

# Appendix 26-A

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## Summary of Indigenous Consultation

Table 26-A.1: Summary of the Results of the Métis Nation of British Columbia Consultation Related to Aboriginal Rights and Interests and Other Matters of Concern

MNBC Rights and Related Interests/VC	MNBC Perspectives on Rights and Interests/VC	Proponent Response	Summary of Proposed Measures to Avoid, Mitigate, or Otherwise Manage Effects	Summary of Assessment of Potential Impacts on Rights and Interests	Status of Issue / Path Forward
Traditional Use	<p>Issue discussed in correspond dated with IAAC dated December 18, 2014</p> <p>Issue provided in the Draft Effects Assessment Response October 15, 2021</p> <p>Potential impacts to traditional harvesting activities within the Project footprint.</p>	<p>Potential residual effects including Métis perspectives within the Project footprint, the ATRI LSA, and ATRI RSA have been considered in the Application/EIS in the following ways:</p> <ul style="list-style-type: none"> <li>The shared perspectives have formed the basis of the potential residual effects assessment with the overall assessment methodology documented in Chapter 5, Section 5.3 and the potential residual effects assessed in Chapter 26, Section 26.7.3.2.</li> <li>The potential residual effects assessment is based on inputs from the MNBC through engagement identified in Section 26.5.2 that outline the MNBC perspectives on the development of the Project. Key issues that remain outstanding and are included in the opportunities for future engagement are the incorporation of MNBC's traditional use information collection within the Project footprint and the ATRI LSA that is currently ongoing and should be incorporated into the assessment processes.</li> <li>The potential residual effects assessment for the Project utilizes MNBC information where publicly available to determine the level of significance of effects to the use of lands and resources for traditional activities are based on publicly available MNBC perspectives on development in the Elk Valley as outlined in Section 26.6.6.</li> <li>Impact management measures with respect to potential residual effects and where MNBC perspectives were available are addressed in Section 26.9.</li> <li>The MNBC's rights and related interests are also assessed for potential impacts as a result of the residual Project effects and the residual cumulative effects in Section 26.10.2.1 where previous determinations on the degree of severity of adverse impacts were updated based on shared MNBC perspectives.</li> <li>NWP has also indicated in Chapter 26 that it is committed to ongoing communication on cumulative effects through future consultation and engagement with the MNBC.</li> </ul>	<p>The key mitigation measures to reduce impacts to the MNBC's rights and interests include:</p> <ul style="list-style-type: none"> <li>NWP is committed to an ongoing dialogue with the MNBC, including commitments to the following:</li> <li>Best management practices and procedures related to each VC of interest including the design of mitigation measures as outlined in the Application/EIS.</li> <li>Follow-up, monitoring and offsetting and compensation programs related to anticipated residual effects of select VCs.</li> <li>Implementation of the engagement agreement between NWP and the MNBC.</li> <li>Confirmation and implementation of the Indigenous Impact Management Plan that outlines mitigation measures to avoid, minimize, reduce, and/or offset potential direct and indirect impacts of the Project and utilizes adaptive management approaches for follow-up strategies and monitoring programs.</li> <li>Consideration of collaborative strategies for addressing the cumulative effects where applicable, with the MNBC, the identified Indigenous Communities, other proponents, and regulatory agencies.</li> <li>Follow the spirit and intent of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and its guiding principles.</li> <li>Support the recognition of Indigenous stewardship and governance in the Elk Valley.</li> <li>Recognize and respect the deep personal, community, and cultural attachment of the MNBC to the land and resources where NWP does business.</li> <li>Incorporate NWP's understanding of Indigenous interests, values, knowledge, and ways of knowing into NWP decision making where practicable where practicable. To this end, NWP is committed to the Canadian Council for Aboriginal Business' Progressive Aboriginal Relations program.</li> </ul> <p>In addition to the mitigations outlined in the specific VC chapters, the following mitigation measures are proposed to reduce the potential impact on the MNBC's rights and interests based on the response to the concerns raised by the MNBC and the identified Indigenous Communities:</p>	<p>The Project has the potential to impact the MNBC's rights and interests related to:</p> <ul style="list-style-type: none"> <li>Fishing: <ul style="list-style-type: none"> <li>The potential for reduction in populations of fish species of interest due to impacts on fish habitat (though recognizing that habitat loss will be replaced with new habitat through the Fisheries Act required fish habitat compensation measures).</li> <li>The potential for temporary restrictions on access to the remaining sections of Alexander Creek due to Project activities (e.g., during blasting activities).</li> <li>The potential for change in water quality in Alexander Creek that could result in impacts to abundance and quality of fish species of interest and potential resulting in impact on traditional fishing activities.</li> <li>The potential changes to the actual or perceived health and quality of potential fish species of cultural interest/use for country foods.</li> <li>The potential for the permanent alienation of the MNBC from fishing locations within the Project footprint resulting in impacts to their ability to know and teach the Métis way of living.</li> </ul> </li> </ul> <p>The degree in severity of impact on the MNBC's rights for the use of lands and resources for fishing and fish opportunities is rated as low to moderate based on the following:</p> <ul style="list-style-type: none"> <li>The potential impacts to fish and fish habitat are predicted to be small in spatial extent.</li> <li>The recommended impact management measures and the Project's design to reduce impacts to fish and fish habitat VCs and the provision of fish habitat compensation, should allow for fishing opportunities to continue in the Elk Valley (other than the upper sections of West Alexander Creek) including those for traditional purposes.</li> <li>There is potential for the Project to result in the permanent alienation of the MNBC from fishing locations within the Project footprint, for which there is no current mitigation identified.</li> <li>It is further noted that that this physical alteration and potential change in the opportunity of the MNBC to practice related traditional activities (e.g.,</li> </ul>	<p>Issues have been considered in the effects assessment and are as documented in Chapters 4 and 26 of the application.</p> <p>NWP is committed to ongoing communication on this issue through future consultation and engagement with MNBC.</p>

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		<p>As noted by NWP, limitations of information provided by the MNBC are identified in the setting of the MNBC's rights and interests in Section 26.6.6.</p>	<ul style="list-style-type: none"> <li>Engaging with the MNBC to refine the Indigenous Impact Management Plan specific to the rights-based activities and other interests (e.g., cultural activities, hunting, trapping, fishing, gathering, and cultural heritage) exercised by the MNBC within the Project footprint.</li> <li>The Indigenous Impact Management Plan will further describe cross-cultural awareness training, which will be developed in collaboration where practicable, with the MNBC. This training is expected to build awareness and reduce potential adverse interactions with the identified Indigenous Communities and will include cultural awareness education and training for staff and on-the-ground personnel during the applicable phases of the Project.</li> <li>Supporting possible opportunities to augment VC-specific monitoring programs to include responses to concerns raised by the MNBC utilizing adaptive management approaches for follow-up strategies.</li> <li>Participation in the Elk Valley Cumulative Effects Management Framework as co-led by the KNC.</li> <li>Encouraging the participation of the MNBC to the applicable Project Advisory, Environmental Stewardship, and in the Environmental Monitoring Committee to review, shape, and steer monitoring activities and to guide future priorities.</li> <li>Encouraging the participation of the MNBC in the Reclamation Planning Committee to review how traditional knowledge has been incorporated, including Indigenous traditional use and cultural expression as part of the Project closure goals.</li> <li>Supporting access to the Project site and provide applicable available resources for the Indigenous-Guardians Program to develop and lead monitoring programs related to the Project.</li> <li>Incorporating feedback from the MNBC in the development of an Access Management and Monitoring Program which would address any concerns raised regarding access to areas that might be temporarily restricted due to safety concerns (e.g., in the Project footprint during construction and operations) by creating alternatives to guarantee access to key land use areas. NWP will establish No Unauthorized Entry (NUE) areas in order to ensure worker and public safety within and near the Project.</li> </ul>	<p>fishing) may also have impacts on intangible cultural heritage.</p> <ul style="list-style-type: none"> <li>Due to the lack of current information available on their use of the Project footprint for traditional purposes, understanding and characterizing these potential related impacts to their intangible cultural heritage requires further input from the MNBC.</li> <li>Though baseline data was sufficient to evaluate effects for the fish and fish habitat VCs, there is no current information available indicating that the MNBC use the watercourses within the Project footprint.</li> <li>The MNBC has also not expressed to date an interest in possibly using the Project-impacted watercourse (Alexander Creek) in the future.</li> <li>It should be noted that there is existing potential for fish and fishing opportunity available in the ATRI LSA and RSA with respect to watercourses outside of the Project footprint. Continued consultation with the MNBC, as well as through the development of potential follow-up and monitoring and adaptive management measures regarding fish and fish habitat are expected to improve the confidence rating and the severity assessment of impact on the MNBC's rights and interests.</li> <li>Hunting and Trapping:             <ul style="list-style-type: none"> <li>The potential localized changes in accessibility to wildlife associated with riparian vegetation/habitat.</li> <li>The potential for changes to accessibility to aquatic wildlife species of interest (e.g., waterfowl) with the change or loss of aquatic habitats.</li> <li>The potential for changes in wildlife food sources through changes to ecosystems/vegetation communities resulting in changes to wildlife species of interest movements/migrations.</li> <li>The potential stressor on wildlife population with increased access roads potentially attracting hunters, vehicle collisions, and increased road densities.</li> <li>The potential for reduction of the quality and accessibility of wildlife species of interest for traditional/cultural purposes or country foods.</li> </ul> </li> </ul>	

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			<ul style="list-style-type: none"> <li>Supporting the establishment of conservation lands that may be privately held by NWP, an Indigenous Community, or a recognized conservation organization.</li> <li>Supporting Indigenous work related to land and resource use planning objectives in proximity to the Project and following the EAC, NWP will support Indigenous work related to land and resource use planning objectives for consideration during the relevant Project phases.</li> <li>Providing access to requested reports and identify feedback opportunities where applicable including the various mitigation and monitoring plans as well as those related to the Indigenous Impact Management Plan.</li> </ul> <p>For each potential impact as previously described and assessed in Section 26.7, the specific mitigation measures identified that relate to the MNBC's rights and interests are described in the following sections and are also summarized in Table 26.9-1.</p> <p>Key mitigation measures for each MNBC right/interest that may potentially be impacted include:</p> <ul style="list-style-type: none"> <li>Fishing: The mitigation measures identified for the change to use of lands and resources for traditional fishing purposes are as identified in Chapter 12, Section 12.5.3 including the Fish and Fish Habitat Management Plan and the Ecological Restoration Plan. The operational practices and procedures that are prescribed in the Site Water Management Plan in Chapter 33 (Section 33.4.1.8) including selenium, nitrate, and calcite management, and the Noise and Vibration Management Plan (Section 33.4.1.7), the Vegetation and Ecosystems Management and Monitoring Plan (Section 33.4.1.11) and the Aquatic Effects Management Program described in Section 33.4.1.5 will be the primary means by which the Project will address adverse effects to fish and fish habitat. These are identified in combination with the key mitigations for traditional fishing activities to reduce the impacts on the MNBC's fishing rights including those related to their ability to know and teach the Métis way of living during all Project phases.</li> <li>Hunting and Trapping: The mitigation measures identified for the change to use of lands and</li> </ul>	<ul style="list-style-type: none"> <li>The potential for the permanent alienation of the MNBC from hunting and trapping locations within the Project footprint resulting in impacts to their ability to know and teach the Métis way of living.</li> </ul> <p>Though residual effects to wildlife VCs may occur as result of the Project, no significant adverse effects are anticipated, and the potential impacts included will result in a temporary decline in the wildlife species available for use by the MNBC in hunting and trapping practices as well as the temporary impact to the accessibility of areas used to hunt and trap in the Project footprint and the ATRI LSA. The Project has the potential to impact on MNBC's Treaty 7 rights based on the above.</p> <p>In terms of specific wildlife VCs, bighorn sheep have important significance within the MNBC's spiritual and ceremonial teachings, songs, ceremonies, medicines, and stories as currently identified in Sections 26.5.4 and 26.6.6. Follow-up on impact management measures related to bighorn sheep are identified in Chapter 15 and included in the Indigenous Impact Management Plan (Section 26.9.2).</p> <p>The degree in severity of impact on the MNBC's rights and interests for the use of lands and resources for hunting and trapping is rated as low to moderate based on the following:</p> <ul style="list-style-type: none"> <li>The potential impacts are likely to be small in spatial extent, reversible in the long term, and with few effects to health and/or country foods.</li> <li>Mitigation and the Project's design to reduce impacts to wildlife VCs and the implementation of management, monitoring, and reclamation plans, should allow for hunting and trapping activities to continue within the ATRI LSA including those for traditional purposes.</li> <li>With specific regard to bighorn sheep, as identified in Section 26.7.3.2.2, the population has a relatively stable trend and while the Project will result in loss of a relatively small amount of year-round high-quality habitat, none of which has been mapped as bighorn sheep winter range. Sensory disturbance has the potential to displace bighorn sheep in high-quality annual habitat, though it does not overlap with mapped winter range. Post-closure, the reclaimed mine landscape will provide abundant</li> </ul>	

