitoring program.</p>

T&C	Subject	Status 2022	Status 2023	Notes/Reference
28	To assess the socio-economic impact of the project.	Active Deficient-In Progress	Active Not rated in 2023 due to timing of submission, commenting in 2024	<p>Agnico Eagle did not submit a copy of the Socio-Economic Monitoring Report nor was a submission date given when the <i>2022 Annual Report</i> was submitted.</p> <p>The 2022 Socio-economic Monitoring Report was submitted July 17, 2023, and it will be commented on by parties in the 2023/2024 monitoring year.</p> <p><b>Note:</b> Currently the NIRB does not have a stand-alone copy of the Socio-economic Monitoring Plan (submitted separately from an Annual Report) that is currently being used by Agnico Eagle while it finalizes its next version. The NIRB requests a copy to be placed on the Public Registry.</p>
29	To develop and implement a Noise Abatement Plan.	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>• Agnico Eagle does not maintain a stand-alone Noise Abatement Plan and monitors noise through its wildlife program as well as its health and safety management plan.</li> <li>• <i>Wildlife Mitigation and Monitoring Plan (Agnico Eagle, 2023)</i>, NIRB ID No: 344511.</li> <li>• <i>Hope Bay Health and Safety Management Plan (TMAC, 2017)</i>, NIRB ID No: 307433.</li> </ul> <p><b>Note:</b> the NIRB requests summary of information related to noise with the Term and Condition in the annual report if it is not a stand-alone document. This would also include year-over-year analysis to ensure trends are identified as they appear.</p>
30	To have Atmospheric Monitoring Station and	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>• Agnico Eagle confirms that it has an atmospheric monitoring station and atmospheric monitoring results</li> </ul>

T&C	Subject	Status 2022	Status 2023	Notes/Reference
	monitor air -quality.			<p>are presented in the <i>Q1-Q3 2022 Atmospheric Compliance Monitoring Program Report – Doris and Madrid Projects (Stantec, 2023)</i>, Appendix D-1 of Agnico Eagle’s Annual Report, NIRB ID No: 344492.</p> <p><b>Note:</b> The NIRB’s Monitoring Officer had discussions with Agnico Eagle at site and observed portions of the dust monitoring program. Agnico Eagle has committed to ensuring information will be included about dustfall in future Annual Reports.</p>
31	To have a Closure and Reclamation Plan in place.	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>• Agnico Eagle submitted its plans to the NWB and were approved in early 2019.</li> <li>• As per the Care and Maintenance Plan and as requested by KIA, in 2022 Agnico Eagle and the KIA began a third party, independent review of the closure plan and costs. It is anticipated that work will be completed in 2023.</li> </ul>
32	To ensure all Management Plans are in place prior to construction.	Active In Compliance	Active Deficient – In Progress	<ul style="list-style-type: none"> <li>• Some management plans are listed in section 10 of Agnico Eagle’s <i>2022 Annual Report</i>.</li> </ul> <p><b>Note:</b> Not all plans listed in the Term and Condition are identified in the chart Agnico Eagle refers the reader to in the <i>2022 Annual Report</i>. The NIRB is looking for the Monitoring and Follow-up Plan and the Environmental Protection Plan. The Proponent is requested to provide information about the location of the information and/or submit the plans for filing on the NIRB’s Public Registry.</p>
33	To ensure spill response are at Roberts Bay oil handling facility.	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>• Location of spill kits are identified in the <i>Hope Bay Spill Contingency Plan (Agnico Eagle, 2023)</i>, NIRB ID No: 344503.</li> </ul>

T&C	Subject	Status 2022	Status 2023	Notes/Reference
				<ul style="list-style-type: none"> <li>Agnico Eagle has a Transport Canada approved <i>Oil Pollution Prevention/Oil Pollution Emergency Plan (TMAC, 2017)</i>, NIRB ID No: 314719</li> </ul> <p><b>Note:</b> The NIRB is unable to locate the most recent OPEP (2020) and requests information or the submission of the plan for filing on the Public Registry.</p> <p>The NIRB's Monitoring Officer confirmed some of the locations and included photos in the 2023 Site Visit Report.</p>
34	To notice of any changes to the mine facility.	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>Agnico Eagle will continue to notify the NIRB of planned significant changes at the mine facility.</li> </ul> <p><b>Note:</b> the NIRB reminds the Proponent that project certificates are only valid for the current scope of the Project that was assessed by the Board. It is the Proponent's responsibility to work with the NIRB regarding changes/modification/amendments to Projects to ensure that both monitoring and project certificates remain current.</p>
35	Duty to Comply to Project Certificate.	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>Agnico Eagle submitted its <i>2022 Annual Report</i> with compliance status on each term and condition.</li> </ul> <p><b>Note:</b> Based on the 2022 Annual Report, Submission of Parties Comments, Proponent Responses, and the Site Visit the Proponent appears to generally be in compliance.</p>
36	To monitor on Doris Water levels.	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>Monitoring results presented in the <i>2022 Aquatic Effects Monitoring Program Report (ERM, 2023)</i> Appendix D-4 of Agnico Eagle's <i>2022 Annual Report</i>, NIRB ID No: 344495.</li> </ul>

T&C	Subject	Status 2022	Status 2023	Notes/Reference
				<p><b>Note:</b> Agnico Eagle is referencing reports that are found on other Regulatory Authority websites which does not meet the requirements of the Project Certificate. If the Proponent is going to refer to a document not included with the annual report, at a minimum the Proponent should provide a summary of the materials or otherwise submit the material to the NIRB for inclusion on the Public Registry.</p> <p>Further, Agnico Eagle is responsible for operating its own webpage/portal where all non-confidential information regarding the files is kept including the 2022 Annual Report for the NIRB and the Nunavut Water Board.</p>
37	To develop a Groundwater Management Plan.	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>• <i>Hope Bay Project Ground Water Management Plan (Agnico Eagle, 2022), NIRB ID No: 342596.</i></li> </ul> <p><b>Note:</b> Agnico Eagle is referencing reports that are found on other Regulatory Authority websites which does not meet the requirements of the Project Certificate. If the Proponent is going to refer to a document not included with the annual report, at a minimum the Proponent should provide a summary of the materials or otherwise submit the material to the NIRB for inclusion on the Public Registry.</p> <p>Further, Agnico Eagle is responsible for operating its own webpage/portal where all non-confidential information regarding the files is kept including the 2022 Annual Report for the NIRB and the Nunavut Water Board.</p>
38	To submit a design of Saline Discharge six (6) months prior to construction.	No Longer Active Completed	No Longer Active Completed	<ul style="list-style-type: none"> <li>• The Hazard and Operability Study of the pipeline and marine outfall system was submitted to the NIRB on August 29, 2018.</li> </ul>

T&C	Subject	Status 2022	Status 2023	Notes/Reference
				<p><b>Note:</b> the effluent pipeline in Roberts Bay was modified in 2021 with the diffuser in a new location in September 2022.</p> <p>In August 2023, Agnico Eagle reported issues with the diffuser floating and will be working on alternative plans and inform the NIRB once they are available. The NIRB looks forward to receiving an update on this event and a discussion on the resolution of the issue in the Proponent's 2023 Annual Report.</p>
39	To submit a Hazard and Operability Study of saline discharge six (6) months prior to operation.	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>Submitted to NIRB in 2018, <i>Marine Outfall Berm, Detailed Design Drawings; and Hazard and Operability Study (August 2018)</i> NIRB ID No: 319604.</li> </ul>
40	To monitor the Socio-Economic effects of the project with an updated Socio-Economic Monitoring Plan due within a year of issuance of the amended Project Certificate.	Active Deficient-In Progress	Active Not rated in 2023 due to timing of submission, commenting in 2024	<ul style="list-style-type: none"> <li>Agnico Eagle stated that the updated plan originally due in 2017 is anticipated to be completed in 2023.</li> <li>Agnico Eagle did not submit a copy of the Socio-Economic Monitoring Report nor was a submission date given when the <i>2022 Annual Report</i> was submitted.</li> </ul> <p><b>Note:</b> Currently the NIRB does not have a stand-alone copy of the Socio-economic Monitoring Plan that is currently being used by Agnico Eagle while it finalizes its next version. The NIRB requests a copy to be placed on the Public Registry.</p> <p>The 2022 Socio-economic Monitoring Report was submitted July 17, 2023, and it will be commented on by parties in the 2023/2024 monitoring year.</p>

T&C	Subject	Status 2022	Status 2023	Notes/Reference
41	To update the Socio-Economic Monitoring Plan (SEMP) two (2) years prior to planned final closure.	Not Active Yet Not Yet Applicable	Not Active Yet Not Yet Applicable	<ul style="list-style-type: none"> <li>The term and condition states that an updated Doris North Socio-Economic Monitoring Plan within two (2) years detailing the specific measures that may mitigate the potential for negative effects as a result of project closure. This includes both temporary and final closure.</li> </ul> <p><b>Note:</b> As Agnico Eagle has not yet provided an updated Socio-Economic Monitoring Plan for the Projects, it is difficult to determine how the Proponent is monitoring during its temporary closure. Additionally, the 2022 Socio-economic Monitoring Report was submitted July 17, 2023, and it will be commented on by parties in the 2023/2024 monitoring year.</p>
42	To update the SEMP due to unanticipated closure.	Not Active Yet Not Yet Applicable	Active Not rated in 2023 due to timing of submission, commenting in 2024	<ul style="list-style-type: none"> <li>The term and condition states that an updated Doris North Socio-Economic Monitoring Plan within six (6) months of temporary or permanent closure detailing the specific measures that may mitigate the potential for negative effects as a result of project closure.</li> </ul> <p><b>Note:</b> In Agnico Eagle's Care and Maintenance Plan, Agnico Eagle noted that it would update the 2016 plan within six (6) months following notice of an unanticipated temporary closure. As such, Agnico Eagle committed to submit an updated plan in September 2022. In the <i>2022 Annual Report</i> Agnico Eagle noted it would be completing the new plan in 2023.</p>
43	To update the Human Resource Plan and Wellness Strategy for the project two (2) Prior to planned Final	Not Active Yet Not Yet Applicable	Not Active Yet Not Yet Applicable	<ul style="list-style-type: none"> <li>The term and condition states that an updated Human Resources Plan and Wellness Strategy would be provided within six (6) months of temporary or permanent closure detailing the specific measures that</li> </ul>

T&C	Subject	Status 2022	Status 2023	Notes/Reference
	Closure.			<p>may mitigate the potential for negative effects as a result of project closure.</p> <p><b>Note:</b> Agnico Eagle stated that an updated Human Resources Plan and Wellness Strategy for the Project that would include a Workforce Transition Strategy had not yet been prepared for the NIRB.</p>
44	Closure Human Resources Plan within 6 months following an unanticipated Temporary or Final Closure	Not Active Yet Not Yet Applicable	Active Non-compliance	<ul style="list-style-type: none"> <li>The term and condition states that an updated Human Resources Plan and Wellness Strategy would be provided within six (6) months of temporary or permanent closure detailing the specific measures that may mitigate the potential for negative effects as a result of project closure.</li> </ul> <p><b>Note:</b> Agnico Eagle stated that an updated Human Resources Plan and Wellness Strategy for the Project that would include a Workforce Transition Strategy had not yet been prepared for the NIRB.</p>
45	To share information on Youth Employment Initiatives, Education, and other programs	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>Agnico Eagle continues to collaborate with the Government of Nunavut (Department of Education, Department of Family Services and Nunavut Arctic College) on education and training matters. TMAC worked with KIA to develop a Memorandum of Understanding with the Government of Nunavut; however, signing of the agreement did not happen due to COVID. Agnico Eagle is considering whether it will sign this MOU or include Hope Bay under its existing MOU in place since 2017.</li> </ul> <p><b>Note:</b> The NIRB looks forward to receiving an update on</p>

T&C	Subject	Status 2022	Status 2023	Notes/Reference
				this event and a discussion on the resolution of the issue in the Proponent's 2023 Annual Report.
46	To provide information of project labour force needs.	Active In Compliance	Active Deficient-in progress	<ul style="list-style-type: none"> <li>Agnico Eagle has not been providing the information due to the Project being in Care and Maintenance. Being in Care and Maintenance has meant that the Project has lost positions in Hope Bay and/or transfer of positions in 2022 to other Agnico Eagle operations in Nunavut.</li> </ul> <p><b>Note:</b> the NIRB would expect that the information to be reported as the Project transitioned in Care and Maintenance to the NIRB in the Proponents Annual Report.</p>
47	To report on Training and Education Programs	Active Deficient-In Progress	Active Not rated in 2023 due to timing of submission, commenting in 2024	<ul style="list-style-type: none"> <li>Agnico Eagle did not submit a copy of the Socio-Economic Monitoring Report nor was a submission date given when the <i>2022 Annual Report</i> was submitted.</li> </ul> <p><b>Note:</b> Currently the NIRB does not have a stand-alone copy of the Socio-economic Monitoring Plan that is currently being used by Agnico Eagle while it finalizes its next version. The NIRB requests a copy to be placed on the Public Registry.</p> <p>The 2022 Socio-economic Monitoring Report was submitted July 17, 2023, and it will be commented on by parties in the 2023/2024 monitoring year.</p>

T&C	Subject	Status 2022	Status 2023	Notes/Reference
48	To report on Archeological Sites with the GN.	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>Agnico Eagle submitted the <i>Hope Bay Project 2022 Archaeological Investigation Final Permit Report</i> to the GN.</li> </ul>
49	Cooperation with GN/Nunavut Housing Surveys	Active Non-compliance	Active Deficient-in progress	<ul style="list-style-type: none"> <li>Agnico Eagle reported that the Nunavut Housing Corporation did not develop a housing survey in 2022, therefore Agnico Eagle could not provide surveys to employees.</li> </ul> <p><b>Note:</b> The Government of Nunavut did not comment regarding the housing survey and therefore the NIRB has no information regarding the status of this Term and Condition, therefore it rated the T&amp;C as Deficient in Progress.</p>
50	To remove the underwater saline discharge line when no longer in use.	Not Active Yet Not Yet Applicable	Not Active Yet Not Yet Applicable	<ul style="list-style-type: none"> <li>The pipeline is still in use and Agnico Eagle will work with the NIRB when the time comes.</li> </ul>

\*The amended Doris North Gold Mine Project Certificate (September 2016)

**Project Certificate 003 2006 Commitments**

The NIRB only rated commitments that it received comments on and looks forward to information from the Proponent or Parties commented on the status of the 2006 Commitments in the next annual monitoring cycle.

2006 Commitments	Status 2022	Status 2023	Notes/reference
<b>Air Quality</b>			
1. Use of an aggressive fuel conservation effort;			
2. Use of a brine solution for dust suppression in the underground mine;			
3. Use of coarse rock in roads, airstrip, building pads and laydown areas to minimize dust during construction;			
4. Driving at designated speeds on site roads;			
5. Application of water to roadways to reduce dust from ore and waste rock haulage and grading to a minimum;			
6. Installation of dust covers, sonic sprays, etc. to suppress dust generation from equipment in the crushing facility;			
7. Installation of a dust scrubber on the smelting off-gas stream;			
8. Submerged release of tailings deposition to avoid tailings dust emissions;			

<b>2006 Commitments</b>	<b>Status 2022</b>	<b>Status 2023</b>	<b>Notes/reference</b>
<b>9.</b> Installation of a waste oil burner unit equipped with a settling tank and filter system for particulate removal from the waste oil;			
<b>10.</b> Regular servicing of all mobile and stationary engines to maintain efficiency;			
<b>11.</b> Proper equipment maintenance; and			
<b>12.</b> Adherence to all permits, authorizations, and approvals.			

<b>2006 Commitments</b>	<b>Status 2022</b>	<b>Status 2023</b>	<b>Notes/reference</b>
<b>NOISE</b>			
<b>1.</b> Buildings, structures and material stockpiles will act as physical barriers to noise particularly for outdoor exposed equipment;			
<b>2.</b> Most powered equipment will be enclosed in insulated buildings;			
<b>3.</b> Proper equipment maintenance;			
<b>4.</b> There will be noise monitoring in the mill for occupational health and safety;			
<b>5.</b> The on-site Environmental Manager will also conduct routine inspections of the Project operations and look for possible mitigation opportunities; and			
<b>6.</b> Adherence to all permits, authorizations, and approvals.			

