

Upper Beaver Gold Project – Impact Assessment Agency of Canada responses to comments received between September 13, 2021 and March 12, 2022

This summary table of comments includes comments received during the first comment period on the Initial Project Description; and the second comment period on the draft Tailored Impact Statement Guidelines, the draft Indigenous Engagement and Partnership Plan, the draft Public Participation Plan, the draft Permitting Plan and the draft Cooperation Plan. Where comments have been addressed in any of the documents from the second comment period the Impact Assessment Agency of Canada (the Agency) has indicated as such in the Agency Response to Comment column for ease of reference and/or to clarify the Agency's intent and expectations of Agnico Eagle Mines Limited (the Proponent).

#	Commenter	Comment Summary	Impact Assessment Agency of Canada Response to Comment
Accidents and Malfunctions			
1	Kebaowek First Nation Matachewan First Nation Environment and Climate Change Canada Health Canada/Public Health Agency of Canada Indigenous Services Canada – Land and Economic Development Transport Canada Beaverhouse Lake Residents and Cottagers Keepers of the Circle Ontario Rivers Alliance	Comments on accidents and malfunctions, including: <ul style="list-style-type: none"> - measures to prevent and avoid accidents - possible accident or malfunction scenarios, such as spills of hazardous substances or failures of project components including the open pit, tailings storage facility, pond liners, and dams - possible effects, including to human health, in the unlikely event of an accident and malfunction and measures to manage those - details of emergency response plans - details of plans to notify, involve and communicate with local residents, including Indigenous residents and in Indigenous languages 	Section 11 of the Tailored Impact Statement Guidelines require the Proponent provide information and studies in relation to accidents and malfunctions. Section 11.1 requires the Proponent to assess the risk and possible effects for potential accident and malfunction scenarios; section 11.2 requires the Proponent to describe the need for mitigation, management and prevention measures as well as monitoring or adaptive management measures; and section 11.3 requires the Proponent to describe emergency management, including communication plans.
Acoustic Environment			
2	Beaverhouse First Nation Matachewan First Nation Métis Nation of Ontario Timiskaming First Nation Health Canada/Public Health Agency of Canada Ministry of Heritage, Sport, Tourism and Culture Industries Member of the Public Ontario Rivers Alliance	Comments on the acoustic environment, including: <ul style="list-style-type: none"> - identification of human receptors - potential effects, including to human health and recreational activity, from increased noise levels during all phases of the Project - proposed mitigation measures and follow-up program monitoring 	Section 8.4 of the Tailored Impact Statement Guidelines require the Proponent provide information and studies in relation to the atmospheric, acoustic and visual environment. Section 8.4.2 requires the Proponent to provide a vibration and sound impact assessment, including the anticipated zone of influence and potential receptor locations as well as identify noise sources. Section 8.4.3 requires the Proponent to develop a noise management plan with the participation of Indigenous Knowledge holders, including common noise mitigation measures and to establish the need for follow-up program monitoring. Section 9.1.3 requires the Proponent to assess effects on human health with respect to biophysical determinants of health, including from noise exposure and effects of vibration from the Project.

Alternative To, and Alternatives Means			
3	<p>Kebaowek First Nation Canadian Environmental Law Association</p>	<p>Comments on the no-action alternative for the Project.</p>	<p>The Proponent noted in section C.6 of their Detailed Project Description that the no-action alternative does not meet their purpose of the Project. In consideration of the above, the Agency included Section 4.3 of the Tailored Impact Statement Guidelines for the Proponent to describe alternatives to the Project that are technically and economically feasible to meet the project need and achieve the project purpose, from the perspective of the Proponent.</p> <p>The Agency has guidance available on its website: Policy Context: Addressing "Need for", "Purpose of", "Alternatives to" and "Alternative means"¹ and Guidance on "Need for", "Purpose of", "Alternatives to" and "Alternative means"².</p>
4	<p>Apitipi Anicinapek Nation Beaverhouse First Nation Matachewan First Nation Métis Nation of Ontario Taykwa Tagamou Nation Timiskaming First Nation Ministry of Environment, Conservation and Parks Canadian Environmental Law Association Member of the Public Northwatch Ontario Rivers Alliance</p>	<p>Comments on the need for an analysis of alternative means of carrying out the Project that considers:</p> <ul style="list-style-type: none"> - alternatives to the proposed operation schedule and alternatives to mineral extraction options that considers stability concerns related to bedrock competence and historical mine workings - carrying out the Project without draining York Lake and diverting the Misema River - alternative methods and locations of tailings storage, and associated effects of alternatives to groundwater quality due to acid rock drainage and metal leaching - the road network - maximizing sustainability and economic benefits to the area and local population - explosives used for the Project, including the consideration of alternative explosives to ammonium nitrate, fuel oil (AN/FO) based explosives, to minimize nitrates in the water discharge <p>Comments on the need for further information on how the Proponent considered cultural and environmental valued components in planning.</p>	<p>Section 4.4 of the Tailored Impact Statement Guidelines require the Proponent to conduct an alternative means analysis that considers the technical and economic feasibility of possible alternative means; describes the methodology and environmental criteria that were used to determine the preferred means of carrying out the Project; addresses alternatives to key project components; and considers the sustainability principles outlined in Section 17 (Appendix 1) in its selection of the preferred means of carrying out the Project.</p> <p>As indicated in Section 4.4, the alternative means assessment should be informed by Indigenous Knowledge, community knowledge, comments received by the public, Indigenous communities, and comments received from a jurisdiction.</p>

¹ <https://www.canada.ca/en/impact-assessment-agency/services/policy-guidance/practitioners-guide-impact-assessment-act/need-for-purpose-of-alternatives-to-and-alternative-means.html>

² <https://www.canada.ca/en/impact-assessment-agency/services/policy-guidance/practitioners-guide-impact-assessment-act/guidance-need-for-purpose-of-alternatives-to-and-alternative-means.html>

Atmospheric Environment			
5	Matachewan First Nation Métis Nation of Ontario Environment and Climate Change Canada Canadian Environmental Law Association Keepers of the Circle Member of the Public Ontario Rivers Alliance	Comments on air quality including: - updated air quality baseline studies - potential effects of emissions and the release of substances on air quality during all phases of the Project - dispersion modelling - mitigation measures and monitoring plans	Section 8.4.1 of the Tailored Impact Statement Guidelines require the Proponent to provide baseline ambient air concentrations for contaminants and relevant air pollutants. Section 8.4.2 requires the Proponent to assess potential effects of the Project on air quality using atmospheric dispersion modelling. Section 8.4.3 requires the Proponent to identify mitigation measures for adverse changes to air quality and a description of air quality monitoring.
6	Apitipi Anicinapek Nation Kebaowek First Nation Matachewan First Nation Métis Nation of Ontario Beaverhouse Lake Residents and Cottagers Member of the Public Northwatch Ontario Rivers Alliance	Comments on potential effects of light pollution from the Project. Need for further information on proposed mitigation measures and monitoring plans	Section 8.4.2 of the Tailored Impact Statement Guidelines require the Proponent to describe the changes in nighttime light levels resulting from the Project. Section 8.4.3 requires the Proponent to provide a light management plan, including the planning and management of lighting for every activity site and the consideration of measures for the reduction of excessive light during construction and operation.
Climate Change and Greenhouse Gas Emissions			
7	Métis Nation of Ontario Timiskaming First Nation Environment and Climate Change Canada Beaverhouse Lake Residents and Cottagers Canadian Environmental Law Association, Mining Watch and Ontario Nature Keepers of the Circle Ontario Rivers Alliance	Comments regarding the Project's impacts on climate change, including: - net greenhouse gas (GHG) emissions for each separate phase of the Project (e.g. carbon footprint), including information on which GHGs will be measured and reported publicly, and methodology used - potential project effects on carbon sinks, such as nearby wetlands	Section 8.11 of the Tailored Impact Statement Guidelines require the Proponent provide information related to climate change, as described in the Strategic Assessment of Climate Change (2020) ³ . Section 8.11.1 requires the Proponent to describe GHG emissions, including the description of net GHG emissions by year for each phase of the Project based on the Project's maximum capacity. Section 8.11.2 requires a quantitative and qualitative description of the Project's positive or negative effects on carbon sinks.
8	Timiskaming First Nation Canadian Environmental Law Association, Mining Watch and Ontario Nature Member of the Public Ontario Rivers Alliance	Comments on the Project's impact to Canada's ability to meet its climate change target and environmental obligations	Section 8.11 of the Tailored Impact Statement Guidelines outline the information required as part of the Proponent's Impact Statement with respect to climate change commitments. Section 13 requires the Proponent to describe where the Project may adversely affect Canada's ability to meet its environmental obligations, and the mitigation measures and follow-up program monitoring related to those effects.
Cumulative Effects			
9	Apitipi Anicinapek Nation Beaverhouse First Nation Kebaowek First Nation Matachewan First Nation	Comments on potential cumulative effects in the surrounding watershed and downstream of the Project due to current and historical mineral exploration activities, existing mine hazards,	Section 7.6 of the Tailored Impact Statement Guidelines require the Proponent to assess cumulative effects on environmental, health, social, economic and Indigenous valued components (VC) for which the Proponent anticipates residual effects from project

