

16MN056 - Whale Tail Commitment Status Update, as of July 14, 2017

Commit. No.	Concerned Party	TC Reference - NIRB	TC Reference - NWB	Commitment	Date Submitted
Pre-hearing Conference Decision Report - Appendix E Commitments for July 2017					
6	ECCC	ECCC #8	n/a	ECCC concerns will be addressed by existing mitigation in the next iteration of the TEMP which will be submitted to NIRB prior to the Final Hearing. The TEMP will include global mitigation of restriction activities to the mine footprint, prohibiting harassment of wildlife, providing wildlife with the right-of-way and providing environmental awareness training to site staff.	14-Jul-17 to NIRB and NWB
7	ECCC			The list of species at risk in the Project area will be updated in the next version of the TEMP, and Agnico Eagle will include a summary of species at risk in the Shipping Management Plan, when it is revised prior to commencement of the shipping season.	14-Jul-17 to NIRB and NWB
9	ECCC			The TEMP will be updated to include the mitigation recommended by ECCC that can be practically implemented. To adhere with the <i>Migratory Birds Convention Act</i> , Agnico Eagle has committed to preparing a mitigation plan for the protection of diving waterbirds prior to any fish-out Agnico Eagle will make efforts to avoid clearing vegetation during the migratory bird nesting period (mid-May to mid-August), and will consult with ECCC prior to any clearing of vegetation during this season.	Diving birds 22-Jun-17 to NIRB and NWB Migratory birds 14-Jul-17 to NIRB and NWB
10	ECCC	ECCC #9	n/a	Agnico Eagle agrees and will incorporate the recommendations into the next revision of the TEMP. Results of the surveys will be summarized in the annual wildlife monitoring summary report.	14-Jul-17 to NIRB and NWB
11	ECCC	ECCC #11	n/a	Agnico Eagle will describe mitigation to reduce impacts to migratory bird nests during flooding as an appendix to the TEMP.	14-Jul-17 to NIRB and NWB
15	ECCC	ECCC #14		Information on treatment specifications and predictions (end-of-pipe and receiving environment) will be provided prior to the Final Hearing.	11-Jul-17 to NIRB and NWB
16	ECCC	ECCC #14		At this time, Agnico Eagle is evaluating various mitigations options (including, but not limited to water treatment design, grouting). Once the mitigations have been determined and evaluated, the model will be rerun and an addendum to Appendix 6-H will be issued presenting updated results. This will be issued prior to the Final Hearing.	11-Jul-17 to NIRB and NWB
17	ECCC	ECCC #15		Details on the treatment design and treatment quality will be provided prior to the Final Hearing.	11-Jul-17 to NIRB and NWB
27	Health Canada	HC15	n/a	Health Canada's concern is duly noted and Agnico Eagle is committed to monitoring temporal trends in fish mercury concentrations in relation to the flooding of Whale Tail Lake (South Basin). Mercury-related monitoring will be integrated into the Whale Tail Pit – Fisheries and Offsetting Monitoring Plan which will be prepared prior to the Final Hearing and provided to Health Canada for review. Agnico Eagle is committed to developing this plan to include collaborations with academics, DFO, DFO Science, and the KivA. The mercury monitoring plan will not only include lake trout (i.e., the top predatory fish in the lake), but will include monitoring temporal trends in methylmercury concentrations key components of the food chain (zooplankton and benthic invertebrates) and water. This approach will provide meaningful data to not only manage the flooding-related changes to fish mercury concentrations, but also to better understand the mercury-issue in a northern context.	Draft Fisheries and Offsetting Monitoring Plan submitted to DFO for review on 16-Jun-17 comments pending from DFO
34	INAC	INAC-TRC #1	INAC-TRC #1	Agnico Eagle will perform thermal modelling which will incorporate climate change and acquired information from the Meadowbank Waste Rock Storage Facility (WRSF) monitoring program, and will use the results of the model to support final design of the WRSF. Modelling results, revised design, if any, and proposed locations of thermistors for long-term monitoring will be submitted to interested parties prior to the Final Hearing.	11-Jul-17 to NIRB and NWB
48	INAC	INAC-TRC #11	n/a	Specific assumptions used in the modelling of the Project's economic and employment effect will be provided prior to the Final Hearing.	10-Jul-17 to NIRB and NWB
78	GN	GN-04	n/a	Agnico Eagle will further investigate Project-driven revenue to the GN, and the forecasting of fuel and payroll tax. An updated response will be provided prior to the Final Hearing.	10-Jul-17 to NIRB and NWB
