

2. INFORMATION DISTRIBUTION AND CONSULTATION

2.1 INTRODUCTION

HD Mining International and its predecessors (the Proponent) has engaged with Aboriginal groups, government agencies, local governments, stakeholders and the public about the proposed Murray River Underground Coal Project (the Project) since 2009. This engagement includes Proponent-led engagement as well as Aboriginal groups' and public participation in the federal and provincial environmental assessment (EA) processes. Engagement activities were undertaken to: 1) provide information about the proposed Project; 2) provide opportunities to identify issues, concerns and interests related to the Project; and 3) inform the identification of Valued Components (VC) and measures to avoid or mitigate potential adverse effects of the Project.

This chapter identifies engagement activities undertaken with government agencies (Section 2.3), Aboriginal groups (Section 2.4), and the public, stakeholders and local governments (Section 2.5) prior to the Proponent's submission of an Application for an Environmental Assessment Certificate (Application)/Environmental Impact Statement (EIS) to the British Columbia Environmental Assessment Office (BC EAO) and Canadian Environmental Assessment Agency (CEA Agency). The report also identifies engagement activities proposed for the Application/EIS review stage. Appended to the Application/EIS are tables documenting engagement activities with government agencies (Appendix 2-B), Aboriginal groups (Appendix 2-D), and the public (Appendix 2-F). Summaries of issues, concerns and interests raised during engagement and the Proponent's responses are appended for government agencies (Appendix 2-C), Aboriginal Groups (Appendix 2-E), and the public (Appendix 2-F). Copies of materials used during engagement activities are also appended (Appendix 2-A).

2.2 REGULATORY CONTEXT

The BC *Environmental Assessment Act* (2002), Public Consultation Policy Regulation (BC Reg. 373/2002) sets out public consultation requirements for the BC EA process, including providing public notice, ensuring access to information, and establishing public comment periods. The section 11 Order for the proposed Project, issued on December 14, 2012 pursuant to the BC *Environmental Assessment Act* (2002), specifies public and First Nation engagement requirements pertaining to the proposed Project (see Part G and H of the section 11 Order). The section 11 Order requirements for First Nations consultation during the pre-Application/pre-EIS stage include:

- develop a First Nations Consultation Plan for the approval of the Project Assessment Lead (section 10.2);
- provide a summary of consultations, issues raised, how those issues were resolved, and a proposal for resolution of outstanding issues (section 10.5);
- forward materials under section 10.5 to First Nations for review and comment before submitting the Application/EIS (section 10.6);

- forward materials under sec. 10.5 to the BC EAO for review a minimum of 30 days before submitting the Application/EIS (section 10.7); and
- undertake further consultation as instructed by the BC EAO (section 10.8).

In addition to consultation requirements described above, Part F of the section 11 Order provides for Aboriginal participation in the Application/EIS review process through membership in the Murray River Project Working Group (the Working Group). Members of the Working Group include federal and provincial government agencies, Aboriginal groups and local governments. The Proponent is not a formal member of the Working Group but has participated in all Working Group meetings.

Section 11 Order requirements for public consultation during the pre-Application/pre-EIS stage include:

- develop a Public Consultation Plan to the satisfaction of the Project Assessment Lead (section 13.1);
- respond to issues identified in comments submitted by the public during the formal comment period (section 13.4);
- provide a summary of consultations, issues raised, how those issues were resolved, and a proposal for resolution of outstanding issues (section 13.5);
- forward materials under section 13.5 to the BC EAO for review a minimum of 30 days before submitting the Application/EIS (section 13.6);
- undertake further consultation as instructed by the BC EAO (section 13.7); and
- by means of newspaper advertisements, radio announcements or other means, provide notice, at least seven days prior to the event, of: the availability of the draft Application Information Requirements for public review and comment, and the time limits for the formal public comment period (section 15.1.1); and the date, time and location of any open houses held in respect of the Project (section 15.1.3).

The *Canadian Environmental Assessment Act, 2012* (CEAA, 2012) promotes communication and cooperation with Aboriginal peoples with respect to environmental assessments (section 4[d]) and ensures that opportunities are provided for meaningful public participation during an environmental assessment (section 4[e] and section 24). Under the Act, the CEA Agency is required to post notice of the commencement of the environmental assessment (section 17), any order made on its internet site (section 14[6]), and any public notice to request participation of the public (section 79 [2][a]). Support for the participation of Aboriginal groups and the public is provided under the Participant Funding Program (section 58).

The CEA Agency posted the Project Description on April 15, 2013 for a 20-day public comment period and draft Environmental Impact Statement Guidelines (EIS Guidelines) on May 31, 2013 for a 30-day public comment period. The CEA Agency issued final EIS Guidelines on July 30, 2013. The EIS Guidelines require the Proponent to engage with Aboriginal groups that may be affected by the Project or that have potential or established Aboriginal and Treaty rights and related interests in the Project area (section 2.3). This requirement includes providing relevant information that allows

Aboriginal groups to understand the Project and to determine its impacts on their rights and interests (sections 2.3 and 9.2). The EIS guidelines instruct the Proponent to provide the public with current information about the Project (section 2.2). Pursuant to CEAA, 2012, the Proponent is required to integrate Aboriginal and public consultation outcomes (section 19[1][c]), including community and Aboriginal traditional knowledge (section 19[3]), into the effects assessment.

2.3 GOVERNMENT AGENCIES

This section describes the engagement activities undertaken by the Proponent with provincial and federal government agencies during the pre-Application/pre-EIS stage¹. The Proponent engaged with government agencies during permitting of the bulk sample and baseline studies. Government agencies reviewed the results of baseline studies, sought technical advice, and responded to questions. Subsequent to the BC EAO's issuance of the section 10 Order, the BC EAO established the Project Working Group. Provided below is a summary of working group meetings, key discussions and issues raised by government agencies, and how the Proponent has considered the input of government agencies. The engagement record with government agencies is located in Appendix 2-B.

2.3.1 Government Agencies

The Proponent engaged with the following provincial and federal government agencies during the pre-Application/pre-EIS stage:

- BC EAO;
- BC Ministry of Environment (BC MOE);
- BC Ministry of Energy and Mines (BC MEM);
- BC Ministry of Forests Lands and Natural Resource Operations (BC MFLNRO);
- BC Ministry of Transportation (BC MOT);
- BC Ministry of Jobs, Tourism and Skills Training (BC MJTST);
- CEA Agency;
- Environment Canada;
- Fisheries and Oceans Canada (DFO);
- Health Canada;
- Natural Resources Canada; and
- Transport Canada.

¹ Engagement activities undertaken with local governments are described in Section 2.5.

2.3.2 Pre-Application Engagement Activities

2.3.2.1 Murray River Project Working Group

The BC EAO established the Murray River Project Working Group in August 2012. Members of the Working Group include representatives from provincial and federal government agencies, local government and First Nations (see Section 2.4.3.9 for a discussion of First Nations' participation in the Working Group). The Proponent is not a member of the Working Group but is invited to meetings to present information, and respond to questions, on the Project. The BC EAO organized the first Working Group meeting on October 2, 2012 in Tumbler Ridge. At the meeting, the BC EAO and CEA Agency presented an overview of the provincial and federal EA processes, and the Proponent presented an overview of the Project, environmental baseline study program and consultation program. This was followed by a review of the draft Application Information Requirements.

At the meeting, government agencies requested clarification of a number of Project details, including: the coarse coal rejects and the coal handling facilities; expected discharge rate of underground water; the gas pipeline to feed the plant; the river crossing alignment of the conveyor; the ventilation system; subsidence; and data sharing with other companies operating in the area. Government agencies also requested further information regarding environmental baseline studies, including: metal leaching / acid rock drainage (ML/ARD) information from the partings between the coal seams and from the gob; locations of hydrogeological wells; VC selection with respect to fisher, American marten, elk and moose; noise studies; coal dust studies; liberation of methane from coal; and flow rates and paths from the north site sediment pond discharge into M20 Creek. The Proponent supplied government agencies with further explanation and details during the meeting and committed to supplying further information following the meeting.

The BC EAO raised the topic of temporary foreign workers for discussion. The Proponent noted that there is an expected shortfall of workers in the mining industry, that BC does not have skilled underground longwall miners, and that the Proponent had received a positive Labour Market Opinion from the federal government to employ 201 temporary foreign workers for the next two years. The Proponent noted that it has committed to a 10-year training and transition plan to transfer the skills of the temporary foreign workers to local Canadians once HD has approval for the full mine to proceed.

BC MEM highlighted potential issues associated with water quality and load coming out of the sediment pond and water coming out of the underground. CEA Agency noted that groundwater quality can affect stream habitat for fish. The Proponent noted that hydrogeological modeling will address this by assessing return flows to streams.

BC MOE indicated a concern about the siting of the overland conveyor and whether the Proponent could use Teck's existing conveyor. The Proponent noted that it had engaged in discussions with Teck but had not been able to arrive at a viable solution.

The Proponent organized a site visit for the Working Group on October 3, 2012. Attendees included:

- Jody Shimkus, HD Mining;

- Jin Zhang, HD Mining;
- Jason Rempel, Rescan;
- Anne Currie, Rescan;
- Korina Houghton, Rescan;
- Zoltan Fabian, CEA Agency;
- Carmen Marshall, Saulteau First Nations (SFN);
- Robert Publicover, SFN;
- Deborah Prince, McLeod Lake Indian Band (MLIB);
- Eran Spence, BC MLIB
- Barb Beyer, BC MOE;
- Stephanie Haight, BC MFLNRO;
- Julie Orban, BC MOE;
- Mike Peterson, BC EAO;
- Felice Griffiths, BC EAO;
- Ed Taje, BC MEM; and
- Megan Watters, BC MFLNRO.

The Working Group held a second meeting on November 6, 2013. The Proponent provided updates on Project activities, environmental baseline studies, and the mine development plan. Discussion topics included: atmospherics; surface water and fish; and social and land use effects. During the meeting, the Proponent committed to: discuss potential explosives use with MEM and NRCan; arrange site visits for WG members who have not visited the site; provide a preliminary subsidence assessment; provide a map of overlapping tenures; provide information about the distance between the Project footprint and existing pipelines; provide information with respect to wells, drill holes and pillar design; examine whether any tributaries could be buried by the coarse coal rejects facility; demonstrate how methane production is addressed and mitigated in the AIR.

On November 22, 2013, a Technical Sub-Working Group meeting was held on fish and fish habitat. The Proponent provided an overview of the Project overview and baseline data collection to date (water quality, aquatics, and fish), focusing on the Murray River, M19, M17, M20 creeks. Preliminary results of data analysis (e.g., bathymetry of Murray River, fish habitat observations) were also presented. During the meeting, the Proponent committed to: ensure that all modelling takes into account the wide range of flow conditions in the Murray River and adheres to guidelines; review information for M17B Creek to determine habitat ratings; correct creek/tributary labelling on maps; include Arctic grayling as a VC or provide a rationale for not doing so; provide account of local ecology for focal fish species; and provide the degree of development upgradient to the reference site on Club Creek.

On December 19, 2013, the Proponent met with BC MEM, Environment Canada, CEA Agency, and NRCan to review the geochemistry results, including the geochemistry of coarse coal rejects and tailings samples. The government agencies asked for clarification on: the number of active mining faces; coal transportation to the processing area; humidity cell testing; tailing samples; selenium content; geochemical characteristics; use of regional data; location for material from the under-river decline; and terrain stability. The Proponent provided the requested information. Government agencies noted a number of topics that need to be addressed in the Application/EIS, including: the need to have an understanding of the amount of waste rock; the need to ensure that the proposed cover plan is appropriate for additional materials from under-river decline construction; measures to avoid metal leaching or acidic conditions at waste rock dump; and concerns regarding selenium leaching. The Proponent committed to address these issues in the Application/EIS.