³ <https://www.strategicassessmentclimatechange.ca/>

	<p>Métis Nation of Ontario Taykwa Tagamou Nation Temagami First Nation Indigenous Services Canada – Land and Economic Development Natural Resources Canada Ministry of Heritage, Sport, Tourism and Culture Industries Beaverhouse Lake Residents and Cottagers Keepers of the Circle Member of the Public Northwatch Ontario Rivers Alliance</p>	<p>nearby forestry activities, downstream water control structures and hydroelectric developments on:</p> <ul style="list-style-type: none"> - wildlife, - surface water and groundwater quality and quantity, - fish and fish habitat, - human health, social and economic conditions, and - the exercise of Aboriginal and/or treaty rights, including current use of lands and resources for traditional purposes such as harvesting, fishing or hunting <p>Need for further information on the area of influence for the assessment of potential cumulative effects, including the incorporation of Indigenous Knowledge.</p>	<p>activities; to identify and justify the spatial and temporal boundaries for the cumulative effect assessment for each VC selected; and must collaborate with Indigenous communities in assessing the cumulative effects of the Project on the rights and interests of Indigenous peoples.</p>
Decommissioning and Reclamation			
10	<p>Beaverhouse First Nation Matachewan First Nation Métis Nation of Ontario Temagami First Nation Timiskaming First Nation Ministry of Environment, Conservation and Parks Keepers of the Circle Member of the Public Northwatch</p>	<p>Comments on the plans for decommissioning and reclamation, which include:</p> <ul style="list-style-type: none"> - consideration of historical mine hazards located on site and information on disposal of solid wastes generated during decommissioning; - the open pit and underground workings, including groundwater filling; - waste rock management and the potential for acid rock drainage and metal leaching; - financial assurance, as required under the <i>Ontario Mining Act</i>, plans for closure if the Project is no longer viable and must close unexpectedly, and whether any suspension criteria or sale would trigger closure; and - long-term monitoring, from the start of decommissioning until the end of abandonment 	<p>Section 3.4 of the Tailored Impact Statement Guidelines require the Proponent to describe all project components, including plans for management of waste during all phases of the Project, and plans for decommissioning and abandonment of all mine components.</p> <p>Sections 8.5.2 and 8.5.3 require the Proponent to describe tailings management strategies, and methods for managing seepage and runoff, respectively.</p> <p>Sections 7.5 and 9.3.2 require the Proponent to describe any financial liability and compensation in place, as required by regulation or by the Proponent's commitments, in relation to decommissioning or abandonment.</p> <p>Section 15 requires the Proponent to present follow-up program monitoring for valued components that warrant it, and the rationale for the selection. Section 15.4 requires the Proponent to consider adaptive management as a means to address high uncertainties associated with the effectiveness of mitigation measures.</p>
Effects of the Environment on the Project			
11	<p>Canadian Environmental Law Association, Mining Watch and Ontario Nature Member of the Public Environment and Climate Change Canada</p>	<p>Need for further study on the effects of, and resilience of, project infrastructure - including tailings storage facilities, waste management areas, site drainage and water diversion structures - to climate change</p>	<p>Section 12 of the Tailored Impact Statement Guidelines require the Proponent provide information related to how environmental conditions such as natural hazards could adversely affect the Project. This includes describing the Project's climate resilience and how the impacts of climate change have been integrated into</p>

			the project design and planning, including water management planning.
Fish and Fish Habitat			
12	<p>Beaverhouse First Nation Kebaowek First Nation Matachewan First Nation Temagami First Nation Timiskaming First Nation Wahgoshig First Nation Wolf Lake First Nation Fisheries and Oceans Canada Beaverhouse Lake Residents and Cottagers Keepers of the Circle Member of the Public Northwatch Ontario Rivers Alliance</p>	<p>Comments on fish and fish habitat related to:</p> <ul style="list-style-type: none"> - baseline studies, including on biological indicator species, such as benthic invertebrate species - potential effects from project components and activities such as dewatering of York Lake, dams and water diversion structures, blasting, tailings storage facility, stockpiles, acid rock drainage and metal leaching and effluent discharge - mitigation measures and monitoring plans, including the characterization of residual effects - the establishment of fish habitat in the flooded open pit - the need for a fisheries offsetting plan under the <i>Fisheries Act</i> to offset habitat loss due to the Project 	<p>Section 8.7 of the Tailored Impact Statement Guidelines require the Proponent provide information and studies related to fish and fish habitat. Section 8.7.1 requires the Proponent to conduct baseline studies on fish and fish habitat, including benthic invertebrate communities. Section 8.7.2 requires the Proponent to use a Pathway of Effects approach to determine the potential effects to fish and fish habitat, including benthic invertebrate communities, and to delineate anticipated harmful alteration, disruption, or destruction of fish and fish habitat. Section 8.7.3 requires the Proponent describe the mitigation measures for the potential effects on fish and fish habitat, including measures and plans to offset or compensate for any loss in productivity of fish populations and fish habitat as a result of the Project, and refer to guidance by Fisheries and Oceans Canada. Please see row 57 of this document in relation to characterization of residual effects.</p> <p>Section 15 requires the Proponent to present follow-up program monitoring for valued components that warrant it, and the rationale for the selection.</p>
Geology and Soils			
13	Keepers of the Circle	Need for baseline geochemical studies of waste rock, overburden, ore, tailings, construction rock, and pit walls	Section 8.2 of the Tailored Impact Statement Guidelines require the Proponent to provide information and studies related to geology, geological hazards and geochemistry. Section 8.2.1 requires the Proponent to provide a geochemical characterization of expected mined materials, such as waste rock, ore pit wall materials, underground development ramps, tailings, overburden and potential construction material.
14	Matachewan First Nation Ministry of Environment, Conservation and Parks	Need for further information on plans for managing and rehabilitating historical contamination disturbed or overprinted due to the Project, including historical waste rock stockpiles and tailings storage areas, and standards to be achieved	Section 8.3 of the Tailored Impact Statement Guidelines require the Proponent provide information and studies related to topography, soil and sediment. Section 8.3.3 requires the Proponent to describe mitigation measures for the possible effects to topography, soil and sediment, including the consideration of the use of phytostabilization and native plants as mitigation measures to reduce the mobility of contaminants in soil.

15	Member of the Public	Need for further information on construction of trails and trenching, including effects due to erosion and the potential for effects on soil quality	Section 8.3.1 of the Tailored Impact Statement Guidelines require the Proponent to provide information on soil depth by horizon and soil order within the project area to support soil salvage and reclamation efforts, and to outline potential for soil erosion.
Federal Lands			
16	Environment and Climate Change Canada	Need for further information to validate whether there are expected project changes to the environment on federal lands	<p>Section 3.2 of the Tailored Impact Statement Guidelines require the Proponent to include information on the distance of the project components to any federal lands and the location of any federal lands within the regional study area.</p> <p>In addition to identifying the location of federal lands in relation to the Project, Sections 8.6.1, 8.9.1, and 8.10.1 require the Proponent to assess project effects on terrestrial wildlife, wetlands and species at risk that may be on federal lands.</p>
General			
17	Beaverhouse First Nation Kebaowek First Nation Long Point First Nation Canadian Environmental Law Association Member of the Public Ontario Rivers Alliance	Concerned with infractions to section 7 of the <i>Impact Assessment Act</i> , regarding the Proponent's advanced exploration activities	<p>The Agency has shared comments regarding activities related to advanced exploration on site with the Proponent. If you have any further questions about advanced exploration, please contact the Proponent at:</p> <p>Sarah Morin Superintendent, Sustainable development Agnico Eagle Mines Limited – Kirkland Lake Office 10200, route de Preissac Rouyn-Noranda QC J0Y 1C0 Sarah.Morin@agnicoeagle.com</p>
18	Kebaowek First Nation	Need for further information on the purpose and need for the Project	<p>Section 4.1 of the Tailored Impact Statement Guidelines require the Proponent to outline what is achieved by carrying out the Project, including any objectives the Proponent has in carrying out the Project.</p> <p>Section 4.2 requires the Proponent to describe the underlying opportunity or issue that the Project intends to seize or solve.</p>
19	Canadian Environmental Law Association	Describe how the five public interest factors are being considered for the Project	<p>The Tailored Impact Statement Guidelines require the Proponent to provide information related to the factors listed under section 22 of the IAA, which are related to one or more of the public interest factors described under section 63 of the IAA.</p> <p>The public interest determination is based on the Agency's Impact Assessment Report, a draft of which will be issued for public</p>

