

LYNN LAKE GOLD PROJECT: ECCC input into the Draft Potential Conditions

Section title, Section #, Page #	Original text from the Agency	ECCC's input/comments ECCC's recommended edits from original text are outlined in red and text to be removed in strikethrough.	Rationale
8. GREENHOUSE GAS EMISSIONS			
GHG Emissions 8.1.2, p.20	“for each source of emissions identified pursuant to condition 8.1.1, identify the best available technologies and best environmental practices (BAT/BEP) , including emerging technologies and practices at a sufficiently advanced stage of technological development to become technically and economically feasible over the life of the Designated Project, taking into account the BAT/BEP determination process as	ECCC recommends the Agency revise the text as follows: “for each source of emissions identified pursuant to condition 8.1.1, identify the best available technologies and best environmental practices (BAT/BEP) , including emerging technologies and practices at a sufficiently advanced stage of technological development to become technically and economically feasible over the life of the Designated Project, taking into account the BAT/BEP determination process as described in the Government of Canada’s Strategic Assessment of Climate Change and the latest version of its relevant technical guide;”	The technical guide is currently in draft and the proponent should refer to the latest versions of the documents.

	described in the Government of Canada's Strategic Assessment of Climate Change and its relevant technical guide;"		
GHG Emissions 8.1.4, p.20	"establish declining greenhouse gas emission targets at specific intervals that aim to reduce the Designated Project's overall emissions and that take into account how the Proponent plans to implement the BAT/BET in the manner referred to in condition 8.1.3."	ECCC recommends the Agency revise the text as follows: "establish declining greenhouse gas emission targets at specific intervals that aim to reduce the Designated Project's overall emissions and that take into account how the Proponent plans to implement the BAT/ BET BEP in the manner referred to in condition 8.1.3."	Correction to acronym
6. Health And Socio-Economic Conditions Of Indigenous Peoples			
Health and socio-economic conditions of Indigenous peoples, 6.4.5, p.18	"... the Human Health Risk Assessment in Volume 5 Appendix H of the Environmental Impact Statement,..."	Correction required	The reference to the Human Health Risk Assessment appears to not be accurate as we do not see it in a Volume 5 Appendix H of the Environmental Impact Statement.
3. Fish and Fish Habitat			
Fish and Fish Habitat,	The Draft EA Report states that seepage	ECCC recommends the Agency consider the addition of the following:	It is important to ensure that prior to removal of the seepage collection systems it can be

3.7, p.9	collection systems around the mine rock storage areas, and ore and overburden stockpiles at the Gordon and MacLellan sites, and around the Tailings Management Facility at the MacLellan site would remain in place during decommissioning/ closure until surface water quality meets applicable regulatory discharge requirements.	The seepage collection systems referred to in condition 3.7 should remain in place during and following decommissioning/closure until collection system water quality consistently meets applicable regulatory discharge requirements and until updated water quality predictions demonstrate that removal of seepage collection systems would not cause adverse effects on fish and fish habitat.	demonstrated that the removal will not adversely affect fish and fish habitat. This requirement is described in the draft-EA report and addition of this condition creates consistency with the draft-EA report.
Fish and Fish Habitat, 3.5, p.9 Fish and Fish Habitat, 3.7, p.9	3.5 "The Proponent shall, when releasing into Gordon Lake and Farley Lake any collected water, including groundwater pursuant to condition 3.4 and water from dewatering the East and Wendy	ECCC recommends including the following additional requirement be included in regard to all discharges and all receiving waters as it applies to conditions 3.5 and 3.7: Test contact water, effluent, seepage and collected water prior to release or discharge. If water quality is not suitable for release to the surrounding environment, implement mitigations (e.g., treatment) to improve water quality to prevent project-related exceedances of the CWQG-FAL in the aquatic receiving	For clarity, it is important to include language to ensure that water will be tested, and treated as needed, prior to discharge. The current text does not mention testing, preventing exceedances, or compliance with federal discharge requirements. Condition 3.5 does not specifically describe the requirements of collected water from the two sources described. As written, conditions 3.5 and 3.7 are not consistent. All discharge waters described in condition 3.5 should meet the