2.3.2.2 *Application Information Requirements*

Draft Application Information Requirements (dAIR) were provided to the Working Group on September 26, 2012 (for review during the October 2, 2012 Working Group meeting). The BC EAO, BC MJTST, BC MEM, BC MOE, BC MFLNRO, Northern Health, WMFN, and SFN provided comments on the dAIR. The Proponent tracked the comments and revised the dAIR accordingly. BC EAO, BC MEM, and BC MOE provided further comments on the revised dAIR. The Proponent tracked these comments and revised the dAIR accordingly. The dAIR was posted on the BC EAO e-PIC website on May 15, 2013 and a 30-day public comment period was held on the dAIR from May 21, 2013 to June 20, 2013. Comments on this version of the dAIR were provided by Health Canada, Transport Canada, Environment Canada, Northern Health, as well as the third-party reviewer for First Nations (see Section 2.4.3.9). The Proponent tracked the comments and revised the dAIR accordingly. The final AIR was issued by the BC EAO on September 3, 2013 and posted to the BC EAO e-PIC website.

2.3.2.3 *Individual Meetings and Correspondence*

In addition to Working Group meetings, the Proponent met and corresponded with provincial and federal government agencies on the environmental and socio-economic baseline programs.

- August 8, 2013: The Proponent held a teleconference with CEA Agency representatives to review the final EIS Guidelines.
- September 5, 2013: The Proponent held a teleconference with CEA Agency, Environment Canada, BC EAO, BC MOE and BC MFLNRO to present the groundwater model for discussion and feedback.
- January 16, 2014: The Proponent met with CEA Agency representatives to discuss federal requirements regarding section 5 of CEAA, 2012.
- March 10, 2014: The Proponent held a teleconference with BC EAO and BC MFLNRO to discuss BC MFLNRO comments regarding the groundwater information provided by the Proponent to date.
- June 11, 2014: The Proponent met with BC MEM to discuss geochemical characterization and source terms for water quality modelling.

The Proponent also engaged with government agencies during the collection of socio-economic and land use baseline information. On June 13, 2012, the Proponent conducted a socio-economic interview with BC MOE. The Proponent conducted land use interviews with representatives of BC MFLNRO on June 22, 2012 and July 12, 2012 and with MOE on July 13, 2012. The results of these interviews are discussed in the *Murray River Coal Project 2013 Socio-economic Baseline Report* (Rescan 2013f) and the *Murray River Coal Project 2013 Non-traditional Land and Resource Use Baseline Report* (Rescan 2013e) and in Chapter 15: Assessment of Social Effects and Chapter 16: Assessment of Land Use Effects of the Application/EIS.

2.3.3 Issue Identification and Responses

Meetings and correspondence with provincial and federal government agencies yielded an understanding of government agencies' Project-related issues, concerns and interests. All concerns and issues raised during the review of the dAIR were tracked and resolved prior to the submission of the final AIR. Key concerns arising during the review of the dAIR and other government agency-raised issues, and the Proponent's responses, are summarized in Appendix 2-C.

CEA Agency, BC MOE, BC MEM raised concerns about the potential effects of the project on water quality. Water management is a key factor in the Project's basic engineering design. Substantial effort has been invested to develop Project infrastructure that minimizes reliance upon, or potential effects to, local water sources. This includes recycling water in the processing plant and constructing clean water diversion. Mitigation of the effects of mine construction, operation and closure will include (where appropriate):

- diversion of water around construction areas;
- application of erosion and sediment control measures to minimize the concentration and channelization of water over disturbed areas;
- ditching and sedimentation ponds around stockpile areas to attenuate peak flows before water is re-introduced to local waterways; and
- regular inspection of water management infrastructure to ensure continued function.

Potential effects of the Project on water quality and mitigation measures are further described Chapter 8 (Assessment of Surface Water and Aquatic Environment Effects).

BC MEM and BC MOE raised concerns about the potential effects of the Project on water quality due to underground seepage. Water management is a key factor in the Project's basic engineering design. Drilling programs and hydrogeologic testing have been completed in areas of proposed mining and surface infrastructure. This information has formed the basis of the development of a 3-D groundwater model as a tool to support mine planning. Estimates from the groundwater model have been incorporated into water quality modelling over the life of the mine and through closure help ensure the Project will minimize reliance upon, or potential effects to, local water sources. Potential effects of the Project on groundwater and mitigation measures are further described in Chapter 7 (Assessment of Groundwater Effects).

BC MEM raised ML/ARD as a topic of concern. The ML/ARD characterization is based on MOE's Environmental Code of Practice for Metal Mines, sections 3 and 4 and part 10 of the Health, Safety and Reclamation Code for Mines in British Columbia (BC MEMPR 2008), which contain guidance and requirements for ARD and ML/ARD prediction, prevention and reporting. ML/ARD prediction, prevention and mitigation in British Columbia are further guided by the following documents:

- Policy for Metal Leaching and Acid Rock Drainage in British Columbia (BC MEM and BC MELP 1998);
- Guidelines for Metal Leaching and Acid Rock Drainage at Mine sites in British Columbia (Price and Errington 1998);
- List of Potential Information Requirements in Metal Leaching/Acid Rock Drainage Assessment and Mitigation Work (Price 2005); and
- Prediction Manual for Drainage Chemistry from Sulphidic Geologic Materials (Price 2009).

Environment Canada raised a concern about the potential effects of the Project on the Quintette caribou herd. The Project design will minimize wildlife habitat effects by creating a small footprint, utilizing already disturbed land, and using existing access roads. Over the course of Project design, the Proponent chose to make a substantial change from an approximately 4-kilometre (km) overland conveyor that would cross the Murray River to a second underground decline under the Murray River. This change will reduce the potential effects to wildlife mobility associated with linear developments, fish habitat, and archaeological sites. The Project will minimize direct interaction with wildlife by: adhering to wildlife sensitive periods, guidelines and recommended minimum target buffer distances for important species and sensitive wildlife habitats; controlling traffic to avoid collisions with wildlife; minimize attractants; and enforcing a no hunting policy for employees and contractors. Potential effects of the Project on wildlife and mitigation measures are further described in Chapter 13 (Assessment of Wildlife Effects).

BC EAO raised the issue of temporary foreign workers and related social, economic, and health issues. The Proponent has invested \$15 million to develop worker housing in Tumbler Ridge. The Proponent is providing worker housing in Tumbler Ridge for the Murray River Project at no cost to the temporary foreign workers. The Proponent will provide temporary foreign workers with English language training. In addition, the Proponent will provide new temporary foreign workers with an information package about Tumbler Ridge and the surrounding region that will include information about community services, associations, and activities. The Proponent will also actively seek to sponsor community events that serve to bring temporary foreign workers together with Tumbler Ridge residents. Further information about the effects of the Project on health care and proposed mitigation measures is located in Chapter 15 (Assessment of Social Effects).

Transport Canada raised concerns about the potential effects of the Project on navigable waters. The waters identified to be affected by the Project are not included in the *Navigation Protection Act's* (1985) Proposed List of Scheduled Waters. Out of a total of 19 stream reaches and crossings assessed for the Project, seven were found to be minor works based on the data available. The result of the assessment of the navigability of non-minor waters utilizing criteria established through common law is that only the Murray River was found to be navigable. This report concludes that based on the

data available and presented, the common law right of navigation is not likely to be infringed upon on any of the waters identified as interacting with Project components. Potential effects to navigation are addressed in Chapter 16 (Assessment of Land Use Effects).

BC EAO and BC MOE raised concerns about issues resulting from land use tenure overlap. The Proponent will engage in discussions with potentially affected PNG tenure holders on issues regarding overlap.

The Project could affect wind power companies due to potential subsidence affecting the placement of wind towers (timing or location). Finavera has not yet initiated construction of the Tumbler Ridge Wind Power Project. There is potential for wind towers to be located on top of underground mining within the longwall exclusion zone. The environmental assessment (EA) certificate (E12-01) issued for the Tumbler Ridge Wind Power project includes the following condition:

“To minimize potential conflicts and disruptions to forestry, oil and gas and coal operations, three months in advance of the anticipated commencement of construction date, the Proponent must identify forestry, oil and gas and coal tenure holders whose tenures overlap with the Project Area, and provide final shape files of the Project layout and the proposed construction schedule with proposed road closures/ traffic use identified, as well as the expected date of operation. The Proponent must request written confirmation of any concerns from these tenure holders. The Proponent must report to EAO the results of these consultations one month prior to the anticipated commencement of construction date.” Based on the EA certificate condition, Finavera is required to consult HD Mining before it initiates construction of the project. This consultation would provide Finavera and HD Mining with an opportunity to discuss options for avoiding subsidence effects. Effects from subsidence on this tenure are not assessed any further.

The Project could affect existing infrastructure for other tenure holders due to subsidence. The Proponent has designed the Project to include a Longwall Exclusion Zone - a horizontal buffer designed to protect existing infrastructure. Where infrastructure exists outside of the Longwall Exclusion zone that may be affected by subsidence, the Proponent will engage with tenure holders to identify acceptable mitigation measures. Further discussion about land use effects is contained in Chapter 16 (Assessment of Land Use Effects).

BC MJTSD raised a concern about the potential effects of the Project on recreational trails. There are no hiking trails within the vicinity of the Project. The public will continue to be able to access the Mt. Herman, Barbour Falls and Nesbitt’s Knee Falls trails from the Murray River Forest Service Road and other roads in the Project area. No impacts on these trails are anticipated.

Project noise and changes to visual characteristics are not anticipated to adversely affect trail users. Potential noise effects from the Project will be mitigated by:

- reducing vehicle speeds to 50 km/hour near communities (i.e., Tumbler Ridge);
- adhering to a vehicle maintenance program;
- following maintenance procedures and schedules provided by vehicle manufacturers;
- using vehicle noise suppression technologies where possible;

- avoiding the use of engine brakes, reversing alarms, horns, whistles, and bells near communities; and
- providing noise awareness training for Project transportation personnel.

Measures to mitigate visual quality effects are as follows:

- Tree buffers will be maintained on either side of the Murray River Forest Service Road, where possible.
- Tree buffers will be maintained around major infrastructure when infrastructure is potentially in view of land user areas, where possible.
- Non-essential roads and infrastructure will be reclaimed and re-vegetated during closure.

BC MJTSD also raised a concern about potential effects of the Project on water-based recreation. The bridge across the Murray River near the Project is used as a launching point for recreational boaters; however, access to the Murray River will not be affected by the Project. Jet boat tours and recreational canoeing and river boating along the Murray River should see no effects from a change in access. No effects to water-based activities are anticipated.

Health Canada raised concerns about potential effects of the Project on air quality, noise, drinking water, country foods, and the transportation and storage of dangerous goods. Based on the air quality model results, no risks to human health is expected due to Project-related changes in air quality. Potential noise effects will be mitigated by the measures discussed above. Based on the water quality model results, no risks to human health are expected due to Project-related changes in water quality. A baseline country foods screening level risk assessment was undertaken to assess the risk to consumers of country foods due to incidental consumption of metals present in country foods. No risks to human health were identified in the baseline country foods assessment from the consumption of representative country foods (moose, snowshoe hare, grouse, trout, whitefish, and berries). Potential effects of the Project on human health and mitigation measures will be further described in the Chapter 18 (Assessment of Health Effects).

