

Archived: October 18, 2019 3:35:02 PM

From: [Georgi Doundarov](#)

Sent: October 18, 2019 3:16:34 PM

To: LacBendingLake (IAAC/AEIC)

Cc: Jagdish Parekh

Subject: Ambershaw Metallics Inc. Final Response to IAAC Letter from September 10, 2019

Sensitivity: Normal

Attachments:

[2019-09-10 ATTACHMENT 1 - IAAC to AMI - Summary Table of PP1 Comments -AMI Response - FINAL.docx](#)  [2019-09-10 LETTER - CEAA to AMI - Request to Respond to Comments from Comment Period on Project Description-AMI Response-FINAL.docx](#) 

Dear Sherry,

Please find attached Abershaw's final response to the Letter from IAAC Letter from September 10, 2019 "Request to Response to Comments Received during the Public Comment Period of the Screening Phase of the Federal Assessment for Bending Lake Iron Project (July 15 – August 4, 2019).

Please review and advise if there are any questions.

In regards of the high resolution pictures request, we are in a process of obtaining LIDAR mapping and will send high resolution pictures within the next week or so.

We are also confirming we would be available on October 31, 2019 - 9.30am to 11.00pm EDT to have the discussion about the EIS Guidelines as sent to us on October 4. Please confirm would you be setting up that conference call or we will be doing that?

Thanks a lot and thanks for guiding us during the process answering those questions.

Georgi

Georgi Doundarov, M.Sc., P. Eng., PMP, CCP

Project Director

Ambershaw Metallics Inc.

Cell: +1-647-267-2241

Email: gdoundarov@ambershaw.ca



Ambershaw Metallics

To:
Sherry Du
Project Manager, Bending Lake Project
Impact Assessment Agency of Canada
55 York Street, Suite 600
Toronto ON, M5J 1R7

October 18, 2019

RE: Ambershaw Metallics Inc. Response to IAAC Letter from September 10, 2019 “Request to Response to Comments Received during the Public Comment Period of the Screening Phase of the Federal Assessment for Bending Lake Iron Project (July 15 – August 4, 2019)”

Dear Sherry,

Ambershaw Metallics Inc. is pleased to respond to the comments received during the Public Comment Period of the Screening Phase of the Federal Assessment for Bending Lake Iron Project (July 15 – August 4, 2019) as presented by IAAC, specifically:

1. 2019-09-10 ATTACHMENT 1 - IAAC to AMI - Summary Table of PP1 Comments:

Attached is the Attachment 1 file with detailed Ambershaw responses to each question.

We appreciate the letter responses provided to the Agency that have been forwarded to Ambershaw. Indigenous Communities identified have been, and will be continue to be engaged directly, including those that have sent in letters to the Agency through this process. Other governmental, community organization and groups comments will be incorporated into the Environmental Assessment and Ambershaw appreciates the interest in developing this potential mining opportunity.

To conclude, we declare once again our intent to work closely with IAAC in every step of the Environmental Assessment to ensure we address properly and in timely manner every detail, related to the Bending Lake Project during the whole Environmental Assessment process.

If you have any additional questions or requirements, please feel free to contact me directly.

Best Regards

Georgi Doundarov, M.Sc., P.Eng., PMP, CCP
Project Director
Ambershaw Metallics Inc.
Tel: +1-647-267-2241
Email: gdoundarov@ambershaw.ca

ATTACHMENT 1:

Summary Table of Comments from Comment Period during the Screening Phase of the Federal Assessment (July 15 – August 4, 2019)

Bending Lake Iron Project Screening under the *Canadian Environmental Assessment Act, 2012*

