

APPENDIX D - SUMMARY OF PROPONENT'S COMMITMENTS

Commitment Number	Phase	Commitment	Application Section	Agency
<i>Project Description and Scope</i>				
1	Construction Operation	In the unlikely event that any bedrock excavation is found to be necessary during construction, the rock will be visually characterized and samples will be collected and tested for total and soluble metal content and acid rock drainage (ARD) potential in accordance with the Guidelines for Metal Leaching/ARD Potential, Ministry of Energy, Mines and Petroleum Resources. Based on the results of any such testing, an appropriate management strategy will be designed and implemented.	3.4.6	MEMPR
2	Construction Operation	Mining will be conducted in accordance with the approved design, including geotechnical aspects.	3.6	MEMPR DFO
3	Construction	Marine facilities will be developed according to the approved design.	3.6.6.2	TC DFO
4	Construction Operation	Shipping will be conducted in accordance with regulatory requirements and other commitments provided in the environmental and operational management plans and marine ecosystem assessment.	3.7	DFO TC Nisga'a Lisims FNs
5	Construction Operation	There will be no mining of bedrock.	3.4.6	MEMPR
6	Construction Operation	A minimum of 1 meter of gravel/sand will be left in place above bedrock, with the exception of small (unavoidable) areas of exposed cliff faces. The gravel/sand will be left in place to prevent disruption of groundwater drainage patterns.	3.4.6 5.2.3.3	DFO

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7	Construction	Detailed drawings for the South Beach Creek crossing will be submitted to MEMPR, DFO, Transport Canada, the Nisga'a Lisims Government (on behalf of the Nisga'a Nation), and the Metlakatla and Lax Kw'alaams First Nations for review and comment prior to initiating construction.	3.6.2 & 3.6.6.2	MEMPR DFO TC Nisga'a Lisims FN
8	Construction Operation	In-pipe flow regulating valves will be located at strategic locations to help control the volume of water diverted from Steep Creek to Reservoir Lake, and the volume of water withdrawn from Reservoir Lake.	3.6.6.1.1	DFO
<i>Environmental and Operational Management Plans</i>				
9	Construction Operation	Ascot's environmental policy for the Project will include meeting the company's obligations and commitments with respect to the environment, the Nisga'a Nation, First Nations, and other local communities.	4.0	MOE Nisga'a Lisims FNs DFO MEMPR
10	Construction Operation Closure	A senior staff member will be assigned the role of Environmental Coordinator, and will have specific responsibility for implementing and monitoring all environmental programs.	4.1	MOE DFO MEMPR Nisga'a Lisims
11	Construction Operation Closure	Both the Environmental Coordinator and the Mine Manager will have the authority to order activities to be stopped during construction and/or operations, if needed to protect the environment.	4.1	MOE DFO MEMPR Nisga'a Lisims
12	Construction	Independent environmental monitor(s) will be retained to supervise the construction of the marine facilities and installation of the clear arch crossing of South Beach Creek. The independent environmental monitor(s) will not report to the Mine Manager, and will have the authority to issue 'stop work' orders if deemed necessary. Any 'stop work' orders will be reported to MEMPR, DFO, MOE, and the Nisga'a Lisims Government (on behalf of the Nisga'a Nation) within 24 hours of the order being issued.	4.1.2.2	MEMPR MOE DFO Nisga'a Lisims

