

June 7, 2024

**BY EMAIL & VIA THE REGISTRY**

Great Bear Gold Project  
Impact Assessment Agency of Canada  
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**RE: IMPACT ASSESSMENT OF GREAT BEAR GOLD PROJECT [REFERENCE NUMBER 85832] – COMMENTS ON DRAFT TAILORED IMPACT STATEMENT GUIDELINES**

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Please be advised that we are co-counsel for Asubpeeschoseewagong Anishinabek (“ANA” or “Grassy Narrows First Nation”) in relation to the above-noted designated project.

Our client’s preliminary comments and concerns about the draft Tailored Impact Statement Guidelines (“TISG”) dated May 8, 2024 for the Great Bear Gold Project are set out below.

In summary, ANA submits that the draft TISG is inadequate, unacceptable, and requires substantial revision before it can be finalized and issued to the proponent in this case. In ANA’s view, the draft TISG is premature, inappropriate, overgeneralized, and overlooks or glosses over significant environmental issues that have been raised by ANA during the planning phase to date.

Moreover, despite its constitutionally protected rights, ANA’s views on the draft TISG have been belatedly solicited by the Agency within the same short deadline (June 7, 2024) that applies to stakeholders, non-governmental organizations, and members of the public. ANA strongly objects to being force-fit into this truncated “one-size-fits-all” type of engagement, which does not recognize ANA’s unique circumstances, needs, and priorities and does not provide sufficient time for ANA to develop capacity and draft detailed comments on the TISG.

In addition, ANA submits that this brief comment period regarding the TISG falls well short of satisfying the Crown’s duty to meaningfully consult and accommodate ANA, and is inconsistent with the principle of free, prior and informed consent entrenched in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), which is cross-referenced in the *Impact Assessment Act* (“IAA”) preamble.

This timeframe is particularly problematic since ANA is also being concurrently asked by Ontario to review and comment on several provincial permits, licences and approvals being sought by the proponent for the Great Bear Gold Project even though the federal impact assessment has not been conducted or completed.

ANA's further concerns about the impact assessment process and ANA's lack of capacity to meaningfully participate in the process are outlined in ANA's submissions on the draft Indigenous Engagement and Partnership Plan, which has been filed under separate cover.

Please note that ANA does not consent to the Great Bear Gold Project or the draft TISG, and ANA reserves the right to file further submissions regarding the TISG as additional information, new documentation and/or technical capacity becomes available to ANA.

This submission on the TISG should be read in conjunction with all the previous comments, letters, and other communications sent from ANA to the Impact Assessment Agency of Canada ("Agency") to date, including expert reports by Dr. Carignan, Dr. Podur, Dr. Mergler, Dr. Willow and Dr. Morin. As described below, ANA has recently received an additional report prepared by Dr. Branfireun which is relevant to the impact assessment for the water-related issues arising from the Great Bear Gold Project.

### **1. The TISG is Premature and Lacked Meaningful ANA Engagement**

In addition to the many concerns that ANA has outlined in earlier correspondence on this project which apply here, ANA is highlighting in this submission three reasons why it is premature and inappropriate for the TISG to be finalized and issued to the proponent at the present time.

First, the federal government has recently introduced various amendments to the *IAA* to respond to the 2023 ruling by the Supreme Court of Canada that most of the *IAA* is unconstitutional. While no specific changes have been proposed to date in relation to the section 22 factors that must be addressed in an impact assessment, the possibility of amendments to this section cannot be ruled out as the *IAA* changes undergo Parliamentary scrutiny and debate in the House of Commons, Senate, or standing committees. Similarly, there are numerous other procedural and substantive *IAA* changes that, if enacted, will likely have a direct bearing on the conduct of the impact assessment in this case. Given this considerable statutory uncertainty, ANA submits that it is prudent and appropriate to pause the TISG process in this case until the *IAA* amendments have been passed and proclaimed into force. ANA requires clarity and certainty about the rules of the process that the Crown is seeking to impose on ANA in this case before it engages. This is an essential component of basic procedural fairness in any matter. However, it is doubly important here where ANA is being required to divert its severely limited time, energy, and limited finances in the midst of an intense mercury crisis in order to engage in this process or see it move ahead without threats to their rights, health, and wellbeing addressed.

