



The Annual Report requirement under conditions 2.8 and 2.9 of the Howse Property Iron Mine Project Decision Statement issued in June 2018 is presented below for the reporting period of April 1<sup>st</sup>, 2018 to March 31<sup>st</sup>, 2019.

The report is presented in tabular format and responds to every condition set forth in the decision statement. The report considers that the Proponent had not commenced the construction phase during the reporting period.

## Howse Property Annual Report

CEAA #	Condition	Annual Report April 1 <sup>st</sup> 2018-March 31 <sup>st</sup> 2019
<b>2. General Conditions</b>		
2.1	The Proponent shall ensure that its actions in meeting the conditions set out in this Decision Statement are considered in a careful and precautionary manner, promote sustainable development, are informed by the best information and knowledge available at the time the Proponent takes action, including community and Indigenous traditional knowledge, are based on methods and models that are recognized by standard-setting bodies, are undertaken by qualified individuals, and have applied the best available economically and technically feasible technologies.	<ul style="list-style-type: none"> <li>TSMC is committed to follow best practices for all its activities.</li> </ul>
2.2	The Proponent shall, where consultation is a requirement of a condition set out in this Decision Statement: <ul style="list-style-type: none"> <li>2.2.1 provide a written notice of the opportunity for the party or parties being consulted to present their views and information on the subject of the consultation;</li> <li>2.2.2 provide sufficient information on the scope and the subject matter of the consultation and a reasonable period of time to permit the party or parties being consulted to prepare their views and information;</li> <li>2.2.3 undertake an impartial consideration of all views and information presented by the party or parties being consulted on the subject matter of the consultation; and</li> <li>2.2.4 advise in a timely manner the party or parties being consulted on how the views and information received have been considered by the Proponent.</li> </ul>	<ul style="list-style-type: none"> <li>TSMC is committed to follow this requirement for all consultation activities.</li> </ul>
2.3	The Proponent shall, where consultation with Indigenous groups is a requirement of a condition set out in this Decision Statement, communicate with each Indigenous group with respect to the manner by which to satisfy the consultation requirements referred to in condition 2.2, including methods of notification, the type of information, the period of time to be provided when seeking input, the process to be used by the Proponent to undertake impartial consideration of all views and information presented on the subject of the consultation, the period of time to advise Indigenous groups of how their views and information were considered by the Proponent and the means by which Indigenous groups will be advised.	<ul style="list-style-type: none"> <li>TSMC is committed to follow this requirement for all consultation activities.</li> </ul>
2.4	The Proponent shall, where a follow-up program is a requirement of a condition set out in this Decision Statement, determine the following information, for each follow-up program: <ul style="list-style-type: none"> <li>2.4.1 the methodology, location, frequency, timing and duration of monitoring associated with the follow-up program;</li> <li>2.4.2 the scope, content and frequency of reporting of the results of the follow-up program;</li> <li>2.4.3 the levels of environmental change relative to baseline conditions that would require the Proponent to implement modified or additional mitigation measure(s), including instances where the Proponent may require Designated Project activities to be stopped; and</li> <li>2.4.4 the technically and economically feasible mitigation measures to be implemented by the Proponent if monitoring conducted as part of the follow-up program shows that the levels of environmental change referred to in condition 2.4.3 have been reached or exceeded.</li> </ul>	<ul style="list-style-type: none"> <li>Existing follow-up programs for the DSO and Howse sites, include this information.</li> </ul>
2.5	The Proponent shall submit the information referred to in condition 2.4 to the Agency prior to the implementation of each follow-up program. The Proponent shall update that information in consultation with Indigenous groups and relevant authorities during the implementation of each follow-up program, and shall provide the updated information to the Agency, Indigenous groups and relevant authorities within 30 days of the information being updated.	<ul style="list-style-type: none"> <li>During the April 1<sup>st</sup>, 2019-March 31<sup>st</sup>, 2020 reporting year, TSMC will update all of its follow up plans in consultation with Indigenous groups</li> <li>No updates were done on the follow-up program during this reporting year</li> </ul>
2.6	The Proponent shall, where a follow-up program is a requirement of a condition set out in this Decision Statement: <ul style="list-style-type: none"> <li>2.6.1 conduct the follow-up program according to the information determined pursuant to condition 2.4;</li> <li>2.6.2 undertake monitoring and analysis to verify the accuracy of the environmental assessment as it pertains to the particular condition and/or to determine the effectiveness of any mitigation measure(s);</li> <li>2.6.3 determine whether modified or additional mitigation measures are required based on the monitoring and analysis undertaken pursuant to condition 2.6.2; and</li> <li>2.6.4 if modified or additional mitigation measures are required pursuant to condition 2.6.3, implement these mitigation measures in a timely manner and monitor them pursuant to condition 2.6.2.</li> </ul>	<ul style="list-style-type: none"> <li>Follow-up programs for the Howse Project were submitted to the Agency in Spring 2018</li> </ul>
2.7	Where consultation with Indigenous groups is a requirement of a follow-up program, the Proponent shall discuss with each Indigenous group opportunities for the participation of that Indigenous group in the implementation of the follow-up program, including the analysis of the follow-up results and whether modified or additional mitigation measures are required, as set out in condition 2.6.	<ul style="list-style-type: none"> <li>There was no consultation relating specifically to the Howse Project during the reporting year.</li> </ul>

