

15. PROCEDURAL ASPECTS OF ABORIGINAL CONSULTATION

15.1 INTRODUCTION

This section describes the engagement and consultation undertaken with Aboriginal Groups for the Application for an Environmental Assessment Certificate/Environmental Impact Statement for a Comprehensive Study (Application/EIS) for the Ajax Project (Project) during the Pre-Application period until July 31, 2015. It also proposes a plan for consultation with Aboriginal Groups during the Application review period. Detailed summaries of communications with Aboriginal Groups are included in Appendix 15-A, Summary of Communications with Aboriginal Groups. Appendix 15-B, Aboriginal Groups Issues Tracking Tables, summarizes the issues raised by each Aboriginal Group and responds to address those issues. The issues were compiled from multiple sources including meetings and correspondence between Aboriginal Groups and KGHM Ajax Mining Inc. (KAM), comments on the draft Application Information Requirements/Environmental Impact Statement Guidelines (AIR/EIS Guidelines), British Columbia Environmental Assessment Office (BC EAO) Working Group meetings, and studies completed by Aboriginal Groups for this Application/EIS.

15.2 BACKGROUND

The BC EAO formally delegated aspects of its consultation responsibilities to KAM through an Order issued under section 11 of the BC *Environmental Assessment Act*. The section 11 Order identifies the Project “First Nations” as the Stk’emlupsemc te Secwépemc Nation (SSN) which is comprised of the Tk’emlúps te Secwépemc (TteS) and Skeetchestn Indian Band (SIB) whom KAM is required to consult regarding potential Project effects on their Aboriginal interests as well as their perspectives on the Project. The section 11 Order also identifies “Working Group First Nations” comprised of the Lower Nicola Indian Band (LNIB) and Ashcroft Indian Band (AIB). The section 11 Order directs KAM to provide information to the LNIB and AIB regarding the Project, specifically the Application/EIS.

On July 23, 2015, the BC EAO issued a section 13 Order identifying WP/CIB as a “Notification First Nation” and directing KAM to provide information to the WP/CIB regarding the Project. In addition to the Aboriginal Groups identified above, the Canadian Environmental Assessment Agency (CEA Agency) directed KAM to engage with and collect information from the Metis Nation British Columbia (MNBC) which may also be affected by the Project.

In a letter dated June 9, 2014, the CEA Agency advised KAM that it would consult Aboriginal Groups at different depths as described in Table 15.2-1.

Table 15.2-1. Aboriginal Groups Consultation Requirements

Aboriginal Group	BCEAO's Section 11 and Section 13 Orders	CEA Agency Consultation Depth
Stk'emlupsemc te Secwépemc Nation	First Nation	High
Ashcroft Indian Band	Working Group First Nation	Moderate
Lower Nicola Indian Band	Working Group First Nation	Moderate
Whispering Pines/Clinton Indian Band	Notification First Nation	Moderate
Métis Nation British Columbia	Not mentioned	Low

Notes:

SSN is part of Schedule B in the Section 11 order.

Depth of consultation varies depending on seriousness of impacts and strength of claim.

KAM understands the importance of collecting and considering Traditional Knowledge (TK) and Traditional Land Use (TLU) information and related information on Aboriginal interests (including rights and title) that could be affected by the Project. Key principles for consideration of TK/TLU include supporting Aboriginal Groups to collect the information, seeking prior informed consent, and respecting intellectual property rights (Canadian Environmental Assessment Agency, 2013).

With this in mind, KAM implemented the following approaches to engage and collect TK/TLU and related information on Aboriginal interests such as rights and title:

1. Funding TK/TLU studies. KAM provided the SSN with funding to complete a large Cultural Heritage Study (CHS) for the Project. Additional information on the CHS is described below under Section 15.2.3.3 (TK/TLU Funding for the Cultural Heritage Study). KAM recently provided additional funding to the SSN to expand the scope of the CHS with respect to the new General Arrangement. KAM also provided the WP/CIB and LNIB with capacity funding that includes provisions to develop TK/TLU studies (and related information on potentially affected Aboriginal interests) for the Project. At the time of writing, the WP/CIB and LNIB were each making preparations to develop TK/TLU studies. In addition, the MNBC was provided with funding to develop an Initial Project Report summarizing consultation information as well as a review of existing databases to understand Metis TK/TLU practices in the region and any interests that may be affected.
2. Confidentiality. KAM is committed to ensuring the confidentiality of information shared by Aboriginal Groups prior to, during and following the environmental assessment (EA). With this in mind, KAM and SSN agreed that in carrying out the CHS, certain information would not be shared with KAM. SSN committed to prepare and provide summary reports required for the EA to KAM. Each of the parties acknowledged and agreed to be bound by the intellectual Property Rights statement in respect of information disclosed in connection with the CHS and related reports. The copyright of the final produced document remains with the SSN. For these reasons KAM decided not to share the CHS as an appendix within this application.
3. Solicit Feedback. KAM made efforts to obtain comments and feedback from Aboriginal groups on KAM's understanding of each group's TK/TLU and the potential Aboriginal

interests that could be affected by the Project. As such, KAM provided each Aboriginal Group with copies of the Application that pertain to Aboriginal interests and consultation in advance of the submission to receive comments, feedback, and input and verify KAM's understanding. This included:

- Baseline reports: Socio-economic **Section 8.4** (only information pertaining to SSN), fish and fish habitat, water quality, archaeological, heritage, wildlife, and vegetation.
 - **Section 8.5** - Current Use of Lands and Resources for Traditional Purposes. No feedback was received by the time of writing.
 - **Section 12** - Background and Aboriginal Group Setting provided in March 2015. Preliminary feedback was only received from SSN with a request for more reference material to be added. These sources (to the extent that they were not already incorporated from the CHS) were added to Section 12.
 - **Section 13** - Aboriginal Interests (Rights and Title) provided on July 30, 2015. At the time of writing, no feedback was received.
 - **Section 14** - Other Potential Effects on Aboriginal Interests provided. At the time of writing, no feedback was received; and
 - **Section 15** - Procedural Aspects of Consultation provided which includes a summary of the consultation undertaken with each Aboriginal Group and the identified Aboriginal Interests and concerns. At the time of writing, no feedback was received.
4. Site Tours. KAM provided regular site tours to the public and Aboriginal Groups to develop information on potential concerns or Aboriginal interests with respect to the Project. This included site tours for elders and other knowledge holders.
 5. Meetings with Aboriginal Groups. KAM participated in over 80 meetings with Aboriginal leadership as well as 10 community meetings. These activities also assisted in the identification of TK/TLU and Aboriginal interests potentially affected by the Project.

15.3 PRE-APPLICATION/EIS CONSULTATION

This section describes Pre-Application communication, information sharing, and consultation undertaken with each Aboriginal Group. Detailed summaries of communications with Aboriginal Groups are included in Appendix 15-A, Summary of Communications with Aboriginal Groups. Appendix 15-B, Aboriginal Issues Tracking Tables, presents a comprehensive list of issues raised by each Aboriginal Group.

15.3.1 Information Distribution Methods

Methods and tools utilized to share information and consult with Aboriginal Groups during the Pre-Application period include the following:

- **Early Notification.** KAM contacted leadership for each Aboriginal Group to notify them about the Project and request introductory meetings, seek a point-of-contact and identify group-specific consultation policies, protocols or preferences.

- **Site Tours.** To support information sharing, KAM host site tours to the Project site. The site tours are designed to introduce and familiarize Aboriginal Groups and the public with the Mine Site and provide more information about the Project. Site tours began in the Pre-Application period and are ongoing.
- **Meetings with Aboriginal Leadership.** KAM met with Aboriginal leadership. These meetings provide opportunities to present information on the Project, exchange information and identify the concerns and interests of Aboriginal Groups.
- **Stakeholder Issues and Information Management System.** KAM is committed to meaningful consideration of the concerns, interests, and issues of Aboriginal Groups. Information is captured in a formal information management system. The database system allows for tracking and monitoring of contact information, meeting attendance, types of meetings (e.g., community meetings, one on one meetings) held, date and time of contact, and detailed summaries of what was discussed. Issues are tracked in the stakeholder issues and information management system and distributed to appropriate scientific teams to ensure the information is carefully considered in the baseline studies, effects assessments, and mitigation and monitoring strategies.
- **Project Website and Blog.** In 2011, a Project website and blog was developed to facilitate information sharing and distribution. The website presents a range of information such as Project facts, the management team, Project history, site tour schedules, newsletters, FAQs and answers, as well as copies of technical reports and presentations such as Blasting Reports and the Feasibility Study. The website and blog will continue to be used as an information sharing tool during the remaining Pre-Application period and during the Application review period to relay Project information. The website is continually updated as new information becomes available.
- **Project Office.** In July 2011, KAM opened a Project office in downtown Kamloops to specifically give the public and Aboriginal community members a place where they could learn about the Project, ask questions, and share their perspectives and opinions.
- **Project Materials.** KAM developed a range of materials to support Project consultation, such as Project fact sheets, Project storyboards and displays, brochures, 3-dimensional model and multi-media tools and baseline study summaries. KAM updated materials as needed to match current Project status (Appendix 15-E).
- **Creation of an External Affairs Team.** To facilitate information distribution and consultation, KAM created an External Affairs Team which includes a First Nations Liaison Specialist (and a member of the Skeetchestn First Nation), Environmental Permitting representatives, an External Affairs Specialist, a Community Relations Specialist, and a Community Relations Ambassador. Staff are encouraged to share information with the community, seek input and feedback, and provide responses to questions and concerns.

In addition to specific methods and consultation with Aboriginal Groups, KAM also undertook an extensive public consultation program presented in Section 4.4 (Public and Agency Information Distribution and Consultation). This program provided off-reserve community members with the opportunity to access Project information.

15.3.2 Stk'ém̓lupsemc Te Secwépemc Nation

The section describes the engagement and consultation that occurred with the SSN prior to the commencement of the Environmental Assessment (EA) process until July 31, 2015. A detailed summary of communications between the SSN and KAM is presented in Appendix 15-A (Summary of Communications with Aboriginal Groups).

15.3.2.1 Early Engagement

Abacus Mining and Exploration Corporation (AME; a mineral exploration and development company) acquired the Ajax Property in 2002 from Teck Resources. AME contacted SSN in February 2006 to introduce itself and present Project information.

Other early consultations undertaken include:

- **Introductory Meetings.** In January 2008, introductory meetings were held between SSN and AME.
- **Funding.** In July 2008, AME and SSN (at that time called the “Kamloops Division”) entered into a written agreement and AME provided funding to the SSN for archaeological studies and legal assistance for future negotiations for a term of one year.
- **Site Visits.** In August 2009, a site visit and Project update meeting was held with SSN representatives. During the site visit, areas of cultural importance were visited.
- **Archaeology.** AME employed Terra Archaeology (under recommendation of the SSN) for future archaeological work in the Project area.

In October of 2010 KGHM S.A earned 51% ownership stake in the Ajax Project and formed KGHM-Ajax Mining Inc. (KAM).

In December 2010, KAM and SSN entering into a written advanced exploration agreement . The Agreement confirmed the commitment of both parties “to work together in a spirit of partnership and collaboration to build a positive, beneficial and harmonious relationship in connection with the Project.”

In April 2012 KGHM S.A. exercised their option to increase ownership to 80%. In September 2012 KGHM International, western hemisphere subsidiary of KGHM S.A., took over operational control and direction of the Ajax Project.

15.3.2.2 Environmental Assessment Procedures

The following subsections describe consultation undertaken with SSN as part of the EA procedures, including notification of the Project, Ajax Project EA Working Group, AIR/EIS Guidelines, the First Nation Consultation Plan (FNCP), and the First Nation Consultation Report.

Notification of the Project

After the filing of the Project Description on February 7, 2011, the BC EAO determined the Project must complete the EA process and an order under Section 10 of the BC EA Act was sent to KAM on

February 25, 2011 (BC EAO, 2011). Once the Section 10 Order was issued, the SSN were notified and the order and Project description was made available on the BC EAO's electronic project information centre (ePIC). CEA Agency also determined that the Project was subject to an EA and the federal process began with a Notice of Commencement dated May 31, 2011 (CEA Agency, 2011).

Ajax Project EA Working Group

The BC EAO established the Ajax Project Working Group in April 2011. The Working Group is comprised of representatives from SSN and the Working Group First Nations (LNIB and AIB). It also includes federal, provincial, and local government representatives. The SSN participated in four Working Group meetings held between 2011 and 2015, as summarized in Table 15.3-1 along with the major topics of discussion for each session. The SSN also participated in three Health Sub-Working Group meetings, two Water Quality Sub- Working Group meetings, a Social Sub-Working Group meeting, and a Fish and Aquatics Sub-Working Group Meeting.

Table 15.3-1. Ajax Project Working Group Meetings with SSN Participation

Date	Topics of Discussion	
EA Working Group Meetings		
April 27, 2011	<ul style="list-style-type: none"> • Federal and Provincial EA Processes • Project Description • Working Group Questions and Answers 	<ul style="list-style-type: none"> • First Nation Consultation Program • KAM Study Program • Preliminary Issue Identification
October 27, 2011	<ul style="list-style-type: none"> • Draft AIR/EIS Guidelines – Issues and Responses • Role and responsibilities of the Working Group 	<ul style="list-style-type: none"> • Working Group Issues Tracking Table • Creation of sub-working groups
June 23, 2014	<ul style="list-style-type: none"> • Project update • Updated General Arrangement • Draft AIR/EIS Guidelines updates • Waste rock and tailings management 	<ul style="list-style-type: none"> • Water resources (Jacko Lake and Peterson Creek) • Air quality and dust control • Public consultation
July 7, 2015 - Session I	<ul style="list-style-type: none"> • Overview of Application • Project Description • Project Alternatives 	<ul style="list-style-type: none"> • Geochemistry • Water Quantity and Quality • Fish and Aquatics
July 8, 2015 - Session II	<ul style="list-style-type: none"> • Noise and Vibration • Air Quality • Human Health Ecological Risk Assessment 	<ul style="list-style-type: none"> • Social VCs • Accidents and Malfunctions
July 9, 2015 - Session III	<ul style="list-style-type: none"> • Terrestrial Wildlife • Soils and Reclamation 	<ul style="list-style-type: none"> • Archaeology • Part C (Aboriginal Groups Information Setting and Background; Procedural Aspects of Consultation; Aboriginal Interests (Rights and Title)
Health Sub-Working Group Meetings		
January 24, 2012	<ul style="list-style-type: none"> • Project update • Draft AIR/EIS Guidelines development • Air quality and dust control • Noise and vibration 	<ul style="list-style-type: none"> • Vegetation and plant communities • Health risk assessment • First Nation engagement and community relations
May 10, 2012	<ul style="list-style-type: none"> • Draft AIR/EIS Guidelines development • Assessment of effects on air quality and noise 	<ul style="list-style-type: none"> • Noise modelling plan • Air dispersion modelling plan

Date	Topics of Discussion	
July 8, 2015	<ul style="list-style-type: none"> • Air Quality Model and Results • Human Health Ecological Risk Assessment 	<ul style="list-style-type: none"> • Questions and Discussion
Water Quality Sub-Working Group Meetings		
February 27, 2012	<ul style="list-style-type: none"> • Draft AIR/EIS Guidelines development • Overview of water quality conditions (Inks Lake, Jacko Lake) • Geochemical characterization program (waste rock and tailings) 	<ul style="list-style-type: none"> • Dust control • Further discussion on cumulative effects
May 16, 2012	<ul style="list-style-type: none"> • Design of the TSF • Water seepage and discharge • Water flow in Inks Lake and Jacko Lake • Effluent discharge 	<ul style="list-style-type: none"> • Tailings seepage into groundwater • Kinder Morgan pipeline • Dust control • Reclamation plan
July 8, 2015	<ul style="list-style-type: none"> • Surface Water Quantity • Surface Water Quality 	<ul style="list-style-type: none"> • Groundwater Quantity • Groundwater Quality
Social Sub-Working Group Meeting		
July 8, 2015	<ul style="list-style-type: none"> • Socio-economic Effects Assessment • Noise and Vibration Effects Assessment 	<ul style="list-style-type: none"> • Questions and Discussion
Fish and Aquatics Sub-Working Group Meeting		
July 8, 2015	<ul style="list-style-type: none"> • Fish Habitat Offsetting • Questions and Discussion 	

Through the Working Group (and the various sub-groups), the SSN were provided with opportunities to review and comment (verbal and written) on the selection of VCs for the effects assessment, design of the baseline study programs, environmental and socio-economic studies, and any issues and information requirements related to EA. Comments provided were considered in the development of the VCs, the AIR/EIS Guidelines, and other aspects of the Application/EIS.

KAM attended Working Group meetings and, as appropriate, prepared responses to address comments raised by SSN (see Appendix 4.7-M).

AIR/EIS Guidelines

BC EAO provided SSN with opportunities to review and comment on drafts of the AIR/EIS Guidelines. Through the Working Group, SSN provided written comments on the draft AIR/Guidelines on May 28, 2012. As a result of SSN comments, the AIR/EIS Guidelines was revised to include additional baseline information on cultural resources, consideration of effects on culturally-significant resources, assessment of health and well-being, and approach to water management. The approved AIR/EIS Guidelines were generated on June 3, 2013.

