

Chapter 4 – Consultation and Engagement

Crown Mountain Coking Coal Project
Application for an Environmental Assessment Certificate /
Environmental Impact Statement

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4. Consultation and Engagement

4.1 Introduction

NWP Coal Canada Ltd (NWP) has engaged with Indigenous communities, public stakeholders (e.g., local governments, members of the public), and government agencies since 2012 regarding the proposed Project. Consultation and engagement activities were carried out with the aim of providing opportunities to learn about the Project, as well as to identify any potential issues relating to the Project early on, such as the identification of how groups may have the potential to be impacted by the Project and related activities. Additionally, Early Engagement was undertaken to inform the identification and selection of the Valued Components (VC) for the Project and potential mitigation measures.

The purpose of this chapter is to outline and describe consultation and engagement activities that have been undertaken with Indigenous communities (Section 4.4), public stakeholders (Section 4.5), and government agencies (Section 4.6) in support of the Application for an Environmental Assessment Certificate/Environmental Impact Statement (Application/EIS) submission. This chapter also identifies potential engagement activities proposed for the Application/EIS review period, in addition to ongoing engagement throughout the life of the Project.

Supporting documentation for consultation and engagement activities is provided in the record of consultation appendices, including copies of materials used during engagement activities (Appendices 4-A to 4-RR). Summary tables outlining key issues, concerns, and interests raised through consultation and engagement with Indigenous communities, public stakeholders, and government agencies are provided in this chapter, in addition to NWP's responses to issues identified (where available) and on-going commitments.

4.2 Corporate Engagement Policies

NWP is committed to creating and sustaining relationships and ongoing dialogue with regulators, communities, and stakeholders to support the environmental, social, and economic sustainability of the Project. Consultation has therefore been a key component of Project development and has focused on three broad groups: Indigenous communities, public stakeholders (e.g., local governments, members of the public), and government agencies.

Key engagement commitments can be found on the NWP website (<https://www.nwpcoal.com/community-engagement/>). They include the following specific acknowledgements and commitments related to Indigenous communities and groups:

- NWP acknowledges that the proposed Project has the potential to affect Indigenous communities and groups, and as a result, has developed a robust Indigenous Engagement Program;
- NWP is committed to working closely with Indigenous communities to understand and work together to address their interests, values, and concerns; and
- NWP strives to operate in a respectful and transparent manner to develop sustained relationships built on trust and mutual respect, and to limit the potential for adverse impacts while maximizing opportunities for long-term community benefits.

NWP has also developed an overarching Indigenous Policy to guide their engagement activities and associated actions and efforts, as illustrated in Figure 4.2-1.

NWP also has specific acknowledgements and commitments for local communities and stakeholders, as follows:

- NWP recognizes that the proposed Project has the potential to affect local communities and a variety of stakeholders and has developed a Public Engagement Program to address the diversity of interests, needs and perspectives;
- NWP is committed to working with local communities and stakeholders in a respectful and transparent manner; and
- NWP, in collaboration with the British Columbia (B.C.) and Federal Governments, will host virtual open houses after NWP submits the Application/EIS.

NWP INDIGENOUS POLICY – NWP COAL CANADA LTD

NWP Indigenous Policy

NWP Coal Canada Ltd. (NWP) strives towards meaningful relationships with Indigenous Peoples and communities based on the values of honesty, integrity, courage, and respect. NWP supports reconciliation with Indigenous Peoples and communities where NWP does business through recognition of Indigenous rights; the diversity of Indigenous cultures, histories, and future aspirations, and by working with Indigenous communities to pursue lasting, mutually beneficial relationships.

As an organization we endeavor to:

- Follow the spirit and intent of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and its guiding principles.
- Recognize and respect the deep personal, community, and cultural attachment of Indigenous Peoples to the land and resources where NWP does business.
- Create opportunities for NWP and Indigenous Peoples and communities to learn about each other's: perspectives; interests; concerns; and aspirations.
- Work with and gather feedback from Indigenous Peoples about our projects and our plans, including input related to avoiding, minimizing, mitigating, offsetting impacts.
- Incorporate NWP's understanding of Indigenous interests, values, knowledge, and ways of knowing into NWP decision making.
- Collaboratively build systems to develop benefits for Indigenous communities, following Indigenous People's self-identified priorities, including (but not limited to):
 - o Capacity building
 - o Direct and indirect employment
 - o Education and training
 - o Procurement and business relationships.

4.3 Regulatory and Policy Setting

The proposed Project is subject to environmental assessment (EA) under both the Canadian Environmental Assessment Act (CEA Act, 2012) and the British Columbia Environmental Assessment Act (B.C. EAA, 2002). The EAA (2002) was repealed by the Environmental Assessment Act, 2018 in 2019. As per subsection 78(6) of the EAA (2018), the environmental assessment process for the Project was continued under the 2002 Act. On May 3, 2023 the Project was transitioned to the EAA (2018) through a Transition Order under Section 78(7) of the 2018 Act.

Provincially, the Project is considered a Reviewable Project pursuant to the Reviewable Projects Regulation (B.C. Reg. 370/2002) under the EAA (2002) given that the production capacity of the mine will be greater than 250,000 tonnes per year of clean coal and will result in a disturbance greater than 750 hectares (ha) that was not previously permitted for disturbance.

Federally, the Project is considered a Designated Project pursuant to the Regulation Designating Physical Activities (SOR/2012-147) under the CEA Act (2012) as the production capacity is anticipated to be greater than 3,000 tonnes per day level and is estimated at approximately 10,150 tonnes per day for 15 years. Requirements for consultation by a proponent are set out in both federal and provincial environmental assessment legislation.

4.3.1 Provincial Consultation Requirements

4.3.1.1 B.C. Environmental Assessment Act

As per Section 11 of the B.C. EAA (2002), the Executive Director of the B.C. Environmental Assessment Office (EAO) specified “the persons and organizations, including but not limited to the public, first nations, government agencies and, if warranted in the executive director's opinion, neighbouring jurisdictions, to be consulted by the proponent or the Environmental Assessment Office during the assessment, and the means by which the persons and organizations are to be provided with notice of the assessment, access to information during the assessment and opportunities to be consulted,” (B.C. EAA [2002], Section 11(2)(f)). The EAO issued a Section 11 Order for the Project on May 27, 2015 (Appendix 4-A).

The Public Consultation Policy Regulation (B.C. Reg. 373/2002) sets out public consultation requirements for the B.C. environmental assessment process, including providing public notice, ensuring access to information, and establishing comment periods. The Section 11 Order for the Project details public consultation requirements, in addition to agency and Indigenous consultation requirements, during the Pre-Application/EIS stage.

The Section 11 Order and subsequent Section 13 Order (Appendix 4-A) also identify Indigenous groups to be engaged by the EAO and NWP. Indigenous engagement activities are discussed in Section 4.4.

4.3.1.1.1 Indigenous Consultation Plan

As directed by the EAO, a First Nations Consultation Plan (herein referred to as the Indigenous Consultation Plan [ICP]; Appendix 4-B) was developed to meet the requirements outlined in the Province of B.C. Public Consultation Policy Regulation (B.C. Reg. 373/2002) and the consultation provisions

described in EAO environmental assessment review procedures ordered under Section 11 of the B.C. EAA (2002). Specific to these requirements, the ICP was developed to achieve the following:

- Disseminate information on, and build awareness of, the Project, as well as potential Project effects and proposed mitigation measures;
- Inform Indigenous communities of engagement opportunities that arise over the course of the Project and facilitate methods for providing feedback to allow for input to the Project; and
- Take into consideration input and feedback received on the Project and how it will be considered as the Project progresses.

The Ktunaxa Nation Council (KNC) reviewed the ICP and provided comments to the EAO in April 2016. These comments were incorporated into the final version of the plan by NWP. The final plan was posted on the EAO Electronic Project Information Centre (EPIC) website on July 8, 2016.

As per the Section 11 Order, NWP submitted an Indigenous Consultation Report to the EAO in October 2016, which was accepted and posted to EPIC (Appendix 4-C), https://projects.eao.gov.bc.ca/api/public/document/60e87b4b8d7597002233d03b/download/First%20Nations%20Consultation%20Report%20-%20FINAL%20DRAFT_Oct%202014_16.pdf.

4.3.1.1.2 Public Consultation Plan

As per Section 11 Order requirements, a Public Consultation Plan (PCP) was developed in June 2016 and posted on the EAO EPIC website on June 10, 2016 (Appendix 4-D). The PCP was used to guide engagement with members of the public, Project stakeholders, and local government representatives. As noted in the PCP, over the course of the Pre-Application phase, NWP documented all consultation and engagement activities, including, but not necessarily limited to the following:

- Description of the results of any consultation activities undertaken during the Pre-Application phase, as described in the Public Consultation Plan;
- Summary of the following:
 - Consultations with the public that have been completed;
 - Copies of advertisements or public communications used during the Pre-Application phase;
 - Information, comments, concerns, and questions received from the public;
 - Information on how the comments, concerns, and questions received from the public are addressed and if applicable, how the Project has changed or adapted to address feedback;
 - Outline steps for on-going and future consultation and engagement activities; and
 - Develop a Public Consultation Report and provide to the EAO within 60 days after the close of a public comment period for the draft Valued Components document, at the time the Application is submitted, and at any other time if requested by the EAO.

4.3.2 Federal Consultation Requirements

The CEA Act (2012) requires that the Impact Assessment Agency of Canada (IAAC, formerly CEAA) provide the public with an opportunity to participate in the EA and an opportunity to comment on EA reports, also noting that the proponent is required to provide current information about the project to the public and especially to the communities likely to be most affected by the project.

On February 20, 2015, the final Guidelines for the Preparation of an Environmental Impact Statement Pursuant to the Canadian Environmental Assessment Act, 2012 (EIS Guidelines; Appendix 4-E) were issued, in which IAAC identified the nature, scope, and extent of the information NWP (as proponent) is required to provide in the EIS with respect to engagement with members of the public, Project stakeholders, and local government representatives. These requirements are outlined as follows:

- Describe the ongoing and proposed consultations and the information sessions that the proponent will hold or that it has already held on the Project;
- Provide a description of efforts made to distribute project information;
- Provide a description of information and materials that were distributed during the consultation process;
- Indicate the methods used, where the consultation was held, the persons and organizations consulted, the concerns voiced, and the extent to which this information was incorporated in the design of the Project as well as in the EIS; and
- Provide a summary of key issues raised related to the environmental assessment as well as describe any outstanding issues and ways to address them.

To date, IAAC has requested public input on the following:

- Project Description – November 17, 2014 (Comment period to December 8, 2014); and
- Draft EIS Guidelines – December 22, 2014 (Comment period to January 30, 2015).

In addition, on February 1, 2021, IAAC announced in a news release that participant funding was available to help the public and Indigenous groups participate in the federal environmental assessment for the Project.

4.3.3 Phases of Engagement and Consultation

The phases of engagement and consultation for the EA are summarized in Table 4.3-1. It must be noted that Project engagement and consultation activities in 2020 and 2021 were significantly impacted by the COVID-19 pandemic. Where it could occur, engagement was generally limited to video conferencing, telephone calls, and associated emails. Many groups, including Indigenous communities, were under strict lockdowns and/or local states of emergency, with all available resources focussed on immediate community needs. Overall, the pandemic has affected engagement and consultation scheduling and timelines (e.g., to set up meetings, provide responses to correspondence, etc.).

Table 4.3-1: Phases of Consultation and Engagement

Phase	Description of Activities	Date and Status
Early Engagement	Engagement activities conducted during the exploration phase of Project development, up to and including the submission of the Project Description to EAO and EAO's issuance of the Section 10 Order. Specific activities included introductory meetings and discussions to build awareness of the proposed Project and seek early input from Indigenous communities, public stakeholders (e.g., local governments, members of the public), and government agencies regarding the Project, potential environmental and socio-economic concerns, and potential mitigation measures.	May 2012 to October 2014 Complete

Phase	Description of Activities	Date and Status
Pre-Application	<p>Consultation activities conducted subsequent to the issuance of the Section 10 Order and prior to the submission of the Application/EIS.</p> <p>Consultation and engagement activities during the Pre-Application phase are intended to keep Indigenous communities, public stakeholders, and government agencies up to date on changes to Project layout/design, Project activities and schedule, as well as to identify opportunities for participation in the EA process and to gain additional insight into potential Project concerns. Includes ongoing meetings and discussions. Also includes specific consultation and engagement activities associated with:</p> <ul style="list-style-type: none"> • Drafting and finalization of the Valued Components Document; • Drafting and finalization of the Project Application Information Requirements (AIR); and • Project open house. 	<p>October 2014 to To be determined</p> <p>Ongoing</p>
Application Review	<p>Consultation activities conducted subsequent to the submission of the Application/EIS and during the Application Review phase of the provincial EA process. Includes activities/tasks to continue to build and strengthen existing relationships with all stakeholders engaged during the Pre-Application phase. This phase includes:</p> <ul style="list-style-type: none"> • Ongoing information sharing (Project updates, etc.) through meetings and discussions; • Responding to public comments on the Application/EIS; • Project open house(s); and • Preparation of Public Consultation Reports. 	<p>To be determined</p> <p>Pending</p>

4.3.3.1 Future Consultation

NWP is committed to creating and sustaining constructive dialogue and relationships with Indigenous communities, members of the public, Project stakeholders, and government representatives over the course of the Project. Should the Project be successful in receiving a provincial federal and approval, consultation and engagement prior to construction of the Project is expected to include, but not necessarily limited to:

- Meetings and Presentations – NWP will continue to meet with Indigenous communities, public stakeholders, and government representatives (through information sessions or open houses) to discuss the Project, updates, issues and concerns, and mitigation measures to be implemented;
- Telephone and Email Inquiry Program – A telephone and email inquiry program will be established to provide stakeholders an opportunity to provide feedback and ask questions related to the Project;
- Newsletters – To allow for communications to reach interested parties, a newsletter will be distributed to a mailing list and posted on the company website to communicate Project updates;
- Surveys – To gather feedback from interested parties on selected topics; and
- Company Website – NWP will continue to post Project updates and communication materials relevant to consultation (e.g., survey results) on a company website.

As engagement progresses throughout the life of the Project, NWP will continue to track engagement and consultation activities as well as any issues, concerns or issues that are brought forward, including NWP's response to these issues, and will provide them to appropriate regulatory agencies.

4.4 Indigenous Communities Consultation and Engagement

4.4.1 Introduction

Indigenous consultation requirements for EA processes are generally driven by the Crown's legal Duty to Consult and, where appropriate, accommodate Indigenous groups where an activity or decision could impact asserted or established Indigenous rights and title. In the past, the EA process worked with Indigenous groups as simply another "stakeholder", whose interests and rights are the same as those of the general public; however, the Canadian Courts have determined that Indigenous rights and title are unique and that Indigenous peoples hold a distinct role in land use decisions that affect their traditional territories. In other words, the rights and interests of Indigenous people are not considered the same as those of the general public.

While the Duty to Consult itself cannot be delegated to proponents, certain procedural aspects of provincial (B.C.) consultation are commonly delegated to proponents through a Section 11 Order, including but not limited to:

- Providing information on the proposed project to Indigenous groups early in planning process;
- Identifying and discussing Indigenous rights (including Traditional Land Use [TLU]) and interests and how they may be impacted by a proposed project;
- Considering modifications to plans to avoid or mitigate impacts to Indigenous rights and interests;
- Implementing additional measures of consultation and/or accommodation, as appropriate; and
- Documenting engagement on specific Indigenous rights and interests that may be impacted and any modifications to address concerns, and providing this record to the EAO.

Similarly, although without a formal order, the federal government generally delegates to proponents the responsibility to engage Indigenous groups to gather information about and provide perspectives on the potential impacts of the proposed project on asserted or established Indigenous rights, as well as associated mitigation and accommodation measures, where appropriate. These expectations are outlined in project-specific federal EIS Guidelines.

Both the provincial and federal EA processes also encourage proponents to consider Indigenous Traditional Knowledge (ITK) in EA processes, as specified in the terms of references used for these processes (i.e., the provincial AIR and the federal EIS Guidelines).

NWP has taken, and will continue to take, a proactive and inclusive approach to engagement and partnership with Indigenous Communities associated with the Project. This approach is consistent with NWP's corporate Indigenous Policy to guide their engagement activities (Section 4.2). The overall goal is to have meaningful relationships with Indigenous peoples and communities based on the values of honesty, integrity, courage, and respect. NWP supports reconciliation with Indigenous Peoples and communities where NWP does business through recognition of Indigenous rights; the diversity of

Indigenous cultures, histories, and future aspirations; and by working with Indigenous Communities to pursue lasting, mutually beneficial relationships.

4.4.2 Goals and Objectives

The goals and objectives of the Indigenous community consultation and engagement program are to:

- Disseminate information on, as well as build awareness of, the Project as well as potential Project effects and proposed mitigation measures;
- Inform Indigenous Communities of engagement opportunities that arise over the course of the Project, and facilitate methods for providing feedback to allow for input to the Project; and
- Take into consideration input and feedback received on the Project and how it will be considered as the Project progresses.

4.4.3 Indigenous Communities Identification

The Section 11 Order issued for the Project detailed Indigenous consultation requirements during the Pre-Application/EIS phase. The Section 11 Order includes Schedules B and C, which specifically name the Indigenous groups requiring consultation, with additional guidance provided in the April 26, 2018 AIR document. The EAO varied the procedural order for the EA with the issuance of a Section 13 Order on October 30, 2020. The change amended the Section 11 Order to add additional Indigenous groups. Additionally, CEAA provided guidance on February 20, 2015 via the EIS Guidelines, with further direction provided by IAAC on March 16, 2020.

Indigenous Communities/groups engaged for the Project are summarized in Table 4.4-1. Information (e.g., governance, land use, etc.) regarding each of the communities is provided in Chapters 23 to 31.

Table 4.4-1: Summary of Indigenous Communities Engaged for the Crown Mountain Coking Coal Project

Indigenous Community/Group	Provincial and/or Federal Guidance
Ktunaxa Nation <ul style="list-style-type: none"> • ʔakink'umʔasnuqʔiʔit (Yaqit ʔa-knuqʔi 'it or Tobacco Plains Band) • ʔakisq'nuk (AKisqnuk or Columbia Lake Band) First Nation • ʔaqam (St. Mary's Indian Band) • Yaqan Nuʔkiy (Lower Kootenay Band) 	<ul style="list-style-type: none"> • Section 11 Order - Schedule B (May 27, 2015) • EIS Guidelines (February 20, 2015)
Shuswap Indian Band	<ul style="list-style-type: none"> • Section 11 Order - Schedule C (May 27, 2015) • EIS Guidelines (February 20, 2015)
Stoney Nakoda First Nations <ul style="list-style-type: none"> • Bearspaw First Nation • Chiniki First Nation • Wesley First Nation 	<ul style="list-style-type: none"> • Section 13 Order (October 30, 2020) - additions to Schedule C of the Section 11 Order • IAAC revised list of Indigenous Groups (March 16, 2020) • EIS Guidelines (February 20, 2015)

Indigenous Community/Group	Provincial and/or Federal Guidance
Kainai (Blood Tribe)	<ul style="list-style-type: none"> Section 13 Order (October 30, 2020) - additions to Schedule C of the Section 11 Order IAAC revised list of Indigenous Groups (March 16, 2020)
Piikani Nation	<ul style="list-style-type: none"> Section 13 Order (October 30, 2020) - additions to Schedule C of the Section 11 Order IAAC revised list of Indigenous Groups (March 16, 2020)
Siksika Nation	<ul style="list-style-type: none"> IAAC revised list of Indigenous Groups (March 16, 2020) Section 13 Order (October 30, 2020) - additions to Schedule C of the Section 11 Order
Tsuut'ina Nation	<ul style="list-style-type: none"> IAAC revised list of Indigenous Groups (March 16, 2020)
Métis Nation of British Columbia	<ul style="list-style-type: none"> EIS Guidelines (February 20, 2015)
Métis Nation of Alberta, Region 3	<ul style="list-style-type: none"> IAAC revised list of Indigenous Groups (March 16, 2020)

An invitation was also sent by the EAO to the Confederated Salish and Kootenai Tribes (CSKT) on October 30, 2014 to participate on the Technical Working Group for the project; however, there is no record of response being received. The EAO is planning to send an additional notification to the CSKT closer to the Application submission date to request their confirmation of screening participation.

The EAA (2002) was repealed by the Environmental Assessment Act (2018) in 2019. As per subsection 78(6) of the EAA (2018), the environmental assessment process for the Project was continued under the 2002 Act. On May 3, 2023 the Project was transitioned to the EAA (2018) through a Transition Order under Section 78(7) of the 2018 Act. As a result, the EAO confirmed with Yaqit ʔa-knuqʔiʔit (ʔakinkʔumʔasnuqʔiʔit or Tobacco Plains Band or YQT) that they will engage in the Project EA process as a participating Indigenous nation, while the Ktunaxa Nation Council (KNC)¹ will also engage as a participating Indigenous nation representing the three other Ktunaxa First Nations.

4.4.4 Summary of Indigenous Nation Communities Consultation and Engagement

The following sections provide a summary of Indigenous engagement and consultation activities with Indigenous Communities/groups during the Early Engagement and Pre-Application phases of the project.

4.4.4.1 Early Engagement

Early Engagement activities were conducted with the KNC and included various meetings and discussions related to site exploration activities. Early Engagement activities includes all interactions up to the issuance of the Project Section 10 Order (issued on October 30, 2014).

¹ For simplicity, while Ktunaxa Nation Council Society (KNCS) is known as such by Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC, 2021), throughout the Application/EIS Ktunaxa Nation Council (KNC) is used as indicated from engagement with the KNC.

An initial Project meeting took place on May 14, 2012 at the KNC offices in Cranbrook, B.C., with the overall goal of the meeting to introduce and discuss the Crown Mountain plans for 2012. Discussion topics included:

- Status of licenses and exploration permits;
- 2012 exploration plans and overview of expected drilling activities;
- NWP's strategy toward environmental issues;
- Overview of scope of preliminary environmental activities;
- Overview of archaeological work completed to date, the Archaeological Overview Assessment (AOA), and upcoming field work;
- Tree clearing and road work;
- Review of clauses contained in the approved licenses;
- Potential for additional (supplemental) field work in 2012;
- Review of potential work/cooperation opportunities with Ktunaxa Nation; and
- Communication strategy going forward.

The KNC also provided comments to the Ministry of Energy and Mines on proposed Crown Mountain exploration activities. The comments were included with an amended Mines Act Permit (CX-5-14) provided to NWP on May 29, 2013, and fall under two general topics/areas:

4.4.4.1.1 Aquatic Concerns

- Potential to entrain fish into water intake systems; and
- Concerns related to resident fish populations (e.g., Westslope Cutthroat Trout).

4.4.4.1.2 Terrestrial Concerns

- Proximity of exploration area to carnivore habitat for grizzly bear, black bear, Canada lynx, wolverine, and other furbearer species;
- Proximity of exploration activities to ungulate habitat for elk, bighorn sheep, mule deer, and moose;
- Potential impacts to forest habitat (e.g., mature and old forest, Old Growth Management Areas [OGMAs]); and
- Potential impacts to wildlife trees.

NWP worked closely with the KNC to address specific concerns and developed exploration-specific site management plans.

4.4.4.2 Pre-Application Engagement and Consultation

4.4.4.2.1 KNC Engagement Activities

During Pre-Application/EIS engagement the Tobacco Plains Band, St. Mary's Band, Lower Kootenay Band, and the ʔAkisq'nuk First Nation were all represented by the KNC. Since May 3, 2023, Yaqit ʔa-knuqʔi'it (ʔakink'umʔasnuqʔi'it or Tobacco Plains Band or YQT) will engage in the Project EA process as a participating Indigenous nation, while KNC will also engage as a participating Indigenous nation

representing the three other Ktunaxa First Nations. The KNC² have been engaged on a wide range of tasks and Project topics, each of which is described below. Engagement has been via in-person meetings, calls/conference calls, letters, and emails. Key meetings and calls are summarized in Table 4.4-2. The meeting summary does not include KNC involvement in Working Group meetings, which are described in Section 4.6.4.

Since mid-2019, the KNC and NWP have held biweekly virtual meetings to discuss the Project and ongoing information sharing initiatives. In October 2020, EAO and IAAC invited the KNC to attend biweekly virtual project meetings, discussed further in Section 4.6.3. In late April 2021, KNC chose to pause all external engagement, including with NWP, to allow for internal reflection within the KNC. NWP has, while respecting KNC's choice to pause engagement, created opportunities for KNC to participate or re-engage in the environmental assessment process. In early November 2021, a draft effects assessment chapter was sent to the KNC for comment and a meeting between NWP and KNC staff was undertaken in December to discuss feedback and engagement timelines. In March and April 2022, NWP had discussions regarding the provincial and federal EA processes including the potential to transition to the 2018 provincial Act. A meeting was also held on May 4, 2022 where discussion topics included past and future exploration plans, EA process, and mine plans.

A formal letter was sent to the B.C. Minister of Environment and Climate Change Strategy and the Canadian Minister of Environment and Climate Change Canada by the KNC on August 13, 2021 requesting suspension of coal mining environmental assessments in the Ktunaxa Traditional District of Quin ʔamakʔis (Land of the Raven). A response from the Province was sent to the KNC on September 8, 2021, which noted that there are no provisions in the provincial Act to pause the process, and that the EA process is structured to support collaborative approaches to identify and resolve issues. It was recommended that the KNC meet with the EAO to review and discuss the EA process that is currently underway. Both the KNC letter and response from the Province are posted on EPIC (<https://projects.eao.gov.bc.ca/p/588511f9aaecd9001b828bf0/documents>).

In addition to engagement and consultation activities with the KNC, NWP has also had some direct interaction with the Tobacco Plains Band. For example, in mid-June, 2021, NWP provided a Google Drive link containing archaeological reports for the project.

NWP and KNC negotiated an Engagement Agreement in late 2019.

Exploration Activities

NWP has continued to engage with the KNC regarding exploration activities, including discussions regarding NWP's 2018 Notice of Work (NOW). Discussion topics included:

- Concerns with potential cumulative effects from incremental exploration activities (road-building, drilling, water use, reclamation.);
- Development in the Grave Prairie, Grave Creek, and Alexander Creek watersheds;
- Potential impacts to wildlife and wildlife habitat (carnivores, ungulates, furbearers, birds – including listed species);

² Ktunaxa Nation or Ktunaxa Nation Council will be used as inclusive terms that incorporate the ʔakink'umʔasnuqʔiʔit (Tobacco Plains Band), akisq'nuk First Nation (Columbia Lake Band), ʔaq'am (St. Mary's Band), and Yaqan Nuʔkiy (Lower Kootenay Band), in terms of engagement unless there is information specific to the perspective of one Indigenous Community/Nation that will be identified separately.

Table 4.4-2: Summary of Key Pre-Application Engagement Meetings and Calls (including Virtual Meetings) with the KNC

Date	Topic(s)	Description
May 14, 2012	Project Introduction Exploration Plans	<p>An initial Project meeting took place at KNC offices in Cranbrook, with the overall goal of the meeting to introduce and discuss Crown Mountain plans for 2012. Discussion topics included:</p> <ul style="list-style-type: none"> • The status of licenses and exploration permit and 2012 exploration plans; • NWP's strategy toward environmental issues; • An overview of scope of preliminary environmental activities; • An overview of archaeological work completed in 2011 in support of the exploration program; • An overview of expected drilling activities (noted small footprint of drill proposed); • Proposed tree clearing and road work; • A review of clauses contained in the approved licenses; • The potential for additional (supplemental) field work in 2012; • A review of potential work/cooperation opportunities with the Ktunaxa Nation; and • Proposed communications strategy going forward.
November 17, 2014	Project Update	<p>Discussed the Project Description, identified Project concerns and issues, and discussed expectations for engagement. A hand-out illustrating the KNC third party engagement process was provided to the NWP team.</p>
March 15, 2015	Call from the KNC	<p>Call to convey recent decisions from the Ktunaxa's Land and Resources Council and the Economic Development Council regarding their position on the Project and any other new mines in the Elk Valley. Conditions/concerns were related to a requirement to prevent additional contamination to watercourses (selenium or other substances) and the need to negotiate funding to support the KNC's involvement in the EA process.</p>
May 20, 2015	Project Update	<p>Review of Project to date, including EA process. Discussion topics included:</p> <ul style="list-style-type: none"> • Project components on Teck's Proposed Conservation Lands; • Status of EA process to date; • Water quality compliance plans; and • Financial assistance to KNC.
October 15, 2015	Project Update	<p>Meeting following the completion of the Working Group meeting.</p>
May 24, 2016	Project Update	<p>Meeting at the KNC offices in Cranbrook to discuss water quality concerns and the proposed rail loadout location.</p>

Date	Topic(s)	Description
December 14, 2016	Project Update	Discussed the history of the project, including exploration, environmental work, etc. Reviewed infrastructure issues/concerns, Proposed Conservation Lands, and archaeological concerns associated with Grave Prairie.
November 2, 2017	Project Update	Introductory meeting to discuss background information on the Project and NWP.
January 18, 2018	Mine Rock Management	Meeting to discuss progress to-date on the spoil disposal and selenium mitigation planning activities.
March 12, 2018	Archaeology Exploration Program	Presentation and discussion regarding site archaeology. Topics included upcoming Notice of Work, pending coal applications, preliminary results of archaeology work, summer exploration program, etc.
October 29, 2018	Project Update	Discussed selenium work being completed by Enviromin. Noted the plan to have an update meeting to present preliminary findings. Also discussed alternative rail loadout sites.
November 8, 2018	Project Update	Topics discussed including ongoing selenium work, alternate loadout sites, Elk Valley Cumulative Effects Management Framework (EV-CEMF), Application/EIS, and potential involvement of the KNC.
November 16, 2018	Exploration Program	Conference call with Ministry of Energy and Mines Chief Inspector (Cranbrook) and the KNC to discuss the approach for Notice of Work for exploration activities in 2019 and beyond, and proposal to use the MYAB (multiple year area based) format.
September 25, 2019	Project Update/ Engagement	Meeting with the KNC in Cranbrook to discuss potential for expanded interaction and involvement with the Crown Mountain Coking Coal Project.
October 3, 2019	Engagement, Terrestrial Modelling, Traditional information Risk Assessment	Meeting with KNC to discuss relevant information transfers or information needs. Also discussed terrestrial modelling, culturally significant plants, and diet study and info needs for risk assessment.
October 4, 2019	Chapter C – EA Application	Call to discussion Chapter C requirements for Application/EIS.
May 12, 2020	Project Update – various topics	Call to review a range of topics including: project engagement activities, the clean coal stockpile location, and fish and fish habitat.
June 15, 2020	Archaeology	Discussion regarding archaeological results to date and the new rail loadout, rail loop, and conveyor locations. Confirmed that the new rail loop is in area with low archaeological potential.
September 9, 2020	Human Health and Ecological Risk Assessment (HHERA)	Presentation and discussion included HHERA methodology (e.g., problem formulation, diet study, exposure model, assumptions, receptors, etc.).