2.3.4 Engagement Planned during the Application/EIS Stage

Engagement with government agencies during the Application/EIS review stage will conform to the requirements of the section 11 Order and CEAA, 2012 requirements. Copies of the Application/EIS have been distributed to government agency representatives in accordance with the direction provided by the BC EAO and the CEA Agency. During the Application/EIS review stage, the Proponent will:

- within any time limits set by the BC EAO, respond to issues that are identified in comments submitted by federal, provincial, and local government agencies during the review of the Application/EIS (per section 9.3 of the section 11 Order);
- where requested by, and within any time limits set by the BC EAO, provide specified additional information in relation to, or to supplement, the information provided in the Application/EIS (per section 16.1 of the section 11 Order);

- attend working group meetings organized by the BC EAO and CEA Agency to provide information and respond to questions related to the Application/EIS (per section 9.2 of the section 11 Order); and
- prepare a table that tracks issues raised by government agencies and local government on the Application/EIS and responses to those issues.

2.3.5 Process to Resolve Outstanding Issues

Based on issues and concerns raised by government agencies during the Application/EIS review, and based on input from government agencies, the Proponent will consider other measures to respond to issues and concerns raised by government agencies. The Proponent will attempt to resolve any outstanding issues in a timely manner by:

- consulting with government agencies as outlined in Section 2.3.4;
- obtaining additional information as necessary (either from the agency raising the issue, and/or from experts who can provide technical expertise on the issue where needed);
- proposing a new or revised response to the agency who raised the issue that is still outstanding and checking with the agency to determine whether the issue has been sufficiently addressed;
- If the issue is not perceived to be adequately addressed, taking further actions as needed (e.g., meeting with the agency if required) to discuss the issue; and
- reporting back to the agency on the status of the issue.

2.4 ABORIGINAL GROUPS

The Proponent has engaged with Aboriginal groups since November 2009 through written Project notification, face-to-face meetings with Band Councils and staff, correspondence, community information sessions, and site visits and by seeking input on key EA documents (draft Application Information Requirements, draft First Nations Consultation Plan, proposed Valued Components). First Nations engagement activities have been conducted according to the First Nations Consultation Plan (Rescan 2013b), approved and posted by the BC EAO on the e-PIC website on October 8, 2013.

In accordance with section 10.6 of the section 11 Order, the Proponent provided a draft of the information contained in this chapter to Aboriginal groups for their review and comment prior to submission. SFN and the third-party reviewer working on behalf of West Moberly First Nations (WMFN), SFN, and the McLeod Lake Indian Band (MLIB) provided comments. Copies of Aboriginal groups' comments are located in Appendix 2-A.

In accordance with section 10.7 of the section 11 Order, the Proponent provided a draft of the information contained in this chapter to the BC EAO more than 30 days prior to submission. The following sections describe: potentially affected Aboriginal groups; the First Nations Consultation Plan; pre-Application/pre-EIS Aboriginal engagement activities; issues and concerns arising through engagement and the Proponent's responses; and planned Aboriginal engagement during the Application/EIS stage.

2.4.1 Potentially Affected Aboriginal Groups

The BC EAO's section 11 Order (recital "H") specifies that the proposed Project lies in (or is in the vicinity of) the traditional use territories of the WMFN, SFN, and McLeod Lake Indian Band (MLIB). The section 11 Order delegates procedural aspects of engagement with these First Nations to the Proponent.

In addition to the Aboriginal groups identified by the section 11 Order, CEA Agency's EIS Guidelines (sec. 9.2) requires the Proponent to hold meetings with, provide information to, and collect the views of the Blueberry River First Nations (BRFN) and Horse Lake First Nation (HLFN). The EIS Guidelines identify additional Aboriginal groups to whom the Proponent is required to provide information and from whom the Proponent is required to solicit views with respect to the proposed Project. Additional Aboriginal groups include: Doig River First Nation (DRFN); Fort Nelson First Nation (FNFN); Halfway River First Nation (HRFN); Prophet River First Nation (PRFN); Kelly Lake Métis Settlement Society (KLMSS); and Métis Nation British Columbia (MNBC). Subsequent to the issuance of the EIS Guidelines, the CEA Agency brought in Sucker Creek First Nation at the low end of the consultation spectrum based on the First Nation's assertion that their Treaty 8 rights and related interests may be affected by the Project.

In accordance with the CEA Agency's direction to engage with the first five Aboriginal groups on the high end of the consultation spectrum, this section describes consultation activities and results with the WMFN, SFN, MLIB, BRFN and HLFN in detail, while describing consultation activities and results for all 12 Aboriginal groups in general terms. Background information on each Aboriginal group is provided in Chapter 20: Assessment of Aboriginal and Treaty Rights and Related Interests.

2.4.2 First Nations Consultation Plan

Section 10.2 of the section 11 Order states:

For the purposes of the section 10.1, the Proponent must, within timelines established by the Project Assessment Lead, develop a First Nations Consultation Plan for the approval of the Project Assessment Lead. The First Nations Consultation Plan will describe how the Proponent intends to consult the First Nations during the Pre-Application and Application Review stages of the assessment. The Proponent must seek advice from First Nations on the appropriate means of consultation when developing this plan.

Section 10.3 of the section 11 Order states:

Prior to submitting the First Nations Consultation Plan to the Project Assessment Lead for review and approval, the Proponent must provide the draft Plan to First Nations for review and comment.

The Proponent provided a draft of the First Nations Consultation Plan to West Moberly First Nations, Sauteau First Nations, and the McLeod Lake Indian Band for their review and comment on December 13, 2012. Sauteau First Nations provided the following comments on the draft plan on December 18, 2012:

- include consideration for First Nations' timeframes and schedules;
- it should be noted that Kelly Lake Cree Nation consists of over 70 Saulteau members that utilize the area; and
- include an email between SFN and the Proponent regarding training opportunities and concerns with temporary foreign workers to the consultation log.

The Proponent amended the First Nations Consultation Plan in accordance with the first and third bullets. The Proponent considered the information provided in the second bullet. West Moberly First Nations and the McLeod Lake Indian Band did not provide comments on the First Nations Consultation Plan.

The First Nations Consultation Plan (Rescan 2013b) directs the Proponent to engage in the following activities during the pre-Application/pre-EIS stage:

- discuss EA capacity support with First Nations (Section 2.4.3.2 of this report);
- review First Nations' comments on the dAIR (Section 2.4.3.9 of this report);
- attend Working Group meetings organized by the BC EAO and CEA Agency to provide information related to the Application/EIS and respond to questions on the Application (Section 2.4.3.9 of this report);
- conduct, review and/or support traditional knowledge and traditional land use studies as appropriate for each First Nation (Section 2.4.3.5 of this report);
- collect socio-economic and non-traditional land use information for First Nations in support of baseline studies (Section 2.4.3.6 of this report);
- by mutual agreement, arrange consultation meetings with First Nations (Section 2.4.3.1 of this report) to:
 - identify any specific Aboriginal interests which may be potentially affected by the Project, as identified in: Aboriginal interest and use studies; traditional use studies; or other sources of information; and
 - develop measures to avoid or mitigate potential adverse effects and/or to otherwise address or mitigate First Nations' concerns;
- review First Nations' comments after the screening of the Application/EIS (to be undertaken after Application/EIS screening is complete);
- identify, compile, and track issues raised by First Nations in baseline studies, meetings, comments and correspondence (Section 2.4.3.7 and Appendix E of this report);
- discuss First Nations issues and interests with third-party technical reviewer (Section 2.4.3.8 of this report);
- within time limits set by the BC EAO, provide a written report to First Nations and the BC EAO on the results of the consultation activities with First Nations (this report);
- implement additional measures for First Nations consultations and accommodations as required by the BC EAO (to be specified); and

- undertake further consultations with First Nations as directed by the BC EAO (to be specified).

2.4.3 Engagement Activities during the Pre-Application/Pre-EIS Stage

The following sections describe pre-Application/pre-EIS submission engagement activities undertaken with Aboriginal groups. Appendix 2-D presents communication activities undertaken with each Aboriginal group.

2.4.3.1 Meetings and Correspondence

Upon acquiring the Murray River coal property in 2009, the Proponent met with the Chiefs and Councils of the WMFN, SFN and MLIB. The initial meetings were held to introduce the Proponent, describe the proposed Project, and listen to Aboriginal groups' initial views, concerns, and engagement preferences. Subsequent to CEA Agency's issuance of the EIS Guidelines in 2013, the Proponent met with the Chiefs and Councils of the BRFN and HLFN. All meetings included an oral presentation of the proposed Project, including its purpose, location, expected output, mine life and employment and procurement needs. The Proponent answered questions related to the proposed Project and emphasized its commitment to the engagement process. In addition to asking questions about the proposed Project, the Aboriginal Groups described their preferred engagement approach and initial interests and concerns.

From these initial meetings, the Proponent has continued to meet with Aboriginal groups (Chief and Council and/or land use departments) to provide Project updates and discuss a variety of topics, including:

- agreements and protocols;
- issues, concerns, and interests;
- environmental baseline studies;
- traditional knowledge and land use studies;
- third-party review of environmental studies;
- letters of support;
- employment;
- education and training opportunities; and
- funding opportunities.

In addition to face-to-face meetings, the Proponent corresponded with the Aboriginal groups via letter, email, and telephone. Primary topics addressed through correspondence include:

- Project updates;
- information requests and provision;
- funding requests;

- agreements and protocols;
- environmental baseline studies;
- employment opportunities;
- education opportunities; and
- letters of support.

In May 2013, the Proponent informed WMFN, SFN, and the MLIB of its application for the discharge of treated effluent in connection with the bulk coal sample program, pursuant to the BC *Environmental Management Act*. The Proponent followed notification with telephone calls to ensure that they received a copy of the application and to determine whether they had any issues or questions. No issues or questions were provided by the Aboriginal groups to the Proponent. Comments from the three First Nations were submitted to the BC MOE on August 14, 2013. The First Nations outlined the following concerns:

- the proposed discharge has the potential to significantly affect the Murray River and other watercourses;
- discharge of contaminated water from the Murray River bulk sample program may also contribute cumulatively to the effects of other developments in the watershed;
- the effects from discharge of contaminants needs to be well-understood and monitoring must be undertaken to ensure that the proposed treatment will succeed in mitigating effects;
- why have contaminants other than total suspended solids under “Contaminants or Parameters in the Discharge” not been indicated in the permit application?; and
- the permit application does not provide complete descriptions of “Characteristics of the Receiving Environment” or “Land Use/Ambient Guidelines”.

BC MOE responded to the three First Nations by letter on August 19, 2013. The letter addressed the First Nations’ concerns with the following points:

- the application is for permit discharges associated with the bulk coal sample program which was previously authorized by temporary approval;
- the permit will be restricted to the bulk sample operation only;
- the monitoring program for the bulk sample program will require regular monitoring for the pond discharges, pond sediment, and several Murray River and Murray River tributary water quality stations;
- contaminants were measured in the ponds rather than in the receiving environment, and concentrations will be sufficiently diluted by flows in M20 Creek and Murray River to levels below BC water quality guidelines; and
- contaminants other than total suspended solids under “Contaminants or Parameters in the Discharge” not been indicated in the permit application as total suspended solids are known to be of concern based on the type of mining operation and information available at the time

of the application. Other parameters were reviewed during the technical assessment and determined not to cause exceedances in the receiving environment.