			<p>comment during the impact assessment phase. The analysis of the section 22 factors in the Impact Assessment Report will support the consideration of the public interest factors. In the decision phase of the impact assessment process, the Minister of Environment and Climate Change will make the public interest determination based on the Agency-prepared Impact Assessment Report.</p> <p>The Agency has guidance available on its website - Policy Context: Public Interest Determination under the <i>Impact Assessment Act</i>⁴.</p>
20	Taykwa Tagamou Nation	Request that the Permitting Plan include provincial permits, licenses and authorizations in addition to the already described federal processes	The Permitting Plan only includes federal permits, licences and authorizations that may be required for the Project. The Proponent's Detailed Project Description includes a preliminary list of permits in section E.3 entitled: Federal, Provincial and Municipal Environmental Approvals.
21	Beaverhouse First Nation	Concern that the Proponent has been issued a permit for a fish culvert replacement near the project site, before the completion of the impact assessment on the Project	In the Proponent's Detailed Project Description, there is a description of ongoing exploration-related facilities and infrastructure. For instance, section C.3.3 of the Proponent's Detailed Project Description lists the facilities required to support the advanced exploration program, including improvements to the existing site access road (Beaverhouse Road) including culverts if needed. Table C.2 outlines the preliminary list of proposed mine facilities for the Project and a comparison to advanced exploration facilities. This table provides clarity on the components of the proposed Project to be assessed under IAA, which does not include the construction and operation of advanced exploration facilities. Table C.3 also outlines the preliminary list of activities for the Project.
Human Health and Well-being			
22	Beaverhouse First Nation Kebaowek First Nation Matachewan First Nation Metis Nation of Ontario Health Canada/Public Health Agency of Canada Indigenous Services Canada – First Nations Inuit Health Branch	<p>Comments on human health, including:</p> <ul style="list-style-type: none"> - identification of human receptors and locations of potable water sources and groundwater wells for water consumption; - potential effects from: <ul style="list-style-type: none"> - exposure to air pollutants (such as dust from tailings and metals) - increased noise levels 	Section 8.4.2 of the Tailored Impact Statement Guidelines require the Proponent to refer to Health Canada's <i>Guidance for Evaluating Human Health Impacts in Environmental Assessment: Air Quality</i> to ensure that it provides the information and analysis considered necessary to assess the Project's impacts on human health in relation to changes to air quality.

⁴ <https://www.canada.ca/en/impact-assessment-agency/services/policy-guidance/public-interest-determination-under-impact-assessment-act.html>

	Keepers of the Circle Member of the Public Northwatch Ontario Rivers Alliance	<ul style="list-style-type: none"> - exposure to contaminated surface water and groundwater, including drinking and recreational water sources in the vicinity of the Project - potential electric and magnetic field impacts from proximity to transmission lines - exposure to contaminated fish species used as a food source - potential impacts to health and safety of local communities, including mental health, from an influx of project workers - proposed mitigation measures and monitoring plans. 	<p>Section 9.1 requires the Proponent provide the information and studies related to health conditions. Section 9.1.1 requires the Proponent to describe baseline health conditions including locations of human receptors. Sections 9.1.2 and 9.1.3 requires the Proponent to provide an assessment of the potential effects on human health including biophysical determinants of health. Section 9.1.4 requires the Proponent to describe the effects on social determinants of health, including the effect that in-migration of outside workers may have on the safety of women, girls and gender-diverse people. Section 9.1.5 requires the Proponent to describe mitigation measures and enhancement measures for any potential effects on human health.</p> <p>Section 15 require the Proponent to present follow-up program monitoring for valued components that warrant it, and the rationale for the selection.</p>
Inadequate Documentation			
23	Beaverhouse First Nation Member of the Public Northwatch	Need for further information about the Proponent, including how any recent partnership agreements may affect the Project	<p>In the response to the Summary of issues (#47), the Proponent states that Agnico Eagle Mines Limited and Kirkland Lake Gold Limited announced on September 28, 2021, that they have entered into an agreement to combine in a merger of equals, with the combined company to continue as Agnico Eagle Mines Limited. Possible synergies with the Upper Beaver Gold Project will be further assessed after the completion of the merger, and if conclusive, will be integrated to the Upper Beaver Gold Project design and impact assessment, if appropriate.</p> <p>Section 9.3.2.2 of the Tailored Impact Statement Guidelines require the Proponent to provide information on the economic viability of the Project, in consideration of the merger with Kirkland Lake Gold, to support the net benefits assessment.</p>
24	Kebaowek First Nation Taykwa Tagamou Nation Timiskaming First Nation Indigenous Services Canada – Land and Economic Development Member of the Public	Need for defined spatial boundaries for the Project, including rationale for the areas	Section 7.3 of the Tailored Impact Statement Guidelines require the Proponent to establish appropriate spatial and temporal boundaries to describe baseline conditions for, and to guide the assessment of, each valued component, including the input from Indigenous peoples and relevant non-Indigenous peoples.
25	Apitipi Anicinapek Nation Beaverhouse First Nation Kebaowek First Nation	Comments on the need for historical environmental studies and data in addition to completed updated baseline studies to identify if the Project will have positive or adverse effects within federal	Section 7.1 of the Tailored Impact Statement Guidelines require the Proponent to describe the baseline for the environmental, health, social and economic conditions related to the Project, and

	Métis Nation of Ontario Taykwa Tagamou Nation Temagami First Nation Keepers of the Circle Member of the Public	jurisdiction or adverse direct or incidental effects, to assess the required mitigation measures and monitoring plans	that baseline data must be collected in a manner to allow for reliable analysis, extrapolation and predictions. It also requires the Proponent to provide detailed descriptions of data sources and data collection methods. This includes sampling, survey and research protocols, modeling methods (including details of modelling software used (program and version), and model tuning or parameterization), sources of uncertainty, error estimates, any assumptions or biases, and an explanation of why these are the most appropriate sources and methods for the Project.
26	Member of the Public	Need for information on land ownership - including ownership of lands for the water diversion structures, and the access road to local cottages	In section D.3 (page 42) of Detailed Project Description, the Proponent states that the project property (as of February 1, 2021) comprises a portfolio of patented mining claims with surface and mining rights, mineral leases with surface and mining rights, and unpatented mining claims with mining rights only. The project facilities are planned to be placed on patent mining lands having both mineral and surface rights. Section 3.4 of the Tailored Impact Statement Guidelines require the Proponent to include maps of key project components, boundaries of the proposed site with geographic coordinates, major existing infrastructure, Proponent lands, and leased properties on lands, adjacent resource lease boundaries, jurisdictional boundaries, adjacent land uses and any important environmental features.
27	Member of the Public	Need for further information on the ore deposit, including the gold content	Section 8.2 of the Tailored Impact Statement Guidelines requires the Proponent to provide a geochemical characterization of the mined materials, and to present cross sections or block model images. Section 9.3.2.2 requires the Proponent to provide information on the economic viability of the Project.
28	Apitipi Anicinapek Nation Beaverhouse First Nation Kebaowek First Nation Matachewan First Nation Métis Nation of Ontario Temagami First Nation Timiskaming First Nation Fisheries and Oceans Canada Beaverhouse Lake Residents and Cottagers	Comments on the need for further information on the Project and the design of all proposed project components, including: <ul style="list-style-type: none"> - the processing plant, dams, diversion channels, new roads (public and on-site), aggregate sources (including locations and access routes) and the transmission line - hazardous chemicals used on site - plans for the processing plant to process ore from other nearby deposits, including other deposits owned by the Proponent 	Section 3.4 of the Tailored Impact Statement Guidelines require the Proponent to describe the project components, associated and ancillary works, and other characteristics, including the description of project activities to be carried out at each project phase such as those listed in Section 17 (Appendix 1). Section 4.4 requires the Proponent to address alternative means for key project activities, including route or corridor options and means options for transportation of ore on-site and off-site.

	Canadian Environmental Law Association Member of the Public Northwatch Ontario Rivers Alliance	<ul style="list-style-type: none"> - methods for transportation of ore to the processing plant, and transportation of processed materials and metal concentrate to locations off-site - how waste will be handled, including information on the transportation of waste off-site and the potential routes that will be used, and the potential requirement for an on-site demolition landfill during decommissioning - the production, transportation, and storage of explosives, as well as explosion protection and response plans 	
29	Beaverhouse First Nation Matachewan First Nation Member of the Public	Need for further information on impacts to public tax-funded roads from mine vehicles, and on traffic management near the project site, including how signage will be used to ensure public safety from mine vehicles	<p>In the response to the Summary of Issues (#59), the Proponent indicated that it will assess the potential traffic volumes from the Project in discussion with the Ontario Ministry of Transportation and local Townships, to assess any requirements associated with use of existing roads. Required taxes will be paid to applicable levels of government.</p> <p>Sections 9.2.1.3, 9.2.2.3 and 9.2.3 of the Tailored Impact Statement Guidelines require the Proponent to describe baseline, effects and mitigation measures, respectively, related to the existing local and regional infrastructure facilities in the study areas for Indigenous peoples and the public, including road infrastructure and traffic safety; and any other potentially affected infrastructure and transportation routes.</p>
30	Beaverhouse First Nation Ontario Rivers Alliance	Need for further information on the crown pillar between the bottom of York Lake and the top of underground working, including the integrity of the pillar for underground mining. Need for a geotechnical study of the crown pillar.	<p>Section 8.2.1 of the Tailored Impact Statement Guidelines require the Proponent to describe the geomorphology, topography and geotechnical characteristics of areas proposed for construction of major project components, and a characterization of instabilities caused by historical mining activities.</p> <p>Section 8.2.2 requires the Proponent to describe potential effects of the Project in areas of geological instability caused by historical mining activities.</p> <p>Section 11.1 requires the Proponent to identify hazards for each project phase that could lead to events of accidents and malfunctions, such as the crown pillar, and provide an explanation of how these events were identified.</p>