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			<p>resources for traditional hunting and trapping purposes are as identified in Chapter 15 (e.g., ungulates, Chapter 15, Section 15.4.3.3) including the Wildlife Management and Monitoring Plan and the Ecological Restoration Plan. Many of the measures to mitigate impacts to wildlife VCs are part of protocols described in Chapter 33 including the Air Quality and Greenhouse Gas Management Plan (Section 33.4.1.1), the Noise and Vibration Management Plan (Section 33.4.1.7), the Vegetation and Ecosystems Management and Monitoring Plan (Section 33.4.1.11), the Spill Prevention, Control, and Countermeasures Plan (Section 33.4.1.10), the Waste Management Plan (Section 33.4.1.12), and the Traffic Control Plan (Section 33.4.2.4) which includes access management. These are identified in combination with the key mitigations for traditional hunting and trapping activities to reduce the impacts on the MNBC's hunting and trapping rights including those related to their ability to know and teach the Métis way of living during all Project phases.</p> <ul style="list-style-type: none"> <li>• Harvesting and Gathering: The mitigation measures identified for the change to use of lands and resources for traditional harvesting and gathering purposes are as identified in Chapter 13 (e.g., riparian habitat, Section 13.6.5.2) and Chapter 14 (e.g., whitebark pine, Section 14.5.5.2.1) including the Vegetation and Ecosystems Management and Monitoring Plan and the Ecological Restoration Plan. Many of the measures to mitigate impacts to plants and vegetation VCs are part of protocols described in Chapter 33 including the Wildlife Management and Monitoring Plan (Section 33.4.1.13), Air Quality and Greenhouse Gas Management Plan (Section 33.4.1.1), the Soil Management Plan (Section 33.4.1.9), Spill Prevention, Control, and Countermeasures Plan (Section 33.4.1.10), and the Waste Management Plan (Section 33.4.1.12). These are identified in combination with the key mitigations for traditional harvesting and gathering activities to reduce the impacts on the MNBC's harvesting and gathering rights including those related to their ability to know and teach the Métis way of living during all Project phases.</li> <li>• Physical and Cultural Heritage: The mitigation measures identified for the change to physical and</li> </ul>	<p>forage for bighorn sheep. Based on the characterization of the residual effects as identified above and the local and regional bighorn sheep population levels, the Project would not limit the ability of bighorn sheep to persist and maintain self-sustaining populations in the ATRI LSA. The residual effects of habitat loss and degradation, sensory disturbance, disruption to movement, and increased mortality on bighorn sheep arising from the Project during all phases are therefore considered not significant.</p> <ul style="list-style-type: none"> <li>• Though baseline data was sufficient to evaluate effects for identified wildlife VCs, areas currently or potentially used by the MNBC for hunting and trapping have not been identified within the Project footprint through publicly available information.</li> <li>• Information related to the MNBC's use of the ATRI LSA to hunt and trap was not made available prior to the assessment and the currently identified low level of use by the MNBC in the Project footprint, coupled with the lack of significant adverse effects to wildlife VCs that are potentially used for hunting and trapping purposes, indicates the level of impact on the MNBC's rights and interests related to the use of lands and resources for traditional hunting and trapping.</li> <li>• There is potential for the Project to result in the permanent alienation of the MNBC from hunting and trapping locations within the Project footprint, for which there is no current mitigation identified. It is further noted that that this physical alteration and potential change in the opportunity of the MNBC to practice related traditional activities (e.g., hunting and trapping) may also have impacts on intangible cultural heritage.</li> <li>• Due to the lack of current information available on their use of the Project footprint for traditional purposes, understanding and characterizing these potential related impacts to their intangible cultural heritage requires further input from the MNBC.</li> <li>• Continued consultation with the MNBC, as well as through the development of potential follow-up and monitoring and adaptive management measures regarding wildlife VCs are expected to improve the confidence rating and the severity of impact on the MNBC's rights and interests.</li> </ul>	

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			<p>cultural heritage, and structures, sites, or things of historical, archaeological, paleontological, or architectural significance are related to reporting on the implementation of management and monitoring plans associated with the identification of appropriate mitigation for pre-contact archaeological sites based on collaboration with the MNBC. An Archaeology Management Plan (Chapter 33, Section 33.4.1.2) was developed for the Project and describes protocols that will be followed where the Project footprint encroaches upon the recorded boundaries of pre-contact archaeological sites (pre-dating A.D. 1846) that are protected under the Heritage Conservation Act, in addition to best management practices for archaeological potential zones and Chance Finds. Mitigation measures for direct impacts to archaeological resources will include, but not be limited to, the application for a provincial Section 12.4 Alteration Permit, to be held concurrently with a Section 12.2 Heritage Inspection Permit. A Heritage Resources response procedure will be put in place as per the Section 12.4 Alteration Permit and will be followed in the event that a Heritage Resource is discovered during Project-related activities.</p> <ul style="list-style-type: none"> <li>• Social, Health, and Economic Conditions: The mitigation measures identified for the change to social, health, and economic conditions are as identified in Chapters 17 (Section 17.5.5) and 18 (Section 18.5.4), including the Health and Safety Management Plan. As noted in Chapter 22, Section 22.5.3, a wide array of design mitigation measures are having been recommended in relation to surface water and air, and considered in the assessment of impact on soil, plant/animal tissue (i.e., food) and sediment quality. As such, mitigation measures applicable to the surface water and air quality VCs are applicable, as well as the following in relation to social and health conditions as described in Chapter 33 including the Air Quality and Greenhouse Gas Management Plan (Section 33.4.1.1), the Noise and Vibration Management Plan (Section 33.4.1.7), the Vegetation and Ecosystems Management and Monitoring Plan (Section 33.4.1.11), the Spill Prevention, Control, and Countermeasures Plan (Section 33.4.1.10), the Waste Management Plan</li> </ul>	<ul style="list-style-type: none"> <li>• Harvesting and Gathering: <ul style="list-style-type: none"> <li>○ The potential for reduction in the quality and accessibility of vegetation species of interest for traditional/cultural purposes or country foods.</li> <li>○ The potential for the permanent alienation of the MNBC from harvesting and gathering locations within the Project footprint.</li> <li>○ The residual effects on landscapes and ecosystems within the Project footprint due to the Rail Loadout, the road, and the Project infrastructure footprint may remove areas currently or potentially used by the MNBC to harvest and gather plants.</li> <li>○ The potential changes in vegetation communities/terrestrial ecosystems and introduction and colonization of invasive vegetation species that outcompete species of interest resulting in a loss of potentially traditionally/culturally important vegetation communities has the potential to impact on the MNBC's rights and interests.</li> <li>○ The potential for the permanent alienation of the MNBC from harvesting and gathering locations within the Project footprint resulting in impacts to their ability to know and teach the Métis way of living.</li> </ul> </li> </ul> <p>The degree in severity of impact on the MNBC's rights and interests for the use of lands and resources for harvesting and gathering is rated as moderate based on the following:</p> <ul style="list-style-type: none"> <li>• The potential impacts are likely to be small in spatial extent, reversible long-term, with few effects to health and/or country foods while there is potential for the Project to result in the permanent alienation of the MNBC from harvesting and gathering locations within the Project footprint for which there is no current mitigation identified.</li> <li>• It is further noted that that this physical alteration and potential change in the opportunity of the MNBC to practice related traditional activities (e.g., harvesting and gathering) may also have impacts on intangible cultural heritage.</li> <li>• Due to the lack of current information available on their use of the Project footprint for traditional purposes, understanding and characterizing these potential related impacts to their intangible cultural heritage requires further input from the MNBC.</li> </ul>	

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			<p>(Section 33.4.1.12), and the Traffic Control Plan (Section 33.4.2.4) which includes access management. These are identified in combination with the key mitigations for the MNBC's traditional activities to reduce the impacts on the MNBC's interests including those related to their ability to know and teach the Métis way of living during all Project phases.</p>	<ul style="list-style-type: none"> <li>• Though baseline data was sufficient to evaluate effects for the related Project VCs, there is no current information available indicating that the MNBC use the Project footprint for harvesting and gathering. As previously identified, a conservative approach has been used in the assessment of impact on rights that assumes that the current and potential use of the lands and resources occurs throughout the ATRI RSA.</li> <li>• It should be noted that there is existing potential for harvesting and gathering for traditional purposes available in the ATRI LSA and RSA outside of the Project footprint. Continued consultation with the MNBC, as well as through the development of potential follow-up and monitoring and adaptive management measures as necessary is expected to improve the confidence rating and the severity of impact on the MNBC's rights and interests.</li> <li>• Physical and Cultural Heritage:             <ul style="list-style-type: none"> <li>○ The potential loss of pre-contact archaeological artifacts (if present) and tree throws related to physical and cultural heritage.</li> <li>○ The potential loss/disconnection of historic and present-day travel routes and trail if present within or crossing new roads and infrastructure footprint.</li> <li>○ The potential changes to or loss of places that may be important for ceremonial or sacred areas through changes in landscape/ecosystems within the Project footprint.</li> <li>○ The potential for change in access to places that may be important for ceremonial or sacred areas, and the potential loss of pre-contact archaeological artifacts (if present) during Project phases.</li> <li>○ The Project has the potential to impact on the MNBC's rights and interests as a result of the potential change due to a significant historic area located near the Project's roads: Grave Lake, Grave Creek, and Grave Prairie.</li> <li>○ The potential for changes to ceremonial or sacred areas associated with Grave Creek and West Alexander Creek.</li> <li>○ There is also the potential discovery of pre-contact archaeological resources (if present) in</li> </ul> </li> </ul>	