Date	Topic(s)	Description
November 4, 2020	Aquatic Effects Modelling	Presentation and discussion on the proposed methods for fish and fish habitat cumulative effects assessment. Topics included the EV-CEMF process and scenario modelling.
November 19, 2020	Site Reclamation	Presentation and discussion regarding reclamation. Provided an overview of strategy for mine closure planning. Topics included ecological treatment approaches, post-mine TEM, effects assessment and mitigation, integration of Ktunaxa values and businesses, and collaborative restoration research.
December 13, 2021	Effects Assessment; Engagement	A virtual meeting to discuss the receipt of the draft effects assessment chapter and NWP's desire to re-engage with the KNC to discuss the Project.
March 25, 2022	EA Process	Call to discuss the provincial EA process and the KNC desire for the Project to transition to the 2018 Act.
April 27, 2022	EA Process	Call to discussion the provincial and federal EA processes (provincial EA transition, CEAA extension, etc.).
May 4, 2022	Project Update and EA Process	Meeting with discussion topics including past and future exploration plans, EA and mine plans, etc.

Note: The table does not include or summarize the large number of email correspondence between the KNC and NWP, as well as discussions through set EAO meetings. The table also does not include bi-weekly update meetings between the KNC and NWP. Furthermore, the table does not include meetings that KNC were invited to, but did not attend due to their pause in external engagement that started in April 2021. Meeting notes and/or recordings have been shared with KNC for those meetings.

- Potential impacts to aquatic habitat (fish populations – including listed species, fish habitat, riparian habitat, wetlands);
- Potential impacts to terrestrial habitat (old/mature forests, rare ecological communities [e.g., grasslands], culturally important plant species, listed species);
- Potential impacts to water quality;
- Working within the Alexander Creek Access Management Area (AMA);
- Geotechnical stability within the Grave Creek and Alexander Creek watersheds;
- Road expansion and associated increase in recreational usage;
- Potential mitigation measures to avoid/reduce potential impacts;
- Site reclamation requirements;
- Invasive plants; and
- Site Water Management Plan.

On October 4, 2021 NWP voluntarily provided KNC with selected reports which were cited in the Multi-Year Area-Based (MYAB) Annual Work Plan including the Effects Assessment - Future Conditions Scenario Modelling [DRAFT] and the Effects Assessment – Final Report. The MYAB, which covers exploration activities at the Project site, requires NWP to provide, and engage with KNC about, annual work plans and activity reports. The report provided October 4, 2021 relates to modelling and effects assessment of exploration activities only but helps provide context within the larger Project assessment.

EA Process Tasks and Documents

The KNC has provided input to a wide range of EA process-related tasks and documents including:

- The Project Description;
- Indigenous Consultation Plan;
- Valued Components Document; and
- Application Information Requirements.

A letter from the St. Mary's Indian Band was sent to CEAA on December 5, 2014. The letter outlined specific concerns regarding the development of the proposed Project including:

- Impacts to traditional lands and the use of associated resources (e.g., fish, wildlife, and other traditional foods);
- Potential impacts to archaeological sites;
- Wildlife species of cultural significance/species at risk, such as grizzly bear; and
- Water quality.

One of the key steps in the Pre-Application phase is the determination of the Valued Components (VCs) for assessment within the EA. This document outlines the VCs that were to be evaluated during the environmental assessment and describes the methods and assessment boundaries that were used for conducting baseline studies. The KNC provided significant input to the development of the VC document. This included participation in a Working Group meeting on October 15, 2015 to review and discuss proposed Project VCs.

General themes of comments received from the KNC on the draft Valued Components document are detailed in Table 4.4-3. It must be noted that not all comments from the KNC are detailed in the table, as

this is meant to be a summary and to note specific changes to the VC document based on feedback received from the KNC.

Table 4.4-3: General Comments from the Ktunaxa Nation Council on the Draft Valued Components Document

General Comments	Changes to VC Document
Engagement and consultation with the KNC and stakeholders	<ul style="list-style-type: none"> Document modified to note KNC is not a stakeholder, but a government body representing Ktunaxa citizens
Community impacts as a result of economic changes associated with the Project	<ul style="list-style-type: none"> Ktunaxa Nation included as a potential party that may be impacted as a result of economic changes
Inclusion of First Nations perspective to the economic discipline	<ul style="list-style-type: none"> Economics, socio-economics, community health, land-use/tenure, and visual aesthetics will all be addressed from both the Ktunaxa Nation and non-Indigenous perspective
Archaeological Resources	<ul style="list-style-type: none"> Clarification on term “heritage resources”. For the purposes of this document, the selected VC refers to archaeological resources/sites The use of “heritage and archaeology” was revised throughout the document Site was significance added as a measurement indicator Figure of the Archaeological Regional Study Area was added
Comments on the landscape and ecosystems discipline	<ul style="list-style-type: none"> Patch size added as a measurement indicator Structural change and relative abundance to ecosystems added as measurement indicator Old Growth/Mature Forests changed to Old Growth and Mature Forests Addition of coarse woody debris as measurement indicator
Comments on the vegetation discipline	<ul style="list-style-type: none"> VC updated to “Listed and Sensitive Plant Communities and Species” Patch size added as a measurement indicator to various vegetation VCs Notes added on the assessment of limber pine health
Comments on the wildlife discipline	<ul style="list-style-type: none"> Inclusion of habitat quality measurements as measurement indicators Connectivity added as a measurement indicator for bighorn sheep Additional information added to note importance of aquatic mustalids and pathway for selenium uptake

Project Planning and Design

The KNC has been involved with discussions related to overall Project design, in particular the siting of the proposed rail loadout facility and associated infrastructure, to address concerns regarding potential impacts to archaeological resources within the Grave Prairie area. NWP has worked closely with the KNC to review alternate locations for the rail loadout outside of the Grave Prairie area. While Chapter 2 describes the various rail loadout options evaluated and the rationale for the final preferred location, Chapter 23 outlines all major project component design influences from the Ktunaxa Nation and alternatives.

Baseline Programs, Data Analysis, and Modelling

The KNC provided input, direction, and/or participation to selected Project baseline programs, including, but not necessarily limited to the following:

- Water Quality/Quantity – Input into overall program (initial meeting in spring 2012). Surface water fieldwork (sample collection, logger downloads, etc.) was completed by Nupqu Resource Limited Partnership (Nupqu; previously known as Nupqu Development Corporation), a natural resource management consulting and contracting services firm owned and operated by the Ktunaxa Nation.
- Archaeology – Input, direction, and participation to the extensive archaeological baseline program. The majority of the work was completed by Tipi Mountain Eco-Cultural Services, now Pathways Archaeological Consulting Ltd.
- HHERA – the KNC provided input and guidance to the Project HHERA. Information included preferred rates of Ktunaxa foods (fish, shellfish, land animals, plants, etc.). A Technical Memorandum: Ktunaxa Nation Council Basic Standards for Human Health Risk Assessment (HHRA) in the Elk Valley (Candler et al., 2020) was provided to NWP that details Ktunaxa standards applicable to all HHERAs in the Elk Valley. A draft of the project HHERA was provided to the KNC in mid-June 2021 for use in the preparation of Section C of the Application (discussed below).

The KNC and their EA team have been actively engaged with reviews and discussions related to data assessment and modelling.

On July 8, 2021 two members of the KNC assisted with fish eDNA study for the Project. The results of the study were also provided to the KNC on September 7, 2021.

Application/EIS Development

Prior to April 2021, the Ktunaxa Nation Council was preparing Section C – Ktunaxa Nation Rights and Interests Assessment to support the Project Application/EIS. Section C covers a range of topics including Ktunaxa rights and interests related to: water, traditional knowledge and language, economic investment, education and employment, social, lands and resources, and cumulative effects. The Section also provides background for the Ktunaxa Nation, including ethnography/history, population, governance, etc.

On November 9, 2021, NWP sent a draft effects assessment chapter (similar to KNC's Section C) to the KNC for review. The draft section was prepared by NWP's consultants based on information available publicly. It was noted, when sent, that it was NWP's preference that the section be written by the Ktunaxa. On December 13, 2021, NWP and the KNC staff held a virtual meeting discussion regarding the receipt of the draft effects assessment chapter, and acknowledged that no comments would be provided at this stage and currently no feedback was received. NWP also reiterated their desire to re-engage with the KNC to discuss the project, including Ktunaxa concerns related to environmental conditions and cumulative effects in the Elk Valley. Additional information on consultation and engagement with Ktunaxa Nation is provided in Chapter 23, Appendix 23-A, Table 23.A-1 where applicable. Archaeological concerns (specifically the Grave Prairie Cultural Landscape) were raised due to the proposed rail infrastructure within the Grave Prairie which conflicts with important Ktunaxa cultural values identified via correspondence from Ktunaxa Nation Council (received July 15, 2022). While the KNC provided input and guidance to the Project HHERA, permission to regard the critical receptor locations utilized for that assessment as information for the current or rights-based use by Ktunaxa Nation within the Project

footprint, the Ktunaxa Nation Rights and Interests (KNRI) Local Study Area (LSA) and Regional Study Area (RSA) for traditional purposes was confirmed via correspondence from KNC (received July 11, 2023). This correspondence also confirmed that where KNC has identified information that is publicly available through past B.C. EAO processes regarding Ktunaxa perspectives, that information can be utilized in the effect assessment processes for the Project.

The KNC also provided KNC-specific guidance documents to support the development of the Application/EIS including:

- Technical Memorandum: Ktunaxa Nation Council Recommended Minimum Standards for Proponents in Determining Significance of Effects in Environmental Assessments (EAs) in the Elk Valley (Candler, 2020); and
- DRAFT Ktunaxa Perspectives on, and Principles for, Reclamation and Restoration in qukin ʔamakʔis and the Elk Valley (General) (Morris and Candler, 2020).

Site Tours

In addition to participation in site tours for the Project Working Group (see Section 4.6.4), NWP has also facilitated several site tours with members of the KNC. A summary of site tours is provided in Table 4.4-4. Additional tours are expected to occur as the environmental assessment and permitting processes continue.

Table 4.4-4: Summary of KNC Site Visits and Tours

Tour Date	Description
October 14, 2015	Tour of the proposed Project area with KNC representatives and Working Group members.
Summer 2018	Site visit with the KNC Environment and Archaeological Stewardship Manager to review three proposed alternate locations for the rail loadout facility outside the Grave Prairie cultural landscape.
August 19, 2019	Eight representatives of the KNC and a representative from IAAC participated in this site tour. The tour included a visit to the Grave Prairie area to review new rail loadout options, after which the group traveled up the Grave Creek Road to Crown Mountain. Topics of discussion included: archaeological findings to date, the wildlife management plan (associated with the MYAB), reduced speed zones for wildlife, invasive plant management, vegetation management and reclamation goals, and mine rock management.
October 6, 2020	Site visit with KNC representatives and team archaeologist to review proposed rail loadout location.

4.4.4.2.2 Schedule C Nations Engagement Activities

Project notification letters were sent by NWP to each Nation identified in Schedule B of the provincial Section 11 and 13 orders and/or the federal EIS Guidelines and revised list of Indigenous Groups from IAAC (March 16, 2020). All letters were sent, via email, between October 21 and October 22, 2020 (Table 4.4-5). The letters provided an overview of the Project and included figures showing the Project location and the proposed Project layout.

Table 4.4-5: List of Project Notification Letters sent out to Schedule C Nations by NWP

Recipients	Addressed To	Date Sent
Shuswap Indian Band	Chief Barbara Cote	October 21, 2020
Shuswap Nation Tribal Council	Tribal Chief Wayne Christian	October 21, 2020
Stoney Nakoda First Nations	Dean Cherkas Director of Consultation	October 21, 2020
Piikani Nation	Chief Stanley Grier	October 21, 2020
Tsuut'ina Nation	Chief Roy Whitney-Onespot	October 21, 2020
Métis Nation of British Columbia	Christopher Gall Chief Public Affairs Officer/ General Legal Counsel	October 21, 2020
Métis Nation of Alberta, Region 3	Lawrence Gervais Regional President	October 21, 2020
Kainai First Nation (Blood Tribe)	Councillor Dorothy First Rider	October 22, 2020
Siksika Nation	Councillor Armond Duck Chief Office of Chief and Council	October 22, 2020

The following subsections are summaries of engagement activities to date for each of the Schedule C Nations. NWP will continue to follow up and work with each of the Nations as the Project moves forward.

Shuswap Indian Band

A project notification letter was sent by NWP to the Shuswap Indian Band (SIB) on October 21, 2020. The letter outlined the proposed Project and related key components, regulatory requirements, and a brief overview of the Project's history (e.g., exploration activities and baseline surveys). The SIB responded with a letter to NWP in mid-December 2020, where they noted an expectation for NWP to consult on the proposed project and on "... matters that may affect [their] long-term traditional land use, occupancy and access, including potential cumulative impacts between the proposed activity and other previous or future developments...".

In late February 2021, the SIB also reached out to NWP to express interest in the Project. The Notification of Interest Letter included the SIB's proposed Engagement Protocol.

The SIB was engaged via video conference on March 17, 2021. Topics covered by the call included: protocol/expectations regarding review and participation in the EA process, the SIB's proposed engagement protocol, and potential economic opportunities. NWP and SIB defined key next steps including the preparation of a simple letter of commitment to move things forward in good faith.

On April 23, 2021, NWP signed an agreement with the SIB to provide capacity funding to support the SIB Territorial Stewardship Department's efforts to review and respond to technical materials related to the Project. The agreement included a commitment to negotiate future agreements with the SIB following submission of the Application/EIS.

SIB has been engaged on initial draft sections of the Application/EIS. On January 26, 2021, NWP provided a draft version of the initial sections of this Application/EIS section for their review and comment. The

remaining section, complete with the effects assessments, was provided to SIB on September 2, 2021. Feedback on the draft section was provided by the SIB on November 19, 2021. NWP responded to the SIB feedback via correspondence on December 15, 2021. A follow-up meeting was undertaken on January 21, 2022 with the SIB to discuss the feedback and next steps.

In mid-May 2021, NWP provided a Google drive link to allow the sharing of Project archaeological reports.

The SIB was engaged via video conference on May 25, 2021. NWP provided an update on the Project, including anticipated schedule, and NWP's vision for the Project in terms of environmental sustainability and the development of relationships with regional stakeholders.

On July 15, 2021, a meeting took place that included discussions on how to develop a plan for further involvement of SIB in the regulatory process, a potential site visit, and potential NWP community engagement.

In September 2021, NWP and SIB agreed to conduct ethnographic and traditional ecological work in the Project area to detail SIB's interests. Once available, the findings of this work will be incorporated into ongoing efforts by NWP to understand and mitigate impacts to SIB's interests. A site tour to support the traditional ecological work is expected to occur in the near future (final timing to be determined).

Summarized results of the Indigenous consultation related to Aboriginal interests and/or other matters of concern to SIB are available in Chapter 24, Appendix 24-A, Table 24.A-1. As noted above, the comments received from SIB on the draft effects assessment and NWP's responses where applicable are recorded in Chapter 24, Appendix 24-A, Table 24.A-2. The SIB's views expressed on the effectiveness of the mitigation or accommodation measures where applicable are further outlined in tables noted above.

Engagement with the Shuswap Indian Band is ongoing.

Stoney Nakoda Nations

The Stoney Nakoda Nations (SNN) include the Bears paw, Chiniki, and Wesley First Nations. On January 30, 2015, the Stoney Nakoda Nations sent a letter to IAAC providing comments on selected sections of the draft EIS Guidelines.

NWP met in person with representatives from the Stoney Nakoda Nations on February 20, 2020 at the Stoney Nakoda Resort and Casino in Kananaskis, Alberta. NWP provided an overview of the company and Project, including discussion regarding baseline programs and Project VCs. A copy of the presentation to the Stoney Nakoda Nations is provided in Appendix 4-H.

The Stoney Nakoda Nations provided two handouts at the meeting, both of which have been used as references in the development of the Application/EIS section:

- Stoney Nakoda First Nation Land Claim Area map (Natural Resource Canada, 1999); and
- Schedule C – Stoney Nakoda Nations', Aboriginal Title; Location: Central and Southern Alberta map of traditional lands and cultural resource areas (Canada Energy Regulator, 2013).

On January 23, 2021, NWP was notified that a local state of emergency was issued by Stoney Tribal Council in January 2021 due to COVID-19. NWP acknowledged that this emergency involved the lockdown of the Stoney Tribal Administration and allocation of time and effort to community needs, and that it would likely affect timelines and responses to correspondence and review requests.

On February 3, 2021, NWP provided a draft version of the initial sections of this Application/EIS section for the Stoney Nakoda Nations' review and comment. The remaining section, complete with the effects assessments, was provided to the Stoney Nakoda Nations on August 31, 2021. During a meeting on December 7, 2021, SNN indicated that they may provide feedback on the draft chapter or may wait to review the final version of the chapter after formal submission of the Application/EIS. At the time of submission, SNN had not provided any feedback on the relevant sections of the Application/EIS.

A virtual meeting took place with representatives of the Stoney Nakoda Nations on April 6, 2021. NWP provided an overview of the project including the regulatory process, baseline studies, and the assessment of potential project effects. Wildlife modelling and culturally significant plants were also discussed, as well as mitigation planning (e.g., mine rock management approach). Agreed upon next steps included the development of a protocol agreement process and timeline for a potential site tour and cultural ceremonies. A copy of the April 6, 2021 presentation is provided in Appendix 4-I.

In mid-May 2021, NWP provided the Stoney Nakoda Nations with a link to a shared drive to provide access to Project archaeology reports.

In July 2021, NWP and Stoney Nakoda Nations agreed in principle to a regular monthly meeting to ensure ongoing communication and collaboration. Schedule pressure on the SNN due to other Projects led to all of these meetings being cancelled. NWP and Stoney have agreed to building a stronger relationship and finding a way to meet more often.

NWP and Stoney Nakoda Nations continue to work towards agreeing on a Traditional Land Use study in the Project area. The SNN have expressed interest in a site tour to support a potential Traditional Land Use Study, which occurred on September 29, 2022.

Engagement with the Stoney Nakoda Nations is ongoing.

Kainai (Blood Tribe)

In April 2020, Kainai (Blood Tribe) requested a meeting with NWP to discuss Project engagement. NWP held a virtual conference call with representatives from the Kainai on May 26, 2020. NWP provided a Project overview presentation which included: a review of potential environmental impacts, the selenium management process, baseline programs, and habitat suitability modelling. Discussion topics included traditional land use, archaeology, terrestrial habitat modelling, cumulative impacts, and overall project consultation and engagement expectations. A copy of the presentation to the Kainai is provided in Appendix 4-F.

Kainai also provided NWP with the following background reports, which were used in the development of Chapter 27 of the Application/EIS:

- East Kootenays – Crowsnest Archaeological Review Blackfoot Traditional Use and Occupancy (Mirau and Kobes, 2020);
- A Review of the Literature on Blackfoot Use and Occupancy of the Crowsnest Pass & East Kootenays (O'Connor, 2020); and
- Cumulative effects assessment for Kainai First Nation (IEG and ALCES Group, 2018).

On October 22, 2020, a Project Notification Letter was sent to the Kainai by NWP which outlined the proposed Project and related key components, regulatory requirements, and a brief overview of the Project's history (e.g., exploration activities and baseline surveys).

On February 1, 2021, NWP provided a draft version of the initial sections of this Application/EIS section for review and comment by Kainai. Feedback on the draft section was provided by the Kainai on April 1, 2021. The remaining section, complete with the effects assessments, was provided to the Kainai on August 30, 2021. Feedback on the remaining section was provided by the Kainai on October 22, 2021, with the major concern being identified that the ongoing funding (provided by NWP) would highlight Kainai's use within the Project footprint and the ATRI LSA. NWP responded to the Kainai feedback in writing on November 29, 2021. A follow-up meeting was undertaken on January 21, 2022 with Kainai to discuss the feedback and next steps. Additional meetings have also taken place on May 16, 2022 and July 29, 2022 with topics of discussion including the EA process.

In mid-May 2021 NWP provided a Google drive link to allow the sharing of Project archaeological reports. In addition, a GIS data set for the proposed project footprint was sent to Kainai on August 5, 2021.

In September 2021, NWP and Kainai agreed to conduct a Traditional Land Use study in the Project area. The final report for this work was likely to be finalized after submission of the EIS, but the findings would be incorporated into ongoing efforts by NWP to understand and mitigate impacts to Kainai's interests.

Representatives from the Kainai had a preliminary site visit to the Project area on October 5, 2021. The tour included discussions of prior use of the area by Kainai ancestors and various traditional use plants in the area.

Summarized results of the Indigenous consultation related to Aboriginal interests and/or other matters of concern to the Kainai are available in Chapter 27, Appendix 27-A, Table 27.A-1. As noted above, the comments received from the Kainai on the draft effects assessment and NWP's responses where applicable are recorded in Chapter 27, Appendix 27-A, Table 27.A-2. The Kainai's views expressed on the effectiveness of the mitigation or accommodation measures where applicable are further outlined in tables noted above.

Engagement with the Kainai is ongoing.

Piikani Nation

A project notification letter was sent by NWP to the Piikani Nation on October 21, 2020. As a result, the Piikani Nation emailed NWP a copy of their Consultation Policy on October 23, 2020, along with several suggested dates for an initial introductory meeting.

NWP held a video conference call with representatives from the Piikani Nation on November 2, 2020. NWP provided a general overview of Project, including proponent overview, project overview, regulatory overview, selenium management, and baseline programs. There were also discussions regarding Indigenous engagement activities to date. A follow-up meeting between the Piikani Nation and NWP occurred on January 25, 2021 to gather more feedback from Piikani Nation leadership and Piikani Nation interests, as well as discuss the Piikani Nation review of Application/EIS draft information.

On January 27, 2021, NWP provided a draft version of the initial sections of this Application/EIS section for the Piikani Nation's review and comment. The remaining section, complete with the effects assessments, was provided to the Piikani Nation on August 30, 2021. Feedback on the draft sections were provided by the Piikani Nation on October 15, 2021. Feedback on the draft section was provided by the Piikani Nation on October 15, 2021. NWP responded to the Piikani Nation feedback via correspondence on October 15, 2021. A follow-up meeting was undertaken on January 5, 2022 with Piikani Nation to discuss the feedback.

Several other video conference meetings have also taken place with the Piikani Nation on May 14, 2021 and June 15, 2021. The May 14, 2021 call covered a range of topics including meeting protocols/etiquette and the approach for the overall involvement of Piikani Nation with the Project EA process. The follow-up call on June 15, 2021 covered the draft protocol agreement and continued discussions regarding opportunities for engagement and collaboration.

In mid-May 2021, NWP provided the Piikani Nation with a link to a shared drive to provide access to Project archaeology reports.

Meetings also took place on July 15, 2021 to discuss site tour details and again on September 9, 2021 to discuss the project and associated agreements. On July 26 and 27, 2021 representatives of Piikani Nation visited the Project site and collected some preliminary information related to traditional ecological data and NWP expects additional future visits for leadership and/or Elders or for additional data.

In September 2021, NWP and Piikani Nation agreed to conduct a Traditional Land Use study in the Project area. The final report for this work was likely to be finalized after submission of the EIS, but the findings would be incorporated into ongoing efforts by NWP to understand and mitigate impacts to Piikani Nation's interests.

More recently, NWP had discussions with representatives from Piikani Nation on February 16, 2022 and May 16, 2022.

Summarized results of the Indigenous consultation related to Aboriginal interests and/or other matters of concern to Piikani Nation are available in Chapter 28, Appendix 28-A, Table 28.A-1. As noted above, the comments received from Piikani Nation on the draft effects assessment and NWP's responses where

applicable are recorded in Chapter 28, Appendix 28-A, Table 28.A-2. The Piikani Nation's views expressed on the effectiveness of the mitigation or accommodation measures where applicable are further outlined in tables noted above.

Engagement with the Piikani Nation is ongoing.

Siksika Nation

In April 2020, Siksika Nation requested a meeting between the Nation and NWP to discuss Project engagement. NWP held a conference call with representatives from the Siksika Nation on May 27, 2020, where a presentation was given to attendees which included: a proponent overview, a project overview, a regulatory overview, a discussion on selenium management, and overviews of baseline programs. Discussion topics included traditional knowledge, archaeology, cumulative impacts, and overall project consultation and engagement expectations. A copy of the May 2020 presentation to the Siksika Nation is provided in Appendix 4-G.

The Siksika Nation also provided NWP with the following background reports, which were used in the development of Chapter 29 of the Application/EIS:

- East Kootenays – Crowsnest Archaeological Review Blackfoot Traditional Use and Occupancy (Mirau and Kobes, 2020); and
- A Review of the Literature on Blackfoot Use and Occupancy of the Crowsnest Pass & East Kootenays (O'Connor, 2020).

On October 22, 2020, a Project Notification Letter was sent to the Siksika Nation from NWP which outlined the proposed Project and related key components, regulatory requirements, and a brief overview of the Project's history (e.g., exploration activities and baseline surveys).

On February 1, 2021, NWP provided a draft version of the initial sections of this Application/EIS section for the Siksika Nation's review and comment. Feedback on the draft section was provided by the Siksika Nation on April 1, 2021. The remaining section, complete with the effects assessments, was provided to Siksika Nation on August 30, 2021. Feedback on the draft section was provided by the Siksika Nation on November 2, 2021. NWP responded to the Siksika Nation's feedback in writing on November 26, 2021.

A video conference call was held on April 23, 2021 with representatives of the Siksika Nation. The call covered a range of topics including the project schedule, Siksika Nation's history with coal mining, engagement expectations, and next steps. The Siksika Nation noted that they have other work ongoing including traditional land use interviews and the mapping of mountain pass trails. They have also had a recent cultural meeting with the KNC.

In mid-May 2021, NWP provided the Siksika Nation with a link to a shared drive to provide access to Project archaeology reports.

In September 2021, NWP and Siksika Nation agreed to conduct a Traditional Land Use study in the Project area. Once available, the findings of this work will be incorporated into ongoing efforts by NWP to understand and mitigate impacts to Siksika Nation's interests. The Siksika Nation have expressed interest

in a site tour to support their Traditional Land Use Study, which is expected to occur in the near future (final timing to be determined).

Summarized results of the Indigenous consultation related to Aboriginal interests and/or other matters of concern to the Siksika Nation are available in Chapter 29, Appendix 29-A, Table 29.A-1. As noted above, the comments received from the Siksika Nation on the draft effects assessment and NWP's responses where applicable are recorded in Chapter 29, Appendix 29-A, Table 29.A-2. Siksika Nation's views expressed on the effectiveness of the mitigation or accommodation measures where applicable are further outlined in the tables noted above.

Engagement with the Siksika Nation is ongoing.

Tsuut'ina Nation

On October 22, 2020, a Project Notification Letter was provided to Tsuut'ina Nation which outlined the proposed Project and related key components, regulatory requirements, and a brief overview of the Project's history (e.g., exploration activities and baseline surveys). The Tsuut'ina Nation contacted NWP in December 2020 to convey their interests in a further dialogue about the Application/EIS process.

A video conference call was held with representatives of the Tsuut'ina Nation on February 11, 2021. NWP provided a Project update which included an overview of baseline programs, and assessment and mitigation planning activities.

On January 27, 2021, NWP provided a draft version of the initial sections of this Application/EIS section for the Tsuut'ina Nation's review and comment. Feedback on the initial draft section was provided to NWP in early March 2021. On September 2, 2021, NWP also provided a draft of the effects assessment for Tsuut'ina Nation review and comment. On November 2, 2021, the Tsuut'ina Nation provided NWP with a TLU study in lieu of feedback on the draft.

In mid-May 2021, NWP provided the Tsuut'ina Nation with a link to a shared drive to provide access to Project archaeology reports.

A virtual meeting with the Tsuut'ina took place on August 4, 2021. A project update was provided by NWP including discussions regarding project schedule, aquatic baseline studies, regulatory process, and a potential site visit. A site visit was completed on August 26, 2021 that formed the basis of a TLU study.

Summarized results of the Indigenous consultation related to Aboriginal interests and/or other matters of concern to Tsuut'ina Nation are available in Chapter 30, Appendix 30-A, Table 30.A-1. As noted above, the feedback received from Tsuut'ina Nation with confidential information redacted and NWP's responses where applicable are recorded in Chapter 30, Appendix 30-A, Table 30.A-2. Tsuut'ina Nation's views expressed on the effectiveness of the mitigation or accommodation measures where applicable are further outlined in the tables noted above.

