

Monitoring Officer's 2008 Site Visit Report for the Meadowbank Gold Project

Proponent: Agnico-Eagle Meadowbank

555 Burrard Street, Suite 375 Box 209, Two Bentall Centre

Vancouver, British Columbia V7X 1M8

Monitoring Officer: Amanda Hanson Contact phone: (867) 983-4615

Site: Meadowbank Gold Mine site facilities, All-Weather Private Access

Road, Baker Lake Storage and Marshalling Area

Proponent Contact: Larry Connell

Title: Regional Manager: Environment, Social and Government Affairs

Contact phone: (604) 608-2557

Visit dates: July 21-22, 2008

Photos: Amanda Hanson, Nunavut Impact Review Board (July 21-22,

2008)

1.0 Introduction

The Nunavut Impact Review Board (NIRB) issued a Project Certificate (No. 004), pursuant to Section 12.5.2, Article 12, Nunavut Land Claim Agreement (NLCA), for the Meadowbank Gold Project (Project) in December 2006.

The project includes a gold mining operation approximately 70 kilometres (km) north of the Hamlet of Baker Lake, as well as related infrastructure consisting of barge unloading facilities, a laydown storage and marshalling area, a 40 ML fuel tank farm, an explosives storage area, and associated interconnecting roads located approximately 2 km east of Baker Lake. The construction of a 110 km all weather private access road (AWPAR) was completed in June 2008, connecting the mine site and the facilities near Baker Lake.

Supplies are shipped via barge from southern origins to Baker Lake where they are offloaded at the laydown and marshalling facilities. From there, materials are transported to the site via truck along the 110 km AWPAR.

At the time of the site visit, no mining activities had yet commenced. Construction of the Meadowbank site and exploration drilling were occurring, and Agnico-Eagle Meadowbank (AEM) had begun construction of the Second Portage Lake dike.

2.0 Objectives & Focus of Site Visit

As per the Project Certificate (No. 004) issued for the Meadowbank Gold Project, the NIRB is responsible for the monitoring of this Project in accordance with Articles 12.7.1 and 12.7.2 of the Nunavut Land Claims Agreement (NLCA).

The objectives of the NIRB's site visit were therefore to determine whether and to what extent the land or resource use in question is being carried out within the predetermined terms and conditions (NLCA Article 12.7.2 b).

Prior to the site visit, the Monitoring Officer reviewed the following items: Final Environmental Impact Statement, Final Hearing Report, Project Certificate (No. 004), follow up correspondence from the 2007 site visit (attached as **Appendix A**), Terrestrial Ecosystem Management Plan; Transportation Management Plan for the Tehek Lake All Weather Private Access Road; Access and Air Traffic Management Plan; and the 2007 Wildlife Monitoring Summary Report. Based on this review, the 2008 site visit focused upon the following parameters:

- 1. General Observations
- 2. Water Quality and Waste Management (Conditions 22, 25, and 28)
- 3. All-Weather Private Access Road (Conditions 32 and 34)
- 4. Marine Environment (Conditions 36, 39, and 40)
- 5. Wildlife and Terrestrial (Conditions 56 and 57)
- 6. Noise (Condition 62)
- 7. Accidents and Malfunctions (Condition 77)
- 8. Other (Conditions 74 and 81)

The observations resulting from this site visit shall, where possible, be incorporated into the measurement of the relevant effects of the project, as per Article 12.7.2(a) of the NLCA.

3.0 2008 Site Visit

On Monday July 21, 2008 the Monitoring Officer met with Agnico-Eagle representative Larry Connell in Baker Lake to discuss the Project and its current status. The Monitoring Officer and Mr. Connell also toured the Baker Lake facilities, including the fuel storage area and barge offloading facilities.

On the morning of Tuesday July 22, 2008, Larry Connell and Rachel Gould of AEM, Joel Rose of the Government of Nunavut Department of Environment, and the Monitoring Officer met in Baker Lake and travelled via the AWPAR to the Meadowbank site.

The site visit included a tour of the Meadowbank site, km 100 Camp facilities, Portage Island and the temporary crossing at Second Portage Lake, as well as the future site of the explosives storage area (at the Meadowbank site).

The following observations were made during the site visit:

3.1 General Observations

The following are general observations made during the site visit and do not pertain specifically to any particular terms or conditions of the Project Certificate:

- **a.** During the drive from the Hamlet of Baker Lake to the Meadowbank site, two groups of Musk-oxen were viewed alongside the AWPAR, one of approximately fifteen animals, the second of approximately twenty. The Monitoring Officer did not observe during the visit, the recording or relay of this information to dispatch or to the environmental technician on site (Terrestrial Ecosystem Management Plan (TEMP) p 4-16).
- **b.** The Proponent had placed emergency shelters at 10 km intervals along the entire AWPAR. They are painted a bright orange, and are able to provide a heated shelter from adverse weather conditions.
- **c.** At the future explosives storage site a male caribou was observed ambling along the access road and down onto the land. The animal wandered and grazed while the visitors explored the storage area (Photo 1).



- **d.** There are five "blind hills" along the AWPAR. Each of these are designated as such by signage posted at the base of the hill. Vehicles identify themselves via the cb radio, prior to their ascent/descent of these hills (i.e: "Pick-up #2 approaching blind hill #1).
- **e.** The Proponent noted that Quarry 6 has been serving as a land farm for contaminated soils and other debris (Photos 2 and 3).



Photo 2: Quarry 6 doubling as a land farm and storage area.



Photo 3: Quarry 6 doubling as a land farm area. Note soil piles.

f. On returning from the Meadowbank site, our party encountered three ATVs travelling toward the Meadowbank site via the AWPAR. Mr. Connell advised the

travelers of the private nature of the road, and contacted dispatch via radio to alert mine-related drivers of the unauthorized users.

Sections 3.2 through 3.8 relate to those sections of the Meadowbank Project Certificate as indicated, with terms and conditions providing the basis for the observations.

3.2 Water Quality and Waste Management

a. Condition 22

"Prior to the commencement of the Project, Cumberland shall fund and install an on site lab that has the capability to monitor parameters at a type and at a frequency acceptable to the NWB and EC at all site discharge points. ..."

The Project Certificate notes that "prior to commencement" of the Project which indicates that the lab shall be installed before the start of any activity for any component or phase of the project (including the road component).

At the time of the site visit, the lab had not yet been installed on site. Larry Connell informed the Monitoring Officer that the lab and related equipment have been purchased and are expected to arrive with the 2008 barge supplies.

In addition, in correspondence dated August 17, 2007 (Appendix A), the Proponent indicated that the lab would be constructed before the start of Mine operation.

b. Condition 25

"Cumberland shall manage and control waste in a manner that reduces or eliminates the attraction to carnivores and/or raptors. Cumberland shall employ legal deterrents to carnivores and/or raptors at all landfill and waste storage areas..."

The Proponent indicated (Appendix A) that this condition had been met in the TEMP, however during the NIRB's 2007 site visit, Arctic foxes were noted to be denning beneath the kitchen unit on site. No foxes had been reported on site since the 2007 site visit.

In follow-up correspondence of February 1, 2008 (Appendix B), the Proponent proposed a list of measures and the schedule for their implementation to be completed prior to May 1, 2008.

During the 2008 site visit, all domestic and combustible wastes at the Meadowbank site were separated and stored in sea-cans prior to incineration (Photo 4). GN-DoE Conservation Officer Joel Rose stated that keeping wastes inaccessible to wildlife is an acceptable and legal deterrent to carnivores and raptors. No gulls or raptors were sighted near the mine site camp or other facilities.



Photo 4: Waste storage area. Wastes separated by type.

c. Condition 28

"Cumberland shall become a signatory to the International Cyanide Management Code, communicate this to shippers, and do so prior to Cumberland storing or handling cyanide for the Project."

The Proponent indicated that no cyanide has been, or will be, handled on site for at least the next two years.

3.3 All-Weather Private Access Road (AWPAR)

a. Condition 32

"Cumberland shall operate the all-weather road as a private access road, and implement measures to limit public access to the road, including:

- a. The installation of locked gates at bridges 1 and 4;
- b. The posting of signs in English and Inuktitut at each gate, each major bridge crossing, and each 10 kilometres of road, stating that public use of the road is prohibited;
- c. The posting of signs in English and Inuktitut along the road route to identify when entering or leaving crown land;
- d. ...
- e. Require all mine personnel using the road to monitor and report unauthorized non-mine use of the road, and collect and report this data to NIRB one (1) year after the road is opened and annually thereafter; and

f. ..."

In correspondence dated August 17, 2007 (Appendix A), the Proponent noted that this condition was to be met on an on-going basis, and that as soon as the road was completed, all of the 'private access road' conditions would be in place.

The Proponent had installed a gatehouse and gate at Km 5 which according to the Proponent, is manned 24 hours per day while the AWPAR is in use by mine-related traffic (Photo 5). The proponent indicated that vehicles are not permitted past the gate unless they are equipped with proper safety equipment (bunny whip; cb radio; and hard hat, safety glasses, and high visibility safety vest for each passenger on board). Each vehicle is required to radio dispatch with their vehicle identification (i.e. Pick up #2), the number of people in the vehicle, and the starting and destination points. When arriving at the destination, the vehicle is required to radio dispatch to alert them of the safe arrival.



