

Upper Beaver Gold Project

Comments on the Draft Permitting Plan and Draft Tailored Impact Statement Guidelines

Department/Agency:	Environment and Climate Change Canada (ECCC)		
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Section 1:

1. Confirm that all applicable legislative and regulatory oversight that may apply to the Project, under the authority of your department, is accurately listed in the Permitting Plan.

MDMER information (could be added to the references section in A2.3): add the following link to the text: [Guide To The Regulatory Process For Listing Water Bodies Frequented By Fish In Schedule 2 Of The Metal And Diamond Mining Effluent Regulations - Canada.ca](#). It provides guidance to mine proponents on the steps and requirements in the Schedule 2 listing process.

Section A2.2.4. Timelines

The regulatory amendment process generally requires a period of 12 to 18 months after the end of the impact assessment, depending on whether the Streamlining Policy is applied. However, if additional information is required (i.e., missing data, missing information related to the cost of tailings disposal or the compensation plan for fish habitat loss, etc.) or there are significant concerns raised from impacted groups, the regulatory process may take longer.

Replace text highlighted in green above by: The regulatory amendment process generally requires a period of 12 to 18 months following the completion of the Schedule 2 consultations, depending on whether the Streamlining Policy is applied. However, if additional information is required (i.e., missing data, missing information related to the cost of tailings disposal or the compensation plan for fish habitat loss, etc.) or there are significant concerns raised from impacted groups, the regulatory process may take longer

Section A2.2.3. Treasury Board Decision

To ensure that the proposed amendment is well positioned to meet the conditions, a number of operational steps need to take place as part of, or concurrently, with the impact assessment, as outlined in the Streamlining the Approvals Process for Metal Mines with Tailings Impoundment Areas

Replace text highlighted in green above by: "A schedule 2 amendment may be exempt from pre-publication in the Canada Gazette, Part I, if it meets the conditions outlined in the Streamlining the Approvals Process for Metal Mines with Tailings Impoundment Areas."

2. Indicate whether your department has identified any power that it will be unable to exercise to allow the Project to proceed, in whole or in part. For more information, refer to subsection 17(1) of IAA.

ECCC has not identified any power that it will be unable to exercise to allow the Project to proceed, in whole or in part.

Section 2:

1. Please review the draft Tailored Impact Statement Guideline (TISG) sections that are applicable to your department’s mandate.
2. Using the table below, please describe any issues and include your recommendation for how the final Tailored Impact Statement Guidelines should be adapted to address each issue. Please indicate any recommended **additions or deletions** to the text.

Department – Comment ID	Draft TISG Section	Context and Rationale (provide an explanation of your comments)	Recommendation: provide text to be inserted or deleted. Be specific on the location within the draft TISG that the text would be added/deleted.
ECCC-01	7.4 Effects assessment methodology, page 35	<p>This is an important consideration for identifying residual effects that the proponent may not be aware of.</p> <p>Even if restoration is designed to fully compensate for an effect, there is often a time lag between the effect occurring and the restoration being fully operational. There is a residual effect during this time lag that should be described as part of the residual effects of the project. Likewise, if restoration measures are untested, the risk and uncertainty as to the extent to which they will compensate for an effect should be considered when describing residual effects.</p>	<ul style="list-style-type: none"> • describe any residual effects of the project. Take into account all sources of risk and uncertainty associated with the measures employed, including as a result of time lags between the effect of a project and the mitigation of that effect with a mitigation measure. For example, where habitat restoration will not immediately provide an equivalent habitat to replace an affected habitat, i.e. there is a delay in the effectiveness of a mitigation measure, or when habitat restoration to its original state is largely untested or unproven, this must be considered when describing residual effects.
ECCC-02	8.5.1 Baseline conditions, page 51	<p>For the first point in section 8.5.1 starting with “provide hydrometeorological...”, the subsequent points up to “any compromises between the above” should all be indented as sub-points as they are related to the first point.</p>	<ul style="list-style-type: none"> • provide hydrometeorological (temperature, precipitation, evapotranspiration) and hydrological information and discuss how the chosen data sets are applicable to the Project in terms of: <ul style="list-style-type: none"> ○ geographic proximity; ○ similarity of sites (e.g., watershed sizes, elevation, wetland areas, etc.); ○ length of record (e.g., more than 30 years, if possible); ○ applicability to the project period (e.g., currency of data, presence of trends or cyclicity); and