Group	Summary of Comment	Proponent Response
Fish and Fish Habitat		
Mitaanjigamiing First Nation; Métis Nation of Ontario Region 1 Consultation Committee; Fisheries and Oceans Canada; Ontario Ministry of Natural Resources and Forestry	Commented on adverse effects on fish, including species such as bass and northern pike, and fish habitat (potential spawning or feeding areas) from the damming and dewatering a portion of the West Arm of Bending Lake.	Detailed fish and fish habitat reports for impacted waterbodies will be presented to the IAAC, federal and provincial authorities, and communities for comments through the EA process.
Fisheries and Oceans Canada; Ontario Ministry of Natural Resources and Forestry	Indicated that the dewatering of a portion of Bending Lake would result in fish habitat loss for a lake frequented by Lake Trout. Indicated that that the Project would likely require authorization(s) for serious harm to fish and fish habitat under Section 35(2) of the <i>Fisheries Act</i> .	This project will require an authorization from the Department of Fisheries and Oceans Canada. Comments from the local Indigenous Communities on this impact will be incorporated into the EA and Compensation Plans that will be developed. Please note, the west arm of Bending Lake is shallow, and not normally suitable for Lake Trout and is more a bass and northern pike habitat
Environment and Climate Change Canada	Indicated that the Project may be subject to the <i>Metal and Diamond Mining Effluent Regulations</i> of the <i>Fisheries Act</i> due to the potential for permanent loss of natural water bodies frequented by fish, resulting from the disposal of mine waste.	Acknowledged, Schedule 2 designation under the MDMER for the Tailing Area will be sought after Indigenous Consultations and detailed designs on the selected locations. All identified potential tailings locations may impact some fish and fish habitat.
Health and Socio-Economic Conditions		
Métis Nation of Ontario Region 1 Consultation Committee	Commented on adverse effects to health and socio-economic conditions, and stated that the extent of the potential changes would need to be assessed during the consultation process.	Through directed consultation with the Métis Nation of Ontario Region 1 Consultation Committee, these concerns that will be raised will be discussed and incorporated into the EIS. Details on those impacts are still being developed as engineering details come forth.
Health Canada	<p>Commented on the potential for effects on health conditions of Indigenous peoples.</p> <p>Indicated that the Project Description does not adequately describe how the proponent will address these effects, and further indicated that its current assessment is based merely on employment status. Recommended the proponent to dedicate human health as a valued component.</p>	Ambershaw will examine human health, inclusive of food contamination, air emissions, dust, water contamination, etc. as a potential valued component. It should be noted, that prior to the involvement of Ambershaw on the site, the aquatic environment of Bending Lake has ongoing and current fish consumption advisories that are not clearly understood. Ambershaw will work with the Indigenous communities and to assess potential health implications of this projects.

Group	Summary of Comment	Proponent Response
Thunder Bay Public Library	Indicated that Indigenous groups are concerned about potential impacts to commercial fishing.	Acknowledged, correspondence to date with Indigenous communities has not brought this concern forward due to the fish consumption advisories. We appreciate the concern and will include an examination in the final EIS.
Thunder Bay Public Library	Commented on Indigenous communities' interest in preferential hiring and treatment for Indigenous-owned businesses, as well as the potential for Indigenous groups to have an equity position in the Project.	Comment noted, and this concern will be addressed through MOU and IBA's that are NOT included as part of the EIS due to the confidential nature of those agreements.
Physical and Cultural Heritage		
Mitaanjigamiing First Nation; Ontario Ministry of Tourism, Culture and Sport	Asked about the possibility of graves in the area, and the requirement from the Ontario Ministry of Tourism, Culture and Sport for the proponent to study the land for cultural and historical significance. Ontario Ministry of Tourism, Culture and Sport noted that there is potential for project-related effects on physical and cultural heritage and sites of historical or archaeological significance. Additionally noted that further archaeological fieldwork would be required in some areas, as well as a Cultural Heritage Evaluation Report.	Through consultation with the Indigenous Communities this will be addressed during the EIS. Concerns raised will be addressed and respectful of privacy issues that may arise due to the sensitivity of cultural findings. A Stage II Archeology Report will be completed, after consultations with all communities.
Métis Nation of Ontario Region 1 Consultation Committee	Commented on the potential impacts to physical and cultural heritage, stating that the community has evidence of cultural sites in the project area, which require assessment during the consultation process.	Through consultation with the Métis Community this will be addressed during the EIS. Concerns raised will be addressed and respectful of privacy issues that may arise due to the sensitivity of cultural findings. A Stage II Archeology Report will be completed, after consultations with all communities. The Métis Nation of Ontario Region 1 Consultation Committee is encouraged to share any and all evidence of physical and cultural heritage within the boundaries of the Bending Lake Iron Project with Ambershaw. A Stage 2 Archeology Report will be completed to inform project development efforts.
Migratory Birds		
Environment and Climate Change Canada	Identified discrepancies in the Project Description related to the number of species at risk observed during breeding surveys. The Project Description lists 13 species observed, while Appendix C only lists 4 species observed.	For clarification, 13 species at risk were identified in the general area of the entire project. The Appendix C was lifted from the Advance Exploration Closure Plan for a Bulk sample area, that only identified 4 species risk.
Wildlife		

