

Draft Nunavut Land Use Plan

Cambridge Bay, NU (Sept 12-15, 2022)

Rankin Inlet, NU (Sept 19-23, 2022)

Thompson, MB (Sept 26-27, 2022)





1. Who we are

- History
- Mineral Rights
- Contributions to Nunavut



2. Draft Nunavut Land Use Plan (DNLUP) Review

- Grandparenting mineral claims
- Development of polygons unclear
- Prohibitions on development in polygons too restrictive

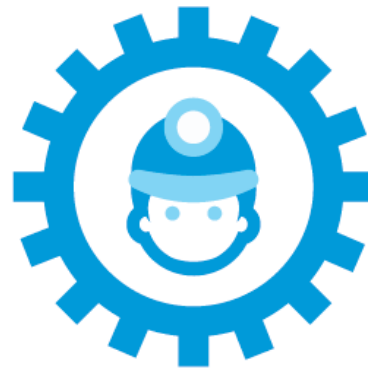


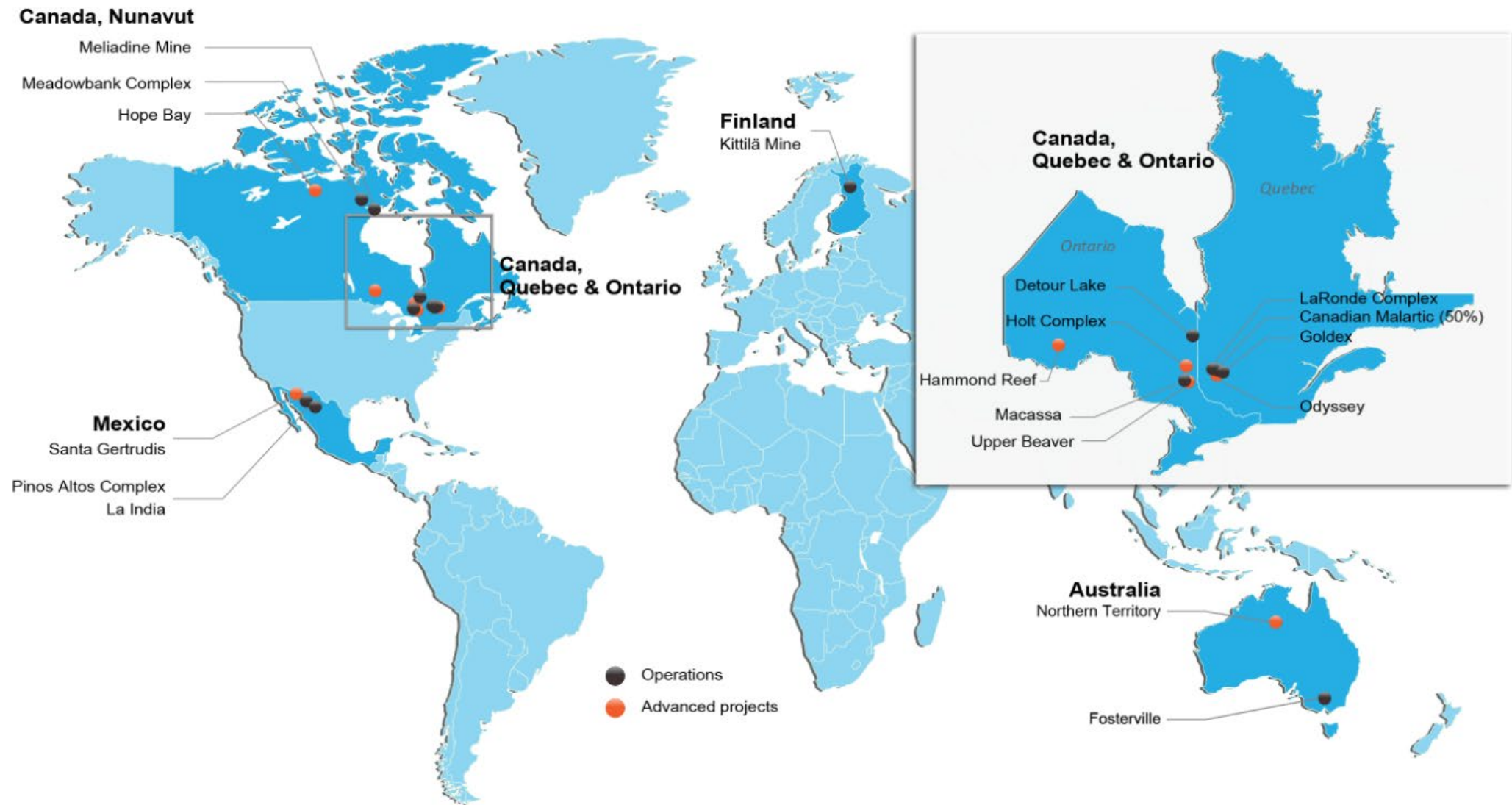
3. Conclusion

- Conclusion and Recommendations

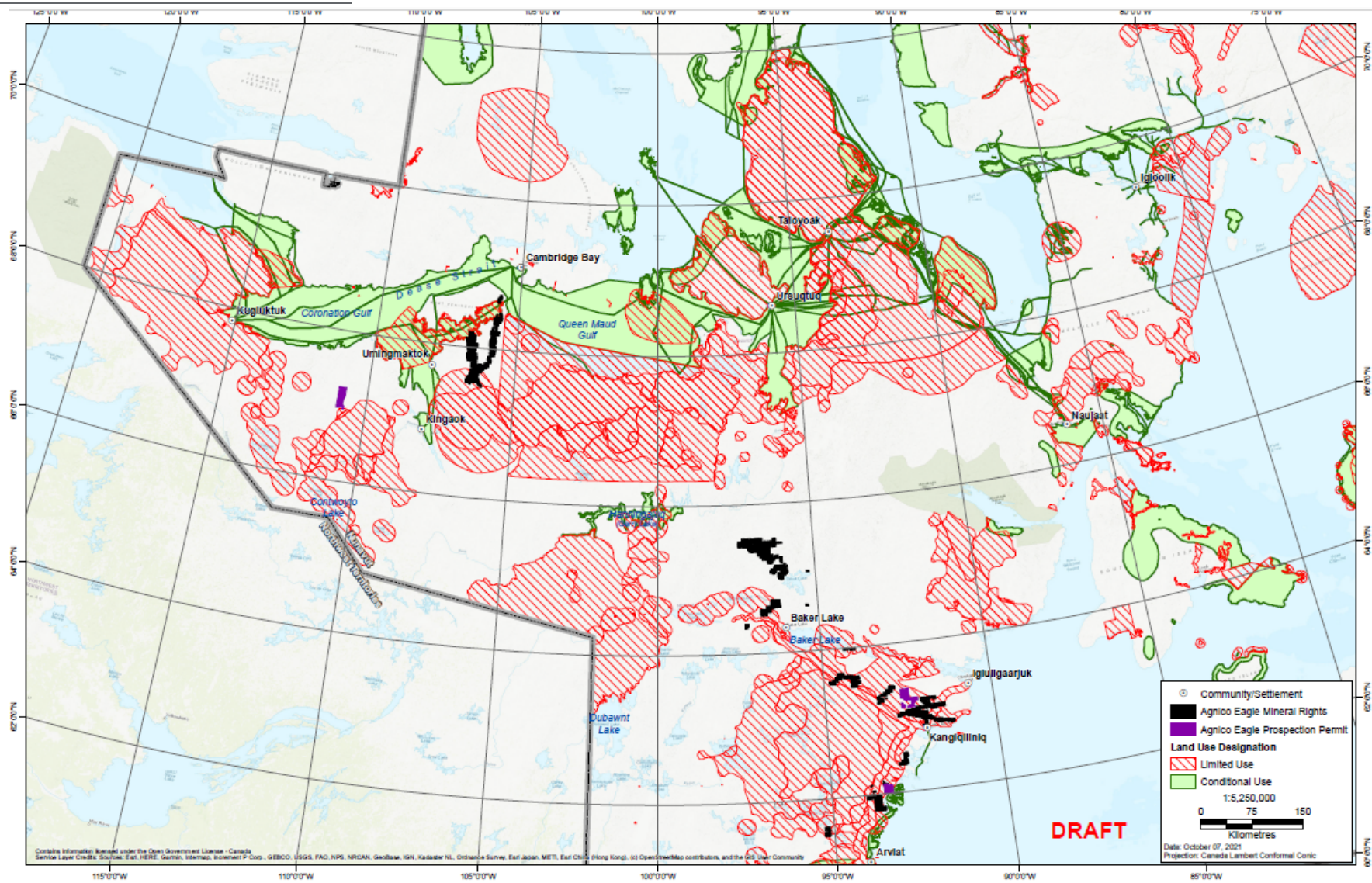


Who We Are





CLAIMS VS LIMITED USE AND CONDITIONAL USE



Agnico Eagle Mineral Rights, Prospection Permits, and Land Use Designations in the 2021 Draft Nunavut Land Use Plan
Agnico Eagle | DNLUP – Public Hearings

AGNICO EAGLE'S CONTRIBUTIONS TO NUNAVUT

- Contributor of 25% of the GDP of Nunavut.
- The largest miner and private sector employer in Nunavut.
- Since 2007
 - have invested more than \$7 billion in Nunavut
 - have paid more than \$109 million in royalties and fees to both NTI and the KivIA.
- Agnico Eagle is committed to a long-term presence in Nunavut and to supporting its well-being through its operations.



Photos 1 and 2: Arena Grand Opening (Rankin Inlet)

Photo 3: Food hamper distribution in 2020 during COVID (Baker Lake)



Photo 4: Hot Meal program where Agnico Eagle supports a local organization to ensure that everyone in the Baker Lake community has access to at least one hot meal per month



HOT LUNCH
PROGRAM



Draft Nunavut Land Use Plan Review



- 1) Grandparenting of mineral claims is unclear and needs to include access.
- 2) How the polygons were developed is unclear.
- 3) Prohibitions on mining within those polygons are too restrictive and do not consider magnitude of effects or the mitigation and monitoring conducted by Agnico Eagle.





