

**Annex 2 – Advice to the Proponent**

**Table 2: Additional Guidance for NexGen Consideration**

Comment ID	Reference to EIS	Context and Rationale	Advice to Proponent / comment
<b>CNSC</b>			
CNSC-01	Table 2.3-1	<b>General comment:</b> Table 2.3-1 Section Concordance with Regulatory Requirements refers to REGDOC 3.2.2, Version 1.1. In February 2022, Version 1.2 was released and includes administrative updates. The EIS should be updated to reference the most up to date version of REGDOC 3.2.2.	Update references in the EIS to REGDOC 3.2.2, Version 1.2.
CNSC-02	Figure 2.1-1, Figure 2.4.1, 16.1.-1 and throughout the EIS document.	<b>General comment:</b> The maps included in the EIS do not have labels for all the First Nation reserve and the community locations.	It is recommended that Fond du Lac Denesuline First Nation, Black Lake Denesuline First Nations and Fort Chipewyan First Nation reserves, and <b>community locations</b> are included on the Project location map in Figure 2.1-1 and other maps throughout the entire EIS where applicable.
CNSC-03	Section 2. 2.7.1.1 (pg. 182-183)	<b>General Comment:</b> There is a summary of what engagement activities will occur moving forward. However, it is not clear which engagement activities/meetings will occur during the different stages of the EA/ project life cycle. Please provide additional details upon submission of the Final EIS.	NexGen should consider clarifying in the updated IER which engagement activities will occur during each stage of the project moving forward as per Reg Doc 3.2.2 before submitting the Final EIS.
CNSC-04	Appendix 2A-5 English River First Nation	<b>General Comment:</b> From the summary of engagement activities, it is not clear if any Indigenous Nations and communities, such as English River First Nation (ERFN), have indicated that they are not interested in further engagement on the Project. Indigenous Nations and communities identified should receive Project information updates at milestones in the EIS development unless they have specifically requested not to be engaged further.	NexGen should continue to provide Indigenous Nations and communities with key Project updates and milestones unless an Indigenous Nations or community has indicated that they are not interested in further engagement or receiving correspondence.
CNSC-05	Appendix 2A and 2B	<b>General Comment:</b> Information included in the EIS Section 2 and Indigenous engagement report (IER) regarding engagement activities, communication and issues and concerns raised will need to be updated when the next version of the EIS is submitted. The EIS and IER will need to be updated to include information from February of 2022 until approximately <b>two months prior to the submission</b> date of the next EIS.	When re submitting the EIS, ensure that the engagement log, issues and concerns tables and information about engagement activities done to date have been updated.
CNSC-06	Section 14	<b>General comment:</b> The EIS notes that ECCC has identified that a threshold of 65% undisturbed habitat within the SK2 range is necessary to support a self-sustaining population of Woodland Caribou. The total disturbed habitat is 45%, leaving 55% undisturbed habitat (ECCC 2020). This percentage does not meet the minimum 65% threshold of undisturbed habitat necessary to support a self-sustaining	Woodland Caribou has been identified as a species of importance to Indigenous Nations and communities. NexGen should communicate to the Indigenous Nations and communities that based on federal thresholds, the population of woodland caribou in SK2 is already likely not self-sustaining.

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		population; therefore, the caribou population in SK2 is not likely to be self-sustaining (ECCC 2020).	
CNSC-07	Section 15	<b>General Comment:</b> NexGen states it will be working with local Indigenous Groups in an effort to complete a targeted traditional foods study to help validate or modify the dietary assumptions made in the HHRA. In addition to a targeted traditional foods study, it could be beneficial for NexGen to undertake a baseline traditional foods sampling program to determine what contaminants are currently present in traditional foods. For the program to be successful it would be important to work with a number of Indigenous Nations and communities in the region who use the area to hunt, fish, and trap to select the species and locations that are important to them (i.e. fish in lakes other those already sampled and moose meat, traditional plants etc.)	NexGen should consider sampling traditional foods for contaminants of potential concern to collect baseline information as part of the traditional foods study. This data will be valuable in order to help to monitor changes over time related to both the potential perceived risk of contamination of the land from Project activities and subsequent effects on the quality of fish, vegetation, and wildlife resources, which in turn could affect the safety of traditional foods and human health, culture practices, and overall community well-being.
