

Project Certificate Workshop

AGNICO EAGLE
MINES LIMITED'S

WHALE TAIL PIT
EXPANSION PROJECT

NIRB FILE NO.
16MN056/125418

TELECONFERENCE

FEBRUARY 5, 2020

NIRB Opening Remarks

NIRB Welcome and Opening Remarks

- Introduction of Participants
- Overview of Agenda

Process Overview

Overview of Meeting Objectives

Project Certificate Terms and Conditions

Closing Remarks

INTRODUCTION OF PARTICIPANTS

Agenda

1:30 pm	NIRB Opening Remarks
1:45 pm	Discussion of Terms and Conditions
3:30 pm	Wrap-up and NIRB Closing Remarks

All times in MST

Process Overview



Where it has been determined that a project should proceed, the NIRB must issue an amended Project Certificate including any terms and conditions which have been accepted or varied by the Responsible Minister.

- Terms and Conditions from the Reconsideration Report are carried forward into the Project Certificate
- Responsible parties, reporting requirements can be clarified
- Commentary included where necessary

A companion document is provided following issuance of the PC to help parties track the recent changes to the document.

Process Overview

The terms and conditions of NIRB project certificates must be implemented by all government departments and agencies in accordance with their authorities and jurisdictional responsibilities.

The terms and conditions of NIRB project certificates must be incorporated into relevant permits, certificates, licences or other government approvals that the proponent may require.

Process Overview

Government departments and agencies shall discuss with NIRB how best to implement the terms and conditions of NIRB project certificates and may provide NIRB with drafts of permits, certificates, licences and other government approvals.

- Although not Government, the RIAs also have a strong role in implementing Project Certificate terms and conditions

Project Certificate workshop is the beginning of this dialogue

- NIRB will be tracking the various licencing processes as they progress
- NIRB will seek to coordinate and provide advice on implementation

Process Overview

What is a Project Certificate? How is it different than the licences, permits and approvals required for the Project?

Project Certificate is a “post-decision” quality control mechanism.

- If it functions properly, it allows regulators and the NIRB to revisit the impact predictions and proposed mitigation measures from the FEIS Addendum to answer whether, as the project is implemented, did the assessment of impacts really “get it right” and if not, to trigger the feedback loop to revisit how to “get it right”.
- Although it is recognized that there may be some overlap between the terms and conditions in a PC and the authorizations issued pursuant to licences or permits required to carry out specific project activities, the focus of the PC terms and conditions can be more global than is generally the case with licences and permits.

Process Overview

To achieve the goal of post-decision quality control, a Project Certificate needs to do the following:

1. Provide the basis for inspections and surveillance to ensure that the project is implemented as it was proposed, reflecting both the project scope as assessed in the EA and the specific mitigation measures proposed in the FEIS, provided in the commitments list and contained in the Project Certificate;
2. Provide a mechanism for overall compliance and effects monitoring to ensure impacts remain within predicted levels;

Process Overview

To achieve the goal of post-decision quality control, a Project Certificate needs to do the following:

3. support adaptive management by requiring that unanticipated effects or changes to the magnitude of predicted impacts be identified and that mitigation measures and regulatory instruments be adapted to address unanticipated effects or changes to predicted impacts; and
4. adopt audit and process evaluation measures to examine and transparently report on the accuracy of predictions, the success or failure of mitigation measures and overall levels of environmental and socio-economic performance of the project and effectiveness of the EA and regulatory processes in supporting environmental performance.

Workshop Objectives

Bring together the Proponent and relevant regulatory authorities to facilitate discussions on the implementation of terms and conditions contained within the Project Certificate into their respective licences, certificates and permits.

Provide opportunity for regulatory authorities to provide confirmation regarding which terms and conditions will be implemented by each department or agency

- Focus on priority items requiring discussion and potential clarification in Project Certificate

Workshop Objectives

We will avoid spending workshop time discussing:

- The merits of, or justification for, terms and conditions
- Reporting schedules or specific dates for implementation

Identify specific points of clarification required for terms and conditions prior to finalization and issuance of the Project Certificate by the Board.

- Are the parameters of any terms and conditions incorrect?
- Is it clear who implements and when?
- Is additional commentary or specific clarification required to allow for implementation?

Term and Condition No.	##
Category:	From Reconsideration Report and Recommendations
Responsible Parties:	Who is responsible for meeting the term and condition
Project Phase:	Construction, Operations, Temporary Closure/Care and Maintenance, Closure and Post-Closure Monitoring
Objective:	Provides a short description of the impact or effect being mitigated. Where relevant, expectations regarding the timing for when terms and conditions will be deemed to be satisfied (i.e. sunset clause), who has discretion for determining it is satisfied has been provided.
Term or Condition:	From Reconsideration Report and Recommendations
Reporting Requirements:	To be coordinated with other licensing processes to the extent possible.

Commentary: *Added where required to reflect clarification of the term and condition, recording the common understanding and interpretation resulting from discussions and guidance provided at the project certificate workshop.*

Discussion of Terms and Conditions

Revised Terms and Conditions

Changes to procedural portion of Project Certificate

Air Quality: 1

Terrestrial Wildlife and Wildlife Habitat: 27, 28 and 30

Economic Development and Business Opportunities: 46

Employment, Education and Training: 51

New Terms and Conditions

Terrestrial Wildlife and Wildlife Habitat: 65

Whale Tail Haul Road– Safety and Communication Protocols: 66

Alternative Effluent Discharge Locations: 67

Implementation of Commitments: 68

CLOSING REMARKS