Group	Summary of Comment	Proponent Response
Canadian Transportation Agency	Indicated that the construction of the railway line and water crossings will require approvals under Section 98 of the <i>Canada Transportation Act</i> . Also noted that rail activity may lead to an increase in noise that may adversely affect local wildlife.	Approval under Section 98 of the <i>Canada Transportation Act</i> will be sought and potential impacts will be examined through the EIS process.
Métis Nation of Ontario Region 1 Consultation Committee	Noted that there are no references to any bats in the Project Description, even though the project area might be a habitat for threatened and endangered bat species such as the Little Brown Myotis and the Northern Myotis.	Bat surveys have been completed in parts of the project area (see Appendix C of the Project Description document), additional studies will be undertaken to identify presence and potential impacts of proposed activities, when warranted. It is important to note that human activity has no direct impact on breeding or populations of the Little Brown Myotis, or Northern Myotis. These species are impacted by disease naturally spread among their populations, not a lack of suitable habitat in Northwestern Ontario.
Thunder Bay Public Library	Indicated that Indigenous groups are concerned about potential impacts to wildlife areas.	Comment is noted and will be addressed through consultation with the various Indigenous Communities to ensure minimal impacts.
Current Use of Lands and Resources for Traditional Purposes		
Eagle Lake First Nation	Challenged the proponent's assertion in the Project Description that there is a lack of use or fishing activity in the project area.	Acknowledged and Ambershaw looks forward to identifying those waterbodies that are utilized by community members, through the consultation process with the Eagle Lake First Nation.
Eagle Lake First Nation Thunder Bay Public Library	Commented on the Project adversely impacting access to lands and waters for traditional purposes due to the geographical extent of the Project.	Comment noted and will be addressed during the community engagement efforts to inform as part of the EIS.
Mitaanjigamiing First Nation; Métis Nation of Ontario Region 1 Consultation Committee Thunder Bay Public Library	Commented on the Project adversely impacting current use of lands and resources for traditional purposes such as fishing, hunting, trapping, and harvesting of wild rice and medicines, and stated that the extent of the potential changes would need to be assessed during the consultation process.	Acknowledged and agree. Ambershaw looks forward to engaging with all those who have an interest in utilizing crown lands and waters adjacent to Ambershaw's patent land holdings. Comments received will be used to inform and assist Ambershaw's project design and development efforts.
Thunder Bay Public Library	Indicated that Indigenous groups are concerned about potential impacts to four trapline holders.	Acknowledged and will be addressed through the EIS engagement process, via consultation with the Indigenous Communities and individual trap line license holders who so wish to engage.
Ontario Ministry of Natural Resources and Forestry	Commented on the effects on current use of lands and resources, additionally noted that Bending Lake is a well-known and used canoe route.	Acknowledged and will be assessed during the EIS.
Structures, Sites or Things That Are of Historical, Archaeological, Paleontological or Architectural Significance		

