

APPENDIX 27-A

Aboriginal Consultation Report

RED MOUNTAIN UNDERGROUND GOLD PROJECT



ABORIGINAL CONSULTATION REPORT

September 2017



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ACRONYMS AND ABBREVIATIONS

Relevant acronyms and abbreviations used in this document have been listed here. Terminology used in this document is defined where it is first used.

Acronym	Abbreviation
Application	Application for an Environmental Assessment Certificate
BAT	Best Available Technology
BC	British Columbia
BCEAA	<i>BC Environmental Assessment Act, 2002</i>
CEAA 2012	<i>Canadian Environmental Assessment Act, 2012</i>
CSM	Conceptual Site Model
dAIR	draft Application Information Requirements
EA	Environmental Assessment
EAC	Environmental Assessment Certificate
EAO	BC Environmental Assessment Office
EMA	<i>Environmental Management Act</i>
ePIC	EAO's electronic Project Information and Collaboration Website
IDM	IDM Mining Ltd., the Proponent
km	Kilometre
m	Metre
masl	Metre above sea level
NEST	Nisga'a Skills, Employment, and Training
NFA	Nisga'a Final Agreement, 1999
NLG	Nisga'a Lisims Government
Project	Red Mountain Underground Gold Project
Section 11 Order	Order under Section 11 of BCEAA
TMF	Taillings Management Facility
VC	Valued Component

1 INTRODUCTION

IDM Mining Ltd. (IDM), the Proponent, proposes to develop and operate the Red Mountain Underground Gold Project (the Project), an underground gold mine in the Bitter Creek valley, located approximately 15 kilometres (km) northeast of Stewart, in northwest British Columbia (BC). The Project will extract high-grade gold and silver ore to be processed on-site.

The proposed Project requires an environmental assessment (EA) under the *BC Environmental Assessment Act, 2002* (BCEAA) and the *Canadian Environmental Assessment Act, 2012* (CEAA 2012). The Project is also within the Nass Area and Nass Wildlife Area, as defined in the Nisga'a Final Agreement (NFA) and is therefore subject to the relevant requirements of the NFA. The BC Environmental Assessment Office (EAO) issued an order under Section 11 of BCEAA (the Section 11 Order) outlining the required EA process for the proposed Project. This Aboriginal Consultation Report has been prepared in compliance with paragraph 13 (Proponent Reporting) of the Section 11 Order.

1.1 Purpose of the Aboriginal Consultation Report

Pursuant to the Section 11 Order, IDM is required to provide the EAO Project Assessment Lead with three Aboriginal Consultation Reports, consistent with the approved Nisga'a Consultation Plan on file for the proposed Project.

Paragraph 13.1 of the Section 11 Order states that IDM must submit Aboriginal Consultation Reports to the Project Assessment Lead at the following times:

- Within 30 days of the deadline for Nisga'a Nation, Aboriginal Groups on Schedule B, and the Working Group to provide comments on the draft Application Information Requirements (dAIR);
- At the time of submission of the Application for an Environmental Assessment Certificate (the Application);
- 120 days after the commencement of the Application Review stage; and
- At any other time specified by the Project Assessment Lead.

This Aboriginal Consultation Report is the second report required and has been prepared for the submission of the Application. This report summarizes IDM's consultation efforts from December 14, 2016, to September 15, 2017. A summary of IDM's consultation and engagement efforts up to and including December 13, 2016, can be found in the Project's first Aboriginal Consultation Report, dated December 2016, and available on EAO's electronic Project Information and Collaboration (ePIC) website at:

<https://projects.eao.gov.bc.ca/p/red-mountain-underground-gold/docs>.

As outlined in paragraph 13.3 of the Section 11 Order, this Report includes:

- A summary of the efforts undertaken by IDM to consult with Nisga'a Nation in accordance with the approved Nisga'a Consultation Plan;
- A summary of the efforts undertaken by IDM to consult with any other Aboriginal Groups, if directed to do so by the Project Assessment Lead;
- Identification of feedback and information received by IDM from Nisga'a Nation or other Aboriginal Groups during consultation;
- Identification of the rights and interests of Nisga'a Nation under the NFA;
- Identification of how the potential adverse effects of the proposed Project on the rights and interests of Nisga'a Nation under the NFA will be avoided, mitigated, or addressed; and
- An outline of the next steps or future consultation activities, other than those outlined in the approved Nisga'a Consultation Plan.

1.2 The Proposed Project

The proposed Project will include the development of:

- A new portal at 1,650 metres above sea level (masl), as well as the use and extension of the existing portal at 1,860 masl;
- A mineral processing facility with a capacity of up to 1,000 tonnes per day;
- Waste management facilities, including:
 - Temporary waste rock storage area;
 - Tailings management facility with a capacity of up to 2.0 million metric tonnes;
- Water management facilities;
- Surface warehouse and mine dry facilities;
- Concrete batch plant (Construction Phase only);
- Powerline step-down facilities;
- Site offices and assay lab;
- Sewage and septic works;
- Surface maintenance shop for heavy equipment and machinery;

- An Access Road extending approximately 25 km from Highway 37A to the Project site, including 12 km of new access, connecting the previous access road, which terminates at Otter Creek, to the mine site and portals; and
- A 34 kilo-volt Powerline.

Further information on the proposed Project can be found in the Project Description, dated September 2015, and subsequent Supplemental Information, dated March 2016. Both documents are available on EAO's ePIC website.

1.3 Aboriginal Groups Identified for Consultation

As the Project is located in the Nass Area and the Nass Wildlife Area, EAO has determined that Nisga'a Nation Treaty rights may be potentially affected by the proposed Project. EAO has directed IDM to consult with Nisga'a Nation, as represented by the Nisga'a Lisims Government (NLG), to identify any potential effects to Nisga'a Nation Treaty rights in the Application as well as proposed measures to avoid, mitigate, and/or otherwise accommodate the potential adverse effects on those rights.

EAO has identified Tsetsaut Skii km Lax Ha (TSKLH) on Schedule C (notification) of the Section 11 Order. EAO has not directed IDM to consult with TSKLH or any other Aboriginal Groups, pursuant to paragraphs 12.3.8, 12.4, or 12.5 of the Section 11 Order.

1.4 Aboriginal Review and Dialogue

Prior to finalization, a draft version of this Aboriginal Consultation Report was shared with NLG on May 25, 2017, for review and comment. This opportunity for feedback helps to ensure that this report is responsive to Nisga'a Nation's unique concerns, accounts for the role of the NFA in the EA process, and meets the applicable provincial and federal regulatory requirements.

To date, NLG has provided no written feedback on this consultation report. NLG provided verbal feedback during a conference call on July 4, 2017, and during a meeting with NLG representatives on July 18, 2017. All feedback received from NLG has been considered and incorporated into the final report. IDM has prepared a table summarizing the feedback received and an explanation of how it was incorporated into the final report.

1.5 IDM's Vision and Principles for Consultation

IDM believes that consultation with Aboriginal Groups should be conducted in the spirit of mutual respect, integrity, and transparency. IDM aspires to develop a mutually beneficial relationship with Nisga'a Nation for the life of the Project. IDM recognizes that honest and open engagement and consultation during the EA process is an important step in establishing that relationship.

Beyond the procedural aspects of consultation that have been delegated to IDM by EAO through the Section 11 Order and the 8(e) and 8(f) assessments required under Chapter 10 of the NFA, IDM has been proactively engaging with Nisga'a Nation on potential benefits of the proposed Project. Such benefits may include: training programs, employment and career development opportunities, and business or contracting opportunities. These engagement and consultation activities will help to build and establish a sincere relationship with Nisga'a Nation that facilitates dialogue regarding issues, concerns, and potential benefits through the life of the Project.

1.6 Goals and Objectives of Consultation

It is IDM's goal that consultation activities enable Nisga'a Nation to participate fully in the EA review process, provide feedback, and identify concerns regarding the potential effects of the proposed Project on Nisga'a Nation Treaty rights. IDM is committed to providing substantive opportunities for Nisga'a Nation to participate in the EA process in a manner that both meets the requirements of consultation outlined in the NFA and enables ongoing meaningful and effective relationships.

IDM notes that the NFA broadly defines consultation as providing notice in sufficient detail and over a reasonable time period to allow a party to prepare and present its views, while ensuring a full and fair consideration of the views presented is conducted. IDM intends to continue conducting consultation activities in accordance with this definition.