Second, ANA has consistently requested a pause in the impact assessment process for the Great Bear Gold Project on various grounds related to the Crown's ongoing failure or refusal to consult ANA in a meaningful and timely manner. For example, ANA was completely omitted from the pre-planning stage, in contravention of the Agency's own process documents. In relation to the planning phase, the Agency offered \$5,000 in capacity funding to ANA, which was offered after the deadline for submissions on the List of Issues. By any objective standard, the amount offered is insufficient for ANA to meaningfully review lengthy technical documents that engage many areas of expertise, to engage with members of the ANA community, to carry out ANA's governance process, and to prepare a comprehensive response to the Issues List and the draft TISG.

When ANA expended further limited resources to apply for an Agency grant seeking capacity to retain expert reviews of the project materials, ANA's application was rejected by the Agency. As a result, ANA has not been able to retain experts in the relevant fields to review the TISG, and this preliminary review is in no way sufficient, complete, nor exhaustive of ANA's concerns.

Third, there is no attempt in the TISG, nor in any other ANA-Crown process, to integrate, coordinate, or harmonize the federal impact assessment process with ANA laws, protocols, and land use declarations. For this reason, ANA requires capacity support and time to complete an ANA-led impact assessment process which would then inform the community's participation in the IAA process.

Nevertheless, in its letter to the Agency dated March 6, 2024 (attached), ANA provided an initial overview of the key issues of concern in relation to the Great Bear Gold Project. As described below, many of these identified issues have not been specifically reflected or duly incorporated in the draft TISG, which underscores the need for fundamental revisions to the TISG (and additional consultation with, and consent from, ANA) before it can be finalized under the IAA.

## **2. The TISG is Generic Boilerplate**

If approved, the TISG is intended to provide direction to the proponent on the content of its Impact Statement so that the resulting impact assessment report (whether prepared by the Agency or by a review panel) will meet the stringent requirements of the IAA.

However, we have compared the draft TISG in this case to the generic template that is available on the Agency's website<sup>1</sup> and we find that there is little or no evidence that the draft TISG was specifically crafted or "tailored" to address the Great Bear Gold Project and its adverse effects on ANA's rights, interests and lands, nor does it take into account ANA's unique circumstances. Instead, the draft TISG essentially provides only general boilerplate guidance to the proponent that inexplicably omits or mischaracterizes key impact assessment issues previously raised by ANA during the planning phase (see below).

ANA's concern about the overgeneralized nature of the draft TISG is confirmed by comparing the document to other TISG that have been recently issued for other mining projects across Canada (e.g., [Troilus Mining Project](#), [Crawford Nickel Project](#), [Upper Beaver Gold Project](#), etc.). In most cases, aside from obvious differences in proponent names, project descriptions/components, and geographic details, the approved TISG for designated mining projects are substantially similar if not virtually identical in terms of the nature and scope of the required Impact Statement.

However, the Great Bear Gold Project is different from these projects because it is proposed in a watershed that is already one of the most severely impacted in Canada and where the Indigenous people living downstream already have well-documented toxic health impacts including disease, neurological degeneration, conditions impacting learning, suicidality, and premature death. A cookie cutter approach is neither sufficient nor reasonable in these unique circumstances.

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<sup>1</sup> [Tailored Impact Statement Guidelines Template for Designated Projects Subject to the Impact Assessment Act - Canada.ca](#).

In ANA's view, the TISG for the Great Bear Gold Project should not be a simplistic or pro forma "fill-in-the-blanks" document that is indistinguishable from other mining TISG in Canada. Instead, the TISG in this case should be a robust, comprehensive, reasonably detailed, and site-specific document that compels the proponent (and the Agency's eventual report) to properly identify, evaluate, mitigate and prevent the Great Bear Gold Project's adverse effects upon matters of federal jurisdiction as well as impacts on ANA's rights, interests and lands in the unique context of this watershed and this First Nation. If this is the overall objective of the draft TISG in the current planning phase, then it is abundantly clear that the draft TISG is unsatisfactory and cannot be approved in its current form.