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2.8	<p>The Proponent shall, commencing in the reporting year during which the Proponent begins the implementation of the conditions set out in this Decision Statement, prepare an annual report that sets out:</p> <p>2.8.1 the activities undertaken by the Proponent in the reporting year to comply with each of the conditions set out in this Decision Statement;</p> <p>2.8.2 how the Proponent complied with condition 2.1;</p> <p>2.8.3 for conditions set out in this Decision Statement for which consultation is a requirement, how the Proponent considered any views and information that the Proponent received during or as a result of the consultation;</p> <p>2.8.4 the information referred to in conditions 2.4 and 2.5 for each follow-up program;</p> <p>2.8.5 the results of the follow-up program requirements identified in conditions 3.6, 4.7, 4.8, 5.9, 5.10, 6.6, 6.7, and 7.5; and</p> <p>2.8.6 any modified or additional mitigation measures implemented or proposed to be implemented by the Proponent, as determined under condition 2.6.</p>	<ul style="list-style-type: none"> <li>CEAA Compliance agreed to a 90-day extension to the annual report for the period April 1<sup>st</sup>, 2018-March 31<sup>st</sup> 2019: deadline is September 30<sup>th</sup> 2019.</li> </ul>
2.9	<p>The Proponent shall submit to the Agency the annual report referred to in condition 2.8, including an executive summary in both official languages, no later than June 30 following the reporting year to which the annual report applies.</p>	<ul style="list-style-type: none"> <li>TSMC has been given a 90-day extension to submit its annual report for the period April 1<sup>st</sup> 2018-March 31<sup>st</sup> 2019.</li> </ul>
2.10	<p>The Proponent shall publish on the Internet, or any medium which is publicly available, the annual reports and the executive summaries referred to in conditions 2.8 and 2.9, the dust management strategy referred to in condition 5.7, the communication plan referred to in condition 6.8, the cultural heritage control plan referred to in condition 7.6, the communication plan referred to in condition 9.5, the schedules referred to in conditions 10.1, and 10.2, and any update(s) or revision(s) to the above documents, upon submission of these documents to the parties referenced in the respective conditions. The Proponent shall keep these documents publicly available for 25 years following the end of operation, or until the end of decommissioning of the Designated Project, whichever comes first. The Proponent shall notify the Agency and Indigenous groups of the availability of these documents within 48 hours of their publication.</p>	<ul style="list-style-type: none"> <li>TSMC documents are uploaded to TSMC's Google Drive, which is accessible to all of our HSE Committee members.</li> </ul>
2.11	<p>The Proponent shall notify the Agency and Indigenous groups in writing no later than 60 days after the day on which there is a transfer of ownership, care, control or management of the Designated Project in whole or in part.</p>	<ul style="list-style-type: none"> <li>TSMC is committed to comply with this condition</li> </ul>
2.12	<p>The Proponent shall consult with Indigenous groups prior to initiating any material change(s) to the Designated Project that may result in adverse environmental effects and shall notify the Agency in writing no later than 60 days prior to initiating the change(s).</p>	<ul style="list-style-type: none"> <li>TSMC is committed to comply with this condition</li> </ul>
2.13	<p>In notifying the Agency pursuant to condition 2.12, the Proponent shall provide the Agency with a description of the potential adverse environmental effects of the change(s) to the Designated Project, the proposed mitigation measures and follow-up requirements to be implemented by the Proponent and the results of the consultation with Indigenous groups.</p>	<ul style="list-style-type: none"> <li>TSMC is committed to comply with this condition</li> </ul>
<b>3. Fish and fish habitat</b>		
3.1	<p>The Proponent shall implement erosion and sedimentation control measures within the Designated Project area during all phases of the Designated Project to avoid the deposit of deleterious substances in waters frequented by fish.</p>	<ul style="list-style-type: none"> <li>There is no deposition of deleterious substances in waters frequented by fish in relation to the Howse Property Project, which is not started.</li> </ul>
3.2	<p>The Proponent shall collect site runoff and pit dewatering water into HowseA and Timmins4 sedimentations ponds. The Proponent shall treat water at the sedimentation ponds prior to its discharge into the environment, if necessary, to meet the requirements of subsection 36(3) of the Fisheries Act.</p>	<ul style="list-style-type: none"> <li>Not applicable</li> </ul>
3.3	<p>The Proponent shall use a time delay blasting technique when blasting.</p>	<ul style="list-style-type: none"> <li>Not applicable as there is no activity, including blasting, on the Howse Property</li> </ul>
3.4	<p>The Proponent shall not set the blast charge per delay to above 1092 kilograms.</p>	<ul style="list-style-type: none"> <li>Not applicable as there is no activity, including blasting, on the Howse Property</li> </ul>
3.5	<p>The Proponent shall manage waste rock acid generation taking into account the Mine Environment Neutral Drainage program's <i>Prediction Manual for Drainage Chemistry from Sulphidic Geological Materials</i>.</p>	<ul style="list-style-type: none"> <li>Not applicable</li> </ul>
3.6	<p>The Proponent shall develop, prior to construction, a follow-up program to verify the accuracy of the environmental assessment as it pertains to fish and fish habitat and to determine the effectiveness of mitigation measures referred to in conditions 3.1 to 3.5. The Proponent shall provide the follow-up program to the Agency prior to construction. The Proponent shall implement the follow-up program from the start of construction to the end of decommissioning. The Proponent shall review and update the follow-up program in consultation with Indigenous groups and relevant authorities and shall provide this update to the Agency prior to operation or within 120 days of the issuance of this Decision Statement, whichever comes first. As part of the follow-up program, the Proponent shall:</p> <p>3.6.1 monitor water quality and quantity parameters as per the Water Management Plan (October 2015) in the environmental impact statement and at locations outlined in figure 1 of the Proponent's final response to Information Request 106 (July 24, 2017), including:</p> <p>3.6.1.1 water levels in Triangle Lake, Morley Lake, Burnetta Lake and Pinette Lake;</p>	<ul style="list-style-type: none"> <li>Follow-up programs for the Howse Project were submitted to the Agency in Spring 2018</li> <li>TSMC is committed to comply with this condition, see below</li> <li>Water gauges were installed at these locations in fall 2017</li> <li>Data collection has been, and continues to be taken, continuously since that time</li> </ul>