The Tsuut'ina Nation and NWP will continue to communicate and coordinate future discussions as the Project moves forward.

Métis Nation of B.C.

On December 18, 2014 the Métis Nation of B.C. (MNBC) provided a letter to IAAC providing comments on the draft Project Description. The MNBC, using their Traditional Harvesting Database and preliminary Métis Traditional Knowledge research, confirmed that MNBC Citizens from adjacent Chartered Communities and nearby smaller communities are exercising their Aboriginal right to harvest within the proposed Project's footprint, and as such noted that Project development could potentially put local Métis Aboriginal rights and traditional land uses at risk and that Métis harvesters who rely on the direct and surrounding area for sustenance, social and ceremonial purposes could see potential negative impacts from the construction and operation of the Project.

On February 2, 2015, the MNBC also provided a letter to IAAC providing comments on the draft EIS Guidelines. The letter re-iterated concerns that the Project could potentially impact local Métis Aboriginal rights and traditional land uses.

A project notification letter was sent by NWP to the MNBC on October 22, 2020. On the same day, the MNBC provided NWP with their Consultation Guidelines, which were intended to assist the Project team in understanding MNBC's expectations surrounding the consultation process.

In early January 2021, NWP followed up with the MNBC to set up a call to discuss the Project and to determine the best way to share information and receive feedback. On January 20, 2021, NWP proposed an approach for how the MNBC could be engaged and review relevant sections of the draft EA, and on January 26, 2021 NWP forwarded a draft existing conditions section related to the MNBC for review. The intent was to obtain feedback on this initial section to allow the Project team to better understanding the MNBC, and to start discussions regarding the Project and potential interactions with MNBC interests. The MNBC responded in early February with a summary of the Nation which included information on:

- Governance;
- Legal context (e.g., constitutional definition of Métis; rights, etc.);
- Historical context;
- Traditional territory; and
- Consultation.

NWP has also engaged with the Elk Valley Métis (EVM; details provided below). NWP is committed to working with both the MNBC and the EVM. On April 26, 2021, NWP sent a letter to the MNBC and the EVM to formalize the results of recent discussions regarding the aspirations, goals, interests, and rights of both the groups and to share NWP's proposed strategy for engaging with the MNBC and EVM moving forward. The overall intent of the letter was to ensure that the approach that NWP was taking to work with both groups would allow for effective collaboration regarding the Project.

In mid-May, 2021 NWP provided MNBC with a link to a shared drive to provide access to Project archaeology reports.

On August 16, 2021, a representative of the MNBC completed a site tour. Discussions on the tour included efforts by NWP to minimize our environmental impacts through design and planning. The discussion also included economic development initiatives for the MNBC and where and how the Project could create economic opportunities on a direct and indirect basis.

On August 30, 2021 NWP shared a draft EA section regarding potential Project interactions with MNBC Rights and Interests. The MNBC provided comments on the draft EIS section on October 15, 2021. Input was provided on a range of aspects including governance, language, population, historic and current use of lands and resources for traditional purposes, food sovereignty, employment and economic conditions, and cumulative effects.

Summarized results of the Indigenous consultation related to Aboriginal interests and/or other matters of concern to MNBC are available in Chapter 26, Appendix 26-A, Table 26.A-1. As noted above, the comments received from MNBC on the draft effects assessment and NWP's responses where applicable are recorded in Chapter 26, Appendix 26-A, Table 26.A-2.

Engagement with the Métis Nation of B.C. is ongoing.

Elk Valley Métis

The Elk Valley Métis Nation (EVM Nation) is the closest Métis group to the Project footprint and a Chartered Community within MNBC. EVM Nation participated in an online survey that NWP published to the public on January 24, 2021 and requested that the NWP make contact. Starting February 1, 2021, NWP and EVM Nation have engaged through meetings and correspondence.

NWP held a video conference call with representatives from the EVM Nation on February 12, 2021. NWP provided a Project update including a general overview of Project, baseline programs, and the status of the Application/EIS. Questions and issues raised were related to water quality and site access for recreational purposes. Following the meeting, NWP committed to continuing conversations and discussions with the EVM Nation to keep them up to date regarding the project and overall timelines.

Several informal meetings and discussions have taken place including face-to-face meetings on February 25, 2021 and April 6, 2021. Discussions at these meetings focused on relationship building with both formal and personal components. EVM Nation also shared information on their evolving relationship with government, industry, and Indigenous organizations. NWP has provided an industry perspective and advice to EVM Nation on these and other matters.

A follow-up video conference call with the EVM Nation took place on April 7, 2021. NWP provided an update on the Project, including a regulatory process overview, as well as gave an introductory "Coal 101" presentation (Appendix 4-J; Appendix 4-K). The Coal 101 Presentation covered topics such as:

- Coal formation;
- Differences between metallurgical coal and thermal coal;
- Coal mining and processing; and
- Environmental considerations.

The EVM Nation provided NWP with a copy of their Consultation Guidelines. NWP also provided the EVM Nation with geographic information system (GIS) shapefiles for the Project.

On July 8, 2021 NWP met with the EVM Nation board to discuss the project. A site tour with representatives of the EVM took place on July 29, 2021. Tour discussions included:

- Efforts made by NWP to minimize environmental impacts and to adjust the Project in response to feedback on early designs;
- Opportunities for the EVM Nation to provide input to detailed closure planning including thoughts on final land uses such as a site for a culture camp; and
- Opportunities for economic collaboration and involvement of the EVM Nation and its members in future employment and business opportunities.

Several meetings took place with the EVM Nation in October (October 4, October 23 and October 29, 2021). In addition, a meeting with the EVM Nation and the District of Elkford took place on October 29, 2021 to discuss housing in Elkford and what the two groups might do to collaborate. That meeting was followed up by a tour of possible locations for housing initiatives in Elkford on November 4, 2021.

A community dinner for the EVM Nation was sponsored by NWP on October 24, 2001. NWP attended the dinner and provided an update on the Project and our regulatory process. Each community member introduced themselves. Discussions included how to strengthen the EMV Nation, how to reinforce and support EVM Nation culture, and how NWP can collaborate in those efforts.

NWP continue to work with the EVM Nation on a Traditional Land Use study in the Project area (final timing to be determined). NWP met with EVM land users on July 7, 2022 at the Grave Lake day-use area where Project information was presented and discussed to support their Traditional Land Use study.

On August 31, 2021, NWP shared a draft EA section regarding potential Project interactions with EVM Nation Rights and Interests. In the original draft, the EVM Nation information was intermingled within the section on MNBC. Feedback from the EVM Nation on October 4, 2021 requested that NWP strengthen the representation and discussion of the EVM Nation to clarify how and where the EVM Nation is separate from MNBC. NWP and the EVM Nation collaborated on revising the section through several calls and exchange of drafts. Summarized results of the Indigenous consultation related to Aboriginal interests and/or other matters of concern to EVM Nation are available in Chapter 26, Appendix 26-A, Table 26.A-1.

Engagement with the Elk Valley Métis Nation is ongoing.

Métis Nation of Alberta, Region 3

On October 21, 2020, a Project Notification Letter was provided to Métis Nation of Alberta - Region 3 (MNA Region 3), which outlined the proposed Project and related key components, regulatory requirements, and a brief overview of the Project's history (e.g., exploration activities and baseline surveys). MNA Region 3 replied to the Project Notification Letter on October 30, 2020 requesting an introductory meeting and to discuss project details with NWP.

NWP held a video conference call with the MNA Region 3, on January 14, 2021 and again on February 4, 2021. During the January call, NWP provided a Project update including a general overview of Project, a regulatory overview, baseline programs, and the status of the Application/EIS. The MNA Region 3 was interested in learning more about the Project so that they could determine potential impacts (if any) to

their community members in/around the Project area. NWP committed to providing relevant information to the MNA Region 3 for review. The MNA Region 3 noted that they would be sending out a notification to the consultation committee (which is comprised of provincial and local presidents).

On January 21, 2021, NWP provided a draft version of the initial sections of this Application/EIS section for their review and comment. The remaining section, complete with the effects assessments, was provided to the MNA Region 3 on September 1, 2021. Feedback on the draft sections were provided by the MNA Region 3 on October 15, 2021. Feedback on the draft section was provided by the MNA Region 3 on October 24, 2021. NWP responded to the MNA Region 3 feedback via correspondence on October 24, 2021.

In mid-May 2021, NWP provided a Google drive link to allow the sharing of Project archaeological reports. In early February 2021, NWP provided a high-level overview of the regulatory process and project background. It was noted during the call that project notification was provided internally to the MNA Region 3 consultation committee on January 25, with a comments deadline of February 15. At the conclusion of the meeting it was agreed that MNA Region 3 and NWP will continue to communicate and coordinate future discussions as the project moves forward.

NWP held a video conference call on May 20, 2021. Discussion topics included other projects with Alberta (e.g., Grassy Mountain), collaboration with the MNBC, review of EIS sections, potential TLU study, and the logistics for a potential site visit. In mid-May 2021, NWP provided the MNA Region 3 with access to a shared Google Drive to provide access to relevant project information such as archaeological reports.

A video conference call was held on June 10, 2021 between NWP and the MNA Region 3. Discussion topics included the agreement letter for capacity funding, potential MNA studies, communication protocols, and review of draft EIS sections. The MNA Region 3 also expressed interest in a site tour, which is expected to occur in late July/August 2021 (final timing to be determined).

An agreement letter for capacity funding was signed with the MNA Region 3 on June 11, 2021. Capacity funding will be used to cover ongoing engagement, review of technical information, and negotiation of future agreements.

In July 2021, NWP and MNA Region 3 agreed to a regular monthly meeting to ensure ongoing communication and collaboration. When either party is busy or there is not much to discuss, the meetings are cancelled. At other times, the meetings occur but are quick simple updates that involve as much relationship building and personal discussions as Project related business. The most meetings in September, October, and November all included a brief discussion of MNA Region 3's pressure dealing with many other Projects and their intention to review the Draft EIS section provided by NWP.

Summarized results of the Indigenous consultation related to Aboriginal interests and/or other matters of concern to MNA Region 3 are available in Chapter 31, Appendix 31-A, Table 31.A-1. As noted above, the comments received from MNA Region 3 on the draft effects assessment and NWP's responses where applicable are recorded in Chapter 31, Appendix 31-A, Table 31.A-2. MNA Region 3's views expressed on the effectiveness of the mitigation or accommodation measures where applicable are further outlined in the tables listed above.

Engagement with Métis Nation of Alberta - Region 3 is ongoing.

4.4.4.3 Application Review

Once the Application/EIS is submitted, NWP will provide Indigenous Communities with copies of the document. NWP will meet with Indigenous Communities/groups, at their request, throughout the Application review phase to discuss feedback and comments on identified mitigation measures, outstanding Project-related issues, and discuss post-environmental assessment certificate (EAC) engagement activities.

NWP will continue to keep an engagement/communications log during the Application review period. The log will include documentation of issues/concerns brought forward by Indigenous Communities during the Application review phase.

4.4.4.4 Future Engagement and Consultation Activities

NWP is committed to creating and sustaining constructive dialogue and relationships with Indigenous Communities over the course of the Project. Should the Project be successful in receiving an EAC, engagement post-EAC and prior to construction of the Project is expected to include, but not necessarily limited to:

- Meetings and presentations – NWP will continue to meet with representatives from Indigenous Communities to discuss the Project, updates, issues and concerns, and mitigation measures to be implemented;
- Telephone, email, and letter Inquiries – NWP will continue to be available by phone and email to allow Indigenous Communities an avenue to provide feedback and ask questions related to the Project; and
- Company website – NWP will continue to post all Project updates and communication materials relevant to engagement on a company website (<https://www.nwpc coal.com/>).

4.4.5 Indigenous Communities Key Issues Summary Table

Throughout the EA process, Indigenous Communities and groups have provided comments and input related to the Project. Sources of input have including:

- EAO collected comments during the VC document review phase (May 13 to June 13, 2016);
- A collated package of public comments received in relation to all completed public comment periods for the Project were provided by IAAC on August 29, 2019. A total of 33 comments were received; and
- NWP correspondence and meetings/calls with members of individual Indigenous Nations.

Table 4.4-6 summarizes issues, concerns and interest raised throughout the direct engagement of the Ktunaxa. The summary does not include issues/concerns raised by the Ktunaxa during Working Group meetings. Engagement and consultation activities have been conducted in English as no other languages or translations have been deemed necessary. Table 4.4-7 summarizes issues, concerns and interest raised throughout the direct engagement of Schedule C Nations.

Table 4.4-6: Ktunaxa Key Issues Summary Table

Indigenous Community/ Group	Comment Source	Topic	Issue or Concern	Preliminary Response (Where Available)	Location Where Addressed in Application / EIS	Status of Resolution
KNC	Meeting November 17, 2014	Cumulative Effects	Potential cumulative effects within the Elk Valley.	Acknowledged concern. Potential cumulative effects will be addressed in the Application/EIS.	<ul style="list-style-type: none"> Chapter 5, Section 5.3 (Cumulative effects are assessed for each VC); Chapter 23, Section 23.8.4 	Ongoing
KNC	Meeting November 17, 2014	Water Quality	Potential Project impacts to water quality and quantity.	Acknowledged concern. Extensive water quality program being completed. Potential water quality impacts will be addressed in the Application/EIS.	<ul style="list-style-type: none"> Chapter 9, Section 9.5; Chapter 11, Section 11.5; Chapter 23, Section 23.8 	Ongoing
KNC	Meeting November 17, 2014	Fisheries	Fisheries concerns, in particular related to cutthroat trout.	Acknowledged concern. Detailed aquatics baseline program underway. Potential fisheries related impacts will be addressed in the Application/EIS.	<ul style="list-style-type: none"> Chapter 12, Section 12.5; Chapter 23, Section 23.8 	Ongoing
KNC	Meeting November 17, 2014	Archaeology	Archaeological (specifically the Grave Prairie area).	Acknowledged archaeological concerns within Grave Prairie. Committed to working with KNC on infrastructure locations.	<ul style="list-style-type: none"> Chapter 16, Sections 16.2 to 16.4; Chapter 23, Section 23.8 	Ongoing

Indigenous Community/ Group	Comment Source	Topic	Issue or Concern	Preliminary Response (Where Available)	Location Where Addressed in Application / EIS	Status of Resolution
KNC	Meeting November 17, 2014	Land Use	Potential overlap of some project components with Teck's Proposed Conservation Lands.	Acknowledged existence of Teck's Proposed Conservation Lands. NWP will work with Teck (and others) regarding the placement of Project infrastructure, if required, on these lands.	<ul style="list-style-type: none"> Chapter 19, Sections 19.4 and 19.5 	Ongoing
MNBC	Letter to IAAC December 18, 2014	Land Use	Potential impacts to traditional harvesting activities within the Project footprint.	Potential impacts to traditional harvesting activities will be addressed in the Application/EIS.	<ul style="list-style-type: none"> Chapter 19, Section 19.5; Chapter 26, Section 26.7 	Ongoing
?AQ'AM St Mary's Indian Band	Letter to IAAC December 5, 2014	Land Use	Impacts to traditional lands and the use of associated resources (e.g., fish, wildlife, and other traditional foods).	Potential impacts to traditional lands will be addressed in the Application/EIS.	<ul style="list-style-type: none"> Chapter 19, Section 19.5; Chapter 23, Section 23.7 	Ongoing
?AQ'AM St Mary's Indian Band	Letter to IAAC December 5, 2014	Land Use	Potential impacts to archaeological sites.	Potential impacts to archaeological sites will be addressed in the Application/EIS.	<ul style="list-style-type: none"> Chapter 16, Section 16.4; Chapter 23, Section 23.8 	Ongoing
?AQ'AM St Mary's Indian Band	Letter to IAAC December 5, 2014	Land Use	Wildlife species of cultural significance/Species-at-Risk such as Grizzly bear.	Potential impacts to wildlife of significance/Species-at-Risk will be addressed in the Application/EIS.	<ul style="list-style-type: none"> Chapter 15, Section 15.2; Chapter 23, Section 23.8 	Ongoing
?AQ'AM St Mary's Indian Band	Letter to IAAC December 5, 2014	Land Use	Water quality.	Potential impacts to water quality will be addressed in the Application/EIS.	<ul style="list-style-type: none"> Chapter 9, Section 9.5; Chapter 11, Section 11.5; Chapter 23, Section 23.8 	Ongoing

Indigenous Community/ Group	Comment Source	Topic	Issue or Concern	Preliminary Response (Where Available)	Location Where Addressed in Application / EIS	Status of Resolution
KNC	Meeting May 20, 2015	Land Use	Concern with placement of infrastructure on Teck Proposed Conservation Lands.	Noted that all infrastructure locations are proposed only, and would be subject to public comment, First Nations consultations, and regulatory review, in addition to consideration from Teck.	<ul style="list-style-type: none"> Chapter 19, Sections 19.4 and 19.5 	Ongoing
KNC	Meeting May 20, 2015	Water Quality	Concern with potential impacts to water quality.	Outlined conceptual plans for spoil and refuse disposal, water quality, water sourcing, etc. Noted that final design will need to conform to governmental regulations, including the Elk Valley Water Quality Plan.	<ul style="list-style-type: none"> Chapter 9, Section 9.5; Chapter 11, Section 11.5; Chapter 23, Section 23.8 	Ongoing
KNC	Meeting December 14, 2016	Archaeology	Concerns regarding proposed rail infrastructure within Grave Prairie.	Acknowledged archaeological concerns within Grave Prairie. Committed to working with KNC on infrastructure locations.	<ul style="list-style-type: none"> Chapter 3, Section 3.7; Chapter 16, Sections 16.2 to 16.4; Chapter 23, Section 23.8 	Ongoing
KNC	Meeting March 12, 2018	Archaeology	Concerns regarding proposed rail infrastructure within Grave Prairie.	NWP looking at alternate locations for the rail loadout outside of the Grave Prairie area.	<ul style="list-style-type: none"> Chapter 3, Section 3.7; Chapter 16, Sections 16.2 to 16.4; Chapter 23, Section 23.8 	Ongoing

Indigenous Community/ Group	Comment Source	Topic	Issue or Concern	Preliminary Response (Where Available)	Location Where Addressed in Application / EIS	Status of Resolution
KNC	Letter to NWP January 25, 2019	Archaeology	Opposition to the proposed location of the rail load out facility and associated infrastructure in Grave Prairie, due to conflicts with important Ktunaxa cultural values.	NWP looking at alternate locations for the rail loadout outside of the Grave Prairie area. Committed to working closely with the KNC with the determination of alternative sites.	<ul style="list-style-type: none"> Chapter 3, Section 3.7; Chapter 16, Sections 16.2 to 16.4; Chapter 23, Section 23.8 	Ongoing
KNC	Meeting June 15, 2020	Land Use	Proposed Conservation Lands – need to understand mitigation and infrastructure for this area.	Acknowledged during the meeting that project design will have to take into consideration potential impacts to Proposed Conservation Lands.	<ul style="list-style-type: none"> Chapter 19, Section 19.4 	Ongoing
KNC	Terrestrial Effects Modelling Working Group Call October 21, 2020	Terrestrial Habitat	Potential karst features within the area. Noted it is important as it provides a rare and unique ecosystem with linkages to wildlife and terrestrial components such as bats, etc.	<p>Noted that there is limited knowledge on karst in the area. Erickson Ridge has potential for karst, we're assuming in the context of bats that there's a likelihood of caves that bats use for overwintering.</p> <p>Additional follow-up via email on February 18, 2021 from NWP confirmed that Karst is an important landscape, ecosystem and groundwater pathway but it was felt that the EA already addresses Karst without including it as an additional VC. VCs which</p>	<ul style="list-style-type: none"> Chapter 8, Section 8.4; Chapter 9, Section 9.3; Chapter 15, Appendix 15-C; Chapter 23, Section 23.8 	Resolved – Presence of karst features part of assessments for soils/terrain (Chapter 8) and habitat attributes modelling for bats (Chapter 15)

Indigenous Community/ Group	Comment Source	Topic	Issue or Concern	Preliminary Response (Where Available)	Location Where Addressed in Application / EIS	Status of Resolution
				<p>include Karst in their analysis are:</p> <ul style="list-style-type: none"> • All wildlife VC models (specifically bat model) incorporate the karst potential • terrain assessment • groundwater Intermediate component <p>Karst potential has been incorporated into baseline data collection using the following sources and analysis:</p> <ul style="list-style-type: none"> • Overlay of provincial mapping for Karst; • Review of the drilling campaigns' geophysical logs; • Review of geochemical analysis of the rock and; • Review of detailed LIDAR data of the proposed footprint and adjacent areas shows potential karst cavern outcrops 		

Indigenous Community/ Group	Comment Source	Topic	Issue or Concern	Preliminary Response (Where Available)	Location Where Addressed in Application / EIS	Status of Resolution
KNC	Correspondence from the KNC (received July 15, 2022)	Archaeology	Concerns regarding proposed rail infrastructure within Grave Prairie.	See previous responses related to concerns with Infrastructure within Grave Prairie.	<ul style="list-style-type: none"> Chapter 3, Section 3.7; Chapter 16, Sections 16.2 to 16.4; Chapter 23, Section 23.8 	Ongoing
KNC	Correspondence from the KNC (received July 11, 2023)	Traditional Use	Permission to use HHERA critical receptor locations as current and rights-based use for Ktunaxa traditional purposes.	Acknowledged HHERA data and considered in the Application/EIS.	<ul style="list-style-type: none"> Chapter 3, Section 3.7; Chapter 16, Sections 16.2 to 16.4; Chapter 23, Section 23.7 to 23.11 	Resolved – Presence of critical receptor locations considered in the effects assessment processes (Chapter 23)

Table 4.4-7: Schedule C Nations Key Issues Summary Table

Indigenous Community/ Group	Comment Source	Topic	Issue or Concern	Preliminary Response (Where Available)	Location Where Addressed in Application / EIS	Status of Resolution
Kainai	Project Meeting May 26, 2020	Traditional Use	Removal of access to lands for traditional purposes and impacts to Indigenous and treaty rights.	Concern acknowledged and NWP committed to further discussions.	<ul style="list-style-type: none"> Chapter 4, Section 4.4; Chapter 19, Section 19.5; Chapter 27, Section 27.6.6 	Ongoing
Kainai	Project Meeting May 26, 2020	Cumulative Impacts	Nation is interested in cumulative impacts.	The importance to evaluate potential cumulative effects acknowledged. Will be addressed in the Application/EIS.	<ul style="list-style-type: none"> Chapter 5, Section 5.3 (Cumulative effects are assessed for each VC); Chapter 27, Section 27.7.4 	Ongoing
Siksika Nation	Project Meeting May 27, 2020	Cumulative Impacts	Nation noted that cumulative impacts will need to be considered for the Project.	Cumulative effects will be addressed, where appropriate within the Application/EIS.	<ul style="list-style-type: none"> Chapter 5, Section 5.3 (Cumulative effects are assessed for each VC); Chapter 29, Section 29.7.4 	Ongoing
Elk Valley Métis	Project Meeting February 12, 2021	Water Quality	Noted that high levels of selenium is one of the most prominent issues in the Elk Valley. Asked about monitoring plans for seepage, etc.	The sediment pond/single discharge location would be monitored, and it is anticipated that water quality at discharge will meet drinking water standards. There will be different monitoring regimes set up as	<ul style="list-style-type: none"> Chapter 9, Section 9.5 and 9.7; Chapter 11, Section 11.5 and 11.7; Chapter 26, Section 26.7 	Resolved – Detailed information regarding monitoring of water quality provided as part of site-specific Management and Monitoring Plans (Chapter 33)

Indigenous Community/ Group	Comment Source	Topic	Issue or Concern	Preliminary Response (Where Available)	Location Where Addressed in Application / EIS	Status of Resolution
				part of the mine monitoring process (e.g., weekly averages – if levels go over or during high-flow events, more stringent testing will be undertaken). Long-term monitoring will be in place.		
Elk Valley Métis	Project Meeting February 12, 2021	Land use	Issues with the ability for the public and other user groups to access the area (e.g., for hunting).	NWP is not creating new access, and is utilizing an existing road(s) to access to the area. Access would only be restricted to/on the site – the goal is to coexist with other area users and work with communities and interest groups that want to continue to access the area.	<ul style="list-style-type: none"> Chapter 19, Section 19.5; Chapter 26, Section 26.7 	Ongoing
Siksika Nation	Project Video Call April 23, 2021	Engagement	Concern with level of engagement.	Noted that there can be a lack of clarity with regards to consultation/engagement efforts from both the provincial and federal perspectives. NWP and the Siksika discussed ways to improve consultation.	<ul style="list-style-type: none"> Chapter 4, Section 4.4 	Resolved –NWP committed to ongoing and meaningful engagement with the Nation
Siksika Nation	Project Video Call April 23, 2021	Traditional Use	TU study to be undertaken, but will not be completed before the Application is submitted. How will the information be used after the submission.	Noted that there will be time for inclusion of any traditional knowledge into the rights assessment after the initial submission is filed.	<ul style="list-style-type: none"> Chapter 29, Section 29.6.6 	Ongoing

Indigenous Community/ Group	Comment Source	Topic	Issue or Concern	Preliminary Response (Where Available)	Location Where Addressed in Application / EIS	Status of Resolution
Shuswap Indian Band	Project Meeting January 21, 2022	Engagement	Concerns with level of engagement.	Noted that there can be a lack of clarity with regards to consultation/engagement efforts from both the provincial and federal perspectives. NWP and the SIB discussed ways to improve consultation.	<ul style="list-style-type: none"> Chapter 4, Section 4.4 	Resolved –NWP committed to ongoing and meaningful engagement with the Nation
Kainai	Project Meeting January 21, 2022	Cumulative Effects	Concerns with how other projects are being assessed cumulatively.	Concern acknowledged and previously shared overview of past, present, and reasonably future projects and activities in the ATRI RSA discussed.	<ul style="list-style-type: none"> Chapter 27, Section 27.7.4 	Resolved – Detailed information and maps on past, present, and reasonably future projects and activities in the ATRI RSA identified in the effects assessment processes (Chapter 27)
Siksika Nation	Project Meeting January 21, 2022	Cumulative Effects	Concerns with how other projects are being assessed cumulatively.	Concern acknowledged and previously shared overview of past, present, and reasonably future projects and activities in the ATRI RSA discussed.	<ul style="list-style-type: none"> Chapter 29, Section 29.7.4 	Resolved – Detailed information and maps on past, present, and reasonably future projects and activities in the ATRI RSA identified in the effects assessment processes (Chapter 29)

The tables include the following:

- Indigenous community/group;
- Comment source (public comment period, meeting, email, etc.);
- General comment topic;
- The specific issue/concern identified;
- A preliminary response (where available); and
- A reference to where in the Application/EIS this information is addressed; and
- The current status of the issue/concern raised.

In most cases, the status of resolution for concerns and issues raised is considered ongoing and will be resolved through the federal and provincial environmental assessment processes and ongoing engagement and consultation activities. Where an issue has been identified as resolved, a brief description is provided.

General themes of issues and concerns raised by Ktunaxa Nation include:

- Archaeology/Heritage Resources
 - Potential impacts to archaeological sites, in particular within the Grave Prairie area.
- Water Quality
 - Potential impacts to water quality (elevated selenium) and quantity.
- Aquatic Environment
 - Potential impacts to fish and fish habitat (in particular for Westslope Cutthroat Trout).
- Wildlife and Wildlife Habitat
 - Wildlife species of cultural significance/species at risk such as grizzly bear.
 - Potential karst features and importance to bats.
- Land Use
 - Potential overlap with Teck Conservation Lands.
 - Potential impacts to traditional harvesting activities within the Project area.
 - Potential impacts to traditional lands and the use of associated resources (e.g., fish, wildlife, and other traditional foods).
- Cumulative Effects
 - Multiple coal mines in the Elk Valley and associated potential cumulative effects.

4.5 Public Stakeholder Consultation and Engagement

4.5.1 Introduction

NWP recognizes that the proposed Project has the potential to affect local communities and a variety of public stakeholders, and as such has actively engaged with individuals, groups, and local communities. NWP is committed to working with local communities and stakeholders in a respectful and transparent manner to ensure that relevant information is collected to guide Project development. As noted previously, a PCP was developed for the project and was used to guide engagement with members of the public.

4.5.2 Goals and Objectives

NWP's primary objective is to effectively and proactively communicate information about the proposed Project and involve those who may be potentially affected by, or have an interest in, the Project. NWP is committed to creating and sustaining constructive dialogue and relationships with local and regional stakeholders to support the environmental, social, and economic sustainability of the Project. As part of the Project's consultation, NWP is focused on engaging with the public over the Project lifecycle, including Project development, to ensure feedback from the public is incorporated into the Project and that mitigation measures reflect public feedback. The Public Consultation Program is designed to achieve the following:

- Communicate information in a timely, consistent manner to the local community members, regulators, and stakeholders throughout the lifecycle of the Project to build awareness of the Project, including potential effects and proposed mitigation measures;
- Identify and understand Project issues and concerns, as well as ensuring responsive engagement regarding stakeholder interests;
- Create and facilitate opportunities for the public to provide meaningful input and feedback on the Project and responding to all comments received on the Project and documents related to the EA process through the use of tracking tables, reports, and other documentation methods;
- Engage in early, frequent, open, and honest communication to build strong relationships with interested parties, particularly those who may be potentially affected by the Project;
- Foster strong, collaborative and long-term partnerships with regulators, community groups, and other stakeholders; and
- Consider input and feedback received on the Project and how it will be considered as the Project progresses.

