#	Requirements / Commitments	Draft EIS/EA Reference
TERMS	S OF REFERENCE REQUIREMENTS	
2.1 Pro	ovincial Environmental Assessment	
1	An individual EA will be prepared to satisfy the EAA requirements for all components of the Hardrock Project that are subject to the EAA or that have been designated subject to the EAA by way of a Voluntary Agreement.  The EA will include the following content:	General
2	a description of the purpose of the Undertaking	1.2
3	a description of and a statement of the rationale for the Undertaking	1.2
4	<ul> <li>a description of and a statement of the rationale for the alternative methods of implementing the Undertaking</li> </ul>	4.2.2 – 4.2.19
5	a description of the environment to be affected, directly or indirectly by the project	2.0 7.2 – 19.2
6	a description of the effects that will be caused to the environment, and	7.4 – 19.4
7	<ul> <li>a description of the actions necessary to prevent, change, mitigate or remedy the effects upon environment</li> </ul>	7.4 – 19.4
8	<ul> <li>an evaluation of the advantages and disadvantages to the environment of the Undertaking, the alternative methods of implementing the Undertaking; and</li> </ul>	4.2, Appendix G2 – G11
9	<ul> <li>a description of any consultation about the Undertaking by the proponent and the results of the consultation.</li> </ul>	3.0
10	The EA will include a detailed description and assessment of the preferred Undertaking for which approval under the Act will be sought.	5.0 7.0 – 19.0
2.2 Fe	ederal Environmental Assessment	
	The factors to be considered in this EA, including the factors listed in subsection 19(1) of CEAA 2012.	
11	<ul> <li>environmental effects of the project, including the environmental effects of malfunctions or accidents that may occur in connection with the project and any cumulative environmental effects that are likely to result from the project in combination with other physical activities that have been or will be carried out;</li> </ul>	7.4 – 19.4 20.0, 22.0
12	the significance of effects;	7.5 – 19.5





#	Requirements / Commitments	Draft EIS/EA Reference
13	comments from the public;	3.4.2.1, 5.1.2, 7.1.2- 17.1.2, 18.1.3, 19.1.2., 20.2.5, 22.2.6, 21.1
14	<ul> <li>mitigation measures that are technically and economically feasible and that would mitigate any significant adverse environmental effects of the project;</li> </ul>	7.4 – 19.4
15	the requirements of the follow-up program in respect of the project;	23.0
16	the purpose of the project;	1.2
17	<ul> <li>alternative means of carrying out the project that are technically and economically feasible and the environmental effects of any such alternatives;</li> </ul>	4.2.2 – 4.2.19
18	any change to the project that may be caused by the environment; and	21.0
19	the results of any relevant regional study pursuant to CEAA 2012.	N/A – no relevant regional studies have been prepared
2.3 Cd	ordinated Federal – Provincial Approach	
20	Address both federal and provincial EA requirements, and align with the provincially approved ToR and the federally issued EIS Guidelines.	Appendix B1 and B2
	The EA document will include the following:	
21	<ul> <li>Project approach and regulatory framework (including outlining the federal and provincial EA requirements);</li> </ul>	1.4
22	<ul> <li>EA methodology (including alternative methods evaluation and effects assessment methodology based on Valued Ecosystem Components (VECs), criteria and indicators);</li> </ul>	4.1, 6.0
23	<ul> <li>Evaluation of alternatives (based on the alternative methods identified in the ToR);</li> </ul>	4.2
24	<ul> <li>Potential effects on components of the environment and VECs (including existing conditions, project interactions, mitigation measures, and residual effects and significance);</li> </ul>	7.0 – 19.0
25	<ul> <li>Additional sections to address requirements such as Accidents and Malfunctions, Effects of the Environment on the Project, Benefits to Canadians and Cumulative Effects;</li> </ul>	20.0, 21.0, 22.0, 25.0
26	<ul> <li>Description of the proposed undertaking (including all project components and phases).</li> </ul>	5.0
27	The preparation of the EA document will be facilitated by aligning key milestones during the development of the EA. This will include checking in with government reviewers, holding technical working groups meetings, and	3.1.4





