

**Decision Statement**  
**Issued under Section 54 of the *Canadian Environmental Assessment Act, 2012***

to  
IAMGOLD Corporation  
c/o Stephen J.J. Letwin, President and Chief Executive Officer

401 Bay Street, Suite 3200  
Toronto, Ontario  
M5H 2Y4

for the  
**Côté Gold Mine Project**

**Description of the Designated Project**

IAMGOLD Corporation is proposing the construction, operation and decommissioning of the Côté Gold Mine Project, which includes an open-pit gold mine, an on-site metal mill and four structures for diverting water, located 20 kilometres southwest of the community of Gogama in northeastern Ontario. The Designated Project would have an ore input and ore production capacity of 60 000 tonnes per day, with a life of approximately 15 years. The four water course realignment structures would have the capacity to divert 14 271 500, 15 695 800, 17 994 500 and 13 286 000 cubic metres of water per year.

**Conduct of the environmental assessment**

The Canadian Environmental Assessment Agency (the Agency) conducted an environmental assessment of the Designated Project in accordance with the requirements of the *Canadian Environmental Assessment Act, 2012*. The Agency commenced the environmental assessment on May 13, 2013 and submitted its report to me in my capacity as Minister of Environment and Climate Change.

**Decision on environmental effects referred to in subsection 5(1) of the *Canadian Environmental Assessment Act, 2012***

In accordance with paragraph 52(1)(a) of the *Canadian Environmental Assessment Act, 2012*, after considering the report of the Agency on the Designated Project and the implementation of mitigation measures that I consider appropriate, I have determined that the Designated Project is not likely to cause significant adverse environmental effects referred to in subsection 5(1) of the *Canadian Environmental Assessment Act, 2012*.

In accordance with subsection 53(1) of the *Canadian Environmental Assessment Act, 2012*, I have established the conditions below in relation to the environmental effects referred to in subsection 5(1) of the *Canadian Environmental Assessment Act, 2012*, with which the Proponent must comply.

## **Decision on environmental effects referred to in subsection 5(2) of the *Canadian Environmental Assessment Act, 2012***

The carrying out of the Designated Project may require the following federal authorities to exercise a power or perform a duty or function conferred on them under an Act of Parliament other than the *Canadian Environmental Assessment Act, 2012*:

- The Minister of Fisheries and Oceans may issue authorization(s) under paragraph 35(2)(b) of the *Fisheries Act*;
- The Minister of Environment and Climate Change may propose an amendment under Schedule 2 of the *Metal Mining Effluent Regulations*;
- The Minister of Transport may approve works in and about navigable waters under subsection 6(1) of the *Navigation Protection Act* and may permit ancillary works under subsection 9(1) of the *Navigation Protection Act*; and
- The Minister of Natural Resources may issue a licence under subsection 7(1) of the *Explosives Act*.

In accordance with paragraph 52(1)(b) of the *Canadian Environmental Assessment Act, 2012*, after considering the report of the Agency on the Designated Project and the implementation of mitigation measures that I consider appropriate, I have determined that the Designated Project is not likely to cause significant adverse environmental effects referred to in subsection 5(2) of the *Canadian Environmental Assessment Act, 2012*.

In accordance with subsection 53(2) of the *Canadian Environmental Assessment Act, 2012*, I have established the conditions below in relation to the environmental effects referred to in subsection 5(2) of the *Canadian Environmental Assessment Act, 2012*, with which the Proponent must comply.

### **1 Definitions**

- 1.1 *Agency* means the Canadian Environmental Assessment Agency.
- 1.2 *Baseline* means the environmental conditions prior to initiating construction of the Designated Project.
- 1.3 *Construction* means the phase of the Designated Project during when site preparation, building or installation of any components of the Designated Project are undertaken by the Proponent.
- 1.4 *Days* means calendar days.
- 1.5 *Decommissioning* means the phase of the Designated Project where the Proponent has permanently ceased commercial production and has commenced removal from service of any components of the Designated Project, and continues until the site is restored and the open pit is filled with water.
- 1.6 *Designated Project* means the Côté Gold Mine Project as described in section 2 of the environmental assessment report prepared by the Canadian Environmental Assessment Agency (Canadian Environmental Assessment Registry Reference Number 80036).

