



**Regional Councillor
For the Northwestern Ontario Métis Community**

June 7, 2024

Impact Assessment Agency of Canada (IAAC)
c/o Elyse Batista, Crown Consultation Coordinator
Ontario Region
600-55 York Street
Toronto ON M5J 1R7

Delivered via Email

RE: Review of the *Draft Version* Tailored Impact Statement Guidelines and *Draft Version* of the Indigenous Engagement and Partnership Plan for the Great Bear Gold Project dated May 8, 2024

Dear Elyse Batista,

The Métis Nation of Ontario (“MNO”) has conducted a review of the *Draft Version* of the Tailored Impact Statement Guidelines (“TISG”) dated May 8, 2024 and the *Draft Version* of the Indigenous Engagement and Partnership Plan dated May 8, 2024 for sufficiency in outlining the requirements of the Northwestern Ontario Métis Community (“NWOMC” also referred to as “Region 1”) represented by the Regional Consultation Committee (“RCC”).

It is our understanding that the main objective of a TISG is to provide the proponent with directions and requirements for the preparation of an Impact Statement and are tailored during the Planning Phase. Further, it is our understanding that the main objective of the IEPP is to outline the opportunities and methods of Crown consultation with the NWOMC and other Indigenous groups throughout the assessment process for the Great Bear Gold Project.

Overall, the comments note that substantial research and consultation must be undertaken in order to meet the requirements of the TISG and IEPP. Capacity, in terms of available NWOMC leadership and citizens, MNO staff, and funding for studies and reviews, will be the biggest challenge for the NWOMC to meaningfully participate in this project.

Please see below for comments related to the TISG, comments on the IEPP, and a subsequent detailed review table of the TISG (Appendix A). Within the table, there are comments directed to the Impact Assessment Agency of Canada (“IAAC”), comments directed to Kinross Gold Corporation, or comments directed to both. Comments directed to Kinross Gold Corporation or both parties (Kinross Gold Corporation and the IAAC) are emphasized with a light blue for ease of review.

Comments on the TISG

Overall, the TISG is comprehensive; includes consideration of the rights of Indigenous Peoples, directs assessment of the same, and requires the proponent to report on typical barriers such as capacity provision. If adhered to by Kinross Gold Corporation with regards to the NWOMC, the resultant Impact Statement could contextualize, assess, and address impacts to the NWOMC’s Section 35 rights and interests.

Self-Government – There is a requirement within the TISG (Section 3.3 Regulatory framework and the role of government) for the proponent to describe and consider Self-Government Agreements. This is a positive requirement; particularly as the NWOMC is a signatory to such an agreement. This requirement could provide the proponent greater context related to Métis governance and potentially alleviate an implied hierarchy of Indigenous rights which the NWOMC has experienced in some regulatory processes.

Reconciliation - There are positive references within the TISG to the United Nations Declaration on the Rights of Indigenous Peoples (Section 6.0 Description of Engagement with Indigenous Communities) and there are requirements for proponents to adhere to the principles, spirit, and intent of the Declaration.

Section 35 Rights and Interests – There are specific requirements within the TISG for the analysis of potential impacts to Section 35 rights and interests (Section 1.1 Factors to be considered in the impact assessment and throughout the TISG) as well as analysis of effects under federal jurisdiction (e.g., current use of land and resources for traditional purposes). This includes identification of potential impacts on any applicable Valued Components (Indigenous identified Valued Components or otherwise), identification of impacts on Section 35 rights and interests, and development of proposed measures to mitigate or accommodate for adverse impacts and/or enhance any potential positive effects. Overall, there is an interweaving of rights throughout the TISG; with rights referenced in most sections from the alternatives assessment to the biophysical and socio-economic components. As proponents will often defer their assessment to more easily understood aspects such as current use of land and resources for traditional purposes, it will be important to articulate any other components of Métis Section 35 rights and interests to the proponent and IAAC early in the process to compel assessment of these complex factors.