### **3. The Draft TISG is Sparse and Omits Key ANA Issues**

While the draft TISG consists of 156 pages and superficially appears to be inclusive of the matters to be addressed in the proponent's Impact Statement, a close examination of the document reveals the existence of vague or ambiguous directions and glaring omissions of key issues that have been conveyed by ANA to the Agency in writing and during recent meetings. In essence, the draft TISG merely repeats the factors listed in section 22 of the IAA and provides only high-level guidance on addressing these factors in a manner that is not project-specific, nor ecosystem-specific, nor watershed-specific, nor sufficiently protective of ANA's rights, interests and lands.

Moreover, the draft TISG claims that the document was "tailored" by the Agency to reflect input received from various parties, including Indigenous communities:

The draft Guidelines for the Great Bear Gold Project (the Project) proposed by Kinross Gold Corporation (the Proponent), were tailored by the Agency during the Planning Phase of the Impact Assessment. The tailoring was based on the nature, complexity and context of the Project, and was informed and guided by consultation and engagement with the proponent, the public, Indigenous communities, federal authorities and provincial ministries (page 1, emphasis added).

From ANA's perspective, there is no evidentiary basis for the Agency's claim about Indigenous input was meaningfully integrated. For example, ANA was wholly excluded from the pre-planning phase undertaken by the proponent, and the Agency did not contact or communicate with ANA during the pre-planning phase. These acts and omissions inevitably led to the failure of the proponent's Initial Project Description to identify or address ANA's issues and concerns about the Great Bear Gold Project.

In addition, ANA's co-counsel at Cavalluzzo LLP have prepared a chart that compares the ANA issues to the responses of the Agency and the proponent (see Appendix A below). In essence, this chart demonstrates that many of these issues have not been adequately addressed, or have been misstated or misunderstood, by the Agency's Summary of Issues and the proponent's response thereto. Accordingly, it comes as no surprise to ANA that the draft TISG similarly fails to specifically acknowledge or properly commit the proponent to address these outstanding and unresolved concerns.

After the submission of ANA's March 6, 2024 letter to the Agency, another independent expert (Dr. Branfireun) retained by ANA has produced a new report (attached) that provides further technical information about water-related impacts arising from mercury methylation caused by certain substances in wastewater discharges. Accordingly, ANA submits that the draft TISG requires amendments to provide prescriptive project-specific direction to the proponent to thoroughly evaluate these significant adverse impacts in the context of the Great Bear Gold Project, particularly the discharge of mining effluent into watercourses.

#### **4. Conclusion**

For the foregoing reasons, ANA requests that the Agency refrain from finalizing and issuing the TISG to the proponent of the Great Bear Gold Project. In ANA's view, it is unreasonable (if not unconscionable) for the Agency to issue the TISG unless and until the above-noted flaws, deficiencies, and shortcomings are satisfactorily remedied. Of necessity, this will require a pause in the planning phase under the IAA. In short, ANA's Aboriginal, treaty and inherent rights must not be ignored, sacrificed or impaired for reasons of administrative expediency or the proponent's economic self-interest.

We trust that ANA's comments will be taken into account and acted upon as the Agency considers its next steps regarding the TISG. Please feel free to contact the undersigned if you require additional information about these comments on the draft TISG for the Great Bear Gold Project.

Yours truly,

#### **CANADIAN ENVIRONMENTAL LAW ASSOCIATION**



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cc. Chief Rudy Turtle, ANA  
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**APPENDIX A**

**Comparison of issues raised by ANA with those previously identified by IAAC and Kinross**

**NOTE: Many of the ANA issues omitted by IAAC and Kinross are propagated in the draft TISG and constitute significant gaps in the draft TISG**