Group	Summary of Comment	Proponent Response
Mitaanjigamiing First Nation; Métis Nation of Ontario Region 1 Consultation Committee Thunder Bay Public Library	Commented that there are potential structures, sites and things of historical, archaeological, paleontological, or architectural significance in the project area, which could be adversely impacted by the Project.	Further studies will be completed to identify and address concerns that may result from the project on these cultural significant items.
Mitaanjigamiing First Nation	Commented, with regard to the potential Stage 2 Archeological Assessment, that the proponent should hire a non-biased consultant/company, and cited that their opposition to the previous Hammond Reef Project was partially based on perceived bias of that proponent's consultant.	Acknowledged and appreciate the comments. Ambershaw will work with Mitaanjigamiing First Nation to identify several consultants that would ease this concern.
Thunder Bay Public Library	Indicated that Indigenous groups are concerned about potential effects to pictograph sites.	Acknowledged, will work closely to identify pictograph sites and ensure appropriate measures are taken minimize potential effects to pictograph sites
Cumulative Environmental Effects		
Métis Nation of Ontario Region 1 Consultation Committee	Commented on the potential for cumulative socio-economic effects in the area, given the possibility of the Nuclear Waste Management Organization developing a nuclear waste disposal facility site near Ignace, Ontario.	Acknowledged, this concern will be addressed during consultation with the Métis and cumulative effects of the NWMO , proposed Hydro One 230KV transmission line between Thunder Bay and Dryden and any others discovered over the course of the E.I.S. will be addressed.
Aboriginal and Treaty Rights		
Mitaanjigamiing First Nation; Eagle Lake First Nation; Métis Nation of Ontario Region 1 Consultation Committee	Commented about the Project adversely impacting Indigenous peoples' rights under section 35 of the <i>Constitution Act, 1982</i> in and around the project area.	AMI looks forward to working with Indigenous groups to understand how the Project might adversely impact Indigenous peoples' rights under section 35 of the <i>Constitution Act, 1982</i> in and around the project area.
Federal Assessment Process and Consultation		
Eagle Lake First Nation	Noted that it will take time to develop comments and to work with the proponent to inform baseline studies for the federal assessment of the Project.	Acknowledged and Ambershaw looks forward to developing these studies in consultation and cooperation with Eagle Lake First Nation

Group	Summary of Comment	Proponent Response
Mitaanjigamiing First Nation	<p>Commented on the lack of consultation during the provincial regulatory permitting stage for advanced exploration, and asked for clarification when the proponent intended to commence construction on the Project.</p>	<p>AMI sought, received and acted on the guidance of Grand Council Treaty 3 and the Ontario MENDM as to the potential set of communities who may have an interest in Advanced Exploration Activities in support of potential commercial mine development. AMI approached each of these communities to fully describe proposed development activities and requested each community to self-express their desire to be engaged with respect to proposed development activities on site. AMI has, at all times, and will continue to respect the self-expressed engagement wishes of each Treaty 3 First Nation community who may be impacted by AMI's proposed development activities. AMI will continue to proactively engage with all communities who express an interest in the project and any potential impact.</p> <p>The Bending Lake Iron Project is currently in the exploration phase. No decision has been made to advance the project to construction and operation. AMI has initiated the federal environmental assessment to engage and receive input from all Canadians in order to learn of any potential impacts, concerns and suggested mitigations to address all concerns raised. These aggregate comments will guide the mine design process, which in turn, will be used to assess the economic feasibility of a final mine design.</p>
Mitaanjigamiing First Nation	<p>Commented that the proponent has not engaged with Mitaanjigamiing First Nation, and that the community wishes to be engaged on the Project.</p> <p>Also clarified that the proponent should receive confirmation in writing from Indigenous groups that express disinterest in engagement activities related to the Project.</p>	<p>AMI sought, received and acted on the guidance of Grand Council Treaty 3 and the Ontario MENDM as to the potential set of communities who may have an interest in Advanced Exploration Activities in support of potential commercial mine development. AMI approached each of these communities to fully describe proposed development activities and requested each community to self-express their desire to be engaged with respect to proposed development activities on site. AMI has, at all times, and will continue to respect the self-expressed engagement wishes of each Treaty 3 First Nation community who may be impacted by AMI's proposed development activities. AMI will continue to proactively engage with all communities who express an interest in the project and any potential impact.</p>
Mitaanjigamiing First Nation	<p>Commented on the lack of consultation with all communities in the Treaty 3 area, and suggested all communities in the area should be consulted.</p>	<p>AMI sought, received and acted on the guidance of Grand Council Treaty 3 and the Ontario MENDM as to the potential set of communities who may have an interest in Advanced Exploration Activities in support of potential commercial mine development. AMI approached each of these communities to fully describe proposed development activities and requested each community to self-express their desire to be engaged with respect to proposed development activities on site. AMI has, at all times, and will continue to respect the self-expressed engagement wishes of each Treaty 3 First Nation community who may be impacted by AMI's proposed development activities. AMI will continue to proactively engage with all communities who express an interest in the project and any potential impact.</p>

