Amended Terms of Reference for a Long-term Waste Management Strategy

Detour Lake Mine

March 8, 2024
Revised May 6, 2024
Prepared for:
Agnico Eagle Mines Limited

Cambium Reference: 18958-001

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Executive Summary

Agnico Eagle Mines Limited (Agnico Eagle), Detour Lake Mine (DLM) initiated an Environmental Assessment (EA) under the *Environmental Assessment Act* (the Act) to address the declining capacity of the Detour Lake Mine landfill. The study will help to identify a long-term strategy that will best meet the needs of DLM, with respect to the management of non-hazardous solid waste generated within the Detour Lake Mine property.

DLM is about 185 km via Highway 652, northeast of the Town of Cochrane in northeastern Ontario. Agnico Eagle currently operates its landfill as per the requirements of Provisional Certificate of Approval (PCofA) No. A7383503, issued April 7, 1983, last amended March 29, 1994.

Current area of exploration on the DLM site has been occurring since early 2007 by Detour Gold from a deposit that was discovered in 1974. Previously, DLM was operated by other companies from 1983 to 1999 as an open pit, then later as an underground mine. Detour Gold commenced operations at the Site in 2013. Kirkland Lake Gold Limited (KLG) purchased Detour Gold in 2020; KLG subsequently merged with Agnico Eagle in 2022.

The onsite landfill has been operated in accordance with the DLM Landfill Management Procedures. The original approval was for a 6.15 ha landfill site to be landfilled in accordance with the application for approval and associated correspondence dated December 23, 1983. An amendment to the PCofA was issued in 1984 which indicated the total landfill capacity was at least 228,000 m³.

This Terms of Reference (TOR) was prepared in accordance with subsection 6(2)(a) of the Act. The EA will be prepared in accordance with the requirements set out in subsection 6.1(2) of the Act.

The purpose of this undertaking is to allow Agnico Eagle to continue to service DLM with non-hazardous solid waste management for the Life of Mine, estimated to be 30 years. Available reports have indicated that the existing onsite landfill has about eight years of site life remaining. Given the Life of Mine is at least 30 years, it is expected at least 150,000 m³ of

non-hazardous solid waste will need to be managed for the Life of Mine, not accounting for increases in site-based workforce and demolition waste resultant from mine closure.

The following alternatives are considered reasonable solutions to the problem and will be carried forward in the EA.

Alternative 1: Do Nothing – Although this is not considered a reasonable alternative to the undertaking as it does not satisfy the need to manage non-hazardous solid waste for the Life of Mine, this alternative will be considered for comparison purposes; this alternative provides a benchmark against which all other alternatives will be measured.

Alternative 2: Increased Diversion/Waste Reduction – Although this alternative does not address the rational for the undertaking, this alternative will be considered in combination with the preferred alternative.

Alternative 3: Establish a New Landfill – This alternative would consist of developing a new landfill within the Agnico Eagle property.

Alternative 4: Export Waste - This alternative consists of exporting waste to a disposal facility not owned by Agnico Eagle in Ontario, Quebec, and/or the United States.

Alternative 5: Expand Existing Landfill – Expansion of the approved capacity of the landfill is technically feasible and addresses the rational for the undertaking. Expansion can be completed in various methods including horizontally, vertically, mining (including recompacting of existing landfilled waste), etc.

Alternative 6: New or Alterative Waste Management Technologies – The suitability of new waste management technologies for the management of solid municipal wastes at Agnico Eagle will be considered.

Alternative 7: Other Alternatives – Through the EA process, Agnico Eagle may include additional alternatives or combinations of the proposed alternatives that have not been specified in this TOR but will be detailed in the EA. Notably, a combination of Alternatives will be considered. Although several of the identified Alternatives will not address the rational for the undertaking, if considered in combination, the rational for the undertaking will be met. For

example, Alternative 2 (increased diversion/waste reduction), Alternative 5 (expand existing landfill by way of mining and recompacting), and Alternative 6 (new or alternative waste technologies) may be combined. This combination may address the rational for the undertaking by reducing annual deposition and increase landfill life while remaining in line with the Ontario government's current priorities.

The EA will be completed in several steps:

- Step 1 – Characterize Existing Environmental Conditions
- Step 2 – Evaluate and Compare 'Alternatives To'
- Step 3 – Identify the Preferred 'Alternative To'
- Step 4 – Identify the 'Alternative Methods'
- Step 5 – Evaluate and Compare 'Alternative Methods'
- Step 6 – Identify the Preferred 'Alternative Method'
- Step 7 – Refine Mitigation Measures and Determine Net Effects
- Step 8 – Prepare the EA Report

The EA study area is the area within which activities associated with the proposed project will occur and where potential environmental effects will be studied. Two preliminary study areas for the assessment, which may be refined and will be confirmed during the EA, have been identified as follows:

Site Study Area – The area of land within which the 'Alternative To' and 'Alternative Method' of the project may occur has been defined and will be limited to the DLM site. It is assumed the preferred 'Alternative To' and 'Alternative Method' will occur on the DLM site.

Wider Study Area – lands generally beyond the Site Study Area, that have the potential to be directly or indirectly affected by the project, which will extend to include adjacent Indigenous Nations and towns (Cochrane, etc.), where applicable, for various environmental components. As noted, the study area for each component of the environment may vary in size depending on the 'Alternatives To' and 'Alternative Methods', and will be further defined in the EA.

The preliminary extent of the EA study area proposed for each of the environmental components to be studied, together with a rational for the chosen area, is provided in the TOR. These preliminary study areas will be refined and confirmed in consultation with the Indigenous Nations, the Government Review Team, and public stakeholders during the EA.

The components and sub-components of the environment that will be evaluated during the EA, to assess the potential effects of the proposed alternatives are:

Natural Components: Atmosphere (air, noise, odour), Geology and Hydrogeology (groundwater quality and quantity), Surface Water (quality and quantity), Biology (aquatic and terrestrial), Climate

Socio-Economic Components: Land Use, Cultural Heritage Resources, Consideration of Indigenous and Treaty Rights, Effects Indigenous Nations and Local Communities

Technical Components: Transportation

Economic Components: Available financial resources, Effects on Indigenous Nations and Local Communities

Cumulative Impacts: Effects in combination with existing projects

The DLM site has been subject to extensive baseline, environmental monitoring, and technical studies. A brief description of the existing environmental conditions at the DLM landfill and surrounding areas is presented in the TOR. A detailed description of the environmental conditions will be developed through the EA.

Each ‘Alternative To’ the undertaking (or combination) will be assessed qualitatively to predict the effects on the environment. In some cases (e.g., new or alternative waste management technologies), this will involve the completion of a feasibility study to determine if the ‘Alternative To’ the undertaking is a viable alternative.

A comparative evaluation of feasible ‘Alternatives To’ the proposed undertaking will be conducted to identify the preferred alternative. The alternatives will be compared using the environmental sub-components and indicators including the natural, socio-economic, technical and built, and economic environments and cumulative impacts within the site study area and

wider study area. The outcome of comparative ranking exercise will be used to identify the preferred ‘Alternative To’.

Once a preferred ‘Alternative To’ the undertaking is selected, a reasonable range of ‘Alternative Methods’ will be identified, described, and evaluated. The outcome of comparative ranking exercise will be used to identify the preferred ‘Alternative Method’.

The prediction of future environmental effects associated with the preferred ‘Alternative To’ and preferred ‘Alternative Method’ will be provided. Assessment of potential effects will be done using appropriate objectives, standards, policies, and regulations. The remaining effects or net effects, if any, will be documented.

The TOR outlines the consultation and engagement program to be implemented during the preparation of the EA to engage Indigenous Nations, government agencies, and other interested parties in the EA process. Input will be obtained through several engagement activities, which will be similar to the activities completed during preparation of the TOR.

There are several key decision-making milestone points when consultation will occur during preparation of the EA. The main milestones generally align with each Step and include:

- proposed work plans for data collection
- evaluation and assessment of the ‘Alternatives To’
- selection of the preferred ‘Alternative To’ the undertaking
- identify the ‘Alternative Methods’
- evaluation and assessment of the ‘Alternative Methods’
- selection of the preferred ‘Alternative Method’
- proposed mitigation and monitoring

The scheduling of consultation activities will be developed during the EA when it is clearer how the planning process is progressing.

The EA will contain a list of commitments made by Agnico Eagle during the TOR process and indicate how such commitments have been addressed in the EA. A list of commitments made

by Agnico Eagle during the preparation of the EA will also be included in the EA along with a framework for monitoring when and how all commitments will be fulfilled. In addition, a strategy and schedule for compliance and effects monitoring will be developed and included in the EA.

In addition to the approval under the EAA, certain other approvals may be required under provincial legislation. A complete list of the specific approvals required for the proposed undertaking will be provided in the EA.

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Glossary of Terms

- **Adverse Environmental Impact**
  Any direct or indirect undesirable effect on the environment resulting from an emission or discharge that is caused or likely to be caused by human activity.
- **Annual Report**
  Report documenting the results of water quality, environmental quality, and operations monitoring for the year, or for a period as prescribed in the Certificate of Approval.
- **Approved Design and Operations Plan**
  The design of a landfill site and its facilities which have been submitted along with the application documents for which formal MECP approval has been issued through the Certificate of Approval.
- **Approved Site or Facility**
  A landfill site/facility for which there is an existing and current Certificate of Approval.
- **Aquifer**
  A geologic unit (soil or rock) that contains sufficient saturated permeable material to yield measurable quantities of water to wells and springs.
- **Attenuation**
  Natural process through which the concentrations of landfill generated contaminants are reduced to safe levels.
- **Certificate of Approval**
  The license or permit issued by the Ministry of the Environment, Conservation and Parks (MECP) for the operation of a landfill site. Issued to the owner of the site with conditions of compliance stated therein.
- **Composting**
  The controlled microbial decomposition of organic matter, such as food and yard wastes, in the presence of oxygen, into finished compost (humus), a soil-like material. Humus can be used in vegetable and flower gardens, hedges, etc..
- **Construction and Demolition Waste**
  Solid waste produced in the course of residential, commercial, industrial or institutional building construction, demolition or renovation (e.g., lumber, brick, concrete, plaster, glass, stone, drywall, etc.).
- **Contamination Attenuation Zone**
  The zone beneath the surface, located beyond the landfill site boundary, where contaminants will be naturally attenuated to predetermined levels. Also, see Reasonable Use Policy.
- **Contingency Plan**
  A documented plan detailing a co-ordinated course of action to be followed to control and remediate occurrences such as a fire, explosion, or release of contaminants in an uncontrolled manner that could threaten the environment and public health.
- **Design Capacity**
  The maximum amount of waste that is planned to be disposed of at a landfill site.
- **Detection Limit**
  Concentration under which a parameter cannot be quantitatively measured.
- **EA**
  A systematic planning process that is conducted in accordance with applicable laws or regulations aimed at assessing the effects of a proposed undertaking on the environment
- **EAA or EA Act**
  Environmental Assessment Act, Revised Statutes of Ontario, 1990. One of the primary acts of legislation intended to protect, conserve, and wisely manage Ontario's environment through regulating planning and development.
- **Environment**
  As defined by the Ontario Environmental Assessment Act, environment means:
  - air, land or water;
  - plant and animal life, including human life;
  - the social, economic and cultural conditions that influence the life of humans or a community;
  - any building, structure, machine or other device or thing made by humans;
  - any solid, liquid, gas, odour, heat, sound, vibration or radiation resulting directly or indirectly from human activities; or
  - any part or combination of the foregoing and the interrelationships between any two or more of them (ecosystem approach).
- **Environmental Compliance Approval**
  The license or permit issued by the MECP for the operation of a landfill site. Issued to the owner of the site with conditions of compliance stated therein.

- **EPA**
  Environmental Protection Act, Revised Status of Ontario, 1990. EPA is another of the primary pieces of Provincial legislation governing the protection of the natural environment of the Province.
- **Evaluation Criteria**
  Evaluation criteria are considerations or factors taken into account in assessing the advantages and disadvantages of various alternatives being considered.
- **Greenhouse Gas (GHG)**
  Any of the gases whose absorption of solar radiation is responsible for the greenhouse effect, including carbon dioxide, methane, ozone, and the fluorocarbons.
- **Groundwater**
  Subsurface water that occurs beneath the water table in soils and rocks that are fully saturated.
- **Landfill Gas**
  Combustible gas (primarily methane and carbon dioxide) generated by the decomposition of organic waste materials.
- **Landfill Site**
  A parcel of land where solid waste is disposed of in or on land for the purposes of waste management.
- **Leachate**
  Water or other liquid that has been contaminated by dissolved or suspended particles due to contact with solid waste.
- **Leachate Breakout**
  Location where leachate comes to the ground surfaces; a seep or spring.
- **MECP**
  Ontario Ministry of the Environment, Conservation and Parks.
- **Monitoring**
  Regular or spontaneous procedures used to methodically inspect and collect data on the performance of a landfill site relating to environmental quality (i.e., air, leachate, gas, ground or surface water, unsaturated soils, etc.).
- **Monitoring Well**
  The constructed unit of casing (riser and screen) installed in a borehole.
- **Multi-Level Monitoring Well**
  More than one monitoring well installed at a given test well location.
- **Natural Attenuation**
  Where contaminants are reduced to acceptable concentration levels by natural mechanisms (dilution, absorption onto the soil matrix, etc.), biological action, and chemical interaction.
- **Occupational Health and Safety Act**
  The primary act of legislation enacted by Ontario Ministry of Labour to regulate and control the safety in the workplace; also Occupational Health and Safety Act, Revised Statutes of Ontario, 1990.
- **Odour Control**
  Minimizing or eliminating the nuisance and undesirable impact of objectionable or unpleasant odours arising from waste disposal operations.
- **Operations Plan**
  A document detailing the waste disposal operations in a planned, and if necessary, a staged manner, that ensure compliance with regulatory provisions concerning the operations of a landfill site.
- **Piezometer**
  A well that intersects a confined aquifer.
- **Proponent**
  A person who:
  - carries out or proposes to carry out an undertaking; or
  - is the owner or person having charge, management or control of an undertaking
- **Provisional Certificate of Approval (PCofA)**
  Same as Certificate of Approval.
- **Reasonable Use Policy**
  A policy developed by the MECP to stipulate limits to the level of groundwater quality impairment that may be permitted to occur at site property boundaries, to allow the reasonable use of adjacent properties or land without adversely affecting public health and the environment.

- **Receptor**
  The person, plant or wildlife species that may be affected due to exposure to a contaminant.
- **Recycling**
  Sorting, collecting or processing waste materials that can be used as a substitute for the raw materials in a process or activity for the production of (the same or other) goods. For example, the "Blue Box" system, in-plant scrap handling, or raw material recovery systems. Recycling is also the marketing of products made from recycled or recycled materials.
- **Remedial Action**
  Corrective action taken to clean-up or remedy a spill, an uncontrolled discharge of a contaminant, or a breach in a facility or its operations, in order to minimize the consequent threat to public health and the environment.
- **Sensitive Land Use**
  A land use where humans or the natural environment may experience an adverse environmental impact.
- **Settlement**
  The subsidence of the top surface and underlying waste of a landfill or waste cell as a result of densification under its own weight.
- **Site Capacity**
  The maximum amount of waste that is planned to be disposed (design capacity) or that has been disposed of at a landfill site.
- **Site Life**
  The period from its inception through active period of waste disposal, to the time when a landfill site reaches its' site capacity, when it ceases to receive any further waste, including and up to closure.
- **Solid Waste**
  Any waste matter that cannot be characterized by its physical properties as a liquid waste product.
- **Solid Waste Disposal Site or Facility**
  A site or facility such as a landfill site where solid waste is disposed of.
- **Source Separation**
  The separation of various wastes at their point of generation for the purposes of recycling or further processing.
- **Surface Water**
  Water that occurs at the earth's surface (ponds, streams, rivers, lakes, oceans).
- **Terms of Reference (TOR)**
  A terms of reference is a document that sets out detailed requirements for the preparation of an Environmental Assessment.
- **Undertaking**
  Is defined in the Ontario Environmental Assessment Act as follows:
  - An enterprise or activity or a proposal, plan or program in respect of an enterprise or activity by or on behalf of Her Majesty in right of Ontario, by a public body or public bodies or by a municipality or municipalities;
  - A major commercial or business enterprise or activity or a proposal, plan or program in respect of a major commercial or business enterprise or activity of a person or persons other than a person or persons referred to in clause (1) that is designated by the regulations; or
  - An enterprise or activity or a proposal, plan or program in respect of an enterprise or activity of a person or persons, other than a person or persons referred to in clause (a), if an agreement is entered into under section 3.0.1 in respect of the enterprise, activity, proposal, plan or program ("enterprise").
- **Waste**
  Ashes, garbage, refuse, domestic waste, industrial waste, or municipal refuse and other used products as are designated or interpreted by the provisions of the Environmental Protection Act.
- **Waste Disposal Site (Facility)**
  Any land or land covered by water upon, into, in or through which, or building or structure in which, waste is deposited or processed and any machinery or equipment or operation required for the treatment or disposal of waste.
- **Waste Management System**
  All facilities, equipment and operations for the complete management of waste, including the collection, handling, transportation, storage, processing and disposal thereof, and may include one or more waste disposal sites.
- **Wetlands**
  Areas where water is at, near or above the land surface long enough to be capable of supporting aquatic or hydrolytic vegetation, and which have soils indicative of wet conditions.

Abbreviations

AAN	Apitipi Anicinapek Nation (AAN), formerly Wahgoshig First Nation (WFN)
DFO	Fisheries and Oceans Canada
DLM	Detour Lake Mine
DLP	Detour Lake Project
EAA	Environmental Assessment Act
ECA	Environmental Compliance Approval
EPA	Environmental Protection Act
ESA	Endangered Species Act
ESR	Environmental Screening Report
FNW	Crees of the First Nation of Waskaganish
IO	Ministry of Infrastructure – Infrastructure Ontario
LIO	Land Information Ontario
MCFN	Moose Cree First Nation
MCM	Ministry of Citizenship and Multiculturalism
MECP	Ministry of the Environment, Conservation and Parks
MND	Ministry of Northern Development
MNO	Metis Nation of Ontario
MNR	Ministry of Natural Resources
MNRF	Ministry of Natural Resources and Forestry
MOE	Ministry of the Environment
MOM	Ministry of Mines
MTCS	Ministry of Tourism, Culture and Sport
MTO	Ministry of Transportation
N/A	not available
ODWQS	Ontario Drinking Water Quality Standards
OPG	Ontario Power Generation
OPP	Ontario Provincial Police
PIF	Project Information Form
PCofA	Provisional Certificate of Approval
PWQO	Provincial Water Quality Objectives

RSFD	Class EA for Resource Stewardship and Facility Development Projects
SAR	Species at Risk
TEK	Traditional Ecological Knowledge
TK	Traditional Knowledge
TLU	Traditional Land Use
TSX	Toronto Stock Exchange
TTN	Taykwa Tagamou Nation
UTM	Universe Transverse Mercator
WFN	Wahgoshig First Nation

Units of Measure

%	percent
°C	temperature in degrees Celsius
ha	hectare
km	kilometre
m	metre
m^2	square metre
m^3	cubic metre
masl	metres above sea level
mbgs	metres below ground surface

1.0 Introduction

Agnico Eagle Mines Limited (Agnico Eagle), Detour Lake Mine (DLM) initiated an Environmental Assessment (EA) under the *Environmental Assessment Act* (the Act) to address the declining capacity of the Detour Lake Mine landfill. The study will help to identify a long-term strategy that will best meet the needs of DLM, with respect to the management of non-hazardous, solid waste generated within the DLM site.