The primary objectives of IDM's consultation efforts are to:

- Determine how the proposed Project may potentially affect Nisga'a Nation Treaty rights;
- Ensure that Nisga'a Nation is consulted on the potential Project effects on the environment and Nisga'a Nation Treaty rights;
- Address matters of concern or interest raised by Nisga'a Nation;
- Develop, discuss, and consider, in collaboration with Nisga'a Nation, measures to avoid, minimize, mitigate, or otherwise accommodate any potential adverse effects of the proposed Project on Nisga'a Nation Treaty rights;
- Communicate how IDM will respond to issues and concerns raised by Nisga'a Nation; and
- Solicit Nisga'a Nation participation in Project planning and feedback on the methodology undertaken to complete the 8(e) and 8(f) assessments required under Chapter 10 of the NFA.

1.7 Phases of Aboriginal Consultation and Engagement

The Nisga'a Consultation Plan divides Aboriginal consultation and engagement into four temporal phases, each being characterized by milestones in the EA process.

Table 1.7-1: Phases of Aboriginal Consultation and Engagement

Phase	Description of Activities	Dates and Status
Early Engagement	<p>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.</p> <p>Engagement activities conducted during this phase included engagement with Nisga’a Nation on exploration permits and the draft Project Description required for the initiation of the EA.</p>	<p>May 2014 – Oct 2015 Complete</p>
Pre-Application	<p>Consultation activities conducted subsequent to the issuance of the Section 10 Order and prior to IDM’s submission of the Application.</p> <p>Consultation activities during this phase include consultation on the Nisga’a Consultation Plan, on the selection of Valued Components (VCs), on the draft Application Information Requirements (dAIR), on the first two Aboriginal Consultation Reports, and on the drafting of the Application, particularly the sections specific to Nisga’a Nation Treaty rights. In addition, IDM will consult on how to avoid, mitigate, and address the potential effects of the Project on Nisga’a Nation’s Treaty rights.</p> <p>During this phase, IDM will also consult with Nisga’a Nation regarding the 8(e) and 8(f) assessments under Chapter 10 of the NFA that will be incorporated into the Application.</p>	<p>Nov 2015 – Sep 2017 Complete</p>
Application Review	<p>Consultation activities conducted subsequent to the submission of the Application, during the Application Review Phase of the EA process.</p> <p>Consultation activities during this phase are focused on the Application, the assessment of the potential adverse effects on Nisga’a Nation Treaty rights, proposed steps to avoid, mitigate, and address those potential effects, and Environmental Assessment Certificate (EAC) conditions.</p>	<p>Oct 2017 – Mar 2018 Pending</p>
Post-EA	<p>Engagement activities conducted subsequent to the issuance of an EAC.</p> <p>Engagement activities during this phase are focused on the permitting process to allow Project construction to proceed and implementing the mitigation measures, management plans, and other commitments made by IDM to Nisga’a Nation during the previous phases of consultation.</p>	<p>Beginning Apr 2018 Upcoming</p>

2 SUMMARY OF NISGA'A NATION ENGAGEMENT AND CONSULTATION

2.1 Project Information Sharing

IDM has made Project information, including progress updates and overviews, available to NLG employees and representatives in a continuous manner, as information becomes available. IDM has provided Project information in a timely and honest manner when responding to requests and when reaching out to NLG representatives. This has included:

- Introductory letters to the NLG representatives elected during the Nisga'a Nation general election in November 2016;
- Providing copies of environmental baseline reports to support NLG's understanding of the potential effects of the Project on existing conditions and to understand the Project's potential effects on Nisga'a Nation Treaty rights; and
- Providing opportunities to discuss the environmental baseline reports in order to respond to any questions or clarifications NLG's representatives may have.

Information sharing between IDM and NLG has been reciprocal: NLG provided a 2014 report on eulachon abundance and estimation on the Nass and Bear Rivers to support IDM's assessment of potential effects to eulachon.

On January 10, 2017, IDM provided NLG's counsel with an update on the Project's progress in the EA process. It was agreed to schedule a meeting between IDM and the newly elected NLG executive officers.

On February 6, 2017, IDM met with the new and returning NLG executive officers to provide an opportunity to introduce the Project to the new executive members. Topics of discussion included a Project overview and update, training, employment, and contracting opportunities for Nisga'a citizens, and the scheduling of site tours for NLG executive officers, elders, and youth. NLG's executive officers stated that they have no intention in deviating from the direction of the former leadership: NLG is still very interested in training, employment, and contracting opportunities, looks forward to negotiating a benefits agreement with IDM, and wants to ensure that the Project proceeds in a way that protects the safety of the environment and of people.

On May 2, 2017, IDM met again with the NLG executive officers to provide an update on the Project and the employment of Nisga'a citizens during the advanced exploration activities on site. IDM hosted a site visit for NLG's President, Executive Chairperson, and Secretary-Treasurer on May 31, 2017. A separate site visit for some of NLG's technical consultants is scheduled for September 19, 2017.

NLG has also been an active participant in the EAO-led Working Group.

2.2 Capacity Funding

IDM and NLG entered into a Capacity Funding Agreement on May 24, 2016, in order to support NLG's meaningful participation in the EA process. The Capacity Funding Agreement remains in place.

2.3 Application Information Requirements

On December 14, 2016, IDM submitted a revised version of the draft Application Information Requirements (dAIR) to EAO. The December version incorporated feedback from Working Group members, including NLG representatives, as well as feedback received during IDM's community open houses in Gitwinksihlkw and Gitlaxt'aamiks during the EAO-led public comment period on the dAIR in October 2016. EAO provided the December version of the dAIR to the Working Group in January 2017.

On January 30, 2017, NLG provided IDM with further comments on the dAIR. NLG requested that a conceptual site model (CSM) be developed. NLG also raised concern regarding the assessment of changes to stream hydrology and the amount of baseline hydrological and climate data. On February 3, 2017, IDM and NLG discussed these comments during a conference call. IDM confirmed that a CSM, with both ecological and human receptors, would be produced as part of the Application, that hydrology would be considered a VC in the assessment, and that additional hydrological baseline data would continue to be collected in 2017 to address NLG's concerns.

On March 3, 2017, IDM, NLG, EAO, and Canadian Environmental Assessment Agency representatives met by conference call to discuss NLG's final comments on the dAIR. IDM committed to:

- Having an independent engineer review the Best Available Technology (BAT) assessment of the tailings management facility (TMF);
- Conducting further mountain goat baseline studies in 2017; and
- Revising the wording of the assessment endpoint for fish- and wildlife-related VCs.

The dAIR was accepted as final by EAO on March 30, 2017, and was published on the EAO's ePIC website as the Red Mountain Underground Gold Project Application Information Requirements on April 3, 2017.

2.4 Review of Baseline Studies

IDM understands that a clear and common understanding of existing and baseline conditions in the Bitter Creek valley will assist NLG's technical team in understanding and assessing the potential effects of the Project on Nisga'a Nation Treaty rights. To that end, IDM has provided

NLG with copies of key baseline studies in advance of completion of the biophysical effects assessments.

On December 19, 2017, IDM and NLG met by conference call to discuss the Baseline Surface Water and Groundwater Quality Report. The meeting also included a discussion of water quality monitoring locations, potential discharge locations, and compliance points and limits. Following the meeting IDM provided NLG with a video of Bromley Glacier's discharge.

On February 3, 2017, IDM provided NLG with the Fisheries and Aquatics Baseline Report. NLG representatives provided comments on the report that were incorporated into a revised draft report and provided to NLG on May 17, 2017. The report will be finalized and appended to the Application.

During consultation with NLG on the environmental baseline studies conducted for the Project, NLG requested that more baseline information on mountain goat use, particularly winter use, and habitat in the Bitter Creek valley be collected. In response to this feedback, IDM organized an additional winter mountain goat survey program for March 2017. On March 8, 2017, EAO provided NLG with IDM's 2017 Workplan for Mountain Goat Baseline Data Collection. On March 15, 2017, NLG provided comments on the workplan and suggested that IDM proceed with the fieldwork. Mountain goat surveys were conducted on March 29, 2017.

On April 13, 2017, IDM and NLG representatives spoke by phone to provide an update on Project progress. During the meeting, IDM confirmed to NLG that they were considering NLG's comments on the workplan. On April 24, 2017, IDM provided NLG with a copy of the Late Winter Mountain Goat Inventory Report that was prepared and submitted to the Ministry of Environment following the mountain goat survey work conducted in March. The report responded to the questions posed by NLG in their comments on the draft workplan.

The full draft Wildlife Baseline Report was provided to NLG on May 17, 2017.

