



NIRB File No.: 03MN107

July 28, 2016

To: Meadowbank Distribution List

Sent via email

Re: Scheduling of a Project Certificate Workshop for Agnico Eagle Mines Ltd.'s Vault Pit Expansion Proposal for the Meadowbank Gold Mine, August 11, 2016

Dear Parties:

On July 26, 2016 the Nunavut Impact Review Board (NIRB or Board) received notification from the Honourable Carolyn Bennett, Minister of Indigenous and Northern Affairs, that the Public Hearing Report for the Board's assessment of Agnico Eagle Mines Ltd.'s Vault Pit Expansion Project proposal (amendment to the existing Meadowbank Gold Mine Project [NIRB File No. 03MN107]) and reconsideration of the relevant terms and conditions of Project Certificate No. 004 had been accepted pursuant to Section 12.8.3 of the Nunavut Land Claims Agreement (NLCA).

Now that the Vault Pit Expansion Project has been approved to proceed, the NIRB is required to issue an updated Project Certificate No. 004 for the Meadowbank Gold Mine Project which sets out the amended terms and conditions of approval, as included in the Board's April 2016 Public Hearing Report for this Reconsideration. Prior to finalization and issuance of an amended Project Certificate, the Board must ensure that all associated terms and conditions are clearly understood by the responsible parties and any commentary necessary to allow for full implementation and incorporation into applicable regulatory instruments is addressed, as required by NLCA sections 12.9.1 and 12.9.2:

- 12.9.1 Subject to Section 12.9.3, the terms and conditions of NIRB project certificates shall be implemented by all government departments and agencies in accordance with their authorities and jurisdictional responsibilities.*
- 12.9.2 Without limiting the generality of Section 12.9.1, the terms and conditions of NIRB project certificates shall, in accordance with the authorities and jurisdictional responsibilities of government departments and agencies, be incorporated in relevant permits, certificates, licences or other government approvals that the proponent may require. Government departments and agencies shall discuss with NIRB how best to implement the terms and*

conditions of NIRB project certificates and may provide NIRB with drafts of permits, certificates, licences and other government approvals.

To assist with the finalization of the enclosed *draft* amended Project Certificate No. 004 for the Meadowbank Gold Mine Project; the NIRB is scheduling a short project certificate workshop by teleconference for **August 11, 2016**.

The Project Certificate workshop will be scheduled to facilitate discussions amongst regulators, NIRB staff and the Proponent regarding the implementation of the *amended* terms and conditions contained within the Project Certificate. During the workshop regulators will be expected to confirm which *amended* terms and conditions from the Public Hearing Report will be incorporated into their respective licences, certificates and permits. All parties are further advised that the NIRB will not be modifying the explicit wording of, nor providing justification for, specific terms and conditions during the workshop as this has been provided in the Public Hearing Report. Initial reporting expectations may also be discussed, with the intention of coordinating future reporting requirements to the extent possible.

The Proponent and the following relevant regulatory authorities are asked to ensure appropriate representation for the workshop:

- | | |
|--|-------------------------------|
| ▪ Nunavut Water Board | ▪ Fisheries and Oceans Canada |
| ▪ Kivalliq Inuit Association | ▪ Natural Resources Canada |
| ▪ Government of Nunavut | ▪ Transport Canada |
| ▪ Indigenous and Northern Affairs Canada | |
| ▪ Environment and Climate Change
Canada | |

To ensure the objectives of the workshop are met, each department, agency or organization is asked to, where possible, select staff representatives who are directly involved in the development of their respective regulatory instruments for the Meadowbank Gold Mine Project.

To facilitate preparation and efficient discussion time, prior to the workshop, parties are encouraged to submit a listing of any terms and conditions from the enclosed *draft* amended Project Certificate which they expect to implement through their respective licences, permits or approvals and, any terms and conditions which, in their view, might benefit from additional clarification prior to issuance of a finalized amended Project Certificate by the NIRB.

While the NIRB intends to finalize and issue the amended Meadowbank Project Certificate shortly after the workshop, the project-specific monitoring program which has been issued as Appendix D to the Project Certificate may also be updated as necessary after key regulatory authorizations, including land use permits, water licences, mineral leases, etc. are issued. This will help to ensure that the NIRB monitoring program supplements and supports but does not duplicate the monitoring and reporting requirements that may be contained within and/or be required by other regulatory instruments. The NIRB will continue to actively monitor the Meadowbank Gold Mine Project prior to and following issuance of the amended Project Certificate.

Upon issuance of the amended Project Certificate to the Proponent, the NIRB will also provide all parties with a tracking document listing any points of clarification made to the terms and conditions as set out in the NIRB's Public Hearing Report. This will be provided for information only.

PUBLIC HEARING REPORT RECOMMENDATIONS:

Wherever possible, within the Public Hearing Report the NIRB used the following format for its recommended project-specific terms and conditions so as to provide clear direction on the intended application, objectives and reporting requirements:

Category: Identifies the relevant environmental component or project activity to which the term and condition applies. Wherever possible categories have been labelled so as to directly associate with the Final Environmental Impact Statement and Environmental Impact Statement Guidelines for the Project.

Responsible Parties: Identifies the parties responsible for implementation of the term and condition. While this is generally the Proponent, at times other agencies have been implicated as appropriate.