The DLM site is about 185 km via Highway 652, northeast of the Town of Cochrane in northeastern Ontario (Figure 1) and centered at Universe Transverse Mercator (UTM) coordinates 594000E, 5542000N (NAD 83, Zone 17N). Agnico Eagle currently operates its landfill as per the requirements of Provisional Certificate of Approval (PCofA) No. A7383503, issued April 7, 1983, last amended March 29, 1994.

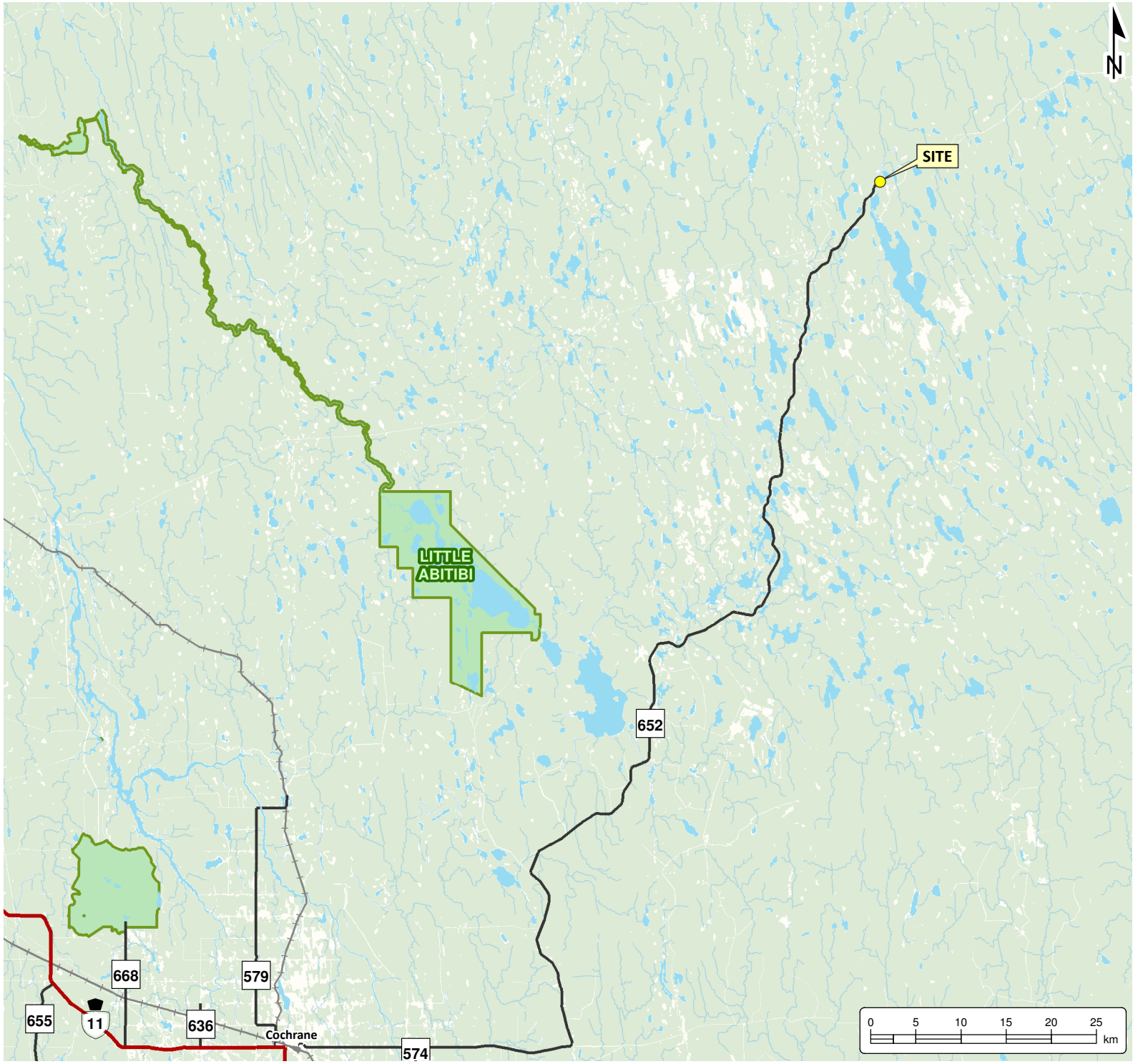
The DLM is situated within the homelands of Indigenous Nations including Moose Cree First Nation (MCFN), Taykwa Tagamou Nation (TTN), and Apitipi Anicinapek Nation (AAN), formerly Wahgoshig First Nation (WFN). These lands are also recognized as being important to the Metis Nation of Ontario as lands they have and continue to use and by the Grand Council of the Crees (Eeyou Istchee) who have asserted Indigenous Rights.

The EA will be carried out in accordance with the requirements of the Act. The first step in the process is the preparation of a Terms of Reference (TOR). The TOR will set out Agnico Eagle's framework and work plan for addressing the Act requirements when preparing the EA, including the alternatives that will be considered and the public consultation activities that will be carried out. If approved by the Minister of the Ministry of the Environment, Conservation and Parks (MECP), the TOR will serve as the requirements under which the EA must be prepared.

TERMS OF REFERENCE FOR A LONG TERM WASTE MANAGEMENT STRATEGY

AGNICO EAGLE MINES LIMITED

Detour Lake Mine



LEGEND

- Highway
- Secondary/Tertiary Highway
- Regional Road
- Railroad
- Watercourse
- Water Area
- Provincial Park
- Wooded Area

Notes:

- Base mapping features are © Queen's Printer of Ontario, 2019 (this does not constitute an endorsement by the Ministry of Natural Resources or the Ontario Government).
- Distances on this plan are in metres and can be converted to feet by dividing by 0.3048.
- Cambium Inc. makes every effort to ensure this map is free from errors but cannot be held responsible for any damages due to error or omissions. This map should not be used for navigation or legal purposes. It is intended for general reference use only.

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SITE LOCATION PLAN

Project No.: 18958-001		Date: December 2023 Rev.:	
Scale: 1:600,000		Projection: NAD 1983 UTM Zone 17N	
Created by: DBB	Checked by: SNR	Figure:	1

O:\GIS\MXDs\18900-18999\18958-001 Detour Gold Corp - TOR for Landfill EA\2023-12-06 FIG 1 - Site Location Plan.mxd

1.1 Identification of the Proponent

Agnico Eagle Mines Limited is the proponent of this proposed undertaking. Agnico Eagle is a Canadian gold exploration and development company listed on the Toronto Stock Exchange (TSX: AEM). Specific to this project, Agnico Eagle owns DLM, which is currently the largest gold mine in Canada with significant gold reserves and substantial growth potential. DLM is in northeastern Ontario, about 300 km northeast of Timmins and 185 km by road northeast of Cochrane, within the northernmost Abitibi Greenstone Belt.

Cambium Inc. (Cambium) is working with Agnico Eagle to obtain environmental approvals for the future waste management needs of DLM for the Life of Mine, which is estimated to be greater than 30 years.

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1.2 Purpose of the Proposed Undertaking

The purpose of this undertaking is to allow Agnico Eagle to continue to service DLM with non-hazardous solid waste management for the Life of Mine, estimated to be 30 years.

Agnico Eagle will consider the stated purpose of this EA during the EA process and will refine the purpose if required. The final purpose statement will be provided in the EA study report.

1.3 Previous Environmental Assessments and Permits

Most mining projects in Canada are reviewed under one or more EA processes. The federal EA process was triggered for DLM due to:

- The requirement for an Explosives Factory License under the Explosives Act for a project-dedicated explosives manufacturing factory
- The need for one or more Authorization(s) for Harmful Alteration Disruption or Destruction of Fish Habitat according to the Fisheries Act.

These licences/authorizations were granted.

Five provincial EAs have been approved for DLM to date:

- July 2010: Ontario Ministry of Environment (MOE) Class EA for Electricity Projects, for the diesel power generation required to support the construction phase (AMEC, 2010a)
- November 2010: Ontario Ministry of Natural Resource (MNR) Class EA for Resource Stewardship and Facility Development Projects, for the construction of facilities off-lease, and for such aspects as on-lease aggregate operations or in-water works (AMEC, 2010b)
- December 2010: Ontario individual EA for Electricity Projects, for construction of a 230 kV transmission line (AMEC, 2010c)
- March 2012: Ontario MOE Individual EA for Electricity Projects of 10 MW, for allowing a diesel-generated contingency power supply to service the construction needs should the powerline not be operable by the third quarter of 2011. With the successful energizing of the powerline in October 2011, these facilities were not installed.
- March 23, 2021: West Detour Class EA. This project provides additional ore to feed the existing DLM by developing two satellite open pits and the additional westward expansion of the currently operating pit. Several Provincial and Federal environmental approvals, or amendments to existing approvals, were required as part of the West Detour Project (WDP). In particular, this project was subject to a Class C Environmental Assessment (EA) pursuant to the Act as managed by Ministry of Natural Resources and Forestry (MNRF).

The Environmental Study Report (ESR) was finalized in August 2019 (Wood, 2019). An ESR Addendum was submitted in October 2020 to address additional comments from government and Indigenous communities.

1.3.1 Summary of DLP 2010 Class C EA Study

As part of the Detour Lake Project (DLP) Class EA (AMEC, 2010b), previous owner Detour Gold Corporation (Detour Gold) looked specifically at various major project components, one of which was solid waste management for the construction and operation of DLM. During this assessment, various alternatives were identified, evaluated, and provided for government agency, Indigenous, and public consultation. A summary (paraphrased and in some cases verbatim) of the study including alternatives considered, evaluation of alternatives, and recommendations is included herein.

During the study, non-hazardous wastes, excluding demolition wastes at closure, were identified as needing to be managed during the construction and operation of the mine. These wastes were expected to consist of domestic waste (food scraps, refuse, clothing), combustible wastes (wood, paper products), and other inert wastes (scrap metal, clean glass, and plastic). Hazardous wastes such as petroleum products, batteries, spent solvents, and biomedical wastes were to be shipped offsite by licenced contractors to licenced waste disposal or recycling facilities.

It was anticipated that waste volumes would be 8,000 m³ during mine construction and 5,000 m³ during operation. It was estimated that the total quantity of solid wastes to be landfilled during Life of Mine was 90,000 m³. The 2010 study noted volumes would need to be verified as the project progressed.

In 2010, the existing landfill was inactive, but the approval (PCofA A7383503) was still valid. It was estimated that the landfill was 7 m below ground surface (bgs) and the water table was 14 mbgs. It was estimated that the landfill had an expansion potential of 70,000 m³ and a shortfall of 20,000 m³ was identified.

1.3.1.1 Alternatives to the Undertaking

During the Class EA study (AMEC, 2010b), various alternatives for solid waste management were considered and evaluated. This included:

- Offsite disposal at existing licenced landfills
- Use of the existing landfill
- Development of a new onsite landfill
- Use of an onsite incinerator

At the time of the study, recycling of waste materials would be limited to those materials that had sufficient value to be considered economical options, such as scrap metal.

Offsite disposal at existing licenced landfill

At the time, the nearest landfill was the Fournier Township landfill, which serviced the Town of Cochrane. The landfill was approved in 1998 with a 20-year service life. There were no restrictions to accepting industrial non-hazardous waste, but the Town of Cochrane discouraged accepting large volumes of industrial waste and encouraged users to find alternative methods of disposal.

Use of the existing landfill

The onsite landfill was approved in 1984. The landfill site was approved for 6.15 ha, north of the mine access road, on a raised esker area southeast of Deem Lake. According to a 1995 former mine site Closure Plan, the base of the landfill was 7 mbgs and the water table was about 14 mbgs. The landfill was operated using the trench and fill method and was a natural attenuation landfill. It was determined the landfill capacity was more than 10,000 m^3 with additional capacity for expansion up to 70,000 m^3 (Golder, 2010).

Development of a new onsite landfill

If a new landfill was to be developed, it was proposed north of the mine access road, west of Deem Lake. No site investigations had occurred in that area. Development of the landfill south of the mine access road and/or west of the proposed open pit area were not considered due to

gold mineralogy in these areas. There was insufficient space north of the mine access road and north and east of the proposed open pit due to planned developments.

Another area that was considered for a new landfill site was east of the existing airstrip and south of the existing mine rock stockpile. Development of this site would be possible over the longer-term once the permanent camp operations were developed. This location was too close to the temporary construction camp and would have resulted in a greater risk of human-bear encounters in the short-term.

Use of an onsite incinerator

Use of an incinerator was considered, particularly for the disposal of domestic food waste which attracts wildlife.

1.3.1.2 Performance Objectives and Evaluation

The following performance objectives were considered, applicable to the non-hazardous solid waste disposal alternatives:

- Cost-effectiveness
- Ability to service the site effectively
- Minimize effects to the natural environment
- Minimum effects to the socio-economic environment
- Amenability to closure

Cost effectiveness – offsite transportation of solid wastes to the Fournier Township landfill was the most expensive alternative, followed by incineration due to air emission treatment requirements. Onsite landfill disposal was the preferred alternative from a cost perspective.

Ability to service the site effectively – incineration was only able to be used for a subset of the waste produced (primarily organics was considered at the time). The remaining alternatives were capable of servicing the site effectively, although additional landfill capacity beyond what could be accommodated at the existing landfill would likely be required in later mine life.

Minimize effects on the natural environment – wastes would be landfilled regardless of the landfill location or whether an incinerator is used (portion of the waste, ash still required final disposal). Disposal of materials within an existing or expanded landfill was the preferred solution from an environmental perspective, provided there was sufficient capacity, as opposed to developing a new site. Use of an onsite landfill was preferred to offsite disposal as energy (fuel) needs to transport the waste to an offsite landfill could be avoided.

Minimize effects to the socio-economic environment – use of the Fournier Township landfill (or another existing offsite landfill) by DLM would diminish the long-term serviceability of the landfill(s) to other uses. This would result in the local community needing to permit and develop a new or expanded landfill which is a time consuming and expensive undertaking. Onsite landfill use would therefore be the preferred alternative from a socio-economic perspective.

Amenability to closure – from a mine closure perspective, offsite disposal to a licensed landfill was the preferred alternative since this would not involve further mine site closure liability or considerations. That said, irrespective of location since closure and long-term monitoring of landfills is required whether they are linked to the mine site or mine site activities, use or expansion of an existing landfill would be preferred as opposed to development of a new site.

1.3.1.3 Summary evaluation

The preferred alternative of reopening the existing landfill for the disposal of non-hazardous solid wastes, excluding demolition waste at closure, was determined during the MNR Class EA (AMEC, 2010b). This alternative was economic, did not infringe on other users of offsite landfills, and was environmentally responsible. This alternative noted that the landfill would need to be expanded.

1.4 Site History and Background

Current exploration on DLM has been occurring since early 2007 by Detour Gold from a deposit that was discovered in 1974 (AMEC, 2017a). Previously, DLM was operated by other companies from 1983 to 1999 as an open pit, then later as an underground mine (AMEC,

2017a). Detour Gold commenced operations at the Site in 2013. Kirkland Lake Gold Limited (KLG) purchased Detour Gold in 2020; KLG subsequently merged with Agnico Eagle in 2022.

Throughout the recent operating life (2013 to present), various activities have occurred at the Site, including (KLG, 2020):

- Exploration drilling
- Mineral resource and mineral reserve estimates
- Updated mining method and mine planning
- Migration of data to a new Fusion database
- Expansion or is in the process of constructing selected infrastructure (core storage, accommodations camp, an airfield and aerodrome, onsite assay laboratory, additional mobile maintenance offices and shops)
- Permitting

The onsite landfill (Figure 2) was originally permitted in 1984 under PCofA No. A7383503; this approval was subsequently amended March 29, 1994. The landfill has been operated in accordance with the DLM Landfill Management Procedures. The original approval was for a 6.15 ha landfill site to be landfilled in accordance with the application for approval and associated correspondence dated December 23, 1983. From these documents, the following specifications were approved for the landfill:

Application

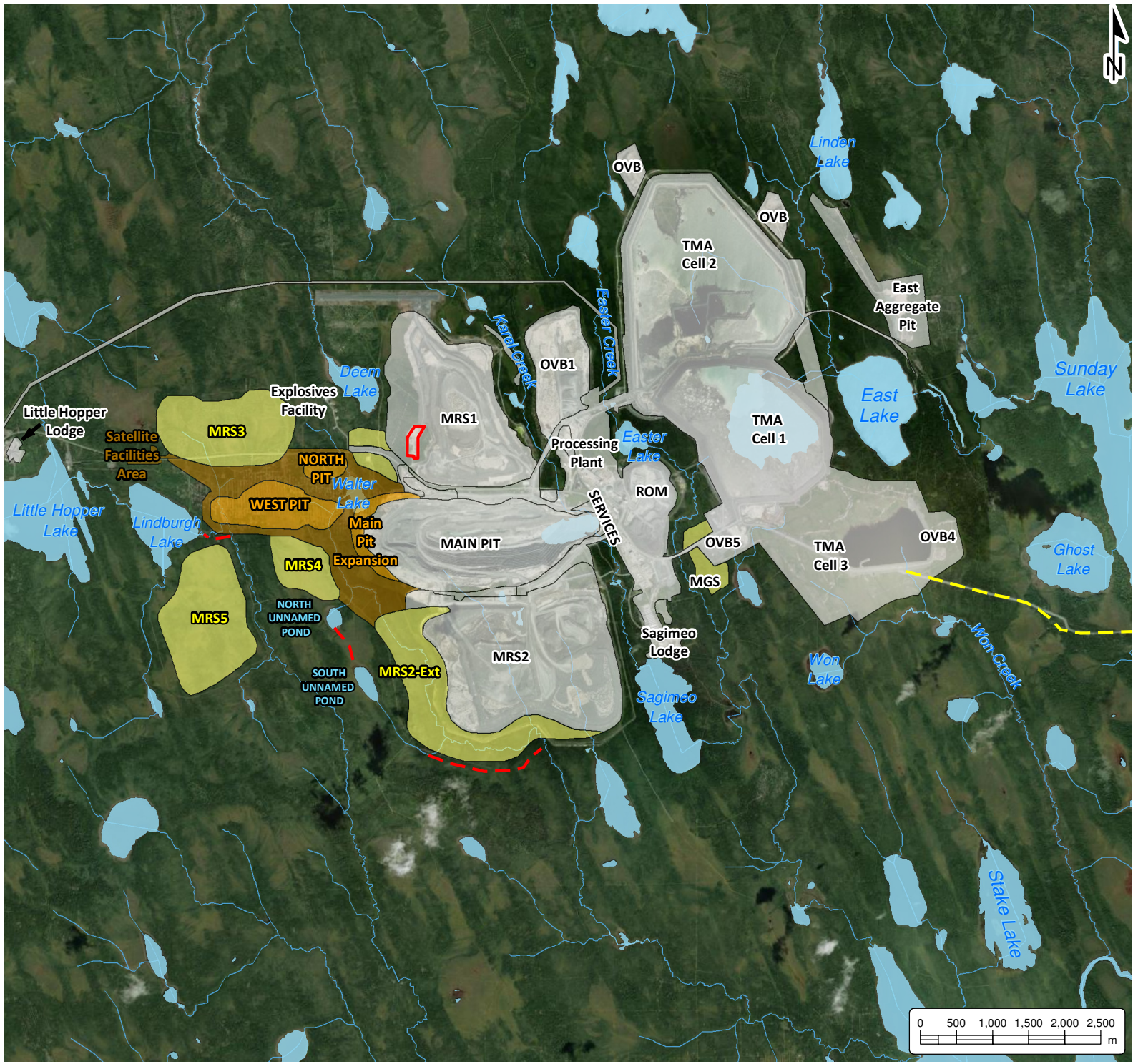
- Rate of daily acceptance of domestic waste: 20.2 m^3
- Rate of daily acceptance of non-hazardous solid industrial waste: 0.2 m^3
- The Site is open 365 days/year
- Site-based workforce served: 450 average (600 peak)
- Total Site Area and total area to be filled: 6.15 ha
- Estimated capacity of the site: 115,000 m^3

- Change of Site/expansion: 5 years and 1.5 ha

Supporting Documentation

- Noted groundwater depth of 1.2 to 2.8 m; this was to be the restricting factor with respect to the landfill design.
- The landfill was to be filled in many small compartments, 0.3 ha in size. Twenty compartments were estimated for a landfilled area of 6.0 ha within the approved site area of 6.15 ha.
- Each compartment was estimated to be 60 m x 50 m x 2.2 m, for example. Based on an estimated landfill volume of 115,000 m³ it is assumed the average depth was planned to be 2.0 m.