79	GN	GN-05	n/a	In addition, preliminary investigations into potential caribou movement areas along the Whale Tail haul road have been identified, and will be further investigated in 2017, and the height-of-land survey locations have been placed in close proximity to these movement areas. This information will be contained within the TEMP to determine monitoring locations and monitoring frequency.	14-Jul-17 to NIRB and NWB
81	GN	GN-06	n/a	Agnico Eagle will work with the GN, KivA, and HTO to finalize thresholds in the final TEMP.	14-Jul-17 to NIRB and NWB
83	GN	GN-08	n/a	The revised TEMP will also consider group size (as discussed in GN-06), and will extend the mitigation thresholds to last for one week minimum regardless of subsequent caribou observations after the threshold is triggered; this will be adjusted based on seasonality to ensure maximum protection of caribou.	14-Jul-17 to NIRB and NWB
84	GN	GN-09	n/a	Although the flight safety of employees and the aircraft will be paramount, the updated TEMP will suggest that aircraft pilots will receive the site-wide notifications of caribou movements, and include a recommended minimum distance from all caribou of 300 m vertically and 1 km horizontally.	14-Jul-17 to NIRB and NWB
85	GN	GN-10	n/a	Regarding updates to the TEMP, Agnico Eagle agrees with the GN's recommendations and will update the procedures to reduce sensory disturbance to caribou as a result of blasting. Consistent with other mine site activities, Agnico Eagle has developed trigger levels to account for blasting noise and have selected HOL locations that will allow caribou detection 3 to 5 km away. Agnico Eagle is investigating the viewshed from nearby height-of-land (see GN-07) and will work with the GN to define a "minimum no blasting buffer"	14-Jul-17 to NIRB and NWB
87	GN	GN-14	n/a	Agnico Eagle agrees with the GN and will continue to monitor muskox presence as part of the TEMP (consistent with Meadowbank operations).	14-Jul-17 to NIRB and NWB
88	GN	GN-15	n/a	The specifics of the haul road design will be provided in the next version of the TEMP and corresponding monitoring and mitigation will also be provided in this revision as per the outcome of discussions between Agnico Eagle, the KivA and the GN at our last two workshops.	14-Jul-17 to NIRB and NWB
99	KivA	KivA-TC-Freshwater Environment 01	KivA-TC-Freshwater Environment 01	Details on the treatment design and treatment quality will be provided prior to the Final Hearing.	11-Jul-17 to NIRB and NWB
106	KivA	KivA-TC-Terrestrial 03	KivA-TC-Terrestrial 03	updated TEMP will include monitoring thresholds based on collar movements and the visibility of caribou from the height-of-land survey points and revised TEMP will provide updated thresholds for caribou sensory disturbance mitigation, and updated mitigation.	14-Jul-17 to NIRB and NWB
109	KivA	KivA-TC-Terrestrial 06	KivA-TC-Terrestrial 06	Agnico Eagle agrees to investigate whether there is sufficient data to reliably calculate a Zone of Influence (ZOI) around the existing Meadowbank Mine and AWAR, assuming that the entire collar data set can be made available.	14-Jul-17 to NIRB and NWB

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General					
2	DFO	TRC-9		Agnico Eagle to adapt its Water Quality and Flow monitoring program to include 2 stations in Whale Tail Lake North Basin during post closure; one in the pit and one in the attenuation pond area.	24-May-17 to NIRB and NWB
Atmospheric Environment including Climate, Air Quality, Noise and Vibration					
4	ECCC	ECCC-2		Agnico Eagle commits to work with ECCC to select a feasible location of the active sampling location for particulate matter and emissions at the Whale Tail Pit to monitor for the air quality impacts of the Project and provided in an updated Air Quality Monitoring Plan	22-Jun-17 to NIRB and NWB
7	KivIA			Agnico Eagle commits to use the dustfall monitoring stations on the Vault Pit Haul Road to validate and improve modelling of the Whale Tail haul road dust and provide results in the form of a technical memo.	27-Jun-17 to NIRB and NWB
Terrestrial Environment					
8	KivIA (GN)	GN-6 / KivIA-TC-Terrestrial-06		Agnico Eagle commits to conduct analyses to determine the potential extent of the caribou zone of influence (abundance and distribution) around the existing Meadowbank mine, vault pit and haul road and the AWAR in the form of technical memo.	14-Jul-17 to NIRB and NWB
9	GN	GN-16 and 17		Agnico Eagle commits to conducting supplementary analyses of collar data by herd and season to characterize the rates and duration of caribou encounters as well as conduct a cumulative effects analysis that includes all Project features.	14-Jul-17 to NIRB and NWB
