



The logo features a stylized green leaf background. At the top, the Inuktitut phrase "ᓃᐅᑦ ᐱᕋᑎᑦᑲᐅᑦ ᑲᑎᒪᐱᐢᑦ" is written in black. Below it is a red Canadian maple leaf. The letters "NIRB" are prominently displayed in large, bold, black font. Underneath "NIRB", the words "NUNAVUT IMPACT REVIEW BOARD" are written in smaller black capital letters. At the bottom, the Inuktitut phrase "NUNAVUMI AVATILIKIYIN KATIMAYIN" is written in black capital letters.

In carrying out its functions, the primary objectives of NIRB shall be at all times to protect and promote the existing and future well-being of the residents and communities of the Nunavut Settlement Area, and to protect the ecosystemic integrity of the Nunavut Settlement Area. NIRB shall take into account the well-being of residents of Canada outside the Nunavut Settlement Area.

23(1) The Board must exercise its powers and perform its duties and functions in accordance with the following primary objectives:

- (a) to protect and promote the existing and future well-being of the residents and communities of the designated area; and
- (b) to protect the ecosystemic integrity of the designated area.

23(2) In exercising its powers or performing its duties and functions in accordance with the objective set out in paragraph (1)(a), the Board must take into account the well-being of residents of Canada outside the designated area.

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SIGNATURE PAGE



Photo 1: Board Members: (from left) Guy Alikut, Catherine Emrick, Kaviq Kaluraq, Philip (Omingmakyok) Kadlun, and Uriash Puqignak.

THIS REPORT IS SUBMITTED TO THE HONOURABLE CAROLYN BENNETT, MINISTER OF CROWN-INDIGENOUS RELATIONS AND NORTHERN AFFAIRS CANADA BY THE NUNAVUT IMPACT REVIEW BOARD ON THIS 18TH DAY OF OCTOBER 2019.

M. Kaviq Kaluraq

Kaviq Kaluraq
Acting Chairperson

P. Kadlun

Philip (Omingmakyok) Kadlun
Vice Chairperson

Catherine Emrick

Catherine Emrick
Board Member

G. Alikut

Guy Alikut
Board Member

Uriash Puqignak

Uriash Puqignak
Board Member

COVER LETTER



NIRB File No.: 16MN056

October 18, 2019

The Honourable Carolyn Bennett, P.C., M.P.
Minister of Crown-Indigenous Relations and Northern Affairs
Crown-Indigenous Relations and Northern Affairs Canada
Government of Canada
House of Commons
Ottawa, ON K1A 0A6

Sent via email and courier: carolyn.bennett@canada.ca and carolyn.bennett@parl.gc.ca

Re: Reconsideration Report and Recommendations of the Nunavut Impact Review Board Regarding a Significant Modification to the Whale Tail Pit Project as Proposed by Agnico Eagle Mines Limited under the Whale Tail Pit Expansion Project Proposal

Dear Honourable Carolyn Bennett:

As set out in the Nunavut Impact Review Board's (NIRB or Board) Notice of Reconsideration sent to the relevant Minister(s) on November 16, 2018, the NIRB has undertaken an assessment of the "Whale Tail Pit Expansion Project" Proposal, a proposed modification by Agnico Eagle Mines Limited to the existing Whale Tail Pit Project. The Board initiated a reconsideration of the Terms and Conditions of existing 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 *Nunavut Planning and Project Assessment Act*, S.C. 2013, c. 14, s. 2 (*NuPPAA*). As required by Article 12, Section 12.8.3 of the *Nunavut Agreement* and s. 112(5) of *NuPPAA*, the NIRB is providing this Reconsideration Report and Recommendations to the Minister for your consideration.

The enclosed Reconsideration Report and Recommendations summarizes the NIRB's assessment of the potential ecosystemic and socio-economic effects of the "Whale Tail Pit Expansion Project" Proposal (Expansion Proposal) and concludes that it should be allowed to proceed. The Board has

concluded that the Expansion Proposal should be allowed to proceed, subject to the recommended amendments and additions to the Terms and Conditions of existing Project Certificate No. 008 and consequential revisions to the Monitoring Program for Project Certificate No. 008, as described in detail in the attached Report, and is consistent with the objectives set out in Article 12, Section 12.2.5 of the *Nunavut Agreement* and s. 23 of *NuPPAA*.

Translated versions of the Reconsideration Report and Recommendations are being prepared in Inuktitut and French and will be made available as soon as possible.

Should you have questions or require clarification regarding this matter, please contact the NIRB's Executive Director, Ryan Barry at (867) 983-4608 or rbarry@nirb.ca.

Sincerely,



Kaviq Kaluraq
Acting Chairperson
Nunavut Impact Review Board

cc: The Honourable Jonathan Wilkinson, P.C. Minister of Fisheries and Oceans and the Canadian Coast Guard
The Honourable Catherine McKenna, P.C. Minister of Environment and Climate Change
The Honourable Hunter Tootoo, MP for Nunavut
The Honourable Joe Savikataaq, Premier of Nunavut
Aluki Kotierk, President, Nunavut Tunngavik Incorporated
David Ningeongan, President, Kivalliq Inuit Association
Lootie Toomasie, Chairperson, Nunavut Water Board
Jamie Quesnel, Agnico Eagle Mines Limited
Philippe Lapointe, Agnico Eagle Mines Limited
Whale Tail Pit Distribution List

EXECUTIVE SUMMARY

This Reconsideration Report and Recommendations has been issued by the Nunavut Impact Review Board (NIRB or Board) to present the findings of the Board's assessment of Agnico Eagle Mines Limited's (Agnico Eagle) "Whale Tail Pit Expansion Proposal" (Expansion Proposal). The Expansion Proposal proposes modifications to the previously-approved Whale Tail Pit Project (NIRB File No. 16MN056), located at the Amaruq property on Inuit-owned lands, approximately 150 kilometres (km) north of the hamlet of Baker Lake, Nunavut (Baker and 50 km northwest of the existing Meadowbank Gold Mine Project. The scope of the Expansion Proposal, as reviewed by the Board, and summarized in this Reconsideration Report and Recommendations involves the proposed development of additional open pit and underground mining operations at the existing Whale Tail Pit Project and processing of the additional ore at the Meadowbank Gold Mine Project. The Expansion 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 project proposal includes four (4) main components:

- Expanding the size of the Whale Tail open pit (which was previously-assessed and approved for the Whale Tail Pit Project);
- The development of an additional open pit (IVR pit);
- The development of the associated IVR Waste Rock Storage Facility and IVR Attenuation Pond; and
- Undertaking underground mining operations of both the Whale Tail and IVR deposits.

Processing of the ore mined from the expanded Whale Tail Pit, new IVR Pit and additional underground operations would take place at the existing Meadowbank Gold Mine site, using the existing mill and tailings management infrastructure. The ore would be trucked daily from the Whale Tail site via an existing 65 km private haul road. Agnico Eagle proposes to upgrade the haul road from the currently approved width of 9 metres (m) to 15 m to accommodate safe passage of haul trucks. Agnico Eagle proposes to use the existing marine shipping infrastructure in Baker Lake, Nunavut to support shipment of materials required for construction of the Expansion Proposal components as well as annual resupply of fuel.

Construction of the Expansion Proposal would begin as early as mid-2020, with expansion of the Whale Tail Pit and construction of IVR infrastructure. Operations at the expanded Whale Tail Pit, IVR Pit and underground mining would commence in 2021 and continue into 2026. Construction and operations would be followed by site closure and remediation, beginning in 2026, and continuing until approximately 2051, followed by post-closure monitoring of the site.

The NIRB received the Expansion Proposal in October 2018 from the Nunavut Planning Commission (the Commission), along with confirmation that the proposed activities conformed to the applicable requirements of the Keewatin Regional Land Use Plan. The Commission's referral also indicated that the Expansion Proposal includes components or activities that were not part of the scope of the previously-approved Whale Tail Pit Project, and therefore represented a significant modification warranting additional assessment by the NIRB due to the increased area, intensity, and duration of mining proposed.

The NIRB subsequently determined that the changes to the Whale Tail Pit Project proposed in the Expansion Proposal warranted a formal reconsideration of the terms and conditions of Project

Certificate No. 008, pursuant to Article 12, Sections 12.8.2(b) and 12.8.2(c) of the *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada (Nunavut Agreement)* and ss. 112(1)(b) and 112(1)(c) of the *Nunavut Planning and Project Assessment Act*, S.C. 2013, c.14, s.2 (*NuPPAA*). On November 16, 2018, the NIRB provided notice of the Board's commencement of a formal reconsideration to the relevant Ministers and parties.

The Board provided numerous opportunities throughout the assessment process for interested parties to provide technical comments, identify issues and concerns, ask questions, provide information and share perspectives regarding the potential (positive and negative) ecosystemic and socio-economic effects of the Expansion Proposal. Participants in the Board's assessment process included Nunavut Tunngavik Inc., the Kivalliq Inuit Association, the Baker Lake Hunters and Trappers Organization, the Government of Nunavut, Crown-Indigenous Relations and Northern Affairs Canada, Environment and Climate Change Canada, Fisheries and Oceans Canada, Health Canada and Natural Resources Canada. Members of the public and community representatives from the Kivalliq Region communities of Arviat, Baker Lake, Chesterfield Inlet, Coral Harbour, Nauyasat, Rankin Inlet and Whale Cove, also contributed to the Board's assessment; public participation included attendance at in-person Community Information Sessions held in February 2019, an in-person Technical Meeting held June 11-13, 2019 in Baker Lake, and an in-person Public Hearing held August 26-29, 2019 in Baker Lake.

Throughout this assessment the Board heard that there was general support for the additional and continued employment opportunities and economic benefits associated with the Expansion Proposal. However, the Board also heard concerns expressed about the potential for effects (including cumulative effects) on the terrestrial ecosystem and wildlife (particularly on caribou) resulting from the proposed widening and intensified and prolonged use of the Whale Tail haul road associated with the transport of additional ore for processing at the existing Meadowbank Gold Mine site.

During the Public Hearing, the Government of Nunavut and the Kivalliq Inuit Association recommended revisions to improve the effectiveness of existing caribou protection measures previously-approved by the Board for the Whale Tail Pit Project. In addition, Community Representatives and the Baker Lake Hunters and Trappers Organization highlighted the importance of ensuring that Inuit Qaujimajatuqangit is sought from local Inuit knowledge holders who have noticed effects on caribou behaviour from the existing project roads, noting this knowledge must inform future improvements to caribou protection and monitoring measures. Accordingly, the Board has recommended revisions to three (3) existing terms and conditions and has added one (1) new term and condition applicable to mitigation and monitoring measures required to limit the potential for the Expansion Proposal to have effects on caribou.

The Board also heard concerns about the potential for the Expansion Proposal to result in significant increases to air emissions (dust and nitrogen dioxide specifically). Environment and Climate Change Canada (ECCC) and Health Canada (HC) identified uncertainty that the passive nitrogen dioxide monitoring currently conducted for the approved project accurately captures project-related effects on air quality such as the inability to capture short-term spikes in nitrogen dioxide emissions and their potential limitations in cold climates. In addition, results of passive nitrogen dioxide monitoring do not enable adequate comparison with the Canadian Ambient Air Quality Standards, which are standards based on the most recent scientific information on the effects of nitrogen dioxide on human health and the environment. Consequently, ECCC and HC

recommended that Agnico Eagle implement continuous monitoring of these emissions (similar to conditions currently required at two other existing mines in Nunavut). While the Board acknowledges the logistical challenges, such as power supply and associated costs, of implementing continuous nitrogen dioxide monitoring, the Board understands that the limits on the current passive method may not accurately capture increases to these emissions that could have effects on workers, wildlife, the terrestrial environment, and traditional land users. On this basis, the Board has amended one (1) term and condition to add continuous nitrogen dioxide monitoring to the existing air quality monitoring program.

The Board also noted concerns expressed about the potential for effects to surface water and groundwater quality and quantity resulting from the proposed expansion of the Whale Tail Pit and addition of the IVR pit, including temporal extension of activities, the need for alternative discharge locations and eventual closure planning. Although the Board notes that the details of water management and monitoring associated with the Expansion Proposal will primarily be addressed in the Nunavut Water Board's upcoming consideration of amendments to the existing Type "A" Water Licence 2AM-WTP1826, the Board has recommended one (1) additional term and condition to address Agnico Eagle's future assessment of alternative discharge locations.

With respect to the mitigation of potential socio-economic effects, the Board heard from the Government of Nunavut (GN) that revisions to specific monitoring for gender-specific initiatives should be added to existing labour and employment monitoring requirements. The Board also heard from the GN and Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) that requirements for workforce transition planning should be expressly added to Agnico Eagle's existing closure and reclamation planning requirements. Additionally, the Board heard from the GN regarding the need for appropriate communication and safety protocols for the Whale Tail haul road to ensure the public is informed on how to safely interact with the road. Revisions to two (2) existing terms and conditions and the addition of one (1) new term and condition have been included by the Board to reflect these issues.

Finally, the Board noted that various Intervenors identified questions regarding the extent to which commitments provided by Agnico Eagle during the Board's consideration of the original Whale Tail Pit Project Proposal have been fully implemented as expected. To ensure that implementation of commitments made in both the Board's Review of the original Whale Tail Pit Project and the commitments made during the Board's assessment associated with the Expansion Proposal takes place, the Board has added one (1) term and condition to require reporting on commitment fulfillment to be included in Agnico Eagle's Annual Report to the NIRB.

As set out in detail within the Board's Report, having reviewed and considered all the information provided throughout the assessment process for the Whale Tail Pit Expansion Proposal, the NIRB has concluded that if conducted in accordance with the Board's recommended revisions and additions to Project Certificate No. 008, this proposed amendment to the Whale Tail Pit Project may proceed to the licensing and permitting regulatory phase

In closing, the Board is grateful to all who shared their experiences, expertise, and perspectives to assist us in completing a thorough and timely assessment of the Expansion Proposal. The NIRB recognizes and appreciates the positive, collaborative, and respectful contributions of all who continue to work together to ensure that the proposed expansion to the Whale Tail Pit Project delivers lasting economic benefits to the Kivalliq Region, while minimizing the potential for adverse ecosystemic and socio-economic effects.

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NIRB Reconsideration Report and Recommendations for the Whale Tail Pit Expansion Project Proposal
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SOMMAIRE EXÉCUTIF

Le présent rapport de réexamen et ses recommandations ont été rendus publics par la Commission du Nunavut chargée de l'examen des répercussions (CNER) afin de présenter les constatations découlant de son évaluation du « projet d'agrandissement de la carrière à ciel ouvert Whale Tail » (projet d'agrandissement) de Mines Agnico Eagle Limitée (Agnico Eagle). Le projet d'agrandissement propose d'apporter des modifications au projet préalablement approuvé de la carrière à ciel ouvert Whale Tail (n° de dossier CNER 16MN056) sur la terre Amaruq appartenant aux Inuits, située à environ 150 kilomètres (km) au nord du hameau de Baker Lake et à environ 50 km au nord-ouest de la mine d'or Meadowbank existante. Le champ d'application du projet d'agrandissement, tel qu'il a été examiné par la CNER et résumé dans le présent rapport de réexamen et ses recommandations, porte sur une proposition d'aménagement d'une carrière à ciel ouvert additionnelle et d'exploitation souterraine au projet de la carrière à ciel ouvert Whale Tail existant, ainsi que sur le traitement du minerai additionnel au projet de mine d'or Meadowbank. Le projet d'agrandissement englobe les activités d'exploitation qui pourraient chevaucher l'empreinte physique du projet de la carrière à ciel ouvert Whale Tail approuvé et s'étend jusqu'à la zone d'exploration sur la terre Amaruq. La proposition de projet comprend quatre (4) principales composantes :

- élargir la taille de la carrière à ciel ouvert Whale Tail (qui a été antérieurement évaluée et approuvée dans le cadre du projet de carrière à ciel ouvert Whale Tail);
- aménager une carrière à ciel ouvert additionnelle (carrière à ciel ouvert IVR);
- construire une installation de stockage des stériles IVR et un bassin d'atténuation IVR;
- entreprendre des activités minières souterraines aux dépôts de Whale Tail et d'IVR.

Le traitement du minerai extrait de la carrière à ciel ouvert Whale Tail élargie, de la nouvelle carrière à ciel ouvert IVR et des activités souterraines additionnelles prendrait place au site de la mine d'or Meadowbank existant, et utiliserait l'infrastructure d'usinage et de gestion des résidus existante. Le minerai serait expédié par camion tous les jours à partir du site Whale Tail par une route de transport privée existante de 65 km. Agnico Eagle propose d'améliorer la route de transport, passant de sa largeur approuvée actuelle de 9 mètres (m) à 15 m, afin d'assurer le passage sécuritaire des grands routiers. Agnico Eagle propose d'utiliser l'infrastructure de transport maritime des marchandises existante à Baker Lake pour soutenir l'expédition de matériaux requise pour la construction des composantes du projet d'agrandissement, ainsi que le ravitaillement annuel en carburant.

La construction du projet d'agrandissement commencerait dès la mi-2020, en procédant à l'agrandissement de la carrière à ciel ouvert Whale Tail et à la construction de l'infrastructure IVR. L'exploitation à la carrière à ciel ouvert Whale Tail élargie, à la carrière à ciel ouvert IVR additionnelle et sous terre à la carrière IVR, commencerait en 2021 et se poursuivrait jusqu'en 2026. La construction et l'exploitation seraient suivies par la fermeture du site et sa remise en état, dès 2026 et se poursuivant approximativement jusqu'en 2051, ce qui serait suivi par la surveillance post-fermeture du site.

La CNER a reçu le projet d'agrandissement en octobre 2018 de la part de la Commission d'aménagement du Nunavut (la Commission), ainsi que la confirmation indiquant que les activités proposées sont conformes aux exigences applicables du plan d'aménagement de la région de Keewatin. Le renvoi de la Commission indiquait aussi que le projet d'agrandissement comprenait

des composantes ou des activités qui ne faisaient pas partie du champ d'application du projet de carrière à ciel ouvert Whale Tail précédemment approuvé, et, par conséquent, représentait une modification importante nécessitant une évaluation additionnelle par la CNER en raison de l'accroissement de la superficie, de l'intensité et de la durée des activités minières proposées.

La CNER a subséquemment déterminé que les modifications du projet de carrière à ciel ouvert Whale Tail indiquées dans le projet d'agrandissement nécessitaient un réexamen officiel des conditions du certificat de projet n° 008, conformément aux alinéas 12.8.2b) et 12.8.2c) du chapitre 12 de l'*Accord entre les Inuit de la région du Nunavut et Sa Majesté la Reine du chef du Canada* (Accord du Nunavut) et des alinéas 112(1)b) et 112(1)c) de la *Loi sur l'aménagement du territoire et l'évaluation des projets au Nunavut*, L.C. 2013, ch. 14, art. 2 (LATEPN). Le 16 novembre 2018, la CNER a avisé les ministres et les parties concernés du commencement du réexamen officiel.

Pendant le processus d'évaluation, la CNER a donné aux parties intéressées de nombreuses occasions de fournir des commentaires techniques, de relever les enjeux et les préoccupations, de poser des questions, de fournir de l'information et d'échanger des avis concernant les potentielles répercussions (positives et négatives) écosystémiques et socioéconomiques du projet d'agrandissement. Parmi les participants au processus d'évaluation de la CNER, notons : Nunavut Tunngavik Inc. et la Kivalliq Inuit Association, l'organisation de chasseurs et de trappeurs de Baker Lake, le gouvernement du Nunavut, Relations Couronne-Autochtones et Affaires du Nord Canada, Environnement et Changement climatique Canada, Pêches et Océans Canada, Santé Canada et Ressources naturelles Canada. Les membres du public et les représentants communautaires des collectivités de la région de Kivalliq – Arviat, Baker Lake, Chesterfield Inlet, Coral Harbour, Nauyasat, Rankin Inlet et Whale Cove – ont aussi contribué à l'évaluation de la CNER; la participation publique comprenait la présence aux séances d'information communautaire en personne qui ont eu lieu en février 2019, à une rencontre technique en personne qui a eu lieu du 11 au 13 juin 2019 à Baker Lake, et à une audience publique en personne qui a eu lieu du 26 au 29 août 2019 à Baker Lake.

Tout au long de cette évaluation, la CNER a entendu qu'il y avait un soutien général à l'endroit des possibilités d'emploi additionnelles, qu'elles soient nouvelles ou continues, et des avantages économiques associés au projet d'agrandissement. Toutefois, la CNER a également entendu des préoccupations concernant les répercussions potentielles (y compris les répercussions cumulées) sur l'écosystème terrestre et la faune (particulièrement sur le caribou) découlant de la proposition d'élargissement et d'utilisation intensifiée et prolongée de la route de transport Whale Tail aux fins du transport du minerai additionnel pour son traitement à la mine d'or Meadowbank existante.

Pendant l'audience publique, le gouvernement du Nunavut et la Kivalliq Inuit Association ont recommandé des révisions afin d'améliorer l'efficacité des mesures de protection du caribou existantes antérieurement approuvées par la CNER pour le projet de carrière à ciel ouvert Whale Tail. En outre, les représentants communautaires et l'organisation de chasseurs et de trappeurs de Baker Lake ont souligné l'importance de s'informer des connaissances traditionnelles des Inuits auprès des détenteurs de savoir inuits locaux qui ont remarqué des répercussions des projets de route existants sur le comportement du caribou, indiquant que ce savoir doit informer les améliorations futures apportées aux mesures de protection et de surveillance du caribou. Par conséquent, la Commission a recommandé la révision de trois (3) modalités et conditions en vigueur et en a ajouté une autre (1), applicable aux mesures d'atténuation et de surveillance requises pour limiter les effets potentiels de la proposition d'agrandissement sur les caribous.

La CNER a aussi entendu des préoccupations concernant la possibilité que le projet d'agrandissement entraîne des hausses considérables des émissions dans l'air (plus précisément, de poussière et de dioxyde d'azote). Environnement et Changement climatique Canada (ECCC) et Santé Canada (SC) ont indiqué que la surveillance passive du dioxyde d'azote actuellement réalisée pour le projet approuvé ne capte peut-être pas adéquatement les répercussions du projet sur la qualité de l'air, notamment en raison de son incapacité à capter les pointes à court terme des émissions de dioxyde d'azote et de ses limites potentielles par temps froid. En outre, les résultats de la surveillance passive du dioxyde d'azote ne permettent pas de faire une comparaison adéquate avec les normes canadiennes de qualité de l'air ambiant, qui sont les normes fondées sur l'information scientifique la plus récente quant aux effets du dioxyde d'azote sur la santé humaine et l'environnement. Par conséquent, ECCC et SC ont recommandé qu'Agnico Eagle mette en œuvre une surveillance continue de ces émissions (de manière semblable aux conditions actuellement requises aux deux autres mines existantes au Nunavut). La CNER reconnaît les défis logistiques, comme l'alimentation en électricité et les coûts connexes, liés à la surveillance continue du dioxyde d'azote, mais la CNER comprend que les limites de la méthode passive actuelle pourraient ne pas capter adéquatement les hausses d'émissions pouvant avoir des répercussions sur les travailleurs, la faune, l'environnement terrestre et les utilisateurs traditionnels des terres. Dans ce contexte, la CNER a modifié une (1) condition pour ajouter la surveillance continue du dioxyde d'azote au programme de surveillance de la qualité de l'air existant.

La CNER a aussi pris note des préoccupations soulevées concernant les répercussions potentielles sur la quantité et la qualité des eaux de surface et des eaux souterraines découlant de la proposition d'expansion de la carrière à ciel ouvert Whale Tail et de l'ajout de la carrière à ciel ouvert IVR, y compris le prolongement temporaire des activités, la nécessité de trouver d'autres lieux de décharge et la planification de la fermeture. Bien que la CNER ait noté que les détails relatifs aux activités de gestion et de surveillance de l'eau associées au projet d'agrandissement seront principalement traités au cours de l'examen des modifications à apporter au permis d'utilisation des eaux de type « A » 2AM-WTP1826 existant que réalisera l'Office des eaux du Nunavut, la CNER a recommandé l'ajout d'une (1) condition pour traiter de l'évaluation ultérieure des lieux de décharge substitués que réalisera Agnico Eagle.

En ce qui concerne l'atténuation des effets socioéconomiques potentiels, la CNER a entendu de la part du gouvernement du Nunavut (GN) que des modifications concernant certaines initiatives de surveillance propre au sexe devraient être ajoutées aux exigences de surveillance existantes en matière de travail et d'emploi. La CNER a aussi entendu de la part du GN et de Relations Couronne-Autochtones et Affaires du Nord Canada (RCAANC) que les exigences en matière de planification de la transition des effectifs devraient être expressément ajoutées aux exigences existantes en matière de planification de la fermeture et de la remise en état. De plus, le gouvernement du Nunavut a indiqué à la Commission que des protocoles de sécurité et de communications devaient être établis pour la route de transport de Whale Tail et ce, afin d'apprendre à la population comment emprunter cette route en toute sécurité. À cette fin, la Commission a inclus la révision de deux (2) modalités et conditions en vigueur et en a ajouté une (1) autre.

Finalement, la CNER a noté que plusieurs intervenants ont relevé des questions concernant la mesure dans laquelle les engagements présentés par Agnico Eagle pendant l'examen de la proposition de projet originale de carrière à ciel ouvert Whale Tail par la CNER ont été entièrement mis en œuvre tel que cela était prévu. Pour assurer la mise en œuvre des engagements pris pendant

l'examen du projet original de la carrière à ciel ouvert Whale Tail par la CNER ainsi que les engagements pris pendant l'évaluation de la CNER associée au projet d'agrandissement, la CNER a ajouté une (1) condition qui consiste à ce qu'un rapport sur l'état des engagements soit inclus dans le rapport annuel qu'Agnico Eagle présente à la CNER.

Comme cela est indiqué en détail dans son rapport, ayant examiné et évalué toute l'information fournie dans le cadre du processus d'évaluation du projet d'agrandissement de la carrière à ciel ouvert Whale Tail, la CNER a conclu que, si elle est réalisée conformément aux modifications et aux ajouts que recommande la CNER pour le certificat de projet n° 008, cette proposition de modification du projet de carrière à ciel ouvert Whale Tail peut passer à l'étape réglementaire de la délivrance de licences et de permis.

En conclusion, la CNER remercie tous ceux qui ont fait part de leur expérience, expertise et perspective pour l'aider à réaliser une évaluation du projet d'agrandissement en temps opportun et de façon approfondie. La CNER reconnaît les contributions positives, collaboratives et respectueuses de tous ceux qui continuent à travailler ensemble pour que la proposition d'expansion du projet de carrière à ciel ouvert Whale Tail procure des avantages économiques durables à la région de Kivalliq, tout en minimisant les risques de répercussions négatives sur le plan écosystémique et socioéconomique.

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1. INTRODUCTION

1.1. Purpose of this Report

This Reconsideration Report and associated recommendations have been prepared by the Nunavut Impact Review Board (NIRB or Board) to summarize the Board's reconsideration of the terms and conditions of Project Certificate No. 008 in light of the "Whale Tail Pit Expansion Proposal" proposed modifications to the Whale Tail Pit Project (NIRB File No. 16MN056) (Whale Tail Pit Expansion or Expansion Proposal) as proposed by Agnico Eagle Mines Limited (Agnico Eagle or Proponent).

As set out under s. 112(5) of the *Nunavut Planning and Project Assessment Act*, S.C. 2013, c. 14, s. 2 (*NuPPAA*), when the Board has conducted a reconsideration of the terms and conditions in a previously approved Project Certificate, the Board is required to report to the responsible Minister(s) as follows:

NuPPAA, s. 112(5): Within 45 days after the end of the Board's reconsideration under subsection (1) or (2), the Board must submit a written report to the responsible Minister that contains

- (a) an assessment of the terms and conditions in force; and
- (b) any terms and conditions that it recommends should apply in respect of the project.

This Reconsideration Report summarizes the NIRB's assessment of the potential ecosystemic and socio-economic effects of the Whale Tail Pit Expansion Proposal and concludes that it should be allowed to proceed. Having concluded that the Expansion Proposal should be allowed to proceed, the NIRB has also provided recommended revisions and additions to the Terms and Conditions of existing Project Certificate No. 008 consistent with objectives of the *Nunavut Agreement* and the *NuPPAA*. The Report further describes in detail the factors taken into consideration, providing details about the Expansion Proposal, a summary of all the comments received to date for the Proposal, and outlines the environmental and socio-economic factors given consideration by the NIRB during the Board's assessment of the Whale Tail Pit Expansion Proposal.

1.2. The NIRB's Approach to Assessing Modifications to Previously Approved Projects

As described in more detail in the text below, the Whale Tail Pit Project was assessed by the NIRB from September 9, 2016 to March 15, 2018 and is governed by the terms and conditions set out in NIRB Project Certificate No. 008, and the approved project is currently being constructed. The text that follows provides background regarding the original Whale Tail Pit Project and subsequent modifications submitted by the Proponent for the Board's consideration.

In determining the process and procedure guiding the NIRB's assessment of the Expansion Proposal, the Board considered whether the Whale Tail Pit Expansion proposal (Whale Tail Pit Expansion or Expansion Proposal) should be assessed via a NIRB screening or a reconsideration

of the terms and conditions of 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 of the *Nunavut Planning and Project Assessment Act*, S.C. 2013, c. 14, s. 2 (*NuPPAA*). The following factors were considered by the Board to determine the appropriate assessment process:

- Was the proposed modification included within the scope of the assessment of the original project (as an alternative means of carrying out the project or even preferred alternative) as previously assessed by the NIRB?
- Is the proposed modification consistent with the terms and conditions of the existing NIRB Project Certificate No. 008, or are changes to the Project Certificate No. 008 necessary to reflect the modification?
- Was the proposed modification integrally linked to the original project or could the Expansion Proposal be characterized as constituting a stand-alone project proposal?
- If the proposed modification is integrally linked to the original project, do the modifications proposed warrant reconsideration of the terms and conditions in Project Certificate No. 008?

The NIRB determined that the proposed activities were *not* included within the scope of the previously assessed Whale Tail Pit Project; however, the activities comprising the Expansion Proposal *are* amending components of the approved Whale Tail Pit Project in addition to proposing new components in proximity to the Whale Tail project area. Therefore, the NIRB determined that, as established under Article 12, Section 12.8.2(b) and 12.8.2(c) of the *Nunavut Agreement* and s. 112(1)(b) and 112(1)(c) of *NuPPAA*, a reconsideration of the Terms and Conditions of Project Certificate No. 008 would be the appropriate process to assess the Expansion Proposal. The Board further recognized that a comprehensive assessment process could also identify additional terms and conditions that would be warranted for inclusion in an updated Project Certificate, should the proposed amendment be approved to proceed. Having established that terms and conditions within Project Certificate No. 008 require reconsideration, the Board initiated an assessment of the Whale Tail Pit Expansion Proposal, including the conduct of a Public Hearing, in accordance with the NIRB's Rules of Procedure.¹

1.2.1. The Original Whale Tail Pit Project

Agnico Eagle Mines Limited (Agnico Eagle or the Proponent) is currently developing the approved Whale Tail Pit Project, located on Inuit-Owned Lands approximately 150 kilometres (km) north of the Hamlet of Baker Lake, Nunavut and 50 km northwest of the existing Meadowbank Gold Mine Project in the Kivalliq Region of Nunavut (see [Figure 1](#)). The approved Mine Plan includes the development of an open pit gold mine located at the Amaruq property with four (4) phases to the development: construction starting in mid-2018, operations to commence in 2019 and continue for three (3) to four (4) years to 2022, closure of the site to be completed between 2023 and 2029, and post-closure monitoring would occur between 2030 to 2046.

¹ NIRB Rules of Procedure, September 3, 2009, Rule 32.1 at p. 18.

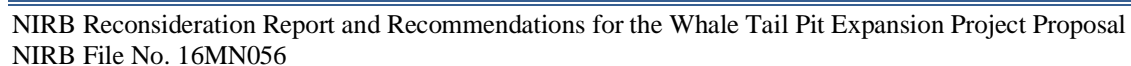
The approved Whale Tail Pit Project involves development of mine infrastructure at the Whale Tail site located within the Amaruq property and includes:

- Development of one (1) open pit to allow for access to an estimated 8.3 million tonnes (Mt) of ore;
- On-site mine infrastructure included:
 - Development of camp and accommodations for 210 personnel;
 - Powerplant, helipad, maintenance shop, ore stockpiling facility, crushing facility, laydown areas;
 - Bulk fuel storage facility (approximately 500,000 litre capacity);
 - Waste rock storage facility to accommodate approximately 46.7 Mt of waste rock;
 - Ore stockpiling facility adjacent to the pit;
 - Overburden stock piling facility to accommodate approximately 5.8 Mt of overburden;
 - Water management infrastructure that includes containment ponds, diversion channels, and retention dikes/dams including two (2) temporary dikes in Whale Tail and Mammoth Lakes; and
 - Water and sewage treatment plants.
- Extension and widening of previously approved Amaruq exploration road into a haul road from 6.5 metres to 9.5 metres wide, closed to the public.

Ore from the Whale Tail Pit will be trucked from the Whale Tail site via the private haul road (approximately 65 km) to the existing Meadowbank Gold Mine² for milling and processing. Existing infrastructure from the Meadowbank project will be used for the Whale Tail Pit Project: specifically, Meadowbank site accommodations, workshops, milling, processing, tailings management facilities, and airstrip. The Whale Tail Pit Project also requires ongoing use of the existing barge unloading facilities, laydown storage and marshalling area, fuel tank farm, and interconnecting roads at Baker Lake, as well as the all-weather access road for the transport of supplies and personnel from Baker Lake, Nunavut to the mine site.

² The NIRB previously reviewed the related but distinct Meadowbank Gold Mine project (NIRB File No. 03MN107) in accordance with Article 12, Part 5 of the *Nunavut Agreement*. The Meadowbank Gold Mine project was allowed to proceed pursuant to the NIRB Project Certificate No. 004 which was issued December 30, 2006 following the approval of then Minister of Indian and Northern Affairs of the Meadowbank Gold Mine Project.

³ Agnico Eagle Mines Limited (2018). FEIS Addendum Whale Tail Pit – Expansion Project, Figure 1.1-1, p. 2.