Indigenous and Public Engagement			
31	<p>Apitipi Anicinapek Nation Beaverhouse First Nation Kebaowek First Nation Matachewan First Nation Métis Nation of Ontario Taykwa Tagamou Nation Timiskaming First Nation Beaverhouse Lake Residents and Cottagers Canadian Environmental Law Association Member of the Public Ontario Rivers Alliance</p>	<p>Comments on the need for information on future efforts to engage with Indigenous communities, including:</p> <ul style="list-style-type: none"> - opportunities to meet with technical experts and review technical materials within reasonable timelines - the consideration of Indigenous protocols and knowledge - notification of engagement activities provided in advance to ensure Indigenous communities have adequate time to coordinate activities with community members, in concordance with free, prior and informed consent - the consideration of COVID-19 pandemic and restrictions on in-person gatherings and potential technological limitations in the area - the need for community-specific plans 	<p>The Indigenous Engagement and Partnership Plan is intended to be implemented bilaterally with each Indigenous community identified in section 4. The Agency welcomes continued dialogue throughout the assessment process with each Indigenous community.</p> <p>Given the ongoing COVID-19 pandemic, the Agency intends to plan virtual meetings and interactive community information sessions throughout the impact assessment process until in-person meetings and sessions are deemed appropriate in consideration of local and provincial health guidelines. In-person meetings with Indigenous communities would only occur at their request and with their consent. More information on Agency's engagement tools and methods can be found in the Indigenous Engagement and Partnership Plan and the Public Participation Plan for the Project.</p> <p>With regard to the Proponent, Section 6 of the Tailored Impact Statement Guidelines lay out the requirements for the Proponent's engagement with Indigenous communities. Section 6 requires the Proponent to engage with Indigenous communities at the earliest reasonable opportunity, and that engagement efforts should be consistent with the United Nations Declaration of Rights of Indigenous Peoples, including the principle of free, prior and informed consent. Section 6.1 requires the Proponent to understand, respect and implement community-specific engagement protocols and procedures around Indigenous knowledge.</p>
32	<p>Apitipi Anicinapek Nation Timiskaming First Nation Employment and Social Development Canada Women and Gender Equality Canada Beaverhouse Lake Residents and Cottagers Canadian Environmental Law Association Member of the Public</p>	<p>Comments on the need for further information on efforts to engage with and seek input from the local population, including nearby property owners in and around the Beaverhouse Lake and Misema river system, and downstream stakeholders with regional interests. Provide a list of stakeholders that will be engaged, including federal departments, provincial ministries, Indigenous communities, and the general public. Recommend open-house events in the</p>	<p>The Public Participation Plan outlines the various ways public participants can provide input to the Agency and participate during the impact assessment process. The Agency intends to plan virtual interactive community information sessions throughout the impact assessment process until in-person sessions are deemed appropriate in consideration of local and provincial health guidelines. More information on Agency's engagement tools and methods can be found in the Public Participation Plan for the</p>

	Northwatch Ontario Rivers Alliance	communities of Dobie, Larder Lake, King Kirkland, and Virginiatown	<p>Project. Section 4 of the Indigenous Engagement and Partnership Plan lists Indigenous communities that may be potentially impacted by the Project, and who the Agency plans to continue to consult and engage with. The Permitting Plan outlines the federal permits, licences and authorizations required for the Project and the associated federal departments. Table A1 of the Cooperation Plan lists the Ontario ministries participating in the federal impact assessment for the Project.</p> <p>With regard to the Proponent, section 5 of the Tailored Impact Statement Guidelines require the Proponent to engage with local communities and stakeholders in an inclusive manner to ensure interested members of the public have an opportunity to share their views. Section 6.2 requires the Proponent to provide the list of Indigenous communities engaged by the Proponent, including those that the Proponent was unsuccessful in engaging.</p>
33	Beaverhouse First Nation Ontario Rivers Alliance	Need for further information on funding opportunities by the Proponent for public groups to participate in project activities	<p>The Agency will forward this comment to the Proponent for a response.</p> <p>Section 5.2 of the Tailored Impact Statement Guidelines require the Proponent to engage with the public during the impact assessment process, and to provide interested members of the public opportunities to share their views.</p>
34	Apitipi Anicinapek Nation Beaverhouse First Nation Taykwa Tagamou Nation Timiskaming First Nation Member of the Public Ontario Rivers Alliance	Need for more regular, substantive and transparent communication from the Proponent to Indigenous communities and the public, including in the Proponent's responses to concerns raised directly to them	<p>The Agency will forward this comment to the Proponent for a response.</p> <p>Section 5.2 of the Tailored Impact Statement Guidelines require the Proponent to engage with the public during the impact assessment process, and to provide interested members of the public an opportunity to share their views. The Proponent must also describe how questions and comments raised by the public influenced the project design. The Proponent is required to provide details and commitments regarding how the public will be kept involved if the Project were to be approved and were to proceed, such as public involvement in follow-up program monitoring.</p>
35	Beaverhouse First Nation Métis Nation of Ontario Taykwa Tagamou Nation Ministry of Heritage, Sport, Tourism and Culture Industries	Provide the outcomes of engagement and consultation activities with Indigenous communities and the public	When the Agency requests input from Indigenous communities and the public, the purpose is to inform the development of certain documents which are part of the impact assessment process, such as the Tailored Impact Statement Guidelines, the Impact Assessment Report to the Minister, or to inform the review of

	Canadian Environmental Law Association		<p>documents submitted during the process, such as the Proponent's impact statement.</p> <p>Section 6.2 of the Tailored Impact Statement Guidelines require the Proponent to provide a description of the outcomes of conversations with each Indigenous community about how they wish to be engaged by the Proponent.</p>
36	Taykwa Tagamou Nation	Need further information on the role of the Provincial Government in consultation activities, in relation to the Impact Assessment Agency of Canada's duty to consult as the Crown	<p>The Government of Ontario has no formal role in supporting the Agency's work to implement the IAA or fulfill its duties related to consultation.</p> <p>According to Proponent's Detailed Project Description, two primary provincial agencies are expected to be involved with approvals for the Project. The Ministry of Mines which has a responsibility to implement Ontario's <i>Mining Act</i>, and the Ministry of the Environment, Conservation and Parks, which has responsibilities around various permits and approvals related to water and air quality (including sound), waste management and Species at Risk. These ministries have their own respective consultation responsibilities.</p>
37	Beaverhouse First Nation Métis Nation of Ontario Timiskaming First Nation Member of the Public	Concern that the Agency's timeframe and participant funding does not allow meaningful participation in the impact assessment process.	<p>The Indigenous Engagement and Partnership Plan outlines the Agency's tools and methods to ensure meaningful consultation in the impact assessment process, such as providing clear and timely information on available funding, milestones in the impact assessment process timelines, and the expected activities for Indigenous communities. The Agency finalized this Plan based on input from potentially impacted Indigenous communities.</p> <p>The Agency provides limited financial assistance to potentially impacted Indigenous communities to support participation in Agency-led activities during an impact assessment. The Agency's Participant Funding Program is designed to help Indigenous communities prepare for and participate in key stages of the impact assessment. Eligible expenses include review of correspondence, participation in meetings and associated travel and related work, review and comment on key documents, professional fees, reporting costs, and honoraria and ceremonial costs. During the impact statement phase, potentially impacted Indigenous communities will be invited to apply for funding to</p>

			support participation in the remainder of the impact assessment process.
38	<p>Apitipi Anicinapek Nation Métis Nation of Ontario Taykwa Tagamou Nation</p>	Describe how confidential information will be properly protected	<p>Section 6.1 of the Tailored Impact Statement Guidelines require the Proponent to refer to the Agency's guidance on <i>Protecting Confidential Indigenous Knowledge under the Impact Assessment Act</i>⁵, such as including Indigenous knowledge, whether publically available or directly shared with the Proponent, only with written consent and validation from the Indigenous community.</p> <p>Indigenous Knowledge shared in confidence is protected from disclosure under section 119 of the <i>Impact Assessment Act</i> (the IAA), except if written consent is provided, or if the information is publicly available. In addition, Indigenous Knowledge shared in confidence could be shared with certain parties if disclosure is necessary for procedural fairness and natural justice or for use in legal proceedings. This ensures that interested persons have a fair opportunity to participate in decision-making processes that may affect their interests, and that they have access to all necessary information and evidence relied on by the decision-maker.</p> <p>Indigenous communities who wish to provide any comments or documents that contain confidential or sensitive information that should be protected from release to the public, are encouraged to contact the Agency at UpperBeaver@iaac-aeic.gc.ca before submitting the information. This will ensure that the submission is handled appropriately. Note, that the Agency will consult with the Indigenous community prior to disclosing Indigenous knowledge shared in confidence under an exception.</p>
Indigenous Participation Opportunities			
39	<p>Apitipi Anicinapek Nation Beaverhouse First Nation Métis Nation of Ontario Taykwa Tagamou Nation Timiskaming First Nation Canadian Environmental Law Association Keepers of the Circle Ontario Rivers Alliance</p>	Comments on the need for further information on existing agreements between the Proponent and certain Indigenous communities, as well as funding opportunities by the Proponent for Indigenous communities to participate in project activities	In the response to the Summary of Issues (#71), the Proponent confirmed that it has agreements for exploration and/or consultation activities, signed with four of the five local Indigenous Nations. Those Indigenous Nations are: Beaverhouse First Nation, December 2014; Matachewan First Nation / Apitipi Anicinapek Nation, July 2015; and Timiskaming First Nation, May 2018.