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	3.6.1.2 groundwater levels at monitoring well locations outlined in figure 1 or equivalent locations where groundwater may be impacted by the Designated Project;	<ul style="list-style-type: none"> <li>▪ Additional monitoring well will be installed at the beginning of the construction phase near Triangle Lake</li> </ul>
	3.6.1.3 iron concentration at the final discharge points of the HowseA and Timmins 4 sedimentation ponds;	<ul style="list-style-type: none"> <li>▪ Not applicable</li> </ul>
	3.6.1.4 effluent quality at the final discharge points of the HowseA and Timmins 4 sedimentation ponds, in accordance with the Metal Mining Effluent Regulations and taking into account the Canadian Council of Ministers of the Environment's Water Quality Guidelines for the Protection of Aquatic Life; and	<ul style="list-style-type: none"> <li>▪ Not applicable</li> </ul>
	3.6.1.5 water quality between the HowseA sedimentation pond final discharge point and Triangle Lake, and in Triangle Lake, Burnetta Lake and Pinette Lake.	<ul style="list-style-type: none"> <li>▪ Surface water monitoring will resume as soon as free water flow starts: the real time water monitoring station (with the government of NL) is in the process of being relocated</li> </ul>
	3.6.2 update the hydrogeological groundwater model from the Proponent's final response to Information Request 106 (July 24, 2017) at the end of mining phases I, II and III based on the results from 3.6.1; and	<ul style="list-style-type: none"> <li>▪ Updates will be done following the mining phases</li> </ul>
	3.6.3 monitor fish and fish habitat in Triangle Lake, Burnetta Lake, Pinette Lake and Goodream Creek.	<ul style="list-style-type: none"> <li>▪ Not applicable at this time</li> </ul>
<b>4. Migratory birds</b>		
4.1	The Proponent shall carry out the Designated Project in a manner that protects migratory birds and avoids harming, killing or disturbing migratory birds or destroying, disturbing or taking their nests or eggs. In this regard, the Proponent shall take into account Environment and Climate Change Canada's Avoidance Guidelines. The Proponent's actions when taking into account the Avoidance Guidelines shall be in compliance with the Migratory Birds Convention Act, 1994 and with the Species at Risk Act.	<ul style="list-style-type: none"> <li>▪ Not applicable at this time</li> </ul>
4.2	The Proponent shall have a qualified individual survey, during operation, the mine pit walls annually during the nesting period to determine if bank swallows ( <i>Riparia riparia</i> ) are using the open pit as a nesting site. The Proponent shall conduct an additional survey one to two days prior to undertaking any new activity associated with the Designated Project during the nesting period areas where bank swallows ( <i>Riparia riparia</i> ) may occur. The Proponent shall identify, in consultation with Environment and Climate Change Canada and other relevant authorities, and implement a setback distance in which no Designated Project activity shall take place around any bank swallow ( <i>Riparia riparia</i> ) nest(s) found and shall maintain the setback distance until the young have permanently left the area of the nest. The Proponent shall implement additional measures to deter bank swallows ( <i>Riparia riparia</i> ) from nesting in the area prior to the next breeding period.	<ul style="list-style-type: none"> <li>▪ Follow-up programs for the Howse Project were submitted to the Agency in Spring 2018</li> </ul>
4.3	The Proponent shall notify Environment and Climate Change Canada if it finds bank swallow ( <i>Riparia riparia</i> ) nests within the Designated Project area.	<ul style="list-style-type: none"> <li>▪ Bank Swallow were not observed in the Howse Property area during the reporting year</li> </ul>
4.4	The Proponent shall control lighting required for the construction, operation and decommissioning of the Designated Project, including direction, timing and intensity, to avoid adverse effects on migratory birds, while meeting health and safety requirements.	<ul style="list-style-type: none"> <li>▪ Not applicable.</li> </ul>
4.5	The Proponent shall prohibit vehicles and heavy equipment associated with the Designated Project from entering wetlands except those affected by components of the Designated Project as identified in figure 7-33 of the environmental impact statement.	<ul style="list-style-type: none"> <li>▪ No vehicles and/or heavy equipment entered wetlands during the reporting year</li> </ul>
4.6	The Proponent shall not undertake vehicle, machinery and equipment cleaning, fueling and maintenance and shall not store substance with the potential to cause harmful effects to the receiving environment, within 20 metres of any wetland.	<ul style="list-style-type: none"> <li>▪ This was respected in the reporting year</li> </ul>
4.7	The Proponent shall develop, prior to construction and in consultation with relevant authorities, a follow-up program to determine the effectiveness of all mitigation measures to avoid harm to migratory birds, their eggs and nests. The Proponent shall provide the follow-up program to the Agency prior to construction. The Proponent shall implement the follow-up program during all phases of the Designated Project. The Proponent shall review and update the follow-up program in consultation with Indigenous groups and relevant authorities and shall provide this update to the Agency prior to operation or within 120 days of the issuance of this Decision Statement, whichever comes first. As part of the follow-up program, the Proponent shall:	<ul style="list-style-type: none"> <li>▪ Follow-up programs for the Howse Project were submitted to the Agency in Spring 2018</li> </ul>