<p><b>Issues raised by ANA</b> <i>Sent March 6, 2024</i></p>	<p><b>Issues in the IAAC “Summary of Issues”</b> <i>Posted online September 29, 2023</i></p>	<p><b>Kinross response</b> <i>Posted online January 1, 2024</i></p>	<p><b>ANA’s Preliminary Response</b></p>
<p>Mercury</p>	<p>Only mention of mercury in relation to impacts on health of Indigenous peoples from potential contamination of fish.</p>	<p>A human and ecological health risk assessment (HEHRA) will be conducted in support of the IS.</p> <p>Kinross is monitoring metals in suspended particular matter (including mercury) in the air quality baseline study.</p>	<p>In this context, the specific and tailored requirements with respect to mercury are required.</p> <p>This includes, but is not limited to, mercury in all its forms in all components of the environment and in all aspects of human health, wellness, rights, way of life and economy.</p> <p>Specific requirements with respect to methylation, and alterations to the environment that increase net methylation are also required.</p> <p>All of these must be done in the context of pre-existing, current,</p>

			<p>and planned cumulative impacts.</p> <p>This must also include site specific guideline levels that are protective in precautionary way of the environment, health, wellness, rights, way of life, and economy.</p>
Treaty Land Entitlement (TLE)	Not addressed.	Not addressed.	Must be addressed.
Downstream/off-site impacts	Limited to effluent discharged into the receiving waterbody (i.e. Chukuni River).	<p>“No impacts to water quality downstream of the Chukuni River will occur from the Project.” An assessment of potential impacts to the Chukuni River will be provided in the IS.</p> <p>There will be a short mixing zone downstream of the discharge location, but outside of this mixing zone, “the water quality in the river will remain in the background condition.”</p> <p>No other off-site impacts mentioned.</p>	<p>Must address fugitive discharges.</p> <p>Statements on “no impacts” are irresponsible do not demonstrate due rigour and care with respect to this serious issue.</p> <p>Must require site specific guidelines developed with ANA’s expertise and consent. Irresponsible and misleading statements about “no impacts” likely arise from the failure to develop and apply appropriate</p>

			<p>site specific guidelines.</p> <p>Off-site impacts beyond those in the Chukuni River must be included. Those include off-site impacts on air (eg. dust, air pollution), water (eg. groundwater, streams, lakes), wildlife (eg. animals that range into and out of the project area), birds, SAR), habitat integrity (including intactness, fragmentation, edge effects, invasive, species, etc.)</p>
Landscape impacts	No specific mention of landscape-level/ ecosystem-level impacts (although mention of “impacts to landscapes” broadly).	Information with respect to impacts to landscapes is being collected from First Nations and will be incorporated in the IS.	Must include rigorous requirements with respect to landscape-level impacts including impacts on Woodland Caribou range, intact forests,
Desecration/disruption of sacred landscape	Focus on site-specific land use, not on the landscape as a whole. No mention of sacred places, traditional travel routes, on spirits.	Same as above.	This is a significant omission that must be addressed in a way that is respectful of



			Grassy Narrows' Anishinaabe worldview and spirituality.
Intact forests	Not addressed.	Not addressed.	<p>This is a key measure of ecological health that is strongly supported by the scientific literature and is critical to the ability of the landscape to support values including the Anishinaabe way of life and species at risk (SAR). This is recognized in ECCC's recovery strategy for Woodland Caribou.</p> <p>This important omission must be addressed.</p>
Forest composition	Not addressed.	Not addressed.	This obvious omission must be rectified.
Forest regeneration	Not addressed.	Not addressed.	This obvious omission must be rectified.
Regulatory guidelines are insufficient	Only reference to site-specific mitigation in relation to fish and fish habitat.	Not addressed.	This is an extremely important and fundamental omission of an issue about which ANA has provided specific worrisome information