2.5 Application for an Environmental Assessment Certificate

2.5.1 Assessments under Chapter 10, paragraphs 8(e) and 8(f) of the NFA

Pursuant to Chapter 10, paragraphs 8(e) and 8(f) of the NFA, there must be an assessment of:

- “whether the Project can reasonably be expected to have adverse environmental effects on residents of Nisga’a Lands, Nisga’a Lands, and Nisga’a interests under the NFA, and, where appropriate, make recommendations to prevent or mitigate those effects,” and
- “the existing and future economic, social, and cultural well-being of Nisga’a citizens who may be affected by the Project.”

These two assessments will be included in Chapter 27 (Nisga’a Nation) of the Project's Application.

Consultation with NLG on the methodology for the 8(e) and 8(f) assessments was conducted through the dAIR review process during the Pre-Application Phase of consultation and is described in the first Aboriginal Consultation Report (December 2016).

On March 23, 2017, IDM provided NLG with a matrix of the Project components and activities that may interact with the 8(f) interests outlined in the NFA. The matrix included an outline of IDM's plan to address the assessment of the Project's potential effects on each 8(f) interest. IDM provided this table to NLG in order to solicit any feedback, questions, or concerns NLG may have so that NLG's guidance could be incorporated into the assessment and to ensure that the assessment meets NLG's needs and expectations. IDM followed-up with NLG on multiple occasions but, as of the time of writing, has not received any feedback.

On May 17, 2017, IDM provided NLG with a partial draft of Chapter 27, which contained draft versions of the chapter introduction, the background information used to describe Nisga'a Nation, and a draft version of the 8(f) assessment. On May 25, 2017, IDM, provided an completed draft of Chapter 27, including the summary of IDM's consultation and engagement efforts and the 8(e) assessment, for review and comment. NLG provided written feedback on June 26, 2017. IDM has considered all feedback received from NLG and has provided a record outlining its response, including how feedback has been incorporated into the final assessment or providing a rationale as to why feedback resulted in no change.

IDM and NLG representatives discussed NLG's feedback during a conference call on July 4, 2017.

On July 18, 2017, IDM and NLG representatives met in person to review the 8(e) assessment in detail. NLG's comments were useful to strengthen the methodology and conclusions of the 8(e) assessment. Revisions to the 8(e) assessment continued through email exchanges between IDM and NLG representatives in late July 2017. IDM appreciates the time and effort of NLG's representatives and consultants in making the 8(e) assessment as strong and as useful for Nisga'a Nation as possible.

EAO provided all Working Group members, including NLG, with a copy of the full Application on July 17, 2017. NLG provided further feedback on the entirety of the Application on August 3, 2017. The majority of NLG's comments focused on issues relating to the Water and Load Balance Model and related comments on effects assessment chapters that flow from the model, including Surface Water Quality, Sediment Quality, Aquatic Resources, and Fish and Fish Habitat. In addition, NLG's comments identified certain clarifications and perceived gaps relating to the effects assessment methodology, Wildlife and Wildlife Habitat, Accidents and Malfunctions, and Management Plans.

In response to NLG's comments, IDM and NLG representatives held conference calls on August 10 and 29 and September 7, 2017, to discuss NLG's comments and IDM's proposed changes to address those comments in more detail. Responses outlining IDM's rationale and changes and revised versions of the chapters relating to water quality as well as a revised version of Chapter 27, containing the 8(e) assessment, were provided to NLG on September 4 and 8, 2017.

The results of the 8(e) and 8(f) assessments are summarized below.

2.5.2 Accounting for Agreements between NLG and the Proponent

Chapter 10, paragraph 8(i), of the NFA states that the proposed Project's EA will take into account any agreements between the Project proponent and Nisga'a Nation or a Nisga'a Village concerning the effects of the Project. During the development of the Application, IDM has ensured that any agreements with NLG were taken into consideration. These agreements include the Capacity Funding Agreement (dated May 24, 2016), Mutual Confidentiality Agreement (dated June 6, 2016), and the foreseeable benefits agreement.

2.6 Benefits Agreement Negotiations

IDM continues to be committed to reaching a benefits agreement with Nisga'a Nation regarding effects mitigation and benefit sharing in relation to the proposed Project.

In February 2017, IDM met with the new NLG executive team members to provide an introduction to IDM and an overview of the Project. NLG confirmed their commitment to benefit agreement negotiations, indicating they look forward to negotiating a Project agreement with IDM.

IDM and NLG met again in early May 2017 to discuss the next steps and timeline towards a benefits agreement.

Benefits agreement discussions are ongoing.

2.7 Engagement on Exploration Permitting

On March 10, 2017, IDM wrote to NLG to provide notification of continued exploration activities at Red Mountain in mid-March. IDM advised that the exploration activities would continue to be regulated under the *Environmental Management Act* (EMA) water discharge approval and the *Mines Act* multi-year area based permit issued in 2016.

On May 5, 2017, IDM provided NLG with a copy of its application to amend the EMA discharge approval. IDM requested an increase in the total allowable discharge amount in order to ensure that the underground works remain sufficiently dewatered for underground drilling to be conducted safely. The application included evidence as to why IDM does not anticipate the increased discharge amount will result in adverse effects to the receiving environment.

On May 11, IDM provided NLG with a copy of its Notice of Work application to amend the *Mines Act* permit to allow additional geotechnical drill holes at Bromley Humps to add confidence to the design of Project facilities, including the TMF.

Both exploration permits were issued to IDM, and, to IDM's knowledge, NLG did not provide any comments to the regulators.

2.8 Training, Employment, and Business Opportunities

IDM continues to receive correspondence from Nisga'a businesses and contractors who are interested in working on the Project. IDM is keeping records of these inquiries and looks forward to future discussions towards support the Project's construction and operations.

IDM is also working with individual Nisga'a citizens employed at Red Mountain to provide mentorship to those who are interested in gaining hours towards their trades certifications.

IDM will participate in Nisga'a Employment, Skills, and Training's (NEST's) Employment and Information Fair on September 20, 2017, in Laxgalts'ap.

2.8.1 Red Mountain Exploration Camp

The exploration camp at Red Mountain is managed and operated by a joint venture between Matrix Aviation Solutions and K'Ali Aks Construction, a subsidiary of Nisga'a Pacific Ventures LP.

IDM has also been working with individual Nisga'a citizens currently employed at Red Mountain who are interested in pursuing relevant trade tickets to provide them with experience and hours towards their certifications.

2.8.2 Drillers Assistant Course

On February 9, 2017, IDM spoke with Nisga'a Employment, Skills, and Training (NEST) to learn more about the services they provide. On February 20, 2017, IDM emailed NEST to provide initial information about a diamond driller's assistant course for Nisga'a citizens that IDM was planning in collaboration with Stewart-based More Core Drilling. Following the email, IDM and NEST communicated frequently throughout February and March to coordinate the course. NEST posted the course advertisement on February 21, 2017, and provided an initial screening of the applicants. Eight Nisga'a citizens, the maximum capacity of the course, were selected by More Core Drilling to take part in the course. NEST coordinated transportation for participants to Stewart and arranged for participants to acquire the required clothing, gear, and certifications.

The diamond driller's assistant course ran in Stewart from March 1 to 10, 2017. Following the 10-day course, each interested participant has completed 2 weeks of paid trainee work at the Red Mountain Property to meet the requirements of the Certificate of Achievement in Surface Diamond Drilling.

During the 2017 exploration season, four of the Nisga'a citizens who completed the training have been employed as drillers assistants at Red Mountain. IDM's drilling contractor has said that this success rate is above average.

2.9 Summary of Potential Effects, Mitigation Measures, and Residual Effects on Nisga'a Nation Treaty Interests

The following table summarizes the Nisga'a Nation Treaty Interests relevant to the 8(e) and 8(f) assessments, the potential effects of the Project on those Interests, the proposed mitigation measures that have been identified to avoid, mitigate, or otherwise address those potential effects, and whether there are any anticipated residual effects on Nisga'a Nation Treaty Interests.

IDM and NLG will continue consultation around the proposed mitigation measures and anticipated residual effects on Nisga'a Nation Treaty Interests throughout the Application review process.

