



October 26th, 2015

Sophia Granchinho
Senior Technical Advisor - Nunavut Impact Review Board
29 Mitik St P.O. Box 1360
Cambridge Bay, NU
XOB 0C0

Re: NIRB File No. 11EN010 – Response to October 16th comments received regarding Agnico Eagle Mines Ltd.’s Request with the NWB and KIA for the “Amaruq Exploration Access Road” Project Proposal

Dear Ms. Granchinho,

AEM appreciates that NIRB has provided AEM the opportunity to respond to the latest comments from the NIRB interveners. The following responses are intended to address the October 9th -October 16th 2015 comments provided by AANDC, EC, TC, DFO and GN, to the NIRB regarding the “Amaruq Exploration Access Road” project proposal.

Should you have any questions or require further information, please contact Stephane Robert or Ryan Vanengen.

Regards,

Agnico Eagle Mines Limited – Meadowbank Division

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Transport Canada (TC) Comments: October 15th, 2015

- 1.1 TC reviewed the proponents responses to previous information requests and has concluded that the project activities during the exploration phase will not require a regulatory decision from the department at this time.

AEMs response:

AEM appreciates TCs review and comments.

Government of Nunavut (GN) Comments : October 16th, 2015

- 2.1 The GN would like to reiterate the importance of reducing potential disturbance to migrating caribou and requests the Proponent commit to suspending road construction activities during the identified timing windows. To clarify, the GN is recommending suspension of road construction activities, not road use, during the identified timing windows. The GN provides the following justification for this request:

Construction of a road versus the operation or use of a road produces different levels of disturbance. Direct impacts to caribou are typically the greatest during the construction phases of projects, especially where roads are built and vegetation is cleared. During the construction phase, visual and auditory disturbances are more significant (i.e. more people present in one location for long periods of time and the noise produced from construction is louder, more centralized and constant throughout the day). Additionally, the construction phase is the period where habitats may become fragmented and caribou are confronted for the first time with barriers to seasonal movements. If construction takes place during periods of high caribou activity, negative effects (such as fleeing, shifting habitats, avoidance and displacement, etc.) could be more severe if animals are additionally confronted with increased visual and auditory disturbances as well.

The GN is satisfied with the Proponent's understanding of the whereabouts of caribou, which the Proponent has gleaned from local and HTO knowledge. The GN recommends that the Proponent continue to consult with the HTO and traditional knowledge holders from Baker Lake during the road operation phase to guide road closures/traffic reductions throughout periods of high caribou activity and sensitive life history stages.

AEMs response:

AEM appreciates the GNs advice and will ensure that during construction activity, caribou and all wildlife are respected at all times. AEM would like to refer the GN to AEMs IR response 4.2 on October 2nd, 2015 submission. AEM will update the Road Management Plan prior to the construction of the Amaruq Access Road and will incorporate the wildlife related recommendations and commitments above into the plan.



2.2 The GN reiterates its request that the Proponent include a Road Suspension Plan in their Road Management Plan. The GN recommends that the timing windows for sensitive life history stages for caribou (provided above) be included in the Road Suspension Plan.

AEMs response:

AEM appreciates the GNs requests and will incorporate the GNs suggestions of road suspension in the updated Amaruq Road management plan. AEM will update the Road Management Plan prior to the construction of the Amaruq Access Road and will incorporate the wildlife related recommendations and commitments above into the plan.

2.3 In the Proponent's response, the Proponent states "Due to the regulatory delay, we have since adjusted our construction schedule..." The Proponent should provide an updated construction schedule for the Project, as the timing of construction activities effects the GN's assessment of potential impacts to wildlife.

AEMs response:

The simplest explanation is that AEM has shifted the original construction schedule by 4 months; construction is planned to begin in January 2016 instead of September 2015. More specifically, within the original plan, AEM intended to arrive at Bridge km 32 by May 2016. Now AEM are planning on beginning equipment mobilization and construction preparation on January 1st, 2016 with a full fleet ramping up advancement of the road on March 1st, 2016 and arriving at Bridge km 23 by May 1st, 2016. This regulatory delay has reduced the access road progress as we intend to halt advancement north between May 1st and October 1st, 2016 to avoid sensitive nesting, denning and fisheries timing windows. Furthermore, this will allow AEM to mitigate the archaeological sites at Esker 2 (see IR response 7.2 in October 2nd, 2015 submission) and begin material preparation in Esker 2 during the summer of 2016 in preparation for the fall and winter construction. Based on the revised schedule, and assuming permits are received from authorities by December 2015, AEM intends to continue constructing the road beginning on October 1st, 2016 from Esker 2 (at km 25) and will complete the northern portion of the access road until the end of 2017.

All things considered, AEM continues to adjust the schedule based on our "best forecasted receipt" of permits and regulatory approval. AEM refers the GN to response 4.2 to 4.5 in AEMs IR submission on October 2nd, 2015. Regardless of the schedule, AEM will ensure the protection of fish and wildlife and will ensure timing windows for when wildlife are most active and sensitive are respected. AEM has been successful in constructing and maintaining roads in Nunavut and will continue to apply this emergent base of experience and knowledge in the protection of wildlife at all times on the Amaruq exploration access road.

2.4 Should the Proponent's monitoring efforts reflect that muskoxen are frequenting the area, additional adaptive mitigation measures should be incorporated in the monitoring plan.



AEMs response:

AEM agrees with the GNs advice and will incorporate the wildlife related recommendations and commitments above into the plan.