An amendment to the PCofA was issued on June 20, 1984, which added a letter dated April 21, 1984. This letter has not been located; however, a Landfill Site Method of Operation was available, which is believed to be supporting documentation related to the amendment. This document indicated that the stripping and compartment method was not working; therefore, an excavation plan was developed. A waste depth of 3.8 m was indicated on the plans. Assuming the landfill area would be maintained at 6.0 ha to 6.15 ha, a depth of waste of 3.8 m would result in a total landfilled volume of at least 228,000 m³.



TERMS OF REFERENCE FOR A LONG TERM WASTE MANAGEMENT STRATEGY

AGNICO EAGLE MINES LIMITED

Detour Lake Mine

LEGEND

- Watercourse
- Preferred Pipeline Route
- Proposed Channel Realignments
- Detour Lake Mine (DLM) Existing/Planned Areas
- Proposed Haul Roads/Other Facilities
- Proposed Open Pits
- Proposed Stockpiles (Mine Rock and Overburden)
- Water Area
- Landfill

Notes:

- Base mapping features are © King's Printer of Ontario, 2023 (this does not constitute an endorsement by the Ministry of Natural Resources or the Ontario Government).
- Distances on this plan are in metres and can be converted to feet by dividing by 0.3048.
- Cambium Inc. makes every effort to ensure this map is free from errors but cannot be held responsible for any damages due to error or omissions. This map should not be used for navigation or legal purposes. It is intended for general reference use only.

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MINE LAYOUT PLAN

Project No.: 18958-001		Date: December 2023	Rev.:
Scale: 1:75,000		Projection: NAD 1983 UTM Zone 17N	
Created by: DBB	Checked by: SNR	Figure: 2	

O:\GIS\MXDs\18900-18999\18958-001 Detour Gold Corp - TOR for Landfill EA\2023-12-06 FIG 2 - Mine Layout Plan.mxd

Work was completed in 2010 and from 2016 through 2018 to assess the existing and potential capacity of the landfill and to assess waste quantities from various onsite components of the DLM operations. The work is detailed in the following (refer to Volume II – Supporting Documents):

- *Report on Geotechnical Investigation, Landfill Area, Detour Lake Project, Canada* (Golder, 2010)
- *Landfill Capacity update Memo* (Cambium, 2016)
- *Landfill Capacity Update Detour Gold Mine* (Cambium, 2017)
- *Non-Hazardous Solid Waste Audit Report* (MASS, 2017)
- *Detour Gold Mine Non-Hazardous Solid Waste Audit and Landfill Assessment Report* (Cambium, 2018)

The following was determined from these studies:

- There is an area in the southeast portion of the landfill that is designated as the historical landfill volume. As estimated 54,000 m³ of waste is landfilled here, a minimum of 2.5 mbgs, and a portion of the waste area is outside of the originally proposed 6.15 ha footprint.
- The landfill was filled in a series of cells.
- The water table was determined to be about 13 m to 16 m bgs based on water level data from monitoring wells MW14-05/05a at the landfill.
- Most cells were excavated to 5 mbgs.
- It was assumed the cell areas were excavated with vertical walls, with no more than 0.3 m buffer between cells.
- As of June 2018, an estimated 135,775 m³ of waste was landfilled; 81,775 m³ of this was landfilled since mine development and operations commenced in 2011.
- The average annual fill volume was estimated to be 11,000 m³.
- Remaining capacity was about 86,000 m³ or eight years.

- The average site-based workforce was expected to be increased by 20% to 1,000. This would increase the average annual landfilled volume to 13,000 m³ and reduced the remaining capacity to six years.
- Preliminary above grade expansion design indicated a potential for an additional 400,000 m³ or 30 to 40 years.
- The waste landfilled was loose with limited compaction. Limited cover was placed historically.
- The types of waste were primarily organics (food waste), cardboard, and some plastics (e.g., jugs, etc.); however, there were some materials throughout the landfill that could be diverted through existing programs such as wood and steel.
- The landfill was generally covered with local overburden materials (sand), excavated to develop the cells.
- A per capita waste generation rate for each of the camps was determined to be 0.99 kg/person/day.
- Waste landfilled was sourced from the following: 75% domestic waste bins, 17% construction waste bins, and 8% cardboard waste bins.
- Waste being landfilled was composed primarily of organics (55%) and cardboard (22%).
- The annual tonnage of waste landfilled was estimated to be 627 to 647 tonnes.
- If all wood, aluminum/scrap metal, organics including paper towels, and cardboard was diverted from the landfill, this would represent about 70% or 445 tonnes of material diverted from the landfill, representing an estimated annual capacity of about 7,000 m³ and 14 years of gained landfill life.

Primary recommendations of these studies included:

- Education of staff could aid in improved sorting of waste into the various waste bins provided throughout the DLM site.

- Onsite waste haulers should continue to track the location each bin was collected from and the volume (full, ½, etc.) of each bin deposited at the landfill.
- Additional compaction could be achieved by revising the existing landfilling methodologies (e.g., landfilling in small lifts of no more than 1.25 to 2.0 m; using a track dozer to drive over lifts of waste 2 to 3 times prior to placing additional waste and/or cover, etc.).
- Waste reduction strategies could be implemented to limit the volume of organic and cardboard waste, where possible. Although various options were available to divert these materials from the landfill, reducing the volume of these materials in the first place is key. Waste reduction strategies implemented on-site were successful (e.g., beverage containers) and additional strategies could be implemented. Some examples include:
  - Limit serving sizes/ serve smaller portions on smaller dishes in the camp kitchens. The kitchen contractor had some success with this initiative with specific food types (e.g., wings, steaks, etc.).
  - Install hand dryers where practical. Implement the use of cloth hand towels and dish clothes where practical (e.g., lunchrooms).
  - Work with suppliers (kitchen, housekeeping, warehouse, etc.) to request products in re-usable materials (e.g., milk crates, plastic totes).

Since the 2018 study was completed (Cambium, 2018), several diversion strategies have been implemented at the site including cardboard bailing and an onsite recycling program for typical blue box items. As of December 2022, the average annual volume of waste and cover landfilled was estimated to be 6,850 m³. This represents nearly a 40% reduction in landfilled materials since the 2018 study. That said, given the remaining capacity of the existing landfill was only 55,000 m³ or 8 years as of December 2022, additional capacity is still required for the Life of Mine, estimated to be 30 years. A minimum of 150,000 m³ of capacity is required, not accounting for increases in site-based workforce and demolition waste resulting from mine closure.

2.0 Environmental Assessment Framework

This section describes the EA process that applies to this project.

2.1 Ontario Environmental Assessment Act

The Act is a provincial statute that sets out a planning and decision-making process to evaluate the potential environmental effects of a proposed undertaking or project. O. Reg. 101/07 for Waste Management Projects, which was made under the Act, states that some waste management projects, regardless of whether the proponent is public or private, are designated under the Act. Various projects are then exempted.

An EA under the Act is a planning study that assesses environmental effects and advantages and disadvantages of a proposed project. The environment is considered in broad terms that include the natural, social, cultural, and economic aspects of the environment. In an individual EA, the first step in the process is to develop a TOR for the EA studies. The draft TOR was submitted to Indigenous Nations for review and comment and the MECP for initial comments. The draft TOR, revised following comments from the initial reviews, will be presented at a open house. The draft TOR will be submitted to the MECP and the Government Review Team (GRT) following the open house. The final TOR will be submitted to the Minister who will decide whether to approve, approve with conditions, or not approve this TOR. If approved, the TOR becomes the framework for preparation and review of the EA.

2.2 Canadian Environmental Assessment Act

The *Canadian Environmental Assessment Act* is a federal statute that requires federal agencies to conduct an EA for designated projects and activities and projects on federal lands. The expansion of a landfill is not a designated project and the proposed undertaking does not involve any federal lands; therefore, no federal EA is required.

2.3 Organization of the TOR

This submission of documents to the MECP consists of this document (Terms of Reference) and Volume III –Record of Consultation.

This document is organized into the following sections and appendices:

- Section 1.0 introduces the TOR, identifies the proponent, presents the purpose of the undertaking and describes the existing site
- Section 2.0 describes the EA process, presents the purpose and organization of the TOR, and discusses flexibility in this TOR
- Section 3.0 provides the rationale and description of the undertaking
- Section 4.0 presents a description of and an assessment of the 'Alternatives To' the undertaking
- Section 5.0 provides an overview of the existing environmental conditions
- Section 6.0 discusses the 'Alternative Methods' of carrying out the undertaking
- Section 7.0 provides an overview of the proposed methods for conducting the EA
- Section 8.0 presents the consultation plan (i.e., engagement program) for developing the TOR and preparing the EA
- Section 9.0 provides an overview of other regulatory approvals required for the undertaking to proceed
- Section 10.0 presents the proposed schedule for preparing the TOR
- Section 11.0 provides statements of commitments and monitoring strategies to be completed during the EA
- Section 12.0 lists the documents referenced in this TOR

Volume III presents the record of the consultation process for the development of this TOR. This includes a summary of events, Indigenous Nation and stakeholder feedback received, and how Indigenous Nation and stakeholder feedback was incorporated into the development of this TOR or a rationale for why it was not considered appropriate for inclusion.

2.4 How the EA will be Prepared

This TOR was prepared in consideration of the *Code of Practice: Preparing and Reviewing Terms of Reference for Environmental Assessments in Ontario* (Code of Practice; (MOE, 2014a)) and in consultation with the *Code of Practice: Preparing and Reviewing Environmental Assessments in Ontario* (MOE, 2014b). All project consultation has been undertaken in accordance with the *Code of Practice: Consultation in Ontario's' Environmental Assessment Process* (MOE, 2014c).

This TOR was prepared in accordance with subsection 6(2)(a) of the Act. The EA will be prepared in accordance with the requirements set out in subsection 6.1(2) of the Act. The EA will consist of:

> *(a) a description of the purpose of the undertaking;*
>
> *(b) a description of and a statement of the rationale for,*
>
> > *(i) the undertaking,*
> >
> > *(ii) the alternative methods of carrying out the undertaking, and*
> >
> > *(iii) the alternatives to the undertaking;*
>
> *(c) a description of,*
>
> > *(i) the environment that will be affected or that might reasonably be expected to be affected, directly or indirectly,*
> >
> > *(ii) the effects that will be caused or that might reasonably be expected to be caused to the environment, and*
> >
> > *(iii) the actions necessary or that may reasonably be expected to be necessary to prevent, change, mitigate or remedy the effects upon or the effects that might reasonably be expected upon the environment, by the undertaking, the alternative methods of carrying out the undertaking and the alternatives to the undertaking;*

(d) an evaluation of the advantages and disadvantages to the environment of the undertaking, the alternative methods of carrying out the undertaking and the alternatives to the undertaking; and,

(e) a description of any consultation about the undertaking by the proponent and the results of the consultation.

2.5 Flexibility of the Terms of Reference

Subsection 6.1 (1) of the Act and the Code of Practice state that the EA must be prepared in accordance with the approved TOR; however, minor variations to methodologies may be necessary in some circumstances. To accommodate new circumstances, the Code of Practice states that it is important to incorporate flexibility into the TOR.

It is intended to complete the EA based on this TOR; however, the information presented in the TOR is preliminary and will be confirmed during the preparation of the EA in consultation with Indigenous Nations, government agencies, and interested public stakeholders. The following are minor modifications that may occur during the development of the EA:

- The description of the environment may be modified based on information that becomes available during the more detailed work in the EA.
- Modifications to studies or additional / expanded studies due to variations in the degree of environmental impact assumed at the time of preparation of this TOR or due to content and quality of information available.
- The description of the alternative methods may be modified based on studies undertaken during the EA and to reflect input from Indigenous Nations, government agencies, and public stakeholders.
- Modifications to the consultation plan to reflect changes in schedule and the revision of consultation methods to best meet the needs of the Indigenous Nations, government agencies, and public stakeholders.
- The schedule to complete the EA may be adjusted.

- Any other modifications required or available through changes to Acts or Regulations.

These examples are not intended to be an exhaustive list; they are simply meant to set out the types of changes that would be considered minor and that could be accommodated within the framework of the TOR. The MECP will be consulted in the event of uncertainty on whether a proposed change can be considered minor and accommodated within the approved TOR. The incorporation of flexibility in the TOR is not meant to allow for a significant change of the scope of the Project, but rather to allow for minor adjustments to the EA process without having to restart the EA process.

3.0 Description and Rationale of the Proposed Undertaking

A preliminary purpose, description of, and the rational for the proposed undertaking is outlined herein. These statements may be revised during the EA, based on obtaining additional information and/or feedback through consultation.

3.1 Description of the Proposed Undertaking

This section describes the need to manage non-hazardous solid waste beyond the remaining waste disposal capacity at the DLM landfill. The undertaking is driven by the following core need:

The need for Agnico Eagle to continue to provide Detour Lake Mine (DLM) with non-hazardous, solid waste management for the Life of Mine, which is estimated to be greater than 30 years.

The following provides an overview of the rationale for, and description of, the proposed undertaking, including a discussion of the contributions of the undertaking to:

- Climate Change
- Waste Diversion
- Source Water Protection
- Cumulative Effects

3.2 Rationale for the Proposed Undertaking

As noted, assessments were completed in 2017 and 2018 to determine the remaining capacity of the existing DLM landfill (Cambium, 2017; Cambium, 2018). As outlined in Section 1.4, the following conclusions were drawn:

- An estimated 135,775 m³ of waste was landfilled as of June 2018; 81,775 m³ of this was landfilled since mine development and operations commenced in 2011.
- The average annual fill volume was estimated to be 11,000 m³.

- Remaining capacity was about 86,000 m³ or eight years.
- The average site-based workforce was expected to be increased by 20% to 1,000. This would increase the average annual landfilled volume to 13,000 m³ and reduced the remaining capacity to six years.
- The types of waste were primarily organics, cardboard, and some plastics (e.g., jugs, etc.); however, there were some materials throughout the landfill that could be diverted through existing programs such as wood and steel.
- A per capita waste generation rate for each of the camps was determined to be 0.99 kg/person/day.
- The landfill was generally covered with local overburden materials (sand), excavated to develop the cells.
- Waste being landfilled was composed primarily of organics (55%) and cardboard (22%).
- The annual tonnage of waste landfilled was estimated to be 627 to 647 tonnes.

If the average annual fill volume increases to 13,000 m³ and the Life of Mine is at least 20 years, a minimum of 260,000 m³ of capacity was required as of 2018. Given that 86,000 m³ of capacity remained in the currently approved landfill, Agnico Eagle needed to realize at least 175,000 m³ of additional capacity for waste. Since this study was completed, the West Detour expansion was approved and the Life of Mine increased to at least 30 years. Using the average annual fill volume of 13,000 m³ and remaining capacity from 2018 (86,000 m³), at least 304,000 m³ of additional capacity will be required.

Since the 2018 study was completed (Cambium, 2018), Agnico Eagle has implemented several diversion strategies at the DLM site including cardboard bailing and an onsite recycling program for typical blue box items. As of December 2022, the average annual volume of materials landfilled was about 6,850 m³. This represents nearly a 40% reduction in landfill materials since the 2018 study. That said, given the remaining capacity as of December 2022 of the existing landfill was only 55,000 m³ or 8 years, the existing landfill does not have sufficient capacity to manage the non-hazardous solid waste expected to be generated for the

Life of Mine, estimated to be 30 years. It is expected at least 150,000 m³ of non-hazardous solid waste will need to be managed for Life of Mine, not accounting for site-based workforce increases and demolition waste resulting from mine closure. It is noted, 2022 site-based workforce predications indicated the site-based workforce of 1,000 could increase to as much as 2,000 by 2030.

3.2.1 Contribution to Climate Change

The 2017 Guide Consideration of Climate Change in the EA in Ontario outlines two basic aspects that should be considered throughout the EA process. This includes 1) Project Effects on Climate Change (e.g., greenhouse gas (GHG) emissions), and 2) Climate Change Effects on the project (e.g., increased frequency and intensity of severe weather events).

The EA will consider how the ‘Alternatives To’ and the ‘Alternative Methods’ may increase or decrease the GHG emissions from the waste management operations (e.g., methane production from a landfill site, GHG emissions from hauling vehicles, etc.).

The EA will consider how changing climate has the potential to impact the project and how adaptive measures can be incorporated into the site design. This will be explored, specifically as it relates to the potential for extreme weather events and potential changes in temperature and precipitation.

3.2.2 Opportunities for Increased Waste Diversion

Regions in Ontario and beyond are continually searching for opportunities to decrease the amount of waste being sent to landfill. Many are doing so by improving or adding waste diversion programs. At DLM, there is also an opportunity to increase diversion and thus extend landfill life, but not in the traditional sense of working with waste haulers and local processing facilities. Due to the northern and isolated location of the site, most waste management activities take place onsite. Diversion practices to date include:

- Scrap metal collection and recycling
- Battery recycling

- Blue Box recycling
- Organics dehydrator (to be implemented in 2023)
- Cardboard baling program
- Water bottle/coffee cup program

The potential for increased diversion will be a key component of the EA. Existing diversion programs will be reviewed and additional programs will be considered (wood chipping for use in rehabilitation programs, etc.).

3.2.3 Source Water Protection

DLM is not within a Source Water Protection Policy Area. As such, the existing landfill and/or onsite alternatives are not influenced by planning considerations or requirements related to source water protection. Despite this, Agnico Eagle is committed to implementing appropriate mitigation and monitoring to ensure water resources are not adversely impacted for future use.