Table 2.9-1: Summary of Nisga’a Nation Treaty Interests, Potential Project Effects, Mitigation Measures, and Residual Effects

Assessment Required Under	Nisga’a Nation Treaty Interest	Potential Project Effects	Proposed Mitigation Measures	Anticipated Residual Effects
8(e)	<p>Nisga’a Nation Treaty right to manage and harvest fish, including, specific allocations for:</p> <ul style="list-style-type: none"> • Nass salmon (i.e., sockeye, pink, chinook, coho, and chum salmon originating in the Nass Area); • Nass steelhead (i.e., winter run and summer run steelhead originating in the Nass Area); and • Eulachon (also known as Oolichan) within the Nass Area. 	<ul style="list-style-type: none"> • No Project effects are anticipated on sockeye, pink, chinook, coho, and chum salmon as they are absent from Bitter Creek. • No Project effects are anticipated on Nass steelhead as they are absent from Bitter Creek. • Eulachon were included in the Fish and Fish Habitat Effects Assessment, including special consideration of the lower Bear River. No Project effects on eulachon are anticipated. • No changes to access to Bear River are anticipated as part of the Project. • The Project is not anticipated to result in adverse effects on Nisga’a citizens’ health resulting from the consumption of fish in the Bitter Creek valley. 	See Table 2.9-2	The Project will not result in an adverse effect to Nisga’a Nation Treaty right to harvest and manage Nass salmon, Nass steelhead, or eulachon or on the NFA-defined Nisga’a allocation of Nass salmon, Nass steelhead, or eulachon through the Nisga’a fish allocation for non-salmon species.
8(e)	<p>Nisga’a Nation Treaty right to harvest non-salmon species of fish and aquatic plants, including marine mammals, for domestic purposes in the Nass Area.</p>	<ul style="list-style-type: none"> • Marine mammals are absent from the Bitter Creek valley and the Project is not anticipated to interact with them. • The Project may have non-significant, low magnitude, discrete, short-term, one-time, partially reversible, and high context effects on Dolly Varden in Bitter Creek due to changes in fish habitat. • The Project may have non-significant, low magnitude, local, permanent, sporadic, reversible, and high context effects on Dolly Varden in Bitter Creek due to changes in water quality. • The Project may have non-significant, low magnitude, local, short-term, regular, reversible, and high context effects on Dolly Varden in Bitter Creek due to changes in streamflows. • Access restrictions may affect Nisga’a citizens’ ability to harvest fish in the Bitter Creek valley. However, IDM anticipates that this effect can be effectively mitigated by appropriate clauses in the Access Management Plan. • The Project is not anticipated to result in adverse effects on Nisga’a citizens’ health resulting from the consumption of fish in the Bitter Creek valley. 	See Table 2.9-2	The Project will result in a low magnitude and local effect to Nisga’a Nation Treaty right to harvest non-salmon fish, such as Dolly Varden, and on the NFA-defined Nisga’a fish allocation for non-salmon species. This effect will be short-term, at least partially reversible, and have a high context.

Assessment Required Under	Nisga'a Nation Treaty Interest	Potential Project Effects	Proposed Mitigation Measures	Anticipated Residual Effects
8(e)	<p>Nisga'a Nation Treaty right to manage and harvest wildlife, including wildlife fish, for domestic purposes in the Nass Wildlife Area, with specific allocations for:</p> <ul style="list-style-type: none"> Grizzly bear. 	<ul style="list-style-type: none"> The Project may have non-significant, low magnitude effects on grizzly bear habitat availability and mortality risk (see Table 2.9-4 for characterizations). The Project is not anticipated to result in adverse effects on Nisga'a citizens' health resulting from the consumption of wildlife in the Bitter Creek valley. Access restrictions may affect Nisga'a citizens' ability to harvest wildlife in the Bitter Creek valley. However, IDM anticipates that this effect can be effectively mitigated by appropriate clauses in the Access Management Plan. The presence of mine infrastructure and personnel may also have a negligible effect on the area in which Nisga'a hunters can discharge firearms in pursuit of game. 	See Table 2.9-3	The Project will have a low magnitude effect on Nisga'a citizens' ability to manage and harvest grizzly bears in the Nass Area and the Nass Wildlife Area, as applicable, and on the NFA-defined Nisga'a allocation of grizzly bears.
8(e)	<p>Nisga'a Nation Treaty right to manage and harvest wildlife, including wildlife fish, for domestic purposes in the Nass Wildlife Area, with specific allocations for:</p> <ul style="list-style-type: none"> Moose. 	<ul style="list-style-type: none"> The Project may have a non-significant, low magnitude effect on moose habitat availability and a non-significant, moderate magnitude effect on moose mortality risk (see Table 2.9-4 for characterizations). The Project is not anticipated to result in adverse effects on Nisga'a citizens' health resulting from the consumption of wildlife in the Bitter Creek valley. Access restrictions may affect Nisga'a citizens' ability to harvest wildlife in the Bitter Creek valley. However, IDM anticipates that this effect can be effectively mitigated by appropriate clauses in the Access Management Plan. The presence of mine infrastructure and personnel may also have a negligible effect on the area in which Nisga'a hunters can discharge firearms in pursuit of game. 	See Table 2.9-3	The Project will have a low magnitude effect on Nisga'a citizens' ability to manage and harvest moose in the Nass Area and the Nass Wildlife Area, as applicable, and on the NFA-defined Nisga'a allocation of moose.
8(e)	<p>Nisga'a Nation Treaty right to manage and harvest wildlife, including wildlife fish, for domestic purposes in the Nass Wildlife Area, with specific allocations for:</p> <ul style="list-style-type: none"> Mountain goats. 	<ul style="list-style-type: none"> The Project may have non-significant, low magnitude effects on mountain goat habitat distribution, habitat availability, and mortality risk (see Table 2.9-4 for characterizations). The Project is not anticipated to result in adverse effects on Nisga'a citizens' health resulting from the consumption of wildlife in the Bitter Creek valley. Access restrictions may affect Nisga'a citizens' ability to harvest wildlife in the Bitter Creek valley. However, IDM anticipates that this effect can be effectively mitigated by appropriate clauses in the Access Management Plan. The presence of mine infrastructure and personnel may also have a negligible effect on the area in which Nisga'a hunters can discharge firearms in pursuit of game. 	See Table 2.9-3	The Project will have a low magnitude effect on Nisga'a citizens' ability to manage and harvest mountain goats in the Nass Area and the Nass Wildlife Area, as applicable, and on the NFA-defined Nisga'a allocation of mountain goats.

Assessment Required Under	Nisga'a Nation Treaty Interest	Potential Project Effects	Proposed Mitigation Measures	Anticipated Residual Effects
8(e)	Nisga'a Nation Treaty right to manage and harvest wildlife, including wildlife fish, for domestic purposes in the Nass Wildlife Area, with specific allocations for: <ul style="list-style-type: none"> • Other species as designated through annual management plans. 	As no other species have been identified (to IDM's knowledge), no additional species have been considered.	n/a	n/a
8(e)	Nisga'a Nation Treaty right to manage and harvest migratory birds for domestic purposes in the Nass Area.	<ul style="list-style-type: none"> • The Project may have a non-significant, low magnitude effect on migratory bird habitat availability. • The Project is not anticipated to result in adverse effects on Nisga'a citizens' health resulting from the consumption of wildlife, including migratory birds, in the Bitter Creek valley. • Access restrictions may affect Nisga'a citizens' ability to harvest wildlife in the Bitter Creek valley. However, IDM anticipates that this effect can be effectively mitigated by appropriate clauses in the Access Management Plan. The presence of mine infrastructure and personnel may also have a negligible effect on the area in which Nisga'a hunters can discharge firearms in pursuit of game. 	See Table 2.9-3	The Project will have a low magnitude effect on Nisga'a citizens' ability to manage and harvest migratory birds in the Nass Area and the Nass Wildlife Area, as applicable.
8(e)	Nisga'a Nation Treaty right to access to other lands: <ul style="list-style-type: none"> • agents, employees, and contractors of Nisga'a Nation, Nisga'a Villages, Nisga'a Corporations and members of the Nisga'a Police Service and Nisga'a Institutions access to Nass Wildlife Area to carry out their responsibilities; and • Nisga'a citizens reasonable access to Crown lands to allow for the exercise of Nisga'a Treaty rights and for the normal use and enjoyment of Nisga'a interests set out in the NFA. 	<ul style="list-style-type: none"> • The Project's construction and operation may limit the ability of Nisga'a Nation representatives to access the Bitter Creek valley. • The Project's construction and operation may limit the ability of Nisga'a citizens to access the Bitter Creek valley for the exercise of Treaty rights and for the normal use and enjoyment of the land. 	<ul style="list-style-type: none"> • In consultation with Nisga'a Nation, IDM will develop an Access Management Plan that ensures appropriate access for Nisga'a citizens to exercise Treaty rights and for Nisga'a Nation representatives to carry out their responsibilities is provided. • IDM will work to maximize the supply of workers and equipment from Stewart to minimize any increase in traffic abundance and frequency on Highways 37 and 37A. 	None
8(f)	Nisga'a citizens' employment and well-being	<ul style="list-style-type: none"> • The Project's Construction Phase is predicted to create 20 direct jobs for Nisga'a citizens, and the 6-year Operation Phase is predicted to create up to 8 direct jobs per year. • Project related employment would increase average annual income levels for Nisga'a citizens. • The Project's distance from the Nisga'a Villages may be a barrier to employment at the Project. 	<ul style="list-style-type: none"> • In consultation with Nisga'a Nation, IDM is committed to providing skills training and employment planning to address potential barriers to employment. 	<ul style="list-style-type: none"> • The benefits of employment, income, and training will be of high consequence to Nisga'a citizens who are able to access these opportunities and will contribute to them being able to maintain employment in the construction industry.