2.4.3.2 *Agreements, Protocols, and Capacity Funding*

Capacity funding was provided to Aboriginal groups by the Federal government under the Federal Participant Funding Program. Aboriginal groups receiving funds under this program include: SFN, MLIB, BRFN, SCFN, MNBC, and KLMSS.

To assist Aboriginal groups' capacity to participate in the EA process, in April 2013, the Proponent agreed to fund a third-party technical review of the Application/EIS, conducted by Pottinger-Gaherty Environmental Services Ltd. (PGL) on behalf of the WMFN, SFN, and the MLIB (see Section 2.4.3.8). In addition, the Proponent funded a community scoping meeting with WMFN, SFN, and the MLIB, conducted by PGL on April 16, 2013 (see Section 2.4.3.8). Issues, concerns, and interests raised by Aboriginal groups during the community scoping meeting are identified in Section 2.4.4 and in Appendix 2-E.

The Proponent also engaged with individual Aboriginal groups to develop agreements, protocols and capacity to guide consultation and support participation in the EA process. The MLIB and the Proponent signed an MOU on May 20, 2010. The MLIB requested that the MOU be updated and discussions are currently under way. The Proponent engaged in discussions with the WMFN on economic development and protocol agreements, and discussions are continuing. Discussions regarding a funding agreement with the SFN took place in February 2010 and a confidentiality agreement was signed with the SFN in October 2012. In September 2013, the Proponent agreed to fund a traditional knowledge and traditional use (TK/TU) study for the SFN (see Section 2.4.3.5). In December 2013, the Proponent agreed to fund a socio-economic baseline study for the WMFN (see Section 2.4.3.6).

2.4.3.3 *Community Information Sessions*

In addition to discussions with Band Councils and staff, the Proponent engaged with Aboriginal community members to share information and understand member's views, concerns and interests. On October 1, 2012, the Proponent organized a luncheon and community meeting with the MLIB, with the Chief and 12 community members attending. The Band Office coordinated and advertised the event. Participants were provided with a map of the proposed Project location as well as a Project Fact Sheet with contact information. The Proponent provided an overview of the Project and EA process and participants asked questions throughout the information session.

The Project overview discussed:

- mining method and infrastructure footprint;
- labour requirements and initial temporary workforce;
- Project location and siting of infrastructure;
- rail load-out;

- labour force accommodation;
- on-going biophysical and human environment baseline studies; and
- Project schedule and EA process.

The Proponent also held a community information session with WMFN community members on June 6, 2013. The band council advertised the event. Approximately 25 WMFN community members participated. The information session included 8-10 information posters and a video presentation of the longwall mining technique (running in a continuous loop). Copies of the Project Description and dAIR were made available. The WMFN Chief made opening comments, which was followed by a prayer from an elder. The Proponent joined community participants at tables for dinner and conversation. After dinner, participants gathered around the surface layout poster and the Proponent provided a short introduction of HD Mining, the proposed Project, and the various experts on hand to provide responses to specific questions.

Materials used in support of the community information sessions are presented in Appendix 2-A.

2.4.3.4 *Project Site Visits*

Aboriginal groups were invited to tour the proposed Project site. The MLIB Coal Coordinator toured the reclaimed Project drill sites with the Proponent on July 13, 2010. A WMFN Councillor and Land Manager toured the Project site with the Proponent on November 23, 2011. Representatives of WMFN, SFN and the MLIB toured the site as members of the Murray River Working Group on October 3, 2012 (see Section 2.4.3.9). In addition, the Proponent invited Aboriginal groups to tour the Monkman Common staff housing development in Tumbler Ridge on November 24, 2012. No Aboriginal members attended the staff housing tour.

2.4.3.5 *Traditional Knowledge and Traditional Use Studies*

The Proponent distributed a desk-based ethnographic research report (Rescan 2013d) to the MLIB, SFN and WMFN for their review and comment on November 1, 2012 and offered to undertake traditional knowledge and traditional use studies with each First Nation.

The Proponent agreed to provide funding for a SFN *Knowledge and Use Study Specific to HD Mining International Ltd.'s Proposed Murray River Coal Mine Project* (undertaken by the Firelight Group) on September 11, 2013. The Proponent received the completed report on May 1, 2014. The Proponent met with the SFN Land Use Office in the SFNs' community on May 21, 2014 to review the results of the study and to discuss how they could be integrated into the Application/EIS.

WMFN informed the Proponent on March 18, 2013 that it would prefer to identify its own consultant to undertake a traditional knowledge and traditional use study. To date, the WMFN has not selected a consultant to undertake a TK/TU study.

The Proponent developed a TK/TU proposal and work plan for MLIB. MLIB Chief and Council approved the proposal and work plan; however, the Proponent has not yet received TK/TU

information as the MLIB has indicated that it would like to finalize a MOU with the Proponent before studies are undertaken.

The Proponent submitted the *Murray River Coal Project 2012 Heritage Baseline Report* (Rescan 2013a) and the *Murray River Coal Project 2012 Country Foods Baseline Report* (Rescan 2013c) for First Nations' third-party technical review on August 13, 2013 and September 6, 2013, respectively (see Section 3.3.8).

2.4.3.6 *Socio-economic and Non-traditional Land Use Studies*

The Proponent offered to undertake socio-economic and non-traditional land use studies with the MLIB, SFN and WMFN. The Proponent agreed to provide funding for the *West Moberly First Nations HD Mining Murray River Socio-Economic Baseline Study* (to be undertaken by Askiy Resources Consulting) on December 6, 2013.

SFN agreed to review baseline socio-economic and country foods data collected by the Proponent from publically-available sources as part of its *Knowledge and Use Study Specific to HD Mining International Ltd.'s Proposed Murray River Coal Mine Project* (conducted by the Firelight Group). The Proponent distributed the *Murray River Coal Project Socio-economic Baseline Study* (Rescan 2013f) and the *Murray River Coal Project Country Foods Baseline Report* (Rescan 2013c) to SFN and the Firelight Group for review on July 11, 2013. SFN forwarded the Firelight Group's gap analysis of the Proponent's socio-economic and country foods baseline information on June 2, 2014. The Proponent has incorporated comments and suggestions into the socio-economic effects assessment (Chapter 15) and health effects assessment (Chapter 18). The Proponent is working with SFN to address outstanding concerns.

The Proponent distributed the *Murray River Coal Project Socio-economic Baseline Study* (Rescan 2013f), the *Murray River Coal Project Country Foods Baseline Report* (Rescan 2013c), the *Murray River Coal Project 2013 Non-traditional Land and Resource Use Baseline Report* (Rescan 2013e), and the *Murray River Coal Project 2012 Heritage Baseline Report* (Rescan 2013a) to the WMFN to support their baseline study on December 12, 2013. The Proponent consistently engaged with the MLIB in an attempt to initiate socio-economic and non-traditional land use studies. Efforts included the distribution of baseline data collected from public sources, distribution of a draft research plan, provision of a draft confidentiality agreement, and multiple communications to discuss research goals. The Proponent has not yet received socio-economic and non-traditional land information from the MLIB as the Band has indicated that it would like to finalize a MOU with the Proponent before studies are undertaken.

The Proponent submitted the *Murray River Coal Project 2013 Socio-economic Baseline Report* (Rescan 2013f) and the *Murray River Coal Project 2013 Non-traditional Land and Resource Use Baseline Report* (Rescan 2013e) for First Nations' third-party technical review on August 13, 2013 (see Section 2.4.3.8).

2.4.3.7 *Comments on Assessment Methodology*

In accordance with section 9.2 of the EIS Guidelines, in May 2014 the Proponent wrote to each Aboriginal group to provide them with: a 1) plain language summary of the Project; and 2) a document outlining a) the Proponent's understanding of each Aboriginal groups' treaty and

Aboriginal rights and related interests that may be affected by the Project, b) the Proponent's understanding of issues and concerns about the Project raised by each Aboriginal group, c) environmental assessment topics related to each group's Aboriginal and treaty rights and related interests, and d) the Proponent's proposed methods to assess potential effects of the Project on each Aboriginal group's Aboriginal and treaty rights and related interests. Aboriginal groups were requested to review the materials and to provide any comments to the Proponent prior to submission of the Application/EIS so that those comments could be addressed and integrated into the submission.

The Proponent received responses from the MNBC, the KLMSS, and HLFN. The Proponent is following up with MNBC to determine whether its members exercise Aboriginal rights in the Project area. The KLMSS did not raise any concerns about the Proponent's characterization of Metis' rights in the Project area, nor about the Proponent's proposed assessment methods. HLFN requested the Proponent to fill out the HLFN Project Notification Form and to provide further information regarding the Project. The Proponent has followed up with HLFN to receive the required forms.

2.4.3.8 *Third-party Review Services: Murray River Coal Project*

The Proponent agreed to fund an independent, third-party review of the Application/EIS, entitled "*Third-party Review Services: Murray River Coal Project*," conducted by PGL on behalf of MLIB, SFN and WMFN on April 5, 2013. The third-party review process provides an independent review of the technical issues associated with the Project and provides an opportunity to identify and resolve First Nations' concerns and issues. To date, PGL has: 1) held a community scoping meeting with the three First Nations to identify issues of concern; 2) provided the Proponent with a summary of issues, concerns and interests arising from the community scoping meeting; 3) provided comments on the Project's dAIR (see Section 3.3.9 of this report); 4) participated in Working Group meetings (see Section 3.3.9); and 5) provided comments on the EIS Guidelines (March 3, 2014).

2.4.3.9 *Murray River Project Working Group*

As part of the pre-Application/pre-EIS process for the BC EA, an inaugural Working Group meeting was held on October 2, 2012 in Tumbler Ridge. Representatives from MLIB, SFN and WMFN attended². Representatives from the BC EAO and CEA Agency provided an overview of the Application/EIS process and expectations of the Working Group. The Proponent provided a description of the proposed Project and the bulk sample. The Proponent provided an overview of the biophysical components of the Application/EIS, including air quality, hydrogeology, geochemistry, hydrology, wetlands, fish and fish habitat, terrestrial ecology, and wildlife and wildlife habitat. The Proponent also provided an overview of the social components of the Application/EIS, including country foods and socio-economics. Working Group members, including First Nations representatives, asked questions throughout the presentations and during an

² The BC EAO invited the West Moberly First Nations, Saulteau First Nations, Halfway River First Nation, Fort Nelson First Nation, Prophet River First Nation, Doig River First Nation, Blueberry River First Nations and McLeod Lake Indian Band to be members of the Working Group.

open question period following the presentations. Working Group members toured the Project site the following day (October 3, 2012).

The Working Group held a second meeting on November 6, 2013. The Proponent provided updates on: Project activities; baseline studies; and the mine development plan. Discussion topics included: atmospheric; surface water and fish; and social and land use effects. The First Nations' third-party reviewer, PGL, participated in the meeting. Two Sub-Working Group meetings were held before the end of the year. On November 22, 2013, a Sub-Working Group meeting was held on fish and fish habitat. The Proponent provided a Project overview and an overview of baseline studies. Discussions focussed on fish and fish habitat. On December 19, 2013, a Sub-Working Group meeting was held on geochemistry. The Proponent provided an overview of geochemistry baseline studies. Discussions focussed on the geochemical characteristics of coarse coal rejects and tailings samples. In addition to participating in the Working Group meetings, the First Nations' third-party reviewer, PGL, participated in the two Sub-Working Group meetings.