3.2.4 Cumulative Effects

The MECP considers the cumulative effects on the environment; the interdependence of air, land, water, and living organisms; and the relationships among the environment, the economy, and society. As part of the EA, the potential cumulative effects of the project in combination with past, present, and reasonably foreseeable future activities will be considered, where possible. This includes all projects in the area of DLM including forestry, power, tourism, etc.

Cumulative effects of the existing and future mining operations have been considered at length (AMEC, 2010b; Wood, 2019). Information developed to date will be used to consider the potential net effects of the proposed project combined with the predicted effects of the planned mining operations. A list of projects (past, present, and reasonably foreseeable future) in the area of DLM will be developed during the EA.

The evaluation will consider potential effects on the environment (as defined herein) to determine if there will be any unacceptable predicted cumulative impacts. Although not an exhaustive list, some of the potential cumulative effects that will be considered are air (noise,

dust, odour), surface water and groundwater impacts, vegetation and terrestrial habitat linkages, wildlife (including species at risk), local and regional economy, and Indigenous Nations land use.

4.0 Description of and Rationale for 'Alternatives To'

The comparative analysis of alternatives is at the core of the EA planning process in Ontario. The process should assess the advantages and disadvantages of the alternatives and determine the best alternative that is appropriate to address the problem. As required by subsections 6(2)(a) and 6.1(2), Agnico Eagle is obligated to include consideration of a reasonable range of both 'Alternatives To' and 'Alternative Methods' in the EA. As such, this TOR discusses which alternatives will be considered in the EA, including how alternatives will be evaluated. 'Alternative Methods' will be identified and evaluated as part of the EA, once a preferred 'Alternative To' is chosen.

'Alternatives To' the undertaking are functionally different ways of addressing the problem or opportunity (i.e., provision of additional waste disposal capacity). "Alternative Methods" of carrying out the undertaking are different ways of implementing the proposed undertaking.

While several waste disposal alternatives are theoretically possible, several of these alternatives may not be practicable in this circumstance due to such considerations as capacity, remoteness, economic feasibility, existing infrastructure, and environmental impact. Furthermore, the *Code of Practice* (MOE, 2014a) recognizes that private companies may not be able to implement some alternative ways of managing waste.

This section identifies and provides a discussion of 'Alternatives To' the undertaking and outlines which alternatives will be carried forward into the EA.

4.1 Alternatives To the Undertaking

Consistent with the *Code of Practice* (MOE, 2014a), a range of 'Alternatives To' for providing disposal capacity that are appropriate and reasonable for Agnico Eagle to implement were identified. The following six alternatives were identified:

1. Do nothing
2. Increase diversion/waste reduction
3. Establish a new landfill at another location within the DLM site

4. Export waste to a disposal facility elsewhere
5. Expand the existing landfill
6. Implement new or alternative waste management technologies
7. Other alternatives

Several of the alternatives were previously evaluated and compared qualitatively based on the categories of natural environment, social/cultural, technical/economic, and regulatory/administrative (AMEC, 2010b). This study, which included Indigenous Nation, public, and stakeholder consultation, concluded and identified the preferred approach as expansion of the existing onsite landfill. The results of the previous study will be considered during the EA; however, given the time since the study and consultation occurred (more than 10 years ago), all alternatives will be considered as part of this EA.

4.1.1 Alternative 1 – Do Nothing

Agnico Eagle would not undertake new capacity with this alternative. This alternative involves continuing landfilling until such time as the existing approved capacity is reached without any changes to modify the existing footprint or to change the quantity of waste disposed (estimated to be 2030). This would leave Agnico Eagle with no options for waste disposal for the Life of Mine (estimated to be greater than 30 years).

This alternative does not address the rational for the undertaking, nor does it contribute to the Ontario government's priorities for waste reduction or climate change initiatives (GHG reduction).

Although this is not considered a reasonable alternative to the undertaking as it does not satisfy the need to manage non-hazardous solid waste for the Life of Mine, this alternative will be considered for comparison purposes. This alternative provides a benchmark against which all other alternatives will be measured.

4.1.2 Alternative 2 – Increase Diversion/Waste Reduction

Strategies to enhance the waste diversion rate at the DLM through waste reduction, material recycling, and reuse will be considered. Education and awareness will also be considered. Although this alternative does not address the rational for the undertaking, this alternative will be considered in combination with the preferred alternative. By combining this alternative with the preferred alternative, the rational for the undertaking will be met (reduced annual deposition of waste which will increase landfill life) while remaining in line with the Ontario government's current priorities.

4.1.3 Alternative 3 – Establish a New Landfill

This alternative would consist of developing a new landfill within the DLM site. Some items that were previously considered when assessing this alternative included:

- The potential impact to the environment and the sensitive receptors that have been previously identified on the DLM site.
- The construction of redundant infrastructure such as access roads.
- The need for an engineered landfill versus a natural attenuation landfill.
- The location of the landfill which will need to be central to the mine operations and living quarters to reduce the required traveling to dispose of the waste (GHG considerations).

Although this alternative is technically feasible and the rational for the undertaking will be met, this 'Alternative To' was not previously considered viable for the project, primarily due to the commitment of maintaining a compact site footprint, focusing on development on previously disturbed areas, and to avoid the development of new infrastructure to currently inaccessible areas. Furthermore, establishing a new site was determined to not be cost effective (i.e., baseline study costs, increased monitoring network infrastructure, increased onsite infrastructure such as roads to access a new site, etc.).

4.1.4 Alternative 4 – Export Waste

This alternative consists of exporting waste to a disposal facility off the DLM site in Ontario, Quebec, Manitoba, and/or the United States. Although this alternative is technically feasible and the rational for the undertaking will be met, this alternative was not previously considered financially viable. Notably this alternative does not align with Ontario initiatives such as GHG reduction (outlined in the *Made-in-Ontario Environment Plan* (MECP, 2018)). Based on comments provided by the City of Timmins during consultation on the draft TOR, the City of Timmins Delora Landfill should not be considered an alternative option for waste export.

4.1.5 Alternative 5 – Expand the Existing Landfill

The existing DLM landfill has been in operation since 1984. Groundwater and surface water monitoring at DLM to date have shown the landfill design and operation to be effective in protecting the adjacent natural environments.

This alternative involves maintaining the existing landfill and adding capacity through expansion. Expansion can be completed in various methods including horizontally, vertically, mining (including recompacting of existing landfilled waste), etc. The existing landfill is central on the DLM site, between the residential area and the mining operation/mill. Furthermore, there are no sensitive receptors immediately adjacent or down-gradient/downstream of the existing landfill. This alternative would not require any significant infrastructure development as the existing infrastructure would be used.

Expansion of the approved capacity of the landfill is technically feasible and addresses the rational for the undertaking. This ‘Alternative To’ would use land already designated for this purpose and use site infrastructure already developed. By combining this alternative with increased diversion and waste reduction strategies, the rational for the undertaking will be met while remaining inline with the Ontario government’s current priorities such as the *Resource Recovery and Circular Economy Act* and the *Waste Free Ontario Act*.

4.1.6 Alternative 6 – Implement New or Alterative Waste Management Technologies

The suitability of new waste management technologies for the management of non-hazardous solid wastes at DLM will be considered. Criteria for review of this 'Alternative To' may include but not necessarily be limited to the equipment and facility requirements for Agnico Eagle based on DLM site-based workforce and waste generation data and costs for the implementation and operation of this alternative as suited to Agnico Eagle.

4.1.7 Alternative 7 – Other Alternatives

Agnico Eagle has provided six alternatives to the undertaken. Through the EA process, Agnico Eagle may include additional alternatives or combinations of the proposed alternatives that have not been specified in this TOR but will be detailed in the EA.

4.2 Alternatives To Conclusion

All 'Alternatives To' the undertaking identified in the TOR will be carried forward into the EA. Notably, a combination of 'Alternative(s) To' will also be considered. Although several of the identified 'Alternative(s) To' will not address the rational for the undertaking, if considered in combination, the rational for the undertaking will be met. For example, Alternative 2 (increased diversion/waste reduction), Alternative 5 (expand existing landfill by way of mining and recompacting), and Alternative 6 (new or alternative waste technologies) may be combined. This combination will address the rational for the undertaking by reducing annual deposition and increase landfill life while remaining in line with the Ontario government's current priorities.

5.0 Description of the Existing Environment and Potential Effects

The EAA defines the environment in a broad, general sense. The environmental components include: atmospheric (air quality, dust, odour, noise), land (geology, soil, land use), hydrogeology, surface water, aquatic and terrestrial ecology, and climate. The social components include: socio-economic, land use, and cultural heritage resources. The technical components include: built aspects of the environment (e.g., transportation).

DLM has been subject to extensive baseline, environmental monitoring, and technical studies, as per provincial and federal regulatory requirements (KLG, 2020). A brief description of the existing environmental conditions at the DLM landfill and surrounding areas is presented in this section (paraphrased and in some cases verbatim). More detailed descriptions are available in the following documents, several of which are included in Volume II – Supporting Documents. As described in the Code of Practice (MOE, 2014a), Agnico Eagle will present a more detailed description of the environmental conditions in the EA study report.

Baseline Study Reports

- *Environmental Assessment – Volume 1 Baseline Inventory. Estimate Review Final Report* (EAG, 1983)
- *Detour Lake Mine 1995 Aquatic Assessment* (ESPL, 1995)
- *East Lake Water Quality Management Plan; Development of Site-Specific Water Quality Objective for Copper – Status Report* (Lorax, 2002)
- *Detour Lake Mine Aquatic Receiving Environment Assessment: 2004* (C. Wren & Associates, 2005)
- *Aquatic Resources Baseline Study, Detour Lake Project* (AMEC, 2009a)
- *Climate and Air Quality Baseline Study, Detour Lake Project* (AMEC, 2009b)
- *Hydrogeology Baseline Study, Detour Lake Project* (AMEC, 2009c)
- *Terrestrial Resources Baseline Study, Detour Lake Project* (AMEC, 2009d)

- *Ontario MOE Class EA for Electricity Projects* (AMEC, 2010a)
- *Class EA for MNR Resource Stewardship and Facility Development Projects Environmental Study Report* (AMEC, 2010b)
- *Ontario Individual EA for Electricity Projects, for construction of a 230 kV transmission line* (AMEC, 2010c)
- *Detour Lake Aquatic Resources 2009 Baseline Investigations* (AMEC, 2010d)
- *Detour Lake Project, Metal Leaching and Acid Rock Drainage Characterization Report* (AMEC, 2010e)
- *Detour Lake Project Socio Economic Baseline Report* (AMEC, 2010f)
- *2012 Terrestrial Resources Baseline Report.* AMEC Environmental & Infrastructure. (AMEC, 2013a)
- *2012 Aquatic Resources Baseline Report.* AMEC Environmental & Infrastructure. (AMEC, 2013b)
- *2015 Aquatics Resources Baseline Study (version 1).* AMEC Foster Wheeler. (AMEC, 2016a)
- *2015 Terrestrial Resources Baseline Study.* AMEC Foster Wheeler. (AMEC, 2016b)
- *2016 to 2018 Aquatic Resources Baseline Study, West Detour Project.* Wood Environment & Infrastructure Solutions. (Wood, 2018)t
- *Summary of Woodland Caribou Monitoring Results, Detour Lake Mine.* AMEC Foster Wheller Environment & Infrastructure. (AMEC, 2017b)
- *2016/2017 Terrestrial Resources Baseline Study, West Detour Project.* Wood Environment & Infrastructure Solutions. (Wood, 2018)
- *West Detour Project, Environmental Study Report.* Wood Environmental & Infrastructure Solutions. (Wood, 2019)
- *NI 43-101 Technical Report* (KLG, 2020)

- *2021 Caribou and Wildlife Monitoring Report - FINAL.* Wood Environment & Infrastructure Solutions. (Wood, 2022)

Archaeological Assessment and Traditional Ecological Knowledge Reports

- *Stage 2 Archaeological Assessment: Detour Lake Mine Site and Associated Transmission Line.* Project Information Form (PIF)# P326-001-2009. White Spruce Archaeology. (WSA, 2010)
- *Stage One Archaeological and Cultural Heritage Resource Assessment of Detour Gold Corporation's Detour Lake Project Site and Property Area, Cochrane District, Ontario.* PIF # P016-228-2008. Woodland Heritage Services Limited. (WHS, 2009)
- *Stage 1 Archaeological and Cultural Heritage Resource Assessment of the Detour Gold Mine Site Development Areas, Cochrane District.* PIF #P016-257-2009. Revised 2013. Woodland Heritage Services Limited. (WHS, 2010a)
- *Stage 1 Archaeological and Cultural Heritage Resource Assessment of ~174 km of a Hydro Line Corridor Connecting Abitibi Canyon G.S. to the Detour Mine Via Island Falls G.S. Cochrane District*. PIF#P016-256-2009. Woodland Heritage Services Limited. (WHS, 2010b)
- *Traditional Knowledge–Based Stage 2 Archaeological and Cultural Heritage Resource Assessment of the Western Section of the Hydro Line Corridor Connecting Pinard T. S. to the Detour Mine via Island Falls G.S.,* Cochrane District. PIF # P016-265-2010. Woodland Heritage Services Limited. (WHS, 2010c)
- *Stage 1 and 2 Archaeological and Cultural Heritage Resource Assessment of ~174km of Hydro Line Corridor Connecting Abitibi Canyon GS to the Detour Mine Via Island Falls G.S., Cochrane District PIF#P016-230-2009. Woodland Heritage Services Limited.* (WHS, 2010d)
- *MCFN Traditional Ecological Knowledge and Land Use Study Related to the Detour Lake Project.* Moose Cree Traditional Ecological Knowledge and Land Use Steering Committee. (MCFN TEK, 2011)

- *Detour Traditional Ecological Knowledge (TEK) Study.* Mushkegowuk Environmental Research Centre. (MERC, 2011)
- *Stage 1 Archaeological and Cultural Heritage Assessment of the Detour Lake Project Preferred Permanent Camp Location "A." Cochrane District, Ontario*. PIF #P016-302-2011. Woodland Heritage Services Limited. (WHS, 2011a)
- *Traditional Knowledge–Based Stage 2 Archaeological Assessment of the Eastern Section of the Transmission Line Corridor Connecting Pinard T.S. to the Detour Mine via Island Falls G.S., Cochrane District.* PIF # P016-301-2011. Woodland Heritage Services Limited. (WHS, 2011b)
- *Stage 1 Archaeological Resource Assessment of the Western Portion of the Detour Mine Site (Area 2), West of Sunday Lake Area (Unsurveyed), Cochrane District*. PIF# P022-0054-2015 (WHS, 2016a)
- *Stage 1 Archaeological Resource Assessment of Area 3, Located to the East and South of the Detour Mine, including the Lower Detour Exploration Area, in Sunday Lake Area and Lower Detour Lake Area (Unsurveyed), Cochrane District*. PIF# P016-0421-2016. Woodland Heritage Services Limited. (WHS, 2016b)
- *Stage 1 Archaeological Resource Assessment the Detour Mine Site (Area 1), and the Areas of Archaeological Potential Identified in 2009 Updated to Comply with the MTCS 2011 Standards and Guidelines, West of Sunday Lake Area (Unsurveyed), Cochrane District.* PIF # P022-0053-2015. Woodland Heritage Services Limited. (WHS, 2016c)
- *Stage 2 Archaeological Resource Assessment of Multiple Areas of Archaeological Potential within Areas 1, 2, and 3 (Detour Mine Site, Detour West Expansion Area, and Lower Detour Exploration Area, respectively), in Sunday Lake Area, West of Sunday Lake Area, Lower Detour Lake Area, and Hopper Lake Area, Cochrane District, Ontario.* PIFs# P016-0432-2016, P016-0433-2016, P016-0434-2016. Woodland Heritage Services Limited. (WHS, 2016d)

- *Stage 2 Archaeological Resource Assessment of a Proposed Discharge Pipeline for the West Detour Project, in Sunday Lake Area, Cochrane District, Ontario*. PIF# P208-0173-2018. Woodland Heritage Northeast Limited. (WHN, 2018)
- *Stage 1 Archaeological Resource Assessment (draft), Portion of the Detour Lake Mine Property, in Hopper Lake Area and Lower Detour Lake Area, District of Cochrane, Ontario.* PIF #s P208-0306-2023. Woodland Heritage Northeast Limited. (WHN, 2023)

5.1 Natural Environment

5.1.1 Atmospheric

The climate in the project area is characterized by cold winters and mild summers. The average total annual precipitation is estimated at 862 mm with approximately 30% falling as snow and the greatest precipitation contribution occurring as rain during June through October. The predominant wind direction is from the west.

DLM is remote from off-property permanent human receptors (i.e., no permanent residents, communities, etc.) and there are no restrictions on air and noise emissions relative to human receptors. Potential receptors such as land and water related to any potential human activity (e.g., hunting, fishing) will be considered throughout the EA.

Odours within the existing environment would be generated by the existing landfill. With the site being remote, the typical ambient noise would be defined by the natural environment and any mining operations occurring or traffic on site access roads.

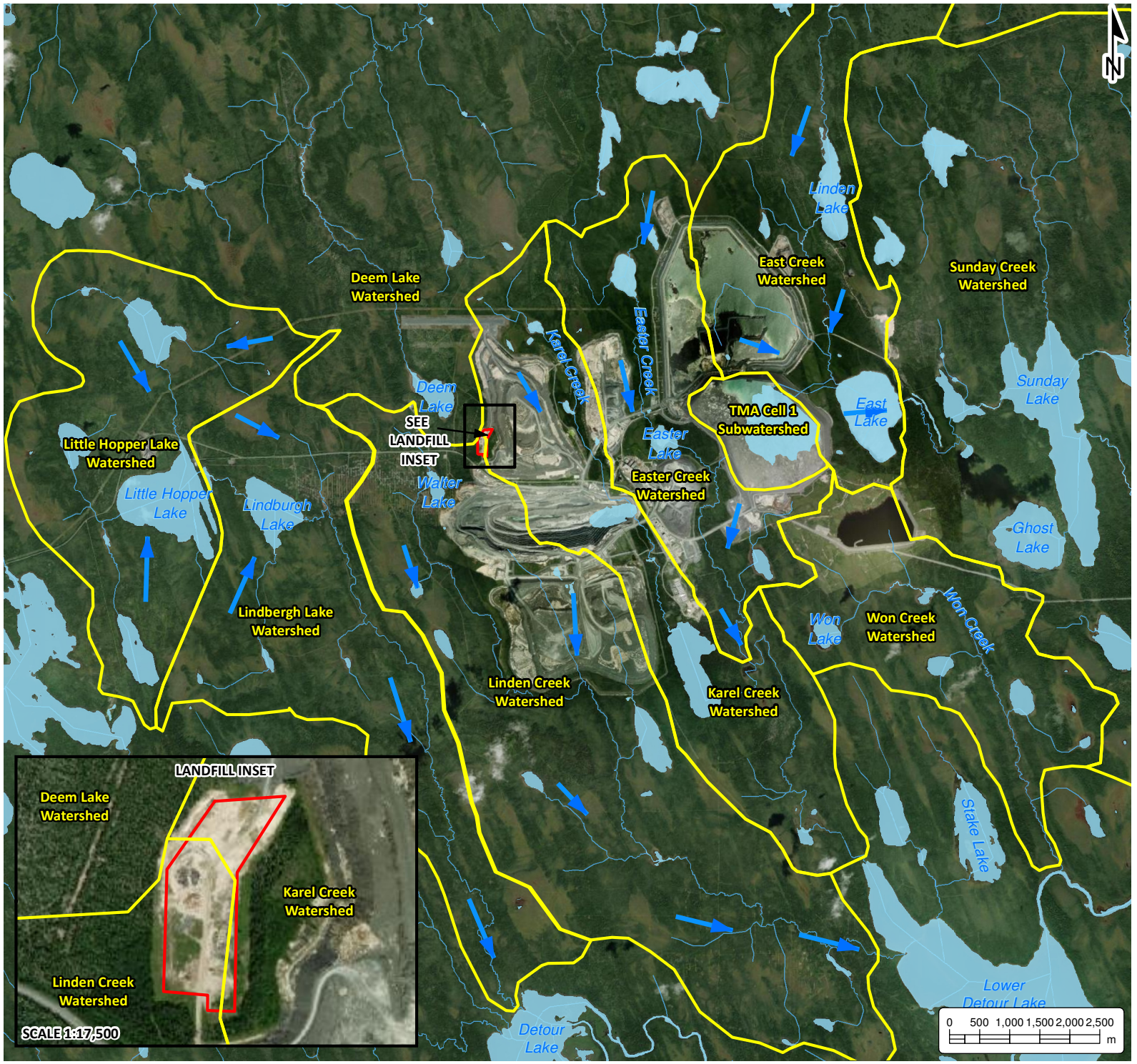
5.1.2 Geology/Hydrogeology

DLM is on the northern edge of the Canadian Shield in northeastern Ontario close to the Ontario-Quebec border. The topography of the site is subdued with a maximum local natural relief of 30 to 40 m (260 to 288 masl). Local overburden materials vary from nil to greater than 40 m and are generally dense glacial tills and glaciofluvial materials (poorly sorted sand with lenses of gravel). Shallow peat deposits of up to 3 m were identified in low-lying areas. Bedrock is primarily basalt and metavolcanic formations.