Assessment Required Under	Nisga'a Nation Treaty Interest	Potential Project Effects	Proposed Mitigation Measures	Anticipated Residual Effects
8(f)	Nisga'a citizens' business activities	<ul style="list-style-type: none"> The Project's construction and operation will create opportunities for Nisga'a-owned businesses that secure contracts related to the Project to increase revenue and capacity. Increased labour requirements due to the Project may result in competition among potential employers, and it is possible that the Project will attract some workers away from their current jobs with Nisga'a businesses. 	None	<ul style="list-style-type: none"> Due to the low number of jobs that will be generated for Nisga'a citizens during construction and operation, the Project is expected to have a negligible effect on labour availability for Nisga'a citizens' businesses. This effect will be short-term, given the anticipated length of the Project's Operation Phase. Nisga'a owned-businesses that secure contracts related to the Project will be able to develop experience and skills, and potential for the businesses to invest in better equipment, technology, and facilities.
8(f)	Natural resource activities and related earnings or values	<ul style="list-style-type: none"> No interactions are expected between the Project and Nisga'a Nation's interests in commercial fishing, timber harvesting, mineral licenses, recreation and tourism, and pine mushroom gathering. The Project may affect Nisga'a Guide Outfitting LP (NGO) through the pathways of increased hunting pressure on mountain goats in the Bitter Creek valley, reduced availability of hunting resources, and changes in visual quality that may affect the experience of NGO's clients. 	<ul style="list-style-type: none"> IDM will implement a "no hunting" policy for on-shift employees. Potential new hunters will be subject to existing provincial hunting regulations designed to manage wild game resources for conservation purposes. IDM will develop, in consultation with Nisga'a Nation, an Access Management Plan, that will prohibit members of the public from accessing the Bitter Creek valley for non-Aboriginal, resident-hunting purposes. IDM will implement wildlife mitigation, management, and monitoring plans to avoid or minimize the potential effects of the Project on wildlife, including mountain goats. 	<ul style="list-style-type: none"> No significant residual effects are anticipated as a result of increased hunting pressure. The influx of new potential hunters will be limited and the mitigation measures IDM will implement will control the hunting of IDM employees. No significant residual effects are anticipated as a result of reduced availability of hunting resources as the mitigation measures IDM will implement to minimize Project effects on wildlife will be effective. The potential changes in visual quality will affect less than 5% of NGO's total licence area. There are likely numerous productive and alternative hunting areas for NGO to choose from, which are as or more accessible than the Bitter Creek valley, that reduces the economic effect of not using the Bitter Creek valley.
8(f)	Future Nisga'a citizens' economic opportunities and economic development	The Project is not expected to impede or otherwise adversely affect the potential for Nisga'a citizens to develop future economic opportunities nor the economic development of Nisga'a Nation.	None	None
8(f)	Nisga'a Lisims Government revenues	No adverse effects on NLG revenues are anticipated. The Project is expected to have an overall positive effect on NLG revenues, given the potential for additional earnings through a benefits agreement (assuming one will be reached) and any potential revenue sharing agreement that might be reached with the province.	None	None

Assessment Required Under	Nisga'a Nation Treaty Interest	Potential Project Effects	Proposed Mitigation Measures	Anticipated Residual Effects
8(f)	Nisga'a Lisims Government expenditures	<ul style="list-style-type: none"> The Project will require NLG to allocate human and financial resources to support the review of the Project's Application/EIS and Construction and Operation Phase permits. Due to the geographical separation between the Project and Nisga'a Lands, it is not expected that NLG will incur costs with respect to use or maintenance of its assets imposed or required because of the Project. 	<ul style="list-style-type: none"> IDM has entered into a capacity funding agreement with NLG to support their meaningful participation in the regulatory and permitting processes associated with the Project. The Project is expected to have an overall positive effect on NLG revenues, given the potential for additional earnings through a benefits agreement (assuming one will be reached) and any potential revenue sharing agreement that might be reached with the province. 	None
8(f)	Migration and population effects in Nisga'a Nation communities	<ul style="list-style-type: none"> During the Construction and Operation Phases, it is unlikely that potential Project employees, Nisga'a citizens or not, would move to the Nisga'a Villages due to the distance from the Villages to the Project. During the Construction Phase, Nisga'a citizens employed at the Project will temporarily relocate to Stewart during their shift. They will return home when off-shift. During the Operation Phase, Nisga'a citizens may move to Stewart for employment; however this will be limited by the number of anticipated employment opportunities and the six-year operational mine life. Given the geographic separation between the Project and Nisga'a Lands, potential environmental effects, such as changes to air quality or water quality, will not be observed on Nisga'a Lands and therefore will not interact with migration to and from the Nisga'a Villages. 	IDM will provide transportation for Nisga'a workers to return to the Nisga'a Villages while off shift.	<ul style="list-style-type: none"> The Project is not expected to cause discernable migration and population effects in the Nisga'a Villages. IDM is committed to working with NLG to monitor migration and to address Project-related issues as they arise.
8(f)	Infrastructure and services in Nisga'a Nation communities	<ul style="list-style-type: none"> Due to the geographic distance between them, no interactions are anticipated between the Project and infrastructure and services in the Nisga'a Villages. It is unlikely that the Nisga'a Villages will experience substantial in-migration or population increases. 	IDM will implement a Health and Social Services Plan to manage potential health related effects in the District of Stewart and City of Terrace. Project effects on infrastructure or services are not anticipated outside of these two communities.	None

Assessment Required Under	Nisga'a Nation Treaty Interest	Potential Project Effects	Proposed Mitigation Measures	Anticipated Residual Effects
8(f)	Occupational and non-occupational accident risks	<ul style="list-style-type: none"> • Project construction, operation, and closure activities will, like any industrial activity, involve risk and create the potential for occupational accidents. • No interactions are anticipated between the Project and individuals who are not Project employees. • No significant increase to traffic along Highway 37 and 37A due to the Project is anticipated. • There will be no interaction between Project traffic and Highway 113 or the roads in the Nass valley. 	<ul style="list-style-type: none"> • IDM will establish a number of management plans to minimize accident risks, including: <ul style="list-style-type: none"> – Occupational Health and Safety Policy and Plan; – Risk Management and Emergency Response Plan; – Traffic Management Plan; and – WorkSafeBC codified practices and standard operating procedures. 	<ul style="list-style-type: none"> • Through the implementation of industry-standard health and safety practices, IDM is confident that accidents risks to Project employees will be within acceptable levels. • No residual effects on occupational or non-occupational accident risks are anticipated.
8(f)	Occupational and non-occupational health risks	<ul style="list-style-type: none"> • Nisga'a workers employed on the Project may be exposed to health risks associated with noise, air, and water quality changes near the Project. • Air, water, and noise pollution related to the Project will be localized and isolated to the Bitter Creek valley. Nisga'a citizens in the Nisga'a Villages and in the three Nisga'a Urban Locals will not be exposed to Project-related health risks. • No effects of the Project are anticipated on country foods that may be harvested by Nisga'a citizens in the Bitter Creek valley or in the Bear River (i.e., eulachon). • Women and vulnerable community members may hitchhike along Highways 37 or 37A. 	<ul style="list-style-type: none"> • Project activities are designed and sequenced to ensure emissions and exposure levels remain within the relevant provincial and federal guideline targets. • IDM will establish a number of management plans to ensure that risks to workers are minimized. • IDM will implement worker restrictions on picking up third parties while driving on duty or driving to or from work (whether in a company or personal vehicle). 	<ul style="list-style-type: none"> • Through the implementation of industry-standard health and safety practices, IDM is confident that health risks to Project employees will be within acceptable levels. • No residual effects on occupation or non-occupational health risks are anticipated.
8(f)	Crime	<p>The proximity of industrial camps, with their predominantly male transient workforces, to host communities is linked to problems of petty crime, such as theft and drug crimes, domestic violence, sexual assault, and an increased incidence of sexually transmitted infections due to rape, prostitution, and sex trafficking.</p>	<ul style="list-style-type: none"> • IDM will develop a worker code of conduct and camp rules and regulations that prohibit workers from participating in illegal or inappropriate activities and guide worker interactions with neighboring community members. • IDM contractors will enforce a zero-tolerance policy for drug use and alcohol abuse. • IDM will provide cultural sensitivity training sessions to all workers. 	<ul style="list-style-type: none"> • Given the geographic separation between the Project and its workers and Nisga'a Lands, the Project is not expected to result in increased crime or added pressure on police services in the Nisga'a Villages. • Similarly, there will be no residual effects on crime in Terrace.