Capacity Funding – There is a requirement in the TISG that the record of engagement demonstrate that the capacity needs of Indigenous communities were taken into account (Section 6.2 Record of engagement). This can increase transparency of capacity discussions and may ensure the NWOMC is properly funded for participation. However, some of the processes laid out within the TISG represents a more robust and inclusive process than was historically undertaken for federal assessment processes. Therefore, the capacity needs of the NWOMC may not be well understood at this time by either the NWOMC, the proponent, or the IAAC. For example, there is an ability to co-author sections of the Impact Statement where there is a high level of interest/interaction with Indigenous VCs. As the NWOMC explores these options of elevated involvement, capacity funding will be required to both scope and execute any identified additional work. As this is a relatively new approach, there may be a lack of understanding and planning on the proponent's part of what those capacity needs may be and what reasonable funding should be provided. This must be further explored with the proponent with sufficient oversight by the IAAC to ensure the NWOMC is adequately funded to allow for reasonable participation.

Assessment Scoping – There are requirements in the TISG for proponents to work with Indigenous communities to identify Indigenous specific/holistic Valued Components (7.2 Selection of Valued Components). In the event that an Indigenous communities suggested Valued Component is excluded from the Impact Statement, the proponent must provide justification (7.2 Selection of Valued Components). Further, where a Valued Component is not identified or selected by an Indigenous community (e.g., a typical biophysical Valued Component), the proponent must show

how Indigenous perspectives were considered in selecting Valued Components, where applicable. This requirement will increase the transparency of the scoping process for the EIS and can ensure that items of concern to the NWOMC are considered; and where not considered, are tracked and justified.

Additionally, related to scoping, the TISG includes a requirement for traditional land and resource use and cultural values to inform the biophysical assessment and impact rating criteria. This can be a crucial requirement as the impact rating criteria are used to categorize residual effects and are heavily weighted in the significance determination.

Aspects not Typically Assessed – Within federal impact statements there are often some aspects of Valued Components that are not typically considered. For example, perception, odour, and, in some cases, vibration. This TISG includes a requirement to consider the perceptions of effects by considering the views and concerns expressed through engagement with Indigenous Peoples (Section 9.2.1 Biophysical determinants of health). Additionally, typical exclusions such as odour (8.5.3 Mitigation and enhancement measures) and vibration (8.8.1 Baseline Conditions) are listed for consideration.

Integration into Biophysical and Socio-Economic Valued Components - There is reference in the TISG for inclusion of aspects of importance to Indigenous groups for the vegetation, riparian, and wetland environments baseline (Section 8.7.1); the fish and fish habitat baseline (Section 8.8.1); the birds, migratory birds and their habitat baseline (Section 8.9.1); and terrestrial wildlife and wildlife habitat baseline (Section 8.10). Additionally, there is a requirement for Indigenous health receptors (Section 9.1 Baseline Conditions); and a requirement to describe levels of food security and food sovereignty (Section 9.1 Baseline Conditions). Further, the EIS must consider the biophysical and social determinants of health for Indigenous Peoples (Section 9.0 Health Conditions). There is also a requirement for assessment of social conditions of each Indigenous community, including community well-being. These aspects may require additional consideration and data collection for the NWOMC.

Residual Effects – There is a requirement in the TISG to document the views of Indigenous Peoples regarding the severity of impact that the project could have on their rights (Section 12.2.2 Effects to current use of lands and resources for traditional purposes); and a requirement to understand how the project could impact traditions, laws and governance as well as planning, management and stewardship (Section 12.4.2 Impacts on rights of Indigenous Peoples). Severity is typically evaluated in a similar manner to residual effects, through impact rating criteria; with some notable additions to the consideration including rating criteria of cultural well-being, cumulative effects, governance, impact inequity, and health. Interweaving the severity of impacts ratings included in the Practitioner’s Guide to Impact Assessments with NWOMC information, should be considered to allow for an assessment of impacts to Métis section 35 rights and interests.

Cumulative Effects – The TISG specifies that cumulative effects must include Valued Components of particular concern to Indigenous groups (Section 7.6 Cumulative Effects assessment). It further specifies that proponents must consider the regional implications of project-specific mitigation and enhancement measures taking into account reasonably foreseeable development in the area. In relation to cumulative effects assessment, proponents are directed to document lived and told

experience of the changes in relation to the ability of Indigenous Peoples to exercise their rights and culture, through time, in collaboration with Indigenous communities.