	4.7.1 conduct migratory bird surveys in the Triangle Lake, Burnetta Lake and Pinette Lake watersheds every year for the first three years following completion of construction. After three years, the Proponent shall determine, in consultation with Indigenous groups and relevant authorities, the frequency of additional surveys based on the results of the follow-up program.	<ul style="list-style-type: none"> <li>▪ Not applicable</li> </ul>
4.8	The Proponent shall develop, prior to construction, and implement a follow-up program to verify the predictions of the environmental assessment as it pertains to the adverse environmental effects of the Designated Project on wetland functions that support migratory birds, and to determine the effectiveness of the mitigation measures referred to in conditions 4.5 and 4.6 during all phases of the Designated Project. The Proponent shall provide the follow-up program to the Agency prior to construction. The Proponent shall review and update the follow-up program in consultation with Indigenous groups and Environment and Climate Change Canada and shall provide this update to the Agency prior to operation or within 120 days of the issuance of this Decision Statement, whichever comes first. As part of the follow-up program, the Proponent shall:	<ul style="list-style-type: none"> <li>▪ Follow-up programs for the Howse Project were submitted to the Agency in Spring 2018</li> </ul>
	4.8.1 have a qualified individual conduct a wetland disturbance survey every five years, with the first survey conducted at the start of construction, to assess wetland functions that support migratory birds; and	<ul style="list-style-type: none"> <li>▪ Not applicable</li> </ul>
	4.8.2 monitor groundwater levels associated with the wetlands located north of the open pit to verify the effects of pit dewatering on wetlands. Monitoring wells shall be spaced no more than 50 metres apart and measurements shall be taken every two weeks during operation.	<ul style="list-style-type: none"> <li>▪ Wells monitoring took place in August/September 2018</li> </ul>

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<b>5. Health and socio-economic conditions of Indigenous peoples</b>		
5.1	The Proponent shall, in consultation with Indigenous groups, undertake progressive reclamation of the areas disturbed by the Designated Project, including by stabilizing, compacting and revegetating with native plant species overburden stockpiles and waste rock piles.	<ul style="list-style-type: none"> <li>▪ Not applicable, as the Designated project area has not been disturbed</li> </ul>
5.2	Using a qualified individual, the Proponent shall design overburden stockpiles and waste rock piles, in consultation with Indigenous groups and relevant authorities, and in consideration of reducing effects to viewsapes. The Proponent shall implement the design throughout all phases of the Designated Project.	<ul style="list-style-type: none"> <li>▪ The design of the overburden stockpiles and waste rock piles was completed during the Howse EIS</li> </ul>
5.3	The Proponent shall apply dust suppressant on the Howse haul road during all phases of the Designated Project to control the release of dust. The Proponent shall select, in consultation with relevant authorities, dust suppressants with the least potential effects on human health and the environment.	<ul style="list-style-type: none"> <li>▪ Not applicable at this time</li> </ul>
5.4	The Proponent shall control dust, if observed visually, during the unloading of ore from trucks, except if not feasible for safety reasons.	<ul style="list-style-type: none"> <li>▪ Not applicable at this time</li> </ul>
5.5	The Proponent shall implement measures to mitigate dust emissions at the conveyor transfer and drop points when the conveyor is active, in the drum scrubber when ore is mixed and at the crude ore recovery tunnel, the secondary crusher and the dryer during ore processing activities	<ul style="list-style-type: none"> <li>▪ Not applicable</li> </ul>
5.6	The Proponent shall fill borehole necks with clean crushed rock to reduce dust and gas emissions from blasting during construction and operation.	<ul style="list-style-type: none"> <li>▪ Not applicable</li> </ul>
5.7	The Proponent shall develop, prior to construction, a dust management strategy to control dust generated by vehicles associated with the Designated Project using the road to Schefferville and for vehicles entering Schefferville. The Proponent shall implement the strategy during all phases of the Designated Project. The Proponent shall provide the dust management strategy to the Agency prior to the start of construction. The Proponent shall review and update the dust management strategy in consultation with Indigenous groups, relevant authorities and the Town of Schefferville prior to operation or within 120 days of the issuance of this Decision Statement, whichever comes first.	<ul style="list-style-type: none"> <li>▪ Follow-up programs for the Howse Project were submitted to the Agency in Spring 2018</li> </ul>
5.8	Throughout all phases of the Designated Project, the Proponent shall implement incentive measures to reduce the number of vehicles from the Designated Project, including by providing shuttle buses to transport workers to and from the Designated Project area.	<ul style="list-style-type: none"> <li>▪ In 2016, the Proponent implemented a policy which restricts 90% of its vehicles from travelling to Schefferville. Of those 10% with special authorization to travel to Schefferville, they do so to go to the airport or in the course of the work of environmental technicians or for logistical purposes. More vehicles will travel, occasionally, during shift changes (1 day every 2 weeks).</li> <li>▪ Currently, there is a shuttle service in place with a local Indigenous company</li> </ul>