5.1.3 Surface Water

Local site area watersheds tend to be of small to modest size, generally less than 50 km². DLM spans several watersheds, most of which drain south into the Detour River. The Detour River flows into the Turgeon River and Harricanaw River, and eventually into James Bay. Numerous small streams linking elliptical lakes and ponds, generally oriented parallel to the pattern of glacial fluting. Many small and shallow lakes are found within the DLM site, the largest being Sunday Lake.

The current landfill is situated on top of the watershed divide between Deem, Linden, and Karel Creek watersheds (Figure 3). Deem Lake Watershed drains north; Linden Creek and Karel Creek Watersheds drain south to Lower Detour Lake and the Detour River. There have been no significant changes to surface water quality related to mining (or landfill) operations in the Deem Lake, Linden Creek, or Karel Creek watersheds (KLG, 2020).



TERMS OF REFERENCE FOR A LONG TERM WASTE MANAGEMENT STRATEGY

AGNICO EAGLE MINES LIMITED

Detour Lake Mine

LEGEND

- General Flow Direction
- Watercourse
- Predevelopment Watershed/Subwatershed Boundary
- Water Area
- Landfill

Notes:

- Base mapping features are © Queen's Printer of Ontario, 2019 (this does not constitute an endorsement by the Ministry of Natural Resources or the Ontario Government).
- Distances on this plan are in metres and can be converted to feet by dividing by 0.3048.
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WATERSHED MAP

Project No.: 18958-001		Date: December 2023	Rev.:
Scale: 1:90,000		Projection: NAD 1983 UTM Zone 17N	
Created by: DBB	Checked by: SNR	Figure: 3	

O:\GIS\MXDs\18900-18999\18958-001 Detour Gold Corp - TOR for Landfill EA\2023-12-06 FIG 3 - Watershed Map.mxd

5.1.4 Biology

5.1.4.1 Forest Cover

Vegetation communities are typical of the region and are a mix of coniferous and mixed coniferous forests and open and treed muskeg, with extensive forestry operations. Areas of higher relief are sparsely wooded with jack pine, black and white spruce, balsam fir, trembling aspen, and white birch. Areas that are slightly lower in relief are poorly drained and characterized by muskeg.

There is extensive evidence of previous land disturbances by forestry activities, as well as past exploration.

5.1.4.2 Fish and Wildlife

Fish and wildlife species in the area are generally typical of those inhabiting the boreal forests of northeastern Ontario.

Although wildlife in general is of great importance, the potential of adverse effects to Woodland Caribou has been singled out as a primary consideration during past EA consultations. The presence of Woodland Caribou is of note because it is a Species at Risk (SAR), designated as Threatened under the Provincial Endangered Species Act (ESA) and Federal Species at Risk Act.

As outlined in the *2021 Caribou and Wildlife Monitoring Report – FINAL* (Wood, 2022), monitoring the effects of DLM on wildlife and wildlife habitat was initiated in 2008 and continues as part of the Follow-up Monitoring Program that was committed during the Federal EA process. Systematic surveys have been undertaken annually during the late winter (2008 to 2021) and early winter (2008 – 2015). Furthermore, general habitat protection was afforded to Woodland Caribou in June 2013. DLM proactively implemented a more comprehensive monitoring program using satellite telemetry collars in February 2016 to support anticipated permitting requirements for the West Detour expansion under the ESA. Since this time, satellite telemetry data has been used in conjunction with aerial survey data to support ESA permitting requirements for the expansion, as well as any monitoring requirements necessary

for compliance for DLM through the follow up monitoring program commitments that comprise the EA approvals in 2008. Agnico Eagle continues to monitor caribou and has collaring and aerial survey work planned for winter 2024. As this data becomes available it will be used to update the detailed description of the environment.

The DLM site and surrounding area provides habitat for several other species, many of which have cultural importance to Indigenous Nations. Although not an exhaustive list, this includes bears, moose, ducks, geese, and small furbearers. Agnico Eagle will consider all species when assessing 'Alternative(s) To' and 'Alternative Methods' to the undertaking. Consideration will be given to potential adverse impacts, mitigation, and monitoring.

As has been the case to date at DLM, Agnico Eagle will continue to minimize adverse effects to fish and wildlife species by developing a compact site as reasonable, focusing on developments to the extent feasible on previously disturbed areas, and to avoid the development of new infrastructure to currently inaccessible areas.

5.2 Built Environment

5.2.1 Mining Operations

Current exploration at DLM has been occurring since early 2007 by Detour Gold from a deposit that was discovered in 1974 (AMEC, 2017a). Previously, DLM was operated by other companies from 1983 to 1999 as an open pit, then later as an underground mine (AMEC, 2017a).

Detour Gold constructed the existing facilities between 2010 and 2013 when mining recommenced at DLM. KLG purchased Detour Gold in 2020; KLG subsequently merged with Agnico Eagle in 2022.

Once acquired by KLG in 2020, there were significant discoveries made in areas that had previously been underexplored, along with known deposits west of the West Pit and close to the North Pit. Based on geophysical surveys and exploration drilling activities, additional areas have been identified with gold-bearing structural trends that warrant further exploration evaluation. (Agnico Eagle, 2022)

The following infrastructure is currently in place or planned (KLG, 2020) (Figure 2, page 11):

- Three open pits: Detour Lake Main (in operation), West Detour, and North Pit (to be constructed)
- Processing facilities: grinding and leaching facilities, along with management and engineering offices, change house, workshop, warehouse, and assay laboratory facilities
- Mine facilities: management and engineering offices, change house, heavy mining vehicle and light vehicle workshops, wash bay, warehouse, explosives magazine, crusher, mine access gate house, return water pump house
- Administration buildings: facilities for overall site management, safety inductions, and general and administrative functions
- Two accommodation camps
- Ore stockpiles
- Waste rock storage facilities
- Three tailings storage facilities
- Water management facilities: stormwater and water storage dams, diversions and culverts
- Landfill facility

The landfill currently operates in general accordance with PCofA No. A7383503, most recently amended March 29, 1994. The original approval for the landfill was for a 6.15 ha landfill site. The landfill has been filled in a series of cells, with most cells being excavated to 5 mbgs. As of June 2018, the existing waste landfilled was about 135,775 m³ and the remaining capacity was estimated at 86,000 m^3 or eight years (June 2026), using the average annual fill rate of 11,000 m³ (Cambium, 2018).

Since the capacity studies were completed in 2017/2018 (Cambium, 2018), Agnico Eagle has implemented several diversion strategies at the site including cardboard bailing and an onsite recycling program for typical blue box items. As of December 2022, the average annual

volume of material landfilled was estimated to be 6,850 m³. This represents nearly a 40% reduction in landfilled materials. The remaining capacity as of December 2022 of the existing landfill was 55,000 m³ and remains at eight years (December 2030) due to the decreased landfilling rate.

5.2.2 Land Use

The land uses documented for the DLM region include mining; aggregates; forestry; tourism; hunting, fishing, and trapping; cottaging and outfitter camps; and, trails and access.

DLM lies within Unsurveyed Territory/Crown Land and is not governed by municipal land use plans or policies. Provincial land use plans and policies apply to DLM and will be reviewed when completing the scope of the EA including: the *Provincial Policy Statement* (PPS) and the *Northern Growth Plan*.

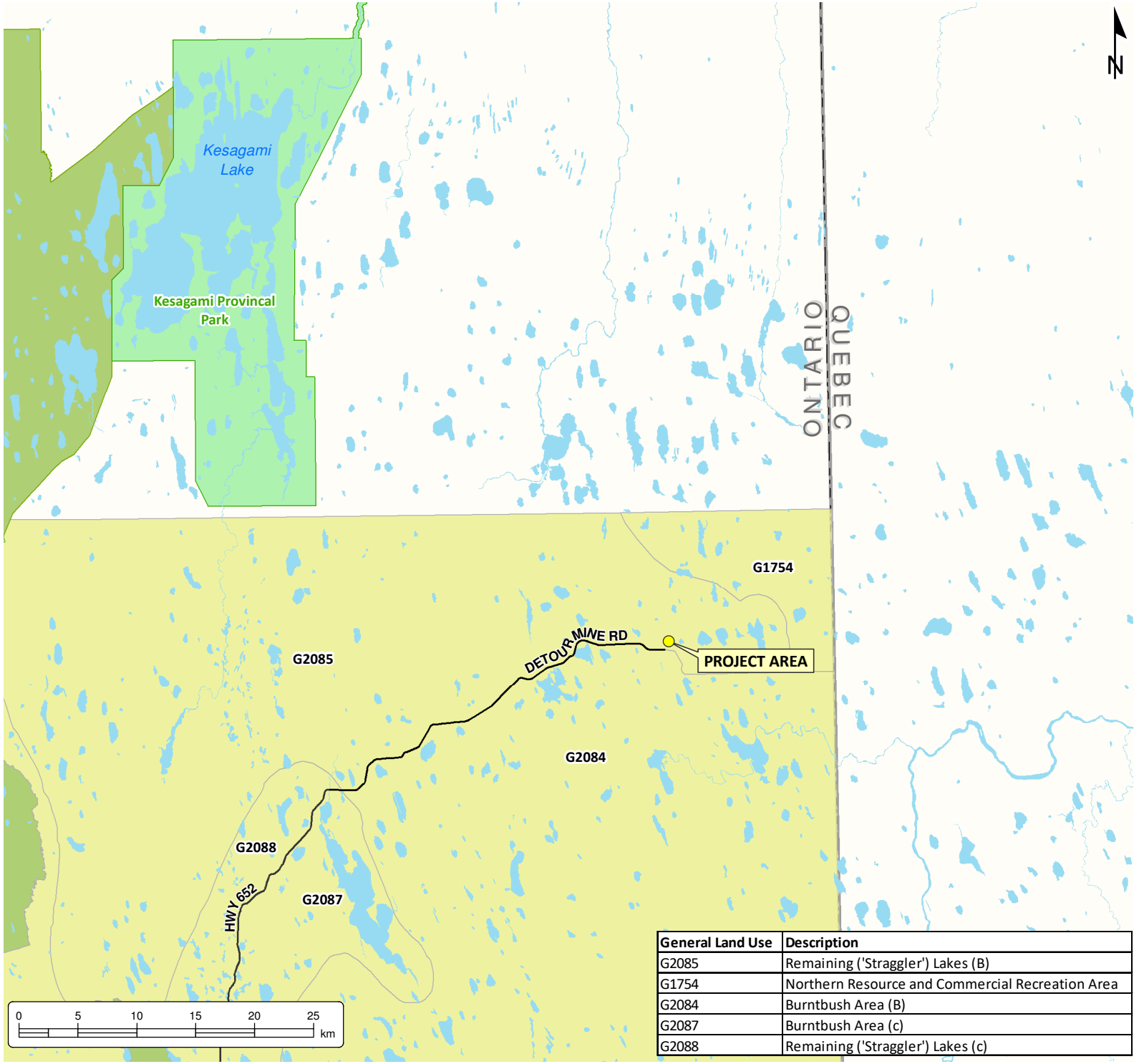
Ontario Crown Land Use Policies (MNRF, 2022) indicate the site is within General Use Areas G2085 Remaining ('Straggler') Lakes (B) and G2084 Burntbush Area (B). Specifically, the atlas outlines the following (Figure 4).

The Burntbush Area is one of four tourism areas identified in the Approved Cochrane District Remote (Wilderness) Tourism Strategy (RWS). The Remaining ("Straggler") Tourism Lakes occur outside of the identified tourism areas of the RWS. These areas are major remote tourism areas for wilderness recreation (e.g., fly-in fishing, hunting, nature appreciation). They are also important resource areas for forestry and mining. Public recreational uses include fishing, hunting, ATVs, and snowmobiling. Forest management is expanding northwards for future harvesting areas. The increasing road access to these remote areas has caused significant concerns from the tourist outfitters.

TERMS OF REFERENCE FOR A LONG TERM WASTE MANAGEMENT STRATEGY

AGNICO EAGLE MINES LIMITED

Detour Lake Mine



LEGEND

- Major Road
- Minor Road
- Water Area
- County Boundary

Crown Land Use Policy Area:

- Conservation Reserve
- General Use Area
- Provincial Park

General Land Use	Description
G2085	Remaining ('Straggler') Lakes (B)
G1754	Northern Resource and Commercial Recreation Area
G2084	Burntbush Area (B)
G2087	Burntbush Area (c)
G2088	Remaining ('Straggler') Lakes (c)

Notes:
- Traditional Land use obtained from Geogratis.
- First Nation Reserve Boundaries obtained from Ontario LIO database.
- Project Area is subjected to Treaty 9 1905-1906 (information obtained from First Nations and Treaties Mapping.
- Base mapping features are ©King's Printer of Ontario, 2023 (this does not constitute an endorsement by the Ministry of Natural Resources or the Ontario Government).
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CROWN LAND USE POLICY AREAS

Project No.: 18958-001		Date: December 2023	Rev.:
Scale: 1:460,000		Projection: NAD 1983 UTM Zone 17N	
Created by: DBB	Checked by: SNR	Figure: 4	

O:\GIS\MXDs\18900-18999\18958-001 Detour Gold Corp - TOR for Landfill EA\2023-12-06 FIG 4 - Crown Land Use Policy Areas.mxd

Although there are several remote tourism operations in area G2084, the primary focus is forest harvesting and increased public access for fishing and hunting. In area G2085, the management priority in this area is to protect the remote quality of the tourism lakes.

Resource uses, including harvesting and public recreation are permitted subject to conditions to protect tourism lakes. Management of these areas may include seasonal restrictions, selective harvesting, or outright protection. Structural development on and near these features will be discouraged.

These areas are subject to the Range Management Policy in Support of Woodland Caribou Conservation and Recovery (2014). Management of this area is also governed by the general policies contained in Cochrane District Land Use Guidelines (1983) and the Approved Cochrane District Remote (Wilderness) Tourism Strategy (1997).

These areas allow for mineral exploration and development, aggregate extraction, and associated road development and operations.

There are two provincially regulated protected areas within 50 km of the DLM site. The protected areas include Kesagami Lake Provincial Park (P3931), about 33 km northwest of the site and Tembec Wetland Conservation Reserve (C1711), about 38m south of the site.

5.2.3 Traditional Knowledge and Land Use

The knowledge gained through the long-term occupation of their traditional lands by Indigenous Nations is termed Traditional Knowledge. A subset of Traditional Knowledge is knowledge of ecological systems, or Traditional Ecological Knowledge. Traditional Ecological Knowledge combined with the Western- or European-based scientific knowledge can provide a holistic picture of the environment in which the Project is proposed. Traditional Knowledge is knowledge of past, as well as present values, knowledge and uses of the land. Discussions with people and Nations that hold Traditional Knowledge have been engaged in Traditional Knowledge Studies for various projects at DLM. Traditional Knowledge has been gathered on the following aspects: hunting, fishing, trapping and snaring, cabins and camps, trails and travel routes, plant harvesting and use, and ceremonial or other culturally significant sites. The

primary uses of the DLM site and adjacent lands have been for trapping, hunting and fishing, camps and cabins, harvesting, and spiritual sites. Various Nations have traditionally and continue to use this land including AAN, TTN, MCFN, and others. (AMEC, 2011; DG, 2011; MERC, 2011).

5.2.4 Transportation

DLM is only accessible by Highway 652, which connects the mine site to Cochrane, Ontario. Highway 652 is paved and connects directly to the DLM access road.

5.3 Cultural Environment

The Act defines the environment to include cultural conditions that influence the life of humans or a community. DLM is within the overlapping traditional territories of the (Figure 5):

- Moose Cree First Nation (MCFN)
- Taykwa Tagamou Nation (TTN)
- Apitipi Anicinapek Nation (AAN), formerly Wahgoshig First Nation (WFN)
- Metis Nation of Ontario (MNO)
- Crees of the First Nation of Waskaganish (FNW) and member communities of the Grand Council of the Crees (Eeyou Istchee)

TERMS OF REFERENCE FOR A LONG TERM WASTE MANAGEMENT STRATEGY

AGNICO EAGLE MINES LIMITED

Detour Lake Mine

LEGEND

- Timmins Métis Council
- Northern Lights Métis Council
- Road
- First Nation Reserve
- Water Area
- Provincial Park
- Wooded Area
- County Boundary

Notes:

- Traditional Land use obtained from Geogratis.
- First Nation Reserve Boundaries obtained from Ontario LIO database.
- Project Area is subjected to Treaty 9 1905-1906 (information obtained from First Nations and Treaties Mapping.
- Base mapping features are ©King's Printer of Ontario, 2023 (this does not constitute an endorsement by the Ministry of Natural Resources or the Ontario Government).
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INDIGENOUS NATIONS

Project No.: 18958-001		Date: December 2023 Rev.:	
Scale: 1:2,455,000		Projection: NAD 1983 UTM Zone 17N	
Created by: DBB	Checked by: SNR	Figure:	5

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The MCFN and TTN are members of the Mushkegowuk Tribal Council. Until the fall of 2009, AAN was a member of the Wabun Triable Council. AAN is affiliated with the Algonquin-Anishinabeg Nation Tribal Council in Quebec.

DLM is also within the traditional lands of the Metis Nation of Ontario (MNO). The Timmins Metis Council and the Northern Lights Metis Council have been previously identified by the MNO as the Metis communities whose Indigenous Rights may be affected by development/operations at DLM.