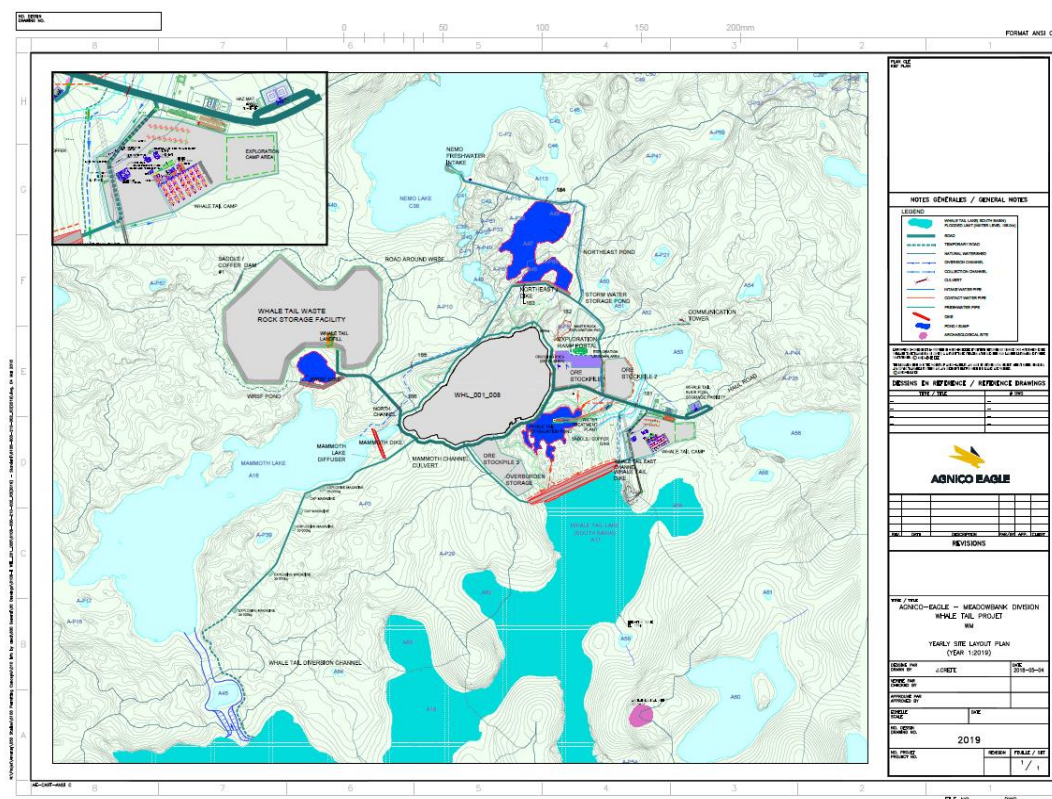


Figure 2: Site Layout – Whale Tail Pit Project⁴

1.3. Overview of the Whale Tail Pit Expansion Proposal

The Whale Tail Pit Expansion Proposal includes open pit and underground mining operations with processing of ore at the Meadowbank Gold Mine Project and 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 project proposal includes four (4) parts (see [Figure 3](#)):

- Expanding the size of the Whale Tail open pit (from that which was previously-assessed and approved for the Whale Tail Pit Project);
- Development of an additional open pit (IVR pit);
- Add underground mining operations at both the Whale Tail and IVR deposits; and
- Development of associated IVR Waste Rock Storage Facility and IVR Attenuation Pond.

The Expansion Proposal would extend the extraction of ore over an approximate four-year period, and be developed on the following schedule:

- 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;

⁴ Agnico Eagle Mines Limited (2018). Whale Tail Pit – Water Management Plan V2, Figure A.2, p. 37.

- Ore processing ending in 2026, and
- Closure/remediation occurring between 2026-2051.

As with the approved Whale Tail Pit Project, ore from the Expansion Proposal would be trucked from the Whale Tail site to the Meadowbank Gold Mine for milling via the existing 65 km private haul road at a rate of 9,000 to 12,000 tonnes per day. The Expansion Proposal is expected to generate approximately 15.2 million tonnes (Mt) of tailings produced from the milling process in addition to the 8.3 Mt of tailings 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) and the In-Pit TSF.

The complete scope of the proposed project is detailed in Section 2.1 of this report.

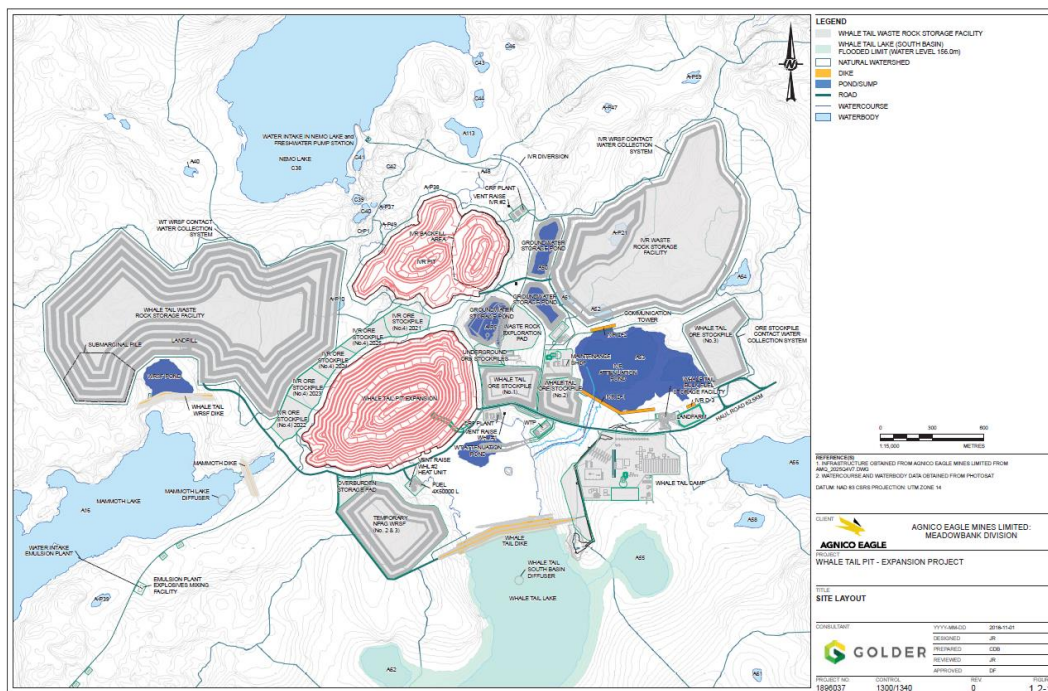


Figure 3: Site Layout – Whale Tail Pit Expansion Proposal⁵

[Table 1](#) compares the scope of the Expansion Proposal against that of the currently approved operations for the Whale Tail Pit Project and describes the extent to which the proposed modification complies with relevant conditions in Project Certificate No. 008.

Table 1: Scope of Expansion Proposal as Compared to Current Approved Operations

Component	Comparison to Current Operations under the Approved Project	Project Certificate Amendment
Location/Land Tenure	No change. Project Development Area boundaries to be expanded.	No change required.

⁵ Agnico Eagle Mines Limited (2018). FEIS Addendum Whale Tail Pit – Expansion Project, Figure 1.2-1, p. 14.

Component	Comparison to Current Operations under the Approved Project	Project Certificate Amendment
Resource	The total gold resource for the Expansion Project will expand and extend the Life of Mine of Meadowbank to 2026.	No change required.
Life of Mine	Infrastructure/activities at Meadowbank Mine that support the Expansion Project would be extended for another four years and would remain the same as approved under Project Certificate No. 004.	No change required.
Site Access	<ul style="list-style-type: none"> ▪ Upgrade of haul road from 9.5m to 15m wide; ▪ Section of expanded haul road to be used as emergency airstrip; and ▪ No change to transport to site. 	<p>Potential revision to T&C 2 (dust suppression).</p> <p>Potential revisions to T&C 27 through 33.</p> <p>Additional T&C may be required for caribou protection and emergency airstrip use.</p>
Laydown Facilities and Baker Lake Marshalling Area	No change.	No change required.
On-site facilities	<ul style="list-style-type: none"> ▪ Approved facilities remain the same; ▪ Expansion of accommodations (390 personnel), maintenance shop, additional wings to Main Camp; and ▪ Addition of incinerator, compost site, and landfarm. 	<p>Potential revision to T&C 1 (air quality).</p> <p>Additional T&C may be required specific to landfarm.</p>
Mine Infrastructure	<ul style="list-style-type: none"> ▪ Expansion of Whale Tail Pit; ▪ New open pit (IVR); and ▪ Underground mining below both pits. 	Potential revisions to T&C 14 and 16 to include IVR pit and underground mining.
Ore Processing	No change.	No change required.
Tailings	No change.	No change required.
Process Water	No change.	No change required.
Ore Stockpile	No change.	No change required.
Waste Rock	<ul style="list-style-type: none"> ▪ Expansion of Whale Tail WRSF ▪ New IVR WRSF; and ▪ Expansion of Underground WRSF. 	<p>Potential revision to T&C 7, 8, or 10 to include IVR and underground WRSF; and</p> <p>Additional T&C may be required.</p>
Freshwater	<ul style="list-style-type: none"> ▪ No change in source for potable use, mining and dust suppression; ▪ Use extended to 2025; ▪ Additional requirements from Whale Tail Lake (South Basin) for closure; ▪ Second intake in Mammoth Lake. 	No change required.

Component	Comparison to Current Operations under the Approved Project	Project Certificate Amendment
Water Management	<ul style="list-style-type: none"> ▪ No change to infrastructure at Meadowbank Mine; ▪ Whale Tail site: <ul style="list-style-type: none"> ○ New IVR attenuation pond at Lake A53; ○ Three (3) new dikes and IVR diversion to manage surface water into IVR Pit; ○ Removal of Northeast Dike; ○ New management infrastructures around IVR Pit and IVR WRSF; ○ Groundwater storage ponds; ○ Additional discharge point to Whale Tail Lake (South Basin); ○ Water level of Whale Tail Lake (South Basin) raised for additional four years. 	Potential revisions to T&C 16, 17, 18, or 19 and 63 (HHERA) Additional T&C may be required for alternative discharge locations.
Fuel and Hazardous Wastes	<ul style="list-style-type: none"> ▪ Expansion of Whale Tail Bulk Fuel Storage Facility; ▪ Addition of landfarm; ▪ No change to use, transport, handling and storage of hazardous materials, concrete and aggregates. 	No change required.
Closure	<ul style="list-style-type: none"> ▪ No change at Meadowbank Mine, closure extended to 2030; ▪ No change to approved Whale Tail Pit operations; ▪ Expansion facilities to be filled with NPAG rock at closure; ▪ Underground, Whale Tail Pit and IVR Pit to be filled with runoff, contact water. 	No change required.
Employment	<ul style="list-style-type: none"> ▪ Extension of ~500 direct employment opportunities to 2025; ▪ 99 new direct annual employment opportunities for Nunavummiut. 	Potential revision to T&C 51 Additional T&Cs may be required.

The NIRB recognizes that the tabulated scope from Agnico Eagle's project description for the Whale Tail Expansion Proposal references no change to the Laydown Facilities and Baker Lake Marshalling Area, a facility which was originally approved with the Meadowbank project and permitted under the Type 'A' Water Licence for the project. The licence continues to be in place to regulate the ongoing operations at the Meadowbank project, and it is expected that changes to some details may be updated at a permitting level as the project proceeds, often handled as modifications to the Water Licence, as necessary when information becomes available through

project implementation. However, the NIRB would note Agnico Eagle's justification for modification of the Meadowbank Type 'A' Water Licence, as highlighted by the Nunavut Water Board (NWB), stated:

The request indicates that as a result of ore hauling from the Whale Tail Pit Project to Meadowbank, and the addition of a Power Plant and heating facilities at the Project site, diesel fuel needs have increased and calculations made underestimated the needs. To address the upcoming shortage, Agnico Eagle is proposing to add two (2) 10 million L diesel fuel storage tanks to the Marshalling Area Bulk Fuel Storage Facility in Baker Lake for a total of 80 million litre. We propose to build the proposed infrastructures during the Spring and Summer 2019 (Tank 7) and Spring and Summer of 2020 (Tank 8). Tank 7 will be commissioned during the Summer and Fall of 2019 and Tank 8 will be commissioned during the Summer and Fall of 2020.⁶

Agnico Eagle submitted its application to modify the Type "A" Water Licence for the Meadowbank project Licence No: 2AM-MEA1526 independent of the Expansion Project to the Nunavut Planning Commission in August 2018, with referral to the NWB occurring in December 21, 2018 and acceptance of the application by the NWB in January 2019. Although the submission of the Whale Tail Pit Expansion Proposal was also submitted to the Nunavut Planning Commission during this period and referred to the NIRB for assessment, Agnico Eagle has proceeded with the proposed modification to the Baker Lake Marshalling Area under the Water Licence and the Expansion Proposal in parallel and not together. Agnico Eagle submitted the Final Environmental Impact Statement Addendum (FEIS Addendum) to the NIRB for the Whale Tail Expansion Proposal, and noted during the NWB's consideration of modifications to the existing infrastructure under Licence No.: 2AM-MEA1526, which included additional detail on expected continued use of the Baker Lake Marshalling Area, specifically that:

The approved fuel storage facilities at Whale Tail Pit, Meadowbank Mine, and following upgrades currently under consideration of Type A Water Licence (2AM-MEA1826 [sic 1526], to support current operational needs associated with the Approved Project), the Baker Lake marshalling area will not change as a result of the Expansion Project.⁷

Projects such as the Meadowbank project, which continue to develop additional deposits following the initial mining project, allow the community to provide feedback on the adequacy of implementation of the existing project during re-assessments, and as highlighted below in Section [5.2](#), community representatives from Baker Lake expressed concerns at the NIRB's Public Hearing for the Whale Tail Pit Expansion Proposal that construction activities undertaken during the past

⁶ Letter NWB to Agnico Eagle, Re: Modification: Expansion of Baker Lake Fuel Tank Farm; Licence No. 2AM-MEA1526 Meadowbank Gold Mine Project, Agnico Eagle Mines Limited, January 28, 2019.

⁷ NIRB Public Registry ID: 321615

summer to expand the footprint of the Baker Lake Marshalling Area interfered with those trying to access traditional land use and hunting areas. In addition, construction of modifications at the Baker Lake Marshalling Area is expected to continue in the upcoming summer. The Board notes that the expansion of the Baker Lake Marshalling Area was applied for separately from the Whale Tail Pit Expansion Proposal, and Agnico Eagle stated that the need for the modification to the Meadowbank Type 'A' Water Licence No: 2AM-1526 was for the Whale Tail Pit Project. However, the Board also recognizes that the modification of the Baker Lake Marshalling Area was triggered by an underestimation of crucial resources for carrying out both the Whale Tail Pit Project and Whale Tail Pit Expansion Proposal. Consequently, NIRB has determined that during the assessment of the Expansion Proposal, it is appropriate for the NIRB to consider the on-going modifications in the context of understanding the results of Agnico Eagle's overall project planning, and assessment of the adequacy of current mitigation measures to address impacts to the environment and community specific to the ongoing use of existing infrastructure, that is noted in the scope of the Whale Tail Pit Expansion Proposal.

Therefore, in the Board's assessment of the Expansion Proposal, the Board has considered how the previously-approved projects have been implemented, including updates to the scale of project activities, noting the various justifications provided by Agnico Eagle in its applications and Addendum submissions. In addition, the Board has considered the high level of concern and frustration expressed by community members during the Public Hearing regarding being unable to access areas to harvest food and provide for their families when Agnico Eagle proceeded with modification activities. Therefore, in this Reconsideration Report the Board has provided additional clarification to Agnico Eagle and the NWB in Sections [5.2.2](#) and [8.2](#) to ensure these items are considered in the ongoing use, maintenance and modification of the Baker Lake Marshalling Area.

1.4. Board Guidance to the Proponent in Preparation of Impact Assessment

On November 16, 2018 the NIRB provided guidance to the Proponent regarding the preparation of a Final Environmental Impact Statement Addendum (FEIS Addendum) in support of the NIRB's assessment of the Expansion Proposal. In this correspondence, the NIRB included specific information requirements for the FEIS Addendum and noted that the Addendum should demonstrate compliance with the minimum Environmental Impact Statement requirements set out under Section 12.5.2 of the *Nunavut Agreement* and s. 101(3) of the *NuPPAA*.

1.5. Procedural History of the Project Proposal

1.5.1. Key Procedural Steps in the Reconsideration Process

The procedural history for the NIRB's assessment of the Whale Tail Pit Expansion Proposal is summarized in [Table 2](#) below to highlight key procedural steps associated with the reconsideration of the terms and conditions of the Whale Tail Pit Project Certificate No. 008, commencing with the referral from the Nunavut Planning Commission, and concluding with the completion of the NIRB's four-day Public Hearing in Baker Lake. Please refer to [Appendix A](#) for a record of proceedings for the Public Hearing, [Appendix B](#) for a list of exhibits presented at the Public Hearing, [Appendix C](#) for the Board's report on the site visit conducted just prior to the Public Hearing and [Appendix D](#) for a list of acronyms used throughout this Reconsideration Report.

As this summary is not exhaustive, parties wishing to develop a more complete understanding of the activities associated with the NIRB's assessment for this Expansion Proposal are encouraged to consult the complete listing of all documentation available from the NIRB's online public registry at www.nirb.ca/project/125418.

Table 2: Procedural History

Date	Party	Process Steps	Notes
October 16, 2018	Nunavut Planning Commission	Conformity determination issued and referral to the NIRB	Whale Tail Pit Expansion received positive conformity determination to Keewatin Regional Land Use Plan; proposal determined to be a significant modification to the Whale Tail Pit Project therefore referred to the NIRB for assessment.
October 19, 2018	NIRB	Notice of assessment issued including Information request	Notice to parties issued to commence assessment and request Agnico Eagle clarify scope of activities.
November 1, 2018	Agnico Eagle	Information received with request for NIRB/NWB coordinated assessment	NIRB receives detailed scope, proposed FEIS Addendum submission date of November 16, 2018.
November 2, 2018	NIRB	Opportunity to request copies of FEIS Addendum	Parties provided with Agnico Eagle's proposed date of submission for the FEIS Addendum to request copies.
November 16, 2018	NIRB	Assessment commences and guidance on content of FEIS Addendum	Notice of assessment issued declaring process for reconsideration of terms and conditions for Project Certificate 008.
November 16, 2018	Agnico Eagle	Revised submission date	Revised submission date of November 23, 2018 provided for FEIS Addendum.
November 23, 2018	Agnico Eagle	FEIS Addendum submitted	
November 27, 2018	NIRB	Internal conformity check of FEIS Addendum	NIRB provides notice that FEIS Addendum received for review with minimum EIS requirements.
December 10, 2018	NIRB	Notice that FEIS did not meet the requirements provided	Notice provided that FEIS Addendum not accepted, including list of deficiencies.
December 19, 2018	Agnico Eagle	Revised FEIS Addendum submitted	FEIS Addendum resubmitted including Management Plans and correction of referencing errors.
December 20, 2018	NIRB	Internal conformity check of FEIS Addendum	Notice provided that FEIS Addendum received, additional conformity review conducted.
January 7, 2019	CIRNAC/NIRB	CIRNAC Participant Funding Notice distributed	NIRB distributes participant funding guide to parties on behalf of CIRNAC, applications due February 7, 2019.

Date	Party	Process Steps	Notes
January 10, 2019	NIRB	Commencement of technical review period, scope of assessment provided	Revised FEIS Addendum accepted and process map provided to parties. 30-day information request (IR) period initiated.
January 22, 2019	Agnico Eagle	Requested revisions to shorten assessment process	NIRB considered the request with input from parties and issued a revised process map on February 13, 2019.
February 11-18, 2019	NIRB	Community Information Sessions held in Kivalliq communities	Evening sessions held in Naujaat, Coral Harbour, Rankin Inlet, Chesterfield Inlet, Baker Lake, Whale Cove, and Arviat. Report circulated April 23, 2019.
February 19, 2019	NIRB	Extension for participant funding applications	Deadline to submit applications extended to March 12, 2019.
February 21, 2019	Parties	Submission of Information Requests (IRs)	IRs received from Kivalliq Inuit Association (KIA), Government of Nunavut (GN), Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC), Environment and Climate Change Canada (ECCC), Fisheries and Oceans Canada (DFO), Health Canada (HC), Natural Resources Canada (NRCan).
February 25, 2019	NIRB	IR distribution	IRs sent to the Proponent
March 13, 2019	Agnico Eagle	Response to IRs Received	Additional information provided to address parties' information requests.
March 14, 2019	NIRB	Request for technical review comments from parties	60-day technical review initiated
March 19, 2019	NIRB	Participant funding application forwarded to CIRNAC	Applicants received from Baker Lake Hunters and Trappers Organization (BLHTO) and KIA. CIRNAC confirmed contracts completed for funding on May 1, 2019.
April 16, 2019	NIRB	Notice of Technical Meeting	Notice provided of Technical Meetings held June 11-13, 2019 in Baker Lake.
May 8-13, 2019	Agnico Eagle	Additional assessments provided in response to IRs	IR Submission Status Update, Wildlife Screening Level Risk Assessment, Human Health and Ecological Risk Assessment.
May 15, 2019	NIRB	Technical review comments received	Comments received from KIA, GN, CIRNAC, ECCC, DFO, HC, NRCan and BLHTO.
May 16, 2019	NIRB	Circulation of <i>Draft</i> Agenda for Technical Meeting	Draft agenda provided to parties for comment; final agenda released May 31, 2019.

Date	Party	Process Steps	Notes
May 29, 2019	Agnico Eagle	Response to technical review comments submitted	
June 11-13, 2019	NIRB	Technical Meeting in Baker Lake	KIA, BLHTO, GN, CIRNAC, ECCC, DFO, HC, NRCan and Agnico Eagle attended sessions.
June 14, 2019	Agnico Eagle	Commitment List provided	Circulated commitment list from Technical Meetings.
June 18-July 2, 2019	Agnico Eagle	Additional Information Provided	Parties provided with materials required by Agnico Eagle in its commitments.
June 20, 2019	NIRB	Notice of Public Hearing	Public hearing dates (August 26-29, 2019) circulated with requests for intervenors and gave direction for hearing related site visit.
July 2, 2019	NIRB	Public Hearing Logistics and Request for Final Written Submissions circulated	Parties provided guidance on format of final written submissions and hearing logistics.
July 11, 2019	BLHTO	Request for Intervenor status submitted to the NIRB	BLHTO was provided notice on July 12, 2019 that it was granted intervenor status.
July 17, 2019	NIRB	Request for community representatives to attend the Public Hearing	Correspondences sent to Naujaat, Coral Harbour, Rankin Inlet, Chesterfield Inlet, Baker Lake, Whale Cove, and Arviat requesting nominations of up to 5 representatives per community.
July 17, 2019	NIRB	<i>Draft</i> Public Hearing Agenda circulated	Draft agenda provided to parties for comment; final agenda released July 30, 2019.
July 26-30, 2019	Intervenors	Final written submissions (FWS) submitted to NIRB	FWS received from NTI/KIA, GN, CIRNAC, ECCC, DFO, HC, NRCan, and BLHTO.
August 9, 2019	Agnico Eagle	Responses to FWS provided	
August 25, 2019	NIRB	Site Visit for the Board and Intervenors	Agnico Eagle provided a tour of the Meadowbank site as Whale Tail road closed due to caribou migration.
August 26-29, 2019	NIRB	Public Hearing in Baker Lake, including Technical sessions and Community Roundtable	Parties represented Agnico Eagle, KIA, GN, CIRNAC, ECCC, DFO, HC, NRCan, BLHTO, residents of Baker Lake, and designated representatives from each Kivalliq community.

1.5.2. Participant Funding for the Assessment

The Northern Participant Funding Program, administered by Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC), supports effective public participation in development impact assessments undertaken by the Nunavut Impact Review Board (NIRB or Board) in accordance with both the *Nunavut Agreement* (Article 12, Section 12.8.2) and relevant reconsideration provisions of *NuPPAA* (s. 112) as required under the transition provisions of *NuPPAA* (s. 235). Participant funding was made available for the NIRB's assessment of the Whale Tail Pit Expansion Proposal and was awarded to the following successful applicants: the Baker Lake Hunters and Trappers Organization, and the Kivalliq Inuit Association. The Board supported CIRNAC's administration of the participant funding for this assessment by circulating the public notice and application guide, extending the timeline for applications, and forwarding applications to CIRNAC with additional justification on how these parties could provide valued perspectives for the assessment. Additionally, the NIRB remained in contact with the federal department tasked with negotiating the agreements and shared any feedback or communications received regarding the application or participation of agencies. The Board would like to note the value of the contributions made to the implementation of this participant-funding program and acknowledges the program's important contribution to helping parties prepare for and participate effectively in the technical components, as well as in-person meetings, for this assessment.

1.6. NIRB/NWB Coordinated Process

Recognizing the direction in both the Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada (Nunavut Agreement) and the Nunavut Planning and Project Assessment Act, S.C. 2013, c. 14, s. 2 (NuPPAA) which require coordination between the Nunavut Impact Review Board (NIRB or Board) and Nunavut Water Board (NWB) when processing applications, both boards considered options for coordination based on what was requested by the Proponent and is appropriate for the Expansion Proposal and amendments to Water Licence No: 2AM-WTP1826. On November 1, 2018 Agnico Eagle Mines Limited (Agnico Eagle or the Proponent) submitted its project description of the Whale Tail Pit Expansion Proposal to both the NIRB and NWB requesting a coordinated process should the proposal require both a reconsideration of Project Certificate No. 008 and amendment of the Type "A" Water Licence No: 2AM-WTP1826. Agnico Eagle specifically requested a staggered or partially offset coordination based on the processes required for each assessment, therefore the NIRB and NWB initiated discussions to prepare for coordination.

On November 16, 2018 the NIRB confirmed that the scope proposed for the Whale Tail Expansion Proposal required reconsideration of Project Certificate No.008 and acknowledged the request for a coordinated but offset process between the NIRB and NWB. Following acceptance of Agnico Eagle's Final Environmental Impact Statement Addendum in January 2019, the NIRB initiated the technical review period for parties and noted that both boards were prepared to engage in further coordination once the NWB received the application to amend Type "A" Water Licence No: 2AM-WTP1826. In June 2019, at the same time as the NIRB's technical meetings in Baker Lake were taking place, Agnico Eagle submitted its application to the NWB for an amendment to the Type "A" Water Licence. Following input from parties the amendment application was deemed to be complete by the NWB on August 14, 2019. At the time of determining the application complete, the NWB set the technical meeting for October 29-30, 2019 to allow for the NWB's consideration of the NIRB's Reconsideration Report and associated recommendations in the topics discussed at the NWB technical meetings. Given the NWB's jurisdiction over the use of freshwater and deposit of waste, and considering the continued use of the Whale Tail infrastructure as well as the Meadowbank site and Baker Lake storage facility, the NIRB has provided specific direction to the NWB in respect of specific items that remain to be addressed in detail subsequently through the NWB's consideration of the requested amendments to existing water licences.

1.7. Jurisdiction of the Board to Conduct the Reconsideration

In conducting a reconsideration, the NIRB remains mindful that the Board's primary objectives applying to reconsiderations generally dictate that the NIRB conduct an assessment of the Expansion Proposal with at least as much rigor as a NIRB screening, and potentially even a full environmental review. However, the NIRB also notes that the process for the assessment of proposals constituting a significant modification of a previously approved project must also be flexible and reflect the scale and scope of the changes requested.

In determining that the changes proposed in the Whale Tail Pit Expansion Proposal should be assessed as a reconsideration of Project Certificate No. 008, the NIRB decided that:

- The activities described in the Expansion Proposal involve a proposed expansion to the previously approved Whale Tail Pit Project with additional new pits and infrastructure adjacent to the already-approved Whale Tail Pit development; therefore, any potential ecosystemic and socio-economic effects associated with these changes are best addressed through comprehensive reconsideration of the terms and conditions of the existing Project Certificate No. 008; and
- The proposed project activities and amendments have not, to date, been subject to impact assessment by the Board and have not been subject to full technical review by interested parties, public comment or approval by the various responsible authorities.

Having reviewed the project description for the Whale Tail Expansion Project Proposal, the Board determined that the proposed activities were *not* included within the scope of the previously assessed Whale Tail Pit Project; however, the activities comprising the Project Proposal *are* amending components of the approved Whale Tail Pit Project in addition to proposing new components in proximity to the Whale Tail project area. Therefore, the Board determined that Article 12, Sections 12.8.2(b) and 12.8.2(c) of the *Nunavut Agreement* and ss. 112(1)(b) and 112(1)(c) of the *NuPPAA* (changed circumstances and technological developments) triggered the

reconsideration of the terms and conditions of Project Certificate No. 008 to assess the impacts of the Whale Tail Pit Expansion Proposal.

1.8. Evidentiary Issues

1.8.1. The Burden and Standard of Proof

During the NIRB's assessment of the Whale Tail Pit Expansion Proposal (Expansion Proposal), the burden of establishing that the Expansion Proposal is consistent with the objectives of the *Nunavut Agreement* and the *NuPPAA* rests with the Proponent. This means that throughout the Board's assessment, the onus was on Agnico Eagle to demonstrate that any predicted adverse ecosystemic or socio-economic effects of the Expansion Proposal would be prevented, mitigated, or managed if conducted under the existing Terms and Conditions of Project Certificate No. 008, and/or proposed revisions to Project Certificate No. 008 and the associated Monitoring Program.

1.8.2. The Precautionary Principle and Adaptive Management

As was the case in the Board's previous assessment of the original Whale Tail Pit Project, the Board recognizes that for the Whale Tail Pit Expansion Proposal there may be substantial gaps in data or uncertainty regarding predicted effects. As was indicated during the Public Hearing there was considerable uncertainty remaining regarding the magnitude and extent of potential impacts to caribou migration and movement resulting from the proposed widening and continued use of the Whale Tail haul road:

*Agnico Eagle has stated that their comprehensive report on caribou movement through the road systems in the project is – is going to be conducted – or completed in – the first one will be completed in 2021, but the Kivalliq Inuit Association requires an assessment of the current knowledge to evaluate potential impacts of the expansion project. Based on monitoring of caribou responses to date, could you summarize for the Board the current knowledge of caribou deflection and delay in crossing the all-weather access road and the haul road?*⁸

In response, Agnico Eagle noted that to date, its main data sources for understanding caribou movements around the all-weather access road and the haul road have been on-site monitoring observations and Government of Nunavut caribou collaring data. Based on that data, it has observed some interaction of caribou with the project roads. Agnico Eagle stated it appreciates the point of the comprehensive three year report, and in addition, the most recent collaring data and on-site monitoring data is reviewed and reported to the Terrestrial Advisory Group on an annual basis to look at the interaction of caribou and the project roads.⁹

⁸ K. Poole, Kivalliq Inuit Association, NIRB Public Hearing File No. 16MN056 Transcript, August 26, 2019, p. 126, lines 3-13.

⁹ C. De La Mare, Agnico Eagle Mines Limited, NIRB Public Hearing File No. 16MN056 Transcript, August 26, 2019, pp. 126-127, lines 17-26 and 1-24.

The Board notes there is a lack of existing monitoring data to fully assess the potential impacts to caribou and other terrestrial wildlife from the haul road and other project components including the continued use of the all-weather access road.

The Board notes that even with the benefit of monitoring data for some aspects of the Expansion Proposal, considerable uncertainty exists regarding the effects the Expansion Proposal may have on air quality and water quality and associated impacts to vegetation and wildlife, in the vicinity of the project development area, and particularly on the ability of long-term traditional land use and harvesting in the area. Consequently, in the face of this uncertainty, the Board expects the “precautionary principle” to apply to the Expansion Proposal such that a lack of scientific certainty regarding effects will not be used as justification for inaction.

In practice, when the precautionary principle applies, as is the case with respect to the prediction of effects on the environment associated with the approved Whale Tail Pit Project in combination with the extended duration and expansion of activities associated with the Expansion Proposal, it is the Proponent who bears the burden of proof to show that despite the uncertainty, the potential adverse environmental impacts can be mitigated or prevented.

As in the Board’s previous assessment of the Whale Tail Pit Project, in the face of uncertainty in terms of potential effects, the Board not only employs the precautionary principle, but also uses adaptive management to integrate effects predictions with monitoring, mitigation and management functions. Under this adaptive management approach, the Board expects the Proponent to use existing monitoring data to evaluate, on an on-going basis, the effects predicted and the efficacy of mitigation and management developed and implemented to address all effects. The Board’s application of the precautionary principle is particularly evident in the recommended revisions to the existing Terms and Conditions addressing air emissions and caribou protection measures.

In addition, the Board notes that throughout the assessment, the Proponent, Intervenor, the community members, and the Board via the Board’s Monitoring Officers for the Whale Tail Pit Project and the Meadowbank Gold Mine Project, have considered and referenced the monitoring data and mitigation and management measures already in use at the Whale Tail Pit Project and the Meadowbank Gold Mine Project to inform this assessment and the Board’s associated recommendations.

1.8.3. Inuit Qaujimaningit

As indicated in previous Environmental Impact Statement (EIS) Guidelines, the Board’s previous decisions and reflective of the minimum EIS requirements set out under Article 12, Section 12.5.2 of the *Nunavut Agreement* and s. 101(3) of the *NuPPAA*, in the Board’s view, Inuit Qaujimaningit, which encompasses Inuit Traditional Knowledge (and variations thereof) as well as contemporary Inuit knowledge that reflects Inuit societal values and experience, contributes vital information to the NIRB’s assessment process. The term “Inuit Qaujimaningit” is meant to encompass local and community-based knowledge and ecological knowledge (both traditional and contemporary), which is rooted in the daily life of Inuit people and represents experience acquired over thousands

of years of direct human contact with the environment.^{10,11} With its emphasis on personal observation, collective experience and oral transmission over many generations, Inuit Qaujimaningit provides factual information on such matters as ecosystem function, social and economic well-being, and explanations of these facts and causal relations among them. In this regard, Inuit Qaujimaningit has played a significant role in this assessment by contributing to the development of accurate baseline information; comparing predictions of effects with experience; and assisting in the assessment of the magnitude of predicted effects.

