



December 19, 2023

Lootie Toomasie
Chairperson, Nunavut Water Board
PO Box 119
Gjoa Haven, NU
X0B 1J0

Re: Notice of Withdrawal of the Meliadine Mine Amendment Application for Water Licence 2AM-MEL1631

Dear Chairperson Toomasie,

As per the enclosed cover letter and Executive Summary that Agnico Eagle Mines Limited (**Agnico Eagle**) sent to the Nunavut Impact Review Board (**NIRB**) and the Minister of Northern Development (the **Minister**) today, Agnico Eagle has withdrawn its application for an amendment to Project Certificate No. 006 to proceed with the Meliadine Extension Proposal, with immediate effect.

Accordingly, Agnico Eagle is hereby writing to inform the Nunavut Water Board (**NWB**) of its withdrawal of the current Meliadine Mine Amendment Application for Water Licence 2AM-MEL1631 (the **Extension Water Licence Application**).

Agnico Eagle is currently preparing an application to the NWB to amend Water Licence 2AM-MEL1631 to proceed with those components of the Meliadine Mine approved by NIRB in 2015 with the issuance of Project Certificate No. 006, which are not included in the current water licence scope. Agnico Eagle is planning to submit this application in January 2024.

We appreciate the efforts of the NWB and its staff with respect to its processing of the Extension Water Licence Application. The new water licence amendment application will take into consideration the technical comments, commitments and relevant resolutions reached as part of the NWB process related to the Extension Water Licence Application.

We would be pleased to meet further with your staff to discuss these important topics, as needed.

Sincerely,

Jamie Quesnel
Director, Permitting & Regulatory Affairs
Agnico Eagle Mines Limited



AGNICO EAGLE

Attachment A: Cover letter and Executive Summary sent to the Nunavut Impact Review Board and the Minister of Northern Development



December 19, 2023

The Honourable Dan Vandal, P.C., M.P.
Minister of Northern Affairs, Prairies Economic Development Canada and the Canadian
Northern Economic Development Agency
Government of Canada
House of Commons
Ottawa, ON K1A 0A6

Marjorie Kaviq Kaluraq
Chairperson, Nunavut Impact Review Board
29 Mitik Street, PO Box 1360
Cambridge Bay, Nu
X0B 0C0

**Re: Notice of Withdrawal of the “Meliadine Extension” Proposal
and
Response to the Nunavut Impact Review Board’s Reconsideration Report**

Dear Minister Vandal and Chairperson Kaluraq,

Agnico Eagle Mines Limited (**Agnico Eagle**) is writing further to the Nunavut Impact Review Board (**NIRB**)’s Reconsideration Report and Recommendations for the Meliadine Extension Project Proposal (the **Report**), which was released on November 17, 2023.

As we communicated publicly when the Report was released, Agnico Eagle was surprised and disappointed by the NIRB’s recommendations. This was exacerbated given that, overall, most NIRB process participants for the Meliadine Extension Proposal did not appear to object to continued benefits of the operating Meliadine Mine for an additional eleven years from 2032 to 2043. We had hoped that our suggestion at the end of the hearing that the windfarm be considered separate of the mine extension would have alleviated concerns regarding the windfarm’s proposed placement and impacts. Since its first reading, Agnico Eagle has completed a detailed review of the Report and can now confirm the serious concerns it raised about the Report’s findings, which are introduced below and set out in the enclosed **Response**.

Before addressing these concerns, it is important to notify you of the withdrawal of the Meliadine Extension Proposal, with immediate effect. The main reason for this decision is the processing delay that the Report and its regulatory framework could cause for a number of the Meliadine Mine components already approved by NIRB in 2014, but not yet added to our Type A Water Licence. While these components were only included in the Meliadine Extension Proposal for the sake of completeness and transparency, some of them will need to be approved as soon as 2024 by the Nunavut Water Board to support the current Meliadine mining plan. Please note, however, that we are not ruling out the submission of a new application regarding a Meliadine extension project, in due time and when conditions will be suitable.

