



NIRB File No.: 11EN010
KIA File Nos.: KVRW1501& KVCA15Q02
NWB File No.: 8BC-AEA
AANDC File No.: N2015F0026

September 22, 2015

Ryan Vanengen, Environment Superintendent – Nunavut
Agnico Eagle Mines Ltd.
CP 87, 765 chemin de la mine Goldex
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Sent via email: ryan.vanengen@agnicoeagle.com

Re: Opportunity to address comments received regarding Agnico Eagle Mines Ltd.'s Requests with the Nunavut Water Board and the Kivalliq Inuit Association for the “Amaruq Exploration Access Road” project proposal

Dear Ryan Vanengen:

On July 22, 2015 the Nunavut Impact Review Board (NIRB or Board) invited interested parties and municipalities potentially affected by Agnico Eagle Mines Ltd.'s (AEM) "Amaruq Exploration Access Road" project proposal to develop a private single lane exploration access road linking the Meadowbank mine site to the Amaruq exploration project site to facilitate year round exploration operations. The NIRB requested parties to provide comments to the Board on this proposal by August 12, 2015. Following a request by the Baker Lake Hunters and Trappers Organization to extend the commenting deadline and to hold public meetings to inform the community of Baker Lake on the proposal and explain in detail the proposed infrastructure, the NIRB extended the commenting deadline to September 16, 2015 and conducted a community information session in Baker Lake on September 9, 2015.

On or before September 16, 2015 the NIRB received comments from the following interested parties:

- Kivalliq Inuit Association (KivIA)
- Government of Nunavut (GN)
- Aboriginal Affairs and Northern Development Canada (AANDC)
- Environment Canada (EC)
- Fisheries and Oceans Canada (DFO)
- Transport Canada (TC)
- Baker Lake Hunters and Trappers Organization (HTO)

- Comments from community members during the September 9, 2015 information session (*summary report to follow*)

All comments and documents received pertaining to this project proposal can be obtained from the NIRB's online public registry site at

<http://ftp.nirb.ca/01-SCREENINGS/COMPLETED%20SCREENINGS/2011/11EN010-AEM-Amaruq/02-DISTRIBUTION/COMMENTS/>.

A summary of the main concerns which were raised by parties, both written and at the NIRB community information session, relate to the following:

General

- Components of project proposal were not previously screened and may be considered a significant modification to the project and change to the original scope of the project.
- Further clarification required on the distribution of accommodations for personnel during the construction of the road, as the number of person days would increase from approximately 18,000 to 73,000. Further information required on whether the addition would exceed previously proposed camp sizes for either the Amaruq or Meadowbank sites.
- Further information required on specific topics covered or feedback received during public consultation sessions conducted by AEM on the proposed Amaruq access road.
- Further clarification required on the placement and operation of the crusher to be used for the construction of the road. Information should include dust and water quality monitoring stations associated with the crusher.
- No benefits have been observed from the mining industry to Inuit and specifically to Baker Lake Inuit. Information required on how the community of Baker Lake would receive the benefits from this proposal, specifically benefits from employment, training opportunities and skills.

Fuel and Chemical Storage

- Flagging of proposed borrow areas and fuel tanks at two of the eskers is suggested to ensure safety of the employees and any recreational users in the immediate vicinity. Recreational users of the area between Baker Lake and Back River area for traditional activities should be made aware of the proposed road and associated borrow areas to enhance safety of all users.
- Spill kits should be located at each fuel storage location and along any refuelling stations on the road.
- Further information required on the type of explosives to be used to provide rock for the crusher. Ammonium nitrate/fuel oil (ANFO) explosives are of concern to aquatic and terrestrial environments.

Waste Management

- No mention in the application that sewage or grey water facilities would be created along the access road. Waste management plan should be prepared or updated if it is determined that portable toilets would be used during construction of the road.
- Information on shipment and disposal of wastes including hazardous wastes is required.

Wildlife

- Proposal located in area between Qamanirjuaq Caribou Protection Area and the Beverly Caribou Protection Area and in an area where caribou and muskox are known to migrate. Recommend proponent refers to the Caribou Protection Measures from relevant agencies.
- The proposed access road intercepts spring migration pre-calving routes onto calving grounds, fall migration pre and post-breeding routes off of calving grounds, the rut, and winter range; and disturbances from the project activities such as noise may potentially impact sensitive life history stages for caribou. It is recommended that construction be required to take place outside the critical time periods so as to avoid risks to migrating and rutting caribou.
- Request implementation of mitigation measures to help reduce or eliminate some effects of the project on migratory birds, nests of migratory birds and Species at Risk.
- It is recommended that the Proponent provide mitigation measures to ensure that domestic food and wastes, as well as petroleum-based chemicals are inaccessible to wildlife.
- Eskers are preferred denning habitat for grizzly bears, wolves, wolverine and foxes. It is recommended that AEM complete pre-construction surveys of the project area to identify all active dens. If evidence of denning or other wildlife habitat features are found, AEM should consider an alternative location for the borrow sources or provide and enforce minimum setback distances between borrow pits and dens. As an example, a minimum setback of 300 metres should be considered during critical breeding periods.
- The Wildlife Management Plan should be updated to include details and commitments related to the currently proposed project activities, as well as updated monitoring procedures as outlined by comments received from the GN.
- The *Road Management Plan, Section 11.1 Wildlife Monitoring Program* should be updated to include two observers instead of one; protocols to minimize the risk of vehicle-related wildlife mortalities due to poor visibility; further investigation of collar data for caribou if there appears to be interaction with the road; and additional monitoring method in addition to road surveys.
- Potential interaction of muskox with project activities with potential displacement from calving areas could have negative effects on muskox breeding.
- Potential disturbance of raptors and nesting raptors by project activities. Avoidance of raptors nesting during critical periods is required with a minimum distance of at least 1.5 kilometres during fledging nesting stage recommended.