CNSC-08	Section 16 – Pg 3142  Section 2.4	<b>General Comment:</b> The EIS states “While the YNLR is not a primary Indigenous Group as identified by the CNSC, ENV, and NexGen, they have also expressed interest in the potential effects of the Project on Indigenous land and resource use.”  However, the CNSC does not differentiate Indigenous Nations and communities are “primary” vs “other” and did not provide that recommendation to NexGen. This, and any other sections of the EIS that suggest this, should be revised to clarify that NexGen has identified and labelled Indigenous Nations and communities as primary or other.  Additionally, NexGen should remain flexible and adjust their approach to engagement based on the feedback and information they learn related to potential impacts on rights and interests from the Indigenous Nations and communities.	Remove reference to the CNSC when discussing how Indigenous Nations and communities were identified as primary vs other.  Ensure flexibility with the approach to engagement as NexGen’s understanding of the Indigenous Nations and communities traditional land use and potential impacts on rights evolves with further engagement.
CNSC-09	Section 16 and Mitigation measures and Perceived Risks	<b>General Comment:</b> “NexGen is committed to providing funding for full-time independent Indigenous Monitors to enable unrestricted environmental monitoring, subject to the Indigenous Monitor complying with appropriate health and safety and other reasonable site-specific policies of NexGen”.	Can NexGen provide any additional information on what unrestricted environmental monitoring will entail, what media, seasonality, # of samples etc? How have the discussions on an independent regional monitoring program been discussed with Indigenous Nations and communities and if so how has it been received?
CNSC-10	Section 16	<b>General Comment:</b> Consider renaming the Northwest Rebellion to Northwest Resistance throughout EIS.	Consider renaming the Northwest Rebellion to Northwest Resistance throughout EIS.
CNSC-11	Section 16.3.3.2.4 (Page 3176)	<b>General Comment:</b> In the table showing species hunted by MN-S, NexGen does not include woodland caribou in this table. woodland caribou have been	Include woodland caribou in the table of species hunted by MN-S or provide a rational of why woodland caribou was not include in the Table.

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		identified and are key species to Métis citizens in the region and should be included in the table.	
CNSC-12	Appendices - Baseline Data Reports	<b>General Comment:</b> It is not clear from the section (s) of the EIS and the Indigenous Engagement Report, whether or not NexGen provided Indigenous Nations and communities with the opportunity to participate in the development, implementation, and review or inclusion in the baseline data collection for the project and site? Will there be additional studies moving forward towards construction that Indigenous Nations and communities will have an opportunity to be involved in and provide feedback on?	Please consider providing any additional information or examples with respect to if Indigenous Nations and communities were involved in this phase of the project in if so if their traditional knowledge shared impacted or altered any of the studies completed to date?
CNSC-13	Annex VII.1, page 66	In the fact sheet for BP20, it is indicated that 2 provincially listed species were observed, but only one is provided (white cotton grass).	Please provide the second species to ensure accuracy and completeness.
CNSC-14	Annex VII.1, page 72	In the fact sheet for BP25, <i>Lemna minor</i> is indicated to be present and a provincially listed species. <i>Lemna minor</i> is not included in the EIS.	Please discuss the presence of <i>Lemna minor</i> in the EIS to ensure accuracy and completeness.
CNSC-15	Section 13.5.2.3.2, RFD Case	The last sentence on page 13-131 states “Overall, upland ecosystems are predicted to remain self-sustaining and ecologically effective in the RFD Case.” However, the section is about wetland ecosystems.	This appears to be a copy-paste error. Please adjust the sentence for wetland ecosystems.
