



NIRB File No.: 16MN056
NWB File No.: 2AM-WTP1826

May 16, 2019

To: Whale Tail Pit Distribution List

Sent via email

Re: Draft Agenda for the Upcoming Technical Meeting for Agnico Eagle Mines Limited's "Whale Tail Pit Expansion" Project Proposal

Dear Parties:

On April 15, 2019 the Nunavut Impact Review Board (NIRB or Board) notified parties of the upcoming Technical Meeting to be held as part of the Board's assessment of Agnico Eagle Mines Limited's (Agnico Eagle or Proponent) "Whale Tail Pit Expansion" project proposal, a proposed amendment to the approved Whale Tail Pit Project (NIRB File No. 16MN056)¹. The objective of meeting will be to clarify and/or resolve identified technical issues where the methodology, analysis or conclusions presented by the Proponent in their Final Environmental Impact Statement Addendum (FEIS Addendum) are not supported by reviewers. The Technical Meeting is scheduled for June 11-13, 2019 at the Baker Lake Community Hall. Sessions will take place from 9:00 am to 5:00 pm, with the possibility of evening sessions from 6:30 pm to 9:00 pm as necessary.

The meeting will be structured to facilitate informal, face-to-face discussions of issues raised in parties' technical review comments regarding the FEIS Addendum submitted by Agnico Eagle. The meeting will be facilitated by NIRB staff and provide opportunity for the Proponent to present a summary of its response to technical review comments, followed by discussion between the Proponent, responsible authorities and interested parties that have provided technical review comments for consideration. Break-out sessions facilitated by NIRB staff may also be utilized to further discuss specific agenda items in smaller groups (e.g., engineering, wildlife, socio-economic issues, etc.) where necessary. Please note that the NIRB has ordered the agenda items to align, where possible, with the thematic sections within Agnico Eagle's FEIS Addendum. Parties are invited to review the attached *Draft* Technical Meeting Agenda ([Appendix A](#)) and provide the Board with feedback regarding the ordering of agenda items on or before **May 28, 2019**. The NIRB will circulate the final agenda prior to the meeting.

¹ The NIRB's assessment of the Whale Tail Pit Expansion project proposal is a reconsideration of the terms and conditions of the Whale Tail Pit Project Certificate No. 008 under Article 12, Section 12.8.2 of the *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada (Nunavut Agreement)* and s. 112(1) of the *Nunavut Planning and Project Assessment Act* S.C. 2013, c. 14, s. 2 (NuPPAA).

The Board reminds Agnico Eagle that the onus is on the Proponent to supply the information required to support the assessment process. Agnico Eagle is encouraged to meet directly with parties in advance of the planned Technical Meeting as necessary to advance the discussion and resolution of technical issues, with the understanding that outcomes of these discussions are to be documented and reported back to the NIRB to inform the public record. If adequate information is not provided in accordance with agreed upon timelines, the assessment cannot move forward in accordance with the process and timelines originally proposed by the NIRB which may result in delays in proceeding to a public hearing.

MEETING LOGISTICS

The NIRB has made the following logistical arrangements for the upcoming Technical Meeting:

- Interpretation:** Simultaneous English and Inuktitut interpretation will be provided to the extent practicable.
- Representatives:** Seating at the main table for each organization/agency during the meeting will be limited, with a maximum of 2-3 seats per organization/agency. Additional seats will be provided for observers and the public.
- Facilitator:** The meeting will be facilitated by the NIRB staff.
- Materials:** The NIRB will make available a digital copy of all materials contained within the Board's public registry for the assessment of the Whale Tail Pit Expansion Proposal, including the FEIS Addendum.
- Meeting times:** Meetings start at 9:00 a.m. and run until 5:00 p.m. daily, with an hour break for lunch and two 15-minute health breaks throughout the day. Evening sessions may be required to ensure all agenda items are sufficiently covered.

Parties expecting to have representatives attend the Technical Meeting in person are responsible to secure their own travel, accommodations, meals, and daily transport to/from the meetings. Light refreshments will be provided during health breaks; meals will not be provided.

The NIRB requests that Agnico Eagle be prepared to deliver an overview presentation of up to sixty (60) minutes following the opening of the Technical Meeting, providing an overview of the proposal and summarizing Agnico Eagle's response to parties' technical review comments, including identification of those issues believed to have been addressed within its response and those which have not yet been resolved. Where possible it is recommended that the Proponent utilize visual elements (maps, diagrams, figures, etc.) in its presentation to assist with effective comprehension and uptake of technical issues by meeting participants. In addition, it is recommended that Agnico Eagle be prepared to deliver concise (10-15 minute) topic-specific presentations for each agenda item, to be utilized as deemed necessary for facilitating discussions.

The NIRB advises Agnico Eagle that it will need to provide enough printed copies of its presentation for meeting participants, with translations in Inuktitut, and French where possible.

The Board further requests that hard copies of the Inuktitut version of the covering letter to its technical comment response package be provided at the meeting.

Agnico Eagle will be expected to track any commitments made through the technical review process as well as commitments at this meeting which are made to address outstanding issues identified by parties. The Proponent is requested to maintain a comprehensive listing of commitments for circulation during and following the meetings. Time may be allotted within the proceedings for a cursory review of these commitments by all parties to enable the listing to be finalized by the conclusion of the Technical Meeting. It is anticipated that the commitment list from each day will be provided at the start of the next day for review and that any comments or issues with respect the commitments will be raised by parties during the end of day wrap up discussion. The final list of commitments will form a part of the meeting record and will also be carried forward to the Public Hearing for consideration by the Board.