⁵ <https://www.canada.ca/en/impact-assessment-agency/services/policy-guidance/practitioners-guide-impact-assessment-act/protecting-confidential-indigenous-knowledge-under-the-impact-assessment-act.html>

			Section 6 of Tailored Impact Statement Guidelines require the Proponent to support the participation of Indigenous communities in the completion of the Impact Statement, which could include funding studies conducted by potentially affected Indigenous communities who will have demonstrated interest in this regard. Section 6.2 also requires the Proponent to provide a record of engagement including any agreements pertaining to engagement that are finalized or in progress, with anticipated timelines to complete.
40	<p>Apitipi Anicinapek Nation Beaverhouse First Nation Kebaowek First Nation Matachewan First Nation Métis Nation of Ontario Taykwa Tagamou Nation Temagami First Nation Timiskaming First Nation Ontario Rivers Alliance</p>	<p>Comments on the need to describe opportunities for Indigenous participation, such as:</p> <ul style="list-style-type: none"> - collection and validation of environmental baseline data, including the Proponent's studies on wetland characterization, species at risk, migratory birds, wildlife, fish and fish habitat (including fish tissue sampling), water quality and water quantity, and archaeological studies - development of the mine plan, including wastewater management and the selection of the effluent discharge location - development of mitigation measures, monitoring plans and management plans, including water and wastewater management plans, waste rock management plans, decommissioning and closure plans, remediation of historical mine contamination, and the land use plan for the site post decommissioning phase - collaboration on Agency's draft Impact Assessment Report, that includes the assessment of impacts on the exercise of Aboriginal and/or treaty rights 	<p>Section 6 of Tailored Impact Statement Guidelines require the Proponent to cooperate with Indigenous communities to identify preferred mitigation measures to avoid, minimize, offset or otherwise accommodate for potential adverse impacts on Indigenous peoples or their rights, as well as to optimize the Project's benefits for their communities. Section 6.1 requires that Indigenous knowledge should be brought together on equitable footing with scientific or technical aspects to inform the impact assessment including the environmental, health, social, economic and rights assessments and best practices and mitigation. Indigenous knowledge, where available to the Proponent, should be included for all of these aspects in the impact assessment, not only to look at potential impacts of the Project on Indigenous communities.</p> <p>The Agency's objectives identified in the Indigenous Engagement and Partnership Plan include providing meaningful opportunities for collaboration with Indigenous communities' assessment of the impacts of the Project on the exercise of Aboriginal or treaty rights. This may include, where appropriate, collaboration with Indigenous communities on community developed methodology, or processes to assess the impact of the Project on Aboriginal or treaty rights.</p>
41	<p>Apitipi Anicinapek Nation Beaverhouse First Nation Matachewan First Nation Métis Nation of Ontario Taykwa Tagamou Nation Timiskaming First Nation Indigenous Services Canada – Land and Economic Development</p>	<p>Comments on the need for separate, Indigenous group-specific, Traditional Land and Resource Use (TKLU) studies, which is validated by respective Indigenous community and incorporates knowledge from community Elders</p>	<p>Section 6 of the Tailored Impact Statement Guidelines requires the Proponent to work with each Indigenous community named in section 4 of the Indigenous Engagement and Partnership Plan to establish a mutually-agreed approach to their participation, should they wish to participate. The Proponent is required to support the participation of Indigenous communities in the completion of the Impact Statement, which could include funding studies conducted</p>

			<p>by potentially affected Indigenous communities who will have demonstrated interest in this regard.</p> <p>Section 6.3 requires the Proponent to indicate where and how communities' Indigenous Knowledge, perspective and input were integrated into or contributed to decisions regarding the Project or its impact assessment.</p> <p>Section 10.3.2 requires the Proponent to describe the level of engagement with Indigenous communities regarding potential impacts of the Project on the exercise of rights, and where possible, the Project's potential interference with the exercise of rights. In some instances, the Proponent may adopt Indigenous-led assessment of impacts on the exercise of rights, and include them directly in the Impact Statement.</p> <p>Impacts on the exercise of rights may be assessed using a methodology identified by Indigenous communities, including community-led assessments, and agreed upon between the Indigenous community and the Agency. This may include supporting Indigenous-led studies and assessments to inform the assessment of effects to Indigenous peoples.</p> <p>The Proponent must work together with Indigenous communities to find mutually agreeable solutions to concerns raised about a proposed project, especially for those concerns raised by Indigenous peoples about impacts on the exercise of their rights.</p>
Indigenous Peoples' Current Use of Lands and Resources for Traditional Purposes			
42	<p>Apitipi Anicinapek Nation Beaverhouse First Nation Matachewan First Nation Métis Nation of Ontario Taykwa Tagamou Nation Temagami First Nation Timiskaming First Nation Indigenous Services Canada – Land and Economic Development Natural Resources Canada Keepers of the Circle Member of the Public</p>	<p>Comments on potential effects on current and future use of lands at the project site and upstream and downstream of the Project, due to :</p> <ul style="list-style-type: none"> - the water diversion channels and changes in surface water quality and flows - the destruction of culturally important fish species and their habitat, especially in Beaverhouse Lake and downstream of proposed effluent discharge locations - wildlife disturbance from noise and habitat degradation, especially to moose - increases in human population due to proposed mine development 	<p>Section 10.2 of the Tailored Impact Statement Guidelines require the Proponent provide information and studies related to the current use of lands and resources for traditional purposes by Indigenous peoples. Section 10.2.2 requires the Proponent to assess the potential effects on the sites of interest to communities including for commercial and non-commercial fishing, hunting, trapping and gathering and cultural or ceremonial activities and practices, and effects on current use of lands and resources for traditional purposes, within the context of historical and current cumulative effects for all phases of the Project, including how changes to the access, cabins, travelways and harvesting and traditional land and resource use areas affects cultural values,</p>

		This includes potential effects to fishing, hunting, trapping, harvesting and gathering, teaching, and knowledge sharing; resources; and access to sites of cultural significance, such as hunting areas located near the tailings storage facility	mental health, spirituality or importance attached to physical and cultural heritage sites. Section 10.2.2 also require the Proponent to describe potential effects from increased population from in-migration of workers on traditional hunting, fishing, trapping, harvesting and gathering activities.
43	Beaverhouse First Nation Kebaowek First Nation Matachewan First Nation Timiskaming First Nation Indigenous Services Canada – Land and Economic Development	Need for further information on the sites of cultural significance in the project area, and medicinal or culturally significant plants and their habitat within the project area and regional areas, including measures to mitigate potential effects on these sites	Section 10.1.2 of the Tailored Impact Statement Guidelines require the Proponent to assess potential effects to physical and cultural heritage, and structures, sites or things of historical, archaeological, paleontological or architectural significance to Indigenous communities, including changes to changes to sacred, ceremonial or culturally important places, objects, species, or things, including languages, stories and traditions. Section 10.2.2 requires the Proponent to assess the potential effects on the quality, quantity and distribution of resources available for harvesting (e.g. species of cultural importance, traditional and medicinal plants). Section 10.4 requires the Proponent to describe measures to avoid or mitigate potential negative impacts to known or potential built heritage resources and cultural heritage landscapes.
Indigenous Peoples' Exercise of Aboriginal and/or Treaty Rights			
44	Apitipi Anicinapek Nation Matachewan First Nation Métis Nation of Ontario Temagami First Nation Timiskaming First Nation	Comments that the Proponent and the Agency need to better understand how each Nation exercises its Aboriginal and/or treaty rights and interests in the project, local and regional areas Comments on the potential adverse impacts on the exercise of Aboriginal and/or treaty rights, such as: - hunting practices due to effects on culturally important wildlife species, such as moose - gathering practices due to the loss of ecological knowledge from loss of access to preferred harvesting areas - sensitive cultural sites and areas identified by Indigenous communities	The Agency's objectives identified in the Indigenous Engagement and Partnership Plan include conducting meaningful Crown consultation on the potential positive and adverse effects of the Project, and adverse impacts of the Project on the exercise of Aboriginal and/or treaty rights of the Indigenous peoples recognized and affirmed in section 35 of the <i>Constitution Act, 1982</i> . Table 1 of the Indigenous Engagement and Partnership Plan also outlines the expected Agency activities to be carried out throughout the impact assessment process to understand how each potentially impacted Indigenous community exercise their Aboriginal and/or treaty rights and how it could be impacted by the Project. The Proponent is required to engage with Indigenous communities to inform the impact assessment and identify measures to avoid or minimize potential impacts on Indigenous peoples and their rights from the Project. Sections 6.3 and 10.3.1 of the Tailored Impact Statement Guidelines require the Proponent to identify and