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				<p>unconsolidated material or during progressive clearing activities.</p> <ul style="list-style-type: none"> <li>○ The potential for the permanent alienation of the MNBC from their cultural heritage due to the intangible value associated with a sense of place within the Project footprint.</li> </ul> <p>The degree in severity of impact on the MNBC's rights and interests related to physical and cultural heritage resources and structures, sites, or things of historical, archaeological, paleontological, or architectural significance is rated as moderate to high based on the following:</p> <ul style="list-style-type: none"> <li>• The potential impacts are likely to be small in spatial extent, and with no effects to health. These heritage resources may be of interest to the MNBC based on their potential linkage to the MNBC ancestry though none have been identified based on preliminary consultation with the MNBC.</li> <li>• Though baseline data was sufficient to evaluate effects for known heritage resources, the lack of regional information on the MNBC's physical and cultural heritage and structures, sites, or things that are of historical, archaeological, paleontological, or architectural significance increases the degree of severity of adverse impacts.</li> <li>• There is potential for the permanent alienation of the MNBC from their cultural heritage for which there is no current mitigation identified. It is further noted that that this physical alteration and potential change in the opportunity of the MNBC to practice related traditional activities (e.g., ceremonies in areas of physical and cultural heritage) may also have impacts on intangible cultural heritage. The understanding and characterizing of these potential related impacts to the MNBC's intangible cultural heritage requires further input from the MNBC.</li> <li>• Continued consultation with the MNBC, as well as through the development of potential follow-up and monitoring and adaptive management measures as necessary is expected to improve the confidence rating and the severity of impact on the MNBC's rights and interests.</li> <li>• Social, Health, and Economic Conditions: <ul style="list-style-type: none"> <li>○ The potential Project nuisance effects to residents due to noise and vibration.</li> </ul> </li> </ul>	



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				<ul style="list-style-type: none"> <li>○ The potential change in availability/reliance on country food.</li> <li>○ The loss of potential access to species for traditional purposes due to loss of sections of West Alexander Creek.</li> <li>○ The potential for the permanent alienation of the MNBC from traditional use locations within the Project footprint.</li> <li>○ The potential for public safety risks due to physical hazards.</li> <li>○ The Project has the potential to impact on the MNBC's rights and interests due to the potential change in population and demographics.</li> <li>○ The potential change in community health and well-being.</li> <li>○ The potential change due to the influx of new employees to the region that could potentially contribute to social impacts, including safety risks.</li> </ul> <p>Based on the Human Health and Ecological Risk Assessment (HHERA; Chapter 22), which encompasses changes in surface water and air quality, and was estimated in consideration of use and rights-based Indigenous traditional use lifestyle scenarios, the overall Project-related risk to human health is considered to be low. Though the risk is identified as low, there is potential for residual effects to wildlife and human health, and as such, to the actual or perceived quality of fish and wildlife resources consumed as country foods. As such there is potential for less reliance on country foods because of this perceived impact to their quality.</p> <p>Based on the background information research and the consultation activities with the MNBC to date, there are no anticipated interactions between the Project and the MNBC housing, transportation, or social services and education, and therefore, no unmitigated Project effects on these aspects of health and social, health, and economic conditions are anticipated.</p> <p>There is also potential for potential modest positive change in the availability of community services, the potential for Indigenous Communities to take part in monitoring activities as outlined in the Indigenous Impact Management Plan (Section 26.9), and the potential economic benefit for Indigenous Community members</p>	

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				<p>related to employment and economic investment during the Project phases. The Project is anticipated to result in positive economic outcomes for employment, income, and local and regional economies.</p> <p>The degree in severity of impact on the MNBC's social, health, and economic conditions is rated as low based on the following:</p> <ul style="list-style-type: none"> <li>• The potential impacts are likely to be small in spatial extent, reversible long-term, and with few effects to health and/or country foods.</li> <li>• It should be noted that through this assessment it has been determined that there is potential for the Project to result in the permanent alienation of the MNBC from locations within the Project footprint. It is further noted that that this physical alteration and potential change in the opportunity of the MNBC to practice related traditional activities (e.g., consumption of country food) may also have impacts on intangible cultural heritage. The understanding and characterizing of these potential related impacts to MNBC's intangible cultural heritage requires further input from the MNBC.</li> <li>• Though baseline data was sufficient to evaluate effects for socio-community, economic, and human health VCs, areas currently or potentially used by the MNBC for traditional purposes have not been identified within the Project footprint by the MNBC and the impact on rights assessment is based on the publicly available information.</li> <li>• As such, there is no information indicating that the MNBC currently uses the Project footprint for social, health, and economic conditions.</li> <li>• Continued consultation with the MNBC, as well as through the development of potential follow-up and monitoring and adaptive management measures as necessary is expected to improve the confidence rating and the severity of impact on the MNBC's rights and interests.</li> </ul>	

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Food Sovereignty	<p>Issue provided in the Draft Effects Assessment Response October 15, 2021</p> <p>Food insecurity has been increasing in recent years and has been further exacerbated in 2020/2021 by COVID-19. Other factors will influence this in the upcoming years. The MNBC Cabinet and Community members have identified food security as a key priority to focus future initiatives on.</p>	<p>Concern acknowledged and NWP committed to further discussions.</p> <p>Updates added to Chapter 26 to reflect consultation and on-going engagement. Food insecurity including MNBC perspectives within the Project footprint, the ATRI LSA, and ATRI RSA have been considered in the Application/EIS in the following ways:</p> <ul style="list-style-type: none"> <li>The shared perspectives have formed the basis of the MNBC and EVM Nation's Rights and Interests: Historic and Current Use of Lands and Resources for Traditional Purposes in Section 26.6.6.</li> <li>The potential impacts of the residual effects and the residual cumulative effects related to country food are addressed in Section 26.10.2.1 and NWP has also indicated in Chapter 26 that it is committed to ongoing communication on food insecurity and country food consumption through future consultation and engagement with the MNBC (including EVM Nation).</li> </ul>	<p>In addition to the mitigations outlined in the specific VC chapters, the following mitigation measures are proposed to reduce the potential impact on the MNBC's rights and interests based on the response to the concerns raised by the MNBC and the identified Indigenous Communities:</p> <ul style="list-style-type: none"> <li>Fishing: <ul style="list-style-type: none"> <li>Prohibiting or limiting non-Indigenous access to fishing areas to assure compliance with fishing restrictions.</li> <li>Respecting traditional fisheries timing windows and seasonal rounds where practicable.</li> <li>As there is potential for access within the Project footprint, NWP is committed to creating permanent access where practicable during the Post-Closure phase for future traditional activities including fishing.</li> <li>Developing NUE areas in collaboration with Indigenous Communities, regulators, and key stakeholders based on safety, logistical, and administrative considerations to restrict public access to fishing areas within the Project footprint.</li> <li>Educating the Project workforce about fish and fish habitats and implementing an angling policy for NWP non-Indigenous employees and contractors where practicable.</li> <li>NWP will coordinate with local conservation enforcement for Alexander and West Alexander Creeks should increases in non-Indigenous recreational fishing be observed by NWP employees.</li> <li>Progressive reclamation to occur such that riparian habitats are reclaimed as quickly as possible to minimize the magnitude of Project impacts at the temporal scale with collaboration where practicable with Indigenous Communities.</li> <li>NWP is committed to continued consultation and engagement with the MNBC to identify and adapt mitigation measures to address impacts on use of lands (and waters) and resources for traditional fishing purposes within the Project footprint and the ATRI LSA. The mitigation measures relevant to the fish and fish habitat VCs are connected to the Métis' rights and interests related to their</li> </ul> </li> </ul>	<p>The Project has the potential to impact the MNBC's rights and interests related to:</p> <ul style="list-style-type: none"> <li>Fishing: <ul style="list-style-type: none"> <li>The potential for reduction in populations of fish species of interest due to impacts on fish habitat (though recognizing that habitat loss will be replaced with new habitat through the Fisheries Act required fish habitat compensation measures).</li> <li>The potential for temporary restrictions on access to the remaining sections of Alexander Creek due to Project activities (e.g., during blasting activities).</li> <li>The potential for change in water quality in Alexander Creek that could result in impacts to abundance and quality of fish species of interest and potential resulting in impact on traditional fishing activities.</li> <li>The potential changes to the actual or perceived health and quality of potential fish species of cultural interest/use for country foods.</li> <li>The potential for the permanent alienation of the MNBC from fishing locations within the Project footprint resulting in impacts to their ability to know and teach the Métis way of living.</li> </ul> </li> </ul> <p>The degree in severity of impact on the MNBC's rights for the use of lands and resources for fishing and fish opportunities is rated as low to moderate based on the following:</p> <ul style="list-style-type: none"> <li>The potential impacts to fish and fish habitat are predicted to be small in spatial extent.</li> <li>The recommended impact management measures and the Project's design to reduce impacts to fish and fish habitat VCs and the provision of fish habitat compensation, should allow for fishing opportunities to continue in the Elk Valley (other than the upper sections of West Alexander Creek) including those for traditional purposes.</li> <li>There is potential for the Project to result in the permanent alienation of the MNBC from fishing locations within the Project footprint, for which there is no current mitigation identified.</li> <li>It is further noted that that this physical alteration and potential change in the opportunity of the MNBC to practice related traditional activities (e.g.,</li> </ul>	<p>Addressed in the Application and ongoing resolution through consultation and engagement with MNBC.</p>

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			<p>ability to fish for species of interest, their perspectives on fish quality and abundance, the values associated with sustenance based on fish resources available to the Métis, and their ability to know and teach the Métis way of living during all Project phases.</p> <ul style="list-style-type: none"> <li>• Hunting and Trapping:               <ul style="list-style-type: none"> <li>○ Installing and maintaining noise and light mitigation measures, where practicable, on and around Project infrastructure to minimize sensory disturbances.</li> <li>○ As there is potential for access within the Project footprint, NWP is committed to creating permanent access where practicable during the Post-Closure phase for future traditional activities including hunting and trapping.</li> <li>○ Developing NUE areas in collaboration with Indigenous Communities, regulators, and key stakeholders based on safety, logistical, and administrative considerations to restrict public access to traditional hunting and trapping use areas within the Project footprint.</li> <li>○ Respecting traditional hunting and trapping timing windows and seasonal rounds where practicable.</li> <li>○ Progressive reclamation and revegetation throughout the mine life to reduce the Project footprint as quickly as possible to minimize the magnitude of Project impacts at the temporal scale with collaboration where practicable with Indigenous Communities.</li> <li>○ NWP is committed to continued consultation and engagement with the MNBC to identify and adapt mitigation measures to address impacts on use of lands and resources for traditional purposes within the Project footprint and the ATRI LSA. The mitigation measures relevant to the wildlife VCs are connected to the Métis' rights and interests related to their ability to hunt and trap species of interest, their perspectives on the quality and abundance of these species, the values associated with sustenance based on traditional resources available to the Métis, and their ability to know and teach the Métis way of living during all Project phases.</li> </ul> </li> </ul>	<p>fishing) may also have impacts on intangible cultural heritage.</p> <ul style="list-style-type: none"> <li>• Due to the lack of current information available on their use of the Project footprint for traditional purposes, understanding and characterizing these potential related impacts to their intangible cultural heritage requires further input from the MNBC.</li> <li>• Though baseline data was sufficient to evaluate effects for the fish and fish habitat VCs, there is no current information available indicating that the MNBC use the watercourses within the Project footprint.</li> <li>• The MNBC has also not expressed to date an interest in possibly using the Project-impacted watercourse (Alexander Creek) in the future.</li> <li>• It should be noted that there is existing potential for fish and fishing opportunity available in the ATRI LSA and RSA with respect to watercourses outside of the Project footprint. Continued consultation with the MNBC, as well as through the development of potential follow-up and monitoring and adaptive management measures regarding fish and fish habitat are expected to improve the confidence rating and the severity assessment of impact on the MNBC's rights and interests.</li> <li>• Hunting and Trapping:               <ul style="list-style-type: none"> <li>○ The potential localized changes in accessibility to wildlife associated with riparian vegetation/habitat.</li> <li>○ The potential for changes to accessibility to aquatic wildlife species of interest (e.g., waterfowl) with the change or loss of aquatic habitats.</li> <li>○ The potential for changes in wildlife food sources through changes to ecosystems/vegetation communities resulting in changes to wildlife species of interest movements/migrations.</li> <li>○ The potential stressor on wildlife population with increased access roads potentially attracting hunters, vehicle collisions, and increased road densities.</li> <li>○ The potential for reduction of the quality and accessibility of wildlife species of interest for traditional/cultural purposes or country foods.</li> </ul> </li> </ul>	