Assessment Required Under	Nisga'a Nation Treaty Interest	Potential Project Effects	Proposed Mitigation Measures	Anticipated Residual Effects
8(f)	Family and community well-being	<ul style="list-style-type: none"> The Project may adversely affected family and community well-being through the pathways of increased disposable income and work schedules. Some people may not be able to effectively manage stress and may choose to use new income in ways that do not create benefits for themselves or their families. On the other hand, many people will thrive with expanded economic opportunity and use increased incomes and savings to enhance their standard of living and household economic security. 	<ul style="list-style-type: none"> IDM will implement a Drug and Alcohol policy, which applies to all IDM employees and workplaces. IDM is committed to offering substance misuse prevention, rehabilitation, and aftercare guidance to workers. IDM will provide onsite counseling services and money-management training to workers. IDM will provide transportation for Nisga'a workers to return to the Nisga'a Villages while off shift. 	<ul style="list-style-type: none"> No residual effects on family and community well-being are anticipated. IDM is committed to working with NLG to monitor family and community well-being and to address Project-related issues as they arise.
8(f)	Effects of environmental changes on the cultural activities and practices of Nisga'a citizens	<ul style="list-style-type: none"> Minimal interaction between Nisga'a citizens' cultural activities and practices and the Project are anticipated due to the geographical distance between them. Environmental effects on mountain goats may affect Nisga'a citizens' ability to harvest them. Environmental effects on eulachon in the Bear River may affect Nisga'a citizens' ability to harvest them. 	IDM will implement a number of fish and wildlife management, monitoring, and mitigation plans to minimize the effects of the Project on fish and wildlife.	<ul style="list-style-type: none"> No residual effects on mountain goats are anticipated. No residual effects on eulachon in the Bear River are anticipated. No residual effects on Nisga'a citizens' cultural activities and practices as a result of environmental changes are anticipated.
8(f)	Effects of changing work patterns and incomes on Nisga'a citizens' cultural activities and practices	Project employment may limit the ability of Nisga'a workers to participate in cultural activities and practices, including feasts, funerals, celebrations, and seasonal harvesting. Some of these activities may also generate income.	<ul style="list-style-type: none"> Nisga'a workers will be able to return to their community during their off-shift. IDM will work with NLG to identify measures to enable Nisga'a workers to continue to participate in traditional activities and will work with successful contractors to develop human resource policies that recognize and accommodate cultural practices. Potential income from harvesting activities will likely be offset by income due to employment. 	None

Assessment Required Under	Nisga'a Nation Treaty Interest	Potential Project Effects	Proposed Mitigation Measures	Anticipated Residual Effects
8(f)	Effects on Nisga'a language	Nisga'a workers will be exposed to English on a full-time basis while working at the Project.	<ul style="list-style-type: none"> • IDM will implement human resource policies to enable Nisga'a workers to return home to engage in cultural events and activities, and it is during these activities that Nisga'a language is most often used (for example, feasts, annual celebrations, and ceremonies). • IDM is open to continuing to engage with NLG to support Nisga'a Nation's language revitalization efforts. • The Project is not expected to pose a challenge to the maintenance or enhancement of the Nisga'a language or on Nisga'a Nation's language revitalization initiatives. 	None

Table 2.9-2: Proposed Mitigation Measures for Fish and Fish Habitat

VC/IC	Potential Effects	Mitigation Measures	Rationale	Applicable Phase(s)	Effectiveness ¹	Uncertainty ²	Residual Effect	
Fish (as represented by dolly vardon, bull trout, eulachon and Oncorhynchus salmonids)	Increased fishing pressure	No fishing policy for Project employees and guests	Staff training and awareness plus monitoring and enforcement of company policies are key components of many of IDM's management plans.	Construction, Operation, Closure and Reclamation	High	Low	No	
		Existing DFO regulations will be followed.	IDM is committed to lawful operation of the Project.					
		All Project roads will be closed to the public, including private vehicles (snowmobile, all-terrain vehicles, etc.) and all foot traffic, with the possible exception of individuals with existing rights to access the Bitter Creek valley. Project road use will be restricted only to Persons required for Project construction, operation, and maintenance.	Public awareness is a key component of IDM's management plans.					Moderate (Providing round-the-clock monitoring of activity on the roads is not feasible)
	Changes in aquatic resources	All implemented mitigation measures for Aquatic Resources will serve as mitigation for Fish and Fish Habitat relative to this effect (Chapter 17, Section 17.6).						No
	Changes in surface water quality	All implemented mitigation measures for Surface Water Quality will serve as mitigation for Fish and Fish Habitat relative to this effect (Chapter 13, Section 13.6).						Yes
	Changes in sediment quality	All implemented mitigation measures for Sediment Quality will serve as mitigation for Fish and Fish Habitat relative to this effect (Chapter 14, Section 14.6).						No
	Changes in stream flow	All implemented mitigation measures for Hydrology will serve as mitigation for Fish and Fish Habitat relative to this effect (Chapter 12, Section 12.6.3).						Yes
		Water withdrawal will follow provincial regulatory requirements and standard best practices to avoid adverse impacts to streamflows, fish and fish habitat.	IDM is committed to lawful operation of the Project.	Operation, Closure and Reclamation	High	Low		
	Effects of blasting	All implemented mitigation measures for Surface Water Quality will serve as mitigation for Fish and Fish Habitat relative to this effect (Chapter 13, Section 13.6).						No
		Blasting activities will be limited to the Mine Site during operations; there is no potential for effects on fish from explosive shockwaves as the blasting zone will not be near any fish-bearing watercourses.	Avoidance of blasting activities within fish-bearing watercourses.	Construction, Operation, Closure and Reclamation	High	Low		
Capture surface runoff and diverting it to the Portal Collection Pond in the Mine Site or the TMF in Bromley Humps for treatment prior to discharge.		Minimizes the potential for increased nitrogen loading to streams	High					
Fish Habitat	Habitat loss	Infrastructure (including the Access Road) shall be designed in a manner that minimizes or avoids habitat loss to Fish and Fish Habitat, including minimize the number of stream crossings.	Directly avoids and minimizes the amount of habitat loss to fish and fish habitat	Construction	Moderate (Some habitat loss will occur)	Low	Yes	
		Road crossings have been designed to avoid unnecessary impact on fish-bearing streams.						

¹Effectiveness: Low = measure unlikely to result in effect reduction; Moderate = measure has a proven track record of partially reducing effects; High = measure has documented success (e.g., industry standard; use in similar projects in substantial effect reduction)

²Uncertainty: Low = proposed measure has been successfully applied in similar situations; Moderate = proposed measure has been successfully implemented, but perhaps not in a directly comparable situation; High = proposed measure is experimental, or has not been applied in similar circumstances

Table 2.9-3: Proposed Mitigation Measures for Wildlife and Wildlife Habitat

Potential Effect	Applicable Phase(s)	Mitigation Measures	Effectiveness ¹	Uncertainty ²	Residual Effect (Y/N)
Mountain Goat					
Habitat Alteration	Construction	Project Design Minimize Habitat Disturbance	High Moderate	Low Low	Y
Sensory Disturbance	All Phases	Project Design Minimize Habitat Disturbance Manage Vehicle Traffic	High Moderate Moderate	Low Low Low	Y
Disruption to Movement	All Phases	Project Design Reduce Barriers or Filters of Movement Manage Vehicle Traffic Prevent Wildlife Entrapment	High Moderate Moderate High	Low Low Low Low	Y
Direct Mortality	All Phases	Wildlife Education Program Wildlife Protection Protocol Manage Vehicle Traffic	High High Moderate	Low Low Low	Y
Indirect Mortality	All Phases	Wildlife Education Program Wildlife Protection Protocol Prevent Wildlife Entrapment Manage Vehicle Traffic Access Restriction on Access Road	High High High Moderate High	Low Low Low Low Low	Y
Chemical Hazards	All Phases	Wildlife Protection Protocol Manage Chemical Hazards	High High	Low Low	N
Attractants	All Phases	Wildlife Protection Protocol Manage Attractants	High High	Low Low	N
Grizzly Bear					
Habitat Alteration	Construction	Project Design Minimize Habitat Disturbance	High Moderate	Low Low	Y