	<p>open pits: 3.5.1 aerate water collected from the East and Wendy open pits, prior to release into Gordon Lake and Farley Lake to prevent chemical stratification and precipitation of oxides; and 3.5.2 release collected water only when the collected water is within 2 degrees Celsius of background lake water temperatures, and outside of burbot (lota lota) winter spawning periods as determined by Fisheries and Oceans Canada.”</p> <p>3.7 “The Proponent shall collect all contact water, effluent and seepage from the</p>	<p>environment and to comply with federal discharge requirements.</p> <p>* CWQG-FAL: Canadian Water Quality Guidelines for the Protection of Aquatic Life</p>	<p>same requirements as those detailed in condition 3.7.</p>
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	<p>Project development areas, including seepage and recharge from the tailings management facility, mine rock storage areas, overburden and ore stockpiles, and seepage input to groundwater that flows into the open pits, and treat it, as necessary, before depositing it into the receiving environment during all phases of the Designated Project. When treating contact water, effluent and seepage, the Proponent shall take into account Manitoba's Water Quality Standards, ..."</p>		
<p>Fish and Fish Habitat, 3.11, p.10</p>	<p>"The Proponent shall develop, prior to construction and in consultation with</p>	<p>ECCC recommends including a new bullet (3.11.3) to this condition as follows:</p>	<p>In order to incorporate all relevant mitigation measures, the condition should also include the erosion and sedimentation control (ESC) plan, which is an essential element in ESC. A</p>

	<p>Indigenous groups and relevant authorities, and implement and maintain during all phases of the Designated Project, measures to control erosion and sedimentation within the Project development areas in a manner consistent with the Fisheries Act and its regulations, and taking into account Environment and Climate Change Canada’s Environmental Code of Practice for Metal Mines, and Fisheries and Oceans Canada’s Measures to Protect Fish and Fish Habitat. The Proponent shall submit these measures to the Agency before implementing them. Measures</p>	<p>“The Proponent shall develop, ... Measures shall include the use of:</p> <p>3.11.3: all other mitigation measures described in the final erosion and sedimentation control plan which should be developed and implemented prior to construction.”</p>	<p>comprehensive erosion and sediment control plan will include a number of essential mitigations not related to the two bullets identified in the current condition.</p>
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	<p>shall include the use of: 3.11.1 intake pipes that point upwards and away from sediment; and 3.11.2 effluent discharge pipes that are equipped with diffusers.”</p>		
<p>Fish and Fish Habitat, 3.12.3, p.11</p>	<p>“monitor, beginning during construction, water quality in the East and Wendy pit lakes, tailings management facility sediment pond, and receiving waterbodies and watercourses upstream and downstream of the Project development areas, including downstream of the edge of mixing zones identified pursuant to condition 3.12.1, Arbor Lake, Burger Lake,</p>	<p>ECCC recommends adding text to this condition as follows: “monitor, beginning during construction, water quality in the East and Wendy pit lakes, tailings management facility sediment pond, contact water and collected water prior to discharge, and receiving waterbodies and watercourses upstream and downstream of the Project development areas, including at the edge and downstream of the edge of mixing zones identified pursuant to condition 3.12.1, Arbor Lake, Burger Lake, Cockeram Lake, Ellystan Lake, Farley Creek, Farley Lake, Gordon Lake, the Hughes River, the Keewatin River, the unnamed tributary of the Keewatin River, Minton Lake and Swede Lake, and fish-bearing wetlands identified pursuant to condition 3.12.2, and any additional locations and sources determined in consultation with relevant authorities for all parameters</p>	<p>ECCC is requesting to include: -additional relevant monitoring locations and sources; -potential additional parameters; and -additional requirements relevant to pit lake monitoring duration.</p> <p>This wording is for adaptive management purposes (i.e. if monitoring demonstrates differences from what was predicted in the EIS additional parameters, sources, locations may require monitoring) and is consistent with the language used in other conditions (i.e. condition 3.14)</p> <p>Updated water quality predictions are important prior to ending post-closure monitoring to ensure no future impacts to fish and fish habitat. Updated predictions will incorporate water quality data from both groundwater and surface water sources and update previous assumptions to update model results.</p>