			<p>describe the Aboriginal and/or treaty rights of Indigenous peoples potentially affected by the Project. This includes historic, regional, and community context, the geographic extent of traditional territory, the purpose and importance of the rights to the rights-bearing communities (e.g. the practices, customs, beliefs, worldviews and livelihoods), and information on how rights have already been affected.</p> <p>Section 10.3.2 requires the Proponent to describe the impact on the rights of Indigenous peoples, taking into account the concept of the link between resources, access and experience. The Proponent is also required to work collaboratively with Indigenous communities to consider the interference of the Project on the quality and quantity of resources available for the exercise of rights.</p>
Indigenous Peoples' Health and Well-being			
45	<p>Kebaowek First Nation Health Canada/Public Health Agency of Canada, Indigenous Services Canada - First Nation Inuit Health Branch</p>	<p>Need for information on potential bioaccumulation of contaminants in country foods due to uptake from air, water and soils, and associated impacts on Indigenous peoples' health, including proposed mitigation and monitoring plans</p>	<p>Section 9.1.2 of the Tailored Impact Statement Guidelines require the Proponent to describe the accumulation of contaminants in country foods and traditional foods, and the resulting impacts this has on health. Section 9.1.3 requires the Proponent to describe how Project-related contaminants in the water, air or soil, can be taken up in country foods, and section 9.1.5 requires the Proponent to describe mitigation measures aimed at reducing residual effects as low as reasonably possible, when potential effects on human health exist due to exposure to a non-threshold contaminant.</p> <p>Section 15 require the Proponent to present follow-up programs monitoring for valued components that warrant it, and the rationale for the selection</p>
46	<p>Apitipi Anicinapek Nation Métis Nation of Ontario</p>	<p>Request to participate in the Proponent's studies on impacts to country foods, including contamination to country foods due to the Project, as well as in a Human Health Risk Assessment</p>	<p>The Agency will forward this comment to the Proponent for a response.</p> <p>Section 6 of the Tailored Impact Statement Guidelines requires the Proponent to work with each Indigenous community named in section 4 of the Indigenous Engagement and Partnership Plan to establish a mutually agreed approach to their participation, should they wish to participate. Section 6.3 requires the Proponent to describe the potential effects and impacts to environmental, health, social, cultural and economic conditions of each</p>

			<p>Indigenous community, informed by the Indigenous communities involved in the assessment and must include both adverse and positive effects.</p> <p>Section 9.1.2 requires the Proponent to describe how Indigenous knowledge was used in the assessment of human health effects, and to describe the accumulation of contaminants in country foods.</p>
47	Matachewan First Nation Métis Nation of Ontario	Potential effects on health, mental health, and well-being as a result of project-related changes to water used for recreational purposes and from a loss of connection to the land	<p>Section 9.1.3 of the Tailored Impact Statement Guidelines require the Proponent to provide an assessment of the potential effects on human health, including the current and future availability and quality of water for drinking, recreational and cultural uses.</p> <p>Section 10.3.2 requires the Proponent to consider the effects of the Project on the experience associated with the exercise of rights, such as the connection to land.</p>
48	Apitipi Anicinapek Nation	Need for further information on the potential effects to social determinants of health, proposed mitigation measures and monitoring plans	<p>Section 9.1.4 of the Tailored Impact Statement Guidelines require the Proponent to identify and describe anticipated changes to social determinants of health that may be related to the Project, and section 9.1.5 requires the Proponent to identify mitigation and enhancement measures that are applicable to health and well-being effects.</p> <p>Section 15 requires the Proponent to present follow-up program monitoring for valued components that warrant it, and the rationale for the selection.</p>
49	Apitipi Anicinapek Nation Métis Nation of Ontario Indigenous Services Canada - First Nation Inuit Health Branch	Need for further information on potential effects on food security of Indigenous groups, including proposed mitigation measures and monitoring plans	<p>Section 9.1.3 of the Tailored Impact Statement Guidelines require the Proponent to identify possibilities of avoidance of certain country foods or drinking water, with regards to potential effects on food security, and section 9.1.5 requires the Proponent to identify mitigation and enhancement measures that are applicable to health and well-being effects.</p> <p>Section 15 require the Proponent to present follow-up program monitoring for valued components that warrant it, and the rationale for the selection.</p>
Indigenous People's Social and Economic Conditions			
50	Apitipi Anicinapek Nation	Potential for positive and adverse effects on social and economic conditions of Indigenous communities. Potential positive effects could include opportunities for employment, training and education	Section 9.2.2.1 of the Tailored Impact Statement Guidelines require the Proponent to assess potential adverse and positive

	Beaverhouse First Nation Matachewan First Nation Métis Nation of Ontario Timiskaming First Nation Employment and Social Development Canada Natural Resources Canada	and adverse effects could include increased cost of living, impact to the local economy, and reduction in land value	effects at the community level, to income inequity, and the price and availability of housing and land. Section 9.3.1 requires the Proponent to provide an overview of the main economic activities in the study areas, including demographic information for economically active members, existing employment rates and the availability of skilled and unskilled workers.
51	Beaverhouse First Nation	Potential effects on the ability to commercially fish and hunt in the area, which is the livelihood of many local Indigenous people	Section 9.2.1.2 and 9.2.2.2 of the Tailored Impact Statement Guidelines require the Proponent to identify registered or recognized hunting, trapping or guiding areas, recreational (e.g. hiking, wildlife viewing areas) and commercial fishing areas, and to describe predicted changes to these activities. Section 9.3.2.2 requires the Proponent to describe impacts to specific sectors, such as forestry and logging; fishing, hunting, and trapping; commercial outfitters; commercial recreation and tourism; etc., and describe where the project may directly or indirectly create economic hardships or displacement of business, including Indigenous businesses. Section 10 requires the Proponent to assess the potential effects on current use of lands and resources for traditional purposes, including on sites of interest to communities for commercial and non-commercial fishing, hunting, trapping and gathering.
52	Apitipi Anicinapek Nation Matachewan First Nation Métis Nation of Ontario Timiskaming First Nation Employment and Social Development Canada	Need for further information on whether Indigenous peoples and/or businesses in proximity to the Project will receive prioritized employment or business (e.g., procurement or contracting) opportunities	Section 9.3.2.2 of the Tailored Impact Statement Guidelines require the Proponent to describe any actions to increase procurement from local or regional Indigenous businesses, and from businesses owned by Indigenous women, or other diverse subgroups. The Proponent is required to describe plans, programs, policies to encourage contracting, and procurement opportunities for Indigenous peoples; describe any procurement policies that facilitate the opportunities for Indigenous companies; and identify and describe opportunities for enhancing positive effects, such as creation of Indigenous employment and local employment.
53	Temagami First Nation Employment and Social Development Canada Women and Gender Equality Canada	Need for further information (e.g., description, quantification and duration) on economic opportunities for Indigenous communities (direct, indirect, and induced)	Section 9.3.2.1 of the Tailored Impact Statement Guidelines require the Proponent to provide an estimate of the direct, indirect and induced employment at each phase of the Project, including an estimate of the full-time equivalent employment and full- and

			part-time employment; as well as an estimate of direct, indirect or induced income or wages.
54	Beaverhouse First Nation Matachewan First Nation Timiskaming First Nation	Need for information on the potential for racism towards Indigenous peoples, and associated mitigation measures	Section 10.4 of the Tailored Impact Statement Guidelines require the Proponent to develop, in collaboration with the potentially affected communities and subgroups, differentiated mitigation measures so that racism, discrimination and sexual harassment do not fall disproportionately on Indigenous communities and vulnerable subgroups.
55	Beaverhouse First Nation Indigenous Services Canada – Land and Economic Development	The Proponent should reference the Government of Canada's Community Well-being Index to characterize Indigenous communities	Section 9.2.2.1 of the Tailored Impact Statement Guidelines require the Proponent to describe relative socio-economic conditions for local and Indigenous communities using both primary source data as well as applicable information from the Community Well-Being Index ⁶ .
Indigenous Peoples' Spiritual, Physical, and Cultural Heritage			
56	Beaverhouse First Nation Kebaowek First Nation Matachewan First Nation Métis Nation of Ontario Temagami First Nation Indigenous Services Canada - First Nation Inuit Health Branch Ministry of Heritage, Sport, Tourism and Culture Industries Keepers of the Circle	Comments on the need for further information on planned, ongoing or completed archaeological assessments; and on the potential effects to known sites of spiritual significance near the Project, such as the Indian Trail (referred to as the Traditional Trail in the Initial Project Description)	Section 9.2.2.2 of the Tailored Impact Statement Guidelines require the Proponent to describe predicted changes to land use activities or sites/areas in the local and regional study area, including the loss of any resources or physical or cultural heritage due to the Project, such as loss or change to the Traditional Trail (sometimes referred to as Indian Trail). Section 10.1.1 requires the Proponent to describe the baseline conditions associated with physical and cultural heritage and structures, sites or things of historical, archaeological, paleontological or architectural significance for Indigenous peoples. This description should give consideration to an understanding of the historical baseline conditions associated with ability to transmit culture (e.g. through language, ceremonies, harvesting, teaching of sacred laws, traditional laws, stewardship laws, traditional knowledge).
Mitigation and Residual Effects			
57	Apitipi Anicinapek Nation Beaverhouse First Nation Kebaowek First Nation Taykwa Tagamou Nation Environment and Climate Change Canada Ministry of Environment, Conservation and Parks	Need for the consideration of avoidance measures to potential effects from the Project, in addition to the consideration of mitigation and enhancement measures Where potential effects and mitigation measures are proposed, need for characterization of residual effects, and for the consideration of risk and uncertainty associated with mitigation and	Section 7.5 of the Tailored Impact Statement Guidelines require the Proponent to cooperate and document specific suggestions raised by Indigenous communities for avoiding, mitigating or otherwise accommodating the Project's environmental, health, social and economic effects, including potential effects and impacts on Indigenous peoples and describe whether and how these measures will be incorporated in the project design. Section