The Public Consultation Program developed for the Project is designed to meet the requirements outlined in the Province of B.C. Public Consultation Policy Regulation (B.C. Reg. 373/2002) and the consultation provisions described in the B.C. EAO environmental assessment review procedures ordered under Section 11 of the B.C. Environmental Assessment Act (2002).

4.5.3 Public Stakeholder Identification

Public stakeholders that are potentially impacted by the Project and/or have an interest in the Project including the following general groups:

- Residents (e.g., residents of Sparwood and other local communities);
- Recreational users or those with recreational interest (e.g., hikers, campers, hunters);
- Community and public interest groups (e.g., Wildsight and other non-governmental organizations); and
- Those with commercial interests (e.g., forestry, trappers, outfitters, other mineral tenure holders in the area).

Local and regional governments are addressed in Section 4.6.

Stakeholders that were potentially interested in or impacted by the Project (both directly and indirectly) were identified through Early Engagement efforts as well as throughout the Pre-Application phase. Stakeholders were identified based on the following methods:

- On-going discussions with Working Group members;
- Input from local Project consultants and community groups;
- Stakeholders previously consulted with regards to similar Projects in the area; and
- Information gathered from local meetings, open houses, and information sessions.

A list of public stakeholders engaged to date for the Project is provided below in Table 4.5-1. The table includes public stakeholders who provided written feedback through the federal and provincial public comment periods on the Project Description, the draft EIS Guidelines, and the draft Application Information Requirements. Stakeholder engagement has helped provide an understanding of issues and concerns from groups that are in close proximity to the proposed Project that may be potentially impacted by the Project activities. Many of the stakeholders have been previously consulted with regards to similar projects in the area.

Table 4.5-1: Public Stakeholders Engaged to date on the Project

Stakeholder Group	Group Name
Recreational	Canyon Raft Company
	Elk Valley Adventure & Dirt Riders Society
	Elk Valley Mountaineers
	Elkford ATV Club
	Elkford Nordic Ski Club
	Elkford Rod and Gun Club
	Elkford Search and Rescue
	Elkford Snowmobile Association
	Elkford Trails Alliance Society
	Fernie Fly Fishing
	Fernie Mountain Bike Club
	Fernie Rod and Gun Club
	Fernie Snowmobile Association
	Fernie Trails Association
	Grave Lake Campground
	Quad Squad Association
	Sparwood Trails Alliance
Industry	Canadian Forest Products Ltd.
	CP Rail
	North Coal (previously CanAus Coal)
	Summit Natural Rock Inc.
	Teck Coal Limited (Teck)

Stakeholder Group	Group Name
Community and Public Interests Groups	Canadian Parks and Wilderness Society
	Canadian Women in Mining
	Elk River Alliance
	Elkford Chamber of Commerce
	Fernie Pride Society
	Great Divide Trail Association
	Headwaters Montana, Inc.
	Hornaday Wilderness Society
	National Parks Conservation Association
	Nature Conservancy of Canada
	Nature Trust of B.C.
	Residents of Local Communities
	Sparwood and District Fish and Wildlife Association
	Sparwood Chamber of Commerce
	Wildsight
Yellowstone to Yukon Conservation Initiative	

While engagement for the Pre-Application phase has been completed, this list is not intended to be an exhaustive list of stakeholders and will be revised as engagement continues through the Application review phase and into the Application Phase as well as any future consultation activities.

4.5.4 Summary of Public Stakeholder Consultation

The following sections provide a summary of engagement and consultation activities with Public stakeholders during the Early Engagement and Pre-Application phases of the Project. It includes a summary of issues, concerns and interests raised by the public.

4.5.4.1 Early Engagement

There were no Early Engagement activities with public stakeholders.

4.5.4.2 Pre-Application Consultation and Engagement

As noted previously the Pre-Application phase of consultation began following the issuance of the section 10 Order by the EAO on October 30, 2014 and includes engagement undertaken up to the submission of the Application/EIS. The primary public stakeholder consultation that occurred in the Pre-Application phase included:

- Public Comment Period – Provide the public an opportunity to review and provide feedback on the draft Valued Components (VC) document; and
- Open House – May 2016 in Sparwood which allowed the community and stakeholders an opportunity to review the draft VC document and discuss the Project with NWP.

The following sections describe specific activities completed under the Pre-Application phase.

4.5.4.2.1 Public Comment Period and Open House

As per the requirements detailed in the section 11 Order, the EAO provided a public comment period on the draft VC document between May 13 and June 13, 2016. The VC document detailed the social, environmental, heritage, economic, and health components to be evaluated during the environmental assessment and also defined the spatial boundaries in which each of the components were assessed for impacts and effects. To facilitate responses and feedback from the public and stakeholders on the draft VC document, the document was made available through a variety of means, including:

- The EAO made the draft VC document available in electronic format on the EAO EPIC website;
- Paper copies of the draft VC document were made available at libraries in local municipalities; and
- Paper and electronic copies were made available at the open house (described below) held during the Pre-Application stage.

During the comment period for the Project's VC document, comments were submitted to the EAO and then provided to NWP for review and response. All comments received between May 13 and June 16, 2016 are provided in Appendix 4-L. As appropriate, feedback and comments received on the proposed Project were incorporated into the finalized VC document.

A public consultation report was prepared in August 2016 (Appendix 4-M) and posted on the EAO EPIC website (<https://projects.eao.gov.bc.ca/api/public/document/5886a934e036fb01057693f4/download/CMCC%20Public%20Consultation%20Report%20dated%20August%202016.pdf>).

4.5.4.2.2 Notices

The draft VC document was made accessible to members of the public, Project stakeholders and local government representatives through the following:

- Posted notices and provision of the draft VC document available at the following public locations:
 - Sparwood Library;
 - Fernie Heritage Library; and
 - Cranbrook Public Library.
- Advertised notices for the open house and VC document comment period in local newspapers (Appendix 4-N), including:
 - The Fernie Free Press;
 - Kootenay News Advertiser;
 - The Elk Valley Herald;
 - The Crowsnest Pass Herald;
 - The Columbia Valley Pioneer;
 - The Cranbrook Daily Townsman;
 - The Kimberley Daily Bulletin; and
 - The Creston Valley Advance.

Advertisements posted in local newspapers were prepared according to specifications provided by the EAO and included a brief outline of the proposed Project and the purpose of the VC document. The

advertisements also provided details on the public comment period, the open house, and contact information for providing comments to the EAO.

Where possible, the open house advertisement was also provided directly to key stakeholders and groups, such as members of EV-CEMF.

4.5.4.2.3 Public Open House

A community open house was held during the Pre-Application stage on May 25, 2016 in Sparwood at the Causeway Bay Hotel (Photo 4.5-1) to allow the community and stakeholders an opportunity to review the draft VC document and discuss the Project with NWP. The open house was held during the 30-day public comment period for the VC document, which ran between May 13 and June 13, 2016. The public open house was advertised in local newspapers before and during the public comment period and over a week in advance of the open house (Appendix 4-N).



Photo 4.5-1: May 2016 Open House Attendance.

NWP developed presentation materials for the open house, which included poster boards describing the Project, VCs, and baseline studies completed to date. Specific poster boards included (Appendix 4-O):

- Purpose of the Open House;
- Project Location;
- Project Overview;
- Site Geology;
- Conceptual Project Layout;
- Mine Rock Management;
- Valued Components;
- Atmospheric Environment;
- Aquatic Environment (separate boards for surface water, aquatic health, and fisheries);

- Terrestrial Environment (separate boards for ecosystems and wildlife);
- Archaeological Resources;
- Social and Economic Components;
- Land Use, Recreation, and Tourism;
- Human and Terrestrial Wildlife Health; and
- Consultation and Engagement.

A total of 35 people signed in for the event including attendees from surrounding communities of Sparwood, Fernie, and Elkford, as well as Cranbrook, Hosmer, and Crowsnest Pass. The NWP team interacted the open house attendees to discuss the Project and answered questions regarding the Project, which generally revolved around a number of key themes including:

- Archaeology;
- Wildlife habitat;
- Fish and fish habitat;
- Water quality;
- Groundwater and geochemistry;
- Mine rock management;
- Land use, recreation and tourism;
- Socio-economics;
- Cumulative effects; and
- General questions and comments (Project components, infrastructure, timelines, etc.).

Specific issues and/or concerns identified by open house attendees are summarized in Section 4.5.5.

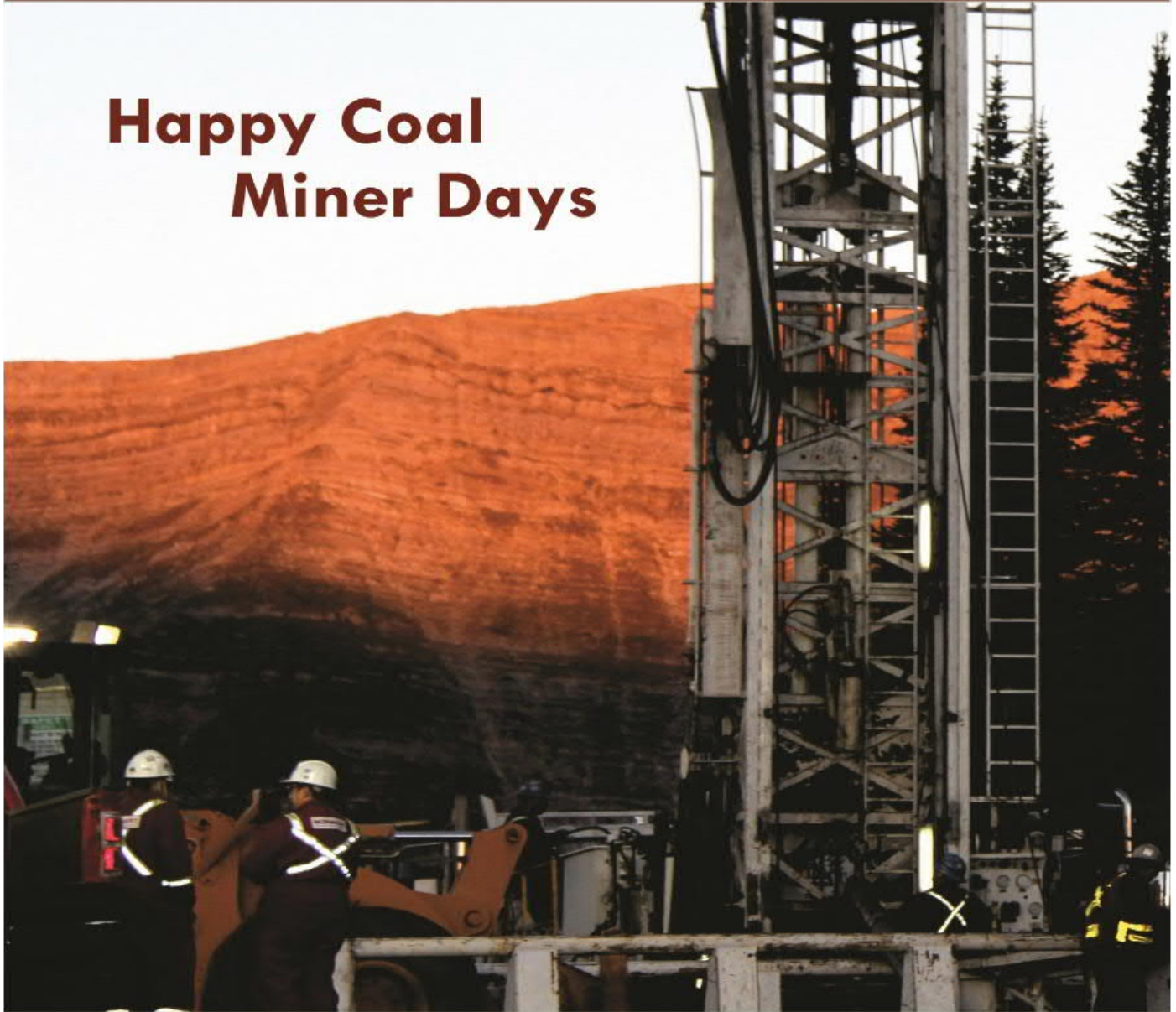
Following the open house, a conference call was held with the EAO to debrief and discuss next steps (public consultation closure period, ongoing engagement activities, and draft AIR comments).

4.5.4.2.4 Miscellaneous Public Events and Community Investment

In addition to the Open House described above, NWP has engaged public stakeholders via a wide range of methods and activities, including attendance at community events and undertaking radio interviews, some of which are described below:

- Coal Miner Days (Sparwood) – NWP participated in Coal Miner Days in March 2015 and June 2021. Coal Miner Days is an annual community event within Sparwood. The event provided an opportunity for NWP to discuss the proposed Project with community members. NWP also placed a project advertisement for the 2015 event (Figure 4.5-1).
- Elkford Farmers Market – NWP attended the farmers market in 2021 where they provided free water and Project information.
- CBC (Kelowna) - “Daybreak South” Interview (April 2, 2015) – NWP gave an interview regarding the Project and its potential effect on the Elk Valley. NWP provided a review of NWP’s philosophy towards responsible development and emphasized the Pre-Application phase was just a beginning. NWP also encouraged the audience to participate in upcoming open houses and comment periods.

Happy Coal Miner Days



**We look forward to discussing our proposed
Crown Mountain Mine with your community**

www.jamesonresources.com.au

In addition, NWP has contributed to other local initiatives such as:

- Elkford Search and Rescue (ESAR) – ESAR acquired a new building in 2021 and NWP provided support by purchasing a kitchen for the new space.
- Kootenay Métis Housing Society.
- Adopt-A-Senior.

4.5.4.2.5 Social Media and Online Engagement

NWP continues to engage with the public via social media and online surveys. Online surveys were built in Survey Monkey and distributed by email to local community user groups, local Chambers of Commerce and by posting to Facebook, LinkedIn, and the NWP website. To date, there have been two surveys released (<https://www.nwpcoal.com/news-and-updates/>):

- Getting to Know about Each Other Survey (Appendix 4-P) – Launched on January 26, 2021 (survey closed on April 5, 2021). The intent of the survey was to gather information on public knowledge of the Project, how the public would like to receive Project information, and key areas of public interest. In addition, the survey aimed to share information regarding the Project and regulatory process with respondents.
- NWP received a total of 586 responds to the survey. One of the key outputs of this survey was the confirmation of the level of importance that stakeholders put on land-use, access, and recreation. Other areas of importance identified included wildlife, water quality, and fish. The survey also identified an interest in having access to project information on the NWP website and the production of quarterly newsletters for the Project.
- Getting to Know about Land Use and Access (Appendix 4-Q) – Launched on March 4, 2021 (survey closed on August 6, 2021). The intent of the survey was to gather information to help understand and mitigate potential Project impacts on land use and access. A total of 156 individuals participated in the survey, the majority of which were from local communities. Questions were related to the type of land use activities that occur within the Project area. More specifically, the survey provided opportunities for respondents to share written responses to questions related to the value, quality, and frequency of use of the Project area, opportunities to mitigate potential impacts, and additional information related to specific land use activities that occur within the Project area. Figure 4.5-2 provides a breakdown of the various recreational clubs and groups that provided input to the survey.
- Working SE BC's Coal Mines (Appendix 4-R) - Launched on December 21, 2021 (survey closed on February 28, 2022). The intent of the survey was to gather information about the views of the public on southeast B.C. (and the Crowsnest Pass in Alberta), assess views on the coal mining industry, assess views on NWP, and to evaluate how views differ between various groups, especially between men and women. There was a total of 219 respondents to the survey, with most of the respondents from Elkford, followed by Crowsnest Pass, Sparwood, and Fernie. The information gathered was used to guide the Gender Based Analysis completed for the Project.

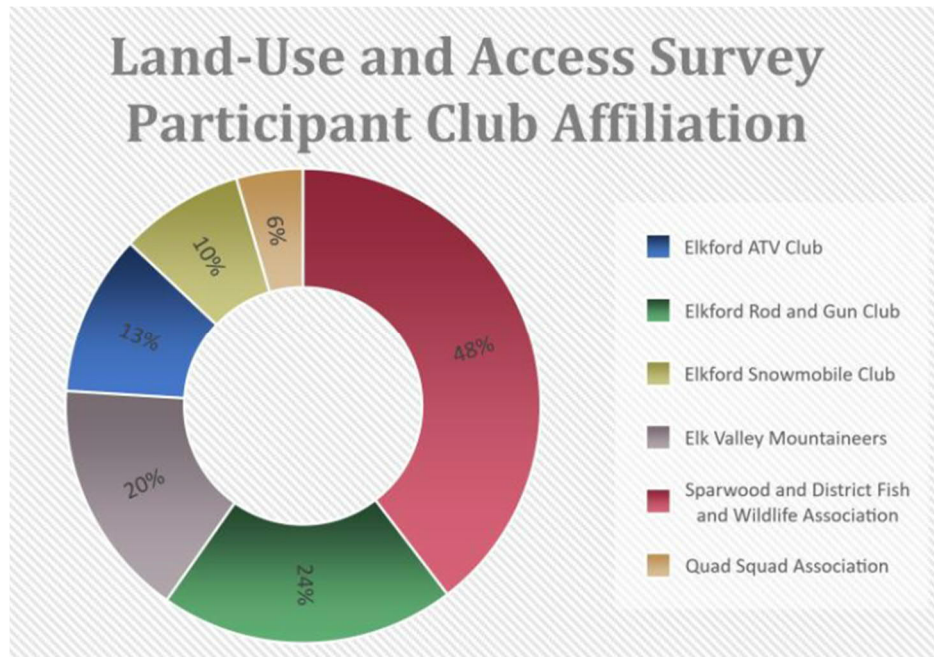


Figure 4.5-2: Land-Use and Access Survey Participant Club Affiliation

Posts were also made on LinkedIn, Facebook, and NWP's website to engage the public with these surveys. In addition, a link to the Getting to Know about Land Use and Access was emailed directly to local clubs such as the Sparwood Fish and Wildlife Association and the Elk Valley Mountaineers.

Semi-annual surveys are proposed moving forward, with special editions for hot topics, as appropriate.

4.5.4.2.6 Local Newspapers and Articles

In addition to NWP-led engagement activities, there have been a number of news articles in local newspapers providing Project information to the general public. Representative examples, covering a range of topics include (Appendix 4-S):

- Business in Vancouver - November 25, 2014 – Down Under firms dig for B.C. Coal Opportunities. <https://biv.com/article/2014/11/down-under-firms-dig-bc-coal-opportunities>.
- Kootenay Business – January 7, 2015 - Australian mining company seeks environmental permit to start Crown Mountain Coal Mine in Elk Valley
- (https://kootenaybiz.com/bizblog/article/australian_mining_company_seeks_environmental_permit_to_start_crown_mountain).
- Flathead Wild – April 4, 2015 - Chaos in the Elk Valley.
- Flathead Wild – April 4, 2015 - Alexander Creek, Crown Mountain Coal and Racehorse Pass Quarry.
- B.C. Local News - October 18, 2020 - Crown Mountain project inches forward (<https://www.bclocalnews.com/news/crown-mountain-project-inches-forward/>).
- The Free Press – Feb 3, 2021 - Crown Mountain to submit environmental assessment in Spring 2021 (<https://www.thefreepress.ca/news/crown-mountain-to-submit-environmental-assessment-in-spring-2021/>).

- The Free Press – June 10, 2021 – Crown Mountain coal project on track for 2023 construction (<https://www.thefreepress.ca/news/crown-mountain-coal-project-on-track-for-2023-construction/>).

4.5.4.2.7 Newsletters

In 2021, NWP initiated a quarterly Project newsletter (Appendix 4-T). Following are details regarding Newsletters released between February 2021 and July 2022.

The first newsletter was released in February 2021 and included a Project overview and Project layout, as well as updates on:

- The regulatory process and anticipated schedule;
- The Project team; and
- Engagement activities.

The second newsletter was released in April 2021. The newsletter included the following:

- An update on the regulatory and permitting process;
- A regulatory schedule update;
- A discussion of concerns related to site access (for recreation, hunting, all-terrain vehicle [ATV] riding, snowmobiling, and traditional use);
- A summary of the findings of the Getting to Know about Each Other Survey (described earlier in this section);
- A summary of recent Project activity; and
- A summary of engagement activities in the first quarter of 2021.

The third newsletter was issued in September 2021. The newsletter included the following:

- A “Not Business as Usual” section (covered a range of topics such source control not treatment, collaborative regulatory process, cumulative effects management, etc.);
- An outline of important Project features (single watershed, covered clean coal stockpiles, etc.);
- A graphical comparison of the Project vs the Fording River Extension (mine rock, production, etc.);
- A regulatory schedule update; and
- An update on recent Project activity (site visits, environmental eDNA study, sharing of draft chapters, talks with recreational user groups).

The fourth newsletter was issued in December 2021. The newsletter included the following:

- Thoughts on carbon reduction;
- KNC Letter to B.C. and Canada requesting a pause to environmental assessments;
- A word from NWP President Michael Gray; and
- A summary of recent Project activity.

The fifth newsletter was issued in February 2022. The newsletter included the following:

- Coal Mining Effluent Regulation update and implications regarding the Project;
- An update of contributions to local causes/events (ESAR building space assistance);
- Online survey updates (both past and new surveys);
- A summary of recent Project activity.

Newsletters are posted on the NWP website (<https://www.nwpc coal.com/news-and-updates/>). In addition to the quarterly newsletters, special editions are proposed to update stakeholders on key Project milestones as they occur.

4.5.4.2.8 Consultation with Recreational Groups

NWP continues to engage with a number of recreational groups with activities and interests in the Project area. Recreational groups consulted and engaged to date are summarized below in Table 4.5-2. The summary notes the recreational group engaged, the date of engagement, type of engagement, and a description of topics discussed and/or information provided to NWP. Potential issues and concerns identified include: water quality, fish communities, wildlife and connectivity of wildlife, greenhouse gas (GHG) emissions, and access to existing recreational infrastructure.

Table 4.5-2: Recreational Groups Consulted and Engaged During the Pre-Application Phase of the Project

Group	Date (s)	Type of Engagement	Description
Canyon Raft Company	December 2014	Public Comment Period	Company representative provided written feedback on the Project Description. Noted concerns related to water quality and connectivity of wildlife in the Elk Valley.
Elk River Guiding Company	December 2014	Public Comment Period	Company representative provided written feedback on the Project Description. Noted concerns related to water quality and impacts to fish communities – in particular Westslope Cutthroat Trout.
Elk Valley Adventure & Dirt Riders Society (EVADRS)	May 2021	Emails	Various email correspondence covering a range of topics including EV-CEMF, Kooacanusa Recreational Strategy, etc.
	January/May 2022	Emails	Emails providing updates on the Project. NWP offered to attend upcoming club meetings or events to discuss the Project.
Elk Valley Mountaineers	December 2014 June 2016	Public Comment Period(s)	Company representative provided written feedback on the Project Description and VC documents. Concerned about potential impacts to the Sparwood based snowmobile club, including the existing cabin and land tenure at the base of Crown Mountain.
	January 25, 2021	Meeting	Meeting at the Sparwood Chamber of Commerce Event.

Group	Date (s)	Type of Engagement	Description
Elkford ATV Club	May/June 2021	Emails	Various email exchanges with the Elk Valley Mountaineers in May/June 2021. Members of the Elk Valley Mountaineers also participated in both Project surveys completed to date and meeting with the Sparwood Fish & Wildlife Association.
	June 7, 2021	Meeting	A meeting took place with the Elk Valley Mountaineers in June 2021.
	October 2021	NWP Survey	Land-use and access survey participation.
	January/March/May 2022	Emails	Emails providing updates on the Project. NWP offered to attend upcoming group meetings or events to discuss the Project.
	December 2014 June 2016	Public Comment Period(s)	Company representative provided written feedback on the Project Description and VC documents. Concerned about potential impacts to the Sparwood based snowmobile club, including the existing cabin and land tenure at the base of Crown Mountain.
	May/June 2021	Emails	Initial email in May 2021 to set up meeting/presentation to help understand interests and concerns of the club.
		Meeting	Meeting on June 4, 2021. Discussed use of trails in and around the Project area by ATVs.
	October 2021	NWP Survey	Land-use and access survey participation.
	January/May 2022	Emails	Emails providing updates on the Project. NWP offered to attend upcoming club meetings or events to discuss the Project.
	Elkford Nordic Ski Club	January/May 2022	Emails
Elkford Rod and Gun Club	April 2021	Emails	Introductory emails to connect with the club. NWP provided support for the raffle for the yearly club fund-raiser.
	June 2021	Emails and Meeting	Provided Project update including anticipated schedule for submission of the Application/EIS.
	October 2021	NWP Survey	Land-use and access survey participation.
	January/May 2022	Emails	Emails providing updates on the Project. NWP offered to attend upcoming club meetings or events to discuss the Project.

Group	Date (s)	Type of Engagement	Description
Elkford Snowmobile Association (ESA)	January 2021	Meeting	Brief project introduction as part of regular ESA meeting.
	May 2021	Email	Introductory email to connect with the association and to obtain information regarding potential concerns.
	October 2021	NWP Survey	Land-use and access survey participation.
	January/May 2022	Emails	Emails providing updates on the Project. NWP offered to attend upcoming club meetings or events to discuss the Project.
Fernie Fly Fishing	December 2014	Public Comment Period	Company representative provided written feedback on the Project Description. Specific concerns noted regarding potential impacts to water quality, GHG emissions, wildlife and wildlife habitat. Emphasized the need for the assessment of cumulative effects.
Fernie Mountain Bike Club	January/May 2022	Emails	Emails providing updates on the Project. NWP offered to attend upcoming club meetings or events to discuss the Project.
Fernie Rod and Gun Club	March/May 2021	Emails	Introductory email send in late March 2021. Club provided input to NWP's survey about access and use in the Alexander Creek area.
	January/May 2022	Emails	Emails providing updates on the Project. NWP offered to attend upcoming club meetings or events to discuss the Project.
	June 14, 2022	Meeting	Presentation to the club providing an update on the Project. Also reviewed the physical model of the Project.
Fernie Snowmobile Association	January/May 2022	Emails	Emails providing updates on the Project. NWP offered to attend upcoming Association meetings or events to discuss the Project.
Fernie Trails Alliance	January/May 2022	Emails	Emails providing updates on the Project. NWP offered to attend upcoming group meetings or events to discuss the Project.
	March 17, 2022	Meeting	Discussed Project. Alliance presented their mandate and discussed how NWP could potentially support them with their activities.

Group	Date (s)	Type of Engagement	Description
Grave Lake Campground	January 8, 2021	Call	Discussion with campground users to discuss the Project and listen to potential concerns.
	October 2021	NWP Survey	Land-use and access survey participation.
Quad Squad Association	January/May 2022	Emails	Emails providing updates on the Project. NWP offered to attend upcoming group meetings or events to discuss the Project.
Sparwood Fish & Wildlife Association	December 2014 June 2016	Public Comment Periods	Group provided written feedback on the Project Description. Discussions include NWP participation in proposed elk tracking project for the Elk Valley.
	October 2015 March 10, 2021	Telephone/ Emails Microsoft Teams Meeting	Company representatives provided Project overview and answered Project-related questions. Questions and discussions were related to selenium management, public safety on Grave Creek Road, location of rail loadout, and impacts on wildlife habitat, natural environment, and recreational activities.
	May 2021	Emails	Most recent engagement in May 2021. NWP reaching out to see if the Association was interested in an update and to get members to share any potential concerns.
	October 2021	NWP Survey	Land-use and access survey participation.
	January/May 2022	Emails	Emails providing updates on the Project. NWP offered to attend upcoming Association meetings or events to discuss the Project.
Sparwood Trails Alliance	January/May 2022	Emails	Emails providing updates on the Project. NWP offered to attend upcoming group meetings or events to discuss the Project.

4.5.4.2.9 Consultation with Industry

NWP has engaged with local industries including existing mine operators (Teck) and other mining companies with projects in the EA process (e.g., North Coal).

To date, there have been a number of meetings with Teck to introduce and discuss the Project. Topics have included: potential data sharing opportunities, existing and proposed conservation lands, and the Project layout and infrastructure. NWP has also maintained contact with Teck related to site access and road use, including most recently in the summer/fall of 2021 to coordinate site tours for various Indigenous groups.

Similarly, numerous discussions have occurred, and continue to occur, with North Coal to discuss the Project, including opportunities for potential data sharing, synergies with water quality assessments (e.g., overlapping water quality assessment nodes) and approaches for engagement/consultation activities.

In March 2021, NWP coordinated a meeting with the tenure holder of TR0423T006 to gather information related to their trapping activities within the Project footprint and surrounding area. Questions were related to trapline access, frequency of land use and cabin use, location of trapper cabin, key concerns (e.g., closure of adjacent lands due to blasting and potential impacts on wildlife, air quality, water quality, noise, vegetation, and trails), and species trapped.

In late April, 2021, NWP reached out to Summit Natural Rock Inc. (Summit) to see if they had any questions or concerns related to the Project. Summit is a licenced aggregate quarry located approximately 3 km east on Branch D from the junction with Grave Creek Road (663023E: 5524490N). Summit wished NWP continued success with the project and approvals process and had questions regarding the status of Crown Mountain's road use permit application for Grave Creek Road and Harmer Creek Road; and the estimated time to the start of production.

NWP has also communicated with Canadian Forest Products Ltd (CFP). In early May, CFP emailed NWP a notice and referral letter for the latest areas proposed for harvest. NWP expressed an interest in meeting to discuss the Project area (West Alexander Creek between Crown Mountain and Erickson Ridge) and the access corridor (Grave Creek).

4.5.4.2.10 Consultation with Community and Public Interest Groups

NWP continues to engage with a number of community and public interest groups during the Pre-Application phase of the project. Community and public interest groups consulted and engaged to date are summarized below in Table 4.5-3. The summary includes the group engaged, the date of engagement, and a description of topics discussed and/or information provided to NWP. Potential issues and concerns identified included: water quality, wildlife and connectivity of wildlife habitat, GHG emissions, and potential cumulative effects.

