



NIRB File No.: 03MN107

December 9, 2009

Stéphane Robert
Environment Superintendent
Agnico-Eagle Mines Ltd Meadowbank Division
555 Burrard, Suite 375
Box 209, Bentall Centre
Vancouver, BC V7X 1M8

Via email: Stéphane.Robert@agnico-eagle.com

Re: Recommendations based on the NIRB's 2008-2009 Annual Monitoring Report for the Meadowbank Gold Mine Project

Dear Stéphane Robert:

The Nunavut Impact Review Board (NIRB or Board) met in October of this year and reviewed the *NIRB's 2008-2009 Annual Monitoring Report for the Meadowbank Gold Mine Project* (Monitoring Report). The Monitoring Report was sent out under separate cover on November 27, 2009, and considers project activities occurring from October 2008 to September 2009. Based on their review of these activities, the Board has issued the following directions to Agnico-Eagle Mines Ltd (AEM or the Proponent) based upon the Meadowbank Project Certificate (No. 004) and other project-related commitments made by the Proponent. Unless stated otherwise, the Board requests that the Proponent address the following on or before **January 15, 2009**:

- 1) In accordance with *amended* Condition 32, the Proponent shall ensure that the following items are addressed, and additionally, will provide the Monitoring Officer with documentation providing evidence of:
 - a. The Proponent's advertising and holding of a community meeting in the Hamlet of Baker Lake to explain to the community that any non-mine use of the road is limited to approved, safe, and controlled use by all-terrain vehicles for the purposes of carrying out traditional Inuit activities (item e);
 - b. Notices that had been placed on the local radio and television advising the community of the private nature of the access road, with non-mine use of the road limited to authorized, safe, and controlled use by all-terrain vehicles for the purpose of carrying out traditional Inuit activities (item g);
 - c. That the collection and submission of data on the authorized and unauthorized non-mine use of the road to the NIRB be formatted in such a way as to be easily comparable and understandable (i.e. by date, nature of user as authorized or not, and to be inputted using Microsoft

word or another word processing program versus hand-written tally sheets). This item should be completed with annual reporting requirements and is therefore not expected in January 2010.

- 2) In accordance with Condition 39, the Proponent shall submit to the NIRB, any consultation reports resulting from the annual community information meeting required to be held in Chesterfield Inlet during the 2008-2009 monitoring period.
- 3) In accordance with Condition 40, the Proponent shall provide a report to the NIRB regarding its one-day workshop held with residents of Chesterfield Inlet to more fully gather Traditional Knowledge (TK) about the marine mammals, cabins, hunting, and other local activities in the Inlet. The Proponent is required to report to the Kivalliq Inuit Association and NIRB's Monitoring Officer annually on the TK gathered, including any operational changes that may have resulted from concerns shared at this workshop.
- 4) The Proponent shall provide the NIRB with a report of data pertaining to the community of origin of hired Nunavummiut, as per Condition 65.
- 5) In accordance with Condition 67, the Proponent shall provide a copy of the plan developed in consultation with Health Canada, to monitor the contaminant levels in country foods, if available. Furthermore, the Proponent shall also provide the Monitoring Officer with documentation from Health Canada which indicates the required consultation has been undertaken.
- 6) With regard to Condition 69, the Government of Nunavut (GN) provided comments to the NIRB expressing concern that the required follow up, namely an updated baseline report for archaeological sites in the Project area has not been undertaken. The Proponent is required to submit the required report – including the relevant information as outlined by the GN in their August 3, 2009 correspondence, as soon as possible, and at most, within one year of the date of this recommendation. The submission shall also address any outstanding concerns submitted by the GN with respect to archaeological surveying of the area to be commissioned for the expanded fuel tank farm at the Baker Lake facility.
- 7) Where Condition 77 requires the Proponent to review and coordinate its Emergency Response Plan with those of the Hamlets of Baker Lake and Chesterfield Inlet, the Proponent shall provide an updated Emergency Response Plan *and* discussion of how the updated plan reflects increased coordination between that of AEM and the Hamlets, especially given the recent inclusion of milling reagents to project activities. The Proponent shall also discuss the ways in which the Hamlet of Chesterfield Inlet has been incorporated, as follow up in 2009 from AEM indicated that only the Hamlet of Baker Lake was included in the initial review and coordination process.
- 8) The Proponent shall provide a blasting program as outlined in Condition 85.

- 9) The Proponent shall provide revised operational and emergency response plans as they related to the Baker Lake fuel tank farm expansion.
- 10) The Proponent shall provide clarification regarding all protective methods and best practices which were highlighted in its July 30, 2009 fuel tank farm expansion submission to the NIRB, regarding the construction and operation stages of additional fuel storage tanks and areas near Baker Lake.
- 11) The Proponent shall discuss its intention to comply with the Canadian Council of Ministers of the Environment's *Environmental Code of Practice for Aboveground and Underground Storage Tank Systems Containing Petroleum and Allied Petroleum Products* or other protocols relating to fuel storage tank systems.
- 12) The Proponent shall provide justification and rationale for the addition of jet fuel storage at the Baker Lake fuel tank farm, and additionally, discuss any potential impacts to local businesses resulting from this activity.
- 13) The Proponent shall submit clearly outlined plans to effectively communicate changes to the fuel tank farm with the community of Baker Lake.
- 14) In future reporting initiatives, the Proponent shall provide a thorough analysis on the acceptability of the data reported, including comparisons to impacts and/or absence of impacts as predicted in the FEIS.
- 15) Comments received indicated inconsistency in AEM's consultation with organizations and agencies. The Proponent shall provide evidence of attempts to consult with Fisheries and Oceans Canada (DFO) and Environment Canada regarding the Aquatics Effects Monitoring Program (AEMP) and, where unable to provide documentation, shall provide an opportunity for these agencies to have input into the AEMP at its current stage.
- 16) The Project Certificate contains a number of terms and conditions which require the Proponent to engage government agencies, the local HTOs, Elders, and the Socio-Economic Monitoring Committee in consultation efforts. The end product of these consultations is most often a deliverable result (report, plan, etc). A number of these terms and conditions remain outstanding. The Proponent is encouraged to set up workshops with those groups it is required to consult with in order to facilitate consultation in a meaningful fashion, and to avoid the perils of over-consultation (i.e., consultation 'burn-out').
(Conditions 53, 56, 58, 59, 62, 67, 68, 70, 71, and 85 require some form of consultation)
- 17) The Proponent shall provide the Board with the permitting and authorization details as they pertain to the Nova Camp, specifically noting the Proponent to which all permits and authorizations have been issued (if different from AEM), the expiration dates of all such permits, and a description of all fuel and other materials currently stored on site.

All documentation pertaining to the Meadowbank Gold Mine project can be accessed from the NIRB's FTP site at the following link:

<ftp://ftp.nirb.ca/MONITORING/03MN107-MEADOWBANK/>.

Please address any questions or comments to the undersigned at 867-983-4615 or via email at ahanson@nirb.ca.

Sincerely,

A handwritten signature in black ink, appearing to read 'A. Hanson'.

Amanda Hanson
Technical Advisor
Nunavut Impact Review Board

cc: Meadowbank Distribution List