Photo 5: Manned gatehouse. Note signage to either side of gate.

During the site visit it was noted that no locked gates were present at any of the bridges along the road. No signs were posted (outside of the municipal bounds of Baker Lake) stating the prohibition of public usage of the road, and no English/Inuktitut signs were present along the road route identifying land ownership. No method or procedure was in place for mine personnel using the road to report unauthorized non-mine road use.

b. Condition 34

"Cumberland shall, in consultation with the Hamlet of Baker Lake, KivIA, and the Royal Canadian Mounted Police, facilitate the hiring of a full time road safety, search and rescue position to respond to safety matters arising from mine and unauthorized non-mine use of the all-weather

private access road, including consulting with Baker Lake and Chesterfield Elders to incorporate Traditional Knowledge into search and rescue operations."

In follow up correspondence to the NIRB's 2007 site visit report (Appendix B), the Proponent indicated that this condition would be met prior to the road being placed into service. Follow up with AEM indicated that the AWPAR was placed into service on or around March 15, 2008.

To date no road safety, search and rescue person had been hired by the Proponent, though, Ms. Gould indicated that the Safety Superintendent and Site Security team for the Meadowbank Project are responsible for the duties of the road safety, search and rescue position (training for emergency response along the AWPAR, performing routine road patrols, coordination of road activity with dispatch).

3.4 Marine Environment

a. Condition 36

"Cumberland shall ensure the placement of local area marine mammal monitors onboard all vessels transporting fuel or materials for the Project through Chesterfield Inlet."

Follow up correspondence (Appendix B) indicated that Northern Transportation Company Limited (NTCL) had hired monitors. Three Elders were hired from Chesterfield Inlet, but Mr. Connell indicated that none of them showed up for their ship departure.

Further to this, in correspondence dated September 5, 2008 (Appendix C), AEM indicated that three Elders hired by NTCL were serving as marine mammal monitors on board their barge vessels.

b. Condition 39

"Within three (3) months of contracting with a shipping company to transport cargo to the Project through Chesterfield Inlet and prior to the commencement of shipping, Cumberland shall advertise and hold a community information meeting in Chesterfield Inlet to fully discuss the shipping program for the Project. Thereafter, Cumberland shall annually advertise and hold a community information meeting in Chesterfield Inlet to report on the Project and to hear from Chesterfield Inlet residents and respond to concerns. A consultation report shall be submitted to NIRB's Monitoring Officer within one month of the meeting."

The Proponent filed the first of these annual reports on August 10, 2007, with no further documentation to date.

Correspondence from the Proponent on September 5, 2008 (Appendix C) indicated that the annual meeting in Chesterfield Inlet is scheduled to take place September 22, 2008.

c. Condition 40

"Cumberland shall gather Traditional Knowledge from the local HTO and conduct a minimum of a one-day workshop with residents of Chesterfield Inlet to more fully gather Traditional Knowledge about the marine mammals, cabins, hunting, and other local activities in the Inlet. Cumberland shall report to KivIA and NIRB's Monitoring Officer annually on the Traditional Knowledge gathered including any operational changes that resulted from concerns shared at the workshop."

In August 2007, the Proponent indicated that Andre Tautu had been contracted to conduct the Traditional Knowledge workshop in Chesterfield Inlet. No meetings with the HTO (Hunters' and Trappers' Organization) had been held to date.

In correspondence dated September 5, 2008 (Appendix C), the Proponent indicated that they have been unsuccessful in establishing formal contact with the HTO in Chesterfield Inlet; however, wildlife monitors aboard NTCL barges have coordinated their reporting requirements through AEMs Community Liaison Officer, Michael Haqpi. The NIRB is awaiting receipt of Mr. Haqpi's reports.

3.5 Wildlife and Terrestrial

a. Condition 56

"Cumberland shall plan, construct, and operate the mine in such a way that caribou migration paths through the Project, including the narrows west of Helicopter Island are protected. Maps of caribou migration corridors shall be developed in consultation with Elders and local HTOs, including Chesterfield Inlet and placed in site offices and upgraded as new information on corridors becomes available. Information on caribou migration corridors shall be reported to the GN, KivIA and NIRB's Monitoring Officer annually."

No maps outlining caribou migration corridors were present in site offices. Section 3.4.2.6 of the TEMP indicates that these maps are to be developed as per Condition 56.

b. Condition 57

"Cumberland shall participate in a caribou collaring program, as directed by the GN-DOE."

No further work had been initiated since 2007. Comments from the Proponent indicated a willingness to cooperate with the GN, including the purchase of collars to be employed through the program. (TEMP, Section 4.4.2.2, No. 5)

3.6 Noise

a. Condition 62

"Cumberland shall develop and implement a noise abatement plan...will be developed in consultation with Elders, GN, HC, and EC and include:

- a. The use of sound meters to monitor sound levels in and around the mine site, including workers' on-site living/sleeping quarters and any summer camps adjacent to the site, and in the local study area, with the locations and design of the sound meters selected in consultation with HC and EC. Sound meters are to be set up immediately upon issuance of the Project Certificate for the purpose of obtaining baseline data, and monitoring during and after operations;
- *b*. ...
- c. Restrictions on blasting and drilling when migrating caribou, or sensitive local carnivores or birds may be affected;
- *d*. ...
- e. ..."

Sound metres had not been installed at the time of the site visit. The Proponent indicated in conversation during the visit that the necessary equipment was scheduled to arrive with the 2008 barge supplies.

3.7 Air Quality

a. Condition 74

"Cumberland shall employ environmentally protective techniques to suppress any surface road dust."

The Monitoring Officer observed that a water truck operating a rear sprayer was applying water along a site access road following large haul trucks which were creating visible dust plumes.

3.8 Accidents and Malfunctions

a. Condition 77

"Cumberland shall as soon as possible, review and coordinate its Emergency Response Plan with the emergency response plans of the Hamlets of Baker Lake and Chesterfield Inlet."

At the time of the site visit, the Proponent noted that no discussions had taken place with either of the Hamlets regarding the coordination of their emergency response plans. However, correspondence from the Proponent in August of 2007 (Appendix A) indicated that discussions with the Hamlets had been initiated since that time.

3.8 Other

b. Condition 81

"Beginning with mobilization, and for the life of the Project, Cumberland shall provide full 24 hour security, including surveillance cameras and a security office at the Baker Lake storage facility/marshalling area, and take all necessary steps to ensure the safe and secure storage of any hazardous or explosive components within the Hamlet of Baker Lake boundaries."

No visible security measures had been implemented at Agnico-Eagle's marshalling and storage area at the time of the site visit (Photo 6). No signage was posted indicating Agnico-Eagle's ownership of the site, nor to indicate that it was under construction. No fencing or surveillance measures had been put into place.



Photo 6: Baker Lake barge offloading and marshalling area.

4.0 Findings

The Proponent has not met the requirements of Condition 22, namely, that a lab be installed on site prior to the commencement of the Project. At the time of the site visit, no lab or related equipment were on site. The Proponent indicated that these have been purchased and are expected to arrive with the 2008 barge supplies.

The Proponent has not proven to be compliant with items a, b, or c of Condition 32 with respect to the all-weather private access road.

While no locked gates were present at bridges along the road as required by item 32 (a), the Proponent submitted to the NIRB (July 29, 2008) a request to have the Meadowbank Project Certificate (Condition 32) amended to allow the manned gatehouse to serve in place of locked gates at bridges 1 and 4. The NIRB is currently considering a Section 12.8.2 (NLCA) reconsideration of this condition of the Meadowbank Project Certificate as a result of this request.

No signs were posted (outside of the municipal bounds of Baker Lake) stating the prohibition of public usage of the road, and no English/Inuktitut signs were present along the road route identifying land ownership.

No road safety, search and rescue person had yet been hired by the Proponent as is required by Condition 34. AEM has indicated that the Safety Superintendent and Site Security team for the Meadowbank Project would be responsible for the duties of the road safety, search and rescue position (Appendix C).

Rachel Gould provided the Monitoring Officer an update with regard to Condition 36 (Appendix C), noting that three Elders had been successfully commissioned as marine monitors aboard NTCL barges. The NIRB anticipates receiving reporting to this effect.

With respect to Condition 39, the Proponent filed the first Chesterfield Inlet information meeting annual report on August 10, 2007.

In accordance with Condition 39, the annual meeting for 2008 to be held in Chesterfield Inlet is scheduled to take place September 22nd (Appendix C). The NIRB anticipates receiving the consultation report from the Proponent following this meeting.

In August 2007 the Proponent indicated that Andre Tautu had been contracted to conduct the Traditional Knowledge workshop in Chesterfield Inlet as per Condition 40. No meetings with the HTO had been held as of the site visit, and the Proponent indicated a difficulty in establishing formal contact with the HTO in Chesterfield Inlet (Appendix C).

No maps outlining caribou migration corridors were present in site offices. In addition to Condition 56 of the PC, Section 3.4.2.6 of the TEMP also requires that the Proponent ensure the placement of said maps.

No sound metres were installed on site at the time of the site visit as per Condition 62. The Proponent indicated that the necessary equipment was scheduled to arrive with the 2008 barge supplies.