Transparency – There are requirements within the TISG for provision of engagement records to Indigenous communities on a routine basis. This allows for the NWOMC to provide early feedback on the proponent’s engagement narrative. Further, there is a requirement for information relevant to Indigenous communities to be presented in separate sections for each community with sufficient disaggregation to support GBA Plus considerations. This will allow for a NWOMC specific assessment of impacts and ensure clear attribution of information to the NWOMC. Also, there is a requirement for each mitigation/enhancement measure to be reported separately for each Indigenous community. This means that the proponent has a requirement to engage with NWOMC on mitigation prior to submission of the EIS as the mitigation must be finalized in order to be shared for review.

Management Plans – Within the TISG, there are requirements for the proponent to provide (not develop later) a noise management plan, a lighting management plan, measures and plans to offset or compensate for any loss in productivity of fish populations and fish habitat, and an emergency response plan linked to surrounding communities. As, in some cases, these are not developed until post-approval phases, these will be important items throughout the Impact Statement phase.

Post-Approval Engagement – The TISG also has requirements for ongoing collaboration following the submission of the Impact Statement through Impact Assessment, Decision, and Post-Approval Phases by the proponent.

Comments on the IEPP

As the NWOMC is specifically identified in the IEPP, overall, the content of the IEPP is satisfactory. The document identifies that the “Métis Nation of Ontario (Region 1)” will be consulted to understand the concerns and potential impacts of the Project on their exercise of potential or established Aboriginal or Treaty rights and, where appropriate, make accommodations. Although also known as MNO’s Region 1, the rights-bearing Métis Community with which consultation must take place prefers to be referred to as the Northwestern Ontario Métis Community. The NWOMC requests that the IAAC and the Proponent make this correction and carry it forward throughout all phases of the assessment.

We hope that the information described above and in the below review table can facilitate Impact Statement phase planning, future EIS review, and inform discussion with between the parties. It is the expectation that through these discussions a comprehensive Impact Statement can be completed that fully integrates Métis rights and the NWOMC’s priorities for involvement on the Great Bear Gold Project.

Sincerely,

<Original signed by>

Theresa Stenlund

Regional Councillor for the Northwestern Ontario Métis Community & Chair of the MNO Region 1 Consultation Committee

cc.

Treaty 3/Lake of the Woods/Lac Seul/Rainy Lake/Rainy River Traditional Territory Consultation Committee officials:

Marlene Davidson, President of Atikokan Métis Council
Liz Boucha, President of Kenora Métis Council
Deanna Parker, President of Northwest Métis Council
Brady Hupet, President of Sunset Country Métis Council
Sandy Triskle, Captain of the Hunt, Region 1

Métis Nation of Ontario - Lands, Resources, and Consultations Branch:
Andrea Marcon, Manager
Erin Reimer, Mineral Development Advisor

APPENDIX A – TISG DETAILED REVIEW TABLE

#	Section	Details	Comment
1.	1. Introduction, Page 1 (PDF Page 8)	“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.”	<p>Limited consultation from the Impact Assessment Agency of Canada has been undertaken to date and these comments form some of the first feedback that the Northwestern Ontario Métis Community (‘NWOMC’) have provided in relation to the Tailored Impact Statement Guidelines (‘TISG’).</p> <p>Please add “select” or “some” prior to “Indigenous communities” so that it is not implied that all Indigenous communities informed the tailoring of the TISG prior to the comment period.</p>
2.	1.3 Preparing the Impact Statement, Page 4 (PDF Page 11)	“The proponent is expected to provide the Agency with a work plan for the Impact Statement Phase of the Project, within 3 months of the Notice of Commencement.”	Understanding the work plan for the Impact Statement Phase of the Project would be valuable to the NWOMC. Will this work plan be posted publicly to the IAAC registry for review? If not, Kinross Gold Corporation should provide a copy to the NWOMC for consideration in tandem with the information provided to the IAAC.
3.	1.4 Format and accessibility, Page 5 (PDF Page 12)	“Where information is required or is provided as a map in the Impact Statement, the proponent must also provide the Agency with the corresponding electronic geospatial data file(s). The Agency will make the geospatial data files available to the public under the terms of the Open Government Licence – Canada.”	<p>In some cases, the NWOMC may provide the proponent with mapped data, particularly should submission of a Traditional Knowledge and Land Use Study occur. In this case, the mapped data may be displayed in the Impact Statement directly, or within an Appendix.</p> <p>Additional discussion is required between the NWOMC, the IAAC, and Kinross Gold Corporation as provision of mapped data, particularly making those files available to the public, is contrary to the consent and data release parameters of the MNO. Further, provision of specific metadata related to contributors is not provided.</p>
4.	3.2 Project Location, Page 7 (PDF Page 14)	<p>“The following information must be included and, where appropriate, located on map(s):</p> <p>...</p> <ul style="list-style-type: none"> description of local communities and Indigenous communities; ...” 	<p>The NWOMC has a provincial, regional and a local community structure which must be described in the Project Location section in order to give proper geographical context. This includes description of the Regional Consultation Committee (publicly available) and identification, description and mapping of Chartered Community Councils (publicly available).</p> <p>Please update this bullet to include the following:</p>