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13	Construction Operation Closure	During operations and post closure, inspections will be conducted to verify the success of key mitigation measures.	4.13	MEMPR MOE DFO Nisga'a Lisims
14	Construction Operation	Employees and contractors will be required to receive training in safety, environmental measures, and operational procedures as determined to be necessary. Contractors will be required to provide training to their staff.	4.1.2.5	MOE MEMPR DFO Nisga'a Lisims FNs
15	Construction Operation Closure	Environmental management plans as described in the Application will be implemented during mine construction, operations, and decommissioning/ reclamation as appropriate.	4.0	MEMPR DFO MOE Nisga'a Lisims
16	Construction	A detailed construction and operations Surface Erosion Prevention and Sediment Control (SEPSC) Plan, including facility specific prescriptions, will be prepared prior to construction. The plan will be submitted to MEMPR, DFO, MOE, and the Nisga'a Lisims Government (on behalf of the Nisga'a Nation) for review and comments prior to implementation.	4.3	MEMPR DFO MOE Nisga'a Lisims FNs
17	Construction Operations	Prior to commencing construction, a Fuel Management and Spill Contingency Plan manual covering construction and mining activities will be developed and adhered to throughout the life of the mine. The Fuel Management and Spill Contingency Plan manual will identify local contacts and provide call-out procedures in the event of a spill in the marine environment. The manual will be submitted to MEMPR, DFO, MOE, the Nisga'a Lisims Government (on behalf of the Nisga'a Nation), and the Metlakatla and Lax Kw'alaams First Nations for review and comment prior to implementation.	4.4	MEMPR MOE DFO Nisga'a Lisims
18	Construction	Detailed drawings for the marine facilities will be submitted to MEMPR, DFO, Transport Canada, the Nisga'a Lisims Government (on behalf of the Nisga'a Nation), and the Metlakatla and Lax Kw'alaams First Nations for review and comment prior to initiating construction.	3.6.6.2	MEMPR DFO TC Nisga'a Lisims FN

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19	Operation	Wastes will be handled in accordance with provincial legislative requirements and regulations. Ascot will implement a program of reduction, re-use, and recycle during all phases of the operation.	4.6	MOE
20	Construction Operation	Prior to commencing construction, an Occupational Health & Safety Policy Manual will be prepared and distributed to employees and contractors.	4.9	MEMPR
21	Construction Operation	Prior to commencing construction, an Emergency Response Plan will be developed to ensure the appropriate number of employees are trained in first aid, fire fighting, mine rescue, and environmental response to provide emergency response capabilities at the mine.	4.9	MEMPR MOE
22	Construction Operation	A dustfall monitoring program will be implemented and continued until it is demonstrated that there are no significant emissions of fugitive dust. If problems with fugitive dust arise, Ascot will implement the appropriate measures to address them.	4.7.1	MOE
23	Construction Operation	A Wildlife Protection Plan (WPP) will be used during the construction, operation, and closure phases of the Project to mitigate potential project-related effects on wildlife and their habitats. The WPP will be periodically reviewed and up-dated as appropriate.	4.10	MOE
24	Construction Operation	A site log will be kept for equipment inspections, including inspections for leaks.	4.4.6.3	MEMPR MOE DFO Nisga'a Lisims
25	Construction	Independent environmental monitor(s) will record, photograph (digital) and report all required aspects of project construction activities, including stated mitigation and monitoring measures. A copy of the report(s) will be provided to DFO, MOE, MEMPR and the Nisga'a Nation.	4.1.2.2	MEMPR MOE DFO Nisga'a Lisims
26	Operation	The requirement for compliance with marine regulations will be a stipulation of contracts between Ascot and vessels servicing the Project. For ships, this will include adherence to the International Maritime Organization "International Convention on the Prevention of Pollution from Ships".	4.4.6.4	MOE DFO Nisga'a Lisims First Nations