⁶ <https://www.sac-isc.gc.ca/eng/1100100016579/1557319653695>

	<p>Ministry of Heritage, Sport, Tourism and Culture Industries Keepers of the Circle Member of the Public Northwatch Ontario Rivers Alliance</p>	<p>restoration measures, including time lags between the effect of the Project and the implementation of the mitigation measure to that effect</p> <p>Where effects cannot be avoided or mitigated, identify accommodation measures, with the consideration of Indigenous Knowledge</p>	<p>7.5 also requires the Proponent to describe all relevant uncertainties and assess how they could affect predicted residual effects, and if there is little experience or some question as to the effectiveness of any measures, describe the potential risks and effects should those measures not be effective or malfunction. The Proponent is required to describe any adaptive management plans that will be implemented to address uncertainties associated with the effectiveness of mitigation measures included in follow-up program monitoring, where appropriate.</p> <p>Section 7.7 requires the Proponent to characterize the residual effects, even if deemed small or negligible, and cumulative effects, using criteria and language most appropriate for the effect. Criteria to be considered includes the magnitude; geographic extent; timing; duration; frequency; reversibility; and the environmental, health, social and economic context within which potential effects may occur.</p> <p>The best practices described in the Agency's technical guidance document for determining whether a designated project is likely to cause significant adverse effects under the <i>Canadian Environmental Assessment Act, 2012</i>, may be considered for the characterization of residual effects in the context of the Act, as applicable⁷.</p>
Navigation and Navigable Waters			
58	<p>Apitipi Anicinapek Nation Beaverhouse First Nation Matachewan First Nation Métis Nation of Ontario Timiskaming First Nation Indigenous Services Canada – Land and Economic Development Transport Canada Keepers of the Circle Member of the Public</p>	<p>Comments on the need for further information on potential impacts from the Project on navigable water ways, including access to Beaverhouse Lake boat launch and Beaverhouse Lake, the Misema River, Howard Lake, Misema Lake, and navigable waters impacted by water crossings (e.g., dams, bridges), during all phases of the Project, including proposed mitigation measures</p>	<p>Section 9.2.2.2 of the Tailored Impact Statement Guidelines require the Proponent to describe predicted changes to land use activities or sites/areas in the local and regional study area, including access to the resources, such as the Beaverhouse Lake boat launch. Sections 9.2.2.4 require the Proponent to describe each project activity that may interact with navigable waterways, . Section 9.2.3 requires the Proponent to describe mitigation and enhancement measures that will be implemented for all potential effects on social valued components such as navigable waterways.</p> <p>Section 10.2.2 requires the Proponent to assess the potential effects on the use of travel ways, navigable waterways and water</p>

⁷ <https://www.canada.ca/en/impact-assessment-agency/services/policy-guidance/determining-project-cause-significant-environmental-effects-ceaa2012.html>

			bodies by Indigenous peoples. Section 10.4 requires the Proponent to describe the proposed mitigation and enhancement measures for all potential effects to Indigenous peoples, as well as for potential impacts on the rights of Indigenous peoples.
Social and Economic Conditions			
59	<p>Apitipi Anicinapek Nation Kebaowek First Nation Ministry of Heritage, Sport, Tourism and Culture Industries Beaverhouse Lake Residents and Cottagers Member of the Public</p>	<p>Comments on potential social impacts, including:</p> <ul style="list-style-type: none"> - from influx of project workers overwhelming the capacity of travel corridors and local services, such as healthcare services and the accommodation industry - on access to private properties if currently used access roads are closed for mining activities - from the draining of York Lake - on the experience of lands and resources due to light pollution, noise and vibration from the Project, such as at nearby residences and areas used for recreation, hunting, fishing and gathering - mitigation measures for project impacts to social conditions and physical and cultural heritage. 	<p>Section 9.2. of the Tailored Impact Statement Guidelines require the Proponent to provide information and studies in relation to social conditions. Section 9.2.1 requires the Proponent to describe baseline studies with respect to social conditions to both Indigenous peoples and the public. Section 9.2.2 requires the Proponent to assess potential adverse and positive effects, at the community level, to income inequity, and the price and availability of housing and land as well as to land use. Section 9.2.3 requires the Proponent to describe mitigation and enhancement measures that will be implemented for all potential effects on social valued components such as physical or cultural heritage.</p>
60	<p>Beaverhouse First Nation Matachewan First Nation Métis Nation of Ontario Timiskaming First Nation Employment and Social Development Canada Health Canada/Public Health Agency of Canada Indigenous Services Canada – First Nation Inuit Health Branch Natural Resources Canada Beaverhouse Lake Residents and Cottagers Member of the Public Ontario Rivers Alliance</p>	<p>Comments on economic conditions including:</p> <ul style="list-style-type: none"> - baseline economic conditions such as income, unemployment, labour participation, poverty, dependence/reliance on industry, housing statistics, property and land values - potential training and employment opportunities, and job availability by project phase, broken down by job types - how diversity and inclusion will be supported through the training and hiring strategy - potential economic impacts to local recreation, tourism and forestry industries, other industries competing for labour, and stresses on government resources - potential economic impacts from the draining of York Lake - financial liability and compensation as required by regulation or the Proponent's commitments in relation to decommissioning and abandonment, including for project employees - mitigation measures for project impacts to economic conditions and to stabilize economic prosperity and depression cycles of mining projects 	<p>Section 3.5 of the Tailored Impact Statement Guidelines require the Proponent to describe anticipated labour requirements, including opportunities for employment, timelines for when they will be created, and the skill and education levels required for the positions.</p> <p>Section 9.3 of the Tailored Impact Statement Guidelines require the Proponent to provide information and studies in relation to economic conditions. Section 9.3.1 requires the Proponent to describe baseline studies with respect to economic conditions on both Indigenous peoples and the public. Section 9.3.2 require the Proponent to assess positive and adverse effects to the main economic activities in the study areas and for specific sectors, including changes in employment, training, and the local and traditional economy. Section 9.3.3 requires the Proponent to describe mitigation and enhancement measures that would be implemented for potential effects on economic conditions.</p>
Migratory Birds, Species at Risk, Wildlife and their Habitat			

61	<p>Apitipi Anicinapek Nation Beaverhouse First Nation Kebaowek First Nation Matachewan First Nation Métis Nation of Ontario Temagami First Nation Environment and Climate Change Canada Natural Resources Canada Beaverhouse Lake Residents and Cottagers Canadian Environmental Law Association Keepers of the Circle Member of the Public Northwatch Ontario Rivers Alliance</p>	<p>Comments on the need for additional baseline studies on migratory birds (including updated breeding bird surveys and fall migratory bird surveys), terrestrial wildlife and species at risk.</p> <p>Comments on potential effects on the movement, reproductive success and habitat of aquatic and terrestrial wildlife, migratory birds and species at risk, from project activities such as:</p> <ul style="list-style-type: none"> - deforestation - draining of York Lake - habitat fragmentation from construction and operation of linear infrastructure such as the transmission line, roads, and the water diversion channels - release of air quality contaminants from mining operations, such as dust from the tailings and metals - increased noise levels and light pollution - contamination, such as effluent and wastewater discharge - introduction of invasive plant species through soil <p>Comments on the need for mitigation measures and monitoring plans for project effects to migratory birds, species at risk, and wildlife; including the specific timing windows being considered to avoid or mitigate potential effects to breeding birds from project construction and tree clearing.</p>	<p>Sections 8.8.1, 8.9.1 and 8.10.1 of the Tailored Impact Statement Guidelines require the Proponent to provide up to date baseline studies on migratory birds, terrestrial wildlife and species at risk, respectively, that are representative of current conditions.</p> <p>Section 8.8.1 require the Proponent to provide an estimate of year-round bird use of the area (e.g. winter, spring migration, breeding season, fall migration), based on data from existing sources and surveys to provide current field data if required to generate reliable estimates.</p> <p>Section 8.8.2 requires the Proponent to describe the potential effects of the Project on migratory and non-migratory birds, their nests and eggs, including short- and long-term changes to habitats important for nesting, foraging, staging, overwintering, rearing and moulting and to movement corridors between habitat, and from habitat loss, fragmentation and structural change.</p> <p>Section 8.9.2 requires the Proponent to describe the potential effects from all phases of the Project on wildlife and wildlife habitat.</p> <p>Section 8.10.2 requires the Proponent to describe the potential effects of the Project on species at risk listed under Schedule 1 of the <i>Species at Risk Act</i>, and its critical habitat.</p> <p>Sections 8.8.3, 8.9.3 and 8.10.3 require the Proponent to describe the proposed mitigation measures for potential adverse effects on migratory birds, terrestrial wildlife and species at risk and critical habitat, respectively, including the justification, based on scientific data, for the proposed measures.</p>
Sustainability			
62	<p>Apitipi Anicinapek Nation Kebaowek First Nation Employment and Social Development Canada Canadian Environmental Law Association, Mining Watch, Ontario Nature Keepers of the Circle Member of the Public</p>	<p>Comments on potential long-term impacts from the Project, including trade-offs between benefits generated by the Project versus the project impacts to environmental, health, social and economic conditions</p> <p>Comments on the need for further information on the Project's over-all contribution to environmental, social, health, and economic</p>	<p>Under the IAA, one of the factors that must be considered in impact assessments is the extent to which a project contributes to sustainability. The sustainability analysis will consider the potential effects of a project by applying the principle of considering positive effects and reducing adverse effects of the Project.</p> <p>Section 14 of the Tailored Impact Statement Guidelines require the Proponent to provide an analysis of the extent to which the</p>