The Proponent was required to incorporate Inuit Qaujimaningit into its FEIS Addendum, to the extent that the Proponent had access to such information and in keeping with the expectation that the Proponent would undertake appropriate due diligence to gain access to the information. However, the Board understands that the availability of such information for Agnico Eagle's use in the FEIS Addendum may be limited by obligations of confidentiality and other ethical obligations that may attach to such information, and respects where such limits have been noted.

In addition to Inuit Qaujimaningit provided as part of the Expansion Proposal, Inuit Qaujimaningit was also freely shared with the Board during the Community Roundtable portion of the Public Hearing in questions or responses provided by the Intervenors, Elders, Inuit harvesters and other community members. The NIRB has benefitted from the Inuit Qaujimaningit provided in the FEIS Addendum and shared by the participants at the Public Hearing and considers Inuit Qaujimaningit to play a central role in the Board's assessment of the project.

2. SUMMARY OF THE PROPONENT'S ASSESSMENT OF THE WHALE TAIL PIT EXPANSION PROPOSAL

2.1. Project Description

As outlined in Section [1.3](#) of this Reconsideration Report and Recommendations, the scope of the Expansion Proposal includes the following activities (see [Figure 3](#)):

- 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:
 - 95% long hole mining with some mechanized cut and fill in flat areas;
- On-site Mine Infrastructure:

¹⁰ Berkes, F. 1993. Traditional ecological knowledge in perspective. In: Inglis, J. (ed.), Traditional Ecological Knowledge: Concepts and Cases. Ottawa: Canadian Museum of Nature, pp. 1-9.

¹¹ Ellis, S.C. 2005. "Meaningful Consideration? A Review of Traditional Knowledge in Environmental Decision Making." Arctic 58, 1: 66-77.

- 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;
 - Development of 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 infrastructure 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 existing 65 km private haul road from 9.5 metres width to 15 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.**

2.1.1. Need for the Project

The justification and rationale provided by Agnico Eagle for the Expansion Proposal is consistent with that for the approved Whale Tail Pit Project. The approved project development was part of an effort to extend the life of mine (LOM) of the Meadowbank Mine while exploration activity continued, and during the permitting process for the approved project, the resource at the Whale Tail Pit continued to be expanded.

As justified in Agnico Eagle's FEIS Addendum, approval of the Expansion Proposal would extend the mineable reserves and LOM of the Meadowbank Mine for an additional four years (until approximately 2025). As a result, it would contribute to opportunities for continued employment,

and associated benefits and revenue streams for Nunavut Tunngavik Incorporated, the Kivalliq Inuit Association and territorial and federal governments. Agnico Eagle anticipates that continued operation of the Meadowbank mill would reduce dependence on government, “...through the creation of stable private sector employment that will both contribute to a better standard of living for the residents of Kivalliq, as well as reducing dependence on social assistance programs.”¹²

2.1.2. Project Phases

The Expansion Proposal would extend the extraction of ore over an approximate four-year period:

- **2020** – Expansion of the Whale Tail Pit and construction of IVR infrastructure
 - Water Management Infrastructure: Groundwater storage ponds (numbers 2 and 3), IVR attenuation pond pump station, Whale Tail dike seepage pump station, IVR waste rock storage facility water collection system, ore stockpile 3 contact water collection system, IVR diversion and attenuation pond;
 - Water/Effluent Treatment: Whale Tail South Basin and unnamed alternate diffusers, total dissolved solids treatment;
 - Mining: Initial ramp development for underground mining (authorized under 2BB-MEA1828), Whale Tail Pit expansion, IVR pit (operations only);
 - Waste Rock: Underground and aboveground ore stockpiles, IVR waste rock storage facility;
 - Dewatering: Dewatering of A47, A49, and A53 lakes, fishout of A53 lake; and
 - Associated Infrastructure: Widening of haul road and associated road quarries and eskers, landfarm, incinerator, composter, expansion of on-site facilities (accommodations, maintenance shop, main camp).
- **2021-2025** – Operations of the expanded Whale Tail Pit, IVR Pit, and underground
- **Ending 2026** – Ore processing
- **2026-2051** – Site closure/remediation
 - Closure and decommissioning of the components identified above, and including:
 - Refilling/flooding of the pits and underground workings; and
 - Backfilling of the IVR Attenuation Pond and groundwater storage ponds with waste rock.
 - Progressive Reclamation:
 - Thermal rock cover added to encapsulate Whale Tail and IVR waste rock storage facilities.
- **2051** – Commencement of post closure
 - Breaching of the Whale Tail dike, reconnecting of North and South basins of Whale Tail Lake;
 - Monitoring of thermal conditions and pit lake water quality; and
 - Decommissioning of Whale Tail haul road.

¹² Final Environmental Impact Statement Addendum, Whale Tail Pit-Expansion Project, Agnico Eagle Mines Limited – Meadowbank Division, December 2018, p. 15.

2.2. Summary of Potential Changes to Ecosystemic Effects

As described in the FEIS Addendum, Agnico Eagle used pathway analysis to identify and assess the potential environmental, residual, and cumulative effects of the components and activities associated with the proposed Whale Tail Pit Expansion on the ecosystemic environment. It was noted that as the Expansion Proposal is within previously assessed areas, many of the predicted effects within the FEIS for the Whale Tail Pit Project remain unchanged and mitigation measures described in the FEIS would continue to be applied as appropriate. Agnico Eagle noted that as there were no assessment endpoints, the Expansion Proposal would not have residual effects on air quality, noise and vibration, or permafrost, terrain and soil. The Proponent further anticipated that the Proposal would not result in cumulative effects on air quality and a cumulative effects assessment was not conducted for noise and vibration, permafrost, terrain and soil, or vegetation (wildlife habitat).

Agnico Eagle added ‘groundwater quality and quantity’ and ‘marine environment’ to the Valued Ecosystem Components (VECs) listed in the FEIS Addendum to address additional issues brought forward through public meetings and other forms of consultation, and to be consistent with recent NIRB Guidelines issued for other projects. While not identified as VECs, ‘vibration’ and ‘sediment quality’ were further added by the Proponent as components to consider and were assessed in association with noise and water quality, respectively. Agnico Eagle excluded ‘climate’ from its effects analysis as it determined there would be no measurable or actual interaction from the proposed activities.

[Table 3](#) and the proceeding discussion provides a summary of predicted interactions between the Expansion Proposal and the ecosystemic environment and impact predictions and significance determinations as presented by Agnico Eagle in the FEIS Addendum for the VECs identified for the assessment.

Table 3: Summary of Agnico Eagles' Predicted Ecosystemic Changes in Project Interactions and Factors Relating to Significance¹³

VEC and Change¹⁴	Discussion of Change	Applicable Mitigation and Monitoring
<p>Air Quality -</p> <p><i>No change; significance not applicable due to no assessment end points – potential effects captured in the assessment of other VECs</i></p>	<p>Air quality could be affected by:</p> <ul style="list-style-type: none"> ▪ traffic along the upgraded haul road from the Whale Tail site to the existing Meadowbank Mine, which could generate combustion emissions and road dust; and ▪ mining operations at the Whale Tail site, which could potentially produce combustion emissions and dust. 	<p>Relative monitoring would take place in accordance with the Project Certificate Terms and Conditions and the Air Quality and Dustfall Monitoring Plan. Implementation of:</p> <ul style="list-style-type: none"> ▪ Daily road watering or application of dust suppressants at approved and proposed project locations and the Meadowbank Mill during the frost-free summer season; ▪ Enforcement of haul truck speed limits along the haul road; and ▪ Strategic road watering or dust suppressants along the haul road at hot-spots, near sensitive habitat, and/or during dry windy conditions during the summer.
<p>Noise and Vibration -</p> <p><i>No change; not significant</i></p>	<p>Ambient noise levels could be increased by:</p> <ul style="list-style-type: none"> ▪ noise emissions from mining equipment and blasting resulting in ground vibration during surface and underground operations; ▪ noise emissions during haul road operations; and ▪ noise emissions from construction equipment and blasting resulting in ground vibration during haul road widening. 	<p>Application of follow up monitoring as presented in the FEIS and adherence to Project Certificate Terms and Conditions and the Meadowbank Mine Noise Monitoring and Abatement Plan.</p>
<p>Permafrost -</p> <p><i>No change; significance not applicable due to no measurable endpoints – potential effects are</i></p>	<p>Physical loss or permanent alteration of permafrost within the mined-out area, including:</p> <ul style="list-style-type: none"> ▪ permafrost degradation and retreat due to excavation of pit; ▪ potential groundwater inflows to the open pit during operations if depth extends below the base of permafrost; and 	<p>Adherence to Project Certificate Terms and Conditions. Permafrost conditions would be continuously monitored and inspected during all phases of the Whale Tail Pit Expansion to verify impact predictions and ensure the effectiveness of the design criteria. Where</p>

¹³ Final Environmental Impact Statement Addendum Whale Tail Pit – Expansion Project; NIRB Public Registry Nos. 321615, 321616, 321617, 321618, and 321619

¹⁴ Changes to ecosystemic effects as previously assessed by the NIRB.

VEC and Change ¹⁴	Discussion of Change	Applicable Mitigation and Monitoring
<i>captured in the assessment of other VECs</i>	<ul style="list-style-type: none"> ▪ flooding of pit may result in the creation of a larger talik zone beneath the pit lake. <p>Physical loss or permanent alteration of permafrost within the mined-out area, including:</p> <ul style="list-style-type: none"> ▪ permafrost degradation and retreat due to excavation of the underground mine; and ▪ groundwater inflows to the underground mine. 	<p>required, adaptive management strategies would be implemented.</p> <p>Management plans and monitoring for the Waste Rock Storage Facility, dewatering of the dikes, and haul road are provided in Waste Rock Management Plan, Water Management Plan, and Whale Tail Pit Haul Road Management Plan. The Thermal Monitoring Plan was updated to comply with the Project Certificate Term and Condition #14.</p>
<p>Terrain and Soil -</p> <p><i>No change; significance not applicable due to no measurable endpoints – potential effects are captured in the assessment of other VECs</i></p>	<p>Physical loss or permanent alteration of terrain and soils within the Expansion Proposal footprint, including the mined-out area, haul road, and eskers (borrow sources). Re-sloping, site preparation, and other land disturbance activities could result in changes to the distribution of terrain and soils.</p> <p>Soil disturbance can change physical, biological, and chemical properties of soils and increase erosion potential due to contouring. Site clearing, contouring, excavation, and decommissioning and reclamation could cause compaction and increase erosion potential of soils.</p>	<p>Adherence to Project Certificate Terms and Conditions to monitor soil conditions and estimate reclamation success.</p>
<p>Vegetation -</p> <p><i>No change; not significant</i></p>	<p>Potential changes to:</p> <ul style="list-style-type: none"> ▪ quantity of vegetation habitat from direct loss and fragmentation of vegetation habitat from the Expansion Proposal footprint. ▪ quality of vegetation habitat from loss or alteration of local flows, drainage patterns (distribution), and drainage areas from the Expansion Proposal footprint and haul road that could cause changes to vegetation, as well as from dust deposition on vegetation from haul roads and mining. 	<p>Application of mitigation measures as presented in the FEIS and adherence to the Project Certificate Terms and Conditions and the Whale Tail Pit Haul Road Management Plan.</p>
<p>Terrestrial Wildlife and Birds -</p>	<p>Potential changes to:</p> <ul style="list-style-type: none"> ▪ quantity of habitat for caribou and upland birds from direct loss and fragmentation from the Expansion footprint. 	<p>Application of mitigation measures as presented in the FEIS and adherence to the Project Certificate Terms and Conditions and the Noise Monitoring and Abatement and</p>

VEC and Change ¹⁴	Discussion of Change	Applicable Mitigation and Monitoring
<i>No change; not significant</i>	<ul style="list-style-type: none"> quality of wildlife habitat and wildlife movement for caribou and upland birds from sensory disturbance from vehicles, on-site equipment, human presence, and vibrations. Further, potential barriers to caribou migration, which could affect population connectivity and distribution. wildlife survival and reproduction for upland and water birds from the destruction of nests and flooding from construction activities including increased flows or water levels, which can increase risk of mortality to individual birds, which can affect population sizes. 	Terrestrial Ecosystem Monitoring plans. Specifically, adaptive management of the following would be undertaken as conducted at the Meadowbank Gold Mine: waste, raptor nesting, and wildlife incidents and mortalities.
Surface Water and Sediment Quality - <i>No change; not significant</i>	<p>The Expansion Proposal is anticipated to have negligible effects on water quality outside of the Local Study Area (LSA).</p> <p>Activities from construction activities and mining operations (e.g., equipment, vehicles, buildings, open-pit mining, blasting) could create fugitive dust and alter air emissions (including sulphur dioxide, nitrogen oxides, and particulate matter) and subsequent deposition may cause a change in water and sediment quality.</p> <p>Water management activities, such as dams, drainage, diversion, discharge, and dewatering that would alter watershed areas, natural drainage paths, and create a reservoir may cause a change in water quality (i.e., mercury cycling and bioaccumulation).</p> <p>The Expansion Proposal, including water management and effluent discharge would physically alter watershed areas and drainage patterns, rates and quantities of diverted non-contact water to new watersheds, change downstream flows through flooding and dewatering, water levels, channel/bank stability in streams, and may affect water and sediment quality.</p> <p>Activities from mining operations (e.g., open-pit mining, blasting, collection of runoff from the waste rock storage facility, sewage treatment effluent) that will generate effluent and the subsequent</p>	<p>Application of mitigation measures as presented in the FEIS and adherence to the current Project Certificate and Type A Water Licence Terms and Conditions as well as the Water Quality and Flow Monitoring, Water Management, and Core Receiving Environment Monitoring plans. Mitigation would also be applied to manage the generation of dust and acidifying air emissions and include measures such as:</p> <ul style="list-style-type: none"> Dust control systems to limit dust emissions; Compliance with regulatory emission requirements; Regular and routine maintenance of vehicles to manage exhaust emissions from non-road vehicles. Implementing dust abatement measures at sensitive watercourses or waterbodies if effects on water quality due to dust deposition observed from water quality monitoring at upstream and downstream locations.

VEC and Change ¹⁴	Discussion of Change	Applicable Mitigation and Monitoring
	<p>discharge of effluent may cause a change in water and sediment quality.</p> <p>The potential cumulative effects on water quality was expected to be negligible.</p>	
<p>Surface water quantity -</p> <p><i>No change; not significant</i></p>	<p>The Expansion Proposal was anticipated to have negligible effects on water quantity outside of the LSA. Surface water quantity was expected to be changed from:</p> <ul style="list-style-type: none"> ▪ Physically altering watershed areas and drainage patterns, which may change downstream discharges, water levels, and channel/bank stability in streams, and affect water quality, fish habitat, and fish; ▪ Dewatering of lakes, which may change discharges, water levels, and channel/bank stability in receiving and downstream waterbodies, and affect water quality, fish and fish habitat; and ▪ Alteration of watershed flow paths, which may change discharges, water levels, and channel/bank stability in diverted and receiving waterbodies, and affect water quantity, water quality, fish and fish habitat. 	<p>Application of mitigation measures as presented in the FEIS and in association with the Whale Tail Pit Project and adherence to the Project Certificate Terms and Conditions.</p>
<p>Fish and Fish Habitat -</p> <p><i>No change; not significant</i></p>	<p>Potential direct effects to fish and fish habitat were predicted from:</p> <ul style="list-style-type: none"> ▪ Construction of the IVR Pit and WRSF would result in direct loss of fish habitat. ▪ Dewatering of Lake A53 and its use as the IVR Attenuation Pond would result in the direct loss of fish habitat in Lake A53 and Stream A53-A17. ▪ Dewatering of the smaller waterbodies and watercourses in the northeast area would result in direct loss or alteration of fish habitat as well as the removal and subsequent mortality of fish from the area during the proposed fish-out. 	<p>Application of mitigation measures as presented in the FEIS Addendum and adherence to the Project Certificate Terms and Conditions and multiple monitoring and management plans including those related to dike construction, water management, spill contingency, Core Receiving Environmental Monitoring Program, habitat compensation, and fisheries offsetting.</p>

VEC and Change ¹⁴	Discussion of Change	Applicable Mitigation and Monitoring
	<ul style="list-style-type: none"> Water diversions for the Whale Tail Dike during operations would extend the flooding period of tributary lakes and streams, resulting in the alteration of fish habitat. <p>The following activities could further result in indirect effects on fish and fish habitat:</p> <ul style="list-style-type: none"> construction and operations of dikes and water diversions; refilling of diked area in Whale Tale and Mammoth lakes; operational activities and discharge; and reconnection of the refilled area of Mammoth and Whale Tail lakes to the remaining watershed. 	
<p>Marine Environment - <i>No change, not significant</i></p>	<p>The Expansion Proposal was expected to have no changes to the shipping route, shipping volumes, volume of fuel being transported, lightering activities and anchorage locations as compared to the approved Whale Tail Pit Project.</p> <p>The following potential direct effects to the marine environment were predicted:</p> <ul style="list-style-type: none"> Fuel spills could result in adverse effect on marine water quality and marine wildlife and habitat Underwater noise from vessel activities could alter marine wildlife behaviour Vessel movements may result in collisions with marine mammals Vessel lighting at night may result in marine bird mortality or injury (sensory disturbance), and alteration of marine bird behaviour <p>FEIS Addendum concluded that no detectable environmental changes or residual effects are anticipated as a result of the Expansion Proposal. Effects to the marine environment were considered previously assessed for the Whale Tail Pit Project.</p>	<p>Application of mitigation measures as presented in the FES Addendum and adherence to Project Certificate Terms and Conditions and associated management plans including the Shipping Management Plan (Marine Mammal Management and Monitoring Plan), Spill Contingency Plan, Emergency Response Plan and the Shipboard Oil Pollution Emergency Plan. The Shipping Management Plan was updated to include the route south of Coats Island as the primary shipping route for the Expansion Proposal.</p>

Agnico Eagle generally predicted that there would be no changes to the prediction of effects for the Expansion Proposal from those for the Whale Tail Pit Project.

It was anticipated that while the Expansion Proposal would increase the amount of habitat loss and duration of this loss by four (4) years compared to the Whale Tail Pit Project, this loss would be low and largely confined to the LSA. It was noted that revegetation of disturbed areas during closure would progressively offset lost habitat and reduce residual effects.

Indirect habitat loss due to sensory disturbance (such as noise and movement) was anticipated to extend beyond the footprint and have negative effects at the regional level. Indirect changes to preferred habitat from the Whale Tail Pit Project were noted to have the potential to affect the population size and distribution of caribou through altered movement and avoidance behaviour. Cumulative changes associated with the Expansion Proposal were predicted to have a negligible influence on caribou. Agnico Eagle indicated that cumulative effects to other wildlife VECs (e.g., upland birds, water birds, raptors, predatory mammals, and muskox) were indicated through the other developments present in the Regional Study Area. It was stated that cumulative effects to caribou may become a concern if most of the eight (8) identified reasonably foreseeable future projects were to proceed within a similar timeframe.

Project-related air emissions have the potential to deposit to local terrestrial and aquatic ecosystems. It was anticipated that atmospheric deposition of acidic gases and fugitive dust have the potential to affect soil and water quality, local flora and fauna, and the Inuit communities that depend on these resources for their cultural, social, and economic well-being. The air quality assessment for the Expansion Proposal concluded that the effects of activities associated with the Proposal on air quality would be limited in spatial and temporal extent.

Due to the extended period of flooding necessary for the Expansion Proposal compared to the Whale Tail Pit Project, a greater amount of mercury accumulation in water and aquatic biota was considered possible. It was clarified that, similar to the Whale Tail Pit Project, flooding of the Whale Tail Lake (South Basin) could potentially increase mercury concentrations in the flooded basin. Management of flooding activities (including the amount of organic material present in the flooded basin) could decrease the effect of mercury mobilization. Agnico Eagle noted that it would monitor mercury in water and fish to guide further management actions.

Infrastructure development, dewatering, and diversion activities would result in effects to discharges, water levels, and channel/bank stability in watersheds in the LSA only, including watersheds A and C, and these would vary throughout the project phases.

The Proponent clarified that groundwater and hydrogeology was not considered a VEC because groundwater is currently not used and is unlikely to be used in the future. Groundwater was identified as providing secondary pathways/links to VECs, such as surface water quantity (hydrology), surface water quality, and fish habitat. Impacts to these components from groundwater and hydrogeology however are captured in the specific assessment of those VECs. It was also noted that measures have been taken to mitigate uncertainty, including modelling procedures and a planned additional storage pond, as well as adherence to monitoring measures undertaken for the Whale Tail Pit Project and the existing Project Certificate Terms and Conditions.

Potential effects from the Expansion Proposal on fish and fish habitat were predicted to primarily result from direct habitat losses (i.e., footprint changes) from the construction of the IVR Pit, the dewatering and fish out of the smaller lakes north of Whale Tail Lake where the IVR pit would be located, and the flooding of Whale Tail Lake after the diversion. The smaller, fish bearing lakes north of Whale Tail Lake that would be affected by the IVR Pit would be completely lost, accounting for a total loss of 8.5 hectares (ha) of waterbody area. Lakes with a confirmed presence of Arctic Char, Burbot, and/or Lake Trout account for 8.0 ha of the lost waterbody area, with the remaining 0.5 ha of fish habitat lost consisting of waterbodies that provide habitat for forage species only. The proposed fish out and subsequent dewatering of lakes in the northeast area and refilling of the Whale Tail and IVR pits was expected to have low residual effects to Arctic Char, Lake Trout, Burbot, and Round Whitefish and the associated fishery, occurring on a local scale. Most of the residual effects from direct changes in habitat were predicted to be long-term in duration and reversible following refilling, decommissioning of dikes, and reconnection of habitats. It was projected that there would be no contribution to cumulative effects to fish and fish habitat within the RSA.

2.2.1. Proposed Mitigation and Monitoring Measures (Ecosystemic Environment)

Agnico Eagle listed the following management and monitoring plans developed for the Whale Tail Pit Project that would continue to apply to the Whale Tail Pit Expansion Proposal. Where appropriate, Agnico Eagle has amended the plans to incorporate the Expansion Proposal:

- Air Quality and Dustfall Monitoring Plan
- Greenhouse Gas Reduction Plan
- Noise Monitoring and Abatement Plan
- Waste Rock Management Plan
- Meadowbank Tailings Storage Facility Management Plan for Whale Tail Pit
- Landfill and Waste Management Plan
- Meadowbank Division Ammonia Management Plan
- Meadowbank and Whale Tail Bulk Fuel Storage Facility Environmental Performance Monitoring
- Terrestrial Ecosystem Management Plan
- Migratory Birds Protection Plan
- Thermal Monitoring Plan
- Water Management Plan
- Water Quality and Flow Monitoring Plan
- Groundwater Monitoring Plan
- Whale Tail Pit Haul Road Management Plan
- Operational ARD-ML Sampling and Testing Plan
- Erosion Management Plan
- Aquatic Effects Management Program
- Core Receiving Environment Monitoring Program
- Interim Closure and Reclamation Plan

Agnico Eagle has developed the following new plans where comprehensive updating or new activities for the Expansion Proposal warranted:

- Landfarm Design and Management Plan
- Incinerator and Composter Management Plan
- Conceptual Whale Tail Pit Offsetting Plan

Agnico Eagle notes that all plans would evolve as the Expansion Proposal proceeds, if approved, and would be further updated to reflect changes in operation, technology, and direction or requests made by the NIRB and/or NWB and subsequent approvals for the project. Agnico Eagle committed to incorporating new mitigation measures where required and implementing adaptive management strategies.

2.3. Summary of Potential Changes to Socio-Economic Effects

As described in the FEIS Addendum, Agnico Eagle used pathway analysis to identify and assess the potential environmental, residual, and cumulative effects of the components and activities associated with the Whale Tail Pit Expansion Proposal on the socio-economic environment. The potential for both significant economic benefits as well as significant adverse social, housing, infrastructure, and service impacts in communities were identified for the Expansion Proposal. It was noted that the continuation of economic benefits, including fiscal contributions to government, territorial procurement, and employment and incomes would be positive and impactful to communities. However, consistent with the Whale Tail Pit Project, the Expansion Proposal could contribute to social issues that communities have identified as generally linked to mining and associated wage economies and increased incomes, such as substance abuse, family violence, and crime. The Whale Tail Inuit Impact and Benefit Agreement (IIBA) would apply to the Expansion Proposal and the mitigation measures adopted under the IIBA would also be implemented for the Expansion Proposal.

Agnico Eagle considered pathways for heritage resources to be secondary and did not conduct a residual impact classification or cumulative effects assessment. No residual effects were anticipated from the Expansion Proposal on the use of culturally important sites or on harvesting of traditional marine resources. The significance of the Expansion Proposal's residual effects was expected to be consistent with those predicted for the Whale Tail Pit Project and were identified as significant.

While not identified as valued socio-economic components (VSECs), Agnico Eagle identified the following components included in the FEIS Addendum:

- Non-traditional land use;
- Human and ecosystem health;
- Population demographics;
- Economics;
- Governance and leadership; and
- Worker and public health.

[Table 4](#) and the proceeding discussion provides the summary of predicted interactions between the Expansion Proposal and the socio-economic environment and impact predictions and significance

determinations as presented by Agnico Eagle in the FEIS Addendum for the applicable VSECs identified for the assessment.

Table 4: Summary of Agnico Eagle's Predicted Socio-Economic Changes in Project Interactions and Factors Relating to Significance¹⁵

Valued Socio-Economic Component and Change ¹⁶	Discussion of Change	Applicable Mitigation and Monitoring
<p>Archaeology -</p> <p><i>No change; not significant</i></p>	<p>For both the Whale Tail Pit Project and the Expansion Proposal, secondary pathways were considered:</p> <ul style="list-style-type: none"> Construction through closure activities involving ground disturbance could impact archaeological sites by disturbing cultural deposits and features, damaging artifacts, hindering or increasing access to archaeological deposits, and destroying contextual information that is essential for interpreting site function and age. <p>Heritage resource components were considered localized to the Expansion Proposal and would not interact with other disturbances regionally.</p>	<p>Application of mitigation measures as presented in the FEIS and adherence to the Project Certificate Terms and Conditions and Archaeological Management Plan. Agnico Eagle committed to conducting additional archaeological assessments for any previously unassessed archaeological sensitive areas (whether in approved or proposed footprints), including quarries for the haul road expansion; quarries where archaeological sites were identified would not be developed.</p>
<p>Traditional Land Use -</p> <p><i>Change; not significant</i></p>	<p>Activities may continue to affect opportunities for wildlife harvesting, traditional fishing, use of culturally important sites, and traditional marine resource harvesting through:</p> <ul style="list-style-type: none"> disturbance to preferred traditional wildlife harvesting, fishing, traditional plant harvesting, or culturally important areas; changes in the availability of traditionally harvested wildlife (caribou, furbearers, birds), fish and plant species, as well as traditionally important cultural and historic sites or features; social and economic factors affecting participation in traditional land and resources use activities; and/or changes in the availability of traditionally harvested marine resources (e.g., marine fish, mammals, and birds). 	<p>Application of mitigation measures presented in the FEIS and adherence to the existing Project Certificate conditions.</p> <p>Baker Lake and Chesterfield Inlet community members continue to express concerns related to traditional land use and resources during consultation for the Whale Tail Pit Project and Expansion Proposal.</p>

¹⁵ Final Environmental Impact Statement Addendum Whale Tail Pit – Expansion Project; NIRB Public Registry Nos. 321615, 321616, 321617, 321618, and 321619

¹⁶ Changes to socio-economic effects as previously assessed by the NIRB.

Valued Socio-Economic Component and Change ¹⁶	Discussion of Change	Applicable Mitigation and Monitoring
Employment - <i>No change; significant (positive)</i>	Expansion Proposal expected to generate 99 new direct average annual employment opportunities and extend almost 500 direct employment opportunities for Nunavummiut until 2025. Annual Gross Domestic Product (GDP) contributions were expected to be equivalent to approximately 5-6% of current territorial GDP (i.e., \$100 to \$120 million). Average annual procurement in the territory was expected to amount to over \$270 million. Revenues paid to the territory in the form of taxes were anticipated to amount to over \$40 million, or a fifth of the territory's own-source budgeted revenue.	
Training - <i>No change; significant (positive)</i>	Training programs established for the Whale Tail Pit Project would continue and be conducted at the Meadowbank site.	Application of measures as presented for the Whale Tail Pit Project and outlined in the Socio-Economic Monitoring Program.
Community Wellness - <i>No change; significant</i>	Expansion Proposal would continue to: <ul style="list-style-type: none"> ▪ have positive effects in communities: household incomes and associated access to nutritious food, recreation, education, and resources with which to conduct traditional activities. ▪ contribute to the social maladies (e.g., substance abuse, sexual misconduct, family violence, and poor spending choices) assessed in the FEIS impacting family and community health and cohesion. Continued contribution of the Expansion to accidents, emergencies, and social maladies assessed as significant.	Application of mitigation measures as presented in the FEIS and continued support for community programming and educational initiatives as well as royalties and commitments as established in the Inuit Impact Benefit Agreement.
Infrastructure and Social Services - <i>Potentially Significant; dependent on scale of speculative migration</i>	The Expansion Proposal was expected to contribute to: population growth and demographic change; change in demand for and availability of housing; and change in demand for and capacity of services and infrastructure.	Application of measures as presented for the Whale Tail Pit Project and outlined in the Socio-Economic Monitoring Program. In advance of construction and operations, Agnico Eagle would clearly communicate labour force requirements to community liaisons and would work with communities and local governments to provide clear information regarding the recruitment process for employment opportunities.

Agnico Eagle noted that a grave site identified by community members as an ongoing concern was not located in an area of proposed development and would continue to be avoided by Expansion Proposal activities.

Measurable changes in the availability of caribou for harvesting in certain areas was anticipated at the regional level due to changes in caribou movement patterns and distribution due to the Expansion Proposal. Although changes in caribou movement patterns and distribution in the terrestrial Regional Study Area (RSA) was anticipated for the Expansion Proposal, the vast majority of caribou range was considered to be left undisturbed and a reduction in caribou survival and availability for harvesting in preferred locations was not expected. While it was further noted that continued opportunities for traditional harvesting of wildlife may decrease for some traditional land users due to potential changes in wildlife availability, when combined with barriers to participation in traditional hunting activities for some land users, this effect was anticipated to be limited.

Changes in the availability of Arctic Char, Lake Trout, Burbot, and Round Whitefish was expected for some land users within the RSA, however it was noted that these species were expected to remain locally and regionally abundant and available for fishing in preferred fishing locations.

Residual effects to traditional land and resource use were predicted to be confined to the local study areas for plant harvesting and use of culturally important sites, and to the fish and fish habitat assessment area for fishing. There were no expected changes to the cumulative effects assessments for vegetation, fish and fish habitat, and heritage resources; and the conclusions for the Expansion Proposal remained consistent with the Whale Tail Pit Project. Localised cumulative effects may occur for traditional wildlife harvesting due to changes in the availability of furbearers, waterfowl, and geese. Additional cumulative effects analysis for caribou indicated that the changes associated with the Expansion Proposal would have a negligible influence on caribou and would be the same as for the Whale Tail Pit Project.

The Proponent noted that the associated all-weather access road required to support these developments may result in increased access to traditional land use areas for local community members, which may offset the cumulative effects of changes in the availability of caribou for harvesting. Additional roads supporting infrastructure to proposed projects would improve access and change land use in the Kivalliq region. However, this could also lead to increased wildlife harvesting and competition among hunters and potentially decreased availability of caribou. The same conclusions from the Whale Tail Pit Project were noted to apply for the Expansion Proposal.

Agnico Eagle noted that the potential for new activities under the Expansion Proposal to affect continued opportunities for traditional marine resources harvesting was considered not significant and that mitigation would include continuing implementation of the Shipping Management, Oil Pollution Management, Spill Contingency, and Emergency Response plans.

2.3.1. Proposed Mitigation and Monitoring Measures (Socio-Economic Environment)

Agnico Eagle listed the following management and monitoring plans developed for the Whale Tail Pit Project that would apply to the Whale Tail Pit Expansion Proposal:

- Archaeology Management Plan
- Socio-Economics Management and Monitoring Plan
- Occupational Health and Safety Plan
- Whale Tail Expansion Interim Closure and Reclamation Plan

2.4. Other Issues Considered by The Board

The Proponent's assessment considered community consultation, Human Health and Ecological Risk Assessment (HHERA), accidents and malfunctions, alternative analysis and cumulative effects as potential pathways for effects to both ecosystemic and socio-economic valued components. The FEIS Addendum predicted no changes from the approved Whale Tail Pit Project to the community consultation process, and no new pathways were identified for accidents and malfunctions related to the Expansion Proposal. The HHERA identified marginal risks to human health and aquatic life, however these risks were predicted to be negligible for the Expansion Proposal and requiring no additional mitigation measures.

The Proponent's alternatives assessment considered aspects that shaped the overall project including Project Go/No-Go decision; Infrastructure, Transportation, Access, and Quarry Development; Deposit, Mining Method, and Production; Processed Ore Containment and Tailing Storage; Overburden and Waste Rock Disposal; and Water Management. Alternatives were assessed to improve project economics, minimize the Expansion Proposal footprint, reduce impacts to the environment and reduce infrastructure requiring reclamation.

Agnico Eagle conducted a cumulative effects assessment of the significance of potential cumulative impacts on key components of the biophysical and socio-economic environment, accounting for all past, present and reasonably foreseeable future developments within each component study area. The FEIS Addendum concluded that while the pathway validity indicates a possibility for cumulative effects to caribou, terrestrial environment (wildlife, vegetation, soils and landscape features), marine wildlife, aquatic resources (water and fish), traditional land use, and socio-economic components, these remain potential rather than actual cumulative effects.

Cumulative effects to each VEC and VSEC were also considered as part of the residual effects assessment for each component, and are further discussed in this report in Sections [2.2](#) and [2.3](#).

[Table 5](#) below and the proceeding discussion provides the summary of impact predictions and significance determinations as presented by Agnico Eagle in the FEIS Addendum related to other issues considered.