#	Requirements / Commitments	Draft EIS/EA Reference
	<ul> <li>providing consultation opportunities for the public, stakeholders and Aboriginal communities related to:</li> <li>Review of baseline reports;</li> <li>Confirmation of evaluation methodology, range of alternative methods, VECs/criteria/indicators;</li> <li>Preliminary results of alternatives evaluation, effects assessment, proposed mitigation;</li> <li>Completion of a draft EA Report.</li> </ul>	
28	Concordance table(s) will be provided within the EA document to demonstrate how the EA document meets both the approved ToR and the EIS Guidelines.	Appendix B1 and B2
29	One draft EA document will be provided for preliminary review prior to submission of the final EA.	General
30	Comments received to date and during the EA process will be taken into consideration before key decisions are made.	3.4.2.1, 3.5.2.3, 3.6.4, 5.1.2, 7.1.2-17.1.2, 18.1.3, 19.1.2, 21.1, 20.2.5, 22.2.6
3.0 Pu	rpose of the Study or Undertaking	
31	The final purpose statement will be presented in the EA.	1.2
4.0 De	escription of and Rationale for the Undertaking	
32	The final description and rationale for the preferred Undertaking will be further developed and provided in the EA.	1.2, 5.0
4.1 De	escription of the Undertaking	
33	At this time the need for a temporary camp is being considered, and will be confirmed and assessed as appropriate in the EA.	4.2.16, 5.4.23,
34	Relocations/realignments/removal of existing infrastructure as a result of the Undertaking will be discussed with affected property owners and evaluated in the EA as appropriate.	2.2.5, 3.4, 3.5, Appendix C
35	The description will be finalized through the EA process and ongoing engineering studies which are being conducted in parallel.	5.0
36	A reasonable range of alternative methods for the key components of the Undertaking will be examined in detail as part of the EA process.	4.1.2, 4.2
4.1.3	Retirement of the Project (Closure Plan)	
37	Retirement (closure) concepts will be introduced in the EA in order to fully evaluate the potential effects and necessary mitigation measures for the Project. The EA will provide an overview of what is expected to be included in the Closure Plan, including the components of the Undertaking that will require retirement (closure).	5.9 Appendix I





#	Requirements / Commitments	Draft EIS/EA Reference
38	Monitoring protocols and ongoing maintenance activities will be detailed in the Closure Plan and the EA, as appropriate.	23.0 Appendix M Appendix I
39	At this time Premier anticipates that the operation of the realigned highway will be the responsibility of the Ministry of Transportation (MTO), therefore closure concepts for the highway are not anticipated. This will be determined in discussion with MTO and MNDM and addressed in the EA as appropriate.	N/A – closure concepts for the highway do not need to be addressed
4.1.4 (	General Approach and Environmental Protection Measures	
40	A variety of environmental protection and management measures will be developed in the EA to guide the planning, design, construction, operation, and retirement (closure) of the Undertaking.	7.4 – 19.4 23.0 Appendix M Appendix I
4.2 Ra	tionale for the Undertaking	
41	A detailed assessment of the potential impacts and benefits of the project will be undertaken during the preparation of the EA. This will include the selection of preferred alternative methods for various project components, assessing the potential impacts of the project, and identifying appropriate mitigation measures.	4.2 7.4 – 19.4
42	The design of the open pit mine and associated environmental effects are preliminary and will be further refined during the preparation of the EA. In addition, as the Undertaking develops and additional infrastructure is refined, additional effects and mitigation measures will be further evaluated.	7.4 – 19.4
43	In addition to Long Lake 58 First Nation, Premier has and will continue to make determined efforts to provide public meeting and consultation opportunities to Aroland First Nation and Ginoogaming First Nation. Premier will also continue to make proactive efforts to engage with other potentially interested Aboriginal groups as it has during the development of the ToR.	3.6
5.0 De	scription of and Rationale for Alternatives	
44	The "do nothing" alternative will be used as a benchmark against which "alternative methods" and the Undertaking overall will be evaluated and compared.	4.1, 6.2.3
5.1 All	ernative Methods of Implementing the Undertaking	
45	The EA will focus on identifying and evaluating alternative methods for each of the key components. This includes looking at a reasonable range of alternative technologies, methods, designs, and siting options for facilities associated with the proposed Undertaking.	4.1.2, 4.2