The Working Group met on June 23, 2014 following the announcement by KAM of an updated General Arrangement (GA) for the Project. The AIR/EIS Guidelines were further updated and distributed to the Working Group on June 30, 2014. SSN submitted comments on August 29, 2014. After addressing SSN comments, the AIR/EIS Guidelines was then re-issued on November 7, 2014, for

which the SSN submitted further comments on December 18, 2014. Table 15.3-2 presents key topics raised by SSN on the revised draft AIR/EIS Guidelines dated August 29, 2014 and December 18, 2014.

Table 15.3-2. Key Topics Raised by SSN on the Revised AIR/EIS Guidelines

Date Received	Topics
August 29, 2014	<ul style="list-style-type: none"> • Funding to participate in the EA process
December 18, 2014	<ul style="list-style-type: none"> • Meaningful consultation including consultation on the VCs • Potential effects on Aboriginal rights and title • The proposed assessment of rare and sensitive grassland communities • The proposed assessment of economic effects • Including the hunting blind in the assessment. • Consideration of medicinal values of country foods • Consideration of the CHS and potential revisions of the study due to updated GA • Cultural Heritage VC should be defined further • Monitoring of cultural or spiritual significance areas encountered during construction • Assay testing and acid rock drainage • Cumulative effects assessment and the New Afton Mine (its historical impact of the tailings pond on SSN's Aboriginal rights and title) • Reporting in accordance with the BC Dam Safety Review Guidelines • Consideration of recommendations from Mount Polley Mine disaster • Alternatives assessment of the tailing pond storage facilities and designs • Consideration of transportation effects (trucking to Vancouver) • Socio-economic and health effects assessment and monitoring • Accidents and Malfunctions, financial means to address the reclamation/restoration obligations in the event of TSF failure • Risk Assessment with respect to Trans Mountain (Kinder Morgan) Pipeline and historic New Afton Mine tailings pond • Determination of significance of adverse effects (direct, indirect and cumulative) on socio-economic (including social inequities), physical and cultural heritage, and current use of lands for traditional purposes (including contemporary use) • Water consumption and balance (and potential effects on Kamloops Lake) • Potential effects on Jacko Lake, including access • Potential effects on Goose Lake • Potential effects on Peterson Creek, including fish and fish habitat • Relocation and re-installation of the Kinder Morgan pipeline to be included in the EA • Alkali/Cherry Creek watershed to be scoped into the effects assessments • Extension of temporal boundaries for the EA beyond life-of-mine • Baseline air quality and modelling and cumulative effects • Reclamation of vegetation species

KAM also invited SSN to draft AIR/EIS Guidelines open houses on November 25 and 26, 2014. The detailed AIR/EIS Guidelines Issues Tracking Table documenting SSN's input, as well as KAM's responses and the actions taken is available on BC EAO's electronic Project Information Centre (e-PIC): http://a100.gov.bc.ca/appsdata/epic/html/deploy/epic_project_doc_list_362_p_pub.html.

Comments received from the SSN were considered and, where applicable, incorporated into the AIR/EIS Guidelines. For example, the SSN noted cultural heritage had a limited definition in the AIR/EIS Guidelines. KAM worked with the SSN, the BC EAO, and the CEA Agency to ensure that reasonable consideration was given to inclusion of an expanded definition and scope of cultural heritage in the AIR/EIS Guidelines.

The SSN noted the unique nature of Aboriginal communities and requested that potential effects on Aboriginal community health and wellness be specifically addressed in the application. To this end, KAM included a Human Health and Ecological Risk Assessment (HHERA) and a Country Foods VC in the Application/EIS. The baseline HHERA is designed to assess current conditions based on chemicals of concern and human and terrestrial receptor exposure in environmental media (soil, air, surface water). Information derived from TLU information is integrated as part of the modelling in the Application/EIS.

The SSN requested that the Application/EIS include a discussion about the amount of water brought on-site and its disposition, especially in regards to evaporation and atmospheric water loading, and the potential to affect local climate. Consistent with the AIR/EIS Guidelines, KAM has included a site water balance model in the Application/EIS, including hydrology and hydrogeology assessments.

Subsequent to the November public comment period on the draft AIR/EISG, additional comments from the SSN were incorporated into the final AIR. These changes included:

- clarification of areas in the Application/EIS where Aboriginal input will be incorporated to reflect the interconnectedness of Pípsell (e.g., Alternatives, terrestrial and wildlife VCs, Current Use of Lands and Resources for Traditional Purposes [CULRTP]);
- inclusion of a CULRTP VC, and the specific potential effects to be assessed within this assessment;
- inclusion of an assessment on Pípsell for the CULRTP VC;
- inclusion of an assessment on the seasonal round for the CULRTP VC;
- inclusion of biodiversity conservation framework; and
- addition of potential effects to be considered in evaluating effects to Aboriginal rights.

First Nations Consultation Plan

As directed in subsections 9.2 and 13.1 of the section 11 Order, KAM developed a First Nations Consultation Plan (FNCP) (Appendix 15-C) to guide its activities and responsibilities in the consultation process with the SSN during the Pre-Application and Application review periods. The FNCP identifies the following key engagement and consultation activities for the Pre-Application period with SSN:

- facilitate SSN involvement in site tours;
- support development of TK/TLU studies;
- participate in SSN community meetings;

- participate in meetings with SSN leadership;
- provide a draft of the FNCP to the SSN for review and incorporate SSN input into the FNCP;
- share a summary of consultation undertaken with the SSN and incorporate input;
- facilitate SSN review of appropriate EA sections prior to submission (e.g., Part C and Archaeological Impact Assessment [AIA]); and
- provide Project updates regularly.

KAM implemented and to the extent possible, completed all consultation described in the FNCP.

A draft of the FNCP was provided to the SSN for review on December 9, 2014. KAM received comments from the SSN on February 3, 2015. Further to these comments, a meeting was held between the SSN and KAM on February 4, 2015 to clarify comments received by SSN. During the meeting and through written correspondence, the SSN requested changes to the FNCP such as:

- characterizing the concerns raised by SSN in more detail;
- removing or revising wording;
- revising the consultation objectives;
- further clarifying the consultation methodology for the Pre-Application period; and
- revising the Application Review consultation activities.

KAM revised the FNCP, incorporating comments and input from SSN. KAM provided the updated FNCP to the SSN on April 10, 2015 and requested comments. On April 23, 2015 SSN sent a letter to KAM stating that they were currently in discussions with BC EAO and CEA Agency regarding the AIR/EIS Guidelines which references the FNCP, and after reviewing KAM's memo to BC EAO, SSN does not support revisions to the AIR/EIS Guidelines. SSN noted they were rescheduling further discussions with BC EAO and would address the FNCP at that time. On May 4, 2015 KAM and SSN exchanged emails about receiving comments from the SSN on the FNCP. KAM requested comments by May 11, 2015, however SSN noted this was not adequate time for review. On May 20, 2015 KAM returned the draft FNCP to SSN with track changes. At that time, KAM noted the FNCP is a standalone document; separate from the AIR/EIS Guidelines and requested any additional comments by May 27, 2015. On June 10, 2015 SSN sent a letter to BC EAO and CEA Agency stating that KAM has made a good effort to make the easier changes, however the harder changes have yet to be addressed. SSN provided BC EAO and CEA Agency with a list of SSN comments yet to be addressed. On June 24, 2015 KAM thanked SSN for the comments. KAM made further changes to the FNCP to incorporate the additional comments from SSN. KAM also notified SSN that the final revisions and comments received on the first nation consultation plan were sent to BC EAO and CEAA on June 19, 2015. On June 24, 2015 KAM provided the SSN with a copy of the revised FNCP and a tracking table outlining how the comments received by SSN were incorporated into the FNCP.

Appendix 15-D (Comments received on the First Nation Consultation Plan) provides a detailed list of the comments received from SSN on the FNCP and KAM's response. It also explains how the comments were considered in the revised FNCP.

First Nations Consultation Reporting

Pursuant to subsections 13.1 and 13.2 of the section 11 Order, KAM prepared a document detailing the consultation undertaken with the SSN in relation to the Project. This was provided to the SSN for comments on July 13, 2015. In previous correspondence, SSN requested to review copies of the SSN Issues Tracking Table and the Summary of Communication. KAM provided copies of these documents to SSN on July 13, 2015 as well. At the time of writing, no comments were received from SSN on these documents, including the First Nation Consultation Report. A copy of the First Nation Consultation Report is provided in Appendix 15-E. Versions of Appendix 15-A (Summary of Communication with Aboriginal Groups) and Appendix 15-B (Aboriginal Groups Issues Tracking Tables) were also provided with information only related to the SSN.

SSN Assessment Process

The SSN have developed a project assessment process that will run in parallel to the EA process providing an opportunity for a process that respects the SSN cultural perspectives, knowledge and history. The SSN Assessment Process will consider SSN Laws such as the Trout Children Story and X7ensq't. As per the presentation provided by SSN on July 17, 2015, the SSN Project Assessment Process consists of the following steps:

- **Information Gathering.** During the information gathering step, the SSN identify key people such as elders, knowledge holders, technical support and political persons to engage with. Knowledge and information may be gathered through consultation, and key person interviews considered in tandem with the Trout Children Story Sky World Contest & Marriage, KGHM agreements, and consultation history and records.
- **SSN Assessments.** The SSN are in the process of conducting assessments which includes review of the EA Application and preparation of assessments of Aboriginal Economies, Governance and the Trout Children Story. The Assessments team will use the Trout Children Story to assess KAM's consultation history and records. As part of this step, recommendations will be prepared for the written and oral record.
- **Oral Hearing Assessment Results.** This step involves a gathering where oral evidence and knowledge will be heard and written reports will also be supplied. The SSN Decision table will also sit for a hearing.
- **Deliberation SSN Decision Making Table.** This step is when the decision table will review information and internally deliberate on project decisions.
- **SSN Project Decisions.** In this step, decisions will be made based on the assessments and hearings.
- **SSN Decision Package.** This is when the SSN Decision Package will be prepared including individual assessments.

KAM will participate in the SSN Assessment Process by considering and responding to SSN's perspectives, opinions and technical information, including that which may result from the SSN Assessment Process. KAM proposes the following ways to participate in the SSN Assessment Process:

- During the Information Gathering and Preparation Phase, the SSN will provide KAM with the preliminary results of data gathering activities specifically with respect to governance, the Trout Children Story, and Aboriginal Economies. KAM will use the preliminary information provided by SSN to develop an assessment for Day 60 of the Application Review.
- Throughout the SSN Assessment Process, KAM will make the appropriate representatives available for key milestones. Should SSN require the presence of KAM's technical experts, advance notice will be required to avoid scheduling conflicts.
- As requested, KAM will participate in SSN Community Sessions such as meetings with family groups (as identified by the SSN Project Assessment Process), community meetings, sessions with knowledge holders or elders, or technical workshops. These activities will be led by the SSN Engagement Team whom will be responsible for identifying appropriate opportunities for KAM's participation.
- During the Oral Hearing Phase, KAM will (at SSN's invitation), participate in the Oral Hearing and as appropriate, make technical experts available.
- During the SSN Project Decisions Phase, KAM will review and provide comments and feedback on the SSN Decision Package.

15.3.2.3 Consultation Activities

The following subsections summarize consultation activities undertaken with the SSN during the Pre-Application period and includes EA funding, capacity building, a TK/TLU study, community meetings, site tours, and meetings. This section also describes key topics of consultation focusing on activities with respect to Jacko Lake, Peterson Creek, the hunting blind and the updated GA.

With respect to consultation preferences, discussions were held regarding SSN's preferred consultation approaches for the Pre-Application and Application review periods in three separate meetings (as well as via e-mails and letters). SSN identified the following preferred framework for consultation (outlined via e-mail on June 10, 2014), as follows:

- **Chief to Chief Meetings.** Tk'emlups te Secwepemc (TIB) Chief Shane Gottfriedson, Skeetchestn Indian Band (SIB) Chief Ron Ignace and KGHM Chief Executive Officer (Marcin Mostowy);
- **Executive Meetings.** TteS Councillor, SIB Councillor and KAM representatives to address topics to be discussed;
- **Management Meetings.** Chief Executive Officer of SSN - Stk'emlupsemc Enterprises Inc. (SEI) and KAM representatives to address topics to be discussed; and
- **Technical Group Meetings.** SSN Natural Resource Department, Education and Environmental staff and KAM representatives to match topics to be discussed.

KAM and the SSN continue to engage in the meetings described above. In addition, KAM participates in SSN Joint Resource Council Meetings. These meetings are a result of a mining and minerals agreement with the Province and the SSN to hold regular government to government

discussions with the Province on the issues of policies and legislation around mining that impact SSN traditional territory. As invited, KAM participates.

Environmental Assessment Funding

KAM provided a range of funding to the SSN to facilitate their involvement in the review of the Project through various phases including the EA process and ensure an accurate understanding of SSN's Aboriginal Interests. The following funding agreements have been concluded.

Negotiation Agreement

In July 2008 Abacus Mining and Exploration Corporation (predecessor to KAM) and the SSN signed a Negotiation Agreement. The agreement included the following details:

- principles for negotiating a Project Agreement, including joint cooperation and collaboration, mutual respect, and open and regular dialogue and communication;
- the Agreement does not prejudice the SSN's:
 - Aboriginal or treaty rights, claims, or interests;
 - rights to notice, consultation, negotiation or accommodation including from government and regulatory agencies;
 - on-going or future Aboriginal land claims or self-government negotiations;
 - right for SSN to oppose any permits, licences, or other regulatory matters, including an EA process;
 - substantial financial contributions (capacity funding) to the SSN to support an SSN archaeological survey (and report), negotiation costs (legal, financial, consultant fees, community consultation costs, technical reviews, and reasonable travel and administration costs);
 - establish a cooperative, respectful long-term relationship; and
 - should the Project prove economically feasible, negotiate towards a Project Agreement.

This Negotiation Agreement terminated on July 31, 2009, according to its terms.

Advanced Exploration Agreement

In October 2010, the KAM and the SSN (in that agreement referred to as the STS) signed an Advanced Exploration Agreement to "govern the relationship between the Parties during the 'Advanced Exploration Phase' of the Project..." Pursuant to this agreement KAM provided funding "to support [SSN]'s governmental and business development needs related to the [SSN]'s review and consideration of the Project..."

Memorandum of Understanding for Capacity Funding and Project Agreement

In December 2012, the SSN and KAM signed a Memorandum of Understanding (MOU). The purpose of the MOU was to set out the commitments the SSN and KAM made to negotiate (i) a

Capacity Funding Agreement (CFA) for engagement and consultation on the Project; and (ii) a Project Agreement. According to the terms of the MOU, KAM committed to:

- within five weeks of signing the MOU, provide a draft CFA;
- within nine weeks of signing the MOU SSN and KAM were to use reasonable efforts to finalize the CFA; and
- within 11 weeks of signing the MOU, SSN and KAM were to use reasonable efforts to agree on a timetable to commence negotiations of the Project Agreement.

Negotiations for a Capacity Funding Agreement

In October 2014, the SSN and KAM signed the Capacity Funding Agreement for Engagement and Consultation Framework on the Ajax Project (CFA) after a series of negotiation meetings. Negotiation meetings were initiated in 2012 and a number of draft consultation agreements were exchanged between KAM and the SSN. Between May 2011 and July 2014, the SSN and KAM met over 20 times to establish the CFA. Since 2013, 18 draft CFAs (and letters) were provided to SSN for consideration. There has also been extensive written communication, emails and phone calls to facilitate development of a mutually agreeable CFA (signed October 17, 2014).

The CFA supports SSN's participation in the Pre-Application period of the EA process through involvement in consultation activities, effects assessments, mitigation, provision of socio-economic and health information, and community consultation. The CFA committed signatories to the following meeting requirements and schedule (since Oct 2014):

- Chiefs Quarterly meetings - meetings continue to occur quarterly and are on-going;
- Management bi-monthly meetings - two meetings held at the time of writing;
- Negotiation monthly meetings - completed one meeting at the time of writing; and
- Joint Project Team monthly meetings - two meetings held at the time of writing.

In addition to the agreements above, KAM provided the SSN with other financial support such as:

- funding to review and consider project materials;
- funding for the SSN to support representatives to review, "pre-clear," and monitor on-site activities, particularly related to on-going drilling to characterize mineral resources, hydrogeological, geotechnical, and other conditions;
- funding for site tours; and
- contracted SSN to work in archaeological field programs.

TK/TLU Funding for the Cultural Heritage Study

The SSN first informed KAM of the need for a TK/TLU on January 12, 2011. The Study Funding Agreement was negotiated between January 2011 and December 2012. On December 10, 2012, the SSN and KAM signed a Cultural Heritage Study (CHS) Agreement providing funding for SSN to develop a TK/TLU study for use in the Application/EIS. The goal of the CHS is to provide historic

and contemporary TK/TLU data within the vicinity of the Project and involve SSN in identification of mitigation measures (Preliminary Mitigation Report). The deliverable also informed KAM decisions and provide content for use in the Application/EIS. The Agreement includes a description of expected timelines, deliverables and funding allotment for the preparation of the CHS. KAM and SSN agreed that in carrying out the CHS, certain information would not be shared with KAM. SSN was to prepare and provide summary reports required for the EA to KAM. Each of the parties acknowledges and agrees to be bound by the intellectual Property Rights statement in respect of information disclosed in connection with the CHS and the Reports. Notwithstanding the foregoing, KAM shall be entitled to share the Reports with relevant government and regulatory decision makers as part of the EA process or any other regulatory, permitting or approval process for the Project. The copyright of the final produced document(s) will remain with the SSN. For these reasons KAM decided not to share the CHS as an appendix within this application.