Grandparenting of Mineral Claims



KEY CONCERNS

- **Existing Rights**
 - It is not clear if all mineral tenures existing at the time the DNLUP comes into force would have the benefit of grandparenting for all activities and restrictions.
- **Land Tenure**
 - Not all of the Agnico Eagle claims are included on the DNLUP maps.
- **Access**
 - Limited Use prohibitions in many polygons would block access roads – preventing future mines, regardless of grandparenting.



KEY CONCERNS

- **Underground Mining Activities**
 - It is not clear if underground mining activities are allowed in limited use areas where there is no existing mineral rights and if seasonal restrictions would apply.
- **Seasonal Restrictions**
 - It is not clear how seasonal restrictions would apply to a mine.
- **Plan Amendments**
 - It is not clear what would be the process and timeline for Plan Amendments.



- **Existing Rights**
 - Should include future development and access rights.
 - Grandparenting must be clarified in the near-term, such as definitions, etc.
 - Existing rights should not be subject to restrictions in Plan.
 - There should be no overlap of polygons that restrict the grandparented claims.
- **Land Tenure**
 - An accurate listing of existing rights and a map is required.
- **Access**
 - Grandparenting should also include land and sea access to the claims, including for any required amendments to or new linear infrastructure.



- **Underground Mining Activities**
 - Underground mining activities should be exempted from prohibitions in limited use areas where there is no existing mineral rights and there should be no seasonal restrictions.
- **Seasonal Restrictions**
 - Remove seasonal restrictions and rather use monitoring to dictate when activities should be halted.
- **Plan Amendments**
 - Clarify the process for Plan Amendments.