2006 Commitments	Status 2022	Status 2023	Notes/reference
<b>WATER QUALITY – TOTAL SUSPENDED SOLIDS</b>			
1. Installing silt curtains in localized areas of permafrost degradation;		Active In Compliance	<ul style="list-style-type: none"> <li>• Provide documentation that silt curtains are deployed as a standard practice when permafrost degradation is observed.</li> <li>• Provide further documentation that silt curtain shave been deployed when localized permafrost degradation has occurred and elevated sedimentation is observed.</li> </ul>
2. Applying geo-textile materials or rip rap to areas where slumping is observed to stabilize the shoreline.		Active In Compliance	<ul style="list-style-type: none"> <li>• Provide more information regarding stabilization of slumping areas</li> </ul>
<b>WATER QUALITY - RUNOFF</b>			
3. Identifying and using quarry rock that has a low acid generation and metal leaching potential;		Active In Compliance	<i>KIA supports status</i>
4. Implementing industry best practice methods for explosives use, which will limit residual nitrite and nitrate present in quarried and waste rock;		Active In Compliance	<i>KIA supports status</i>

2006 Commitments	Status 2022	Status 2023	Notes/reference
5. Completing winter construction of the roads and building pads, which will mitigate the risk of sediment release during construction; and		Active In Compliance	<i>KIA supports status</i>
6. Implementing industry best practices for sediment control and storm water management during and after construction to collect surface runoff, and discharging runoff to the tailings containment area, where the sediments would have the opportunity to settle out.		Active In Compliance	<i>KIA supports status</i>

2006 Commitments	Status 2022	Status 2023	Notes/reference
<b>PERMAFROST</b>			
1. Additional thermistors will be installed during construction; and		Active In Compliance	<ul style="list-style-type: none"> <li>Recommend installation of ground temperature cables (GTC) in the West Dam, once constructed, to monitor performance of the dam.</li> </ul>

2006 Commitments	Status 2022	Status 2023	Notes/reference
<b>PERMAFROST</b>			
2. Reading of these thermistors will be included in routine site monitoring programs to ensure that the condition of the permafrost in close proximity to the key mine activity centres is being monitored to ensure that the permafrost integrity is being maintained through the planned design and mitigation strategies.		Active In Compliance	<ul style="list-style-type: none"> <li>Continue to maintain and monitor functioning GTCs and review monitoring data as per current practices.</li> <li>As the West Dam is constructed and additional GTCs are installed to monitor performance, monitor and review data as per current practices at North and South Dams</li> <li>As GTCs become inactive, consider installation of replacement instruments depending on the observed performance of the dam and the criticalness of the location of the instrument.</li> </ul>

2006 Commitments	Status 2022	Status 2023	Notes/reference
<b>VEGETATION</b>			
1. Avoiding, or reducing, impacts to vegetation units during project planning by reusing previously disturbed areas, where possible;		Active In Compliance	<ul style="list-style-type: none"> <li>For future annual reporting purposes, Agnico Eagle should consider measuring or mapping activities on undisturbed vs. previously disturbed land to enable an accurate assessment of this Commitment.</li> </ul>
2. Avoiding, or reducing, impacts to rare species;		Active In Compliance	<ul style="list-style-type: none"> <li>Consider rare plant surveys prior to Project clearing activities to ensure compliance with the 2006 Commitments made under Project Certificate No. 003.</li> </ul>

2006 Commitments	Status 2022	Status 2023	Notes/reference
<b>VEGETATION</b>			
3. Implement dust suppression methods ( <i>i.e.</i> , spraying with water) on the airstrip and roads during the snow/ice free period.		Active In Compliance	<ul style="list-style-type: none"> <li>Clarify if dust suppression methods are used on the Project airstrip.</li> </ul>
4. Apply water to roadways to reduce dust from ore and waste rock haulage and minimizing grading;		Active In Compliance	<i>KIA supports status</i>
5. Install dust covers and sonic sprays to suppress dust generation from equipment in the crushing facility;		Active In Compliance	<ul style="list-style-type: none"> <li>Provide evidence that dust covers, sonic sprays, etc. were installed in the crushing facility.</li> </ul>
6. Install a dust scrubber on the smelting off-gas stream;		Active In Compliance	<ul style="list-style-type: none"> <li>Provide evidence that a dust scrubber was installed on the smelting off-gas stream and details of the specs of that scrubber, as any documentation regarding this commitment is difficult to find.</li> </ul>
7. Re-contouring closure landforms and placing materials to ensure that the final topography and site conditions are similar to other vegetation units of the same type in the region;		Active In Compliance	<ul style="list-style-type: none"> <li>Continue to report on reclamation activities that aim to meet CRP closure objective and criterion.</li> <li>As per New T&amp;C No. 8, the KIA expects to have continued site visit opportunities to determine if Agnico Eagle’s progressive reclamation efforts to meet this Commitment are satisfactory.</li> </ul>
8. Allow areas to revegetate during operations ( <i>e.g.</i> , progressive) and promoting natural vegetation regeneration throughout the mine life; and		<i>Active Deficient – In Progress</i>	<ul style="list-style-type: none"> <li>Include planned revegetation activities in Section 5 (Progressive Reclamation) of both Doris- Madrid and Boston CRPs.</li> </ul> <p>Report on the extent of progressive reclamation activities (including revegetation success) in</p>

2006 Commitments	Status 2022	Status 2023	Notes/reference
<b>VEGETATION</b>			
			the NIRB annual report, as required under the Project Certificate No. 009, New T&C No. 18.
9. Using adaptive management approaches to ensure that advances in revegetation research are included in final closure planning efforts.		<i>Active Deficient – In Progress</i>	<ul style="list-style-type: none"> <li>Clarify whether the vegetation studies listed in the Doris-Madrid and Boston CRPs include revegetation trials as noted in the Project Certificate No. 009, New T&amp;C No. 18.</li> <li>Include a summary of revegetation research in the Arctic and how these research results were/will be used in revegetation planning for the Hope Bay Project. These details should be included in the CRPs or as supporting documents.</li> </ul>

2006 Commitments	Status 2022	Status 2023	Notes/reference
<b>JETTY</b>			
1. Constructing the jetty of clean, crushed rock that has been certified as having low acid generation potential and low metal leaching potential;			
2. Use of silt curtains, as required to reduce suspended sediment to a level to meet the federal Canadian Council of Ministers of the Environment (CCME) (1999) water quality guidelines;			
3. The construction will be timed ( <i>i.e.</i> , early July) to avoid the spawning			

2006 Commitments	Status 2022	Status 2023	Notes/reference
<b>JETTY</b>			
migrations of capelin during the end of July (Supporting Document F4); and			
4. Monitoring measures are outlined in Chapter 6 of the Technical Report. Construction activities will be monitored on terms and conditions of permits and approvals.			

2006 Commitments	Status 2022	Status 2023	Notes/reference
<b>CARIBOU</b>			
1. Integration of Inuit Qaujimagatuqangit into monitoring programs;		Active In Compliance	<i>KIA supports status</i>
2. Restricting the mine surface footprint to a small and confined area of 53 ha;			The NIRB needs to consider the relevance of this past reference to the Doris North Project may have lost contextual meaning, as reporting now includes a since-expanded mine footprint area and project in general. Consider updating this commitment to include reference to the latest approved disturbance value.
3. Minimizing the amount of clearing;		Active In Compliance	<i>KIA supports status</i>
4. Reduce noise by use of muffled exhaust systems;		Active Deficient – In Progress	<ul style="list-style-type: none"> <li>Clarify whether mufflers and silencers are being used and maintained on mobile and motorized equipment.</li> <li>Explain why TMAC's 2017 Noise Abatement Plan was not adopted, as this plan is intended to comply with Project</li> </ul>

2006 Commitments	Status 2022	Status 2023	Notes/reference
<b>CARIBOU</b>			
			Terms and Conditions. Even if Agnico Eagle does not wish to maintain a standalone document, the management and monitoring procedures described in this plan should be incorporated into the WMMP, where appropriate.
5. All diesel-powered equipment will meet emission guidelines;		<i>Active Deficient – In Progress</i>	<ul style="list-style-type: none"> <li>Clarify whether diesel-powered equipment is verified to meet emission guidelines (e.g., data from the manufacturer, or measured as part of maintenance procedures). If the data is available, include in future annual reporting to enable an accurate assessment of this Commitment.</li> </ul>
6. Minimum flying altitude of 300 m above ground level for cargo and passenger aircraft outside of the Project area;		<i>Active In Compliance</i>	<ul style="list-style-type: none"> <li>Confirm whether helicopter and fixed-wing flights adhered to the minimum elevation guidelines specified in the 2021 WMMP.</li> <li>Consider including a summary log of flight altitudes and mitigation measures/management actions taken by pilots when caribou are observed (e.g., increasing flight elevation) in future annual reports.</li> </ul>
7. Vehicles restricted to designated roads and prepared work areas ( <i>i.e.</i> , recreational use of off-road vehicles is prohibited);		<i>Active In Compliance</i>	<ul style="list-style-type: none"> <li>Commit to reporting on compliance or non-compliance issues with regards to this commitment.</li> </ul>
8. Implement dust suppression methods ( <i>i.e.</i> , spraying with water) on the airstrip and roads during the snow/ice		<i>Active In Compliance</i>	<ul style="list-style-type: none"> <li>Clarify which GN-approved chemical dust suppressants have been/are used for the Hope Bay project.</li> </ul>

2006 Commitments	Status 2022	Status 2023	Notes/reference
<b>CARIBOU</b>			
free period (chemical dust suppressants will not be used);			<ul style="list-style-type: none"> <li>Use DUST-STOP if a water alternative is needed and include these details in the AQMP.</li> </ul>
9. Install dust covers and sonic sprays to suppress dust generation from equipment in the crushing facility;		Active In Compliance	Provide evidence that dust covers, sonic sprays, etc. were installed in the crushing facility.
10. Install a dust scrubber on the smelting off-gas stream;		Active In Compliance	Provide evidence that a dust scrubber was installed on the smelting off-gas stream and details of the specs of that scrubber, as any documentation regarding this commitment is difficult to find.
11. Conducting pre-project surveys to identify wildlife sensitive locations and protected areas for avoidance;		Active In Compliance	Additional baseline surveys are to be completed yet in the approved Projects, for the wind turbines
12. Reclaiming areas during operations (e.g., progressive) and promoting natural vegetation regeneration throughout the mine life;		Active Deficient – In Progress	<ul style="list-style-type: none"> <li>Include planned revegetation activities in Section 5 (Progressive Reclamation) of both Doris- Madrid and Boston CRPs.</li> </ul> <p>Report on the extent of progressive reclamation activities (including revegetation success) in the NIRB annual report, as required under the Project Certificate No. 009, New T&amp;C No. 18.</p>
13. Wildlife awareness and sensitivity training for on-site personnel;		Active In Compliance	<i>KIA supports status</i>
14. Participation in the Bathurst Caribou Management Committee;		Active Deficient	The information regarding the participation of the proponent in the Bathurst Caribou Management Committee is not available.

2006 Commitments	Status 2022	Status 2023	Notes/reference
<b>CARIBOU</b>			
15. Implement caribou crossing locations along the road based on local information from the Hunters and Trappers Associations and KIA, among others;		No Longer Active Completed	The KIA agrees that this Commitment has been met with respect to the original construction of the existing Project roads. However, it is important to bear in mind that caribou are mobile and movement patterns may shift in the future. As such, local information from land users, the IEAC, and the KIA may need to be updated to enable adaptive management concepts within the WMMP to be realized (e.g., construction of new road crossings, where needed).
16. Give caribou the right-of-way ( <i>i.e.</i> , all vehicles must stop when wildlife are on the road or approaching);		Active In Compliance	<i>KIA supports status</i>
17. Allowing natural encroachment of vegetation on and near roads, airstrip, and the active mine site;		Active In Compliance	Request clarification on phases of the Project this refers too and suggests that maybe the update to Closure and Reclamation Plan
18. Use of Inukshuks or other initiatives determined through consultation with Elders to deter caribou from site;		Active In Compliance	<i>KIA supports status</i>
19. Establishing and enforcing speed limits;		Active In Compliance	<ul style="list-style-type: none"> <li>Requests information on how the 50 km/hr speed limit is enforced on Project Roads</li> </ul>
20. Implementing procedures for the safe removal of caribou from hazardous areas ( <i>e.g.</i> , roads and airstrip); and		Active In Compliance	Beneficial to include details about escorting caribou from hazardous areas (as noted by AEM) into the next revision of the WMMP (or associated SOP). The procedures should be documented prior to implementation to ensure

2006 Commitments	Status 2022	Status 2023	Notes/reference
<b>CARIBOU</b>			
			that Project staff understands what should (and should not) be done to avoid undue disturbance to caribou
21. Warning drivers when caribou are moving through the area.		Active In Compliance	<i>KIA supports status</i>

2006 Commitments	Status 2022	Status 2023	Notes/reference
<b>GRIZZLY BEAR</b>			
1. Integrate Inuit Qaujimajatuqangit into education, monitoring, and response programs;		Active In Compliance	<i>KIA supports status</i>
2. Education and reinforcement of proper waste management practices to all workers and visitors to the site;		Active In Compliance	<i>KIA supports status</i>
3. Implement appropriate waste management protocols, including burning all food wastes in an oil-fired incinerator;		Active In Compliance	<ul style="list-style-type: none"> <li>Requests the latest Incinerator Management Plan (2019) be posted on the NIRB's Public Registry.</li> </ul>
4. Eliminate attractants (e.g., food waste, oil products) at the landfill site;		Not Active Yet Not Yet Applicable	<ul style="list-style-type: none"> <li>Ensure that when the Landfill Management Plan is developed it addresses food waste management and minimizing wildlife attraction</li> </ul>
5. Separation of food waste and non-food waste at source;			
6. Appropriate fencing around the landfill area;		Not Yet Active Not Yet Applicable	<i>KIA supports status</i>
7. Burn waste oil in waste-oil furnaces or taken off-site for recycling;		Active In Compliance	<ul style="list-style-type: none"> <li>Requests the Hazardous Waste Management Plan (2020) be loaded to the</li> </ul>

2006 Commitments	Status 2022	Status 2023	Notes/reference
<b>GRIZZLY BEAR</b>			
			Public Registry <ul style="list-style-type: none"> <li>Clarification regarding if waste oil is always used in waste oil burner furnaces on site, or is waste oil sometimes transported off site to a licensed recycling/disposal facility</li> </ul>
<b>8.</b> Designate contained areas for worker lunch and coffee breaks;		Active Deficient	<ul style="list-style-type: none"> <li>The reviewer could not find documentation specific to this Commitment. Agnico Eagle needs to produce evidence of designated contained areas for worker lunch and coffee breaks (e.g., site maps and policies stating that eating and drinking should be done in these areas).</li> </ul>
<b>9.</b> Educate people on the risk associated with feeding wildlife and careless disposal of food garbage.		Active In Compliance	<i>KIA supports status</i>
<b>10.</b> Ongoing review of the efficacy of the waste management program and adaptive improvement.		Active In Compliance	<i>KIA supports status</i>

2006 Commitments	Status 2022	Status 2023	Notes/reference
<b>BREEDING BIRDS AND WATERFOWL</b>			
<p>1. Conduct land clearing for site infrastructure (e.g., building pad construction and roads) outside of the breeding season;</p>		<p>Active In Compliance</p>	<ul style="list-style-type: none"> <li>• There is a discrepancy between the 2021 WMMP and the 2021 NIRB Annual Report: in Table 8-2 of the annual report, AEM lists “Conduct ground clearing outside of sensitive nesting periods for waterbirds” and “Avoidance of known nests or nesting areas” as mitigation measures for waterbirds and shorebirds.</li> <li>• Please include Waterfowl/Waterbirds in Table 2.5-1 of the WMMP, with appropriate nesting period and minimum buffer.</li> </ul>
<p>2. Prevent nesting on mine infrastructure and man-made structures; and</p>		<p>Active In Compliance</p>	<ul style="list-style-type: none"> <li>• Please clarify if breeding bird nesting observed in 2021 occurred on mine infrastructure or other human-made structures.</li> <li>• Please discuss whether additional preventative measures, as per this Commitment, have been or could be applied at the Project site. For example, are there areas or infrastructure (particularly areas that are unsafe or likely to be disturbed) where nesting has repeatedly occurred but could be prevented in the future by use of exclusion or deterrence devices?</li> </ul>

2006 Commitments	Status 2022	Status 2023	Notes/reference
<b>BREEDING BIRDS AND WATERFOWL</b>			
3. If a nest site is established and eggs are present, avoid the nest as much as possible and monitor for nest success.		Active In Compliance	<ul style="list-style-type: none"> <li>• Please clarify if active nest monitoring is conducted for waterbirds (including waterfowl) and shorebirds, and if the SOP: “Doris North Migratory Bird Pre-clearing Survey” is intended to apply to these bird VCs.</li> <li>• Please consider distributing the SOP: Doris North Migratory Bird Pre-clearing Survey to the KIA and other interested parties for review.</li> </ul>

2006 Commitments	Status 2022	Status 2023	Notes/reference
<b>RAPTORS</b>			
1. Incorporate Inuit Qaujimagatunqangit into operations and monitoring programs;		Active In Compliance	<i>KIA supports status</i>
2. Prevent raptors from nesting on mine infrastructure;		Active In Compliance	<ul style="list-style-type: none"> <li>• Request information whether measures are taken to prevent raptors from nesting on mine infrastructure, including active pits and quarries, as per this commitment.</li> </ul>
3. If a nest is established within the mine footprint and eggs are present, avoid the nest as much as possible and monitor for nest success.		Active In Compliance	<ul style="list-style-type: none"> <li>• Please correct the discrepancy between Table 2.5-1 and Section 3.1.12 regarding when a raptor nest protection/management plan is needed (i.e., 1 km or 2 km).</li> <li>• Please clarify whether a raptor nest site protection plan was produced for the Hope Bay Project. If so, the KIA would be interested in reviewing this document.</li> </ul>

2006 Commitments	Status 2022	Status 2023	Notes/reference
<b>RAPTORS</b>			
4. Establishing and enforcing speed limits; and		<i>Active In Compliance</i>	<ul style="list-style-type: none"> <li>Please explain how the 50 km/hr speed limit is enforced on Project roads (e.g., method, location, frequency of enforcement).</li> </ul>
5. Reporting all accidental deaths or injury to raptors as a result of vehicle or aircraft collisions, so that mitigation can be adaptively managed.		<i>Active In Compliance</i>	<ul style="list-style-type: none"> <li>Please provide further information regarding adaptive management to mitigate wildlife mortality risks and include these details in the WMMP.</li> <li>For the purposes of reporting on this Commitment, please clarify whether raptor collisions with vehicles or aircraft have occurred within the Project's lifetime, and whether additional mitigation measures were applied afterward.</li> </ul>

2006 Commitments	Status 2022	Status 2023	Notes/reference
<b>ARCHAEOLOGY</b>			
1. All construction activity in the vicinity of the remains will cease immediately;		<i>Active In Compliance</i>	<i>KIA supports status</i>
2. The project archaeologist and Territorial Archaeologist will be contacted. Then the potential significance of the remains will be assessed; and mitigative options will be identified;		<i>Active In Compliance</i>	<i>KIA supports status</i>
3. If the significance of the remains is judged to be sufficient to warrant further action and they cannot be		<i>Active In Compliance</i>	<i>KIA supports status</i>

2006 Commitments	Status 2022	Status 2023	Notes/reference
<b>ARCHAEOLOGY</b>			
avoided, the project archaeologist in consultation with the Territorial Archaeologist, will determine the appropriate course of action;			
<p><b>4.</b> In the case of human remains, the RCMP will be contacted. In addition, a Coroner and/or physical anthropologist may be involved, if necessary. If the remains are determined to be archaeological, representative of local communities as well as the Inuit Heritage Trust will be consulted to determine how to handle the remains; and</p>		Active In Compliance	<i>KIA supports status</i>
<p><b>5.</b> An education program will ensure that all personnel involved in exploration and development activities are aware that heritage resources are protected by law and that if any archaeological, historic or human remains are uncovered during any such activities, these remains must be reported, and disturbance must cease until the remains are dealt with appropriately. The Territorial Archaeologist of the Government of Nunavut will be notified, and a qualified archaeologist will assess the incident.</p>		Active In Compliance	<ul style="list-style-type: none"> <li>• Agnico Eagle should specify where in the management plans or other Project documents where employees are made aware that archaeological sites are protected by law and they must be reported and not disturbed.</li> </ul>

2006 Commitments	Status 2022	Status 2023	Notes/reference
<b>HEALTH SERVICES</b>			
1. All employees will undergo a pre-employment medical. This will ensure that the site medical staff are able to provide the best care and treatment to employees as the site is remote from full medical services;			
2. Qualified medical personnel will be available at site twenty-four hours a day and seven days a week. They will be able to treat minor illnesses. As employees will spend half of their time at site, this should relieve some burden from the local health facilities;			
3. Emergency response and contingency plans are in place for medical evacuation if required;			
4. Alcohol and drug education will be provided to all employees and the site will continue to be an alcohol and drug free operation;			
5. Miramar ( <i>the Proponent</i> ) will continue to follow health guidelines, procedures and protocols for camp food. Waste handling and storage will meet all appropriate territorial regulations and standards to avoid any health concerns for employees;			

2006 Commitments	Status 2022	Status 2023	Notes/reference
<b>HEALTH SERVICES</b>			
<p><b>6.</b> Communication and cooperation processes have been put in place with medical personnel in the camps, the Nunavut HSS, the Yellowknife hospital, appropriate monitors and inspectors, and regional health authorities. The new health Centre that opened in Cambridge Bay in 2005 will also provide a higher level of service;</p>			
<p><b>7.</b> All Project contractors and subcontractors are bound to the guidelines, procedures and protocols developed by Miramar (<i>the Proponent</i>);</p>			
<p><b>8.</b> Miramar (<i>the Proponent</i>) will provide government inspected country food periodically at the mine site. During operations the medical staff will be able to provide information on diet and nutrition;</p>			
<p><b>9.</b> To avoid employee injury, Miramar (<i>the Proponent</i>) will ensure that safety is the highest priority for the Project;</p>			
<p><b>10.</b> Miramar (<i>the Proponent</i>) will ensure transportation equipment is regularly inspected for safety; and</p>			
<p><b>11.</b> Miramar (<i>the Proponent</i>) will take safety into account when planning contractor delivery schedules.</p>			

2006 Commitments	Status 2022	Status 2023	Notes/reference
<b>SAFETY AND PROTECTION SERVICES</b>			
1. Miramar ( <i>the Proponent</i> ) will liaise with the RCMP and produce regular updates on project activities and plans that could influence RCMP workloads, communications between camp management and RCMP, and efficiency of RCMP response to calls for service from the camps and from project-related community calls;			
2. Miramar ( <i>the Proponent</i> ) will conduct criminal record checks prior to hiring employees to screen out those convicted of crimes of violence such as sexual assault; and			
3. Miramar ( <i>the Proponent</i> ) will provide counseling and life skills training workshops.			

