



NIRB File No.: 16MN056

NWB File No.: 2AM-WTP1826 & 2BB-MEA1828

January 10, 2019

Ryan Vanengen
Nunavut Permitting Lead
Agnico Eagle Mines Limited
PO Box 549
Baker Lake, NU X0C 0A0

Sent via email: ryan.vanengen@agnicoeagle.com

RE: Conformity Determination for Agnico Eagle Mines Ltd.'s Final Environmental Impact Statement Addendum for the "Whale Tail Pit Expansion Project" Proposal and Commencement of the NIRB's Technical Review Period

Dear Ryan Vanengen:

On December 19, 2018 the Nunavut Impact Review Board (NIRB or Board) received Agnico Eagle Mines Ltd.'s (Agnico Eagle or Proponent) updated Final Environmental Impact Statement Addendum (FEIS Addendum) submission for the "Whale Tail Pit Expansion Project" proposal (NIRB File No. 16MN056). The Board initiated an internal review of the FEIS Addendum to determine conformity with the minimum Environmental Impact Statement (EIS) requirements as set out under Section 12.5.2 of the *Agreement Between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada (Nunavut Agreement)*, and s. 101(3) of the *Nunavut Planning and Project Assessment Act* S.C. 2013, c.14, s.2 (*NuPPAA*) as well as clarify components of the expansion which were unclear in the project description previously provided by Agnico Eagle. The NIRB has determined that the updated FEIS Addendum as submitted by Agnico Eagle conforms to the requirements as set out in the *Nunavut Agreement*, the *NuPPAA*, and NIRB's additional clarification request to the level which would enable the assessment to proceed.

The NIRB is formally initiating the public technical review of the FEIS Addendum which can be accessed from the NIRB's online public registry at www.nirb.ca/project/125418.

PROJECT OVERVIEW AND SCOPE

The Whale Tail Pit Expansion Project proposal encompasses development activities which would overlap the physical footprint of the approved Whale Tail Pit Project and extend further onto the Amaruq exploration area. The proposed project is located on Inuit-Owned Lands approximately 150 kilometres (km) north of the hamlet of Baker Lake and approximately 50 km northwest of the existing Meadowbank Gold Mine Project in the Kivalliq Region of Nunavut. The project proposal

includes expanded development of the Whale Tail open pit (from that which was previously-assessed and approved for the Whale Tail Pit Project), development of the IVR open pit, associated IVR Waste Rock Storage Facility and IVR Attenuation Pond, and underground mining operations.

The Whale Tail Pit Expansion Project includes proposed open pit and underground mining operations with processing of ore at the Meadowbank Gold Mine Project. The Whale Tail Pit Expansion Project would extend the extraction of ore over an approximate four-year period with: expansion of the Whale Tail Pit occurring as early as mid-2020, construction of IVR infrastructure occurring late 2020, operations of the expanded Whale Tail Pit, IVR Pit and underground occurring from 2021-2025, ore processing ending in 2026, and site closure/remediation occurring between 2026-2051.

Ore from the proposed expansion project would be trucked from the Whale Tail site via an approximately 65 km private haul road at a rate of 9,000 to 12,000 tonnes per day to the existing Meadowbank Gold Mine for milling. The Project would generate approximately 15.2 million tonnes (Mt) of tailings produced from the milling process in addition to the 8.3 Mt of tailings to be produced from the approved Whale Tail Pit Project for a total of 23.5 Mt to be stored within the existing Meadowbank Gold Mine's Tailings Storage Facility (TSF).

The scope of the project includes the following activities:

- Expansion of the Whale Tail pit footprint and extension of operations from a four (4) year development period to an eight (8) year development period;
 - Surface water continue to be controlled by installed temporary dikes in Whale Tail Lake (Whale Tail Dike) and Mammoth Lake (Mammoth Dike);
- Development of the IVR open pit located adjacent to the Whale Tail open pit;
 - Construction of IVR Diversion and temporary dikes;
 - Dewatering IVR area with discharge of the water into the south basin of Whale Tail Lake or Mammoth Lake;
- Underground mining of Whale Tail and IVR pits:
 - Long hole mining (95%) with some mechanized cut and fill in flat areas;
- On-site Mine Infrastructure:
 - Ongoing use of approved mine infrastructure: power plant, helipad, crushing facility, landfill, and laydown area;
 - Expansion of camp and accommodations to support a maximum of 390 personnel;
 - Installation of additional infrastructure: larger maintenance shop, incinerator, compost site, and landfarm;
 - Additional ore stockpiling facilities located in a series adjacent to the pits;
 - Expansion of previous waste rock storage facility (WRSF) and construction of additional WRSFs; and
 - Expansion of Bulk Fuel Storage Facility with one (1) above ground storage tank of approximately 500,000 litres (L) capacity and additional 700,000 L of storage capacity between five (5) key storage locations at the Whale Tail Pit site for a total of 2.7 million L of fuel capacity.