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			<ul style="list-style-type: none"> <li>• Harvesting and Gathering:               <ul style="list-style-type: none"> <li>○ Minimizing disturbance and encroachment into natural vegetation, to the extent feasible, by clearing and grubbing only what is required for Construction and Pre-Production activities and progressive development of pits and Mine Rock Storage Facility.</li> <li>○ Sequencing the development of pits and Mine Rock Storage Facility areas to limit total disturbance during any one period and maximizing progressive reclamation opportunities during Operations where practicable.</li> <li>○ Revegetation with Indigenous species to limit the effects that invasive plants may have on natural vegetation.</li> <li>○ As there is potential for access within the Project footprint, NWP is committed to creating permanent access where practicable during the Post-Closure phase for future traditional activities including harvesting and gathering.</li> <li>○ Developing NUE areas in collaboration with Indigenous Communities, regulators, and key stakeholders based on safety, logistical, and administrative considerations to restrict public access to traditional harvesting and gathering use areas within the Project footprint.</li> <li>○ Respecting traditional harvesting and gathering timing windows and seasonal rounds where practicable.</li> <li>○ Identifying opportunities for harvesting and gathering prior to construction for the MNBC citizens within the Project footprint and the reestablishment of plant harvesting activities in the reclamation phase.</li> <li>○ Consideration of support for possible mapping of all high priority cultural use areas in the proximity to the Project by Indigenous Communities including support for research and development of approaches for restoring Landscape and Ecosystem VCs.</li> <li>○ Progressive reclamation and revegetation throughout the mine life to reduce the Project footprint as quickly as possible to minimize the magnitude of Project impacts at the temporal scale with collaboration where practicable</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>○ The potential for the permanent alienation of the MNBC from hunting and trapping locations within the Project footprint resulting in impacts to their ability to know and teach the Métis way of living.</li> </ul> <p>Though residual effects to wildlife VCs may occur as result of the Project, no significant adverse effects are anticipated and the potential impacts included will result in a temporary decline in the wildlife species available for use by the MNBC in hunting and trapping practices as well as the temporary impact to the accessibility of areas used to hunt and trap in the Project footprint and the ATRI LSA. The Project has the potential to impact on MNBC's Treaty 7 rights based on the above.</p> <p>In terms of specific wildlife VCs, bighorn sheep have important significance within the MNBC's spiritual and ceremonial teachings, songs, ceremonies, medicines, and stories as currently identified in Sections 26.5.4 and 26.6.6. Follow-up on impact management measures related to bighorn sheep are identified in Chapter 15 and included in the Indigenous Impact Management Plan (Section 26.9.2).</p> <p>The degree in severity of impact on the MNBC's rights and interests for the use of lands and resources for hunting and trapping is rated as low to moderate based on the following:</p> <ul style="list-style-type: none"> <li>• The potential impacts are likely to be small in spatial extent, reversible in the long term, and with few effects to health and/or country foods.</li> <li>• Mitigation and the Project's design to reduce impacts to wildlife VCs and the implementation of management, monitoring, and reclamation plans, should allow for hunting and trapping activities to continue within the ATRI LSA including those for traditional purposes.</li> <li>• With specific regard to bighorn sheep, as identified in Section 26.7.3.2.2, the population has a relatively stable trend and while the Project will result in loss of a relatively small amount of year-round high-quality habitat, none of which has been mapped as bighorn sheep winter range. Sensory disturbance has the potential to displace bighorn sheep in high-quality annual habitat, though it does not overlap with mapped winter range. Post-closure, the reclaimed mine landscape will provide abundant</li> </ul>	

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			<p>with Indigenous Communities. As part of Project Reclamation and Closure activities, the Project footprint will be reclaimed to similar ecosystem types to the local area and which previously existed before disturbance.</p> <ul style="list-style-type: none"> <li>○ NWP is committed to continued consultation and engagement with the MNBC to identify and adapt mitigation measures to address impacts on use of lands and resources for traditional purposes within the Project footprint and the ATRI LSA. The mitigation measures relevant to the plant and vegetation VCs are connected to the Métis' rights and interests related to their ability to harvest and gather plant species of interest, their perspectives on the quality and abundance of these species, the values associated with sustenance based on traditional resources available to the Métis, and their ability to know and teach the Métis way of living during all Project phases.</li> <li>• Social, Health, and Economic Conditions:             <ul style="list-style-type: none"> <li>○ With respect to the use of lands and resources for traditional purposes (including fishing, hunting and trapping, harvesting and gathering, physical and cultural heritage, and social, health and economic conditions) NWP with guidance from the MNBC, will include a process to monitor during the relevant phases of the Project:                 <ul style="list-style-type: none"> <li>▪ Potential Project contaminants to water, country foods, and medicines, including identifying areas or species of particular risk where practicable.</li> <li>▪ The development and implementation of mitigation strategies and measures to address contaminants related to water, country foods, and medicines and their impact on Indigenous community members and Indigenous culture.</li> <li>▪ A culturally appropriate communication strategy to inform Indigenous community members regarding the relative safety or risks of water, country foods, and medicine consumption in proximity of the Project based on scientific and Traditional Knowledge.</li> </ul> </li> </ul> </li> </ul>	<p>forage for bighorn sheep. Based on the characterization of the residual effects as identified above and the local and regional bighorn sheep population levels, the Project would not limit the ability of bighorn sheep to persist and maintain self-sustaining populations in the ATRI LSA. The residual effects of habitat loss and degradation, sensory disturbance, disruption to movement, and increased mortality on bighorn sheep arising from the Project during all phases are therefore considered not significant.</p> <ul style="list-style-type: none"> <li>• Though baseline data was sufficient to evaluate effects for identified wildlife VCs, areas currently or potentially used by the MNBC for hunting and trapping have not been identified within the Project footprint through publicly available information.</li> <li>• Information related to the MNBC's use of the ATRI LSA to hunt and trap was not made available prior to the assessment and the currently identified low level of use by the MNBC in the Project footprint, coupled with the lack of significant adverse effects to wildlife VCs that are potentially used for hunting and trapping purposes, indicates the level of impact on the MNBC's rights and interests related to the use of lands and resources for traditional hunting and trapping.</li> <li>• There is potential for the Project to result in the permanent alienation of the MNBC from hunting and trapping locations within the Project footprint, for which there is no current mitigation identified. It is further noted that that this physical alteration and potential change in the opportunity of the MNBC to practice related traditional activities (e.g., hunting and trapping) may also have impacts on intangible cultural heritage.</li> <li>• Due to the lack of current information available on their use of the Project footprint for traditional purposes, understanding and characterizing these potential related impacts to their intangible cultural heritage requires further input from the MNBC.</li> <li>• Continued consultation with the MNBC, as well as through the development of potential follow-up and monitoring and adaptive management measures regarding wildlife VCs are expected to improve the confidence rating and the severity of impact on the MNBC's rights and interests.</li> </ul>	

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			<ul style="list-style-type: none"> <li>▪ A joint process for the incorporation of Traditional Knowledge and the participation of Indigenous community representatives in monitoring activities relate to water, country foods, and medicines within and downstream (Alexander Creek) of the Project.</li> <li>○ Avoidance strategies to reduce exposure by Indigenous harvesters active near the Project footprint during Operations, such as site fencing to preclude access and signage.</li> <li>○ NWP will work with the MNBC to create economic benefits for the community that might include initiatives related to:               <ul style="list-style-type: none"> <li>▪ Capacity building;</li> <li>▪ Direct and indirect employment;</li> <li>▪ Education and training; and</li> <li>▪ Procurement and business relationships.</li> </ul> </li> <li>○ NWP will support activities related to monitoring and address potential beneficial and adverse economic and social effects related to increased participation of Indigenous community members in the NWP work force including providing support to related Indigenous Communities to conduct community-based surveys to monitor baseline trends and track positive and negative changes in socio-economic conditions.</li> <li>○ NWP is committed to continued consultation and engagement with the MNBC to identify and adapt mitigation measures to address impacts on social, health, and economic conditions within the Project footprint and the ATRI LSA. The mitigation measures relevant to the Métis' social, health, and economic conditions are connected to the Métis' interests related to their perspectives on country food consumption, the values associated with the traditional resources available to the Métis, and their ability to know and teach the Métis way of living during all Project phases.</li> </ul>	<ul style="list-style-type: none"> <li>• Harvesting and Gathering:               <ul style="list-style-type: none"> <li>○ The potential for reduction in the quality and accessibility of vegetation species of interest for traditional/cultural purposes or country foods.</li> <li>○ The potential for the permanent alienation of the MNBC from harvesting and gathering locations within the Project footprint.</li> <li>○ The residual effects on landscapes and ecosystems within the Project footprint due to the Rail Loadout, the road, and the Project infrastructure footprint may remove areas currently or potentially used by the MNBC to harvest and gather plants.</li> <li>○ The potential changes in vegetation communities/terrestrial ecosystems and introduction and colonization of invasive vegetation species that outcompete species of interest resulting in a loss of potentially traditionally/culturally important vegetation communities has the potential to impact on the MNBC's rights and interests.</li> <li>○ The potential for the permanent alienation of the MNBC from harvesting and gathering locations within the Project footprint resulting in impacts to their ability to know and teach the Métis way of living.</li> </ul> </li> </ul> <p>The degree in severity of impact on the MNBC's rights and interests for the use of lands and resources for harvesting and gathering is rated as moderate based on the following:</p> <ul style="list-style-type: none"> <li>• The potential impacts are likely to be small in spatial extent, reversible long-term, with few effects to health and/or country foods while there is potential for the Project to result in the permanent alienation of the MNBC from harvesting and gathering locations within the Project footprint for which there is no current mitigation identified.</li> <li>• It is further noted that that this physical alteration and potential change in the opportunity of the MNBC to practice related traditional activities (e.g., harvesting and gathering) may also have impacts on intangible cultural heritage.</li> <li>• Due to the lack of current information available on their use of the Project footprint for traditional purposes, understanding and characterizing these potential related impacts to their intangible cultural heritage requires further input from the MNBC.</li> </ul>	