- 1.7 *Effluent* means “effluent” as defined in subsection 1(1) of the *Metal Mining Effluent Regulations*.
- 1.8 *Environment and Climate Change Canada* means the Department of the Environment as established under subsection 2(1) of the *Department of the Environment Act*.
- 1.9 *Environmental effects* means “environmental effects” as described in section 5 of the *Canadian Environmental Assessment Act, 2012*.
- 1.10 *Fish* means “fish” as defined in subsection 2(1) of the *Fisheries Act*.
- 1.11 *Fish habitat* means “fish habitat” as defined in subsection 2(1) of the *Fisheries Act*.
- 1.12 *Fisheries and Oceans Canada* means the Department of Fisheries and Oceans as established under subsection 2(1) of the *Department of Fisheries and Oceans Act*.
- 1.13 *Follow-up program* means “follow-up program” as defined in subsection 2(1) of the *Canadian Environmental Assessment Act, 2012*.
- 1.14 *Heritage value* means the aesthetic, historic, scientific, cultural, social or spiritual importance or significance for past, present or future generations.
- 1.15 *Indigenous groups* means Mattagami First Nation, Flying Post First Nation, Brunswick House First Nation, and Métis represented by the Métis Nation of Ontario Region 3 Consultation Committee.
- 1.16 *Listed species at risk* means a species that is listed on the List of Wildlife Species at Risk set out in Schedule 1 of the *Species at Risk Act*.
- 1.17 *Migratory bird* means “migratory bird” as defined in subsection 2(1) of the *Migratory Birds Convention Act, 1994*.
- 1.18 *Mine rock* means rock which does not contain any minerals in sufficient concentration to be considered ore, but which must be removed in the mining process to provide access to the ore.
- 1.19 *Mine waste* means the waste products generated from mining, and includes overburden, waste/mine rock, low grade ore and tailings.
- 1.20 *Mitigation measures* means “mitigation measures” as defined in subsection 2(1) of the *Canadian Environmental Assessment Act, 2012*.
- 1.21 *Offsetting plan* means “offsetting plan” as defined in section 1 of the *Applications for Authorization under paragraph 35(2)(b) of the Fisheries Act Regulations* and “compensation plan” as described in subsection 27.1 of the *Metal Mining Effluent Regulations*.
- 1.22 *Operation* means the phase of the Designated Project during which the commercial production takes place.

- 1.23 *Process water* means water that is added to crushed ore during extraction of gold at the ore processing plant.
- 1.24 *Progressive reclamation* means a planned approach to reclamation which is carried out concurrently with all phases of the Designated Project to progressively return any physically disturbed areas to a state as close to the baseline as possible, as soon after the disturbance as practical.
- 1.25 *Project footprint* means the geographic area occupied by mining-related project components at the mine site, and the transmission line alignment.
- 1.26 *Property boundary* means the extent of lands for which the Proponent controls surface access.
- 1.27 *Proponent* means IAMGOLD Corporation and its successors or assigns.
- 1.28 *Qualified individual* means someone who, through education, experience and knowledge relevant to a particular matter, may be relied on by the Proponent to provide advice within his or her area of expertise.
- 1.29 *Record* means “record” as defined in subsection 2(1) of the *Canadian Environmental Assessment Act, 2012*.
- 1.30 *Reporting year* means from April 1 of a calendar year through March 31 of the subsequent calendar year.
- 1.31 *Structure, site or thing of historical, archaeological, paleontological or architectural significance* means a structure, site or thing that is determined, on the basis of heritage value, to be directly associated with an important aspect or aspects of human history or culture.
- 1.32 *Transport Canada* means the Department of Transport as established under subsection 3(1) of the *Department of Transport Act*.
- 1.33 *Water frequented by fish* means “water frequented by fish” as defined in section 34 of the *Fisheries Act*.

## **Conditions**

These conditions are established for the sole purpose of the Decision Statement issued under the *Canadian Environmental Assessment Act, 2012*. They do not relieve the Proponent from any obligation to comply with other legislative or other legal requirements of the federal, provincial, or local governments. Nothing in this Decision Statement shall be construed as reducing, increasing, or otherwise affecting what may be required of the Proponent to comply with all applicable legislative or legal requirements.