Draft Application Information Requirements were submitted to Working Group members on September 26, 2012 (for review during the October 2, 2012 Working Group meeting) and posted on the BC EAO e-PIC website on May 15, 2012. Comments on the dAIR were submitted to the BC EAO by the WMFN on September 29, 2012 and by SFN on December 20, 2012. The First Nations' third-party reviewer (PGL) submitted comments to the BC EAO on July 19, 2013. The Proponent provided responses to Working Group and public comments on December 14, 2012, January 4, 2013, May 7, 2013, July 29, 2013, and August 22, 2013. The BC EAO posted the approved AIR on the e-PIC website on September 3, 2013.

A summary of issues, concerns and interests raised by Aboriginal groups through engagement activities described above is presented in Section 2.4.4.

2.4.4 Issues, Concerns and Interests Identified through Engagement

Proponent-led consultation efforts, as described above, yielded an understanding of the Aboriginal groups' Project-related interests and concerns. Government-led efforts, including dAIR consultation and participation in the Working Group, provided further opportunities to identify the Aboriginal groups' interests and concerns. Finally, First Nations community scoping efforts and comments on the dAIR and EIS guidelines led by PGL provided additional information about the First Nations' interests and concerns. A tracking table identifying specific issues, concerns and interests raised by Aboriginal groups, and the Proponent's responses, is presented in Appendix 2-E. The table tracks the Aboriginal groups that raised the issue, concern or interest as well as the source of the comment.

Aboriginal groups raised a number of concerns about the consultation process, including the need for capacity funding, the adequacy of Aboriginal Groups' participation in the environmental assessment process, and the desire of some Aboriginal groups to complete their own traditional land use studies. The CEA Agency made funding available to support participation in the federal environmental assessment of the Project on July 31, 2013. The MLIB, SFN, BRFNCSFN, KLMSS, and MNBC received funding. In addition, the Proponent provided funding to the MLIB, SFN, and WMFN for a third-party reviewer to support their participation in the environmental assessment of the Project. The Proponent facilitated Aboriginal groups' participation in the environmental

assessment process by hiring SFN and WMFN members as environmental baseline study field assistants and by funding the third-party review of the Application/EIS (see Section 2.4.3.8). Among other activities, third-party review has included (to date) a community scoping session during which community members expressed their views and concerns about the Project, and the review of all environmental baseline studies. The Proponent also provided funding for an environmental monitor course for the MLIB, SFN, WMFN, and HRFN. The Proponent provided funding to SFN to undertake traditional land use studies (see Section 2.4.3.5).

Concerns expressed by Aboriginal Groups about potential effects of the Project on the environment include effects on: caribou and other wildlife; water quality; fish and fish habitat; trees and vegetation; soil; wetlands; and climate. Aboriginal groups had the opportunity to comment on the draft AIR (see Section 2.4.3.9). In addition to numerous clarifications and small changes, the Proponent made the following changes to the AIR on the basis of Aboriginal groups' comments:

- modification of fish and fish habitat VCs to be more inclusive of all potential fish species, including Artic grayling;
- adding dust deposition to a list of contaminants;
- expanding the spatial extents of the groundwater model;
- inserting of a description of wetland functions to be assessed; and
- including of bullet point indicating the exposure to contaminants will be assessed as a potential effect to wildlife VCs in response to comments on the dAIR.

Based on comments from the Working Group, the Proponent has made a substantial change to Project from an approximately 4-km overland conveyor that would cross the Murray River to a second underground decline under Murray River. This change will reduce potential effects to wildlife movement associated with linear developments, fish habitat, and archaeological sites.

Substantial effort has been invested to develop Project infrastructure that minimizes reliance upon, or potential effects to, local water sources. Among other measures, this will include: recycling seepage from the coarse coal rejects and from the underground mine for use in the coal preparation plant; constructing clean water diversion; and applying erosion and sediment control measures.

Measures to mitigate effects on fisheries resources (in addition to water quality control) include: adhering to appropriate fisheries operating windows for fish-bearing streams; minimizing the potential for spills into fish-bearing streams; protecting fish habitat near project infrastructure; and adhering to all regulations and best-practices.

The Proponent will protect trees and vegetation through measures to minimize the potential for invasive plants, including (among other measures): identifying ecosystems with low resiliency to invasive plants; minimizing vegetation clearing dimensions; minimizing soil degradation; conducting vehicle inspections; and detecting and eradicating invasive plants.

Soil will be protected from contamination through salvage, storage, and the collection and management of contact water.

The Proponent will protect wetlands by (among other measures) developing reserve and buffer areas and scheduling work activities during time periods during which risk of effects are minimal (e.g., during the frozen ground period and low water conditions). Climate effects will be minimized by properly maintaining equipment, minimizing equipment idling, driving vehicles at designated speeds.

Economic interests expressed by Aboriginal Groups relate to employment, revenue sharing and community economic development. Aboriginal Groups also expressed employment-related concerns in relation to temporary foreign workers. The Proponent has provided economic benefits to Aboriginal groups through hiring field workers from WMFN, SFN, and MLIB. The Proponent is working with Northern Lights College to address training needs for underground longwall mining employment. HD Mining and NLC are members of the Centre for Training in Mining Excellence and the recently created Underground Mine Sub-Committee. Through these committees, academic institutions and companies are working to compile existing training information for mining and identify gaps in current programs and curriculum particularly in the area of underground soft-rock operations like coal. To be delivered in Tumbler Ridge, a new training plan will facilitate the transfer of mining jobs to local workers, including local Aboriginal workers, over time. Under the agreement, the Proponent and Northern Lights College will: acquire or develop relevant curricula; acquire or develop relevant simulation modules; and identify partners (including Aboriginal groups) for program infrastructure. In addition, the Proponent has committed to a training plan that will transfer employment from temporary foreign workers to local Canadian workers by 10% per year over 10 years.

Social issues raised by Aboriginal Groups include the potential for social effects due to increased disposable income, effects on community services and community safety. In response to WMFNs' concern about the adequacy of its socio-economic baseline data, the Proponent agreed to fund an independent socio-economic baseline study for the Nation. The Proponent will work with local service providers to help them prepare for increased demand on community services associated with Project employment. The Proponent will also work with the Ministry of Justice, as appropriate, in implementing the British Columbia Policing and Community Safety Plan to help prevent and reduce crime in communities that have the potential to be affected by the Project.

Land use concerns relate to potential effects on fishing, hunting, trapping, gathering, spiritual and ceremonial sites, and aesthetics. In response to a comment made on the draft AIR by the third-party reviewer for WMFN, SFN and MLIB, the Proponent included "aesthetics" as a consideration in its land use assessment. The Proponent also committed to assess potential effects of the Project on the current use of lands and resources for traditional purposes, which addresses SFNs' comment that the AIR should include traditional land use as a VC. The Proponent will address land use concerns by (among other measures) controlling access to hunting areas through the mine site and access roads; minimizing effects to wildlife and fish; and maintaining tree buffers around riparian areas and infrastructure, where possible.

WMFN, SFN, and MLIB expressed a number of health-related concerns related to the Project, including the potential for effects on: medicinal plants; air, water and country foods; cancer and other diseases; and worker safety. A baseline country foods screening level risk assessment was done to assess the risk to consumers of country foods due to incidental consumption of metals

present in country foods (Appendix 18-A). Medicinal plants were not considered specifically, since there is no information available about the types and amounts of plants consumed, and no samples were collected for metal content analysis; however, berries were included in the risk assessment. No risks to human health were identified in the baseline country foods assessment from the consumption of representative country foods (moose, snowshoe hare, grouse, trout, whitefish, and berries). The quality of country foods was also considered as part of the effects assessment for human health (Sections 18.7.5, 18.7.6, and 18.8.3). No risks to human health are expected due to the consumption of country foods. The Proponent will ensure worker health and safety by operating the mine in accordance with the BC Health, Safety and Reclamation Code (BC MEMPR 2008), and other relevant workplace regulations.

Issues raised by Aboriginal groups related to heritage include the potential effects of the Project on burial sites and ownership of artefacts. The BC Archaeology Branch determines the list of qualified repositories for curating artifacts in BC. The qualified repository for artifacts recovered during the Murray River Project archaeological studies is the Royal BC Museum in Victoria. This is described in the Heritage Inspection Permit applications for this Project. No heritage sites were identified within any currently proposed surface facilities during the Murray River Project archaeological studies. As such there are no anticipated potential effects on heritage resources related to surface facilities. One archaeological site that was recorded during the studies (site GgRg-9) will be avoided by using the under-river decline instead of the over-river conveyor.

Aboriginal groups expressed concerns about the effects of the Project on their treaty rights. The Proponent developed an understanding of Treaty 8 First Nations' treaty rights by reviewing the treaty, consulting with First Nations, conducting research using secondary source materials, and funding a traditional use study for SFNS. The Proponent provided Aboriginal groups with a document outlining the Proponent's understanding of each groups' Aboriginal and treaty rights as well as the Proponent's proposed methods for assessing potential effects of the Project on those rights. Aboriginal groups had the opportunity to review the information and to provide comments prior to submission of the Application/EIS (see Section 2.4.3.7).

2.4.5 Consultation Planned for the Application/EIS Review Stage

During the Application/EIS review stage, the Proponent will carry engage in information distribution and consultation activities in accordance with the section 11 Order, the First Nations Consultation Plan (Rescan 2013b), and the EIS Guidelines. During the Application/EIS review stage, the Proponent will:

- provide copies of the Application to the First Nations as required by the Project Assessment Lead, in order that the First Nations may respond to an invitation from the Project Assessment Lead, to submit comments on the Application, either through their participation in the Working Group or independently (section 11.1 of the section 11 Order);
- make reasonable efforts to consult with the First Nations in accordance with the consultation process proposed in the Application, subject to any modification of that process ordered by the Project Assessment Lead;

- arranging consultation meetings with First Nations (sections 11.2 and 11.3 of the section 11 Order) to:
 - identify any specific Aboriginal interests which may be potentially affected by the Project, as identified in: Aboriginal interest and use studies; traditional use studies; or other sources of information; and
 - develop measures to avoid or mitigate potential adverse effects and/or to otherwise address or mitigate First Nations’ concerns;
- within time limits set by the BC EAO Project Assessment Lead, must provide to the Project Assessment Lead and the First Nations, a written report on the results of the consultation activities with the First Nations, identifying issues and concerns raised with respect to the proposed Project’s potential adverse impacts on the First Nations’ Treaty 8 rights (section 11.4 of the section 11 Order);
- implement additional measures for consultation and mitigation of impacts on Treaty 8 rights of First Nations, where appropriate, as required by the BC EAO Project Assessment Lead, and in consultation with the First Nations (section 11.5 of the section 11 Order);
- provide the BC EAO Project Assessment Lead with any information the Project Assessment Lead considers relevant, with respect to the province’s legal duty of consultation (section 11.6 of the BC EAO section 11 Order);
- writing to each First Nation to identify the dates, times and locations of BE EAO Working Group meetings (in accordance with the First Nations Consultation Plan);
- attending BC EAO Working Group meetings to provide information related to the Application/EIS and respond to questions on the Application/EIS (in accordance with the First Nations Consultation Plan);
- prepare written responses to key issues raised by First Nations on the Application/EIS (in accordance with the First Nations Consultation Plan);
- working with the third-party technical reviewer regarding First Nations issues and interests (in accordance with the First Nations Consultation Plan); and
- prepare a table to track issues raised by First Nations on the Application/EIS and responses to those issues using the table (in accordance with the First Nations Consultation Plan).