		<p>about risks to human health.</p> <p>Site specific guidelines are a common practice that are absolutely required for this project in this unique context.</p> <p>As an illustrative example, ANA raised concerns earlier about one-size-fits-all mercury guidelines levels and the harm that can be permitted if those are used in this context.</p> <p>Dr. Branfireun's report on the Dryden mill clearly demonstrates some of the harms that can arise from the application of standard guidelines to parameters such as sulfate and DOC in this context.</p> <p>As Dr. Morin notes, the project is currently proposing to use the least restrictive</p>
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			<p>available guidelines, when even CCME guideline levels pose risks of harmful cumulative impacts in this context.</p> <p>This project requires the development of site specific guidelines for all alternations of water quality, and for other impacts, including for some parameters which are omitted from standard guidelines.</p>
<p>Acid rock drainage</p>	<p>Need for information on water management facilities and drainage.</p> <p>Potential changes in water quality from acid rock draining, metal leaching or cyanide.</p>	<p>Geochemistry investigations are ongoing to define the characteristics of mine wastes that will be produced. This will support the development of predictive models to assess potential impacts to water quality and in particular, impacts of metal leaching and cyanide usage on water quality.</p>	<p>This contradicts Kinross' earlier statement on "no impacts."</p> <p>As Dr. Morin notes, the work on the topic of ML-ARD is deficient and not consistent with Ministry requirements under the Act and poses many risks.</p> <p>The TISG must require that the issues raised in</p>

			<p>Dr. Morin’s submissions be thoroughly addressed, including repeating the ML-ARD studies with appropriate methodologies.</p> <p>This must include a comprehensive list of parameters including emerging contaminants, parameters that impact net methylation, and all sources of potential impact.</p>
<p>Water quality and level</p>	<p>Need for information on potential changes to water quality from watercourse diversions, effluent discharge, dewatering activities, overprinting of waterbodies, runoff and erosion, seepage from mine rock and tailings, accidents or malfunctions.</p> <p>No mention of Ontario’s failure to regulate tailings dams. Minimal mention of off-site impacts.</p>	<p>See above.</p> <p>“Potential direct and indirect impacts to surface water quality and flows of waterbodies and the management of Project contact waters will be assessed in the IS.”</p> <p>“Local changes to watershed areas including various unnamed tributaries / waterbodies to Dixie Creek are expected from the need to manage contact water.”</p>	<p>Grassy Narrows has been excluded from baseline studies and others studies that will be used to assess this. Dr. Morin has identified a number of methodological and other errors in the information that has been shared to date.</p> <p>Grassy Narrows cannot rely on information from studies designed by, and carried</p>

		<p>An assessment of potential impacts to the Chukuni River will be provided in the IS. A description of the integrated water management facilities, drainage works and treatment areas will be included in the IS.</p> <p>Baseline investigations are ongoing and will support the predictive models to assess potential impacts to surface water and groundwater.</p>	<p>out for, the proponent.</p> <p>Grassy Narrows' requires the capacity to carry out its own studies using independent experts in order to be able to assess the real risks.</p> <p>The TISG must require that Grassy Narrows' have access to independent studies from experts that it trusts and that the deficiencies identified in Dr. Morin's report and in subsequent submissions from Grassy Narrows be corrected.</p> <p>The TISG must also require that the regulatory gaps identified by the Ontario Auditor General and through FOI be rectified or clearly flagged in the IS.</p>
<p>Air contamination</p>	<p>Need for information on baseline air quality assessments, changes to air quality, proposed</p>	<p>Data from the air quality baseline investigation will be summarized in</p>	<p>Same comment as with respect to the row above.</p>

	<p>mitigation measures, impacts to Indigenous health as a result of air emissions.</p>	<p>the IS if applicable.</p>	<p>Summaries of data re not sufficient. Full data and reports by qualified persons using appropriate methodology are required.</p> <p>Grassy Narrows must be able to access work by independent experts who it trusts.</p> <p>Deficiencies identified by Morin, and by future submissions, must be rectified.</p>
<p>Caribou and moose</p>	<p>Need for information on effects on Woodland Caribou and Sydney range, including presence of critical habitat. Need for information regarding impacts to use of wildlife by Indigenous peoples.</p> <p>No specific mention of moose, although broad language used (“species”, “wildlife”). No acknowledgement of animals that travel in/out of project area.</p>	<p>A map showing the Kesagami Range for Woodland Caribou in relation to the Project location will be added to the DPD.</p> <p>Additional information regarding Woodland Caribou and the potential for impacts from the Project is provided in Attachment 1.</p> <p>Information from Indigenous Nations will be included in the IS.</p>	<p>The Sydney Caribou range must be included.</p> <p>Maps and “additional information” are not sufficient.</p> <p>The impact on the project on the attainment of the goals of the recovery strategy for the Sydney Caribou herd, including reducing the extent of disturbance on its range, must be accurately assessed by</p>