### **2 General conditions**

- 2.1 The Proponent shall, throughout all phases of the Designated Project, ensure that its actions in meeting the conditions set out in this Decision Statement are considered in a careful and precautionary manner, promote sustainable development, are informed by the best available information and knowledge, including community and Indigenous traditional knowledge, are based on validated methods and models, are undertaken by qualified individuals, and have applied the best available economically and technologically feasible mitigation measures.
- 2.2 The Proponent shall, where consultation is a requirement of a condition set out in this Decision Statement:
  - 2.2.1 provide a written notice of the opportunity for the party or parties being consulted to present their views and information on the subject of the consultation;
  - 2.2.2 provide sufficient information and a reasonable period of time to permit the party or parties being consulted to prepare their views and information;
  - 2.2.3 provide a full and impartial consideration of any views and information presented by the party or parties being consulted; and
  - 2.2.4 advise the party or parties that have provided comments on how the views and information received have been considered by the Proponent.
- 2.3 The Proponent shall, where consultation with Indigenous groups is a requirement of a condition set out in this Decision Statement, and prior to initiating that consultation, communicate with each Indigenous group to determine the manner by which to satisfy the consultation requirements referred to in condition 2.2, including methods of notification, the type of information and the period of time to be provided when seeking input, the process for full and impartial consideration of any views and information presented and the means by which each Indigenous group will be informed of how the views and information received have been considered by the Proponent.
- 2.4 The Proponent shall, where a follow-up program is a requirement of a condition set out in this Decision Statement:
  - 2.4.1 undertake monitoring and analysis to verify the accuracy of the environmental assessment as it pertains to the particular condition and/or to determine the effectiveness of any mitigation measure(s);

- 2.4.2 determine whether additional mitigation measures are required based on the monitoring and analysis undertaken pursuant to condition 2.4.1; and
  - 2.4.3 if additional mitigation measures are required pursuant to condition 2.4.2, implement the additional mitigation measures and monitor them pursuant to condition 2.4.1.
- 2.5 Where consultation with Indigenous groups is a requirement of a follow-up program, the Proponent shall discuss with each Indigenous group opportunities for the participation of that Indigenous group in the implementation of the follow-up program as set out in condition 2.4.
- 2.6 The Proponent shall, commencing in the reporting year that implementation of the conditions set out in this Decision Statement begins, prepare an annual report that sets out:
- 2.6.1 the activities undertaken in the reporting year to comply with each of the conditions set out in this Decision Statement;
  - 2.6.2 how the Proponent complied with condition 2.1;
  - 2.6.3 for conditions set out in this Decision Statement for which consultation is a requirement, how the Proponent considered any views and information that the Proponent received during or as a result of the consultation;
  - 2.6.4 the results of the follow-up program requirements identified in conditions 4.3, 5.5 and 6.4; and
  - 2.6.5 any additional mitigation measures implemented or proposed to be implemented by the Proponent, as determined under condition 2.4.
- 2.7 The Proponent shall submit to the Agency the annual report referred to in condition 2.6, including an executive summary in both official languages, no later than June 30 following the reporting year to which the annual report applies.
- 2.8 The Proponent shall publish on the Internet, or any medium which is widely publicly available, the annual report and the executive summaries referred to in conditions 2.6 and 2.7, the plan(s) to offset the loss of fish and fish habitat referred to in condition 3.7, the communication plans referred to in conditions 5.7, 6.5 and 8.5, the reports referred to in conditions 8.4.3 and 8.4.4, the implementation schedule referred to in condition 9.1 and any update(s) or revision(s) to the above documents, upon submission of these documents to the parties referenced in the respective conditions. The Proponent shall keep these documents publicly available until the end of decommissioning of the Designated Project. The Proponent shall notify the Agency and Indigenous groups of the availability of these documents once they are published.
- 2.9 The Proponent shall notify the Agency and Indigenous groups in writing no later than 60 days after the day on which there is a transfer of ownership, care, control or management of the Designated Project in whole or in part.
- 2.10 The Proponent shall consult with Indigenous groups prior to initiating any material change(s) to the Designated Project that may result in adverse environmental effects, and shall notify the Agency in writing no later than 60 days prior to initiating the change(s).

