

3. While the Proponent's disturbance and construction activity in 2018 may have reduced the possibility that new raptor nests were established, the purpose of the surveys is to proactively ensure that raptor nests are not disturbed and to develop nest specific management plans.
4. Incidental observations during surveys to detect caribou do not fulfill the requirements of nest site surveys. Nest surveys should be systematically designed for detecting active raptor nests within 1.5 kms of the Whale Tail Pit Project's sites.
5. The Proponent's planned spring 2020 survey will be occurring after construction of the Whale Tail Pit and Haul Road has already been completed and will thus represent a post-construction, post-disturbance survey rather than a pre-construction survey as required in the TEMP. This survey is a current, rather than future, need.

Raptor Nest Monitoring

The Proponent acknowledges that its raptor nest monitoring provides information on the success of most nests, but the causes of nest-failures are difficult to determine. Therefore the Proponent's conclusion that there were no Project-related nest failures is unsubstantiated.

Road and Height-of-Land Surveys for Caribou

In GN 03 and GN 09, the GN noted the low number of road and height-of-land (HOL) surveys that the Proponent conducted 2018. In response, the Proponent explained that one of the reasons for the low number of surveys was related to the availability of the Baker Lake Wildlife Officer. The availability of the Baker Lake Wildlife Officer has no bearing on the implementation of the road or HOL surveys.

In response to GN 09, the Proponent also stated that:

"[O]ther factors that contributed to the low frequency of HOL surveys included, personnel issues, safety (i.e., two field staff were not always available to walk to the HOL stations), and weather."

This response is concerning because it highlights a deficiency in the Proponent's capacity to fully implement the Whale Tail Pit Project's caribou protection measures. The Proponent should clarify how, or if, this deficiency will be addressed.

Finally, as explanation for the low number of surveys, the Proponent stated that they were under the belief that the official wildlife survey was to be conducted along the haul road during the operation phase. However, Project Certificate 008, Term and condition 28 provides that the TEMP applies to the "Pre-construction, Construction, Operations, Temporary Closure/Care and Maintenance, Closure and Post-Closure" phases of the Whale Tail Pit Project.

Adaptive Management for Caribou

In response to GN 04, the Proponent listed activities for adaptive management that it implemented in spring 2019 in response to the Report's finding that caribou disturbance exceeded threshold levels. However, none of the reported activities in 2019 go beyond practices that are already specified in the TEMP, and accordingly are not adaptive management. It's therefore unclear whether the Proponent plans to adaptively manage the Projects' observed effects on caribou.

With further respect to GN 04, the GN recommended that future annual reports include quantitative analyses of road effects on the movement and distribution of caribou that incorporate concurrent data on recorded traffic levels, caribou monitoring activities and road management measures. In response, the Proponent referred to the GN's on-going analysis of caribou collar data. The Proponent should not be relying on the GN to conduct quantitative analysis on the Projects' road effects on caribou. It is the responsibility of the Proponent to conduct its own analyses and incorporate these into its annual reports.

Hunter Harvest Survey

In response to GN 06, the Proponent identified that the Hunter Harvest Survey (HHS) as designed cannot determine total harvest or an index of total harvest for species such as caribou. The TEMP specifies that this metric will be measured by the HHS. The currently designed HHS is not sufficient and the Proponent has not indicated whether the HHS will be altered to determine total harvest.

Wildlife Monitoring and Mitigation for Blasting Activities

In response to GN 07, the Proponent stated that the 2019 annual report will provide more detail on the surveys and mitigation measures adopted in relation to blasting activities. While the GN appreciates the Proponent's commitment to provide this information in the 2019 annual report, the GN requests this information for 2018. In 2018 the Whale Tail Pit Project was in the construction phase; blasting activity, particularly along roads, would likely have been relatively high. Pre-blasting surveys and mitigation measures for wildlife are a requirement under the Project's TEMP.

Road Mitigation for Caribou

The Proponent's response to GN 10 omits commentary and explanation regarding why it did not close Project roads in response to caribou observations made on the days listed in table 1 (GN 10). Road closures to facilitate caribou migration are a fundamental component of the Whale Tail Pit Project's caribou protection measures. The GN would like the Proponent to clarify why it

is not implementing these measures as specified in the TEMP and as required in Project Certificate 008, Term and Condition 28.

The GN recommends that the Proponent update its responses to the GN's 2018 annual report comments and address the above aforementioned concerns.

Quajannamiik,



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