2.5 The GN reminds the Proponent that it is a contravention of the Wildlife Act to excavate or destroy an active den site. The GN encourages the Proponent to commit to following setback distances should the Proponent find one of the eskers slated for removal, occupied.

AEMs response:

AEM appreciates this reminder, we agree with the GNs advice and will incorporate the wildlife related recommendations and commitments above into the plan. AEM would also like to refer the GN to AEMs IR response 4.5 on October 2nd, 2015 submission.

DFO Comments : October 9th, 2015

3.1 DFO agrees with the discussion with AEM on September 29th, 2015, AEM indicated it would provide final construction designs and documents to DFO-FPP as a Request for Review. When this request is received, DFO- FPP will review AEM's proposal to determine whether it is likely to result in serious harm to fish which is prohibited under subsection 35(1) of the Fisheries Act, or whether it will adversely impact listed aquatic species at risk and contravene sections 32, 33 or 58 of the Species at Risk Act (SARA).

AEMs response:

AEM intends to submit our application for review shortly and will work with the DFO to ensure the Fisheries Act and SARA are respected.

3.2 DFO- FPP also understands that the NIRB is asking parties to confirm agreement that the current application would be a significant modification to the activities previously assessed related to the "Pipe Dream Winter Road and Mining Exploration" and that Section 12.4.3(a) and (b) of the Nunavut Land Claims Agreement (NLCA) would apply to the current application. DFO-FPP indicated in comments provided that the addition of this road *may* be considered by the NIRB to be a significant modification of the project and a change to the original scope of the Project.

AEMs response:

AEM refers DFO to AEMs response IR 1.1 and 5.1 on October 2nd, 2015 submission and the below response to AANDCs comments. A change to year round operational access will reduce the potential for health, safety and environmental risk. Current exploration activities access the Amaruq Site via winter road and by helicopter, which present higher potential environment risks to the fishery. AEM believes the proposal changes from a winter road, on frozen lakes and rivers, to an all season access road will in

the long term reduce potential risks to the fishery as construction practices and design do not predict impacts to the fishery as all streams or rivers will be clear spanning with bridges or arched culverts and best management practices for construction will ensure erosion control measures are in place.

AANDCs comments : October 9th, 2015

4.1 As noted in AANDC's comments to the NIRB dated September 16, 2015, AANDC notes that there are components of the Amaruq Exploration Access Road that have not been previously screened, which *may* be considered by the NIRB to be a significant modification to the project. As indicated in AANDC's original comment letter, components which had not been previously screened include: 62.5 km land-based road (as opposed to 10 km over land for the previously screened winter road); 39 hard structures (3 bridges, 8 open-bottomed arch culverts, and 28 round culverts); 1.5 million m³ of esker material from 7 eskers, and additional waste rock from the Vault Pit; storage of up to 15,000L of diesel fuel at two eskers, and an additional 500,000L of diesel to be stored at Meadowbank and Amaruq; and, an increase in person days from 18,000 to 73,000.

AEMs response:

AEM reminds AANDC that the access to the Amaruq project was previously screened NIRB File No: 11EN010 - winter road and Exploration activity for IVR (now called Amaruq). The current application represents a modification to the "access" for the project from winter road to exploration access road and therefore falls within project scope for the Amaruq project and water licence application. AEM maintains that the proposed exploration access road is not a significant modification to the current exploration project, rather a change to year round operational access will reduce the potential for health, safety and environmental risk (i.e. less helicopter haulage of fuel and no reliance on a winter road).

The exploration access road route, operations and design was selected to:

- *minimize impact on the terrain and terrestrial environment,*
- *be constructed with clear span bridges to reduce the impact on streams and the fisheries (i.e. no loss of fish habitat or restricted passage),*
- *not be located in post calving or calving grounds of caribou,*
- *be low profile to allow caribou and wildlife to cross,*
- *be constructed of natural esker material or Vault Pit material that is not potentially acid generating (NPAG),*
- *will construct the road to avoid and manage construction during sensitive migratory wildlife periods,*
- *will have a low volume of traffic, and*
- *will replace the current traffic along the approved winter road or by helicopters currently active between Meadowbank and Amaruq Exploration site.*

Of the 32 eskers that are identified during construction planning and baseline studies in the area, only seven will be used for the construction of the exploration access road; of the seven eskers, only one esker was found to have denning. As per response to IR 4.5 in AEMs October 2nd, 2015 submission, all known and active wolf dens will be avoided. As per the application, all of the fuel will be stored in "green-enviro"- double- lined tanks, monitored and properly managed using best management practices. As



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previously stated, there is a net benefit of training, job creation and royalties for borrowing material associated with the construction of the Amaruq Exploration Access road that will benefit Nunavut. The increase in person days is insignificant in comparison to approved operational person days at Meadowbank and Amaruq and all additional personnel for the Amaruq exploration access road project will be lodged in approved facilities for the construction and operation of the road (i.e. Meadowbank mine site or Amaruq exploration site).

AEM is confident the information provided in the original application and as part of the responses of clarification reiterates that it is AEM's position that the project is a simple modification to the previously screened project. Given the design, construction plan, location of the road (avoiding sensitive wildlife habitat, including dens; avoiding archaeological sites), any potential impacts have been assessed and appropriate monitoring and mitigation measure have been provided in the existing management plans and any additional measures can be taken into account by NIRB through recommended terms and conditions of a revised screening report and subsequent amended permits and licences.