



Related to NIRB File No.: 03MN107

NPC File No. 148681

Related to NWB File No.: 2AM-MEA1525

Related to DFO File No.: NU-03-191 Mine Site

Related to ECCC File No.: 6100 000 008/002

April 13, 2018

Jamie Quesnel
Environmental Superintendent - Nunavut
Agnico Eagle Mines Ltd.
Meadowbank Division
P.O. Box 549
Baker Lake, NU X0C 0A0

Sent via email: jamie.quesnel@agnicoeagle.com

Re: Request for Comments on Agnico Eagle Mines Limited's Proposed "In-Pit Tailings Disposal Modification" and Modification to the Meadowbank Gold Mine Project

Dear Jamie Quesnel:

On March 22, 2018 the Nunavut Impact Review Board (NIRB or Board) received a referral from the Nunavut Planning Commission (NPC or Commission) to screen Agnico Eagle Mines Limited's (Agnico Eagle, or Proponent) "In-Pit Tailings Disposal Modification" project proposal, with an accompanying positive conformity determination under the Keewatin Regional Land Use Plan. In the conformity determination, the NPC noted that Agnico Eagle's project proposal represents a significant modification to the approved Meadowbank Gold Mine (NIRB File No. 03MN107) project because of the change of tailings disposal method to an in-pit tailings disposal in three (3) abandoned open pit sites.

As outlined in more detail below, the NIRB is soliciting comments from interested parties and regulatory authorities on Agnico Eagle's proposed modification to the Meadowbank Gold Mine Project prior to determining whether the proposed changes warrant reconsideration of the existing Project Certificate No. 004 in accordance with the *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada (Nunavut Agreement)* Section 12.8.2.

The alternative to the Board processing the "In-Pit Tailings Disposal Modification" project proposal as a reconsideration of the terms and conditions of the existing Meadowbank Gold

Mine Project Certificate would involve the NIRB conducting a separate screening of the modification project proposal pursuant to Section 12.4.4 of the *Nunavut Agreement* and s. 79 of the *Nunavut Planning and Project Assessment Act*, S.C. 2013, c. 14, s. 2 (NuPPAA).

All materials received and pertaining to Agnico Eagle's project proposal can be obtained from the NIRB's online public registry at www.nirb.ca by using any of the following search criteria:

- Project Name: Agnico Eagle Mines Meadowbank Modification – In-Pit Tailing
- NIRB File No.: 03MN107
- Application No.: 125253

SUMMARY OF THE MODIFICATION REQUEST

The Meadowbank Gold Mine Project as operated by Agnico Eagle consists of an open pit gold mine located approximately 70 kilometres (km) north of the Hamlet of Baker Lake on Inuit-owned surface lands (the approved Project). While the in-pit tailings disposal was identified as an alternative in the Final Environmental Impact Statement which included "option A" sub-aqueous slurry deposition in Second Portage Arm and North Portage Pit^{1,2}, the Proponent identified placing all the tailings within the Meadowbank Tailings Storage Facility (within the former Second Portage Lake northwest dewatered arm) as the preferred option for management of tailings; subsequently, the Project Certificate No. 004 issued for the approved Project does not contemplate in-pit disposal of tailings. Agnico Eagle's proposed modification as received on January 12, 2018 from the Commission with supplemental information provided by Agnico Eagle on February 26, 2018 to address the items identified by the NIRB to be required for further assessment proposes to dispose of tailings in three mined out pits, Portage Pit A, Portage Pit E, and Goose Pit, all within the footprint of the assessed and approved Meadowbank Mine in order to ensure that best practices are followed and to ensure appropriate long term planning to optimize the site footprint.

According to the project proposal as filed by Agnico Eagle, the scope of the amendment would include the following specific undertakings, works or activities:

- Continued use of existing project components at the Meadowbank Mine Site including:
 - Pits and dikes to segregate operations from Third Portage Lake and Second Portage Lake;
 - Reclaim water barge;
 - Tailings deposition barge; and
 - Closure of reclaim water treatment plant;
- Extension of the slurry (tailings) and reclaim water piping to all three (3) pits;
- Disposal of tailings in three (3) pits, Portage Pit A, Portage Pit E, and Goose Pit, all within the footprint of the assessed and approved Meadowbank Mine with subaqueous deposition proposed to commence at Goose Pit in January 2019; and

¹ Golder Associates Ltd., Report on *Evaluation of Tailings Alternatives, Meadowbank Project, Nunavut*, October 2005. Prepared for Cumberland Resources Ltd.