CNSC-16	TSD XXI ERA	Although the EIS includes information on physical stressors, they are not all included within the ERA document (TSD XXI). The ERA document should be a stand-alone document that captures all environmental risks.	Please ensure that all physical stressors (such as alternation of wildlife habitat, noise, wildlife-vehicle interactions, etc.) are included within the ERA document, as recommended in CSA N288.6. It is recommended to submit an updated ERA (based on the accepted version of the EIS accounting for any changes from IRs), to support the licensing application.
CNSC-17	Section 10.7.2	The MDMER requires environmental effects monitoring studies for mines which includes comparing an exposure area to a reference area(s) for water quality, benthic invertebrate community, and fish population differences. Other mine sites have observed effects (i.e., benthic invertebrate community composition and density differences, and larger fish size in exposure areas) which were concluded to likely result from a combination of natural variability between areas and inorganic ions from project effluents that met MDMER discharge limits.  Although in the ERA major ions were not considered COPCs for the project due to being considered non-toxic to aquatic biota, it is important to have well characterized water quality data to support any future observed effects.	Although in the ERA major ions were not considered COPCs for the project, it is recommended that NexGen continue to collect major ion data prior to and during operations in both reference and exposure lakes as it may be helpful in supporting differences observed between sites in the future. In addition, NexGen should ensure adequate baseline data is collected for all COPCs in all relevant media, as well as adequate baseline fish and invertebrate population studies, to help determine the range of natural variability and assist with future data interpretation.
CNSC-18	Section 10.5.2	Two reference lakes, Hodge Lake and Lake D, will be monitored as part of the environmental monitoring program, to be compared with the receiving environment to assess potential effects under the MDMER and CNSC requirements.	The proponent should make every effort to ensure reference and exposure lakes and their associated sample locations are environmentally similar. Additional waterbodies may need to be considered to ensure sample sizes are large enough to avoid confounding effects. ECCC EEM guidance recommends the use of multiple reference areas as it offers the greatest statistical power to detect a meaningful difference

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		<p>Other mines have had trouble in the past with reference lakes that have differed environmentally from the exposure lakes, leading to confounding issues as to whether differences between the two are project driven, or environmentally driven. Efforts should be made to ensure reference and exposure lakes (and sampling locations within them) are as environmentally similar as possible.</p> <p>It is not apparent in the EIS if reference lake water and sediment quality data, as well as fish and invertebrate community data, have been compared to the future exposure sites baseline data to determine the suitability of the reference lakes and to assess if there are already statistical differences between lakes.</p>	<p>between a reference area and an exposure area and can also give an indication of variability among reference areas. Incorporating multiple reference locations into the study design can also aid in designing against spatial confounding factors.</p>
CNSC-19	TSD XXI-ERA, Appendix A 3.2.6- Model Validation	<p>In line with best practices, when conducting the dose assessment, uncertainty is reduced by applying an appropriate level of conservatism to the models commensurate with the level of uncertainty.</p> <p>Appendix A Section 3.2.6 discusses a model validation but does not provide the order (<math>\pm</math> %) of uncertainties associated with the dose estimates using the IMPACT Model and how this order can be considered acceptable.</p>	<p>Provide the order of the model uncertainty (<math>\pm</math> %) and discuss how it's acceptable in this case.</p>
<b>ECCC</b>			