Potential Effect	Applicable Phase(s)	Mitigation Measures	Effectiveness ¹	Uncertainty ²	Residual Effect (Y/N)
Sensory Disturbance	All Phases	Minimize Habitat Disturbance Manage Vehicle Traffic	Moderate Moderate	Low Low	Y
Disruption to Movement	All Phases	Project Design Reduce Barriers or Filters of Movement Manage Vehicle Traffic Prevent Wildlife Entrapment	High High High High	Low Low Low Low	N
Direct Mortality	All Phases	Wildlife Education Program Wildlife Protection Protocol Manage Vehicle Traffic	High High Moderate	Low Low Low	Y
Indirect Mortality	All Phases	Wildlife Education Program Wildlife Protection Protocol Prevent Wildlife Entrapment	High High High	Low Low Low	N
Chemical Hazards	All Phases	Wildlife Protection Protocol Manage Chemical Hazards	High High	Low Low	N
Attractants	All Phases	Wildlife Protection Protocol Manage Attractants	High High	Low Low	N
Moose					
Habitat Alteration	Construction	Project Design Minimize Habitat Disturbance	High Moderate	Low Low	Y
Sensory Disturbance	All Phases	Manage Vehicle Traffic Minimize Habitat Disturbance	Moderate Moderate	Low Low	Y
Disruption to Movement	All Phases	Prevent Wildlife Entrapment Minimize Habitat Disturbance Reduce Barriers or Filters of Movement Manage Vehicle Traffic	High Moderate Moderate Moderate	Low Low Low Low	N

Potential Effect	Applicable Phase(s)	Mitigation Measures	Effectiveness ¹	Uncertainty ²	Residual Effect (Y/N)
Direct Mortality	All Phases	Wildlife Protection Protocols Manage Attractants Manage Vehicle Traffic	High High Moderate	Low Low Low	Y
Indirect Mortality	All Phases	Wildlife Education Program Wildlife Protection Protocols	High High	Low Low	N
Chemical Hazards	All Phases	Wildlife Protection Protocols Manage Chemical Hazards	High High	Low Low	N
Attractants	All Phases	Manage Attractants	High	Low	N
Furbearers					
Habitat Alteration	Construction	Project Design Minimize Habitat Disturbance	High Moderate	Low Low	Y
Sensory Disturbance	All Phases	Minimize Habitat Disturbance Manage Vehicle Traffic	Moderate Moderate	Low Low	Y
Disruption to Movement	All Phases	Project Design Reduce Barriers or Filters of Movement Manage Vehicle Traffic Prevent Wildlife Entrapment	High Moderate Moderate High	Low Low Low Low	Y (marten only)
Direct Mortality	All Phases	Wildlife Education Program Wildlife Protection Protocol Manage Vehicle Traffic	High High Moderate	Low Low Low	Y (marten only)
Indirect Mortality	All Phases	Wildlife Education Program Wildlife Protection Protocol Prevent Wildlife Entrapment	High High High	Low Low Low	N
Chemical Hazards	All Phases	Wildlife Protection Protocol Manage Chemical Hazards	High High	Low Low	N

Potential Effect	Applicable Phase(s)	Mitigation Measures	Effectiveness ¹	Uncertainty ²	Residual Effect (Y/N)
Attractants	All Phases	Wildlife Protection Protocol Manage Attractants	High High	Low Low	N
Hoary Marmot					
Habitat Alteration	Construction	Project Design Minimize Habitat Disturbance	High Moderate	Low Low	Y
Disruption to Movement	All Phases	Project Design Manage Vehicle Traffic Prevent Wildlife Entrapment	High Moderate High	Low Low Low	N
Direct Mortality	All Phases	Minimize Habitat Disturbance Wildlife Protection Protocols Manage Vehicle Traffic	Moderate High Moderate	Low Low Low	Y
Indirect Mortality	All Phases	Wildlife Protection Protocols Prevent Wildlife Entrapment	High High	Low Low	N
Chemical Hazards	All Phases	Wildlife Protection Protocols Manage Chemical Hazards Manage Attractants	High High High	Low Low Low	N
Attractants	All Phases	Wildlife Protection Protocols Manage Attractants	High High	Low Low	N
Bats					
Habitat Alteration	Construction	Project Design Minimize Habitat Disturbance Wildlife Protection Protocols	High Moderate High	Low Low Low	Y
Sensory Disturbance	Construction Operation	Project Design Wildlife Protection Protocols	High High	Low Low	Y
Direct Mortality	Construction	Project Design Minimize Habitat Disturbance Manage Vehicle Traffic	High Moderate Moderate	Low Low Low	N

Potential Effect	Applicable Phase(s)	Mitigation Measures	Effectiveness ¹	Uncertainty ²	Residual Effect (Y/N)
Chemical Hazards	Operation Closure and Reclamation Post-Closure	Wildlife Protection Protocols	High	Low	N
Attractants	Operation Closure and Reclamation Post-Closure	Project Design Wildlife Protection Protocols Manage Attractants	High High High	Low Low Low	N
Migratory Breeding Birds					
Habitat Alteration	Construction	Project Design Wildlife Education Program Minimize Habitat Disturbance	High High Moderate	Low Low Low	Y
Sensory Disturbance	All Phases	Wildlife Education Program Wildlife Protection Protocols Minimize Habitat Disturbance	High High Moderate	Low Low Low	Y
Direct Mortality	All Phases	Wildlife Education Program Wildlife Protection Protocols Manage Vehicle Traffic Prevent Wildlife Entrapment	High High Moderate High	Low Low Low Low	N
Indirect Mortality	All Phases	Wildlife Education Program Wildlife Protection Protocols Manage Vehicle Traffic Prevent Wildlife Entrapment	High High Moderate High	Low Low Low Low	N
Chemical Hazards	All Phases	Project Design Wildlife Education Program Wildlife Protection Protocols Manage Chemical Hazards	High High High High	Low Low Low Low	N

Potential Effect	Applicable Phase(s)	Mitigation Measures	Effectiveness ¹	Uncertainty ²	Residual Effect (Y/N)
Attractants	All Phases	Wildlife Education Program Wildlife Protection Protocols Manage Attractants	High High High	Low Low Low	N
Migratory Birds – Species at Risk					
Habitat Alteration	Construction	Project Design Wildlife Education Program Minimize Habitat Disturbance	High High Moderate	Low Low Low	Y
Sensory Disturbance	All Phases	Wildlife Education Program Wildlife Protection Protocols Minimize Habitat Disturbance	High High Moderate	Low Low Low	Y
Direct Mortality	All Phases	Project Design Wildlife Education Program Wildlife Protection Protocols Minimize Habitat Disturbance Manage Vehicle Traffic	High High High Moderate Moderate	Low Low Low Low Low	Y (common nighthawk and marbled murrelet only)
Indirect Mortality	All Phases	Wildlife Education Program Wildlife Protection Protocols Manage Vehicle Traffic Prevent Wildlife Entrapment	High High Moderate High	Low Low Low Low	N
Chemical Hazards	All Phases	Project Design Wildlife Education Program Wildlife Protection Protocols Manage Chemical Hazards	High High High High	Low Low Low Low	N
Attractants	All Phases	Wildlife Education Program Wildlife Protection Protocols Manage Attractants	High High High	Low Low Low	N

Potential Effect	Applicable Phase(s)	Mitigation Measures	Effectiveness ¹	Uncertainty ²	Residual Effect (Y/N)
Raptors					
Habitat Alteration	Construction	Project Design	High	Low	Y
Sensory Disturbance	All Phases	Minimize Habitat Disturbance	Moderate	Low	Y
Direct Mortality	All Phases	Wildlife Education Program Wildlife Protection Protocols Minimize Habitat Disturbance Manage Vehicle Traffic	High High Moderate Moderate	Low Low Low Low	N
Indirect Mortality	All Phases	Wildlife Education Program Wildlife Protection Protocols	High High	Low Low	N
Chemical Hazards	All Phases	Project Design Wildlife Education Program Wildlife Protection Protocols Manage Chemical Hazards	High High High High	Low Low Low Low	N
Attractants	All Phases	Wildlife Education Program Wildlife Protection Protocols Manage Attractants	High High	Low Low	N
Non-Migratory Game Birds					
Habitat Alteration	Construction	Project Design Minimize Habitat Disturbance	High Moderate	Low Low	Y
Sensory Disturbance	All Phases	Wildlife Protection Protocols Minimize Habitat Disturbance	High Moderate	Low Low	Y
Direct Mortality	All Phases	Project Design Manage Attractants Manage Vehicle Traffic	High High Moderate	Low Low Low	Y
Indirect Mortality	All Phases	Wildlife Protection Protocols Manage Attractants	High High	Low Low	N