			<ul style="list-style-type: none"> description of local communities and Indigenous communities, including provincial, regional and local context; [bold emphasizes added text]
5.	3.3 Regulatory framework and the role of the government, Page 9 (PDF Page 15)	<p>“The Impact Statement must identify:</p> <p>...</p> <p>any treaty, self-government, land claims or other agreements between federal or provincial governments and Indigenous communities that are pertinent to the Project and/or the impact assessment;...”</p>	<p>The Métis Nation of Ontario has signed the MNO-Canada Métis Government Recognition and Self-Government Agreement which recognizes that the Métis communities represented by the Métis Nation of Ontario hold the inherent right to self-government and self-determination. Further, the NWOMC also signed an Agreement on Advancing Reconciliation with the Northwestern Ontario Métis Community with Canada.</p> <p>This must be considered by the proponent within the Impact Statement as it is pertinent to both the Project and the impact assessment.</p>
6.	3.4 Project components and activities, Page 9 (PDF Page 16)	<p>“The Impact Statement must:</p> <ul style="list-style-type: none"> describe the project components, associated and ancillary works, and other characteristics to assist in understanding the potential environmental, health, social and economic effects, and impacts on Indigenous Peoples and their rights; describe project activities to be carried out during each project phase (construction, operations, decommissioning, and abandonment), with a focus on activities with the greatest potential to have environmental, health, social and economic effects, or impacts on Indigenous Peoples and their rights;...” 	<p>Additional engagement is required by the proponent in order to accurately understand how project components and project activities may impact Métis Section 35 rights and interests.</p> <p>The NWOMC and Kinross Gold Corporation have initiated discussions and these discussions must continue throughout EIS development to ensure this parameter within the TISG is met.</p>
7.	6.0 Description of Engagement with Indigenous Communities, Page 19 (PDF Page 26)	<p>“The proponent must engage with Indigenous communities at the earliest reasonable opportunity in order to identify and understand the potential impacts of the project on Indigenous Peoples and their rights, including the use of their lands, territories and resources, and to incorporate Indigenous Knowledge into the impact assessment. The assessment process will be conducted in a manner consistent with the Indigenous Engagement and Partnership Plan. Engagement with Indigenous communities is required to inform the impact assessment and identify measures to avoid or minimize potential impacts on Indigenous Peoples and their rights from the project. This engagement may also identify potential positive outcomes, including measures that could improve the underlying baseline conditions that support the exercise of rights. Ideally, the project will be designed not only in such a way as to</p>	<p>Please clarify the language within this section.</p> <p>This section indicates that the proponent must engage with Indigenous communities to understand potential impacts to Section 35 rights and interests and to incorporate Indigenous knowledge into the impact assessment.</p> <p>Information related to potential impacts to Section 35 rights and interests as well as Indigenous knowledge must be integrated by the proponent into the <i>Impact Statement</i> and by the IAAC into the <i>Impact Assessment</i> following the completion of the Impact Statement phase.</p> <p>This lack of precision in language is also reflected further on in the paragraph where it specifies that “Engagement with</p>