- 2.11 In notifying the Agency pursuant to condition 2.10, the Proponent shall provide the Agency with an analysis of the adverse environmental effects of the change(s) to the Designated Project, as well as the results of the consultation with Indigenous groups.

### **3 Fish and fish habitat**

- 3.1 The Proponent shall implement erosion and sediment control measures during all phases of the Designated Project, including measures for sedimentation catchments downstream of active construction areas.
- 3.2 The Proponent shall comply with the *Metal Mining Effluent Regulations* and subsection 36(3) of the *Fisheries Act* regarding the deposit of effluent to waters frequented by fish from the Designated Project, taking into account the Canadian Council of Ministers of the Environment's *Water Quality Guidelines for Protection of Aquatic Life*. In doing so, the Proponent shall:
- 3.2.1 manage potentially acid generating mine waste to avoid acid generation and metal leaching into the environment;
  - 3.2.2 implement seepage control measures at the tailings management facility;
  - 3.2.3 collect effluent produced by the Designated Project before it is deposited in water frequented by fish; and
  - 3.2.4 treat process water for cyanide prior to directing it into the tailings management facility.
- 3.3 The Proponent shall treat at the polishing pond any effluent produced by the Designated Project prior it is deposited to waters frequented by fish if required to comply with condition 3.2.
- 3.4 The Proponent shall conduct in-water construction activities during timing windows of least risk for the area, unless otherwise agreed to by relevant federal and provincial authorities. If in-water construction activities cannot be conducted during identified timing windows of least risk, the Proponent shall develop and implement additional mitigation measures, in consultation with Fisheries and Oceans Canada, to protect fish during sensitive life-stages.
- 3.5 The Proponent shall, in a manner consistent with the *Fisheries Act*, relocate fish to suitable habitats prior to fish habitat alteration or loss, taking into consideration environmental conditions and lifecycle requirements of the fish species that are relocated.
- 3.6 The Proponent shall design, construct and operate realignment channels and dams in a manner that will maintain fish habitat during all phases of the Designated Project and be consistent with any offsetting plan. In doing so, the Proponent shall maintain fish passage in the realigned channels and the natural channels impacted by the Designated Project, including between Bagsverd Lake and Neville Lake.
- 3.7 The Proponent shall, to the satisfaction of Fisheries and Oceans Canada and Environment and Climate Change Canada, and in consultation with Indigenous groups, develop and implement any plan(s) required to offset the loss of fish and fish habitat associated with the carrying out of all phases of the Designated Project.

3.8 For any fish habitat offset areas proposed in any offsetting plan(s) under condition 3.7 and prior to submitting a plan to Fisheries and Oceans Canada and Environment and Climate Change Canada, the Proponent shall determine whether there are adverse effects:

3.8.1 on migratory birds and their habitats;

3.8.2 on terrestrial species, including amphibians and reptiles, and their habitats;

3.8.3 on listed species at risk and their habitats;

3.8.4 on health and socio-economic conditions ;

3.8.5 on current use of lands and resources for traditional purposes ;

3.8.6 on the flow rates, water depths or water widths that may affect the passage of a vessel, including a vessel used by Indigenous Peoples in the context of their current use of lands and resources for traditional purposes;

3.8.7 on physical and cultural heritage and structure, site or thing of historical, archaeological, paleontological or architectural significance; and

3.8.8 from potential sources of contamination including iron, copper and zinc in the receiving environment.

3.9 The Proponent shall, if there are adverse effects on any of the elements set out in conditions 3.8.1 to 3.8.8 avoid or lessen those effects.

#### **4 Migratory birds**

4.1 The Proponent shall carry out all phases of the Designated Project in a manner that protects migratory birds and avoids harming, killing or disturbing migratory birds or destroying, disturbing or taking their nests or eggs. In this regard, the Proponent shall take into account Environment and Climate Change Canada's *Avoidance Guidelines*. The Proponent's actions in applying the *Avoidance Guidelines* shall be in compliance with the *Migratory Birds Convention Act, 1994* and with the *Species at Risk Act*.