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27	Construction	Prior to commencing construction, detailed designs for water management facilities will be completed and submitted to the appropriate regulatory agencies for review and approval.	3.6.6.1.1	MEMPR MOE DFO
<i>Climate, Hydrology and Hydrogeology</i>				
28	Construction Operation	Meteorological and flow monitoring will continue throughout the mine's life.	5.2.2.1	MOE
<i>Freshwater Quality and Aquatic Biology</i>				
29	Construction Operation Closure	Design, mitigation, and environmental management measures will be implemented as described in the Application to prevent adverse effects to freshwater quality and aquatic biological resources, including fish and fish habitat.	5.3	MOE DFO Nisga'a Nation
30	Construction Operation Closure	Turbidity monitoring will be continued through construction, operations, and decommissioning/reclamation.	5.3.2.1.4	MOE DFO Nisga'a Lisims
31	Operation Closure	Fish and fish habitat monitoring will be conducted during the mine's life and post-closure to verify the impact assessment predictions.	5.3.2.3	DFO MOE Nisga'a Lisims
32	Construction Operation Closure	A no-fishing policy for will be established for Donahue and South Beach Creeks for mine employees and contractors.	4.10.2	DFO MOE
33	Construction Operations	Prior to commencing construction, water quantity monitoring stations will be established and fish habitat requirements within Reservoir Lake Creek and Steep Creek will be assessed. During Phase 1 (the initial 2 years of the Project), in stream flow requirements to maintain key spawning and rearing habitats (pools) will be identified.	5.3	DFO MOE Nisga'a Lisims
34	Construction Operation	Prior to commencing construction, develop an adaptive operational monitoring and management program, in consultation with DFO, to ensure that reductions in flows in Reservoir Lake Creek and Steep Creek as a result of water withdrawals do not affect habitat capability and suitability of these creeks.	5.3.3.3.1	DFO MOE Nisga'a Lisims

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35	Construction Operation	Prior to commencing construction, a water quality monitoring program will be implemented to demonstrate that water discharged to the environment from the Project will not harm the environment (i.e. cause pollution as defined under the <i>Environmental Management Act</i>).	5.3	DFO MOE Nisga'a Lisims
<i>Marine Ecosystem</i>				
36	Construction Operation	Design, mitigation, and environmental management measures will be implemented as described in the Application to prevent adverse effects to marine ecosystems. These include measures to minimize the potential for fuel and other spills to the marine environment, minimize shading along the shoreline, minimize marine noise, and minimize the use of artificial lighting on the marine facilities.	3.7 5.13 5.4 4.5	DFO Nisga'a Nation FNs
37	Construction	An independent environmental monitor will oversee construction of the marine facilities.	4.1	DFO Nisga'a Nation
38	Construction	Prior to commencing construction of the marine facilities, a Letter of Advice will be sought from the DFO, Prince Rupert to provide Ascot with direction on mitigative measures and monitoring requirements for work in or near fish habitat. Ascot will continue discussions with DFO, Prince Rupert to ensure that relevant issues are addressed.	5.4	DFO Nisga'a Nation
39	Construction	Prior to commencing construction (and prior to seeking a Letter of Advice from DFO), Ascot will continue consultations with DFO, Prince Rupert about monitoring and mitigation required during pile installation.	4.1 4.1.3	DFO Nisga'a Lisims
40	Construction	Prior to commencing construction, appropriate monitoring thresholds for water quality parameters (pH, turbidity) during marine construction activities will be developed in consultation with DFO, Prince Rupert.	5.4	DFO Nisga'a Lisims
41	Construction	Construction activities will adhere to existing Best Management Practices such as the Environmental Best Management Practices for Urban and Rural Land Development in British Columbia – Draft (WLAP, 2004), Fish Stream Crossing Guidebook (Ministry of Forests, 2002), and the Best Management Practices for Pile Driving and Related Operations (BC Marine and Pile Driving Contractors Association, 2003).	3.6.6 4.1	DFO Nisga'a Lisims