		minimize its negative effects, but also to maximize its positive impact on the quality of life of Indigenous Peoples.”	Indigenous communities is required to inform the impact assessment...”. While this is important, engagement with the proponent must also inform the Impact Statement and consultation with the IAAC should inform the Impact Assessment.
8.	6.0 Description of Engagement with Indigenous Communities, Page 19 (PDF Page 26)	“The degree of engagement with each Indigenous community will vary and in general, will be proportionate to the evidence provided by Indigenous communities, regarding potential pathways of impact from the Project on Aboriginal and/or Treaty rights.”	<p>The ability to provide evidence regarding pathways of impact from the Project on the NWOMC’s Section 35 rights and interests is directly proportional to the provision of sufficient capacity from Kinross Gold Corporation. Without sufficient capacity, the NWOMC’s ability to collect, analyze and provide this information could be substantially impaired.</p> <p>Additionally, reliance on data related to the pathways of impact in order for the level of engagement to be defined may result in the proponent prematurely reducing the level of engagement prior to the necessary data being collected and provided by the NWOMC. This passage should be removed or amended with more permissive language such as “may be proportionate” rather than “will be”.</p>
9.	6.0 Description of Engagement with Indigenous Communities, Page 20 (PDF Page 27)	“The result of any engagement with each Indigenous community must be present in the Impact Statement, and, as best as possible, convey the perspectives of the Indigenous communities being engaged.”	Similar to direction within Section 1.2 Gender-based Analysis Plus, the results of engagement with each Indigenous community must be disaggregated to convey the perspectives of the Indigenous communities being engaged. Please add appropriate text to this statement to reflect this proponent requirement similar to other Sections.
10.	6.1 Indigenous Knowledge Considerations, Page 21 (PDF Page 28)	“Indigenous Knowledge is holistic and when integrated in impact assessment, it informs the assessment on areas including the biophysical environment, as well as social, cultural, economic and health aspects, Indigenous governance, resource use, and mitigation.”	Please see comment #7 as precision in language must be adjusted.
11.	6.4 Collaboration with Indigenous Peoples following the submission of the Impact Statement, Page 26 (PDF Page 33)	“The proponent must explain in the Impact Statement how it plans to continue to work with affected Indigenous Peoples during subsequent phases of the impact assessment process and throughout the lifecycle of the Project, should the project proceed.”	Similarly, the IAAC must identify to the NWOMC how the IAAC will undertake condition/commitment oversight during subsequent phases of the process and throughout the lifecycle of the Project. This must be articulated within this section of the TISG to ensure IAAC accountability.
12.	7.0 Assessment Methodology, 7.1 Baseline Methodology, Page 26 (PDF Page 33)	“The Impact Statement must provide a description of the baseline for the environmental, health, social and economic conditions related to the Project. This should include the existing environmental, health, social and economic conditions, interrelations and interactions among them, and the variability in	The Impact Statement must also include baseline conditions of Section 35 rights and interests and/or Valued Components identified for assessment by Indigenous peoples.

		these conditions over time scales and spatial boundaries appropriate to the Project. Meaningful, two-way dialogue with communities and Indigenous communities provides input that may describe how environmental, health, social and economic conditions are interrelated.”	This information should be included in addition to the Indigenous Knowledge which is referenced to supplement biophysical and socio-economic baseline conditions.
13.	7.0 Assessment Methodology, 7.2 selection of Valued Components, Page 29 (PDF Page 36)	“The proponent is expected to finalize the selection of VCs in consultation with Indigenous communities and other participants. The proponent should engage with participants and refer to comments received in relation to the Project on the Registry for additional information to support the selection of VCs.”	As directed by the TISG, the NWOMC looks forward to continued engagement by Kinross Gold Corporation for the selection of Métis-specific Valued Components.
14.	7.0 Assessment Methodology, 7.4 Effects assessment methodology, Page 33 (PDF Page 40)	“...consider and describe the perspectives, concerns and tolerance levels of Indigenous communities and other participants;...”	The NWOMC has not contemplated or compiled tolerance levels for any potential adverse impacts to their Section 35 rights and interests; or considered or evaluated thresholds for any Valued Components of importance (e.g., rapid loss of wetlands, etc.). As thresholds cannot be quantified or defined in the context of a single project Impact Statement and are instead thought of in terms of ecological context, threshold levels will likely not be completed or contemplated by the NWOMC in relation to this Impact Statement.
15.	7.0 Assessment Methodology, 7.5 Mitigation and Enhancement Measures, Page 33 (PDF Page 40)	“...write mitigation measures as specific commitments that clearly describe how the proponent intends to implement them and the desired outcomes.”	Please undertake additional consultation with the NWOMC on how proponent identified commitments will be tracked and who is responsible for ongoing enforcement. Particularly in response to mitigation measures that address impacts to Section 35 rights and interests or Valued Components of importance to the NWOMC.
16.	7.0 Assessment Methodology, 7.5 Mitigation and Enhancement Measures, Page 34 (PDF Page 41)	“...describe any environmental protection plan(s) for the Project and, if applicable, the environmental management system through which the proponent will deliver this plan. The plan(s) must provide an overall perspective on how potentially adverse effects would be minimized and managed over time;...”	In relation to environmental protection plan(s) there must also be details within the impact statement of how the NWOMC will be involved in the development and finalization of the plan and how the NWOMC can be included in the environmental management system. This bullet must be updated with this specific requirement.
17.	7.0 Assessment Methodology, 7.5 Mitigation and Enhancement Measures, Page 34 (PDF Page 41)	“...identify the party responsible for the implementation of mitigation measures and the system of accountability;...”	Please see comment #15.
18.	7.0 Assessment Methodology, 7.7	“...identify and explain relevant sources of information that were used to characterize the extent to which those effects are	This section specifies that where a residual effect is identified, even when the effect is “small” or “negligible”, the proponent