Project Phase: Identifies the phase(s) of Project development to which the term and condition is applicable. Project phase may include any one or more of the following:

- Construction – includes site preparation and staging of materials and equipment in advance of construction
- Operations
- Temporary Closure/Care and Maintenance
- Closure and Post-Closure Monitoring – includes abandonment, decommissioning and reclamation

Objective: Provides a short description of the impact or effect being mitigated. Where relevant, expectations regarding the timing for when terms and conditions will be deemed to be satisfied (i.e. sunset clause), who has discretion for determining it is satisfied has been provided.

Term or Condition: Provides specific direction on the required action or follow up. In most instances the NIRB has endeavoured to use generalized wording to allow for maximum flexibility in achieving the stated objective, however more explicit direction has been provided where deemed necessary.

Reporting Requirements: Sets out any specific reporting parameters required to measure achievement of objectives or to demonstrate compliance, as well as the required frequency of reporting.

Within the Public Hearing Report it was noted that for a number of the recommended terms and conditions, some of the above parameters would be developed following approval of the Project by the Minister through discourse at a meeting with regulators and prior to issuance of the Project Certificate (i.e. project certificate workshop). It is expected that a number of terms and conditions will require clarification for some of the parameters. For example, it may become

apparent that there are additional parties responsible for implementing certain terms and conditions, or it may be that the objective of the term and condition could be rephrased slightly to be clearer for all parties. Through the Project Certificate workshop the NIRB will provide opportunity to discuss where clarification to the terms and conditions is to be incorporated into the Project Certificate.

NEXT STEPS

The enclosed *draft* amended Project Certificate contains the recommended terms and conditions as set out in the Public Hearing Report for the Project. This document will form the basis of discussions for the workshop, as set out in the draft workshop agenda in **Appendix A**.

Parties should provide the NIRB with a listing of which of the terms and conditions from the *draft* amended Project Certificate that they expect to implement through their respective licences, permits or approvals and, any terms and conditions which, in their view, might require clarification prior to issuance of a Project Certificate. The NIRB respectfully requests that parties provide the Board with their respective listings and confirmation of planned attendance via email at info@nirb.ca on or before **August 8, 2016**.

Should any parties have questions or require additional clarification, please contact Sophia Granchinho, Manager, Impact Assessment at (867) 857-2052 or sgranchinho@nirb.ca, as well as Tara Arko, Director, Technical Services at (867) 983-4611 or tarko@nirb.ca.

Sincerely,



Tara Arko
Director, Technical Services
Nunavut Impact Review Board

cc: Ryan Vanengen, Agnico Eagle Mines Ltd.
Stéphane Robert, Agnico Eagle Mines Ltd.
Jamie Quesnel, Agnico Eagle Mines Ltd.
Larry Connell, Agnico Eagle Mines Ltd.
Luis Manzo, Kivalliq Inuit Association
Karén Kharatyan, Nunavut Water Board
Tina Price, Government of Nunavut
Tineka Simmons, Canadian Northern Economic Development Agency
Mark Dahl, Environment and Climate Change Canada
Elizabeth Patreau, 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
Meighan Andrews, Transport Canada

Attachments: Appendix A: Project Certificate Workshop *Draft* Agenda (NIRB File No. 03MN107)

Enclosure: *Draft* Project Certificate No.: 004 (NIRB File No. 03MN107)

APPENDIX A:
PROJECT CERTIFICATE WORKSHOP *DRAFT* AGENDA

Dates: August 11, 2016

Times: 9:00 a.m. – 11:00 a.m.

Time Zone: Mountain Standard Time (MST)

Location: Teleconference (call number to be provided to confirmed attendees)

Objective:

- Bring together the Proponent and relevant regulatory authorities to facilitate discussions on the implementation of the amended terms and conditions contained within the Project Certificate into their respective licences, certificates and permits.
- Identify specific points of clarification required for amended terms and conditions prior to finalization and issuance of the Project Certificate by the Board.

Notes:

- The workshop will be chaired by Tara Arko, Director of Technical Services.
- Each party will be provided with an opportunity to speak to each agenda item in an ordered fashion. Time limits will be implemented as necessary.

Thursday, August 11, 2016

9:00 a.m. Welcome and Introductions
NIRB Opening Remarks

9:15 a.m. Regulatory Requirement: terms and conditions 3-5 apply to Vault Pit Project, no new or amended
Monitoring Records: terms and conditions 6-7 apply to Vault Pit Project, no new or amended
Water Quality and Waste Management: terms and conditions 11, 13, 14, 23, 26 and 27 apply to Vault Pit Project, no new or amended
Fish and Fish Habitat: *amended* terms and conditions 49 and 53
Wildlife and Terrestrial: term and condition 60 applies to Vault Pit Project, no new or amended
Socio-Economic: terms and conditions 63-65 apply to Vault Pit Project, no new or amended
Archaeology: terms and conditions 69-70 apply to Vault Pit Project, no new or amended
Air Quality: term and condition 74 applies to Vault Pit Project, no new or amended
Accidents and Malfunctions: term and condition 75 applies to Vault Pit Project, no new or amended
Abandonment and Reclamation: terms and conditions 78-80 apply to Vault Pit Project, no new or amended
Other: term and condition 85 to Vault Pit Project, no new or amended

10:45 a.m. NIRB Closing Remarks