5.9	<p>The Proponent shall develop, prior to construction, a follow-up program to verify the accuracy of the environmental assessment as it pertains to air quality and the effects of dust on the health of Indigenous peoples and to determine the effectiveness of the mitigation measures referred to in conditions 5.3 to 5.8. The Proponent shall provide the follow-up program to the Agency prior to the start of construction. The Proponent shall implement the follow-up program from the start of construction to the end of decommissioning of the Designated Project. The Proponent shall review and update the follow-up program in consultation with Indigenous groups and relevant authorities and shall provide the update to the Agency prior to operation or within 120 days of the issuance of this Decision Statement, whichever comes first. As part of the follow-up program, the Proponent shall:</p> <p>5.9.1 monitor air quality at receptors R3, R9, R10, R16, R18, R24, R36, R38 and R40 identified by the Proponent in Table 7-13 of the environmental impact statement, including for total particulate matter, particulate matter less than 10 microns, particulate matter less than 2.5 microns, dustfall, nitrogen oxides, sulfur oxides, carbon monoxide, and periodic monitoring of nitrogen dioxides after blasting activities;</p> <p>5.9.2 monitor dust generation and deposition from the Designated Project at locations potentially affected by the Designated Project, using a dust tracking system and mobile monitoring equipment;</p> <p>5.9.3 analyse concentrations of contaminants of concern in dust, including a minimum of one sampling of heavy metal content between the months of June and August of every year that analyses are conducted; and</p> <p>5.9.4 if the results of the follow-up program demonstrate that modified or additional mitigation measures are required, as determined in condition 2.6, at the Howse mini-plant, Designated Project roads, waste rock piles or overburden stockpiles, the Proponent shall implement modified or additional mitigation measures.</p>	<ul style="list-style-type: none"> <li>▪ Follow-up programs for the Howse Project were submitted to the Agency in Spring 2018</li> </ul>
5.10	<p>The Proponent shall develop, prior to operation or within 120 days of the issuance of this Decision Statement, whichever comes first, and in consultation with Indigenous groups and relevant authorities, a follow-up program to verify the accuracy of the environmental assessment as it pertains to country foods. Country foods may include game birds, mammals, fish, and plant species. The Proponent shall implement the follow-up program. As part of the follow-up program, the Proponent shall:</p> <p>5.10.1 sample country food species commonly consumed by Indigenous groups and identified in consultation with Indigenous groups including brook trout (<i>Salvelinus fontinalis</i>) and lake trout (<i>Salvelinus namaycush</i>);</p> <p>5.10.2 sample species identified in condition 5.10.1 for heavy metals, and other contaminants of concern identified in consultation with Indigenous groups and relevant authorities;</p>	<ul style="list-style-type: none"> <li>▪ Follow-up programs for the Howse Project were submitted to the Agency in Spring 2018</li> </ul>

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	<p>5.10.3 sample in areas where Indigenous groups harvest country foods and that may be adversely affected by the Designated Project and in a control site that is not affected by activities of the Designated Project. Fish sampling shall include sampling in Goodream Creek, Triangle Lake, and Pinette Lake; and</p> <p>5.10.4 start sampling two years after the start of operation and continue sampling at a frequency and for a duration determined in consultation with Indigenous groups and relevant authorities.</p>	
<b>6. Current use of lands and resources for traditional purposes</b>		
6.1	The Proponent shall upgrade, from the start of construction, a bypass road around the Designated Project in order to provide access for Indigenous groups to Pinette Lake, Kauteitnat and the Howells River Valley. The Proponent shall maintain the bypass road at least twice per calendar year until the end of decommissioning to ensure its usability.	<ul style="list-style-type: none"> <li>▪ Follow-up programs for the Howse Project were submitted to the Agency in Spring 2018</li> </ul>
6.2	The Proponent shall upgrade, from the start of construction, a bypass road around the Direct Shipping Ore 4 area in order to provide access for Indigenous groups to hunting grounds to the northwest of the Designated Project near the Kivivic and Goodwood deposits. The Proponent shall maintain the bypass road at least twice per calendar year until the end of decommissioning to ensure its usability.	<ul style="list-style-type: none"> <li>▪ Not applicable at this time</li> </ul>
6.3	The Proponent shall not use the bypass roads, referred to in conditions 6.1 and 6.2, for Designated Project activities, except when undertaking the maintenance of those bypass roads as required by conditions 6.1 and 6.2, or if required for safety or emergency reasons.	<ul style="list-style-type: none"> <li>▪ The Proponent has not used the bypass road for any Project activities during the reporting year</li> </ul>
6.4	The Proponent shall prohibit employees and contractors associated with the Designated Project from fishing and hunting within the designated project area, unless an employee or a contractor is provided access by the Proponent for traditional purposes or for exercising Aboriginal rights, to the extent that such access is safe.	<ul style="list-style-type: none"> <li>▪ This was respected during the reporting year</li> </ul>
6.5	If the Proponent is made aware of or observes caribou within a 20-kilometre radius of the active pit or of the Howse mini-plant, the Proponent shall consult the Newfoundland and Labrador Department of Fisheries and Land Resources to determine the appropriate course of action.	<ul style="list-style-type: none"> <li>▪ TSMC is not aware of any caribou within 20km of the active pit or the Howse mini-Plant</li> </ul>
6.6	The Proponent shall develop, prior to construction, and implement during all phases of the Designated Project, a follow-up program to verify the accuracy of the environmental assessment as it pertains to the adverse effects of the Designated Project on the current use of lands and resources for traditional purposes and to determine the effectiveness of the mitigation measures referred to in conditions 6.1 to 6.4, including maintenance of the bypass roads. The Proponent shall provide the follow-up program to the Agency prior to the start of construction. The Proponent shall review and update the follow-up program in consultation with Indigenous groups and shall provide this update to the Agency prior to operation or within 120 days of the issuance of this Decision Statement, whichever comes first.	<ul style="list-style-type: none"> <li>▪ Follow-up programs for the Howse Project were submitted to the Agency in Spring 2018</li> </ul>