Group	Summary of Comment	Proponent Response
Mitaanjigamiing First Nation	Asked about accessing funds for the community to hire a consultant/company to assist the community in providing the comments to the Agency.	AMI appreciates the suggestion and will use it's current consultants and potentially hire additional should the work requires that to facilitate the community in providing the comments to the Agency. AMI is committed to working closely with all potentially impacted communities in a manner that allows those communities to participate in the planning, development, operation and eventual closure of the Bending Lake Iron Project.
Mitaanjigamiing First Nation	Expressed interest in the proponent funding the community participation and offering opportunities for equity of the Project.	AMI appreciates the suggestion and will review such opportunities and define type and structure for equity of the Project. AMI is committed to working closely with all potentially impacted communities in a manner that allows those communities to participate in the planning, development, operation and eventual closure of the Bending Lake Iron Project.
Mitaanjigamiing First Nation	Asked if the proponent is a junior mining company, and commented that there is a possibility that the Project would be purchased.	As of this date, Ambershaw has not entered into negotiations to sell their project.
Mitaanjigamiing First Nation; Métis Nation of Ontario Region 1 Consultation Committee	Commented that all project components should be captured under a single federal assessment process, including the connections to the transmission line, the railway, and the highway.	The new railway spur line will be addressed under the federal assessment process. The electric transmission line and crossing of Highway #17.will also be assessed under the federal assessment process.
Mitaanjigamiing First Nation	Inquired whether the Agency and other government organizations would allow a proponent to advance in the federal assessment process, even if a community were to disagree with the proponent's findings.	AMI has submitted the proposed Bending Lake Iron Project to IAAC to initiate the process of engaging all Canadians in all aspects of the projects. This review and input process is utilized to inform AMI on the collective thoughts, concerns and or suggested mitigations of all Canadians. It is AMI's understanding and intent that this process is carried out to ensure that proposed developments are designed, constructed, operated and eventually closed out in a way which ensures reasonable certainty of providing net benefit to regional, provincial and national interests. AMI encourages all those with an interest in the project to provide their input to ensure any final decisions meet and balance the collective thoughts and visions of all.
Eagle Lake First Nation	Commented that the Project is of significant concern to the community, and that good management practices must be used to protect water, fish, birds, mammals and other life.	Acknowledged and agreed.
Eagle Lake First Nation	Commented that the Agency must meaningfully consult with the community, and committed to providing the Agency with a consultation plan for the Project.	Acknowledged and agreed.
Eagle Lake First Nation; Mitaanjigamiing First Nation	Commented that there should be a federal assessment for the Project based on the size and the proposed components, including the proposed	Acknowledged and agreed with the exception that electric transmission lines and highway improvements will also be assessed under the federal assessment process.