ECCC-01	<b>ECCC-01</b> Reference to EIS: Section 5.4.5.5	<p><b>Context:</b> Table 5.4-6 provides the anticipated sewage treatment discharge targets for the Project. The target for total suspended solids (TSS) exceeds the <i>Metal and Diamond Mining Effluent Regulations</i> (MDMER) Schedule 4 Maximum Authorized Monthly Mean concentration for TSS of 15 mg/L.</p> <p><b>Rationale:</b> The MDMER requires all mine effluent released from final discharge points be non-acutely lethal and meet requirements for prescribed deleterious substances under Schedule 4 of the regulations.</p>	<p>Project effluent from all final discharge points must meet MDMER requirements.</p>
ECCC-02	Section 10.2.8.1.2	<p><b>Context:</b> This section discusses the near-field water quality model and the potential water quality effects from discharges from the Effluent Treatment Plant (ETP) and Sewage Treatment Plant (STP) outfalls to Patterson Lake within 200m of each final discharge point during operations.</p> <p><b>Rationale:</b> Discharges from the proposed Project will alter water quality in the immediate receiving area, and this may include some sublethal effects on aquatic biota, which must be minimized. It remains the Proponent's responsibility to adhere to the <i>Metal and Diamond Mining Effluent Regulations</i> (MDMER) to ensure that effluent at the end-of-pipe from the final discharge points meets the requirements of Section 4 and Schedule 4 of the regulations.</p>	<p>Project effluent from all final discharge points must meet MDMER requirements.</p>

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ECCC-03	Section 5.4.5.5 Section 10.4 Section 10.4.2	<p><b>Context:</b> In Table 10.4-1 pgs. 1644-1646, Pathways SWQ-03 and SWQ-04 have been designated as primary pathways within the Environmental Design Features and Mitigation Column, and state that the Effluent Treatment Plant (ETP) discharge and treated sewage will have “appropriate release limits in accordance with provincial standards and license/permit conditions.” Project effluent released from all final discharge points must meet all federal legislation requirements. This includes the <i>Metal and Diamond Mine Effluent Regulations</i> (MDMER) Schedule 4 effluent release limits in addition to provincial standards and license/permit conditions. Total Suspended Solids (TSS) as specified in Pathways SWQ-10 and SWQ-11 of Table 10.4-1 qualifies as a deleterious substance listed under Schedule 4 of the MDMER. In Section 10.4.2 the Proponent states that they will adhere to the MDMER limit of 15 mg/L of TSS for effluent at all final discharge points, however in Section 5.4.5.5 Table 5.4-6 pg. 687 a treated sewage discharge target of 25 mg/L for TSS is provided which exceeds the MDMER limit.</p> <p><b>Rationale:</b> It remains the Proponent’s responsibility to adhere to the MDMER and ensure that effluent at the end-of-pipe from the final discharge points meets the requirements of Section 4 and Schedule 4 of the regulations.</p>	Project effluent from all final discharge points must meet federal legislation requirements.
ECCC-04	TSD XVIII, Appendix H Section 6	<p><b>Context:</b> Table 7 pg. 466 provides an overview of the Preliminary Effluent Release Targets (PERTs) for the Project effluent from the Effluent Treatment Plant (ETP) diffuser. The proposed PERTs for Total Suspended Solids (TSS) and radium-226 exceed the <i>Metal and Diamond Mining Effluent Regulations</i> (MDMER) Schedule 4 Maximum Authorized Monthly Mean concentrations for discharge. The proposed PERTs for Total Suspended Solids (TSS) and radium-226 exceed the MDMER Schedule 4 Maximum Authorized Monthly Mean concentrations for discharge. Additionally, the Proponent will likely be required to conduct mercury and selenium fish tissue sampling as concentrations of mercury and selenium in effluent exceed 0.1 ug/L and 5 ug/L respectively.</p> <p><b>Rationale:</b> ECCC reminds the Proponent that the MDMER requires all mine effluent be non-acutely lethal and meet requirements for prescribed deleterious substances under Schedule 4 of the regulations.</p>	Project effluent from all final discharge points must meet MDMER requirements.
ECCC-05	Appendix 23B	<p><b>Context:</b> One of the programs included in Appendix 23B Environmental Assessment Monitoring and Follow-Up Programs Proposed for the Project is to continue hydrometric monitoring and data collection at selected stations using remotely operated telemetry stations. Stations being considered include:</p> <ul style="list-style-type: none"> <li>• Clearwater River below Patterson Lake</li> <li>• Clearwater River below Beet Lake</li> <li>• Clearwater River below Naomi Lake</li> </ul>	Include additional direct measurements of water levels to improve the accuracy of the hydrometric program.