6.7	The Proponent shall develop, prior to construction, and implement during all phases of the Designated Project, a follow-up program to verify the accuracy of the environmental assessment as it pertains to the adverse effects of the Designated Project on the George River herd of Eastern migratory caribou ( <i>Rangifer tarandus caribou</i> ). The Proponent shall provide the follow-up program to the Agency prior to the start of construction. The Proponent shall review and update the follow-up program in consultation with Indigenous groups and the Government of Newfoundland and Labrador, and shall provide this update to the Agency prior to operation or within 120 days of the issuance of this Decision Statement, whichever comes first. As part of the follow-up program, the Proponent shall monitor movement of the George River herd of Eastern migratory caribou ( <i>Rangifer tarandus caribou</i> ) and develop and implement modified or additional mitigation measures if the range of the George River herd of Eastern migratory caribou ( <i>Rangifer tarandus caribou</i> ) expands to occupy areas within a 20-kilometre radius of the Designated Project.	<ul style="list-style-type: none"> <li>▪ Follow-up programs for the Howse Project were submitted to the Agency in Spring 2018</li> </ul>
6.8	<p>The Proponent shall develop, prior to construction and in consultation with Indigenous groups, a communication plan to share information related to the Designated Project with Indigenous groups. The Proponent shall implement and maintain the communication plan up to date during all phases of the Designated Project. The communication plan shall include procedures, including timing, for sharing information on the following:</p> <p>6.8.1 the Designated Project activities requiring notification to Indigenous groups and the timing of these notifications. For blasting, the Proponent shall advertise blasting schedules via local radio stations and directly to Indigenous groups at a minimum 48 hours prior to each blasting event;</p> <p>6.8.2 follow-up activities and monitoring results referred to in conditions 3.6, 4.7, 4.8, 5.9, 5.10, 6.6, 6.7, and 7.5; and</p> <p>6.8.3 temporary and permanent restrictions on access to traditional territories, including the location and timing of these restrictions, the availability of alternate routes, and the timing of maintenance activities for the bypass roads as per 6.1 and 6.2.</p>	<ul style="list-style-type: none"> <li>▪ Follow-up programs for the Howse Project were submitted to the Agency in Spring 2018</li> <li>▪ TSMC is committed to comply with this condition</li> </ul>
6.9	The Proponent shall develop, as part of the communication plan referred to in condition in 6.8, procedures for Indigenous groups to provide feedback to the Proponent about adverse environmental effects caused by the Designated Project related to access to and use of traditional territories, traffic, air quality, including dust and dust deposition, and country foods and procedures for the Proponent to document and respond in a timely manner to the feedback received and demonstrate how issues have been addressed. The Proponent shall implement these procedures during all phases of the Designated Project.	<ul style="list-style-type: none"> <li>▪ These procedures were in place during the reporting year</li> </ul>
6.10	The Proponent shall provide Indigenous groups with the schedules referred to in conditions 10.1 and 10.2 and updates or revisions to the initial schedules pursuant to condition 10.3 and 10.4 at the same time these documents are provided to the Agency.	<ul style="list-style-type: none"> <li>▪ Not applicable at this time</li> </ul>
<b>7. Physical and cultural heritage and structures, sites or things of historical, archaeological, paleontological or architectural significance</b>		
7.1	If requested by Indigenous groups 48 hours prior to their planned use of Kauteitnat, the Proponent shall refrain from blasting for a period of 24 hours during that time of planned use of Kauteitnat, or less if Indigenous groups are no longer using Kauteitnat.	<ul style="list-style-type: none"> <li>▪ Not applicable</li> </ul>
7.2	The Proponent shall not conduct any Designated Project activity to the south of proposed water diversion ditch, identified in figure 2 in the environmental assessment report, except for activities required for the construction and maintenance of the diversion ditch. The Proponent shall clearly identify the exclusion zone with signage on the ground, within its lease area, posted at the edge of the exclusion zone.	<ul style="list-style-type: none"> <li>▪ Not applicable as no project activity has taken place</li> </ul>

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7.3	During the months of June, July, August and September, the Proponent shall not blast more than twice in a week and more than five times per month.	<ul style="list-style-type: none"> <li>▪ Not applicable as no project activity has taken place</li> </ul>
7.4	The Proponent shall develop, prior to construction, and implement during all phases of the Designated Project, a protocol for receiving complaints related to the exposure to noise from the Designated Project. The Proponent shall provide the protocol to the Agency and Indigenous groups prior to the start of construction. The Proponent shall review and update the protocol in consultation with Indigenous groups and shall provide this update to the Agency and Indigenous groups prior to operation or within 120 days of the issuance of this Decision Statement, whichever comes first. The Proponent shall respond to any noise complaints within 48 hours of the complaint being received and shall implement corrective actions to reduce exposure to noise in a timely manner.	<ul style="list-style-type: none"> <li>▪ Follow-up programs for the Howse Project were submitted to the Agency in Spring 2018</li> </ul>