Table 4.5-3: Summary of Engagement of Community and Public Interest Groups

Group	Date(s)	Description
Canadian Parks and Wilderness Society (CPAWS)	January 29, 2015	Input provided during the public comment period for the EIS Guidelines (December 22, 2014 to January 30, 2015). Letter to IAAC noted concerns regarding wildlife connectivity for large carnivores and water quality within the Elk River watershed and Lake Koocanusa.
	May 2016	Representatives from the ERA attended the May 2016 Open House in Sparwood. NWP has also shared selected baseline water quality data with the ERA.
Elk River Alliance	September 2020	Follow-up emails to the ERA in December 2020.
	May 17, 2021	Meeting with ERA to provide a Project update.

Group	Date(s)	Description
	June 16, 2021	Discussions regarding a potential collaborative monitoring initiative.
	December 17, 2021	Sharing of Project data and mapping.
	May 2022	NWP provided a regulatory process update for the Project via email.
	December 9, 2022	NWP attended the inaugural forum for the Elk River Watershed Collaborative Monitoring Program to learn more about important initiatives discussed for the Project area.
Elkford Trails Alliance Society	October 27, 2021	Initial correspondence with the Alliance. Alliance requested a donation for a new trail build in the summer of 2022.
	January 5, 2022	NWP provided a Project update via email.
	May 10, 2022	NWP provided a regulatory process update for the Project via email.
	July 18, 2022	NWP Project lead joined the Alliance on a short hike to officially open a new trail.
	July 26, 2022	NWP Project lead talked with a group representative about possible habitat restoration opportunities. Also joined the group's community barbecue event.
Fernie Pride Society	June 21, 2021	Meeting with the Society. Discussed spectrum of pride acceptance in the Elk Valley, the importance of policy and support, etc.
	January 6, 2022	NWP provided a Project update via email. Also offered to attend a future Society meetings or events to discuss the Project. In addition, sent the link to an online survey about living and working in southeast B.C. and the Crowsnest Pass, with a request for input from group members.
	May 10, 2022	NWP provided a regulatory process update for the Project via email.
Great Divide Trail Association	September 2020	Telephone/Email.
	March/April/ May 2021	Provided information regarding trail locations and proposed relocations of sections of the Great Divide Trail.
	June 14, 2021	Meeting with the association to discuss the Project and the efforts/concerns of the association in the area around the Crown Mountain Project.
	January 6, 2022	NWP provided a Project update via email. Also offered to attend a future group meetings or events to discuss the Project. In addition sent the link to an online survey about living and working in southeast B.C. and the Crowsnest Pass, with a request for input from group members.
	May 10, 2022	NWP provided a regulatory process update for the Project via email.

Group	Date(s)	Description
Headwaters Montana, Inc.	January 30, 2015	Input provided during the public comment period for the EIS Guidelines (December 22, 2014 to January 30, 2015). Letter to IAAC noted concerns regarding the international wildlife corridor which follows the spine of the Rockies from Banff to Waterton-Glacier Peace Park, and water quality within the Elk River and Lake Koochanusa.
Hornaday Wilderness Society	January 6, 2022	NWP provided a Project update via email. Also offered to attend a future meeting or events to discuss the Project. In addition, sent the link to an online survey about living and working in southeast B.C. and the Crowsnest Pass, with a request for input from group members.
	May 10, 2022	NWP provided a regulatory process update for the Project via email.
National Parks Conservation Association	January 30, 2015	Input provided during the public comment period for the EIS Guidelines (December 22, 2014 to January 30, 2015). Letter to IAAC noted concerns regarding the international wildlife corridor between the U.S. and Canada for large carnivores, and potential impacts to selenium levels in the Elk River watershed and Lake Koochanusa, and concerns with cumulative effects within the Elk Valley.
Nature Conservancy of Canada (NCC)	July 26, 2022	Meeting to discuss potential habitat restoration opportunities on NCC lands.
Nature Trust of B.C.	December 2014	Comments provided during the public comment period for the Project Description. Noted concerns related to the Big Ranch conservation lands.
	March/April 2021	NWP reached out to discuss the Project. Nature Trust of B.C. reiterated concerns related to infrastructure crossing the Big Ranch Conservation Complex. Need to ensure appropriate mitigation measures, etc. are implemented.
	January 6, 2022	NWP provided an update via email. Also offered to attend a future meeting or events to discuss the Project.
	May 10, 2022	NWP provided a regulatory process update for the Project via email.
Notional Cabin Owners Committee for Grave Lake	June 2021	Attempts were made in June to engage with the Notional Cabin Owners Committee for Gravel Lake. Where possible, NWP also reached out to individual cabin owners. To date no responses have been received.
Wildsight	December 2014	Wildsight provided comments on the Project Description during the public comment period (December 2014). Noted initial concerns regarding potential impacts to water quality, GHG emissions, wildlife and wildlife habitat. Emphasized the need for the assessment of cumulative effects.
	January 2015	Wildsight provided comments on the draft EIS guidelines in January 2015. Noted concerns regarding wildlife movement

Group	Date(s)	Description
	January 2018	and connectivity and with water quality in the Elk Valley watershed and Lake Koocanusa. NWP initiated direct engagement with Wildsight in early January 2018.
	September 10, 2020	Via video conference NWP provided a general overview of the Project and a description of the terrestrial modelling methodologies used for the terrestrial assessment.
	May 10, 2022	NWP provided a regulatory process update for the Project via email.
Yellowstone to Yukon Conservation Initiative	January 30, 2015	Input provided during the public comment period for the EIS Guidelines (December 22, 2014 to January 30, 2015). Letter to IAAC noted concerns regarding the international wildlife corridor between the U.S. and Canada for large carnivores, potential impacts to selenium levels in the Elk River watershed and Lake Koocanusa, and concerns with cumulative effects within the Elk Valley.
	January 6, 2022	NWP provided a Project update via email. Also offered to attend a future meeting or events to discuss the Project. In addition sent the link to an online survey about living and working in southeast B.C. and the Crowsnest Pass, with a request for input from group members.
	May 10, 2022	NWP provided a regulatory process update for the Project via email.

4.5.4.2.11 Chambers of Commerce

NWP are currently members of the Sparwood Chamber of Commerce and the Elkford Chamber of Commerce. NWP have had some meetings with the Elkford Chamber of Commerce. NWP has participated in selected Chamber events, such as the May 26, 2022 free BBQ to celebrate mining month.

4.5.4.3 Application Review

Once the Application/EIS is submitted, NWP will provide public stakeholders with copies of the document. NWP will meet with public stakeholders, at their request, throughout the Application review phase to discuss feedback and comments on identified mitigation measures, outstanding Project-related issues, and discuss post-EAC engagement activities.

NWP will continue to keep an engagement/communications log during the Application review period. The log will include documentation of issues/concerns brought forward by public stakeholders during the Application review phase.

4.5.4.4 Future Engagement and Consultation Activities

NWP is committed to creating and sustaining constructive dialogue and relationships with public stakeholders over the course of the Project. Should the Project be successful in receiving an EAC, engagement post-EAC and prior to construction of the Project is expected to include, but not necessarily limited to:

- Meetings and presentations – NWP will continue to meet with public stakeholders to discuss the Project, updates, issues and concerns, and mitigation measures to be implemented;
- Telephone, email, and letter Inquiries – NWP will continue to be available by phone and email to allow public stakeholders an avenue to provide feedback and ask questions related to the Project;
- Company website – NWP will continue to post all Project updates and communication materials relevant to engagement on a company website. (<https://www.nwpcoal.com/>); and
- Future Project newsletters.

4.5.5 Public Stakeholder Key Issues Summary Table

Throughout the EA process, public stakeholders have provided comments and input including:

- EAO collected comments during the VC Document review phase (May 13 to June 13, 2016); and
- A collated package of public comments received in relation to all completed public comment periods for the Project were provided by IAAC on August 29, 2019. A total of 33 comments were received (Appendix 4-L).

Table 4.5-4 summarizes issues, concerns and interest raised throughout the engagement process for the Project. The tables include the following:

- The public stakeholder (where information provided – personal information for individuals is not included for privacy reasons, and where multiple individuals highlighted the same concern for same comment source, they have been grouped together for efficiency);
- Comment source (public comment period, meeting, etc.);
- General comment topic;
- The specific issue/concern identified;
- A preliminary response (where readily available);
- A reference to where in the Application/EIS this information is addressed; and
- The current status of the issue/concern raised.

In most cases the status of resolution for concerns and issues raised is considered ongoing and will be resolved through the federal and provincial environmental assessment processes, and ongoing engagement and consultation activities. Where an issue has been identified as resolved, a brief description is also provided.

General themes of issues and concerns raised include:

- Water Quality
 - Potential impacts to downstream water quality, in particular related to increased selenium levels.
- Aquatic Habitat
 - Potential impacts to fish habitat and fish communities, in particular Western Cutthroat Trout.
- Wildlife Habitat
 - Connectivity of wildlife habitat;
 - Potential impacts to the movement of large carnivores between the United States and Canada;
 - Potential impacts to habitat and populations of species such as elk, moose, deer, sheep, grizzly bear, and other furbearers such as wolverines, lynx and marten; and
 - Potential impacts to whitebark pine.

Table 4.5-4: Community, Stakeholder, and Public Key Issues Summary Table

Public Stakeholder	Comment Source	Topic	Issue or Concern	Preliminary Response	Location Where Addressed in Application / EIS	Status of Resolution
Local Community Member(s)*	IAAC Public Comment Period (November 17 to December 8, 2014)	Water Quality	Concern with impacts to downstream water quality (selenium, nitrate), including impacts to potable water sources. Need to take into consideration the Elk Valley Water Quality Plan and evaluate potential cumulative effects.	Comment acknowledged. Concern/issue will be addressed as appropriate in the Application/EIS.	<ul style="list-style-type: none"> Chapter 9, Sections 9.5 and 9.6 Chapter 11, Section 11.5 and 11.6 Chapter 33, Section 33.4.1.8 	Ongoing
Member of Public – Alberta	IAAC Public Comment Period (November 17 to December 8, 2014)	Aquatic Environment	Impacts to fish, in particular to Westslope Cutthroat Trout.	Comment acknowledged. Concern/issue will be addressed as appropriate in the Application/EIS.	<ul style="list-style-type: none"> Chapter 12, Section 12.5 	Ongoing
Canyon Raft Company/ Local Community Member(s)	IAAC Public Comment Period (November 17 to December 8, 2014)	Wildlife	Connectivity of wildlife habitat. In particular Alexander Creek as a wildlife corridor.	Comment acknowledged. Concern/issue will be addressed as appropriate in the Application/EIS.	<ul style="list-style-type: none"> Chapter 15, Section 15.1 to 15.9 	Ongoing
Local Community Member(s)	IAAC Public Comment Period (November 17 to December 8, 2014)	Air Quality	Need to evaluate greenhouse gas emissions from the project.	Comment acknowledged. Concern/issue will be addressed as appropriate in the Application/EIS.	<ul style="list-style-type: none"> Chapter 6, Section 6.5 	Resolved – GHG gases evaluated as part of air quality assessment (Chapter 6)
Local Community Member	IAAC Public Comment Period (November 17 to December 8, 2014)	Cumulative Effects	Need to consider cumulative effects related to wildlife, including through the EV-CEMF process.	Comment acknowledged. Concern/issue will be addressed as appropriate in the Application/EIS.	<ul style="list-style-type: none"> Chapter 15, Section 15.4 to 15.5 	Ongoing

Public Stakeholder	Comment Source	Topic	Issue or Concern	Preliminary Response	Location Where Addressed in Application / EIS	Status of Resolution
Nature Trust of B.C.	IAAC Public Comment Period (November 17 to December 8, 2014)	Land Use	Concerns related to the Big Ranch conservation lands.	Comment acknowledged. Concern/issue will be addressed as appropriate in the Application/EIS.	<ul style="list-style-type: none"> Chapter 19, Section 19.5 	Ongoing
Local Community Member	IAAC Public Comment Period (November 17 to December 8, 2014)	Wildlife	Wildlife habitat including elk, moose, deer, sheep, grizzly bear, and other furbearers such as wolverines, lynx and martin.	Comment acknowledged. Concern/issue will be addressed as appropriate in the Application/EIS.	<ul style="list-style-type: none"> Chapter 15, Section 15.4 and 15.9 	Ongoing
Local Community Member	IAAC Public Comment Period (November 17 to December 8, 2014)	Vegetation	White Bark Pine.	Comment acknowledged. Concern/issue will be addressed as appropriate in the Application/EIS.	<ul style="list-style-type: none"> Chapter 14, Section 14.5 and 14.6 	Ongoing
Local Community Member(s)	IAAC Public Comment Period (November 17 to December 8, 2014)	Land Use	Recreational use – bikers, snowmobiles, ATVs, hikers and hunters. Potential impacts to backcountry access.	Comment acknowledged. Concern/issue will be addressed as appropriate in the Application/EIS.	<ul style="list-style-type: none"> Chapter 19, Section 19.5 	Ongoing
Elk River Guiding Company	IAAC Public Comment Period (November 17 to December 8, 2014)	Aquatic Environment	Concerns related to water quality and impacts to fish communities – in particular Westslope Cutthroat Trout.	Comment acknowledged. Concern/issue will be addressed as appropriate in the Application/EIS.	<ul style="list-style-type: none"> Chapter 11, Section 11.5; Chapter 12, Section 12.5 	Ongoing
Elk Valley Mountaineers	IAAC Public Comment Period (November 17 to December 8, 2014)	Land Use	Potential impacts to the Sparwood based snowmobile club, including the existing cabin and land tenure at the base of Crown Mountain.	Comment acknowledged. Concern/issue will be addressed as appropriate in the Application/EIS.	<ul style="list-style-type: none"> Chapter 19, Section 19.5 	Ongoing

Public Stakeholder	Comment Source	Topic	Issue or Concern	Preliminary Response	Location Where Addressed in Application / EIS	Status of Resolution
Fernie Fly Fishing	IAAC Public Comment Period (November 17 to December 8, 2014)	Water Quality Air Quality Wildlife Cumulative Effects	Specific concerns noted regarding potential impacts to water quality, GHG emissions, wildlife and wildlife habitat. Emphasized the need for the assessment of cumulative effects.	Comment acknowledged. Concern/issue will be addressed as appropriate in the Application/EIS.	<ul style="list-style-type: none"> Chapter 6, Sections 6.5 and 6.6 Chapter 9, Sections 9.5 and 9.6 Chapter 11, Sections 11.5 and 11.6; Chapter 15, Sections 15.4 and 15.9 	Ongoing
Wildsight	IAAC Public Comment Period (November 17 to December 8, 2014)	Water Quality Air Quality Wildlife Cumulative Effects	Specific concerns noted regarding potential impacts to water quality, GHG emissions, wildlife and wildlife habitat. Emphasized the need for the assessment of cumulative effects.	Comment acknowledged. Concern/issue will be addressed as appropriate in the Application/EIS.	<ul style="list-style-type: none"> Chapter 6, Sections 6.5 and 6.6; Chapter 9, Sections 9.5 and 9.6; Chapter 11, Sections 11.5 and 11.6 Chapter 15, Sections 15.4 and 15.9 	Ongoing
Local Community Member	IAAC Public Comment Period (November 17 to December 8, 2014)	Air Quality	Potential dust and noise effects.	Comment acknowledged. Concern/issue will be addressed as appropriate in the Application/EIS.	<ul style="list-style-type: none"> Chapter 6, Section 6.5 Chapter 7, Section 7.5 	Ongoing
Canadian Parks and Wilderness Society (CPAWS)	Letter to IAAC – Public comment Period EIS Guidelines January 29, 2015	Wildlife	Concerns regarding wildlife connectivity for large carnivores.	Comment acknowledged. Concern/issue will be addressed as appropriate in the Application/EIS.	<ul style="list-style-type: none"> Chapter 15, Section 15.5 	Ongoing
Canadian Parks and Wilderness Society (CPAWS)	Letter to IAAC – Public comment Period EIS Guidelines January 29, 2015	Water Quality	Potential impacts to water quality within the Elk River watershed and Lake Koocanusa.	Comment acknowledged. Concern/issue will be addressed as appropriate in the Application/EIS.	<ul style="list-style-type: none"> Chapter 9, Section 9.5 Chapter 11, Section 11.5 	Ongoing

Public Stakeholder	Comment Source	Topic	Issue or Concern	Preliminary Response	Location Where Addressed in Application / EIS	Status of Resolution
Headwaters Montana, Inc.	Letter to IAAC – Public comment Period EIS Guidelines January 30, 2015	Wildlife	Concerns regarding the international wildlife corridor which follows the spine of the Rockies from Banff to Waterton-Glacier Peace Park.	Comment acknowledged. Concern/issue will be addressed as appropriate in the Application/EIS.	<ul style="list-style-type: none"> Chapter 15, Sections 15.4 to 15.9 	Ongoing
Headwaters Montana, Inc.	Letter to IAAC – Public comment Period EIS Guidelines January 30, 2015	Water Quality	Concerns regarding potential impacts to water quality within the Elk River and Lake Koochanusa.	Comment acknowledged. Concern/issue will be addressed as appropriate in the Application/EIS.	<ul style="list-style-type: none"> Chapter 9, Section 9.5 Chapter 11, Section 11.5 	Ongoing
Yellowstone to Yukon Conservation Initiative	Letter to IAAC – Public comment Period EIS Guidelines January 30, 2015	Wildlife	Concerns regarding the international wildlife corridor between the U.S. and Canada and movement of large carnivores.	Comment acknowledged. Concern/issue will be addressed as appropriate in the Application/EIS.	<ul style="list-style-type: none"> Chapter 15, Section 15.5 	Ongoing
Yellowstone to Yukon Conservation Initiative	Letter to IAAC – Public comment Period EIS Guidelines January 30, 2015	Water Quality	Potential impacts to selenium levels in the Elk River watershed and Lake Koochanusa.	Comment acknowledged. Concern/issue will be addressed as appropriate in the Application/EIS.	<ul style="list-style-type: none"> Chapter 9, Section 9.5 Chapter 11, Section 11.5 	Ongoing
Yellowstone to Yukon Conservation Initiative	Letter to IAAC – Public comment Period EIS Guidelines January 30, 2015	Cumulative Effects	Cumulative impacts of existing and proposed coal mines in the Elk Valley – need for the completion of a comprehensive cumulative effects assessment at the Elk Valley Cumulative Effects Management Framework working group.	Comment acknowledged. Concern/issue will be addressed as appropriate in the Application/EIS.	<ul style="list-style-type: none"> Chapter 5, Section 5.3 (Cumulative effects are assessed for each VC) 	Ongoing

Public Stakeholder	Comment Source	Topic	Issue or Concern	Preliminary Response	Location Where Addressed in Application / EIS	Status of Resolution
Local Community Member	Open House May 2016	Archaeology	Potential human remains in the area – need to ensure these sites are protected. Archaeological resources in the Grave Creek Canyon.	Recognize the importance of protecting archaeological and cultural resources. Noted that there are ongoing discussions with the KNC.	<ul style="list-style-type: none"> Chapter 16, Sections 16.2 to 16.4 	Ongoing
Local Community Member	Open House May 2016	Wildlife	Exclusion of deer as a VC. Prime mule deer habitat in parts of Harmer Creek.	Discussed process for selection of VCs for the Project and the development of the VC document.	<ul style="list-style-type: none"> Chapter 15, Section 15.4 	Resolved – Potential effects to ungulates evaluated through the assessment (including the determination of mitigative measures) of other VCs including moose, elk, bighorn sheep and mountain goat (Chapter 15)
Local Community Member (s)	Open House May 2016	Wildlife	Various questions regarding wildlife in the area and potential project effects on moose, grizzly bear, elk, and sheep (habitat loss, reduced productivity, etc.).	Discussed ongoing terrestrial studies being completed to support the EA.	<ul style="list-style-type: none"> Chapter 15, Sections 15.4 and 15.5 	Ongoing
Local Community Member (s)	Open House May 2016	Aquatic Environment	Comment on concerns related to Grave Lake.	Given the location of the Project and associated infrastructure no impacts expected to Grave Lake.	<ul style="list-style-type: none"> Chapter 12, Section 12.3 	Ongoing

Public Stakeholder	Comment Source	Topic	Issue or Concern	Preliminary Response	Location Where Addressed in Application / EIS	Status of Resolution
Local Community Member (s)	Open House May 2016	Aquatic Environment	Concerns related to fish and fish habitat. Comments on fish species present in Alexander Creek such as bull trout and cutthroat trout, and the importance of trout to the recreational fishing industry.	Acknowledged the importance of aquatic resources in the area. Discussed ongoing aquatic studies being completed to support the Application/EIS.	<ul style="list-style-type: none"> Chapter 12, Sections 12.3 to 12.5 	Ongoing
Local Community Member (s)	Open House May 2016	Air Quality	Comment regarding coal dust deposition at Grave Lake.	Coal dusting issues are not expected for Grave Lake; however, air quality will be evaluated as part of the Application/EIS.	<ul style="list-style-type: none"> Chapter 6, Section 6.5 	Ongoing
Local Community Member	Open House May 2016	Cumulative Effects	Question on how cumulative effects are being assessed as part of the Project and, particularly, how the EV-CEMF is being integrated into the Project. Need to ensure that cumulative effects are addressed in the assessment.	Recognized the importance of ensuring potential cumulative effects are addressed in the Project assessment.	<ul style="list-style-type: none"> Chapter 5, Section 5.3 (Cumulative effects are assessed for each VC) 	Ongoing
Local Community Member	Open House May 2016	Land Use	Potential impacts to conservation lands. Attendee noted that Teck's proposed conservation lands should not be affected.	Acknowledged the proposed conservation lands. Potential impacts to the lands, as well as other sensitive areas will be considered in project plan and will be assessed in the Application/EIS.	<ul style="list-style-type: none"> Chapter 19, Section 19.4 	Ongoing

Public Stakeholder	Comment Source	Topic	Issue or Concern	Preliminary Response	Location Where Addressed in Application / EIS	Status of Resolution
Local Community Member	Open House May 2016	Land Use	Questions on maintaining access to backcountry areas over the course of the Project and how this will be accomplished.	Potential impacts to recreational use of the areas in and around Crown Mountain will be assessed in the Application/EIS.	<ul style="list-style-type: none"> Chapter 19, Section 19.5 	Ongoing
Local Community Member	Open House May 2016	Geochemistry	Acid Rock Drainage (ARD) management. Question on mining in the Morrissey Formation and concerns regarding ARD and how this will be managed.	The potential for ARD will be assessed in the Application/EIS.	<ul style="list-style-type: none"> Chapter 3, Section 3.5 	Ongoing
Local Community Member	Open House May 2016	Land Use	Concerns raised regarding impacts to hunting in the Project area (e.g., Grave Creek and Erikson areas). Including impacts to hunting associated with habitat loss.	Potential impacts to recreational use, including hunting will be assessed in the Application/EIS.	<ul style="list-style-type: none"> Chapter 19, Section 19.5 	Ongoing
Local Community Member	Open House May 2016	Mine Rock	Comment on potential presence of wildlife corridor in area of proposed waste dump.	Discussed ongoing terrestrial studies being completed to support the EA. Wildlife presence and movement will be evaluated as part of the Application/EIS.	<ul style="list-style-type: none"> Chapter 15, Sections 15.4 to 15.9 	Ongoing

Public Stakeholder	Comment Source	Topic	Issue or Concern	Preliminary Response	Location Where Addressed in Application / EIS	Status of Resolution
Local Community Member	Open House May 2016	Mine Rock	Question on how high precipitation events will be managed with proposed mine rock management.	The mine rock management storage areas will be designed to accommodate high rainfall events.	<ul style="list-style-type: none"> Chapter 3, Section 3.7 	Resolved – mine rock storage design considered a range of design criteria and constraints; approach includes ongoing maintenance and monitoring programs
Local Community Member	EAO VC Document Review June 2016	Wildlife	Loss of critical ungulate winter range will be destroyed. High quality sheep, grizzly bear, and moose.	Initial response provided in the Public Consultation Report – Comment VC-PC-01 (Appendix 4-M).	<ul style="list-style-type: none"> Chapter 15, Sections 15.4 to 15.5 	Ongoing
Local Community Member	EAO VC Document Review June 2016	Land Use	Loss of access for outdoor activities (hunting, hiking, snowmobiling and ATV use).	Initial response provided in the Public Consultation Report – Comment VC-PC-01 (Appendix 4-M).	<ul style="list-style-type: none"> Chapter 19, Section 19.5 	Ongoing
Local Community Member	EAO VC Document Review June 2016	Water Quality	Elevated selenium in water.	Initial response provided in the Public Consultation Report – Comment VC-PC-01 (Appendix 4-M).	<ul style="list-style-type: none"> Chapter 9, Section 9.5 Chapter 11, Section 11.5 Chapter 33, Section 33.4.1.8 	Ongoing
Local Community Member	EAO VC Document Review June 2016	Cumulative Effects	Need to establish a threshold to the industrial activity within the Elk Valley. Consider cumulative effects of existing logging and mining operations.	Initial response provided in the Public Consultation Report – Comment VC-PC-01 (Appendix 4-M).	<ul style="list-style-type: none"> Chapter 5, Section 5.3 (Cumulative effects are assessed for each VC) 	Ongoing

Public Stakeholder	Comment Source	Topic	Issue or Concern	Preliminary Response	Location Where Addressed in Application / EIS	Status of Resolution
Elk Valley Mountaineers	EAO VC Document Review June 2016	Land-Use	Potential impacts to both summer and winter activities (hiking, snowmobiling, riding horses and quading). Closure of access corridor.	Initial response provided in the Public Consultation Report – Comment VC-PC-02 (Appendix 4-M).	<ul style="list-style-type: none"> Chapter 19, Section 19.5 	Ongoing
Elk Valley Mountaineers	EAO VC Document Review June 2016	Wildlife	Wildlife and wildlife habitat, such as winter range for Elk, and habitat for moose and grizzly bear.	Initial response provided in the Public Consultation Report – Comment VC-PC-02 (Appendix 4-M).	<ul style="list-style-type: none"> Chapter 15, Sections 15.4 to 15.5 	Ongoing
Elk Valley Mountaineers	EAO VC Document Review June 2016	Cumulative Effects	Multiple mines in the Elk Valley and potential impacts to back country use and wildlife habitat.	Initial response provided in the Public Consultation Report – Comment VC-PC-02 (Appendix 4-M).	<ul style="list-style-type: none"> Chapter 15, Sections 15.4 and 15.9 Chapter 19, Section 19.5 	Ongoing
Sparwood & District Fish & Wildlife Association	EAO VC Document Review June 2016	Wildlife	Location of proposed rail and load out facility in the Grave Prairie lands. Need to evaluate and present options being considered for the rail loadout.	Initial response provided in the Public Consultation Report – Comment VC-PC-03 (Appendix 4-M).	<ul style="list-style-type: none"> Chapter 2, Section 2.5.3.3 Chapter 15, Sections 15.4 to 5.9 	Resolved – Detailed evaluation of rail loadout options presented in Chapter 2
Sparwood & District Fish & Wildlife Association	EAO VC Document Review June 2016	Wildlife	Elk Winter Range.	Initial response provided in the Public Consultation Report – Comment VC-PC-03 (Appendix 4-M).	<ul style="list-style-type: none"> Chapter 15, Section 15.4 	Ongoing

Public Stakeholder	Comment Source	Topic	Issue or Concern	Preliminary Response	Location Where Addressed in Application / EIS	Status of Resolution
Sparwood & District Fish & Wildlife Association	EAO VC Document Review June 2016	Wildlife	Various concerns regarding VC selection and associated LSAs. Also need to evaluate connectivity for species such as grizzly bears, bighorn sheep, mountain goats, wolves, and wolverines. Exclusion of wolves as a VC.	Initial response provided in the Public Consultation Report – Comment VC-PC-03 (Appendix 4-M).	<ul style="list-style-type: none"> Chapter 15, Sections 15.2, 15.4, and 15.5 	Resolved – Additional information provided in Chapter 15 as it relates to VC selection and species-specific study areas
Sparwood & District Fish & Wildlife Association	EAO VC Document Review June 2016	Land Use	Impacts to site access for recreational use.	Initial response provided in the Public Consultation Report – Comment VC-PC-03 (Appendix 4-M).	<ul style="list-style-type: none"> Chapter 19, Section 19.5 	Ongoing
Sparwood & District Fish & Wildlife Association	EAO VC Document Review June 2016	Visual	Potential visual effects.	Initial response provided in the Public Consultation Report – Comment VC-PC-03 (Appendix 4-M).	<ul style="list-style-type: none"> Chapter 19, Section 19.7 	Ongoing
Sparwood & District Fish & Wildlife Association	EAO VC Document Review June 2016	Water Quality	Impacts of additional selenium and nitrates into the downstream watershed.	Initial response provided in the Public Consultation Report – Comment VC-PC-03 (Appendix 4-M).	<ul style="list-style-type: none"> Chapter 9, Section 9.5 Chapter 11, Section 11.5 Chapter 33, Section 33.4.1.8 	Ongoing
Local Community Member	EAO VC Document Review June 2016	Wildlife	Winter ranges between Grave Lake, Grave Prairie, Grave Creek Canyon, and Crown Mountain will be impacted.	Initial response provided in the Public Consultation Report – Comment VC-PC-05 (Appendix 4-M).	<ul style="list-style-type: none"> Chapter 15, Sections 15.4 to 15.5 	Ongoing