Condition 77 requires that the Proponent review and coordinate their Emergency Response Plan with those of the Hamlets of Baker Lake and Chesterfield Inlet. Information received from the Proponent is conflicting and therefore not indicative of whether or not this Condition has been met.

Where Condition 81 requires that full 24 hour security be present to ensure safe and secure storage of any hazardous or explosive components within the Hamlet of Baker Lake boundaries, the Monitoring Officer noted no security measures in place at the Baker Lake storage and marshalling area.

5.0 Summary

The Meadowbank site has undergone immense change over the 2007-2008 season, with the most notable additions being the establishment of permanent camp facilities, the completion of the AWPAR, the preparation for the diking of Second Portage Lake, and the placement of Teardrop Lake into service as the outfall for grey water (and future site of the Meadowbank Tailings Pond).

Overall, the Proponent appears to comply with most of the terms and conditions contained within the Meadowbank Project Certificate. However, there are certain areas where non-compliance is evident and which require the Board's consideration.

Prepared by: Amanda Hanson
Title: Monitoring Officer
Date: September 15, 2008

Signature:

Reviewed by: Jeff Rusk

Title: Director, Technical Services

Date: September 19, 2008

Signature:



APPENDIX A

Correspondence from Agnico-Eagle Mines Ltd Regarding Status of Project Certificate (No. 004) Terms and Conditions



August 17, 2007

Nunavut Impact Review Board PO Box 1360, Cambridge Bay, NU X0B 0C0

Via email: ahanson@nirb.nunavut.ca

Attention: Ms Amanda Hanson

Re: NIRB Monitoring Officer's Meadowbank Site Visit – August 21-22, 2007

Dear Ms Hanson,

As requested in your letter dated August 10, 2007, and in preparation for your upcoming Meadowbank Site visit, this letter is to provide a summary report on the status of compliance of the project with the NIRB Certificate terms and conditions, on the status of the permitting process and on activities that are taking place in Baker Lake, on the road and at the project site.

Status of Certificate Conditions

I have included as Appendix 1 of this letter the Certificate Conditions Status Update Table that we are currently using for our own planning. This table should contain all the necessary information for you to assess the status of the 86 conditions that were included in the Meadowbank Project Certificate. We could review this table with you during the site visit and provide clarifications as required.

Status of permitting process

Baker Lake tank farm and marshalling area:

The lease for the area was obtained from the Baker Lake Hamlet. The final drawings were submitted to the NWB in June and the permit was sent by the NWB for public review on June 29, 2007. Responses to comments were sent by AEM on August 2, 2007. From discussion with staff from the Nunavut Water Board (NWB) yesterday, the License B for the Baker Lake tank farm and marshalling area should be received today or Monday.

All Weather Access Private Road:

No permit is outstanding. The leases from INAC, KIA and the Hamlet of Baker Lake, the license B from the NWB and the DFO permit for the crossings are all in hand.

Meadowbank Site:

The lease for the site from KIA (exploration, tank farm, air strip, etc.) is in hand. The license B for the site and associated activities (ex: tank farm) is in hand. The license A application to the

NWB is expected to be submitted at the end of August. Negotiations with KIA on the production lease and on the article 20 compensation are taking place on August 21 and 22 in Winnipeg.

Status of activities

A complete status of activities will be given to you by the site staff during the visit. In summary, the status of activities is as follows:

- All Weather Access Road construction has reached 64.74 km out of 110 km. A few kilometres of road were also done from the Meadowbank site going south by the site crew when they had time. Bridges installation was done in accordance to plan and in close cooperation with the biologists from Azimuth, in order to minimise effect on fish habitat. The protocols established with DFO were followed. A protocol was established by biologist Martin Gebauer for the monitoring and protection of birds nests during the nesting season. The road alignment was changed a few times to protect nests that were detected on the original road alignment. The results of this monitoring will be included in the 2007 Wildlife Monitoring report.
- Baker Lake Fuel Tank and Marshalling area: Material for the fuel tank construction (steel) arrived yesterday at Baker Lake and is being transported to the Baker Lake Tank farm site. Work on the fuel tank is supposed to start next week. Some site preparation work (for the fuel farm only) was done by the crew from the Hamlet of Baker Lake under contract from AEM. The area where the steel was to be deposited for construction of the first fuel tank was prepared. Part of the access road to the fuel tank farm location was also done.
- Shipping: Two barges were received so far and used the Baker Lake Hamlet public dock for unloading. When the barge traffic will increase, it will be more difficult to use the public dock and landing will be done at the Marshalling area. A geotextile will need to be placed to protect shoreline. DFO was contacted to provide advice on placement of the geotextile.
- Meadowbank site: exploration and condemnation drilling is ongoing. Some monitoring and soil testing activities are taking place (ex: Golder, Azimuth, Gebauer). Additional weather haven tents were installed to provide concurrent accommodation for the drilling crew and crews associated with the other activities (ex: tank farm, test pits for design purposes, groundwater monitoring, wildlife monitoring, hydrological test work, site preparation for permanent camp, etc.). This brought the accommodation potential from 50 to 75 persons while respecting the conditions of the License B for water usage and sewage. KIA was informed of the increase in camp size.

I hope that this information is to your satisfaction. If you have any questions, I will be pleased to answer them during the site visit.

Yours truly,

Original signed by

Louise Grondin Vice-President Environment Agnico-Eagle 20, route 395 Cadillac, Quebec JOY 1C0

cc: Daniel Kivari, AEM Martin Bergeron, AEM Martin Rioux, AEM

	Appendix 1 Nunavut Impact Review Board Project Specific Terms and Conditions	
	Meadowbank Gold Project	Status August 17 2007
Propo	nent general commitment	
1	The commitments in this Final Hearing Report as Appendix A: Cumberland's Commitments from the Final Hearing, are incorporated herein and must be met. In the event of a conflict between Appendix A and the Terms and Conditions of the Project Certificate, the Terms and Conditions of the Project Certificate prevail.	
NIRB's	s Commitment	
2	NIRB will appoint a Monitoring Officer to monitor the Meadowbank Project in accordance with the purpose of a monitoring program pursuant to section 12.7.2 of the NLCA for the full life of the Meadowbank Project, including abandonment and restoration. Subject to direction from NIRB, the responsibilities of the NIRB Monitoring Officer are not to duplicate the IIBA and will include: a. giving direction to regulatory agencies, Cumberland and the Meadowbank Gold Mine Socio-economic Monitoring Committee to supply NIRB with reports and information respecting the Project's operations and impacts and the implementation of mitigative measures; b. conducting a periodic evaluation of the Project monitoring program; c. compiling a report on the adequacy of the monitoring program and on the ecosystemic and socio-economic impacts of the Project; and d. where appropriate, recommending to NIRB reconsideration of Terms and Conditions in accordance with section 12.8.2 of the NLCA. Commentary: In (a) the "direction" is measured by guidance found in NLCA 12.7.2 and 12.7.3	Amanda Hanson was appointed to the Meadowb project.
Regula	l atory Requirements (General)	
3	Cumberland must obtain all required federal and territorial permits and other approvals, and shall comply with the requirements of such regulatory instruments. Commentary: See Appendix B for a list of required permits and other approvals.	Status of permits: Road and quarries: DFO, NWB permits obtained; lea from INAC, KIA and Hamle obtained. Baker Lake Facility: NWB permit obtained; lease from Hamlet obtained. Meadowbank Site: Explora lease obtained; License B f site, fuel tank, air strip obtained; License A application scheduled for e of August.
4	Cumberland shall take prompt and appropriate action to remedy any noncompliance with environmental laws and regulations and/or regulatory instruments, and shall report any non compliance as required by law immediately and report the same to NIRB annually. Commentary: Cumberland is advised of the emergency 24 hr spill line for Nunavut 867-920-8130, the INAC general inquires phone number 867-975-4275, KivlA's reporting line 867-645-2810 or 867-645-2800, and the Environment Canada 24-hour Emergency Pager number 867-920-5131.	On going
	Cumberland shall meet with respective licensing authorities prior to the commencement of construction to discuss the posting of adequate performance bonding. Licensing authorities are encouraged to take every measure to require that sufficient security is posted before construction begins. This bonding should not duplicate other amounts of security required (eg. the NWB).	Status of bonding: Road and Quarries: Bond posted Baker Lake Facility: Bond t be posted. Site: Exploration bond post