7.5	<p>The Proponent shall develop prior to construction, and implement during all phases of the Designated Project, a follow-up program to verify the accuracy of the environmental assessment as it pertains to the effects of the Designated Project on the use of cultural and other sites as a result of noise levels. The Proponent shall provide the follow-up program to the Agency prior to the start of construction. The Proponent shall review and update the follow-up program in consultation with Indigenous groups and shall provide this update to the Agency prior to operation or within 120 days of the issuance of this Decision Statement, whichever comes first. As part of the follow-up program, the Proponent shall:</p> <p>7.5.1 monitor noise levels at receptor sites R9, R10, R11, R13 and R24 identified by the Proponent in figure 7.10 of the environmental impact statement. The Proponent shall implement modified or additional mitigation measures if noise levels at these sites exceed 5 decibels above the baseline noise levels as a result of the Designated Project, except during blasting.</p>	<ul style="list-style-type: none"> <li>▪ Follow-up programs for the Howse Project were submitted to the Agency in Spring 2018</li> </ul>
7.6	<p>The Proponent shall develop, prior to construction, and implement during all phases of the Designated Project a cultural heritage control plan. The Proponent shall provide the cultural heritage control plan to the Agency prior to the start of construction. The Proponent shall review and update the plan in consultation with Indigenous groups and the Government of Newfoundland and Labrador and shall provide this update to the Agency prior to operation or within 120 days of the issuance of this Decision Statement, whichever comes first. If any previously unidentified structures, sites or things of historical, archaeological, paleontological or architectural significance are discovered within the Designated Project area by the Proponent or brought to the attention of the Proponent by an Indigenous group or another party during construction, the Proponent shall:</p> <p>7.6.2 delineate an area of at least 30 metres around the discovery as a no-work zone. The no-work requirement shall not apply to action(s) required to be undertaken to protect the integrity of the discovery;</p> <p>7.6.3 have a qualified individual conduct an assessment at the location of the discovery;</p> <p>7.6.4 inform Indigenous groups within 24 hours of the discovery, and allow for monitoring by Indigenous groups during work related to the discovery; and</p> <p>7.6.5 comply, in consultation with Indigenous groups and relevant authorities, with all applicable legislative or legal requirements and associated regulations and protocols respecting the discovery, recording, transferring and safekeeping of previously unidentified structures, sites or things of historical, archaeological, paleontological or architectural significance.</p>	<ul style="list-style-type: none"> <li>▪ All required programs for the Howse Project were submitted to the Agency in Spring 2018</li> </ul>
<b>8. Cumulative Effects</b>		
8.1	The Proponent shall participate in regional initiative(s), if requested by a relevant authority or the Town of Schefferville, relating to the monitoring, assessment and management of cumulative environmental effects, including cumulative health effects related to dust likely to result from the Designated Project in combination with other mining activities that have or will be carried out in the region, should there be any such initiative(s) during the construction and operation phases of the Designated Project.	<ul style="list-style-type: none"> <li>▪ TSMC will continue to participate in regional initiatives if requested by regional Indigenous groups and/or authorities</li> </ul>
<b>9. Accidents and malfunctions</b>		
9.1	The Proponent shall take all reasonable measures to prevent accidents and malfunctions that may result in adverse environmental effects. The measures taken by the Proponent shall include measures to prevent slope failures, sedimentation pond failures, ditch failures, destabilization of waste rock piles and overburden stockpiles, and rock slides.	<ul style="list-style-type: none"> <li>▪ TSMC's EPP and ERP lists measures to prevent accidents and malfunctions</li> <li>▪ Those documents contain a retroaction process in which TSMC improve measures to prevent accidents and malfunctions.</li> </ul>
9.2	The Proponent shall develop, prior to construction, and implement during all phases of the Designated Project, an accident and malfunction response plan. The accident and malfunction plan shall include the types of accidents and malfunctions that may cause adverse environmental effects, and response plans for slope failures, sedimentation pond failures, ditch failures, destabilization of waste rock piles and overburden stockpiles, or rock slides in addition to all emergency response plans identified in the environmental impact statement. The Proponent shall provide the accident and malfunction response plan to the Agency prior to the start of construction.	<ul style="list-style-type: none"> <li>▪ Follow-up programs and plans for the Howse Project were submitted to the Agency in Spring 2018</li> <li>▪</li> </ul>
9.3	The Proponent shall review and update the measures to be implemented to prevent accidents and malfunctions and the accidents and malfunctions response plan in consultation with Indigenous groups and relevant authorities prior to operation or within 120 days of the issuance of this Decision Statement, whichever comes first.	<ul style="list-style-type: none"> <li>▪ Not applicable for this reporting year</li> </ul>
9.4	<p>In the event of an accident or malfunction with the potential to cause adverse environmental effects, the Proponent shall implement the accidents and malfunctions response plan referred to in condition 9.2 or any subsequent update(s) referred to in condition 9.3 and shall:</p> <p>9.4.1 notify, as soon as possible, Indigenous groups and relevant authorities of the accident or malfunction, and notify the Agency in writing no later than 24 hours following the accident or malfunction. When notifying Indigenous groups and in the notification to the Agency, the Proponent shall specify;</p>	<ul style="list-style-type: none"> <li>▪ There was no incident during the reporting year.</li> <li>▪ An incident involving red water being discharged into the natural environment from</li> </ul>

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	9.4.1.1 the date the accident or malfunction occurred; 9.4.1.2 a description of the accident or malfunction; 9.4.1.3 a list of all substances potentially released in the environment as a result of the accident or malfunction. 9.4.2 implement immediate measures to mitigate any adverse environmental effects caused by the accident or malfunction;	the outlet culvert of Timmins 4 Sedimentation Pond 3 occurred in Spring 2019. The event was reported on, and a written report was submitted to the Agency.