Table 5: Summary of Agnico Eagle's Conclusions in Respect of Other Issues Considered by the Board

Other Issues considered and Changes¹⁷	Discussion of Change	Applicable Mitigation and Monitoring
Community Consultation - <i>No change</i>	Agnico Eagle approach to public consultation has not changed as a result of the Expansion Proposal. The FEIS Addendum has integrated approved Whale Tail Pit Project consultation and additional consultation post-approval.	Agnico Eagle will continue to engage with the community and local stakeholders within the Kivalliq Region, regulatory agencies and local employees.
Human Health and Ecological Risk Assessment - <i>Change; not significant</i>	<p>The Expansion Proposal HHERA found that overall risks to human health, wildlife, and aquatic life due to predicted changes to air quality and water quality were negligible.</p> <p>Marginal risks to human health and aquatic life were identified for the Expansion proposal, however were considered to be negligible considering the conservatism in the water quality model and toxicity information used, and the low potential for human exposure.</p>	FEIS Addendum concluded that no additional mitigation or monitoring commitments are required based upon the effects assessment carried out for the HHERA.
Accidents and Malfunctions - <i>No change</i>	<p>The following potential direct effects are predicted to result if an accident or malfunction occurs:</p> <ul style="list-style-type: none"> ▪ Marine fuel spills or accidental spills of dry cargo could result in adverse effects on marine water quality and associated marine wildlife and habitat; ▪ Continued potential for project-related accidents, emergencies and social maladies could result in significant effects on individual and community wellness. 	Application of mitigation measures presented for the Whale Tail Pit Project, adherence to the Project Certificate terms and conditions, and measures outlined in the Spill Contingency Plan, Oil Pollution Emergency Plan, and Emergency Response Plan.
Alternatives Analysis - <i>Change; not significant</i>	Water management alternatives assessed for the Expansion Proposal included attenuation pond locations and effluent discharge locations. Direct effects to water quality and fish and fish habitat could result from use of alternative discharge locations.	Application of monitoring and mitigation measures presented for the Whale Tail Pit Project and associated management plans would continue to apply for the Expansion. Additional data collection (fish and fish habitat, water quality) for alternative discharge locations would be collected to support selection.

¹⁷ Changes to other issues as previously assessed by the NIRB.

Other Issues considered and Changes ¹⁷	Discussion of Change	Applicable Mitigation and Monitoring
<p>Cumulative Effects -</p> <p><i>No change and/or negligible minor impacts</i></p>	<p>Agnico Eagle identified no instances where the potential for cumulative effects changed as a result of the Expansion Proposal.</p> <p>Agnico Eagle identified changes for interaction of past and present developments with the Expansion Proposal as a result of either new developments or the expiration of permits.</p> <p>Agnico Eagle identified changes for interaction of future developments with the Expansion Proposal as a result of revisions to the reasonably foreseeable future developments.</p>	<p>Environmental monitoring and mitigation at the Meadowbank Mine. Expansion Proposal will utilize existing shipping arrangements and procedures identified for the Meadowbank Mine and Agnico Eagle.</p> <p>Water treatment and aquatic monitoring at the Meadowbank Mine are anticipated to prevent regional effects of the mine to the aquatic environment. Diligent environmental monitoring for all past, present and reasonably foreseeable future developments is required to minimize cumulative effects.</p>

The FEIS Addendum provided a summary of the Human Health and Ecological Risk Assessment (HHERA) that was conducted for the Expansion Proposal. The predicted effects expected from the Expansion Proposal are largely similar to those of the Whale Tail Pit Project, with some exceptions for human health and aquatic life. Marginal risks were associated with the following Expansion Proposal components:

- Human health, Air Quality – risk associated with 1-hour nitrogen dioxide (NO₂) at one receptor site, however determined that public exposure was very unlikely at this location and NO₂ was not retained for further evaluation in the residual effects classification.
- Human health, Water Quality - Carcinogenic risks to human health were predicted associated with arsenic due to the post-closure phases at Mammoth Lake, Lakes A15, A12, A76 and the Whale Tail Pit; indicates that public could be at risk if waterbodies are relied upon as potable water supply for two weeks per year for every year of the Expansion Proposal life.
- Human health, fish ingestion – carcinogenic risk were associated with arsenic due to the post-closure phases at Mammoth Lake, Lakes A15, A12 and A76, Whale Tail Lake (South Basin), Downstream Node 2, Whale Tail Pit and IVR Pit; indicates that public could be at risk if waterbodies are used for fishing purposes for two weeks per year for every year of the Expansion Proposal life.
- Aquatic life – potential risk identified in Whale Tail Pit associated with arsenic during early post-closure.

The above risks were considered to be negligible considering the conservatism in the water quality model and toxicity information used, and the potential for human exposure.

The Proponent presented an alternatives analysis and conclusions in the FEIS Addendum, which considered the Go/No-Go decision. Agnico Eagle stated that the no-go alternative would result in a substantial lost opportunity including loss of tax and royalty revenues to government, and employment and business contracting opportunities. In addition, should the Expansion Proposal not go ahead, the Meadowbank Mine would close in 2023. It was also noted that delays in permitting for the Expansion Proposal could effect the long-term viability of the Meadowbank Mine, and therefore the key objective of the Proponent is to minimize the ‘gap’ in time between exhaustion of the Whale Tail Pit Project mineable reserves and mining of the Expansion Proposal.

The Proponent conducted a Multiple Accounts Analysis of alternative attenuation pond locations, the results of which determined that Lake A53 (fish bearing) was the highest rated from an environmental, technical and socio-economic perspective. Agnico Eagle also assessed alternative discharge locations at Lakes D1 and D5 (D watershed) as a mitigation option for discharge of treated mine effluent.

The FEIS Addendum concludes that cumulative effects as assessed through the approved Whale Tail Pit Project remain largely unchanged as the Expansion Proposal is an extension of the Meadowbank Mine, largely within the boundaries previously assessed for the approved Whale Tail Pit Project and that continues to focus on the Kivalliq region. The FEIS Addendum identified broad categories for the cumulative effects assessment including effects to caribou, terrestrial

environment, marine wildlife, aquatic resources (water and fish), traditional land use, and socio-economics.

The Meadowbank Mine and access road was the only development identified to interact with the terrestrial environment for the Expansion Proposal, with environmental monitoring and mitigation at the Meadowbank Mine expected to reduce and help mitigate any cumulative effects. No changes to the conclusions of the marine wildlife cumulative effects assessment from the Approved Project were identified, as the Expansion Proposal marine activities are expected to remain the same as those from the Approved Project. Specifically, Agnico Eagle noted the shipping route, shipping volumes, volume of fuel being transported, lightering activities and anchorage locations would remain consistent, therefore yielding no significant cumulative effects to marine wildlife.

Cumulative effects to aquatic resources were considered by estimating the number of past and present projects in the water management area crossed by the Baker Lake, Thelon Quoich, or Back water management areas. As the number of developments within these water management areas is low, the regional effect on any effluent emissions remains negligible. The Baker Lake water management area (which includes the Meadowbank Mine and Baker Lake) may trigger a Type A Water Licence, however water treatment and aquatic monitoring at the Meadowbank Mine are expected to mitigate regional effects.

The traditional land use and socio-economic effects assessments considered the number of developments within the Kivalliq region. Agnico Eagle noted that the level of developments within the Kivalliq region remains very low, and that caribou and other wildlife continue to follow traditional movements and natural population cycles, concluding that development will not significantly hinder resident's ability to use and enjoy the landscape in the Kivalliq region. Agnico Eagle further noted that the Expansion Proposal is expected to contribute to regional employment through permanent and seasonal jobs, contribute to the local wage economy and have minimal effect on the traditional economy, although there may be social impacts of the shift work often associated with remote camps.

The FEIS Addendum noted that cumulative effects from reasonably foreseeable future developments may occur only if most or all of the future projects identified in the cumulative effects assessment proceed simultaneously, the likelihood of which is low. However, as there may soon be three operating mines in the Kivalliq region, two of which are in the Baker Lake water management area, diligent environmental monitoring is required to minimize the cumulative effects between them.

2.4.1. Proposed Mitigation and Monitoring Measures (Other Issues)

Agnico Eagle listed the following management and monitoring plans developed for the Whale Tail Pit Project that would continue to apply to the Whale Tail Pit Expansion Proposal:

- Emergency Response Plan,
- Hazardous Materials Management Plan,
- Shipping Management Plan, and
- Spill Contingency Plan.

3. SUMMARY OF INTERVENOR SUBMISSIONS

The scope of the Whale Tail Pit Expansion Proposal indicates the potential for adverse ecosystemic and socio-economic effects to be greater than was previously considered during the Board's Review of the original Whale Tail Pit Project.

On or before July 26, 2019 the NIRB received final written submissions on Agnico Eagle's Final Environmental Impact Statement Addendum (FEIS Addendum) for the Expansion Proposal from the following parties:

- Nunavut Tunngavik Incorporated (NTI) and the Kivalliq Inuit Association (KIA)
- Baker Lake Hunters and Trappers Association (BLHTO)
- Government of Nunavut (GN)
- Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC)
- Environment and Climate Change Canada (ECCC)
- Fisheries and Oceans Canada (DFO)
- Health Canada (HC)
- Natural Resources Canada (NRCan)

3.1. Summary of Submissions in Respect of Ecosystemic Effects

[Table 6](#) provides a brief summary of the comments received from parties on Agnico Eagle's FEIS Addendum in respect of ecosystemic effects; the full comment submissions can be accessed online through NIRB's public registry at www.nirb.ca/project/125418.

Table 6: Summary of Comments Received from Parties in Final Written Submissions in Respect of Ecosystemic Effects

Party	Areas of Concern
NTI & KIA	<ul style="list-style-type: none">▪ Believe remaining issues related to the terrestrial and aquatic environments can be resolved through Agnico Eagles' fulfillment of commitments made at the Technical Meeting, including delivery of analysis, collection of data, and generation of reports to be provided prior to Public Hearing.▪ Incorporation of Inuit concerns to adaptive management responses.▪ Aquatic Environment concerns:<ul style="list-style-type: none">○ Water quality and quantity modelling inputs and outputs, specifically regarding methyl mercury and including sensitivity analyses at different project stages;○ Fish habitat and health;○ Thermal regime in proximity to project infrastructure;○ Emergency spill responses.▪ Terrestrial Environment concerns related to the effect of the haul road on caribou crossings:<ul style="list-style-type: none">○ Caribou responses to slope edges of the upgraded Whale Tail haul road;

Party	Areas of Concern
	<ul style="list-style-type: none"> ○ Disturbance to caribou during haul road widening and from use of the Whale Tail haul road.
BLHTO	<ul style="list-style-type: none"> ▪ Noted concerns regarding the changes in caribou migration due to the Meadowbank/Whale Tail projects and provided recommendations for stricter mitigation measures. ▪ Plans to increase the number of vehicles on the haul-road during road closures. ▪ Failure to schedule construction activities outside of sensitive periods in caribou lifecycles. ▪ BLHTO's lack of capacity to fully participate in project monitoring.
GN	<ul style="list-style-type: none"> ▪ Recommended the Proponent update the Terrestrial Ecosystem Management Plan to reflect all commitments, regarding caribou protection measures, made during the approved Whale Tail Pit Project Review. ▪ Identified areas of concern related to caribou and provided recommendations to ensure that anticipated impacts of the project are mitigated: <ul style="list-style-type: none"> ○ Caribou monitoring and mitigation; ○ Assessment of project alternatives to reduce effects on wildlife; ○ Management of haul road snow to facilitate wildlife crossing; ○ Haul road design to facilitate caribou movements; and ○ Project roads as barrier to caribou movements
CIRNAC	<ul style="list-style-type: none"> ▪ Noted uncertainties regarding the post-closure performance of the site and emphasized the need to control risks associated with seepage from waste rock storage facilities (WRSF) and recommended to develop a Reclamation Research Plan to inform WRSF closure design. ▪ Recommended terms and conditions to include the development of an implementation plan for socio-economic closure in collaboration with relevant stakeholders, as well as a project-specific socio-economic closure plan. ▪ Identified areas of concern to be pursued further during the Water License Amendment process (e.g., water quality predictions, downstream receiving environment, and revised management plans).¹⁸ ▪ Overall conclusions that the proposed project is not likely to cause significant adverse environmental effects, based on evidence to date.
ECCC	<ul style="list-style-type: none"> ▪ Recommended the Proponent update the Air Quality and Dustfall Monitoring Plan to include revised dustfall sampling methods and reporting of community concerns related to dust on the Whale Tail haul road. ▪ Recommended the Proponent update its ecological risk assessment for migratory birds and wildlife contamination pathways from the tailings storage facility. ▪ Noted continued concerns related to impacts on the atmospheric and freshwater environments and provided the following recommendations: <ul style="list-style-type: none"> ○ Implementing continuous nitrogen dioxide (NO₂) monitoring to inform mitigation and adaptive management; ○ Prioritizing source control and treatment optimization for managing effluent quantity/quality over the use of alternative effluent discharge locations;

¹⁸ NOTE: Further assessment deferred to Water Licence Amendment Process.

Party	Areas of Concern
	<ul style="list-style-type: none"> ○ Clarifying how the proposed WRSF cover systems would perform long-term under the full range of plausible emission scenarios considering the potential effects of climate change on temperature. ▪ Recommended the Proponent provide an analysis on the details of alternative energy source methods in the Greenhouse Gas Reduction Plan.
DFO	<ul style="list-style-type: none"> ▪ Recommended the Proponent provide additional information regarding fish and fish habitat including: <ul style="list-style-type: none"> ○ Site-specific water crossing designs, flow information and percentage of fish expected to pass at each water crossing, rationale for use of 15 centimetre to represent juvenile fish in fish passage calculations, ensure fish passage requirements are met; ○ Update the fish-bearing status of all waterbodies and watercourses impacted by project activities; ○ Quantitative information on water level and surface area changes to downstream receiving environment; and quantitative assessment of impacts associated with the alternative discharge scenario (Lakes D1 and D5). ▪ Recommended the Proponent improve the Marine Mammal and Seabird Observer Program, including protocols, implementation and training to increase effectiveness.
HC	<ul style="list-style-type: none"> ▪ Recommended the Proponent: <ul style="list-style-type: none"> ○ Monitor concentrations of air pollutants such as NO₂ and compare results with existing Nunavut air quality standards and federal targets (in agreement with recommendations from ECCC).
NRCan	<ul style="list-style-type: none"> ▪ Finds the conclusions presented in the FEIS Addendum to be reasonable and containing sufficient information to proceed for this stage of the assessment. ▪ Supports further measures to characterize the hydrogeological regime of project site and gather more hydrogeological data via groundwater wells or other means. ▪ Supports robust monitoring to ensure that hydrogeological impacts are tracked and minimized, however defers to regulators and terms and conditions of water license for direction on monitoring frequency.¹⁹

3.1.1. Proponent's Response to Parties' Final Written Submissions in Respect of Ecosystemic Effects

Following receipt of parties' final written submissions, Agnico Eagle provided its response to comments on August 9, 2019, summarized in [Table 7](#).

¹⁹ NOTE: Further assessment deferred to the Water Licence Amendment Process.

Table 7: Summary of Agnico Eagle Response to Final Written Submissions Respecting Ecosystemic Effects

Party	Agnico Eagle Response Summary
NTI & KIA	<ul style="list-style-type: none"> ▪ Terrestrial environment concerns: <ul style="list-style-type: none"> ○ Completed analysis of existing caribou crossing data of the haul road and will use road characteristics to determine appropriate mitigation including sloping, grain size, and top-dressing material; ○ Committed to design study for permeability of the haul road to caribou movement. Study to be presented to Terrestrial Advisory Group (TAG) in October 2019; committed to completing the requested study on caribou movement during operations; ○ Committed to explore alternatives to the haul road widening construction schedule, including window of inactivity to accommodate caribou migration; will provide an update of the construction schedule to the TAG by Q2 2020. ▪ Aquatic environment concerns: <ul style="list-style-type: none"> ○ Committed to provide updated mercury concentrations by August 19, 2019 to account for additional flood durations associated with the Expansion Proposal; ○ Proposes to address monitoring of methyl mercury and impacts to fish as part of the water licence amendment process;²⁰ ○ Noted would provide updated water quality model including cry-concentration during the Nunavut Water Board water licence amendment technical review period;²¹ ▪ Considers that no additional terms and conditions related to either the terrestrial or aquatic environment are required to the existing Project Certificate No. 008.
BLHTO	<ul style="list-style-type: none"> ▪ Agnico Eagle agrees that there would be residual effects on caribou migration from roads, however is confident that with the mitigation measures developed there would be no significant effect on the population. ▪ Will continue to share monitoring results during operations with the TAG and BLHTO to inform adaptive management and/or alternative mitigation measures. ▪ Plans to use haul traffic convoys to reduce interaction of caribou with traffic by grouping vehicles. ▪ Considering an alternative ore hauling plan to increase traffic during times outside of sensitive seasons (developed in collaboration with the TAG). ▪ Considers that no additional terms and conditions regarding the BLHTO concerns are required to the existing Project Certificate, and that some concerns can be addressed in the TAG as per the TAG Terms of Reference.
GN	<ul style="list-style-type: none"> ▪ Areas of concerns related to caribou: <ul style="list-style-type: none"> ○ Submitted updated Terrestrial Ecosystem Management Plan (TEMP Version 7) to address commitments made to date (including Approved Project), and which includes updates suggested by TAG in 2018;

²⁰ NOTE: Further assessment deferred to the Water Licence Amendment Process.

²¹ NOTE: Further assessment deferred to the Water Licence Amendment Process.

Party	Agnico Eagle Response Summary
	<ul style="list-style-type: none"> ○ Committed to fully implement caribou protection measures in the TEMP and will provide confirmation in annual reports; ○ Disagrees with road closure mitigation measure proposed by the GN for caribou migrations, based on available monitoring data; believes appropriate venue for discussion of additional mitigation measures is through the TAG rather than a NIRB Hearing. Analysis of monitoring data will continue at the TAG and any updates made to the TEMP submitted in accordance with term and condition 28 of the Project Certificate 008; ○ Currently evaluating caribou collaring workplan provided by GN and will initiate a pilot program including collar data, satellite imagery, and drone during 2019 fall migration; ○ Agnico Eagle currently consults on road closures and re-opening with TAG members during each migration in real time and based on site-specific observations; ○ Will provide a study design program for snow berm monitoring along the Haul Road by October 1, 2019; and ○ Considers that no additional terms and conditions to the existing Project Certificate are required related to caribou protection measures and concerns can be addressed in the TAG or normal update of the TEMP.
CIRNAC	<ul style="list-style-type: none"> ▪ Agnico Eagle does not agree with developing a Reclamation Research Plan for WRSF closure design. Maintains confidence in the waste rock storage facility (WRSF) design, which is to be progressively reclaimed. Holds the position that the Interim Closure and Reclamation Plan covers all security for the facility and monitoring will be implemented during operations to ensure thermal cover performance informs the closure plan.
ECCC	<ul style="list-style-type: none"> ▪ Committed to updating the Air Quality and Dustfall Monitoring Plan to: <ul style="list-style-type: none"> ○ Use dustfall sampling methods as per the American Society for Testing and Materials (2017); ○ Incorporate community concerns regarding haul road dust into adaptive management strategies. ▪ Agreed to revise the ecological risk assessment to consider ingestion of contaminants at the tailings storage facility as a pathway for all wildlife including Semi-palmated Sandpiper. ▪ Does not agree to implement continuous monitoring of NO₂ and proposes to continue passive monitoring ▪ Agrees that source control and treatment optimization are a priority to manage treated effluent and will monitor effluent concentrations and volumes through the Water Quality and Flow Monitoring Plan and the Core Receiving Environment Monitoring Program. ▪ Maintains that the proposed WRSF would perform as intended to ensure water quality is protected even under the most extreme climate scenario; provided additional thermal modelling of the WRSF cover system to support this conclusion.

Party	Agnico Eagle Response Summary
	<ul style="list-style-type: none"> Agrees to update the Greenhouse Gas Reduction Plan to include analysis on details of the alternative energy source methods 60 days following Project Certificate amendment.
DFO	<ul style="list-style-type: none"> Considers issues regarding impact of haul road expansion to fish passage resolved with current information and refers DFO to further information to be provided as per the approved Water License conditions. Provided requested information on fish status of waterbodies and watercourses predicted to be impacted by the Expansion Proposal and committed to finalizing list with DFO during water license amendment process.²² Committed to providing information on water level and surface area changes to downstream waterbodies, including and assessment of impacts to all waterbodies associated with the discharge scenario to lakes D1 and D5, during the water license amendment process. Committed to comply with Condition 40 of NIRB Project Certificate No.008 and revise its Shipping Management Plan (Appendix B – Marine Mammal Management and Monitoring Plan) in consultation with DFO and communities, 90 days prior to commencement of shipping activities related to the Expansion Project.
HC	<ul style="list-style-type: none"> Currently conducts passive monitoring of NO₂, however does not agree that monitoring results be compared to Canadian Ambient Air Quality Standards (refers to related response to ECCC recommendation).
NRCan	<ul style="list-style-type: none"> Considers all outstanding issues with NRCan to be resolved.

During the Public Hearing technical sessions, Intervenor and the Proponent were given the opportunity to present to the Board on the status of Final Written Submissions and discuss their respective positions on outstanding issues. Several Intervenor provided revised recommendations regarding ecosystemic effects for the Board's consideration which are summarized in the following discussion.

During the Public Hearing the Proponent indicated agreement with recommendations from the Baker Lake Hunters and Trapper Organization and the Government of Nunavut (GN) regarding implementation of caribou mitigation measures. These measures include updating the triggers for caribou monitoring mitigation during sensitive seasons, construction of the haul road to facilitate caribou crossing, providing BLHTO funding for a second all-weather access road monitor, and postponing the planned haul truck convoy pilot program.

The Kivalliq Inuit Association provided recommendations for the Proponent to work with the Terrestrial Advisory Group (TAG) to improve monitoring of caribou and implementation of mitigation along the project roads, and to update the TEMP to integrate information on caribou crossings relative to traffic and road closures. The Proponent did not express specific agreement or disagreement with recommendations from the Kivalliq Inuit Association (KIA) regarding adaptive management along the haul road and monitoring of caribou, however the KIA noted it was their understanding that Agnico Eagle agreed with the terms and conditions as proposed.

²² NOTE: Further assessment deferred to Water Licence Amendment Process.

Agnico Eagle did agree to work with the KIA to improve monitoring along the haul road and suggested a haul road field visit with TAG members to finalize options for construction of the haul road. The KIA noted continued uncertainty of the impacts of the haul road on caribou as stated at the Public Hearing:

*...the evidence that would support how the Kivalliq Inuit Association would be assessing this project is – is developing quite rapidly. We have reviewed the additional information and commitments provided by Agnico Eagle and the Government of Nunavut about caribou crossing the roads. This additional information has been extremely helpful, but there are still some uncertainties about the impacts of the haul road on caribou.*²³

In its closing statement, the GN acknowledged the continued concerns regarding caribou:

*Many parties have expressed concerns that there is uncertainty regarding the haul road's and any road's potential impacts on migrating caribou, and we reiterate that we feel that there's a need for enhanced collar data, and we're going to be working hard to work with all parties to ensure that gets carried out in the coming years.*²⁴

Following the Proponent's presentation on the Marine Environment at the Public Hearing, Fisheries and Oceans Canada (DFO) questioned the Proponent on its intended community consultation with the communities of Chesterfield Inlet and Coral Harbour, and DFO's involvement. In response Agnico Eagle stated the following:

...DFO has not participated at this time in those meetings in Chesterfield Inlet. They typically occur just prior to the shipping season so we can advise the community of Chesterfield Inlet of our plan for the year, hire some local monitors as well. And we would be more than happy to invite the -- the Department of Fisheries and Oceans to -- to join us during that meeting.

During the Public Hearing, Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) noted its primary concern related to the Expansion Proposal as stated:

The concern relates to the contamination of waste rock cover with elevated acid rock drainage and metal leaching potential...the water quality predictions were limited to 30 years and did not extend far enough into the future to determine long-term water quality impacts...we are seeking assurances that efforts are made to reduce

²³ K. Poole, Kivalliq Inuit Association, NIRB Public Hearing File No. 16MN056 Transcript, August 27, 2019, p. 257, lines 13-22.

²⁴ S. Pinksen, Government of Nunavut, NIRB Public Hearing File No. 16MN056 Transcript, August 29, 2019, p. 784, lines 2-8.

*this uncertainty surrounding the waste rock storage facility design.*²⁵

CIRNAC recommended the Proponent provide in the Interim Closure and Reclamation Plan, an outline explaining the work done to minimize uncertainty regarding long-term, post-closure water quality impacts due to the waste rock storage facility. CIRNAC was also open to collaborate with Agnico Eagle and other parties to identify research opportunities that could reduce the uncertainty. Agnico Eagle did not specifically respond to CIRNAC's recommendation.

Environment and Climate Change Canada (ECCC) with the support of Health Canada, continues to recommend that the Expansion Proposal's predicted and monitored ambient pollutant concentrations be compared to the Canadian Ambient Air Quality Standards, which were introduced following approval of the Whale Tail Pit Project. In response, Agnico Eagle reiterated its stance that the Nunavut Ambient Air Quality Standard is the applicable standard.

ECCC also noted its concern regarding nitrogen dioxide pollution:

*The proposed expansion project will result in substantially increased diesel emissions, primarily due to increases in power generation or hauling activity and blasting, resulting in an 81 percent increase over the approved project's emissions.*²⁶

ECCC reiterated the departments concern with the effectiveness of the passive nitrogen dioxide sampling proposed by Agnico Eagle. ECCC recommended the Proponent implement continuous monitoring of NO₂ downwind of mining activities.

Agnico Eagle stated that while it can commit to updating the Air Quality and Dustfall Monitoring Plan to include adaptive management of NO₂ passive monitoring activities, it does not agree to employ continuous monitoring methods, but rather would add a duplicate reading at passive NO₂ monitoring stations. In response to a question from NIRB staff regarding feasibility for active NO₂ monitoring methods, Agnico Eagle stated the following:

*...there's a very low risk for the – for this component of the application. And dealing with the logistics aspect, if we did install them – which we're not saying we are – it would be challenging for power to – based on our assessment with our subject matter experts, with that type of sampler, it's a very expensive process, the applicability of it to the operation is – is not relevant, and the applicability of the – of the Canadian Ambient Air Quality Standard is not relevant for this type of project.*²⁷

²⁵ S. Dewar, Crown-Indigenous Relations and Northern Affairs Canada, NIRB Public Hearing File No. 16MN056 Transcript, August 27, 2019, pp. 314-315, lines 9-12, 1-4 and 9-11.

²⁶ M. Pinto, Environment and Climate Change Canada, NIRB Public Hearing File No. 16MN056 Transcript, August 27, 2019, p. 334, lines 16-20.

²⁷ J. Quesnel, Agnico Eagle Mines Limited, NIRB Public Hearing File No. 16MN056 Transcript, August 26, 2019, p. 91, lines 9-19.

ECCC concludes that the continuous NO₂ monitoring technology has been demonstrated to be feasible at numerous other remote sites in Nunavut, including research stations and mine sites. In addition, ECCC noted that terms and conditions requiring continuous NO₂ monitoring have been issued for both the TMAC Hope Bay and Baffinland Mary River mines. ECCC noted that the Proponent's proposed commitment to double NO₂ sampling frequency does not address the major issues with passive monitoring such as the inability to compare results to the one-hour standards and the potential problems with accuracy in cold climates.²⁸

3.1.2. Recommended Mitigation Measures in Respect of Ecosystemic Effects

Agnico Eagle would continue to adhere to the mitigation and monitoring plans in effect for the approved Whale Tail Pit Project, including updates specific to the Expansion Proposal (see Section 2.2.1 of this report). Agnico Eagle would adhere to commitments made throughout the assessment process, including at the Technical Meeting (June 11-13, 2019), in its responses to Intervenor's Final Written Submissions, and at the Public Hearing.

3.2. Summary of Submissions in Respect of Socio-Economic Effects

Table 8 provides a brief summary of the comments received from parties on Agnico Eagle's FEIS Addendum in respect of socio-economic effects; the full comment submissions can be accessed on line through NIRB's public registry at www.nirb.ca/project/125418.

Table 8: Summary of Comments Received from Parties in Final Written Submissions in Respect of Socio-Economic Effects

Party	Areas of Concern
BLHTO	<ul style="list-style-type: none"> ▪ BLHTO's lack of capacity to manage caribou hunting on the Meadowbank road
GN	<ul style="list-style-type: none"> ▪ Recommended that Agnico Eagle update the Whale Tail Haul Road Management Plan regarding communication activities, use, and protocols for road closures. ▪ Identified areas of concern in the socio-economic environment related to the health and well-being of Nunavummiut and provided recommendations to enhance socio-economic benefits and optimize efficient and effective use of resources: <ul style="list-style-type: none"> ○ Reducing barriers to employment, such as sexual harassment and intimidation in the workplace for female employment; ○ Increase local labour pools through development of a workforce transition plan between Whale Tail and Meliadine Projects and gender specific initiatives.
CIRNAC	<ul style="list-style-type: none"> ▪ Recommended terms and conditions to include the development of an Implementation Plan for Socio-economic Closure in collaboration with relevant stakeholders, as well as a project-specific Socio-Economic Closure Plan.

²⁸ M. Pinto, Environment and Climate Change Canada, NIRB Public Hearing File No. 16MN056 Transcript, August 29, 2019, p. 671-672, lines 7-13 and 13-20.

	<ul style="list-style-type: none"> ▪ Recommended the Proponent expand scope of Meliadine Community Involvement Plan to include Meadowbank and Whale Tail Projects, with updated plan to be provided as part of each Project's Annual Report.
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3.2.1. Proponent's Response to Parties' Final Written Submissions in Respect of Socio-Economic Effects

Following receipt of parties' final written submissions, Agnico Eagle provided its response to comments on August 9, 2019, summarized in [Table 9](#).

Table 9: Summary of Agnico Eagle Response to Final Written Submissions Respecting Socio-Economic Effects

Party	Agnico Eagle Response Summary
BLHTO	<ul style="list-style-type: none"> ▪ Agnico Eagle is committed to working with the BLHTO regarding its concerns about management of harvesting along the Haul Road and the BLHTO capacity to participate in project monitoring.
GN	<ul style="list-style-type: none"> ▪ Areas of socio-economic concern: <ul style="list-style-type: none"> ○ Agrees to update the Whale Tail Pit Haul Road Management Plan to include annual communication protocols and requirements for health and safety; ○ Has completed the Conceptual Socio-Economic Closure Plan to consider the Expansion Proposal and can include workforce transition planning; ○ Agrees to monitor the success of gender-specific initiatives and update the Socio-Economic Monitoring Program and/or the Socio-Economic Monitoring Report; ○ Agrees to work with the GN to update Discrimination and Harassment Policy and Civility, and Respect in the Workplace Guidelines; and ○ Does not agree with the recommendation to establish a review committee to review implementation of company policies and complaints deemed not to qualify as harassment.
CIRNAC	<ul style="list-style-type: none"> ▪ Agrees to develop an implementation plan for socio-economic closure planning; plan will guide detailed closure planning and built in collaboration with GN, KIA, and Government of Canada. Unanticipated premature mine closure will be established as a priority in the plan development. ▪ Agrees to expand scope of Meliadine Community Involvement Plan to include Meadowbank and Whale Tail Projects, with updated plan to be provided as part of each Project's Annual Report.

During the Public Hearing technical sessions, Intervenors and the Proponent were given the opportunity to present to the Board on the status of Final Written Submissions and discuss their respective positions on outstanding issues. Several Intervenors provided revised recommendations regarding socio-economic effects for the Board's consideration which are summarized in the following discussion.

The Government of Nunavut (GN) and Agnico Eagle reached agreement during the Public Hearing on proposed commitments regarding communication protocols for the haul road, and the

Proponent's Discrimination and Harassment Policy and Civility and Respect in the Workplace Guidelines. Agnico Eagle also agreed to include non-Inuit Kivallimmiut in the priority hiring sequence after Inuit hiring requirements.²⁹ In addition, agreement was reached on a proposed commitment to include a workforce transition plan between the Whale Tail Pit Project and other Agnico Eagle mines in the Kivalliq region. The Proponent also committed to monitor the success of gender-specific initiatives, to identify any implementation challenges.³⁰

The Kivalliq Inuit Association (KIA) expressed support for the GN concerns regarding the socio-economic impacts of the Expansion Proposal. The KIA also noted that it has an Inuit Impact and Benefit Agreement with the Proponent for the Whale Tail Pit Project and stated that:

*The proposed expansion has been found by the Nunavut Impact Review Board to include circumstances relating to the proposed project that are significantly different from those anticipated when the original project certificate was issued. Therefore, a material change will occur and a review of the Inuit Impact and Benefit Agreement, IIBA, will be triggered if the extension application is granted.*³¹

The Baker Lake Hunters and Trappers Organization (BLHTO) noted concerns regarding negative impacts to caribou as a result of the Meadowbank Mine operations and requested appropriate compensation for Baker Lake. The BLHTO questioned the KIA regarding the community involvement in the KIA's assessment of the Expansion Proposal:

*...we've been seeking support on the regional – at the regional level. As – as how you guys know, the Hunters and Trappers Organizations and the whole territories, staffing is a really big issue. So I wanted to raise that concern, that during the permitting stages of the expansion, I – I just wanted to say that the CLARC committee is more involved.*³²

The KIA responded that the Community Land and Resource Committee (CLARC) had been engaged as part of the project and would be further involved in the entire monitoring program including traditional knowledge and scientific knowledge committees. The KIA recommended the BLHTO contact the executive director of KIA regarding IIBA compensation, as the IIBA has yet to be reviewed for the Expansion Proposal.

During the Public Hearing CIRNAC proposed an amendment to Project Certificate 008 Term and Condition 51 related to employment and socio-economic closure planning as follows:

²⁹ Refer to Public Hearing Exhibit #77 - AEM GN Joint Submission

³⁰ Refer to Public Hearing Exhibit #78 – AEM GN Joint Submission

³¹ M. Manzo, Kivalliq Inuit Association, NIRB Public Hearing File No. 16MN056 Transcript, August 27, 2019, p. 264, lines 14-21.