² Cumberland Resources Ltd. *Integrated Report on Evaluation of Tailings Management Alternatives, Meadowbank Gold Project, Nunavut*. February 2007.

- In-pit modification to provide an additional 22 million tonnes of tailings storage facility for a total tailings storage facility capacity of 30.3 million tonnes.

REQUEST FOR COMMENTS

Reflecting the NIRB's jurisdiction to reconsider the terms and conditions of an existing Project Certificate and the important role of public and technical comment submissions that supported the development of the terms and conditions in the existing Project Certificate; the NIRB is seeking comments on Agnico Eagle's request for reconsideration from interested parties and regulatory authorities for the Meadowbank Gold Mine Project prior to determining whether the proposed changes warrant reconsideration of the existing Project Certificate in accordance with Section 12.8.2 of the *Nunavut Agreement* alone or in conjunction with subsection 112(1) of the *NuPPAA*.

In asking for comments, the NIRB notes that if the Board determines that it is appropriate for the Board to assess the "In-Pit Tailings Disposal Modification" project proposal by reconsidering the terms and conditions of the Project Certificate, it is anticipated that a comprehensive submission in the form of an update or addendum to the Final Environmental Impact Statement for the Meadowbank Gold Mine Project would be required to support the necessary technical review of the proposal. The NIRB would, at that time, initiate a public review of the application, including public consultation, the issuance of additional Guidelines, facilitation of technical meetings, and written or oral hearings as deemed necessary in accordance with the NIRB's Rules of Procedures.³

Alternatively, if the NIRB does not consider it to be appropriate to assess the project proposal under the Board's jurisdiction to reconsider the terms and conditions of the existing Project Certificate No. 004, the Board would process the project proposal as a new screening under Article 12, Section 12.4.4 of the *Nunavut Agreement* and section 86 of the *NuPPAA*.

By copy of this letter, the NIRB invites interested parties, members of the public, and those regulatory authorities with jurisdiction over components of the Meadowbank Gold Mine Project to provide comments and advice to the Board with respect to the following:

- Whether it is appropriate for the proposed amendment to be assessed as a reconsideration as set out in the *Nunavut Agreement*, Sections 12.8.2 (a), (b), and/or (c), and if so, which provisions of the *Nunavut Agreement* are applicable to support the reconsideration;
- If the commenting party accepts that the request meets the requirements for reconsideration set out under the *Nunavut Agreement*, and taking into account the transition provisions of *NuPPAA* (subsection 235), whether the *NuPPAA* should apply to the Board's reconsideration;
- If the *NuPPAA* applies to the reconsideration, which provisions of subsection 112(1)(a), (b) and/or (c) are applicable to support the reconsideration;
- Whether the proposed modification would have possible implications to the NIRB's monitoring program for the approved Meadowbank Project is warranted and how; and

³ NIRB Rules of Procedure, September 3, 2009. Available online at www.nirb.ca/rules-of-procedure.

- Any matter of importance to the commenting party related to the Board's processing of the project proposal.

The NIRB requests that interested parties submit comments directly to the NIRB via email to info@nirb.ca or via fax at (867) 983-2594 on or before **May 4, 2018**.

Should you have any questions or require further clarification, please contact the undersigned directly at (867) 857-4829 or sgranchinho@nirb.ca.

Sincerely,



Sophia Granchinho, M.Sc., EP
Manager, Impact Assessment
Nunavut Impact Review Board

cc: Ryan Vanengen, Agnico Eagle Mines Ltd.
Karén Kharatyan, Nunavut Water Board
Luis Manzo, Kivalliq Inuit Association
Maria Serra, Kivalliq Inuit Association
Georgina Williston, Environment and Climate Change Canada
Mark D'Aguiar, Fisheries and Oceans Canada
Veronique D'Amours-Gauthier, Fisheries and Oceans Canada
Tracey McCaie, Indigenous and Northern Affairs Canada
Rob Johnstone, Natural Resources Canada
Rachelle Besner, Natural Resources Canada
Transport Canada
Meadowbank Distribution List