10	GN / KivIA	GN-6 / KivIA-TC-Terrestrial-02		Agnico Eagle commits to updating the caribou cumulative effects assessment (in the form of a technical memo) to include analysis of the rates and duration of caribou encounters with the Whale Tail Project and other past, present and reasonably foreseeable projects within the spring and fall migration corridors of herds.	14-Jul-17 to NIRB and NWB
11	KivIA/GN			Agnico Eagle commits to provide the next iteration of the draft-Terrestrial Ecosystem Management Plan (TEMP) to workshop participants (KivIA, HTO, GN) in May, with a final TEMP to be completed and submitted after the workshop, to be held in June. The next TEMP will take into account recommendations made by the GN and KivIA in technical comments	14-Jul-17 to NIRB and NWB
13	GN			Agnico Eagle commits to provide AWAR traffic data to the Government of Nunavut.	9-May-17 to GN
17	ECCC	ECCC-10		AEM commits to provide in the next iteration of the TEMP an appendix that will describe mitigation and monitoring to reduce impacts to migratory bird nests during flooding	22-Jun-17 to NIRB and NWB Diving birds Migratory birds 14-Jul-17 to NIRB and NWB
Human Environment and Socio-Economics					
24	INAC	INAC-11		AEM committed to provide an updated rationale (in the form of an addendum) for no-linkage pathways, residual impact classification and cumulative pathway analysis that provides rationale for the conclusions in the FEIS, using literature review and other existing evidence prior to final hearing.	10-Jul-17 to NIRB and NWB
26	INAC			AEM commits to provide a Labour Force Analysis prior to final hearing.	10-Jul-17 to NIRB and NWB
27	INAC			AEM committed to sharing TK and IQ detailed meeting notes and other meeting notes where concerns were raised regarding the Whale Tail Pit project up to April 2017. In addition, AEM will provide information on how the concerns were addressed and where information applies in the EIS. Information will be provided prior final hearing.	22-Jun-17 to NIRB and NWB (rev1) 11-Jul-17 to NIRB and NWB (rev 2)
28	INAC			AEM committed to provide procedure and information on community liaison committee, their selection process and AEM's justification on how this committee represents wider community perspective, prior to final hearing	22-Jun-17 to NIRB and NWB
Freshwater Environment					
29	ECCC			Agnico Eagle to provide cross section schematic of Whale Tail pit, and overlying north basin water, including lake bathymetry, and schematic of groundwater flow	23-Jun-17 to NIRB and NWB
30	ECCC/ INAC			Part A: Agnico Eagle to complete a sensitivity analysis of the flooded open pit in water quality modelling, to represent the scenario where the contingency of removing a portion of the ultramafic rock in the north wall would be executed to decrease the transfer of arsenic to the flooded open pit. Part B: This will be done together with the update of the downstream water quality model where the new treatment levels for arsenic and phosphorous are applied at the mine effluent discharge into Mammoth lake.	11-Jul-17 to NIRB and NWB
34	NWB			Agnico Eagle to provide water balance data for Nemo Lake to the NWB and parties for review	22-Jun-17 to NIRB and NWB
Waste Management					
36	ECCC			Part A: Agnico Eagle commits to defining the treatment options for arsenic and phosphorous that will allow meeting the site specific water quality objectives for arsenic and the oligotrophic level for phosphorous, as a minimum. Part B: Water quality prediction will be updated using these arsenic and phosphorous treatment targets, as stated in commitment 19 and reporting the results per commitment no 25.	11-Jul-17 to NIRB and NWB
37	ECCC			Agnico Eagle commit to update Appendix 6H with the results of modelling	11-Jul-17 to NIRB and NWB
39	NWB	NRCan #3; INAC-TRC#1		Agnico Eagle commit to provide information in the form of a technical memo regarding the thermal modelling of the WRSF, incorporating climate change and acquired information from the Meadowbank WRSF monitoring program, and will use the result of the model to support final design of the WRSF including that of the proposed cover and revised designs prior to the final hearing.	11-Jul-17 to NIRB and NWB
41	NWB			Agnico Eagle will provide a table that describes the water source, location and phase of the project (construction, operation, closure)	25-May-17 to NIRB and NWB
42	INAC	INAC-TRC#3		Agnico Eagle commits to provide the sensitivity analysis discussed in INAC-TRC3 relating to the composition of the cover of the Whale Tail Waste rock storage facility.	11-Jul-17 to NIRB and NWB

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43	INAC	INAC-TRC#2		Agnico Eagle to provide technical memo to outline the control of arsenic leaching in the tailings facility	27-Jun-17 to NIRB and NWB