Potential Effect	Applicable Phase(s)	Mitigation Measures	Effectiveness ¹	Uncertainty ²	Residual Effect (Y/N)
Chemical Hazards	All Phases	Wildlife Protection Protocols Manage Attractants	High High	Low Low	N
Attractants	All Phases	Manage Attractants	High	Low	N
Amphibians – Western Toad					
Habitat Alteration	Construction	Project Design Minimize Habitat Disturbance	High Moderate	Low Low	N
Disruption to Movement	All Phases	Project Design Reduce Barriers or Filters to Movement	High Moderate	Low Low	N
Direct Mortality	All Phases	Minimize Habitat Disturbance Reduce Barriers or Filters to Movement Manage Vehicle Traffic	Moderate Moderate Moderate	Low Low Low	N
Indirect Mortality	All Phases	Prevent Wildlife Entrapment	High	Low	N
Chemical Hazards	All Phases	Manage Chemical Hazards	High	Low	N
Attractants	All Phases	Manage Attractants	High	Low	N

¹Effectiveness: Low = measure unlikely to result in effect reduction; Moderate = measure has a proven track record of partially reducing effects; High = measure has documented success (e.g., industry standard; use in similar projects) in substantial effect reduction

²Uncertainty: High = proposed measure is experimental, or has not been applied in similar circumstances; Moderate = proposed measure has been successfully implemented, but perhaps not in a directly comparable situation; Low = proposed measure has been successfully applied in similar situations

Table 2.9-4: Potential Residual Effects on Grizzly Bears, Moose, and Mountain Goats

Species	Residual Effect	Summary of Residual Effects Characterization	Likelihood (High, Moderate, Low)	Significance (Significant or Not)	Confidence (High, Moderate, Low)
Grizzly Bear	Habitat Availability	Magnitude: Low Extent: Local Duration: Long-term Frequency: Continuous Reversibility: Reversible Context: High	High	Not Significant	Moderate
Grizzly Bear	Mortality Risk	Magnitude: Low Extent: Local Duration: Long-term Frequency: Sporadic Reversibility: Reversible Context: Neutral	Low	Not Significant	High
Moose	Habitat Availability	Magnitude: Low Extent: Local Duration: Long-term Frequency: Continuous Reversibility: Reversible Context: High	High	Not Significant	Moderate
Moose	Mortality Risk	Magnitude: Moderate Extent: Discrete Duration: Long-term Frequency: Sporadic Reversibility: Reversible Context: Low	Low	Not Significant	Moderate
Mountain Goat	Habitat Availability	Magnitude: Low Extent: Local Duration: Long-term Frequency: Continuous Reversibility: Reversible Context: Low to Neutral	High	Not Significant	Moderate

Species	Residual Effect	Summary of Residual Effects Characterization	Likelihood (High, Moderate, Low)	Significance (Significant or Not)	Confidence (High, Moderate, Low)
Mountain Goat	Habitat Distribution	Magnitude: Low Extent: Local Duration: Long-term Frequency: Continuous Reversibility: Reversible Context: Low to Neutral	High	Not Significant	Moderate
Mountain Goat	Mortality Risk	Magnitude: Negligible Low Extent: Local Duration: Long-term Frequency: Regular and Continuous Reversibility: Partially Reversible Context: Neutral	Low	Not Significant	Moderate

2.10 Summary of Nisga’a Nation Issues and Concerns Raised

The following table summarizes the feedback received by IDM from NLG between December 14, 2016, and September 15, 2017.

Table 2.10-1 Summary of Nisga’a Nation Issues Identified (Dec 14, 2016 – Sep 15, 2017)

Topic	Issue Identified	Proponent Response and Proposed Action(s) to Address
Assessment Methodology	<ul style="list-style-type: none"> NLG raised concern regarding the wording of the assessment endpoint for fish- and wildlife-related VCs. 	The wording for the assessment endpoints for fish- and wildlife-related VCs was revised in close collaboration with NLG representatives. The final wording is included in the Project’s AIR.

Topic	Issue Identified	Proponent Response and Proposed Action(s) to Address
	<ul style="list-style-type: none"> NLG requested that IDM develop a site-wide CSM. 	<p>IDM has included a CSM that accounts for both human and ecological receptors in the Application. The CSM is informed by the Screening Level Ecological Risk Assessment, which focuses on ecological receptors, and Human Health Risk Assessment, which focuses on human receptors.</p>
Hydrology	<ul style="list-style-type: none"> Request for that stream hydrology be included in the assessment as a VC. 	<p>IDM has included Hydrology as a VC.</p>
	<ul style="list-style-type: none"> Request for three years of baseline hydrological and climate data to be used in the assessment. 	<p>IDM is confident that there is sufficient hydrological and climate data for the purposes of the EA. IDM will continue monitoring water quality and hydrology in 2017 in order to be able to include additional baseline data in the Project's construction- and operation-phase permit applications.</p>
	<ul style="list-style-type: none"> Request for historical stream flow data from the Bear River to be included in the Application 	<p>The historical stream flow data for the Bear River is included in the Application.</p>
Management Plans	<ul style="list-style-type: none"> Request for IDM to develop an Adaptive Management Plan and an Aquatic Effects Management and Response Plan. 	<p>IDM developed an Adaptive Management Plan and an Aquatic Effects Management and Response Plan as part of the Application.</p>
Tailings Design	<ul style="list-style-type: none"> Request that an independent party provide a review of the BAT assessment of the TMF. 	<p>IDM will engage an independent engineer to review the BAT assessment for the TMF.</p>

Topic	Issue Identified	Proponent Response and Proposed Action(s) to Address
Water Quality	<ul style="list-style-type: none"> Concern regarding potential effects to water quality, particularly selenium. 	<p>IDM has determined that the Project may result in a low magnitude increase in selenium in Bitter Creek. However, the water quality model used to make this prediction incorporates conservative elements. It is likely that selenium levels in Bitter Creek may never reach the levels predicted by the model.</p> <p>IDM has committed to implementing monitoring and adaptive management of water quality and other aquatic effects (through the Aquatic Effects Management and Response Plan discussed above) to ensure that ecological conditions are maintained relative to baseline.</p>
Wildlife	<ul style="list-style-type: none"> Request for more information regarding the mountain goat baseline studies. 	<p>IDM provided NLG with the 2017 Workplan for Mountain Goat Baseline Data Collection.</p>
	<ul style="list-style-type: none"> Request for further mountain goat data collection. 	<p>IDM conducted additional winter mountain goat surveys in March 2017 and will conduct additional summer mountain goat surveys later this year. This data will be shared with NLG.</p>

2.11 Next Steps

During the upcoming Application Review Phase, IDM will continue to engage and consult with Nisga’a Nation on the following aspects to support the Project’s progress through the EA:

- Consultation on the results of the effects assessment;
- Consultation on the development and refinement of measures to mitigate, minimize, avoid, or otherwise address the potential effects of the Project on Nisga’a Nation Treaty rights;
- Making copies of the Application available to Nisga’a citizens for their review and consideration;
- Community open houses during the Application Review public comment period;

- Consultation on the third Aboriginal Consultation Report;
- Engagement on the Project's Construction and Operation Phase permit applications;
- Continued discussions towards a benefits agreement; and
- Continued work towards maximizing the employment, training, and business opportunities for Nisga'a citizens and businesses related to the Project.

3 CONCLUSION

This Aboriginal Consultation Report has outlined the actions and consultation efforts that IDM has undertaken between December 14, 2016, and September 15, 2017, to meet the procedural aspects of consultation with Nisga'a Nation that have been delegated to IDM by EAO and the 8(e) and 8(f) assessments required under Chapter 10 of the NFA.

IDM believes that the engagement and consultation activities described in this report form the foundation of a respectful and mutually beneficial relationship between IDM and Nisga'a Nation. It is IDM's goal that this relationship continues to grow throughout the EA process and the life of the Project through future discussions of issues, concerns, and potential benefits of the Project.