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		<ul style="list-style-type: none"> <li>• Clearwater River above the confluence with the Mirror River</li> <li>• Clearwater River below Broach Lake</li> </ul> <p><b>Rationale:</b> Water quantity affects water quality, fish habitat and navigability of the Clearwater River. Monitoring could be used to verify the effects of the Project on the receiving environment and compare with predictions. The robustness of the streamflow monitoring will be hampered by the quality of the rating curves, as detailed in IR-ECCC-NHS-37, mostly due to the lack of winter measurements and measurements unaffected by backwater. While the rating curve may be improved with additional measurements and field visits, direct measurements of water levels within waterbodies such as Patterson Lake would necessarily be more accurate than flow estimates.</p>	
ECCC-06	Section 4	<p><b>Context and Rationale:</b> The Proponent indicates that renewable energy from wind turbines is under consideration, however no details are provided on the effect these features may have on migratory birds, myotis or SAR.</p>	If wind turbines are included in the Project design, describe how wind turbines could affect migratory birds and SAR birds and myotis. Provide mitigation solutions including adaptive management.
ECCC-07	Section 12 Table 13.4-1 Table 14.4-1 Table 23A-4 Table 23A-5	<p><b>Context and Rationale:</b> The draft EIS states that the slope steepness of stockpiled soils and gravel/aggregate and disturbed areas will be minimized for erosion control purposes. Steep slopes can attract bank swallows (migratory birds and SAR) to use as nesting sites.</p>	Design the slope of stockpiles to prevent potential effects on bank swallows. Ensure the slope of stockpiled soils and gravel/aggregate will minimize erosion and resulting sedimentation of wetlands and waterways
ECCC-08	Section 5.4.7.5 Appendix 7A3.2.10.2	<p><b>Context and Rationale:</b> In the EIS the Proponent references the <i>Off-Road Compression-Ignition Engine Emission Regulations</i> (previous Regulations). These regulations have been repealed, and replaced by the <i>Off-road Compression-Ignition (Mobile and Stationary) and Large Spark-Ignition Engine Emission Regulations</i>.</p>	Update the draft EIS to refer to the <i>Off-Road Compression-Ignition (Mobile and Stationary) and Large Spark Ignition Engine Emission Regulations</i> instead of the repealed <i>Off-Road Compression-Ignition Engine Emission Regulations</i> .
ECCC-09	Section 7.4.5	<p><b>Context:</b> In Sections 7.4.5 and 7.4.6 the Proponent draws conclusions about the magnitude of residual effects based on a comparison of the GHG emissions from the Project with provincial and federal emissions.</p> <p><b>Rationale:</b> A percentage comparison of GHG emissions to provincial (Saskatchewan) annual total emissions and national annual total emissions is not meaningful. When compared to provincial or national GHG emissions, one project's GHG emissions will be considered low, which does not help to contextualize the Project's emissions against Canada's emissions targets. This comparison can unduly influence the determination of significance of effects of a project.</p>	Provide an assessment of residual effects by utilizing more appropriate means than a comparison of the Project's GHG emissions to provincial and federal emissions.  The Proponent should consider mitigation measures for the disturbance of carbon sinks. The Proponent can refer to the Draft Technical Guide section 3.5.3 for additional guidance.

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<b>MN-S</b>			
MN-S-01 (1-008)	Section 1.2.2	<p>Section 1.2.2 of the EIS states: "There are currently no land use plans that encompass the Project location."</p> <p>The section notes that Clearwater River Dene Nation, Saskatchewan Ministry of Environment, and the Ministry of Government Relations formed a committee to prepare a land use plan for the region. This section also states that the land use planning process was never completed, and a land used plan was not prepared.</p> <p>1) Given the importance of the area as part of the Métis Homeland, it is an important gap that MN-S was not part of the land use planning processes.</p> <p>2) The absence of a land use plan for the area is a potential gap in the understanding of the area and its possible uses, particularly given NexGen's approach to considering the district-wide potential of uranium development. While a land use plan is not a precondition for development of a draft or final EIS, land use planning would better form the basis for understanding the potential for cumulative effects in the area long term.</p>	MN-S are requesting that NexGen reconsider the land use planning process to include MN-S input – to take into account NexGen and Fission. This is to address the multiple industrial changes to the area that are currently proposed.