2.4.6 Process to Resolve Outstanding Issues

Based on issues and concerns raised by First Nations during the Application/EIS review, and based on input from First Nations, the Proponent will consider other measures to respond to issues and concerns raised by First Nations. The Proponent will attempt to resolve outstanding issues in a timely manner by:

- consulting with Aboriginal groups as outlined in Section 2.4.5;
- obtaining additional information as necessary (either from the group raising the issue, and/or from experts who can provide technical expertise on the issue where needed);

- proposing a new or revised response to the Aboriginal group who raised the issue that is still outstanding, and checking with the group to determine whether the issue has been sufficiently addressed;
- taking further actions as needed (e.g., meeting with the group if required) to discuss and resolve the issue, if the Aboriginal group does not consider the issue to be adequately addressed; and
 - reporting back to the Aboriginal group on the status of the issue.

The Proponent will continue to engage with Aboriginal groups throughout the life of the Project.

2.5 PUBLIC, STAKEHOLDERS, AND LOCAL GOVERNMENTS

For the purposes of this environmental assessment, the *public* is defined as residents of local communities that may be affected by the proposed Project, *stakeholder* is defined as individuals or groups with well-defined interests that may be affected by the proposed Project, and *local government* is defined as a city, district municipality, or regional district in the vicinity of the Project. Local governments' role in the Working Group is discussed in Section 2.3.2.2; this section discusses community-related consultation with elected government officials.

The Proponent has engaged with the public, stakeholders and local governments since 2011 through meetings and correspondence, open houses, information distribution, and public comment periods on key Application/EIS documents. In addition, the Proponent conducted socio-economic and land use interviews with local governments, service providers, tenure holders and recreational groups to understand issues and concerns and to identify possible social, economic and/or land use effects associated with the Project. The CEA Agency posted notice on the agency website (<http://www.ceaa-acee.gc.ca>) on July 13, 2013 that funding was available to support the participation of the public under the Participation Funding Program.

The Proponent has carried out public, stakeholder and local government engagement activities in accordance with the approved Public Consultation Plan (see Section 2.5.2). In accordance with section 13.6 of the section 11 Order, the Proponent provided a draft of the information contained in this chapter to BC EAO more than 30 days prior to submission. The following sections describe affected communities and groups, the Public Consultation Plan, pre-Application/pre-EIS public, stakeholder and local government engagement activities, issues and concerns arising through engagement and the Proponent's responses, and engagement planned for the Application/EIS review stage.

2.5.1 Potentially Affected Communities and Groups

The Project is located in the vicinity of several communities. Tumbler Ridge is the closest community to the Project and is the location of planned employee housing. In addition to Tumbler Ridge, the AIR also identifies Chetwynd, Dawson Creek, and Fort St. John as potentially affected communities. Stakeholders include commercial and non-commercial land users, service providers, interest groups and non-government organizations. Communities and stakeholders with whom the Proponent has engaged to date are listed in Table 2.5-1 below.

Table 2.5-1. Stakeholder Engagement to Date by Type, Organization, and Method of Engagement

Stakeholder Type	Stakeholder Organization	Method of Engagement
Local and Regional Government and Community Leaders	District of Tumbler Ridge City of Chetwynd City of Dawson Creek City of Fort St. John District of Hudson's Hope Peace River Regional District	Correspondence Direct meetings Interviews Invitations to open houses
Industry Operating in the Region	Teck Anglo American Coal Western Canadian/Walter Energy (Wolverine) West Fraser Mills Ltd. Interoute Construction Ltd. Finavera Renewables Inc. Chetwynd Forest Industries	Correspondence
Crown Tenure Holders	Guide Outfitters Trappers	Correspondence Interviews Direct meetings Invitations to open houses
First Responder Organizations	Chetwynd Volunteer Fire Department Dawson Creek Fire Department RCMP Dawson Creek RMCP Tumbler Ridge Fort St John Fire Rescue STARS Air Ambulance	Correspondence Interviews Invitation to open houses Direct meetings
Health Services	Chetwynd Hospital and Health Centre Tumbler Ridge Community Health Centre Northern Health	Interviews Meetings
Educational Services	Northern Lights College University of Northern British Columbia School District 59 School District 60	Meetings Correspondence
Community Interest Groups	Tumbler Ridge Chamber of Commerce Chamber of Commerce of Dawson Creek South Peace Economic Development Corporation North Peace Economic Development Commission TR Museum Foundation	Correspondence Interviews Invitation to open house
Recreational Interests	Ridge Riders Snowmobile Association TR Garden Club TR Community Arts Council TR Forever Young Society TR Youth Soccer Society Wolverine Nordic and Mountain Society	Correspondence Invitation to open house Meetings Interview
Non-Government Organizations	United Steelworkers Association	Correspondence Interviews Direct meetings

Appendix 2-F summarizes public, stakeholder and local government engagement activities undertaken during the pre-Application/pre-EIS stage.

2.5.2 Public Consultation Plan

Section 13.1 of the section 11 Order states:

The Proponent must, within timelines established by the Project Assessment Lead, develop a Public Consultation Plan to the satisfaction of the Project Assessment Lead. The Public Consultation Plan will describe how the Proponent intends to consult the public in the vicinity of the proposed Project during the Pre-Application and Application Review stages of the assessment with respect to the potential effects of the proposed Project on their interests.

The BC EAO posted the approved Public Consultation Plan (Ellen Frisch and Associates 2013) to the e-PIC website on January 16, 2013. The Public Consultation Plan directs the Proponent to engage in the following activities during the Pre-Application/pre-EIS stage³:

- develop communication tools, including fact sheets, maps, poster-boards, video, HD Mining comment card (Appendix 2-A of this chapter);
- identify stakeholders (Section 2.5.1 of this chapter);
- engage with stakeholders through meetings and direct correspondence (Section 2.5.3.1 of this chapter);
- provide Project information and updates through publically-accessible media (Section 2.5.3.2 of this chapter);
- provide a public open house (Section 2.5.3.3 of this chapter);
- provide public notification of government agency-led open houses and public comment periods (Section 2.5.3.4 of this chapter);
- participate in government agency-led open houses (Section 2.5.3.4 of this chapter); and
- record and track information received from public and stakeholders in a spreadsheet (Appendix 2-F of this chapter).

2.5.3 Pre-Application/Pre-EIS Public Engagement

2.5.3.1 Meetings and Correspondence

The Proponent met with local governments, including representatives of the District of Tumbler Ridge and the District of Chetwynd in 2011. The purpose of these meetings was to provide Project information and updates, answer any questions and understand any issues or concerns. A further meeting was held with the District of Tumbler Ridge on June 25, 2013 to discuss housing issues. The Proponent also met with stakeholders during the pre-Application/pre-EIS stage, including forestry companies, construction companies, wind power companies, backcountry guides, guide outfitters and trappers. The Proponent provided these companies and individuals with Project information and updates and discussed tenure-related issues and contract opportunities. Direct correspondence

³ List of consultation activities adapted from the Public Consultation Plan.

with stakeholders included letters, emails and telephone calls to provide Project information and updates and to respond to stakeholders' concerns and inquiries.

A record of meetings and correspondence with local governments and stakeholders is located in Appendix 2-F.

2.5.3.2 *Media*

The public and stakeholders were provided with the opportunity to learn about the Project through media sources, including a Project website and earned media. The Project website⁴ provides a description of the Project, including a Project map, Project technical information, and reports and publications. The website's "Community" page provides information about Project status, worker safety, the environmental assessment process, and community stewardship and harmony. The website's "Media" page provides Project updates and news releases on associated matters, including the Proponent's intention to use temporary foreign workers.

2.5.3.3 *Proponent-led Public Open House*

The Proponent hosted an open house on November 24, 2012 in Tumbler Ridge to present an overview of the proposed Project and answer any questions. The event was advertised in the *Tumbler Ridge News* and via fliers emailed to community organizations and posted at the event site (see Appendix 2-A). Approximately 55 attendees signed in for the event, including:

- District of Tumbler Ridge Mayor, Councillors and Chief Administrative Officer;
- Peace River Regional District Area E Director;
- president of the local seniors' society;
- representative of the ATV Club;
- RCMP;
- pastor of the Tumbler Ridge Baptist church;
- Northern Lights College Tumbler Ridge Administrator;
- local Project contractor; and
- nursing professional with the Northern Health Authority.

Posters were arranged as vignettes by theme throughout the room as focal points for conversation (see Appendix 2-A). Proponent representatives staffed specific vignettes and other representatives circulated throughout the session, providing Project updates and answering questions. Key themes addressed included:

- Community Commitment and Development: a summary of the Proponent's work with the community to date;

⁴ <http://www.hdminingintl.com/murray-river-project>

- Surface Preparation and Bulk Sample: an overview of current activities at the site, with enlarged photographs;
- Environmental Assessment Process: a description of public input opportunities and existing baseline monitoring processes; and
- Proposed Full Mine Development: an overview of surface facilities, coal management, water protection and decommissioning activities.

Other audio-visual and textual materials were available to explain the Project. Poster-sized Project maps displayed the Project footprint and environmental baseline sampling locations. A three-minute video demonstrating the process of underground longwall coal mining looped continuously through the event. Additionally, a Project fact sheet was available for attendees to take home. Attendees were encouraged to fill out a comment card listing areas that attendees wished to learn more about and any specific concerns with respect to the Project (see Appendix 2-A). A total of 18 comment cards were returned with 17 cards completed by residents of Tumbler Ridge and one completed by a resident of Dawson Creek.

On the same date, the Proponent provided an open house and ribbon-cutting ceremony for the Proponent-funded employee housing complex in Tumbler Ridge (Monkman Common).

2.5.3.4 *Government Public Open Houses and Public Comment Periods*

The BC EAO held two open houses to provide an opportunity for the public to comment on dAIR. The first open house was held in Dawson Creek on June 4, 2013 and the second open house was held in Tumbler Ridge on June 5, 2013. The public comment period ran from May 21, 2013 to June 20, 2013. On May 14, 2013, the Proponent distributed copies of the dAIR to the Peace River Regional District Head Office, City of Dawson Creek, Dawson Creek Municipal Library, District of Tumbler Ridge and Tumbler Ridge Library to be kept for public access and viewing. The Proponent advertised the open houses and comment period dates in the *Tumbler Ridge News* on May 14, 2013. The BC EAO posted notification about the open houses and public comment period on the e-PIC website on May 15, 2013.

Two community members attended the open house in Dawson Creek, both of whom were contractors seeking work. A general discussion took place with no specific questions asked.

A total of 11 community members attended the open house in Tumbler Ridge, including:

- District of Tumbler Ridge Mayor;
- Regional District Director;
- Tumbler Ridge News;
- Tumbler Ridge physician;
- Tumbler Ridge nurse; and
- six community members.

Attendees asked a number of questions about the proposed Project to the Proponent. Primary topics of discussion included:

- bulk sample activities;
- subsidence;
- transportation;
- navigable waters;
- health care capacity;
- housing;
- fossil treatment;
- dust; and
- social cohesion.

The public comment period yielded one written public comment, which was in support of the Project.

The CEA Agency also held public comment periods during the pre-Application/pre-EIS stage. On April 15, the CEA Agency initiated a 20-day public comment period on the Summary of the Project Description. The Summary of the Project Description was posted on the CEA Agency website on April 15, 2013. On May 31, the CEA Agency initiated a 30-day public comment period on Draft Environmental Impact Statement Guidelines. The Draft Environmental Impact Statement Guidelines were posted on the CEA Agency website on May 31, 2013 and were available for viewing in the Dawson Creek Public Library, Tumbler Ridge Public Library, and Chetwynd Public Library.