The CHS Agreement, includes provisions for SSN to provide:

- summary analysis of identified cultural sites and uses;
- interim technical reports on historic and contemporary land/resource uses, heritage resources, traditional use/cultural heritage including the hunting blind that would be potentially affected by the Project;
- interim report on mitigation measures;
- draft and final technical reports summarizing the results of the CHS, potential effects, and recommended mitigation measures; and
- answers to the BC EAO's five questions (for more information refer to SSN Cultural Heritage Study - Final Draft Report).

The CHS Agreement provided significant funding with milestone payments as deliverables are completed. To date, KAM has provided all necessary funding as tasks were completed. KAM participated in 13 meetings to negotiate the Agreement as well as extensive written communication.

The deliverable schedule for the CHS was designed to provide KAM with interim materials to inform project decision, and provide TK/TLU data for consideration in the Application/EIS. The SSN provided the final CHS on November 5, 2014, although the report was scheduled for delivery in March 2014. KAM made significant effort to coordinate delivery of all CHS reports and made multiple meeting requests to discuss preliminary findings.

To facilitate development of the Study, KAM provided the CHS team access to the Project site- from July 2013 to July 2014 where the CHS team spent approximately 1,310 person hours on site gathering TK/TLU information. As a result of this access, the CHS team gathered primary data including information on culturally important plants, animals, and other resources.

In addition to the CHS, KAM provided funding to the SSN to develop a Preliminary Mitigation Report identifying culturally sensitive mitigation. The 30-page Preliminary Mitigation Report describes SSN perspectives about potential Project effects on its Aboriginal interests. However, the Report does not provide mitigation suggestions, noting that there is a lack of information from

effects assessments and a lack of understanding about Project design changes. In the Report, the SSN expressed the view that most of its concerns cannot be mitigated. As a follow-up to the Preliminary Mitigation Report (which presented limited information) KAM and SSN met on February 4, 2015 to gather additional SSN insights into potential mitigation and accommodation options. SSN provided limited information about their practices and use of resources, as well as some general responses to questions. The SSN noted it requires additional funding (although information provided in the CFA) to review information and to make decisions. SSN noted that other than the biophysical aspects of the resources, KAM should also consider the cultural/spiritual significance of the resources. SSN noted that using other areas of the traditional territory an alternative to the Project area was not reasonable considering the significance of the Project area to SSN, and the interconnections between different harvesting areas used during the harvesting seasons. SSN confirmed the importance of the sharp-tailed grouse, that they would like to see it reintroduced, and that suitable areas would need to be found in order to do this.

Although KAM believes the 2014 CHS includes the area of the updated GA, KAM agreed to provide SSN with additional funding to complete additional CHS work on the southern portion of the updated footprint. Pursuant to the CFA (signed in October 2014), the SSN were to provide the updated CHS no later than February 28, 2015, however an extension was requested noting they require a full seasonal round (one year) to complete it. On October 23, 2014, SSN requested access to the site to investigate possible grave sites. Using ground penetrating radar, the SSN investigated five sites which were found to be negative for graves. No grave sites were identified during the Archeological survey of the Project site by KAM's archeologists.

Capacity Building

The SSN continue to express an interest in capacity building (e.g., contracting, employment and training). To support these requests, KAM has:

- worked on development of an SSN Human Resources development plan which will apply to all Project phases and provide SSN members with opportunities to be successfully integrated in the Project;
- worked on supporting future employment opportunities for SSN members. One of KAM's objectives is to provide employment for SSN members that want employment on the Project. To achieve this goal, KAM is developing a strategy to provide hard and soft skill training to SSN members. KAM has discussed a potential framework for training with key SSN personnel and will continue to work with them on training programs for adults and for students (beginning in grade 9). KAM has also committed to assisting the SSN in the creation of a database containing all SSN members for human resource purposes. The database will track each member's education, training strengths and areas for improvement; this approach is based largely on learning from the former BC Aboriginal Mine Training Association (BCAMTA). For adult members, the focus will be to provide training opportunities that will enhance their ability to gain employment, in or out of the mining industry. For youth and students, focus will be placed on helping them choose a viable career path while mentoring them along the road to achieving their desired jobs through education or other vocational training;

- developed a procurement strategy giving preferential weighting to SSN companies during the bid evaluation process. KAM also meets with the SSN on a regular basis to discuss any upcoming request for pricing opportunities giving the SSN additional time to prepare their bids;
- contracted the Stk'emlupsemc Amalgamated Ventures Inc. (a joint venture partnership between SSN and a local security company) to provide First Aid and security services to the Project from 2006 to 2014;
- contracted the Stk'emlupsemc Forestry Development Co. (a TteS business) for timber removal, temporary road and parking lot construction, temporary drill pad construction, and upgrades to water crossings;
- contracted SSN archaeology field assistants. This included participation in the AIA work as well as archaeological monitoring when drilling occurred for water wells or excavation of test pitting areas. Between July 2013 and July 2014, KAM compensated SSN field assistants for 796 hours (99.5 person days) related to monitoring or involvement in the archaeological assessment;
- contracted drilling services for the Project site to a business partnership between the SSN and Target Drilling in 2014;
- awarded Stk'emlupsemc Enterprises Incorporated (the business arm of the SSN) a contract to complete all civil works on site in 2015;
- awarded all janitorial service requirements until 2016 to a joint venture between SSN and T'n'T Janitorial;
- participated in on-going discussions about future contracting opportunities with SSN for drilling-related services and the potential construction of temporary housing and worker camps for the Project. The SSN noted they could construct temporary housing and parking in Kamloops Indian Reserve #1 for the Project construction workforce;
- delivered presentations in 2013 and 2015 on future career opportunities in mining at the Skeetchestn Career Fair at Sk'elep School;
- funded an initiative called "Street School" which supports SSN members to obtain the skills required for employment in the mining industry; and
- sponsored a range of community events such as the Chief Shane Golf Tournament, 2014 Junior All Native Basketball Tournament, Howling Coyote Education Fund, BCNWA Aboriginal Women of Distinction and Aboriginal Day.

Between July 2013 and March 2015, SSN companies, including joint ventures, were awarded over \$3.5 million in related contracting opportunities.

Socio-economic Baseline Studies

KAM made multiple attempts to gather socio-economic baseline data from SSN.

KAM began engagement with the SSN in December 2011, to gather socio-economic baseline information beginning with a Joint Project Monthly meeting during which KAM provided a

summary of the socio-economic study methodology to solicit preliminary feedback from SSN. On May 3, 2012, KAM met with SSN to present a project briefing that included updates on the EA process, baseline studies, and increasing project-related activities. On January 29, 2013, SSN emailed KAM a list of 11 questions regarding baseline studies and other project information. KAM provided responses to these questions on March 18, 2013, reiterating KAM's commitment to develop accurate socio-economic information for the EA. KAM also provided SSN with a list of five questions to further understand socio-economic interests and concerns on February 18, 2013, for which KAM did not receive responses. During a meeting held on April 11, 2013, KAM outlined socio-economic benefits the Project would bring in terms of employment. Employment opportunities were further discussed during a meeting on July 2, 2014. On August 7, 2014, KAM stressed the importance of building a more robust understanding of SSN's perceptions so that SSN's concerns could be effectively addressed in the EA. KAM committed to sharing baseline studies with SSN once complete in order to gather feedback.

On December 15, 2014, KAM met with SSN to discuss socio-economic information sharing and gathering. During this meeting, KAM asked questions about on- and off-reserve information to support the socio-economic assessment. SSN declined to provide answers to these questions during the meeting, but informed KAM that they are developing an independent socio-economic study. At that time, information included in the study was not shared with KAM. In January 2015, KAM mailed SSN a list of socio-economic topics where there was limited to no secondary information available. KAM requested SSN provide baseline data to help accurately assess potential effects on SSN's socio-economic interests and concerns.

On March 7, 2015, KAM provided the draft socio-economic baseline report (Section 8.4) and the Background and Aboriginal Group Setting (Section 12) , specific to the SSN, for review. KAM requested a meeting to discuss the report and gather additional community-related information. On April 20, 2015, KAM sent a letter to SSN reiterating their interest in meeting with SSN to gather baseline information. On May 1, 2015, KAM received a formal response from SSN regarding Section 8.4 Socio-economic Baseline report. SSN requested more community-specific information be included in the report on topics such as (a) labour force, employment and training, income; and (b) business, property values, economic diversification, community health and well-being, infrastructure, public facilities and services, outdoor recreation. SSN also expressed concern over the lack of information for: (a) governance; (b) legacy of wrongs; (c) cumulative effects assessment; (d) intangible impacts and invisible losses; and (e) visual impact and aesthetic features.

On May 21, 2015 KAM sent a response letter to the SSN. KAM's letter noted the socio-economic and land use information available in the CHS and the Preliminary Mitigation Report had not yet been incorporated into the baseline report shared in March 2015. In addition, KAM noted additional information was incorporated from the consultation process including feedback provided through letters and meetings and relevant portions of SSN's affidavits with respect to the Kinder Morgan Trans Mountain Pipeline Expansion Project. KAM also gathered further community specific information from other sources including interviews with a local health organization (Q'wemtsin Health Society) and local law enforcement authorities as well as the Tk'emlups te Secwepemc Annual Reports. In regards to the issues surrounding the cumulative effects assessment, KAM noted it is following the guidelines set forth by BC EAO and the CEA Agency; however, KAM considered the

information provided by SSN in respect of the Legacy of Wrongs and incorporated it into Section 12 (Background and Aboriginal Group Settings).

Meetings

In accordance with the activities proposed in the FNCP, KAM and the SSN participated in over 65 recorded meetings (primarily in-person with two teleconference meetings) between January 1, 2011 and July 31, 2015. Details with respect to these meetings are included in the summary of communications in Appendix 15-A.

In 2011, meetings primarily focused on providing Project-related information and updates, capacity funding, the Project Description and Feasibility Study, implementation of the CHS, joint venture and contracting opportunities, and exploration agreements. In 2012, discussions centered on capacity funding, participation in field studies, and finalization of the agreement to develop the CHS. In 2013, meetings focused on the CFA, effects on Jacko Lake the location of spiritual sites, the hunting blind, archaeological findings, KAM's proposed Dust Mitigation Program, and contracting opportunities. In 2014, meetings focused on the Jacko Lake work program, the hunting blind, capacity funding, providing information about the historic and proposed TSF, and socio-economic data collection. The 2015 meetings centered on the FNCP, the CHS, Project Agreement negotiations, contracting opportunities, and perceptions of KAM consultation to date.

Since July 17, 2015, KAM has held two in-person meetings and one phone call with SSN to discuss technical matters related to Aboriginal Economies and Governance information gathering timelines.

Community Meetings

In accordance with the FNCP (and the related CFA), KAM held a total of four community meetings with the SSN in 2015. Two Community Information Sessions were held in each First Nation community respectively (TteS and SIB), summarized below.

- **Community Information Session #1 (TteS).** On January 21, 2015, the first Community Information Session for the TteS was held at Moccasin Square Gardens on the Kamloops Indian Reserve #1. Approximately 63 TteS members attended along with Chief and Council and KAM representatives. KAM delivered a PowerPoint presentation which described the Project, detailed changes to mine design and GA of facilities, and presented information on the environmental studies underway, water management plans, dust control measures as well as economic and employment opportunities (see Appendix 15-E for a copy of the materials presented). Key issues raised from TteS members related to the TSF and mine design, accidents and malfunctions, reclamation and Decommissioning and Closure, water resources (Peterson Creek, Jacko Lake), revenue sharing agreements, contracting opportunities and employment.
- **Community Information Session #2 (TteS).** On February 17, 2015, a second Community Information Session was held at Moccasin Square Gardens on the Kamloops Indian Reserve #1 for TteS members. Approximately 67 TteS members attended along with Chief and Council and KAM representatives. KAM delivered a PowerPoint presentation which focused on a Project overview, illustrating design changes as a result of public and First Nation input,

the Project development schedule, air quality, water resources, noise and vibration, the EA process, and local hiring, contracting and training initiatives (see Appendix 15-E for a copy of the materials presented). Key issues raised from TteS members related to mine legacy, water resources, contracting and employment opportunities, the hunting blind, effects to air quality, effects to grasslands, reclamation and Decommissioning and Closure.

- **Community Information Session #1 (SIB).** On March 5, 2015, a Community Information Session for the SIB was held at the Skeetchestn Indian Reserve for SIB members. KAM delivered a PowerPoint presentation which described the Project, detailed changes to mine design and GA of facilities, and presented information on the environmental studies underway, water management plans, dust control measures as well as economic and employment opportunities (see Appendix 15-E for a copy of the materials presented). Key issues raised from SIB members related to training and employment opportunities, cumulative effects on traditional land use, accidents and malfunctions, human health, water resources, level of consultation, and cultural heritage resources.
- **Community Information Session #2 (SIB).** On March 10, 2015, a further Community Information Session was held at the Skeetchestn Indian Reserve for SIB members. KAM delivered a PowerPoint presentation which focused on a Project overview, illustrating design changes as a result of public and First Nation input, the Project development schedule, air quality, water resources, noise and vibration, the EA process, and local hiring, contracting and training initiatives (see Appendix 15-E for a copy of the materials presented). Key issues raised from SIB members related to water resources, Project timelines, and depth of consultation.

Issues raised at community meetings are also presented in Appendix 15-B.

Site Tours

KAM facilitated six site tours for the SSN, including one site tour for members of the Working Group in June 2014. These are summarized in Table 15.3-3.

Table 15.3-3. Summary of SSN Site Tours

Date	Summary of Site Tour/Visit
August 1, 2009	KAM provided SSN (and Ministry of Energy Mines and Natural Gas) with a site tour of the Hunting Blind.
July 7, 2011	KAM provided 22 SSN representatives, including key knowledge holders, with a site tour to share information about the various features of the proposed mine and the surrounding area including the site office, existing open pit, and proposed access roads. The Hunting Blind was also discussed.
July 21, 2011	KAM provided SSN with a site tour including Inks Lake, Jacko Lake, the Hunting Blind, and locations of Project features (e.g., the East Waste Rock Storage Facility, the mill complex valley, and the North Waste Rock Storage Facility).
May 8, 2013	KAM provided SSN elders with a tour of the proposed Mine Site and the Hunting Blind. A number of topics were discussed including Jacko Lake, Peterson Creek, water resources, and visual aesthetics.

Date	Summary of Site Tour/Visit
June 23, 2014	KAM provided a site tour to Working Group members including SSN, focusing on providing information about the updated GA.
December 5, 2014	KAM provided a presentation on the historic Afton tailings storage facility inspection overview, followed by discussion on the facility. Following the meeting, KAM provided a tour of the historic Afton site.
May 13, 2015	KAM provided SSN elders with a tour of the proposed Mine Site and the Hunting Blind Complex. A number of topics were discussed including Jacko Lake, Peterson Creek, water resources, and visual aesthetics.

KAM also facilitated SSN's access to the Project site for ceremonial or cultural purposes. For example, the SSN performed a pipe ceremony on August 29, 2013 to honour a person who had recently committed suicide on the Ajax property. KAM also provided Dr. Marianne Ignace (CHS Team Lead) access to the site, as required, to complete the CHS and in other circumstances to teach a group of ethnobotany students about traditional/medicinal uses of plants.

Information Sharing and Related Consultation

Application/EIS

KAM also invited the SSN to attend community information sessions in September 2013. The purpose of these sessions was to share illustrate how studies are being conducted for the Application/EIS, including the information and criteria the studies would consider, and the development of test models. The sessions included subject matter experts in the following areas:

- Ground Vibration and Air-Blast Controls;
- Noise and Vibration Models;
- Water Quality Models;
- Air Quality Models; and
- HHERA.

KAM also sought feedback from the SSN on the various sections of the Application. The following sections of the Application/EIS were provided in advance of the EA submission:

- Baseline reports: Socio-economic Section 8.4 (only information pertaining to SSN), fish and fish habitat, water quality, archaeological, heritage, wildlife, and vegetation; Section 8.5- Current Use of Lands and Resources for Traditional Purposes provided on July 21, 2015. At the time of writing, no feedback was received.
- Section 12 - Background and Aboriginal Group Setting provided on March 7, 2015 and again on June 26, 2015. Preliminary feedback was received on July 14, 2015. SSN provided KAM with reference material to help in revising Section 12 focusing on Secwepemc stories, traditions and governance. These sources (to the extent that they were not already incorporated from the CHS) were added to Section 12.

- Section 13 - Aboriginal Interests (Rights and Title) provided on July 30, 2015. At the time of writing, no feedback from SSN was received;
- Section 14 - Other Potential Effects on Aboriginal Interests provided on July 24, 2015. At the time of writing, no feedback was received from SSN;
- Section 15 - Procedural Aspects of Consultation provided on July 13, 2015 (represents the First Nation Consultation Report document). At the time of writing, no feedback from SSN was received.
- Appendix 15-A - Summary of Communication with SSN which presents a table of KAM’s recorded communication between KAM and SSN. At the time of writing, no feedback from SSN was received.; and
- Appendix 15-B - SSN Issues Tracking Table which presents a table documenting KAM’s understanding of the issues, concerns, and interests raised by SSN during consultation. At the time of writing, no feedback from SSN was received.