³² R. Aksawnee, Baker Lake Hunter's and Trappers Organization, NIRB Public Hearing File No. 16MN056 Transcript, August 27, 2019, p. 266, lines 7-14.

*The proponent shall advance the recommendation of the conceptual socio-economic closure plan through the development of a final socio-economic closure plan that will be part of the Whale Tail Pit project final closure and reclamation plan.*³³

Agnico Eagle expressed agreement with this recommendation.³⁴

3.2.2. Recommended Mitigation Measures in Respect of Socio-Economic Effects

Agnico Eagle would continue to adhere to the mitigation and monitoring plans in effect for the approved Whale Tail Pit Project, including updates specific to the Expansion Proposal (see Section 2.3.1 of this report). Agnico Eagle would adhere to commitments made throughout the assessment process, including at the Technical Meeting (June 11-13, 2019), in its responses to Intervenor's Final Written Submissions, and at the Public Hearing.

3.3. Other Issues Considered by the Board

Table 10 below provides a brief summary of the comments received from parties on Agnico Eagle's FEIS Addendum in respect of other issues; the full comment submission can be accessed online through NIRB's public registry at www.nirb.ca/project/125418.

Table 10: Summary of Comments Received from Parties in Final Written Submissions in Respect to Other Issues Considered by the Board

Party	Areas of Concern
NTI & KIA	<ul style="list-style-type: none"> ▪ Alternatives Analysis: <ul style="list-style-type: none"> ○ Recommended the Proponent collect at least two (2) years of data both under ice and open water season at the proposed alternative discharge locations (Lakes D1 and D5). ▪ Cumulative Effects: <ul style="list-style-type: none"> ○ The Expansion Proposal will increase duration of effects to caribou; ○ Uncertainty in the cumulative effects assessment related to additional stress of climate change on caribou. ▪ AEM should propose how it could reduce uncertainties in cumulative effects assessment on caribou.
CIRNAC	<ul style="list-style-type: none"> ▪ Human Health and Ecological Risk Assessment (HHERA): <ul style="list-style-type: none"> ○ HHHERA summary provided in FEIS Addendum indicated that incremental chemical exposures attributable to the Expansion Proposal may result in elevated risks to humans and biota; ○ HHHERA full report (submitted in June, 2019) determined the Expansion would not result in incremental human or ecological risks;

³³ S. Dewar, Crown-Indigenous Relations and Northern Affairs Canada, NIRB Public Hearing File No. 16MN056 Transcript, August 29, 2019, p. 773, lines 3-8.

³⁴ J. Quesnel, Agnico Eagle Mines Limited, NIRB Public Hearing File No. 16MN056 Transcript, August 29, 2019, p.773, lines 13-14.

Party	Areas of Concern
	<ul style="list-style-type: none"> ○ CIRNAC agrees with Agnico Eagle's conclusion that the Expansion Proposal poses little risk of adverse effect on people and wildlife.
ECCC	<ul style="list-style-type: none"> ■ Alternatives Analysis: <ul style="list-style-type: none"> ○ Recommends the Proponent address the effects assessment gap (i.e. potential aquatic effects to Lake D1 and D5 and downstream were not evaluated) on the potential aquatic effects related to the alternative discharge locations. This would include providing a full evaluation of potential effects well in advance of deciding to use the alternative locations; and developing alternative effluent management plans in the event that predicted effects are not acceptable.
HC	<ul style="list-style-type: none"> ■ Human Health and Ecological Risk Assessment (HHERA): <ul style="list-style-type: none"> ○ Recommended the Proponent consider the potential contamination of air and surface water by fuel-like substances (Polycyclic Aromatic Hydrocarbons and Petroleum Hydrocarbons) or provide justification for exclusion; ○ Recommended the Proponent monitor iron for the possible effects on human health from inhalation; ○ Monitor inorganic arsenic in fish and environment for potential contamination of traditional foods.

3.3.1. Proponent's Response to Parties' Final Written Submissions in Respect of Other Issues

Following receipt of parties' final written submissions, Agnico Eagle provided its response to comments on August 9, 2019, summarized in [Table 11](#).

Table 11: Summary of Agnico Eagle Response to Final Written Submissions Respecting Other Issues

Party	Areas of Concern
NTI & KIA	<ul style="list-style-type: none"> ■ Alternatives Analysis: <ul style="list-style-type: none"> ○ Committed to collect additional baseline data for lakes D1 and D5, and water quality samples from stream sites in project area; results to be provided October 1, 2019. ■ Cumulative Effects: <ul style="list-style-type: none"> ○ Described cumulative effects assessment, and limitation of assessment, which included additional zone of influence encounter and residency time analysis and cumulative effects considerations, conducted for direct disturbances to caribou and wildlife habitat.
CIRNAC	<ul style="list-style-type: none"> ■ Human Health and Ecological Risk Assessment (HHERA):

Party	Areas of Concern
	<ul style="list-style-type: none"> ○ The full HHERA report, which used more realistic but still conservative assumptions, determined that the Expansion Project would not result in incremental human or ecological risks; ○ Agnico Eagle agrees the issue is resolved.
ECCC	<ul style="list-style-type: none"> ▪ Alternatives Analysis: <ul style="list-style-type: none"> ○ Agrees to provide evaluation of aquatic effects to proposed alternative discharge locations well in advance of deciding use.
HC	<ul style="list-style-type: none"> ▪ Human Health and Ecological Risk Assessment (HHERA): <ul style="list-style-type: none"> ○ Maintains that no monitoring of Polycyclic Aromatic Hydrocarbons and Petroleum Hydrocarbons is warranted, as they were not identified as contaminants of concern for air or water; ○ Considers monitoring of iron not required due to no complete exposure pathway identified, and is already considered in the ongoing monitoring of particulate matter; ○ Agnico Eagle detailed proposed monitoring programs for the Expansion Proposal for arsenic in surface water and fish.

During the Public Hearing, Health Canada (HC) affirmed that it was satisfied with responses from the Proponent regarding risk of Polycyclic Aromatic Hydrocarbons, Petroleum Hydrocarbons and iron to human health. Following receipt of additional information from the Proponent, HC concluded its recommendations for these components no longer apply. HC noted its continued recommendation for monitoring of arsenic in the environment and inorganic arsenic in fish in areas that would be potentially impacted by the Expansion Proposal.:

...there is uncertainty about the potential for increased risk to human health from arsenic in areas impacted by the project...the project may be a possible source of inorganic arsenic, which is the toxic form of arsenic and has the potential to increase levels in the environment and in fish.³⁵

In response to Health Canada, the Proponent noted that monitoring of fish tissue for inorganic arsenic was occurring for the Whale Tail Pit Project as part of the Aquatic Effects Monitoring Program and would continue to be implemented for the Expansion Proposal. HC agreed that this was sufficient to confirm the predictions in the HHERA of no risk with consumption of fish at the project site.

3.3.2. Recommended Mitigation Measures in Respect to Other Issues Considered by the Board

Agnico Eagle would continue to adhere to the mitigation and monitoring plans in effect for the approved Whale Tail Pit Project, including updates specific to the Expansion Proposal (see Section

³⁵ P. Partridge, Health Canada, NIRB Public Hearing File No. 16MN056 Transcript, August 27, 2019, p. 367, lines 11-13 and 18-21.

[2.4.1](#) of this report). Agnico Eagle would adhere to commitments made throughout the assessment process, including at the Technical Meeting (June 11-13, 2019), in its responses to Intervenors' Final Written Submissions, and at the Public Hearing.

4. CONSULTATION OPPORTUNITIES

4.1. Public Consultation

As set out in s. 112(4) of the *NuPPAA*, the Board has the discretion to develop the appropriate process and procedure when conducting a reconsideration of Project Certificate terms and conditions. The Board's process for conducting the assessment included soliciting and receiving written comments from interested members of the public, in addition to hosting a Community Information Session on February 11 to 18, 2019 in the communities of Arviat, Baker Lake, Chesterfield Inlet, Coral Harbour, Naujaat, Rankin Inlet and Whale Cove. In addition, an in-person Public Hearing was held over four (4) days (August 26 to 29, 2019) in Baker Lake which included a technical session and a focused Community Roundtable session with representation from community members from Arviat, Baker Lake, Chesterfield Inlet, Coral Harbour, Naujaat, Rankin Inlet and Whale Cove.

[Table 12](#) provides a summary of some of the key issues raised by members of the public and Community Representatives during the course of the Public Hearing. Anyone wishing to review the comments in full is invited to consult the Public Hearing Transcript.³⁶

Table 12: Summary of Key Issues Raised by Members of the Public and Community Representatives

Subject	Issues/Concerns/Comments
ECOSYSTEMIC EFFECTS	
Air Emissions	Is Agnico Eagle monitoring the nitrogen dioxide that is coming out of the stacks/operations?
	Don't wish to see nitrogen dioxide impacting the health of wildlife...if it impacts the wildlife, it will impact people as well.
	Soot and nitrogen dioxide is released and moves on the wind and lands on the vegetation that the wildlife eat. Has this ever been studied?
Air Traffic	What are the helicopters used for on-site?
	What is the schedule for jet traffic at the site?
	What time range is there for the use of helicopters?
	How many metres above wildlife are you permitted fly? Have you contemplated having an independent monitor to ensure that these setbacks are actually being maintained?
	With respect to air traffic such as jets, drones, helicopters—all of these types of disturbance appear to play a role in caribou behaviour and seem to have affected their migration routes. So, are there scientific studies that assess the effects on caribou of various transportation methods, air, truck and traffic, mine shipping (including disturbance from dust and noise)

³⁶ See for example the comments provided during the Community Roundtable evening session, NIRB Public Hearing File No. 16MN056 Transcript, August 28, 2019, pp. 633-641.

Subject	Issues/Concerns/Comments
Caribou	Agnico Eagle has talked about caribou crossings and the migration of caribou across the road, I disagree with this approach because I grew up around wildlife—the caribou migration when they reach the haul road—you probably know that they are coming towards the mine site—the animals can hear you from very far away they know where they are headed but I don't know how high the road will be...when the caribou reach that area they know what is surrounding them –do you have flags around the road? The caribou know and they hear the vehicles moving and the movement from the flags will stop them from going forward, they will stop and not go forward. I grew up on the mainland and I have seen this wildlife behaviour myself. They generally have not been obstructed in their migration paths before and so they may be very sensitive to new barriers. The animals know where they are going to, but the flags can deter them.
	We depend on caribou, fish and marine mammals long before white people were in this area. We intend to continue eating all our country foods as our primary diet, the quality of country food must be preserved.
	We do not like it when our wildlife is collared for research purposes. This is definitely not something our ancestors would have done; we would not treat our caribou that way. Even If caribou are not collared, they are seen running away from the area when there is collaring going on, and are very stressed by the chase of animals during the collaring program.
	Our elders can tell which of the caribou herds the caribou come from when they see the individuals. We know the differences amongst the herds (such as how big or small the caribou are). We are told by our elders and we respect our elders.
	Our wildlife is changing, are they getting used to this noise and disturbance, I wonder. For example, ground squirrels were taking insulation from people's homes and using it to line their nests...they have changed their behaviour to reflect the presence of people, are caribou doing the same.
	Are there parts of the road where it will be lowered to allow for caribou to cross in certain areas, and if Agnico Eagle will be doing this, where has Agnico included these kinds of crossings? Has Agnico Eagle consulted with the Hunters and Trappers Organizations to identify the areas for crossings and to assess whether the crossings are effective?
	Since the mine has been operating, we don't see many caribou come into our community (Naujaat) anymore and it appears that these reductions are associated with the mine starting up.
	Does Agnico Eagle ever prevent caribou from crossing the road? Baker Lake appears to have much less caribou right near town than used to be the case.
	When I was young and I watched the caribou migration I never saw the caribou go back from where they came, so the caribou are changing their behaviour.
	What would cause the caribou to turn away from the road when they are migrating?
Chemicals	Would like to ensure that there are no impacts from the project on caribou calving grounds and migration routes.
	What kind of chemicals does Agnico Eagle use at the mine sites?
	If these chemicals enter the systems of mammals or water bodies (water table, streams, overflow from runoff) what is the plan, and who is in charge of responding?
Country food	We live on country food and we are unhealthy when we are unable to eat country food and have to rely on other sources of food.
	There is a scarcity of country food that we have not experienced before in this area.

Subject	Issues/Concerns/Comments
Dust /Dust Suppressants	The vehicles that drive up the mine road, they leave a big trail of dust and that dust either blows to the east or the west from up the road. Why is no dust suppressant being used on the road? Is it because the dust suppressant is not good for the environment, animals, or marine animals, or is there a regulation why dust suppressant can't be used on the mine road?
Dust Suppressants	Ever since Agnico Eagle has been working here, I believe they have been using tetra flake on the roads...are the ground squirrels being impacted—it seems the population of ground squirrels is becoming bigger.
Fish and Fish Habitat	Do not want to see arsenic in flesh of fish that we live off. When you return the fish back into the lakes will the water be safe for them and will the fish be healthy and safe for us to eat? Do you have a screen/cage over the water intake and outflow structures so that you prevent harm to fish? In Arviat we are planning to open up a potential commercial fishery, so we expect that you will not have impacts.
Future Land Use	Would future use of the lands be limited due to the mine, especially if people decide they wish to return to living on the land?
Haul Road	How many kilometres will the haul road be when Agnico Eagle has finished it? What is the purpose of widening the haul road, and will there be greater effects associated with a wider road? If there are, how will Agnico Eagle minimize the potential for effects on caribou migration and other wildlife as a result of the expansion of the haul road? Will there be a thoroughfare made so that the community can access the caribou that may be deflected from coming closer to the community because of the haul road?
Haul Road, Caribou Crossings	Are there any ways to slope the roads better so that caribou can easily cross the road and so the road does not create a barrier for the caribou during their migrations. How many caribou crossings are there built along the road?
Marine Mammals	There have been significant reductions to the populations of marine mammals near Coats Island and Southampton Island due to increases in vessel traffic in the area. We would appreciate you avoiding these areas as much as possible. I have noticed that seals are not coming near to our area in (Arviat and Baker Lake); is this related to increased shipping to the mine?
Marine Mammal Monitoring	Who are the marine mammal monitors, where are they hired from and what does the monitoring involve? Does the monitoring result in individual marine mammals being killed and samples being taken?
Milling Process	What chemicals (e.g. arsenic, cyanide, etc.) do you add to the gold ore to process it in the mill?
Noise and Vibration	Can the noise and vibration generated at the plant-site affect wildlife, fish and birds in the area, and if so, what are the effects?
Reclamation	How will the lakes, ponds, rivers and creeks be reclaimed when mining is done? What will happen to the road when the mine closes, is Agnico Eagle going to reclaim the roads that Agnico Eagle built? How long do the chemicals associated with the mine development (e.g. arsenic and cyanide) take to breakdown, if at all? Who monitors the old mine once Agnico Eagle has left the site? Who is responsible for the breakdown of mine structures, and also reclaiming associated infrastructure such as liners and pits, and chemical storage areas?

Subject	Issues/Concerns/Comments
Reclamation (continued)	How many years after the mine closes is Agnico Eagle in charge of the mine closure plan?
	How many closed mine sites does AEM have and who is in charge of those mines and for how long?
	What contingencies are in place to prevent worst-case scenarios during closure (e.g. catastrophic failure, over flow, etc.)?
	What happens to the mining machinery once the mines close? Is Agnico Eagle responsible for cleaning up/removing equipment that was abandoned on-site?
Vegetation	Could vegetation be impacted by the emissions (such as nitrogen dioxide, PHCs and PAHs) from the mine, and if so, could that affect wildlife that eat the vegetation?
Shipping	We have observed that the channel used for project shipping through Chesterfield Inlet is seeing a lot of traffic, but we are also seeing the shipping channel is getting shallower over time.
	Concern about the safety of shipping in the area, as winds make it difficult to transit the area.
	How is Agnico Eagle monitoring the potential for effects when you are transferring fuel from the ship to the barge?
	What is the liquid being discharged from the ships when they make it into Baker Lake, and are they allowed to discharge it into Baker Lake?
	Is it possible to ship ore and materials via the Churchill Railway instead of via marine shipping?
Tailings	Is the tailings pond lined with an impermeable liner to prevent the release of tailings (including chemicals in the tailings) into the water?
	What measures are taken to prevent the caribou from entering tailings ponds? For example, does Agnico Eagle use fencing to prevent access, why or why not?
	If caribou/wildlife are around the tailings facility, and possibly drinking water from the tailings facility, would that be dangerous?
	Are the tailings toxic, and is there a impermeable liner under the pond to prevent toxins leaching into the environment?
	The tailings seem piled pretty high; has Agnico Eagle accounted for the potential for thawing because the tailings are so close to the surface?
	Has Agnico Eagle considered using the mined out pits as tailings ponds?
Tank Farm	The foundations for the additional fuel tanks have been put in, but there seems to be mud developing around the tank footings and we would like to see this cleaned up.
Terrestrial Mammals	Has small mammal behaviour changed as a result of the project?
	The road does not only deflect caribou but potentially all terrestrial mammals passing through the area; bears, wolverines, wolves, foxes, musk ox.
	During project shipping does Agnico Eagle also monitor not just marine mammals but effects and sightings of terrestrial mammals when on Helicopter Island?
Waste	Is Agnico Eagle responsible for cleaning up/removing equipment that was abandoned on-site?
Water Quality	Could there be impacts from the project on the potable water in the area?
	Great care must be taken to prevent impacts to the water in the area; for wildlife and people to live healthy lives we need that.
Water Treatment	Once Agnico Eagle has treated water and discharges that water into water bodies where there are fish, do you make sure that the water is safe for fish and has no impacts to fish or to people who eat fish?

Subject	Issues/Concerns/Comments
SOCIO-ECONOMIC EFFECTS	
Benefits, Royalties and Taxation	As Baker Lake is the most directly affected community, how can the community of Baker Lake obtain benefits from these projects? Will Agnico Eagle ask the community of Baker Lake what legacy project(s) they wish to see in the community?
Best Practices	Has Agnico Eagle engaged in sharing best practices for employment or other impact mitigation with the other active mines in Nunavut?
Communication	It is sometimes very difficult to get complex information from Agnico Eagle regarding what is happening at the mine site and what they are planning to do. I remind Agnico Eagle that many of us do not have access to computers and so we would like to have more one-on-one communication directly with the company.
	Can Agnico Eagle consider giving CB radios to hunters using the mine road, to help with safety and communication?
Community Infrastructure and Public Services	How is Baker Lake going to directly benefit from the Project i.e. what legacy infrastructure will be left behind by Agnico Eagle?
	Although there may be Inuit Impact Benefit Agreements associated with the Project, in Baker Lake, community infrastructure is sorely needed more generally and should be considered as part of the legacy of these developments.
	Benefits should come from Government, not from Agnico Eagle, that is who should be ensuring that Inuit receive benefits from development.
	Agnico Eagle should consider providing the municipality of Baker Lake with infrastructure such as an utilidor water system.
Culture, Resources and Land Use	There might be some grave sites, tent sites, camp sites, and other cultural sites in the project areas. Has Agnico Eagle looked into whether there are significant cultural sites there, along the road and the expanded mine site?
	Does Agnico Eagle have to do assessments regarding whether there are any sites that could be destroyed/affected by expansion of the road and the pits at the Whale Tail mine?
	Was Agnico Eagle aware that there was a gravesite near the airstrip before they started construction?
	There are tent rings near to the haul road route, should they be preserved before Agnico Eagle's activities impact those sites? We want the artifacts from those site protected.
	Does Agnico Eagle have to protect the artifacts, or can you just take the ones you find on the surface of the ground?
Economic Development & Self Reliance	How many years will Agnico Eagle be working at the Whale Tail Pit area—and providing economic opportunities to the community?
	There are about 150 people who are working for the mine because we have the <i>Nunavut Agreement</i> , why did we make this agreement if we are not going to participate in development? Our communities do not want to go back to income support for our futures.
Education and Training	Inuit learn on the job and we appreciate that Agnico Eagle is designing on-the-job training to allow for that kind of thing.
Employment Opportunities	The communities need to be prepared so that they can respond to the situation when the mine closes and employment opportunities end.
	How many total employees (Inuit and Non-Inuit) will be employed if the Expansion Proposal should proceed?

Subject	Issues/Concerns/Comments
Employment Opportunities (continued)	We have heard that sometimes Inuit have been removed from their jobs without investigation into complaints—all it takes it is an individual's complaint against them and there seems to be no opportunity for Inuit to present their view of the story.
	When people apply to work at the mine and they are filling out their job application; if they have no experience do they always start as janitors?
	Would like to see more job opportunities at the mine available to people in our home community (Arviat).
	For people from Coral or Naujaat we are often home for only 8 days rather than 14 days (due to travel delays both leaving and flying into the mine site). This seems very unfair to workers from our communities
Human Health and Well-Being	If people are in a weakened health condition already does Agnico Eagle's human health risk assessment and Health Canada's thresholds take that into account to make sure risks to all people (not just healthy people) are identified?
	Were the health risks assessed in a way that takes into account the potential effects that might result from people eating caribou and fish in the areas near to the mine site.
Inuit Qaujimajatuqangit	Inuit knowledge needs to be respected and included in Agnico Eagle's assessment of the project. Inuit are getting weary of consultation and providing knowledge that does not change anything.
	Inuit are well familiar with the rules of how to ensure that our wildlife is not disturbed. These rules should be understood and adopted by Agnico Eagle and also researchers monitoring wildlife for project effects.
	Caribou know exactly where they are going when they are migrating and follow the sun in the spring and with the sun on their backs when they return in the Fall. We know from our fathers not to hunt the lead members of the herd. The caribou appear to be getting tamer and more used to the road when they are approaching, but they continue to be very disturbed by air traffic.
	Is the sharing of traditional knowledge ongoing with the local organizations or Elders in the communities? How many times a year does Agnico Eagle meet with community members in case the committees want to see changes made to the project, management or monitoring plans?
Inuit Harvesting	When there are road closures this affects the right of Inuit to go hunting, which was negotiated under the <i>Nunavut Agreement</i> . It seems this is back sliding and that this Article (Article 5) of the land claim is broken. This happened when there were fishing opportunities in the spring but both roads were closed and access to traditional harvesting areas was very restricted.
	Wants Agnico Eagle to consider allowing hunters to use the mine roads, including the haul roads even during road closures. As caribou are no longer coming close to the community of Baker Lake, we may need to access the roads for harvesting.
Inuit Place Names	Why is Agnico Eagle not using traditional place names, but rather using names the company has given to site features and adjacent areas. This disassociates Inuit from the land when names used mean nothing to local people.
	Place names like "IVR" have no meaning to us and it is difficult to understand what Agnico Eagle is talking about when such terms are used.
Leadership and Governance	Could Agnico Eagle work with other mining companies in Nunavut, such as Baffinland, to see what works and make long-term improvements?
Place Names	Where did the names IVR, A53 Lake and Mammoth Lake come from?

Subject	Issues/Concerns/Comments
Traditional Land Use	Before the roads for the mines were put in, we were able to hunt, and travel unrestricted, and our family members used to show us the right way to hunt. We sometimes faced hard times and starvation. I fear today that the land will never be the same once this development has been finished. The road is going through the lands of my ancestors and affects how we can go fishing and hunting. We need to know we can rely on caribou and fish, but since the mine has started, we no longer see caribou in the areas we used to see them...I don't know anymore where the caribou will be because they have changed where they go. We used to be able to be cache caribou in the fall in that area, but we can't do that anymore.
	Would Agnico Eagle consider creating ATV trails to bypass the mine site at the direction of the Hunters and Trappers Organization?
OTHER ISSUES RAISED	
Accidents and Malfunctions	Baker Lake and Chesterfield Inlet would be very much affected if there is a spill when ships are transiting the channel. Shippers must be required to be careful and respond to spills to prevent this type of harm.
	It would be better if the haul trucks can stop when a Honda is passing to avoid accidents.
	Would like to see the community (Chesterfield Inlet) involved or trained in spill emergency response in the event of a spill.
	Emergency spill kits should be available in Chesterfield and other communities along the shipping route in case of a spill.
	Would like to see haul trucks stop when ATV's are crossing or passing to avoid the potential for accidents on the road.
Cumulative Effects	What measures does Agnico Eagle have in place to minimize cumulative effects on mammals, fish, water and air from increased disturbance in noise, air traffic, trucks, ships, dust and chemicals?
Monitoring	Will Agnico Eagle work closely with the Hunters and Trappers Organization and local hunters to monitor the roads?

5. SUMMARY OF CONCLUSIONS AND RECOMMENDATIONS OF THE BOARD

5.1. Ecosystemic Effects

5.1.1. Views of the Board

Air Quality

The Board acknowledges the many concerns shared by Intervenor and community members during the Public Hearing related to the potential effects of the project on air quality. It was noted that the Expansion Proposal had the potential to result in significant increases to air emissions which could negatively impact wildlife as well as human health for site workers and traditional land users. Specifically, the discussion centred around the effectiveness of monitoring methods for nitrogen dioxide (NO₂) and the applicability of the Canadian Ambient Air Quality Standards (CAAQS). As stated by Environment and Climate Change Canada (ECCC) during the Public Hearing, the CAAQS are “...based on the most recent scientific information on the effects of nitrogen dioxide on human health and the environment.”³⁷ ECCC goes on to note that “[t]he department relies on the comparison with the Canadian Ambient Air Quality Standards in determining the nature and severity of the project’s impact on air quality levels...”³⁸ It was noted throughout the assessment that the current method used by the Proponent of passive monitoring for NO₂ does not allow for comparison of results with the CAAQS, which were introduced in 2017. As noted in Section 3.1.1 of this report, ECCC with the support of Health Canada (HC), recommends continuous monitoring of NO₂ downwind of mining activities.

The Board also heard concerns from ECCC and HC regarding the effectiveness of the passive NO₂ monitoring currently employed by Agnico Eagle. The Board notes the considerable uncertainty in the ability of passive NO₂ samplers to accurately predict potential impacts of the project on air quality, including their inability to record short-term peaks in NO₂ levels, and potential limitations in accuracy in cold climates. The Proponent disputed the relevancy of the CAAQS to the current project and the need for continuous NO₂ monitoring, citing that little to no risk exists to human health because land users do not interact significantly with the project boundary. In contrast, community members at the Public Hearing noted concern of potential harm to human health or wildlife related to continued use of the area surrounding the project for traditional land use and harvesting:

...the company was saying there’s very little risk to human health and to wildlife. I was not totally in agreement with all what was said, especially in regards to wildlife. And we don’t wish to see

³⁷ M. Pinto, Environment and Climate Change Canada, NIRB Public Hearing File No. 16MN056 Transcript, August 27, 2019, p. 333, lines 21-23.

³⁸ M. Pinto, Environment and Climate Change Canada, NIRB Public Hearing File No. 16MN056 Transcript, August 27, 2019, pp. 333-334, lines 25-26 and 1-2.

*nitrogen dioxide being consumed by wildlife, and if there's any other things that impact them, it's going to impact us as well.*³⁹

The Proponent further noted the logistical challenges of implementing the continuous method such as significant power requirements and associated costs. However, this technology has been demonstrated to be feasible at other remote sites in Nunavut (such as remote research stations, and the Hope Bay and Mary River mine sites), as evidenced during the Public Hearing.

Recognizing the views of all parties and the evidence presented throughout the assessment, the Board considers that the monitoring program should continue to evolve and improve based on the most recent scientific data and industry best practices, including the implementation of continuous nitrogen dioxide monitoring to accurately assess the Expansion Proposal's impacts on air quality.

Terrestrial Wildlife

The Board acknowledges that throughout the assessment of the Expansion Proposal, concerns and uncertainties regarding potential impacts to terrestrial wildlife – in particular, caribou – were shared by many Intervenor and community members. Specifically, many concerns related to the potential effects of the Whale Tail haul road on the movement of caribou, and the effectiveness of current and proposed mitigation, monitoring and adaptive management strategies.

During the Public Hearing, the Board asked questions regarding the role of decision makers and criteria around implementation of road closures for caribou and associated use of traffic convoys during these closures. The Proponent responded that on site it is the Agnico Eagle environmental team as well as the Hunters and Trappers Organization's wildlife monitor that make the decisions for road closures.⁴⁰ The Proponent explained that a convoy during a haul road closure could consist of between three to nine vehicles deemed to be 'essential traffic', moving at reduced speeds and stopping if caribou are close to or on the road. When asked about what constituted essential traffic during a road closure, Agnico Eagle replied that "[...]essential vehicles includes vehicles operated for the purpose of maintaining the safety of personnel, emergency response team, security, and wildlife monitoring."⁴¹ Agnico Eagle further noted that convoy traffic could comprise "...employees in a bus, some food, some essential parts, emulsion and other items like that."⁴²

The Board further requested information on where and how far apart the planned caribou crossings (or lowered areas) would be located along the haul road.⁴³ Agnico Eagle stated that as a result of the current assessment process it had completed an analysis of available Inuit Qaujimagatugangit and scientific data (i.e. trails, observations, and collar maps) to identify which sections of the haul

³⁹ L. Nakoolak, Coral Harbour, NIRB Public Hearing File No. 16MN056 Transcript, August 28, 2019, pp. 548-549, lines 25-26 and 1-6.

⁴⁰ M. Turmel, Agnico Eagle Mines Limited, NIRB Public Hearing File No. 16MN056 Transcript, August 26, 2019, p. 157, lines 13-18.

⁴¹ M. Turmel, Agnico Eagle Mines Limited, NIRB Public Hearing File No. 16MN056 Transcript, August 26, 2019, p. 151, lines 13-16.

⁴² J. Quesnel, Agnico Eagle Mines Limited, NIRB Public Hearing File No. 16MN056 Transcript, August 27, 2019, p. 302, lines 3-5.

⁴³ U. Puqignak, NIRB Board Member, NIRB Public Hearing File No. 16MN056 Transcript, August 26, 2019, p. 157-158, lines 22-26 and 1-4.

road are most likely to be used by migrating caribou and therefore should be sloped appropriately for caribou to cross.⁴⁴

Throughout the public hearing the Proponent, the KIA and the BLHTO had a number of exchanges on the adequacy of current monitoring methods to detect caribou and trigger appropriate escalation of mitigation measures to manage project-caribou interactions. The GN also sought clarity on this issue:

*So certainly road closures is a key feature of your caribou protection measures, as noted in your presentation. On reviewing the – the 2018 annual report, there were a number of dates and periods in 2018 when caribou groups above -- above the group size thresholds were within 1.5 kilometres of the haul road, but the road was not closed. So I guess we're wondering why -- why the triggers -- or the thresholds didn't trigger that closure, and how you ensure that similar gaps don't occur in future?*⁴⁵

Overall discussions acknowledged that monitoring was generally occurring around the site, parties were working together to consider and address potential impacts to caribou through the Terrestrial Advisory Group, and data was being shared between parties. However, as noted in the question from the GN highlighted above, parties continued to share concerns that while the key triggers for escalating monitoring and implementing mitigation were considered adequate during the assessment and approval of the Whale Tail Pit Project, they had not since been functioning as envisioned.

*I want to see additional funding or more involvement with collared data. With our HTO monitor, we were lucky that he was at -- up at the mine site to tell us that there was a group of about 300 caribou right by the mine site, right by the road, and nothing -- the traffic was still going. But after about a day later, that's when the road did get closed down. So -- and that's what I just wanted to refer to.*⁴⁶

The Board heard concerns during the Community Roundtable regarding the caribou collaring program and potential negative effects on caribou health. A Board member questioned the Government of Nunavut (GN) regarding whether it had a policy in place to limit the amount of collaring undertaken each year.⁴⁷ In response the GN clarified that the number of collars used are project-specific and determined based on the number necessary for decision-making, while also incorporating feedback from the Hunters and Trappers Organizations.

⁴⁴ M. Turmel, Agnico Eagle Mines Limited, NIRB Public Hearing File No. 16MN056 Transcript, August 26, 2019, p. 158, lines 6-18.

⁴⁵ S. Pinksen, Government of Nunavut, NIRB Public Hearing File No. 16MN056 Transcript, August 26, 2019, p. 143, ln 14-24.

⁴⁶ R. Awksawnee, Baker Lake Hunters and Trappers Organization, NIRB Public Hearing File No. 16MN056 Transcript, August 26, 2019, pp. 135-136.

⁴⁷ U. Puqignak, NIRB Board Member, NIRB Public Hearing File No. 16MN056 Transcript, August 28, 2019, p. 462, lines 25-26.

Parties discussed the benefits that could potentially be realized through use of various types of technology to allow for more effective monitoring, specifically the use of drones and increased satellite collaring of caribou. It was further observed that benefits could be achieved through continued data collection on herd movements including analysis of observed behaviour influenced by season and lifecycle stage, and through consideration of community knowledge when interpreting the collected data.

Following the presentation from the GN at the Public Hearing, Board Members inquired about Agnico Eagle's proposed use of drones and satellite imagery as part of a pilot program to support the caribou collaring workplan requested by the GN: *"Have you tried using this new type of technology to know where wildlife are? And do they -- do -- do they disturb the wildlife?"*⁴⁸ The Board further questioned the GN on whether they had *"...ever used a satellite to see -- to see where all the caribous are moving and where they are going? Have you -- have you ever had this kind of technology?"*⁴⁹

The GN responded that while very limited work has been done to test the use of drones or satellite imagery for wildlife research in Nunavut, it would support Agnico Eagle's proposed program to see if it produces good results and if any wildlife disturbance is caused.

The Board questioned the GN further regarding whether it was satisfied that the Proponent fully considered all available research studies and other relevant information in its assessment of the potential impacts to caribou. In response, the GN stated it believed that Agnico Eagle did review and use all the best available information for the project, with the exception of the caribou movement animation analysis that was completed by the GN.