		<p>Moose have been identified as important in consultations.</p>	<p>qualified persons.</p> <p>Impacts on Moose must be specifically addressed. This must consider the importance of moose to Grassy Narrows and existing reduced moose population available to Grassy Narrows.</p> <p>The IS must address impacts on moose and other animals that travel into, or out of the project area.</p>
<p>Fur-bearing animals</p>	<p>See above.</p> <p>Need for baseline information and effects on wildlife and their habitat, including species at risk and of importance to Indigenous communities.</p> <p>Need for information on potential impacts to Indigenous communities, including on trapping and Indigenous health, social and economic conditions.</p>	<p>Kinross is collecting information from Indigenous Nations on wildlife, which will be incorporated in the IS. Potential impacts on wildlife will be provided in the IS, including impacts from habitat loss.</p> <p>Multi-season terrestrial baseline investigations will be included in the IS.</p>	<p>The reference here, and elsewhere to “Indigenous Nations” without specifying which Indigenous Nations is a major problem.</p> <p>Information on Grassy Narrows’ rights and interests cannot be collected from other First Nations.</p> <p>Grassy Narrows has been excluded from</p>

			<p>most of the duration of this project. Kinross has collected no information from Grassy Narrows beyond the limited recent preliminary information that Grassy Narrows has been able to provide under duress using its own limited resources.</p> <p>Grassy Narrows has been excluded from baseline studies and requires its own.</p>
<p>Species loss</p>	<p>See above.</p> <p>Need for information on baseline studies and potential effects on wolverines and their habitat.</p> <p>Need for comments considering/applying Indigenous Knowledge of wildlife, species at risk.</p> <p>Details of species at risk in area.</p>	<p>Multi-season terrestrial baseline investigations will be included in the IS. Baseline investigations conducted on species at risk was provided in the IPD.</p> <p>Potential impacts on wildlife will be provided in the IS, including impacts from habitat loss.</p> <p>A list of potential and known species at risk in the area is Attachment 2.</p>	<p>Grassy Narrows was excluded from the SAR baseline investigations. Grassy Narrows must be able to participate in baseline investigations and to assess risks to SAR and other wildlife from project activities.</p> <p>Impacts on all SAR and all wildlife species must be provided by qualified persons.</p>



Web of life, balance of animals	Not addressed.	Not addressed.	Omission. See Grassy Narrows' previous submission for explanation of relevance (eg. predator prey dynamics).
Fish	<p>Need for baseline information and information about effects on fish and fish habitat.</p> <p>Need information on standard and site-specific mitigation and monitoring measures.</p> <p>Need information on adverse effects to aquatic ecosystem from proposed discharge of treated effluent to Chukuni River.</p> <p>Need for information on potential impacts to Indigenous communities, including on fishing and Indigenous health, social and economic conditions.</p> <p>No specific mention of fish that travel in/out of the project area.</p>	<p>The potential impacts on fish and fish habitat, and of blasting and vibration on aquatic resources will be assessed against regulatory guidelines, and presented in the IS.</p> <p>A fish habitat offsetting and compensation plan will be developed to mitigate the residual impacts that cannot be avoided or mitigated.</p> <p>Detailed baseline studies will be appended to the IS.</p>	<p>Impacts on fish on site, in the receiving body, and downstream must be comprehensively assessed.</p> <p>This must include not only impacts on the fish, but to the people and wildlife who eat the fish.</p> <p>Grassy Narrows must be able to carry out its own studies and assessments.</p> <p>Fish migration, bioaccumulation, biomagnification, and cumulative impacts must be included.</p>
Disruption of nutrient cycles	Not addressed.	Not addressed.	This is a key form of impact to terrestrial and aquatic environments that must be addressed.