4.2 The Proponent shall control mine site lighting, including direction, timing and intensity, during all phases of the Designated Project, to avoid adverse effects on migratory birds while meeting operational health and safety requirements.

4.3 The Proponent shall develop prior to construction, and implement during all phases of the Designated Project, a follow-up program to determine the effectiveness of the mitigation measures used to avoid harm to migratory birds, their eggs and nests, including the measures used to comply with conditions 4.1 and 4.2.

#### **5 Current use of lands and resources for traditional purposes and socio-economic conditions**

5.1 The Proponent shall maintain ground cover vegetation and use mechanical methods for controlling vegetation along the transmission line right of way during all phases of the Designated Project. In the event that mechanical methods are not practicable or effective to control vegetation, the Proponent shall consult with Indigenous groups on the timing and application of chemical agents.



- 5.2 The Proponent shall undertake progressive reclamation of the habitats impacted by the Designated Project at the mine site by using native species.
- 5.3 The Proponent shall, in consultation with Indigenous groups, other canoe and portage route users, and Transport Canada, establish route alternatives where existing canoe and portage access is adversely affected by the Designated Project, and maintain the alternative routes accessible during all phases of the Designated Project.
- 5.4 The Proponent shall, following consultation with Indigenous groups, and only to the extent that such access is safe, provide access within the property boundary to Indigenous groups for traditional purposes, during all phases of the Designated Project.
- 5.5 The Proponent shall, in consultation with Indigenous groups, develop and implement a follow-up program related to the effects of changes to the environment caused by the Designated Project on harvesting, fishing, hunting or trapping activities for traditional purposes by Indigenous groups, to verify the accuracy of the environmental assessment and to determine the effectiveness of the mitigation measures implemented to address those effects. The Proponent shall implement the follow-up program during all phases of the Designated Project.
- 5.6 In the event that the Proponent has not commenced construction within five years of the date of issuance of this Decision Statement, the Proponent shall, in consultation with Indigenous groups:
  - 5.6.1 determine if there have been any changes to the current use of land and resources for traditional purposes since the issuance of this Decision Statement;
  - 5.6.2 in the event that a change is identified pursuant to condition 5.6.1, determine whether additional adverse environmental effects on the current use of land and resources for traditional purposes will result and determine whether additional mitigation measures are required;
  - 5.6.3 provide the Agency with the analysis carried out in accordance with conditions 5.6.1 and 5.6.2, as well as the results of consultation with Indigenous groups; and
  - 5.6.4 if additional mitigation measures are required pursuant to condition 5.6.2, implement these additional mitigation measures and monitor them as part of the follow-up program identified in condition 5.5.
- 5.7 The Proponent shall develop and implement a communication plan, in consultation with Indigenous groups, in order to keep the Indigenous groups informed of the results of the follow-up program specified in condition 5.5 and of the implementation schedule and any updates or revisions to that schedule, as referred to in conditions 9.1 to 9.3. The Proponent shall begin implementation of the communication plan before the start of the construction phase and end following decommissioning.

## **6 Health of Indigenous Peoples**

- 6.1 The Proponent shall, during all phases of the Designated Project, implement measures to mitigate emissions of fugitive dust and airborne contaminants, including metals from the Designated Project.