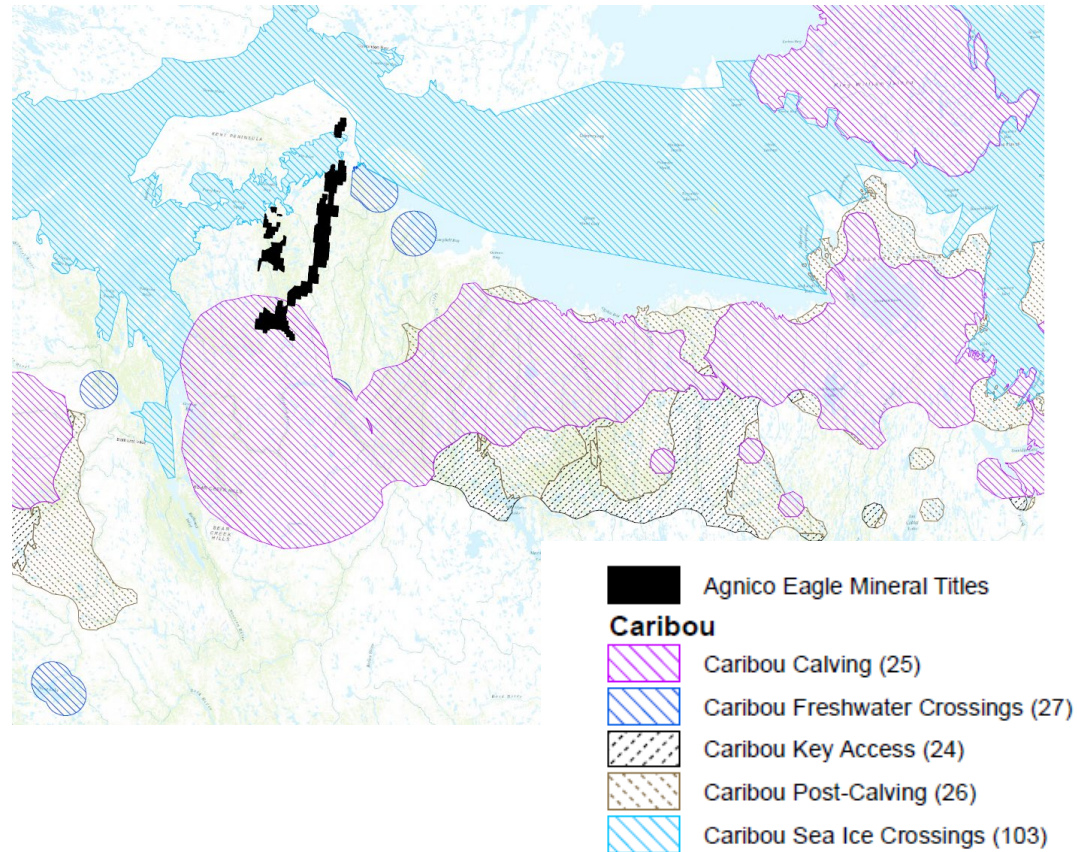


Establishing Polygons

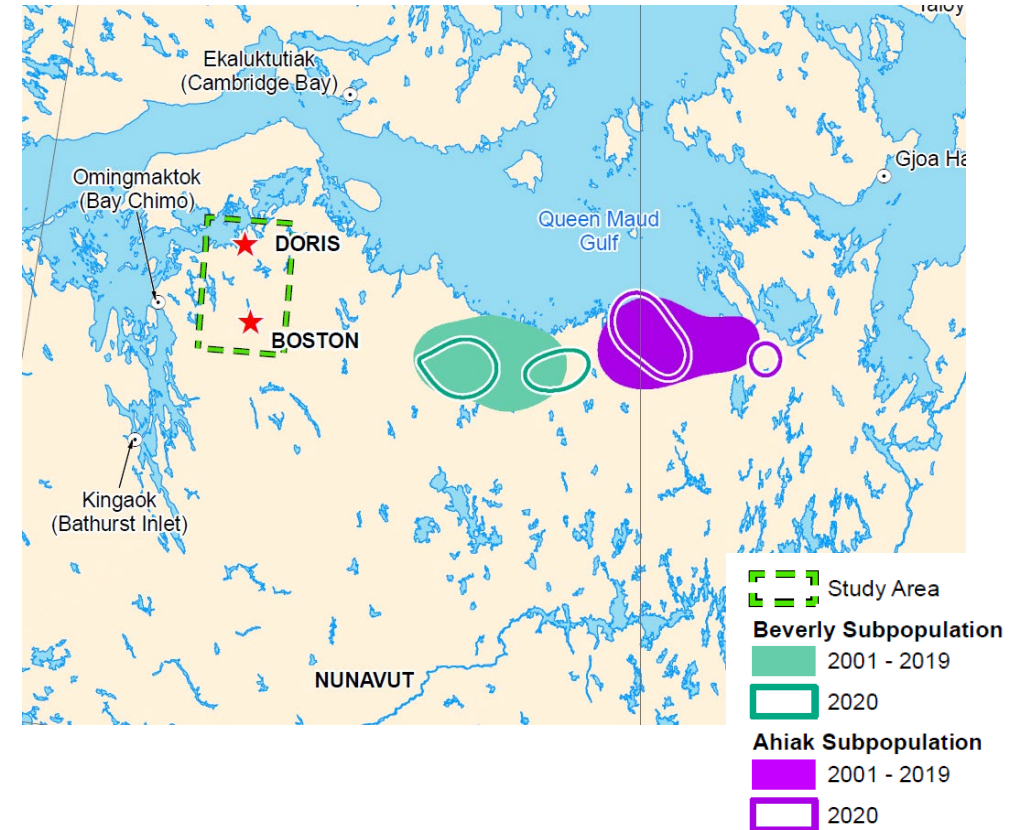


- **Objectives not Stated**
 - The DNLUP does not provide objectives for developing polygons.
- **Process Not Described**
 - How were polygons developed and where did data come from?
 - There is no process for updating or peer reviewing the polygons.
- **Methods not Stated**
 - The methods for developing polygons not stated.
 - The 2015 GN document does not use widely accepted methods.

CALCULATING CORE CALVING POLYGONS – METHODS MAKE A DIFFERENCE



NPC polygons for Beverly/Ahiak core calving (purple).
Collar Data: GN (dates not provided)



Core calving of Beverly/Ahiak using standard methods
(50% kernel density).
Collar Data: GNWT (2001 to 2020)

- **Propose establishing a NPC Polygon Working Group**
 - Participants can agree on objectives for defining polygons.
 - Data and analysis can be chosen to meet those objectives.
 - Form a consensus on the polygons based on current information.
 - Opportunity to share information about the most current effective mitigations.
 - Need a common approach to herds that cross territorial boundaries. Are we assessing caribou the same?



Land Use Prohibitions are Too Restrictive in Polygons



- **Approach is Too Restrictive**
 - Where there are *any* concerns over effects, NPC has *completely prohibited* development.
- **Does Not Consider Mitigation or Existing Data on Actual Effects**
 - The NPC did not consider the actual area affected by mining – actual area affected, including reasonably foreseeable future mining is very small (99.97% of habitat would remain available [ERM 2021]).
 - The NPC did not consider that Agnico Eagle has developed robust mitigation plans in collaboration with Inuit & regulators – programs that keep caribou safe.
 - The NPC did not consider the abundance of data from monitoring programs – data that shows minimal effects on caribou from mining.

IN NWT THE BATHURST RANGE PLAN LIMITS DEVELOPMENT

- The GNWT conducted a >10 year process to develop the Bathurst Caribou Range Plan (BCRP).
- This plan sets limits on the direct habitat loss for caribou, including in areas with calving and post-calving ranges (RAA 1 in Nunavut).

Area Thresholds from BCRP in Nunavut.