2006 Commitments	Status 2022	Status 2023	Notes/reference
<b>SOCIAL SERVICES</b>			
1. In order to support the emotional health of employees and avoid burden on community facilities, Miramar ( <i>the Proponent</i> ) will make available a number of methods of communications for workers with their families such as telephone and Internet.			

2006 Commitments	Status 2022	Status 2023	Notes/reference
<b>SOCIAL SERVICES</b>			
2. Miramar ( <i>the Proponent</i> ) plans to keep family groups or community groups of workers together for support while away from home;			
3. Miramar ( <i>the Proponent</i> ) will conduct an extensive orientation program to ensure that all workers are given full training, understand Miramar policies and procedures and have support to adjust to camp life; includes full safety training;			
4. Miramar ( <i>the Proponent</i> ) will provide a workplace where individuals are treated in a fair, equitable and respectful manner to attract and retain good workers and reduce stress on employees;			
5. Miramar ( <i>the Proponent</i> ) will provide an issues resolution process for employees to be able to resolve any grievances and issues to avoid undue stress and pressure;			
6. As much as possible, Miramar ( <i>the Proponent</i> ) will encourage opportunities for Inuit to speak and maintain their own language while at the same time operating in the language of the camp as long as safety of the employee, others or job performance are not compromised;			

2006 Commitments	Status 2022	Status 2023	Notes/reference
<b>SOCIAL SERVICES</b>			
7. Alcohol and drug education will be provided to all employees and the site will continue to be an alcohol and drug free operation; and			
8. Miramar ( <i>the Proponent</i> ) will provide to all employees a free and confidential Employee and Family Assistance Program (EFAP) that will provide emotional, psychological and mental health counseling for employees and their immediate families for work stress, marital and family issues.			

2006 Commitments	Status 2022	Status 2023	Notes/reference
<b>EMPLOYMENT</b>			
1. Provide the support of a Manager, Community Relations to support community liaison and facilitate workers integration into the work force;			
2. Provide a workplace where individuals are treated in a fair, equitable and respectful manner in order to attract and retain workers;			
3. Provide free flights to mine employees travelling to and from work between the four key communities and the mine site. The flights will not go through Yellowknife. MHBL ( <i>the Proponent</i> ) will			

2006 Commitments	Status 2022	Status 2023	Notes/reference
<b>EMPLOYMENT</b>			
consider fights to other communities as appropriate to attract and retain Inuit workers;			
4. Raise the level of understanding about the type of employment opportunities in the mining industry so that the key communities can make informed choices and about employment and career opportunities;			
5. Provide hamlets, and education and training institutions within the four key communities with list of potential jobs, education/training requirements and certificates and transferable skills to other jobs for which individuals might be qualified;			
6. Work with hamlets and training institutions to develop skills assessment and community databases of potential mine site trainees and workers, taking into consideration privacy and other applicable legislation;			
7. Work with employment personnel in the key communities to develop a strategy that helps each hamlet retain sufficient skilled individuals to effectively manage the Hamlets;			
8. Miramar ( <i>the Proponent</i> ) will strictly enforce the Harassment Policy that states			

2006 Commitments	Status 2022	Status 2023	Notes/reference
<b>EMPLOYMENT</b>			
that harassment of any kind is not tolerated, will be investigated and discipline may include termination;			
<b>9.</b> Miramar ( <i>the Proponent</i> ) will provide an issues resolution process to ensure the employees grievances and issues are dealt with in a timely and appropriate manner so they do not consider leaving the company;			
<b>10.</b> Provide ongoing support for employees of the four key communities and other northern hires that recognize cultural differences at the worksite;			
<b>11.</b> Identify and communicate project employment opportunities early in project development;			
<b>12.</b> Raise the level of understanding about the type of employment opportunities in the mining industry so that the key communities can make informed choices and about employment and career opportunities;			
<b>13.</b> Communicate employment opportunities and skill requirements to interested organizations, government agencies and communities, in an open, transparent, and timely fashion in cooperation with each hamlet, the KIA, and the appropriate government			

2006 Commitments	Status 2022	Status 2023	Notes/reference
<b>EMPLOYMENT</b>			
departments and agencies by postings in public places, on the Internet, and in local and government agencies and departments;			
<b>14.</b> With KIA collaboration, design and implement an Inuit recruitment strategy to ensure that every effort is being made to recruit employees from Nunavut and particularly the four key communities;			
<b>15.</b> Require contractors and subcontractors to structure Inuit and northern employment policies and plans, complete with reporting and monitoring systems, to comply with the Miramar's ( <i>the Proponent</i> ) benefits plans and agreements, and their commitments to employ workers from the four key communities and other northern communities;			
<b>16.</b> Establish on-the-job support systems and resources to help develop worksite and life skills;			
<b>17.</b> Require employees to be age 18 for employment during construction and operations (except specific student programs). This is governed by Miramar ( <i>the Proponent</i> ) employment policies and <i>the Mines Act</i> with regard to underground mining. This will deter youth from			

2006 Commitments	Status 2022	Status 2023	Notes/reference
<b>EMPLOYMENT</b>			
leaving school to work on the Project; and			
18. Work proactively with contractors, unions, communities, educational institutions, and government agencies to develop and recruit qualified workers.			

2006 Commitments	Status 2022	Status 2023	Notes/reference
<b>ECONOMY</b>			
1. A commitment has been made to facilitate workshops for workers and their families regarding money management, budgeting and retirement planning so that workers can make informed choices about how they spend their money.			

2006 Commitments	Status 2022	Status 2023	Notes/reference
<b>EDUCATION AND TRAINING</b>			
1. Work with employment personnel in the four key Hamlets to develop a strategy that helps each Hamlet retain sufficient skilled individuals to manage the Hamlet effectively;			
2. Establish on-the-job support systems and resources to help develop worksite and life skills;			

2006 Commitments	Status 2022	Status 2023	Notes/reference
<b>EDUCATION AND TRAINING</b>			
<p><b>3.</b> Before construction, continue to promote awareness among residents and secondary school students in the four employment impact communities about employment and career opportunities, and also the education and qualifications needed to access these opportunities;</p>			
<p><b>4.</b> Work with school organizations, elementary and secondary schools, and students within the four key communities in the environmental assessment area to promote employment and career opportunities associated with the project, while emphasizing the need to complete high school to qualify for these and other postsecondary learning and career opportunities;</p>			
<p><b>5.</b> Work with training institutions, school organizations and government agencies to share industry-specific needs to allow them to develop appropriate <i>curricula</i>, if required;</p>			
<p><b>6.</b> Continue annual Summer Camp for students to the Kimberlite Career and Technical Centre in Yellowknife to get exposure to trades and technology options;</p>			

2006 Commitments	Status 2022	Status 2023	Notes/reference
<b>EDUCATION AND TRAINING</b>			
7. Provide youth within the four key communities in the environmental assessment area with exposure to the mining industry through periodic classroom visits by mine personnel as well as providing summer employment and job shadowing for students;			
8. Waive formal educational requirements, where appropriate, to reduce barriers for potential Inuit employees;			
9. Support some trades training on-site where appropriate with the short life of mine;			
10. Continue to provide scholarships in each of the key communities to encourage further education;			
11. Ensure on-the-job training manuals take into account cultural differences and language skills, perhaps through a greater use of pictures and diagrams to encourage Inuit workers into the mine; and			
12. Work with KIA, Department of Education (who are piloting the Nunavut Community Skills Database), hamlets and training institutions to develop skills assessment and community databases of potential mine			

2006 Commitments	Status 2022	Status 2023	Notes/reference
<b>EDUCATION AND TRAINING</b>			
site trainees and workers, taking into consideration privacy and other applicable legislation.			

2006 Commitments	Status 2022	Status 2023	Notes/reference
<b>BUSINESS OPPORTUNITIES</b>			
1. Provide an annual business opportunities forecast to local businesses to identify foreseeable procurement requirements;			
2. Where possible, provide lead time, and identify project components of the construction and operations phases for the four key communities and other northern businesses to help them develop the ability to qualify and effectively compete for contracted work;			
3. Endeavour to pre-qualify the four key communities, and offer feedback and assistance in understanding how to fill gaps in their qualifications;			
4. Provide information on bidding procedures, subcontracting and joint venture opportunities, to help the four key communities and other northern businesses effectively pursue business opportunities;			

2006 Commitments	Status 2022	Status 2023	Notes/reference
<b>BUSINESS OPPORTUNITIES</b>			
5. Facilitate northern sourcing by structuring work packages and sub-packages, where appropriate, to better align with the capacities of qualified northern businesses ( <i>e.g.</i> , bid packages of varying sizes or broken down sufficiently so as to encourage Inuit participation);			
6. Require bidders on major contracts to submit, as part of their bid, a local content plan that specifies how they will optimize the participation of the four key communities and other northern businesses in executing their work;			
7. Give particular emphasis to local content plans when evaluating bids, and subsequently awarding work and supply packages for the Project;			
8. Ensure that awarded contracts are monitored by the IIBA Implementation Committee and actual contract awards are reviewed to track Inuit content;			
9. Monitor implementation of local content plans to ensure that procurement contractor commitments are met, and adhere to terms in the benefits and access agreements;			

2006 Commitments	Status 2022	Status 2023	Notes/reference
<b>BUSINESS OPPORTUNITIES</b>			
10. For Inuit owned businesses, waive bonding until a successful contractor is selected;			
11. Continue open communications with the four key communities and other northern businesses about Project requirements, including timing, and specification of goods and services required by the Project;			
12. Supply information about the four key communities and other northern businesses to potential contractors, in support of local content plans; and			
13. Provide feedback to unsuccessful bidders from the four key communities and other northern communities to help them bid more successfully in the future.			

**Project Certificate 003 - 2016 Commitments**

2016 Commitments	Status 2022	Status 2023	Notes/reference
<b>Government of Nunavut</b>			
<p>Technical Comment 2 - Subject to approval by the KIA, the Proponent commits to share relevant data (quantitative and qualitative) concerning the implementation and success of training and education programs, with other socio-economic monitoring initiatives including the DNSEMC.</p>	<p>Active In Compliance</p>	<p>Active Not rated in 2023 due to timing of submission, commenting in 2024</p>	<p>Agnico Eagle references the reader to the SEMP submitted in July of 2022 and will be reviewed in the 2023/2024 Monitoring Year.</p> <p><b>The NIRB looks forward to an update from the Government of Nunavut and KIA on the status of the commitment as well.</b></p>
<p>Technical Comment 7 - The Proponent commits to added mitigation in the form of a conceptual Workforce Transition Strategy that would be implemented at Project Closure.</p> <p>The Strategy will be provided to the NIRB as part of the Human Resource Strategy (synonymous with the Human Resource Plan and Wellness Strategy) and may be revisited from time to time during the Project to review and revised on an as needed basis. In collaboration with the K-SEMC, the Proponent will begin socio-economic planning no less than two years before the expected date of final closure. Planning will detail specific measures that may mitigate, at least to some extent, the potential for negative effects as a result of Project closure. In collaboration with the K-SEMC, in the event of premature</p>	<p>Not Yet Active Not Yet Applicable</p>	<p>Active Deficient- in progress</p>	<ul style="list-style-type: none"> <li>• Agnico Eagle stated that the final closure not expected to occur in 2023.</li> <li>• As the Proponent is in a temporary closure, updates for some plans are due and are discussed in the Term and Conditions above.</li> </ul>

2016 Commitments	Status 2022	Status 2023	Notes/reference
<p>(temporary or final) closure of the Project, the Proponent will continue all socio-economic monitoring responsibilities for no less than three (3) years following premature closure and agree on appropriate measures, to ensure that the impacts of premature closure are managed to the greatest reasonable extent.</p>			
<p>Technical Comment 8 - The Proponent agrees that Project activities associated with the Doris Amendment will be subject to the existing Doris North Socio-Economic Monitoring Program (SEMP). The Proponent intends to continue the Doris North SEMP as one program, considering all Project activities, and complementing existing monitoring and reporting. The monitoring program and this Terms of Reference shall apply to any project phase or development granted pursuant to Article 12, Part 8 of the Nunavut Land Claims Agreement and any additional Project Certificate Terms and Conditions established as a result.</p>	<p>Active In Compliance</p>	<p>Active Not rated in 2023 due to timing of submission, commenting in 2024</p>	<p>Agnico Eagle references the reader to the SEMP submitted in July of 2022 and will be reviewed in the 2023/2024 Monitoring Year.</p> <p><b>The NIRB looks forward to an update from the Government of Nunavut and other participants on the status of the commitment as well.</b></p>
<p>2 - The Proponent is prepared to communicate with the GN, outside of the NIRB process, regarding the sharing of Project information, to the extent possible, to assist governments in the preparation of their annual fiscal outlooks and tax forecasts.</p>	<p>N/A</p>	<p>Active Not rated in 2023 due to timing of submission, commenting in 2024</p>	<p>Agnico Eagle references the reader to the SEMP submitted in July of 2022 and will be reviewed in the 2023/2024 Monitoring Year.</p> <p><b>The NIRB looks forward to an update from the Government of Nunavut on the status of the commitment as well.</b></p>

2016 Commitments	Status 2022	Status 2023	Notes/reference
<p>3 - To the extent such communications would be consistent with and would not contravene the 2015 Hope Bay Inuit Impact and Benefit Agreement (IIBA) the Proponent agrees to communicate with the Department of Education headquarters staff on initiatives relating to youth employment in their Human Resources Plan, and other programs that may relate to education, in order to assist the Department of Education to identify common points of interest and action that would help integrate the Proponent's activities into the existing Department of Education program, and communication and delivery plans.</p>	<p>N/A</p>	<p>Active Not rated in 2023 due to timing of submission, commenting in 2024</p>	<p>Agnico Eagle references the reader to the SEMP submitted in July of 2022 and will be reviewed in the 2023/2024 Monitoring Year.</p> <p><b>The NIRB looks forward to an update from the Government of Nunavut and the KIA on the status of the commitment as well.</b></p>

## APPENDIX B: COMPLIANCE WITH TERMS AND CONDITIONS AND COMMITMENTS OF PROJECT CERTIFICATE 009

### Board Guidance on General Regulatory and Administrative Responsibilities

	<u>Reporting Requirements</u>	<u>Compliance Achievement</u> <u>2022</u>	<u>Compliance Achievement</u> <u>2023</u>	<u>NIRB Comment</u>
<b>General Regulatory Requirements</b>				
1. Appointment of Monitoring Officer(s)	n/a	Active In Compliance	Active In Compliance	Completed by NIRB
2. NIRB to report annually on the monitoring program (in English, Inuinnaqtun, and Inuktitut)	Annually	Active In Compliance	Active In Compliance	
3. NIRB to conduct periodic community meetings updates regarding its Monitoring Program	n/a	Active In Compliance	Active In Compliance	Completed by NIRB
4. NIRB to schedule periodic site inspections.	n/a	Active In Compliance	Active In Compliance	Completed by NIRB in September 2023 and Site Visit Report issued (NIRB Document ID Nos: for 12MN001- for English use 3471528, for Inuinnaqtun use 347212, and Inuktitut use 347211 and 05MN047- for English use 347113, Inuinnaqtun use 347210, and Inuktitut use 347209, on the NIRB's Public Registry)
5. Proponent must obtain all required federal and territorial permits and other approvals and shall comply with the	n/a	Active In Compliance	Active In Compliance	The Proponent has the permits it requires for the construction, operation, and exploration.