On July 24, 2015, KAM offered to meet with the SSN to review the sections of the Application/EIS that were provided. KAM also offered to deliver presentations to the SSN summarizing the results from the sections. At the time of writing, meetings had not been held.

Comments Provided by SSN

At the time of writing, SSN had provided comments on two sections of the Application/EIS, summarized in Table 15.3-4.

Table 15.3-4. Summary of Comments provided by SSN on Sections of the Application/EIS

Section of Application/EIS	Comments Provided by SSN	Changes Made
Socio-economic Baseline Report (Section 8.4).	<p>Deficient in presenting SSN specific information on :</p> <ul style="list-style-type: none"> • labour force, employment and training, income • business, property values, and economic diversification • community health and well-being • infrastructure, public facilities and services • outdoor recreation <p>Lack of information on:</p> <ul style="list-style-type: none"> • governance • legacy of wrongs • cumulative effects assessment • intangible impacts and invisible losses • visual impact and aesthetic features 	<p>Changes made to Section 8.4:</p> <ul style="list-style-type: none"> • additional socio-economic and land use information from the CHS and Preliminary Mitigation Report • incorporated other info obtained as part of the consultation process • SSN's affidavits in respect of the Kinder Morgan Trans Mountain Pipeline Expansion Project • additional interviews with a local Aboriginal health organization (Q'wemtsin Health Society) and local law enforcement authorities • review of Tk'emlups te Secwepemc Annual Reports
Section 12 - Background and Aboriginal Group Setting	<p>Preliminary feedback was received on July 14, 2015. SSN provided reference material include Secwepemc stories, traditions and governance.</p>	<p>These sources (to the extent that they were not already incorporated from the CHS) were added to Section 12.</p>

Policies and Procedures

In July 2013, KAM established an operational policy whereby the SSN are notified prior to any planned site disturbances. The intention of this policy is to ensure that the SSN are able to assess the area ahead of any disturbance while accommodating SSN's concerns with respect to specific sites or potential areas of cultural importance. The policy consists of the following commitments:

- provide seven to ten days advanced notice prior to commencing approved works (Notice of Work [NOW]/Multi-Year Area Based Permitting);
- provide the SSN with information on coordinates for proposed work programs;
- notify SSN of sites requiring pre-screening or clearance;
- invite SSN to site to oversee site disturbance work. This time is compensated by KAM; and
- work collaboratively with the SSN to find suitable alternative locations should a sensitive site be identified. This has been successfully initiated on five occasions with no negative effect to identified sites. Sensitive sites are recorded by KAM for future reference.

In August 2013, KAM also implemented a site disturbance policy which stipulates:

- provide SSN with a minimum of 14 days advance notice (prior to formal submission to regulators) outlining the details of NOW/Multi-Year Area Based Permitting Applications;
- discuss the pre-screening materials with SSN during the 14 day period;
- implement, where possible, use of existing roadways and access trails;
- maintain, where possible, a 50 m setback distance from all waterbodies, wetlands and riparian habitat for mechanical earthworks;
- conduct archaeological, ecological and cultural assessments prior to work, where practical;
- implement an Archaeological Chance Finds Procedure and a Wildlife Management Plan (both were provided to SSN for reference);
- invite SSN to site during site disturbances including mechanical trenching/digging, drill pad and sump construction, roadworks, etc.; and
- reclaim site disturbances, conditions permitting.

15.3.2.4 Key Consultation Topics

The following subsections summarize consultation activities undertaken on specific topics of concern to the SSN as follows: the updated GA, Jacko Lake, Peterson Creek, the hunting blind, and the AIA.

Project Design

Project design has been a key consultation topic with the SSN. Prior to the announcement of the updated GA, the SSN voiced a number of concerns about the Project such as potential effects related to medicinal and food plant harvesting, light pollution, dust fall throughout the Project phases (including post Decommissioning and Closure conditions), country foods contamination, and noise

effects on wildlife. The concerns raised by the SSN and the public led to a decision by KAM to relocate the facilities, infrastructure and project components as well as a decision to delay the original submission date of the Application/EIS. On August 2, 2013, KAM informed SSN of its decision to delay the submission of the Application/EIS and the intent to re-examine the GA. The decision was in part made to allow more time to identify and understand SSN concerns and incorporate these concerns in the updated GA. The decision also allowed the SSN to have additional time to complete the CHS which is important for some of the VCs in the Application/EIS. After years of public and First Nation consultation, KAM made the decision to design a updated GA that avoided, mitigated, or accommodated a number of the SSN and public concerns.

The updated GA was announced (KAM met with SSN and discussed prior to public announcement) in May 2014 and commits to a number of design changes including:

- As a result of concerns raised with respect to Inks Lake (an area widely used by waterfowl, other wildlife, and SSN) the updated GA no longer directly overlaps Inks Lake (initially it was to be overprinted by the dry stack TSF).
- As a result of concerns regarding water quality and quantity, KAM designed the Project to be a zero discharge facility and to optimize use of fresh water. This approach reduces potential effects on surface water, including Jacko Lake and Peterson Creek. Other mitigation proposed includes recycling and reusing all water at the Mine Site, and investigating the potential to use waste water from the City of Kamloops.
- As a result of concerns about potential effects to the Cherry Creek watershed, KAM relocated the Tailings Storage Facility (TSF) away from the Alkali Creek watershed (including Cherry Creek). The location and redesign to a conventional tailings storage facility reduces potential for dust by using wet tailings storage methods.
- To mitigate potential effects from dust fall, the TSF was relocated further away from key transportation infrastructure and residential areas and closer to mine operations. Redesigning the TSF from a dry stack (potential dust generation) to a conventional wet design storage facility also allows the recapture and recirculation of water. The updated GA proposes other mitigation to reduce dust generation. This includes covering crushed ore stockpile to reduce fugitive dust and associated potential for dispersing contaminants; spray/misting and vacuum systems will be used to minimize the opportunity for dust to escape from key ore transfer points; wetting roads ; new design with fewer roads; and controlling vehicle speed limits to reduce dust production. With respect to concerns on traditional land use, the updated GA minimizes potential for dust-related Project effects on traditionally-used plants, Jacko Lake, and grasslands.
- To reduce concerns about visibility of the Project, KAM relocated the North Waste Rock Storage Facility and temporary ore stockpiles 3.5 km closer to mine operations (and further away from residential areas). The south and eastward shift of the mine's major industrial structures means views from the Coquihalla Highway and Lac Le Jeune Road will be protected. The mine's facilities will be much less visible from most prominent viewpoints as they move away from the city and Highway 5. The new plan opens up the possibility of redeveloping KAM lands to the north of mine operations for recreational and SSN use.

- To address concerns about light pollution, the updated GA proposes use of LED lighting. Unnecessary lighting will be avoided and lighting will be shielded where needed and automated to turn off when not needed, reducing visual effects and disruption to wildlife.
- To mitigate concerns about air quality, the updated GA aims to reduce fuel consumption and air emissions through the use of EPA-rated diesel engine technology in the mine's haul trucks, heavy equipment and other vehicles.
- KAM is committed to a robust environmental management system and is investigating ISO 14001 Environmental Management System certification requirements. This international standard governs environmental management and ensures conformity to recognized standards and practices for monitoring environmental aspects such as noise, air, water, and the soil.

On May 29, 2014, KAM presented the updated GA to SSN's Joint Review Council. Key topics of discussion included the changes made to the GA, the proposed drilling program, TSF design, Jacko Lake, site access, Goose Lake, the hunting blind, and capacity funding. One of the goals of the meeting was to obtain additional SSN input and feedback on the updated GA. The following day KAM met with the SSN and provided more information on the updated GA including a digital copy of the new GA presentation, as requested. In summary, the updated GA aimed to address SSN concerns about air quality; dust generation; water quality; social and health concerns, and effects from noise, vibration and light. The condensed Project footprint also aims to decrease potential effects on terrestrial and aquatic fauna and flora important for SSN.

Jacko Lake

Potential effects on Jacko Lake has been identified as a key concern by the SSN. The SSN refer to Jacko Lake as Pípsell and it is valued for its harvesting resources (fish, riparian plants) and as a spiritual place. The SSN believe that trout people, or spirits, exist both within and below Jacko Lake and move through the underground waters between various water bodies. During consultation, SSN has identified Jacko Lake as having cultural significance. KAM acknowledges the importance of protecting Jacko Lake and has taken significant measures to address SSN's concerns.

KAM initiated an investigation of the potential connectivity between Jacko Lake and the proposed Ajax pit to protect the lake from potential adverse effects associated with the Project (e.g., SSN raised concerns that Jacko Lake may seep into the pit). For this work, KAM exchanged numerous emails and letters, held 11 meetings to present Jacko Lake investigation options and seek SSN feedback, and also hosted a site tour for SSN elders. As a result of this consultation, KAM developed a deeper understanding of SSN concerns related about Jacko Lake which includes concerns about disturbance to the bottom of Jacko Lake. This led to changes to the Jacko Lake investigation program to address SSN concerns, facilitate SSN involvement in program monitoring and support SSN oversight on all reclamation work associated with the investigation program. Activities with respect to drilling around Jacko Lake and any changes to the investigation program are outlined below.

- On December 21, 2012 KAM submitted a NOW application to conduct investigations that included drilling around Jacko Lake. The purpose of the work was to investigate connectivity (if any) between Jacko Lake and the proposed Ajax pit. Due to SSN's concerns

around the Section 9 application that accompanied it, KAM immediately repealed the NOW and began redesigning the Jacko Lake connectivity investigation program to address SSN concerns relating to works in or under the lake. On January 31, 2013, during KAM's presentation of the initial Jacko Lake investigation program at an SSN Joint Resource Council meeting, the SSN strongly opposed the study. On March 15, 2013, the SSN notified KAM and the BC Ministry of Energy and Mines (BC MEM) about their concerns regarding the drilling and test pits. SSN noted they required KAM to sign a CFA ahead of any such works. KAM confirmed that no drilling had taken place and shared a document describing two proposed alternatives to the drilling program. One approach was over water acoustic sub-bottom profiling, the second a proposed cone penetrometer lake bottom sediment survey. KAM considered the SSN's position and continued to explore alternative methods to gather the information needed. KAM requested a meeting with the SSN and BC Ministry of Forests, Lands and Natural Resource Operations (BC MFLNRO) to discuss options but was unable to secure one.

- KAM advised the SSN in April 2013 that it had worked with a number of consultants to explore alternative methods for investigation. On June 13, 2013 KAM submitted a revised NOW application to the SSN for review prior to submission to the BC MEM. No comments were received. On 26 June 2013, KAM resubmitted the application to BC MEM. The application outlined a new Jacko Lake program that did not involve drilling in or under the lake. KAM presented the NOW application to the SSN Joint Review Council on August 1, 2013.
- On August 9, 2013 the SSN sent a letter to BC MFLNRO advising that they did not want BC MFLNRO and BC MEM to approve the NOW application due to concerns about potential effects on cultural and spiritual values. On September 17, 2013, to keep the SSN informed of potential adjustments proposed to the connectivity drill program, KAM copied the SSN on a letter to the BC MFLNRO. The letter provided additional information regarding the purpose of the proposed work and the steps that KAM proposed to avoid adverse effects on Jacko Lake and the SSN, including concerns regarding adverse effects on the cultural and spiritual values. KAM re-emphasized their want and willingness to work with the SSN. KAM suggested the use of non-invasive techniques (such as overwater acoustic sub-bottom profiling) to gather the information. Once the Jacko Lake NOW application received approval, KAM participated in two meetings with the SSN to illustrate the changes made to the investigation as a result of input from SSN. These changes included:
 - No drilling to occur in or under Jacko Lake;
 - No draw down of Jacko Lake during the investigation;
 - Additional studies undertaken to assess potential effects (cumulative effects, dust, noise, vibration, water) on Jacko Lake; and
 - The Jacko Lake - Pit connectivity investigation program ran from February 28, 2014 to May 7, 2014. SSN were advised of work prior to commencement, invited to pre-view and monitor all works, and asked to oversee, approve, and sign-off on the reclamation of site disturbances. KAM also provided SSN with chance find and wildlife management plans.

In a meeting with KAM on May 29 2014, SSN requested clarification about the potential loss of north-east arm of Jacko Lake. KAM outlined the reasoning behind removal of the north east arm.

KAM also explained the sheet-piling dyke structure would need to be installed to protect Jacko Lake. KAM intends to keep the structure in place until the west pit backfilling is sufficiently advanced and intends (subject to advanced engineering and technical viability) to remove the sheet piling and return the lake as close as possible to the current conditions.

With respect to information sharing, KAM provided SSN with historical documentation relating to Jacko Lake. This information outlines how the lake was raised incrementally over the past century largely for agricultural and irrigation purposes. KAM also made various requests to the SSN to discuss the updated GA in relation to Jacko Lake, the preliminary habitat assessment for Jacko Lake, potential habitat offsetting requirements, potential habitat offsetting opportunities for Jacko Lake and within the Kamloops area, and to address concerns regarding Jacko Lake fish habitat. However, the SSN were not available to meet. In October 2014, KAM presented to the SSN Joint Resource Council, on baseline data and effects assessments for geochemistry, water balance, water quality, as well as pit/lake closure plans, and Jacko Lake/pit connectivity.

KAM shared information on the results of baseline studies, preliminary effects assessments, and proposed offsetting mitigation plans for the fish populations and fish habitat (including habitat at Jacko Lake) VC. This included two meetings on February 5, 2015 and April 21, 2015. Discussions focused on fish habitat losses and gains, the history of Jacko Lake and its preliminary habitat assessment, and alternative habitat offsetting suggestions. One of the goals of the meeting was to obtain SSN input into suggestions for habitat offsetting plans in the Kamloops area. From October 2014 to present, KAM continued to try and arrange meetings with the SSN to discuss fish habitat offsetting plans and gain SSN input. These efforts are on-going.

KAM has also undertaken a number of measures to address SSN concerns regarding Jacko Lake and water resources. This includes ensuring that the surface water quality VC utilizes sound water quality research, assesses potential effects on water quality, and identifies measures to protect water quality. In addition, KAM implemented measures to address concerns on Jacko Lake such as:

- Maintaining access to Jacko Lake during operations (however, use of Jacko Lake and surrounding land will be restricted during blasting for public safety). Notification of blasts will be provided in advance. KAM has developed blasting protocols to ensure that vibrations comply with guidelines for fish.
- Potential effects on SSN harvesting are assessed and described in new VC titled Current Use of Lands and Resources for Traditional Purposes in the Application/EIS. This VC was added to the July 2015 AIR in response to concerns raised by the SSN.
- Mitigation and offsetting approaches for potential effects on fish habitat are being evaluated as part of the Application/EIS.
- The assessment of potential effects on the grasslands surrounding Jacko Lake (known to have provided plant harvesting opportunities for the SSN) and water quantity and water quality VCs are in being evaluated as part of the Application/EIS.

Appendix 15-A, Summary of Communication provides a detailed record of all meetings and correspondence with the SSN.

Peterson Creek Watershed

Potential effects on Peterson Creek and the Peterson Creek watershed have been raised repeatedly as a concern by SSN. To this end, KAM has shared information on activities related to Peterson Creek and engaged the SSN to better understand concerns related to Peterson Creek.

In February 2014, KAM informed SSN that the Peterson Creek culvert crossing was in need of repair to allow for safe access to various areas of the Sugarloaf Ranch and Project site. Work proposed included installing a new culvert 60 m downstream of the Jacko Lake Dam and removing a monitoring weir that was causing dam erosion (both structures are not owned by KAM). Upgrades to the weir and diversion channel were proposed to stop erosion. The crossing design would include a culvert or tunnel capable of handling peak flows, a flow monitoring instrument to allow monitored release of irrigation water, and safe fish passage. KAM proposed to start construction in early March 2014. An TteS company had been selected as a sole source contractor to carry out the work. KAM also provided SSN with history of the Peterson Creek Project.

KAM has also undertaken other measures to address SSN concerns regarding Peterson Creek. This includes ensuring that the surface water quality VC incorporates sound water quality research, assesses potential effects on water quality, and identifies measures to protect water quality.

In addition, KAM implemented other measures to address concerns on Peterson Creek such as:

- Potential effects on land use for traditional purposes will be assessed and described in the Application/EIS. Potential effects on Aboriginal rights are assessed in Part C of the Application/EIS.
- Peterson Creek flows will be maintained.
- Mitigation and offsetting approaches for potential effects on water quality and quantity are being evaluated as part of the Application/EIS.

Appendix 15-A, Summary of Communication provides a detailed record of all meetings and correspondence with the SSN.

Archaeology

Archaeology and potential effects to heritage sites and heritage objects has been raised multiple times by the SSN as a concern. In order to understand these concerns, KAM has engaged and consulted the SSN through a variety of measures described below.

- **Review of the impact assessment methodology.** KAM requested that SSN review the EA methodology and provide feedback. KAM also provided the SSN with a site tour to facilitate the review. The impact assessment methodology was deemed acceptable by SSN (May 12, 2014).
- **AIA.** From 2009 to 2014, SSN field assistants were contracted to conduct the baseline archaeological and heritage assessment of the Project footprint for the Application/EIS. In 2014, KAM retained a new consultant for the baseline assessment but contracted SSN directly for four field assistants to accompany the new archaeological group: the 2014 fieldwork evaluation was largely focused on assessing the new Project footprint.