Our decision would be different if the Report had concluded with recommendation in favor of the Meliadine Extension Proposal. Nevertheless, we believe it is important to respond to the Report, to address what we content are inaccuracies, and clarify some potential misunderstanding of the evidence presented during the NIRB process, and reliance on unfounded statements made by participants. We ask that this letter and our enclosed Response be placed on the NIRB registry.

We hope the enclosed Response is received in the spirit it is intended: to provide a better understanding of the Meliadine Mine and the evidence that Agnico Eagle has operated in a manner protective of caribou in full collaboration with the Kivalliq Inuit Association, local hunters and trappers, Dene, and the Government of Nunavut.

The enclosed Response can provide a foundation for more balanced, accurate and predictable reports from NIRB and will hopefully prove to be useful as NIRB considers future mining development applications in Nunavut. We would be pleased to meet further with the Minister, the Board and your staff to discuss these important topics.

Sincerely,



Jamie Quesnel
Director, Permitting and Regulatory Affairs
Agnico Eagle Mines Limited

Executive Summary

On November 17, 2023, the Nunavut Impact Review Board (**NIRB** or the **Board**) provided the Minister with their Reconsideration Report and Recommendations (the **Reconsideration Report** or **Report**) for Agnico Eagle's Meliadine Extension Proposal (the **Meliadine Extension**). The Meliadine Extension was an application for an amendment to the currently operating Meliadine Mine located in the Kivalliq Region, Nunavut (the **Mine**).

The Reconsideration Report recommended that the Meliadine Extension should not be allowed to proceed. While Agnico Eagle disagrees with the Report, it is withdrawing the Meliadine Extension at this time to avoid processing delay that the Report and its regulatory framework could cause for a number of the Meliadine Mine components already approved by NIRB in 2014, but not yet added to our Type A Water Licence. Please note, however, that we are not ruling out the submission of a new application regarding a Meliadine extension project, in due time and when conditions will be suitable.

The following paragraphs explain the benefits to Inuit, Nunavut, and Canada if the Meliadine Extension had proceeded. It also confirms that the mitigation programs in place at the Mine are protective of caribou and monitoring programs have demonstrated that the Mine has not caused greater environmental effects than predicted when NIRB approved the Mine in 2014.

The Meliadine Extension Proposal could have extended the Mine life by eleven years, but would not have “intensified” the Mine or its impacts

- The Mine is currently expected to end at approximately 2032.
- The Meliadine Extension would have resulted in a continuation of positive economic impacts in Nunavut beyond 2031, offsetting negative effects from the upcoming Meadowbank mine closure.
- The 11-year extension of the Mine life would maintain the current annual mining rate. It did not request an “intensification” of mining, as the Report suggests.
- The Meliadine Extension would have used the existing Mine site with some minor changes, mainly to allow for the addition of more underground mining (which is generally accepted to cause less environmental effects than open pits). These changes would have resulted in very minor footprint changes (i.e. less than 1%) and no material change to outputs.

The monitoring shows the Mine is not causing significant adverse effects to caribou

- Agnico Eagle acknowledges that there was discussion about the location of the proposed wind farm among participants in the public hearing. By the end of the public hearing, Agnico Eagle agreed to work with Kivalliq Inuit Association (**KivIA**) to find a more desirable location, noting that the windfarm was not an essential component of the Meliadine Extension and that the rest of the application could be approved without that component. However, it appears that the NIRB may have confused the concerns specific to the windfarm and applied them more broadly to the entire application. This results in an over emphasis in the Report on these topics, which is not necessarily reflected by the evidence presented.
- Certain NIRB procedural decisions created confusion. For instance, a late filing of a public hearing presentation by the Government of Nunavut (**GN**) regarding caribou migration near the mine was rushed and appeared to be misunderstood by the NIRB. The GN presentation showed that caribou continue to migrate through the Mine site in large numbers (as predicted) and also confirmed a prediction that caribou would cross less at a water body located next to the Mine site (the **“Narrows”**: because mine buildings were to be constructed directly across from it). Unfortunately,

the Report expresses concern that the GN animations showed there was unanticipated effects (i.e. less crossing at the Narrows), while, in actuality, this was always a predicted non-significant effect.