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42	Construction	Prior to commencing construction, seasonal construction windows will be discussed with DFO, Prince Rupert. Consideration will be given to sensitive time periods for fish species of concern in the project area.	5.4	DFO Nisga'a Lisims
43	Construction	Concrete footings for the barge loading/unloading facility will be placed above the highest high water mark.	5.4	DFO Nisga'a Lisims
44	Operation	Ascot will continue to consult DFO, Prince Rupert, about monitoring and documenting smolt movement between the shoreline and constructed marine facilities.	5.4	DFO Nisga'a Lisims FNs
45	Construction Operation	Orca sightings will be reported to the BC Cetacean Sighting network (http://www.wildwhales.org). During pile driving operations, the independent monitor will be responsible for monitoring cetaceans in the area. During construction of the marine facilities, a monitoring program for Orca whale presence will be developed in consultation with DFO, Prince Rupert.	5.4	DFO Nisga'a Lisims
46	Operations	During operations, Ascot will maintain communications with DFO, the Nisga'a Nation and First Nations to provide reports on the results of environmental monitoring.	5.4 4	DFO Nisga'a Lisims
<i>Terrestrial Ecology</i>				
47	Construction Operation	Design, mitigation, and environmental management measures will be implemented as described in the Application to prevent adverse effects to terrestrial ecosystems, including soils, vegetation and wildlife.	5.5.3.3	MOE Nisga'a Lisims MEMPR
48	Construction Operation	New alternate breeding ponds will be established for Western Toads. If necessary, toad movements will be managed. Periodic monitoring of breeding habitats will be conducted.	5.5.4.3	MOE Nisga'a Lisims
49	Construction Operation	Minimum water levels will be maintained in Reservoir Lake to protect amphibian habitat.	5.2.3.2 4.2	MOE Nisga'a Lisims
50	Construction Operation	A 200 m no-work zone will be established around a tree containing a potential Bald Eagle nesting platform if the nest is occupied during construction. During operations, a 200 m no-work zone will be established to ensure the tree can be used as a perch.	5.5.3.3	MOE Nisga'a Lisims

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51	Construction Operation	Bear-proof garbage cans and incineration of food wastes will be used to minimize the effects of human activity and changes to bear behaviour. All workers will be required to attend Bear Aware programs.	5.5.3.3	MOE Nisga'a Lisims
52	Construction Operation	Firearms will not be permitted at the mine site. This includes carrying firearms in private boats travelling to and from the mine site.	4.10	MOE Nisga'a Lisims
53	Construction Operation	There will be a no hunting policy at the mine site.	4.10	MOE Nisga'a Lisims
54	Construction Operation	Additional wildlife protection measures will be implemented in accordance with the Wildlife Protection Plan.	4.10	MOE Nisga'a Lisims
55	Construction Operation	Electric fencing will be installed around the operations camp and the incinerator in the Laydown Area to help prevent bears from becoming a problem.	5.5.3.3.9 4.10	MOE Nisga'a Lisims
56	Construction Operation	The limestone quarry vegetation communities and habitats will be monitored during construction and operations to confirm that seepage and small waterfalls continue to be present during the seasons that they normally occur. Periodic checks will be conducted to confirm the ongoing presence of the vegetation communities.	5.5.3.3.3	MOE
57	Construction Operation	A more detailed amphibian reclamation plan will be developed using a qualified professional experienced in amphibian habitat establishment and restoration. Prior to operations, the plan will be provided to MOE for review and comment. The plan will be based on using on-site and cost-effective methods.	5.5.3.3.5	MOE Nisga'a Lisims
58	Construction Operation	Prior to commencing operations, a wildlife incident and observation reporting procedure will be developed and provided to on-site staff along with training to aid in monitoring species such as Great Blue Heron and Marbled Murrelet. This will be integral to the Wildlife Protection Plan. The Wildlife Protection Plan will be revised as required, on an ongoing basis.	4.10.2	MOE Nisga'a Lisims
Heritage and Cultural Resources				
59	Construction Operation	Prior to commencing construction, an Archaeological Resources Procedures will be prepared to identify steps to be taken to protect any archaeological or cultural resources in the event they are discovered during construction or mining. These procedures will include ceasing any work that could adversely affect the resource, and ensuring that the Nisga'a Lisims government and the Archaeology Permitting Branch are promptly notified.	5.7	Arch Branch Nisga'a Lisims FNs