Low	Medium	High
<0.092%	0.092-0.184%	>0.184%

- In the Kivalliq, Agnico Eagle's Meliadine mine (4.38 km²) takes up 0.0099% of the Qamanirjuaq herd post-calving range (defined by the NPC; 44,105 km²) which is well below the threshold for a Low effect (0.0099% << 0.092%).
- In fact, 9 mines of this size could be located in the Qamanirjuaq post-calving range (0.089% of the range) and still be below the Low effect threshold.
- The current DNLUP prohibits any new mines and are too restrictive.
- The GNWT approach shows that limited development can coexist with caribou herds.

MITIGATION AND MONITORING



AGNICO EAGLE

- 1) Agnico Eagle exploration and mines have robust mitigation and monitoring programs.
- 2) KivIA and KitlA permit exploration using Mobile Protection Measures.
- 3) Mines have a Terrestrial Ecosystem Mitigation and Monitoring Plan (TEMMP)
 - 1) Based on IQ and western science
 - 2) Reviewed by Inuit and technical experts
 - 3) Reviewed by NIRB
- 4) Mine Operation
 - 1) TEMMP is followed
 - 2) Monitoring reported to NIRB
 - 3) Inuit Groups and experts review and update the TEMMP via a working group
 - 4) NIRB asks for public comments on TEMMP as part of the NIRB process



MEADOWBANK AND MELIADINE TERRESTRIAL ADVISORY GROUP (TAG)

- Meadowbank TAG operating since 2018
 - Includes: KivIA, HTO, GN, ECCC
 - Agnico Eagle reports results of monitoring
 - Meets regularly
 - Conducts site visits
 - Uses IQ and western science to update the TEMMP
- Meliadine TAG begins in 2022
 - Includes: KivIA, HTO, Sayisi Dene First Nation (SDFN), Northlands Denesuline First Nation (NDFN), GN, ECCC



AGNICO EAGLE INUIT QAUJIMAJATUQANGIT AND WILDLIFE ADVISORS

- Agnico Eagle employs 2 Inuit Qaujimajatuqangit (IQ) and Wildlife Advisors.
- These are Inuit members of the community.
- Liaise and meet with Elders in the community.
- Conduct site visits and review mitigation and monitoring on-site.



HOPE BAY INUIT ENVIRONMENTAL ADVISORY COMMITTEE

- Made up of Elders and landusers with experience in the project area.
- Review and update the Wildlife Mitigation and Monitoring Plan:
 - Meets regularly
 - Conducts site visits
 - Interviews staff
 - Makes recommendations



MONITORING AND MITIGATION



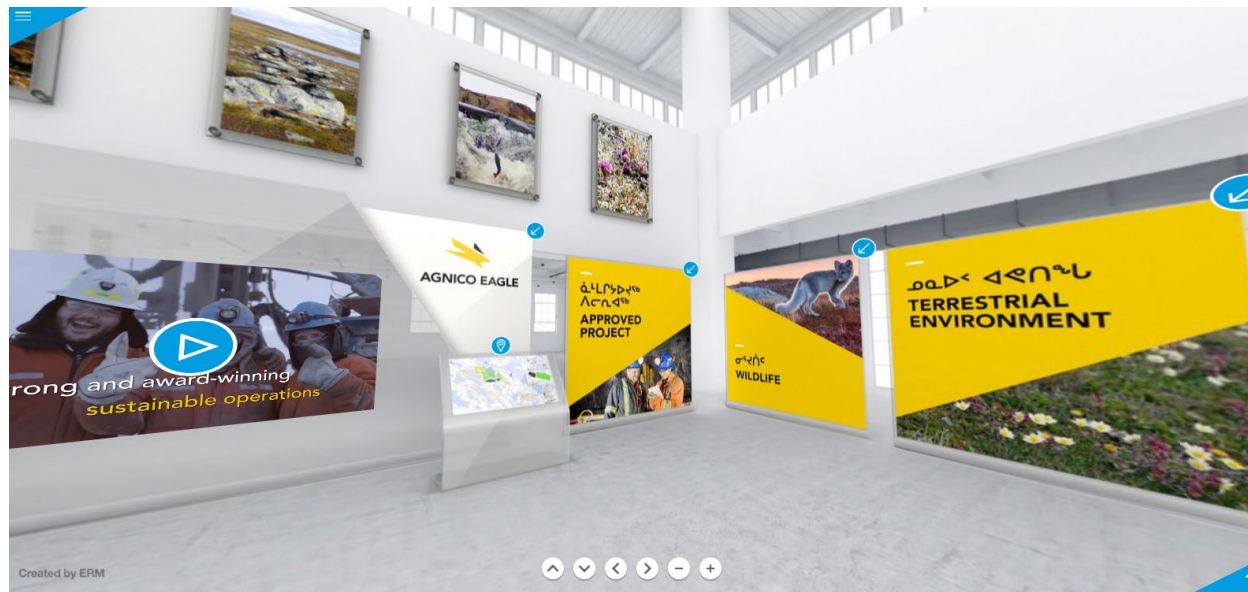
AGNICO EAGLE

- Agnico Eagle has robust monitoring and mitigation programs at each of its sites.
- Based broadly on Mobile Protection Measures.
- Incorporates IQ and Western Science.
- We track when caribou will be present, we monitor, and we manage.



VIRTUAL MEETING ROOM

- Online platform to foster an open, transparent, and respectful dialogue with all communities of interest.
- Completely accessible in Inuktitut and English.
- Has a wide variety of material from videos to interactive maps, story maps, infographics, and texts.
- Allows meaningful information sharing, as well as to get feedback.
- Information is available on our efforts to introduce TK and IQ in our operations.
- A feedback form and questionnaires are available to gather comments or questions.



CONSTRUCTION OF ROADS ALLOWS CARIBOU TO CROSS



ROAD MONITORING



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Cameras used to monitor where caribou cross roads.



Vehicle-based monitoring daily when caribou are known to be in the area.

MONITORING INDICATES CARIBOU USE MINE SITES



Caribou beside the Meadowbank Road.