Additionally, the Board had questions regarding the role of the Baker Lake Hunters and Trappers Organization (BLHTO). The Board asked if the BLHTO could use AWAR gatehouse data to determine when hunting from the road occurred and see if there is a correlation to caribou movement.⁵⁰ The BLHTO responded that Agnico Eagle may have that gatehouse information, and although BLHTO used to track that information when Meadowbank Mine operations began, it no longer has the resources to monitor how many hunters are on the road in a given year. The BLHTO acknowledged that hunting and predation continue to play a role on impacts to caribou.⁵¹

During the Public Hearing Board Members shared their own Traditional Knowledge regarding caribou, noting that groups of caribou usually have one leader they will follow and also that their acute sense of smell may cause them to sense the road from up to ten miles away, and lead them to gather away from the road. The Board questioned the GN regarding whether it had considered the knowledge of hunters, harvesters and especially Elders in its analysis of caribou migration and

⁴⁸ G. Alikut, NIRB Board Member, NIRB Public Hearing File No. 16MN056 Transcript, August 28, 2019, p. 457, lines 7-9.

⁴⁹ U. Puqignak, NIRB Board Member, NIRB Public Hearing File No. 16MN056 Transcript, August 28, 2019, p. 457, lines 7-9.

⁵⁰ K Kaluraq, NIRB Board Acting Chairperson, NIRB Public Hearing File No. 16MN056 Transcript, August 28, 2019, p. 602, lines 12-17.

⁵¹ R. Aksawnee, Baker Lake Hunters and Trappers Organization, NIRB Public Hearing File No. 16MN056 Transcript, August 28, 2019, pp. 603-604, lines 17-26 and 1-14.

movement patterns.⁵² In response the GN noted that the caribou movement analysis it had undertaken was still considered to be preliminary, and it planned to continue discussion with the BLHTO, the KIA and Agnico Eagle through the Terrestrial Advisory Group to further develop the analysis.⁵³

The Board further questioned the effectiveness of caribou protection measures: “*A question for GN. Are there caribou protection measures, commitments made by Agnico Eagle Mines that you believe could be better or more fully implemented?*”⁵⁴ The GN noted that, as agreed upon by Agnico Eagle, the proposed recommendations regarding updates to the triggers in the Terrestrial Ecosystem Management Plan for caribou mitigation measures during sensitive seasons and constructing the haul road to facilitate caribou crossings would contribute to improving mitigation.⁵⁵

5.1.2. Conclusions and Recommendations of the Board

In considering the views of the Proponent and those of parties throughout the assessment of the Expansion Proposal and as outlined above, the Board believes the potential impacts of the project on the ecosystemic environment can be appropriately managed through the commitments provided by the Proponent and the application of key mitigation and monitoring measures.

With respect to the atmospheric environment, the Board expects Agnico Eagle to meet the existing and ongoing commitments provided by the Proponent related to nitrogen dioxide monitoring and adaptive management. To ensure that monitoring methods accurately capture potential increases to air emissions that could have effects on workers, wildlife or the terrestrial environment, the Board recommends a revision to the terms and conditions requiring the following (see Section [8.2](#) for the complete wording of the recommended terms and conditions):

- Continuous nitrogen dioxide monitoring for the purposes of comparing the results to the FEIS Addendum predictions and relevant standards.

As commented on by Intervenor, the Board agrees that for the Expansion Proposal the relevant standards for air quality include the Canadian Ambient Air Quality Standards. Additionally, and in fulfillment of the revised term and condition, the Board expects the Proponent will update the associated monitoring plan to include an adaptive management strategy that identifies air contaminant thresholds for triggering of appropriate mitigation measures.

With respect to the terrestrial environment, comments shared by parties throughout the Public Hearing and numerous references to discussions held through the Terrestrial Advisory Group (TAG) for the approved project demonstrate to the Board that parties are committed to continued

⁵² G. Alikut, NIRB Board Member, NIRB Public Hearing File No. 16MN056 Transcript, August 28, 2019, p. 605, lines 5-12.

⁵³ S. Pinksen, Government of Nunavut, NIRB Public Hearing File No. 16MN056 Transcript, August 28, 2019, pp. 605-606, lines 16-26 and 1-12.

⁵⁴ C. Emrick, NIRB Board Member, NIRB Public Hearing File No. 16MN056 Transcript, August 28, 2019, p. 608, lines 3-6.

⁵⁵ S. Pinksen, Government of Nunavut, NIRB Public Hearing File No. 16MN056 Transcript, August 28, 2019, p. 608, lines 10-21.

collaboration on project-specific monitoring and management of potential impacts to terrestrial wildlife. It was also apparent however, that the methods previously considered appropriate for triggering mitigation as well as updates to wildlife data sharing agreements have not been successfully implemented to date; this has led the TAG to consider updated triggers for initiating mitigation measures. The Board acknowledges the commitment parties have shown in working together to manage project impacts, and the Board has carefully considered the recommendations provided while bearing in mind the need for the TAG to have sufficient flexibility in determining thresholds and how to effectively implement mitigation and monitoring moving forward.

The Board is recommending the following revised and additional terms and conditions be reflected in an updated Project Certificate for the Whale Tail Pit Project (see Section [8.2](#) for the complete wording of the recommended terms and conditions):

- Work with the TAG to consider Inuit Quajimajatuqangit shared by knowledge holders when refining mitigation and monitoring details within the Terrestrial Ecosystem Management Plan (TEMP).
 - The Proponent and government agencies are encouraged to provide direct funding as necessary to support the full and active participation of the Baker Lake Hunters and Trappers Organization in the TAG.
- Report details of how Inuit Quajimajatuqangit shared by knowledge holders has been considered and utilized in the TEMP updates and associated activities.
- Work with the TAG to update the thresholds for triggering mitigation measures on the all-weather access road and the Whale Tail haul road, including road closures; develop thresholds to consider caribou life cycle sensitivities and incorporate Inuit Quajimajatuqangit.
 - Ensure the TEMP is updated to reflect the thresholds agreed upon by parties.
- Construct the Whale Tail haul road in a manner that facilitates caribou movement across the road; develop a construction plan in consultation with the TAG and incorporate Inuit Quajimajatuqangit in selection of caribou crossing locations.

5.2. Socio-Economic Effects

5.2.1. Views of the Board

Traditional Land Use

During the Public Hearing the Board heard from community representatives about the importance of using traditional place names. In many cases, as expressed by community members, the project development area and the surrounding areas were occupied by Inuit people or used as traditional harvesting areas in the past.

Names used by companies do not mean anything and disassociate people from the land that is in their backyard. This has been said many times at different meetings before this project. So a

*recommendation is to use traditional names or, if not known, a general name of the area close by.*⁵⁶

The Board understands that assigning traditional place names to components of the project could assist the community in understanding aspects of Agnico Eagles projects in the area and reduce confusion when identifying project component during consultation. Agnico Eagle's response to this recommendation acknowledged the concern and indicated it would be looking for community support to improve on the naming of project components to more accurately reflect the traditional names.⁵⁷

The Board shares the concerns of community members regarding the potential effect of the project on traditional land use areas. As stated in the FEIS Addendum, the project could cause disturbance to culturally important areas or preferred traditional harvesting areas, and project roads could change the availability of traditionally harvested wildlife. During the Public Hearing, community representatives noted that impacts to the availability of caribou and other wildlife are already occurring from the project roads, including the all-weather access road and the Whale Tail haul road:

*...we would've had caribou just around here, but because of the road, we don't see caribous close by anymore. Like, during the summer, I know we used to have caribous and which way they're going, and during the winter, we know where – we used to know where caribous were but, today, I don't know where they are today.*⁵⁸

During the Public Hearing the Board heard from community members regarding how impacts to land access were also already occurring as a result of road closures for existing and approved project infrastructure. It was noted that during the summer of 2019 the shared access road to the Baker Lake Fuel Tank Facility was closed for an extended period due to construction of an expansion of the facility. Community members expressed frustration with this and other road closures having reduced access to traditional land use areas (e.g. access to cabins and harvesting areas), which in turn adversely impacted local food security:

*But it's -- it's sad that our land has been broken. And you do have meetings. As Baker Lake people would like to get help by [sic], I know that the road is your own road. The mine road is yours. When you close it, everything seemed to close when you closed the mine - - mine road. Hondas -- four-wheel Hondas -- like, I wouldn't like to see Hondas be blocked from using. I would like to see that they be able to use the road, even if it's road -- closed because they're looking to hunt for their own food to put on the table.*⁵⁹

⁵⁶ P. Kugjugalik Hughson, Baker Lake, NIRB Public Hearing File No. 16MN056 Transcript, August 28, 2019, p. 564-565, lines 25-26 and 1-6.

⁵⁷ J. Quesnel, Agnico Eagle Mines Limited, NIRB Public Hearing File No. 16MN056 Transcript, August 28, 2019, p. 576, lines 7-12.

⁵⁸ J. Kalluk, Baker Lake, NIRB Public Hearing File No. 16MN056 Transcript, August 28, 2019, p. 543, lines 18-24.

⁵⁹ E. Elytook, Baker Lake, NIRB Public Hearing File No. 16MN056 Transcript, August 29, 2019, pp. 753-754, lines 18-26 and 1-2.

During the Public Hearing the Proponent highlighted its adherence to road closures as necessary to mitigate effects to migrating caribou, while also emphasizing that these repeated closures directly impact the viability of its mining operations.

Historically, the -- the closures were -- were less than what they are with the approved project. With all the changes within the -- the terrestrial ecological management program, the recent closures that we have seen in the twenty -- primarily, the 2018 and 2019 spring migration is a concern for the operation and -- and the company.⁶⁰

Based on our information that we have had in operating and constructing roads and -- and building the Meadowbank mine, typically we factor in 28 days based on our experience related to caribou migration and weather.⁶¹

So it's concerning for us the numbers we see right now related to -- to the road closure, and it could be an impact on that project moving forward, and we're analyzing that right now just based on -- we're at 40 days. So we're just continuing to analyze that and understanding the overall impact, but it's -- it's concerning for that op -- that operation right now for that satellite operation.⁶²

The approved Whale Tail Pit Project and the Expansion Proposal can only be successful if undertaken without adversely affecting caribou and caribou migration. The Board views restrictions on public access to the haul road and restrictions on the Proponent's use of the haul road as equally necessary for the Expansion Proposal to proceed. Should the Expansion Proposal proceed, the Board expects the Kivalliq Inuit Association and the Baker Lake Hunters and Trappers Organization will continue educating local communities regarding any resulting changes to access of Inuit Owned Lands and local hunting areas and any compensation measures which may be applicable.

The Board recognizes that the Whale Tail haul road is planned to operate as a private road, prohibited to public use, however concerns remain about the safety of land users interacting with the road. The Board agrees with statements made by the Government of Nunavut that adequate communication with land users and appropriate safety protocols need to be in place, to ensure the community is informed on how to safely interact with the haul road, and that the haul road management strategies must account for the possibility of unauthorized public use.

⁶⁰ J. Quesnel, Agnico Eagle Mines Limited, NIRB Public Hearing File No. 16MN056, August 26, 2019, pp. 153-154, lines 22-26 and lines 1-2.

⁶¹ J. Quesnel, Agnico Eagle Mines Limited, NIRB Public Hearing File No. 16MN056, August 26, 2019, p. 154, lines 6-10.

⁶² J. Quesnel, Agnico Eagle Mines Limited, NIRB Public Hearing File No. 16MN056, August 26, 2019, p. 154-155, lines 23-26 and 1-5.

Employment and Training

The Board recognizes Agnico Eagle continues to experience challenges with achieving desired levels of Inuit representation in the workforce of its Kivalliq region projects, including the Whale Tail Pit Project. While the FEIS Addendum and Agnico Eagle's presentation at the Public Hearing acknowledged the challenges with meeting the Inuit employment objectives, the Proponent also maintained that efforts are being made to improve its success, including continued investment in education and training programs. Further, Agnico Eagle noted that as youth represent a large portion of the future workforce in Nunavut, its focus is on promoting a career in mining to youth currently in school.⁶³ The Board noted the importance of adequate funding of training in financial management for future employees, including youth, to prepare them for employment.⁶⁴

The Board recognizes the current Inuit Impact and Benefit Agreement (IIBA) has been designed to address challenges of under-representation of people with disabilities or other minority groups in the workplace, and additional recommendations were provided by the Government of Nunavut to further broaden the application of those initiatives. As noted by the Government of Nunavut's final written submission, the Board agrees that Inuit women could represent a relatively untapped labour pool in the Kivalliq region. Reducing barriers to female employment such as discrimination and harassment in the workplace and providing initiatives designed to make the historically male-dominated mining industry more inviting for women could contribute to improving Inuit representation as a whole in the workforce. The Board further suggests that targeting efforts on reducing potential discrimination and encouraging equal opportunity for all Inuit including youth, women and people with disabilities can be important contributors to successful hiring practices for Agnico Eagle and other operators.

Socio-economic Closure Planning

The Board recognizes the importance of ensuring adequate measures are in place to address the eventual closure of the Whale Tail Pit project, as highlighted at the Public Hearing:

*It is important for stakeholders, especially the community of Baker Lake, to prepare for changes in employment, contracting, and business opportunity before Meadowbank and the Whale Tail project – projects eventually close.*⁶⁵

Further, as Agnico Eagle's Meliadine Gold Mine is entering full operations with life of mine expected to continue to approximately 2030, consideration for transitioning of the Whale Tail workforce to the Meliadine project at the time of currently planned closure of the Whale Tail project in 2026 will be important for the company and its employees. The importance of this consideration was expressed by the Government of Nunavut in its final written submission and at the Public Hearing: *"The Government of Nunavut seeks to address competition for the Kivalliq*

⁶³ C. Squires, Agnico Eagle Mines Limited, NIRB Public Hearing File No. 16MN056 Transcript, August 26, 2019, p. 214-215, lines 6-26 and 1.

⁶⁴ G. Alikut, NIRB Board Member, NIRB Public Hearing File No. 16MN056 Transcript, August 26, 2019, p. 215, lines 5-12.

⁶⁵ S. Dewar, Crown-Indigenous Relations and Northern Affairs, NIRB Public Hearing File. No. 16MN056 Transcript, August 27, 2019, p. 316, lines 1-5.

labour force and how Agnico Eagle can reduce reliance on a southern workforce in order to keep employment benefits in Nunavut.”⁶⁶

5.2.2. Conclusions and Recommendations of the Board

In considering the views of the Proponent and those of parties throughout the assessment of the Expansion Proposal and as outlined above, the Board believes the potential impacts of the project on the socio-economic environment can be appropriately managed through the commitments provided by the Proponent and the application of key mitigation and monitoring measures.

Considering the matter of traditional land use, the Board expects the Proponent to adhere to commitments made throughout the assessment process. Specifically, the Board highlights the Proponent’s commitment to work with community members and organizations to ensure the names of project components follow traditional place names moving forward. The Board acknowledges the Proponent’s adherence to road closures as a mitigation measure for impacts to caribou, however also notes the level of frustration of community members with project road closures reducing access to traditional harvesting and land use areas. Considering this, the Board recommends the Proponent ensure that appropriate consultation is conducted with community members and organizations prior to road closures in accordance with the associated management plans. Additionally, the Board requires the Proponent to update its communication and safety protocols for the Whale Tail haul road to account for any unauthorized public use.

Further, as noted in Section [1.3](#) of this Report, the Board recognizes that continued use of existing infrastructure such as the Baker Lake Fuel Storage Facility is an essential component to the successful construction, operations and closure of the Expansion Proposal. The Board notes that the scope of the Expansion Proposal as put forward by the Proponent did not include any changes to the Baker Lake facility and its assessment did not address potential impacts to the environment and community, or the adequacy of mitigation measures for these existing components. Should the Proponent find in future that changes to existing infrastructure are necessary owing to ongoing needs of the Expansion Proposal, notification and consultation with applicable agencies and the community of Baker Lake will be necessary to ensure potential impacts are fully assessed in accordance with the *Nunavut Planning and Project Assessment Act*.

With respect to employment and training, the Board expects the Proponent to continue to work towards meeting or exceeding the Inuit Employment objectives for the project, including through implementation of initiatives to encourage female employment. The Board finds that the Socio-Economic Monitoring Program should include monitoring of gender-specific initiatives capable of identifying successes and areas for improvement, and that this information should be shared with relevant parties to promote awareness and lessons-learned throughout the industry.

With respect to socio-economic closure planning, the Board concludes that adequate planning must be in place to prepare communities for the eventual or unexpected closure of the project. It is the recommendation of the Board, in agreement with CIRNAC and other parties, that the current *Conceptual Socio-Economic Closure Plan* should be advanced further to a *Final* stage to ensure

⁶⁶ S. Pinksen, Government of Nunavut, NIRB Public Hearing File No. 16MN056 Transcript, August 28, 2019, p. 439, lines 11-15.

that a final detailed closure plan is in place well in advance of planned closure or in the event of premature closure, for the purpose of mitigating potential impacts to communities affected by the project. The Board expects the final plan to consider workforce transition between the Proponent's Kivalliq region projects, to ensure the labour pool is accommodated in the event the Whale Tail project closes.

The Board is recommending the following revised and additional terms and conditions be reflected in an updated Project Certificate for the Whale Tail Pit Expansion Proposal (see Section [8.2](#) for complete wording of the recommended terms and conditions):

- Communicate with land users and implement appropriate safety protocols to ensure the community is informed on how to safely interact with the Whale Tail haul road.
- Include the monitoring of the success of gender-specific initiatives within the Socio-Economic Monitoring Program.
- Develop a workforce transition plan between Whale Tail and other Agnico Eagle projects in the Kivalliq.
- Advance the *Conceptual* Socio-economic Closure Plan to a *Final* stage and include as part of the Whale Tail Pit Project Closure and Reclamation Plan.

5.3. Other Issues Considered by the Board

5.3.1. Views of the Board

Alternatives Analysis

The Board acknowledges the concerns of Intervenors regarding the alternatives for treated mine effluent discharge assessed by the Proponent and presented in the FEIS Addendum. Intervenors, including the Kivalliq Inuit Association and Environment and Climate Change Canada, identified that insufficient baseline data and analysis had been utilized to assess the potential aquatic effects to the alternative discharge locations (Lakes D1 and D5) and the downstream receiving environment to confirm these locations could be used for discharge in the future if required. The Board agrees that additional data collection and effects assessment will be necessary to adequately assess these alternative effluent discharge locations moving forward. The Board recognizes the Proponent will be restricted to use of the Mammoth Lake and Whale Tail (South Basin) discharge locations as part of the water management and monitoring plans, until the basis for the alternative discharge scenarios can be more fully understood. Accordingly, the Board has made recommendations with respect to the additional baseline analysis that should be provided to support the selection of alternative discharge locations during the Nunavut Water Board's (NWB) consideration of potential alternative discharge options as part of the NWB's licensing process. It should be noted that if adequate information is not available during the NWB's consideration of alternative discharge scenarios, the NIRB reconsideration process could be triggered if, in future, Agnico Eagle wishes to change from the existing assessed discharge locations.

Accidents and Malfunctions

During the Public Hearing the Board heard from community representatives with respect to their concerns about the emergency response measures in place in case of a fuel spill to the marine environment. A community representative from Chesterfield Inlet stressed that if a spill did occur

near their community, there was currently no training in spill response or equipment available for the community to assist in emergency response. The Board acknowledged this concern and questioned the Proponent on emergency response protocols in the event of a spill.⁶⁷ In response, Agnico Eagle noted that in accordance with the spill response plan, the crew of each vessel has training in spill response and equipment and is prepared to react if an incident should occur; in the Proponent's view however, due to the shipping companies experience navigating Arctic waters, the risk of such an emergency was considered to be very low. Agnico Eagle also noted its contracted shipping company has conducted numerous joint spill response exercises with hamlets in Nunavik and other communities and is in discussion with the Canadian Coast Guard for future joint exercises. Agnico Eagle indicated it will also continue to discuss this issue with the community of Chesterfield Inlet.⁶⁸ The Board appreciates Agnico Eagle's commitment to ensuring the marine transportation of fuel and equipment for its developments is undertaken safely and with appropriate response capacity; the Board further encourages Agnico Eagle to ensure the communities of Chesterfield Inlet and Baker Lake are kept informed of its shipping activities and the associated preparedness for emergency response is communicated effectively to the general public.

Community Consultation

Throughout the Public Hearing, the Board emphasised the need for information sharing and consultation between federal government departments, the territorial government, the designated Inuit organizations, and the communities most affected by the proposed project.

*...in regards to what is being said to the different departments. It goes to all of you, to the federal government, to all these -- are -- I would like to see that better information be given to the communities according to -- like, you have said "IQ" earlier. We need to use more local people and make sure they're informed...What kind of -- what kind of relationship do you have with the communities in -- closer to the mine?*⁶⁹

The Board further stressed to the Proponent the importance of incorporating Inuit Qaujimajatuqangit into its assessment, specifically the gathering of Inuit Qaujimajatuqangit related to caribou migration.⁷⁰

Use of Inuit Qaujimajatuqangit

As summarized by Agnico Eagle during the Public Hearing, the updated assessment associated with the Expansion Proposal considered Inuit Qaujimajatuqangit as follows:

The Inuit Qaujimajatuqangit and traditional knowledge gathered for the project included harvesting sites, wildlife, and fisheries. We

⁶⁷ U. Puqignak, NIRB Board Member, NIRB Public Hearing File No. 16MN056 Transcript, August 29, 2019, pp. 708-709, lines 14-26 and 1-3.

⁶⁸ J. Quesnel, Agnico Eagle Mines Limited, NIRB Public Hearing File No. 16MN056 Transcript, August 29, 2019, pp. 750-751, lines 26 and 1-10.

⁶⁹ G. Alikut, NIRB Board Member, NIRB Public Hearing File No. 16MN056 Transcript, August 26, 2019, p. 95, lines 6-23.

⁷⁰ G. Alikut, NIRB Board Member, NIRB Public Hearing File No. 16MN056 Transcript, August 26, 2019, p. 156, lines 8-15.

used this traditional knowledge, along with scientific information, to produce maps of environmental sensitivities for the project...

The Whale Tail project used traditional knowledge and science to address these issues following the mitigation hierarchy of avoiding, minimizing, and managing. For example, Elders were concerned about vegetation and wildlife habitat, which was addressed using traditional knowledge to avoid important wildlife sites, such as dens, nests, and rare ecosystems. Also, Elders wanted to ensure that caribou can cross the haul road safely, which was addressed using traditional knowledge to minimize the structure of the road and locate crossing points for caribou.

Finally, Elders wanted to prevent negative changes to caribou and impacts to harvest, which was addressed using traditional knowledge and science to manage vehicle use on the road so that caribou can safely cross the road.⁷¹

As in all of the Board's assessments, the Board's assessment of the Expansion Proposal benefitted from the Inuit knowledge included in the FEIS Addendum, in the submissions of parties, and also as shared during the Public Hearing. As shared by the communities along the shipping route and the community of Baker Lake particularly, there have been significant changes to the behavior, abundance and distribution of marine mammals and terrestrial wildlife observed in the surrounding area in recent years.⁷² The Board has concerns that these changes may not be acknowledged or adequately captured in the design of mitigation and monitoring programs if Agnico Eagle and government agencies do not maintain an ongoing dialogue with Inuit knowledge holders in the area throughout the life of the mine. As indicated in the questions of Community Representative Martha Hickes during the Public Hearing, periodic updates to the Inuit Qaujimajatuqangit shared with Agnico Eagle is necessary to maintain a current and accurate understanding of Inuit knowledge:

...And on traditional knowledge, is the traditional knowledge ongoing with the local organizations or Elders in the community you are associated with? How many times a year do you meet in case the committees want to see changes made?⁷³

Funding to Hunters and Trappers Organizations

The Board acknowledges the views of organizations which directly participate in monitoring of the ongoing Agnico Eagle projects were critical for informing the NIRB's assessment of the Expansion Proposal. The Baker Lake Hunters and Trappers Organization in particular not only

⁷¹ M. Turmel, Agnico Eagle, NIRB Public Hearing File No. 16MN056 Transcript, August 28, 2019, pp. 501-502, lines 7-12, lines 16-26 and lines 1-5.

⁷² See for example, the comments of B. Kayavinik, Baker Laker, NIRB Public Hearing File No. 16MN056 Transcript, August 28, 2019, p. 624, starting at line 12; E. Kimmarliardjuk, Chesterfield Inlet, NIRB Public Hearing File No. 16MN056 Transcript, August 29, 2019, p. 684, starting at line 25; and written comment of Silas Arngra'naaq, Baker Lake resident provided to the NIRB and read into the record by R. Barry, Nunavut Impact Review Board staff, NIRB Public Hearing File No. 16MN056 Transcript, August 29, 2019, p. 727, starting at line 5.

⁷³ M. Hickes, Rankin Inlet, NIRB Public Hearing File No. 16MN056 Transcript, August 29, 2019, p. 711, lines 18-22.

participates in the project advisory groups, but actively monitors the Whale Tail haul road between Meadowbank Mine and the Whale Tail site, in addition to participating with the required annual hunter harvest survey and supporting the traditional wildlife harvesting activities of its membership in the areas surrounding the Meadowbank and Whale Tail Pit projects, roads and other infrastructure. Discussions at the Public Hearing highlighted that these responsibilities are not necessarily directly considered when funding is being considered or calculated annually. NIRB staff directed the following question to Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC):

We recognize that your minister, as you mentioned, is a responsible minister for this proposal. In approving major development project to proceed with terms and conditions that include monitoring and management responsibilities for local hunters and trappers organizations, what mechanism does Crown-Indigenous Relations and Northern Affairs Canada use for, then, ensuring that these hunters and trappers organizations are provided with adequate funding to fulfill their assigned duties?

In deferred response, CIRNAC noted the following points of clarification:

To take a step back, core funding for the institutes of public government are provided by Crown-Indigenous Relations and Northern Affairs Canada through our implementation sector branch and, subsequently, the funding for HTOs and RWOs are provided by the Nunavut wildlife management board for distribution. There are no parameters imposed by Crown-Indigenous Relations and Northern Affairs to guide how these fundings are divided amongst the Hunters and Trappers Organizations. So the short answer is, no, it's not part of our consideration. I do want to highlight that the core funding for the institutes of public government are negotiated on a ten-year interval, and they involve Crown-Indigenous Relations and Northern Affairs Canada, Nunavut Tunngavik Incorporated, and the Government of Nunavut. The next negotiation phase will commence in 2023.

The Board supports the valuable role filled by the Baker Lake Hunters and Trappers Organization in successfully implementing the required monitoring and oversight of approved project activities in the area. While recognizing that there is some contribution from Agnico Eagle to fund those monitoring activities related to its approved operations, the Board recognizes it is the government's responsibility to ensure sufficient funding and support is provided to enable the HTO to meet any responsibilities assigned to it through project specific development approvals, in addition to its core responsibilities under the *Nunavut Agreement*.

Cumulative Effects

The Board recognizes the concerns expressed by community members throughout the assessment of the Expansion proposal regarding potential cumulative effects resulting from the continued use of approved infrastructure. While the Board acknowledges that the Proponent's cumulative effects assessment identified no instances where the potential for cumulative effects changed as a result

of the Expansion Proposal, the Board also notes concerns by both regulators and community members that the proposed extended duration of activities causes some uncertainty in the assessment. The Board questioned the Proponent regarding its assessment of long and short-term impacts to caribou and the incorporation of lessons learned from previously approved projects.

*...you referred to having ten years of experience with Meadowbank and using three migrations on assessing your impacts to caribou. So when you're -- based on your predictions on impacts to caribou, are you using baseline information from prior to both projects, Meadowbank and Amaruq, or are you assessing those impacts to just the Amaruq site?*⁷⁴

Agnico Eagle noted that although its assessment was limited to considering only changes to the Whale Tail Pit Project and haul road, past information and experience was used to understand the impact predictions for the Expansion Proposal. Agnico Eagle further explained that its assessment used an impact classification system that considered the magnitude, duration (short or long term), reversibility, and affected area of a potential effect.⁷⁵ The Proponent has operated a number of exploration and development projects across the region throughout the past decade and continues to actively explore and seek amendments and expansions to its existing projects. The Board has concerns regarding the potential for cumulative effects to result from these activities in combination with other past, present and future development; similar concerns were also brought forward by the Baker Lake Hunters and Trappers Organization during the Public Hearing:

*Finally, mining in caribou calving grounds is one of the biggest concerns the Baker Lake Hunters and Trappers Organization has had with the mining industry to date. For decades, this organization has been pushing to have calving grounds protected along with several other hunters and trappers organizations, as well as several Dene, Cree, and Metis communities who hunt from a Qamanirjuaq and Beverly caribou herds. The fact that these sensitive areas remain open to mining exploration is a source of concern. And if a mine were to open in the calving grounds, it could create cumulative effects and interact with this project in that way. So if Agnico Eagle publicly committed to staying out of the caribou calving grounds, it could help reduce the uncertainty with regards to the cumulative effects this project could have on caribou.*⁷⁶

In response, Agnico Eagle stated that its “...operations are [sic not] located in calving grounds.”⁷⁷ Further, the Proponent noted it has been providing input and comments together with other industry members and government agencies on the draft Nunavut Land Use Plan that is in

⁷⁴ K. Kaluraq, NIRB Acting Chairperson, NIRB Public Hearing File No. 16MN056 Transcript, August 26, 2019, p. 160, lines 17-23.

⁷⁵ C. De La Mare, Agnico Eagle Mines Limited, NIRB Public Hearing File No. 16MN056 Transcript, August 26, 2019, pp. 161-162, lines 10-26 and 1-10.

⁷⁶ W. Bernauer, Baker Lake Hunters and Trappers Organization, NIRB Public Hearing File No. 16MN056 Transcript, August 27, 2019, pp. 289-290, lines 13-26 and 1-3.

⁷⁷ J. Quesnel, Agnico Eagle Mines Limited, NIRB Public Hearing File No. 16MN056 Transcript, August 27, 2019, p. 296, lines 7-8.

circulation. The Board recognizes the importance of the ongoing development of a Nunavut Land Use Plan in addressing appropriate caribou protection measures at a regional scale which may not be addressed as effectively through a project-specific assessment or approval.

The Board notes that certain key issues from the Review of the approved Whale Tail Pit Project and ongoing monitoring of the approved Meadowbank Gold Mine continued to be of concern throughout the assessment of the Expansion Proposal. Specifically, during the Public Hearing the Board heard a community member express concern regarding the lack of dust suppressant being applied to the all-weather access road (AWAR):

...the question has been around for, I believe, a few years now, that vehicles and ATVs that drive up the mine road, they leave a big trail or tail of dust and that dust either blows to the east or the west from up the road, and I would like to know why no dust suppressant – suppressant is being used on the road.⁷⁸

The Board's Monitoring Officers have also heard this comment from the community regarding the implementation of mitigation measures, such as lack of dust suppressant application on the AWAR and Whale Tail haul road, for the previously-approved projects. Agnico Eagle indicated in response that it is applying dust suppressant on the AWAR at locations agreed upon by the community and the Baker Lake HTO. Further, Agnico Eagle stated that dust suppressant and water is being applied on the Whale Tail haul road, as well as on areas close to and around the pits and the mine site.⁷⁹ The Board's monitoring program further clarifies the current practice (there was one application of dust suppressant at five (5) locations on the AWAR in 2017 and 2018; no dust suppressant was applied to the Whale Tail haul road in 2018) and was considered in assessing the Expansion Proposal as appropriate.

A Board member requested clarification from Agnico Eagle regarding whether any changes would be made to the management of dust given the proposed widening of the Whale Tail haul road.⁸¹ Agnico Eagle stated the dust management including monitoring and application of dust suppressants would remain the same as outlined in the currently approved management plan.⁸² The Board recognizes that Agnico Eagle is ultimately responsible for ensuring that for the haul road management plan includes appropriate mitigation measures which adequately account for the proposed widening and extended use of the Whale Tail haul road, and the resulting potential for increased dust and associated impacts.

Full Implementation of Commitments

The Board recognizes that Agnico Eagle has, in consultation and with the agreement of the intervenors participating in the Board's assessment processes, made numerous substantive

⁷⁸ S. Attungala, Baker Lake, NIRB Public Hearing File No. 16MN056 Transcript, August 28, 2019, pp. 633-634, lines 25-26 and 1-5.

⁷⁹ J. Quesnel, Agnico Eagle Mines Limited, NIRB Public Hearing File No. 16MN056 Transcript, August 28, 2019, pp. 634-635, lines 18-26 and 1-10.

⁸¹ P. Kadlun, NIRB Board Member, NIRB Public Hearing File No. 16MN056 Transcript, August 26, 2019, p. 68, lines 5-15.

⁸² J. Quesnel, Agnico Eagle Mines Limited, NIRB Public Hearing File No. 16MN056 Transcript, August 26, 2019, p. 68, lines 20-25.

commitments to address technical issues raised during the Board's assessment of the Expansion Proposal. During the NIRB's assessment of the previously approved Whale Tail Project Proposal, Agnico Eagle made numerous commitments to parties which were not considered to be necessary to incorporate into the specific terms and conditions of Project Certificate No. 008 issued for the Whale Tail Pit Project. However, as noted in Section 3, Clause 3.4 of Project Certificate No. 008 as provided below, even for commitments that were not incorporated into terms and conditions, the Board has been clear that it nonetheless expects Agnico Eagle to fulfill all commitments made during the assessment process; the Board further encouraged Agnico Eagle to provide a summary of the status of its efforts to meet all commitments within its annual reporting to the NIRB:

3.4 Proponent Commitments

The Board expects that the Proponent will fulfill all commitments made during the Final Hearing, within its Environmental Impact Statement and supporting documentation submitted during the Review, not just those commitments that have been incorporated into the Terms and Conditions of this Project Certificate. To support transparency and accountability associated with the Proponent's commitments, the Board encourages the Proponent to provide, in an annual report to the NIRB, a summary of the status of the Proponent's progress with respect to meeting any commitments which are intended to prevent or mitigate adverse ecosystemic or socio-economic effects of the Project and that are beyond the scope of ensuring compliance with Project Certificate terms and conditions.

During the Public Hearing, some parties expressed concern that not all of the commitments made by Agnico Eagle during the NIRB's previous Review of the Whale Tail Pit Project have been implemented fully to date. As noted by the Government of Nunavut, in the context of commitments made regarding caribou protection:

*We have raised concerns that the terrestrial environment management plan is not being implemented consistently, and some commitments have not been fulfilled. We have raised these concerns to Agnico Eagle, and we agree to continue this discussion at the terrestrial advisory group to fully explain our concerns and deal with them at the terrestrial advisory group with the other participants, the Kivalliq Inuit Association and the Hunters and Trappers Organization.*⁸³

The Board views the commitments made by Agnico Eagle as an important aspect of the mitigation required to successfully undertake the approved Whale Tail Pit Project and the Expansion

⁸³ S. Pinksen, Government of Nunavut, NIRB Public Hearing File No. 16MN056 Transcript, August 28, 2019, p. 436, lines 2-10.