Parties should be prepared to speak to whether their technical review comments have been satisfactorily addressed by Agnico Eagle and, if not, to provide clarification as to what issues remain outstanding in order to prepare final written submissions. Throughout the meeting, the NIRB will request that parties assist in identifying whether their questions or comments are associated with a specific issue raised within their previous comments to the Board by noting the reference number given in the technical review comments.

NEXT STEPS

Parties planning to attend the upcoming Technical Meeting for the NIRB's assessment of Agnico Eagle's "Whale Tail Pit Expansion" project proposal are requested to provide the NIRB with the following information by **May 28, 2019**:

- Review of the *Draft* Technical Meeting Agenda ([Appendix A](#)), with feedback regarding the scheduling of agenda topics;
- A list of representatives to be in attendance, including names, positions and respective area of expertise or authority; and
- Any requests for specialized audio/visual equipment or specific logistical arrangements that may be required during the Technical Meeting.

Parties are asked to direct all forthcoming submissions to the NIRB at info@nirb.ca. Should you have any questions or require further clarification related to the Board's assessment of the Whale Tail Pit Expansion project proposal, please contact Erin Reimer, Technical Advisor I, at (867) 857-4566 or ereimer@nirb.ca, or the undersigned at (867) 857-4829 or sgranchinho@nirb.ca.

Sincerely,



Sophia Granchinho,
Manager, Impact Assessment
Nunavut Impact Review Board

cc: Jamie Quesnel, Agnico Eagle Mines Limited
Manon Turmel, Agnico Eagle Mines Limited

Attachment: Appendix A – *Draft* Technical Meeting Agenda for Agnico Eagle's Whale Tail Pit Expansion Project Proposal

**APPENDIX A – DRAFT TECHNICAL MEETING AGENDA FOR AGNICO EAGLE’S WHALE TAIL PIT
EXPANSION PROJECT PROPOSAL**

NIRB File No.: 16MN056 – Whale Tail Pit Expansion Project Proposal
Proponent: Agnico Eagle Mines Limited
Facilitator: Ryan Barry, NIRB Executive Director
Location: Community Hall, Baker Lake, NU
Dates & Times: June 11, 2019 9:00 am – 5:00 pm (*potential 6:30 pm-9:00 pm*)
June 12, 2019 9:00 am – 5:00 pm (*potential 6:30 pm-9:00 pm*)
June 13, 2019 9:00 pm – 5:00 pm

Note: All times given are approximate. The order of discussion topics and times given are subject to change at the NIRB’s discretion. Additional evening sessions may be scheduled for June 11 and/or June 12 if deemed necessary to complete agenda items.

Day 1 – Tuesday June 11, 2019

General Opening:

1. NIRB Welcome and Opening Remarks (*30 minutes*)
 - a. Introductions, overview of procedural history, structure of technical meeting, etc.
 - b. Introduction of Participants
 - c. Overview of Agenda
 - d. Housekeeping Items

Technical Meeting:

2. Agnico Eagle Presentation:
 - a. Response to Technical Review Comments (*60 minutes*)
3. Roundtable Discussions; Proceeding topic-by-topic with questions to the Proponent from meeting participants regarding specific responses to technical review comments:
 - a. Conclusions presented in the FEIS Addendum pertaining to alternatives assessment and methodologies (*60 minutes*);
 - b. Atmospheric environment including climate change assessment, air quality, and noise and vibration (*90 minutes*);
 - c. Terrestrial environment including terrain, permafrost and soils, and wildlife and wildlife habitat (*120 minutes*).

Note: Agnico Eagle is expected to have additional presentation materials available for reference during discussions, should it become necessary.

Close of Day 1

Day 2 – Wednesday June 12, 2019

Technical Meeting (continued from Day 1)

1. NIRB Opening Remarks (*15 minutes*)
 - a. Day 1 Recap
 - b. Overview of Agenda
2. Roundtable discussion; questions to the Proponent from meeting participants regarding responses to technical review comments:
 - a. Freshwater environment including surface water quality and quantity, hydrogeology, and fish and fish habitat (*120 minutes*);
 - b. Marine environment including shipping corridor and marine mammal assessment (*60 minutes*);
 - c. Waste Management including waste-rock storage facilities, landfarm design and landfill management (*30 minutes*);
 - d. Socio-economic environment including the labour market, employee training programs, benefit agreements, and historical/archaeological sites (*90 minutes*);
 - e. Human Health including the Human Health and Ecological Risk Assessment (*30 minutes*);

Note: Agnico Eagle is expected to have additional presentation materials available for reference during discussions, should it become necessary

Close of Day 2

Day 3 – Thursday June 13, 2019

Technical Meeting (continued from Day 2)

1. NIRB Opening Remarks (*15 minutes*)
 - a. Day 2 Recap
 - b. Overview of Agenda
2. Roundtable discussion; questions to the Proponent from meeting participants regarding responses to technical review comments:
 - a. Management and monitoring plans (*120 minutes*);
 - b. Cumulative effects assessment and related management and mitigation plans and/or programs (*60 minutes*);
3. Discussion on any outstanding issues and/or remaining topics.
4. Discussion and review of Proponent's list of commitments.
5. NIRB discussion of next steps and Public Hearing
 - a. Question and answer period for parties
6. Closing Remarks

Close of Day 3