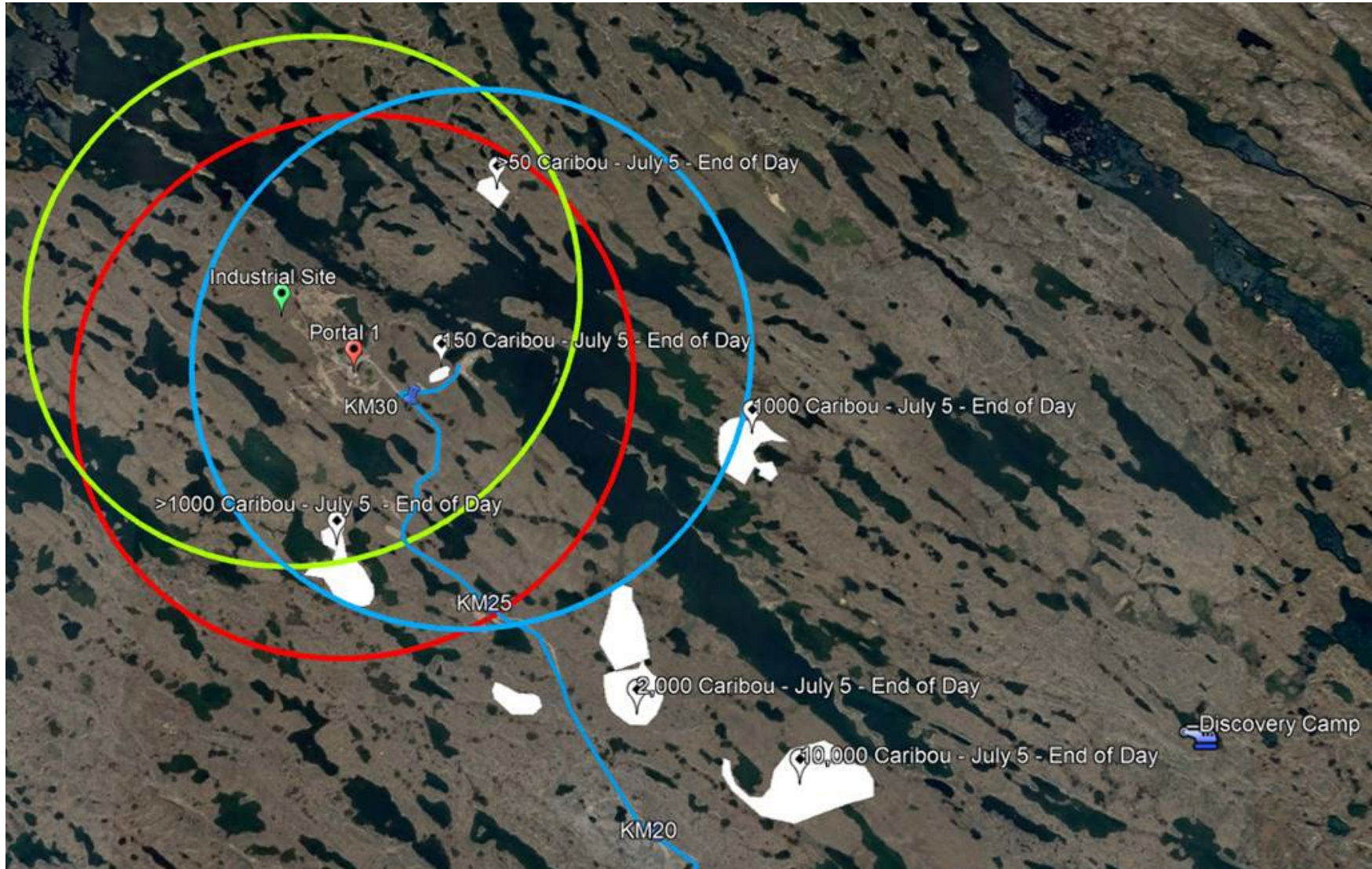
When caribou are observed near a road, then the road is closed.

In 2021:

- Meliadine access road closed for 122.5 hours over 28 days.
- Meadowbank access road closed for 28 days.
- Whale Tail haul road closed for 15 days.



MONITORING – CARIBOU OCCURANCE



- Height of Land Surveys are conducted to identify where groups of caribou are (the white polygons) and whether they are within 5 km of site (circles).

PROJECT SHUTDOWNS (MELIADINE TEMMP)



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When more than 50 caribou are within 5 km, the mine site is shut down.

- In 2021 – mine site shut down for 10 days.
- Includes all vehicles, blasting, drilling, and helicopters.