In consideration of the March 2016 action by the James Bay Creen Nation to obtain recognition of the Cree Nations' Indigenous title and rights over its traditional territory in northeast Ontario, Agnico Eagle (formerly Detour Gold) provided information on previous projects to the Crees of the First Nation of Waskaganish (FNW) and member communities of the Grand Council of the Crees (Eeyou Istchee).

During previous EA consultations, Indigenous Nations expressed concerns related to their hunting and fishing practices being impacted by DLM site operations. Specifically, this included: creating new access points into the area for non-Indigenous hunters and fishers; mine workers could increase hunting and fishing pressures in the area; and Indigenous Nations noted they want continued access to the DLM area for hunting and fishing.

5.3.1 Cultural Heritage Resources

Cultural heritage resources are important components of those cultural conditions.

The EA will consider impacts to the cultural environment. The cultural environment consists of cultural heritage resources which include archaeological resources, built heritage resources, and cultural heritage landscapes. Cultural heritage resources are often of critical importance to Indigenous Nations.

5.3.1.1 Archaeological Resources

Much information regarding the archaeological and cultural history of the DLM site has been collected through previous studies. This has included the collection of traditional knowledge

(TK) and traditional land use (TLU) associated with the regional Indigenous Nations. Past studies considered the TK/TLU as Traditional Ecological Knowledge (TEK) (Wood, 2019). Further, several archaeological assessments have been completed for the Site, as outlined in Section 5.0. Copies of all reports have been included in Volume II – Supporting Documents.

Most recently, a *Stage 1 Archaeological Assessment* (Ministry of Citizenship and Multiculturalism (MCM) PIF #s P208-0306-2023) was undertaken in August 2023 by Woodland Heritage Northeast Limited (WHN) for a portion of the Detour Lake Mine property in Hopper Lake Area and Detour Lake Area, in the District of Cochrane, Ontario. A Stage 1 Archaeological Assessment consists of a review of geographic, land use and historical information for the property and the relevant surrounding area, and contacting MCM to find out whether, or not, there are any known archaeological sites on or near the property. Its purpose is to identify areas of archaeological potential and further archaeological assessment (e.g., Stage 2-4) as necessary. The *Stage 1 Archaeological Assessment* (WHN, 2023) is included in Volume II – Supporting Documents.

The Stage 1 background study analysed various historical and current data sources. Historical data sources include: (1) aerial photography; (2) historical maps and land surveys; (3) historical geological reports, and (4) historical publications and government reports. Current data sources examined include: the (1) current topographic mapping, (2) quaternary surficial geology mapping; (3) vegetation mapping; (4) bedrock geology mapping; (5) high resolution satellite imagery; and (6) the MCM's provincial database of archaeological sites and reports.

Several features with inferred archaeological potential were identified in the background study, including Detour Lake, an unnamed lake, and three creeks (along with their tributaries) which flow into the northwest side of Detour Lake. These features and their associated areas of archaeological potential are illustrated on Map 11 of the report attached in Volume II – Supporting Documents.

For reference purposes, the areas of archaeological potential in the areas assessed by WHN, and its predecessor Woodland Heritage Services (WHS), under the 2011 Standards and Guidelines for Consultant Archaeologists have been compiled into a single map. Map 12 of the

report attached in Volume II - Supporting Documents depicts all areas of archaeological potential identified in the assessed portions of the Detour Lake Mine property to date, minus those cleared through subsequent Stage 2 survey.

Recommendations from the *Stage 1 Archaeological Assessment* (WHN, 2023) included:

1. If future developments are anticipated within any areas with inferred archaeological potential, as illustrated on Map 11, a Stage 2 sub-surface survey of the of the areas of proposed impacts is recommended.
2. Additional archaeological work outside of the areas with inferred archaeological potential, as illustrated on Map 11, is not recommended.

Specific locations for each of the ‘Alternatives To’ and ‘Alternative Methods’ have not yet been established (except for expanding the existing landfill). In several cases, the proposed ‘Alternative To’ will involve no new development (e.g., waste export, increased diversion, etc.). As the feasibility of each ‘Alternative To’ and ‘Alternative Method’ to the undertaking is assessed throughout the EA and possible locations for each of the ‘Alternatives To’ are established, it will be determined if the area of interest has previously been assessed. In cases where the area has previously been assessed, the recommendations for additional work outlined in available Archaeological Resource Assessment Report(s) will be followed. If no studies have been completed to date and it is determined an archaeological assessment is required (e.g., establishing a new landfill), Stage 1 Archaeological Resource Assessments will be undertaken, and resulting recommendations for additional work will be followed.

Should archaeological studies be required, Agnico Eagle will consult with Indigenous Nations and will work with the Nations when developing methodology and work plans.

Should previously undocumented archaeological resources be discovered, they may be a new archaeological site and therefore subject to Section 48 (1) of the *Ontario Heritage Act*. The proponent or person discovering the archaeological resources must cease alteration of the site immediately and engage a licensed consultant archaeologist to carry out an archaeological assessment, in compliance with Section 48 (1) of the *Ontario Heritage Act.*

The Funeral, Burial and Cremation Services Act, 2002, S.O. 2002, c.33 requires that any person discovering human remains must cease all activities immediately and notify the police or coroner. If the coroner does not suspect foul play in the disposition of the remains, in accordance with Ontario Regulation 30/11 the coroner shall notify the Registrar, Ontario Ministry of Public and Business Service Delivery, which administers provisions of that Act related to burial sites. In situations where human remains are associated with archaeological resources, the Ministry of Citizenship and Multiculturalism should also be notified (at archaeology@ontario.ca) to ensure that the archaeological site is not subject to unlicensed alterations which would be a contravention of the Ontario Heritage Act.

5.3.1.2 Built Heritage Resources and Cultural Heritage Landscapes

As the feasibility of each 'Alternative To' and 'Alternative Method' to the undertaking is assessed throughout the EA and possible locations for each of the 'Alternatives To' are established, the screening checklist, *Criteria for Evaluating Potential for Built Heritage Resources and Cultural Heritage Landscapes*, will be completed for each area. If it is determined the area has low potential for built heritage resources and cultural heritage landscapes, no technical cultural heritage studies will be required.

If it is determined that the area of interest has known or potential built heritage resources and cultural heritage landscapes (BHR/CHL) or that there may be impacts to BHR/CHL, a Cultural Heritage Evaluation Report (and Heritage Impact Assessment, if recommended) will be undertaken by qualified person(s) to inform the EA (i.e., prior to the issuance of a notice of completion and prior to any ground disturbing activities).

5.4 Socio-Economic Environment

DLM is in northeastern Ontario and is about 185 km northeast of Cochrane and around 300 km northeast of Timmins (Agnico Eagle, 2022). Several communities are within 200 km of DLM, including: Cochrane, Iroquois Falls, Black-River Matheson, Smooth Rock Falls, Kirkland Lake, Timmins, TTN, AAN, MCFN, and Moosonee.

Much of the study area has been reliant on the forestry and mining industries to sustain their economy (Wood, 2019). There have been some shifts in both forestry (declining) and mining (fluctuating). The province has in place various initiatives to diversify the regions economic base (e.g., Northern Growth Plan).

The DLM site has a direct impact to the study area region (Cochrane/Cochrane Area), as well as neighbouring Indigenous Nations (i.e., MCFN, TTN, AAN, MNO, and other). At the time of the *2019 Environmental Study Report* (Wood, 2019), about 70% of DLM employees lived in Cochrane or the surrounding area, with another 20% from other northern Ontario communities. About 24% of the employees were Indigenous.

5.5 Principal Environmental Considerations

DLM has been subject to extensive baseline, environmental monitoring, and technical studies, as per provincial and federal regulatory requirements (KLG, 2020). The results of these studies and on-going monitoring at the DLM site will be used to develop a final detailed description of the environment. Where data gaps are identified through the EA process with respect to the detailed description of the environment, additional studies will be planned. In these cases, work plans will be prepared and submitted to Indigenous Nations and GRT members for their review and concurrence.

The principal environmental considerations identified to date related to waste management at DLM include groundwater and surface water contamination, air quality impacts, effects on wildlife and wildlife habitat, protection of cultural heritage values, and accommodation of traditional land use (TLU). As the EA progresses, this list will be updated.

Specific to wildlife, DLM was developed with a compact footprint, focusing on development of previously disturbed areas. Further, Indigenous Nations have previously expressed concerns of impacts to their hunting and fishing practices. This was addressed by maintaining existing access points to the site only. By maintaining limited access points, this also protects the value of remoteness, which is critical to the survivability of Resource-Based Tourism operators in the area. These considerations will be applied when evaluating alternatives to the project.

6.0 Alternative Methods

This TOR discusses which alternatives will be considered in the EA, including how alternatives will be evaluated; however, 'Alternative Methods' will be identified and evaluated during the EA, once a preferred 'Alternative To' is chosen.

"Alternatives To" the undertaking are functionally different ways of addressing the problem or opportunity (i.e., provision of additional waste disposal capacity). "Alternative Methods" of carrying out the undertaking are different ways of implementing the proposed undertaking. Depending on the preferred alternative selected, it is anticipated some of the following components will be considered as part of the Alternative Methods Evaluation:

- Leachate management (e.g., collection and treatment, natural attenuation)
- Minimizing landfill gas emissions and emissions associated with waste management operations (e.g., transportation)
- Potential for landfill mining
- Consideration of climate change impacts on landfill infrastructure (e.g., stormwater management systems, slope stability)

7.0 EA Methodology

This section presents the proposed methodology for the completion of the EA and the associated technical studies. It is proposed that the EA work will be undertaken in a series of steps (further details are provided in Section 7.4) as follows:

- Step 1 – Characterize Existing Environmental Conditions
- Step 2 – Evaluate and Compare ‘Alternatives To’
- Step 3 – Identify the Preferred ‘Alternative
- Step 4 – Identify the ‘Alternative Methods’
- Step 5 – Evaluate and Compare ‘Alternative Methods’
- Step 6 – Identify the Preferred ‘Alternative Method
- Step 7 – Refine Mitigation Measures and Determine Net Effects
- Step 8 – Prepare the EA Report

Consultation with the Indigenous Nations, GRT members, and public stakeholders will be ongoing throughout the EA process.

7.1 Study Areas

The proposed methodology that will be used to conduct the EA is provided in the following sections. The EA, which will be carried out in accordance with the approved TOR, will involve the identification of the preferred ‘Alternative To’ and ‘Alternative Method’ for the project and the assessment of the net effects of the project. The study area is the area within which activities associated with the proposed project will occur and where potential environmental effects will be studied. The study area for each component of the environment outlined in Section 7.2 may vary in size depending on the ’Alternatives To’ and ’Alternative Methods’, the geographic extent of the potential environmental effects, and the technical discipline. Two preliminary generic study areas for the assessment have been identified as follows:

Site Study Area – The area of land within which the 'Alternative To' and 'Alternative Method' of the project may occur has been defined and will be limited to the DLM site. It is assumed the preferred 'Alternative To' and 'Alternative Method' will occur on the DLM site, the area depicted on Figure 2.

Wider Study Area – lands generally beyond the Site Study Area, that have the potential to be directly or indirectly affected by the project, which will extend to include adjacent Indigenous Nations and towns (e.g., Cochrane, etc.), where applicable, for various environmental components.

The study area for each component of the environment may vary in size depending on the alternatives to and alternative methods, and will be further defined in the EA. The Wider Study Area is not anticipated to be beyond the extents shown on Figure 5.

The preliminary extent of the study area proposed for each of the environmental components to be studied during the EA, together with a rational is provided in Table 1. These preliminary study areas will be refined and confirmed in consultation with the Indigenous Nations, the GRT, and public stakeholders during the EA.

Table 1 Proposed Preliminary Study Area

Environmental Criteria	Preliminary Area to be Studied	Assessment Parameters
Atmospheric	Site and Wider Study Areas	Air and noise emissions are required to meet provincial requirements at the site boundary or closest sensitive receptors.
Atmospheric	Site and Wider Study Areas	Effects of odour emissions may extend beyond the site boundary or closest sensitive receptor. A minimum of 1.5 km of the Site Study Area will be considered.
Surface water	Site and Wider Study Areas	The drainage boundaries of all subwatersheds within which the DLM site is located will be included.
Groundwater	Site Study Area	Potential effects on groundwater quality will have to comply with the MECP Reasonable Use Guideline at the DLM site boundary.

Environmental Criteria	Preliminary Area to be Studied	Assessment Parameters
Biology/Ecology	Site and Wider Study Areas	Potential effects on biological resources are expected to be limited to disturbed areas within the Site Study Area; however, local disturbance to habitat or water/air quality may affect fish and wildlife migration, travel, etc. The Wider Study Area for Boreal Caribou will include: Local Study Area to encompass the mine and 10km buffer. Regional Study Area that follows the boundaries of the Kesagami Caribou Range.
Climate	Site and Wider Study Areas	Project Effects on Climate Change will be considered for the Wider Study Area. Climate Change Effects on the Project will be considered for the Site Study Area.
Land-Use / Planning	Site Study Area	Potential effects on land use will be limited to the location of the preferred Alternative To and are anticipated to be within the Site Study Area.
Archaeological Resources	Site and Wider Study Areas	Potential disturbance or destruction of archaeological resources.
Built Heritage Resources and/or Cultural Heritage Landscapes	Site and Wider Study Areas	Potential impacts (e.g., demolition, removal, alteration, displacement, disruption) on known or potential built heritage resources and/or cultural heritage landscapes.
Effects on local communities	Site and Wider Study Areas	The area of study will include the Indigenous Nations outlined on Figure 5, as well as adjacent communities (Cochrane, Timmins). Potential effects on employment opportunities, procurement of products and/or services, etc. within the Wider Study Area will be considered.
Consideration of Indigenous and Treaty Rights	Site and Wider Study Areas	The area of study will include the Indigenous Nations outlined on Figure 5.

Environmental Criteria	Preliminary Area to be Studied	Assessment Parameters
Transportation	Wider Study Area	Depending on the alternative, potential impacts from hauling along Highways 652 and 574 (at a minimum) will be considered (dust, noise). The Wider Study Area will need to include the area from the Site Study Area to the end destination.

7.2 Environmental Components

The environment is defined as those environmental components that may be affected by the project. The environmental components and sub-components that will be considered throughout the EA are presented in Table 2. These parameters will form the basis of the evaluation criteria for each of the 'Alternatives To' and 'Alternative Methods' evaluations. These criteria and indicators are preliminary and subject to refinement and will be confirmed during the EA.

If circumstances arise during the EA studies that require modifications to the criteria and/or indicators presented in the TOR, the reason for the modifications would be explained in the EA study report. If additional aspects of the environment that require evaluation are identified during the EA studies, additional criteria and indicators will be developed during the EA, as appropriate and included in the EA consultation process.

Where available, data sources for each criterion are included in Table 2. Where data sources are not available, or may require revision, these will be developed throughout the EA in consultation with interested persons.

Table 2 Environmental Assessment Criteria

Environmental Component	Sub-component	Rationale	Indicator	Potential Data Source
Natural				
Atmospheric	Air quality Emissions (volatiles, odour, dust)	Various alternatives and associated operations can produce gases containing contaminants that degrade air quality. Depending on the alternative, particulates (dust) and odour may also be produced.	Predicted concentrations of air quality indicator compounds (including particulate) at DLM site boundary. Expected site-related odour at sensitive receptors.	Published meteorological and climate data. Published emission factors. Existing site-specific studies. Applicable provincial regulations, standards, and guidelines including Ontario Ambient Air Quality Criteria. Proposed facility characteristics.
Atmosphere	Noise	Various Alternatives To or Alternative Methods will generate noise and could affect receptors.	Predicted noise levels at sensitive receptors.	Equipment list and expected utilization. Manufacturer's noise data. Existing noise studies.

Environmental Component	Sub-component	Rationale	Indicator	Potential Data Source
				Proposed facility characteristics.
Surface water	Quality, Quantity	Contaminants associated with Alternatives To or Alternative Methods and associated operations could seep or runoff into surface water and adversely affect water quality and aquatic life. Physical works my disrupt existing surface water flows.	Predicted effect on surface water quality within the DLM site and subwatersheds within the Wider Study Area. Predicted change in drainage areas.	Existing site-specific studies (e.g., water chemistry, sediment quality, aquatic biology, predictive modeling, etc.). Published flow data from MECP, MNRF. Results from historical and ongoing quality and quantity monitoring (complied in a tabular format). Additional studies (surface water, sediment, aquatic biology, if necessary.

Environmental Component	Sub-component	Rationale	Indicator	Potential Data Source
				Land Information Ontario (LIO). Air photos. Local climate data. Proposed facility characteristics.
Groundwater	Quality, Quantity	Contaminants associated with 'Alternatives To' or 'Alternative Methods' and associated operations could enter the groundwater and impact off-site groundwater. Physical works my disrupt existing groundwater flows.	Predicted effect on groundwater quality at DLM site boundary and the Wider Study Area. Predicated effect on groundwater quantity characteristics.	Existing site-specific studies (e.g., site characterization reports (geology, hydrogeology, groundwater quality and quantity, predictive modeling, etc.). Results from historical and ongoing quality and quantity monitoring (complied in a tabular format). Additional hydrogeological studies, if necessary. Published regional sources and data on regional geological and

Environmental Component	Sub-component	Rationale	Indicator	Potential Data Source
				hydrogeological conditions. Existing geological mapping. Proposed facility characteristics.
Biology/Ecology	Aquatic communities and habitat	Various Alternatives To or Alternative Methods could remove or disturb the functioning of natural aquatic habitats and species, including culturally significant, rare, threatened, or endangered species.	Predicted change in surface water quality. Predicted impact on aquatic habitat and biota.	Existing and ongoing site-specific studies (e.g., caribou collaring and survey efforts). LIO. Natural Heritage Information Centre. Various Species Atlases (e.g., Reptile and Amphibian, Breeding Bird, etc.). Proposed facility characteristics.
Biology/Ecology	Terrestrial communities and habitat	Various Alternatives To or Alternative Methods could remove or disturb the functioning of natural terrestrial habitats and species, including culturally significant, rare, threatened, or endangered species.	Predicted impact on terrestrial vegetation communities, wildlife habitat, and wildlife. Various factors will be considered such as direct disturbance to habitat, impacts to wildlife corridors, and long term (chronic) impacts to habitat from emissions.	

Environmental Component	Sub-component	Rationale	Indicator	Potential Data Source
Biology/Ecology	Species at Risk, including but no limited to: -Boreal Caribou (formerly referred to as Woodland Caribou) -Wolverine -Northern Myotis -Little Brown Myotis -Tri-colored Bat -Short Eared Owl -Lake Sturgeon (special concern)	Various Alternatives To or Alternative Methods could remove or disturb the functioning of natural habitats and species, including Species at Risk.	Various factors will be considered such as direct disturbance to habitat, impacts to wildlife corridors, and long term (chronic) impacts to habitat from emissions.	Existing and ongoing site-specific studies (e.g., caribou collaring and survey efforts). Species at Risk in Ontario List (SARO List) as described in Ontario's Endangered Species Act, 2017. Preliminary screening of SAR. Various Species Atlases (e.g., Reptile and Amphibian, Breeding Bird, etc.). Proposed facility characteristics. Additional baseline studies as required.
Climate	Project Effects on Climate Change, Climate Change Effects on the Project	Various alternatives and associated operations can produce green house gases. Various Alternatives To or Alternative Methods could be impacted by	Predicted GHG emissions. Use of predictive climate models to assess impacts on the project.	Documented local and regional climate data. Predictive Climate models.