	<u>Reporting Requirements</u>	<u>Compliance Achievement</u> <u>2022</u>	<u>Compliance Achievement</u> <u>2023</u>	<u>NIRB Comment</u>
requirements of such regulatory instruments.				
6. Duty to Comply with environmental laws and regulations and/or regulatory instruments, prompt action to remedy non-compliance and report any non-compliance.	Annually	Active In Compliance	Active In Compliance	Summary of non-compliance provided in the Section 7 of Agnico Eagle's 2022 Annual Report.
7. Posting of adequate performance bonding.	n/a	Active In Compliance	Active In Compliance	Summary included in Agnico Eagle's 2022 Annual Report
<b>Monitoring Records</b>				
8. Information requirements for monitoring reporting.	Annually	Active In Compliance	Active In Compliance	
9. Make significant monitoring results and/or summaries of significant results available in English, Inuinnaqtun, and Inuktitut, to the extent feasible.	Annually	Active In Compliance	Active In Compliance	Executive summary was provided in the 2022 Annual Report in both Inuktitut and Inuinnaqtun.  The NIRB looks forward to inclusion of additional translated summaries in the future.
10. Maintain the records, including results, of all Project-related monitoring data and analysis for the life of the Project, including closure and post-closure monitoring.	n/a	Active In Compliance	Active In Compliance	
11. Maintenance of an up to date the Environmental Impact Statement and the updated environmental monitoring	Updated as indicated by new baseline data or	Active In Compliance	Active In Compliance	

	<u>Reporting Requirements</u>	<u>Compliance Achievement</u> <u>2022</u>	<u>Compliance Achievement</u> <u>2023</u>	<u>NIRB Comment</u>
programs developed for the Project as new information is collected.	monitoring results.			
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	n/a	Active Deficient	Active Deficient	<p>No specific location identified</p> <p><b>Note:</b> If Agnico Eagle is referencing reports that are found on other Regulatory Authority websites which does not meet the requirements of the Project Certificate. If the Proponent is going to refer to a document not included with the annual report, at a minimum the Proponent should provide a summary of the materials or otherwise submit the material to the NIRB for inclusion on the Public Registry.</p> <p>Further, Aginco Eagle is responsible for operating its own webpage/portal where all non-confidential information regarding the files is kept including the 2022 Annual Report for the NIRB and the Nunavut Water Board.</p>

	<u>Reporting Requirements</u>	<u>Compliance Achievement</u> <u>2022</u>	<u>Compliance Achievement</u> <u>2023</u>	<u>NIRB Comment</u>
<b>On-going Engagement in Project Monitoring, Modelling, Management and Reporting</b>				
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.	Continuous/ongoing	Active In Compliance	Active In Compliance	<p>Consultation is described in section 5 of Agnico Eagle's 2022 <i>Annual Report</i>.</p> <p><b>Note:</b> Inclusion/Incorporation of Inuit Qaujimagatuqangit shall be summarized and reported on in the annual report and not just meeting minutes. It is important for readers/Public to understand how and where their shared knowledge is being used and how Projects may change or not.</p>
14. To the extent feasible, the NIRB will provide an opportunity for comment on any substantive revisions to the Project-specific monitoring, modelling, studies, management plans, management measures, and reporting provided by the Proponent under the Project Certificate.	Ongoing	Active In Compliance	Active In Compliance	Completed by NIRB

**Project Certificate No. 009**

T&C	Subject	Status 2022	Status 2023	Notes/Reference
1	The Proponent shall maintain an Air Quality Management Plan.	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>• <i>Air Quality Management Plan 2019</i>, NIRB ID No: 324635.</li> </ul>
2	The Proponent shall maintain a Greenhouse Gas Emissions (GHG) Reduction Plan.	Active In Compliance	Active Deficient in-progress	<ul style="list-style-type: none"> <li>• Agnico Eagle refers the reader to Section 1.6 of the FEIS (TMAC, 2018), although Section 1.6 is title “Regulatory Regime” and nothing mentioning greenhouse gas.</li> </ul> <p><b>Note: the NIRB requires an understanding regarding how Agnico Eagle is meeting this term and condition</b></p>
3	The Proponent shall maintain a Mine Closure and Reclamation Plan.	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>• <i>2017 Hope Bay Project Boston Conceptual Closure and Reclamation Plan</i>, NIRB ID No: 314681</li> <li>• <i>2017 Hope Bay Project Doris-Madrid Interim Closure and Reclamation Plan</i>, NIRB ID No: 314679</li> </ul> <p><b>Note:</b> As per the Care and Maintenance Plan and as requested by KIA, in 2022 Agnico Eagle and the KIA began a third party, independent review of the closure plan and costs. It is anticipated that work will be completed in 2023.</p>
4	The Proponent shall, in consultation with relevant parties maintain a Noise Abatement Monitoring Plan.	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>• The information required noise are in the following Management Plans.</li> <li>• <i>Wildlife Mitigation and Monitoring Plan (Agnico Eagle, 2023)</i>, NIRB ID No: 344536</li> </ul>

T&C	Subject	Status 2022	Status 2023	Notes/Reference
				<ul style="list-style-type: none"> <li>• <i>Hope Bay Health and Safety Management Plan (TMAC, 2017)</i>, NIRB ID No: 314716</li> </ul> <p><b>Note:</b> the NIRB requests summary of information related to noise with the Term and Condition in the annual report if it is not a stand-alone document. This would also include year-over-year analysis to ensure trends are identified as they appear.</p>
5	The Proponent shall maintain a stand-alone Acid Rock Drainage and Metal Leaching Management Plan.	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>• The information required are in existing Management Plans.</li> <li>• <i>Hope Bay Project Quarry Management Plan (Agnico Eagle, 2022)</i>, NIRB ID No: 342154</li> <li>• <i>Hope Bay Project Waste Rock, Ore and Mine Backfill Management Plan (Agnico Eagle, 2023)</i>, NIRB ID No: 344531</li> <li>• <i>Hope Bay Project Aquatic Effects Monitoring Plan (TMAC, 2018)</i></li> <li>• <i>Doris TIA Operations, Maintenance and Surveillance Manual (Agnico Eagle, 2023)</i>, NIRB ID No: 344533, 344534 and 344535</li> </ul> <p><b>Note:</b> Information should be summarized for the reader within the annual report and the appendix used as supplementary material. The NIRB requires a copy of the AEMP (2018) for filing on its Public Registry.</p>
6	To undertake site-specific geotechnical investigations, permafrost monitoring, mapping	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>• The Doris, Madrid and Boston foundation conditions have been studied and documented in previous studies.</li> </ul>

T&C	Subject	Status 2022	Status 2023	Notes/Reference
	and thermal analysis.			<ul style="list-style-type: none"> <li>• <i>Geotechnical Design Parameters and Overburden Summary Report (SRK, 2017)</i>, NIRB ID No: 314671</li> <li>• Agnico Eagle presents a geotechnical inspection report on section 9 of the <i>2022 Annual Report</i>.</li> </ul> <p><b>Note:</b> In KIA's response to 2006 Doris North Commitments that monitoring for permafrost should be maintained at the site.</p> <p>During the 2023 Site Visit the Monitoring Officer confirmed permafrost monitoring in both North and South Dams of the TIA. The airstrip at Boston Camp is being monitored for</p>
7	To maintain an Erosion Management Plan.	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>• The Plans provide measures on erosion control management.</li> <li>• <i>Hope Bay Project Doris-Madrid Water Management Plan (Agnico Eagle, 2023)</i>, NIRB ID No: 344530</li> <li>• <i>Hope Bay Project Boston Water Management Plan (TMAC, 2017)</i>, NIRB ID No: 314692</li> </ul> <p><b>Note:</b> The Monitoring Officer observed mats being used at the former Madrid Portal and around site during the 2023 Site Visit. The NIRB would request that a summary of activities be included in future annual reports to assist readers understand how the program operates and monitoring is conducted on areas where control is applied.</p>
8	To develop and implement a program to progressively reclaim disturbed areas within the project	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>• A description of the progressive reclamation programs is included in the reclamation plans. Agnico Eagle started reclamation at Windy</li> </ul>

T&C	Subject	Status 2022	Status 2023	Notes/Reference
	footprint.			<p>Camp.</p> <ul style="list-style-type: none"> <li>• 2017 Hope Bay Project Boston Conceptual Closure and Reclamation Plan, NIRB ID No: 314681</li> <li>• 2017 Hope Bay Project Doris-Madrid Interim Closure and Reclamation Plan, NIRB ID No: 314679</li> </ul> <p><b>Note:</b> The Monitoring Officer confirmed during the 2023 Site Visit that Windy Lake infrastructure was mostly removed.</p>
9	To implement a Thermal Monitoring Plan to identify potential changes in talik distribution and flow paths.	Active In Compliance	Active Deficient-In Progress	<ul style="list-style-type: none"> <li>• Thermal monitoring is addressed within the <i>Hope Bay Project Groundwater Management Plan (Agnico Eagle, 2022)</i>, NIRB ID No: 342595.</li> </ul> <p><b>Note:</b> Agnico Eagle is referencing reports that are found on other Regulatory Authority websites which does not meet the requirements of the Project Certificate. If the Proponent is going to refer to a document not included with the annual report, at a minimum the Proponent should provide a summary of the materials or otherwise submit the material to the NIRB for inclusion on the Public Registry.</p> <p>Further, Aginco Eagle is responsible for operating its own webpage/portal where all non-confidential information regarding the files is kept including the 2022 Annual Report for the NIRB and the NWB.</p>

T&C	Subject	Status 2022	Status 2023	Notes/Reference
10	The Proponent shall monitor effects on surface waters.	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>• The aquatic monitoring methodology is described in the following plans.</li> <li>• <i>Hope Bay Project Aquatic Effects Monitoring Plan (TMAC, 2018)</i></li> <li>• <i>Hope Bay Project Doris-Madrid Water Management Plan (Agnico Eagle, 2023)</i>, NIRB ID No: 344530</li> <li>• <i>Hope Bay Project Boston Water Management Plan (TMAC, 2017)</i>, NIRB ID No: 314692</li> </ul> <p><b>Note:</b> Aginco Eagle is responsible for operating its own webpage/portal where all non-confidential information regarding the files is kept including the 2022 Annual Report for the NIRB and the Nunavut Water Board. The NIRB also Requires a copy of the AEMP (2018) for filing on its Public Registry.</p>
11	To maintain an Aquatic Effects Monitoring Program (AEMP) designed to appropriately characterize the receiving environment, assess impact predictions and prevent adverse impacts.	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>• The Proponent has an existing plan with the measures listed in the term and condition.</li> <li>• <i>Hope Bay Project Aquatic Effects Monitoring Plan (TMAC, 2018)</i></li> </ul> <p><b>Note:</b> Information should be summarized for the reader within the text of the main annual report and the appendix used as supplementary material. There was a lack of information identified in the report regarding actions taken and the Proponent is encouraged to address this in future annual reports. The NIRB also Requires a copy of the AEMP (2018) for filing on its Public Registry.</p>

T&C	Subject	Status 2022	Status 2023	Notes/Reference
12	To maintain an appropriate setback distance between project quarries and borrow pits from waterbodies.	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>• Agnico Eagle continues to maintain appropriate setbacks from fish-bearing or waterbodies.</li> <li>• <i>Hope Bay Project Quarry Management and Monitoring Plan (Agnico Eagle, 2022)</i>, NIRB ID No: 339247.</li> </ul> <p><b>Note:</b> The Monitoring Officer observed that the quarries observed had appropriate setbacks from waterbodies during the Site Visit.</p>
13	To ensure that infrastructures in watercourses are designed and constructed in such a manner that they do not unduly prevent or limit the movement of water or fish species.	Active Deficient – In Progress	Active Deficient – In Progress	<ul style="list-style-type: none"> <li>• Agnico Eagle shall report on mitigation measure or how it maintained infrastructure in watercourses to prevent the movement of water or fish species.</li> </ul> <p><b>Note:</b> This term and condition includes the maintenance and monitoring of project infrastructure in waterbodies to ensure they do not limit or prevent movement of water or fish.</p> <p><b>Note:</b> Agnico Eagle is referencing reports that are found on other Regulatory Authority websites which does not meet the requirements of the Project Certificate. If the Proponent is going to refer to a document not included with the annual report, at a minimum the Proponent should provide a summary of the materials or otherwise submit the material to the NIRB for inclusion on the Public Registry.</p> <p>Further, Aginco Eagle is responsible for operating</p>

T&C	Subject	Status 2022	Status 2023	Notes/Reference
				its own webpage/portal where all non-confidential information regarding the files is kept including the 2022 Annual Report for the NIRB and the Nunavut Water Board.
14	To engage with Fisheries and Oceans Canada (DFO) to develop project specific thresholds, mitigation and monitoring for any blasting activities that would exceed the requirements.	Active Not Yet Applicable	Active In Compliance	<ul style="list-style-type: none"> <li>No project-specific thresholds, mitigation and monitoring requirements were developed or sought from Fisheries and Oceans Canada for blasting activities in 2022.</li> </ul> <p><b>Note:</b> Agnico Eagle has noted in its response to KIA-NIRB-27 that it does consult with DFO and did so on several occasions in 2022 and committed to continue to adhere to best management practices for blasting and blast monitoring.</p>
15	To implement all applicable DFO's management practices to avoid and mitigate serious harm to fish as a result of the construction, operations, and decommissioning of winter ice roads.	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>The Hope Bay's Environmental Department supervised the water use to ensure Fisheries and Oceans Canada guidance was followed, including screening the water pipes to prevent entrainment of fish.</li> </ul> <p><b>Note:</b> Agnico Eagle is referencing reports that are found on other Regulatory Authority websites which does not meet the requirements of the Project Certificate. If the Proponent is going to refer to a document not included with the annual report, at a minimum the Proponent should provide a summary of the materials or otherwise submit the material to the NIRB for inclusion on the Public Registry.</p>

T&C	Subject	Status 2022	Status 2023	Notes/Reference
				Further, Aginco Eagle is responsible for operating its own webpage/portal where all non-confidential information regarding the files is kept including the 2022 Annual Report for the NIRB and the Nunavut Water Board.
16	The Proponent shall implement all applicable Fisheries and Oceans Canada best management practices to avoid and mitigate serious harm to fish as a result of water crossing construction, operations, and decommissioning for all fish-bearing water crossings.	Active In Compliance	Active Deficient – In Progress	<ul style="list-style-type: none"> <li>• Agnico Eagle consults with Fisheries and Oceans Canada prior to commencement of any work to discuss required approvals, preferred approaches and applicable management practices.</li> </ul> <p><b>Note:</b> This term and condition includes the maintenance and monitoring of project infrastructure in waterbodies to ensure they do not limit or prevent movement of water or fish.</p> <p><b>Note:</b> Agnico Eagle is referencing reports that are found on other Regulatory Authority websites which does not meet the requirements of the Project Certificate. If the Proponent is going to refer to a document not included with the annual report, at a minimum the Proponent should provide a summary of the materials or otherwise submit the material to the NIRB for inclusion on the Public Registry.</p> <p>Further, Aginco Eagle is responsible for operating its own webpage/portal where all non-confidential information regarding the files is kept including the 2022 Annual Report for the NIRB and the NWB.</p>

T&C	Subject	Status 2022	Status 2023	Notes/Reference
17	To maintain a section in the Wildlife Mitigation and Monitoring Plan (WMMP) on invasive plant species and rare plant species with details on mitigation and monitoring.	Active Deficient - In Progress	Active In Compliance	<ul style="list-style-type: none"> <li>Detail about monitoring and mitigation of invasive plants are within the <i>Wildlife Mitigation and Monitoring Plan (Agnico Eagle, 2023)</i>, NIRB ID No: 344536.</li> <li>The loss of potential rare plants is included in the <i>Wildlife Mitigation and Monitoring Program</i>, Appendix D3 of Agnico Eagle’s 2022 Annual Report, NIRB ID No: 344519</li> </ul> <p><b>Note:</b> Agnico Eagle has committed to several updates to the WMMP and information is requested in the 2006 Commitments for Project Certificate No. 3 that relate to this issue to be addressed.</p>
18	To ensure that the progressive reclamation outlined in the Mine Closure and Reclamation Plan encourage recolonization by native plant species.	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>A description of the progressive reclamation programs is included in the plans.</li> <li><i>2017 Hope Bay Project Boston Conceptual Closure and Reclamation Plan</i>, NIRB ID No: 314681</li> <li><i>2017 Hope Bay Project Doris-Madrid Interim Closure and Reclamation Plan</i>, NIRB ID No: 314679</li> </ul> <p><b>Note:</b> Agnico Eagle is referencing reports that are found on other Regulatory Authority websites which does not meet the requirements of the Project Certificate. If the Proponent is going to refer to a document not included with the annual report, at a minimum the Proponent should provide a summary of the materials or otherwise submit the material to</p>

T&C	Subject	Status 2022	Status 2023	Notes/Reference
				<p>the NIRB for inclusion on the Public Registry.</p> <p>Further, Aginco Eagle is responsible for operating its own webpage/portal where all non-confidential information regarding the files is kept including the 2022 Annual Report for the NIRB and the Nunavut Water Board.</p>
19	<p>The Proponent shall maintain either a Project-specific Wildlife Mitigation and Monitoring Plan (WMMP) or include the Project-specific details in a belt-wide plan</p>	<p>Active In Compliance</p>	<p>Active In Compliance</p>	<ul style="list-style-type: none"> <li>• The WMMP addresses both the Project Certificate 003 and 009.</li> <li>• <i>Wildlife Mitigation and Monitoring Plan (Aginco Eagle, 2023)</i>, NIRB ID No: 344536.</li> </ul> <p><b>Note:</b> The Proponent shall report on any updates from the "audit process" with other parties even if no updates are adopted for Monitoring Officers awareness.</p>

T&C	Subject	Status 2022	Status 2023	Notes/Reference
20	The Proponent shall maintain a Road Management Plan.	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>Road management is discussed within the <i>Wildlife Mitigation and Monitoring Plan (Agnico Eagle, 2023)</i>, NIRB ID No: 344536.</li> <li>Road traffic monitoring is included in the <i>Wildlife Mitigation and Monitoring Program (ERM, 2023)</i>, Appendix D3 of Agnico Eagle’s 2022 Annual Report, NIRB ID No: 344519.</li> </ul> <p><b>Note:</b> Information shall be summarized for the reader in the main text of the report to substantiate the statement made so that the NIRB may cross-reference events reported.</p>
21	To include criteria and procedures within its Wildlife Mitigation and Monitoring Plan governing the deterrence of wildlife.	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>Mitigation measures are described within section 2.9 of the <i>Wildlife Mitigation and Monitoring Plan (Agnico Eagle, 2023)</i>, NIRB ID No: 344536.</li> </ul> <p><b>Note:</b> Information regarding the implementation of this term and condition shall be included in future annual reports.</p>
22	To specify within its Wildlife Mitigation and Monitoring Plan specific mitigation measures, trigger distances, and group size thresholds for the protection of caribou and muskox.	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>Mitigation measures are described within section 2.2.2 of the <i>Wildlife Mitigation and Monitoring Plan (Agnico Eagle, 2023)</i>, NIRB ID No: 344536.</li> </ul> <p><b>Note:</b> Information regarding the implementation of this term and condition shall be included in future annual reports.</p>