- 6.2 Prior to construction of realignment channels and dams, the Proponent shall remove terrestrial vegetation and organic soils in the portion of the south arm of Bagsverd Lake that will be flooded as a result of the Designated Project.
- 6.3 The Proponent shall, prior to construction and in consultation with Indigenous groups, identify measures to deter ungulates and birds from frequenting the tailings management facility and polishing pond, and implement those measures during operation and decommissioning.
- 6.4 In order to verify the accuracy of the environmental assessment and to determine the effectiveness of the mitigation measures identified in conditions 6.1, 6.2 and 6.3, the Proponent shall, in consultation with Indigenous groups, develop and implement a follow-up program related to the health of Indigenous peoples that shall include:
  - 6.4.1 monitoring the air quality for total suspended particulates, particulate matter (PM10), fine particulate matter (PM2.5), nitrogen oxides and hydrogen cyanide, at a minimum at locations where the highest concentrations of these contaminants are expected within areas where navigation and other current use of lands and resources for traditional purposes occur. The Proponent shall use the 24-hour and 1-hour recommended levels of the Canadian Council of Ministers of the Environment's *Canadian Ambient Air Quality Standards* and the *Ontario Ambient Air Quality Criteria* as benchmarks. The Proponent shall conduct this air quality monitoring from the beginning of construction until two years after the start of decommissioning;
  - 6.4.2 monitoring dust deposition rates in areas within the property boundary where traditional plant harvesting occurs, to validate that dust deposition rates do not exceed 40 grams per square metre per year;
  - 6.4.3 monitoring methylmercury concentrations in surface water and fish tissue of northern pike, walleye, lake whitefish or yellow perch in all water bodies where an increase in water level is predicted as a result of the Designated Project, as well as all other water bodies directly connected to realignment channels, to confirm methylmercury levels do not increase. Methylmercury monitoring shall be implemented from the beginning of construction and occur every three years during the construction and operation phases. Starting at the beginning of the decommissioning phase, monitoring shall occur every five years for 25 years; and
  - 6.4.4 monitoring for the presence of ungulates and birds at the tailings management facility and polishing pond during operation and decommissioning.
- 6.5 The Proponent shall, in consultation with Indigenous groups, develop, prior to construction, and implement, during all phases of the Designated Project, a plan for communicating the results of the follow-up program referred to in condition 6.4 to the Indigenous groups. The plan shall include communication of any associated health risks, corrective measures to be taken to further reduce the release of contaminants or the exposure to contaminants referred to in condition 6.4.

**7 Physical and cultural heritage and structure, site or thing of historical, archaeological, paleontological or architectural significance**

- 7.1 The Proponent shall not disturb bald eagle (*Haliaeetus leucocephalus*) nests that are occupied within the Project footprint and shall consult with Indigenous groups pursuant to conditions 2.2 and 2.3 of this Decision Statement prior to removing any unoccupied bald eagle (*Haliaeetus leucocephalus*) nest that the Proponent needs to remove as a result of the Designated Project.
- 7.2 For archaeological remains or artefacts discovered by the Proponent prior to the start of, and during all phases of the Designated Project, the Proponent shall:
- 7.2.1 immediately halt work at the location of the discovery;
  - 7.2.2 have a qualified individual conduct an assessment at the location of the discovery;
  - 7.2.3 inform, forthwith, in writing, Indigenous groups of the discovery; and
  - 7.2.4 comply with any legislative or legal requirements respecting the discovery, recording, transferring, and safekeeping of archaeological remains or artefacts, including the *Ontario Heritage Act* and associated regulations and protocols.
- 7.3 The Proponent shall monitor, during the construction phase, the banks of all water bodies where a decrease in water level is predicted as a result of the Designated Project. In the event that archaeological remains or artefacts are exposed by lower water levels during any phase of the Designated Project, the Proponent shall follow the procedures set out in condition 7.2.
- 7.4 The Proponent shall not undertake any physical activity within 20 metres around the Makwa Point (CjHI-3), Bagsverd Creek 1 (CjHI-27) and Table Point (CjHI-17) archaeological sites during all phases of the Designated Project, unless required to do so to protect the integrity of the sites.

**8 Accidents or malfunctions**

- 8.1 The Proponent shall take all reasonable measures to prevent accidents or malfunctions that may result in adverse environmental effects, including:
- 8.1.1 designing, constructing and operating the retention dams and the tailings management facility dam to accommodate a 1-in-100-year 24-hour rainfall event; and
  - 8.1.2 designing, constructing and operating the tailings management facility dams taking into account the Canadian Dam Association *Dam Safety Guidelines* to withstand a 1-in-1000-year earthquake. The tailings management facility design shall include an emergency spillway to safely route a 1-in-1000 year flood event.
- 8.2 The Proponent shall, prior to construction, consult with Indigenous groups on the measures to be implemented to prevent accidents or malfunctions.
- 8.3 The Proponent shall, prior to construction and in consultation with relevant federal and provincial authorities and Indigenous groups, develop an emergency response plan in relation to the Designated Project.