Public Stakeholder	Comment Source	Topic	Issue or Concern	Preliminary Response	Location Where Addressed in Application / EIS	Status of Resolution
Local Community Member	EAO VC Document Review June 2016	Water Quality	Water quality concerns related to Grave Creek and Alexander Creek.	Initial response provided in the Public Consultation Report – Comment VC-PC-05 (Appendix 4-M).	<ul style="list-style-type: none"> Chapter 11, Section 11.5 	Ongoing
Local Community Member	EAO VC Document Review June 2016	Land Use	Concerns regarding access for valley sportsmen or recreational users. Including concerns related to the use of the Elk Valley Mountaineers Cabin.	Initial response provided in the Public Consultation Report – Comment VC-PC-05 (Appendix 4-M).	<ul style="list-style-type: none"> Chapter 19, Section 19.5 	Ongoing
Local Community Member	EAO VC Document Review June 2016	Wildlife	The Grave Creek canyon is a major corridor for all big game animals to access the Elk Valley, Alexander Valley, and the Ericson Valley.	Initial response provided in the Public Consultation Report – Comment VC-PC-05 (Appendix 4-M).	<ul style="list-style-type: none"> Chapter 15, Sections 15.4 and 15.5 	Ongoing
Local Community Member	EAO VC Document Review June 2016	Water Quantity	Concern with very high spring runoff and conflict with infrastructure proposed through the Grave Creek canyon.	Initial response provided in the Public Consultation Report – Comment VC-PC-05 (Appendix 4-M).	<ul style="list-style-type: none"> Chapter 10, Sections 10.4 and 10.5 	Ongoing
Local Community Member	EAO VC Document Review June 2016	Wildlife	Wildlife values at the top of Crown Mountain. Also concerns regarding migration routes.	Initial response provided in the Public Consultation Report – Comment VC-PC-06 (Appendix 4-M).	<ul style="list-style-type: none"> Chapter 15, Sections 15.4 to 15.5 	Ongoing
Local Community Member	EAO VC Document Review June 2016	Wildlife	Use of area for hunting and recreational activities. In particular access up the Grave Creek Valley.	Initial response provided in the Public Consultation Report – Comment VC-PC-07 (Appendix 4-M).	<ul style="list-style-type: none"> Chapter 19, Section 19.5 	Ongoing

Public Stakeholder	Comment Source	Topic	Issue or Concern	Preliminary Response	Location Where Addressed in Application / EIS	Status of Resolution
Local Community Member	EAO VC Document Review June 2016	Land Use	Use of the area by the Elk Valley Mountaineers (Snowmobile club). Potential impacts to cabin in the area and trail system.	Initial response provided in the Public Consultation Report – Comment VC-PC-08 (Appendix 4-M).	<ul style="list-style-type: none"> Chapter 19, Section 19.5 	Ongoing
Local Community Member	EAO VC Document Review June 2016	Wildlife	Potential impacts to moose habitat.	Initial response provided in the Public Consultation Report – Comment VC-PC-09 (Appendix 4-M).	<ul style="list-style-type: none"> Chapter 15, Section 15.4 	Ongoing
Local Community Member	EAO VC Document Review June 2016	Cumulative Effects - Wildlife	<p>Cumulative impacts of multiple mines on wildlife habitat. Specific concerns with:</p> <ul style="list-style-type: none"> Bighorn sheep (breeding habitat) Mountain goats (breeding habitat) Declining grizzly bears. 	Initial response provided in the Public Consultation Report – Comment VC-PC-10 (Appendix 4-M).	<ul style="list-style-type: none"> Chapter 15, Sections 15.4 to 15.5 	Ongoing
Local Community Member	EAO VC Document Review June 2016	Cumulative Effects – Land Use	Cumulative impacts of multiple mines on recreational use.	Initial response provided in the Public Consultation Report – Comment VC-PC-10 (Appendix 4-M).	<ul style="list-style-type: none"> Chapter 19, Section 19.6 	Ongoing
Local Community Member	EAO VC Document Review June 2016	Cumulative Effects – Water Quality	Cumulative impacts of multiple mines on selenium levels.	Initial response provided in the Public Consultation Report – Comment VC-PC-10 (Appendix 4-M).	<ul style="list-style-type: none"> Chapter 9, Section 9.6 Chapter 11, Section 11.6 	Ongoing

Public Stakeholder	Comment Source	Topic	Issue or Concern	Preliminary Response	Location Where Addressed in Application / EIS	Status of Resolution
Local Community Member	EAO VC Document Review June 2016	Land Use	Impacts to local recreational use including Elk Valley Mountaineers, Trans Rockies Mountain Bike race, hiking, camping, ATV's, snowmobilers, etc.	Initial response provided in the Public Consultation Report – Comment VC-PC-10 (Appendix 4-M).	<ul style="list-style-type: none"> Chapter 19, Section 19.5 	Ongoing
Local Community Member	EAO VC Document Review June 2016	Air Quality	Coal dust concern within the Elk Valley.	Initial response provided in the Public Consultation Report – Comment VC-PC-10 (Appendix 4-M).	<ul style="list-style-type: none"> Chapter 6, Section 6.5 	Ongoing
Local Community Member	EAO VC Document Review June 2016	Wildlife	Specific concerns related to: Big Horn Sheep habitat Migratory routes for Elk Deer winter range.	Initial response provided in the Public Consultation Report – Comment VC-PC-11 (Appendix 4-M).	<ul style="list-style-type: none"> Chapter 15, Section 15.4 	Ongoing
Local Community Member	EAO VC Document Review June 2016	Water Quality	Concern regarding source of selenium, nitrates and other toxins to surface water. Need to understand the success of water treatment efforts underway in the Valley.	Initial response provided in the Public Consultation Report – Comment VC-PC-12 (Appendix 4-M).	<ul style="list-style-type: none"> Chapter 11, Sections 11.4 and 11.5 Chapter 33, Section 33.4.1.8 	Ongoing
Local Community Member	EAO VC Document Review June 2016	Wildlife	Impacts to the Alexander Creek and Grave Creek drainages as important wildlife corridors. Grave Prairie is the primary wintering area for ungulates.	Initial response provided in the Public Consultation Report – Comment VC-PC-12 (Appendix 4-M).	<ul style="list-style-type: none"> Chapter 15, Sections 15.4 and 15.9 	Ongoing

Public Stakeholder	Comment Source	Topic	Issue or Concern	Preliminary Response	Location Where Addressed in Application / EIS	Status of Resolution
Local Community Member	EAO VC Document Review June 2016	Water Quality	Potential for increased sediment load in the creeks flowing from the project and concerns with impacts to fish and aquatic habitat.	Initial response provided in the Public Consultation Report – Comment VC-PC-12 (Appendix 4-M).	<ul style="list-style-type: none"> Chapter 9, Section 9.5 Chapter 11, Section 11.5 Chapter 33, Section 33.4.1.4 	Ongoing
Local Community Member	EAO VC Document Review June 2016	Air Quality	Dust concerns particularly with high winds that can carry dust a long distance.	Initial response provided in the Public Consultation Report – Comment VC-PC-12 (Appendix 4-M).	<ul style="list-style-type: none"> Chapter 6, Sections 6.4 and 6.5 	Ongoing
Local Community Member	EAO VC Document Review June 2016	Land-Use	Potential impacts to back-country recreational opportunities such as snowmobilers, anglers, hunters, and ATV users.	Initial response provided in the Public Consultation Report – Comment VC-PC-12 (Appendix 4-M).	<ul style="list-style-type: none"> Chapter 19, Section 19.5 	Ongoing
Local Community Member	EAO VC Document Review June 2016	Land-Use	Potential impacts to trapping in the Project area.	Initial response provided in the Public Consultation Report – Comment VC-PC-12 (Appendix 4-M).	<ul style="list-style-type: none"> Chapter 19, Section 19.5 	Ongoing
Local Community Member	EAO VC Document Review June 2016	Wildlife	Potential impacts to fur-bearer habitat.	Initial response provided in the Public Consultation Report – Comment VC-PC-12 (Appendix 4-M).	<ul style="list-style-type: none"> Chapter 15, Section 15.5 	Ongoing

Public Stakeholder	Comment Source	Topic	Issue or Concern	Preliminary Response	Location Where Addressed in Application / EIS	Status of Resolution
Local Community Member	EAO VC Document Review June 2016	Mine Reclamation	Concerns regarding mine closure reclamation plans. Need to ensure sites are completely decommissioned and the intended land use values demonstrated – have yet to see in the Valley. Issues around reclamation bonds and how they are managed needs to be understood.	Initial response provided in the Public Consultation Report – Comment VC-PC-12 (Appendix 4-M).	<ul style="list-style-type: none"> Chapter 3, Section 3.8 	Ongoing
Local Community Member	EAO VC Document Review June 2016	Wildlife	Concern with loadout on Grave Prairie and potential impacts to winter range.	Initial response provided in the Public Consultation Report – Comment VC-PC-13 (Appendix 4-M).	<ul style="list-style-type: none"> Chapter 15, Sections 15.4 and 15.5 	Ongoing
Local Community Member	EAO VC Document Review June 2016	Cultural/Heritage	Concern with loadout on Grave Prairie and potential cultural/heritage implications – area is historically significant to First Nations.	Initial response provided in the Public Consultation Report – Comment VC-PC-13 (Appendix 4-M).	<ul style="list-style-type: none"> Chapter 3, Section 3.7 Chapter 16, Sections 16.2 to 16.4 	Ongoing
Local Community Member	EAO VC Document Review June 2016	Land Use	Concern with infrastructure crossing established Conservation Lands.	Initial response provided in the Public Consultation Report – Comment VC-PC-13 (Appendix 4-M).	<ul style="list-style-type: none"> Chapter 15, Section 15.5 and 15.6 	Ongoing
Local Community Member	EAO VC Document Review June 2016	Wildlife	Potential impacts to the Grave Creek canyon as a corridor for wildlife such as bighorn sheep and mountain goats.	Initial response provided in the Public Consultation Report – Comment VC-PC-13 (Appendix 4-M).	<ul style="list-style-type: none"> Chapter 15, Section 15.4 	Ongoing

Public Stakeholder	Comment Source	Topic	Issue or Concern	Preliminary Response	Location Where Addressed in Application / EIS	Status of Resolution
Local Community Member	EAO VC Document Review June 2016	Land Use	Potential impact to outdoor uses and concerns with public safety on haul road.	Initial response provided in the Public Consultation Report – Comment VC-PC-13 (Appendix 4-M).	<ul style="list-style-type: none"> Chapter 3, Section 3.7 Chapter 15, Section 15.5 Chapter 21, Section 21.4 	Ongoing
Local Community Member	EAO VC Document Review June 2016	Air Quality	Dust impacts to Grave Prairie and canyon area.	Initial response provided in the Public Consultation Report – Comment VC-PC-13 (Appendix 4-M).	<ul style="list-style-type: none"> Chapter 6, Section 6.5 	Ongoing
Local Community Member	EAO VC Document Review June 2016	Noise	Noise pollution.	Initial response provided in the Public Consultation Report – Comment VC-PC-13 (Appendix 4-M).	<ul style="list-style-type: none"> Chapter 7, Section 7.5 	Ongoing
Local Community Member	EAO VC Document Review June 2016	Land Use	Visual pollution on Grave Prairie and through the canyon.	Initial response provided in the Public Consultation Report – Comment VC-PC-13 (Appendix 4-M).	<ul style="list-style-type: none"> Chapter 19, Section 19.7 	Ongoing
Local Community Member	EAO VC Document Review June 2016	Wildlife	Moose habitat.	Initial response provided in the Public Consultation Report – Comment VC-PC-13 (Appendix 4-M).	<ul style="list-style-type: none"> Chapter 15, Section 15.4 	Ongoing
Local Community Member	EAO VC Document Review June 2016	Water Quality	Downstream water quality concerns, particularly given the use of the proposed experimental selenium management strategy.	Initial response provided in the Public Consultation Report – Comment VC-PC-13 (Appendix 4-M).	<ul style="list-style-type: none"> Chapter 11, Sections 11.5 and 11.6 Chapter 33, Section 33.4.1.8 	Ongoing
Local Community Member	EAO VC Document Review June 2016	Wildlife	Grizzly bear numbers and potential connectivity of habitat.	Initial response provided in the Public Consultation Report – Comment VC-PC-13 (Appendix 4-M).	<ul style="list-style-type: none"> Chapter 15, Section 15.5 	Ongoing

Public Stakeholder	Comment Source	Topic	Issue or Concern	Preliminary Response	Location Where Addressed in Application / EIS	Status of Resolution
Local Community Member	EAO VC Document Review June 2016	Cumulative Effects	Potential cumulative effects of multiple mines in the Elk Valley, including effects on grizzly bear populations.	Initial response provided in the Public Consultation Report – Comment VC-PC-13 (Appendix 4-M).	<ul style="list-style-type: none"> Chapter 15, Section 15.5 	Ongoing
Local Community Member	EAO VC Document Review June 2016	Water Quality	Downstream water quality concerns, particularly given current treatment plants (e.g., Line Creek) are not operating as intended.	Initial response provided in the Public Consultation Report – Comment VC-PC-14 (Appendix 4-M).	<ul style="list-style-type: none"> Chapter 11, Sections 11.4 to 11.6; Chapter 33, Section 33.4.1.8 	Ongoing
Local Community Member	EAO VC Document Review June 2016	Wildlife	The infrastructure and haul road go through prime Bighorn sheep winter range.	Initial response provided in the Public Consultation Report – Comment VC-PC-14 (Appendix 4-M).	<ul style="list-style-type: none"> Chapter 3, Section 3.7 Chapter 15, Section 15.4 	Ongoing
Local Community Member	EAO VC Document Review June 2016	Wildlife	The mining operation and spoil area is within productive range for grizzly bears, elk, sheep, goats, and moose. Also concerns regarding wildlife movement.	Initial response provided in the Public Consultation Report – Comment VC-PC-14 (Appendix 4-M).	<ul style="list-style-type: none"> Chapter 3, Section 3.7 Chapter 15, Sections 15.4 and 15.5 	Ongoing
Local Community Member	EAO VC Document Review June 2016	Land Use	Overlap with Teck Conservation Lands.	Initial response provided in the Public Consultation Report – Comment VC-PC-14 (Appendix 4-M).	<ul style="list-style-type: none"> Chapter 19, Section 19.4.1 	Ongoing
Local Community Member	EAO VC Document Review June 2016	Land Use	Impacts to recreational use and access.	Initial response provided in the Public Consultation Report – Comment VC-PC-14 (Appendix 4-M).	<ul style="list-style-type: none"> Chapter 19, Section 19.5 	Ongoing

Public Stakeholder	Comment Source	Topic	Issue or Concern	Preliminary Response	Location Where Addressed in Application / EIS	Status of Resolution
Wildsight	Emails July/August 2020	Wildlife	Concerns with wildlife connectivity and the potential for habitat and migratory fragmentation in and around the Project.	Various attempts to set up a presentation by NWP to Wildsight on terrestrial modelling efforts completed for the Crown Mountain project.	<ul style="list-style-type: none"> Chapter 15, Sections 15.4 to 15.9 	Ongoing
Nature Trust of B.C.	Emails March/April 2021	Land Use	NWP reached out to discuss the Project. NTBC reiterated concerns related to infrastructure crossing the Big Ranch Conservation Complex. Need to ensure appropriate mitigative measures, etc. are implemented.	Emails logged. No formal response provided.	<ul style="list-style-type: none"> Chapter 19, Section 19.5 	Ongoing
Elk Valley Mountaineers	Meeting June 2021	Land Use	Concerns regarding potential impacts to their cabin.	Issue discussed at meeting. Land access issues concerns will be addressed in the Application/EIS.	<ul style="list-style-type: none"> Chapter 19, Section 19.5 	Ongoing
Elkford ATV Club	Meeting June 2021	Land Use	Concern about maintaining access to key trails in the area.	Issue discussed and acknowledged at meeting. Land access issues concerns will be addressed in the Application/EIS.	<ul style="list-style-type: none"> Chapter 19, Section 19.5 	Ongoing
Great Divide Trail Association	Meeting June 2021	Land Use	Concerns regarding potential conflicts with sections of the Great Divide Trail.	Potential concerns related to hiking in the Project area will be assessed in the Application/EIS.	<ul style="list-style-type: none"> Chapter 19, Section 19.5 	Ongoing

Public Stakeholder	Comment Source	Topic	Issue or Concern	Preliminary Response	Location Where Addressed in Application / EIS	Status of Resolution
Elkford Rod and Gun Club	Email May 11, 2021	Land Use	Concern with the potential loss of another riding area (Crown Mountain).	Potential concerns related to recreational use in the Project area will be assessed in the Application/EIS.	<ul style="list-style-type: none"> Chapter 19, Section 19.5 	Ongoing

- Land Use
 - Impacts to recreational activities (bikers, snowmobiles, ATVs, hikers, and hunters);
 - Reduced backcountry access for recreational use;
 - Potential impacts to established (Big Ranch) and proposed (Teck) conservation lands.
- Air Quality
 - Greenhouse gas emissions;
 - Increased dust and associated effects; and
 - Increased noise and associated effects.
- Cumulative Effects
 - Concerns with regards to the cumulative effects of multiple coal mines in the Elk Valley.

4.6 Government Agencies Consultation and Engagement

4.6.1 Introduction

Since 2011, NWP has engaged with representatives from government agencies regarding the proposed Project. Engagement activities were carried out with the aim of providing opportunities to learn about the Project, as well as to identify any issues, concerns and interests relating to the Project with respect to relevant provincial and federal policies and legislation. NWP also engaged with government agencies with regards to supporting baseline studies, where they sought out technical advice and guidance for study methods/approaches. Engagement with government agencies has taken a number of forms, including:

- Introductory and update calls/meetings to provide project related information;
- Scheduled calls (bi-weekly/monthly) with the EAO and IAAC;
- Agency specific calls/discussions related to baseline programs;
- Working Group and sub-Working Group (e.g., terrestrial, aquatic, geochemistry/water quality) meetings; and
- Open houses (included participation of EAO and IAAC representatives).

Government agencies engaged to date on the Project are summarized below in Table 4.6-1. Local and regional governments are also included in this section.

4.6.2 Goals and Objectives

Federal and provincial government regulators assisted NWP throughout the Early Engagement and Pre-Application phases. Regulators provided support to NWP in a number of key areas, including:

- Review and input to EA related documents (e.g., Application Information Requirements);
- Provision of up-to-date information/input and guidance documents to assist with the development and implementation of scientifically defensible baseline programs;
- Provision of supporting information/data collected as part of provincial and federal programs; and
- Provision of information and guidance related to the Elk Valley Water Quality Plan and associated programs (e.g., Ministry of Environment presentation to NWP on January 30, 2017).

Table 4.6-1: Government Agencies Engaged Regarding the Crown Mountain Coking Coal Project

Agency	
Provincial	Environmental Assessment Office (EAO)
	B.C. Ministry of Environment and Climate Change Strategy (ENV; formally B.C. Ministry of Environment [MOE])
	B.C. Ministry of Forests, Lands, Natural Resource Operations & Rural Development (MFLNRORD; formally B.C. Ministry of Forest, Lands and Natural Resource Operations [MFLNRO])
	B.C. Ministry of Transportation and Infrastructure (MOTI)
	B.C. Ministry of Energy, Mines and Low Carbon Innovation (MEMLCI; formally B.C. Ministry of Energy and Mines [MEM] and B.C. Ministry of Energy Mines & Petroleum Resources [MEMPR])
	B.C. Ministry of Jobs, Tourism and Skills Training (MJTST)
	B.C. Ministry of Indigenous Relations and Reconciliation (MARR)
Federal	Impact Assessment Agency of Canada (IAAC; formerly CEAA)
	Environment and Climate Change Canada (ECCC)
	Fisheries and Oceans Canada (DFO)
	Canadian Wildlife Service (CWS)
	Health Canada (HC)
	Natural Resources Canada (NRCan)
	Transport Canada (TC)
Local/Regional	District of Sparwood
	Town of Fernie
	District of Elkford
	Municipality of Crowsnest Pass
	Regional District of East Kootenay

4.6.3 Summary of Government Consultation and Engagement

The following sections provide a summary of engagement and consultation activities with government agencies during the Early Engagement and Pre-Application phases of the Project. It includes a summary of issues, concerns and interests raised by government agencies.

4.6.3.1 Provincial Agencies

4.6.3.1.1 British Columbia Environmental Assessment Office

Early engagement with the EAO was initiated with a meeting and presentation on April 6, 2014 to representatives from both the EAO and IAAC. A subsequent meeting was held with the EAO at their offices in Victoria on September 11, 2014. Discussion points included:

- Project Description requirements;
- Engagement with IAAC
- Selenium concerns in the Elk Valley;
- Importance of consultation with the Ktunaxa Nation, local governments, etc.;

- Determination of VCs; and
- Potential EA substitution.

NWP worked closely with the EAO, IAAC, and other supporting regulatory agencies to develop a range of EA process-related documents including:

- Project Description;
- Valued Components Document;
- First Nations Consultation Plan;
- Public Consultation Plan; and
- Application Information Requirements (AIR).

The process and associated engagement activities associated with the development of each of these key documents is described below. Digital copies of all key documents are posted on the EAO EPIC website (<https://projects.eao.gov.bc.ca/p/588511f9aaecd9001b828bf0/documents;currentPage=1;pageSize=50;sortBy=-datePosted;ms=1615951488038>).

Beginning in April 2015, set bi-weekly calls were held with representatives from NWP, EAO, and IAAC. The calls covered a wide range of topics, typically driven by EA scheduling priorities, tasks, and requirements (e.g., preparation of the VC document), but generally included the following standing agenda:

- Proponent/Project Updates;
- Provincial EA Process Updates;
- Federal EA Process Updates; and
- Indigenous Engagement Updates.

In addition, there were also periodic Project update meetings with the EAO, IAAC, and other regulators (Section 4.6.3).

Project Description

To initiate the Project a detailed Project Description was prepared in 2014 and finalized in late October 2014. The PD includes information such as, but not necessarily limited to:

- Proponent information (company name, contact details, etc.);
- General background information (location, type and size of the Project – cross-referenced with thresholds outlined in legislation, Project purpose and rationale, financial details, number of potential jobs during Construction and Pre-Production and Operation phase of the Project);
- Project overview (overview and discussion of major on-site and off-site Project components; site plans; Project schedule; life of Project, summary of potential environmental, economic, social, heritage, and health effects);
- Land use setting (general description of existing land use in the vicinity of the project site, land ownership, overview of Indigenous interests);
- Consultation activities (summary of consultation activities that have been carried out with Indigenous communities, the public, and local governments);
- Proposed development schedule (tentative schedule for submitting the Application/EIS, Project development, etc.); and
- Required permits (a list of required permits based on the current understanding of the Project).

The final Project Description (Appendix 4-U) was accepted and posted on the EAO EPIC website on October 27, 2014.

Valued Components Document

Valued Components serve as the foundation for the environmental assessment. The purpose of the VC document was to:

- Identify candidate VCs and describe the methods for selecting potential VCs that may be part of the environmental assessment;
- Outline the selected VCs and describe the rationale for VC selection;
- Describe intermediate components and measurement indicators that will be used to understand potential impacts to selected VCs; and
- Describe the spatial and temporal assessment boundaries that will be used for conducting baseline studies related to each VC.

A Working Group meeting on the draft Valued Components (VC) for Environmental Assessment document was held in October 2015 to facilitate discussion and feedback on the draft VC document, and to gather feedback from the Working Group on completed and proposed baseline studies. The Working Group meeting was led by the EAO and was attended by provincial and federal government representatives, the KNC, and members of the NWP EA team.

The draft VC document was prepared in the spring of 2016 and posted on the EAO EPIC website on May 5, 2016. As noted previously in Section 4.5.4.2.1, the EAO provided a public comment period on the draft document between May 13 and June 13, 2016. The VC document is also presented in Appendix 4-V.

Application Information Requirements

One of the next key steps in the EA process was the preparation and drafting of the Application Information Requirements (AIR) for the Project. Essentially, the AIR specifies the matters that must be studied and the information that must be included in an Application. This is a key document, as it lays out both what issues will be addressed in the assessment and what information must be included in the final Application (e.g., baseline studies, approach to assessing cumulative impacts, etc.).

A draft AIR was developed on late June 2016 and submitted by the EAO to working Group members for review. The final AIR document addressed over 200 comments provided by Working Group members. The final comment tracking table for AIR development is provided in Appendix 4-W. The final AIR was accepted on April 26, 2018 and posted on the EAO EPIC website. The final AIR is also presented in Appendix 4-X. On January 19, 2021 NWP requested an extension of the Project AIR to October 26, 2021. The AIR was due to expire April 26, 2021. The EAO granted the extension request on January 27, 2021. On August 5, 2021 NWP requested a further extension of the Project AIR to account for an Indigenous Nation that has temporarily paused all engagement. On August 13, 2021 the EAO granted the extension request for the AIR to April 26, 2022.

4.6.3.1.2 Other Provincial Agencies

In addition to the ongoing involvement of the EAO as the lead for the overall EA process, a large number of provincial agencies were engaged with the Project (Table 4.6-1). Since the spring of 2012, engagement

activities have included various in-person meetings, conference calls, and emails with key provincial agencies such as, but not limited to, MOE, FLNRO, and the Ministry of Mines and Petroleum Resources (MEMPR).

Topics of discussion during Early Engagement were generally focused on the development of environmental baseline programs (e.g., water quality sampling locations, establishment of the Project climate station, permit requirements for the Project furbearers study) and site access permit conditions. Assistance with baseline program development has included, but were not necessarily limited to:

- Water Quality Program – MOE provided input to the surface water sampling program, including sampling locations, sampling frequency, etc.;
- Climate Station Installation – MOE provided guidance with installation of meteorological station at Crown Mountain. NWP worked collaboratively determining the most suitable site for installation; and
- Air Quality – MOECCS provided input to proposed air quality dispersion modelling.

On occasion, provincial government representatives participated in baseline programs. For example, a representative of the B.C. Conservation Office acted as an observer on a baseline wildlife flight in June 2015.

Provincial agencies also provided guidance and input regarding the Elk Valley Water Quality Plan. On January 30, 2017, MOE gave a presentation to NWP and the EAO titled "The Elk Valley Water Quality Plan & New EAs in the Designated Area". Discussion topics included: the purpose of the Plan, how it was developed, and the ability for new proponents to participate.

Key meetings that included provincial agencies, including specific Working Group meetings with provincial agency participation are discussed in Section 4.6.4.

4.6.3.2 Federal Agencies

4.6.3.2.1 Impact Assessment Agency of Canada

Engagement with the Impact Assessment Agency of Canada (IAAC, formerly the Canadian Environmental Assessment Agency), was initiated in April 6, 2014 (joint meeting with the EAO). An additional introductory meeting was held at the IAAC offices in Vancouver on September 5, 2014.

NWP worked with IAAC to develop EA process related documents, including the Project Description and EIS Guidelines (issued on February 20, 2015). IAAC also provided guidance and updates throughout the EA process, such as requested updates to the Project EIS Guidelines to ensure appropriate considerations of greenhouse gas emissions are included in the final EA.

4.6.3.2.2 Other Federal Agencies

In addition to the ongoing involvement of IAAC with Project update meetings, a large number of federal agencies were engaged with the Project (Table 4.6-1). Key meetings that included federal agencies are summarized in Section 4.6.5. Selected federal agencies also provided comments on the draft AIR, including: Health Canada, DFO, NRCan, Climate Action Secretariat, and ECCC.

Federal agencies also provided guidance and updates throughout the EA process. For example, on April 29, 2020, ECCC compiled and provided water quality advice for NWP’s consideration as part of the federal EA. Technical water quality advice was provided on the following topic areas:

- Regulatory context;
- Water quality model;
- Effects assessment and the Elk Valley Water Quality Plan;
- Selenium;
- Cumulative environmental effects assessment;
- Construction of ex-pit mine rock dumps and tailings disposal;
- In-pit saturated backfill; and
- Active water treatment.

Federal agencies provided input and guidance to selected baseline programs including proposed surveys for migratory birds.

4.6.3.3 Local Government

Local and regional communities and governments were engaged as part of the overall Project consultation program during the Pre-Application phase only. Specific details for each community can be found in Chapter 17 (population and demographics, regional economy, employment and income, and labour force) and Chapter 18. A summary of meetings with local governments is provided in Table 4.6-2.

Table 4.6-2: Summary of Meetings with Local Governments

Community/ Government	Date	Description
District of Sparwood	March 30, 2015	Presentation to Council to introduce and discuss the Crown Mountain Project.
District of Sparwood	October 6, 2020	Presentation to Mayor and councillors. In addition, six members of the Sparwood district office were present.
District of Sparwood	January 19, 2021	Project update and notification of pending submission.
District of Sparwood	June 1, 2021	Presentation to District of Sparwood councillors. Provided an update on the project schedule and engagement activities with interest groups.
District of Sparwood	October 19, 2021	Presentation to the Sparwood Council to provide an update on the Project. There were specific questions regarding the federal and provincial EA process and the project approach/technology (e.g., dewatering of coarse coal rejects).
District of Sparwood	October 22, 2021	Meeting with Mayor. Topics of discussion included housing challenges and tax sharing agreement challenges.
District of Sparwood	May 17, 2022	Presented to the Sparwood Council to provide an update on the Project.
District of Sparwood	July 13, 2022	Meeting with Mayor. Topics of discussions included the economic and social conditions in the valley, Indigenous engagement, and long term viability of coal communities.