- **Involvement in on-site work.** SSN archaeological consultants were also contracted to conduct archaeological site investigations for priority drilling sites and test pit areas. The priority sites are cleared in advance of work activities to ensure that there are no associated heritage potential and that areas disturbed will not compromise any artefacts or findings. SSN has been contracted to assist in the clearance of these priority sites. KAM also contracted SSN field technicians to monitor construction of drill sites and test pit locations required for environmental assessment studies. The SSN monitors are present for all excavations on the Project site and report on chance findings. The chance findings protocol means that any chance findings are reported through Project Site operations and all work associated with the site is halted until the Archaeologist of Record has completed a more in depth investigation of the chance find and clears the site to continue work activities. On October 16, 2014 SSN notified KAM that they intended to perform ground penetrating radar on-site at potential burial site locations. Two sites were visited. The first site had approximately 12 locations that were investigated; the second site had three. As per SSN's request, KAM's consultants did not actively participate in the investigations. No gravesites were identified.

From July 2013 to July 2014, the SSN spent 796 hours on site as a result of monitoring new disturbance associated with work programs or working directly on the Archaeological Overview Assessment. With respect to information sharing, KAM provided the results of the archaeological work to the SSN throughout the AIA process. The results were presented in the form of regular Archaeological Reports, which were sent to the SSN on the following dates:

- December 2, 2011;
- August 1, 2014; and
- February 24, 2015.

KAM also provided the following information at the request of the SSN:

- LiDAR digital file of the site – October 8, 2013;
- mineral tenure in and around the Project area (public information) – February 6, 2014;
- 2013 Wildlife Management Plan;
- new hire orientation protocol – March 31, 2014; and
- incline drill holes for Jacko Lake NOW – April 1, 2014.

A number of in-person meetings and site visits were also held to provide SSN with updates on the status of the archaeology program, and the program and permit applications.

In summary, KAM initiated the following activities to ensure engagement in archaeology:

- site tour with SSN elders in May 2013 to view and discuss the hunting blind;
- review of Chance Find Procedures with SSN;
- consistent archaeology program updates, NOW applications, artefacts found;
- SSN participation in the archaeology program from 2009 to present;

- meeting (and follow-up e-mails) in August 2013 with the SSN to discuss an artefact found, and involvement in further field work;
- SSN review of any work proposed near the hunting blind and Jacko Lake;
- meeting with SSN (March 2013) to review archaeological coverage of the Project in association with NOW permit application review;
- provision of the draft Interim Archaeological Impact Assessment Report 2009 - 2011 (provided October 2012);
- provision of Interim Update reports from field studies conducted in 2012 and 2013 (provided April 2014); and
- provision of the updated draft Interim Archaeological Impact Assessment Report 2012 - 2013 (provided August 1, 2014).

Hunting Blind Complex

The hunting blind complex is a key concern for the SSN, and has cultural, historical and instructional values. During KAM's AIA work conducted between 2009¹ and 2012, KAM identified an archaeology site, described as a hunting blind complex within the area proposed for the mine pit. KAM advised the SSN of the hunting blind complex when it was identified.

During a Project Update meeting with SSN in March 2011, the SSN noted the hunting blind complex was a significant cultural feature and requested it not be disturbed and that a protective buffer be established. SSN requested that a cultural heritage assessment be completed to better understand the hunting blind and its significance to SSN members. KAM acknowledged the SSN concerns and agreed to establish a buffer around it. In addition, KAM and the SSN engaged in discussions to complete the CHS.

A site tour was also provided (July 7 2011) to familiarize the SSN and KAM with the hunting blind and discuss its significance to the SSN. During the site tour, KAM emphasized its desire to continue to work collaboratively on understanding and addressing SSN concerns. In August 2011, the SSN requested meetings be held in the community to share information about the archaeological significance of the Project area and the hunting blind. In September 2011, the SSN requested access to the site to have a pipe ceremony. Ceremonies were conducted on site by the SSN, privately, in May and August 2013- KAM staff avoided these areas during the ceremonies.

To address SSN concerns about the hunting blind complex, KAM shared information and provided opportunities to pre-investigate (and pre-view) work proposed under NOW applications. For example, the SSN contacted KAM on 15 November 2013 seeking an opportunity to pre-view work proposed within 75 m of the hunting blind complex. The SSN visited the site and provided input to the work crews. Also, in May 2014, KAM advised the SSN of exploration work proposed in the area proposed for the pit and within 45 m of the hunting blind. KAM provided the SSN an opportunity to pre-view pre-investigate the work. In addition, a variety of information on the hunting blind complex was shared with the SSN such as presentation files, shapefiles, archaeological reports and other information.

¹ The SSN were in attendance when the hunting blind was identified during archaeology field work in 2009.

KAM has endeavored to consult with the SSN on the hunting blind complex and provided tours of the area for elders and ensured that SSN is involved in heritage resources studies. Heritage sites are assessed in Section 9 of the Application/EIS. TK/TLU information provided by SSN has been considered and integrated in the assessment and in the design of mitigation strategies. Potential effects of the Project on sites with ceremonial value to SSN will also be discussed in Section 13 of the Application/EIS.

In the current GA the hunting blind complex will be removed during development of the open pit. KAM will endeavor to meet with SSN to discuss and implement where appropriate any mitigation and/or accommodation strategies.

15.3.2.5 Issues Raised by SSN

KAM has tracked the issues, concerns, rights and interests identified by the SSN throughout the consultation process. Appendix 15-B provides a detailed list of the issues raised by the SSN and KAM's responses to these issues. Issues were compiled from comments provided by SSN at Working Group meetings, comments on the draft AIR/EIS, meetings with SSN leadership, site tours, SSN community meetings, feedback at open houses and comments provided in written correspondence. A summary of issues raised by SSN is provided in Table 15.3-5.

Section 13 (Aboriginal Interests) and Section 14 (Other Potential Effects on Aboriginal Interests) provide detailed discussion of the potential effects on Aboriginal Interests, including those issues raised during consultation. Those sections also propose mitigation, enhancement measures, and accommodation where appropriate.

Table 15.3-5. Summary of Issues Raised by SSN

Category	SSN Issue/Concern/Comment	KAM Response
Water Quality and Quantity	Potential negative effects to waterbodies such as Jacko Lake, Peterson Creek, and the Thompson River from changes in surface and groundwater quality/quantity or potential contamination from acid rock drainage	<p>Potential effects of the Project on surface water and groundwater quality (including Jacko Lake, Peterson Creek, and Thompson River) are assessed in Sections 6.3 and 6.5 of the Application/EIS. The Application/EIS identifies mitigation strategies required to maintain water quality and discusses the effectiveness of proposed mitigation measures. Key measures include ML/ARD management (see Section 11.4), maximizing collection and re-use of site contact water (see Section 11.7), and establishing the Peterson Creek Diversion System. Potential effects are identified for Peterson Creek, but are considered negligible by the time the creek reaches the Thompson River.</p> <p>KAM will monitor water quality on an on-going basis throughout the life of the Project and will implement Surface Water and Groundwater Quality Management and Monitoring Plans (Sections 11.23 and 11.24) to ensure protection of human and environmental health is accounted for through all phases of the Project development.</p>
	Potential effects to Cherry Creek watershed as a result of air quality changes and dust deposition	<p>Potential effects of the Project on surface water and groundwater quality (including Jacko Lake, Peterson Creek, and Thompson River) are assessed in Sections 6.3 and 6.5 of the Application/EIS. The Application/EIS identifies mitigation strategies required to maintain water quality and discusses the effectiveness of proposed mitigation measures. Key measures include ML/ARD management (see Section 11.4), maximizing collection and re-use of site contact water (see Section 11.7), and establishing the Peterson Creek Diversion System. Potential effects are identified for Peterson Creek, but are considered negligible by the time the creek reaches the Thompson River.</p> <p>KAM will monitor water quality on an on-going basis throughout the life of the Project and will implement Surface Water and Groundwater Quality Management and Monitoring Plans (Sections 11.23 and 11.24) to ensure protection of human and environmental health is accounted for through all phases of the Project development.</p>
Fish populations and fish habitat	Potential effects to fish and fish habitat in Jacko Lake as a result of blasting vibrations or changes in the availability of preferred species (rainbow trout)	<p>Potential effects of the Project on surface water and groundwater quality (including Jacko Lake, Peterson Creek, and Thompson River) are assessed in Sections 6.3 and 6.5 of the Application/EIS. The Application/EIS identifies mitigation strategies required to maintain water quality and discusses the effectiveness of proposed mitigation measures. Key measures include ML/ARD management (see Section 11.4), maximizing collection and re-use of site contact water (see Section 11.7), and establishing the Peterson Creek Diversion System. Potential effects are identified for Peterson Creek, but are considered negligible by the time the creek reaches the Thompson River.</p> <p>KAM will monitor water quality on an on-going basis throughout the life of the Project and will implement Surface Water and Groundwater Quality Management and Monitoring Plans (Sections 11.23 and 11.24) to ensure protection of human and environmental health is accounted for through all phases of the Project development. Potential effects on fish populations and fish habitat are assessed in Section 6.7 of the Application/EIS. The assessment considers potential effects on rainbow trout population abundance and fish habitat utilization in Jacko Lake and Peterson Creek. While some loss of habitat will occur in Jacko Lake, the population of trout in Jacko Lake is currently maintained through a stocking program. The Project will not change the stocking program.</p>

Table 15.3 5. Summary of Issues Raised by SSN (continued)

Category	SSN Issue/Concern/Comment	KAM Response
		<p>The Application/EIS identifies measures to avoid or minimize adverse effects on fish and fish habitat, including an offsetting plan to ensure no net loss of productive fish habitat. In addition, KAM will implement a Fisheries And Aquatic Life Monitoring Plan so that measures and controls are in place to minimize potential adverse effects on fish during all phases of the Project.</p>
Wildlife and wildlife habitat	Potential effects on wildlife from noise, artificial light, disruption in movements and migration patterns	<p>Potential effects of the Project on wildlife, including habitat alteration and loss, disturbance and displacement and mortality-, and measures to mitigate potential adverse effects are described in Sections 6.11 to 6.17 of the Application/EIS. Effects on wildlife will be monitored through the implementation of the Wildlife and Vegetation Monitoring Plan (Section 11.27).</p>
Vegetation	Destruction of grasslands which support plant biodiversity (in the vicinity of the Project and around Jacko Lake)	<p>KAM acknowledges the importance of grasslands as sensitive ecosystems that support large number of species. Potential effects of the Project on grasslands and measures to mitigate adverse effects are described in Section 6.10 of the Application/EIS.</p> <p>Grasslands link to numerous other valued components, including most vegetation and wildlife species listed as value components, recreation, and land use. The interrelationships between grasslands and these valued components are discussed in each VC.</p> <p>End land-use objectives outlined in the Reclamation and Closure Plan (Section 3.17) include re-establishing grassland habitat. Revegetation efforts will incorporate targeted native and traditional use species.</p> <p>KAM is interested to work with SSN to develop further details related to closure planning. Some potential opportunities for closure research are provided in the Landscape Design and Restoration Plan (Section 11.26).</p>
Traditional Land Use	Change in access to and use of preferred animal harvesting locations (e.g., Jacko Lake, Peterson Creek, Goose Lake)	<p>Potential effects on traditional harvesting activities, including access to harvesting areas, are assessed in Section 8.5 Current Use of Land and Resources for Traditional Purposes and Section 13 Aboriginal Interests (Rights and Title) of the Application/EIS.</p> <p>The assessment of potential effects on harvesting activities considers results of other relevant environmental, social, health, and heritage valued components assessed in Part B of the Application/EIS. TK/TLU information provided by SSN in the Cultural Heritage Study has been considered and integrated in the assessment and in the definition of mitigation strategies.</p> <p>KAM will implement an Access Management Plan, which will include provision for safe access to Jacko Lake during the Project life cycle. Wetland and habitat values associated with other waterbodies and watercourses are assessed in Section 6.9. The assessment identifies mitigation measures, including wetland compensation.</p>

Table 15.3 5. Summary of Issues Raised by SSN (continued)

Category	SSN Issue/Concern/Comment	KAM Response
	<p>Potential effects to berry, wild root vegetable and other medicinal and food plant gathering sites (in the vicinity of the Project and around Jacko Lake)</p>	<p>Potential effects of the Project on gathering activities, -including access to gathering sites, availability and quality of resources, and sensory disturbances-, and measures to mitigate potential adverse effects are described in Section 8.5 Current Use of Land and Resources for Traditional Purposes and Section 13 Aboriginal Interests (Rights and Title) of the Application/EIS. These sections consider results of the assessments of rare plants (Section 6.8), rare and sensitive ecological communities (Section 6.9) and grasslands (Section 6.10) to identify how changes to terrestrial ecosystems would impact gathering activities. Potential effects on country foods, including metal concentrations in plant and animal tissue are assessed in Section 10.3 of the Application/EIS.</p> <p>Effects on plants (including invasive plant management and metal uptake by plants) will be monitored throughout the life of the Project through the implementation of the Wildlife and Vegetation Monitoring Plan (Section 11.27).</p>
<p>Aboriginal rights and title</p>	<p>Loss of parts of SSN traditional territory and potential effects to asserted Aboriginal rights and title including the right to benefit economically from the land</p>	<p>KAM is committed to developing sustainable long-term relationships with SSN. KAM will work with the SSN to implement long-term economic, social, and environmentally sustainable opportunities while avoiding, minimizing, and mitigating adverse Project effects.</p> <p>KAM is actively engaged in on-going dialogue with SSN to achieve a meaningful and mutually beneficial Project agreement.</p> <p>Potential effects of the Project on Aboriginal Interests are assessed in Section 13 Aboriginal Interests (Rights and Title) and Section 14 Other Potential Effects on Aboriginal Interests of the Application/EIS.</p>
	<p>Potential effects on Aboriginal Economies</p>	<p>KAM proposes to continue to work with the SSN during the EA phases to identify additional information that could be considered in the Application. KAM provided interim capacity funding during the preliminary phases of the EA while the parties continued to negotiate a capacity agreement for the Application Review phase. The SSN will undertake surveys, focus groups and/or interviews with membership to obtain additional baseline information on Aboriginal Economies and how the Project could interact with this. The information will be used to develop an Aboriginal Economies VC. KAM is also actively working with SSN to support and participate in the SSN Project Assessment Process whereby SSN will undertake its own Aboriginal Economies assessment.</p>
	<p>Potential effects on Governance and the Trout Children Story</p>	<p>KAM proposes to continue to work with the SSN during the EA phases to identify additional information that could be considered in the Application. KAM provided interim capacity funding during the preliminary phases of the EA while the parties continued to negotiate a capacity agreement for the Application Review phase. The SSN will undertake surveys, focus groups and/or interviews with membership to obtain additional baseline information on perspectives regarding Governance and the Trout Children Story and how the Project could interact with these two factors. The information will be used to develop addenda to the Application on each topic respectively. KAM is also actively working with SSN to support and participate in the SSN Project Assessment Process whereby SSN will undertake its own assessment on Governance and the Trout Children Story.</p>

Table 15.3 5. Summary of Issues Raised by SSN (continued)

Category	SSN Issue/Concern/Comment	KAM Response
	Shared Decision Making	The SSN have repeatedly identified the importance of shared decision making with respect to the Project. As part of this, the SSN are undertaking a separate but complimentary Project Assessment Process. KAM is actively working with SSN to support and participate in the SSN Project Assessment Process. This will include information sharing, attendance at the SSN Oral Hearing and other key milestones (identified by SSN), bi-monthly technical meetings and on-going capacity funding.
Ceremonial or Cultural Uses	<p>Potential effects on Jacko Lake (Pipsell) which is considered an important cultural landscape and place with spiritual value</p> <p>Potential effects to Goose Lake which has cultural value</p>	<p>KAM’s understanding to date is that Pipsell or the Jacko Lake area is considered an important cultural landscape and place with spiritual and cultural value (SSN, pers. comm., 2014). The SSN assert that Jacko Lake is a storied site chronicling the many traditional activities that occurred there: root gathering, fishing and hunting in and around the lake (SSN, pers. comm., 2014). There is also a spiritual significance at Pipsell that forms the basis for a foundational story for the Stkemlupsemc people illustrating the connection between Secwepemc spiritual beliefs and practices in the current world, the world below (water), and the world above (atmosphere) (SSN, pers. comm., 2014). According to the story, “water people” or xqelmucwetke are said to reside in Jacko Lake.</p> <p>In summary, the SSN believe that Jacko Lake connects the livelihood of Secwepemc people to the caretaker above (atmosphere, which also supports the notion of protecting air quality). As part of this, the SSN notes that the Secwepemc people continue to carry out various cultural and spiritual ceremonies and communicate with the water people at Jacko Lake to prevent any future disturbances from the water people (SSN, pers. comm., 2014).</p> <p>Potential effects on Aboriginal Interests (Rights and Title), including potential effects on ceremonial or cultural uses of the land are assessed in Section 13 of the Application/EIS.</p> <p>Goose Lake was noted as an area where members of SSN hunt moose annually. Potential effects on Aboriginal Interests (Rights and Title), including potential effects on ceremonial or cultural uses of the land are assessed in Section 13 of the Application/EIS.</p>
Heritage resources/sites	<p>Effects to potential burial sites and cairns located in the Project footprint</p> <p>Effects to the Hunting Blind Complex</p>	<p>KAM has completed numerous archaeological/heritage studies to support Project development. SSN representatives have supported the fieldwork associated with these studies.</p> <p>Heritage sites are assessed in Section 9.2 of the Application/EIS. TK/TLU information provided by SSN has been considered and integrated in the assessment and in the definition of mitigation strategies. Discussions between the Archaeology Branch, SSN and KAM will be on-going to determine the specific mitigation requirements for each known archaeological site.</p> <p>Potential effects of the Project on other Aboriginal Interests including heritage values are assessed in Section 14 of the Application/EIS.</p> <p>KAM has been and will continue to invite SSN to discuss any mitigation strategies that can continue the historical, cultural and instructional values associated with Hunting Blinds. Section 13- Aboriginal Interests describes potential effects on the Hunting Blind Complex based on KAM’s current understanding.</p>