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60	Construction Operation	The Lax Kw'alaams and Metlakatla First Nations will also be contacted in accordance with established protocols, in the event that archaeological or traditional use resources of significance to these First Nations are encountered at the mine site.	5.7	FN
<i>Socio-Community and Socio-Economic</i>				
61	Construction Operation	Steps will be taken to maximize work opportunities for local contractors through possible measures such as identifying project components that could be targeted to local businesses; preparing an annual business opportunities forecast; and maintaining a local contractor and supplier database.	5.9.3.2	Nisga'a Lisims FNs District of Stewart
62	Construction Operation	Ascot will continue to consult with potentially affected communities and groups, including the Nisga'a Nation and other First Nations, to promote Nisga'a and other First Nations opportunities.	5.8.3	Nisga'a Lisims FNs
63	Construction Operation	Potential adverse effects on community health will be mitigated by organizing mine site visits by employees' families, supporting volunteer activities, and cross-cultural training, and providing resources local schools.	5.8.3	Nisga'a Lisims District of Stewart FNs
64	Construction Operation	Hiring and training policies will be developed once aggregate sales have been secured. Part of these human resource policies will include alcohol/drug use policies aimed at ensuring a safe and healthy work environment.	5.8.3.3	Nisga'a Lisims FN Stewart
<i>Nisga'a Nation and First Nations</i>				
65	Construction Operation Closure	Ascot is committed to ensuring that the relevant provisions of the Nisga'a Final Agreement are fulfilled with respect to the Project.	5.10.2	Nisga'a Lisims
66	Construction Operation Closure	Ascot will continue consultations with the Nisga'a Nation and the Metlakatla and Lax Kw'alaams First Nations throughout the life of the mine.	5.10	Nisga'a Lisims FN
67	Construction Operation Closure	Ascot will continue to consult with Nisga'a Nation agencies as appropriate, and to work to resolve any issues that might arise.	5.10	Nisga'a Lisims

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68	Construction Operation Closure	Ascot will continue to consult with representatives from the Lax Kw'alaams and Metlakatla First Nations with respect to the interests and concerns they have expressed regarding the Project.	5.11	FNs
69	Construction Operation	Ascot will continue to communicate with local governments and communities in the Nass Valley.	5.10	Nisga'a Lisims Nass Valley local gov'ts
70	Construction Operation	Ascot will continue to work with the Nisga'a Lisims Government to complete a Memorandum of Understanding regarding employment and contracting opportunities with respect to the Project.	5.10	Nisga'a Lisims
71	Construction	Ascot will invite Nisga'a Nation and First Nations representatives to the project site during the construction period.	3.7	Nisga'a Lisims First Nations
72	Construction Operation	Ascot will continue to work with the Nisga'a Nation, First Nations and other fishers to address concerns regarding large vessel/commercial fishing boat interactions.	3.7	Nisga'a Lisims First Nations
<i>Visual Resources</i>				
73	Construction Operation Closure	Ascot will implement reclamation as planned to minimize visual effects.	5.11	MEMPR Nisga'a Lisims
<i>Navigable Waters Issues</i>				
74	Construction Operation	Ascot will provide emergency docking space for small boat users of the Portland Canal.	5.13	TC Nisga'a Lisims
75	Pre-operation	Ascot will continue to participate in forums organized to address potential effects resulting from increased vessel traffic between Stewart and Triple Island.	5.13	TC DFO Nisga'a Lisims FNs

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<i>Natural Hazards Assessment</i>				
76	Construction Operation	Ascot will ensure that all facilities will be constructed to design standards to address the various natural hazard risks that have been identified in the area.	5.14	MEMPR
77	Construction	A landslide/debris flow assessment will be conducted on South Beach Creek when an excavator is on site. This assessment will be completed by a qualified professional prior to installing the clear arch span.	5.14	MEMPR
78	Construction	Prior to commencing construction, an avalanche assessment will be conducted by a qualified professional.	5.14	MEMPR