Birds and insects	Need for information (including on effects) on migratory birds and their habitat. Provide list of migratory birds and other information.	Baseline investigations conducted for migratory birds and their habitat and an assessment of potential impacts will be in the IS.	Grassy Narrows must be able to conduct its own assessment of potential impacts.
Creation of anxiety, fear, despair among Grassy Narrows people	Not addressed.	Not addressed.	<p>This is a major omission of an impact on Indigenous peoples' rights, health, mental health, and wellbeing.</p> <p>The impact of the project, including AEX, on Grassy Narrows people through the exacerbation of anxiety, fear, and despair must be assessed by qualified persons.</p> <p>Grassy Narrows must be able to conduct its own assessment.</p>
Suicide	Not addressed.	Not addressed.	<p>This is a major omission an impact on Indigenous peoples.</p> <p>Grassy Narrows people have highly elevated rates of suicidality linked to mercury as has</p>

			<p>been recorded in the scientific literature.</p> <p>The impact of the project, including AEX, on suicidality among Grassy Narrows people must be assessed by qualified persons.</p> <p>Grassy Narrows must be able to conduct its own assessment.</p>
<p>Disruption to land users and way of life</p>	<p>Need to collect information about Indigenous land use.</p> <p>No mention of impact to people who use the land, only impacts to land use activities/sites.</p>	<p>Kinross is seeking information regarding cultural land use practices from local Indigenous Nations and an assessment of potential impacts will be conducted as part of the IS. An assessment of cumulative impacts will be conducted if there are residual impacts.</p>	<p>Grassy Narrows must be supported to carry out and complete an ethnohistorical report, land use and occupancy study, collection of Indigenous Knowledge, and Indigenous Environmental Assessment in order to meaningfully identify land uses in this area and vicinity and in order to assess impacts.</p>
<p>Loss of peace and quiet for land users</p>	<p>Need for information on potential impacts on health and wellbeing of Indigenous peoples from noise.</p>	<p>Not addressed.</p>	<p>Omission.</p> <p>We note that peace and quiet is more than just noise. It is a</p>

	No specific mention of impact to people land users or psychological impacts.		state of psychological wellbeing that cannot be achieved when industrial impacts loom in the vicinity.
Land as a healing place	Need for information on impacts to Indigenous land use and cultural practices.	<p>Kinross is collecting information from Indigenous Nations on impacts to cultural practices. Impacts will be in the IS.</p> <p>Kinross is also collecting land use information from Indigenous Nations, which will be incorporated in the IS.</p> <p>An assessment of potential impacts on cultural heritage will be in the IS.</p>	Due to the extreme rates of existing health conditions in Grassy Narrows, this is unique and requires specific attention beyond general Indigenous cultural practices.
Loss of ability to transmit knowledge to children	Not addressed.	Not addressed.	Omission.
Health and wellbeing	<p>Need for information and potential effects on health and wellbeing of Indigenous peoples. Consider effects to hunting, trapping and fishing that may impact Indigenous health.</p> <p>Need comments regarding the consideration of social determinants of health</p>	<p>A human health and ecological risk assessment will be conducted in support of the future IS.</p> <p>An assessment of potential impacts on Indigenous Nations will be in the IS.</p>	<p>ANA's health and wellbeing is unique due to the severe impacts of mercury and cumulative impacts of Industry and Land Use.</p> <p>ANA's unique health and wellbeing, and</p>

	for the assessment of the health and wellbeing of Indigenous communities.		impacts from the project, must be separately addressed. This must take into account past exposure, cumulative effects, and other impacts past, present and planned.  Grassy Narrows must be able to carry out its own assessment of these impacts using trusted independent experts.
Ability to make a living	Need for information on potential social and economic impacts to Indigenous communities, including on hunting, fishing, trapping. Baseline information needed too.	Baseline socio-economic information regarding local Indigenous communities that may be impacted by the Project will be provided in the IS.	ANA specific impacts must be addressed. These include hunting, fishing, trapping, but also include guiding, commercial fishing, trading, tourism, science, education, healing and range of other ways to make a living.
Loss of productive land base	Not addressed.	Not addressed.	Omission.
Loss of vegetation through use of herbicides	Need information about potential effects on native and rare vegetation from the introduction of invasive plant species.	Applicable mitigation measures for the control of invasive or noxious species within area will be included in the IS.	Impacts of herbicide and pesticide use are well documented in the scientific literature but omitted.