Table 15.3 5. Summary of Issues Raised by SSN (continued)

Category	SSN Issue/Concern/Comment	KAM Response
Human Health	Effects to human health from consumption of contaminated country foods (including as a result of dust deposition)	<p>Human Health and Country Foods have been added as valued components in the Application/EIS based on responses received during review of the draft AIR/EIS Guidelines, which included comments from SSN, the larger technical working group, and the public.</p> <p>Potential effects on country foods, including metal concentrations in plant and animal tissue are assessed in Section 10.3 of the Application/EIS. The results of this analysis are carried forward to the assessment of Human Health (Section 10.4). The assessment of human health is based on a Human Health and Ecological Risk Assessment (HHERA) that considers: multiple potential exposure pathways (including, air, drinking water and country foods such as wild meat, vegetation, fish and traditional medicines); and multiple types of human receptors (e.g., Aboriginal and non-Aboriginal people for all age groups and sensitive members of the population (young children, the elderly, pregnant women, etc.)).</p> <p>Activities during the Construction, Operation, and Decommissioning and Closure phases may result in changes to the quality of country foods include the accumulation of contaminants generated by the Project in resources consumed by Aboriginal Groups (i.e., country foods). The human health and ecological risk assessment (HHERA) considered predicted changes in water quality resulting from the Project (Jacko Lake and Peterson Creek), to estimate the resulting implications to the quality of country foods for consumption.</p> <p>The assessment under the human health VC (Section 10.4) does not identify mitigation measures specific to human health. Mitigation measures to control air and dust emissions outlined in the air quality effects assessment (Section 10.1) and mitigation measures to control surface water and groundwater discharges outlined in the water quality effects assessment (Section 6.3) will reduce Project emissions to levels that are protective of human health.</p>
	Potential effects on human health as a result of changes in air quality	<p>Potential effects of the Project on dustfall and changes in air quality have been modelled in accordance with a detailed Dispersion Modelling Plan approved by the BC Ministry of Environment. Modelling results and potential effects are presented in Section 10.1.</p> <p>Potential effects associated with drinking water are considered in Section 10.2. Results of the numerical groundwater model are used to evaluate groundwater flow paths from Project infrastructure toward the nearest potential drinking water source.</p> <p>Results of the air quality modelling and the drinking water analysis are carried forward as inputs to the assessment of potential effects on human health, which are assessed in Section 10.4 of the Application/EIS. The assessment considers multiple potential exposure pathways (including air, drinking water and country foods such as wild meat, vegetation, fish and traditional medicines); and multiple types of human receptors (e.g., Aboriginal and non-Aboriginal people for all age groups and sensitive members of the population (young children, the elderly, pregnant women, etc.)).</p>

Table 15.3 5. Summary of Issues Raised by SSN (continued)

Category	SSN Issue/Concern/Comment	KAM Response
		<p>KAM will implement an Air Quality Monitoring and Dust Control Plan (Section 11.6), including measures to mitigate fugitive dust, and surface water and groundwater quality monitoring programs (Section 11.23 and 11.24). The assessment under the human health VC (Section 10.4) does not identify mitigation measures specific to human health. Mitigation measures to control air and dust emissions outlined in the air quality effects assessment (Section 10.1) and mitigation measures to control surface water and groundwater discharges outlined in the water quality effects assessment (Section 6.3) will reduce Project emissions to levels that are protective of human health.</p>
<p>Economic opportunities</p>	<p>Interest expressed in training and skills development for members</p> <p>Interest expressed in employment and contracting opportunities</p>	<p>KAM is committed to building a strong and lasting partnership with the SSN and its members. KAM’s goal is to create long-term careers for SSN members.</p> <p>One of KAM’s objectives is to provide employment for SSN members that want employment on the Project. To achieve this goal, KAM is developing a strategy to provide hard and soft skill training to SSN members. KAM has discussed a potential framework for training with key SSN personnel and will continue to work with them on training programs for adults and for students (beginning in grade 9). KAM has also committed to assisting the SSN in the creation of a database containing all SSN members for human resource purposes. The database will track each member’s education, training strengths and areas for improvement; this approach is based largely on learning from the former BC Aboriginal Mine Training Association (BCAMTA). For adult members, the focus will be to provide training opportunities that will enhance their ability to gain employment, in or out of the mining industry. For youth and students, focus will be placed on helping them choose a viable career path while mentoring them along the road to achieving their desired jobs through education or other vocational training;</p> <p>KAM developed a procurement strategy giving preferential weighting to SSN companies during the bid evaluation process. KAM also meets with the SSN on a regular basis to discuss any upcoming request for pricing opportunities giving the SSN additional time to prepare their bids. KAM has been working with the SSN developing a procurement management plan. This plan allows SSN companies to successfully compete for contracting opportunities.</p>
<p>Accidents and Malfunctions</p>	<p>Concern regarding potential malfunctions and potential failures of the tailings storage facility</p>	<p>Accidents and Malfunctions are assessed in Section 17.6 of the Application/EIS. The assessment considers a wide range of potential failure modes, including potential effects to the Kinder Morgan pipeline, and potential failure of the TSF. KAM is committed to proactive risk management throughout all phases of the Project, with continued efforts to identify means of reducing the likelihood and/or consequence of failure modes.</p> <p>The TSF embankment design will be in accordance with the Canadian Dam Association Dam Safety Guidelines. Use of Mine Rock Storage Facilities (MRSFs) to buttress the embankments is a key aspect of the design that increases the Factor of Safety, and reduces the likelihood and consequence of potential failure modes. Other key aspects of the design include minimizing the volume of standing water stored behind the embankments and maintaining a large tailings beach between the embankment and the supernatant pond.</p> <p>Preliminary TSF design, and the supporting geotechnical studies are included in the Application (Appendix 3-D).</p>

Table 15.3 5. Summary of Issues Raised by SSN (continued)

Category	SSN Issue/Concern/Comment	KAM Response
Cumulative Effects	Potential cumulative effects resulting from the Project and other industries/ developments in the Project area overlapping SSN's Territory (including cumulative air emissions)	Sections 6 to 10 of the Application/EIS identifies past, present and reasonable foreseeable future projects and activities considered to have the potential to interact with the residual effects of the Project and assesses cumulative effects when appropriate. This assessment is based on federal and provincial guidance documents.
Consultation	<p data-bbox="405 443 793 597">Concerns about the level of consultation and the ability to properly participate in the EA process as a result of recent changes to the Project GA</p> <p data-bbox="405 824 793 914">Concerns raised about a lack of capacity to participate in the EA process</p>	<p data-bbox="804 443 1900 565">Based on feedback received from Aboriginal Groups and the public during the consultation process, KAM conducted additional engineering studies and changed the General Arrangement (GA) of the Project, as announced on May 29, 2014. The updated GA was presented by KAM to SSN on June 3, 2014, February 24, 2015 and April 28, 2015.</p> <p data-bbox="804 573 1900 670">The updated GA brings key facilities closer together reducing air emissions. This change responds to health concerns related to dust and noise generation. The TSF is also proposed at a new location, which avoids Inks lake and prevents the TSF from being visible from the Coquihalla Highway.</p> <p data-bbox="804 678 1900 735">In immediate follow-up to the announcement of the updated GA, KAM met with the SSN to review the full GA (May 29, 2014). A follow-up meeting occurred with the Working Group (including SSN) on June 23, 2014.</p> <p data-bbox="804 743 1900 800">KAM has and will continue to consult SSN regarding areas of concern, mitigation, and accommodation opportunities on all portions of the Project footprint.</p> <p data-bbox="804 824 1900 946">KAM recognizes the capacity challenges associated with reviewing large documents associated with environmental assessments. KAM is committed to preparing high quality submissions to facilitate a clear and consistent review of the Project, and to working with government agencies and First Nation groups to find ways of supporting an efficient yet effective review process.</p> <p data-bbox="804 954 1900 1011">KAM has provided SSN funding to facilitate their involvement in a range of Pre-Application consultations and will continue to offer funding to support SSN participation in the environmental assessment process.</p>

Summary

In summary, KAM and the SSN engaged in a range of consultation activities to fulfill the section 11 Order requirements and assist in the identification of SSN interests potentially affected by the Project.

Table 15.3-6 summarizes the efforts made by KAM.

Table 15.3-6. Summary of Consultation Activities with SSN

Consultation Activities Undertaken	Number/Yes/No
Number of Recorded Meetings	65
Number of Community Meetings	4
Number of Site Tours	7
Capacity and EA Funding	Yes
Information Sharing and Consultation	
First Nations Consultation Plan	Yes
First Nation Consultation Report	Yes
Shape Files, metadata files for drill holes, 3D models, mineral tenures, Lidar video	Yes
Draft AIR/EIS Guidelines	Yes
Press Releases	Yes
Archaeological Field Work	
Participated	Yes
Field Program and Permit Notification	Yes
Participated in Knowledge Studies	
Cultural Heritage Study	Yes
Preliminary Mitigation Report	Yes

15.3.3 Ashcroft Indian Band

This section describes the engagement and consultation activities undertaken with AIB until July 31, 2015. A detailed summary of communications between AIB and KAM is presented in Appendix 15-A (Summary of Communications with Aboriginal Groups).

KAM notified AIB about the Project through a letter provided on January 19, 2011, prior to submission of the Project Description. Since that time, KAM has continued to develop the relationship with AIB leadership. KAM considered AIB's consultation preferences and consulted AIB consistent with their preferences and the methods. KAM worked with AIB to mutually agree on dates, locations and topics of meetings, and met with AIB representatives as directed by AIB leadership. A summary of communications between the AIB and KAM is included in Appendix 15-A.

15.3.3.1 Environmental Assessment Procedures

The following subsections describe consultation undertaken with AIB as part of the EA procedures including notification of the Project, Ajax Project EA Working Group, and AIR/EIS Guidelines.

Ajax Project EA Working Group

The BC EAO established the Working Group in April 2011 and invited the participation of Working Group First Nations (AIB and LNIB). The AIB participated in a Working Group meeting in June 2014. The AIB also participated in one Water Quality Sub- Working Group meeting. AIB were invited to participate in other Working Group and Sub Working Group meetings but did not attend. Participation and topics discussed is summarized in Table 15.3-7.

Table 15.3-7. Ajax Project Working Group Meetings with AIB Participation

Date	Topics of Discussion
EA Working Group Meetings	
June 23, 2014	<ul style="list-style-type: none"> • Project update • Updated General Arrangement • Draft AIR/EIS Guidelines updates • Waste rock and tailings management • Water resources (Jacko Lake and Peterson Creek) • Air quality and dust control • Public consultation
Water Quality Sub-Working Group Meeting	
February 27, 2012	<ul style="list-style-type: none"> • Draft AIR/EIS Guidelines development • Overview of water quality conditions (Inks Lake, Jacko Lake) • Geochemical characterization program (waste rock and tailings) • Dust control • Further discussion on cumulative effects

At the first Water Quality Sub-Working Group meeting, AIB requested future meetings to discuss cumulative effects and offered to provide a list of projects that could be considered in the cumulative effects assessment. At time of writing, this list has not been received.

Through the Working Group, the AIB was provided with opportunities to review and comment (verbal and written) on the selection of VCs for the effects assessment, design of the baseline study programs, environmental and socio-economic studies, and any issues and information requirements related to the Application/EIS. Comments provided were considered in the development of the VCs, the AIR/EIS Guidelines and other aspects of the Application/EIS. KAM attended Working Group meetings and, as appropriate, prepared responses to address comments raised by Working Group First Nations.

AIR/EIS Guidelines

BC EAO provided AIB with opportunities to review and comment on drafts of the AIR/EIS Guidelines. AIB provided written comments on the draft AIR/Guidelines on April 26, 2012. KAM provided BC EAO with responses to AIB comments, indicating how the draft AIR/Guidelines would be revised to address their comments. Key issues raised by AIB include AIB's participation in the EA process, incorporation of traditional ecological knowledge, and effects on water resources and plant health.

After the update of the GA, the AIB submitted comments on August 7, 2014 with respect to the revised AIR/EIS Guidelines. Table 15.3-8 provides an overview of AIB’s feedback on the revised AIR/EIS Guidelines.

Table 15.3-8. Key Topics Raised by AIB on the Revised AIR/EIS Guidelines

Date Received	Topics
August 7, 2014	<ul style="list-style-type: none"> • AIB territory and land use. • AIB involvement in auditing mine operations. • AIB members living in the Thompson-Nicola Regional District and Kamloops in socio-economic assessment. • AIB participation in EA process.

KAM also invited AIB to draft AIR/EIS Guidelines open houses on November 25 and 26, 2014. A detailed AIR/EIS Guidelines Issues Tracking Table documenting AIB’s input, as well as KAM’s responses and the actions taken is available on the BC EAO’s e-PIC at:

http://a100.gov.bc.ca/appsdata/epic/html/deploy/epic_project_doc_list_362_p_pub.html.

The following subsections summarize consultation activities undertaken with the AIB during the Pre-Application period and includes EA funding, capacity building, meetings, site tours, and information sharing.

Environmental Assessment Funding

AIB requested funding from KAM to support their participation in the EA process and for a TK/TLU study. KAM worked closely with AIB to exchange information, discuss a TK/TLU study and to implement a Consultation and Benefits Agreement. The Consultation and Benefits Agreement provides AIB with:

- funding to cover Project presentations in the community. Funds were allocated to pay for the time and expenses associated with Chief and Council and elders attendance; and
- funding to support the Application review period. KAM committed to providing AIB with funding to support their review of the Application/EIS.

The Agreement was endorsed on October 24, 2014. Additional funding outlined in the Agreement is tied to Project milestones (e.g., EA approvals, commencement of construction, commencement of commercial production).

Prior to the updated GA, AIB expressed an interest in completing a TK/TLU study for the Project. However, following the announcement of the revised GA and signing of the Consultation and Benefits Agreement, AIB has not pursued a TK/TLU study further. AIB has indicated they support the Project and wrote a letter to this effect to the BC EAO, CEA Agency, BC MARR, and BC MFLNRO on October 24, 2014.

Information Sharing

AIB has consistently expressed an interest in capacity-building through employment, training, and economic opportunities. KAM has agreed to share information on these topics with AIB as it becomes available.

Meetings

KAM met with AIB leadership five times during the Pre-Application period. The first meeting, held July 2013, focused on AIB requests including a desire to participate in a site tour, a TLU study, involvement in the NOW consultation process, and contracting opportunities for the Project. In September 2013, another meeting was held to discuss a potential TLU study. In June 2014, a meeting was held to provide a project update and information on the updated GA, TLU and archaeology. Concerns raised included potential effects on water quality, effects of metals on nearby cattle and country foods and opportunities for training and capacity building. In December 2014, a meeting was held with AIB to gather socio-economic baseline data (AIB services, infrastructure, land use, education, training etc.). Concerns were raised about potential effects on salmon and other fish species. Details with respect to these meetings are included in the summary of communications in Appendix 15-A.

Site Tours

KAM facilitated a site tour for the Working Group which included AIB, on June 23, 2014, which was led by the BC EAO.

Written Communications and Information Sharing

In addition to meetings, there have been on-going written communications between the AIB and KAM via letters and e-mails. These are included in the summary of communications in Appendix 15-A.

KAM also sought feedback from the AIB on the following sections of the Application/EIS (Part C):

- Section 8.4 - Socio-economic baseline report (only information pertaining to AIB) provided on March 7, 2015. At the time of writing, no feedback was received;
- Section 8.5 - Current Use of Lands and Resources for Traditional Purposes provided on August 5, 2015. At the time of writing, no feedback was received;
- Section 12 - Background and Aboriginal Group Setting provided on March 7, 2015. At the time of writing, no feedback was received;
- Section 13 - Aboriginal Interests (Rights and Title) provided on August 5, 2015. At the time of writing, no feedback was received;
- Section 14 - Other Potential Effects on Aboriginal Interests provided on August 5, 2015. At the time of writing, no feedback was received; and
- Section 15 - Procedural Aspects of Aboriginal Consultation provided on August 5, 2015. At the time of writing, no feedback was received.

Comments Provided by AIB

At the time of writing, no comments had been received from AIB on the sections of the Application/EIS that were shared in advance of the submission date.

Summary

In summary, KAM and the AIB engaged in consultation activities to fulfill the section 11 Order requirements and assist in the identification of AIB interests potentially affected by the Project.

Table 15.3-9 summarizes the efforts made by KAM. As described above, AIB has notified regulatory agencies that they fully support the Project.