Community/ Government	Date	Description
Municipality of Crowsnest Pass	March 10, 2015	Presentation to Council to introduce and discuss the Crown Mountain Project.
Municipality of Crowsnest Pass	January 12, 2021	Project update and notification of pending submission.
Municipality of Crowsnest Pass	June 8, 2021	Presentation to Council to provide an update on the Project.
Municipality of Crowsnest Pass	November 2, 2021	Update to Council at the municipal office in Coleman.
Regional District of East Kootenay	February 5, 2021	NWP provided a Project update at the RDEK Board of Directors Meeting. Included a review of the regulatory process, baseline programs, and assessments to understand potential impacts and relevant mitigation planning.
Regional District of East Kootenay	June 4, 2021	Presentation to the RDEK Board of Directors.
Regional District of East Kootenay	November 5, 2021	NWP provided a Project update at the RDEK Board of Directors Meeting.
Regional District of East Kootenay	May 13, 2022	NWP provided a Project update at the RDEK Board of Directors Meeting.
Town of Elkford	February 23, 2015	Presentation to Council to introduce and discuss the Crown Mountain Project.
Town of Elkford	February 22, 2021	Meeting to provide Project update.
Town of Elkford	May 25, 2021	Presentation to the Committee of the Whole.
Town of Fernie	February 23, 2015	Presentation to Council to introduce and discuss the Crown Mountain Project.
Town of Fernie	January 18, 2021	Project update and notification of pending submission.
Town of Fernie	June 28, 2021	Presentation to Council to provide an update on the Project.
Town of Fernie	August 23, 2021	Meeting to provide an update on the project including regulatory process and engagement activities.
Town of Fernie	October 18, 2021	Presentation to the Council to provide an update on the Project. There were specific questions/discussion regarding potential open house in Fernie and housing (ensuring worker housing is appropriate).

In addition, representatives from the District of Sparwood participated in site visits on October 14, 2015 and September 27, 2017, as well as the October 15, 2015 Working Group meeting to review and discuss Project VCs. The District also provided comments and input to the Project AIR.

4.6.4 Working Group

The EAO established a Working Group in 2015 as per Section 4 of the Section 11 Order. The Working Group comprises representatives from local, provincial, and federal government agencies and departments, including the Ktunaxa Nation Council. The purpose of the Working Group was to provide

input on the environmental assessment, including, but not limited to: valued components and assessment methodologies, proposed mitigation measures, potential impacts to Indigenous Rights and Interests, and conformity review of the Application/EIS.

The Working Group members include:

- Federal:
 - CWS;
 - ECCC;
 - DFO;
 - HC;
 - IACC;
 - NRCan; and
 - TC.
- Provincial:
 - EAO;
 - ENV;
 - MEMLCI;
 - MFLNRORD; and
 - Ministry of Indigenous Relations and Reconciliation.
- Local:
 - District of Sparwood.
- Indigenous:
 - Canadian Columbia River Inter-tribal Fisheries Commission (CCRIFC); and
 - Ktunaxa Nation Council.

4.6.4.1 Working Group Consultation Summary

4.6.4.1.1 Working Group Meetings

A summary of Working Group meetings and sub-committee meetings is outlined in Table 4.6-3. Where available, meeting minutes, action items, and feedback from the Working Group meetings, and proponent responses to feedback, are provided in Appendices.

The first Working Group meeting was held on October 15, 2015 to present and discuss the draft Valued Components (VC) proposed for the EA. The initial meeting was intended to facilitate discussion and receive feedback on the draft VC document, as well as to gather feedback from the Working Group on completed and proposed baseline studies. The Working Group meeting was led by the EAO and was attended by provincial and federal government representatives, the KNC, and NWP. As part of the province's duty to consult, the EAO invited the KNC to participate in the Working Group and/or subcommittee meetings.

Other working group meetings have focussed on specific topics such as:

- Mine Rock Management;
- Terrestrial Wildlife;
- Water Quality; and
- Aquatic Resources.

Table 4.6-3: Summary of Key Government, Working Group and Sub-Committee Meetings, Calls, and Video Conference Calls

Meeting Date	Meeting Topic(s)	Participants
May 14, 2012	Project Introduction Meeting with the local MOE impact assessment biologist and environmental quality section head) to review the proposed surface water quality baseline program. Also covered other topics such as existing selenium issue and amphibians (wetland areas along Alexander Creek).	<ul style="list-style-type: none"> • MOE
July 14, 2012	Project Introduction/Terrestrial Environment Review NWP terrestrial team met with representatives from FLNRO to review the Project and anticipated terrestrial baseline requirements. Discussion topics included <ul style="list-style-type: none"> • Studies completed to date (including winter ungulate flight). • Available data for species such as grizzly bears, bighorn sheep and mountain goats. • Other species specific discussions included deer, elk, moose, least chipmunk, western screech owl. 	<ul style="list-style-type: none"> • FLNRO
February 25, 2015	Project Overview and Elk Valley Area Based Management Plan Overview of Elk Valley Area Based Management Plan provided by regulators including highlights of content and implementation. NWP provided an overview of the Project.	<ul style="list-style-type: none"> • EAO • MEMPR • MOE
April 21, 2015	EA Workshop Workshop in Victoria, B.C. to proactively identify critical issues and process requirements for the provincial and federal EA processes. Presentations by the EAO included (Appendix 4-Y): <ul style="list-style-type: none"> • Overview of the B.C. Environmental Assessment Process. • Public Consultation. • Aboriginal Consultation Framework. 	<ul style="list-style-type: none"> • EAO • IAAC
June 24, 2015	Project Introduction and Overview Presentation to group which provided an overview of the proposed project, exploration activities, site geology, project PFS, and environmental studies (completed to date and proposed), First Nations engagement activities, public consultation activities. Presentation provided in Appendix 4-Z.	<ul style="list-style-type: none"> • EAO • MEMPR • MOE • IAAC
October 15, 2015	Project Introduction and Overview Separate presentations to Working Group for the Project Layout and Description, Physical and Aquatic Resources, Terrestrial and Wildlife Resources, Heritage, Land Use and Health, and Social and Economic Components. Meeting minutes and presentations provided in Appendix 4-AA.	<ul style="list-style-type: none"> • NRCan • Canadian Columbia River Inter-Tribal Fisheries Commission (CCRIFIC) • KNC • MEMPR • IAAC • EAO

Meeting Date	Meeting Topic(s)	Participants
		<ul style="list-style-type: none"> • ECCC • DFO • FLNRO • MOE • TC • CWS • Dist. of Sparwood • MARR
November 15, 2015	<p>Project Introduction and Overview A presentation to federal agencies in Gatineau, QC that introduced the project. The presentation included an overview of baseline work completed to date, proposed next steps, and a high level overview of timelines.</p> <p>A copy of the presentation is provided in Appendix 4-BB.</p>	<ul style="list-style-type: none"> • DFO • ECCC • HC • Indigenous and Northern Affairs Canada (INAC) • Major Projects Management Office (MPMO) • NRCan • TC
November 16, 2015	Effluent Regulations under the Fisheries Act Meeting in Ottawa to have initial discussion regarding Section 36(3) of the Fisheries Act.	<ul style="list-style-type: none"> • ECCC
July 12, 2016	Area Based Management Plan Update on status of EA review, project overview, Update and Discussion on the Elk Valley Area Based Management Plan, timeline for Application/EIS submission.	<ul style="list-style-type: none"> • EAO • MOE • MMPO
September 13, 2016	Mine Rock Layering Strategy Teleconference to provide a high level overview of NWP's strategy for managing mine rock for the Crown Mountain Coking Coal Project and respond to questions from the members of the Working Group.	<ul style="list-style-type: none"> • KNC • EAO • MOE • MEMPR • FLNRO
February 15, 2018	<p>Mine Rock Facility Design Presentations by NWP, Enviromin, and SRK on progress related to the mine rock facility design. Detailed presentation covered a wide range of topics including selenium management/ mitigation, suboxic mine rock dump design, biochemistry of unsaturated rock piles, redox and Se biochemistry, microbial metabolism and Se cycling, sulphates, nitrates, etc.</p> <p>The mine rock dump design discussions covered topics such as in-situ microbial reduction, water flow in mine rock, hydrodynamics for mine waste coves, oxygen movement, and gas flow. The group also presented and discussed selected Se biogeochemistry case studies. The final presentation reviewed the proposed Crown Mountain conceptual mine rock design.</p> <p>Meeting minutes and presentation provided in Appendix 4-CC.</p>	<ul style="list-style-type: none"> • MEMPR • KNC • ECCC • EAO • IAAC • DFO • FLNRO • MOE

Meeting Date	Meeting Topic(s)	Participants
February 22, 2018	<p>Terrestrial Wildlife Meeting to review terrestrial work completed to date. IAAC outlined the federal perspective and requirements (e.g., migratory birds, federal lands, traditional use, etc.).</p> <p>A copy of the presentation is provided in Appendix 4-DD.</p>	<ul style="list-style-type: none"> IAAC CWS ECCC
April 18, 2018	<p>Groundwater Program Crown Mountain Groundwater Program update call and presentation. Groundwater lead reviewed the proposed program for 2018. Initial input and discussion from government representatives.</p>	<ul style="list-style-type: none"> MOE FLNRO
July 9, 2018	<p>Instream Flow Needs Discussion regarding potential Instream Flow Needs assessment for Grave Creek.</p>	<ul style="list-style-type: none"> MOE FLNRO
December 13, 2018	<p>Mine Rock Management Update Video update of the selenium work by Enviromin. Topics included:</p> <ul style="list-style-type: none"> Crown Mountain Waster Management Objectives Virtual tour of laboratory Laboratory Study Results and Conclusions <p>A copy of the presentation is provided in Appendix 4-EE.</p>	<ul style="list-style-type: none"> EAO CCIRFC CEAA CWS ECCC MOE HC KNC MEMPR NRCan
May 1, 2019	<p>Wildlife Baseline Overview Presentation by NWP, Dillon Consulting Limited, and Keefer Ecological Services Ltd. to provide an overview and update on the terrestrial wildlife baseline programs.</p> <p>A copy of the presentation is provided in Appendix 4-FF.</p>	<ul style="list-style-type: none"> IAAC EAO ECCC CWS KNC HC
June 4, 2019	<p>Introduction to ALCES Presentation by Keefer Ecological Services Ltd. and Macdonald Hydrology Consultants Ltd. to provide an overview of ALCES and how it will be applied for the Project.</p>	<ul style="list-style-type: none"> IAAC EAO ECCC
June 6, 2019	<p>Aquatics Baseline Overview Presentation by NWP, Dillon Consulting Limited, and Lotic Environmental Inc. to provide an overview and update on the fish and fish habitat, surface water quality, and hydrology baseline programs.</p> <p>A copy of the presentation is provided in Appendix 4-GG.</p>	<ul style="list-style-type: none"> IAAC EAO ECCC KNC MEMPR DFO MOE

Meeting Date	Meeting Topic(s)	Participants
October 9, 2019	<p>Mine Rock Management Presentation by NWP, SRK Consulting, Enviromin, Inc. and Stantec on geochemistry, selenium laboratory studies, water quality model, spoil pile design considerations, and spoil pile construction and geotechnical considerations.</p> <p>Meeting minutes and presentations are provided in Appendix 4-HH.</p>	<ul style="list-style-type: none"> • IAAC • EAO • ECCC • KNC • MEMPR • MOE • NRCan
November 26, 2019	<p>Wildlife Modelling Presentation by Keefer Ecological Services Ltd. on the baseline American badger habitat occupancy and connectivity models for the Terrestrial Local Study Area and Regional Study Area.</p> <p>A copy of the presentation is provided in Appendix 4-II.</p>	<ul style="list-style-type: none"> • EAO • FLNRO • ECCC • IAAC • KNC
December 3, 2019	<p>Wildlife Modelling Presentation by Keefer Ecological Services Ltd. on the baseline moose habitat occupancy model for the Terrestrial Local Study Area.</p> <p>A copy of the presentation is provided in Appendix 4-JJ.</p>	<ul style="list-style-type: none"> • EAO • FLNRO • ECCC • IAAC • KNC
January 14, 2020	<p>Wildlife Modelling Presentation by Keefer Ecological Services Ltd. on the baseline moose habitat occupancy model for the Terrestrial Regional Study Area and elk and bighorn sheep habitat occupancy models for the Terrestrial Local and Regional Study Areas.</p> <p>A copy of the presentation is provided in Appendix 4-KK.</p>	<ul style="list-style-type: none"> • FLNRO • IAAC • KNC
April 29, 2020	<p>Aquatics Update Presentation by NWP and Lotic Environmental Inc. on the key findings of the fish and fish habitat baseline programs, and a discussion on the planned approach for the Project effects assessment.</p> <p>A copy of the presentation is provided in Appendix 4-LL.</p>	<ul style="list-style-type: none"> • EAO • IAAC • KNC • FLNRO • MOE • KNC
June 29, 2020	<p>Water Quality Modelling Presentation by NWP and SRK Consulting to provide an update on the geochemical characterization, an overview of the spoil pile design and modelling of the layered approach, and predicted water quality results.</p> <p>A copy of the presentation is provided in Appendix 4-MM.</p>	<ul style="list-style-type: none"> • EAO • IAAC • KNC • MECC • MOE • EMPR • NRCan • ECCC • CWS • HC

Meeting Date	Meeting Topic(s)	Participants
October 21, 2020	<p>Terrestrial Effects Assessment Presentation by NWP and Keefer Ecological Services Ltd. to provide an overview of the proposed approach for the assessment of wildlife valued components.</p> <p>Meeting notes and a copy of the presentation are provided in Appendix 4-NN.</p>	<ul style="list-style-type: none"> • CWS • EAO • ECCC • FLNRORD • IAAC • KNC • MOECC
December 16, 2020	<p>Groundwater Working Group Meeting Presentation by NWP and SRK Consulting on the results of the hydrogeological baseline studies, the conceptual groundwater model, and potential effects on groundwater quantity and quality.</p> <p>A copy of the presentation is provided in Appendix 4-OO.</p>	<ul style="list-style-type: none"> • CWS • EAO • ECCC • HC • IAAC • KNC • MEMLCI • ENV • NRCan
August 23, 2021	<p>Fish and Fish Habitat Meeting to provide an update on fish and fish habitat for the project. Discussion topics included project overview/project timelines, study areas, aquatic valued components, fish and fish habitat overview, fish population study key findings, and effects assessment and offsetting</p> <p>A copy of the presentation is provided in Appendix 4-PP.</p>	<ul style="list-style-type: none"> • DFO • IAAC • EAO
October 14, 2021	<p>Water Quality Water quality discussion for the project with a focus on proposed mitigations for water quality treatment. A water management overview was provided (both passive and active). Topics of discussion included water quality mitigation approaches and water quality impacts.</p> <p>A copy of the presentation is provided in Appendix 4-QQ.</p>	<ul style="list-style-type: none"> • KNC • EAO • MOE • MEMLCI • IACC • ECCC
November 30, 2021	<p>Fish and Fish Habitat Meeting to review key baseline findings, the fish and fish habitat project effects assessment, offsetting requirements and proposed offsetting measures.</p> <p>A copy of the presentation is provided in Appendix 4-RR.</p>	<ul style="list-style-type: none"> • EAO • DFO • IAAC

Notes:

List of attendees does not include NWP team representatives or specialist consultants engaged by other groups such as the KNC.

4.6.4.1.2 Future Working Group Consultation

NWP looks forward to continuing consultation with the Working Group during the upcoming Screening/Conformity Review and Application Review phases of the provincial and federal EA process. NWP anticipates that future consultation will include, but not be limited to:

- Discussion on the results of the effects assessments presented in the Application/EIS;
- Discussions on the proposed mitigation measures presented in the Application/EIS; and
- Discussions on the conditions for the environmental Assessment Certificate, should one be issued for the Project.

4.6.5 Site Tours

A number of site tours were completed with provincial, federal, and local government representatives, as well the KNC and Schedule C Nations, as part of the Pre-Application phase of the EA process (Table 4.6-4). Each site tour covered key Project areas/components including:

- Proposed mine area (pits, plant, mine rock management areas, etc.);
- Proposed haul route (Grave Creek); and
- Proposed rail loadout.

Access to the site was made via both Grave Creek Road and the Alexander Creek Forest Service Road. All surveys were conducted compliant with the existing Site Road Use Permit.

Table 4.6-4: Summary of Site Tours with Government Representatives

Tour Date	Description
October 14, 2015	<p>Tour of the proposed Project area with Working Group members. The tour covered:</p> <ul style="list-style-type: none"> • Proposed rail loadout area; • Grave Creek road; • Proposed transfer bin and water pond area; • Proposed plant location and proposed spoil/refuse fill area; and • Alexander Creek access and West Alexander. <p>Attendees included representatives from EAO, IACC, CCRIFC, CWS, DFO, District of Sparwood, ECCC, FLNRO, KNC, MEMPR, MOE, MARR, MOE, NRCan, and TC.</p>
September 27, 2017	<p>NWP hosted a site visit for municipal, provincial and federal regulators.</p> <p>Attendees included: EAO, CCIRFC, IAAC, DFO, District of Sparwood, ECCC, FLNRO, MEMPR, MOE.</p>



Photo 4.6-1: October 14, 2015 Site Tour – Grave Prairie



Photo 4.6-2: October 14, 2015 Site Tour – Crown Mountain

4.6.6 Interprovincial Engagement

There has been no engagement with Alberta regulators to date.

4.6.7 International Engagement

In 2010, the Province of British Columbia and the State of Montana signed a Memorandum of Understanding (MOU) and Cooperation on Environmental Protection, Climate Action and Energy (https://www2.gov.bc.ca/assets/gov/environment/natural-resource-stewardship/environmental-assessments/working-with-other-agencies/bc_montana_mou.pdf). The Ktunaxa Nation and other United States (U.S.) Indigenous groups are named partners on the MOU. Through this agreement, British Columbia will, where appropriate, invite Montana to participate in working groups established for environmental assessment or projects with potential transboundary effects on water quality or land resources. Through this MOU, the EAO will, if appropriate, invite participation in the Project environmental assessment.

The EAO has engaged with interested parties in the U.S., primarily through the Lake Koochanusa Monitoring and Research Working Group (LKMRWC). The LKMRWC is a transboundary group made up of B.C. provincial and U.S. governments, Indigenous Communities Tribes, and Teck. Through the LKMRWC, the Montana Department of Environmental Quality's (DEQ) Water Quality Planning Bureau has collaborated with the B.C. MOE to address rising selenium levels in Lake Koochanusa in northwest Montana.

In July 2014, a DRAFT Memorandum of Understanding (MOU) was developed by the DEQ and MOE to jointly study Lake Koochanusa. It establishes a Monitoring and Research Working Group with subcommittees for Steering, Stakeholders, and Technical aspects (<https://deq.mt.gov/DEQAdmin/LakeKoochanusa>).

Members of the LKMRWC include:

- B.C. Ministry of Environment;
- Montana Department of Environmental Quality;
- Montana Fish, Wildlife and Parks;
- Idaho Department of Fish and Game;
- U.S. Environmental Protection Agency;
- U.S. Army Corps of Engineers;
- U.S. Fish and Wildlife Service;
- U.S. Geological Survey;
- Ktunaxa Nation Council;
- Confederated Salish and Kootenai Tribes;
- Kootenai Tribe of Idaho; and
- Teck Coal Limited.

In the fall of 2017, NWP expressed interest in participating in the LKMRWG as suggested by the U.S. Environmental Protection Agency (EPA) during their review of the draft AIR. NWP became an official member of LKMRWG on June 17, 2019, and participated in their first meeting the same day. Topics covered during the June 17, 2019 meeting included a review of monitoring studies being performed and the types of instrumentation that will be used in future studies. It was noted during the meeting that the

Montana DEQ and the Province of B.C. plan to sign an MOU stating their intent to work towards establishing common selenium standards.

NWP participated in the November 2021 teleconference session for the LKMRWG. Meeting highlights included:

- New Montana Steering Committee co-chair and B.C. Monitoring & Research Committee co-chair;
- B.C. and Montana regulatory updates;
- Monitoring updates from Kootenai Tribe of Idaho, Montana Fish, Wildlife and Parks, Teck and the United States Geological Survey;
- Selenium toxicity studies updates from Teck; and
- B.C. Stewardship update re: Westslope Cutthroat Trout recovery.

Full meeting notes can be found at:

<http://lakekooconusaconservation.pbworks.com/w/file/attach/147718992/MRC%20Nov%2018%202021%20Meeting%20Summary.pdf>

4.6.7.1 U.S. EPA

A letter from the United States Environmental Protection Agency (U.S. EPA) was sent to IAAC on November 25, 2014 regarding the draft EIS guidelines for the Project. The Agency expressed concerns regarding potential impacts to water quality in the transboundary Lake Kooconusa watershed, particularly with regards to selenium and nitrogen. The Agency stated that they believed “the federal environmental assessment process would allow for better science and more collaboration between the U.S., Montana, Canada, B.C, and affected Tribes and First Nations for this important shared waterbody”.

The U.S. EPA provided comments on the draft EIS guidelines in December 2014 and the draft AIR document in late September 2017. For the draft AIR document, input was primarily related to water quality and aquatic health sections. In particular, the U.S. EPA was concerned about potential downstream water quality impacts, particularly within Lake Kooconusa. One of the key changes for the final AIR was the extension of the aquatic RSA to include Lake Kooconusa.

The EAO is expected to send an additional notification to the EPA closer to the Application/EIS submission date to request their confirmation of screening participation.

4.6.8 Government Stakeholder Key Issues Summary Table

Through consultation and engagement activities with government agencies, a range of issues and potential concerns were identified. The early identification of potential concerns allowed the NWP team to take them into consideration for project design as well as to modify baseline programs to ensure they collected the necessary information to address each concern in a scientifically defensible manner.

A summary of issues, concerns, and interests raised through the federal and provincial engagement process is provided below in Table 4.6-5. The summary table also outlines the proponent’s preliminary response to each issue, concern, and interest raised by government agencies and provides reference to where in the Application/EIS this information is incorporated and the issue addressed. In many cases the status of resolution for concerns and issues raised is considered to be ongoing and will be resolved through the federal and provincial environmental assessment processes, and ongoing consultation activities. Where an issue has been identified as resolved, a brief description is also provided.

Table 4.6-5: Government Key Issues Summary Table

Government Stakeholder	Comment Source	Topic	Issue or Concern	Preliminary Response (Where Available)	Location Where Addressed in Application / EIS	Status of Resolution
MOE	Project Introductory Meeting May 16, 2012	Water Quality	Water quality concerns - (including specific concerns regarding selenium, calcite, etc.).	Noted the importance of ensuring that water quality impacts are avoided. Noted existing concerns regarding contaminants such as selenium in the Elk Valley.	<ul style="list-style-type: none"> Chapter 9, Section 9.5 Chapter 11, Section 11.5 Chapter 33, Section 33.4.1.8 	Ongoing
MOE	Project Introductory Meeting May 16, 2012	Wildlife	Potential concerns regarding amphibians (including potential wetland areas along Alexander Creek).	Acknowledged the need to ensure that baseline studies include wetlands and amphibians.	<ul style="list-style-type: none"> Chapter 15, Section 15.8 	Resolved – Wetlands along Alexander Creek were assessed as part of baseline surveys
MOE	Project Overview Meeting June 24, 2015	Water Quality	Potential effluent discharge to West Alexander Creek and impacts to Grave Creek from mining.	No impacts to Grave Creek expected as a result of mining; however, contaminated water may originate near the conveyor, stockpile, and transfer bin. Ditches will be installed to reduce the potential for contaminated water reaching Grave Creek.	<ul style="list-style-type: none"> Chapter 11, Section 11.5 	Ongoing
IAAC	Project Meeting September 4, 2014	Water Quality	Transboundary issues related to water quality.	Acknowledged concern regarding downstream transboundary issues. Noted that assessment for water quality will include evaluations of potential transboundary effects.	<ul style="list-style-type: none"> Chapter 9, Section 9.5 Chapter 11, Section 11.5 	Ongoing

Government Stakeholder	Comment Source	Topic	Issue or Concern	Preliminary Response (Where Available)	Location Where Addressed in Application / EIS	Status of Resolution
EAO	Project Meeting September 11, 2014	Water Quality	Selenium levels in the Elk Valley.	Team acknowledged that we were aware of selenium issues within the Elk Valley as well as ongoing initiatives to address them.	<ul style="list-style-type: none"> Chapter 9, Section 9.5 Chapter 11, Sections 11.3 to 11.5 Chapter 33, Section 33.4.1.8 	Ongoing
US EPA	Letter to IAAC November 25, 2014	Water Quality	The Agency expressed concerns regarding potential impacts to water quality in the transboundary Lake Kooconusa watershed, particularly with regards to selenium and nitrogen.	No response provided.	<ul style="list-style-type: none"> Chapter 11, Sections 11.5 and 11.6 Chapter 33, Section 33.4.1.8 	Ongoing
EAO	Project Update Meeting June 24, 2015	Water Quality	Application of the Elk Valley Water Quality Plan.	Initial discussion on how the plan will be potentially used to evaluate the Crown Project. EAO developing a policy related to how new mines/new sources of contamination in the area will use the plan.	<ul style="list-style-type: none"> Chapter 11, Sections 11.4 to 11.6 	Resolved – EVWQP applied as part of detailed water quality assessment, including regional long-term water quality targets
MOE	Project Update Meeting June 24, 2015	Water Quality	Potential effluent discharge to West Alexander Creek and impacts to Grave Creek from mining.	Noted that no impacts to Grave Creek expected as a result of mining; however, contaminated water may originate near the conveyor, stockpile, and	<ul style="list-style-type: none"> Chapter 11, Section 11.5 	Ongoing

Government Stakeholder	Comment Source	Topic	Issue or Concern	Preliminary Response (Where Available)	Location Where Addressed in Application / EIS	Status of Resolution
				transfer bin. Ditches will be installed to reduce the potential for contaminated water reaching Grave Creek.		
Unidentified Working Group Member	Working Group Meeting October 15, 2015	Land Use	Use of Teck conservation lands.	NWP will work with Teck (and others) regarding the placement of Project infrastructure on Teck conservation lands. NWP noted that they have Teck's permission to conduct environmental and archaeological baseline work for the purposes of the environmental assessment.	<ul style="list-style-type: none"> Chapter 15, Sections 15.5 and 15.6 	Ongoing
Unidentified Working Group Member(s)	Working Group Meeting October 15, 2015	Mine Rock Management	<ul style="list-style-type: none"> ML/ARD Concerns. Calcite deposition and CO2 in reject pile. Use of reject material and length of exposure as layer cake is under development. Back-up plan if approach does not work. 	<ul style="list-style-type: none"> Noted that the site has a low potential for ARD. Also noted that drainage ditches and a settling pond will be developed as the 'layer cake' grows. Noted that calcite and nitrite will be considerations and will use strategies to mitigate against calcite deposition. 	<ul style="list-style-type: none"> Chapter 3, Sections 3.5 to 3.8 	Ongoing

Government Stakeholder	Comment Source	Topic	Issue or Concern	Preliminary Response (Where Available)	Location Where Addressed in Application / EIS	Status of Resolution
				<ul style="list-style-type: none"> Noted that rejects will be exposed for a period of time during the build-up of other rejects/spoil, during which it will take a bit of time for selenium exposure in watercourses to reach levels out of compliance. The intention is to minimize exposure as much as possible. In-field experiments may be completed. NWP noted that if approach does not work, the mine will not continue to run. 		
Unidentified Working Group Member	Working Group Meeting October 15, 2015	Air Quality	Canada/U.S. agreement regarding air quality cross border impacts	Once closer to Application/EIS will need to notify U.S. and work with Environment Canada to ensure potential cross border air quality impacts are considered.	<ul style="list-style-type: none"> Chapter 6, Section 6.5 	Ongoing

Government Stakeholder	Comment Source	Topic	Issue or Concern	Preliminary Response (Where Available)	Location Where Addressed in Application / EIS	Status of Resolution
Unidentified Working Group Member	Working Group Meeting October 15, 2015	Effects Assessment	Use of Cumulative Effects Management Framework	Noted that the Framework was used in the development of the draft VC document. Expected that CEMF will be used to evaluate potential cumulative effects for the Application/EIS.	<ul style="list-style-type: none"> Chapter 5, Section 5.3 	Resolved – CEMF incorporated as part of the assessments for applicable VCs
KNC	Working Group Meeting October 15, 2015	Water Quality	Water quality as an intermediate component and its important as a potential selected VC.	<p>The KNC to provide a memo to NWP outlining their thoughts on water quality as a selected VC. EAO noted that significance is not determined on intermediate components and that the EAO has been consistent in approaching water quality as an intermediate component.</p> <p>NWP recognized the importance of completing a comprehensive assessment of potential impacts to water quality – regardless if identified as an intermediate component or VC. Water quality will be assessed in</p>	<ul style="list-style-type: none"> Chapter 11, Section 11.2 	Ongoing

Government Stakeholder	Comment Source	Topic	Issue or Concern	Preliminary Response (Where Available)	Location Where Addressed in Application / EIS	Status of Resolution
				detail in the Application/EIS.		
FLNRO	Working Group Meeting October 15, 2015	Fisheries	Loss of tributary fish habitat and selecting individual species as valued components rather than ecosystem level valued components.	Noted that there will be further discussions held at a fish and fish habitat sub-committee meeting to address these potential concerns.	<ul style="list-style-type: none"> Chapter 12, Sections 12.2 and 12.5; Chapter 33, Section 33.4.1.5 	Ongoing
Unidentified Working Group Member	Working Group Meeting October 15, 2015	Groundwater	Groundwater is significant in Alexander Creek particularly related to fish.	Recognize the importance of surface water and groundwater interaction and contributions to West Alexander and Alexander Creeks. Groundwater and surface water will be addresses in the Application/EIS.	<ul style="list-style-type: none"> Chapter 9, Sections 9.4 to 9.7 	Ongoing
ECCC	Working Group Meeting October 15, 2015	Vegetation	Recovery strategy for whitebark pine to be released which will identify critical habitat. Suggested that this strategy is taken into consideration for the Project.	Comment acknowledged. Whitebark pine will be evaluated as part of the Application/EIS.	<ul style="list-style-type: none"> Chapter 14, Sections 14.5 and 14.6 	Resolved – The draft whitebark pine recovery strategy was considered in the assessment of effects to whitebark pine and associated mitigation measures