6	All monitoring information collected pursuant to regulatory requirements for the Meadowbank Project shall contain the following information: a. The person(s) who performed the sampling or took the measurements including any accreditations: b. The date, time and place of sampling or measurement, and weather conditions; c. Date of analysis; d. Name of the person(s) who performed the analysis including accreditations; e. Analytical methods or techniques used; and f. Results of any analysis. Commentary: Pursuant to the NLCA Section 12.9.8, these are minimum criteria. Standard monitoring methods apply through regulatory instruments. In addition, it is important to note that where the Project Certificate mentions monitoring, this includes baseline monitoring where needed; effects monitoring; and compliance monitoring. See Pg 87 of Final Hearing Report.	On going
7	Cumberland shall keep and maintain the records , including results, of any monitoring, data, or analysis, for a minimum of the life of the Project, including closure and post-closure monitoring. This time period shall be extended if requested by NIRB, GN, INAC, DFO, EC or the NWB	On going
Water	Quality and Waste Management	
8	Cumberland shall, within 30 days of re-opening of the camp, re-sample existing groundwater monitoring wells and combining the sampling data with existing rounds of groundwater sampling data, re-evaluate the salinity, major ion concentrations, and dissolved metal load of groundwater flowing to the mine pits and incorporate the results into the water quality monitoring and treatment program. At the time samples are taken Cumberland shall also assess the condition of existing groundwater monitoring wells and replace any defective wells. Cumberland shall continue to undertake semi-annual groundwater samples and re-evaluate the groundwater quality after each sample collection. Cumberland shall report the results of each re-evaluation to NIRB's Monitoring Officer, INAC and EC, and incorporate the results of the additional data into the water license application to the NWB.	See letter sent August 17, 2007 to Amanda Hanson.
9	Cumberland shall provide detailed plans for water treatment for the tailings (reclaim pond) discharge, and on a contingency basis for the attenuation pond discharge(s) and for the pits, including estimates of treatment efficiency for each parameter of concern and the description of pH adjustments in the water license application to the NWB.	This condition will be incluin license A application to NWB.
10	Cumberland shall provide details of the camp sewage treatment , including the type of treatment to be used and the expected treatment capabilities, in the water license application to the NWB.	This condition will be inclu in license A application to NWB.
11	Cumberland shall provide details regarding the effluent outfall configuration , including discharge characteristics, the likely behavior of the plume(s), and bathymetric information for Wally Lake in the water license application to the NWB.	This condition will be inclu in license A application to NWB.
12	Cumberland shall provide details of a comprehensive water use and water management plan for the Baker Lake marshalling area, including monitoring of the discharge from the marshalling area sump, in the water license application to the NWB.	This condition will be incluin license A application to NWB.
13	Cumberland shall not permit the water discharged into Wally Lake and Third Portage Lake to exceed receiving environment discharge criteria established by the NWB or as otherwise required by law.	This condition will be incluin license A application to NWB.
14	Cumberland shall not remove dewatering dikes until the quality of water contained within them is of sufficient quality to meet receiving environment discharge criteria established by the NWB or as otherwise required by law.	This condition will be inclu in license A application to NWB.

15	Cumberland shall within two (2) years of commencing operations re-evaluate the characterization of mine waste materials, including the Vault area, for acid generating potential, metal leaching and non metal constituents to confirm FEIS predictions, and re-evaluate rock disposal practices by conducting systematic sampling of the waste rock and tailings in order to incorporate preventive and control measures into the Waste Management Plan to enhance tailing management during operations and closure. The results of the re-evaluations shall be provided to the NWB and NIRB's Monitoring Officer.	This condition will be includin license A application to NWB.
16	N/A-Missed Number	
17	Cumberland shall undertake a detailed technical review of all dike and pitwall designs at the final design stage, and submit the final dike designs for water depths of greater than 10 metres for an expert analysis and Cumberland shall include the detailed technical review and the expert analysis in the application to the NWB for a water license.	This condition will be includ in license A application to NWB.
18	Cumberland shall commit to a pro-active tailings management strategy through active monitoring, inspection, and mitigation. The tailings management strategy will include the review and evaluation of any future changes to the rate of global warming, compliance with regulatory changes, and the ongoing review and evaluation of relevant technology developments, and will respond to studies conducted during the mine operation.	This condition will be includ in license A application to NWB.
19	Cumberland shall provide for a minimum of two (2) metres cover of tailings at closure , and shall install thermistor cables, temperature loggers, and core sampling technology as required to monitor tailing freezeback efficiency. Cumberland shall report to NIRB's Monitoring Officer for the annual reporting of freezeback effectiveness. Commentary: See page 67 of Final Hearing Report.	This condition will be includ in license A application to NWB.
20	Prior to construction, Cumberland shall identify mitigation measures that can be taken if groundwater monitoring around the tailings facility demonstrates that contamination from tailings has occurred through the fault. Upon drawdown of the North arm of Second Portage Lake, Cumberland shall conduct further tests to assess the permeability of any faults and provide the results to regulators. If doubt remains Cumberland shall seal the fault and conduct further permeability testing and monitoring. Commentary "Prior to construction" means prior to construction (as defined by Cumberland in its application or during the NIRB review) of any component of the Project, including the road.	This condition will be includ in license A application to NWB.
21	Cumberland shall fund and install a weather station at the mine site to collect atmospheric data, including air TEMP (terrestrial ecosystem monitoring plan)erature and precipitation.	Completed. A weather stati to collect atmospheric data, including air Temperature a precipitation has been operating continuously sinc 1998. Details can be found the Project Description Repsubmitted to NIRB in March 2003 and the draft and final EIS submissions.
22	Prior to the commencement of the Project, Cumberland shall fund and install an on site lab that has the capability to monitor parameters at a type and at a frequency acceptable to the NWB and EC at all site discharge points. The results of these analyses, as well as any other water quality monitoring required by regulatory authorities shall be used in the submission of a receiving water assimilative capacity water quality assessment study of concern to regulators. The lab shall be certified for environmental water quality analysis purposes with standards to include the calibration of water quality monitoring instruments. Cumberland shall file proof of application to become accredited upon the request of the NWB. Commentary: "Prior to commencement of the Project" means before the start of any activity for any component or phase of the project (including the road component). An assimilative capacity assessment study relies on the establishment of Ecological Quality Objectives that must be met outside of the mixing zones to ensure protection of the receiving environment.	The lab will be constructed before the start of Mine operation.

23	For the purposes of monitoring quality assurance and quality control ("QA/QC"), Cumberland shall ensure that water quality monitoring performed at locations concern to regulators, be carried out by an independent contractor and submitted to an independent accredited lab for analysis, on a type and frequency basis as determined by the NWB. Results of analysis shall be provided to the NWB and NIRB's Monitoring Officer. Commentary: NIRB's preference is for independent, third party sampling. However in the case where MMC collects its own samples, the sampling shall be conducted in accordance with a methodology approved by NWB though a Quality Assurance /Quality Control ("QA/QC") plan and must be submitted to an independent third party laboratory for analysis.	This condition will be included in license A application to NWB.
24	Cumberland shall identify an area and design for a landfill for disposal of operational and closure non-salvageable materials , including a list of any nonsalvageable materials, and a procedural manual for preparation of location and placements of these materials, and incorporate the design into the final Waste Management Plan as instructed by the NWB.	This condition will be included in license A application to NWB.
25	Cumberland shall manage and control waste in a manner that reduces or eliminates the attraction to carnivores and/or raptors. Cumberland shall employ legal deterrents to carnivores and/or raptors at all landfill and waste storage areas. The deterrents are to be developed taking into consideration Traditional Knowledge and in consultation with the HTO, EC and INAC and incorporated into the final Waste Management Plan prior to filing the Plan with the NWB.	Completed in TEMP (terrestri ecosystem management plan
26	Cumberland shall ensure that spills , if any, are cleaned up immediately and that the site is kept clean of debris , including wind-blown debris.	This condition will be included in license A application to NWB.
27	Cumberland shall ensure that the areas used to store fuel or hazardous materials are contained using safe, environmentally protective methods based on practical, best engineering practices. Commentary:MMC is encouraged to consult with EC and GN for expert advice.	This condition will be include in license A application to NWB.
28	Cumberland shall become a signatory to the International Cyanide Management Code, communicate this to shippers, and do so prior to Cumberland storing or handling cyanide for the Project.	AEM will become a signatory For now the the facilities are being designed by Hatch. As soon as the detailed engineering is available, a cyanide management manua will be prepared following the code.
Projec	ct Alternatives and Planned Changes	
29	Cumberland shall report to NIRB if and when Cumberland develops plans for an expansion of the Meadowbank Gold Mine, and in particular if those plans affect the selection of Second Portage Lake as the preferred alternative for tailings management. Commentary: "Second Portage Lake" refers to northwest arm of Second Portage Lake. The term "expansion" is to reflect normal impact assessment parameters for that word including space and time.	As required.
30	Cumberland shall meet with EC and the DFO to ensure that the information required for the application to add the northwest arm of Second Portage Lake as a tailings impoundment area under Schedule 2 of the Metal Mining Effluent Regulations, including the No Net Loss Plan to offset losses expected as a result of all other Project infrastructure, is complete and the application can be processed according to law.	Status: Completed. Final NN plan submitted to DFO.
All we	ather private access road (AWPCR)	