	Extent to which effects are significant, Page 39 (PDF Page 46)	significant, including how the perspectives, concerns and tolerance levels of Indigenous communities and other participants were considered;...”	must categorize the significance of effect. As this applies to all adverse effects within federal jurisdiction, it relates to factors of importance to Indigenous communities. Further, relevant sources of information to characterize the significance must be identified which can include tolerance levels of Indigenous communities. As the NWOMC does not have identified tolerance levels for biophysical and socio-economic factors of importance, this could be problematic and requires significant proponent engagement and Crown consultation where residual effects are identified.
19.	8.3 Geochemistry of mined or excavated materials, 8.3.1 Baseline conditions, Page 41 (PDF Page 48)		There are limited details within this section about pre-project baseline conditions that chemical release rates will be measured against. Please add additional requirements for the proponent to include specific baseline conditions which chemical release rates must be compared against, including if these conditions will be linked to groundwater or surface water baseline data.
20.	8.5.2 Effects to the atmospheric, acoustic, and visual environment, Page 46 (PDF Page 53)	“...use atmospheric dispersion modelling to predict the fate of air pollutants resulting from project-related emission sources, with a big enough domain to identify potential air quality impacts on all sensitive receptors, and provide appropriately scaled contour map(s)9 plotting the predicted pollutant levels for all phases of the Project (see Appendix 1 - Guidance for biophysical components for guidance on dispersion modelling);...”	Additional engagement with Kinross Gold Corporation is required to ensure that key areas to the NWOMC are identified as sensitive receptors. Further, the TISG should identify engagement is required with Indigenous communities on the selection and location of sensitive receptors.
21.	8.5.2 Effects to the atmospheric, acoustic, and visual environment, Page 46 (PDF Page 53)	“...describe changes in ambient vibration and sound levels resulting from the Project at potential receptor locations (such as the mine site, potential nearby sensitive fish habitat, and nearby locations for potential Indigenous wild rice harvesting, and around the Project as indicated above) and how they might impact the perception of nonanthropogenic sounds. Describe the anticipated frequency and timing of changes in ambient vibration and other sound levels such as changes that might occur from blasting;...”	Additional engagement with Kinross Gold Corporation is required to ensure potential receptor locations are identified which align with NWOMC interests. Further the TISG should identify that engagement is required with Indigenous communities on the selection and location of potential receptor locations.
22.	8.7 Vegetation, riparian, and wetland environments, 8.7.1 Baseline conditions, Page 58 (PDF Page 65)	“...describe any existing weed species or other invasive species within the local study area that have the potential to spread into areas used for wild rice harvesting;...”	While wild rice harvesting is important, this must be broadened to include weed species or other invasive species which have the potential to spread to areas for any local vegetation used for medicinal or country foods purposes. Please update this text to have a broader scope.