8.4 In the event of an accident or malfunction with the potential to cause adverse environmental effects, the Proponent shall implement the emergency response plan referred to in condition 8.3 and shall:

8.4.1 notify relevant federal and provincial authorities and Indigenous groups of the accident or malfunction as soon as possible and, in writing, the Agency;

8.4.2 implement immediate measures to mitigate any adverse environmental effects associated with the accident or malfunction;

8.4.3 submit a written report to the Agency no later than 30 days after the day on which the accident or malfunction took place. The written report shall include:

8.4.3.1 a description of the accident or malfunction and of its adverse environmental effects;

8.4.3.2 the measures that were taken by the Proponent to mitigate the adverse environmental effects of the accident or malfunction;

8.4.3.3 any views received from relevant federal and provincial authorities and Indigenous groups with respect to the accident or malfunction, its adverse environmental effects or measures taken by the Proponent to mitigate adverse environmental effects;

8.4.3.4 a description of any residual adverse environmental effects, and any additional measures required by the Proponent to mitigate residual adverse environmental effects; and

8.4.3.5 details concerning the implementation of the emergency response plan referred to in condition 8.3.

8.4.4 submit a written report to the Agency no later than 90 days after the day on which the accident or malfunction took place, on the changes made to avoid a subsequent occurrence of the accident or malfunction, and on the implementation of any additional measures to mitigate residual adverse environmental effects taking into account the information in the written report submitted pursuant to condition 8.4.3.

8.5 The Proponent shall develop and implement a communication plan in consultation with Indigenous groups. The communication plan shall be developed prior to construction and shall be implemented and maintained up to date during all phases of the Designated Project. The plan shall include:

8.5.1 the types of accidents or malfunctions requiring a notification by the Proponent to the respective Indigenous groups;

8.5.2 the manner by which Indigenous groups shall be notified by the Proponent of an accident or malfunction and of any opportunities for the Indigenous groups to assist in the response to the accident and malfunction; and

8.5.3 the contact information of the representatives of the Proponent that the Indigenous groups may contact and of the representatives of the respective Indigenous groups to which the Proponent provides notification.

**9 Implementation schedule**

- 9.1 The Proponent shall submit an implementation schedule for conditions contained in this Decision Statement to the Agency, or anyone designated pursuant to section 89 of the *Canadian Environmental Assessment Act, 2012*, at least 30 days prior to the start of construction. The implementation schedule shall indicate the commencement and completion dates for each activity relating to conditions set out in this Decision Statement.
- 9.2 The Proponent shall submit an update to this implementation schedule in writing to the Agency, or anyone designated pursuant to section 89 of the *Canadian Environmental Assessment Act, 2012*, every two years on or before June 30, until completion of the activities.
- 9.3 The Proponent shall provide the Agency, or anyone designated pursuant to section 89 of the *Canadian Environmental Assessment Act, 2012*, with a revised implementation schedule if any material change(s) occur from the initial schedule referred to in condition 9.1 or any subsequent update(s). The Proponent shall provide the revised implementation schedule at least 30 days prior to the implementation of the change.

**10 Record keeping**

- 10.1 The Proponent shall maintain all records relevant to the implementation of the conditions set out in this Decision Statement, including any records that the Agency or anyone designated pursuant to section 89 of the *Canadian Environmental Assessment Act, 2012* may consider relevant. The proponent shall provide the aforementioned records to the Agency, or anyone designated pursuant to section 89 of the *Canadian Environmental Assessment Act, 2012*, upon demand within a timeframe specified by the Agency or the designated person.
- 10.2 The Proponent shall retain all records referred to in condition 10.1 at a facility in Canada. The records shall be retained and made available throughout construction and operation, and until the end of decommissioning of the Designated Project. The Proponent shall notify the Agency at least 30 days prior to any change to the physical location of the facility where the records are retained, and shall provide the address of the new location.

**Issuance**

This Decision Statement is issued in Ottawa, Ontario by:

<Original signed by>

\_\_\_\_\_  
**The Honourable Catherine McKenna**

Minister of the Environment

April 13, 2016

Date \_\_\_\_\_