32	Cumberland shall operate the all-weather road as a private access road, and implement measures to limit public access to the road, including: a. The installation of locked gates at bridges 1 and 4; b. The posting of signs in English and Inuktitut at each gate, each major bridge crossing, and each 10 kilometres of road, stating that public use of the road is prohibited; c. The posting of signs in English and Inuktitut along the road route to identify when entering or leaving crown land; d. Prior to the opening of the road, advertise and hold at least one community meeting in the Hamlet of Baker Lake to explain to the community that the road is restricted to mine use only; d. Place notices on the radio and television to inform the residents of the Hamlet of Baker Lake that the road is restricted to mine use only; e. Require all mine personnel using the road to monitor and report unauthorized non-mine use of the road, and collect and report this data to NIRB one (1) year after the road is opened and annually thereafter; and f. Report any information received, including accidents or other safety incidents on the road, including the locked gates, to the GN, KivIA, and the Hamlet immediately, and to NIRB annually. Commentary: 32(c) Signs should also identify when entering or leaving IOL 32 (e) Notice placement should be of a frequency and distribution that ensures that the residents of the Hamlet of Bake are properly informed.	Ongoing, as soon as the road is completed (Scheduled completion for December 2007) all the 'private access road' conditions will be in place.
33	Cumberland shall update the Access and Air Traffic Management Plan to: 1. include an All-weather Private Access Road Management Plan, including a right-of-way policy developed in consultation with the KivIA, GN, INAC and the Hamlet of Baker Lake, for the safe operation of the all-weather private access road; and 2. to facilitate monitoring of the environmental and socio-economic impacts of the private road and undertake adaptive management practices as required, including responding to any concerns regarding the locked gates.	Outstanding.
34	Cumberland shall, in consultation with the Hamlet of Baker Lake, KivIA, and the Royal Canadian Mounted Police, facilitate the hiring of a full-time road safety, search and rescue position to respond to safety matters arising from mine and unauthorized non-mine use of the all-weather private access road, including consulting with Baker Lake and Chesterfield Inlet Elders to incorporate Traditional Knowledge into search and rescue operations. Commentary: In coordination with CGS - Glen Higgins, Manager of Emergency Services, Community Government Services (867) 975.5403, ghiggins@gov.nu.ca. Given the 24 hour operation of the project, it may be necessary to have more than one position.	This will be done before the road is placed in service.
35	Cumberland shall reclaim the all-weather private access road at the end of the mine life to prevent any future use of the road, including scarification of the road and restoration of the natural hydrology, topography, and vegetation, subject only to Cumberland and/or its successor seeking NIRB Article 12 approval for the road to be maintained and operated beyond the life of the mine.	This condition is part of the License B for the road.
Marine	Environment	
36	Cumberland shall ensure the placement of local area marine mammal monitors onboard all vessels transporting fuel or materials for the Project through Chesterfield Inlet.	Completed. Marine monitors have been hired by NTCL.
37	Cumberland will contract only Transport Canada certified shippers to carry cargo for the Project, and will require shippers transporting cargo through Chesterfield Inlet to carry the most up-to-date emergency response/spill handling equipment as recommended and accepted by the Government of Canada with the crew trained to deploy the equipment, including practice drills deploying spill equipment in remote locations within the Inlet. Commentary: Shippers are responsible for training the crew. KIA and Chesterfield Inlet should be notified when a practice drills is to be undertaken. An operating commercial vessel without Transport Canada certification is in violation of the Canadian Shipping Act (CSA).	Completed.
38	Cumberland shall make every reasonable effort to minimize the number of ships and barges transporting cargo for the Project, and require shippers transporting cargo for the Project through Chesterfield Inlet to be operated in accordance with safe shipping management policies, including using Canadian Hydrographic Service published detailed marine charts and nautical instructions, and be fitted with modern state-of-the-art navigation equipment. Commentary: Vessel numbers are not regulated. Certified vessels must be compliant with Canada Shipping Act.	Ongoing.

39	Within three (3) months of contracting with a shipping company to transport cargo to the Project through Chesterfield Inlet and prior to the commencement of shipping, Cumberland shall advertise and hold a community information meeting in Chesterfield Inlet to fully discuss the shipping program for the Project. Thereafter, Cumberland shall annually advertise and hold a community information meeting in Chesterfield Inlet to report on the Project and to hear from Chesterfield Inlet residents and respond to concerns. A consultation report shall be submitted to NIRB's Monitoring Officer within one month of the meeting.	Ongoing. Report of first information meeting sent to NIRB on August 10 2007.
40	Cumberland shall gather Traditional Knowledge from the local HTOs and conduct a minimum of a one-day workshop with residents of Chesterfield Inlet to more fully gather Traditional Knowledge about the marine mammals, cabins, hunting, and other local activities in the Inlet. Cumberland shall report to KivIA and NIRB's Monitoring Officer annually on the Traditional Knowledge gathered including any operational changes that resulted from concerns shared at the workshop. Commentary: Copy DFO on result	Andre Tautu of Chesterfield Inlet was contacted for this work, AEM is waiting for a proposal.
41	Subject to vessel and human safety considerations, Cumberland shall require shippers carrying cargo to the Project through Chesterfield Inlet to follow the following mitigation procedures in the event that marine mammals are in the vicinity of the shipping activities:a. Wildlife will be given right of way;b. Ships will maintain a straight course, constant speed, and will avoid erratic behaviour; andc. When marine mammals appear to be trapped or disturbed by vessel movements, the vessel will stop until the mammals have moved away from the area.Commentary: Transport Canada - Marine Safety only regulates ship maneuvers made to avoidcollisions with other ships.(a) Wildlife means marine mammals. GN is responsible for polar bears.	On going.
42	Cumberland shall ensure all fuel transfer operations take place in accordance with the Arctic Waters Pollution Prevention Act and relevant oil transfer guidelines. Commentary: Canada Shipping Act is applicable if an Oil Handling Facility (OHF) is operated by Cumberland. Transport Canada - Marine Safety would deal directly with the Shipper on issues related to oil transfers.	Ongoing. This condition was put in NTCL's contract.
43	Lightering activities at Helicopter Island are not approved, except in case of emergency only, and in such case Cumberland shall explain why all other methods were not practical, meaning technically, logistically, and financially not feasible.	On going.
44	Within one (1) month of contracting with a shipper, Cumberland shall submit a comprehensive Spill Contingency and Emergency Response Plan to regulatory authorities. Commentary: Copies of plan should be submitted to EC, TC, GN, DFO, and NWB Transport Canada - Marine Safety will require an Oil Pollution Emergency Plan for any Oil Handling Facility operated by Cumberland.	Completed. NTCL has submitted the plans.
45	Cumberland shall carry, and require contracted shippers to carry adequate insurance to fully compensate losses arising from a spill or accident, including but not limited to the loss of resources arising from the spill or accident. Any claims are to be reported to proper officials with a copy to NIRB's Monitoring Officer. Commentary: Certified vessels must be compliant with Canada Shipping Act (CSA) and the Arctic Waters Pollution Prevention Act (AWPPA).	Ongoing. This condition was put in NTCL's contract.
Fish a	nd Fish Habitat	
46	Cumberland shall apply for Fisheries Act approval for the freshwater intake pipe for the Project, and submit for DFO approval a detailed plan of the proposed intake, including siting, design of intake screens in accordance with the DFO Freshwater End-of-Pipe Fish Screen Guidelines, construction and operation considerations, fish and fish habitat impacts, and mitigation and monitoring plans.	This condition will be included in license A application to NWB and will be submitted to DFO.
47	Cumberland shall develop an adaptive approach to managing the water flow from Third Portage Lake , including the consideration of alternatives to deepening the easternmost channel; submission of detailed design of the easternmost channel modifications; a monitoring program for channel erosion, verification of the maintenance of water levels in Third Portage Lake, and the success of fish habitat enhancements; and contingencies in the event of channel failure, for approval by the DFO.	This condition will be included in license A application to NWB and will be submitted to DFO.

48	Cumberland shall demonstrate to the satisfaction of the DFO that the water management framework, including the embankment details and diversion ditch, will permit the maintenance of over-wintering fish habitat in Phaser Lake through the life of the Project.	This condition will be include in license A application to NWB and will be submitted t DFO.
49	Cumberland shall develop, implement and report on the fish-out programs for the dewatering of Second Portage Lake, Third Portage Lake and Vault Lake. This must be done in consultation with the DFO, Elders and the HTOs, and in a manner that optimizes the acquisition of northern fisheries science and augments baseline fisheries data to support monitoring programs and the final design of fish habitat compensation for the Project.	This condition will be includin license A application to NWB. The AEMP, support document to the license A application has been done i consultation.
50	Cumberland shall, in consultation with the DFO, undertake to prevent the barge landing facility from infilling of fish habitat, including considering using geotextile material in a manner that is capable of maintaining bottom substrate for benthic invertebrates and fish.	We are just at the beginning our shipping season. So far we have been using the Bal Lake public landing area because we do not have ye our license B for the Meadowbank Marshalling a (it is expected in the next fe days). We only received or barge (containing the crane and the steel for the construction of the Baker Latank farm). We have sough DFO's guidance on a recommended method for the application of the geotextile any other method for the landing of the barge to minimise effect on the botto substrate (maybe limiting the speed would be sufficient). We have Gary Mann, the biologist from Azimuth who was on the team responsible for the Aquatic Effects Management Plan for the Meadowbank project, to hel us on this. The plan recommends to place a geotextile at the location of barge landing extending to water depth.
51	Cumberland shall engage the HTOs in the development, implementation and reporting of creel surveys within waterbodies affected by the Project to the GN, DFO and local HTO.	Outstanding.
52	Cumberland shall enforce a no-fishing policy for employees while working on the job site. Commentary: "Employees" refers to all mine workers.	To be included in the employee manual.