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				<ul style="list-style-type: none"> <li>• Though baseline data was sufficient to evaluate effects for the related Project VCs, there is no current information available indicating that the MNBC use the Project footprint for harvesting and gathering. As previously identified, a conservative approach has been used in the assessment of impact on rights that assumes that the current and potential use of the lands and resources occurs throughout the ATRI RSA.</li> <li>• It should be noted that there is existing potential for harvesting and gathering for traditional purposes available in the ATRI LSA and RSA outside of the Project footprint. Continued consultation with the MNBC, as well as through the development of potential follow-up and monitoring and adaptive management measures as necessary is expected to improve the confidence rating and the severity of impact on the MNBC's rights and interests.</li> <li>• Social, Health, and Economic Conditions:               <ul style="list-style-type: none"> <li>○ The potential Project nuisance effects to residents due to noise and vibration.</li> <li>○ The potential change in availability/reliance on country food.</li> <li>○ The loss of potential access to species for traditional purposes due to loss of sections of West Alexander Creek.</li> <li>○ The potential for the permanent alienation of the MNBC from traditional use locations within the Project footprint.</li> <li>○ The potential for public safety risks due to physical hazards.</li> <li>○ The Project has the potential to impact on the MNBC's rights and interests due to the potential change in population and demographics.</li> <li>○ The potential change in community health and well-being.</li> <li>○ The potential change due to the influx of new employees to the region that could potentially contribute to social impacts, including safety risks.</li> </ul> </li> </ul> <p>Based on the Human Health and Ecological Risk Assessment (HHERA; Chapter 22), which encompasses changes in surface water and air quality, and was estimated in consideration of use and rights-based Indigenous traditional use lifestyle scenarios, the overall</p>	



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				<p>Project-related risk to human health is considered to be low. Though the risk is identified as low, there is potential for residual effects to wildlife and human health, and as such, to the actual or perceived quality of fish and wildlife resources consumed as country foods. As such there is potential for less reliance on country foods because of this perceived impact to their quality.</p> <p>Based on the background information research and the consultation activities with the MNBC to date, there are no anticipated interactions between the Project and the MNBC housing, transportation, or social services and education, and therefore, no unmitigated Project effects on these aspects of health and social, health, and economic conditions are anticipated.</p> <p>There is also potential for potential modest positive change in the availability of community services, the potential for Indigenous Communities to take part in monitoring activities as outlined in the Indigenous Impact Management Plan (Section 26.9), and the potential economic benefit for Indigenous Community members related to employment and economic investment during the Project phases. The Project is anticipated to result in positive economic outcomes for employment, income, and local and regional economies.</p> <p>The degree in severity of impact on the MNBC's social, health, and economic conditions is rated as low based on the following:</p> <ul style="list-style-type: none"> <li>• The potential impacts are likely to be small in spatial extent, reversible long-term, and with few effects to health and/or country foods.</li> <li>• It should be noted that through this assessment it has been determined that there is potential for the Project to result in the permanent alienation of the MNBC from locations within the Project footprint. It is further noted that that this physical alteration and potential change in the opportunity of the MNBC to practice related traditional activities (e.g., consumption of country food) may also have impacts on intangible cultural heritage. The understanding and characterizing of these potential related impacts to MNBC's intangible cultural heritage requires further input from the MNBC.</li> <li>• Though baseline data was sufficient to evaluate effects for socio-community, economic, and human health VCs, areas currently or potentially used by</li> </ul>	

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				<p>the MNBC for traditional purposes have not been identified within the Project footprint by the MNBC and the impact on rights assessment is based on the publicly available information.</p> <ul style="list-style-type: none"> <li>As such, there is no information indicating that the MNBC currently uses the Project footprint for social, health, and economic conditions.</li> <li>Continued consultation with the MNBC, as well as through the development of potential follow-up and monitoring and adaptive management measures as necessary is expected to improve the confidence rating and the severity of impact on the MNBC's rights and interests.</li> </ul>	
Cumulative Effects Assessment	<p>Issue provided in the Draft Effects Assessment Response October 15, 2021</p> <p>A holistic consideration of the cumulative impacts of the ongoing development in the proposed project area is a priority concern for MNBC.</p> <p>The Elk Valley has been, and continues to be, shaped by hundreds of existing and new small changes (roads, cut blocks, mine sites, industrial, residential, and natural disturbance). Métis communities have identified climate change as a real threat to sustainability of freshwater, resources, aquatic, and terrestrial ecosystems as well as changing various species life-cycles and spatial distributions of habitats.</p>	<p>Updates added to Chapter 26 to reflect consultation and on-going engagement.</p> <p>Section 26.5 details our preliminary understanding of the MNBC's rights and interests and how feedback received from the MNBC was incorporated into the effects assessment process.</p> <p>Where the MNBC highlighted the further consideration of the cumulative effects of the Project in relation to the past and present projects and activities related to coal mining, further clarity on what projects and activities were included in the cumulative effects assessment was provided to the MNBC as a follow up to the feedback received. Section 26.7.4 includes updated maps and further details on those projects and activities included in the assessment process.</p> <p>Where information was available on the MNBC's perspectives, they have been included in Sections 26.6 to 26.10.</p> <p>Key issues that remain outstanding and are included in the opportunities for future engagement are the incorporation of MNBC's traditional use information collection within the Project footprint and the ATRI LSA that is currently ongoing and should be incorporated into the assessment processes, and the concerns regarding the overall potential cumulative</p>	<p>In addition to the mitigations outlined in the specific VC chapters, the following mitigation measures are proposed to reduce the potential cumulative impacts on the MNBC's rights and interests:</p> <ul style="list-style-type: none"> <li>Best management practices and procedures related to each VC of interest are based on MNBC perspectives shared with respect to the principles of reclamation and restoration including the design of mitigation measures for cumulative effects as outlined in the various specific VC chapters in the Application/EIS.</li> <li>Restoration and progressive reclamation at various phases of the Project related to cumulative effects in an effort to address the usually slow reclamation progress in the Elk Valley.</li> <li>As part of the cumulative effects mitigation and the overall impact management measures, NWP will encourage the participation of the MNBC on the applicable Project Advisory, Environmental Stewardship and Reclamation Planning committees.</li> <li>NWP is also committed to supporting the establishment of more new conservation lands than the loss of existing conservation lands. New lands may be privately held by NWP, an Indigenous Nation, or a recognized conservation organization.</li> <li>Confirming and implementing the Indigenous Impact Management Plan that outlines mitigation measures to avoid, minimize, reduce, and/or offset potential direct and indirect impacts of the Project</li> </ul>	<p>Within the ATRI RSA, lands have experienced and are experiencing past disturbances as a result of mining, forestry, agricultural/commercial/ residential development, and natural disturbances (e.g., avalanches, forest fires). Based on the results of the relevant VC potential residual cumulative effects assessments and in consideration of potential regional mitigation measures as well as the requirements of Section 5(1)(c) of CEA Act, 2012, potential residual cumulative effects are anticipated to occur as they relate to:</p> <ul style="list-style-type: none"> <li>The use of lands and resources for traditional purposes (i.e., fishing, hunting and trapping, harvesting and gathering);</li> <li>Physical and cultural heritage, and structures, sites, or things of historical, archaeological, paleontological, or architectural significance; and</li> <li>Social, health, and economic conditions.</li> </ul> <p>Though potential residual cumulative effects to VC or VC groups that may be of interest to the MNBC are not assessed as significant, a conservative approach to the assessment of residual cumulative effects on the MNBC indicates residual cumulative effects may occur. Residual cumulative effects assessments for potential cumulative effects are presented in Sections 26.7.4.4.1 to 26.7.4.4.5.</p>	<p>Issue has been considered in the effects assessment and is documented in Chapter 26 of the application.</p> <p>NWP provided a detailed description of the cumulative effects assessment methodology and overview of the projects and activities included in the assessment process that relate to past, present, and the reasonable future developments.</p> <p>NWP is committed to ongoing communication on this issue through future consultation and engagement with the MNBC.</p>

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		<p>effects within the Elk Valley due to on-going activities.</p>	<p>on the MNBC's rights and related interests and utilizes adaptive management approaches for follow-up strategies and monitoring programs.</p> <ul style="list-style-type: none"> <li>• Consideration of collaborative strategies for addressing the cumulative effects where applicable, with MNBC, the identified Indigenous Communities, other proponents, and regulatory agencies.</li> <li>• Participation in the Elk Valley Cumulative Effects Management Framework as co-led by the KNC and other relevant regional cumulative effects initiatives, where appropriate.</li> <li>• Supporting possible opportunities to augment VC-specific monitoring programs to include responses to concerns raised by the MNBC utilizing adaptive management approaches for follow-up strategies.</li> <li>• Adopting management practices and measures to meet regional planning objectives, where practicable, over the course of the Project.</li> <li>• Supporting the recognition of Indigenous stewardship and governance in the Elk Valley and respecting MNBC perspectives on their use of lands and resources for traditional purposes.</li> <li>• Continued consultation and engagement with the MNBC over the course of the Project to identify and understand current use of lands and resources for traditional purposes within the ATRI LSA and ATRI RSA.</li> <li>• Opportunity for ceremonies on the land prior to construction of project infrastructure as well as opportunities for harvesting and gathering within the Project footprint prior to construction for Indigenous community members.</li> </ul>	<p>The Project has the potential to impact the MNBC's rights and interests related to cumulative effects that may result in cumulative impacts addressed as follows:</p> <ul style="list-style-type: none"> <li>• Fishing: <ul style="list-style-type: none"> <li>○ While the degree in severity of impact on the MNBC's rights for the use of lands and resources for fishing and fish opportunities is rated as low to moderate, the cumulative impacts are rated as moderate.</li> <li>○ The Project in combination with other reasonably foreseeable future projects and activities is not anticipated to result in measurable cumulative residual Project effects that will reduce the ability and opportunity of the MNBC to practice their rights and interests related to fishing within the ATRI RSA over the already existing reduced ability that has been previously identified (Section 26.7.4.2).</li> <li>○ The cumulative impacts have been assessed as moderate due to the on-going impacts of past and present projects and activities in combination with other reasonably foreseeable future projects and activities, on watercourses in the Elk Valley, the limited information currently available on the current and potential use of lands and resources within the ATRI RSA, and the uncertainty regarding the implications of regional climatic changes that may impact fish habitat availability.</li> <li>○ Métis perspectives on cumulative effects in the ATRI RSA note that "waterways and the fish, and other species that rely on them are on the brink of devastation due to coal mining".</li> <li>○ The cumulative impact is determined as moderate due to the lack of information available from the MNBC regarding their opportunity to conduct traditional fishing within the Project footprint at this time.</li> <li>○ It is expected that their ability to know and teach the Métis way of living can continue outside of the Project footprint during all Project phases.</li> </ul> </li> <li>• Hunting and Trapping: <ul style="list-style-type: none"> <li>○ While the degree in severity of impact on the MNBC's rights and interests for the use of lands and resources for hunting and trapping is rated</li> </ul> </li> </ul>	

