

AGNICO EAGLE

WATER MANAGEMENT WORKING GROUP
NWB 2AM-MEL1631 AMENDMENT NO.1
TERMS OF REFERENCE
MELIADINE
August 12th 2020

CONTEXT

On May 13, 2020, the Minister of Northern Affairs approved the issuance of Amendment No. 1 to Type A Water Licence 2AM-MEL1631 (Amendment No. 1), as recommended by the Nunavut Water Board (NWB).

In its April 29, 2020 decision, the NWB commended Agnico Eagle's commitment to establish and work collaboratively with a Water Management Working Group (Working Group), which was recommended as a platform to exchange water quality data collected during discharge and to discuss the progress of water management activities at CP1.

These terms of reference are intended to establish the Working Group. The members of the Working Group are:

- Agnico Eagle Mines Limited (Agnico Eagle);
- Nunavut Water Board (NWB);
- Kivalliq Inuit Association (KiviA);
- Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC); and
- Environment and Climate Change Canada (ECCC).

Per NWB advice letter of June 4, 2020 the number of each party's representatives that will form the WMWG will be limited to three members.

2020 CP1 DISCHARGE CURRENT STATUS

The 2020 CP1 discharge season commenced on June 5th. The Water Management Working Group was notified and water quality and toxicity testing per the Water License 2AM-MEL1631/Amendment No. 1 was completed.

OBJECTIVES OF THE WORKING GROUP

The primary objective of the Working Group is to provide a platform in which Agnico Eagle will share ongoing water quality data collected in accordance with the Emergency Amendment Monitoring Plan. The Emergency Amendment Monitoring Plan consists of all data collected as per Schedule I Table 3 of the Water License 2AM-MEL1631 Amendment No.1.

Interpretation of the data collected will be provided to the Working Group by Agnico Eagle with the support of a third-party consultant. Based on these interpretations and any comments from the other members of the Working Group, adaptive measures will be employed on an as-needed basis.

TERMS OF REFERENCE FOR THE WATER MANAGEMENT WORKING GROUP

The following terms provide a guideline as to the workings and expectations for this group:

1. A preliminary meeting will be held on June 3rd to discuss the Terms of Reference for the Working Group with all members.
2. The first meeting will commence within three weeks following the commencement of discharge from CP1 to Meliadine Lake (the First Meeting). Agnico Eagle will provide a summary table with

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- monitoring results acquired prior to the First Meeting, so that the Working Group can review the data and provide constructive feedback.
3. The NWB requires that the following preliminary adaptive management thresholds should be used until the final thresholds are developed during the First Meeting:
 - o If two consecutive end-of-pipe sampling events identify TDS concentrations equivalent to, or greater than, 3,500 mg/L, Agnico Eagle will increase sampling frequency; and
 - o If two consecutive edge-of-mixing-zone sampling events identify TDS concentrations equivalent to, or greater than, 75% of the interim target of 1,000 mg/L, Agnico Eagle will increase sampling frequency.
 4. The frequency of the meetings will be bi-monthly (two meetings per month) and will continue until two weeks following the end of the discharge season. The duration is expected to be 2 hours per meeting.
 5. The members of the Water Management Working Group are:
 - o Agnico Eagle representative(s);
 - o NWB representative(s);
 - o KiviA representative(s);
 - o CIRNAC representative(s);
 - o ECCC representative(s).
 6. Each member of the Water Management Working Group is entitled to the presence of three representatives.
 7. Agnico Eagle will be responsible for issuing the meeting invitations to the members, which will be held by teleconference.
 8. All minutes of the meeting will be recorded by a scribe (Agnico Eagle to provide a resource who will act as a scribe for record keeping purposes) and will be distributed prior to the next meeting for review and approval by the Working Group members.
 9. At the start of each meeting, the meeting minutes from the previous meeting will be approved by the Working Group members prior to commencing the meeting.
 10. At the preliminary meeting, Agnico Eagle presented a proposed framework designed for effective data sharing with the Working Group going forward, which will address the monitoring data obligations contained within Schedule I Table 3 of Amendment No.1 (the Working Group Data Framework). The framework will include raw data provided in a tabular form. Upon request, Agnico Eagle will provide certificates of analysis to the Working Group on any specific monitoring event within Schedule I Table 3.
 11. The Working Group will approve the Working Group Data Framework at the end of the First Meeting. Thereafter, Agnico Eagle will circulate the Working Group Framework to the Working Group [not less than two days prior] to each subsequent meeting.
 12. Agnico Eagle will provide adaptive management and mitigation options in advance of a meeting if either of the following occurs:
 - o there have been any instances of non-compliance with the effluent quality criterion of 3,500 mg/L MAC TDS, as measured at MEL-14, and/or
 - o there have been any instances of non-compliance with the interim TDS threshold as applied at the edge of the mixing zone.
 13. Interpretation of the data will be provided by Agnico Eagle's third party consultant to the members of the Working Group to support discussions respecting adaptive management thresholds.
 14. For clarity, the Working Group can propose changes to the Emergency Amendment Monitoring Plan or threshold triggers for adaptive measures based on interpretations of the data provided within the data framework. Approval of these proposed changes remain within the jurisdiction of the NWB. The sampling strategy presented in Table 3 of Schedule I may be further adjusted as per the NWB's direction based on discussions with the Working Group.