Proposal. Updates to Project Certificate No. 008 have been offered in the following section to address the concerns of parties and the Board's expectations of the Proponent moving forward.

5.3.2. Conclusions and Recommendations of the Board

In considering the views of the Proponent and parties throughout the assessment of the Expansion Proposal and as outlined above, the Board believes the potential impacts of the project on other issues can be appropriately managed through the commitments provided by the Proponent and the application of key mitigation and monitoring measures.

With respect to the alternative analysis, specifically the alternative discharge location scenario for treated mine effluent, the Board expects the Proponent to conduct a thorough assessment of potential effects to the aquatic environment for these specific locations and downstream receiving waterbodies, well in advance of the decision for use. The Board requires adequate justification from the Proponent that the benefits of discharge of treated mine effluent to a new watershed (D watershed) would outweigh the potential adverse effects to water quality and quantity. In addition, considering the fish-bearing status of Lakes D1, D5 and downstream waterbodies, the Proponent should ensure the appropriate parties and regulatory authorities, are consulted prior to the change in the water management strategy, specifically but not limited to the Nunavut Water Board and the Baker Lake Hunters and Trappers Organization.

With respect to accidents and malfunctions, the Board acknowledges Agnico Eagle's commitment to maintaining a precautionary approach by ensuring marine transportation in support of its development project is undertaken safely and with adequate response capacity. In addition, the Board encourages Agnico Eagle to ensure the communities of Chesterfield Inlet and Baker Lake are informed of its shipping activities and the associated preparedness for emergency response is communicated effectively to the general public.

Considering the continued responsibilities of the Baker Lake Hunters and Trappers Organization (BLHTO), including its participation in the Terrestrial Advisory Group (TAG) established according to Project Certificate 008, the Board highlights the importance of adequate funding for the BLHTO to allow for its meaningful and effective participation in this group. The Board encourages the Proponent and the applicable government members of the TAG to ensure that funding is provided to the BLHTO proportional to its increased responsibilities as a result of Agnico Eagle's project and has added commentary to Project Certificate No. 008 to highlight this responsibility.

With respect to the use of Inuit Quajimajatuqangit, the Board acknowledges that Inuit knowledge holders need to be adequately consulted throughout the life of mine to ensure project impacts are captured in the design of mitigation and monitoring programs. On this basis, the Board recommends that Agnico Eagle be required to report on an annual basis how Inuit Quajimajatuqangit contributed by knowledge holders during the development and updating of the Terrestrial Ecosystem Management Plan has been considered by the Proponent during the course of implementation of the Plan.

As discussed in the Final Hearing Report for the Whale Tail Pit Project⁸⁴, the Board's conclusions regarding the cumulative effects assessment recognize the challenges of phased development in terms of ensuring all potential effects associated with future developments are adequately assessed. Given the uncertainty with respect to the potential for cumulative effects on caribou and the adequacy of dust mitigation measures, the Board expects the Proponent to take a precautionary approach to the monitoring, mitigation and adaptive management of potential effects. The Proponent shall continue to update its management and monitoring plans, in consultation with TAG members, in accordance with commitments made during this assessment and the requirements of the monitoring program. The Board also expects the Proponent will continue to provide updates on the status of ongoing exploration programs associated with the project and implications for future phase developments of the Amaruq property, within its annual report to the Nunavut Impact Review Board, as required by the existing Project Certificate.

Recognizing the importance of commitments to the resolution of issues for participants in the NIRB's assessment process,⁸⁵ and also the importance of transparency and accountability to parties and the public to demonstrate compliance with the commitments made, the Board has recommended amending Project Certificate No. 008 to more expressly address the implementation of commitments. Specifically, the Board has recommended that Clause 3.4 be removed, and that a new term and condition be added to Project Certificate No. 008 that requires Agnico Eagle to file an up to date listing of all commitments made by Agnico Eagle during both the NIRB's Review of the Whale Tail Pit Project Proposal and the Board's reconsideration of the Whale Tail Expansion Proposal with the Board. In addition, the new term and condition also requires that Agnico Eagle include an update regarding the status of Agnico Eagle's efforts to fully implement all commitments in its Annual Report to the NIRB.

The Board is recommending the following revised and additional terms and conditions be reflected in an updated Project Certificate for the Whale Tail Pit Expansion Proposal (see Section [8.2](#) for the complete wording of recommended terms and conditions):

- Conduct a thorough assessment of potential effects to the aquatic environment for the alternative effluent discharge locations and downstream receiving waterbodies, well in advance of the decision for use; update the associated management plans and provide adequate rationale for the need to use the alternative discharge locations.
- Provide a complete listing of the commitments made during this assessment and the Whale Tail Pit Project Review within three (3) months of issuance of the amended Project Certificate; and provide a summary of commitment status and progress in annual reporting.

⁸⁴ NIRB Final Hearing Report, Agnico Eagle Mines Ltd., Whale Tail Pit Project, NIRB File No. 16MN056, November 2017.

⁸⁵ See for example references by various parties during the Public Hearing to their reliance on full implementation of commitments made during the Board's assessment of the Expansion Proposal to resolve substantive issues: S. Dewar, Crown-Indigenous Relations and Northern Affairs, NIRB Public Hearing File No. 16MN056 Transcript, August 27, 2019, p. 319, lines 16-20; W. Bernauer, Baker Lake HTO, NIRB Public Hearing File No. 16MN056 Transcript, August 29, 2019, p. 771, lines 14-18; S. Pinksen, Government of Nunavut, NIRB Public Hearing File No. 16MN056 Transcript, August 29, 2019, pp. 781-784.

6. RECOMMENDATION TO THE MINISTER

The NIRB provides this Reconsideration Report and Recommendations to the Responsible Ministers as required under Article 12, Section 12.8.3 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(5) of the *Nunavut Planning and Project Assessment Act*, S.C. 2013, c. 14, s. 2 (*NuPPAA*). Following the NIRB's assessment of the potential ecosystemic and socio-economic effects of Agnico Eagle Mines Limited's "Whale Tail Pit Expansion Project" Proposal the NIRB has concluded that:

After due consideration of all information provided throughout the Board's assessment of the Proposal, and in accordance with the process and primary objectives of the *Nunavut Agreement* and the *NuPPAA*, the Board recommends that the Expansion Proposal be allowed to proceed in accordance with this Reconsideration Report and Recommendations, with revisions to the Terms and Conditions and Project Monitoring of the existing Project Certificate No. 008 having been identified as required (see Section 8.0).

7. RECOMMENDATIONS FOR REGULATORY AGENCIES, LAND AND MINERAL OWNERS

The Board notes from the discussion throughout this report, that collection of additional baseline data, and updates to project modelling and monitoring have been deferred to the subsequent regulator processes which follow if the Expansion Proposal is approved to proceed by the Responsible Ministers. As required by the NIRB's ongoing monitoring program for the Whale Tail Pit Project under NIRB Project Certificate No. 008, the Board expects to receive updates from Regulatory Authorities on the progress of these subsequent processes, as well as the revised mitigation and monitoring plans from the Proponent as they become available.

During the Public Hearing, there was significant discussion of community concerns regarding air traffic and shipping management; areas that are relevant to the specific mandate of Transport Canada. The absence of Transport Canada at the Public Hearing hampered the ability of other parties and the Board to receive answers to the questions raised and to ensure that complete and accurate information can be available on the Public Hearing Record. While the Board appreciates the efforts of other Federal Intervenor to seek out and provide responses from regulators not attending the Public Hearing, this approach does not lend itself well to an efficient and timely response to pressing concerns of community members and the Board. Consequently, the Board reminds regulators with mandates that intersect proposed project activities and potential impacts, of the importance of ensuring that personnel with the necessary expertise to answer questions related to their mandate, are present or accessible during proceedings held by the Board in support of future assessment processes.

7.1. Supporting Community Capacity

As the Board noted throughout this Report, and as became apparent during the Public Hearing for this assessment, the Hunters and Trappers Organizations retain substantial responsibility in terms of participation and monitoring in relation to development projects. These activities are in addition

to its general responsibilities, and as such, the ability of the Hunters and Trappers Organizations to effectively participate in assessment processes, project monitoring, and project advisory groups or discussions are compromised when they do not receive additional funding support from responsible agencies. Federal, territorial and institutions of public government responsible for providing funding to the Hunters and Trappers Organizations and project proponents should therefore work together to ensure that the funding agreements for specific HTOs clearly reflect the actual cost of both the office and field work necessary for the HTOs to effectively undertake and maintain these additional responsibilities.

8. RECOMMENDATIONS REGARDING CHANGES TO EXISTING PROJECT MONITORING OR PROJECT CERTIFICATE TERMS AND CONDITIONS

As set out in Article 12, Sections 12.7.1 and 12.7.2 of the *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada (Nunavut Agreement)*, the Nunavut Impact Review Board (NIRB) has the jurisdiction to establish a project-specific monitoring program to:

- measure the ecosystemic and socioeconomic effects of a project;
- assess whether the project is in compliance with the prescribed project terms and conditions;
- share information with regulatory agencies to support the enforcement of land, water or resource use approvals and agreements; and
- to assess the accuracy of predictions contained in the environmental impact statements.

Given the Board's application of the precautionary approach to the original consideration of the Whale Tail Pit Project and the assessment of the Whale Tail Pit Expansion Proposal, it is the Board's view as noted in previous sections, that project-specific monitoring will continue to play a crucial role in addressing the uncertainty regarding project effects and enabling all parties to adapt mitigation measures on an ongoing basis to ensure any potential negative effects are prevented or limited to the extent possible.

As established in the original Whale Tail Pit Project Final Hearing Report, the role of the Board with respect to the establishment of monitoring programs is to focus the terms and conditions in relation to the Project.⁸⁶ With respect to existing or future general regional and territorial monitoring programs that may include some of the same monitoring parameters/indicators as the project-specific monitoring program, the *Nunavut Agreement* and the *NuPPAA* also direct the NIRB to avoid duplication but facilitate co-ordination and integration between the project-specific monitoring programs required by the NIRB and more general programs such as the Nunavut General Monitoring Program. Where the requirements of regional or territorial programs are more extensive or substantively different than those established through the project certificate, at all times the Proponent must ensure compliance with the project certificate terms and conditions.

⁸⁶ NIRB Final Hearing Report, for Agnico Eagle Mines Ltd. Whale Tail Pit Project, NIRB File No. 16MN056, November 2017.

The NIRB's monitoring program is developed after consultation with responsible authorities, the resource and land owners and the proponent following a Regulators' Meeting that typically occurs within several weeks after the responsible Minister has issued a decision that the Project can proceed to obtain regulatory authorizations and providing the Minister's direction regarding recommended terms and conditions. A short time after the Regulators' Meeting, the NIRB issues the project certificate, but the project-specific monitoring program, which is usually issued as an Appendix to the project certificate may not be issued in final form until some months after key regulatory authorizations, including land use permits, water licences, mineral leases, etc. are issued so that the monitoring program supplements and supports, and does not duplicate, the monitoring requirements in regulatory and land use instruments. The NIRB anticipates issuing this Appendix to the Project Certificate once all key regulatory authorizations, including land use permits, water licences, mineral leases, etc. are issued.

The NIRB's monitoring program will have varying requirements over the course of the Project lifecycle and monitoring requirements will apply from construction to eventual abandonment and reclamation. In areas where there may be a need for flexibility in relation to the terms and conditions of the project certificate or their application, the NIRB has endeavored to reflect this in the associated language and/or acknowledge that objectives may be achieved through various means. In addition, if the monitoring program needs to be modified to better achieve its purpose, the Board, the Proponent, the Designated Inuit Organization or other interested parties may cause the Board, under Section 12.8.2 of the *Nunavut Agreement* to revisit the monitoring program, or any other terms and conditions in the NIRB project certificate. However, the Board has every expectation that Agnico Eagle Mines Limited will fulfill all commitments made during the Public Hearing, within its Amendment Application and supporting documentation submitted during the assessment, not just those commitments that have been incorporated into the Terms and Conditions recommended by the Board in this Report.

8.1. Changes to the NIRB's Monitoring Program

As noted in Section [1.8.2](#) of this Report, the Proponent is expected to take a precautionary approach to the assessment of impacts and the continued monitoring of the project, to address the uncertainty of potential impacts. The Board expects Agnico Eagle to update effects predictions as new data from its monitoring programs becomes available and update the associated management plans to reflect these predictions, as part of an adaptive management strategy.

Therefore, the Board notes the following expectations regarding required updates to the Proponent's management plans to reflect the approval of the Whale Tail Pit Expansion Proposal:

- The Proponent shall ensure all relevant management plans are updated to reflect the scale and scope of the Expansion Proposal and potential impacts, including but not limited to: Whale Tail Pit Haul Road Management Plan; Terrestrial Ecosystem Management Plan; Air Quality and Dustfall Monitoring Plan, Groundwater Monitoring Plan, Waste Rock Management Plan, Shipping Management Plan, Greenhouse Gas Reduction Plan, Interim Closure and Reclamation Plan.

As part of an adaptive management strategy, these updates should consider additional analysis and effects predictions resulting from the Proponent's commitments from this assessment process and ongoing monitoring programs and be made in consultation with

regulators, community members and other interested parties. The updates should supplement, but not duplicate, any associated requirements of the terms and conditions of the Project Certificate.

8.2. Recommended Changes to Terms and Conditions

It is the expectation of the Board that all terms and conditions of the Whale Tail Pit Project Certificate No. 008 will be applied in full to the scope of the Whale Tail Pit Expansion Proposal (Expansion Proposal). The Board also notes that where existing terms and conditions are specific to approved project infrastructure, these terms and conditions are expected to be applied inclusively to the Expansion Proposal components such as the IVR pit and associated infrastructure, and monitoring programs to the assessment of the updated impact predictions provided within the FEIS Addendum for Whale Tail Pit Expansion Proposal. These terms and conditions, including associated management, monitoring and reporting requirements, will continue to apply to the Expansion Proposal infrastructure and include, but are not limited to, the following:

- Terrestrial Environment (Geology and Geochemistry) – Term and Condition 7;
- Geological Features, Soils and Permafrost – Term and Condition 10;
- Hydrogeology and Groundwater Quantity and Quality – Terms and Conditions 14 and 16;
- Surface Water Hydrology, Surface Water Quality and Sediment Quality – Terms and Conditions 17 and 19.

The Board recognizes that the Expansion Proposal describes continued use of existing infrastructure from the Meadowbank Gold Mine Project to support development. As such, the Board expects some terms and conditions in the existing Meadowbank Gold Mine Project Certificate (No. 004, as amended) will continue to apply to that infrastructure after the Meadowbank Gold Mine Project ceases operations, but while this infrastructure continues to be used in support of the Whale Tail Pit Project and the Expansion Proposal.

As described in detail within the preceding sections of this report, the following new terms and conditions and revisions to existing terms and conditions are recommended for incorporation into the Whale Tail Pit Project Certificate No. 008 to reflect the scope of activities described by the Expansion Proposal.

8.2.1. Ecosystemic Terms and Conditions

Revised Terms and Conditions

<u>Revised</u> Term and Condition No.	1.
Category:	Air Quality – Air Quality Mitigation and Adaptive Management
Responsible Parties:	The Proponent

Project Phase:	Pre-construction, Construction, Operations, Temporary Closure/Care and Maintenance, Closure and Post-Closure
Objective:	To ensure that impacts of the project on air quality are identified, effectively mitigated and adaptively managed throughout the Project.
Term or Condition:	<p>The Proponent shall:</p> <ul style="list-style-type: none"> a) Develop and implement an Air Quality Monitoring and Management Plan that includes clear objectives and that specifies air quality monitoring thresholds that will trigger adaptive management responses and actions; b) In the implementation of the Plan, the Proponent shall demonstrate through active and passive monitoring of dustfall, for criteria air contaminant concentrations, incinerator stack testing, and vegetation, soil and snow chemistry sampling that dustfall and emissions of carbon monoxide (CO), nitrogen dioxide (NO₂), ozone (O₃), sulphur dioxide (SO₂), suspended particulate matter, mercury, dioxins and furans, and other chemicals remain within predicted levels and, where applicable, within levels or limits established by all applicable guidelines and regulations; c) <u>The Proponent shall ensure continuous NO₂ monitoring is undertaken downwind of mining activities to allow for comparison to relevant standards including the Canadian Ambient Air Quality Standards;</u> d) If exceedances occur, the Proponent shall provide an explanation for the exceedance, a description of planned mitigation, and shall conduct additional monitoring to evaluate the effectiveness of mitigative measures; and e) The Proponent shall also develop, implement, and report on the quality assurance and quality control protocols used to ensure data reliability and proper functioning of equipment.
Reporting Requirements:	The Plan should be submitted to the Nunavut Impact Review Board (NIRB) 30 days prior to commencement of construction, and the Proponent shall report on its development and implementation of this Plan and associated monitoring results annually to the NIRB.

<u>Revised</u> Term and Condition No.	27.
Category:	Wildlife and Wildlife Habitat –Terrestrial Advisory Group
Responsible Parties:	The Proponent, Government of Nunavut, Kivalliq Inuit Association and Baker Lake Hunters and Trappers Organization
Project Phase:	Pre-construction, Construction, Operations, Temporary Closure/Care and Maintenance, Closure and Post-Closure

Objective:	To establish an advisory group to provide technical oversight on the Project's mitigation, monitoring, and adaptive management measures related to the protection of wildlife.
Term or Condition:	The Proponent shall participate in a Terrestrial Advisory Group with the Government of Nunavut, the Baker Lake Hunters and Trappers Organization, the Kivalliq Inuit Association, and other parties as appropriate to continually review and refine mitigation and monitoring details within the Terrestrial Ecosystem Management Plan. Additional caribou collar data, results from associated studies, <u>Inuit Qaujimajatuqangit shared by knowledge holders</u> , and other monitoring data as available should be considered for incorporation as appropriate.
Reporting Requirements:	Finalized Terms of Reference for the Terrestrial Advisory Group shall be provided to the Nunavut Impact Review Board (NIRB) within six (6) months of issuance of the Project Certificate. A summary of outcomes from Terrestrial Advisory Group meetings shall be provided to the NIRB on an annual basis in the Proponent's Annual Report.

New Commentary: Recognizing the importance of active participation of the Baker Lake Hunters and Trappers Organization in the Terrestrial Advisory Group, the Proponent and relevant government agencies are strongly encouraged to provide direct funding support as necessary to support its full and active participation.

<u>Revised</u> Term and Condition No.	28.
Category:	Wildlife and Wildlife Habitat – Terrestrial Ecosystem Management Plan
Responsible Parties:	The Proponent
Project Phase:	Pre-construction, Construction, Operations, Temporary Closure/Care and Maintenance, Closure and Post-Closure
Objective:	To mitigate, monitor, and adaptively manage potential impacts to wildlife.
Term or Condition:	<p>The Proponent shall maintain a Terrestrial Ecosystem Management Plan (TEMP) throughout all phases of the Project. The Plan shall include detailed monitoring, mitigation, and adaptive management measures for wildlife, with consideration for each Project activity predicted to affect wildlife, and with inclusion of specific triggers for mitigation and adaptive management intervention. The TEMP shall demonstrate consideration for all relevant commitments made by the Proponent throughout the Nunavut Impact Review Board's review of the Project.</p> <p>Updates to the TEMP may be required when there are significant changes in project development plans, monitoring results indicating</p>

	biologically-meaningful changes, significant updates to the scientific understanding of management methods relevant to wildlife at the project site, Inuit Qaujimajatuqangit, Traditional Knowledge, changes in climatic conditions that might subject wildlife to unexpected impacts, or as otherwise necessary.
Reporting Requirement	The Proponent shall submit a revised TEMP to the Nunavut Impact Review Board (NIRB) within one (1) year of issuance of the Project Certificate, with subsequent versions provided as appropriate. Results of the TEMP shall be reported to the NIRB annually; <u>including details of how Inuit Qaujimajatuqangit contributed by knowledge holders has been considered and utilized in associated activities and updates.</u>

<u>Revised</u> Term and Condition No.	30.
Category:	Wildlife and Wildlife Habitat – Caribou Data and Analyses
Responsible Parties:	The Proponent
Project Phase:	Pre-construction, Construction, and Operations,
Objective:	To verify the effectiveness of the caribou protection measures within the Terrestrial Ecosystem Management Plan.
Term or Condition:	The Proponent shall collect additional data on caribou group sizes in proximity to the Project, and shall work with the Terrestrial Advisory Group to refine appropriate caribou group size thresholds that trigger additional mitigation. Initially, the group size thresholds should be set at 110 (fall), 25 (winter and summer), and 12 (spring). <u>work with both the Government of Nunavut and Baker Lake Hunters and Trappers Organization through the Terrestrial Advisory Group to develop and update thresholds to trigger implementation of mitigation measures on both the AWAR and Whale Tail Haul road, up to and including temporary road closures. The Proponent shall consider how these thresholds and mitigation measures reflect caribou life cycle sensitivities as well as demonstrate how Inuit Qaujimajatuqangit was incorporated throughout the development of these criteria and procedures.</u>
Reporting Requirements:	The Proponent shall ensure modifications to the group size thresholds are incorporated into the Terrestrial Ecosystem Management Plan <u>is updated to reflect the thresholds agreed upon by parties, and that this Plan along with a summary of consultation with the Terrestrial Advisory Group are submitted on an annual basis or as thresholds are otherwise modified in the Proponent's annual report to the to the Nunavut Impact Review Board.</u>

New Terms and Conditions

NEW Term and Condition No.	65.
Category:	Wildlife and Wildlife Habitat – Wildlife mitigation
Responsible Parties:	The Proponent
Project Phase:	Pre-Construction, Construction, Operations, Temporary Closure/Care and Maintenance,
Objective:	To mitigate impacts to migrating caribou by constructing the Whale Tail haul road in a manner that facilitates caribou movement across the road.
Term or Condition:	<p>The Proponent shall, in consultation with the Terrestrial Advisory Group, develop a construction plan for the widening of the Whale Tail haul road which includes:</p> <ul style="list-style-type: none"> ▪ Design features of the Whale Tail haul road intended to facilitate caribou movement across the road; ▪ Identified sections of the roadside that will be constructed with slopes and top-dressing material appropriate for caribou crossing. <p>The plan must incorporate available Inuit Qaujimajatuqangit in the selection of caribou crossing locations.</p>
Reporting Requirements:	The final construction plan shall be provided to the Nunavut Impact Review Board (NIRB) prior to widening the Whale Tail haul road. Within three months of completion of construction to widen the Whale Tail haul road, the Proponent shall file an ‘as-built report’ with the NIRB, which includes the backfill height, slope and top-dressing material specifications of designed wildlife crossing sections.

8.2.1. Socio-Economic Terms and Conditions

Revised Terms and Conditions

<u>Revised</u> Term and Condition No.	46.
Category:	Economic Development and Opportunities – Socio-Economic Monitoring
Responsible Parties:	The Proponent, Kivalliq Socio-Economic Monitoring Committee, Kivalliq Inuit Association, Government of Nunavut, Indigenous and Northern Affairs Canada, and Kivalliq communities
Project Phase:	Pre-Construction, Construction, Operations, Temporary Closure / Care and Maintenance, Closure, and Post-Closure Monitoring
Objective:	Development of the project-specific socio-economic monitoring program and on-going monitoring of project-related socio-economic effects.

Term or Condition:	<p>The Proponent should develop a Project-specific Whale Tail Pit Socio-Economic Monitoring Program designed to:</p> <ul style="list-style-type: none"> ▪ Monitor for project-induced effects, including the impacts predicted in the Environmental Impact Statement through indicators presented in the Whale Tail Pit Socio-Economic Monitoring Plan; ▪ Reflect regional socio-economic concerns identified by the Kivalliq Socio-Economic Monitoring Committee (KivSEMC); ▪ Work in collaboration with all other socio-economic stakeholders such as the Kivalliq Inuit Association, the Government of Nunavut, and Indigenous and Northern Affairs Canada, and the communities of the Kivalliq region to develop the program; and ▪ Include a process for adaptive management and mitigation to respond if unanticipated impacts are identified; and ▪ <u>Monitor the success of existing and newly implemented gender-specific initiatives to determine their success and why they were considered successful or to identify any challenges to their implementation.</u>
Reporting Requirements:	<p>Details of the Whale Tail Pit Socio-Economic Monitoring Program should be submitted to the Nunavut Impact Review Board (NIRB) within one (1) year of issuance of the Project Certificate. The Proponent should produce annual Whale Tail Pit socio-economic monitoring reports throughout the life of the Project that are submitted to the NIRB and shared with the wider KivSEMC.</p>

<u>Revised</u> Term and Condition No.	51.
Category:	Employment – socioeconomic closure planning
Responsible Parties:	The Proponent
Project Phase:	Construction, Operation, Temporary Closure/Care and Maintenance, Closure
Objective:	To ensure workers at the Project would be supported once operations cease, or in the event of temporary closure.
Term or Condition:	<p>The Proponent shall develop a conceptual Socio-economic Closure Plan that:</p> <ul style="list-style-type: none"> ▪ Links the socio-economic closure plans for Meadowbank and Whale Tail; ▪ Identifies regular update and multi-party review requirements; ▪ Shows evidence of consideration of socio-economic lessons learned from other northern mine closure experiences;

	<ul style="list-style-type: none"> Includes evidence of consultation with Kivalliq communities and governance bodies on socio-economic objectives/goals related to closure planning; Emphasizes plans, policies, and programs to increase transferable skills of Inuit workers, including into trades and other skilled positions; and Includes all plans, policies and programs related to socioeconomic factors in a temporary closure situation-; <u>and</u> <u>Includes a Workforce Transition Plan between the Whale Tail Project and other production mines owned and operated by the Proponent in the Kivalliq region.</u> <p><u>The Proponent shall advance the recommendations of the Conceptual Socio-economic Closure Plan through the development of a Final Socio-economic closure Plan that will be part of the Whale Tail Pit Project Final Closure and Reclamation Plan.</u></p>
Reporting Requirements:	<p>The conceptual socio-economic closure plan will be provided to the Nunavut Impact Review Board within one (1) year of issuance of the Project Certificate, and updated as needed prior to closure with information provided in the Proponent's annual report to the Nunavut Impact Review Board.</p> <p><u>The Conceptual Socio-economic Closure Plan will not be a stand-alone plan but will be included as part of the Whale Tail Pit Project Interim Closure Plan. The Whale Tail Pit Project Interim Closure Plan will be updated to include the Conceptual Socio-economic Closure Plan one year after the issuance of the amended water license and be provided to the Nunavut Water Board and Nunavut Impact Review Board.</u></p> <p><u>The Proponent will include updates on the progress of advancing recommendations of the Conceptual Socio-economic Closure Plan through its annual reports to the Nunavut Impact Review Board (NIRB).</u></p>

New Terms and Conditions

NEW Term and Condition No.	66.
Category:	Whale Tail Haul Road – Safety and Communication Protocols
Responsible Parties:	The Proponent
Project Phase:	Pre-construction, Construction, Operations, Temporary Closure/Care and Maintenance,
Objective:	To ensure effective communication and safety of community members in the event of unauthorized public use of the Whale Tail haul road.

Term or Condition:	<p>The Proponent shall operate the Whale Tail haul road as a private access road, and implement any measures necessary to limit public access to the road including, but not limited to, the following:</p> <ul style="list-style-type: none"> a) The posting of signs in English and Inuktitut at the gate, each major bridge crossing, and each 10 kilometres of road, stating that public use of the road is prohibited; b) Annually advertise and hold at least one community meeting in the Hamlet of Baker Lake to explain to the community that the road is restricted to mine use only; c) Place local notices (e.g., radio, television, social media) at least quarterly to explain to the community that the road is restricted to mine use only; and d) Record all unauthorized non-mine use of the road, and require all mine personnel using the road to monitor and report unauthorized non-mine use of the road.
Reporting Requirements:	Report unauthorized road use and accidents or other safety incidents on the road to the Government of Nunavut, the Kivalliq Inuit Association, the Baker Lake Hunters and Trappers Organization and the Hamlet of Baker Lake immediately, and to the Nunavut Impact Review Board annually.

8.2.1. Other Terms and Conditions

New Terms and Conditions

<u>NEW</u> Term and Condition No.	67.
Category:	Surface Water Hydrology and Surface Water Quality, Sediment Quality and Freshwater Aquatic Environment – Alternative Effluent Discharge Locations
Responsible Parties:	The Proponent
Project Phase:	Pre-Construction, Construction, Operations, Temporary Closure/Care and Maintenance, Closure and Post-Closure Monitoring
Objective:	To evaluate the potential aquatic effects to the alternative effluent discharge locations (Lakes D1 and D5) and downstream.
Term or Condition:	<p>Subject to the additional direction and requirements of the Nunavut Water Board (NWB), the Proponent shall:</p> <ul style="list-style-type: none"> a) Conduct an evaluation of the potential aquatic effects to Lakes D1 and D5 and downstream that may result from the discharge of treated effluent. The evaluation will include:

	<ul style="list-style-type: none"> ▪ Additional water quality and phytoplankton baseline data in Lakes D1 and D5 ▪ Updated water balance and water quality forecast ▪ Updated near field and far field effluent discharge modelling ▪ Updated Water Management Plan, Water Quality and Flow Monitoring Plan, and Core-Receiving Environment Monitoring Plan <p>b) Provide adequate rationale for the need to use the alternative discharge contingency, based on the thresholds established as per the Whale Tail Pit Expansion Project water management decision tree.</p> <p>c) In the event that discharge to Lakes D1 and/or D5 is not approved to proceed by the NWB, the Proponent will develop alternative effluent management plans as part of the Water Management Plan.</p>
Reporting Requirements:	<p>At least 90 days prior to any decision to use the effluent discharge alternatives, the Proponent shall submit the requested evaluation, and rationale for use of the effluent discharge alternatives to the Nunavut Water Board, the Nunavut Impact Review Board (NIRB) and relevant regulatory authorities, for approval to proceed with discharge to one or both of Lakes D1 and D5.</p> <p>If the alternative discharge contingency is approved to proceed, the Proponent will submit the results of its monitoring annually to the NIRB.</p>

NEW Term and Condition No.	68.
Category:	Implementation of Commitments
Responsible Parties:	The Proponent
Project Phase:	Pre-construction, Construction, Operations, Temporary Closure/Care and Maintenance,
Objective:	To demonstrate accountability for the Proponent's commitments associated with the Whale Tail Pit Project Proposal and the Whale Tail Pit Expansion Project Proposal.
Term or Condition:	The Proponent shall maintain an up-to-date listing of the status of implementation for its commitments made during the Nunavut Impact Review Board's (NIRB) assessment of the Whale Tail Pit Project Proposal and the Whale Tail Pit Expansion Project Proposal through engagement of parties and active monitoring of associated implementation.