53	Cumberland shall, in consultation with the HTOs and DFO, develop a Fish Habitat Monitoring Plan , including augmenting baseline fisheries data in the period prior to operation, with the clear objective of demonstrating the success of the No Net Loss Plan approved by the DFO.	Completed. Included in Aquatic Effects Monitoring Program and the Final NNL plan.
Wildlif	e and Terrestrial	
54	Cumberland shall provide an updated Terrestrial Ecosystem Management Plan to the GN, EC and INAC, within three (3) months of the issuance of the Project Certificate including: a. Updated terrestrial ecosystem baseline data; b. Details of the method and rationale for conducting monitoring surveys prior to the commencement of construction; c. Statistical validation to support the conclusions drawn from monitoring impacts of the mine and infrastructure on wildlife; d. A detailed analysis of the method of distinguishing between cow/calf groups from other caribou group observations; e. Details of a comprehensive hunter harvest survey to determine the effect on ungulate populations resulting from increased human access caused by the all-weather private access road, including establishing preconstruction baseline harvesting data, to be developed in consultation with local HTOs, the GN-DOE and the Nunavut Wildlife Management Board; f. Details of annual aerial surveys to be conducted to assess waterfowl densities in the regional study area during the construction phase and for at least the first three (3) years of operation, with the data analyzed and compared to baseline data to determine if significant effects are occurring and require mitigation. g. Details of an annual breeding bird plot surveys and transects along the all-weather road to be conducted during the construction phase and for at least the first three (3) years of operation. h. Details of a monitoring program, including recording the locations and frequency of observing caribou and carnivores and any actions taken to avoid contact with or disturbance, and a specific mitigation plan for Shortearred owls and any other species of special concern pursuant to Schedule 3 of the Species at Risk Act located in the local study area or along the all-weather private access road, Commentary: TEMP should be a stand-alone document which provides direction and methods in regard to how the wildlife monitoring should be conducted. Baseline data collected should be submi	Completed in TEMP (terrestrial ecosystem management plan).
55	Cumberland shall provide the following analysis in the March 2007 Wildlife Summary Monitoring Report: a. Further review and analysis of the size of the regional study area; b. A summary of the involvement of Inuit in the monitoring program; c. A detailed report of the natural variability of VECs in the region; d. A detailed analysis on distribution and abundance of cows, bulls, and calves; e. Results of the 2006 monitoring progam, including field methodologies and statistical approaches used to support conclusions drawn; f. Any proposed changes to the TEMP survey methodologies, statistical approaches or proposed adaptive management stemming from the results of the monitoring program. Commentary: See page 87 of Final Hearing Report. Annual Wildlife Monitoring results submitted must include baseline monitoring; effects monitoring; and compliance monitoring. Wildlife VECs include those assessed by Cumberland during the review (e) Data includes 2006 and before	Report completed and submitted.

56	Cumberland shall plan, construct, and operate the mine in such a way that caribou migration paths through the Project, including in the narrows west of Helicopter Island, are protected. Maps of caribou migration corridors shall be developed in consultation with Elders and local HTOs, including Chesterfield Inlet and placed in site offices and upgraded as new information on corridors becomes available. Information on caribou migration corridors shall be reported to the GN, KivIA and NIRB's Monitoring Officer annually.	Completed in TEMP (terrestrial ecosystem management plan)
57	Cumberland shall participate in a caribou collaring program as directed by the GN-DOE.	Program has been initiated with the GN.
58	Cumberland shall, in consultation with Elders and the HTOs and subject to safety requirements, design the lighting and use of lights at the mine site to minimize the disturbance of lights on sensitive wildlife and birds.	Status: Completed in TEMP (terrestrial ecosystem management plan)
59	Cumberland shall, in consultation with Elders and the HTOs, design and implement means of deterring caribou from the tailing ponds, such as temporary ribbon placement or Inukshuks, with such designs not to include the use of fencing.	Status: Completed in TEMP (terrestrial ecosystem management plan)
60	Whenever practical, Cumberland shall implement a stop work policy when wildlife in the area may be endangered by the work being carried out.	Status: Completed in TEMP (terrestrial ecosystem management plan)
61	In consultation with EC, Cumberland shall incorporate into the Terrestrial Ecosystem Management Plan and the Air Traffic Management Plan a commitment for aircraft to maintain (whenever possible) a cruising altitude of at least 610 metres during point to point travel when in areas likely to have migratory birds, and 1000 metres vertical and 1500 metres horizontal distance from observed concentrations of migratory birds, and use flight corridors to avoid areas of significant wildlife importance.	Status: Completed in TEMP (terrestrial ecosystem management plan). The Air Traffic Management Plan is currently being updated.
Noise		
62	Cumberland shall develop and implement a noise abatement plan to protect people and wildlife from significant mine activity noise, including blasting, drilling, equipment, vehicles and aircraft. The noise abatement plan will be developed in consultation with Elders, GN, HC and E.	Status: Completed in TEMP and Air Quality and Noise Management Plans.
Socio-	economic	
63	Within six (6) months of the issuance of a Project Certificate, the GN and INAC shall form a Meadowbank Gold Mine Socio-Economic Monitoring Committee ("Meadowbank SEMC") to monitor the socio-economic impacts of the Project and the effectiveness of the Project's mitigation strategies. The monitoring shall supplement, not duplicate, the monitoring required pursuant to the IIBA negotiated for the Project, and on the request of Government or PC, could assist in the coordination of data collection and tracking data trends in a comparable form to facilitate the analysis of cumulative effects. The terms of reference shall focus on the Project, include a plan for ongoing consultation with KivlA and affected local governments and a funding formula jointly submitted by GN, INAC and Cumberland. The terms of reference shall be submitted to NIRB for review and subsequent direction within six (6) months of the issuance of a Project Certificate. Cumberland is entitled to be included in the Meadowbank SEMC.	Status: Discussions have been initiated.

64	Cumberland shall work with the GN and INAC to develop the terms of reference for a socio-economic monitoring program for the Meadowbank Project, including the carrying out of monitoring and research activities in a manner which will provide project specific data which will be useful in cumulative effects monitoring (upon request of Government or NPC) and consulting and cooperating with agencies undertaking such programs. Cumberland shall submit draft terms of reference for the socio-economic monitoring program to the Meadowbank SEMC for review and comment within six (6) months of the issuance of a Project Certificate, with a copy to NIRB's Monitoring Officer.	Status: Discussions have been initiated.
65	Cumberland shall include in its socio-economic monitoring program for the Meadowbank Projec t the collection and reporting of data of community of origin of hired Nunavummiut.	Status: SEMC draft terms of reference submitted. Meeting scheduled with INAC and GN to discuss SEMC first week of September.
Humai	n Health	
66	Cumberland shall e stablish a nursing station and hire a registered on-site nurse . Commentary: This condition is in addition to requirements in Section 15 of the Public Health Act.	Status: The nursing station is included in the service building design. AEM is currently recruiting for the Superintendent Health and Safety who will in turn hire his team, including the registered on-site nurse. This should happen in the fall.
67	Cumberland shall develop and implement a program to monitor contaminant levels in country foods in consultation with HC. A copy of the plan shall be submitted to NIRB's Monitoring Officer. Commentary: Cumberland is encouraged to consult with the Niqiit Avatittinni Committee (NAC) regarding this research. The NAC is co-chaired by INAC and the GN and includes members from NTI, ITK, and NRI	Status: Completed in TEMP (terrestrial ecosystem management plan).
68	Cumberland shall, in consultation with Elders, local HTOs and the Meadowbank Gold Mine SEMC, demonstrate that they are working toward incorporating Inuit societal values into mine operation policies.	Outstanding.
Arche	ology	
69	Cumberland shall carry out the Project to minimize the impacts on archeological sites, including conducting proper archeological surveys of the Project area (including the all-weather road and all quarry sites). Cumberland shall provide to the GN an updated baseline report for archeological sites in the Project area. including: a. referencing of sites as directed by the GN, b. the process used for age determinations of archeological sites, and c. the specific measures being taken to avoid listed sites, and d. the monitoring that will take place, to the GN prior to the commencement of construction. Commentary: (b) Re-evaluation of currently identified archaeological sites would be expected. The definition of archaeological sites can be found in the Nunavut Archaeological and Palaeontological Site Regulation.	Status: Completed.
70	Cumberland shall report any archeological site discovered during the course of construction, including a burial site, immediately and concurrently to the GN and KivlA. Upon discovering an archeological site, Cumberland shall take all reasonable precautions necessary to protect the site until further direction is received from the GN. In the event that it becomes necessary to disturb an archaeological site, Cumberland shall consult with Elders, GN and KivlA to establish a site specific mitigation plan, and obtain all necessary authorizations and comply with all applicable laws. Commentary: Consultation should include the Inuit Heritage Trust.	None so far.