#	Requirements / Commitments	Draft EIS/EA Reference
46	A reasonable range of "alternative methods" will be identified in the EA based on the considerations identified in the MOECC's "Code of Practice: Preparing and Reviewing Environmental Assessments in Ontario" (January 2014).	4.1.2
47	The EA will assess a reasonable range of "alternative methods" for all phases of the Undertaking, including construction, operation and retirement (closure).	4.2
48	Consideration of each alternative method will be evaluated after potential impacts have been determined and management measures have been applied.	4.1.1
49	Identifying any requirements associated with effectively managing the key components will be considered during the evaluation of "alternative methods".	4.1
50	"Alternative methods" will be further refined (based on public, agency, and Aboriginal community feedback) and evaluated as the Undertaking progresses and will be presented in the EA as additional consultation and environmental/engineering studies are undertaken.	4.1.5
51	A range of reasonable "alternative methods" will be considered and evaluated as the EA progresses for:  Waste Rock Storage Areas Ore Stockpile Mill Feed Storage Area and Crushing Plant Ore Milling and Processing Plant Tailings Management Facility Mine Water Treatment Facility Site Infrastructure and Support Facilities Explosives Storage and Manufacturing Aggregate Pits Water Supply and Distribution System Sewage Treatment Facility Fuel Supply, Conversion, Storage and Distribution System Power Generation Distribution System Domestic Solid Waste Handling Facility Highway 11 Realignment (and Potential Relocation of MTO Patrol Yard) Watercourse Realignments Historic MacLeod Tailings and Hardrock Tailings HONI Substation	4.1.2, 4.2
52	The TMF site selection process will generally be carried out in accordance with Environment Canada's "Guidelines for the Assessment of Alternatives for Mine Waste Disposal" (Environment Canada, 2011).	Appendix G1





#	Requirements / Commitments	Draft EIS/EA Reference
53	A range of reasonable "alternative methods" will be considered and evaluated as the EA progresses including available, comparable and relevant tailings management alternative methods with consideration for provincial, federal and international best practices as they relate to climate change.	Appendix G1
54	The Undertaking will recycle water as practical; therefore an integrated approach to mine water management (with TMF operations) will be considered and further evaluated as the EA progresses.	4.2.9, 5.4.8
55	Explosives needed for Project development will be prepared in a dedicated explosives manufacturing facility. The positioning of the facility will be established in accordance with the "Quantity Distance Principles User's Manual" (Natural Resources Canada, 1995).	5.4.11
56	Discussions are ongoing with TransCanada Pipeline and Union Gas to confirm the need for a new gas distribution pipeline. At this time it has been assumed that the owner/operator for this pipeline could be Union Gas. This will be confirmed as the EA progresses.	4.1.2, 5.4.9
6.0 D€	escription of the Existing Environment and Potential Effects of the Undertaking	T
57	The EA will include an evaluation of the environment potentially affected by the Undertaking. The definition of the "environment" is adopted in accordance with Section 1.(1) of the EAA.	6.2.2, 7.4 – 19.4
6.2 Stu	udy Area	
58	The study areas will be further assessed and evaluated during the preparation of the EA.	7.1 – 19.1
6.3 De	escription of the Environment	
59	Further detail, including full environmental baseline studies will be presented in the EA.	Appendix E
6.3.1.3	3 Noise	
60	Noise mitigation measures may be required in order for the Undertaking to meet guidelines and to minimize the disturbance to flora and fauna in the vicinity of the mine site. This will be further determined during the EA.	8.4
6.3.1.8	3 Surface Water Flow	
61	There may be some limited diversion overflow at specific times of the year related to the Long Lake Diversion project that discharges to the Albany River, which will be investigated and considered in the EA.	Appendix E5
6.3.6	Ongoing and Future Studies	
62	A final and more detailed description of the environment will be provided in the EA based on the studies, tests, surveys, and mapping that will be undertaken during the course of the Undertaking.	2.0 7.2 – 19.2