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				<p>as low to moderate, the cumulative impacts are rated as moderate.</p> <ul style="list-style-type: none"> <li>○ The Project in combination with other reasonably foreseeable future projects and activities is not anticipated to reduce the ability and opportunity of the MNBC to practice rights and related interests related to hunting and trapping within the ATRI RSA.</li> <li>○ The wildlife and wildlife habitat conditions within the regional study areas of relevant wildlife species of interests including their ecology, habitat availability, and distribution, and occurrence and abundance, are well understood at the scale of the VC regional study areas (e.g., Terrestrial RSA).</li> <li>○ The moderate rating also reflects that the MNBC have not provided any specific information to date regarding their use of the Project footprint for hunting and trapping for traditional purposes or whether they have an interest in using the area in the future.</li> <li>○ It is expected that their ability to know and teach the Métis way of living can continue outside of the Project footprint during all Project phases.</li> <li>○ Uncertainty also exists regarding the implications of regional climatic changes that may impact wildlife habitat availability.</li> </ul> <ul style="list-style-type: none"> <li>● Harvesting and Gathering: <ul style="list-style-type: none"> <li>○ The degree in severity of impact on the MNBC's rights and interests for the use of lands and resources for harvesting and gathering is rated as moderate to reflect the cumulative impacts.</li> <li>○ The Project, in combination with other reasonably foreseeable future projects and activities, is not anticipated to result in measurable residual Project effects to reduce the ability and opportunity for the MNBC to practice their rights and interests related to harvesting and gathering within the ATRI RSA.</li> <li>○ The opportunity to harvest and gather within the ATRI RSA is dependent on the location of ecosystems and plant species of interest as well as the access to these areas.</li> <li>○ Due to on-going impacts of past and present projects and activities in combination with other reasonably foreseeable future projects</li> </ul> </li> </ul>	

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MNBC Rights and Related Interests/VC	MNBC Perspectives on Rights and Interests/VC	Proponent Response	Summary of Proposed Measures to Avoid, Mitigate, or Otherwise Manage Effects	Summary of Assessment of Potential Impacts on Rights and Interests	Status of Issue / Path Forward
				<p>and activities, on the Elk Valley, the limited information currently available on the use of lands and resources within the ATRI RSA, the uncertainty regarding the implications of regional climatic changes that may impact terrestrial ecosystems and vegetation communities, the changes in the accessibility to harvest and gather in the ATRI RSA that may potentially impact the ability to undertake cultural and traditional practices for community members, and the importance of available lands for traditional practices, the cumulative impacts have been assessed as moderate.</p> <ul style="list-style-type: none"> <li>○ The cumulative impact is also determined as moderate due to the lack of information available from the MNBC regarding their opportunity to conduct traditional harvesting and gathering activities within the Project footprint at this time. It is expected that their ability to know and teach the Métis way of living can continue outside of the Project footprint during all Project phases.</li> </ul> <ul style="list-style-type: none"> <li>• Physical and Cultural Heritage:             <ul style="list-style-type: none"> <li>○ While the degree in severity of impact on the MNBC's rights and interests related to physical and cultural heritage resources and structures, sites, or things of historical, archaeological, paleontological, or architectural significance is rated as moderate to high, the cumulative impacts are rated as moderate.</li> <li>○ There is potential for physical and cultural heritage resources and structures, sites, or things of historical, archaeological, paleontological, or architectural significance to be located with the ATRI RSA and as such, a potential for development of reasonably foreseeable future projects and activities to overlap with these resources and sites.</li> <li>○ At this time, the locations of these resources and sites require further consultation with the Indigenous Communities within the ATRI RSA, other than those documented as part of the Project Archaeological Baseline Assessment within the Project footprint and the Archaeological LSA (Chapter 16).</li> <li>○ It is anticipated that mitigation measures to identify heritage resources will be implemented</li> </ul> </li> </ul>	

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				<p>as part of current and reasonably foreseeable future projects and activities prior to development.</p> <ul style="list-style-type: none"> <li>○ Within the ATRI RSA, the location of physical and cultural heritage and of structures, sites, or things that are of historical, archaeological, paleontological, or architectural significance are currently unknown outside of the Project footprint and Archaeological LSA.</li> <li>○ Should reasonable foreseeable future projects and activities be carried out within the ATRI RSA and mitigation measures be implemented to protect and avoid physical and cultural heritage and any structure, site, or thing that is of historical, archaeological, paleontological, or architectural significance (i.e., no permanent loss), the residual cumulative effects to physical and cultural heritage and to any structure, site, or thing that is of historical, archaeological, paleontological, or architectural significance arising from the Project in combination with other past, present, and reasonably foreseeable future projects and activities during all phases are not anticipated to be significant.</li> <li>○ The cumulative impact is determined as moderate due to the lack of information available from the MNBC regarding their opportunity to conduct traditional activities within the Project footprint at this time. It is expected that their ability to know and teach the Métis way of living can continue outside of the Project footprint during all Project phases.</li> </ul> <ul style="list-style-type: none"> <li>● Social, Health, and Economic Conditions: <ul style="list-style-type: none"> <li>○ The degree in severity of impact on the MNBC's social, health, and economic conditions is rated as low to reflect the cumulative impacts.</li> <li>○ The assessment of residual cumulative effects of the Project in combination with those of past, present, and reasonably foreseeable future projects and activities on wildlife and human health concluded no significant adverse cumulative effects on terrestrial, aquatic, and human health.</li> <li>○ Additionally, no adverse residual effects on social, health, and economic conditions were predicted, therefore no cumulative effect to</li> </ul> </li> </ul>	

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				<p>social, health, and economic conditions are expected to occur.</p> <ul style="list-style-type: none"> <li>○ The residual cumulative effects on social, health, and economic conditions arising from the Project in combination with other past, present, and reasonably foreseeable future projects and activities during all phases are also considered not significant.</li> <li>○ The cumulative impact is determined as low due to the lack of information available from the MNBC regarding their opportunity to conduct traditional activities related to country food consumption within the Project footprint at this time.</li> <li>○ It is expected that their ability to know and teach the Métis way of living can continue outside of the Project footprint during all Project phases.</li> </ul> <p>Continued consultation with the MNBC, as well as through the development of potential follow-up and monitoring and adaptive management measures as necessary is expected to improve the confidence rating and the severity of impact on the MNBC's rights and interests.</p>	

Table 26-A.2: Comments Received from Métis Nation of British Columbia on the Draft Effects Assessment and Recommendations Addressed

Date Received	Comment No.	Original EIS Section No.	EIS Section Title	Indigenous Community Comment on EIS Section	Changes to EIS Section as Recommended by Indigenous Community	Comments/Updates Related to Comments in EIS - Chapter 26	NWP's Response to Comment / Disposition to Issue
Oct-15-2021	1	23.6.4.1	Governance	Page 3: "The British Columbia Métis Federation represents Métis people in BC who split off from MNBC and was established in 2001".	Many BCMF members also hold MNBC citizenship. Not all have split off from MNBC.	Update added to Section 26.6.1 Governance:  The British Columbia Métis Federation (BCMF) was established in 2001 to represent Métis people in BC and many BCMF members also hold MNBC citizenship.	N/A
	2	23.6.4.1	Governance	Page 4: "MNBC represents 38 Métis Chartered Communities in British Columbia..."	There are now 39 Chartered Communities. Métis Community Society of Kelly Lake joined at the AGM (September 2021).	Updated added to Section 26.6.1 Governance.	N/A
				Page 4: "The EVM Nation is a participant of Region Four of the Métis Nation of British Columbia (MNBC) and the National, Métis Nation Council"		Update added to Section 26.6.1 Governance:  The EVM Nation is a participant of Region Four of the Métis Nation of British Columbia (MNBC) and the Métis Nation Council (MNC).	N/A
	3	23.6-1	Figure	Page 5: Figure 23.6-1: Métis Nation British Columbia Chartered Communities	I have attached the updated CC map that includes Kelly Lake	Figure 26.6-1 is updated with the map provided.	N/A
	4	23.6.4.3	Language	<p>Michif is upheld as the national Métis language. It is a unique language that developed in the Red River valley. There are three types of Michif:</p> <ul style="list-style-type: none"> <li>• Métis French (also called Michif-French)</li> <li>• Métis Cree (also called Northern Michif or Île-à-la-Crosse Michif)</li> <li>• Southern Michif (also called Turtle Mountain Michif, Chippewa-Cree, or Heritage Michif)</li> </ul> <p>Métis people have a long tradition of multilingualism, which stems from their connections to multiple cultures and their resourcefulness and adaptability. Diverse expressions of Métis culture and different kinship networks have resulted in communities and individuals speaking a variety of other languages, such as Cree, Saulteaux, French and English.</p> <p>Learn more at <a href="http://www.learnmichif.com">www.learnmichif.com</a> (This website is a joint project of the Métis Nation British Columbia and the Métis Youth British Columbia. It was created with funding from the Canadian Culture On-Line Project, a division of the Department of Canadian Heritage back in 2006. The website has been updated by Animikii in 2020).</p>		<p>Updates added to Section 26.6.3 Language:</p> <p>Michif is the orally-based Métis traditional language which adapts aspects of First Nations and European languages, mainly Cree and French (GDI, 2021). Michif is upheld as the national Métis language. It is a unique language that developed in the Red River valley in the early 1800s. Michif is a mixed language that contains Plains Cree verbs and French nouns and noun structure, as well as some vocabulary and structures from Saulteaux and English. There are three types of Michif (MNBC, 2021f):</p> <ul style="list-style-type: none"> <li>• Métis French (also called Michif-French)</li> <li>• Métis Cree (also called Northern Michif or Île-à-la-Crosse Michif)</li> <li>• Southern Michif (also called Turtle Mountain Michif, Chippewa-Cree, or Heritage Michif)</li> </ul> <p>Métis people have a long tradition of multilingualism, which stems from their connections to multiple cultures and their resourcefulness and adaptability. Diverse expressions of Métis culture and different kinship networks have resulted in communities and individuals speaking a variety of other languages, such as Cree, Saulteaux, French, and English (MNBC, 2021f).</p> <p>In 2006, the Métis Nation British Columbia and the Métis Youth British Columbia launched a joint project for an online resource for Michif (<a href="http://www.learnmichif.com">www.learnmichif.com</a>). It was created with funding from the Canadian Culture On-Line Project, a division of the Department of Canadian Heritage (MNBC, 2021). Although Michif is recognized as the traditional language of the Métis, Cree is also a commonly spoken aboriginal language among Métis (BCMF, 2021).</p>	N/A
5	23.6.4.4	Population	Page 10: "...represents 38 Chartered Communities (Figure 23.6-1)".	As noted above, there are now 39 CC's.	Updated added to Section 26.6.5.1 Community and Reserve Lands	N/A	