T&C	Subject	Status 2022	Status 2023	Notes/Reference
23	To file an incident report with the local wildlife conservation office for all direct wildlife mortalities.	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>Three (3) incidents resulting of wildlife mortality in 2022.</li> <li>Details were included within the <i>Wildlife Mitigation and Monitoring Program</i> (ERM, 2023), Appendix D3 of Agnico Eagle’s 2022 Annual Report, NIRB ID No: 344519.</li> </ul>
24	To implement measures to prevent the use of water attenuation ponds and tailings storage areas by wildlife.	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>Mitigation measures are described within the <i>Wildlife Mitigation and Monitoring Plan (Agnico Eagle, 2023)</i>, NIRB ID No: 344536.</li> </ul> <p><b>Note:</b> Information regarding the implementation of this term and condition shall be included in future annual reports.</p>
25	To conduct an assessment of the potential for its planned transmission lines to impact the movement and use of project areas by wildlife.	Not Yet Active Not Yet Applicable	Not Yet Active Not Yet Applicable	<ul style="list-style-type: none"> <li>No transmission lines were constructed or planned in 2023.</li> </ul>
26	To monitor usage of contact water ponds by water birds and shorebirds.	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>Mitigation measures and monitoring are described within the <i>Wildlife Mitigation and Monitoring Plan (Agnico Eagle, 2023)</i>, NIRB ID No: 344536.</li> <li>The last survey done was in 2021, in collaboration with Environment and Climate Change Canada.</li> </ul> <p><b>Note:</b> Information regarding the implementation of this term and condition shall be included in future annual reports.</p>

T&C	Subject	Status 2022	Status 2023	Notes/Reference
27	Should it be necessary to undertake Project-related construction within the raptor-breeding period, the Proponent shall conduct a pre-construction survey of potential cliff-nesting habitat.	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>Mitigation measures are described within the <i>Wildlife Mitigation and Monitoring Plan (Agnico Eagle, 2023)</i>, NIRB ID No: 344536.</li> </ul> <p><b>Note:</b> Information regarding the implementation of this term and condition shall be included in future annual reports.</p>
28	To maintain a Migratory Birds Protection Plan or as an addition to the Wildlife Mitigation and Monitoring Plan mitigation measures for wind turbines.	Not Active Yet Not Yet Applicable	Not Active Yet Not Yet Applicable	<ul style="list-style-type: none"> <li>No turbines constructed in 2022 or planned for 2023. There may be additional baseline collected in 2023 or 2024.</li> </ul>
29	To maintain a Shipping Management Plan.	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>Required information are addresses in the <i>Shipping Management Plan (Agnico Eagle, 2023)</i>, NIRB ID No: 344532.</li> </ul>
30	To contract only Transport Canada certified vessels to carry cargo or fuel and ensure shippers are informed of Proponent's management plans.	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>Agnico Eagle confirmed it contracts only Transport Canada Certified vessels to carry cargo or fuel for the Projects.</li> <li>Agnico Eagle provides to shippers the <i>Shipping Management Plan (Agnico Eagle, 2023)</i>, NIRB ID No: 344532.</li> </ul>

T&C	Subject	Status 2022	Status 2023	Notes/Reference
31	The Proponent shall provide its contracted vessel operators with maps and descriptions of key marine habitats.	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>• Maps and descriptions of key marine habitats are provided to shippers with the <i>Shipping Management Plan (Agnico Eagle, 2023)</i>, NIRB ID No: 344532.</li> <li>• Shipping tracking is presented within the <i>2022 Wildlife Mitigation and Monitoring Program Compliance Report</i>, Appendix D-3 of Agnico Eagle's 2022 Annual Report, NIRB ID No: 344519</li> </ul> <p><b>Note:</b> Information regarding the implementation of this term and condition shall be included in future annual reports.</p>
32	To report any accidental contact by project vessels with marine mammals or seabird colonies to Fisheries and Oceans Canada and Environment and Climate Change Canada.	Active Deficient – In Progress	Active In Compliance	<ul style="list-style-type: none"> <li>• No marine wildlife incidents were reported along the shipping routes in 2022.</li> <li>• The <i>2022 Wildlife Mitigation and Monitoring Program Compliance Report</i>, Appendix D-3 of Agnico Eagle's 2022 Annual Report, NIRB ID No: 344519</li> </ul> <p><b>Note:</b> Information regarding the implementation of this term and condition shall be included in future annual reports.</p>
33	The Proponent shall develop a monitoring protocol for assessing disturbance to marine wildlife resulting from project-related underwater noise in Roberts Bay.	Not Active Yet Not Yet Applicable	Not Active Yet Not Yet Applicable	To be addressed prior to the start of marine construction activities related to Madrid-Boston. No marine infrastructure was constructed in 2021, nor expected to commence in 2022.

T&C	Subject	Status 2022	Status 2023	Notes/Reference
34	The Proponent shall continue to be an active member in the Hope Bay Socio-Economic Working Group.	Active In Compliance	Active Deficient-in Progress	<ul style="list-style-type: none"> <li>As the production is paused, Agnico Eagle has updated its Socio-Economic Monitoring Plan and sent for review at the Hope Bay Socio-Economic Working Group.</li> </ul> <p><b>Note:</b> As Agnico Eagle has not yet provided an updated Socio-Economic Monitoring Plan for the Projects, it is difficult to determine how the Proponent is monitoring during its temporary closure. Additionally, the 2022 Socio-economic Monitoring Report was submitted July 17, 2023, and it will be commented on by parties in the 2023/2024 monitoring year.</p>
35	To submit an updated Hope Bay Socio-Economic Monitoring Plan to the Kitikmeot Socio-Economic Monitoring Committee following an unanticipated temporary closure or prior to the final closure.	Not Active Yet Not Yet Applicable	Active Non-Compliance	<ul style="list-style-type: none"> <li>The term and condition states that an updated Hope Bay Socio-Economic Monitoring Plan within six (6) months of temporary or permanent closure detailing the specific measures that may mitigate the potential for negative effects as a result of project closure.</li> </ul> <p><b>Note:</b> In Agnico Eagle’s Care and Maintenance Plan, Agnico Eagle noted that it would update the 2016 plan within six (6) months following notice of an unanticipated temporary closure. As such, Agnico Eagle committed to submit an updated plan in September 2022. In the <i>2022 Annual Report</i> Agnico Eagle noted it would be completing the new plan in 2023.</p>

T&C	Subject	Status 2022	Status 2023	Notes/Reference
36	To submit an updated Human Resources Plan and Wellness Strategy following an unanticipated temporary closure or prior to the final closure.	Not Active Yet Not Yet Applicable	Active Non-Compliance	<ul style="list-style-type: none"> <li>The term and condition states that an updated Human Resources Plan and Wellness Strategy would be provided within six (6) months of temporary or permanent closure detailing the specific measures that may mitigate the potential for negative effects as a result of project closure.</li> </ul> <p><b>Note:</b> Agnico Eagle stated that an updated Human Resources Plan and Wellness Strategy for the Project that would include a Workforce Transition Strategy had not yet been prepared for the NIRB.</p>
37	The Proponent shall track and report on project procurement of local and regional businesses and competition for access to local and regional businesses by existing customers.	Active In Compliance	Active <i>Deficient- in Progress</i>	<p><b>Note:</b> In Agnico Eagle’s Care and Maintenance Plan, Agnico Eagle noted that it would update the 2016 plan within six (6) months following notice of an unanticipated temporary closure. As such, Agnico Eagle committed to submit an updated plan in September 2022. In the <i>2022 Annual Report</i> Agnico Eagle noted it would be completing the new plan in 2023.</p> <p><b>Note:</b> the NIRB looks forward to receiving the report as soon as it is completed for filing on the Public Registry and on the Proponent’s website/portal.</p>
38	The Proponent is encouraged to submit staff schedule forecasts.	Active In Compliance	Active Deficient-in progress	<ul style="list-style-type: none"> <li>Agnico Eagle continues to collaborate with the Government of Nunavut (Department of Education, Department of Family Services and Nunavut Arctic College) on education and</li> </ul>

T&C	Subject	Status 2022	Status 2023	Notes/Reference
				training matters. TMAC worked with KIA to develop a Memorandum of Understanding with the Government of Nunavut; however, signing of the agreement did not happen due to COVID. Agnico Eagle is considering whether it will sign this MOU or include Hope Bay under its existing MOU in place since 2017.
39	The Proponent should include in its annual report the levels of Inuit employment at the Project as well as barriers and opportunities to achieving the levels of employment.	Active In Compliance	Active Not rated in 2023 due to timing of submission, commenting in 2024	<b>Note:</b> Currently the NIRB does not have a stand-alone copy of the Socio-economic Monitoring Plan that is currently being used by Agnico Eagle while it finalizes its next version. The NIRB requests a copy to be placed on the Public Registry.  The 2022 Socio-economic Monitoring Report was submitted July 17, 2023, and it will be commented on by parties in the 2023/2024 monitoring year.
40	The Proponent is encouraged to identify and register all trades occupations working with the Project.	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>All Hope Bay apprentices are registered with the Government of Nunavut Department of Family Services Nunavut Apprenticeship Certification Unit.</li> </ul>
41	The Proponent is encouraged to work with training organizations offering mine-related or other training to ensure that Project-specific training programs can yield additional opportunities for the Inuit.	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>Agnico Eagle is an active member of the Nunavut Mine Training Roundtable aimed at supporting mine training. Agnico Eagle is also a member of the Kitikmeot Employment and Training Stakeholder working Group aimed at coordinating and sharing information on employment.</li> </ul>

T&C	Subject	Status 2022	Status 2023	Notes/Reference
42	The Proponent should collect and provide project-specific data concerning employee community of residence and number of employees that relocated from the year prior.	Active In Compliance	Active Not rated in 2023 due to timing of submission, commenting in 2024	<p><b>Note:</b> Currently the NIRB does not have a stand-alone copy of the Socio-economic Monitoring Plan that is currently being used by Agnico Eagle while it finalizes its next version. The NIRB requests a copy to be placed on the Public Registry.</p> <p>The 2022 Socio-economic Monitoring Report was submitted July 17, 2023, and it will be commented on by parties in the 2023/2024 monitoring year.</p>
43	The Proponent should work with the local and regional Inuit organizations to report on the collection and integration of Inuit Qaujimaningit through its monitoring programs.	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>Agnico Eagle continues to be part of the Hope Bay Inuit Environmental Advisory Committee (IEAC) where information is shared with other parties. In 2022, The IEAC met once and the meeting summary is presented in the <i>2022 Inuit Environmental Advisory Committee Meetings</i>, Agnico Eagle's Appendix E, NIRB ID No: 344523.</li> </ul> <p><b>Note:</b> Information should be summarized for the reader within the annual report and the appendix used as supplementary material</p> <p>Further, inclusion/incorporation of Inuit Qaujimajatuqangit shall be summarized and reported on in the annual report and not just meeting minutes. It is important for readers/Public to understand how and where their shared knowledge is being used and how Projects may change or not.</p>
44	The Proponent is strongly encouraged to consult with outfitting businesses that operate	Active In Compliance	Active Deficient – In Progress	<ul style="list-style-type: none"> <li>In 2022, due to COVID-19, all Hope Bay facilities were closed to non-mining personnel.</li> </ul>

T&C	Subject	Status 2022	Status 2023	Notes/Reference
	in the regional study area.			
45	The Proponent shall conduct archaeological surveys prior to land disturbance related to the Project and report survey results to applicable parties.	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>Information provided within the Agnico Eagle Hope Bay Project Archaeological Site Status Report 2022, Agnico Eagle's Appendix D-6, NIRB ID No: 344522.</li> </ul>
46	The Proponent shall report any archaeological sites discovered during the construction, operation, and closure phases to applicable parties.	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>Information provided within the Agnico Eagle Hope Bay Project Archaeological Site Status Report 2022, Agnico Eagle's Appendix D-6, NIRB ID No: 344522.</li> </ul>
47	The Proponent shall inform the workers of the range of health and wellness services available on site throughout the life of the Project	Active In Compliance	Active Deficient – in Progress	<ul style="list-style-type: none"> <li>Agnico Eagle maintains communications with the GN and the Chief Public Health Officer regarding reportable diseases.</li> </ul> <p><b>Note:</b> The NIRB requests updated information regarding this term and condition as most COVID restrictions were lifted in 2022.</p>
48	The Proponent is encouraged to promote consideration for Inuit culture and Inuit Qaujimaningit through the establishment of cross-cultural training initiatives.	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>Agnico Eagle delivers cross cultural training to every new Hope Bay employee.</li> </ul> <p><b>Note:</b> Information should be summarized for the reader within the annual report and the appendix used as supplementary material</p>
49	The Proponent shall maintain a current Community Involvement Plan.	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>Community engagement is described in section 5 of Agnico Eagle's 2022 Annual Report.</li> <li>Community Involvement Plan (TMAC, 2016), NIRB ID No: 314715.</li> </ul>

T&C	Subject	Status 2022	Status 2023	Notes/Reference
				<p><b>Note:</b> Inclusion/Incorporation of Inuit Qaujimajatuqangit shall be summarized and reported on in the annual report and not just meeting minutes. It is important for readers/Public to understand how and where their shared knowledge is being used and how Projects may change or not.</p>
50	The Proponent shall conduct soil sampling to determine metal levels of soils in areas with berry-producing plants.	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>• During the 2021 development of the Madrid North Portal decline the area was determined that berry-producing plants are not abundant at any development areas.</li> </ul>
51	To conduct additional studies prior to and during operations to ensure that toxic trace element concentrations anticipated to increase in the aquatic environments during operation do not exceed regulatory requirements.	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>• Potentially toxic metals in marine and freshwater environments are tracked through the <i>2022 Aquatic Effects Monitoring Program Report (ERM, 2023)</i> Agnico Eagle's Appendix D-4, NIRB ID No: 344520</li> <li>• No exceedances have been detected to date.</li> </ul>

T&C	Subject	Status 2022	Status 2023	Notes/Reference
52	The Proponent shall ensure that areas used to store fuel or hazardous materials include sufficient secondary containment and that all oil handling facilities have the required Oil Pollution Emergency Plan (OPEP) in place.	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>• Agnico Eagle reports all spills in section 7 of its <i>2022 Annual Report</i>.</li> <li>• <i>Hope Bay Project Spill Contingency Plan (Agnico Eagle, 2023)</i>, NIRB ID No: 344528</li> <li>• <i>Oil Pollution Prevention/Oil Pollution Emergency Plan (TMAC, 2017)</i>, NIRB ID No: 314719</li> </ul> <p><b>Note:</b> The NIRB is unable to locate the most recent OPEP (2020) and requests information or the submission of the plan for filing on the Public Registry.</p>

T&C	Subject	Status 2022	Status 2023	Notes/Reference
53	To implement a monitoring and mitigation program for the tailings pipelines to ensure that the integrity of this infrastructure is maintained for the life of the Project.	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>• Hope Bay evaluates these measures as part of the existing <i>Doris TIA Operations, Maintenance and Surveillance Manual (SRK, 2023)</i>, NIRB ID No: 344533, 344534 and 344535.</li> <li>• In addition, tailings pipeline and other land-based infrastructure are assessed annually as part of the Doris TIA Annual Geotechnical Inspection.</li> </ul> <p><i>2022 TIA Annual Geotechnical Inspection Report (SRK, 2022)</i></p> <p><b>Note:</b> Agnico Eagle is referencing reports that are found on other Regulatory Authority websites which does not meet the requirements of the Project Certificate. If the Proponent is going to refer to a document not included with the annual report, at a minimum the Proponent should provide a summary of the materials or otherwise submit the material to the NIRB for inclusion on the Public Registry.</p> <p>Further, Aginco Eagle is responsible for operating its own webpage/portal where all non-confidential information regarding the files is kept including the 2022 Annual Report for the NIRB and the Nunavut Water Board.</p>
54	To provide updates on the status of ongoing exploration programs and other related physical activities associated with the Hope Bay Belt Property.	Active In Compliance	Active In Compliance	<ul style="list-style-type: none"> <li>• The NIRB received the 2023 Development Plan January 3, 2023</li> <li>• Updates on exploration activities or work are presented in sections 3.3 and 4.2 of Agnico Eagle's <i>2022 Annual Report</i>.</li> </ul>

## Phase 2 Commitments

NIRB No. (Proponent Reference)	Commitment	Status 2022	Status 2023	Notes/reference
1 (KIA-FEIS-03)	<p>TMAC will speak with the KIA prior to the hearings to come to agreement as to where sedge samples can be collected for baseline purposes.</p> <p>Based on a meeting on April 30, 2018, it was agreed to collect a baseline of 30 samples at Boston and 30 samples at the Tailings Impoundment Area and additional samples at reference sites. TMAC will produce a sampling plan for review by the KIA prior to construction.</p>	Active In Compliance	Active In Compliance	<p>Agnico Eagle noted this as completed with the input of KIA. See the 2018 Wildlife Mitigation and Monitoring Report submitted March 28, 2019, Sections 5.2.1 and 5.3.1. NIRB ID No. 325077 (12MN001) (or 324640 for 05MN047)</p> <p>Note: Resume collaborative efforts with the KIA to discuss the study design for additional sedge sampling prior to construction of the Madrid-Boston AWR and the Boston Project area</p> <p>Continue to report on dustfall triggers (see Commitment No. 3) that could trigger the need for repeated sampling</p>
2 (KIA-FEIS-07)	<p>TMAC will abide by occupational health and safety regulations, and provide our workers with a safe work environment, including work camp accommodation areas.</p>	Active In Compliance	Active In Compliance	<p>Agnico Eagle noted that the health and safety of workers is overseen by the <i>Mines Safety Act</i> and enforced by the Mines Inspector and there is a Health and Safety Plan to provide the framework for implementation.</p> <p>Note: Provide the NIRB evidence of compliance with health and safety regulations in regard to noise.</p>

NIRB No. (Proponent Reference)	Commitment	Status 2022	Status 2023	Notes/reference
3 (KIA-NIRB-09)	TMAC commits to conduct vegetation monitoring if the results of dust fall monitoring indicate that there is the potential for effects on tundra vegetation beyond that predicted in the PDA.	Active In Compliance	Active In Compliance	Agnico Eagle stated that no action required at this time.  Note: It is recommend that continued reporting on dustfall measurements and triggers that have or have not triggered additional vegetation monitoring.
4 (KIA-NIRB-10)	TMAC commits to including a section in the Wildlife Mitigation and Monitoring Plan (WMMP) on invasive plant species detection and management, and report in the annual compliance report.	Active In Compliance	Active In Compliance	Information included in the 2022 <i>Wildlife Mitigation and Monitoring Program Compliance Report (ERM, 2023)</i> , Agnico Eagle Appendix D-3, NIRB ID No: 344519.
5 (KIA-FEIS-11)	TMAC will quantify road traffic as a number of vehicle passes per day throughout a year on the two main segments of the road (Doris to Madrid and Madrid to Boston) and report annually in the WMMP compliance report.	Active In Compliance	Active In Compliance	Information related road traffic for the Doris to Madrid Road were included in the 2022 <i>Annual Report. 2022 Wildlife Mitigation and Monitoring Program Compliance Report (ERM, 2023)</i> , Agnico Eagle Appendix D-3, NIRB ID No: 344519.  As the road between Madrid and Boston has not been constructed, the information is not required yet.  Request the following information to assess compliance: <ul style="list-style-type: none"> <li>Clarify what “consecutive monitoring periods” mean with respect to the Road Traffic Monitoring program as</li> </ul>

NIRB No. (Proponent Reference)	Commitment	Status 2022	Status 2023	Notes/reference
				<p>described in the 2021 WMMP and WMMP Compliance Report. Since the wildlife cameras are continuously operating, a more conservative approach would be to assign the next month as the subsequent monitoring period.</p> <ul style="list-style-type: none"> <li>• Include the maximum (and minimum) daily transits for the wildlife camera-based road traffic monitoring data, as the maximum values should be compared against the FEIS predictions, rather than daily averages.</li> <li>• Remind Project staff to complete their hauling traffic logs.</li> </ul> <p><b>Note:</b> Additionally, information should be summarized for the reader within the text of the main annual report and the appendix used as supplementary material.</p>
6 (KIA-FEIS-11)	TMAC will consider the traffic levels, observed effects to large mammals, and reflect on adaptive management options in consultation with the IEAC.	Active In Compliance	Active In Compliance	<p>To be considered in the future as Madrid and/or Boston develop.</p> <p><b>Note:</b> KIA requested Agnico Eagle commit to consultation with the IEAC if adaptive management options are needed to mitigate traffic impacts on large mammals.</p>
7 (KIA-FEIS-12)	TMAC commits to conducting additional migration surveys at the proposed wind turbine pad locations	Not Active Yet Not Yet Applicable	Not Active Yet Not Yet Applicable	No turbines constructed in 2023, baseline work will be conducted prior to construction.