Air Qu	ality	
71	Cumberland shall, in consultation with EC, install and fund an atmospheric monitoring station to focus on particulates of concern generated at the mine site. The results of air quality monitoring are to be reported annually to NIRB. Commentary: Particulates of concern should include Total Suspended Particulates (TSP), and PM10 (Particulate Matter less than 10 microns in size) and PM2.5 (particulate matter less than 2.5 microns in size).	Status: Completed. Included as part of the monitoring the Air Quality and Noise Management and Monitoring Plan submitted in Final EIS.
72	On-site incinerators shall comply with Canadian Council of Ministers of Environment and Canada-Wide Standards for dioxins and furan emissions, and Canada-wide Standards for mercury emissions, and Cumberland shall conduct annual stack testing to demonstrate that the on-site incinerators are operating in compliance with these standards. The results of stack testing shall be contained in an annual monitoring report submitted to GN, EC and NIRB's Monitoring Officer.	Included as a design requirement .
73	Cumberland shall undertake to conserve the Project's use of energy, monitor the Project's green house gas emissions, and continuously review and, if possible, consider for adoption new technologies to ensure greenhouse gases meet the latest Canadian standards or criteria. Commentary: Function of NIRB's Monitoring Officer	Efficient use of energy is included in the AEM environmental policy and greenhouse gases management will be included in the Environmental Management System at the mine.
74	Cumberland shall employ environmentally protective techniques to suppress any surface road dust. Commentary: CaCl is listed as a toxic substance by the Canadian Environmental Protection Act.	Ongoing.
Accide	ents and malfunctions	
75	Cumberland shall provide a complete list of possible accidents and malfunctions for the Project. It must consider the all-weather road, shipping spills, cyanide and other hazardous material spills, and pitwall/dikes/dam failure, and include an assessment of the accident risk and mitigation developed in consultation with Elders and potentially affected communities.	Status: Completed. Submitted for comments. This information is also included in the License A application (scheduled submission: end of August 2007).
76	Cumberland shall develop an "Early Warning Monitoring Program" along the east boundary of the Project's local study area (mine and road) including the location where Third Portage Lake flows into Tehek Lake. The "Early Warning Monitoring Program" shall discuss how the communities of Baker Lake and Chesterfield Inlet will be actively involved and shall be submitted to NIRB's Monitoring Officer for review prior to Project construction. If adverse effects from the project to any VEC are detected along this boundary, then Cumberland shall notify the NIRB's Monitoring Officer for determination as to whether and to what extent additional monitoring is required.	Status: Completed. Early Warning Monitoring plans were produced and included as part of the Management and Monitoring Plans submitted in the Final EIS. These plans will be included in the License A application.
77	Cumberland shall as soon as possible, review and coordinate its Emergency Response Plan with the emergency response plans of the Hamlets of Baker Lake and Chesterfield Inlet.	Status: Discussions have been initiated.
Aband	onment and Reclamation	
78	Cumberland shall file a complete Closure and Reclamation Plan developed to comply with INAC's policy of full cost of restoration and any related NWB requirements such that the Inuit and taxpayers are not liable for any cost associated with the cleanup, modification, decommission, or abandonment.	Status: The plan is completed. It will be included in the License A submission

79	In addition to the NWB's requirements, the final Closure and Reclamation Plan shall require Cumberland to: a. Ensure that mine facilities and infrastructure are abandoned in such a manner that:i. The Project site is physically stable and any requirements for long term maintenance and monitoring are minimized; ii. Threats to public safety and wildlife are eliminated; and iii. Affected areas are returned to the original undisturbed conditions to the fullest extent possible. b. Prevent continuing impacts from contaminants and wastes on the environment including those associated with acid rock drainage; c. Remove all hazardous materials and waste and as much salvageable waste as practicable from the Project area; and d. Enter into written arrangements with its abandonment and reclamation contractors to ensure all site debris is cleaned up off the lands, including wind-blown debris.	Status: All these requirement have been included in the Closure and Abandonment report, part of the License A submission.
80	Cumberland shall file annually with NIRB's Monitoring Officer an updated report on progressive reclamation and the amount of security posted, as required by KivIA, INAC, and/or the NWB	As required.
Others		
81	Beginning with mobilization, and for the life of the Project, Cumberland shall provide full 24 hour security, including surveillance cameras and a security office at the Baker Lake storage facility/marshalling area, and take all necessary steps components within the Hamlet of Baker Lake boundaries.	Security will be included in t Baker Lake Facility construction.
82	Cumberland shall monitor the ingress/egress of ship cargo at Baker Lake and report any accidents or spills immediately to the regulatory agencies as required by law and to NIRB's Monitoring Officer annually Commentary: Ingress/egress of ship cargo is not monitored by Transport Canada - Marine Safety (MS). MS requires reports from any Oil Handling Facility operated by Cumberland. MS would deal directly with the Shipper on issues relating to accidents and spills.	Ongoing.
83	Cumberland shall ensure that the explosive mix-truck is only used to mix diesel and ammonia nitrate to form an explosive only at the blast site, and that when the explosive mix-truck is not in use it is stored with the strictest setback requirements as required or recommended by NRCan.	Ongoing.
84	To the extent permitted by the IIBA, and when the assets are no longer required by Cumberland, Cumberland shall offer the Hamlet of Baker Lake the first right of refusal to purchase salvageable mine assets located within the Hamlet of Baker Lake boundaries.	This will be done at closure
85	Cumberland shall develop a detailed blasting program to minimize the effects of blasting on fish and fish habitat, water quality, and wildlife and terrestrial VECs. The Blasting Program shall be developed in consultation with the DFO and GN, and shall: a) comply with the Guidelines for the Use of Explosives In or Near Canadian Fisheries Waters (Wright and Hopky, 1998) as modified by the DFO for use in the north; b) including a monitoring and mitigation plan to be developed in consultation with the DFO, and obtain DFO approval of the blasting program prior to the commencement of blasting ; c) restrict blasting when migrating caribou, or sensitive local carnivores or birds may be negatively affected; and d) minimize the use of ammonium nitrate to reduce the effects of blasting on receiving water quality.	Status: Completed. Include the AEMP and in the license application.
Duty t	o comply	
86	Cumberland shall comply with all Terms and Conditions of this approval, and any non-compliance constitutes a violation of the approval and is grounds for NIRB's reconsideration and recommendation to the Minister under Article 12, Part 8 of the NLCA.	As required.

APPENDIX B

Agnico-Eagle Mines Ltd February 1, 2008 Response to the NIRB's recommendations following the 2007 Meadowbank Site Visit



AGNICO-EAGLE MINES LTD. Meadowbank Division

February 1, 2008

Ms. Amanda Hanson, Assistant Technical Advisor Nunavut Impact Review Board Cambridge Bay, Nunavut

Email: ahanson@nirb.ca

Dear Ms. Hanson

Reference: Meadowbank Gold Project – Response to Monitoring Officer's 2007 Site Visit

Pursuant to Section 12.5.2, Article 12 of the Nunavut Land Claim Agreement, a site visit was conducted at the Meadowbank Gold Mine Camp, All-Weather Private Access Road (AWPAR) and Baker Lake Storage and Marshalling Area (Project Certificate # 004) on August 21 and 22, 2007. NIRB was represented by you; Agnico-Eagle Mines (AEM) was represented by Louise Grondin, Vice-President Environment, and Martin Rioux, Human Resources Superintendent.

In accordance with recommendation 4.0(1) of the NIRB's 2007 Monitoring Report for the Meadowbank Gold Project, the following is Agnico-Eagle Mines Ltd. response and written plan of action to the recommendations made as a result of that site visit.

a) Outline a maintenance plan for fencing, gates and locking mechanisms pertaining to areas used for the storage of hazardous and explosive materials (Condition 81). The plan should include a timetable for repairing the existing deficiencies noted during the site visit and what will be done in regard to the existing trails which traverse through the proposed marshalling area.

Discussions are currently underway between the GN Department of Community and Government Services, the Hamlet of Baker Lake and Agnico-Eagle Mines Ltd. with respect to relocating the proposed marshalling facilities from the initially planned location (adjacent to Baker Lake at the AEM Fuel Storage tank farm) to Quarry Number 1 along the all weather access road to the minesite. It is AEM's intent to provide a secure fenced area at Quarry #1 for the temporary storage of hazardous materials pending their transfer to the Meadowbank site. Currently these hazardous materials have been relocated to Quarry 1 where a manned security post has been established for the interim. AEM will develop a plan to secure these materials in a fenced compound once the discussions over location of the marshalling facilities have been concluded (expected by May 01, 2008). In the interim all hazardous materials are now being secured and are being transferred to the Meadowbank site over the access road.

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If community trails must be impacted by the placement of a fence, an alternate route will be constructed, in consultation with the Elders of the community.

b) Ensure that Agnico-Eagle employs environmentally protective techniques to suppress any surface road dust generated by traffic along the AWPAR during construction activities as well as when the mine is in production (Condition 74).

A water truck is now on site to suppress dust along the AWPAR. A dust suppression protocol will be developed and put into operation by May 1, 2008 that incorporates the GN environmental guidelines for dust suppression. The only dust suppression agent being considered is water.

d) Develop a plan to consult with elders on all aspects of operation stated, namely the AWPAR, and forward this plan to the Monitoring Officer (Condition 75).

A plan to regularly communicate with Elders on all aspects of operations, including the AWPAR, will be developed by Michael Haqpi, a local resident employed as AEM's community liaison officer. The first communication session will be scheduled prior to May 1, 2008.

e) Through consultation with the GN-DOE, develop a policy and protocol for the training of pilots involved with the project in order to prevent harassment and worrying of wildlife (Commitment 82; 610 m for point to point; 1000 m vertical and 1500 m horizontal for concentrations).