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15. Data collected by Agnico Eagle pursuant to the Emergency Amendment Monitoring Plan will be submitted to the NWB in order to ensure compliance with the legal obligations of the Type A Water Licence 2AM-MEL1631.
16. Should additional monitoring to that described in Schedule I Table 3 (i.e. monitoring undertaking outside of licence requirements) be undertaken by Agnico Eagle in collaboration with another member of the Working Group under this Terms of Reference or by another member of the Working Group, such additional monitoring results shall be treated as confidential by the members of the Working Group and will not be shared outside the Working Group until a majority of the members of the Working Group confirm that applicable data quality objectives and QA/QC standards have been met for such additional occur no later than four weeks after the data and associated QA/QC information have become available to the Working Group. The applicable data quality objectives and QA/QC Standards will be defined by the Working Group for the additional monitoring.
17. The Working Group will give further consideration to additional measures that could be taken in order to ensure the public is informed about the planned discharges from CP1 during the 2020 discharge season. Such measures could include posting plain language documentation and translated summary information on Facebook or other platforms readily available to community members and through the local radio about:
 - o The progress of discharges from CP1;
 - o The overall current water quality baseline conditions in Meliadine Lake; and
 - o The updated water quality in Meliadine Lake as indicated by monitoring undertake in accordance with the Type A Water Licence 2AM-MEL-1631 during the CP1 discharges in 2020.The communication strategy will include two-way communication with community members and stakeholders, will ensure IQ is incorporated and will give consideration to organoleptic indicators.
18. It is anticipated that all members of the Working Group will participate in a collaborative manner. Any disagreements between members of the Working Group requiring resolution will be resolved by the Nunavut Water Board.

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AUGUST 2020

SIGNATURES

AGNICO EAGLE REPRESENTATIVE



SIGNATURE on behalf of all representatives _____

DATE 08/12/2020NAME/TITLE Michel Groleau, Superintendant Permitting and Regulatory Affairs

NUNAVUT WATER BOARD REPRESENTATIVE

SIGNATURE on behalf of all representatives _____

DATE September 22, 2020NAME/TITLE Karén Kharatyan, Director Technical Services

KIVALLIQ INUIT ASSOCIATION REPRESENTATIVE

SIGNATURE on behalf of all representatives

DATE Sept 22, 20NAME/TITLE Kono Tattuinee, President of KIA

CROWN-INDIGENOUS RELATIONS AND NORTHERN AFFAIRS REPRESENTATIVE

SIGNATURE on behalf of all representatives


DATE July 20, 2020NAME/TITLE David ZHONG, Regulatory & Science Advisor.

WATER MANAGEMENT WORKING GROUP

TERMS OF REFERENCE

JUNE 2020

ENVIRONMENT AND CLIMATE CHANGE CANADA REPRESENTATIVE

SIGNATURE on behalf of all representatives  DATE June 12, 2020

NAME/TITLE Margaret Fairbairn -Regional Director