The first public comment period yielded letters from three Aboriginal groups (see Section 2.4). The second public comment period did not result in any written public comments. Final EIS Guidelines were issued on July 30, 2013.

2.5.3.5 *Socio-economic and Land Use Interviews*

In addition to meetings undertaken for the purpose of consultation, the Proponent conducted 29 interviews with local governments, service providers and stakeholders (including guide outfitting, recreation, trapping, and forestry). Interviews provided insight into communities' and stakeholders' interests and concerns with respect to the proposed Project. Socio-economic interviews were conducted with representatives of potentially affected communities as identified by the BC EAO (District of Tumbler Ridge, District of Chetwynd, City of Dawson Creek, City of Fort St. John) as well as surrounding communities (including the District of Taylor and the District of Hudson's Hope). Socio-economic interviews were also conducted with local economic development organizations, educational institutions, and health service providers. Land use interviews were conducted with trappers, guide outfitters, an outdoor club, and a forestry company. Socio-economic interviews are referenced in Chapter 14 (Assessment of Economic Effects) and Chapter 15 (Assessment of Social Effects). Land use interviews are discussed in Chapter 16 (Assessment of Land Use Effects).

2.5.4 Identification of Issues and Responses

Public engagement events, meetings and correspondence yielded an understanding of public and stakeholders' Project-related issues, concerns and interests. Primary concerns relate to potential environmental, social, economic, heritage and health effects associated with the Project. Stakeholders also raised concerns about the engagement process in the early stages of the Project. Appendix 2-G summarizes issues, concerns and interests identified through engagement with the public, stakeholders and local government, and the Proponent's responses.

Two trappers raised concerns about the timeliness with which Project-related information was distributed as well as the Proponent's responses to their inquiries. The Proponent responded by meeting with the individuals to address their concerns, providing information requested by the individuals, and committing to timely distribution of Project-related information and response to inquiries going forward. These responses resolved the issue for the two guide outfitters.

A trapper, a guide outfitter, and individuals at the November 24, 2012 open house raised concerns about the potential effects of the Project on the environment, including habitat effects, potential effects on water quality, potential effects on air quality and potential effects on soil quality.

The Proponent has designed the Project to minimize wildlife habitat effects by creating a small footprint, utilizing already disturbed land, and using existing access roads. Chapter 13 (Assessment of Wildlife Effects) quantifies the extent of habitat loss and alteration by overlaying the Mine Site Assessment Footprint on Habitat Suitability Modelling and/or vegetation mapping.

Mitigation measures include:

- avoiding important habitat where practical alternatives are available (e.g., habitat loss and alteration was minimized through Project design);
- maintaining known and potential mineral licks, should any be found for caribou, in a natural state and ensure ungulates have access to them during the season when they are most used;
- minimizing destruction or disruption of areas that contain known wallows, particularly during the ungulate breeding season during site clearing in the Construction phase and during Construction and Operation;
- minimizing disruption to grizzly bear feeding in fish bearing streams; bat hibernacula or maternity roosts; active raptor, songbird, and waterbird nests;
- minimizing destruction or disruption of during site clearing during Construction and Operation of the Project;
- avoiding important habitat (e.g., habitat loss and alteration was minimized through Project design); and
- re-vegetating some reclaimed components during Decommissioning and Reclamation.

Over the course of Project design, the Proponent chose to make a substantial change from an approximately 4-km overland conveyor that would cross the Murray River to a second underground decline under Murray River. This change will reduce potential effects to wildlife mobility associated

with linear developments. The Proponent recognizes the sensitivity of regional caribou and other wildlife populations to direct and cumulative effects. The current project design significantly mitigates the potential effect on wildlife.

Project infrastructure has been designed to minimize reliance upon and effects to local water sources. Project water management includes recycling of contact water for use in the coal preparation plant and constructing clean water diversions. Further mitigation measures will include: diverting water around construction areas; applying erosion and sediment control measures; attenuating flows from stockpile areas; and regularly inspecting water management infrastructure. Further information about potential effects of the Project on water quality and mitigation measures are located in Chapter 8 (Assessment of Surface Water and Aquatic Resources Effects) and Chapter 7 (Assessment of Groundwater Effects).

Air quality modelling undertaken for the Project predicts that concentrations of sulphur dioxide, nitrogen dioxide, carbon monoxide and PM_{2.5} (respirable particulate matter) will be well below relevant provincial and federal air quality objectives. TSP, PM₁₀ and dust deposition are predicted to exceed objectives in some instances; however, these exceedances are primarily related to road dust, and will be mitigated through measures such as road watering. Further details of the potential air quality effects are included in Chapter 6 (Assessment of Air Quality Effects). Dust mitigation measures will be included in the Air Quality and Dust Control Management Plan located in Chapter 24 (Environmental Management and Monitoring Plans).

Baseline soil mapping has been conducted and sensitive soils have been identified to help reduce impacts on sensitive or ecologically valuable soils. Soil losses are expected to occur during Project Construction, as a result of development of mine facilities and roads. To minimize the area of land on which the ecological function of soil is lost or severely compromised land will be cleared only in areas necessary for mine development during each phase. The most significant potential sources of metal contamination exposure, direct and indirect, for soils in the Project area, are (i) the coarse coal reject stockpile, and (ii) sedimentation ponds. Mitigation measure will include policies and efforts to reduce exhaust emissions and dust sources and to immediately remediate any spills that might occur. The greatest potential for erosion and compaction occur during the Project Construction and closure. Mitigation measures include grading of steep slopes, building of retaining walls, inserting pipes to enhance soil drainage, planting of vegetation, and other physical means of reinforcement of slopes. The assessment of potential effects of the Project on soil is located in Chapter 11 (Assessment of Terrestrial Ecosystems Effects).

Two trappers indicated their interest in contract opportunities. The Proponent invited a trapper to submit a bid for the mine surface preparation work and awarded another trapper a road maintenance contract.

Interviews, open houses and public comments on the dAIR revealed a number of social concerns, including potential effects of the Project on: social and cultural integration in Tumbler Ridge; housing pressure; community services; health care for foreign workers; community infrastructure; education and skill levels; and social problems.

The Proponent will provide temporary foreign workers with English language training. In addition, the Proponent will provide new temporary foreign workers with an information package about Tumbler Ridge and the surrounding region that will include information about community services, associations, and activities. The Proponent will also actively seek to sponsor community events that serve to bring temporary foreign workers together with current Tumbler Ridge residents. Further information about the effect of the Project on social integration and mitigation measures is located in Chapter 15 (Assessment of Social Effects).

The Proponent purchased land and built employee housing (Monkman Common) in Tumbler Ridge (a \$15-million-plus investment). Given this development, Project-related effects on housing in potentially affected communities are expected to be negligible. Further information about the effect of the Project on housing and mitigation measures is located in Chapter 15 (Assessment of Social Effects).

The Proponent will work with local and provincial health care providers to provide relevant information about expected Project-related population changes. The Project will have trained emergency responders on site who will follow an approved Emergency Response Plan. Further information about the effect of the Project on community services and mitigation measures is located in Chapter 15 (Assessment of Social Effects).

The Proponent will provide workers with an employment benefits package that includes Workers' Compensation Board, Accidental Death and Dismemberment, Canadian Pension Plan, Employment Insurance, Long-term Disability, and Medical Services Plan. Further information about the effect of the Project on health care and mitigation measures is located in Chapter 15 (Assessment of Social Effects).

Effects on community infrastructure are expected to be negligible due to the capacity of existing infrastructure to absorb increased demand and the relatively low level of incremental demand expected. Further information about the effect of the Project on community infrastructure and mitigation measures is located in Chapter 15 (Assessment of Social Effects).

The Proponent has entered into an agreement with Northern Lights College to develop a new curriculum to train workers to work in long wall underground mining once they receive approval for a full mine to proceed. Under the agreement, the Proponent and Northern Lights College will: acquire or develop relevant curricula; acquire or develop relevant simulation modules; and identify partners (including Aboriginal groups) for program infrastructure. HD Mining and NLC are members of the Centre for Training in Mining Excellence and the recently created Underground Mine Sub-Committee. Through these committees, academic institutions and companies are working to compile existing training information for mining and identify gaps in current programs and curriculum in areas such as underground soft-rock operations like coal. When developed, a new training plan will allow workers to be trained in underground longwall mining operations thereby facilitating the transfer of mining jobs to local workers, including local Aboriginal workers, over time. In addition, the Proponent has committed to a training plan that will transfer employment from temporary foreign workers to local Canadian workers by 10% per year over 10 years. Further information about the effect of the Project on education and skills and mitigation measures is located in Chapter 15 (Assessment of Social Effects).

The Proponent will work with local service providers to help them prepare for increased demand on community services associated with Project employment. The Proponent will also work with the Ministry of Justice, as appropriate, in implementing the British Columbia Policing and Community Safety Plan to help prevent and reduce crime in communities that have the potential to be affected by the Project. The Proponent will implement strict company policies to restrict illegal activities on the work site. Further information about the effect of the Project on crime and other social problems and mitigation measures is located in Chapter 15 (Assessment of Social Effects).

Comments made during the June 5, 2013 open house and comments made by two trappers and a guide outfitter included concerns about potential effects of the Project on land use, including potential effects on navigable waters and guide outfitting and trapping activities. Potential effects on trapping and guide outfitting activities are addressed in Chapter 16 (Assessment of Land Use Effects).

The waters identified to be affected by the Project are not included in the *Navigation Protection Act's* (1985) Proposed List of Scheduled Waters. Out of a total of 19 stream reaches and crossings potentially affected by the Project, only the Murray River is considered navigable. Potential effects to navigation are addressed in Chapter 16 (Assessment of Land Use Effects).

Effects to guide outfitting activities will be minimized through a Noise Management Plan, periodic noise monitoring, and measures designed to minimize effects to wildlife (including a “no hunting” policy for employees while on site, and plan for managing wildlife attractants).

At the June 5, 2013 open house there were discussions about potential effects of the Project on paleontological artefacts. The Proponent worked with the Peace Region Palaeontology Research Centre to facilitate a desktop review of fossil potential in the Project's LSA. The review identified high potential for fossils in this area. The Project's Chance Find Procedure includes a procedure for fossil finds and additional studies may be conducted if deemed necessary. Potential effects of the Project on heritage and mitigation measures are further described in Chapter 19 (Assessment of Heritage Effects).

At the November 24, 2012 open house potential effects of the Project on human health and worker safety were raised. It was noted that the Proponent would meet all regulatory requirements and that Mine Safety is strictly regulated by the MEM in accordance with BC Mine Health Safety and Reclamation Code (BC MEMPR 2008). Effects on human health due to potential Project related changes on water quality, air quality, country foods quality, or noise are not predicted. Potential effects on human health and mitigation measures are discussed in Chapter 18 (Assessment of Health Effects).

The mine will be operated in a manner that is consistent with the BC Health, Safety and Reclamation Code, and other relevant workplace regulations. These regulations are in place to ensure protection of worker health and safety. Potential effects of the Project on human health and mitigation measures are further described in Chapter 18 (Assessment of Health Effects).