	<p>Cockeram Lake, Ellystan Lake, Farley Creek, Farley Lake, Gordon Lake, the Hughes River, the Keewatin River, the unnamed tributary of the Keewatin River, Minton Lake and Swede Lake, and fish-bearing wetlands identified pursuant to condition 3.12.2, for all parameters that may have adverse effects on fish and fish habitat, including aluminum, antimony, arsenic, copper, cyanide, fluoride, hexavalent chromium, iron, methylmercury, phosphorus, and total and dissolved cadmium, calcium and magnesium. Monitoring of the East and Wendy pit lakes shall continue through post-</p>	<p>that may have adverse effects on fish and fish habitat, including aluminum, antimony, arsenic, copper, cyanide, fluoride, hexavalent chromium, iron, methylmercury, phosphorus, and total and dissolved cadmium, calcium and magnesium, and for any additional parameters determined in consultation with relevant authorities. Monitoring of the East and Wendy pit lakes shall continue through post-closure until: pit lake water quality consistently meets the Canadian Council of Minister of the Environment’s Canadian Water Quality Guidelines for Protection for Aquatic Life pursuant to condition 3.7 and applicable federal discharge requirements, and monitoring results and updated water quality predictions demonstrate that discharging from pit lakes to surface waters would not cause adverse effects on fish and fish habitat, and it is demonstrated that pit lake water quality is stable or improving;</p>	
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	closure until water quality meets the Canadian Council of Minister of the Environment's Canadian Water Quality Guidelines for Protection for Aquatic Life pursuant to condition 3.7, and is stable or improving;"		
Fish and Fish Habitat, 3.12.4, p.11	"monitor, beginning during construction, water quality in groundwater near the open pits, Farley Lake, Gordon Lake, the Keewatin River, the unnamed tributary of the Keewatin River, Minton Lake, the unnamed lakes northeast of Minton Lake, Payne Lake, Susan Lake, and fish-bearing wetlands identified pursuant to condition. 3.12.2 within the Project	ECCC recommends adding text to this condition as follows: "monitor, beginning during construction, water quality in groundwater near the open pits, Farley Lake, Gordon Lake, the Keewatin River, the unnamed tributary of the Keewatin River, Minton Lake, the unnamed lakes northeast of Minton Lake, Payne Lake, Susan Lake, Pump Lake and fish-bearing wetlands identified pursuant to condition 3.12.2 within the Project development areas, up and down gradient from the tailings management facility, mine rock storage areas, ore and overburden stockpiles, and seepage collection systems, and any additional locations and sources determined in consultation with relevant authorities for all parameters that may have adverse effects on fish and fish habitat, including antimony... sulphate at the MacLellan	Include 'Pump Lake' as an additional monitoring site as it is downgradient or Project operations and closer than Susan Lake. The purpose for including potential additional monitoring locations, sources, and parameters is for consistency with the language used in other conditions (i.e. condition 3.14) and for adaptive management purposes

	development areas, up and down gradient from the tailings management facility, mine rock storage areas, ore and overburden stockpiles, and seepage collection systems for all parameters that may have adverse effects on fish and fish habitat, including antimony, arsenic, iron, sodium, sulphate, and uranium at the Gordon site and aluminum, antimony...sulphate at the MacLellan site;"	site, and for any additional parameters determined in consultation with relevant authorities;"	
Fish and Fish Habitat, 3.12.5, p.11	"monitor, during construction and operation, total suspended solids and turbidity in fishbearing waterbodies where Designated Project activities are	ECCC recommends adding text to this condition as follows: "monitor, during construction and operation, total suspended solids and turbidity in fishbearing waterbodies where Designated Project activities are undertaken in or near water frequented by fish, and shall establish and apply proactive thresholds and	Monitoring should be accompanied by triggers and response measures to enable proactive detection and response for protection of the aquatic environment.

	undertaken in or near water frequented by fish; and”	corresponding response actions for protection of the aquatic environment;”	
Migratory Birds			
Migratory Birds 4.2, p.13-14	4.2 “The Proponent shall conduct vegetation clearing and site preparation activities outside of the applicable regional nesting periods ... by developing and implementing additional mitigation measures, including: 4.2.1 conducting non-intrusive surveys within the Project development areas prior to construction, ... and 4.2.2 establishing, prior to construction and in consultation with Indigenous groups, and relevant authorities, and maintaining, during	ECCC recommends condition 4.2 including its sub-bullets be removed.	ECCC recommends condition 4.2 be removed. On July 30, 2022 the modernized <i>Migratory Bird Regulations, 2022</i> came into force. Vegetation clearing is now included under the <i>Migratory Bird Regulations, 2022</i> and the condition may create incompatibility with these <i>Regulations</i> .