Environmental Component	Sub-component	Rationale	Indicator	Potential Data Source
		changing climate (severe weather, increased/decrease precipitation, etc.).		GHG generation modelling. Provincial Climate Change Impact Assessment. Ontario Climate Data Portal. Environment and Climate Change Canada's Climate Atlas.
Socio-Economic				
Land-Use / Planning	Effects on current and future land uses (tourism, forestry, mining).	Various Alternatives To or Alternative Methods could affect the use and enjoyment in the vicinity of the site.	Predicted impact on land uses.	Applicable provincial plans, acts, regulations, standards and guidelines, and policies.

Environmental Component	Sub-component	Rationale	Indicator	Potential Data Source
	Effects on traditional land uses (hunting, fishing, gathering, etc.). Effects on protected areas (Provincial Park, Conservation Reserve).			Aerial photographic and topographic mapping. Consultation with Indigenous Nations. Resource-Based Tourism operators.
Archaeological Resources	Presence of archaeological sites and areas of archaeological potential in the site or wider study areas.	Construction of various 'Alternatives To' and/or 'Alternative Methods' could disturb and/or destroy archaeological resources.	Predicted archaeological resources potentially affected. Number of archaeological sites: Archaeological sites within the Site and Wider Study Areas. Area of archaeological potential: areas with the likelihood of containing archaeological resources. Criteria for determining archaeological potential are established by the MCM. Archaeological	Existing and future archaeological studies and reports. Ontario Archaeological Sites Database. Available TEK reports. Consultation with Indigenous Nations.

Environmental Component	Sub-component	Rationale	Indicator	Potential Data Source
			potential is confirmed through archaeological fieldwork undertaken in accordance with the *Ontario Heritage Act*. Area of marine archaeological potential: areas with the likelihood of containing marine archaeological resources. Criteria for determining archaeological potential are established by the MCM. Marine archaeological potential is confirmed through archaeological fieldwork undertaken in accordance with the *Ontario Heritage Act*.	
Built Heritage Resources and Cultural Heritage Landscapes (BHR/CHL) Resources	Presence of known (previously identified) and potential BHR/CHL within the site and wider study areas	BHR/CHL could be impacted by various 'Alternatives To' or 'Alternative Methods'.	Displacement of BHR/CHL by removal and/or demolition and/or disruption. Effects on CHL features.	Consultation with Indigenous Nations. Available TEK reports. Screening for known (previously recognized) or potential BHR/CHL within the Site and

Environmental Component	Sub-component	Rationale	Indicator	Potential Data Source
			Disruption of BHR/CHL by introduction of physical, visual, audible, or atmospheric elements that are not in keeping with the character and setting of the BHR/CHL.	Wider Study Areas by using the MCM checklist, Criteria for Evaluating Potential for Built Heritage Resources and Cultural Heritage Landscapes Existing and future technical cultural heritage studies (e.g., cultural heritage reports, cultural heritage evaluation reports, heritage impact assessments, and conservation plans).
Effects on local communities	Community facilities, community concerns	Various Alternatives To or Alternative Methods could impact the enjoyment of residents properties (e.g., increased truck traffic on transportation routes).	Predicted interference of residential properties.	Applicable provincial plans, acts, regulations, standards and guidelines, and policies. Aerial photographic and topographic mapping. Property owners. Municipal agencies. Consultation with Indigenous Nations.
Technical and Built Environment				

Environmental Component	Sub-component	Rationale	Indicator	Potential Data Source
Transportation	Access routes, roads, trails	Various Alternatives To or Alternative Methods may impact the traffic in the Wider Study Area.	Predicted effect on the transportation routes.	Aerial photographic and topographic mapping. Review of Official Plans, Zoning by-laws and other local plans. Traffic data. Municipal Offices.
Economic				
Available financial resources	Ability for Agnico Eagle to implement the alternative in a manner that is practical and financially realistic	Different methods of waste management have different costs.	Estimated costs associated with implementation of Alternatives To and Alternative Methods.	Existing operational cost information. Cost feasibility assessments.
Effects on local communities	Employment, provision, and procurement of products and/or services	Various Alternatives To or Alternative Methods could impact employment opportunities, procurement of products and/or services, etc.	Predicted effect on local employment. Predicted effects on local businesses and commercial activities.	Existing information on site employment (current and projected site-based workforce, employee's home locations). Review of existing commercial activity. Resource-Based Tourism operators. Expected change to local business and commercial activity. Census data.

Environmental Component	Sub-component	Rationale	Indicator	Potential Data Source
Cumulative Impacts				
Effects in combination with existing projects	Net effects of proposed alternative combined with predicted effects of existing projects (mining operations, forestry, power, etc.)	Various Alternatives To or Alternative Methods could compound impacts from existing, planned, or future projects.	Predicted impacts of cumulative impacts will be considered for all components and subcomponents.	As noted.

7.3 Time Frame

As noted, the existing onsite landfill is expected to reach capacity by 2030. To provide sufficient time for approvals under the EPA following completion of the EA and any possible construction required, Agnico Eagle is aiming to submit the EA for approval by the end of 2025. That said, EA timelines are dependent on the Minister's decision about the TOR and the EA cannot proceed without an approved TOR. A decision about the approval of the TOR is anticipated in early 2024 (12 weeks after submission); Section 10.0 and Figure 6.

7.4 EA Scope of Work

Agnico Eagle is proposing to undertake the EA in several steps as described in the following sections. Alternatives To the undertaken have been identified and are discussed in Section 4.1. As noted, if additional 'Alternatives To' the undertaking or combinations of the proposed alternatives are identified that have not been specified in this TOR, they will be detailed in the EA and included in Step 2 of the EA.

7.4.1 Step 1 – Characterize Existing Environmental Conditions

An initial overview of the existing environmental conditions is provided in Section 5.0. A more detailed description of the environment will be completed as part of the EA. A general work plan to be used to provide a more detailed description is included herein. As noted, where data gaps are identified with respect to the detailed description of the environment, additional studies will be planned. In these cases, work plans will be prepared and submitted to Indigenous Nations and GRT members for their review and concurrence.

The primary source of the detailed description of the environment will be existing reports. DLM has been subject to extensive baseline, environmental monitoring, and technical studies, as per provincial and federal regulatory requirements (KLG, 2020). Section 5.0 references several reports completed to date.

The proposed data collection work plan includes:

- Compile and interpret existing data from Federal, Provincial, and Municipal sources (e.g., Environment Canada climate and meteorological data, geological mapping, aerial photographs, Census data, traffic data, etc.).
- Compile and interpret existing data from DLM site and operations reports (e.g., air quality, groundwater quality, surface water quality, habitat monitoring, etc.).
- Prepare a summary of identified data gaps to determine additional testing or study needs.
- Submit detailed work plans to Indigenous Nations and GRT for review and concurrence prior to proceeding.

7.4.2 Step 2 – Evaluate and Compare ‘Alternatives To’

The ‘Alternatives To’ the undertaking are functionally different ways of addressing the problem or opportunity (i.e., provision of additional waste disposal capacity). The Alternatives To the undertaking have been identified as part of the TOR (Section 4.1).

Each ‘Alternative To’ the undertaking will be assessed qualitatively to predict the effects on the environment. In some cases (e.g., new or alternative waste management technologies), this will involve the completion of a feasibility study to determine if the ‘Alternative To’ the undertaking is a viable alternative.

In this step, each ‘Alternative To’ the proposed undertaking will be examined to determine if it would ultimately be approvable under the EPA. This screening step is included to eliminate any alternative(s) that would not likely be approvable. Should an alternative be found to not be approvable due to unacceptable net effects (i.e., no further refinement of mitigation is possible) or technical reasons, then the alternative would be eliminated from further consideration.

A comparative evaluation of feasible ‘Alternatives To’ the proposed undertaking will be conducted to identify the preferred alternative. The alternatives will be compared using the environmental sub-components and indicators presented in Table 2. As part of this comparison, the advantages and disadvantages of each alternative to the undertaking will be described.

At this point, additional ‘Alternatives To’ the project may be considered, that may have been identified by the public or other parties during the EA process.

7.4.3 Step 3 – Identify the Preferred ‘Alternative To’

The outcome of the comparative ranking exercise will be used to identify the preferred alternative to the undertaking.

7.4.4 Step 4 – Identify the ‘Alternative Methods’

The ‘Alternative Methods’ are the different ways the project can be implemented.

Once a preferred Alternative To the undertaking is selected, a reasonable range of ‘Alternative Methods’ will be identified and described at a sufficient level of detail (i.e., conceptual designs) so that potential effects of the preferred alternative to the undertaking on each environmental component can be assessed and compared.

Following identification of a reasonable number of ’Alternative Methods’, a preliminary assessment of potential effects of each alternative for the proposed project will be undertaken. Those works and activities that could potentially adversely affect the environment will be identified. Potential mitigation measures to avoid or reduce the impact will be identified. These proposed mitigation measures (referred to as conceptual mitigation measures) will be incorporated into the conceptual design of the alternatives. The description and illustration of the conceptual design alternatives will be provided as a section in the EA and will serve as the common basis for predicting the environmental effects of the ‘Alternative Methods’.

7.4.5 Step 5 – Evaluate and Compare ‘Alternative Methods’

Each ‘Alternative Method’ (i.e., including conceptual design mitigation measures) will be assessed qualitatively to predict the effects on the environment. The alternatives will be compared using the environmental sub-components and indicators presented in Table 2. As part of this comparison, the advantages and disadvantages of each ‘Alternative Method’ will be described.

If the assessment indicates that any additional mitigation measures are required to achieve site compliance with provincial standards, they will be developed, and the assessment repeated to incorporate these measures. The conceptual designs will be revised and updated as necessary to include any additional mitigation measures. The final conceptual designs will be included in the EA.

7.4.6 Step 6 – Identify the Preferred 'Alternative Method'

The outcome of comparative ranking exercise will be used to identify the preferred 'Alternative Method'.

7.4.7 Step 7 – Refine Mitigation Measures and Determine Net Effects

The prediction of future environmental effects associated with the preferred 'Alternative To' and preferred 'Alternative Method' will be provided. Assessment of potential effects will be done using appropriate objectives, standards, policies, and regulations. The remaining effects or net effects, if any, will be documented.

7.4.8 Step 8 – Prepare the EA Report

An EA report will be prepared, consisting of the main EA study report, technical supporting documents as appropriate, and a Consultation Record. The EA study report will include:

- A description of the EA planning process.
- A summary of consultation efforts.
- The description of the existing environment.
- A description of each 'Alternative To' the proposed undertaking.
- The qualitative evaluation of 'Alternatives To'.
- The identification and description of the preferred 'Alternative To'.
- A description of each 'Alternative Method' to the preferred 'Alternative To'.
- The quality evaluation of 'Alternative Methods'.

- The identification and description of the preferred ‘Alternative Method’.
- A summary of the methods and results of the technical studies to assess the impacts from the preferred alternative to and methods compared to the applicable regulations, standards, and guidelines.
- The identification of any proposed mitigation measures, monitoring requirements, and commitments to be fulfilled by Agnico Eagle.
- An Executive Summary, a list of references consulted, and appropriate maps illustrating various aspects of the overall undertaking and aspects of the technical component studies.

8.0 Consultation Plan for the Environmental Assessment

Agnico Eagle is committed to finding a suitable solution for solid waste management for the Life of Mine, with consideration based on potential impacts on current and future land use pertaining to forestry, mining, tourism, traditional land use (e.g., hunting, fishing, gathering, etc.), etc. To achieve a suitable solution, full and open dialogue with Indigenous Nations and stakeholders is required. To achieve this, the following principals of engagement are used to guide the consultation program:

- Capacity Building
- Honest, open, and transparent communication
- Timely
- Mutual respect

For the purposes of this EA, a stakeholder is considered a non-Indigenous person or group of persons, with an interest to protect, a stake in an issue, or knowledge to contribute. Indigenous Nations and stakeholders have been and will continue to be engaged with regards to this project, in dialogue about:

- Project design
- Potential environmental effects
- Mitigation measures
- Follow-up and environmental monitoring

From as early as 2007, Detour Gold developed one body of knowledge about the environment and the effects of DLM on various aspects of the environment. This body of knowledge has been and will continue to be used to populate the various environmental assessments required by the provincial and federal government agencies, including this project.

The consultation framework previously identified and applied to the various environmental assessments for DLM will be continued with this project. This includes the scope of the project

consultation with Indigenous Nations and stakeholders being directly correlated to the level of interest and potential to be impacted by the project.

A list of Indigenous Nations and stakeholders for the project to date are included herein. The number of Indigenous Nations and stakeholders involved is dynamic. A record of Indigenous Nations and stakeholders involved in the project will be maintained and updated as necessary.

8.1 Potentially Affected and Interested Indigenous Nations

DLM is within the overlapping traditional territories of the:

- Moose Cree First Nation (MCFN)
- Taykwa Tagamou Nation (TTN)
- Apitipi Anicinapek Nation (AAN), formerly Wahgoshig First Nation (WFN)
- Metis Nation of Ontario (MNO)
- Crees of the First Nation of Waskaganish (FNW) and member Nations of the Grand Council of the Crees (Eeyou Istchee)

The MCFN and TTN are members of the Mushkegowuk Tribal Council. Until the fall of 2009, AAN was a member of the Wabun Tribal Council. AAN is affiliated with the Algonquin Anishinabeg Nation Tribal Council in Quebec.

In consideration of the March 2016 action by the James Bay Creen Nation to obtain recognition of the Cree Nations' Indigenous title and rights over its traditional territory in northeast Ontario, Agnico Eagle (formerly Detour Gold) provided information on previous projects to the Crees of the First Nation of Waskaganish (FNW) and member Nations of the Grand Council of the Crees (Eeyou Istchee). FNW and the Grand Council of Crees (Eeyou Istchee) will be included as part of the Indigenous consultation throughout the EA.

As noted, early in the development of the DLM site, Detour Gold established a consultation policy and an open dialogue with these Nations. Formal memorandums of understanding and engagement terms of reference were developed. There are Existing Agreements in place with MCFN, TTN, AAN, and MNO. These agreements provide a framework for strengthened

collaboration in the development and operations of the mine and outlines tangible benefits for the First Nations, including direct financial support, skills training and employment, opportunities for business development and contracting, and a framework for issues resolution, regulatory permitting, and the company's future financial contributions. In addition, Agnico Eagle engages with Indigenous Nations in connection with permitting applications and ongoing projects. Agnico Eagle continues to work to develop strong, mutually beneficial relationships with local Indigenous Nations and pledge to:

- Maximize economic opportunities for the region.
- Engage the local Indigenous workforce.
- Create meaningful long-term socio-economic benefits for all.

8.2 Potentially Affected and Interested Stakeholders

Stakeholders engaged by Agnico Eagle to date and those anticipated to be consulted, informed, or in the case of government stakeholders, involved in approval of the project include:

8.2.1 General Public and Landowners

General members of the public in local communities.

8.2.2 Local Businesses

The following Resource Based Tourism operators were identified in the DLM area.

- Creemore Furs
- Moose River Tours
- Northern Spirit Adventures
- Dunnright Outfitters Inc.
- Abitibi Base Camp
- Expedition Helicopters

- Polar Bear Express
- Good Time Outfitters
- Outtarange Outfitters

8.2.3 Government Review Team

- Ministry of Environment, Conservation and Parks
- Ministry of Citizenship, Inclusion and Heritage Division
- Ministry of Tourism, Culture and Sport
- Ministry of Indigenous Affairs
- Ministry of Northern Development
- Ministry of Mines
- Ministry of Natural Resources and Forestry
- Ministry of Economic Development, Job Creation and Trade
- Ministry of Energy
- Ministry of Health and Ministry of Long-Term Care
- Ministry of Infrastructure – Infrastructure Ontario
- Ministry of the Solicitor General
- Ministry of Tourism, Culture and Sport
- Ministry of Transportation
- Town of Cochrane
- City of Timmins
- Hydro One Networks Inc.
- Ontario Power Generation

- Ontario Provincial Police
- Fisheries and Oceans Canada
- Indigenous Affairs Ontario (IAO)
- Environment and Climate Change Canada

8.3 Consultation Activities Prior to this Project

From the time Detour Gold initiated the purchase of the DLM site in 2007 and the MNRF Class EA (AMEC, 2010b), various statements to the public and Indigenous Nations included the intent to open and use the existing onsite landfill for solid waste disposal during construction and operation phases of DLM. This included expansion of the landfill to accommodate solid waste management for the Life of Mine.

During the MNR Class EA (AMEC, 2010b), which considered various alternatives for management of solid non-hazardous waste management for DLM, consultation activities were used to engage Indigenous Nations and stakeholders throughout the project. Full details of the consultation completed specific to the preparation of the *MNR Class EA Environmental Study Report* are outlined in the Section 4 and Appendix C, D, E, and F of the report (AMEC, 2010b).

Key comments, issues, and preferences identified during these consultation activities, specific to non-hazardous solid waste management included:

Water management – Indigenous Nations and stakeholders expressed concerns for potential adverse impacts to water resources from project activities. Impacts to local water resources such as ponds, lakes, and local streams were topics of concern and interest. Participants inquired as to how water resources in the region would be impacted overall by the project (mine operations). Water bodies of specific concern to stakeholders included Detour River, Karel Creek, East Lake, and Lower Detour Lake.

Air quality and noise – participants expressed concerns about air and noise emissions from mine construction and operations activities impacting the abundance, health, and habitat of local wildlife.

Wildlife – though wildlife in general was of great importance to participants, species that were named specifically throughout consultation activities were Walleye, partridge, migratory birds, Woodland Caribou, and Lake Sturgeon. Specific to waste management and the existing onsite landfill, stakeholders inquired whether the watersheds of Deem Lake, Karel Creek, and/or Linden Creek would be adversely impacted by Mine Operations.

Traditional Land Use - Indigenous Nations expressed concerns related to their hunting and fishing practices being impacted by DLM site operations. Specifically, this included creating new access points into the area for non-Indigenous hunters and fishers; mine workers could increase hunting and fishing pressures in the area; and Indigenous Nations have also noted they want continued access to the DLM area for hunting and fishing.

8.4 Summary of Consultation Activities on the TOR

Indigenous Nations, public stakeholders, and the GRT were consulted during the preparation of this TOR. The purpose of the consultation during this period was to confirm regulatory process to assess and permit the project and to provide notice to Indigenous Nations and stakeholders of Agnico Eagle's intention to move forward with an individual EA for waste management.

During the early stages of this project, the following consultation was completed:

- Meeting with MECP to discuss designation of the project under the Act.
- Notice of Commencement was provided directly to the following Indigenous Nations: AAN, MCFN, TTN, MNO, and FNW and the Grand Council of the Crees (Eeyou Istchee).
- Notice of Commencement was published in newsprint in Cochrane and Timmins, advertised on radio stations in Cochrane and Timmins and included a description of how interested stakeholder can become involved in the project.
- Microsite was published on the Agnico Eagle website.
- Presentation of the landfill permitting process during Environmental Update Meeting with Indigenous Nations.