MN-S-02 (1-012, 16-061)	Section 1.3.2	<p>The EIS states: "NexGen has also initiated the negotiation of individual Benefit Agreements ..."</p> <p>The connection between these negotiated agreements and impacts to Indigenous rights is not clear. As a recent federal regulatory decision on a CEAA 2012 project made clear (i.e., Grassy Mountain/Benga), Nations may sign agreements with proponents regarding economic benefit and regulators may find significant adverse effects to Nations' rights.</p> <p>It is also hard to see how a negotiated agreement that references "environmental protection and assurance" signed by a Nation could constitute informed consent, given that the Project's impacts had not been assessed at the time the agreements were signed.</p>	MN-S is requesting that NexGen Remove references to negotiated agreements as mitigation measures. Negotiated agreements are confidential in nature and in many cases were signed with Indigenous Nations before the EIS was available for review, and as such may not be considered mitigation measures for impacts.
MN-S-03 (3-007, 3-008, 3-009)	Joint Working Groups Section 3.5.1	<p>As stated in the EIS : "The Joint Working Groups facilitate the exchange of information and sharing of Indigenous and Local Knowledge, including understanding each Indigenous Group's protocols on consent, ownership, access, control, and possession of their knowledge."</p> <p>This wording aligns with the contents of MN-S' study agreement with NexGen. It does not align with Joint Working Group activities related to OCAP®. It is unclear from Joint Working Group meeting minutes where NexGen believes conversations around OCAP® took place.</p> <p>"The Joint Working Groups are also planned to facilitate the review of and opportunity to provide feedback on the EIS."</p> <p>MN-S' Joint Working Group has not been used to review the EIS contents or provide feedback on it as of September 2022. The globalized discussion of all Joint Working Groups and their overall intent blurs the specificity regarding the pace of progress of Joint Working Groups through material related to the EIS.</p>	MN-S requests that NexGen reword Section 3.5.1 to clarify the extent to which any of the engagement vehicles achieved their intended purpose at the time the EIS was submitted.

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MN-S-04 (6-003)	Incorporation of Indigenous Knowledge Section 6.2	<p>The EIS states: "In addition, a guidance document ..."</p> <p>This document is not attached as part of the methodology. It should be included as an Appendix so MN-S can confirm if Métis people had an opportunity to verify the accurate use of their Indigenous Knowledge. It is not good practice for only the discipline leads or the EA coordinator to interpret how Indigenous Knowledge is used. Specifically, integration implies Indigenous Knowledge was "added" to western science. Good practice would be to confirm if opportunities were taken to shape document content from Métis perspective and science was added.</p>	Please share the guidance document referred to under section 6.2, p. 6-8 with MN-S as part of fulsome conversations between NexGen and MN-S regarding the use of Indigenous Knowledge.
MN-S-05 (6-009)	Identification of Mitigation Section 6.7.2	<p>Section 6.7.2 of the EIS states that: "The environmental scientists worked closely with the Project design engineers to incorporate appropriate mitigation into the Project design and implementation plans so that residual effects would be acceptable."</p> <p>This suggests that design was left to Project scientists. Minutes of Joint Working Group meetings do not indicate where mitigation measures and design features were discussed in detail with Métis as rights-bearing Indigenous people.</p>	Text under section 6.7.2, p. 6-25 should be revised to reflect the outcomes of more fulsome engagement between NexGen and MN-S on Project design and mitigation measures.