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	6	23.6.4.4	Population	Page 10: "Region 7 - Northeast: Contains four MNBC chartered communities with approximately 1,000 registered provincial Métis citizens.	There are now 5, including the Métis Community Society of Kelly Lake.	Update added to Section 26.6.5.1 Community and Reserve Lands. <ul style="list-style-type: none"> <li>Region 7 - Northeast: Contains five MNBC chartered communities (including the Métis Community Society of Kelly Lake) with approximately 1,000 registered provincial Métis citizens.</li> </ul>	N/A
	7	23.6.4.6	Historic and Current Use of Lands and Resources for Traditional Purposes - Food Security	<p>Page 11 – info to add to the access to traditional foods paragraph(s) to consider (I reworded what was included). This is based on current research being conducted at MNBC (Home Garden Pilot Project - Food Security report to be released October 2021). Food insecurity has been increasing in recent years and has been further exacerbated in 2020/2021 by COVID-19. Other factors will influence this in the upcoming years, such as natural resources developments and climate change, which threaten to decimate traditional food systems, risking further serious consequences for livelihoods and health.</p> <p>The MNBC Cabinet and Community members have identified food security as a key priority to focus future initiatives on. Food security, as defined by the United Nations' Committee on World Food Security, exists when all people, at all times, have physical, social, and economic access to sufficient, safe and nutritious food to meet their dietary needs and food preferences for an active and healthy life. The four pillars of food security are: food availability, access to food, utilization, and stability.</p>	<p>Food insecurity has been increasing in recent years and has been further exacerbated in 2020/2021 by COVID-19. Other factors will influence this in the upcoming years, such as natural resources developments and climate change, which threaten to decimate traditional food systems, risking further serious consequences for livelihoods and health.</p> <p>The MNBC Cabinet and Community members have identified food security as a key priority to focus future initiatives on. Food security, as defined by the United Nations' Committee on World Food Security, exists when all people, at all times, have physical, social, and economic access to sufficient, safe and nutritious food to meet their dietary needs and food preferences for an active and healthy life. The four pillars of food security are: food availability, access to food, utilization, and stability.</p>	<p>Update added to Section 26.6.6 MNBC and EVM Nation's Rights and Interests: Historic and Current Use of Lands and Resources for Traditional Purposes:</p> <p>Country foods include traditionally used resources that are fished, hunted, trapped, harvested, gathered, or grown by Indigenous Communities for subsistence or medicinal purposes outside of the commercial food chain. In relation to the Métis' country food consumption, food insecurity has been increasing in recent years and has been further exacerbated by the global pandemic and resultant supply chain disturbances. In the coming years, other factors will influence food security, such as natural resources developments and climate change, which threaten to decimate traditional food systems, risking further serious consequences for livelihoods and health. The MNBC Cabinet and Community members have identified food security as a key priority to focus future initiatives on (MNBC, 2021f). Food security, as defined by the Food and Agriculture Organization of the United Nations (FAO) , exists when all people, at all times, have physical and economic access to sufficient, safe, and nutritious food to meet their dietary needs and food preferences for an active and healthy life. The four pillars of food security are: food availability, food access, utilization, and stability (FAO, 2006).</p>	N/A
	8	23.6.4.6	Historic and Current Use of Lands and Resources for Traditional Purposes - Food Sovereignty	<p>There are many considerations when discussing food insecurity, just gaining access to food is not always enough. It is a complex problem that requires interdisciplinary research and collaborative solutions. For example:</p> <ul style="list-style-type: none"> <li>Simply having a job and stable income is not enough; low-waged jobs and temporary work means people in the workforce often do not have enough income to be food-secure.</li> <li>Food insecurity rates are highest for single mother households and</li> </ul>	<p>There are cultural considerations to be mindful of when discussing food and access to food. When trying to understand the reasons why harvesting, and access to traditional foods, is essential to Métis, it is important to look at the matter in terms of the Métis conceptualization of health and wellness. The Métis understanding of health is different from biomedical models, which often describe health as an absence of disease. For Métis people, the idea of health and wellness is derived from the Cree miyopimatisiwin, which means living well, or being alive well. Miyopimatisiwin is a way of life; in fact, it is the Métis way of life. The Métis harvest their own food because they need the</p>	<p>Updates added to Section 26.6.6 MNBC and EVM Nation's Rights and Interests: Historic and Current Use of Lands and Resources for Traditional Purposes:</p> <p>There are cultural considerations to be mindful of when discussing food and access to food. When trying to understand the reasons why harvesting, and access to traditional foods, is essential to Métis, it is important to look at the matter in terms of the Métis conceptualization of health and wellness. The Métis understanding of health is different from biomedical models, which often describe health as an absence of disease. For Métis people, the idea of health and wellness is derived from the Cree miyopimatisiwin, which means living well, or being alive well. Miyopimatisiwin is a way of life; in fact, it is the Métis way of life. The Métis harvest their own food because they need the sustenance</p>	N/A

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				<p>households with incomes below poverty line.</p> <ul style="list-style-type: none"> <li>• Food insecurity may be long term or temporary. It may be influenced by several factors including income, employment, race/ethnicity, and disability.</li> <li>• A number of factors can affect food security including population growth; climate change; urbanization and industrialization; land use shifts and water scarcity; income growth and nutritional trends; and trends in global energy supply and food trade.</li> <li>• The impact of food insecurity on health extends beyond diet and nutrition.</li> <li>• Food insecurity leaves a lasting mark on children's wellbeing. Experiencing food insecurity at an early age is associated with childhood mental health problems, such as hyperactivity and inattention. Experiences of hunger in childhood increase the risk of developing asthma, depression, and suicidal ideation in adolescence and early adulthood.</li> <li>• Adults living in food-insecure households report poorer physical health and are more vulnerable to a wide range of chronic conditions, such as diabetes, heart disease, hypertension, arthritis, and back problems. They are also more likely to be diagnosed with multiple chronic conditions. Additionally, adults with mobility impairments appear to be disproportionately affected by food insecurity.</li> <li>• There is a particularly strong relationship between food insecurity and poor mental health. The risk of experiencing depression, anxiety disorder, mood disorders, or suicidal thoughts increases with the severity of food insecurity.</li> <li>• In addition to income, housing tenure is an economic risk factor for food insecurity. Studies have repeatedly found that households owning their home have a decreased vulnerability to food insecurity compared to renters.</li> </ul>	<p>sustenance that the food provides, and harvesting their own food is less expensive than buying it.</p> <p>Métis report a higher rate of obesity, heart disease and diabetes than the general population. Harvesting their own food helps cut down on the intake of food that is high in calories, and low on nutrients and contains a lot of fat and sugar. Métis also appreciate the natural quality of harvested foods. This is closely related to health, but also captures ideas about tradition, purity or organic virtues, and nutritional value, and warrants a separate acknowledgement. Métis also like the taste of harvested food compared to the taste of food bought in stores. The activities surrounding the harvesting of food, including scouting, searching, and tracking, is also something that Métis enjoy that they would not get by simply buying food in a store.</p> <p>Indigenous households (including Métis) in Canada are more likely than non-Indigenous households to experience the sociodemographic risk factors associated with household food insecurity (poverty, single parenthood, living in a rental accommodation, and reliance on social assistance).</p> <p>It is because of these interconnected considerations that it is important to go beyond food security and aim to enact food sovereignty, including Indigenous food sovereignty and Métis food sovereignty.</p>	<p>that the food provides, and harvesting their own food is less expensive than buying it (MNBC, 2021f).</p> <p>Métis report a higher rate of obesity, heart disease, and diabetes than the general population. Harvesting their own food helps cut down on the intake of food that is high in calories, and low on nutrients and contains a lot of fat and sugar. Métis also appreciate the natural quality of harvested foods. This is closely related to health, but also captures ideas about tradition, purity or organic virtues, and nutritional value, and warrants a separate acknowledgement. Métis also like the taste of harvested food compared to the taste of food bought in stores. The activities surrounding the harvesting of food, including scouting, searching, and tracking, is also something that Métis enjoy that they would not get by simply buying food in a store (MNBC, 2021f).</p> <p>Indigenous households (including Métis) in Canada are more likely than non-Indigenous households to experience the sociodemographic risk factors associated with household food insecurity (poverty, single parenthood, living in a rental accommodation, and reliance on social assistance). It is because of these interconnected considerations that it is important to go beyond food security and aim to enact food sovereignty, including Indigenous food sovereignty and Métis food sovereignty (MNBC, 2021f).</p>	

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Date Received	Comment No.	Original EIS Section No.	EIS Section Title	Indigenous Community Comment on EIS Section	Changes to EIS Section as Recommended by Indigenous Community	Comments/Updates Related to Comments in EIS - Chapter 26	NWP's Response to Comment / Disposition to Issue
	9	23.6.4.6	Historic and Current Use of Lands and Resources for Traditional Purposes - Food Sovereignty	<p>Food sovereignty is defined by the International Panel for Food Sovereignty (IPC), as: "the right of peoples, communities and countries to define their own agricultural, labor, fishing, food and land policies, which are ecologically, socially, economically and culturally appropriate to their unique circumstances. It includes the true right to food and to produce food, which means that all people have the right to safe, nutritious and culturally appropriate food and to food producing resources and the ability to sustain themselves and their societies"2.</p> <p>In 2006, a Working Group on Indigenous Food Sovereignty was created to address the underlying factors that cause food insecurity and to ensure that Indigenous voices, perspectives, and knowledge were included in the discussions. Dawn Morrison, the founder of the working group, lists the four principles of Indigenous food sovereignty as:</p> <ol style="list-style-type: none"> <li>1. Food is sacred, not a commodity.</li> <li>2. Participation – current and future generations need to continue cultural harvesting practices.</li> <li>3. Self-determination – the freedom for Indigenous peoples to make their own choices about their food.</li> <li>4. Legislation and policy that attempts to reconcile Indigenous food and cultural values with colonial food systems through a restorative framework.</li> </ol>	<p>Generally, Indigenous food sovereignty is defined as "the right to healthy and culturally appropriate food produced through ecologically sound and sustainable methods... [As well as] the right [for Indigenous peoples] to define and control [their] own food and agricultural systems, including markets, production modes, food cultures and environments. It is a framework to enable Indigenous peoples to develop highly sustainable, resilient and adaptable harvesting strategies.</p> <p>Currently there is no agreed upon definition of Métis food sovereignty, however, Devonn Drossel, who hosts the podcast Our Foods: Chatting about Métis Food Sovereignty produced by The Rupertsland Centre for Métis Research, notes that it likely depends on where you are and the traditions of that place. They describe Métis food sovereignty as the interconnectedness of food and culture; how participating in Métis food practices helps them to understand what it means to be Métis; as not being reliant on the capitalist structures to access food; as not having to worry about contaminants in harvested or hunted food or experiencing violence when accessing food rights or land; as having the ability to define [Métis] food systems; and finally, that [Métis peoples'] right to food "comes with a very distinct set of responsibilities that [Métis] have to uphold to". Enacting Métis food sovereignty would mean "[seeking] to address the underlying issues that continue to contribute to disproportionate negative health outcomes, food insecurity and lack of access to cultural food and practices".</p> <p>There is currently a lack of information on current Métis food practices, especially those relating to berry harvesting, farming, and fishing. There is also a lack of gender studies in Métis food practices. MNBC is currently working towards filling in some of those gaps.</p> <p>This is all important to consider when access to harvested foods is impacted or eliminated. Either for short or long-term periods of time.</p>	<p>Updates added to Section 26.6.6 MNBC and EVM Nation's Rights and Interests: Historic and Current Use of Lands and Resources for Traditional Purposes:</p> <p>Food sovereignty is defined by the International Planning Committee for Food Sovereignty (International Planning Committee for Food Sovereignty [IPC], 2020), as:</p> <p>"the right of peoples, communities and countries to define their own agricultural, labor, fishing, food and land policies, which are ecologically, socially, economically and culturally appropriate to their unique circumstances. It includes the true right to food and to produce food, which means that all people have the right to safe, nutritious and culturally appropriate food and to food producing resources and the ability to sustain themselves and their societies" (IPC, 2020).</p> <p>In 2006, a Working Group on Indigenous Food Sovereignty was created to address the underlying factors that cause food insecurity and to ensure that Indigenous voices, perspectives, and knowledge were included in the discussions. The four principles of Indigenous food sovereignty are listed by the Working Group as (Morrison, 2008):</p> <ul style="list-style-type: none"> <li>• Food is sacred, not a commodity.</li> <li>• Participation – current and future generations need to continue cultural harvesting practices.</li> <li>• Self-determination – the freedom for Indigenous peoples to make their own choices about their food.</li> <li>• Legislation and policy that attempts to reconcile Indigenous food and cultural values with colonial food systems through a restorative framework (Morrison, 2008).</li> </ul> <p>Generally, Indigenous food sovereignty is defined as (FNHA, 2020):</p> <p><i>"the right to healthy and culturally appropriate food produced through ecologically sound and sustainable methods... [as well as] the right [for Indigenous peoples] to define and control [their] own food and agricultural systems, including markets, production modes, food cultures and environments. It is a framework to enable Indigenous peoples to develop highly sustainable, resilient and adaptable harvesting strategies" (FNHA, 2020).</i></p> <p>Currently there is no agreed upon definition of Métis food sovereignty, it has been described as the interconnectedness of food and culture (MNBC, 2021f). There is currently a lack of information in the ATRI RSA on current Métis food practices, especially those relating to berry harvesting, farming, and fishing. There is also a lack of gender studies in Métis food practices. MNBC is currently working towards filling in some of those gaps. This is all important to consider when access to harvested foods is impacted or eliminated either for short or long-term periods of time (MNBC, 2021f).</p>	N/A

