

RECOMMENDATIONS FOR THE WHALE TAIL PIT PROJECT

All materials pertaining to the NIRB's ongoing Monitoring program for the Whale Tail Pit Project can be accessed online from the NIRB's online public registry at www.nirb.ca/project/124683.

Outstanding Submissions and Updated Plans

As the Whale Tail Project Certificate is in its first year post-issuance, this first recommendation is being made to track reporting required through the first 6 months of it being in place, which was September 2018. Some of the items have been updated by Agnico Eagle; however, due to the number of items still outstanding, a recommendation is being made to track the progress of development and submission for these documents. With respect to the Site-specific Permafrost Monitoring, Mapping and Thermal Analysis, the Board has noted the following:

Site-specific Permafrost Monitoring, Mapping and Thermal Analysis –Term and Condition 10

Term and Condition 10 of Project Certificate No. 008 requires the Proponent to consult with applicable regulatory agencies to undertake additional site-specific permafrost monitoring mapping and thermal analysis with the results of these studies provided to the NIRB at least 30 days prior to the start of construction of project infrastructure such as the Whale Tail pit, water management structures, mine site and haul roads, waste rock storage facilities, etc. During the 2018 site visit in August, construction of several of the above-mentioned infrastructures has commenced; however, the NIRB has not received any information from the Proponent on the results of the studies as requested. Agnico Eagle did provide a Thermal Monitoring Plan in May 2018 which summarized the current permafrost conditions based on data collected up to October 2017. Further, Agnico Eagle provided a copy of a presentation provided to Crown-Indigenous Relations and Northern Affairs Canada in July 2018 that covers the hydrogeological model (to meet Term and Condition 6) but does not appear to provide the information related to additional site-specific permafrost monitoring mapping and thermal analysis to document permafrost conditions, including season thaw and amount of ground ice. In addition, the information as presented within the presentation does not inform the detailed design of project infrastructure as outlined above. As Natural Resources Canada was not consulted on this information and the results not provided to the NIRB, it appears that Agnico Eagle has not met the requirements of Term and Condition 10.

Recommendation 3: The Board requests that Crown-Indigenous Relations and Northern Affairs Canada and Natural Resources Canada review the information provided by Agnico Eagle for Term and Condition 10 of Project Certificate No. 008 in relation to the additional site-specific permafrost monitoring mapping and thermal analysis studies and confirm whether the information is complete and that this condition has been satisfied.¹

The Board respectfully requests that Crown-Indigenous Relations and Northern Affairs Canada and Natural Resources Canada provide a response to this recommendation within *30 days'* receipt of the Board's correspondence to both Crown-Indigenous Relations and Northern Affairs Canada and Natural Resources Canada.

¹ Note that the Board will also be inviting Natural Resources Canada to comment on this matter under separate cover.

If you have any questions or require further clarification regarding this recommendation in particular or relating to the NIRB's monitoring programs for the Meadowbank Gold Mine Project or the Whale Tail Pit Project, please contact the undersigned directly at (867) 857-4829 or sgranchinho@nirb.ca.

Sincerely,



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Nunavut Impact Review Board

cc: Felexce Ngwa, Crown-Indigenous Relations and Northern Affairs
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Whale Tail Pit Distribution List

Enclosure (1): The Nunavut Impact Review Board's *2017-2018 Annual Monitoring Report for the Meadowbank Gold Project [03MN107] & Whale Tail Pit Project [16MN056]*