			<ul style="list-style-type: none"> ○ any compromises between the above;
ECCC-03	8.5.2. Effects to groundwater and surface water, page 55	<p>Is it necessary to link to Section 8.11 here? This particular bullet is about potential climate change effects on hydrology (groundwater and surface water), whereas Section 8.11 is about GHG emissions and carbon sinks.</p> <p>Section reference to Effects of the environment on the Project should be Section 12, not Section 14.</p>	<ul style="list-style-type: none"> ● quantify the extent of hydrological changes that will result from disturbances to aquifers and surface water features, taking into account climate change (see also sections 8.11 Climate change and section 12 Effects of the environment on the Project). This includes changes to the quantity or timing of surface flow, water levels, ice thickness or extent, sediment input, and channel regime in watercourses, and water levels in affected waterbodies;
ECCC-04	8.7.2 Effects to fish and fish habitat, page 68	<p>Runoff, and in particular seepage, that is not collected through structures such as collection ditches and groundwater interception wells and pumped back to either the tailings impoundment area or a water management pond and described in the water management plan has the potential to affect surface water quality. Runoff from the downstream portion of the material used to create the impoundment for the tailings, water collection or treatment ponds, or simply the waste rock piles, has the potential to not be collected appropriately and directed to a final discharge point. Likewise, seepage from tailings impoundment areas, waste rock stockpiles and ore stockpiles may not all be collected and directed to final discharge point(s). When this occurs, it is frequently the smaller watercourses (creeks, streams, ponds and lakes) throughout the project area or immediately adjacent that can have water quality impacts and changes that need to be predicted and assessed.</p>	<ul style="list-style-type: none"> ● potential introduction of deleterious substances (e.g. sediment, project-related contaminants in seepage and runoff) ● effluent at the discharge point and in the receiving environment, paying close attention to the smaller ponds and creeks throughout and adjacent to the project area that will, or have the potential to, receive seepage and runoff from the mine not discharged through a discharge point (referencing the assessment of water quality in section 8.5);
ECCC-05	8.8.1 Baseline conditions, pages 71 - 72	<p>These are standard bird groupings that are relevant to consider as VCs for this project. The suggested deletions remove either incorrect or unnecessary text.</p>	<ul style="list-style-type: none"> ● the following groupings should be considered as unique VCs with rationale provided where groups are not included as unique VCs:

			<ul style="list-style-type: none"> ○ Raptors, such as hawks, eagles, falcons, including bald eagle, nighthawks, and other ospreys; ○ Waterfowl, such as ducks, geese, swans; ○ Waterbirds, such as loons, gulls, and terns; ○ Marshbirds, such as grebes, rails, herons; ○ Shorebirds, such as sandpipers, plovers, snipes; ○ Forest birds, such as warblers, vireos, thrushes, including whip-poor-will and Canadian warbler; ○ Other landbirds, such as owls, swallows, kingfishers, and turkey vultures; ○ identified avian species at risk under federal or provincial jurisdiction; ○ important habitats associated with avian species at risk;
ECCC-06	8.8.1 Baseline conditions, page 73	Covariables is not a commonly used term. Covariates is more appropriate here. Added density as a target metric for bird species.	<ul style="list-style-type: none"> ● where predictive modelling is required, provide the explanatory data (e.g. covariables covariates such as associated land cover, etc.) required to predict effects on bird groupings (e.g. changes in abundance, density, distribution or other relevant effects) collected in such as way as to represent the following sources of variation where applicable: spatial variation in land cover composition, soil type, geomorphology, hydrological processes, and inter-annual and intra-annual climate variability;
ECCC-07	8.11.1. GHG emissions, page 84	Typographical corrections and suggested text deletion.	<ul style="list-style-type: none"> ● net GHG emissions by year for each phase of the Project based on a project's maximum ± capacity (new project) (-additional guidance at Section 2.1 of the Technical Guide);
ECCC-08	Appendix 1, Guidance for Biophysical Components, Wildlife and Species at Risk, page 149	Redundant with bullet on page 148.	<ul style="list-style-type: none"> ● survey protocol planning should include development of statistical models, use of simulations to estimate sampling requirements and analyses to evaluate sampling design options; ● use spatially balanced and randomly chosen sampling sites, preferably using stratified random sampling

			that covers all habitat types. When major habitat edges are identified, sampling should be designed such that it is possible to sufficiently describe the importance not only of the types of habitat, but also of the edges between the types of habitat;
ECCC-09	Appendix 1, Guidance for Biophysical Components, Wildlife and Species at Risk, page 149	Typographical correction. As this appears in the Wildlife and Species at Risk section, text should speak to effects on those VCs rather than birds.	<ul style="list-style-type: none"> design sampling effort per unit area - field survey effort to be most intensive within the project study area. The level of effort per unit area may be similar or somewhat less within the remainder of the local study area, but should be scaled to the likelihood that project effects will effect affect birds wildlife and species at risk within that zone. Efforts outside the project study area should be carefully designed to ensure that estimates comparing within and across the project study area, local study area and regional study area are unbiased and as precise as possible.