	9.4.3 submit a written report to the Agency no later than 30 days after the day on which the accident or malfunction took place. The written report shall include: 9.4.3.1 a description of the accident or malfunction and of its adverse environmental effects; 9.4.3.2 the measures that were taken by the Proponent to mitigate the adverse environmental effects caused by the accident or malfunction; 9.4.3.3 any view(s) from Indigenous groups and advice from relevant authorities received with respect to the accident or malfunction, its adverse environmental effects and the measures taken by the Proponent to mitigate these adverse environmental effects; 9.4.3.4 a description of any residual adverse environmental effects and any modified or additional measures required by the Proponent to mitigate residual adverse environmental effects; and 9.4.3.5 details concerning the implementation of the accident or malfunction response plan referred to in condition 9.2 or any subsequent update(s) referred to in condition 9.3.	<ul style="list-style-type: none"> <li>▪ There was no incident during the reporting year.</li> <li>▪ An incident involving red water being discharged into the natural environment from the outlet culvert of Timmins 4 Sedimentation Pond 3 occurred in Spring 2019. The event was reported on, and a written report was submitted to the Agency.</li> </ul>
	9.4.4 submit a written report to the Agency no later than 90 days after the day on which the accident or malfunction took place, on the changes made to avoid a subsequent occurrence of the accident or malfunction and on the implementation of any modified or additional measure(s) to mitigate and monitor residual adverse environmental effects and to carry out any required progressive reclamation, taking into account the information submitted in the written report pursuant to condition 9.4.3. The report shall include all additional views from Indigenous groups and advice from relevant authorities since the views and advice referred to in condition 9.4.3.3 have been received by the Proponent.	<ul style="list-style-type: none"> <li>▪ There was no incident during the reporting year.</li> <li>▪ An incident involving red water being discharged into the natural environment from the outlet culvert of Timmins 4 Sedimentation Pond 3 occurred in Spring 2019. The event was reported on, and a written report was submitted to the Agency</li> </ul>
9.5	The Proponent shall develop a communication plan in consultation with Indigenous groups. The Proponent shall develop the communication plan prior to construction and shall implement and keep it up to date during all phases of the Designated Project. The plan shall include: 9.5.1 the types of accidents and malfunctions requiring the Proponent to notify the respective Indigenous groups; 9.5.2 the manner by which Indigenous group shall be notified by the Proponent of an accident or malfunction and of any opportunities for the Indigenous groups to assist in the response to the accident or malfunction; and 9.5.3 the contact information of the representatives of the Proponent that the Indigenous groups may contact and of the representatives of the respective Indigenous groups to which the Proponent provides notification.	<ul style="list-style-type: none"> <li>▪ Follow-up programs for the Howse Project were submitted to the Agency in Spring 2018</li> </ul>
<b>10. Schedules</b>		
10.1	The Proponent shall submit to the Agency a schedule for all conditions set out in this Decision Statement no later than 30 days after the start of construction. The schedule shall detail all activities planned to fulfill each condition set out in this Decision Statement and the commencement and estimated completion month(s) and year(s) for each of these activities.	<ul style="list-style-type: none"> <li>▪ No applicable, as construction phase has not started</li> </ul>
10.2	The Proponent shall submit to the Agency a schedule outlining all activities required to carry out all phases of the Designated Project no later than 30 days after the start of construction. The schedule shall indicate the commencement and estimated completion month(s) and year(s) and duration of each of these activities.	<ul style="list-style-type: none"> <li>▪ No applicable, as construction phase has not started</li> </ul>
10.3	The Proponent shall submit to the Agency in writing an update to schedules referred to in conditions 10.1 and 10.2 every year no later than June 30, until completion of all activities referred to in each schedule.	<ul style="list-style-type: none"> <li>▪ No applicable, as construction phase has not started</li> </ul>
10.4	The Proponent shall provide to the Agency revised schedules if any change(s) are made to the initial schedules referred to in condition 10.1 and 10.2 or to any subsequent update(s) referred to in condition 10.3, upon revision of the schedules.	<ul style="list-style-type: none"> <li>▪ No applicable, as construction phase has not started</li> </ul>
<b>11. Record Keeping</b>		
11.1	The Proponent shall maintain all records required to demonstrate compliance with the conditions set out in this Decision Statement. The Proponent shall provide the aforementioned records to the Agency upon demand within a timeframe specified by the Agency.	<ul style="list-style-type: none"> <li>▪ TSMC is committed to comply with this condition</li> </ul>
11.2	The Proponent shall retain all records referred to in condition 11.1 at a facility in Canada. The records shall be retained and made available throughout construction and operation and for 25 years following the end of operation or until the end of decommissioning of the Designated Project, whichever comes first. The Proponent shall notify the Agency at least 30 days prior to any change to the physical location of the facility where the records are retained, and shall provide to the Agency the address of the new location.	<ul style="list-style-type: none"> <li>▪ TSMC is committed to comply with this condition</li> </ul>