- Agnico Eagle provided detailed information to NIRB on the effectiveness of its site-specific mitigation measures and confirmed the accuracy of its 2014 environmental assessment predictions with evidence.
- Measures in place at the Mine include the comprehensive caribou mitigations provided in the Terrestrial Environment Management and Monitoring Plan (**TEMMP**), developed through the NIRB process, in collaboration with the Terrestrial Advisory Group (**TAG**). The TEMMP measures are applied in the field by Agnico Eagle with intensive support from the KivIA, GN and Kangiqliniq Hunters and Trappers Organization (**KHTO**). Annual monitoring results provided to NIRB show that these measures are effective in protecting caribou.
- In summary, the Report often catalogues general concerns without considering a balanced approach and without considering the measures which the Proponent, NIRB, the government departments and other parties such as KivIA are taking to address them.

Incorporation of Indigenous Knowledge is core to the Mine's operations

- Indigenous Knowledge evidence plays a fundamental role in the development and continuous improvement of our programs and mitigation measures. Information on this aspect of Agnico Eagle's programs is rarely quoted or referenced in the NIRB Report.
- Agnico Eagle's incorporation of Indigenous Knowledge is led by prominent Nunavummiut community leader and Elder David Kritterdlik and his team. Elder Kritterdlik spoke to his work in Vol. 6 of the NIRB transcripts during the community roundtable:

And the other thing, those of us that – Inuit that work there for a mining company, they communicate with us, and they instruct us. They are happy to work. They want to work with Inuit. We want to collaborate and involve the Inuit. This has been the goal and focus of our agreed -- and from those that assert the rights. We have to collaborate with the communities, and those are the instructions that have been given to us. And we collect Inuit knowledge, traditional knowledge, and what Inuit know regarding mining, and we want the Inuit traditional knowledge to be incorporated in the mining companies. We have many -- in this respect of Inuit values and -- Inuit values and Inuit traditional knowledge has to be respected by all, not just the mining companies. We have created groups in the Kivalliq region, the Kivalliq Elders, to consult with and to gather information from Inuit and the traditional values of Inuit. We gather information from them ...

But the committees we formed, and it is evident the Elders in the communities, they -- they have more concern for the future generation and what rights the future generation will have. Their children and their grandchildren, how will they benefit? That is the biggest concern Elders have. In any communities, not just Inuit but other indigenous people too, the concern for the future generation and so that the future generation are capable and strong because we cannot always live the traditional way. One of the things -- one of the meetings we have, there is -- what can we do to approve or make positive improvements? We have been told, and we have to be -- all the -- the education and the training required to be qualified to work. You get your Grade 12 education or beyond. Inuit have always said, All our lives are going to be learning, and it's lifelong learning. Even if we get older or become Elders, we are still learning. Learning never ceases. Lifelong learning -- we learn something every day, and there is something new every day.

NIRB did not give due consideration to evidence of effectiveness of existing Project Certificate terms and conditions

- The Meliadine Mine Project Certificate includes over 134 terms and conditions that specifically address topics of concern identified in the Report, including caribou and water protection. Further comprehensive requirements are set out in plans regulated under the Project Certificate, Type A Water Licence, and other federal and territorial approvals.
- The annual monitoring data shows that the existing terms and conditions are effective in preventing significant effects from the Mine.
- Agnico Eagle presented reasonable additional mitigations that could have been added to the existing Project Certificate and/or management plans, such as adding a specific section on calving caribou mitigations to the TEMMP, and expressing support for GN to undertake further regional studies. The TAG would have continued to annually review and provide feedback on the wildlife protection throughout the Meliadine Extension mine life. The wildlife mitigation measures are adjustable and will continue to be adjusted in consultation with the TAG throughout the life of mine.
- The Board also had access to other approaches to mitigation and monitoring in other NIRB Project Certificates, including Meadowbank, Whale Tail, and Hope Bay.
- There was no reasonable basis for NIRB to conclude that there were not effective terms and conditions under which the Meliadine Extension could proceed.