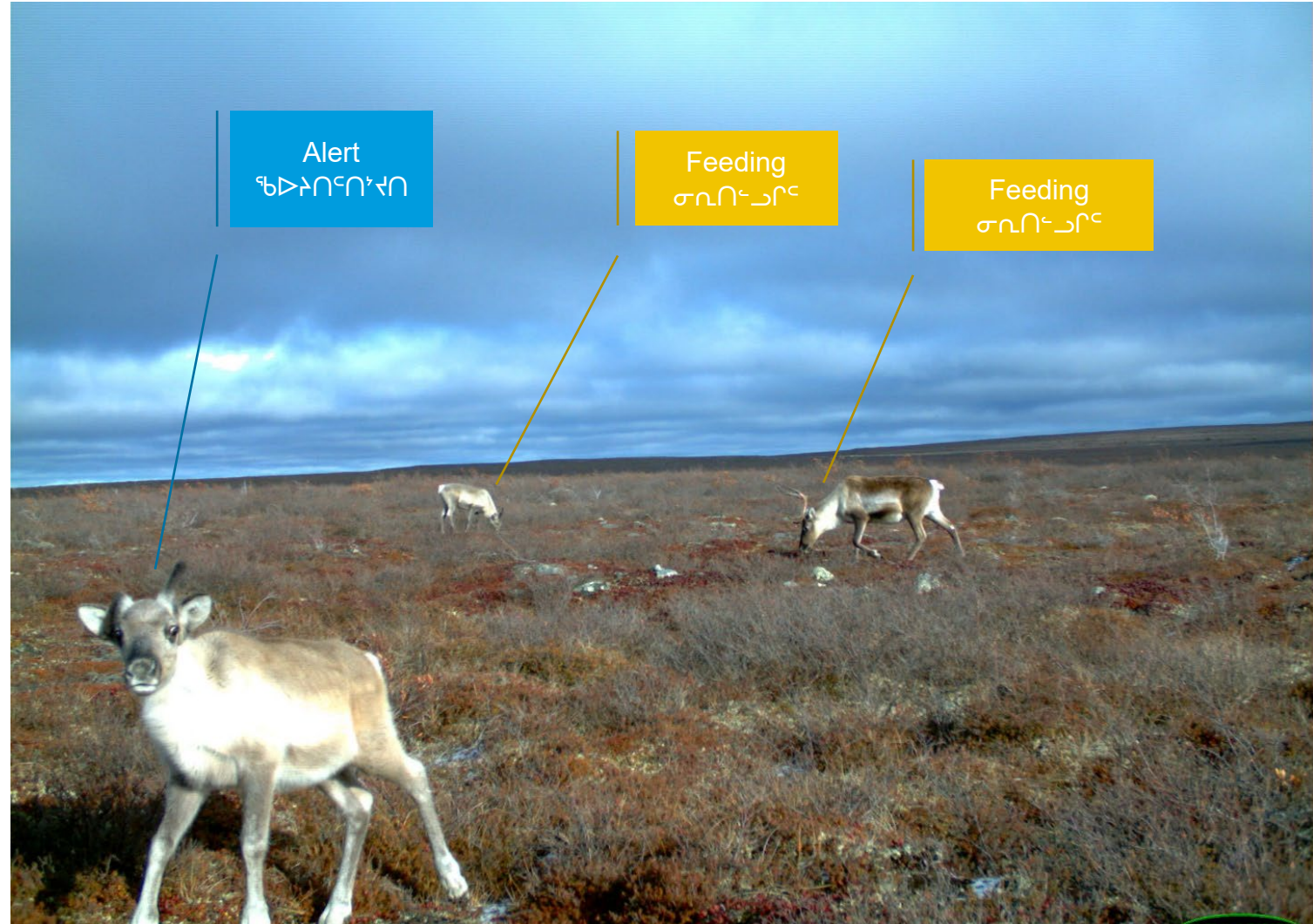
EFFECTS MONITORING PROGRAMS

- Agnico Eagle monitors the effects of mining on caribou at each of its operations.
- Monitoring programs are reviewed by IEAC and TAG:
 - Ground-based monitoring
 - Behaviour monitoring
 - Tracking movement using GN and GNWT satellite collars
 - Camera monitoring
- These monitoring programs show that actual effects on caribou are lower than predicted.

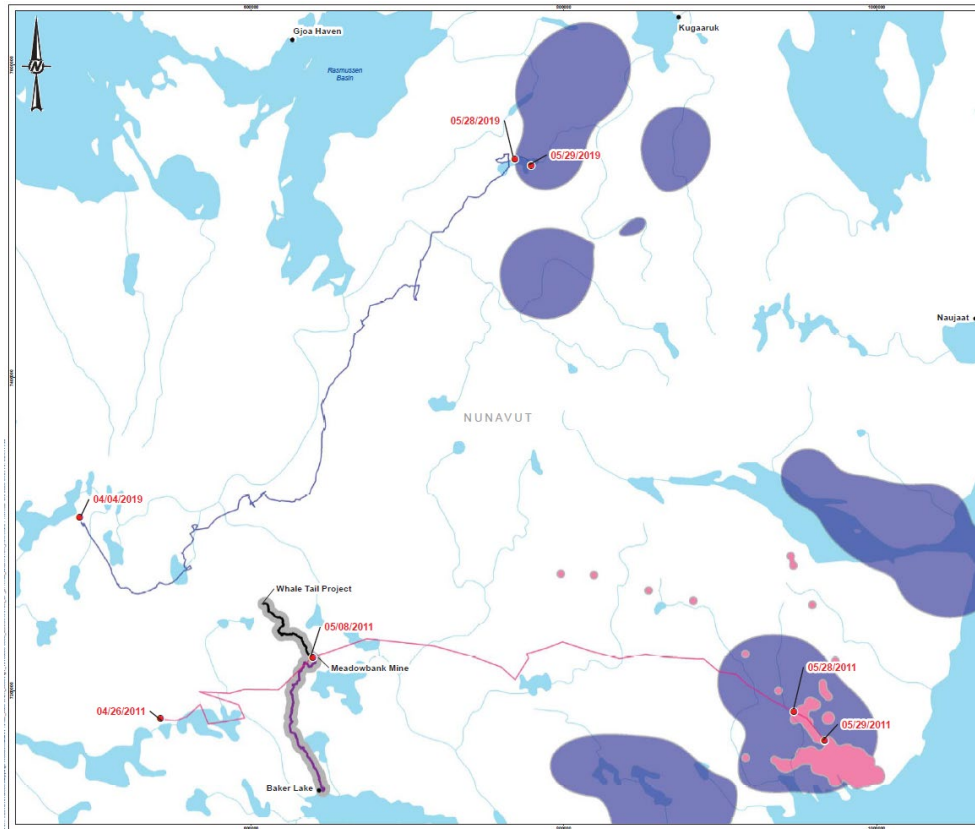


CARIBOU BEHAVIOUR MONITORING

- Behaviour Surveys are conducted whenever groups of caribou are observed near the site.
- Caribou react to ATVs and trucks, but return to base behaviours quickly (less than 3-6 minutes).