Table 15.3-9. Summary of Consultation Activities with AIB

Consultation Activities Undertaken	Number/Yes/No
Number of Meetings	5
Number of Community Meetings	0
Number of Site Visits	1
EA Funding	Yes
Information Shared	
First Nations Consultation Plan	Not required
Aboriginal Groups Consultation Reporting	Not required
Project Shape Files	Yes
Draft AIR/EIS Guidelines	Yes
Archaeological Field Work	
Participated	No
Permit Notification	Yes
Participated in Knowledge Studies	
TK/TLU	No
Socio-economic (participated in baseline interviews)	Yes

15.3.3.2 *Issues Raised by AIB*

KAM has tracked the issues, concerns, and interests identified by the AIB throughout the consultation process. Appendix 15-B provides a detailed list of the issues raised by the AIB and KAM's responses to these issues. Issues were compiled from comments provided by AIB at Working Group meetings, comments on the draft AIR/EIS, meetings with AIB leadership, and comments provided in written correspondence. A summary of issues raised by AIB is provided in Table 15.3-10.

Table 15.3-10. Summary of Issues Raised by AIB

Topic	AIB Issues	KAM Response
Consultation	<p>Interest expressed in developing a Cultural Heritage Assessment for the Project area.</p> <p>Concern about AIB lack of resources to meaningfully participate in the EA process.</p>	<p>KAM recognizes the capacity challenges associated with reviewing large documents associated with environmental assessments. KAM is committed to preparing high quality submissions to facilitate a clear and consistent review of the Project, and to working with government agencies and Aboriginal Groups to find ways of supporting an efficient yet effective review process.</p> <p>KAM provided AIB funding through a Consultation and Benefit Agreement to facilitate their involvement in the environmental assessment process.</p>
Cumulative Effects	<p>Concern about cumulative effects of product shipping (including the Kinder Morgan pipeline).</p>	<p>Sections 6 to 10 of the Application/EIS identifies past, present and reasonably foreseeable future projects and activities considered to have the potential to interact with the residual effects of the Project and assesses cumulative effects as appropriate. This assessment is based on federal and provincial guidance documents.</p>
Economic	<p>Interest expressed in contracting, employment, training and procurement opportunities associated with the various stages of the Project.</p> <p>Concern about the potential use of temporary foreign workers as employees for the Project.</p>	<p>KAM is committed to building strong and lasting partnerships in the community, to hiring employees locally, and to identifying partnerships with education and training organizations and institutions to support development of the expertise required. As per the Project Agreement signed with AIB, KAM also provided monetary funding for AIB to use within the community.</p> <p>Potential effects of the Project on local and regional employment are assessed in Section 7.2 Labour Force, Employment and Training.</p>
Land and Resource Use	<p>Potential effects on cattle from metals on the Sugarloaf Property.</p>	<p>Potential effects on land and resource use are assessed in Section 8.4 of the Application/EIS. This includes the assessment of potential effects on agricultural land use and ranching.</p> <p>The Human Health Risk Assessment (Section 10.4, and Appendix 10.4-A) also assesses potential effects on cattle from exposure to metals, and the potential for accumulation through the food chain.</p>
Water Quality	<p>Potential effects on Thompson River.</p> <p>General concerns about changes to water quantity and quality.</p>	<p>Potential effects of the Project on surface water quality and groundwater quality are assessed in Sections 6.3 and 6.5 of the Application/EIS. The assessment identifies mitigation strategies required to maintain water quality and discuss the effectiveness of proposed mitigation measures. Key measures include Metal Leaching/ Acid Rock Drainage management (see Section 11.4), maximizing collection and re-use of site contact water (see Section 11.7), and establishing the Peterson Creek Diversion System. Potential effects are identified for Peterson Creek, but are considered negligible by the time the creek reaches the Thompson River.</p> <p>Potential effects on surface water quantity and groundwater quantity are assessed in Sections 6.4 and 6.6 of the Application /EIS. The Project is being designed to minimize water use, with water recycled on site to its greatest extent. At peak operation, water use will be less than 0.5% of Kamloops Lake lowest flows. KAM will monitor water quantity and quality on an ongoing basis throughout the life of the Project and will implement Surface Water and Groundwater Quality Management and Monitoring Plans (Sections 11.23 and 11.24).</p>

Section 13 (Aboriginal Interests) and Section 14 (Other Potential Effects on Aboriginal Interests) provide detailed discussion of the potential effects on Aboriginal Interests, including those issues raised during consultation. Those sections also propose mitigation, enhancement measures, and accommodation where appropriate.

15.3.4 Lower Nicola Indian Band

This section describes the engagement and consultation activities undertaken with LNIB until July 31, 2015. A detailed summary of communications between LNIB and KAM is presented in Appendix 15-A (Summary of Communications with Aboriginal Groups).

KAM notified LNIB about the Project through a letter provided on January 19, 2011. Since that time, KAM has continued to develop the relationship with LNIB leadership. A summary of communications between the LNIB and KAM is included in Appendix 15-A.

15.3.4.1 Environmental Assessment Process

The following subsections describe consultation undertaken with LNIB as part of the EA procedures including notification of the Project, Ajax Project EA Working Group, and AIR/EIS Guidelines.

Ajax Project EA Working Group

The BC EAO established the Working Group in April 2011 and invited the participation of Working Group First Nations (including LNIB). The LNIB participated in a Working Group meeting in June 2014 and July 2015 as indicated in Table 15.3-11. However, LNIB were invited to participate in all Working Group and Sub Working Group meetings.

Table 15.3-11. Ajax Project Working Group Meetings with LNIB Participation

Date	Topics of Discussion	
EA Working Group Meetings		
June 23, 2014	<ul style="list-style-type: none"> • Project update • Updated General Arrangement • Draft AIR/EIS Guidelines updates • Waste rock and tailings management 	<ul style="list-style-type: none"> • Water resources (Jacko Lake and Peterson Creek) • Air quality and dust control • Public consultation
July 7, 2015 - Session I	<ul style="list-style-type: none"> • Overview of Application • Project Description • Project Alternatives 	<ul style="list-style-type: none"> • Geochemistry • Water Quantity and Quality • Fish and Aquatics
July 8, 2015 - Session II	<ul style="list-style-type: none"> • Noise and Vibration • Air Quality • Human Health Ecological Risk Assessment 	<ul style="list-style-type: none"> • Social VCs • Accidents and Malfunctions

Date	Topics of Discussion	
July 9, 2015 - Session III	<ul style="list-style-type: none"> • Terrestrial Wildlife • Soils and Reclamation 	<ul style="list-style-type: none"> • Archaeology • Part C (Aboriginal Groups Information Setting and Background; Procedural Aspects of Consultation; Aboriginal Interests (Rights and Title))
Water Sub- Working Group Meeting		
July 8, 2015	<ul style="list-style-type: none"> • Surface Water Quantity • Surface Water Quality 	<ul style="list-style-type: none"> • Groundwater Quantity • Groundwater Quality
Health Sub-Working Group Meetings		
July 8, 2015	<ul style="list-style-type: none"> • Air Quality Model and Results • Human Health Ecological Risk Assessment 	<ul style="list-style-type: none"> • Questions and Discussion
Social Sub-Working Group Meeting		
July 8, 2015	<ul style="list-style-type: none"> • Socio-economic Effects Assessment • Noise and Vibration Effects Assessment 	<ul style="list-style-type: none"> • Questions and Discussion
Fish and Aquatics Sub-Working Group Meeting		
July 8, 2015	<ul style="list-style-type: none"> • Fish Habitat Offsetting • Questions and Discussion 	

Through the Working Group, the LNIB was provided with opportunities to review and comment (verbal and written) on the selection of VCs for the effects assessment, design of the baseline study programs, environmental and socio-economic studies, and any issues and information requirements related to the Application/EIS. KAM attended Working Group meetings and, as appropriate, prepared responses to address comments raised by Working Group First Nations.

AIR/EIS Guidelines

Through the Working Group, LNIB was provided with opportunities to comment on the draft AIR/EIS Guidelines. Comments were provided in 2012. KAM considered the comments and provided BC EAO with responses to LNIB comments, indicating how the draft AIR/Guidelines would be revised. LNIB did not provide comments on the revised 2014 AIR/EIS Guidelines after the new GA.

KAM also invited LNIB to draft AIR/EIS Guidelines open houses on November 25 and 26, 2014. A detailed AIR/EIS Guidelines Issues Tracking Table documenting LNIB's input, as well as KAM's responses and the actions taken is available BC EAO's e-PIC at:

http://a100.gov.bc.ca/appsdata/epic/html/deploy/epic_project_doc_list_362_p_pub.html.

15.3.4.2 Consultation Activities

The following subsections summarize consultation activities undertaken with the LNIB during the Pre-Application period and includes EA funding, capacity building, meetings, site tours and information sharing.

Environmental Assessment Funding

LNIB requested funding from KAM to support their participation in the EA process. Since that time, KAM has provided multiple funding proposals to LNIB to facilitate their review of the Application/EIS. Key elements of the proposed Agreement include:

- community consultation; and
- potential effects on LNIB interests and related accommodation measures.

After a series of negotiations, the LNIB and KAM signed a Capacity Funding Agreement (CFA) on July 28, 2015. CFA provides a range of support to facilitate LNIB's involvement in the EA process including the development of a TK/TLU study. At the time of writing, the development of the TK/TLU study was underway.

Information Sharing

LNIB has consistently expressed an interest in capacity-building through employment, training, and economic opportunities. KAM continues to share information on employment, procurement and training opportunities as it becomes available.

Meetings

KAM and LNIB leadership (Chief and Council representatives) met eight times during the Pre-Application period (from October 5, 2012 to July 31, 2015). The first meeting in 2012, focused on providing an overview of the Project and the regulatory processes. At that time, LNIB noted an interest in participating in the EA process and KAM described which opportunities were available. In 2013, a meeting was held to provide a Project update, introduce the socio-economic and Aboriginal land use team, and discuss LNIB concerns with respect to the draft AIR/EIS Guidelines. A meeting was held in June 2014 to provide an update on the updated GA, the Kinder Morgan Pipeline removal, environmental studies underway, reclamation strategies, collection of socio-economic baseline data, and contract opportunities.

Issues raised by LNIB during the meetings include potential effects from dust on cattle grazing, wildlife and harvested plants and potential effects on lakes from mine water usage. Another meeting was held on August 6, 2014 to socio-economic baseline data collection, the section 11 Order and consultation preferences, economic opportunities. During the meeting, LNIB noted they would like to work with KAM on training and employment opportunities, to which KAM agreed. An additional meeting was held in September 2014 to discuss capacity funding, sharing of socio-economic baseline information, designation in the section 11 Order and a potential community meeting. In December 2014, a meeting was held to negotiate capacity funding and an engagement protocol. In January 2015, a meeting was held with LNIB and legal counsel to further discuss capacity funding, the engagement protocol and collection of socio-economic and land use information. Most recently, a meeting was held with LNIB on April 13, 2015 to gather socio-economic baseline information, discuss the engagement protocol, capacity funding and other agreements. Details with respect to these meetings are included in the summary of communications in Appendix 15-A.

Site Tours

KAM facilitated a site tour for the LNIB on January 19, 2015 however, discussions during the site tour were not recorded at the request of LNIB.

Written Communications and Information Sharing

In addition to meetings, there have been on-going written communications between the LNIB and KAM via letters and e-mails. These are included in the summary of communications in Appendix 15-A.

KAM provided LNIB with a list of plants found on-site and requested information regarding the use of these plants for traditional purposes, however no response was received. KAM also sought feedback from the LNIB on the following sections of the Application:

- Section 8.4 - Socio-economic baseline (only information pertaining to LNIB) provided on March 7, 2015. At the time of writing, no feedback was received;
- Section 8.5 - Current Use of Lands and Resources for Traditional Purposes provided on August 5, 2015. At the time of writing, no feedback was received; and
- Section 12 - Background and Aboriginal Group Setting provided on March 7, 2015. At the time of writing, no feedback was received;
- Section 13 - Aboriginal Interests (Rights and Title) provided on August 5, 2015. At the time of writing, no feedback was received; and
- Section 14 - Other Potential Effects on Aboriginal Interests provided on August 5, 2015. At the time of writing, no feedback was received; and
- Section 15 - Procedural Aspects of Aboriginal Consultation provided on August 5, 2015. At the time of writing, no feedback was received.

Comments Provided by LNIB

At the time of writing, no comments had been received from LNIB on the sections of the Application/EIS that were shared in advance of the submission date.

Summary

In summary, KAM and the LNIB engaged in consultation activities to fulfill the section 11 Order requirements and assist in the identification of LNIB interests potentially affected by the Project. Table 15.3-12 summarizes the efforts made by KAM.

Table 15.3-12. Summary of Consultation Activities with LNIB

Consultation Activities Undertaken	Number/Yes/No
Number of Meetings	8
Number of Community Open Houses (KAM participated in these events)	2
Number of Site Visits	1
EA Funding	Yes
Information Shared	
First Nations Consultation Plan	Not required
Aboriginal Groups Consultation Reporting	Not required
Project Description Shape Files	Yes
Draft AIR/EIS Guidelines	Yes
Archaeological Field Work	
Participated	No
Field Program and Permit Notification	No
Participated in Knowledge Studies	
TK/TLU	No
Socio-economic (some data provided in the form of a report and meetings)	Yes

15.3.4.3 Issues Raised by LNIB

KAM endeavored to collect information from LNIB numerous times regarding the practice of Aboriginal Interests and other potential concerns which have the potential to be affected by the Project. Appendix 15-B provides a comprehensive list of the issues raised by the LNIB and KAM's responses to these issues. Issues were compiled from comments provided by LNIB at Working Group meetings, comments on the draft AIR/EIS Guidelines, meetings with LNIB leadership and comments provided in written correspondence. Table 15.3-13 provides a summary of the issues raised by LNIB to date.

Section 13 (Aboriginal Interests) and Section 14 (Other Potential Effects on Aboriginal Interests) provide detailed discussion of the potential effects on Aboriginal Interests, including those issues raised during consultation. Those sections also propose mitigation, enhancement measures, and accommodation where appropriate.

Table 15.3-13. Summary of Issues Raised by LNIB

Topic	LNIB Issues	KAM Response
Accidents and malfunctions	<p>Concerns raised about the Kinder Morgan Pipeline which is located under the proposed mine rock and TSF.</p> <p>Concern raised regarding the TSF and the potential for a failure and how this would be mitigated (tailings management and risk management).</p>	<p>Accidents and Malfunctions are assessed in Section 17.6 of the Application/EIS. The assessment considers a wide range of potential failure modes, including potential effects to the Kinder Morgan pipeline, and potential failure of the TSF. KAM is committed to proactive risk management throughout all phases of the Project, with continued efforts to identify means of reducing the likelihood and/or consequence of failure modes.</p> <p>The TSF embankment design will be in accordance with the Canadian Dam Association Dam Safety Guidelines. . Use of Mine Rock Storage Facilities (MRSFs) to buttress the embankments is a key aspect of the design that increases the Factor of Safety, and reduces the likelihood and consequence of potential failure modes. Other key aspects of the design include minimizing the volume of standing water stored behind the embankments and maintaining a large tailings beach between the embankment and the supernatant pond. Preliminary TSF design, and the supporting geotechnical studies are included in the Application (Appendix 3-D).</p>
Economic	<p>Interest in developing economic and business opportunities as well as socio-economic benefits from the Project.</p> <p>Interest in potential education, training, and employment opportunities.</p> <p>Interest in creation of economic diversification.</p>	<p>KAM is committed to building strong and lasting partnerships in the community, to hiring employees locally, and to identifying partnerships with education and training organizations and institutions to develop the expertise required.</p> <p>Potential effects of the Project on local and regional employment are assessed in Section 7.2 Labour Force, Employment and Training.</p> <p>Potential business opportunities are discussed in Section 7.4 of the Application/EIS.</p> <p>Potential effects of the Project to economic diversification are assessed in Section 7.6 of the Application/EIS.</p>
Traditional Land Use	<p>Potential effects on the ability of LNIB to engage in fishing, hunting, and gathering.</p> <p>Potential effects from dust on grazing and wildlife harvested (in Project and Lac Le Jeune areas).</p> <p>Potential effects from dust on food and medicinal plants harvesting in the Project area (near Lac Le Jeune).</p>	<p>Potential effects on traditional land use (including fishing, hunting and gathering) are assessed in Section 8.5 Current Use of Land and Resources for Traditional Purposes and Section 13 Aboriginal Interests (Rights and Title). The assessment considers potential changes to access to harvesting locations, availability and quality of resources, and sensory disturbances that may affect the ability to exercise harvesting rights, as well as measures to mitigate potential adverse effects.</p>

Table 15.3-13. Summary of Issues Raised by LNIB (continued)

Topic	LNIB Issues	KAM Response
Water quantity and water quality	<p>Potential downstream effects from changes in water quantity and quality.</p> <p>Potential effects to groundwater quality.</p>	<p>Potential effects of the Project on surface water and groundwater quality are assessed in Sections 6.3 and 6.5 of the Application/EIS. The assessment identifies mitigation strategies to maintain water quality and discuss the effectiveness of proposed mitigation measures. Key measures include Metal Leaching/ Acid Rock Drainage management (see Section 11.4), maximizing collection and re-use of site contact water (see Section 11.7), and establishing the Peterson Creek Diversion System. Potential effects are identified for Peterson Creek, but are considered negligible by the time the creek reaches the Thompson River.</p> <p>Potential effects to surface water quantity and groundwater quantity are assessed in Sections 6.4 and 6.6 of the Application /EIS. The Project is being designed to minimize water use, with water recycled on site to its greatest extent. At peak operation, water use will be less than 0.5% of Kamloops Lake lowest inflows.</p> <p>KAM will monitor water quality on an on-going basis throughout the life of the Project and will implement Surface Water and Groundwater Quality Management and Monitoring Plans (Sections 11.23 and 11.24).</p>

15.3.5 Whispering Pines / Clinton Indian Band

This section describes the engagement and consultation activities undertaken with WP/CIB until July 31, 2015. A detailed summary of communications between WP/CIB and KAM is presented in Appendix 15-A (Summary of Communications with Aboriginal Groups).