Surface Water, Fish and Fish Habitat

- The proposal has the potential for deposit of deleterious substance in water frequented by fish; mitigation measures required.
- Potential impacts to surface waters from drilling activities. Appropriate sediment/erosion control measures should be in place to ensure no materials including drilling additives or drilling muds enter the water, and no surface erosion occur.
- Further information required on the quantification of fish habitat affected by each crossing including detailed water crossing designs to determine the potential impacts of the proposed project on fish and fish habitat, and the potential formation of barriers to fish passage.

- Consultation with qualified environmental consultant recommended to ensure all appropriate measures are incorporated into the final engineering designs for all water crossings to avoid and mitigate serious harm to fish.
- Potential impacts to navigation from the proposal; construction should not occur on a scheduled waterway prior to a Navigation Project Program approval being issued under the *Navigation Projection Act*.
- Further discussion required on the continued suitability of Pipedream and Innugugayualik lakes as spatial references for the Meadowbank Project, specifically when watercourses and streams that feed these two lakes provide a direct link to the access road. Discussion to include standard operation of the access road and the potential for construction activities, spills and accidents to impact water quality in the reference lakes.
- Further information required to ensure the road activities would not be compromising the validity of reference data from Pipedream Lake.
- Clarification is required on the use of freshwater for the proposal; freshwater withdrawal has not been addressed in the discussion of potential impacts, mitigation and monitoring associated with the proposed access road and further information is required. It is important that freshwater only be used for dust suppression and only at the permitted rate of withdrawal allowed.
- Measures should be taken to prevent contamination of the tributary watersheds from spills and other potential contaminants.
- Decommissioning of the road following completion of activities in the area to ensure no additional traffic activities that may be detrimental to the Thelon Heritage River and the Back River.

Dust

- Production of dust along the proposed access road. Current road to Meadowbank produces dust that potentially damages caribou caches and caribou habitat. Recommend that a term and condition be issued to suppress dust on the new road and that AEM presents an updated work plan for dust control to address the community concerns raised.

Heritage Sites and Traditional Activities

- Proposed route follows traditional travel route over an esker and contains important habitat for wolves. Recommend route be modified and AEM hire Elders, based on the Baker Lake HTO's advice, to consult on the modified route.
- Proposed road and quarries overlap with several archaeological sites including grave sites and tent rings. Recommend a 500 metre buffer be required around any grave sites identified at the Amaruq site, and that no activity be allowed to occur within the buffer zone. Other archaeological sites should be avoided, but if not possible, then AEM hire Elders, based on the HTO's advice, as consultants.
- Recommend AEM prepare a plan outlining how archaeological sites would be avoided.
- Further information regarding additional archaeological and biophysical surveys of the proposed exploration access road footprint, including eskers and waterways, as well as final engineering construction designs should be provided prior to commencement of the project.
- Additional studies should be conducted to document Inuit Qaujimajatuqangit of the Amaruq area including holding a workshop in Baker Lake.

- Proposed route for Amaruq crosses over several skidoo trails used by Baker Lake hunters. Recommend that snow machine crossings have appropriate ramps that are properly maintained, crossings along the Meadowbank road be fixed, and an updated work plan be provided for the maintenance of the Meadowbank and Amaruq road prior to construction of the Amaruq road.

Due to these concerns, the NIRB would like to provide AEM with an opportunity to address all the comments prior to the Board making its decision to the Minister. The NIRB requests that a response be provided directly to the NIRB by **October 2, 2015**.

Please send your comments to the NIRB at info@nirb.ca or via fax at **(867) 983-2594**.

If you have any questions or require clarification, feel free to contact the undersigned at (867) 857-2052 or sgranchinho@nirb.ca.

Sincerely,



Sophia Granchinho, M.Sc., EP
Senior Technical Advisor
Nunavut Impact Review Board

cc: Distribution List
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David Frenette, Agnico Eagle Mines Ltd.
Phyllis Beaulieu, Nunavut Water Board
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