NIRB No. (Proponent Reference)	Commitment	Status 2022	Status 2023	Notes/reference
	prior to construction.			KIA requested: <ul style="list-style-type: none"> <li>• Ensure that future planned baseline surveys for wind turbines follow the guidance provided in ECCC (2017).</li> <li>• Allow the KIA to review the migration survey plan prior to implementation.</li> </ul>
8 (KIA-FEIS-12)	TMAC commits to designing the transmission line to meet the Edison Institute guidelines.	Not Active Yet Not Yet Applicable	Not Active Yet Not Yet Applicable	Agnico Eagle stated “Noted”  KIA requested that Agnico Eagle ensure that the future transmission line is constructed following best practices for reducing bird strikes and mortality.
9 (KIA-FEIS-13)	TMAC commits to using the habitat maps that use Terrestrial Ecosystem Mapping for wildlife management purposes and when reporting habitat loss in the annual WMMP report.	Active In Compliance	Active In Compliance	The use of Terrestrial Ecosystem maps to report habitat loss is included in the <i>Wildlife Mitigation and Monitoring Plan</i> (Agnico Eagle, 2023), NIRB ID No: 344536 and 2022 <i>Wildlife Mitigation and Monitoring Program Compliance Report (ERM, 2023)</i> , Agnico Eagle Appendix D-3, NIRB ID No: 344519.  <i>KIA supports status</i>

NIRB No. (Proponent Reference)	Commitment	Status 2022	Status 2023	Notes/reference
10 (KIA-FEIS-14)	TMAC will work with DFO, the KIA, and Inuit Environmental Advisory Committee to identify candidate offsetting options with a preference for developing a community-based offsetting program located near Cambridge Bay.	Active In Compliance	Active In Compliance	<p>Agnico Eagle stated that consultation commenced in 2018 and continued to 2021 with fieldwork in the east channel of Freshwater Creek to better understand the flow and volume of water through culverts on the Uvayok Road, and through the chain of channels linking small lakes and ponds to the estuary. Results were reviewed with IEAC in January 2021. Final results and next steps for offsetting pans in Cambridge Bay were presented to IEAC, KIA, DFO in 2022 am Q1 2023.</p> <p>KIA requested confirmation of consultation with the KIA and DFO on potential fisheries offset sites and designs.</p> <p><b>Note:</b> the NIRB looks forward to an update in the 2023 Annual Report.</p>
11 (KIA-FEIS-14)	TMAC will undertake field surveys in summer 2018 to ground-truth preliminary offsetting site options.	Active Deficient – In Progress	Active Deficient – In Progress	<p>KIA requested Confirmation of ground-truthing of preliminary offsetting site options has occurred, and the objectives, constraints, and opportunities associated with each site have been characterized. This information is required for detailed design of fisheries offsets.</p> <p>Final results and next steps for offsetting pans in Cambridge Bay were presented to IEAC, KIA, DFO in 2022 am Q1 2023.</p>

NIRB No. (Proponent Reference)	Commitment	Status 2022	Status 2023	Notes/reference
				<b>Note:</b> the NIRB looks forward to an update in the 2023 Annual Report.
12 (KIA-FEIS-15)	TMAC will apply adaptive management processes during monitoring. Should a high groundwater sensitivity case result in habitat losses that exceed those predicted for the base case, TMAC would apply an offsetting plan (as required by DFO) that is commensurate with these losses.	Active In Compliance	Active In Compliance	Agnico Eagle committed that offsetting would be accomplished as required by DFO.  KIA noted that the required monitoring for potential Project effects due to issues with groundwater flows, and an adaptive management process has been developed by Agnico Eagle. The required Fisheries Offsetting Plan is still outstanding.  <b>Note:</b> the NIRB looks forward to an update in the 2023 Annual Report.
13 (KIA-FEIS-17)	Monitor potential changes to arsenic in the Project lakes through the AEMP instead of what was proposed during the assessment of the Project.	Active In Compliance	Active In Compliance	Agnico Eagle indicated that arsenic is included as one of the water quality parameters to be monitored in the approved Hope Bay Project: Aquatic Effects Monitoring Plan (the Plan; TMAC 2018). As stated in the Plan (Table 4.4-1), the CCME arsenic guideline of 0.005 mg/L will be used as a water quality benchmark for effects monitoring.  <i>KIA supports status</i>
14 (KIA-NIRB-19)	TMAC agrees to add free cyanide which has a CCME water quality guideline of 0.005 mg/L and total cyanide to the	Active In Compliance	Active In Compliance	As stated in the approved Hope Bay Project: Aquatic Effects Monitoring Plan

NIRB No. (Proponent Reference)	Commitment	Status 2022	Status 2023	Notes/reference
	AEMP parameter suite for Aimaokatalok Lake and Reference Lake B.			(Section 3.2-2; TMAC 2018), total and free cyanide will be monitored in the referenced lakes.  KIA requested confirmation that free cyanide continues to be included in the AEMP at all sites, and particularly for Aimaokatalok Lake and Reference Lake B.
15 (DFO-3.1.1)	TMAC will develop and provide watercourse and site-specific engineering plans to Fisheries and Oceans Canada, supported by measured or modelled stream flow data prior to construction.	Active In Compliance	Active In Compliance	The Proponent stated this is on-going as required.
16 (DFO-3.1.1)	TMAC will work with DFO, the KIA, and the Inuit Environmental Advisory Committee during the regulatory phase to develop a construction plan for watercourse crossings that will include mitigation measures to reduce impacts to fish and fish habitat during construction.	Active In Compliance	Active In Compliance	The Proponent stated this is on-going as required.
17 (DFO-3.1.1)	TMAC will work with DFO and abide by any monitoring and reporting requirements.	Active Deficient-in progress	Active Deficient-in progress	Agnico Eagle stated it noted the commitment.  <b>The NIRB requests information from both the Proponent and DFO on this commitment.</b>

NIRB No. (Proponent Reference)	Commitment	Status 2022	Status 2023	Notes/reference
18 (DFO-3.1.2)	TMAC will monitor water levels and flows in fish bearing lakes and streams that are predicted to be potentially impacted by the Project during mining.	Active In Compliance	Active In Compliance	Conducted as part of the <i>Hope Bay Project Aquatic Effects Monitoring Plan (TMAC, 2018)</i> ,  <b>The NIRB requests information from DFO on this commitment. The NIRB also does not have the 2018 Aquatic Effects Monitoring Plan that is referred to on its Public Registry and requests a copy from Agnico Eagle for filing.</b>
19 (DFO-3.1.3)	TMAC will work with DFO, the KIA, and the Inuit Environmental Advisory Committee during the regulatory phase to gain consensus on acceptable construction monitoring and reporting for freshwater pipeline infrastructure that will include the mitigation measures to be implemented to reduce impacts to fish and fish habitat during construction. TMAC anticipates that these requirements would be included in an authorization from DFO issued prior to construction.	Active In Compliance	Active In Compliance	Freshwater pipeline infrastructure as it relates to the Madrid-Boston Project is not yet scheduled.
20 (DFO-3.2.1)	Should the Phase 2 Hope Bay Project be approved, during the regulatory phase TMAC will work with DFO-FPP, KIA, and IEAC to develop and finalize a marine offsetting plan which is acceptable to all parties and	Active In Compliance	Active In Compliance	Agnico Eagle Noted the commitment and will consult with DFO to achieve a marine and/or freshwater offset. This will be achieved in consultation with KIA and IEAC.

NIRB No. (Proponent Reference)	Commitment	Status 2022	Status 2023	Notes/reference
	complies with the Fisheries Protection Policy Statement (2013) and the Fisheries Productivity Policy: A Proponent’s Guide to Offsetting (November 2013).			KIA noted that the offsetting plan remains outstanding.  <b>The NIRB requests information from both the Proponent, DFO, and IEAC on this commitment.</b>
21 (DFO-3.2.2)	TMAC commits to updating the guidance package for vessel operators to include information on sensitive marine mammal habitats in the Northwest Passage.	Active In Compliance	Active In Compliance	The Proponent stated that the information was included in the <i>Hope Bay Project Shipping Management Plan (TMAC, 2023)</i> , NIRB ID No: 344507
22 (DFO-3.2.2)	TMAC also commits to discussing mitigation measures for marine mammals in the Northwest Passage that are common to all vessels in Arctic waters, or as provided in a DFO guidance document for Arctic waters. All mitigation is contingent on vessel safety.	Active Deficient In Progress	Active Deficient In Progress	Agnico Eagle “noted” the comment.  DFO requested information regarding the marine monitoring of the Project and the Proponent responded.  <b>The NIRB requests information from DFO regarding the Proponent’s response on this commitment.</b>
23 (ECCC-4.1.1)	TMAC commits that new incinerators will be tested within 6 months of installation. A representative stack test on existing incinerators will be conducted after a significant change to site activities with the potential to change the waste stream or every 3 years, whatever is more frequent.	Active In Compliance	Active In Compliance	Agnico Eagle indicated that this commitment is addressed in Agnico Eagle’s <i>Air Quality Management Plan (TMAC, 2019)</i> , NIRB ID No: 324635.  For most recent results see Appendix F of Q1-Q3 2022 Atmospheric Compliance Monitoring Program Report (Nunami Stantec 2022).

NIRB No. (Proponent Reference)	Commitment	Status 2022	Status 2023	Notes/reference
				<b>The NIRB requests information from both the Proponent and ECCC on this commitment.</b>
24 (ECCC-4.1.1)	In the event TMAC has emission exceedances related to incineration, TMAC will investigate to determine the possible source(s) and potential impacts of the exceedances and adaptive management options will be assessed and applied based on the identified contributing factors.	Active In Compliance	Active In Compliance	Current actions are described in Agnico Eagle's Air Quality Plans.  <i>Q1-Q3 2022 Atmospheric Compliance Monitoring Program Report (Nunami, Stantec 2023)</i> , Agnico Eagle's Appendix D-1, NIRB ID No: 344492. (NIRB notes that Agnico Eagle refers to Appendix F)  <i>Air Quality Management Plan (TMAC, 2019)</i> , NIRB ID No: 324635  <b>The NIRB requests information from both the Proponent and ECCC on this commitment.</b>
25 (ECCC-4.1.3)	TMAC commits to implementing continuous NO <sub>2</sub> monitoring during peak construction and during a time in operations. The results of the monitoring program will be included in the air quality portion of the Nunavut Impact Review Board Annual Report. The monitoring plan will be adjusted based on the results and effectiveness of adaptive management with consideration given to the CAAQS. In	Active In Compliance	Active Deficient – In Progress	New equipment installed at site and therefore there are limited results on NO <sub>2</sub> presented in the Agnico Eagle's Appendix D <i>Q1-Q3 2022 Atmospheric Compliance Monitoring Program Report (Nunami, Stantec 2023)</i> , Agnico Eagle's Appendix D-1, NIRB ID No: 344492.  <b>Note:</b> The NIRB looks forward to receiving an update on this event and a

NIRB No. (Proponent Reference)	Commitment	Status 2022	Status 2023	Notes/reference
	the event that emissions increase due to a change in operations, TMAC commits to additional NO <sub>2</sub> monitoring.			discussion on the resolution of the issue in the Proponent's 2023 Annual Report.  <b>The NIRB requests information from both the Proponent and ECCC on this commitment.</b>
26 (ECCC-4.1.4)	TMAC commits to update the Air Quality Management plans to provide description of process undertaken to achieve 75% dust management efficiency.	No Longer Active Completed	No Longer Active Completed	Agnico Eagle noted that the updated was completed in the <i>Air Quality Management Plan 2019</i> , NIRB ID No: 325079  <b>The NIRB requests information from ECCC on this commitment.</b>
27 (ECCC-4.2.1)	TMAC agrees to include a section in the 2018 WMMP listing the species at risk, and relevant mitigation.	No Longer Active Completed	No Longer Active Completed	The Proponent included the Species at Risk were included in the <i>Wildlife Mitigation and Monitoring Plan (Agnico Eagle, 2023)</i> , NIRB ID No: 344536  <b>The NIRB requests information from ECCC on this commitment.</b>
28 (ECCC-4.2.2)	TMAC agrees to add the post-construction monitoring for the proposed wind turbine the existing discussions with ECCC and interested parties on site-wide bird monitoring.	Not Active Yet Not Yet Applicable	Not Active Yet Not Yet Applicable	As required after turbine construction.
29 (ECCC-4.2.2)	TMAC agrees to investigate and discuss preventative operational mitigation measures for wind turbines during periods of poor visibility at peak bird migration periods.	Not Active Yet Not Yet Applicable	Not Active Yet Not Yet Applicable	As required after turbine construction.

NIRB No. (Proponent Reference)	Commitment	Status 2022	Status 2023	Notes/reference
30 (ECCC-4.2.2)	TMAC agrees to submit data sets to the centralized bird/bat monitoring database known as the “Wind Energy, Bird and Bat Monitoring Database”.	Not Active Yet Not Yet Applicable	Not Active Yet Not Yet Applicable	As required after turbine construction.
31 (ECCC-4.2.3)	<p>TMAC commits to updating the WMMP to include more detail on the existing monitoring and mitigation for waterbirds in the TIA, including:</p> <ol style="list-style-type: none"> <li>1) TMAC will conduct a baseline survey for waterbirds and shorebirds at the TIA, in consultation with ECCC, to characterize the bird community and use of the TIA.</li> <li>2) TMAC will monitor water quality in the TIA on a regular basis during operations of the Project as per our existing water licence requirements.</li> <li>3) If the baseline survey indicates that birds are using the TIA, TMAC will conduct a toxicological risk assessment in consultation with ECCC.</li> </ol> <p>If that risk assessment indicates that there is a reasonable risk to birds due to living in the TIA above baseline conditions then TMAC will monitor for ongoing usage of the TIA by birds and will engage with the IEAC and ECCC on methods for deterrence of waterbirds.</p>	No Longer Active Completed	No Longer Active Completed	<p>Agnico Eagle stated that additional baseline surveys for waterbirds and shorebirds at the TIA occurred in 2018 and results are in the 2018 WMMP compliance report section 3.6 Waterbirds and shorebirds.</p> <p>The commitments were included in the <i>Wildlife Mitigation and Monitoring Plan (Agnico Eagle, 2023)</i>, NIRB ID No: 344536</p> <p><b>The NIRB requests information from ECCC on this commitment.</b></p>

NIRB No. (Proponent Reference)	Commitment	Status 2022	Status 2023	Notes/reference
32 (ECCC-4.2.4)	TMAC is open to having dialog with ECCC on collaboration for common eiders in the Bathurst and Elu Inlets Key Marine Habitat Sites.	Active Deficient	Active Deficient	Agnico Eagle stated “noted” in its compliance table.  <b>The NIRB requests information from both the Proponent and ECCC on this commitment.</b>
33 (ECCC-4.3.6)	TMAC has re-considered its position of adopting a copper SSWQO for the Phase 2 Hope Bay Belt Project, and will instead monitor potential changes to copper in the Project lakes through the AEMP.	Active In Compliance	Active In Compliance	The Proponent noted that copper is included as one of the water quality parameters to be monitored in the approved Hope Bay Project: Aquatic Effects Monitoring Plan (the Plan; TMAC 2018). As stated in the Plan (Table 4.4-1), the CCME hardness-dependent copper guideline will be used as a water quality benchmark for effects monitoring.  <i>Hope Bay Project Aquatic Effects Monitoring Plan (TMAC, 2018)</i>  <b>The NIRB requests information from ECCC on this commitment. Additionally, the NIRB requests a copy of the plan for filing on the Public Registry.</b>
34 (ECCC-4.3.7)	TMAC has re-considered applying an SSWQO for arsenic at this early juncture of the Phase 2 Hope Bay Belt Project. Instead, it will monitor potential changes to arsenic in the Project lakes	Active In Compliance	Active In Compliance	The Proponent noted that arsenic is included as one of the water quality parameters to be monitored in the approved Hope Bay Project: Aquatic Effects Monitoring Plan (the Plan; TMAC

NIRB No. (Proponent Reference)	Commitment	Status 2022	Status 2023	Notes/reference
	through the AEMP.			<p>2018). As stated in the Plan (Table 4.4-1), the CCME arsenic guideline of 0.005 mg/L will be used as a water quality benchmark for effects monitoring.</p> <p><i>Hope Bay Project Aquatic Effects Monitoring Plan (TMAC, 2018)</i></p> <p><b>The NIRB requests information from ECCC on this commitment. Additionally, the NIRB requests a copy of the Plan for filing on the Public Registry.</b></p>
35 (ECCC-4.3.10)	TMAC will update the Madrid-Boston AEMP with an Aquatic Response Framework. The updated AEMP will be provided to the interested parties prior to the May Final Hearing in Cambridge Bay.	Active In Compliance	Active In Compliance	<p>The Proponent indicated the approved Hope Bay Project: Aquatic Effects Monitoring Plan (TMAC 2018) includes a Response Framework (Section 4) similar to the approach taken for the Doris AEMP.</p> <p><i>Hope Bay Project Aquatic Effects Monitoring Plan (TMAC, 2018).</i></p> <p><b>The NIRB requests information from ECCC on this commitment. Additionally, the NIRB requests a copy of the Plan for filing on the Public Registry.</b></p>

NIRB No. (Proponent Reference)	Commitment	Status 2022	Status 2023	Notes/reference
36 (ECCC-4.3.10)	TMAC will improve the harmonization between the AEMP and MMR programs in the updated Madrid-Boston AEMP.	Active In Compliance	Active In Compliance	<p>The Proponent indicated that TMAC included the information in <i>Hope Bay Project Aquatic Effects Monitoring Plan (TMAC, 2018)</i></p> <p><b>The NIRB requests information from ECCC on this commitment. The NIRB requests a copy of the Plan for the Public Registry.</b></p>
37 (ECCC-4.3.10)	TMAC will update the Madrid-Boston AEMP with an Aquatic Response Framework with environmental thresholds that trigger further mitigation/information collecting similar to the approach taken for the Doris AEMP.	Active In Compliance	Active In Compliance	<p>The Aquatic Response Framework was included by TMAC in the <i>Hope Bay Project Aquatic Effects Monitoring Plan (TMAC, 2018)</i>. The plan also includes information if environmental thresholds or conditions are exceeded and further management action would be triggered if required.</p> <p><b>The NIRB requests information from ECCC on this commitment. The NIRB requests a copy of the Plan for the Public Registry.</b></p>
38 (ECCC-4.3.11)	TMAC will develop an Environmental Management Plan (EMP) prior to the initiation of cargo dock construction activities. The EMP will include, though not exclusively, mitigation measures for managing total suspended solids and turbidity,	Not Active Yet Not Yet Applicable	Not Active Yet Not Yet Applicable	Agnico Eagle indicated that the cargo dock was not constructed in 2022 and no plans for construction in 2023.