Table 26-A.2: Comments Received from Métis Nation of British Columbia on the Draft Effects Assessment and Recommendations Addressed

Date Received	Comment No.	Original EIS Section No.	EIS Section Title	Indigenous Community Comment on EIS Section	Changes to EIS Section as Recommended by Indigenous Community	Comments/Updates Related to Comments in EIS - Chapter 26	NWP's Response to Comment / Disposition to Issue
	10	23.6.4.9.4 & 23.6.4.10	Employment & Economic Conditions	<p>Page 16: For further information about Metis and Employment I recommend looking up the following documents and pages:</p> <p>Labour Market Experiences of Métis: Key findings from the 2017 Aboriginal Peoples Survey:  <a href="https://www150.statcan.gc.ca/n1/en/pub/89-653-x/89-653-x2018002-eng.pdf?st=mVP_0wtK">https://www150.statcan.gc.ca/n1/en/pub/89-653-x/89-653-x2018002-eng.pdf?st=mVP_0wtK</a></p> <p>Annual Report to Parliament 2020  <a href="https://www.sac-isc.gc.ca/eng/1602010609492/1602010631711--&gt;">https://www.sac-isc.gc.ca/eng/1602010609492/1602010631711--&gt;</a></p> <p>Figure 6: Median income, 2015, Métis and non-Indigenous populations, aged 25-64, by region, Fig. 12, 18, 24, 44, 49</p> <p>BENCHMARKING MÉTIS ECONOMIC AND SOCIAL DEVELOPMENT (July 2015)  <a href="http://www.csls.ca/reports/csls2015-07.pdf">http://www.csls.ca/reports/csls2015-07.pdf</a></p>	<p>Labour Market Experiences of Métis: Key findings from the 2017 Aboriginal Peoples Survey:  <a href="https://www150.statcan.gc.ca/n1/en/pub/89-653-x/89-653-x2018002-eng.pdf?st=mVP_0wtK">https://www150.statcan.gc.ca/n1/en/pub/89-653-x/89-653-x2018002-eng.pdf?st=mVP_0wtK</a></p> <p>Annual Report to Parliament 2020  <a href="https://www.sac-isc.gc.ca/eng/1602010609492/1602010631711--&gt;">https://www.sac-isc.gc.ca/eng/1602010609492/1602010631711--&gt;</a></p> <p>Figure 6: Median income, 2015, Métis and non-Indigenous populations, aged 25-64, by region, Fig. 12, 18, 24, 44, 49</p> <p>BENCHMARKING MÉTIS ECONOMIC AND SOCIAL DEVELOPMENT (July 2015)  <a href="http://www.csls.ca/reports/csls2015-07.pdf">http://www.csls.ca/reports/csls2015-07.pdf</a></p>	<p>New Table 26.6-2 Labour Market Experience of Métis Population in British Columbia included.</p> <p>Update added to Section 26.6.6.7.4 Employment.</p> <p>MNBC's Skills Training, Employment, and Post-Secondary (STEPS) programs offer a range of employment and training support for Métis trainees, jobseekers, and scholars. It also offers a regularly updated job board and a testimonials section from Métis citizens (MNBC, 2021g).</p>	N/A
	11	23.6.5	Summary of Métis Nation BC Interests	<p>Page 17: Table 23.6-2: Summary of Métis Nation BC Interests in Relation to the Project</p> <ul style="list-style-type: none"> <li>• Missing from the hunting and trapping section: Bighorn Sheep.</li> <li>• Bighorn Sheep are blue-listed, which means they are particularly sensitive or vulnerable to human activities or natural events.</li> </ul>		<p>Updates added to Section 26.6.7 Summary of Métis Nation B.C.'s Rights and Interests and in Relation to the Project and Table 26.6-3: Summary of Métis Nation B.C.'s (including EVM Nation) Rights and Interests in Relation to the Project.</p>	N/A
	12	23.6.7	Cumulative Effects Assessment	<p>A holistic consideration of the cumulative impacts of the ongoing development in the proposed project area is a priority concern for MNBC.</p> <p>The Elk Valley has been, and continues to be, shaped by hundreds of existing and new small changes (roads, cut blocks, mine sites, industrial, residential, and natural disturbance). Individually, these changes can, and generally do, have deep effects on ecological dynamics at their immediate scale. However, when an individual development is</p>		N/A	<p>NWP to provide EA chapters for review to MNBC during the review phase.</p>

Table 26-A.2: Comments Received from Métis Nation of British Columbia on the Draft Effects Assessment and Recommendations Addressed

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				<p>expressed as a fraction of the total Elk Valley watershed, the effects will inevitably be numerically diluted. The challenge of an effective cumulative effects assessment is to keep track of all the innumerable small changes (past, present, and future), and to rigorously compile these effects at numerous spatial scales ranging from the individual cut block, road, and mine site, right up to their combined effects at the larger spatial scale. Métis want to ensure that the land and resources are protected and conserved for future generations.</p> <p>Challenges with data management, assessment scale, scenario development, and level of detail comprise a few of the important learnings that came from this Elk Valley Cumulative Effects Assessment. MNBC will be curious to see how NWP plans of addressing this.</p> <p>Climate Change – Métis communities have identified climate change as a real threat to sustainability of freshwater, resources, aquatic, and terrestrial ecosystems as well as changing various species life-cycles and spatial distributions of habitats. There is also concern of an increase and intensity of storms and natural disturbances. All of these may impact the Metis ways of life (physically, mentally, spiritually, and emotionally).</p>			
	13	Table 23.6-3	Table: Summary of Potential Interactions between the Project and Aboriginal and Treaty Rights/Interests for Construction and Pre-Production Phase	<p>Page 24: Infrastructure and Road Construction</p> <ul style="list-style-type: none"> <li>Community members raised concerns about the development of forestry roads that are then not being maintained. Many roads are now inaccessible and dangerous. There are safety concerns</li> </ul>		N/A	<p>NWP notes that engagement discussions and consultation with the MNBC are ongoing and information provided will be reviewed and considered.</p> <p>NWP to provide EA chapters for review to MNBC during the review phase.</p>

Table 26-A.2: Comments Received from Métis Nation of British Columbia on the Draft Effects Assessment and Recommendations Addressed

Date Received	Comment No.	Original EIS Section No.	EIS Section Title	Indigenous Community Comment on EIS Section	Changes to EIS Section as Recommended by Indigenous Community	Comments/Updates Related to Comments in EIS - Chapter 26	NWP's Response to Comment / Disposition to Issue
	14	23.6.9	Follow-up Strategy	<p>Page 70: "NWP is willing to explore the possibilities of having monitoring programs incorporate traditional knowledge or similar study methodologies as they can contribute to achieving defined monitoring program objectives".</p> <ul style="list-style-type: none"> <li>• MNBC recommends that more information could be provided on the need to maintain transparency so that Indigenous groups are clear on the use of their knowledge and information. This might be done using examples or case studies.</li> <li>• The process of including Indigenous knowledge in impact assessment should be inclusive, with proponents, Agency staff and review panels working with the Indigenous community to identify and understand the potential impacts, based on the knowledge and interpretive framework of both worldviews.</li> </ul>	<p>MNBC recommends that more information could be provided on the need to maintain transparency so that Indigenous groups are clear on the use of their knowledge and information. This might be done using examples or case studies.</p> <p>The process of including Indigenous knowledge in impact assessment should be inclusive, with proponents, Agency staff and review panels working with the Indigenous community to identify and understand the potential impacts, based on the knowledge and interpretive framework of both worldviews.</p>	<p>Updates added to Section 26.4.1: Information Sources:</p> <p>The information described herein was obtained through publicly available information sources, listed in Sections 26.5 and 26.6 and through consultation and engagement with the MNBC and EVM Nation. The information is intended to provide an overview of traditional land and resource use within the Project footprint, the ATRI LSA, and the ATRI RSA. This information is not intended to supersede or prejudice the traditional knowledge or specific information that may be shared as part of ongoing engagement with the MNBC or the EVM Nation. It provides information from generally available knowledge and secondary sources of information that is intended to complement additional information that might be available from Métis Nation of British Columbia and/or Elk Valley Métis Nation in this regard, should they wish to share it. If further information is received through continued engagement with the MNBC and/or EVM Nation, the information will be included where applicable to be considered as part of the overall evaluation of the potential impacts on MNBC's (including EVM Nation) rights and interests as part of the environmental assessment/impact assessment (EA/IA) processes.</p> <p>Updates added to Section 26.4.1.1: Limitations of Information Sources:</p> <p>At the time of the Application/EIS submission, MNBC (including EVM Nation) did not provide a Project-specific Traditional Land-Use Study (TLU) to NWP. Throughout this Application/EIS, where Indigenous Knowledge was provided by MNBC (including EVM Nation) it has been incorporated where applicable and noted as such. The limitations of the information sources considered include those publicly available (i.e., information provided by MNBC on other relevant EIS/project applications, e.g., including Baldy Ridge Extension Project, the Castle Project, Grassy Mountain Coal Project, and the Line Creek Operations Project) and those activities and correspondence that detail Project-specific information validated by MNBC (including EVM Nation) to be shared publicly. Limitations of information are also noted where no information is provided by MNBC (including EVM Nation) directly related to the baseline conditions established in Section 26.6 and NWP's understanding of MNBC (including EVM Nation) rights and interests are limited to those validated by MNBC (including EVM Nation) in Section 26.5.4.</p>	<p>NWP notes that engagement discussions and consultation with the MNBC are ongoing and information provided will be reviewed and considered.</p> <p>NWP to provide EA chapters for review to MNBC during the review phase.</p>