A policy and protocol for the training of pilots involved with the project will be prepared and implemented by May 1, 2008, in order to prevent/minimize disturbance to wildlife.

f) Consideration of the placement of notices on the television and radio informing the residents of Baker Lake of the private nature of the road prior to completion of the AWPAR (Condition 32e). Provide justification for this decision to the Monitoring Officer.

Such notices have already been put out to the community on the community radio both in English and Inuktitut. Michael Haqpi, AEM's community liaison officer, will develop a public campaign to inform residents of the private nature of the AWPAR that will see this notification process continue at regular intervals as needed in response to unauthorized use of this road by the community. The first session of this campaign will be scheduled prior to May 1, 2008.

In January 2008 a gate was installed along the AWPAR just outside the community of Baker Lake (near Quarry 1) to prevent, to the best of our ability, local residents from using the private access road. This should reduce the possibility of accidents on the AWPAR involving local residents.

g) Through consultation with the GN-DOE, develop mitigation measures to reduce denning, roosting, and nesting sites for avian predators and Arctic foxes, and provide the Monitoring Officer with a summary of these measures (Commitment 91).

Mitigation measures will be developed in consultation with the GN-DOE and camp personnel. A list of measures and a schedule for implementation will be prepared by May 1, 2008.

h) Consult with the Nunavut Water Board regarding the current method of greywater disposal at the Meadowbank camp, namely, whether gravity drainage to a marsh area without sump containment is acceptable for such disposal, and provide documentation to the NIRB's monitoring officer that the situation is in compliance with the current water license requirements.

At the main Meadowbank site, AEM proposes to install and put into operation in March of 2008 the permanent sewage treatment plant that is described in the Type A Water License (contained in the supplementary information specifically addressed to the proposed sewage treatment plant submitted to the NWB in late November of 2007). Consequently, sewage and greywater from the camp facilities installed at the main Meadowbank site will be treated through this sewage treatment plant starting in March.

For the first few years of mine construction, the treated effluent from this sewage treatment plant will be discharged onto a sump on the tundra; this sump will be located greater than 30 metres upgradient of Tear Drop Lake (the proposed Stormwater pond for the Meadowbank Project). Tear Drop Lake is not a fish bearing water due its small size and shallow depth. AEM proposes to increase the capacity of this Stormwater pond early in the construction phase by building up the roadways around the perimeter of the pond. After the mill is commissioned this treated sewage outfall will be co-disposed with the mill tailings into the tailings storage facility.

The disposal of treated greywater to a sump upgradient of Tear Drop Lake is included in an amendment application of the Meadowbank camp's Type B water license currently before the NWB. In the interim that the sewage treatment plant is installed, a temporary sump will be installed at the existing pipe location. An action plan is currently in development for immediate resolve of this situation.

The following is Agnico-Eagle Mines Ltd. response and written plan of action to <u>additional</u> comments made in NIRB's 2007 Monitoring Report.

1) As required by Condition 75, the list of possible accidents and malfunctions had not been available at the time of the site visit. Mr. Rioux stated that no consultation had taken place with Elders regarding these accidents and malfunctions or the risks associated with them.

A technical memo detailing possible accidents and malfunctions was completed in April 2006. Additional information relating to accidents and malfunctions was included in the Emergency Response Plan and Spill Contingency Plan, both completed in August 2007. These documents are attached for your review.

Elders have been consulted with respect to the AWPAR project. However, no discussions have taken place with the Elders with respect to accidents and malfunctions or the risks associated with them on the AWPAR. AEM will coordinate an 'Accidents and Malfunctions' session with Elders of the community. Michael Haqpi will arrange for such a session with the community, to be held prior to May 1, 2008.

In January 2008 a gate was installed along the AWPAR just outside the community of Baker Lake to prevent, to the best of our ability, local residents from using the private access road. This should reduce the possibility of accidents on the AWPAR involving local residents.

2) At the time of the site visit, no construction of the barge landing facility or laydown storage area had commenced. Discussion with Ms. Grondin indicated that NTCL has proposed to alter the original design of the landing facility. Shawn Maley of GN-C&GS provided confirmation the Agnico-Eagle had contacted DFO regarding the use of geotextile material.

To date, AEM has not received a response from DFO regarding the use of geotextile material. To the best of our knowledge, NTCL has made no decision regarding the barge landing facilities in

Baker Lake. It is AEM's preference to improve the current barge landing facilities in Baker Lake and have a simple floating pipe to unload the fuel at the tank farm. Discussions with NTCL are on-going.

3) Condition 57; Cumberland shall participate in a caribou collaring program as directed by GN-DOE. No actual radio-collaring activity had commenced as of September 1, 2007.

AEM is committed to participating in the caribou collaring program with the GN-DOE. As discussed in the 2007 monitoring report, AEM has already paid for the GPS collars and break away devices as ordered by the GN. AEM continues its commitment to provide annual data access costs and provide helicopter support and pilot for the collar placement. No radio collaring had commenced as of September 1, 2007 due to weather and other complications; a discourse of email communication regarding the collaring program is attached for your review. The collaring program is set to begin in the spring of 2008.

Should you have any questions on this information, please do not hesitate to contact me.

Regards, Agnico-Eagle Mines Ltd.

Rachel Lee Gould, M.Sc.

Project Manager: Environmental Permitting and Compliance Monitoring

cc: L. Grondin – AEM L. Connell - AEM

APPENDIX C

Agnico-Eagle Mines Ltd September 5, 2008 follow up to the NIRB's recommendations from the 2007 Monitoring Program

From: Rachel Gould [RGould@agnico-eagle.com]

Sent: September-05-08 12:52 PM

To: Amanda Hanson Cc: Larry Connell

Subject: FW: clarification for site visit report

Follow Up Flag: Follow up Flag Status: Completed

Hi Amanda

Please see the text below in response to your questions. A second email will follow shortly with a link to the documents referenced in point 5 below.

Rachel Lee Gould, M.Sc.

Project Manager: Environmental Permitting & Compliance Monitoring

Agnico-Eagle Mines Limited Meadowbank Division 604-622-6527 (direct line); 604-561-3199 (mobile) 604-608-2557 ext 7238 (office); 604-608-2559 (fax)

From: Amanda Hanson [mailto:ahanson@nirb.ca]

Sent: Thursday, September 04, 2008 2:02 PM

To: Larry Connell

Subject: Re: clarification for site visit report

Hi Larry –

I've got a few matters that I would like your clarification on prior to my including them in the report I've prepared from the site visit.

1) What was the official date of the AWPAR being placed into full service?

I do not have an exact date but it was around March 15, 2008

2) With respect to Condition 34, you had mentioned the duties of the road safety, search and rescue person would be shared between the Safety Superintendant, and one other person, yes? I can't recall what that other position was – please advise.

Road safety search and rescue is the responsibility of the Site Security team under the direction of the Security Superintendent. Training for emergency response along the road comes under the site Safety Superintendent. The Security team conduct routine road patrols and coordinate

activity on the road with the road dispatcher.

3) Regarding Condition 39 of the Project Certificate, the annual meeting in Chesterfield Inlet did not happen this year, correct? And my understanding after our conversation was that you had spoken with Elizabeth Copeland, who told you this consultation had already been done? I wanted to double check on this reasoning, and to ensure Elizabeth was the correct contact that had discussed with you. Was she meaning that the consult was done last year, or that it was done again this year?

The annual meeting in Chesterfield Inlet has been previously scheduled twice this year but got cancelled or deferred. The meeting is re-scheduled for Monday September 22nd. Elizabeth Copeland representing NTCL and Mayor David Aksawnee from Baker Lake are accompanying us on this visit.

4) Condition 40 requires the Traditional Knowledge workshop be conducted with the HTO of Chesterfield Inlet. This wasn't completed this year, and do I remember correctly that this was due to difficulties coordinating with the HTO?

We have been unsuccessful in establishing formal contact with the HTO in Chesterfield Inlet. With the assistance of the Chesterfield Inlet SAO (Harry Agaark) and Elizabeth Copeland of NTCL we have been successful in having three elders from Chesterfield Inlet travelling on the NTCL barge trips as wildlife monitors for AEM between Chesterfield Inlet and Baker Lake. The three elders have been coordinating their reporting through our Community liaison Officer Michael Haqpi. I can forward you copies of Michael's written reports that are based on his verbal de-briefing of these wildlife monitors. To date the 2008 program has been successful with positive reporting.

5) Condition 62 refers to blasting and drilling restrictions which aim to protect wildlife (and is also mentioned in the TEMP) – do you have a Blasting Management Plan that you could forward my way?

I will forward you, via ftp, the Blasting Design report prepared for the Meadowbank Gold Project, in addition to two addendums to this document.

6) Are the emergency shelters along the AWPAR equipped with radios, or any type of telephone etc?

No there are no phones or radios in the emergency shelters. AEM chose to place radios in each of the vehicles traveling on the AWPAR so communications with the vehicles is continuous. We are also working with NorthwesTel to have cell phone along much of the road hopefully by year end. The cell transmitters will be in Baker Lake, at Km 37 and at the Meadowbank site.

There will be further follow up questions regarding Monitoring for the overall 2007 calendar year, you can expect them sometime later this month – nothing major, just a request for clarification like this

one.

Thanks for your attention to the above questions.

Respectfully,

Amanda Hanson

Assistant Technical Advisor Nunavut Impact Review Board

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