NIRB No. (Proponent Reference)	Commitment	Status 2022	Status 2023	Notes/reference
	monitoring procedures, detailing sampling locations and frequency, as well as proposed limits and trigger values, in order to satisfy all applicable requirements during construction activities.			
39 (ECCC-4.3.12)	TMAC maintains that the updating of predictive models will be used as adaptive management to refine closure requirements. TMAC will update near-field mixing modelling and water quality predictions in the receiving environment of Roberts Bay if substantial changes are predicted to the effluent water quality following the re-calibration of the broader Project predictive models. The specific details for the site-wide predictive model re-calibration frequency will be determined in the water licencing phase.	Not Active Yet Not Yet Applicable	Active In Compliance	The Proponent stated that no source term updates were required in the site-wide water and load balance model following review of data collected in 2022. Near-field mixing modelling and water quality predictions in the receiving environment of Roberts Bay were not required to be updated.  <b>The NIRB requests information from ECCC on this commitment.</b>
40 (GN-13)	If the GN accepts the NO <sub>2</sub> CAAQS, TMAC will implement a program of continuous NO <sub>2</sub> monitoring to ensure adequate follow up of the proposed mitigation to meet the hourly average CAAQS for NO <sub>2</sub> .	Active In Compliance	Active Deficient-In Progress	The Proponent indicated “Noted”.  <b>The NIRB requests information from Agnico Eagle and the GN on this commitment.</b>
41	a) TMAC will conduct noise	Active	Active	Agnico Eagle included information in the

NIRB No. (Proponent Reference)	Commitment	Status 2022	Status 2023	Notes/reference
(GN-14)	<p>measurements during quarry blasts at 2.8 and 4 km to confirm predictions.</p> <p>b) TMAC will confirm that the overpressure value of 96 Lpeak dBZ will not exceed at 2,800 m from the location of the blast.</p> <p>c) TMAC will conduct a behaviour monitoring program during blasts if caribou are observed beyond 2.8 km to evaluate how caribou respond to blasts.</p> <p>d) TMAC will include methods in WMMP to determine potential calving ground overlap with the Project.</p>	In Compliance	In Compliance	<p>2023 WMMP.</p> <p><i>Wildlife Mitigation and Monitoring Plan (Agnico Eagle, 2023), NIRB ID No: 344536.</i></p>
42 (GN-15)	TMAC commits to an update of the Non-hazardous Waste Management Plan to include appropriate layout drawings of landfill facilities once Issue for Construction designs have been prepared.	Not Active Yet Not Yet Applicable	Not Active Yet Not Yet Applicable	To be provided 60 days prior to operation of the proposed landfill.
43 (GN-16)	<p>TMAC commits to update the Hazardous Waste Management Plan to:</p> <ul style="list-style-type: none"> <li>▪ Remove reference to disposal of hazardous waste within the Doris Tailings Impoundment</li> </ul>	No Longer Active Completed	No Longer Active Completed	The Proponent referred the reader to the <i>Hope Bay Project Hazardous Waste Management Plan (Agnico Eagle, 2020)</i>

NIRB No. (Proponent Reference)	Commitment	Status 2022	Status 2023	Notes/reference
	<p>Area; and</p> <ul style="list-style-type: none"> <li>▪ Remove reference to disposal of bottom ash generated from open burning and incineration in the underground mines.</li> </ul> <p>TMAC also clarifies that the disposal of hydrocarbon contaminated material and plastic bags from prepackaged explosives containers within the underground mines is currently an approved practice under the existing Doris License and TMAC does not intend to change this. This disposal strategy will therefore remain in the Hazardous Waste Management Plan.</p>			
44 (GN-17)	The Wildlife Mitigation and Monitoring Plan (WMMP) will be revised to include rare plant mitigation and an annual summary of potential habitat loss when construction occurs in new areas.	Active In Compliance	Active In Compliance	Agnico Eagle indicated that mitigation for rare plants is included in the revised WMMP (April 2023) and loss of special landscape features that may support rare species was reported in the WMMP Report (2022).  <i>Wildlife Mitigation and Monitoring Plan</i> (Agnico Eagle, 2022), NIRB ID No: 344536.
45 (GN-18i)	The Proponent shall conduct analyses of collar data to quantify the zone-of-influence of Project components on caribou and Project effects on caribou	Active In Compliance	Active In Compliance	Analysis was completed in the WMMP 2022 Annual Report Appendix D NIRB ID No.: 344519.

NIRB No. (Proponent Reference)	Commitment	Status 2022	Status 2023	Notes/reference
	<p>movement during the operating phase of the Project. The study area of these analyses shall encompass the existing Doris North mining operation, Madrid North and South sites, Boston site, and all connecting roads. The Proponent shall collect such additional caribou collar data, over and above those made available to the Proponent by the Government of Nunavut, as are necessary to operationalize this term and condition with reasonable statistical power. This may be achieved through collaboration with the GN or other parties.</p>			
46 (GN-18ii)	<p>Revision of Wildlife Mitigation and Monitoring Program (WMMP) to include.</p> <ul style="list-style-type: none"> <li>▪ The Project's effects on caribou movements will be monitored at a local scale using behavioral observations from height-of-land surveys and snow track study.</li> <li>▪ The design of these monitoring programs will be developed in consultation with the Government of Nunavut and the Inuit Environmental Advisory Committee, will use</li> </ul>	Active Deficient – In progress	Active In Compliance	<p>The Proponent stated that behaviour observations and snow track surveys were included in the revised 2023 WMMP.</p> <p><i>Wildlife Mitigation and Monitoring Plan (Agnico Eagle, 2023)</i>, NIRB ID No: 344536.</p> <p><b>The NIRB requests information on how the consultation with the GN, IEAC were considered and included in the revision.</b></p>

NIRB No. (Proponent Reference)	Commitment	Status 2022	Status 2023	Notes/reference
	<p>methods supported by peer reviewed literature and will consider statistical power.</p> <ul style="list-style-type: none"> <li>The snow track study will be designed to estimate the index of permeability of Project roads to caribou. These programs may be discontinued after definitive results are obtained or if statistical power cannot be achieved by means of reasonable sampling design and effort, as determined by NIRB.</li> </ul>			
47 (GN-19)	<p>The Proponent shall undertake a survey to create a geospatial model of the final structural attributes including height and slope, of the Project's roads along the length of each road segment. The data from this survey should be used to generate maps showing road heights and shoulder slopes for inclusion in the annual report. This model should also be made available for all intervenors for further assessment of potential road effects and for wildlife effects monitoring.</p>	Not Active Yet Not Yet Applicable	Not Active Yet Not Yet Applicable	Madrid – Boston all-weather road not constructed yet.
48 (GN-19)	<p>The Wildlife Mitigation and Monitoring Plan (WMMP) will be revised to include analyses of caribou</p>	Active In Compliance	Active In Compliance	Agnico Eagle indicated that the information was included in the <i>Wildlife Mitigation and Monitoring Plan (Agnico Eagle, 2023)</i> , NIRB ID No: 344536.

NIRB No. (Proponent Reference)	Commitment	Status 2022	Status 2023	Notes/reference
	road crossing behaviour. These analyses will use available data from collars, snow track surveys, and height-of-land monitoring. Results will be presented in annual reports.			<b>The NIRB requests information from GN and the Proponent on this commitment as collar data has not been available for the last two (2) years.</b>
49 (GN-19)	The Wildlife Mitigation and Monitoring Plan (WMMP) will be revised to include monitoring and report snowbank heights along Project roads. This program will allow estimation of mean height and variance at a series of designated monitoring locations that are representative of snow conditions along the roads. This program will continue until operational snow management is characterized.	Active In Compliance	Active In Compliance	Agnico Eagle stated that they included the information in the <i>Wildlife Mitigation and Monitoring Plan (Agnico Eagle, 2023)</i> , NIRB ID No: 344536.  <b>The NIRB requests information from GN on this commitment.</b>
50 (GN-19)	The power transmission line remains an outstanding issue between TMAC and the Government of Nunavut.	Not Active Yet Not Yet Applicable	Not Active Yet Not Yet Applicable	Agnico Eagle stated that this has been resolved as per Term and Condition 25 of PC No. 009.  <b>The NIRB requests information from both the Proponent and the GN on this commitment.</b>
51 (GN-20)	The Wildlife Mitigation and Monitoring Plan (WMMP) will be revised to include traffic monitoring annually and seasonally. This information shall be used for	Active In Compliance	Active In Compliance	Agnico Eagle has included in the WMMP. <i>Wildlife Mitigation and Monitoring Plan (Agnico Eagle, 2023)</i> , NIRB ID No: 344536.

NIRB No. (Proponent Reference)	Commitment	Status 2022	Status 2023	Notes/reference
	comparison with the traffic rates predicted in the FEIS and to support Project monitoring for wildlife effects.			<b>The NIRB requests information from GN on this commitment.</b>
52 (GN-20)	The peak traffic rates as presented in table 4.5-1 in FEIS Vol. 3 (or those identified by the Proponent, during the Project's NIRB review) shall be established as Project monitoring thresholds. If the annual or seasonal traffic rates estimated from Project monitoring exceed the established thresholds by greater than 25% in two consecutive monitoring periods, TMAC shall conduct a revised assessment of the potential impacts of this excess traffic on wildlife. The monitoring data, analysis of effects shall be submitted in the annual WMMP compliance report for NIRB consideration	Active In Compliance	Active In Compliance	Agnico Eagle stated that information to meet the commitment was included in the <i>Wildlife Mitigation and Monitoring Plan (Agnico Eagle, 2023)</i> , NIRB ID No: 344536.  <b>The NIRB requests information from GN on this commitment.</b>
53 (GN-21)	The Proponent shall conduct analyses of collar data to quantify the zone-of-influence of Project components on caribou and Project effects on caribou movements during the operating phase of the Project. The study area of these analyses shall encompass the existing Doris North mining operation, Madrid North and South sites, Boston site and	Active In Compliance	Active In Compliance	Agnico Eagle stated this was a part of the <i>Wildlife Mitigation and Monitoring Plan (Agnico Eagle, 2023)</i> , NIRB ID No: 344536.  <b>The NIRB requests information from GN on this commitment.</b>

NIRB No. (Proponent Reference)	Commitment	Status 2022	Status 2023	Notes/reference
	all connecting roads. The Proponent shall collect such additional caribou collar data, over and above those made available to the Proponent by the Government of Nunavut, as are necessary to operationalize this term and condition with reasonable statistical power. This may be achieved through collaboration with the GN or other parties			
54 (GN-22)	The caribou-protection measure of a 1.5 km setback remains an outstanding issue between TMAC and the Government of Nunavut.	Not Active Yet Not Yet Applicable	Active In Compliance	Agnico Eagle noted that this item was resolved with Project Certificate No. 009 Term and Condition 22 "In collaboration with the Government of Nunavut, the Proponent shall specify within its Wildlife Mitigation and Monitoring Plan specific mitigation measures, trigger distances, and group size thresholds for the protection of caribou and muskox in proximity to project activities (e.g., blasting, heavy truck traffic, and aircraft)." The information relevant to this commitment was included in the revised WMMP (2023). NIRB ID No: 344536  <b>The NIRB requests information from GN on this commitment.</b>
55 (GN-23)	The Wildlife Mitigation and Monitoring Plan (WMMP) will be	Active In Compliance	Active In Compliance	Agnico Eagle stated that this information was included in the <i>Wildlife Mitigation and Monitoring Plan (Agnico Eagle, 2023)</i> ,

NIRB No. (Proponent Reference)	Commitment	Status 2022	Status 2023	Notes/reference
	<p>revised to include den monitoring for big game and develop buffers around the dens.</p> <ul style="list-style-type: none"> <li>▪ During construction and operations, regular ground-based observations will be conducted regularly during the denning season to identify active big game den sites within 1 (one) km of the Project that may require mitigation.</li> <li>▪ All active big game dens within 1 (one) km shall have a den-specific management plan, developed in consultation with the GN Department of Environment (FEIS Annex Vol. 8-3, s.2.4, Table 2.4.1).</li> </ul>			<p>NIRB ID No: 344536</p> <p><b>The NIRB requests information from GN on this commitment.</b></p>
56 (GN-24i)	<p>The Wildlife Mitigation and Monitoring Plan (WMMP) will be revised to include the following:</p> <p>Should construction of new areas occur in the raptor breeding period, TMAC will conduct a pre-construction survey of potential cliff-nesting habitat within 2 km of the Proposed Phase 2 Hope Bay Belt Project development prior to construction to ensure sites have been accounted for from previous surveys.</p>	Active In Compliance	Active In Compliance	<p>Agnico Eagle stated that this information was included in the <i>Wildlife Mitigation and Monitoring Plan (Agnico Eagle, 2023)</i>, NIRB ID No: 344536.</p> <p><b>The NIRB requests information from GN on this commitment.</b></p>

NIRB No. (Proponent Reference)	Commitment	Status 2022	Status 2023	Notes/reference
57 (GN-24ii)	<p>The Wildlife Mitigation and Monitoring Plan (WMMP) will be revised to include restrictions if nests are discovered and construction activities shall not begin until a nest protection plan is developed with appropriate buffers and in consultation with the Regional Manager of Wildlife (GN-DOE).</p> <p>Should a nest be built on project infrastructure, the recommended cessation of construction activities within a no-disturbance buffer does not apply, but development of a nest-specific management plan is recommended.</p>	Active In Compliance	Active In Compliance	<p>Agnico Eagle stated that this information was included in the <i>Wildlife Mitigation and Monitoring Plan (Agnico Eagle, 2023)</i>, NIRB ID No: 344536.</p> <p><b>The NIRB requests information from GN on this commitment.</b></p>
58 (GN-24iv)	<p>The Wildlife Mitigation and Monitoring Plan (WMMP) will be revised to include nest-specific management plan for all potential nest sties within 1 kilometre of the Project will have a nest-specific management plan developed in consultation with GN-DOE.</p>	Active In Compliance	Active In Compliance	<p>Agnico Eagle stated that this information was included in the <i>Wildlife Mitigation and Monitoring Plan (Agnico Eagle, 2023)</i>, NIRB ID No: 344536.</p> <p><b>The NIRB requests information from GN on this commitment.</b></p>

NIRB No. (Proponent Reference)	Commitment	Status 2022	Status 2023	Notes/reference
59 (GN-25i)	The Wildlife Mitigation and Monitoring Plan (WMMP) will be revised to include reporting of fixed-wing landings/take-offs at Project airstrips will be recorded. These data will be reported in the annual WMMP compliance report. The reported information will be used to verify EIS predictions regarding flight frequency.	Active In Compliance	Active In Compliance	Agnico Eagle stated that this information was included in the <i>Wildlife Mitigation and Monitoring Plan (Agnico Eagle, 2023)</i> , NIRB ID No: 344536.  <b>The NIRB requests information from GN on this commitment.</b>
60 (GN-25ii)	The Wildlife Mitigation and Monitoring Plan (WMMP) will be revised to include a helicopter flight log and will be reported in the annual WMMP compliance report. The reported information will be used to (1) verify the accuracy of EIS predictions about the frequency and distribution of helicopter traffic; (2) verify assumptions about helicopter traffic that were made in the noise modeling study; and (3) facilitate other Project effects monitoring programs such as wildlife ZOI and movement studies.	Active In Compliance	Active In Compliance	Agnico Eagle stated that this information was included in the <i>Wildlife Mitigation and Monitoring Plan (Agnico Eagle, 2023)</i> , NIRB ID No: 344536  <b>As there were information requests in the 2023 Comments from the GN regarding helicopters, the NIRB requests information from GN on this commitment.</b>
61 (GN-25iii)	The Wildlife Mitigation and Monitoring Plan (WMMP) will be revised to have a 600 m horizontal avoidance buffer for operation of helicopters near caribou also applies to	Active In Compliance	Active In Compliance	Agnico Eagle stated that this information was included in the <i>Wildlife Mitigation and Monitoring Plan (Agnico Eagle, 2023)</i> , NIRB ID No: 344536.  <b>As there were information requests in</b>