#	Requirements / Commitments	Draft EIS/EA Reference	
63	Premier will work with local Aboriginal communities to collect traditional knowledge and to conduct traditional land use studies which will be used to inform the EA as appropriate.	3.6.3.2, 3.6.4, 4.1.5, 7.1.3 - 19.1.3,18.0, Appendix J	
6.4 Pc	tential Effects		
64	Potential effects and mitigation measures will be evaluated within the EA document.	7.4 – 19.4	
6.5 Ct	umulative Effects		
65	A cumulative environmental effects assessment will be conducted. Defining the parameters and clearly outlining the methodology for assessing cumulative environmental effects will be undertaken during the EA process. Spatial and temporal boundaries will be clearly identified and justified through the EA process.	20.0	
7.0 As	sessment and Evaluation		
66	The evaluation methodology details will be identified as part of the EA.	4.1	
67	Consultation with the public, stakeholders, agencies, and Aboriginal communities will be considered when refining the methodology that will ultimately be used in the EA.	4.1.2	
68	A comparative methodology will be applied at a sufficient level of detail to identify advantages and disadvantages of each "alternative method". The potential effects associated with each "alternative method" will be compared to establish the relative advantages and disadvantages of each option. A qualitative evaluation methodology will be applied that uses professional judgment of the Project team. The preferred "alternative method" will be the one with the preferred balance of advantages and disadvantages.	4.1	
7.1 Cr	iteria and Indicators		
69	Both negative and positive impacts will be assessed for each "alternative method".	5.2, Appendix G2 – G11	
70	Criteria and/or example indicators may change and be further refined in the EA.	4.1.4.1, 4.1.5	
8.1 Cd	ommitments Made During the EA		
71	The EA will include a list of commitments made by Premier during preparation of the supporting studies and during the development of the Terms of Reference and EA. A concordance table, identifying each commitment and indicating where it is noted in the EA, will be included in the EA.	Appendix C10	
8.2 M	8.2 Monitoring		
72	The EA will include the identification of a monitoring framework. The monitoring framework will include monitoring related to both compliance monitoring and effects monitoring during all phases of the Undertaking.	23.0, Appendix M	





#	Requirements / Commitments	Draft EIS/EA Reference
73	A timeframe for when commitments will be fulfilled, and how compliance will be reported to the relevant provincial and federal agencies will be presented within the EA.	23.3, Appendix M
74	A contingency plan will be outlined in the EA and will be refined as appropriate.	23.7, Appendix M
9.1.1 A	Aboriginal Participants	
75	Premier will continue to engage the MNO (Region 2) as per the guidance provided by the Agency in the EIS Guidelines. Premier will continue to work with MOECC and the Agency to adjust consultation activities with Aboriginal rights/interest based communities going forward in the EA.	3.6.4.11
76	Premier will continue to engage with the persons identified or delegated by each community and will remain open to the consideration of additional contacts within these communities, or other communities expressing an interest in the Undertaking.	3.6.4
9.1.2 N	Aunicipal Government	
77	Premier will continue to consult the Municipality of Greenstone throughout the EA process, as well as throughout the life cycle of the Undertaking.	3.2.1.3
9.1.6 F	ederal Government	
78	The Project GRT includes all government and organizations listed above in Sections 9.1.4 through 9.1.6. As the Undertaking progresses GRT working groups will be established, and those identified in the sections above will be invited to participate. GRT working groups are anticipated to include, but not be limited to: Atmospheric, Water, Fish/Fish Habitat, Terrestrial.	3.5
9.4.1 To	oR Consultation and Engagement Goals	
79	Public and agency consultation will continue throughout the EA process in an open and transparent manner. The consultation process, which will be refined during the EA, will consider input from stakeholders, agencies and Aboriginal communities in the decision-making process.	3.0
9.4.2.1	Summary of Key Comments and Responses on Draft ToR (from Aboriginal Communities)	
80	The methodologies for undertaking TK studies, including how they may be interpreted in the EA will be discussed directly with aboriginal communities as appropriate.	3.6.3.2, 3.6.4
9.6 Co	nsultation Plan for the EA	
81	Consultation will be conducted early and throughout the process in an open and transparent manner. Consultation will be proactive, flexible, and based on a goal of continuous improvement.	3.1
82	Premier intends to continue to engage a wide range of stakeholders to gather feedback on the Undertaking,	3.1.3