- Water Management Infrastructure:
 - Construction of second intake in Mammoth Lake for emulsion plant operations;
 - Develop second Attenuation Pond at Lake A53 in addition to the approved Whale Tail Pit Attenuation Pond with dewatering of Lake A53 to commence in 2022;
 - Additional water management infrastructures around IVR Pit and IVR WRSF Contact Water Collection Systems including diversion channels, retention dikes, dams, and culverts;
 - Underground mine water managed separately from surface infrastructure contact water:
 - Groundwater Storage Ponds used to collect saline water from shallow underground development where mining through the permafrost requires brine drilling water and receive brine concentrate, and collect the lower salinity naturally brackish groundwater from underground inflows below the base of the permafrost;
 - Treated water from total dissolved solids treatment plant discharged via diffuser to Mammoth Lake or Whale Tail Lake South Basin; and
 - At the end of underground mining, any remaining water in the Groundwater Storage Ponds would be pumped underground for flooding of the underground working.
 - Ongoing use of approved water management infrastructure including:
 - Contact and fresh water collection ponds;
 - Diversion channels, retention dikes, dams and culverts;
 - Water treatment plant for effluent;
 - Sewage treatment plant; and
 - Discharge diffuser.
 - Potable water for the Whale Tail camp *would continue* to be sourced from Nemo Lake and Whale Tail Lake (South Basin) while non-contact water *would continue* to be diverted from site through channels and dikes;
 - The additional water raising the water level of Whale Tail Lake (South Basin) *would continue* to be discharged into Mammoth Lake through a southwest diversion channel;
- Waste Rock Storage Facilities:
 - Waste rock and overburden generated from the Whale Tail open pit site continue to be placed in the Whale Tail WRSF located northwest of the pit area with the WRSF expanded vertically and horizontally to the east and southeast;
 - Waste rock and overburden generated from the IVR open pit would be placed at the IVR WRSF; and
 - Underground WRSF (permitted under 2BB-MEA1828 Water Licence) would be expanded to accommodate additional waste rock.
- Haul Road and Site Access:
 - Expansion of the 65 km private haul road from 9.5 metres width to 15 metres width (previously 6.5 metres width) for safety reasons;
 - Development of four (4) additional new quarry/esker sites along the haul road;
 - Conversion of existing airstrip used during exploration as a construction access road for Whale Tail Dike;
 - Use of a section of expanded haul road near Whale Tail Pit site as an airstrip for emergencies only during the operation of the Expansion Proposal;

- Ongoing use of existing infrastructure at the Meadowbank Gold Mine site and ongoing use of resources as previously approved, specifically:
 - Camp to accommodate personnel;
 - Airstrip facilities;
 - All-weather access road between Baker Lake and the mine site;
 - Mine facilities including maintenance shops, administration buildings, power generators, mine dry facility (to include lockers, sinks, and changing rooms for personnel), reagent storage areas, fuel storage, landfill, waste and hazardous materials storage area, incinerator, sewage treatment plant, landfarm, ore storage, and surface water management (to include pollution and sediment control or supernatant ponds);
 - Operation of mill and batch plant;
 - Tailings Storage Facility including tailings conveyance, waste and hazardous wastes storage; and
 - Potable water sourced from Third Portage Lake and mill water sourced from the reclaim pond located near the mill.
- Ongoing use of existing infrastructure at the Baker Lake marshalling facility and laydown areas for annual sealift delivery of fuel, equipment, and supplies during the ice-free (open water) season.

THE NIRB TECHNICAL REVIEW PROCESS

As part of the NIRB's reconsideration of the terms and conditions of Project Certificate No. 008 and assessment of the impacts of the Whale Tail Pit Expansion Project proposal, the technical review process is meant to provide a detailed review of the FEIS Addendum to analyze the quality of the information presented by the Proponent. Parties are invited to review the FEIS Addendum submission and develop technical review comments which address:

- Determination of whether Parties agree/disagree with the conclusions in the FEIS Addendum regarding the alternatives assessment, environmental impacts, proposed mitigation, significance of impacts, and monitoring measures – and reasons to support the determination;
- Determination of whether or not conclusions in the FEIS Addendum are supported by the analysis – and reasons to support the determination;
- Determination of whether appropriate methodology was utilized in the FEIS Addendum to develop conclusions – and reasons to support the determination, along with any proposed alternative methodologies which may be more appropriate (if applicable);
- Assessment of the quality and presentation of the information in the FEIS Addendum; and
- Any comments regarding additional information which would be useful in assessing impacts – and reasons to support any comments made.

The Board notes that Agnico Eagle has requested a partially coordinated NIRB-Nunavut Water Board (NWB) process in undergoing the impact assessment and water licencing of the Whale Tail Pit Expansion Project proposal, and as such the NIRB and Nunavut Water Board remain in communication and prepared for submission of Agnico Eagle's water licence amendment application.