NIRB No. (Proponent Reference)	Commitment	Status 2022	Status 2023	Notes/reference
	helicopters on the ground such that engine starts and takeoffs of helicopters will be suspended when caribou are observed within the buffer distance, subject to the operational safety discretion of the pilot.			<b>the 2023 Comments from the GN regarding helicopters, the NIRB requests information from GN on this commitment.</b>
62 (GN-26)	The WMMP will be revised to clarify that driver rules used for caribou will be applied to muskoxen. And Figure 2.2-1 Driver Mitigation for Caribou will be applied to muskoxen.	Active In Compliance	Active In Compliance	Agnico Eagle stated that this information was included in the <i>Wildlife Mitigation and Monitoring Plan (Agnico Eagle, 2023)</i> , NIRB ID No: 344536. <b>The NIRB requests information from GN on this commitment.</b>
63 (HC-4.1.4)	NO <sub>2</sub> mitigation: Wind power generation may be pursued, which would be expected to reduce NO <sub>x</sub> emissions due to reduced power plant operation.	Not Active Yet Not Yet Applicable	Not Active Yet Not Yet Applicable	The Proponent indicated that this is not a commitment.  HC commented that following the installation of a new NO <sub>2</sub> monitoring station that monitoring results could be used to evaluate the effectiveness of current mitigation operations in relation to the CAAQs and inform decisions related to project emissions and efforts to continuously improve air quality.  The inclusion of NO <sub>2</sub> monitoring in the Project's annual reporting will help demonstrate how these commitments have been met. In particular, sharing information on measures taken to manage

NIRB No. (Proponent Reference)	Commitment	Status 2022	Status 2023	Notes/reference
				and reduce emissions will address HC's recommendations.
64 (HC-4.1.4)	NO <sub>2</sub> mitigation: Consideration of taller stacks at the Madrid North and Boston power plants to promote greater dispersion.	Not Active Yet Not Yet Applicable	Not Active Yet Not Yet Applicable	In its <i>2022 Annual Report</i> , Agnico Eagle reported "noted".  Infrastructure not constructed at Madrid North and Boston.
65 (HC-4.1.4)	NO <sub>2</sub> mitigation: Consideration for additional NO <sub>x</sub> emissions reductions during detailed Project design. These may include energy efficiency methodologies	Active In Compliance	Active In Compliance	In its <i>2022 Annual Report</i> , Agnico Eagle reported "noted".  HC commented that following the installation of a new NO <sub>2</sub> monitoring station that monitoring results could be used to evaluate the effectiveness of current mitigation operations in relation to the CAAQs and inform decisions related to project emissions and efforts to continuously improve air quality.  The inclusion of NO <sub>2</sub> monitoring in the Project's annual reporting will help demonstrate how these commitments have been met. In particular, sharing information on measures taken to manage and reduce emissions will address HC's recommendations.

NIRB No. (Proponent Reference)	Commitment	Status 2022	Status 2023	Notes/reference
66 (TC-4.1.1)	TMAC will comply with the regulations under the Canadian Aviation Regulations under Subpart 7 (307.01).	Active In Compliance	Active Deficient-in Progress	In its 2022 Annual Report, Agnico Eagle reported “noted”.  <b>The NIRB requests information from TC on this commitment.</b>
67 (INAC-FC#3)	TMAC will install and use silt curtains during in-water construction of the cargo dock as stipulated in the FEIS Volume 5, Section 10.5.3.2 unless directed otherwise by DFO during the regulatory phase.	Not Active Yet Not Yet Applicable	Not Active Yet Not Yet Applicable	Agnico Eagle noted that the cargo dock was not constructed in 2022.
68 (INAC-FC#5)	TMAC will, as part of the next formal update to the Project Closure and Reclamation Plan, post issuance of the Water Licenses include pertinent information and recommendations from Newmont and KIA’s active revegetation trials at Hope Bay. This site specific information will inform how revegetation can be applied, as appropriate, at closure.	Active Deficient – in progress	Active In Compliance	Agnico Eagle noted the commitment and stated that the next version of the Project Closure and Reclamation Plan is expected in 2023.
69 (GN-03)	TMAC will continue to support sexual health awareness and education by providing workers access to sexual health information throughout the life of the Project.	Active In Compliance	Active In Compliance	Agnico Eagle stated this is in place and functioning through Hope Bay’s on-site Physician Assistants.  <b>The NIRB requests information from GN on this commitment.</b>
70 (GN-03)	The Proponent shall ensure that all reportable diseases are reported as per	Active In Compliance	Active Deficient-In	Agnico Eagle maintains communications with the Government of Nunavut

NIRB No. (Proponent Reference)	Commitment	Status 2022	Status 2023	Notes/reference
	the existing regulations. Further, the Proponent will develop capacity to reduce public health related diseases that are demonstrated to be linked to camp populations when data is presented to the Proponent regarding regional increases in related diseases.		Progress	<p>Kitikmeot Public Health Officials and the Nunavut Chief Public Health Officer regarding reportable diseases. Agnico Eagle noted TMAC’s March 2020 COVID-19 plans and the measures it took to assist with the prevention and transmission of the disease. In addition, TMAC isolated operations from the Kitikmeot communities by ceasing Northern Crew Changes and restricting the land site visitation to emergencies only. The plan was amended when required; however, in October 2021 an outbreak occurred. The outbreak was addressed with the guidance and direction of the Nunavut Chief Public Health Officer.</p> <p><b>The NIRB requests information from GN on this commitment.</b></p>
71 (GN-03)	TMAC will continue to inform workers of the range of health services available on-site throughout the life of the Project.	Active In Compliance	Active Deficient-in Progress	<p>Done via the site orientation and follow-up with safety presentations.</p> <p><b>The NIRB requests information from GN on this commitment.</b></p>
72 (GN-03)	The Proponent shall, on a regular and on-going basis, participate in discussions and dialogue with the GN Department of Health in connection with Project activities, policies, or	Active Non-compliance	Active Deficient-in Progress	<p>Agnico Eagle indicated prior to March 2020, communications between TMAC and the GN Department of Health was limited to determining “fitness to work” for employees. In March and thereafter,</p>

NIRB No. (Proponent Reference)	Commitment	Status 2022	Status 2023	Notes/reference
	Project-induced public health issues which may have effect on health and social services facilities, programs and services.			<p>TMAC engaged with the GN Department of Health to develop and implement an Infectious Disease Control Plan at Hope Bay focussed on preventing the transmission and spread of the COVID 19 virus at the mine site. TMAC worked closely with Departmental officials on documenting disease prevention measures, determining the need for COVID-19 testing on site, identifying the appropriate testing equipment and methods, responding to the 2020 Hope Bay COVID-19 outbreak, and considering future protocols that may allow Nunavut workers to return to work. In 2021, Agnico Eagle continued the isolation of Hope Bay facilities from the rest of the Kitikmeot Region initiated in 2020. Given there was no contact between site and the Kitikmeot during the year, the project did not draw on any Nunavut public health, social services facilities, programs and services. Agnico Eagle did report an outbreak of COVID 19 at Hope Bay in September and October of 2021. Given that there was limited contact between site and the Kitikmeot during 2022, the project did not draw on any Nunavut public health, social services facilities, programs, and services.</p>

NIRB No. (Proponent Reference)	Commitment	Status 2022	Status 2023	Notes/reference
73 (GN-04)	The Proponent will communicate to the GN available information on major changes to Project-related tax and in the case that any major change occurs, or as needed. This communication will not preclude either party from contracting the other to request an updated estimate of territorial taxes.	Active Non-compliance	Active In Compliance	Agnico Eagle indicated that no major changes to Project-related tax payment have occurred to date. Reporting occurs annually on payments to the GN and others as part of Government of Canada Extractive Sector Transparency Measures Act compliance: <a href="https://www.nrcan.gc.ca/our-natural-resources/minerals-mining/mining-resources/extractive-sector-transparencym/links-estma-reports/18198">https://www.nrcan.gc.ca/our-natural-resources/minerals-mining/mining-resources/extractive-sector-transparencym/links-estma-reports/18198</a>  <b>The NIRB requests information from GN on this commitment.</b>
74 (GN-05)	The Proponent will periodically review the Community Involvement Plan (CIP) and as required, shall update the CIP to ensure that it reflects current and relevant stakeholders, as well as effective communication and engagement methods with stakeholders throughout the life of the Project.	Active In Compliance	Active In Compliance	Agnico Eagle reported it noted the commitment and that no update required at this time.  <b>The NIRB requests information from GN on this commitment.</b>
75 (GN-06)	The Proponent continues to be an active member in the Hope Bay Socio-Economic Working Group. Invited members of this Working Group shall include the Proponent, the Government of Nunavut, Indigenous and Northern Affairs Canada, and the Kitikmeot Inuit Association. Working Group members	Active In Compliance	Active Not rated in 2023 due to timing of submission, commenting in 2024	Not rated at this time as information will be assessed in 2023-2024 monitoring period.

NIRB No. (Proponent Reference)	Commitment	Status 2022	Status 2023	Notes/reference
	<p>may invite new participants to participate, on an as-needed basis.</p> <p>The central focus of the Hope Bay Socio-Economic Working Group shall be on collaborating to ensure that the Hope Bay Socio-Economic Monitoring Plan provides for appropriate Project-specific socio-economic effects monitoring as required throughout the life of the Project. The Hope Bay Socio-Economic Monitoring Plan shall apply to the Project as described in the FEIS.</p> <p>The Proponent, reflecting the input of the Hope Bay Socio-Economic Working Group, shall produce an annual Hope Bay Socio-Economic Monitoring Plan report.</p>			
76 (GN-06)	<p>Within one (1) year of the issuance of a Project Certificate, the Proponent shall submit an updated Hope Bay Socio-Economic Monitoring Plan (SEMP) to the Hope Bay Socio-Economic Working Group for review. The SEMP shall identify updates, changes, and any amendments made to the Terms of Reference for the Hope Bay Socio-Economic Working Group. Updates to the SEMP shall reflect the changing circumstances as outlined in</p>	Active In Compliance	Active Not rated in 2023 due to timing of submission, commenting in 2024	Not rated at this time as information will be assessed in 2023-2024 monitoring period.

NIRB No. (Proponent Reference)	Commitment	Status 2022	Status 2023	Notes/reference
	the Hope Bay Final Environmental Impact Statement and Final Hearing Report. Any changes as agreed to by the Hope Bay Socio-Economic Working Group shall be submitted to the Nunavut Impact Review Board.			
77 (GN-07 & GN-11)	The Proponent shall reach out to third parties to deliver financial management programs such as financial literacy, financial planning, and personal budgeting. TMAC will approach Nunavut Housing Corporation and GN Department of Family Services (or other GN departments as appropriate) to solicit input and/or participate in the delivery of programming to Project workers.	Active In Compliance	Active Not rated in 2023 due to timing of submission, commenting in 2024	Not rated at this time as information will be assessed in 2023-2024 monitoring period.
78 (GN-07)	The Proponent will track statistics regarding the delivery of the financial management programming. The Proponent will share relevant data concerning the implementation and success of training and education programs during the Kitikmeot SEMC annual meeting, so long as these data are consistent with and not limited by obligations under the Hope Bay IIBA.	Active In Compliance	Active Not rated in 2023 due to timing of submission, commenting in 2024	Not rated at this time as information will be assessed in 2023-2024 monitoring period.

NIRB No. (Proponent Reference)	Commitment	Status 2022	Status 2023	Notes/reference
79 (GN-08)	<p>The Proponent is strongly encouraged to submit staff schedule forecasts to the Nunavut Impact Review Board and to the Government of Nunavut six (6) months prior to each phase of the Project (construction, operations, closure). Staff schedule forecasts should be inclusive of:</p> <ul style="list-style-type: none"> <li>▪ Title and number of positions required by department or work area;</li> <li>▪ Potential start dates;</li> <li>▪ The level of education required (with reference to the specific positions); and</li> </ul> <p>Whether on-the-job or other forms of training and certification will be required (with reference to specific positions).</p>	Active In Compliance	Active In Compliance	<p>Not submitted during 2022 due to COVID-19 and the projects changing focus to exploration.</p> <p><b>Note:</b> It is expected that this information be provided throughout temporary closure as it applies and when the projects move back into construction and operations.</p>
80 (GN-08)	<p>In order to ensure alignment with necessary skill-sets needed to work at the Project, the Proponent will consult the Government of Nunavut's Career Development Division during the development of staff schedule forecasts. A new schedule shall be submitted following any significant deviation from original predictions.</p>	Active In Compliance	Active Not rated in 2023 due to timing of submission, commenting in 2024	<p>Not rated at this time as information will be assessed in 2023-2024 monitoring period.</p>

NIRB No. (Proponent Reference)	Commitment	Status 2022	Status 2023	Notes/reference
81 (GN-08)	<p>The Proponent’s Human Resources shall make best efforts to collaborate with the Government of Nunavut’s Career Development Officer, Regional Manager of Career Development, and Director of Career Development. Semi-annual calls, at a minimum, should be initiated by the Proponent with these Government of Nunavut representatives regarding:</p> <ul style="list-style-type: none"> <li>▪ Employee recruitment and retention issues;</li> <li>▪ Internal and/or partnered training and development of employees; and</li> </ul> <p>Long-term labour market plans to facilitate training in communities.</p>	Active In Compliance	Active Not rated in 2023 due to timing of submission, commenting in 2024	Not rated at this time as information will be assessed in 2023-2024 monitoring period.
82 (GN-09)	The Proponent commits to ongoing discussion with the GN Department of Family Services and other stakeholders regarding training opportunities and requirements to fill the skills-gap of the Kitikmeot workforce.	Active In Compliance	Active In Compliance	Agnico Eagle reported that in 2019, TMAC conducted a negotiation session with the Kitikmeot Inuit Association and the Government of Nunavut towards a 3-party Memorandum of Understanding (MOU) that would commit the parties to work together on a quarterly basis, towards priority issues such as employment and training. It was anticipated that this MOU will be concluded and in operation in 2020. Meetings and discussions under the MOU would include the Departments of

NIRB No. (Proponent Reference)	Commitment	Status 2022	Status 2023	Notes/reference
				<p>Education, Family Services and Nunavut Arctic College amongst others. The signing of the MOU was planned for the 2020 Nunavut Mining Symposium; however, this was cancelled due to COVID-19. Currently, the MOU is unsigned. With the purchase of the Project, Agnico Eagle is considering whether to sign the MOU or include Hope Bay under an existing MOU that Agnico Eagle has with the GN since 2017. The decision on this has yet to be made.</p> <p>The NIRB requests information from GN on this commitment.</p> <p><b>Note:</b> the NIRB observes that Agnico Eagle discussed an MOU that has been in place since 2017; however, in its Meadowbank/Whale Tail projects Agnico Eagle discusses signing MOUs in 2020 as well.</p> <p>Note: Can Agnico Eagle and the GN clarify what MOUs including the GN department that it has in place in the Kivalliq Region that may be used instead of stand alone plans in the Kitikmeot Region.</p>

NIRB No. (Proponent Reference)	Commitment	Status 2022	Status 2023	Notes/reference
83 (GN-10)	<p>If the Government of Nunavut and the Nunavut Housing Corporation develop an anonymous voluntary housing survey, the Proponent shall make the survey available to Nunavummiut site personnel and the Proponent will return any completed surveys to the Government of Nunavut.</p>	<p>Active Non-compliance</p>	<p>Active Non-compliance</p>	<p>Agnico Eagle noted the commitment and stated that TMAC responded to a draft Nunavut Housing Corporation survey of mine workers that was being proposed to be delivered to Baffinland and Agnico Eagle employees, and eventually at Hope Bay in May 2019. No feedback was received from survey comments.</p> <p>However, Agnico Eagle remains committed to administering a housing status survey to its Nunavummiut employees, should one be developed.</p> <p><b>The NIRB requests information from GN on this commitment.</b></p>
84 (GN-11)	<p>The Proponent will support the communication to Project workers of education, training materials, and programs (i.e., homeownership) developed by the Nunavut Housing Corporation.</p> <p>The Proponent shall reach out to third parties to deliver financial management programs such as financial literacy, financial planning, and personal budgeting. TMAC will approach Nunavut Housing Corporation and GN Department of Family Services (or other</p>	<p>Active In Compliance</p>	<p>Active Not rated in 2023 due to timing of submission, commenting in 2024</p>	<p>Not rated at this time as information will be assessed in 2023-2024 monitoring period.</p>

NIRB No. (Proponent Reference)	Commitment	Status 2022	Status 2023	Notes/reference
	GN departments as appropriate) to solicit input and/or participate in the delivery of programming to Project workers.			
85 (INAC-FC#7)	TMAC shall collaborate with the Hope Bay Socio-Economic Working Group (SEWG) to ensure that the Hope Bay Socio-Economic Monitoring Program provides for appropriate Project-specific socio-economic effects monitoring of the potential effect of competition for labour. Specific indicator(s) will be developed as agreed to by the SEWG and considering the input of the Kitikmeot Socio-economic Monitoring Committee, to track and report on the extent to which the Project-related competition for labour may impact Kitikmeot communities. Activities related to monitoring and development of mitigation, including use and disclosure of information and data, will adhere to the SEWG Terms of Reference.	Active In Compliance	Active Not rated in 2023 due to timing of submission, commenting in 2024	The 2022 Socio-Economic Report was submitted in July 2023 and will be reviewed during the 2023/2024 monitoring year.

NIRB No. (Proponent Reference)	Commitment	Status 2022	Status 2023	Notes/reference
86 (INAC-FC#8)	<p>TMAC shall collaborate with the Hope Bay Socio-Economic Working Group (SEWG) to ensure that the Hope Bay Socio-Economic Monitoring Program provides for appropriate Project-specific socio-economic effects monitoring of Project procurement of local and regional businesses and competition for access to local and regional businesses by existing customers. Specific indicator(s) will be developed as agreed to by the SEWG, and considering the input of the Kitikmeot Socio-economic Monitoring Committee, to track and report on the extent to which the Project procures from Kitikmeot businesses and the extent to which existing customers are unable to access goods and services, consistent with provisions of the Hope Bay Impact and Benefit Agreement (IIBA). Activities related to monitoring and development of mitigation, including use and disclosure of information and data, will adhere to the SEWG Terms of Reference.</p>	Active In Compliance	Active Not rated in 2023 due to timing of submission, commenting in 2024	The 2022 Socio-Economic Report was submitted in July 2023 and will be reviewed during the 2023/2024 monitoring year.