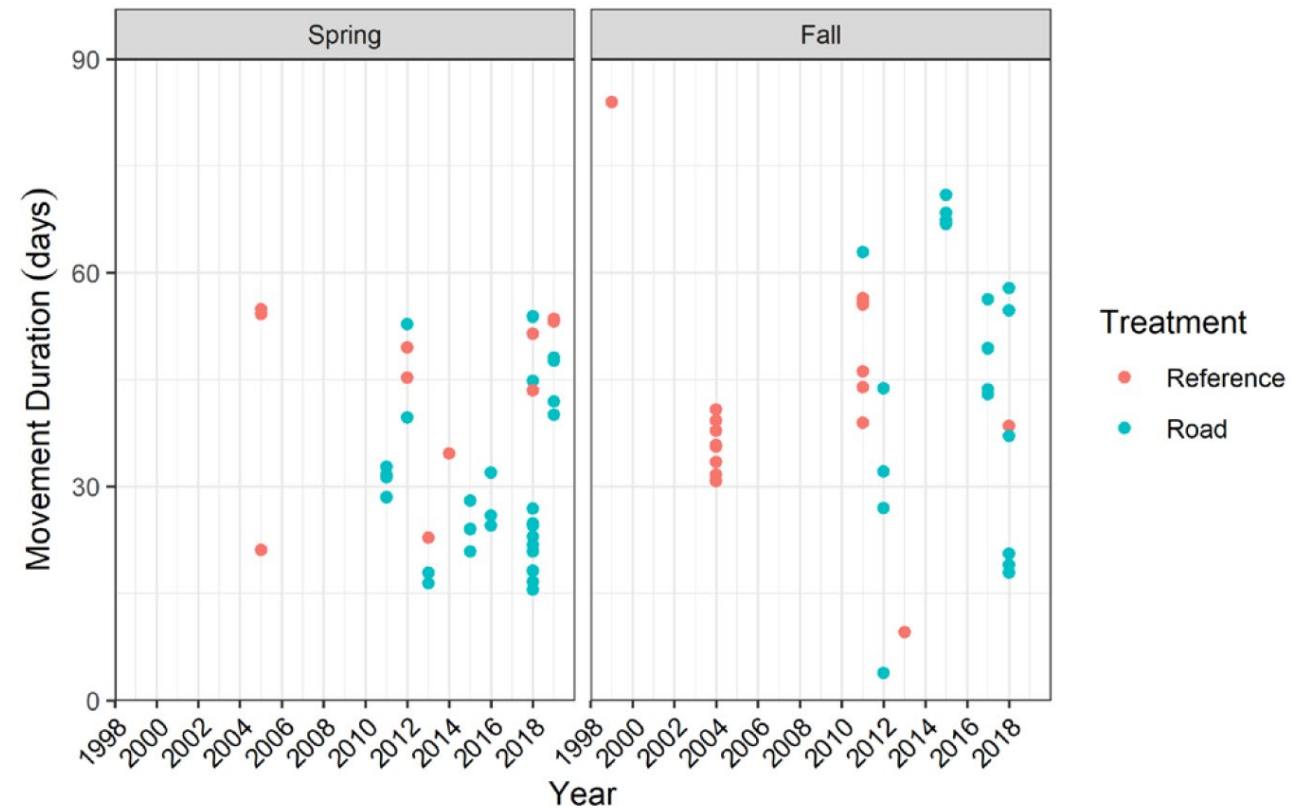


CARIBOU MOVEMENT MONITORING



Spring movement paths of caribou to calving grounds (purple).

Compared movement of caribou that cross the Meadowbank road with those that do not.

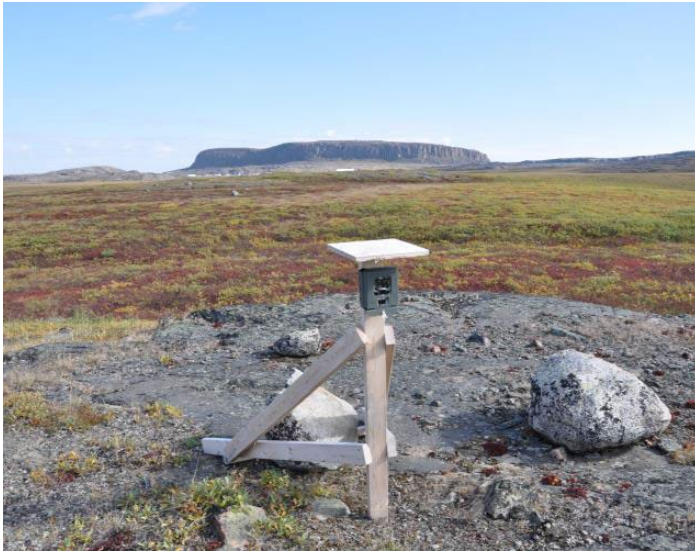


No difference in movement rate of animals that cross the road (green) and ones that did not (red) (Golder 2020).