MN-S-06 (16-011)	Residual Effects Analysis Section 16.5	<p>Section 16.5 of the EIS states: "Mitigations to improve perceptions on the quality of resources and cultural landscape would include the independent Indigenous monitoring program, Indigenous and Public Engagement Program to communicate results from the Project and independent environmental monitoring, and commitments contained within the Benefit Agreements such as monetary and human resources to support community-related initiatives in areas such as cultural and traditional values."</p> <p>Mitigations should be in place to minimize impacts, not "improve perceptions." Monitoring should be in place to understand the efficacy of the proposed mitigations.</p>	<p>As rights holders, MN-S should have the opportunity to contribute to the development and implementation of all discussions about mitigations and monitoring related to Indigenous Land and Resource Use.</p> <p>Until such time that an agreement is in place with MN-S for the Project, potential benefits of a benefit agreement are not appropriate mitigations as the terms of the agreement will be subject to a negotiation process with MN-S and the outcomes may vary from those presented. Please revise accordingly.</p>
MN-S-07 (22-017)	Risk Measurement and Evaluation, Section 22.6.1.2	<p>The EIS states: "Combined with the likelihood of Likely, the consequence for danger to worker safety due to smoke inhalation is assessed as Minor, and the risk level is evaluated as Low."</p> <p>Indigenous people experience disproportionate health and social outcomes in comparison to non-Indigenous people. The risk of smoke inhalation by Indigenous workers needs to be assessed separately.</p>	Please revise the EIS so that the risk of smoke inhalation by Indigenous workers is assessed separately.
MN-S-08 (22-010, 22-013, 22-015)	Incorporation of Indigenous Knowledge  Section 22	Comments from Indigenous Nations should not be summarized as each Indigenous Nation has its own areas of priorities that are unique and must be represented individually.	Please revise the EIS so that each Indigenous nation is represented individually.

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MN-S-09 (18-010, 18-011)	Existing Conditions Section 18.2.6	<p>“The approach also considered input from communities and Indigenous Groups in the LSA provided through Joint Working Groups ... and other engagement mechanisms ...”</p> <p>Through the references, it appears that only 2020 engagement with MN-S, however Joint Working Group meetings to inform the Project with other Indigenous Nations are referenced in 2021.</p> <p>It is unclear from this text who was engaged and participated in questionnaires and workshops, or the representation that was considered in the KP interview program. Regardless, as a rights holder MN-S should be provided the opportunity to participate in all engagement activities that were undertaken to inform this assessment.</p> <p>MN-S was not invited to participate in a 2021 Joint Working Group to explore traditional and wage economies.</p>	Please provide clarity on who was engaged and participated in questionnaires and workshops.
MN-S-10 (16-007)	Potential Effects and Proposed Mitigation Section 16.4	<p>Section 16.4 of the EIS states: “A chance find procedure would mitigate potential effects of the Project on any unknown cultural and heritage resources, should any sites be identified during land clearing and site preparation activities.”</p> <p>Best practices and acknowledgement of MN-S as a rights holder would include the opportunity to MN-S to collaborate and contribute to the development of a chance find procedure.</p>	Please revise the EIS to include clarity on how MN-S will have the opportunity to collaborate and contribute to the development of a chance find procedure.
MN-S-11 (2-001)	Engagement Framework Section 2.3	<p>Section 2.3 of the EIS states: "Indigenous Groups and other relevant stakeholders"</p> <p>MN-S and the other Indigenous Nations mentioned in the draft EIS are rights holders.</p>	<p>This language shows a lack of understanding of MN-S' Section 35 rights under the Constitution Act (1982) and should be avoided.</p> <p>Please revise the language in the EIS.</p>
MN-S-12 (16-025)	Cultural and heritage Resources Section 16.3.1	<p>The EIS states: “An HRIA was completed by Canada North Environmental Services Limited Partnership for the Project from 19 June to 22 June 2018 ... A total of 180 ha was assessed using a combination of pedestrian reconnaissance, post-effect inspections of disturbed areas, and the excavation of 239 subsurface shovel probes. No heritage resources were identified throughout the entire survey area.”</p> <p>Best practices and acknowledgement of MN-S as a rights holder would include MN-S representation during the HRIA and pedestrian surveys. Participation of Indigenous Nations can increase the robustness of cultural and heritage resource programs and may identify resources that may otherwise not be understood or identified.</p> <p>Based on the numbers provided over a course of three field days approximately 1.3 shovel probes were completed per hectare surveyed. Given that the Project area has been identified by MN-S (and other Indigenous nations) as an area of Indigenous land and resource use, there is a lack of confidence in the findings of the HRIA.</p>	Please include MN-S representation in all cultural and heritage resource programs and please provide rationale as to why there was no MN-S representation during the HRIA and pedestrian surveys.