Group	Summary of Comment	Proponent Response
	construction of dams, rail lines and transmission lines in the Project site.	
Métis Nation of Ontario Region 1 Consultation Committee	Commented that there should be a federal assessment for the Project, and that the Project should be reviewed under the <i>Impact Assessment Act</i> (IAA) as opposed to CEAA 2012, as IAA requires the consideration of impacts to Indigenous rights.	IAAC to respond and confirm that this project will be assessed under CEAA 2012
Other Comments		
Mitaanjigamiing First Nation	Requested clarification in the types of chemicals used during the milling process and on the potential for mining and processing other metals, if discovered, in the project area.	Details will be found in the EIS.
Mitaanjigamiing First Nation	Commented that the proposed cofferdams could contribute to flooding in Bending Lake, and expressed concern with the displacement of water from the west arm of the lake.	No flooding is anticipated as a result of currently proposed works. Through the consultation with the Communities, concerns that are raised will be addressed to ensure that flooding does not occur.
Mitaanjigamiing First Nation	Commented about the potential for the Project to affect those who hold Outdoors Cards for recreational fishing.	Acknowledged. As part of the overall environmental assessment process, AMI will also evaluate the potential effects of the project to the recreational fishing and address the concerns accordingly.
Mitaanjigamiing First Nation	Raised the environmental legacy of the Steep Rock Mine in Atikokan, Ontario, as an example of the potential impacts of a mining project.	Legacy concerns of the Steep Rock project indicate that the potential for Acid Rock Drainage is the focus of environmental studies. Waste Rock Management plans will be developed to address any concerns that may arise during the finalization of Pit Designs and discussed with the Community prior to inclusion in the EIS.
Ontario Ministry of the Environment, Conservation, and Parks	Commented on the signed voluntary agreement between Bending Lake Iron Group Ltd., its successors and MECP. The voluntary agreement binds the proponent to completing a provincial Individual Environmental Assessment.	Ambershaw Metallics Inc. is NOT a successor to the Bending Lake Iron Group Ltd. Discussions with MECP on the path forward will be sought within the next few months and we appreciate the opportunity to do so.
Ontario Ministry of the Environment, Conservation, and Parks	Commented on potential impacts to Turtle River White Otter Lake Provincial Park, including new access routes from the Project and impacts to the quality of experience for park visitors.	No new access routes have been identified for this Project that will impact this park. Concerns raised will be addressed through the EIS process.
Transport Canada	Indicated that the Project may interfere with navigation, and noted that authorizations under the <i>Canadian Navigable Waters Act</i> (CNWA) may be required (i.e. under section 24 of the CNWA,	Acknowledge that authorizations from Transport Canada will be sought, once final designs and engineering has been completed, with corresponding consultation with local indigenous Communities completed prior to submission of any authorizations.

Group	Summary of Comment	Proponent Response
	and Order in Council will be required for the dewatering and deposition of stone into a navigable water body; an authorization may also be needed under subsection 5(1)(a) of the CNWA).	
Transport Canada	<p>Recommended that the proponent include the following information in the project description:</p> <ul style="list-style-type: none"> • Body of water details, such as physical characteristics, bank/bottom features, biological components flow/tides, etc. • Potential obstructions, such as natural/man-made, other works, navigation aids, etc. • Description of navigation use including type, volume, seasonality, maneuverability, etc. • Description of other uses of the waterbody such as cottagers, special events, fishing etc. <p>Current and historic use of the waterbody by Indigenous people and/or members of the public.</p>	This detailed information will be included within the EIS. Additional information may be sought by indigenous Communities that will be included in baseline reports.
Natural Resources Canada	Indicated that the Project may require a licence under Section 7 of the <i>Explosives Act</i> for the storage and manufacturing of explosives.	Acknowledged, a license under Section 7 of the <i>Explosives Act</i> will be required for the storage and manufacturing of explosives.
Thunder Bay Public Library	Noted that the words “Indigenous” and “First Nation” were not capitalized in the Project Description.	Noted, our apologies
Thunder Bay Public Library	Indicated that Indigenous groups are concerned about potential acid rock drainage.	Acknowledged, assessments of potential acid rock drainage are ongoing, with results shared through the EIS process.
Thunder Bay Public Library	Indicated that Indigenous groups are concerned about dust from the Project when the ground is frozen.	Operational plans will be developed to address this concern, should the project move forward into an operational stage. Provincial approvals will be required to minimize potential impacts of dust. This will also be presented as part of the Environmental Impact Statement AMI plans to present to the Agency.
Township of Ignace	Expressed interest in being consulted during all phases of the assessment process.	Acknowledged, open dialogue will be maintained with the Township of Ignace on a going forward basis.

Group	Summary of Comment	Proponent Response
Town of Atikokan	Expressed support for the Project.	Acknowledged with Thanks.