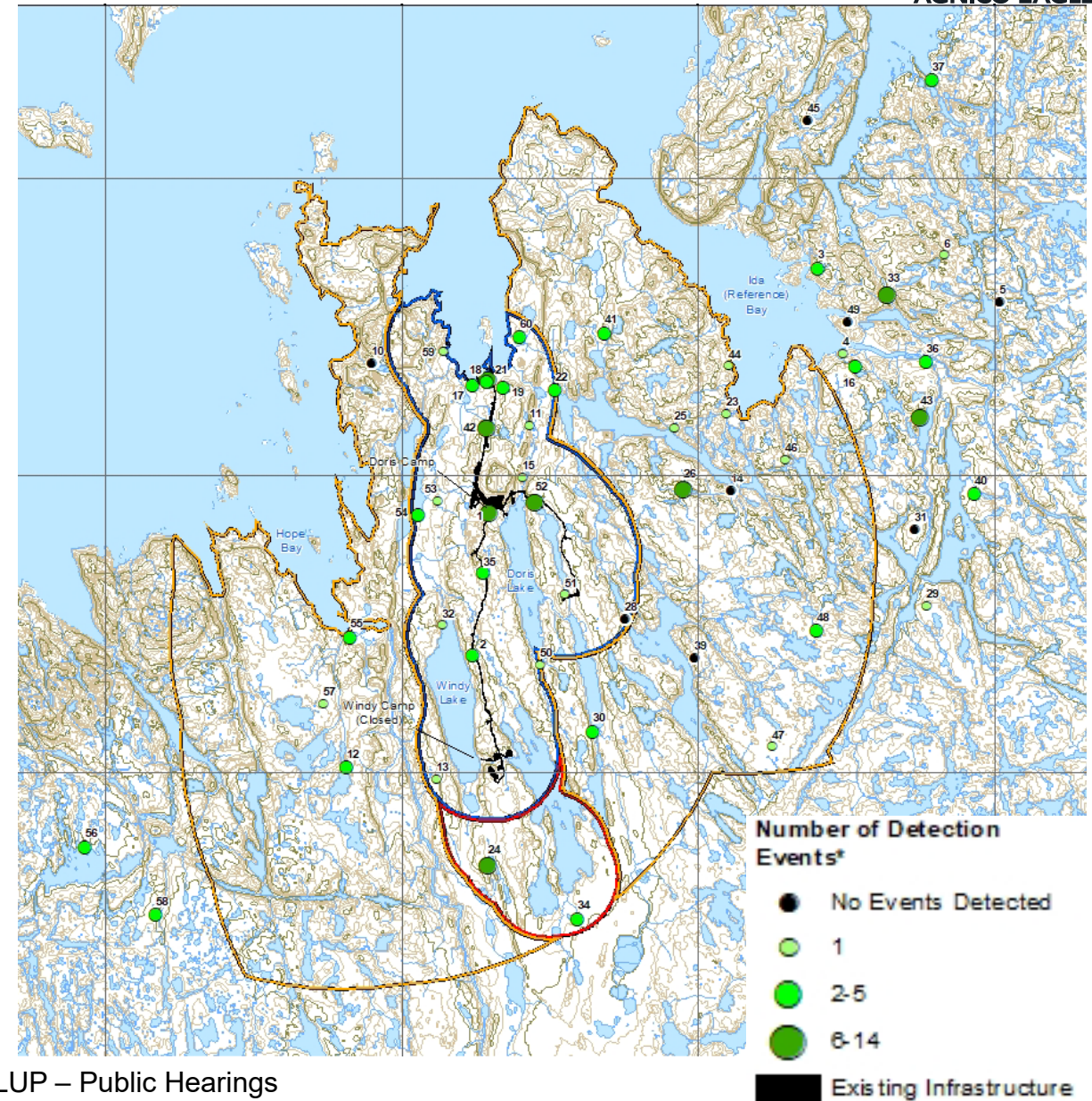
CARIBOU MONITORING AROUND MINE SITES



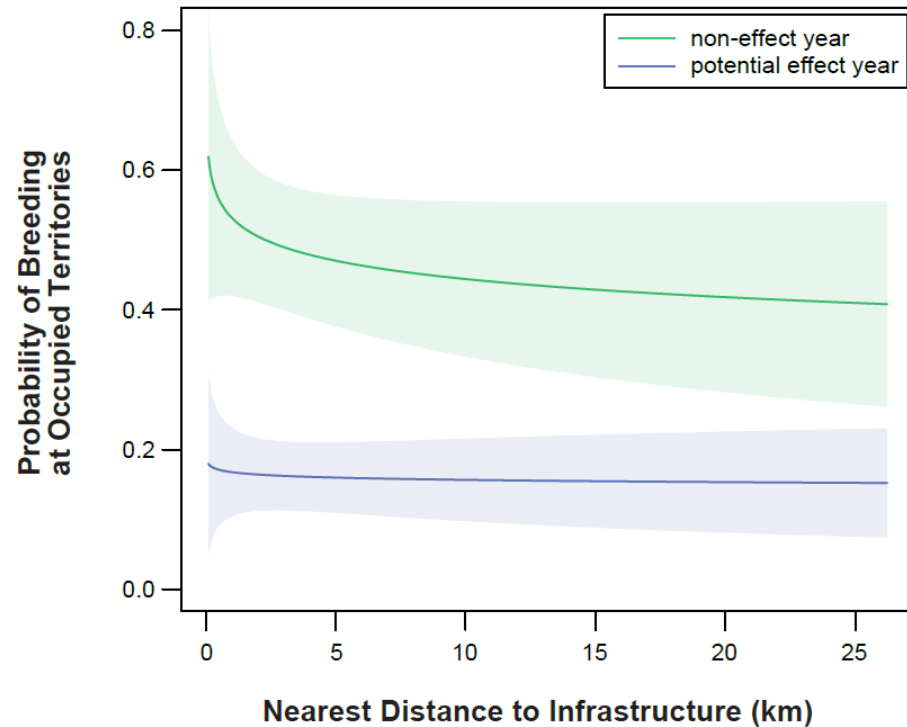
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- Camera program monitors caribou distribution 2010 – present.
- Collaborative program with KitlA and GN.
- FEIS predicted caribou would avoid by 4-10 km.
- Monitoring indicates there may be slightly fewer caribou within 2 km of the mine.

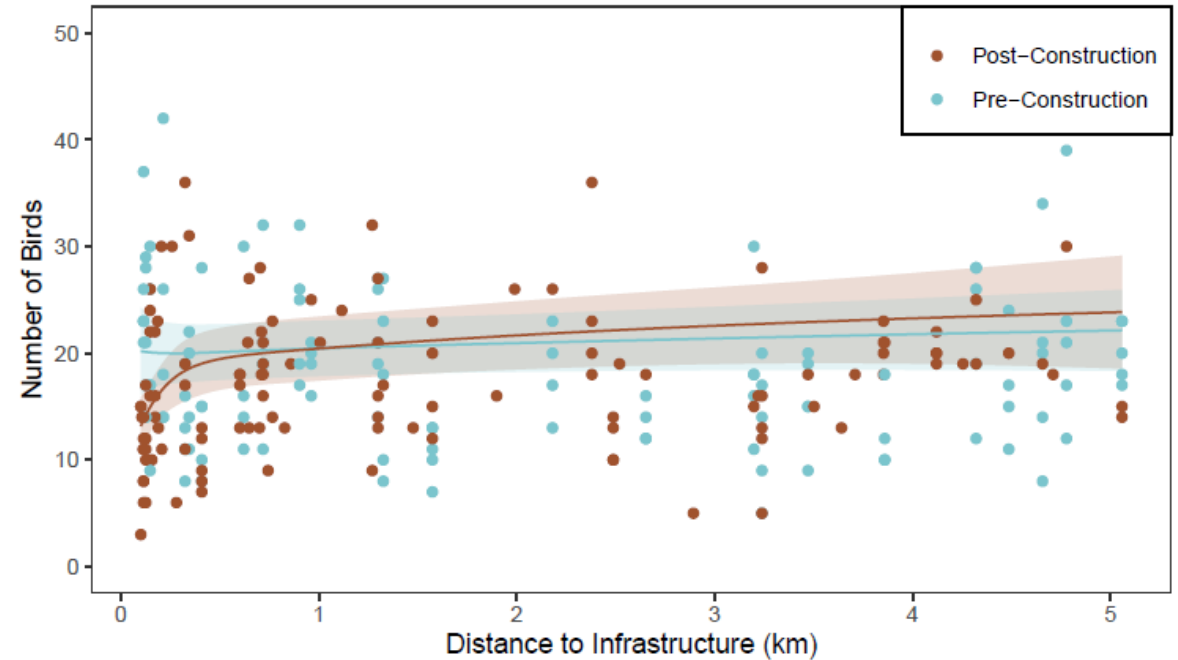


Raptor monitoring at Hope Bay



- 33 year program 1984-2017.
- Found small effect within 1.5 km of active mine.

Songbird monitoring at Hope Bay and Meadowbank



- > 10 year programs.
- Fewer birds within ~ 200 m of active mine.

- **Approach is Too Restrictive**
 - Balance development and conservation.
- **Option 4 – Information on Valued Components**
 - DNLUP should focus on Option 4, rather than Option 1 and 2.
 - Would be a first-generation Plan that is most reflective of the current evidence.
 - Would likely gain broader consensus among Inuit, the signatories, and stakeholders.
- **Consider Mitigation or Existing Data on Actual Effects**
 - Suggest a process to identify a preferred amount of development.
 - Refer projects to NIRB with reference to thresholds – advise additional mitigation or monitoring.



Conclusions



CONCLUSIONS

- More time and consultation is needed on the DNLUP to ensure proper evaluation.
- A process must be defined for all steps of developing a DNLUP with reasonable timelines.
- DNLUP needs to define existing rights and clarify that existing mineral claims are not subject to the prohibitions included in the DNLUP.
- Rather than Option 1 Limited Use prohibitions, there should be a hierarchy of mitigation and monitoring, which can be achieved through Option 4 Valued Components.



Thank you

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