- Distribution of initial draft TOR (dated March 21, 2023) to AAN, MCFN, TTN, MNO, and FNW and the Grand Council of the Crees (Eeyou Istchee) and the Project Officer MECP for a preliminary review.
- Revision of draft TOR to address comments and recommendations from the initial review by the Indigenous Nations and MECP.
- Public Open House in Cochrane June 26, 2023 to present the revised TOR (dated June 14, 2023). A Notice of the Open House was published in newsprint in Cochrane and Timmins, advertised on radio stations in Cochrane and Timmins during the week of June 12 (two weeks prior to Open House), and included a description of how interested stakeholders can become involved in the project.
- Presentation of the revised TOR during Environmental Update Meeting with Indigenous Nations (June 2023).
- Distribution of draft TOR to Indigenous Nations (AAN, MCFN, TTN, MNO, and FNW and the Grand Council of the Crees (Eeyou Istchee)), GRT, and public stakeholders who have submitted comments on the TOR and/or wish to receive a copy.
- Distribution of final TOR to Indigenous Nations (AAN, MCFN, TTN, MNO, and FNW and the Grand Council of the Crees (Eeyou Istchee)), GRT, and public stakeholders who have submitted comments on the TOR and/or wish to receive a copy.
- Notice of the final report availability will be provided by newspaper notice, mail, on the project website, and company socials.

During the development of the TOR, Agnico Eagle responded to comments received. Comments received have been considered and where appropriate addressed. All comments received and responses provided are included in Volume III – Record of Consultation.

8.5 Consultation Activities – Proposed Program for EA

Following approval of this TOR and during preparation of the EA, a consultation program will be continued to engage Indigenous Nations, public stakeholders, and the GRT during the EA

process. Input will be obtained through several engagement activities, which will be similar to the activities completed during preparation of the TOR.

The purpose of consultation during the EA is to engage a wide range of Indigenous Nations and stakeholders through various methods to gather feedback on the proposed undertaking and preliminary EA findings.

Consultation objectives for stakeholders:

- Sharing information in plain language, as well as technical reports and reviews
- Holding engagement sessions
- Document engagement activities and respond to comments, issues, or concerns.
- Identify appropriate strategies to manage, avoid, or eliminate environmental effects.
- Meet all regulatory requirements for stakeholder consultation and revise the consultation approach as appropriate based on feedback.

Consultation objectives for Indigenous Nations:

- Sharing information in plain language, as well as technical reports and reviews
- Holding engagement sessions
- Document engagement activities and respond to comments, issues, or concerns.
- Ensure Indigenous Nations have an appropriate opportunity to understand the project and identify potential impacts to Indigenous or Treaty rights and interests.
- Sufficient information and time to permit the Indigenous Nations to prepare and present their views on the matter.
- Identify and solicit from Indigenous Nations appropriate strategies to manage, avoid, or eliminate environmental effects.
- Demonstrate how the project will be developed to reduce or avoid potential impacts or provide explanation of why the project cannot be modified to reduce or avoid potential impacts.

- Provide an explanation of how Indigenous Nations have been accommodated.
- Provide flexibility to accommodate unforeseen issues and requests with regard to information sharing and Nation needs and processes.

The following consultation activities are planned as part of this project, from inception to finalization and submission of the final EA document. The results of the consultation program conducted during preparation of the EA will be presented in the EA study report. Consultation following submission of the final EA is dictated by the Act and facilitated by the province.

- Reporting sharing.
- Technical Review and Comments.
- Engagement and Meetings.

Specifically, the following is planned at a minimum:

- Notice of Commencement for the EA by mail, local newspapers, on the project website, company social media, and radio, including details of the project, the EA process, and contact information, as a minimum.
- Distribution of environmental work plans to Indigenous Nations and GRT.
- Distribution of environmental studies to Indigenous Nations and GRT.
- Distribution of working draft EA for Indigenous Nations review and comment at key milestones (outlined below).
- Indigenous engagement sessions to discuss key decisions.
- Circulation of draft EA for Indigenous Nations, GRT, and stakeholder review and comment.
- Community Open Houses and/or site tours, to be determined.
- Project Website.
- Final EA Report to be provided to Indigenous Nations, GRT, and interested public stakeholders who have submitted comments on the draft EA and/or or wish to receive a copy.

- Notice of the final report availability will be provided by newspaper, mail, project website, and company social media.

There are several key decision-making milestone points when consultation will occur during preparation of the EA. The main milestones generally align with each Step outlined in Section 7.4 and include:

- proposed work plans for data collection
- evaluation and assessment of the Alternatives To
- selection of the preferred Alternative To the undertaking
- identified Alternative Methods
- evaluation and assessment of the Alternative Methods
- selection of the preferred Alternative Method
- proposed mitigation and monitoring

The scheduling of the consultation activities will be developed during the EA when it is clearer how the planning process is progressing.

During the EA there may be issues raised or disputes during preparation of the EA that may be difficult to resolve. Agnico Eagle will attempt to resolve all issues or disputes to reach a resolution that is amenable, recognizing that interests of multiple Indigenous Nations and stakeholders and/or regulations may sometimes dictate a resolution that may not be desirable to all parties. If a mutually agreeable resolution is not achieved, the matter will be referred to the MECP for guidance.

9.0 Other Approvals Required

In addition to EA approval, it is expected the preferred alternative to the undertaking will require approval under the EPA at a minimum. The following sections provide an overview of the approvals that may be required in addition to the EA approval process. The approvals required will be dependent on the preferred 'Alternative To' the undertaking and will be described in the EA Report. It is noted that the following list of other regulatory approvals may be refined as the EA study progresses, and the final description of other regulatory approvals will be described in the EA study report.

9.1 Environmental Protection Act

The EPA, Section 27 stipulates that "…no person shall use, operate, establish, alter, enlarge or extend a waste management system or a waste disposal site except under and in accordance with an environmental compliance approval [ECA]." The application for the waste ECA under Part 5 of the EPA must be supported by a detailed report that complies with O.Reg. 232/98 Landfilling Sites and describes the proposed design and operations of the landfill site.

In addition to the above, depending on the 'Alternative To' or 'Alternative Method(s)' selected, an ECA for sewage works under EPA Section 20.2 and as described in the Ontario Water Resources Act (Section 9.4) may be required. The preferred 'Alternative To' or 'Alternative Method(s)' may also require an air and noise ECA as per Section 9 of the EPA.

9.2 Endangered Species Act

If the preferred 'Alternative To' or 'Alternative Methods' will contravene Sections 9 and 10 of the Endangered Species Act, an authorization under Section 17 of the ESA will be required.

9.3 Crown Forest Sustainability Act

If any clearing of forest resources are required as part of the "Alternatives To" and/or "Alternative Methods", authorization will be required by the MNRF.

9.4 Ontario Water Resources Act

The OWRA, Section 53 states "…no person shall use, operate, establish, alter, extend or replace new or existing sewage works except under and in accordance with an environmental compliance approval." Sewage works in this context refer to collecting, transmitting, treating and/or disposing of stormwater (including leachate). The application must be supported by a document assessing potential impacts to the environment and relevant environmental standards that must be met.

9.5 Planning Act, Provincial Policy Statement (PPS), and Northern Growth Plan

Land use compatibility in the planning context is achieved where industrial and other major facilities can coexist with sensitive land uses to contribute to healthy, livable and sustainable communities. The statutory and policy background that informs land use compatibility issues in the DLM area includes the Planning Act, the Provincial Policy Statement (PPS), the Northern Growth Plan and provincial land use compatibility guidelines.

The PPS and the Northern Growth Plan will be considered when evaluating the "Alternatives To" an/or "Alternative Methods". This includes, but may not be limited to, the following Sections of the PPS:

Section 1.6.10.1 - Waste Management systems need to be provided that are of an appropriate size and type to accommodate present and future requirements, and facilitate, encourage and promote reduction, reuse and recycling objectives.

Section 1.7.1 e) - Long-term economic prosperity should be supported by planning so that major facilities (i.e., waste management systems) and sensitive land uses are appropriately designed, buffered and/or separated from each other to prevent adverse effects from odour, noise and other contaminants, and minimize risk to public health and safety.

The "D-Series" Environmental Land Use Compatibility Guidelines (D Series guidelines) issued by the Ontario Ministry of the Environment, Conservation and Parks will be considered throughout the EA, including D-1 Land Use and Compatibility and D-4 Land Use On or Near Landfills and Dumps.

9.6 Federal Approvals

At this time, it is not expected that any federal approvals will be required.

10.0 Schedule for Preparing the TOR

Version 1 of the draft TOR was made available to Indigenous Nations in spring 2023. Version 2 of the draft TOR was subsequently be made available to the public, MECP, and GRT in the summer and early autumn of 2023. Following receipt of comments on the draft TOR (v1 and v2), the TOR will be finalized and prepared for submission to the Minister in early 2024 (Figure 6).

EA timelines are dependent on the Minister's decision about the TOR and the EA cannot proceed without an approved TOR. A decision about the approval of the TOR is anticipated in spring 2024 (12 weeks after submission).

Figure 6 Proposed TOR Submission Schedule

11.0 Commitments and Monitoring

The following commitments to monitoring and mitigation are implemented at DLM currently in relation to the mining operations and existing solid waste landfill (KLG, 2020). The results of this monitoring and mitigation efforts have been used throughout the development of the TOR to describe the existing environment and have directed evaluation criteria for the environmental components to be utilized to assess the Alternatives To the undertaking. Furthermore, where applicable, these commitments to monitoring and mitigation will be incorporated into the compliance monitoring program to be developed and expanded on where necessary.

- Water quality: the monitoring network includes 71 surface water stations and 141 groundwater stations. Regular data collection, analysis, and interpretation on a monthly and quarterly basis allow for risk identification and adaptive management.
- Air quality: air quality monitoring is completed at two stations in the vicinity of the staff lodges at DLM. Regular monitoring is completed, with quarterly reports provided to the MECP.
- Fisheries and other aquatic resources: mitigation measures were implemented to limit potential effects related to mining operations on aquatic resources. Compensation plans have been implemented to address potential impacts to fisheries and other aquatic resources related to the development of various aspects of the operations.
- Groundwater: no significant environmental impacts to groundwater have been predicted to occur in conjunction with the mining operations (including mining, tailings, or rock stockpiles), after the implementation of proposed mitigation measures.
- Vegetation and wildlife: measures to minimize adverse effects to area plants and wildlife include but are not limited to: minimizing the project footprint; maintaining a minimum 120 m buffer around watercourses; avoidance of unnecessary disturbance to wetlands; and avoidance of tree clearing during the bird nesting period.

- Recommendations for the protection of Woodland Caribou include as reasonable: minimizing the overall project footprint; avoidance of critical over-wintering habitat; minimizing disturbance to mature upland black spruce–jack pine forests that support a high abundance of terrestrial and arboreal lichens (a preferred food source); and minimizing the potential for caribou/vehicular traffic interaction.

11.1 TOR Commitments

An expanded list of commitments made during the development of this TOR and during consultation including the MECP and Indigenous Nation review is contained in Table 3.

Table 3 will be carried forward to the EA study report and the EA will include information on how the commitments made in the TOR have been addressed in the EA, and the location of this information within the EA documents.

The EA Report will also include a comprehensive list of commitments made by Agnico Eagle during the preparation of the EA studies and during consultation throughout the EA process. These commitments include, but are not limited to, the following:

- All commitments relating to impact management measures (such as mitigation measures)
- Additional works and studies to be carried out
- Monitoring
- Public and Indigenous consultation
- Contingency planning
- Documentation and correspondence

Table 3 List of TOR Commitments

ID	TOR Commitment
1	The EA will be prepared in accordance with subsections 6(2)(a) and 6.1(2) of the *EA Act.*
2	Agnico Eagle will contact Indigenous Nations to discuss their consultation needs and continue to involve them throughout the EA process.
3	Agnico Eagle will share workplans with Indigenous Nations and GRT members for their review and concurrence.
4	Agnico Eagle will follow the recommendations of all archaeological assessments undertaken within the site study area and any subsequent recommended archaeological assessments (e.g., Stage 2-4) will be followed.
5	Agnico Eagle will follow the recommendations from the *Stage 1 Archaeological Assessment* (WHN, 2023) which include: 1. If future developments are anticipated within any areas with inferred archaeological potential, as illustrated on Map 11, a Stage 2 sub-surface survey of the of the areas of proposed impacts is recommended. 2. Additional archaeological work outside of the areas with inferred archaeological potential, as illustrated on Map 11, is not recommended.
6	Should previously undocumented archaeological resources be discovered, they may be a new archaeological site and therefore subject to Section 48(1) of the *Ontario Heritage Act*. The proponent or person discovering the archaeological resources must cease alteration of the site immediately and engage a licensed consultant archaeologist to carry out an archaeological assessment, in compliance with Section 48(1) of the *Ontario Heritage Act*.
7	*The Funeral, Burial and Cremation Services Act*, 2002, S.O. 2002, c.33 requires that any person discovering human remains must cease all activities immediately and notify the police or coroner. If the coroner does not suspect foul play in the disposition of the remains, in accordance with Ontario Regulation 30/11 the coroner shall notify the Registrar, Ontario Ministry of Public and Business Service Delivery, which administers provisions of that Act related to burial sites. In situations where human remains are associated with archaeological resources, the Ministry of Citizenship and Multiculturalism will be notified (at archaeology@ontario.ca) to ensure that the archaeological site is not subject to unlicensed alterations which would be a contravention of the *Ontario Heritage Act*.
8	Agnico Eagle will submit any future technical cultural heritage studies (e.g., cultural heritage evaluation report, heritage impact assessment) to MCM for review and comment. Recommendations of any future technical cultural heritage studies (e.g., cultural heritage evaluation report, heritage impact assessment) will be followed.

ID	TOR Commitment
9	Agnico Eagle will provide a final detailed description of the environment in the EA.
10	Agnico Eagle will carry out any necessary baseline studies to provide the final detailed description of the environment, for each study area, including but not limited to hydrogeological assessments, species at risk studies, etc.
11	Agnico Eagle will consider the stated purpose of this EA during the EA process and will refine the purpose if required. The final purpose statement will be provided in the EA study report.
12	During the EA, the study area(s) may be further refined when more detailed information is known.
13	During the EA, the preliminary criteria and indicators for each of the environmental components will be refined and described in the EA study report.
14	The preferred alternative to the undertaking will be assessed from the perspective of climate change.
15	The individual Alternative Methods of the preferred alternative to the undertaking will be identified, refined, and confirmed during the EA, and described in the EA study report.
16	Agnico Eagle commits to consult with Indigenous Nations on the key decision-making milestone points, including: • proposed work plans for data collection • evaluation and assessment of the ‘Alternatives To’ • selection of the preferred ‘Alternative To’ the undertaking • identify the ‘Alternative Methods’ • evaluation and assessment of the ‘Alternative Methods’ • selection of the preferred ‘Alternative Method’ • proposed mitigation and monitoring
17	A cumulative impact assessment will be completed and described in the EA study report.
18	Agnico Eagle commits to developing a monitoring framework during the preparation of the EA.
19	Where appropriate, existing commitments to monitoring and mitigation implemented at the DLM site will be incorporated into the compliance monitoring program to be developed and expanded on where necessary.

ID	TOR Commitment
20	Agnico Eagle will continue to minimize adverse effects to fish and wildlife species by developing a compact site as reasonable, focusing on developments to the extent feasible on previously disturbed areas, and to avoid the development of new infrastructure to currently inaccessible areas.
21	The list of TOR commitments will be provided in the EA study report together with the way in which these commitments were addressed during the EA and the location of the information within the EA documents. The EA Report will also include a list of commitments made by Agnico Eagle during the preparation of the EA studies and during consultation throughout the EA process.
22	During the EA there may be issues raised or disputes during preparation of the EA that may be difficult to resolve. Agnico Eagle will attempt to resolve all issues or disputes to reach a resolution that is amenable, recognizing that interests of multiple Indigenous Nations and stakeholders and/or regulations may sometimes dictate a resolution that may not be desirable to all parties. If a mutually agreeable resolution is not achieved, the matter will be referred to the MECP for guidance.

11.2 Compliance Effects Monitoring

Mitigation measures are designed to avoid or reduce potential adverse effects from the undertaking.

Agnico Eagle commits to developing a monitoring framework during the preparation of the EA. The monitoring framework will consider all phases of the proposed undertaking. The monitoring will include:

- Compliance monitoring
- Effects monitoring

A description of the proposed effects monitoring programs for the preferred Alternative To the undertaking will be prepared. It is anticipated that the detailed effects monitoring requirements for the project will ultimately be determined through the conditions of any required EPA approval(s). Compliance monitoring is an assessment of whether an undertaking has been constructed, implemented, and/or operated in accordance with the commitments made during the preparation of the EA and the conditions of the Act. Compliance monitoring and

contingency measures will be designed to detect and immediately respond to potential problems and unanticipated effects. Effects monitoring will involve activities designed to determine and verify the anticipated effects of the undertaking.

12.0 References

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WHS. (2010d). *Stage 1 and 2 Archaeological and Cultural Heritage Resource Assessment of ~174km of Hydro Line Corridor Connecting Abitibi Canyon GS to the Detour Mine Via Island Falls G.S., Cochrane District PIF#P016-230-2009.* Woodland Heritage Services Limited.

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Volume II – Supporting Documents

Volume II is available with the report package digitally.

The following documents are available with the report package digitally.

Baseline Studies

1. *Aquatic Resources Baseline Study, Detour Lake Project* (AMEC, 2009a)
2. *Climate and Air Quality Baseline Study, Detour Lake Project* (AMEC, 2009b)
3. *Hydrogeology Baseline Study, Detour Lake Project* (AMEC, 2009c)
4. *Terrestrial Resources Baseline Study, Detour Lake Project* (AMEC, 2009d)
5. *Detour Lake Aquatic Resources 2009 Baseline Investigations* (AMEC, 2010d)
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20. *Stage 1 and 2 Archaeological and Cultural Heritage Resource Assessment of ~174km of Hydro Line Corridor Connecting Abitibi Canyon GS to the Detour Mine Via Island Falls G.S., Cochrane District PIF#P016-230-2009. Woodland Heritage Services Limited.* (WHS, 2010d)

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26. *Stage 1 Archaeological Resource Assessment of Area 3, Located to the East and South of the Detour Mine, including the Lower Detour Exploration Area, in Sunday Lake Area and Lower Detour Lake Area (Unsurveyed), Cochrane District*. PIF# P016-0421-2016. Woodland Heritage Services Limited. (WHS, 2016b)

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31. *Report on Geotechnical Investigation, Landfill Area, Detour Lake Project, Canada* (Golder, 2010)

32. *Landfill Capacity update Memo* (Cambium, 2016)

33. *Landfill Capacity Update Detour Gold Mine* (Cambium, 2017)

34. *Non-Hazardous Solid Waste Audit Report* (MASS, 2017)

35. *Detour Gold Mine Non-Hazardous Solid Waste Audit and Landfill Assessment Report* (Cambium, 2018)

Volume III – Record of Consultation

Volume III is available with the report package digitally.