23.	8.7.2 Effects to vegetation, riparian, and wetland environments, Page 60 (PDF Page 67)	“...describe the key indicators used to assess project effects and the sensitivity of vegetation communities, wetlands, and riparian and terrestrial environments to disturbance. Provide a rationale for their selection, including a clear connection to indicators used to characterize baseline conditions;...”	Key indicators must be collaboratively identified through engagement with the NWOMC as vegetation species and wetland ecosystems are of importance to the NWOMC for the ongoing maintenance and exercise of the NWOMC’s Section 35 rights and interests.
24.	8.7.2 Effects to vegetation, riparian, and wetland environments, Page 60 (PDF Page 67)	“...quantify the area of vegetation communities, riparian, wetland, and terrestrial environments, that may be cleared or otherwise disturbed within the study area during all phases of the Project, including a description of the disturbance and changes to; <ul style="list-style-type: none"> • interior to edge habitat ratios; • the availability of rare habitat; and • functions within the remaining vegetation or wetland complex;...” 	A description of the disturbance and changes to areas of Indigenous use and exercise of Métis Section 35 rights and interests must also be reflected in this Section. Please update to include this in the listing or refer to where it will be described.
25.	8.7.2 Effects to vegetation, riparian, and wetland environments, Page 60 (PDF Page 67)	“...describe effects related to potential introduction of weed species or invasive species in areas used for wild rice gathering;...”	Please see comment #22.
26.	8.7.3 Mitigation and enhancement measures, Page 61 (PDF Page 68)	“...describe the measures allowing identification of invasive species or other undesirable introduced species, avoid their propagation and control their spread into areas used for wild rice gathering during all phases of the Project, including the necessity of preconstruction surveys to identify any high density areas;...”	Please see comment #22.
27.	8.7.3 Mitigation and enhancement measures, Page 61 (PDF Page 68)	“...describe the selection of plant species to be conserved and planted in order to promote vegetation communities with low natural growth;...”	Please update this section to specify that plant species of importance to Indigenous communities will be considered for conservation to promote those with low natural growth.
28.	8.8.2 Effects to fish and fish habitat, Page 66 (PDF Page 73)	“...describe tolerance thresholds for potential adverse effects that the Indigenous Peoples have identified, and how they were considered in the assessment;...”	Please see comment #14.
29.	8.8.2 Effects to fish and fish habitat, Page 67 (PDF Page 74)	“For projects requiring the use of natural waterbodies frequented by fish for the disposal of mine waste ¹² and/or for the management of process water, an amendment to the Metal and Diamond Mining Effluent Regulations (MDMER) will be required. This regulatory process will not be initiated until the proponent has undertaken a detailed assessment of alternatives for mine	In the experience of the NWOMC accelerated approval of amendments to Metal and Diamond Mining Effluent Regulations can come at the expense of robust consultation and engagement. This accelerated process must be considered against outstanding concerns of the NWOMC at time of regulatory authorization.

		waste disposal. By fulfilling the requirements of the regulatory authorization during the impact assessment, authorizations may be granted in an accelerated manner.”	
30.	8.9.2 Effects to birds, migratory birds, and their habitat, Page 71 (PDF Page 78)		In various bullets (bullet 1(f), 3(d) and bullet 4) throughout this section, there is reference to changes to the acoustic environment through noise and vibration. This should be updated to include greater specificity and refer to blasting to ensure the proponent provides specific details on this potential noise source.
31.	9.0 Health Conditions, 9.1 Baseline conditions, Page 84 (PDF Page 91)	“...provide the approximate location on a map and distance of likely human receptors, including foreseeable future receptors, which could be affected by changes in air, water, country food quality, and noise and light levels. Include the gathering, hunting, trapping and fishing areas used by Indigenous Peoples, as well as permanent and temporary residences of Indigenous Peoples (e.g. cottages and camps identified in collaboration with Indigenous Peoples) and any sensitive receptors near the Project;...”	Please confirm that the described Indigenous receptors will include a conservative estimate of higher consumption of country foods. Please amend the text, where required.
32.	9.2.1 Biophysical determinants of Health, Page 87 (PDF Page 94)	“...document and take into account tolerance thresholds for potential adverse effects on health identified by Indigenous Peoples;...”	Please see comment #14.
33.	10.2.1 Effects to Community Well-being, Page 94 (PDF Page 101)	“...document and take into account tolerance thresholds for potential adverse effects identified by Indigenous Peoples;...”	Please see comment #14.
34.	12.4 Rights of Indigenous Peoples, 12.4.1 Baseline Conditions, Page 110 (PDF Page 117)	“...where they exist, identification of thresholds identified by the community that, if exceeded, may impair the ability to meaningfully exercise rights;...”	Please see comment #14.
35.	14.0 Effects of the Environment on the Project, Page 117 (PDF Page 124)		As NWOMC and its citizens have unique perspective with regards to weather conditions and events, there must be engagement by the proponent on the effects of the environment on the project. Additionally, this requirement should be added to the TISG to ensure compliance.