	Northwatch Ontario Rivers Alliance	sustainability beyond the life of the mine, and to consider long-term impacts to communities and the environment	Project contributes to sustainability, including a summary of the positive and adverse environmental, social and economic effects of the Project, along with any implications for health effects, with emphasis on potentially affected Indigenous communities, local communities and disadvantaged populations. The Proponent should reference the Agency guidance on its website: Guidance: Considering the Extent to which a Project Contributes to Sustainability ⁸ .
Transboundary Effects			
63	Northwatch	Potential for transboundary environmental, social, and economic effects between the provinces of Ontario and Quebec	Section 7.3.1 of the Tailored Impact Statement Guidelines require the Proponent to describe where spatial boundaries may extend to areas that are (i) on federal lands, (ii) in a province other than the one where the physical activity or the Project is being carried out, or (iii) outside Canada where effects are expected.
Vulnerable Population Groups (GBA Plus)			
64	Apitipi Anicinapek Nation Beaverhouse First Nation Kebaowek First Nation Timiskaming First Nation Wolf Lake First Nation Employment and Social Development Canada Women and Gender Equality Canada Keepers of the Circle	Comments on the need for social and economic information to be disaggregated by identity factors (such as by gender, age group, socio-economic status, employment status, disability and ethnicity), and the application of an Indigenous-focused GBA Plus lens Comments on potential impacts from the Project on gender based violence, such as sexual harassment, physical or sexual violence against women, human trafficking, neglect, discrimination. Need for information on how to avoid or mitigate these potential issues	Section 1.2 of the Tailored Impact Statement Guidelines require the Proponent to provide information sufficiently disaggregated to support the analysis of disproportionate effects as per the principles of GBA Plus. Data must be disaggregated (e.g. by sex, gender, age, ethnicity, Indigeneity, ability, and any other community-relevant identify factors) and presented distinctly for each specific subgroup. Section 7.1 requires the Proponent to adhere to ethical guidelines and relevant cultural protocols governing research, data collection and confidentiality, particularly important in the case of information gathered and studies conducted with vulnerable groups (e.g. analysis of gender-based violence). Section 9.1.4 requires the Proponent to describe the potential health effects arising from the project's-relevant effects on social conditions, economic conditions, and conditions of Indigenous peoples' VCs, and their respective indicators, reflecting the input of the affected communities, and Section 9.1.5 requires the Proponent to describe the proposed mitigation and enhancement measures for any potential effects on human health.
Water - Surface Water or Groundwater			

⁸ <https://www.canada.ca/en/impact-assessment-agency/services/policy-guidance/practitioners-guide-impact-assessment-act/guidance-considering.html>

65	<p>Beaverhouse First Nation Kebaowek First Nation Matachewan First Nation Métis Nation of Ontario Natural Resources Canada Ministry of Environment, Conservation and Parks Keepers of the Circle Member of the Public Ontario Rivers Alliance</p>	<p>Comments on the need for updated surface water and groundwater baseline studies, including for the following topics:</p> <ul style="list-style-type: none"> - surface water quality and hydrology - hydrogeological studies, including water levels, groundwater flow directions, hydraulic conductivities and groundwater quality in the overburden and deeper bedrock - sediment baseline studies, including in the waterbodies where mining effluent will be deposited - modelling studies should be undertaken to select the final discharge location 	<p>In response to the Summary of Issues (#134), the Proponent noted that baseline surface water studies have been done since 2011 and were also done in 2021. In response to the Summary of Issues (#136), the Proponent noted that sediment investigations were completed during and prior to 2021. As per section 7.1 of the Tailored Impact Statement Guidelines, the Proponent is required to include the current baseline data in the Impact Statement.</p> <p>Section 8.5.1 requires the Proponent to describe the surface water, ground water and sediment quality baseline characterization program, including sampling site selection and locations, monitoring duration and frequency, sampling methodology, and analytical protocol, including quality assurance and quality control measures. Additionally, Section 8.5.1 requires the Proponent to provide hydrological information, such as regional flows, site specific flows and water levels; data on hydraulic conductivity; the hydrostratigraphic units of the hydrogeological environment in both bedrock and overburden; and to provide a piezometric map showing hydraulic heads and the direction of groundwater flow.</p>
66	<p>Beaverhouse First Nation Kebaowek First Nation Matachewan First Nation Métis Nation of Ontario Temagami First Nation Timiskaming First Nation Environment and Climate Change Canada, Indigenous Services Canada - First Nation Inuit Health Branch, Indigenous Services Canada – Land and Economic Development, Ministry of Environment, Conservation and Parks Natural Resources Canada Beaverhouse Lake Residents and Cottagers Keepers of the Circle Member of the Public Northwatch Ontario Rivers Alliance</p>	<p>Comments on potential effects to surface water and groundwater quality, quantity and levels in the project watershed and downstream of the Project, such as to the Grassy Lake Outwash Conservation Reserve, Lake Temiskaming, the municipality of Temiskaming Shores and the Ottawa River watershed, due to:</p> <ul style="list-style-type: none"> - draining York Lake and diverting the Misema River - taking from local waterways, including Ava Lake - dewatering of the open pit and underground workings - acid rock drainage, metal leaching and seepage from the tailings storage facility, waste rock stockpiles, ore stockpiles, and overburden stockpiles - mine contact water and domestic sewage discharge from the Project - overprinting of waterways and minor creeks by stockpiles and mine infrastructure and following reconnection of the Pit Lake to the Misema River during decommissioning and reclamation 	<p>Section 8.5.2 of the Tailored Impact Statement Guidelines require the Proponent to describe changes to surface water, groundwater and sediment quality in the receiving environment resulting from acid rock drainage, neutral mine drainage, metal(loid) leaching and effluent discharge, including the description of potential contaminant flow paths and groundwater seepage pathways; watersheds due to overprinting of surface water features by project infrastructure; and changes to water levels and flows in waterbodies impacted by the Project.</p> <p>In addition, Section 9.2.1.2 requires the Proponent to identify parks and recreation areas including water bodies (including local and provincial parks and recognized scenic areas).</p>

67	Beaverhouse First Nation Kebaowek First Nation Matachewan First Nation Métis Nation of Ontario Temagami First Nation Timiskaming First Nation Environment and Climate Change Canada, Indigenous Services Canada - First Nation Inuit Health Branch, Indigenous Services Canada – Land and Economic Development, Ministry of Environment, Conservation and Parks Natural Resources Canada Beaverhouse Lake Residents and Cottagers Keepers of the Circle Member of the Public Northwatch Ontario Rivers Alliance	Comments on the need for further information on mitigation and monitoring plans for project effects to surface water and groundwater, including: <ul style="list-style-type: none"> - water management plans (such as the design for collection ponds and ditches for waste rock stockpiles and ore stockpiles, the type of liners that will be used for the ditching and collection ponds, and further information on wastewater and effluent treatment) - stormwater management strategy 	<p>Section 8.5.2 of the Tailored Impact Statement Guidelines requires the Proponent to present a comprehensive site water management plan for the Project's life cycle including for stormwater management. Section 8.5.3 requires the Proponent to describe the mitigation measures for the possible effects on the quantity and quality of surface water, groundwater and sediment, including water supply wells. In addition, the Proponent is required to describe groundwater and surface water follow-up program monitoring.</p> <p>Section 15 requires the Proponent to present follow-up program monitoring for valued components that warrant it, and the rationale for the selection.</p>
Wetlands			
68	Beaverhouse First Nation Kebaowek First Nation Métis Nation of Ontario Timiskaming First Nation Environment and Climate Change Canada Member of the Public	Comments on potential effects from all phases of the Project on riparian areas and wetlands, including changes in availability of rare habitat and loss of ecological functions; and the need for mitigation measures and monitoring plans.	<p>Section 8.6.2 of the Tailored Impact Statement Guidelines require the Proponent to describe the effects of the Project on vegetation, riparian and wetland environments; including changes to the availability of rare habitat, and changes to or loss of wetland function.</p> <p>Section 8.6.3 requires the Proponent to describe and justify the ways of avoiding or reducing the temporary or permanent adverse effects on wetlands and riparian habitats. Additionally, section 8.6.3 requires the Proponent to describe any reclamation and revegetation procedures proposed as mitigation measures.</p>