	No mention of the use of herbicides.		
Tainting of medicines	Not addressed.	Not addressed.	Important omission. See previous submissions.
Degradation of forest soils, erosion	Need information on potential erosion and sedimentation due to vegetation clearing.	Erosion and sediment control measures will be put in place as appropriate to minimize potential for sedimentation from vegetation clearing.	This only addresses potential for sedimentation. Sedimentation is an aquatic impact.  This omits impacts on terrestrial on site soils including compaction, rutting, impacts to nutrient cycling, methylation dynamics, wetting and drying cycles, etc.
Impacts from increase in non-Indigenous hunters/fishers	No specific mention of non-Indigenous hunters/fishers, only reference to impacts on hunting, trapping and fishing generally.	Not addressed.	Omission. This is an important source of species loss, abundance loss, and impacts on the ability of Grassy Narrows people to obtain sustenance, practice their Treaty rights, way of life, and livelihood.
Harms from roads and road use	No mention of harms to people, only wildlife.	Potential impacts on wildlife from the Project related traffic on roads will be assessed in the IS.	Risk to human health, including from collision with trucks on and off the

			project site must be assessed.
Risk of increased violence	No mention of violence against ANA people generally, only with regards to gender-based violence.	GBA Plus was considered in baseline studies and this information will be used to assess potential impacts if applicable.	Risk of violence specifically against ANA people, including men, women and non-binary people must be included.
Cultural way of life	Need information on potential impacts to on cultural heritage, land use, and cultural practices of Indigenous communities.	Kinross is collecting information from Indigenous Nations on impacts to cultural practices. Impacts will be in the IS.	
Treaty rights	No specific mention of Treaty rights.	Not addressed.	Major omission.
Violation of ANA laws, the will of the people	Not addressed.	Not addressed.	Major omission.
Crown failure to regulate and remediate mines	Not addressed.	Not addressed.	Major omission.
Free, Prior and Informed Consent (FPIC)	Need further information on engagement with Indigenous communities and issues raised. Comment on consideration/ application of Indigenous Knowledge.  No mention of seeking consent.	Not addressed.	Major omission.  Free, prior, and informed consent is not merely engagement.  The IS must state clearly whether or not the free, prior, and informed consent of Grassy Narrows has been obtained consistent with the UNDRIP.
Violation of the honour of the Crown, fiduciary duty, reconciliation	Not addressed.	Not addressed.	Major omission.

Lack of protected areas, unbalanced land use designation process	Not addressed.	Not addressed.	Omission.
Nature based climate solutions	<p>Need for information on mitigation regarding how climate change will be incorporated.</p> <p>Need for information on plans for achieving net-zero emissions by 2050, including details on carbon sinks and alternative means of carrying out the project.</p>	<p>Net greenhouse gas emissions for each Project phase will be provided in the DPD, if applicable.</p> <p>Kinross is reviewing options that could help meet the net-zero emissions by 2050 target. A proposed path forward will be presented in the IS, if applicable.</p>	<p>Must include emission and loss of sequestration associated with land use changes as well as from industrial activities on-site and off-site (eg. processing, refinement, transport, marketing, sale) originating from the project.</p>
Cumulative effects	<p>Consider cumulative effects on health, social or economic conditions of Indigenous groups from industrial development surrounding the project.</p>	<p>An assessment of potential impacts on Indigenous Nations will be conducted as part of the IS. An assessment of cumulative impacts will be conducted and will be presented in the IS if there are residual impacts.</p>	<p>The scope of the cumulative impacts assessment is unclear. Impacts on Grassy Narrows' environment, inherent, aboriginal, and Treaty rights, health, wellbeing, social and economic conditions must be included.</p> <p>The scope must include past, present, planned, and future impacts of other policy, Industrial, and land use decisions.</p>



			<p>Grassy Narrows has unique circumstances and must not be lumped in with other First Nations with different Territories, histories, health, and laws.</p> <p>Grassy Narrows must be supported to carry out its own assessment of cumulative impacts on Grassy Narrows.</p>
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