Government Stakeholder	Comment Source	Topic	Issue or Concern	Preliminary Response (Where Available)	Location Where Addressed in Application / EIS	Status of Resolution
KNC	Working Group Meeting October 15, 2015	Traditional Land Use	Consumption of berries and potential impacts to human health and access to food for consumption. Comment from KNC that backcountry recreation is an issue in the area (e.g., increasing access to habitats for berry picking by 'wild crafters').	Comment acknowledged. Potential impacts to Traditional Use will be addressed as part of the Application/EIS.	<ul style="list-style-type: none"> Chapter 19, Section 19.5 Chapter 23, Section 23.3.9 	Ongoing
Unidentified Working Group Member	Working Group Meeting October 15, 2015	Wetlands and Waterfowl	Discussion on wetlands in the area and use of waterfowl, as well as reptiles in the area.	Noted that baseline studies are still required to confirm waterfowl use of wetlands and reptiles present with the area.	<ul style="list-style-type: none"> Chapter 13, Section 13.5 Chapter 15, Sections 15.7 and 15.8 	Ongoing
Unidentified Working Group Member	Working Group Meeting October 15, 2015	Land Use	Noted that increased access to the area may impact a variety of VCs.	Potential impacts to site access will be evaluated. Noted that site development might decrease access to certain areas.	<ul style="list-style-type: none"> Chapter 19, Section 19.5 	Ongoing
Unidentified Working Group Member(s)	Waste Rock Management Meeting February 15, 2018	Mine Rock	Impacts to water quality while the Mine Rock Storage Facility starts operating as intended. Consideration of water treatment in the interim. Regulators will be looking for alternatives to be part of the submission.	NWP considers water treatment to be an option of last resort, and is focused on engineering permanent solutions to the selenium issue. Therefore, NWP is looking at other options to accelerate pile efficiency in the short term. For	<ul style="list-style-type: none"> Chapter 3, Sections 3.5 and 3.7 	Ongoing

Government Stakeholder	Comment Source	Topic	Issue or Concern	Preliminary Response (Where Available)	Location Where Addressed in Application / EIS	Status of Resolution
				example, use other coal rejects for carbon source.		
IAAC	Terrestrial Working Group Meeting February 22, 2018	Listed Species	Noted that Section 79.2 of Canadian Environmental Assessment Act (2012) must be considered when determining/ assessing species of special concern under SARA.	Comment acknowledged during meeting. Listed species will be addressed in the Application/EIS.	<ul style="list-style-type: none"> Chapter 12, Section 12.2 Chapter 15, Section 15.1 	Resolved – SAR considered and assessed as part of the Application/EIS submission
CWS IAAC	Terrestrial Working Group Meeting February 22, 2018	Wetlands/ Amphibians	Noted that we should explicitly state in EIS the distance the project is from wetlands in the area. EIS should state mitigation for amphibians, including salvage guidelines.	Comment acknowledged during meeting. Wetlands and amphibians will be addressed in the Application, including specific mitigation measures as required.	<ul style="list-style-type: none"> Chapter 13, Sections 13.5 and 13.6 Chapter 15, Section 15.8 	Ongoing
IAAC	Terrestrial Working Group Meeting February 22, 2018	Migratory Birds	Noted that the need for project-specific migratory bird surveys to support the EA.	Requirement acknowledged. Proponent requested clarification on the number of studies that may be required.	<ul style="list-style-type: none"> Chapter 15, Section 15.7 	Resolved – Migratory birds surveys completed to inform the Application/EIS

Government Stakeholder	Comment Source	Topic	Issue or Concern	Preliminary Response (Where Available)	Location Where Addressed in Application / EIS	Status of Resolution
ECCC	Waste Rock Management Update December 13, 2018	Mine Rock	Risk of incomplete reduction within the mine rock management areas (i.e., risks if reduction stops at selenite).	If oxygen is present in the system, selenite (Se6+) may only be reduced to selenite (Se4+), rather than to insoluble Se0 and Se2-. Selenite is more likely to sorb to iron-oxide minerals than selenate, allowing it to be removed from the aqueous phase. These sorption reactions are relatively non-reversible. If conditions were sufficient to reduce iron, thereby remobilizing the Se, we would see further reduction of the selenite (Se4+) to elemental selenium.	<ul style="list-style-type: none"> Chapter 3, Section 3.7 	Ongoing
IAAC	Terrestrial Working Group Meeting May 1, 2019	Wildlife Study Areas	Need to ensure that the assessment of movement of wildlife takes into account transboundary issues.	Recognized that wildlife move beyond borders. We have different study areas for different wildlife that are appropriate for each species being evaluated.	<ul style="list-style-type: none"> Chapter 15, Sections 15.2, and 15.4 to 15.9 	Ongoing
IAAC	Terrestrial Working Group Meeting May 1, 2019	Wildlife	Potential for the location of project infrastructure to impact high value habitat areas for badger.	It is possible. Badger dens were noted in the Crown Mountain area and at the loadout location. Will	<ul style="list-style-type: none"> Chapter 15, Section 15.5 	Ongoing

Government Stakeholder	Comment Source	Topic	Issue or Concern	Preliminary Response (Where Available)	Location Where Addressed in Application / EIS	Status of Resolution
				need to be addressed within the EA.		
KNC	Terrestrial Working Group Meeting May 1, 2019	Wildlife	Mountain Goats. Should potentially be considered as a VC.	As Goats travel in the same path as sheep, it was considered appropriate to keep them together. Crown Mountain is not known to be used itself. Sheep and Goats don't spend much time in the valley. Blasts could be heard on the ridge by wildlife but they have likely already experienced this noise from the existing and proposed mines. Could potentially add goats to models; however goats are more challenging to study as we know less about them.	<ul style="list-style-type: none"> Chapter 7, Section 7.5 Chapter 15, Section 15.4 	Resolved – Mountain goats were added on as a VC and assessed in tandem with bighorn sheep
KNC	Terrestrial Working Group Meeting May 1, 2019	Wildlife	Bats – Should consider maternal roost habitat.	Predictive modeling can be used to identify maternal roosting areas, given the current data available and further information on specific habitat features (e.g., stands of mature trees with cavities and sloughing bark suitable for	<ul style="list-style-type: none"> Chapter 15, Section 15.6 	Resolved – Assessment of bats included the assessment of potential changes to available habitat and distribution of habitat for (including roost sites, hibernacula,

Government Stakeholder	Comment Source	Topic	Issue or Concern	Preliminary Response (Where Available)	Location Where Addressed in Application / EIS	Status of Resolution
				maternal roosting) associated with detection locations. These data and information can be used to identify important habitats (e.g., forest stands and foraging areas) for <i>N. myotis</i> . The habitat characteristics data will be collected during planned field work in 2019 to ground-truth bat hibernacula and roosting sites.		and summering areas)
KNC	Terrestrial Working Group Meeting May 1, 2019	Wildlife	Western Toad.	Western toad baseline studies have assessed presence and habitat suitability through spring egg mass searches and early summer wetland perimeter searches. No specific emergence surveys have been carried out; however, in line with other EAs, emergence can be observed during wetland perimeter searches in the emergence timing window.	<ul style="list-style-type: none"> Chapter 15, Section 15.8 	Ongoing

Government Stakeholder	Comment Source	Topic	Issue or Concern	Preliminary Response (Where Available)	Location Where Addressed in Application / EIS	Status of Resolution
				<p>Throughout the LSA, western toads or toadlets have been found in 6 wetlands. Based on the habitat characteristics, these wetlands are likely western toad breeding habitats. Amphibian surveys scheduled for July 2019 will document the presence of any emerging western toads if observed.</p> <p>Western toad hibernation sites, migration routes, and foraging routes, can be predicted through statistical models based on the known location of breeding habitats in the LSA. This information can be used to develop mitigation measures related to western toad emergence which will be incorporated into the wildlife management plan.</p>		
KNC	Terrestrial Working Group Meeting May 1, 2019	Wildlife	Northern Goshawk – should consider NOGO nest surveys.	NWP does not anticipate conducting additional field surveys to identify the locations of NOGO	<ul style="list-style-type: none"> Chapter 15, Section 15.7 	Resolved – No NOGO nests were observed during the habitat assessments; low to

Government Stakeholder	Comment Source	Topic	Issue or Concern	Preliminary Response (Where Available)	Location Where Addressed in Application / EIS	Status of Resolution
				nest locations. Surveys to date have included specific surveys to call in nesting territorial adults, call-playback surveys, and habitat assessment surveys. In addition, general surveys throughout the area always recorded incidental observations of NOGO, nests, and wildlife trees. TEM will show us habitat types and can help identify potential NOGO habitat		moderate quality NOGO habitat expected in the Terrestrial LSA
Unidentified Working Group Member	Aquatics Working Group Meeting June 6, 2019	Aquatics	Bioaccumulation of metals, in particular selenium within fish	The bioaccumulation of selenium will be addressed in the Application/EIS, including within the project ecological risk assessment.	<ul style="list-style-type: none"> Chapter 12, Section 12.5 	Ongoing
Unidentified Working Group Member	Waste Rock Management Meeting October 9, 2019	Mine Rock	Temperature effects on processes within the mine rock piles. Consideration if the temperature might drop below zero within some of the layers of the mine rock pile.	Noted that this is a possibly in the shallow zones, but the heat capacity of the rocks keeps the overall temperature satisfactory. We do not believe this would challenge the design at depth.	<ul style="list-style-type: none"> Chapter 3, Section 3.7 	Ongoing

Government Stakeholder	Comment Source	Topic	Issue or Concern	Preliminary Response (Where Available)	Location Where Addressed in Application / EIS	Status of Resolution
Unidentified Working Group Member	Waste Rock Management Meeting October 9, 2019	Mine Rock	Movement of nitrate from mine rock piles. Noted that in existing mine rock piles nitrate move from the piles almost immediately. Concern with the downstream receiving environment.	As soon as mine rock is placed, we would expect to have some leaching of nitrate, but the quantity of material would be small; therefore, the amount moving to the receiving environment would also be low. The movement of nitrate will be modelled.	<ul style="list-style-type: none"> Chapter 3, Sections 3.5 and 3.7 Chapter 11, Section 11.5 	Ongoing
Unidentified Working Group Member	Waste Rock Management Meeting October 9, 2019	Mine Rock	Sulphate and the potential need for sulphate treatment.	Unknown if sulphate is of potential concern based on data and analysis to date. Sulphate will be modelled as part of the water quality assessment.	<ul style="list-style-type: none"> Chapter 3, Section 3.5 Chapter 11, Section 11.5 	Ongoing
Unidentified Working Group Member	Waste Rock Management Meeting October 9, 2019	Mine Rock	Potential biofouling in the mine rock piles.	Work completed to date did not see any biofouling within the columns. It is expected that they will be oligotrophic (low abundance) biofilms so do not believe biofouling will be an issue.	-	Resolved - Will not be an issue based on evaluations completed to date

Government Stakeholder	Comment Source	Topic	Issue or Concern	Preliminary Response (Where Available)	Location Where Addressed in Application / EIS	Status of Resolution
MOE FLNRO KNC	Aquatics Working Group April 29, 2020	Fish/Fish Habitat	Concern with potential impacts to WCT. Noted that WCT numbers have been reduced in the area.	Acknowledged that WCT are a significant concern within the area. Agreed that WG members will work within their agencies to further the discussion on new projects in the Elk Valley as they relate to recent declines of WCT in the Harmer-Grave Creek system and upper Fording River. Information will be provided to NWP as it becomes available.	<ul style="list-style-type: none"> Chapter 12, Sections 12.6 and 12.7 Chapter 33, Section 33.4.1.5 	Ongoing
KNC	Aquatics Working Group April 29, 2020	Fish/Fish Habitat	Concern with potential impacts to the aquatic environment of Alexander Creek (currently no affected by any mining activity).	Noted during the meeting and will be considered at all stages moving forward. Potential impacts to the aquatic environment will be addressed in the Application/EIS.	<ul style="list-style-type: none"> Chapter 12, Section 12.6 Chapter 33, Section 33.4.1.5 	Ongoing
KNC	Aquatics Working Group April 29, 2020	Fish/Fish Habitat	Harmer Creek not included as part of the LSA.	Harmer Creek is further isolated. Harmer upstream of the LSA is not included because at that point, there's the Harmer dam and the spillway for the dam is a barrier. The fish population in Harmer is further isolated from the settling pond. When looking at the whole	<ul style="list-style-type: none"> Chapter 12, Section 12.2 	Resolved – As per the preliminary response, Harmer Creek not included in the LSA

Government Stakeholder	Comment Source	Topic	Issue or Concern	Preliminary Response (Where Available)	Location Where Addressed in Application / EIS	Status of Resolution
				system, fish within Grave Creek are limited to where they can move downstream. Fish could head to Grave Lake, or Harmer Creek for about 300 m before running into the spillway. Other studies going on (Baldy Ridge, etc.) have also shown this.		
FLNRO MOE KNC	Aquatics Working Group April 29, 2020	Fish/Fish Habitat	Concern with loss of aquatic habitat in West Alexander Creek and how they can be offset/compensated for. Potential effects expected to extend beyond West Alexander Creek.	Noted during the meeting and will be considered at all stages moving forward. Potential impacts to the aquatic environment will be addressed in the Application/EIS.	<ul style="list-style-type: none"> Chapter 12, Sections 12.6 and 12.7 Chapter 33, Section 33.4.1.5 	Ongoing
KNC	Aquatics Working Group April 29, 2020	Fish/Fish Habitat	Elevated selenium and reproductive challenges with fish.	Noted that this meeting was focused on discussions related to physical habitat loss. Water quality issues will be discussed at other meetings.	<ul style="list-style-type: none"> Chapter 12, Sections 12.6 and 12.7 Chapter 33, Section 33.4.1.5 	Ongoing
KNC	Water Quality Working Group June 29, 2020	Water Quality	Modelling – concern that modeling nodes do not evaluate the spatial extent of potential impacts. Need	Modelling node in West Alexander Creek downstream of the Main	<ul style="list-style-type: none"> Chapter 11, Section 11.5 (Table 11.5-4) 	Resolved - Modelling includes a node in West Alexander Creek, downstream

Government Stakeholder	Comment Source	Topic	Issue or Concern	Preliminary Response (Where Available)	Location Where Addressed in Application / EIS	Status of Resolution
KNC	Water Quality Working Group June 29, 2020	Water Quality	to include a node in West Alexander proper (downstream of the pond).	Sediment Pond to be added for the assessment.	<ul style="list-style-type: none"> Chapter 11, Section 11.5 	of the Main Sediment Pond outlet
			Impacts to water in the Grave Creek drainage from haul roads, conveyor, bridges, coal load out, etc.) above and below Harmer confluence. The area noted as critically important culturally and already heavily impacted by existing projects in the area.	No impacts to upper Harmer Creek due to the project. Very little drainage from Project components to Grave Creek – limited to components related to coal transportation to loadout.		Ongoing
ECCC	Water Quality Working Group June 29, 2020	Mine Rock	Layout of the mine rock structure with a fairly flat surface may minimize oxygen diffusion into the pile, but there are concerns it may create favourable conditions for pooling and infiltration of precipitation and surface run on from adjacent areas.	Potential effects of precipitation and surface run off will be evaluated for the mine rock management areas.	<ul style="list-style-type: none"> Chapter 3, Sections 3.5 and 3.7 	Ongoing
KNC	Water Quality Working Group June 29, 2020	Mine Rock	Potential for other parameters to be released from the mine rock under low oxygen conditions (e.g., phosphates).	Not expected, but if sufficiently reducing can release iron oxides, but the model doesn't show aggressive reducing conditions so iron oxides	<ul style="list-style-type: none"> Chapter 3, Section 3.7 	Ongoing

Government Stakeholder	Comment Source	Topic	Issue or Concern	Preliminary Response (Where Available)	Location Where Addressed in Application / EIS	Status of Resolution
				are expected to stay stable.		
ECCC	Water Quality Working Group June 29, 2020	Mine Rock	Initial spike in selenium concentrations in the effluent from the sediment pond.	This spike in concentration follows the timeframe in which the unsaturated layered mine rock pile is expected to still be oxygenated or yet to reach sub-oxia. During this timeframe, higher concentrations of contaminants, including selenium, are expected to move through the system and be discharged.	<ul style="list-style-type: none"> Chapter 3, Section 3.7 Chapter 33, Section 33.4.1.8 	Ongoing
MOE	Water Quality Working Group June 29, 2020	Mine Rock	Modelling completed is a 1D model, so the assumption is that only vertical flow occurs through the mine rock. In reality there will be lateral flow through the layers as well. Concern that there could be thin colluvium or bedrock at valley bottom and the potential for lateral flow.	Lateral flow has not been included in modelling. It's largely a result of the conclusions of the groundwater modelling as well as the surface water results. We are largely below saturation so it will be challenging to get lateral flow on top.	<ul style="list-style-type: none"> Chapter 3, Section 3.7 	Ongoing
IAAC	Terrestrial Effects Modelling Working Group Call October 21, 2020	Terrestrial Habitat	Incorporation of transboundary movement of wildlife into the U.S.	Team attempting to account for transboundary movements by extending	<ul style="list-style-type: none"> Chapter 15, Sections 15.4 to 15.9 	Resolved – Study areas used in the assessment of effects to wildlife included

Government Stakeholder	Comment Source	Topic	Issue or Concern	Preliminary Response (Where Available)	Location Where Addressed in Application / EIS	Status of Resolution
KNC	Terrestrial Effects Modelling Working Group Call October 21, 2020	Terrestrial Habitat		the RSA to the border and by using connectivity modelling. Noted concerns that the model would become diluted if the RSA extended into the U.S. as we do not have data to incorporate for that area.	<ul style="list-style-type: none"> Chapter 15, Section 15.2 	potential transboundary movements of wildlife
			Size of RSA used for modelling for specific species of interest - Are different RSAs being considered for different taxa?	The team is considering how reasonable the models are going to be based on the quality of data driving the models, and how confident we are in the species' habitat associations. The RSA for large mammals should be large enough that we can include meta-populations. If we have sampled more than 30% of the area across which we're predicting from our model, our predictions should be less diluted.		Resolved – Regional Study Areas varied depending on the assessment and species group. Three RSAs were used to evaluate potential effects to wildlife -), the Terrestrial Regional Study Area (RSA), the Grizzly Bear RSA, and the Birds, Bats, and Amphibians RSA
KNC	Terrestrial Effects Modelling Working Group Call October 21, 2020	Terrestrial Habitat	Size of LSA - the footprint cuts extremely close to Harmer Valley and there is not enough of a buffer on the LSA.	Noted that the team has data from that area and will adjust the LSA out from the Project footprint.	-	Resolved – Final Terrestrial LSA was adjusted for the Project footprint.

Government Stakeholder	Comment Source	Topic	Issue or Concern	Preliminary Response (Where Available)	Location Where Addressed in Application / EIS	Status of Resolution
ECCC	Water Quality Working Group Call October 14, 2021	Water Quality	Adherence to proposed coal mining effluent regulation (CMER) guidelines.	NWP indicated that every scenario run through the models is included in the water quality modelling report and would be provided to regulators and included in the Application/EIS.	<ul style="list-style-type: none"> Chapter 11, Section 11.5 	Resolved - Proposed CMER limits presented and discussed as part of the assessment of water quality. The limits are still considered draft and not yet in force, and were presented solely for context
EMLI/ECCC	Water Quality Working Group Call October 14, 2021	Water Quality	Uncertainty regarding proposed mitigation measures. Concerns regarding temperatures used during lab tests and applicability during scale-up at site. Also, scalability of lab column tests to full scale spoils build out.	NWP noted that the Application/EIS and design incorporates a test dump. First initial dumps will be built with this approach to test the overall efficiency and to see how long timelines take. Details will be provided in the Application/EIS.	<ul style="list-style-type: none"> Chapter 11, Section 11.5 Chapter 33, Section 33.4.1.8 	Ongoing
MOE/EMLI	Water Quality Working Group Call October 14, 2021	Water Quality	Concern regarding performance of mine rock management strategy and the need for potential contingency measures, approaches to assess performance, monitoring, etc.	The Application/EIS, will include information on how NWP will evaluate the mine rock management areas. Details will be included in water management plan.	<ul style="list-style-type: none"> Chapter 3, Section 3.7.3 Chapter 11, Sections 11.5 to 11.7 Chapter 33, Section 33.4.1.8 	Ongoing

Government Stakeholder	Comment Source	Topic	Issue or Concern	Preliminary Response (Where Available)	Location Where Addressed in Application / EIS	Status of Resolution
IAAC/MOE	Water Quality Working Group Call October 14, 2021	Water Quality	Concern that the treatment approach is based on emerging technology as the only mitigation without any indication of the inclusion of a conservative active water treatment facility.	<p>NWP noted that planning for an Active Water Treatment Plant will be challenging if the variables such as selenium content or water quantity are unknown. At this point cannot predict what kind of plant would be needed and therefore believe it is better to not include it in the Application.</p> <p>NWP confirmed that they are very interested in the layer cake approach based on the extensive research that has been done. They also understand the necessity of additional safety measures.</p>	<ul style="list-style-type: none"> Chapter 11, Sections 11.5 to 11.7 Chapter 33, Section 33.4.1.8 	Ongoing

General themes of issues and concerns raised include:

- Water Quality
 - Downstream water quality with contaminants of concern such as selenium, nitrogen/nitrate, calcite;
 - Transboundary issues/concerns related to water quality (Lake Koocanusa);
 - Application of the Elk Valley Water Quality Plan;
 - Evaluation of water quality as an intermediate VC, rather than a receptor VC; and
 - Impacts to water quality in the Grave Creek drainage.
- Aquatic Habitat
 - Loss of fish habitat (including direct loss of habitat within West Alexander Creek) and potential impacts to fish populations;
 - Groundwater and its importance to watercourses such as Alexander Creek; and
 - Bioaccumulation of metals (selenium) in fish (including potential reproductive challenges for fish).
- Wildlife and Wildlife Habitat
 - Amphibians (including potential wetland areas along Alexander Creek);
 - Wetlands and waterfowl;
 - Migratory birds;
 - Badger habitat;
 - Mountain Goat;
 - Bats (in particular, maternal roost habitat);
 - Western Toad; and
 - Northern Goshawk.
- Vegetation
 - Whitebark pine.
- Geochemistry and Mine Rock Management
 - Metal Leaching/Acid Rock drainage (ML/ARD);
 - Mine Rock Management Approach (“layer cake”):
 - Water quality during development of the mine rock storage facility;
 - Back up plans should the approach not work as intended, etc.;
 - Reduced temperatures impacting processes within the storage facility;
 - Movement of nitrate from the storage facility;
 - Sulphate;
 - Biofouling in mine rock piles;
 - Potential release of other parameters under low oxygen conditions; and
 - Influence of lateral movement through the layers of the storage facility.
- Land Use
 - Use of Teck conservation lands; and
 - Increased access to the area and potential impacts to VCs.
- Traditional Land Use
 - Consumption of berries and potential impacts to human health;
 - Increase access to area for backcountry recreation – potentially increasing access to habitats for berry picking by ‘wild crafters’.
- Cumulative Effects

4.7 Summary of Environmental Assessment Milestones

The federal and provincial milestones achieved over the course of the Application/EIS preparation are outlined in Table 4.7-1. Note that working group meetings have not been included in Table 4.7-1 and are outlined in Table 4.6-3. Site tours with government representatives are summarized in Table 4.6-4.

Table 4.7-1: Federal and Provincial EA Milestones

Environmental Assessment Milestone	Date
Federal	
NWP submission of the Project Description to CEAA	October 27, 2014
Project Description Public Comment Period	November 17, 2014 to December 8, 2014
CEAA issues Notice of Environmental Assessment Determination	December 22, 2014
CEAA issues Notice of Commencement	December 22, 2014
CEAA issues draft EIS Guidelines	December 22, 2014
Draft EIS Guidelines Public Comment Period	December 22, 2014 to January 30, 2015
CEAA issues final EIS Guidelines	February 20, 2015
IAAC issues revised list of Indigenous Groups	March 16, 2020
IAAC issues notice of Participant Funding Available	February 1, 2021
NWP request for time limit extension for submission of EA	July 29, 2022
EIS submission for conformity review	August 23, 2022
IAAC extended the three-year time limit for NWP to provide the information or studies required for the Project's EA	August 24, 2022
Provincial	
NWP submission of the Project Description to the EAO	October 27, 2014
EAO issues Section 10 Order	October 30, 2014
EAO issues Section 11 Order	May 27, 2015
NWP submits Valued Components for Environmental Assessment Document to EAO	May 5, 2016
Public Comment Period on Valued Components Document	May 13, 2016 to June 13, 2016
Open House on Valued Components Document	May 25, 2016
NWP submits draft AIR to the EAO	June 2016
EAO approves Indigenous Consultation Plan	June 8, 2016
EAO approves Public Consultation Plan	June 10, 2016
Public Consultation Report prepared and posted on EPIC	August 2016
Indigenous Consultation Report accepted and posted on EPIC	October 14, 2016
EAO issues approved AIR	April 26, 2018
EAO issues Order under Section 13 Amending Section 11 Order	October 30, 2020

Environmental Assessment Milestone	Date
NWP requests an extension of the Project AIR to October 26, 2021	January 19, 2021
EAO grants extension request	January 27, 2021
NWP requests an extension of the Project AIR to April 26, 2022	August 5, 2021
EAO grants extension request	August 13, 2021
NWP rescinds preference for the Project to Remain Under the 2002 B.C. Environmental Assessment Act	April 19, 2022
EAO transitions the Project to the 2018 B.C. Environmental Assessment Act through a Transition Order under Section 78(7) of the 2018 Act.	May 3, 2023

4.8 Data Sharing and Collaboration

Since baseline programs were implemented in 2012 in support of the Project, NWP has been committed to collaboration and the sharing of data with regulators and other organizations active in the Elk Valley. Specific examples of this collaborative environment are provided in Sections 4.8.1 to 4.8.3.

4.8.1 Data Sharing with Other Proponents

NWP has always been committed to pursuing data sharing opportunities with other coal companies active in the Elk Valley, including North Coal and Teck.

- North Coal - NWP has made repeated attempts to engage with North Coal to discuss potential data sharing opportunities and to identify potential synergies between EA programs. For example, from a meeting in January 2020, IAAC requested that NWP and North Coal exchange water quality information at a common node in Michel Creek. NWP sent North Coal a data sharing agreement October 28, 2020 – however no response was received in time to be included in the surface water quality effects assessment.
- Teck - As part of existing site access agreements, NWP has shared the findings of certain baseline programs with Teck. As noted previously, numerous in person meetings have taken place with Teck to discuss Project plans, baseline programs, and other Project-related items.

4.8.2 Incorporation of Data from Government Sources

Data sharing and collaboration has gone both ways, with regulators also providing relevant and useful information. Examples include:

- ECCC - Provided selenium data for American Dipper (a species of waterbird). Excel data files were provided from ECCC's lab in Ottawa, with information including selenium concentrations for invertebrates, eggs, blood, and water collected in 2016 and 2017. The information was used to support the site-specific ecological risk assessment.
- MOE - Under a Data Sharing Agreement, MOE provided surface water data compiled by Teck through its Regional Water Quality Model. Information included water quality (selenium, sulphate, and nitrate) and projected flow with respect to Order Stations identified in Ministerial Order 113. MOE also provided baseline air quality data to support air quality modelling activities. In addition to the sharing of data, a representative from the B.C. Conservation Office also acted as an observer on a wildlife flight.
- MOTI – Provided historical flow information for Alexander Creek at the highway bridge.

4.8.3 Contribution to Regional Environmental Programs

As part of the Crown EA, NWP has contributed to various regional environmental programs, such as:

- Elk Collaring Study - NWP made a financial contribution to support the purchase of three collars for a study led by the Sparwood Fish & Wildlife Association looking at elk migration patterns and survival within the Elk Valley. The project deployed GPS collars on cow elk in the main Elk Valley during the winter and tracked their movements and survival over a period of three to four years.
- Wildlife Fur/Hair Collection - As part of the furbearer baseline work, hair snagging stations were established at the request of MOE. Hair samples collected for DNA analysis were sent to MOE.
- Elk Valley Cumulative Effects Management Framework (EV-CEMF) - The EV-CEMF was led by Teck and KNC until January 2015, after which leadership was transitioned to the FLNRORD to jointly manage with the KNC. A diverse Working Group consisting of the KNC, industry, community organizations, and provincial government ministries provide guidance and oversight on CEMF activities.
 - NWP representatives have routinely attended EV-CEMF meetings starting early 2016, with most recent meetings involving the presentation of Project wildlife modelling results in late 2020.
 - NWP committed to using the EV-CEMF approach as a tool for the evaluation of potential cumulative effects. Currently four values in the Elk Valley are being assessed under the Framework:
 - Aquatic ecosystems (riparian habitat and Westslope Cutthroat Trout);
 - Old growth and mature forest;
 - Grizzly bear; and
 - Bighorn sheep.
 - In April 2019, the EV-CEMF working group approved using Crown Mountain as a case study to assess the framework, starting with the pending exploration Notice of Work for Crown Mountain exploration activities.
 - A Data Sharing Agreement was signed between NWP and KNC and FLNR for inputs into EV-CEMF.
- Elk River Alliance - NWP has shared baseline surface water data to contribute to the Elk River Alliance's water quality database. Most recently NWP attended the inaugural forum for the Elk River Watershed Collaborative Monitoring Program to learn more about specific initiatives for the Project area.

4.9 References

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