2.5.5 Engagement Planned for Application/EIS Review Stage

In accordance with section 14.1 of the section 11 Order, public consultation during the Application/EIS Review Stage will conform to the approved Public Consultation Plan. Upon the BC

EAO's acceptance of the Application/EIS, a 180-day review period will ensue that will include a 30-day public comment period (section 14.2 of the section 11 Order). In accordance with the Public Consultation Plan (p. 12), during the public comment period the Proponent will:

- distribute copies of the Application/EIS to the District of Tumbler Ridge, the District of Chetwynd, the City of Dawson Creek, the City of Fort St. John, and the Peace River Regional District;
- prepare a letter to all identified stakeholders indicating the start of the formal review process and mechanisms to provide comments (email address, 1-800 number, public comment period); and
- prepare and post public notice (print advertisements) regarding the BC EAO public comment period, details for public open houses and mechanisms by which the public may provide comment on the Application to the BC EAO. Upon approval by BC EAO, print advertisements will be published.

In accordance with section 14.3 of the section 11 Order, the Proponent will provide a written report on the results of its public engagement activities to the Project Assessment Lead, identifying views, issues and concerns raised by the public and stakeholders with respect to the proposed Project and how the Proponent intends to address them.

2.5.6 Process to Resolve Outstanding Issues

Based on issues and concerns raised by the public during the Application/EIS review, the Proponent will consider other measures to respond to issues and concerns raised by the public, in addition to measures outlined in Section 2.5.5, including holding additional open houses, and/or targeted meetings with stakeholders (including local governments and tenure holders) as practicable to provide additional information and respond to questions and comments.

2.6 SUMMARY OF ISSUES AND INTEGRATION INTO THE APPLICATION/EIS FOR ENVIRONMENTAL ASSESSMENT/ENVIRONMENTAL IMPACT STATEMENT

The following Table 2.6-1 summarizes issues, concerns and interests raised by: First Nations; the public, stakeholders and local governments; and government agencies. The table also indicates where each issue, concern and interest is addressed in the Application/EIS.

Table 2.6-1. Summary of Issues, Concerns and Interests, and Location Where Addressed in the Application/EIS

Topic	Issue, Concern, or Interest	Raised By	Location Where Addressed in Application/EIS
Engagement Process	Capacity funding	First Nations	Ch. 2: Information Distribution and Consultation
	Participation in Application/EIS studies	First Nations	Ch. 2: Information Distribution and Consultation
	Engagement agreements	First Nations	Ch. 2: Information Distribution and Consultation
	Adequacy of consultation	First Nations Stakeholders	Ch. 2: Information Distribution and Consultation
Environment	Potential effects of the Project on wildlife	First Nations Stakeholders Government agencies	Ch. 13: Assessment of Wildlife Effects Ch. 24.12: Wildlife Management
	Potential effects of the Project on water quality	First Nations Stakeholders Government agencies	Ch. 8: Assessment of Surface Water and Aquatic Resources Effects Ch. 24.6: Water Management
	Potential effects of the Project on fish	First Nations Government agencies	Ch. 9: Assessment of Fish and Fish Habitat Effects Ch. 24.5: Erosion and Sediment Control
	Potential effects of the Project on trees and plants	First Nations	Ch. 11: Assessment of Terrestrial Ecology Effects Ch. 24.11: Invasive Plants
	Potential effects of the Project on air quality	First Nations Stakeholders	Ch. 6: Assessment of Air Quality Effects Ch. 24.2: Air Quality and Dust Control Management
	Potential effects of the Project on soil	First Nations Stakeholders	Ch. 11: Assessment of Terrestrial Ecology Effects Ch. 24.4: Site Preparation and Soil Management
	Potential effects of the Project on wetlands	First Nations Government agencies	Ch. 12: Assessment of Wetlands Effects
	Potential effects of the Project on the environment related to noise	First Nations	Ch. 13: Assessment of Wildlife Effects Ch. 24.3: Noise Management
	Potential effects of the Project on the environment related to explosives	First Nations	Ch. 13: Assessment of Wildlife Effects Ch. 24.9: Explosives and Nitrogen Management
	Management of ML/ARD	Government agencies	Ch. 24.7: MLARD Management

(continued)

Table 2.6-1. Summary of Issues, Concerns and Interests, and Location Where Addressed in the Application/EIS (continued)

Topic	Issue, Concern, or Interest	Raised By	Location Where Addressed in Application/EIS
Economics	Potential effects of the Project related to temporary foreign workers	First Nations	Ch. 14: Assessment of Economic Effects Ch. 24.16: Recruitment, Training, and Employment
	Opportunities for revenue sharing	First Nations	Individual agreements
	Opportunities for economic development	First Nations	Ch. 14: Assessment of Economic Effects
	Opportunities for business contracts	Stakeholders	Individual agreements Ch. 24.16: Recruitment, Training, and Employment
	Opportunities for employment	First Nations	Ch. 14: Assessment of Economic Effects Individual agreements Ch. 24.16: Recruitment, Training, and Employment
Social	Potential effects of the Project related to temporary foreign workers	Stakeholders Local government	Ch. 15: Assessment of Social Effects
	Potential effects of the Project related to increased income	First Nations	Ch. 15: Assessment of Social Effects
	Potential effects of the Project on community services	First Nations Public Local governments	Ch. 15: Assessment of Social Effects
	Potential effects of the Project on community safety	First Nations	Ch. 15: Assessment of Social Effects
	Opportunities for training	First Nations	Ch. 15: Assessment of Social Effects Ch. 24.16: Recruitment, Training, and Employment
	Opportunities for improved community infrastructure	First Nations Local government	Ch. 15: Assessment of Social Effects
	Potential effects of the Project on housing pressure	Pubic Local governments	Ch. 15: Assessment of Social Effects
	Potential effects of the Project on education and skills	Local governments Stakeholders	Ch. 15: Assessment of Social Effects Ch. 24.16: Recruitment, Training, and Employment
	Potential effects of the Project on social equity	Local governments Stakeholders	Ch. 15: Assessment of Social Effects
Potential effects of the Project on social problems	Local governments Stakeholders	Ch. 15: Assessment of Social Effects	

(continued)

Table 2.6-1. Summary of Issues, Concerns and Interests, and Location Where Addressed in the Application/EIS (continued)

Topic	Issue, Concern, or Interest	Raised By	Location Where Addressed in Application/EIS
Land Use	Potential effects of the Project on fishing	First Nations	Ch. 17: Assessment of Current Use of Lands and Resources for Traditional Purposes Effect Ch. 20: Assessment of Aboriginal and Treaty Rights and Related Interests Ch. 24.17: Site Access Management
	Potential effects of the Project on hunting	First Nations Stakeholders	Ch. 16: Assessment of Land Use Effects Ch. 17: Assessment of Current Use of Lands and Resources for Traditional Purposes Effect Ch. 20: Assessment of Aboriginal and Treaty Rights and Related Interests Ch. 24.17: Site Access Management
	Potential effects of the Project on trapping	First Nations Stakeholders	Ch. 16: Assessment of Land Use Effects Ch. 17: Assessment of Current Use of Lands and Resources for Traditional Purposes Effect Ch. 20: Assessment of Aboriginal and Treaty Rights and Related Interests Ch. 24.17: Site Access Management
	Potential effects of the Project on gathering	First Nations	Ch. 17: Assessment of Current Use of Lands and Resources for Traditional Purposes Effect Ch. 20: Assessment of Aboriginal and Treaty Rights and Related Interests Ch. 24.17: Site Access Management
	Potential effects of the Project on spiritual sites	First Nations	Ch. 17: Assessment of Current Use of Lands and Resources for Traditional Purposes Effect Ch. 20: Assessment of Aboriginal and Treaty Rights and Related Interests Ch. 24.17: Site Access Management
	Potential effects of the Project on visual landscape	First Nations	Ch. 17: Assessment of Current Use of Lands and Resources for Traditional Purposes Effect Ch. 20: Assessment of Aboriginal and Treaty Rights and Related Interests
	Potential effects of the Project on navigable waters	Public Government agencies	Ch. 16: Assessment of Land Use Effects
	Potential effects to tenure holders due to tenure overlap	Government agencies	Ch. 16: Assessment of Land Use Effects
	Potential effects to tenure holders due to subsidence	Government agencies	Ch. 16: Assessment of Land Use Effects

(continued)

Table 2.6-1. Summary of Issues, Concerns and Interests, and Location Where Addressed in the Application/EIS (continued)

Topic	Issue, Concern, or Interest	Raised By	Location Where Addressed in Application/EIS
Land Use (<i>cont'd</i>)	Potential effects of the Project on recreation trails	Government agencies	Ch. 16: Assessment of Land Use Effects
	Potential effects of the Project on water-based recreation	Government agencies	Ch. 16: Assessment of Land Use Effects
Treaty Rights	Potential infringement of traditional land uses	First Nations	Ch. 20: Assessment of Aboriginal and Treaty Rights and Related Interests
	Opportunities for long-term benefits and compensation	First Nations	Individual agreements
Heritage	Interest in ownership of archaeological artefacts	First Nations	Ch. 18: Assessment of Heritage Effects Ch. 23.14: Archaeological Resources Management
	Potential effects of the Project on ancient burial sites	First Nations	Ch. 18: Assessment of Heritage Effects Ch. 20: Assessment of Aboriginal and Treaty Rights and Related Interests Ch. 23.214: Archaeological Resources Management
	Potential effects of the Project's surface facilities on heritage resources	First Nations	Ch. 18: Assessment of Heritage Effects Ch. 20: Assessment of Aboriginal and Treaty Rights and Related Interests Ch. 23.14: Archaeological Resources Management
	Potential effects of the Project on paleontological artefacts	Public	Ch. 18: Assessment of Heritage Effects Ch. 23.14: Archaeological Resources Management
Health	Potential effects of the Project on medicinal plants	First Nations	Ch. 18: Assessment of Health Effects Ch. 17: Assessment of Current Use of Lands and Resources for Traditional Purposes Effect Ch. 20: Assessment of Aboriginal and Treaty Rights and Related Interests
	Potential effects of the Project on human health related to consumption of country foods	First Nations Government agencies	Ch. 18: Assessment of Health Effects Ch. 17: Assessment of Current Use of Lands and Resources for Traditional Purposes Effect Ch. 20: Assessment of Aboriginal and Treaty Rights and Related Interests
	Potential effects of the Project on human health due to contamination of air, water, plants and animals	First Nations Public	Ch. 18: Assessment of Health Effects Ch. 17: Assessment of Current Use of Lands and Resources for Traditional Purposes Effect Ch. 20: Assessment of Aboriginal and Treaty Rights and Related Interests

(continued)

Table 2.6-1. Summary of Issues, Concerns and Interests, and Location Where Addressed in the Application/EIS (completed)

Topic	Issue, Concern, or Interest	Raised By	Location Where Addressed in Application/EIS
Health (cont'd)	Potential effects of the Project on rates of cancers and other diseases	First Nations	Ch. 18: Assessment of Health Effects
	Potential effects of the Project on worker safety	First Nations Public	Ch. 18: Assessment of Health Effects Ch. 24.19: Emergency Response
	Potential effects of liberated methane on human health	Government agencies	Ch. 18: Assessment of Health Effects
	Potential effects of Project-related dust on human health	Government agencies	Ch. 18: Assessment of Health Effects
	Potential effects of noise on human health	Government agencies	Ch. 18: Assessment of Health Effects Ch. 24.3: Noise Management
	Potential effects of the Project on drinking water quality	Government agencies	Ch. 18: Assessment of Health Effects
	Potential effects of Project-related transportation and storage of dangerous goods on human health	Government agencies	Ch. 18: Assessment of Health Effects Ch. 24.9: Explosives and Nitrogen Management Ch. 24.18: Spill Response Ch. 24.19: Emergency Response

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Definitions of the acronyms and abbreviations used in this reference list can be found in the Glossary and Abbreviations section.

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