	vegetation clearing and site preparation activities, buffer zones around nests identified ...”		
Migratory Birds 4.5, p.14	“The Proponent shall develop, ... and northern leopard frog (<i>Lithobates pipiens</i>), little brown myotis (<i>Myotis lucifugus</i>) and northern myotis (<i>Myotis septentrionalis</i>) from using Designated Project infrastructure where contact water is stored...”	ECCC notes that leopard frog and myotis are out of place in the migratory bird section. ECCC recommends to move the condition for these species into Condition 9 Species at Risk.	Non-bird species are out of place in the migratory birds section.
9. SPECIES AT RISK			
Species at Risk 9.6 and 9.6.1, p.22	“The Proponent shall participate in regional initiatives related to the management of adverse impacts on woodland caribou (<i>Rangifer tarandus caribou</i>), from construction through the end of operations, at the request of the	ECCC recommends the Agency revise the text as follows: “The Proponent shall participate in regional initiatives related to the management of adverse impacts on woodland caribou (<i>Rangifer tarandus caribou</i>), from construction through the end of operations, at the request of Manitoba’s Ministry of Environment, Climate and Parks or other the relevant authorities responsible for these initiatives. -In doing so, the Proponent shall determine, in consultation with Indigenous groups, and Environment and	Proposed federal condition 9.6.1 specifies that the proponent shall determine its own level of participation in regional initiatives. This leaves uncertainty as to the level of participation in regional initiatives which may be inconsistent with provincial requirements. ECCC is suggesting that this part of condition 9.6.1 should be removed. ECCC also suggests that Manitoba Natural Resources and Northern Development should be referenced in condition 9.6.1 as the relevant authority responsible for the regional initiatives

	<p>relevant authorities responsible for these initiatives. In doing so, the Proponent shall determine, in consultation with Indigenous groups and relevant authorities, how the Proponent shall participate. Regional initiatives shall include:</p> <p>9.6.1 habitat restoration initiatives, including the collaring program, as part of the Provincial Caribou Recovery Strategy led by Manitoba’s Ministry of Environment, Climate and Parks, or any equivalent future initiative as determined by Manitoba’s Ministry of Environment, Climate and Parks.”</p>	<p>Climate Change Canada and other relevant authorities, how the Proponent shall participate. Regional initiatives shall include:</p> <p>9.6.1 habitat restoration initiatives, including the collaring program, or other initiatives as part of the Provincial Caribou Recovery Strategy led by Manitoba’s Ministry of Environment, Climate and Parks Manitoba Natural Resources and Northern Development, or any equivalent future initiative as determined by Manitoba’s Ministry of Environment, Climate and Parks Manitoba Natural Resources and Northern Development.”</p>	<p>referred to in federal condition 9.6.1. This will provide more of a direct linkage to the collaring program referenced in 9.6.1 and the “collaborative collaring project” specified in the draft provincial license condition #20.”</p> <p>The results of the collaring program should be used by the proponent in terms of developing adaptive management measures.</p> <p>Suggested change Manitoba’s Ministry of Environment, Climate and Parks should be changed to Manitoba Natural Resources and Northern Development to align with the draft Provincial Licence.</p>
Definitions 1.9	“Effluent means “effluent” as defined in section		The definition of effluent in the MDMER refers to deleterious substances and may be different than what is intended in Agency conditions.

	<p>1(1) of the Metal and Diamond Mining Effluent Regulations (MDMER).”</p>	<p>ECCC Recommends that the reference to the MDMER should be removed from the definition in 1.9.</p> <p>ECCC also recommends that effluent be defined as any of the following (if the following is what is intended to be captured by the EA conditions):</p> <p>“(a) hydrometallurgical facility effluent, milling facility effluent, mine water effluent, tailings impoundment area effluent, treatment pond effluent or treatment facility effluent other than effluent from a sewage treatment facility; or</p> <p>(b) any seepage or surface runoff containing any deleterious substance that flows over, through or out of the site of a mine.”</p>	
<p>Definitions 1.28</p>	<p>“Offsetting plan means “offsetting plan” as described in Schedule 1 of the Authorizations Concerning Fish and Fish Habitat Protection Regulations and “compensation plan” as described in subsection 27.1 of the Metal and Diamond Mining Effluent Regulations (MDMER).”</p>	<p>The reference to the MDMER should be removed from this condition.</p> <p>The correct legal reference would be to section 27.1 of the MDMER (not subsection).</p>	<p>ECCC is not aware that any compensation is required under the MDMER (authorization to deposit into a Tailings Impoundment Area listed on Schedule 2 of the MDMER is not being sought). Further, “compensation plan” does not appear elsewhere in the document.</p>

Condition 4.5.2	<p>“maintain deterrents installed pursuant to condition 4.5.1 until such time that water quality in these structures meet legislative requirements and authorized limits of deleterious substances specified in the Metal and Diamond Mining Effluent Regulations (MDMER), and the tailings management facility is reclaimed pursuant to conditions 3.15.1 and 5.7.”</p>	<p>ECCC recommends that the reference to the MDMER should be removed from this condition.</p>	<p>Condition 4.5.2 does not align with the requirements of the MDMER or Fisheries Act. The MDMER does not set out limits of deleterious substances that are deposited into, or reside within, a tailings management facility or contact water collection pond; it sets limits for the deleterious substances that are deposited into the receiving environment.</p>
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