Reporting Requirements:	The Proponent shall provide a status report on the implementation of all its commitments within three (3) months of issuance of the Project Certificate for the Whale Tail Pit Expansion Proposal and annually thereafter within its annual report to the NIRB.
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Appendix A Record of Proceedings

APPENDIX A: Record of Proceedings	
Project Proponent:	Agnico Eagle Mines Limited 93 rue Arsenault Val d'Or J9P0E9
Date Project Description Received:	November 1, 2018
Positive Conformity Determination Received from the Nunavut Planning Commission:	October 16, 2018
Dates of Hearings:	Day 1: August 26, 2019, Baker Lake, NU Day 2: August 27, 2019, Baker Lake, NU Day 3: August 28, 2019, Baker Lake, NU Day 4: August 29, 2019, Baker Lake, NU
Board Members Present:	Kavir Kaluraq, Acting Chairperson Philip (Omingmakyok) Kadlun, Vice Chairperson Guy Alikut, Member Catherine Emrick, Member Uriash Puqignak, Member
NIRB Staff:	R. Barry, Executive Director T. Arko, Director, Technical Services S. Granchinho, Manager, Impact Assessment E. Reimer, Technical Advisor I L. Atatahak, Secretary/Receptionist A. Omilgoitok, Environmental Administrator
NIRB Legal Counsel:	T. Meadows, Meadows Law
Interpreters:	J. Tucktoo, Interpreter (NIRB) M. Angoshadluk, Interpreter
Court Reporters:	K. Longacre, RPR, CSR(A), Dicta Court Reporting Inc. A. Vidal, CSR(A), Dicta Court Reporting Inc.
Sound Technician:	B. Beattie, Environmental Technologist (NIRB)
PARTIES:	
<i>Proponent:</i>	
Agnico Eagle Mines Limited	J. Quesnel, Regional Manager, Permitting and Regulatory Affairs

	P. Lapointe, Superintendent Permitting and Regulatory Affairs M. Groleau, General supervisor, Permitting and Regulatory Affairs M. Turmel, Permitting Lead, Nunavut C. Kennedy, Technical Specialist C. Squires, Senior Coordinator C. Ramcharan, General Supervisor Community Relations R. Allard, General Supervisor Interim S. Leclair, Community Affairs Superintendent L. Chouinard, General Manager Meadowbank M. Beaucage, Nunavut Senior Community Coordinator G. Côté, General Supervisor B. Boucher, Superintendent, Human Resources C. de la Mare, Environmental Specialist (Golder) J. Faithful, Principal, Senior Water Quality Specialist (Golder) C. McNaughton, Environmental Engineer (Golder) C. Stevens, Associate, Aquatic Biologist (Golder) J. Range, Project Coordinator (Golder) A. Amendola, Senior Risk Assessor (Golder) M. O'Kane, Senior Technical Advisor (OKC) M. Settingington, Senior Terrestrial Biologist (EDI) A. Franke, Principal Investigator (Arctic Raptors Project) G. Sharam, Technical Director (ERM) C. Kowbel, Legal Counsel K. Bergner, Legal Advisor
<i>Intervenors:</i>	
Kivalliq Inuit Association:	L. Manzo, Director of Lands K. Poole, Wildlife Biologist K. Gilson, Legal Counsel
Baker Lake Hunters and Trappers Organization	R. Aksawnee, Chairman Dr. W. Bernauer, Consultant
Government of Nunavut	S. Pinksen, Deputy Minister E. Taylor, Project Manager Socioeconomic D. Haney, Project Manager Impact Assessment B. Pirie, Project Manager Research and Monitoring A. Robinson, Acting Director Environmental Protection Division Dr. S. Atkinson, Technical Wildlife Consultant E. Stockley, Legal Counsel
Justice Canada:	S. Gruda-Dolbec, Legal Counsel

Crown-Indigenous Relations and Northern Affairs Canada	S. Dewar, Director of Resource Management F. Ngwa, Manager of Impact Assessment D. Abernethy, Regional Socioeconomic Analyst S. Qazi, Senior Environmental, Assessment Specialist R. Tookoome, Social Policy Officer J. Walsh, Senior Environmental Policy Analyst T. Brown, Senior Technical Advisor for Arcadis
Environment and Climate Change Canada:	M. Pinto, Senior Environmental Assessment Coordinator B. Asher, Senior Air Quality Analyst
Fisheries and Oceans Canada:	M. D'Aguiar, Senior Biologist M. Janowicz, Regional Manager for Regulatory Reviews B. Tracz, Biologist
Health Canada	P. Partridge, Regional Environmental Assessment Specialist
Natural Resources Canada:	P. Unger, Senior Environmental Assessment Officer J. Quinn, Senior Environmental Advisor
<i>Community Representatives:</i>	
Arviat	W. Panigoniak T. Ubluriak T. Tattuinee A. Komakjuak
Baker Lake	P. Iksiraq P. Kigjugalik Hughson E. Elytook
Chesterfield Inlet	E. Kimmaliardjuk J. Krako H. Aggark M. Kukkiak T. Kukkiak
Coral Harbour	L. Nakoolak
Nauyasat	J. Mapsalak P. Kridluar M. Tuktujuk C. Katokra
Rankin Inlet	M. Hickes C. Tartak

Whale Cove	J. Napayok-Ell E. Voisey A. Voisey L. Saumik S. Enuapik

Appendix B List of Exhibits

NIRB Public Hearing August 26-29, 2019

Exhibit	Date of Receipt	Exhibit Description	Party(ies) Tendering Exhibit
1.	August 26, 2019	Hard Copy PowerPoint Presentation Whale Tail Pit Expansion Project NIRB Public Hearing – August 26-29, 2019 (English)	Agnico Eagle Mines Limited
2.	August 26, 2019	Hard Copy PowerPoint Presentation Whale Tail Pit Expansion Project NIRB Public Hearing – August 26-29, 2019 (Inuktitut)	Agnico Eagle Mines Limited
3.	August 26, 2019	Hard Copy Resumé Andrea Amendola (English)	Agnico Eagle Mines Limited
4.	August 26, 2019	Hard Copy Curriculum Vitae Corey De La Mare (English)	Agnico Eagle Mines Limited
5.	August 26, 2019	Hard Copy Resumé John Faithful (English)	Agnico Eagle Mines Limited
6.	August 26, 2019	Hard Copy Curriculum Vitae Alistair Franke (English)	Agnico Eagle Mines Limited
7.	August 26, 2019	Hard Copy Resumé Cameron McNaughton (English)	Agnico Eagle Mines Limited
8.	August 26, 2019	Hard Copy Curriculum Vitae Mike O’Kane (English)	Agnico Eagle Mines Limited
9.	August 26, 2019	Hard Copy Curriculum Vitae Mike Setterington (English)	Agnico Eagle Mines Limited
10.	August 26, 2019	Hard Copy Curriculum Vitae Gregory Sharam (English)	Agnico Eagle Mines Limited

Exhibit	Date of Receipt	Exhibit Description	Party(ies) Tendering Exhibit
11.	August 26, 2019	Hard Copy Curriculum Vitae Cameron Stevens (English)	Agnico Eagle Mines Limited
12.	August 26, 2019	Electronic Exhibit Only Video Clip Simulation of Existing Whale Tail Mine and Proposed Expansion and the Site at Closure	Agnico Eagle Mines Limited
13.	August 26, 2019	Hard Copy PowerPoint Presentation Whale Tail Pit Expansion Project NIRB Public Hearing – August 26-29, 2019 Public Participation (English)	Agnico Eagle Mines Limited
14.	August 26, 2019	Hard Copy PowerPoint Presentation Whale Tail Pit Expansion Project NIRB Public Hearing – August 26-29, 2019 Public Participation (Inuktitut)	Agnico Eagle Mines Limited
15.	August 26, 2019	Hard Copy PowerPoint Presentation Whale Tail Pit Expansion Project NIRB Public Hearing – August 26-29, 2019 Alternative Assessment and Cumulative Effects (English)	Agnico Eagle Mines Limited
16.	August 26, 2019	Hard Copy PowerPoint Presentation Whale Tail Pit Expansion Project NIRB Public Hearing – August 26-29, 2019 Public Participation Alternative Assessment and Cumulative Effects (Inuktitut)	Agnico Eagle Mines Limited
17.	August 26, 2019	Hard Copy PowerPoint Presentation Whale Tail Pit Expansion Project NIRB Public Hearing – August 26-29, 2019 Atmospheric Environment (English)	Agnico Eagle Mines Limited
18.	August 26, 2019	Hard Copy PowerPoint Presentation Whale Tail Pit Expansion Project NIRB Public Hearing – August 26-29, 2019 Public Participation Atmospheric Environment (Inuktitut)	Agnico Eagle Mines Limited

Exhibit	Date of Receipt	Exhibit Description	Party(ies) Tendering Exhibit
19.	August 26, 2019	Hard Copy PowerPoint Presentation Whale Tail Pit Expansion Project NIRB Public Hearing – August 26-29, 2019 Terrestrial Environment (<i>English</i>)	Agnico Eagle Mines Limited
20.	August 26, 2019	Hard Copy PowerPoint Presentation Whale Tail Pit Expansion Project NIRB Public Hearing – August 26-29, 2019 Terrestrial Environment (<i>Inuktitut</i>)	Agnico Eagle Mines Limited
21.	August 26, 2019	Electronic Exhibit Only Video Clip Visual Representation of Caribou Migration in the Spring of 2019	Agnico Eagle Mines Limited
22.	August 26, 2019	Hard Copy PowerPoint Presentation Whale Tail Pit Expansion Project NIRB Public Hearing – August 26-29, 2019 Freshwater Environment and Waste Management (<i>English</i>)	Agnico Eagle Mines Limited
23.	August 26, 2019	Hard Copy PowerPoint Presentation Whale Tail Pit Expansion Project NIRB Public Hearing – August 26-29, 2019 Freshwater Environment and Waste Management (<i>Inuktitut</i>)	Agnico Eagle Mines Limited
24.	August 26, 2019	Hard Copy PowerPoint Presentation Whale Tail Pit Expansion Project NIRB Public Hearing – August 26-29, 2019 Marine Environment (<i>English</i>)	Agnico Eagle Mines Limited
25.	August 26, 2019	Hard Copy PowerPoint Presentation Whale Tail Pit Expansion Project NIRB Public Hearing – August 26-29, 2019 Marine Environment (<i>Inuktitut</i>)	Agnico Eagle Mines Limited
26.	August 26, 2019	Hard Copy PowerPoint Presentation Whale Tail Pit Expansion Project NIRB Public Hearing – August 26-29, 2019 Socio-economics (<i>English</i>)	Agnico Eagle Mines Limited

Exhibit	Date of Receipt	Exhibit Description	Party(ies) Tendering Exhibit
27.	August 26, 2019	Hard Copy PowerPoint Presentation Whale Tail Pit Expansion Project NIRB Public Hearing – August 26-29, 2019 Socio-economics (<i>Inuktitut</i>)	Agnico Eagle Mines Limited
28.	August 26, 2019	Hard Copy PowerPoint Presentation Whale Tail Pit Expansion Project NIRB Public Hearing – August 26-29, 2019 Human Health and Ecological Risk Assessment (<i>English</i>)	Agnico Eagle Mines Limited
29.	August 26, 2019	Hard Copy PowerPoint Presentation Whale Tail Pit Expansion Project NIRB Public Hearing – August 26-29, 2019 Human Health and Ecological Risk Assessment (<i>Inuktitut</i>)	Agnico Eagle Mines Limited
30.	August 26, 2019	Hard Copy PowerPoint Presentation Whale Tail Pit Expansion Project NIRB Public Hearing – August 26-29, 2019 Management Plans (<i>English</i>)	Agnico Eagle Mines Limited
31.	August 26, 2019	Hard Copy PowerPoint Presentation Whale Tail Pit Expansion Project NIRB Public Hearing – August 26-29, 2019 Management Plans (<i>Inuktitut</i>)	Agnico Eagle Mines Limited
32.	August 27, 2019	Hard Copy PowerPoint Presentation Whale Tail Expansion Project Proposal KIA-NTI Final Technical Review (<i>English/Inuktitut</i>)	Kivalliq Inuit Association Nunavut Tunngavik Incorporated
33.	August 27, 2019	Hard Copy Executive Summary of Technical Review Comments (<i>English</i>)	Kivalliq Inuit Association Nunavut Tunngavik Incorporated
34.	August 27, 2019	Hard Copy Executive Summary of Technical Review Comments (<i>Inuktitut</i>)	Kivalliq Inuit Association Nunavut Tunngavik Incorporated

Exhibit	Date of Receipt	Exhibit Description	Party(ies) Tendering Exhibit
35.	August 27, 2019	Hard Copy PowerPoint Presentation Presentation to the Nunavut Impact Review Board's Final Hearing for the Whale Tail Expansion Project (English)	Baker Lake Hunters and Trappers Organization
36.	August 27, 2019	Hard Copy PowerPoint Presentation Presentation to the Nunavut Impact Review Board's Final Hearing for the Whale Tail Expansion Project (Inuktitut)	Baker Lake Hunters and Trappers Organization
37.	August 27, 2019	Hard Copy PowerPoint Presentation Updated Agnico Eagle Mine Ltd.'s Whale Tail Pit Expansion Project NIRB Final Hearing Crown-Indigenous Relation and Northern Affairs Canada (English)	Crown-Indigenous Relations and Northern Affairs Canada
38.	August 27, 2019	Hard Copy PowerPoint Presentation Agnico Eagle Mine Ltd.'s Whale Tail Pit Expansion Project NIRB Final Hearing Crown-Indigenous Relation and Northern Affairs Canada (Inuktitut)	Crown-Indigenous Relations and Northern Affairs Canada
39.	August 27, 2019	Hard Copy PowerPoint Presentation Agnico Eagle Mine Ltd.'s Whale Tail Pit Expansion Project NIRB Final Hearing Crown-Indigenous Relation and Northern Affairs Canada (French)	Crown-Indigenous Relations and Northern Affairs Canada
40.	August 27, 2019	Hard Copy Executive Summary of Final Written Submission on Agnico Eagle Mines Limited's Whale Tail Pit Expansion Project July 26, 2019 (English)	Crown-Indigenous Relations and Northern Affairs Canada
41.	August 27, 2019	Hard Copy Executive Summary of Final Written Submission on Agnico Eagle Mines Limited's Whale Tail Pit Expansion Project July 26, 2019 (Inuktitut)	Crown-Indigenous Relations and Northern Affairs Canada

Exhibit	Date of Receipt	Exhibit Description	Party(ies) Tendering Exhibit
42.	August 27, 2019	Hard Copy Executive Summary of Final Written Submission on Agnico Eagle Mines Limited's Whale Tail Pit Expansion Project July 26, 2019 (<i>French</i>)	Crown-Indigenous Relations and Northern Affairs Canada
43. (a)	August 27, 2019	Hard Copy PowerPoint Presentation Environment and Climate Change Canada's Presentation to the Nunavut Impact Review Board Respecting the Whale Tail Pit Expansion Project (<i>English/Inuktitut</i>)	Environment and Climate Change Canada
43. (b)		NOTE: Updated Electronic Copy to reflect resolution of issues has been filed as Exhibit #47 Hard Copy PowerPoint Presentation Environment and Climate Change Canada's Presentation to the Nunavut Impact Review Board Respecting the Whale Tail Pit Expansion Project (<i>English/French</i>)	
44.	August 27, 2019	Hard Copy Executive Summary Technical Review Comments of Environment and Climate Change Canada (<i>English/Inuktitut</i>)	Environment and Climate Change Canada
45.	August 27, 2019	Hard Copy Executive Summary Technical Review Comments of Environment and Climate Change Canada (<i>English/French</i>)	Environment and Climate Change Canada
46.	August 27, 2019	Hard Copy Environment and Climate Change Canada Suggested Text for Air Quality Term and Condition (<i>English</i>)	Environment and Climate Change Canada
47.	August 27, 2019	Updated Electronic Copy of Exhibit #43 PowerPoint Presentation Environment and Climate Change Canada's Presentation to the Nunavut Impact Review Board Respecting the Whale Tail Pit Expansion Project (<i>English/Inuktitut</i>)	Environment and Climate Change Canada
48.	August 27, 2019	Hard Copy PowerPoint Presentation Health Canada Presentation to the NIRB For the Whale Tail Pit Expansion Project (<i>English</i>)	Health Canada

Exhibit	Date of Receipt	Exhibit Description	Party(ies) Tendering Exhibit
49.	August 27, 2019	Hard Copy PowerPoint Presentation Health Canada Presentation to the NIRB For the Whale Tail Pit Expansion Project (<i>Inuktitut</i>)	Health Canada
50.	August 27, 2019	Hard Copy PowerPoint Presentation Health Canada Presentation to the NIRB For the Whale Tail Pit Expansion Project (<i>French</i>)	Heath Canada
51.	August 27, 2019	Hard Copy Executive Summary of Technical Review Comments Health Canada (<i>English</i>)	Health Canada
52.	August 27, 2019	Hard Copy Executive Summary of Technical Review Comments Health Canada (<i>Inuktitut</i>)	Health Canada
53.	August 27, 2019	Hard Copy Executive Summary of Technical Review Comments Health Canada (<i>French</i>)	Health Canada
54.	August 27, 2019	Hard Copy PowerPoint Presentation Agnico Eagle Mines Limited's "Whale Tail Pit Expansion Project" Fisheries and Oceans Canada (<i>English</i>)	Fisheries and Oceans Canada
55.	August 27, 2019	Hard Copy PowerPoint Presentation Agnico Eagle Mines Limited's "Whale Tail Pit Expansion Project" Fisheries and Oceans Canada (<i>Inuktitut</i>)	Fisheries and Oceans Canada
56.	August 27, 2019	Hard Copy PowerPoint Presentation Agnico Eagle Mines Limited's "Whale Tail Pit Expansion Project" Fisheries and Oceans Canada (<i>French</i>)	Fisheries and Oceans Canada
57.	August 27, 2019	Hard Copy PowerPoint Presentation Natural Resources Canada's Final Hearing Presentation: Agnico Eagle Mines' Whale Tail Expansion Project (<i>English</i>)	Natural Resources Canada

Exhibit	Date of Receipt	Exhibit Description	Party(ies) Tendering Exhibit
58.	August 27, 2019	Hard Copy PowerPoint Presentation Natural Resources Canada's Final Hearing Presentation: Agnico Eagle Mines' Whale Tail Expansion Project (<i>Inuktitut</i>)	Natural Resources Canada
59.	August 27, 2019	Hard Copy Executive Summary of Technical Review Comments Natural Resources Canada (<i>English</i>)	Natural Resources Canada
60.	August 27, 2019	Hard Copy Executive Summary of Technical Review Comments Natural Resources Canada (<i>Inuktitut</i>)	Natural Resources Canada
61.	August 27, 2019	Hard Copy Executive Summary of Technical Review Comments Natural Resources Canada (<i>French</i>)	Natural Resources Canada
62.	August 28, 2019	Hard Copy PowerPoint Presentation NIRB Final Hearing Agnico Eagle Mines Limited's (AEM) "Whale Tail Pit Expansion" Project Government of Nunavut (<i>English/Inuktitut</i>)	Government of Nunavut
63.	August 28, 2019	Hard Copy PowerPoint Presentation NIRB Final Hearing Agnico Eagle Mines Limited's (AEM) "Whale Tail Pit Expansion" Project Government of Nunavut (<i>French/Inuktitut</i>)	Government of Nunavut
64.	August 28, 2019	Hard Copy Executive Summary of Technical Review Comments Government of Nunavut (<i>English</i>)	Government of Nunavut
65.	August 28, 2019	Hard Copy Executive Summary of Technical Review Comments Government of Nunavut (<i>Inuktitut</i>)	Government of Nunavut
66.	August 28, 2019	Hard Copy Executive Summary of Technical Review Comments Government of Nunavut (<i>French</i>)	Government of Nunavut

Exhibit	Date of Receipt	Exhibit Description	Party(ies) Tendering Exhibit
67.	August 28, 2019	Hard Copy Kivalliq Inuit Association Final Hearing Proposed Terms and Conditions KIA-Terrestrial-01 and KIA-Terrestrial-02 (English)	Kivalliq Inuit Association
68.	August 28, 2019	Hard Copy PowerPoint Presentation Whale Tail Pit Expansion Project NIRB Public Hearing August 26-29, 2019 Community Roundtable (English)	Agnico Eagle Mines Limited
69.	August 28, 2019	Hard Copy PowerPoint Presentation Whale Tail Pit Expansion Project NIRB Public Hearing August 26-29, 2019 Community Roundtable (Inuktitut)	Agnico Eagle Mines Limited
70.	August 28, 2019	Electronic Copy Only Video Clip Barren-ground Caribou Movement Animations Around Meadowbank and Whale Tail Infrastructure (English)	Government of Nunavut
71.	August 28, 2019	Electronic Copy Only Video Clip Barren-ground Caribou Movement Animations Around Meadowbank and Whale Tail Infrastructure (Inuktitut)	Government of Nunavut
72.	August 29, 2019	Hard Copy Arctic Corridors and Northern Voices: Governing Marine Transportation in the Canadian Arctic Coral Harbour Nunavut 2019 (English)	Agnico Eagle Mines Limited
73.	August 29, 2019	Hard Copy Investments under the Oceans Protection Plan to Protect Canada's Arctic Coast and Water Transport Canada (English)	Agnico Eagle Mines Limited
74.	August 29, 2019	Hard Copy Issues Resolved Between Agnico Eagle Mines Ltd. And Baker Lake (Qaminq'tuaq) Hunters and Trappers Organization (HTO) Date: April (sic August) 29, 2019 (English)	Baker Lake Hunters and Trappers Organization

Exhibit	Date of Receipt	Exhibit Description	Party(ies) Tendering Exhibit
75.	August 29, 2019	Hard Copy Proposed Amendment to Term and Condition No. 51 Employment-Socio-economic closure planning (<i>English</i>)	Crown-Indigenous Relations and Northern Affairs Canada
76.	August 29, 2019	Hard Copy Updated NO2 Monitoring Commitment Agnico Eagle Mines (<i>English</i>)	Agnico Eagle Mines Limited
77.	August 29, 2019	Hard Copy Joint Submission on Commitments Agnico Eagle Mines Ltd. and the Government of Nunavut (<i>English</i>)	Agnico Eagle Mines Limited and Government of Nunavut
78.	August 29, 2019	Hard Copy Joint Submission on Suggested Terms and Conditions Agnico Eagle Mines Ltd. and the Government of Nunavut (<i>English</i>)	Agnico Eagle Mines Limited and Government of Nunavut
79.	August 29, 2019	Hard Copy Appendix “A” The Government of Nunavut Revised Recommended Terms and Conditions (<i>English</i>)	Government of Nunavut

Appendix C Board Site Visit Report

1. Background:

During the NIRB's Technical Meeting held in Baker Lake on June 11-13, as part of the NIRB's assessment of the Expansion Proposal, Agnico Eagle, the Intervenor and the NIRB's staff discussed the potential for the Board and Intervenor to attend a site visit prior to the Public Hearing scheduled for August 26-29, 2019. As discussed during the Technical Meeting, the scope of a proposed site visit would include participants getting the opportunity to view existing infrastructure Agnico proposes to use, upgrade and/or expand as part of the Expansion Proposal as well as to view the sites for new construction proposed under the Expansion Proposal at the Meadowbank Mine Site, the Whale Tail Pit Mine Site and the Whale Tail haul road. In the discussions during the Technical Meeting it was noted that the NIRB's current Board Members have not previously visited these sites in their formal capacities. During the Technical Meeting the Board's staff also polled the attendees to gauge the interest of the Intervenor in attending this type of site visit, and also to identify if there were any objections from parties at the Technical Meeting to the Board attending a site visit in advance of the Public Hearing.

No objections were identified, and the Board indicated that, consistent with the NIRB's practice, notice of the proposed site visit, as well as logistical details would be issued in advance of the site visit, likely at the same time as the Board's Notice of Public Hearing. All parties were also reminded that the Board does not rely on site visits to gather evidence that is not otherwise provided to the Board prior to, or during the Public Hearing for a given file. Reflecting this approach, the Board did not receive additional evidence or information about the Expansion Proposal during the site visit that was not otherwise filed publicly as part of the Public Hearing Record during the NIRB's assessment of the Expansion Proposal.

2. Advance Notice Regarding the Site Visit

In the NIRB's cover correspondence issued on June 20, 2019 enclosing the Board's formal Notice of Public Hearing, the NIRB provided all intervenors and members of the public with notice of the Board's intention to conduct a site visit at the Meadowbank Mine Site and the Whale Tail Pit Mine Site for the purposes of familiarization and orientation of the NIRB Board Members to the proposed project development area. The tentative dates for the site visit were provided as the weekend prior to the start of the Public Hearing, (August 25 and/or 26, 2019). The notice also indicated that likely (subject to finalization of logistical arrangements with Agnico Eagle) a representative from each intervening party would be given the opportunity to attend the site visit with the Board, with transport from Baker Lake being provided by Agnico Eagle. The Board's notice also indicated that the NIRB would coordinate with Agnico Eagle to plan the site visit and provide further details (including terms of reference and logistics for the site visit) in the coming weeks, and to follow up with the parties to confirm the planned attendance of Intervenor.

3. The Purpose of the Site Visit

The purpose of the site visit was to provide the Board and the Intervenor in attendance with an opportunity to:

- increase their understanding and familiarity with the existing infrastructure at the Meadowbank and Whale Tail Pit Mine sites;
- understand the physical setting of the proposed infrastructure and activities associated with the Expansion Proposal in the context of the already-approved Projects; and
- get a first-hand view of the site features, area and the general location of both existing and proposed infrastructure and activities within the scope of the Expansion Proposal.

Itinerary

Unfortunately, due to the presence of caribou in proximity to the haul road between the Meadowbank Mine and the Whale Tail Pit Mine, the haul road was shut down to all but essential traffic. Consequently, the site visit was limited to the Meadowbank Mine site and only a view of the start of the haul road and some preliminary lay down areas for the Whale Tail Mine site visible from the Meadowbank Mine site.

The site visit took place on Sunday, August 25, 2019 from approximately 8:00 am to 3:00 pm, and consisted of the following itinerary:

1. The Board and Intervenors check in at the Baker Lake Airport
2. The Board and Intervenors travel from the Baker Lake Airport to the airstrip at the Meadowbank Mine Site by charter flight
3. The Board, Intervenors and Agnico Eagle personnel (including external consultants and legal counsel) gather in the Meadowbank Mine Main Camp Facility for a safety briefing and site visit orientation
4. The Board, Intervenors and Agnico Eagle personnel board a single tour bus with Agnico Eagle personnel providing commentary during the tour of the Meadowbank Mine site by bus (the components of the site viewed during the tour are as listed below in [Table 1](#))
5. The tour bus returns to Meadowbank Mine Main Camp Facility and participants undertake a short walking tour of various facilities within this Facility
6. All site visit participants eat lunch in the Meadowbank Mine Main Camp Facility
7. The Board, intervenors and some Agnico Eagle personnel travel from the Meadowbank Mine Site to Baker Lake Airport by charter flight.

Table 1: Project Components Viewed by Attendees During the August 25, 2019 Site Visit

Project Component	Notes/Items Highlighted
Mill	
Camp and Shops	Last of original camp structures, 1 tent + kitchen
Processing plant	Crushing areas, progress of materials through the processing plant, equipment types and size for comparison (i.e. smallest, largest)
Powerhouse	

Project Component	Notes/Items Highlighted
Main Crusher	
Sea Can staging areas and warehouses	Sea Can Staging Equipment
Incinerator building	Noted use of both incinerator as well as newer composting of food waste, highlighted view of composter
Sander	Noted purpose of equipment for dust suppression specifically noted use on road
Portage pits	
Central Dyke	Noted tailing storage beyond
Stop at vantage point on waste rock storage pile	Pointed out central dyke, stormwater dyke, Portage E pit (the last one being mined), how the tailings is deposited, activities to cover half of tailings deposition area, and plan to breach dyke to reflood pits
Vault Pit area, road	Noted piles of crush used to maintain road surface in winter, 2 ponds fished out, Vault operations finished into 2019, and that Vault Pit is a deeper pit than other pits developed for the Meadowbank project
Inside the Main Camp Facility: <ul style="list-style-type: none"> - Accommodations - Laundry - Inuit Human Resource offices - Phone Booths - Canteen - Gym - Training Room (Simulator and Training Programs) - Fire, Health and Emergency Services - Dispatch and communications rooms 	Noted the available Site Health and Safety tools; including emergency response equipment (including fire trucks), demonstrated the heavy equipment driving simulator, showing how it works and procedures for trucks and trades training support; dispatch communication procedures, tracking traffic at site, handling emergencies through dispatch

5. Attendees

Party	Attendee
Nunavut Impact Review Board – Acting Chairperson	Kavik Kaluraq
Nunavut Impact Review Board – Board Member	Guy Alikut
Nunavut Impact Review Board – Board Member	Catherine Emrick
Nunavut Impact Review Board – Board Member	Philip (Omingmakyok) Kadlun
Nunavut Impact Review Board – Board Member	Uriash Puqignak
Nunavut Impact Review Board – Staff Member	Josie Tucktoo
Nunavut Impact Review Board – Staff Member	Ryan Barry
Nunavut Impact Review Board – Staff Member	Tara Arko
Nunavut Impact Review Board – Legal Counsel	Teresa Meadows
Crown-Indigenous Relations and Northern Affairs Canada	David Abernethy
Crown-Indigenous Relations and Northern Affairs Canada	Felexce Ngwa
Crown-Indigenous Relations and Northern Affairs Canada	Robert Tookoome
Crown-Indigenous Relations and Northern Affairs Canada	Saba Qazi
Justice Canada	Simon Gruda-Dolbec
Crown-Indigenous Relations and Northern Affairs Canada	Spencer Dewar
Natural Resources Canada	Jason Quinn
Natural Resources Canada	Peter Unger
Baker Lake Hunters and Trappers Organization	David Kattegatsiak
Baker Lake Hunters and Trappers Organization	James Kalluk
Baker Lake Hunters and Trappers Organization	Timothy Evviuk
Baker Lake Hunters and Trappers Organization	Tosha Kalluk
Chesterfield Inlet Community Representative	Harry Aggark
Agnico Eagle Mines Limited	Alastair Franke
Agnico Eagle Mines Limited	Andrea Amendola
Agnico Eagle Mines Limited	Cameron McNaughton
Agnico Eagle Mines Limited	Cameron Stevens
Agnico Eagle Mines Limited	Chris Kennedy
Agnico Eagle Mines Limited – Legal Counsel	Christine Kowbel
Agnico Eagle Mines Limited	Corey de la Mare
Agnico Eagle Mines Limited	Greg Sharam
Agnico Eagle Mines Limited	Jamie Quesnel
Agnico Eagle Mines Limited	Jennifer Range
Agnico Eagle Mines Limited	John Faithful
Agnico Eagle Mines Limited	Keith Bergner
Agnico Eagle Mines Limited	Manon Turmel
Agnico Eagle Mines Limited	Michael Settingington
Agnico Eagle Mines Limited	Michel Groleau
Agnico Eagle Mines Limited	Mike O'Kane
Agnico Eagle Mines Limited	Philippe Lapointe

6. Questions Asked by Attendees During Site Visit

The following is a list of the questions asked by the attendees during the site visit (as summarized by NIRB staff in attendance):

- What is the throughput of the mill?
- Where is the mill relative to other plant infrastructure?
- Where do the compost from the composter go when it has been processed?
- How does the de-icing chemical work?
- How do the dust suppression chemicals work?
- Where are the haul trucks that are leaving Meadowbank going to and coming from?
- How much gold (i.e. what percentage) does Agnico Eagle recover from the ore?
- What is the ratio of waste to ore (i.e. how much rock does Agnico Eagle estimate needs to be excavated to get to the ore?)
- What is the depth of the pits at the site?
- What is the total number of production equipment/ vehicles (trucks, loaders, dozers) that AEM has at the Meadowbank site?
- Is there seepage at the bottom of the Central dike, and if there is, how is the seepage managed?
- How much water is used daily at the mine site, and how much of that water is recirculated?
- What happens to the water that collects in the pits?
- In general, what will happen at the end of the project (i.e. at the end of the life of the mine)?
- Specifically, will the pits be reflooded when the site is reclaimed?
- Will the tailings be covered with rock when the site is reclaimed?
- What is the thickness of the rock cover that will be covering the tailings when the site is reclaimed?
- Does Agnico Eagle keep track of wildlife sightings at the mine?
- Has Agnico Eagle seen bears as part of that wildlife monitoring?
- How often does Agnico Eagle blast when the mine is in full production?
- How wide is the road to Vault Pit?
- Is there anything in the design of the road specifically built in to accommodate wildlife crossing?
- When a blizzard comes along, how high are the drifts along the road?
- How does the road get flagged to stand out during the winter?
- Are the white areas visible in the pits snow that has accumulated/not melted yet?
- What is the reflective tape on the road signs for?
- Does Agnico Eagle have a training program for heavy equipment operators offered on-site?
- What is the pumphouse located adjacent to the accommodation complex for?
- How many people stay at the site?
- What are the hours of the gym facility and how often do people come to the gym?
- How long will the gym structure last?
- How many people have been trained on-site at Meadowbank?
- How does the apprenticeship program work?
- Which communities are the apprentices from?
- How do people apply to be considered for acceptance into the apprenticeship program?
- Do people need experience and/or licences before they apply to the program?

- When Agnico Eagle is doing on-site training, is that conducted during employees' regular shifts or is it in addition to their 12-hour shift?
- What grade level do people need to have in order to be consider for on-site training and apprenticeship programs?
- How transferable are the skills learned at the site; i.e. do Agnico Eagle's haul truck operators get driver's licences that can be used off-site?
- In the control room for the mines, how many pieces of equipment are individual traffic controllers responsible for managing on-site at any one time?
- Does the dispatcher in the control room for the mines have the ability to change the video feeds they are seeing and what do the various colors on the screen mean?
- Do the dispatchers in the control room at the mines get on-the-job training on the equipment that is here?
- How long are dispatchers in the control room at the mines on shift?
- Does the control room operate as a command centre?
- What happens if there is a power outage?
- Is the air traffic and air strip handled through the control room at the mines?

7. Pictures Taken During Site Visit



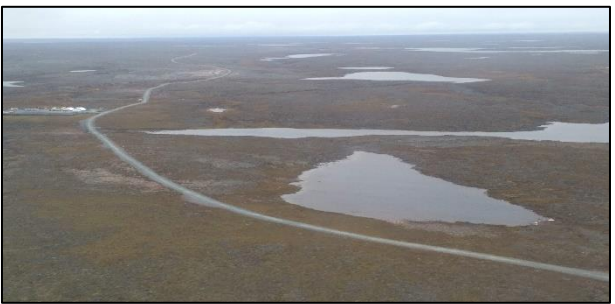
Checking in to airport for flight from Baker Lake to the Meadowbank site



Attendees on flight



Flying over all-weather access road between Baker Lake and Meadowbank site



Exploration Camp viewed on approach to the Meadowbank airstrip



Site profile approaching runway at the Meadowbank site, specifically overlooking the waste rock pile and tailings facility



Site visit attendees on the bus for viewing of site



Initial site orientation and safety briefing



Participants reading site overview



Group at site overview from vantage point



View of Meadowbank site from vantage point



Board members at vantage point



Goose Pit being used for in-pit tailings disposal



Panorama of Meadowbank site's vantage point

8. Closure

In the Acting Chairperson's opening remarks at the Public Hearing that followed the site visit, the NIRB highlighted that the Board and some Intervenors had attended a site visit on August 25, noting that the site visit was limited to primarily the Meadowbank Mine Site due to the closure of the Whale Tail haul road. The Acting Chairperson also confirmed for all parties present that, during the site visit, the NIRB did not engage in any substantive discussions of the Expansion Proposal with any parties, and also did not receive any information about the Expansion Proposal that was not part of the Public Hearing Record for the file. There were no questions or objections raised by any Community Representatives or members of the public present during the Public Hearing regarding the site visit.

In closing, the Board thanks Agnico Eagle for making the arrangements, including providing the travel and logistical support necessary for the Board and Intervenors to participate in the site visit, and for ensuring the site visit was conducted in a manner that respects the Board's limits and procedures for site visits. The Board and participating Intervenors were able to form a better understanding and familiarity with physical features, setting and location of key project components at the Meadowbank Mine Site, including the infrastructure and activities that would be used by Agnico Eagle if the Expansion Proposal were to be approved to proceed.

Appendix D List of Acronyms

[illegible]

TK	Traditional Knowledge ᐃᓄᓐᓄᑦ ᖃᐅᔨᐱᓕᐅᔪᑦ
VEC	Valued Ecosystem Component ᐅᐱᔪᓐᓇ ᖃᐅᑦᐱᑦ ᐱᓐᓇᐱᓐᓇᑦ ᐃᓄᓐᓄᑦ ᐱᓐᓇᐱᓐᓇᑦ
VSEC	Valued Socio-Economic Component ᐃᓄᑦᐱᓐᓇᑦ -ᐱᓐᓇᑦᐱᓐᓇᑦᐱᓐᓇᑦᐱᓐᓇᑦ ᐃᓄᓐᓄᑦ ᐱᓐᓇᐱᓐᓇᑦ