#	Requirements / Commitments	Draft EIS/EA Reference
	baseline studies, the EA methodology and findings, alternative methods, potential effects, and appropriate effects management measures before submission of the EA for government review.	
83	Submission of a draft EA for stakeholder, Aboriginal and agency review will allow Premier to receive feedback and identify any outstanding issues or concerns that need to be addressed.	3.4.2.1, 3.5.2.3, 3.6.4, 7.1.2-17.1.2, 18.1.3, 19.1.2
84	Premier will follow the Code of Practice for Consultation in Ontario's Environmental Assessment Process (2014), and relevant best-practices identified by the Project team.	3.1
85	Premier will coordinate consultation activities under the coordinated provincial/federal EA process in order to minimize the effort required by stakeholders to be effectively engaged.	3.1.4
9.6.3 M	Methods for Public and Agency Consultation	
86	The following on-going activities are anticipated:  Contact lists  Direct Mailings / Targeted Mailings  Issues Scoping Meetings  Public Information Centres (Open Houses)  Government Review Team  Notices and Radio Announcements  Circulation of Draft Baseline Reports and EA  Plain Language Summaries  General Meetings / Presentations  Newsletter  Project Webstie  Site Tours / One-on-one Meetings / Presentations / Emails / Phone Conversations	3.3
9.6.4 M	Methods for Aboriginal Engagement	
87	Premier will continue to reach out to Aboriginal groups as follows:  Contact Lists Direct Mailings / Targeted Emails Issues Scoping Meetings Engagement in Environmental Baseline Studies Resource Sharing Committees Engagement in TK/TLU Studies Notices and Radio Announcements	3.3





#	Requirements / Commitments	Draft EIS/EA Reference
	<ul> <li>Circulation of Draft Baseline Reports and EA</li> <li>Plain Language Summaries</li> <li>General Meetings / Presentations</li> <li>Newsletter</li> <li>Project Website</li> <li>Site Tours / One-on-one Meetings / Presentations / Emails / Phone Conversations</li> </ul>	
9.6.5 N	Notification and Consultation at Key EA Milestones	
88	Premier will advertise the following Notices in local newspapers (general distribution and Aboriginal newsletters where available), through radio announcements, and on the Project website:  • Notice of Commencement;  • Notices of Public Open Houses and Community Meetings, if appropriate; and,  • Notice of Submission.	3.3.2
89	These notices will also be given to local municipalities (including elected officials), potentially affected Aboriginal communities, and all those who have expressed an interested in the Undertaking (and are on the contact list).	3.3.2
90	Premier will also continue to provide notification and consultation materials in both official languages, as well as having bilingual attendees at all public and Aboriginal events.	3.3.2, 3.3.3, 3.3.5
91	Premier will develop plans for consultation based on evaluation of and in response to expressed interests.	3.6.3.1, 3.6.4
	Key consultation opportunities include:	
92	<ul> <li>consultation on baseline studies carried out to support the EA (with input received being considered to inform the EA and future on-going field programs and monitoring);</li> </ul>	3.1.3,3.4.1, 3.5.1.1, 3.6.3.4, 3.6.4
93	<ul> <li>approach to the development and evaluation of alternative methods and selection of the preferred methods (with input received being considered to refine the evaluation where applicable); and</li> </ul>	3.1.3, 3.4.1, 3.5.1.2, 3.6.3.4, 3.6.4, 4.1.5
94	<ul> <li>conclusion of the evaluation of the preferred undertaking including potential effects and mitigation to allow interested parties to formulate their view of the Project, (with input received being considered to refine environmental management going forward where applicable).</li> </ul>	3.1.3, 3.4.2, 3.5.2.2, 3.6.3.4, 3.6.4, 7.1.2 – 17.1.2, 18.1.3, 19.1.2