NIRB Call for Information Requests

To facilitate the development of technical review comments by parties, the NIRB invites interested parties to provide the NIRB with Information Requests (IRs) directed to the Proponent and/or other parties involved in the assessment of the Whale Tail Pit Expansion Project proposal. It should be noted that IRs are not meant to serve as technical review comments, but rather should identify information gaps within the FEIS Addendum that need to be addressed so that parties can develop their respective technical review comments. Please note that parties are encouraged to review [Appendix A](#) of this letter, which provides the NIRB's suggested format for the development of IRs and additional clarification regarding the information that must be included with submissions:

- A clear reference to the volume, document, section, and/or page number in the FEIS Addendum where relevant information may be found, if applicable;
- To whom the IR is directed;
- Identification of the issue and the specific information being requested;
- The concern associated with the issue and need for information; and
- A clear rationale of the issue and information's importance to the impact assessment of the proposed project.

In addition to the enclosed process map, the NIRB provides direction for the next steps in the assessment, specifically:

DATE	PROCESS STEP
February 7, 2019	Participant Funding applications due to the NIRB; NIRB forwards the applications to CIRNAC.
February 21, 2019	Interested Parties submit Information Requests (IR) directly to the NIRB.
February 25, 2019	1) After considering all IRs and making decisions regarding their suitability, the NIRB will forward all appropriate requests to the Proponent (and other parties if applicable). 2) Upon forwarding IRs to the appropriate parties, the NIRB may set a timeframe for the Proponent and other parties if applicable, to respond with an IR response package.
March 25, 2019	Upon receipt of the IR response package(s), all parties will be given 60 days to develop technical review comments and submit directly to the NIRB.

At this time the NIRB invites all interested parties to submit their IRs on the FEIS Addendum as [Appendix A](#) of this letter, to the NIRB via info@nirb.ca on or before **February 21, 2019**.

Should any parties have questions or require additional clarification regarding the NIRB's assessment of the Whale Tail Pit Expansion Project proposal please contact Erin Reimer, Technical Advisor I, at ereimer@nirb.ca or (867) 857-4566.

Sincerely,



Sophia Granchinho
Manager, Impact Assessment
Nunavut Impact Review Board

cc: Whale Tail Pit Distribution List
 Jamie Quesnel, Agnico Eagle Mines Ltd.
 Manon Turmel, Agnico Eagle Mines Ltd.
 Luis Manzo, Kivalliq Inuit Association
 Maria Serra, Kivalliq Inuit Association
 Chris Spencer Government of Nunavut
 Tineka Simmons, Northern Projects Management Office
 Rachel Theoret-Gosselin, Canadian-Indigenous Relations and Northern Affairs Canada
 Georgina Williston, Environment and Climate Change Canada
 Mark D'Aguiar, Fisheries and Oceans Canada
 Peter Unger, Natural Resources Canada
 Rob Johnstone, Natural Resources Canada
 Transport Canada

Attachment: Appendix A: Suggested Format for NIRB Information Requests

Enclosure (1): Anticipated Process Map for NIRB Assessment of Agnico Eagle Mines Ltd.'s Whale Tail Pit Expansion Project (NIRB No. 16MN056) [January 10, 2019]

APPENDIX A: SUGGESTED FORMAT FOR NIRB INFORMATION REQUESTS

Format and File Size

Parties must provide submissions in a fully functional, electronically searchable Word or PDF file with the latest version of Adobe being acceptable format. Noting the current constraints with respect to internet bandwidth and speed in Nunavut, the NIRB requests that all documents be submitted as files between 10 to 25 MB.

Information Requests

The purpose of Information Requests is to identify information gaps or areas of uncertainty within the FEIS Addendum that need to be addressed so that parties can develop their respective technical review comments. These are not a judgment of the quality of assessment provided, requests for re-assessment or changes to conclusions of the FEIS Addendum, but rather to identify if any additional information is required to understand the conclusions made in the document, identify missing supporting materials, or clarify the context surrounding an issue and assumptions made through the modelling. Information requests can originate from, and be directed to, any of the parties involved in the assessment.

Submissions must identify what specific information is required and outline why the information required is necessary to facilitate the party's technical analysis of the FEIS Addendum or the potential impacts of the project. The NIRB will assess the suitability of each request, consider the underlying issue being identified, and balance these requirements with the types of investigations that would be expected to occur in the technical review period.

Parties are asked to ensure that Information Requests address the points set out below:

IR Source:	Identify the organization/department/intervenor proposing the request.
IR Number:	Each specific Information Request must be numbered to allow for effective cross-referencing of the submission.
IR Directed To:	Clearly identify the organizations/departments/agencies to which the IR is directed (e.g., the Proponent and/or specific organization(s) of whom the information is requested).
Subject:	Identify the issue; list the general subject or topic associated with the request (e.g., monitoring of sediment quality).
Reference:	Provide a clear reference to any applicable volume, document, section, and/or page number in the FEIS Addendum where information relevant to the request may be found.
Issue/Concern:	Provide background information and justification for the request. The issue/concern should identify any shortcomings of available information, concerns associated with the issue and how the requested information is relevant to the technical analysis of information within the FEIS Addendum. A clear rationale of the issue's importance to the formulation of technical review comments and the overall impact assessment of the proposed project is required.
Information Request:	Specifically state the question and/or outline the specific information being requested of the Proponent or organization. Separate items requested should be appropriately numbered in order to track the provision of responses.