#	Requirements / Commitments	Draft EIS/EA Reference
95	The following consultation tools will be used to achieve these objectives:  Notice of Commencement of an Environmental Assessment Notice of Draft EA Review Period Notice of Submission of EA to MOECC Project Update Newsletter (ToR submission, environmental baseline) Project Update Newsletter (summary of open house and comments/responses) Project Update Newsletter (Project update, summary of open houses (comments/responses)) Public and Aboriginal Open House: Alternatives, Valued Components, Criteria/Indicators and Preliminary Preferred Alternatives Public and Aboriginal Open House: Present draft EA: effects and mitigations Aboriginal Community Meeting(s): Environmental Baseline Aboriginal Community Meeting(s): VCs/Indicators/Criteria Aboriginal Community Meeting(s): Effects/Mitigation TK Studies with key Aboriginal communities who wish to participate GRT Meeting: Project introduction/update, current data collection and methods, potential for supplemental data collection, lessons learnt from past projects. GRT Meeting: Review of baseline reports and next steps. GRT Meeting: Confirm evaluation method, alternatives discussion, VC's/criteria/indicators. GRT Meeting: Alternatives evaluations, effects, mitigations.	3.3
9.6.6 I	ssues Resolution	
96	A conflict resolution process will be developed in the early stages of the EA. This process will be applied when appropriate to resolve conflicts during the EA.	3.1.2
11.0 C	Other Approvals Required	
97	In addition to the EA requirements, various federal, provincial, and municipal permits, licenses and/or authorizations must be obtained prior to the development of the Undertaking. A preliminary list is provided below and will be finalized in the EA.	1.4.4





#	Requirements / Commitments	Draft EIS/EA Reference	
Terms	Terms of Reference Amendments by the Minister of the Environment and Climate Change		
98	The realignment of Highway 11 will include the identification, assessment and comparison of a reasonable range of alternative alignments. Each of the alternative alignments that will be considered during the EA process will be assessed to determine whether or not it will have an advantage or a disadvantage in terms of its potential impact, both direct and indirect, after impact management measures have been applied, on each component of the environment as defined under the EAA, which includes: the natural environment; social environment; economic environment; cultural environment; and, built environment.  Each alternative alignment will be compared and assessed in accordance with the evaluation methodology, criteria and indicators identified in section 7.	4.2.6, Appendix G4	
99	As the description of the environment is finalized during the EA process, the criteria and indicators will be further refined through the review of external data sources; original modelling and studies; and, consultation with interested government agencies, Aboriginal communities and members of the public.	4.1.4.1, 4.1.5	
100	Relocation of the MTO patrol yard may also be required depending on selection of the preferred highway alignment. A range of reasonable alternative locations and designs will be identified, considered and evaluated as part of the EA process.	4.1.2, 4.2.18	
	Premier will ensure that Aboriginal communities are engaged and consulted at each of the following EA decision making milestones:		
101	The development of a community specific Aboriginal consultation plan for the preparation of an EA;	3.6.3.1, 3.6.4	
102	<ul> <li>The development of the methodology, evaluation and results of Baseline Studies;</li> <li>The development of the evaluation methodology for the assessment of alternatives and the preferred Undertaking;</li> <li>The conclusion of assessment and evaluation of alternatives (including the identification of potential effects and the development of appropriate mitigation and management measures);</li> <li>The assessment and evaluation of the preferred undertaking (including the development of mitigation and monitoring measures to address any potential effects); and,</li> <li>The conclusion of the assessment and evaluation of the preferred Undertaking (including potential effects, and appropriate effects management measures).</li> </ul>	3.6.3.4, 3.6.4	
103	Premier will provide opportunities for Aboriginal communities to be engaged at critical decision making points during the EA process, so that Aboriginal communities may provide input on how the undertaking and its alternatives may have an impact on their rights and interest through the sharing of traditional knowledge; and, that Premier will consider and incorporate, where appropriate, traditional knowledge into each EA decision making milestone.	3.6.3.2, 3.6.4	