At the time of writing, WP/CIB was not considered a Project “First Nation” or “Working Group First Nation” in the section 11 Order and therefore the WP/CIB did not participate in the Working Group meetings.

KAM notified WP/CIB about the Project in March 2013. Since that time, KAM has continued to develop the relationship with WP/CIB leadership. A summary of communications between the WP/CIB and KAM is included in Appendix 15-A.

15.3.5.1 Environmental Assessment Procedures

The following subsections describe consultation undertaken with WP/CIB as part of the EA procedures including notification of the Project, Ajax Project EA Working Group, and AIR/EIS Guidelines.

AIR/EIS Guidelines

WP/CIB provided comments on the June 2014 and November 2014 revised AIR/EIS Guidelines for the Project. Table 15.3-14 highlights WP/CIB’s feedback on the draft AIR/EIS Guidelines.

Table 15.3-14. Key Topics Raised by WP/CIB on the Revised AIR/EIS Guidelines

Date Received	Topics
August 31, 2014	<ul style="list-style-type: none"> • Incorporation of comments into draft FNCP. • Traditionally-used plants. • Goose Lake traditional use study.
December 18, 2014	<ul style="list-style-type: none"> • Exclusion from section 11 Order. • Language related to the current use of lands and resources for traditional purposes. • Project effects on the environment that may have on use of lands and resources.

KAM also invited WP/CIB to draft AIR/EIS Guidelines open houses on November 25 and 26, 2014. A detailed AIR/EIS Guidelines Issues Tracking Table documenting WP/CIB’s input, as well as KAM’s responses and the actions are available on BC EAO’s e-PIC:

http://a100.gov.bc.ca/appsdata/epic/html/deploy/epic_project_doc_list_362_p_pub.html.

15.3.5.2 Consultation Activities

The following subsections summarize consultation activities undertaken with the WP/CIB during the Pre-Application period and includes EA funding, meetings, site tours and information sharing.

Environmental Assessment Funding

WP/CIB requested funding from KAM to support their participation in the EA process. KAM continued to work with the WP/CIB on development of a CFA and a Project Benefits Agreement. A draft Agreement was provided to WP/CIB for consideration in December 2014. Feedback was received from WP/CIB and a revised Agreement was presented in January 2015. In May 2015, KAM and WP/CIB signed the CFA.

In July 2014, KAM requested information on socio-economics, land uses, and Aboriginal interests for consideration in the Application/EIS. KAM requested monthly meetings with WP/CIB to ensure the information presented in the Application/EIS, adequately addressed WP/CIB's concerns.

As part of the funding provided, the WP/CIB will prepare a TK/TLU study for the Project. Preparations for the study were underway at the time of writing.

Meetings

KAM and WP/CIB participated in three in-person meetings during the Pre-Application period. During first meeting held July 2014, the Project was introduced and KAM described consultation, baseline data collection and effects assessments. In November 2014, another meeting was held to describe the Project, the level of consultation and WP/CIB's interest in reviewing the land use, health and socio-economic impact assessments. In March 2015, a negotiation meeting was held via telephone to continue discussions on the CFA and any outstanding matters. Details with respect to these meetings are included in the summary of communications in Appendix 15-A. The CFA was signed in May 2015.

Community Meeting

KAM held a community meeting on July 15, 2015 (the first of three proposed as part of the Capacity Funding Agreement) with WP/CIB in Clinton, BC. Twenty four members of the WP/CIB attended. KAM delivered a presentation focusing on the Ajax Mine History, the updated GA, Project reconfiguration, Project fact comparison, environmental studies, surface groundwater studies, dust control during Operation, as well as economic and employment opportunities.

WP/CIB members asked a range of questions related to potential effects on wildlife and humans, water quality and acid rock drainage, water use from Kamloops Lake and job creation from the Project.

Site Tours

KAM offered to provide a site tour for the WP/CIB. At the time of writing, arrangements were still underway.

Written Communications and Information Sharing

In addition to meetings, there have been on-going written communications between the WP/CIB and KAM via letters and e-mails. These are included in the summary of communications in Appendix 15-A.

KAM provided WP/CIB with a list of plants found on-site and requested information regarding the use of these plants for traditional purposes, however no response was received.

KAM also sought feedback from the WP/CIB on the following sections of the Application:

- Section 8.4 - Socio-economic baseline (only information pertaining to WP/CIB) provided on March 7, 2015. At the time of writing, no feedback was received;
- Section 8.5 - Current Use of Lands and Resources for Traditional Purposes provided on August 5, 2015. At the time of writing, no feedback was received; and
- Section 12 - Background and Aboriginal Group Setting provided on March 7, 2015. At the time of writing, no feedback was received;
- Section 13 - Aboriginal Interests (Rights and Title) provided on August 5, 2015. At the time of writing, no feedback was received;
- Section 14 - Other Potential Effects on Aboriginal Interests provided on August 5, 2015. At the time of writing, no feedback was received; and
- Section 15 - Procedural Aspects of Aboriginal Consultation provided on August 5, 2015. At the time of writing, no feedback was received.

Comments Provided by WP/CIB

At the time of writing, no comments had been received from WP/CIB on the sections of the Application/EIS that were shared in advance of the submission date.

Summary

In summary, KAM and the WP/CIB engaged in consultation activities to assist in the identification of WP/CIB interests potentially affected by the Project. Table 15.3-15 summarizes the efforts made by KAM.

Table 15.3-15. Summary of Consultation Activities with WP/CIB

Consultation Activities Undertaken	Number/Yes/No
Number of Meetings	3
Number of Community Meetings	1
Number of Site Visits	0
EA Funding	Yes
Information Shared	
First Nations Consultation Plan	Not required
Aboriginal Groups Consultation Reporting	Not required
Project Shape Files	Yes
Draft AIR/EIS Guidelines	Yes
Archaeological Field Work	
Participated	No
Field Program and Permit Notification	No
Participated in Knowledge Studies	
TK/TLU	No
Socio-economic	No

15.3.5.3 *Issues Raised by WP/CIB*

KAM endeavored to collect information from WP/CIB regarding Aboriginal interests which have the potential to be affected by the Project. Appendix 15-B provides a comprehensive list of the issues raised by the WP/CIB and KAM's responses to these issues. Issues were compiled from comments provided on the draft AIR/EIS Guidelines, meetings with WP/CIB leadership, and comments provided in written correspondence. Table 15.3-16 provides a summary of the issues raised by WP/CIB to date.

Section 13 (Aboriginal Interests) and Section 14 (Other Potential Effects on Aboriginal Interests) provide detailed discussion of the potential effects on Aboriginal Interests, including those issues raised during consultation. Those sections also propose mitigation, enhancement measures, and accommodation where appropriate.

Table 15.3-16. Summary of Issues Raised by WP/CIB

Topic	WP/CIB Issue	KAM Response
Aboriginal rights	Potential contamination of fish, plants, and wildlife they rely upon to exercise Aboriginal rights.	Potential effects of the Project on the ability to exercise Aboriginal Rights (including fishing, hunting, and gathering) are described in Section 13-Aboriginal Interests (Rights and Title) of the Application/EIS. The assessment considers potential changes in the experience of harvesting (sensory disturbances), changes in access to harvesting locations, availability and quality of resources that may affect the ability to exercise harvesting rights, as well as measures to mitigate potential adverse effects.
Accidents and malfunctions	Concern regarding failure of mine facilities (TSF and the MRSF) Potential effects from accidents or malfunctions in the Kinder Morgan pipeline and along the transportation corridor	<p>Accidents and Malfunctions are assessed in Section 17.6 of the Application/EIS. The assessment considers a wide range of potential failure modes, including potential effects to the Kinder Morgan pipeline, and potential failure of the TSF. KAM is committed to proactive risk management throughout all phases of the Project, with continued efforts to identify means of reducing the likelihood and/or consequence of failure modes.</p> <p>The TSF embankment design will be in accordance with the Canadian Dam Association Dam Safety Guidelines. Use of Mine Rock Storage Facilities (MRSFs) to buttress the embankments is a key aspect of the design that increases the Factor of Safety, and reduces the likelihood and consequence of potential failure modes. Other key aspects of the design include minimizing the volume of standing water stored behind the embankments and maintaining a large tailings beach between the embankment and the supernatant pond.</p> <p>Preliminary TSF design, and the supporting geotechnical studies are included in the Application (Appendix 3-D)</p>
Air quality	Potential effects on air pollution and human health.	<p>Potential effects of the Project on dustfall and changes in air quality have been modelled in accordance with a detailed Dispersion Modelling Plan approved by the BC Ministry of Environment. Modelling results and potential effects are presented in Section 10.1.</p> <p>Results of the air quality modelling are carried forward as inputs to the assessment of potential effects on human health, which are assessed in Section 10.4 of the Application/EIS. The assessment considers multiple potential exposure pathways (including air, drinking water and country foods such as wild meat, vegetation, fish and traditional medicines); and multiple types of human receptors (e.g., Aboriginal and non-Aboriginal people for all age groups and sensitive members of the population (young children, the elderly, pregnant women, etc).</p> <p>KAM will implement an Air Quality Monitoring and Dust Control Plan (Section 11.6), including measures to mitigate fugitive dust, and surface water and groundwater quality monitoring programs (Section 11.23 and 11.24).</p> <p>The assessment under the human health VC (Section 10.4) does not identify mitigation measures specific to human health. Mitigation measures to control air and dust emissions outlined in the air quality effects assessment (Section 10.1) and mitigation measures to control surface water and groundwater discharges outlined in the water quality effects assessment (Section 6.3) will reduce Project emissions to levels that are protective of human health.</p>

Table 15.3-16. Summary of Issues Raised by WP/CIB (continued)

Topic	WP/CIB Issue	KAM Response
Consultation	<p>Interest expressed in developing a traditional use study.</p> <p>Concern about WP/CIB lack of funding to provide meaningful information to the Project.</p>	<p>WP/CIB requested funding from KAM to support their participation in the environmental assessment process. KAM and the WP/CIB signed a Capacity Funding Agreement on May 15, 2015. KAM and WP/CIB continue to work towards a Project Benefits Agreement.</p> <p>KAM is committed to working with Aboriginal Groups to develop capacity and gather information on traditional uses. As part of the Capacity Funding Agreement, WP/CIB will develop a TLU/TK study. Preparations for the study was underway at the time of writing.</p>
Cumulative effects	<p>Potential cumulative effects on traditional lands.</p>	<p>Sections 6 to 10 of the Application/EIS identifies past, present and reasonable foreseeable future projects and activities considered to have the potential to interact with the residual effects of the Project and assesses cumulative effects when appropriate. This assessment is based on federal and provincial guidance documents. Potential effects, including cumulative effects, on the ability to exercise Aboriginal rights are assessed in Section 13 of the Application/EIS.</p>
Economic	<p>Concern about effects on tourism.</p> <p>Potential effects related to unemployment</p>	<p>Potential effects of the Project on economic diversification, including interaction with other industries are assessed in Section 7.6 Economic Diversification.</p> <p>Potential effects on outdoor recreation are assessed in Section 8.5 of the Application/EIS.</p> <p>Potential effects of the Project on local and regional employment are assessed in Section 7.2 Labour Force, Employment and Training. The assessment considers indirect and induced effects as well as population changes. KAM will implement a Socio-economic Monitoring Plan (Section 11.29) to enable the implementation of adaptive management as needed</p>
Community Well Being	<p>Potential effects on health services and facilities.</p>	<p>Potential effects on health services and other community services are addressed in Section 8.1 Infrastructure, Public Facilities and Services. The analysis considers the concerns raised on the perceived shortage of health professionals in the region and identifies adequate mitigation when required.</p> <p>KAM will implement a Socio-economic Monitoring Plan (Section 11.29) to enable the implementation of adaptive management as needed.</p>
Land and Resource Use	<p>Potential effects on ranching from fugitive dust emissions.</p>	<p>Potential effects to non-traditional land and resource use are assessed in Section 8.4 of the Application/EIS. This includes the assessment of potential effects on agricultural land use and ranching.</p>

Table 15.3-16. Summary of Issues Raised by WP/CIB (continued)

Topic	WP/CIB Issue	KAM Response
Water quantity and water quality	<p>Potential effects to groundwater quality.</p> <p>Concern about dust deposition on water bodies.</p> <p>Concern about effects to water quality from acid rock drainage</p> <p>Concern regarding amount of water used by the Project (especially from Kamloops Lake), which could deplete water resources available for other users.</p>	<p>KAM has conducted a detailed and thorough geochemical characterization to evaluate the potential for metal leaching and acid rock drainage. This report is provided in Appendix 3-A of the Application/EIS.</p> <p>The results of the geochemical characterization provide inputs to the water quality prediction model, which directly informs the assessment of potential effects of the Project on surface water and groundwater quality (Sections 6.3 and 6.5 of the Application/EIS). The Application/EIS identifies mitigation strategies to maintain water quality and discuss the effectiveness of proposed mitigation measures. Key measures include Metal Leaching/Acid Rock Drainage management (see Section 11.4), maximizing collection and re-use of site contact water (see Section 11.7), and establishing the Peterson Creek Diversion System. Potential effects are identified for Peterson Creek, but are considered negligible by the time the creek reaches the Thompson River.</p> <p>KAM will monitor water quality on an on-going basis throughout the life of the Project and will implement Surface Water and Groundwater Quality Management and Monitoring Plans (Sections 11.23 and 11.24) to ensure protection of human and environmental health is accounted for through all phases of the Project development</p> <p>The Project is being designed to minimize water use, with water recycled on-site to its greatest extent (see Section 11.7, Water Management and Hydrometric Monitoring Plan). At peak operation, water use will be less than 0.5% of Kamloops Lake lowest inflows.</p> <p>Detailed results of the assessment of potential effects on surface water and groundwater quantity are presented in Sections 6.4 and 6.6 of the Application /EIS.</p>

15.3.6 Métis Nation British Columbia

This section describes the engagement and consultation activities undertaken with MNBC until July 31, 2015. A detailed summary of communications between MNBC and KAM is presented in Appendix 15-A (Summary of Communications with Aboriginal Groups).

KAM first notified MNBC about the Project in January 2012. Since that time, KAM has continued to develop the relationship with MNBC leadership. A summary of communications between the MNBC and KAM is included in Appendix 15-A.

15.3.6.1 *Environmental Assessment Procedures*

The following subsections describe consultation undertaken with MNBC as part of the EA procedures including notification of the Project, Ajax Project EA Working Group, and AIR/EIS Guidelines.

AIR/EIS Guidelines

MNBC was not identified as a First Nation or Working Group First Nation in the section 11 Order. BC EAO did not invite MNBC to the Working Group meetings and MNBC did not provide feedback on the draft or revised AIR/EIS Guidelines during public comment periods.

15.3.6.2 *Consultation Activities*

The following subsections summarize consultation activities undertaken with the MNBC during the Pre-Application period and includes EA funding, capacity building, community meetings, meetings, site tours and information sharing.

Environmental Assessment Funding

MNBC requested funding from KAM to support their participation in the EA process. KAM developed an information sharing agreement providing funding for community meetings, a review of MNBC's harvester database, one-on-one data gathering activities (e.g., harvesting information) and information about MNBC perceptions and interests with respect to the Project.

As part of the funding arrangement, the MNBC provided an overview report titled MNBC-KGHM/Ajax Mine Initial Project Report, January 2015 (MNBC, 2015) summarizing the Métis harvesting philosophy, Métis harvesting data, estimates of Métis Harvester Card holders and MNBC members land use in the Project vicinity. It also provided information on MNBC members' questions, comments and concerns regarding the Project. Information from the Initial Project Report was incorporated into relevant sections of the Application/EIS (e.g., Section 8, Sections 12 to 15).

MNBC provided KAM two reports containing socio-economic information. The first, MNBC Working on Behalf of Métis People in BC (MNBC, 2014), provided general information on MNBC, including governance and organization, history, culture, partnerships, and agreements. The second, MNBC-KGHM/AJAX Mine Socio-economic Report - March 2015 (MNBC, 2015), was specifically prepared for KAM. It included information about MNBC governance and structure, agreements, demographics and population profile, and MNBC participation in the mining industry (including description of barriers and opportunities).

Information Sharing

MNBC representatives expressed an interest in employment, training, and economic opportunities. MNBC provided KAM with an Industry Protocol, outlining a proposed business relationship, a list of Métis businesses, as well as perspectives on contracting, training and employment. KAM is reviewing the Industry Protocol to identify procurement, employment, and training opportunities for MNBC members. KAM shared preliminary employment, procurement and training opportunities with MNBC.

Meetings

KAM participated in three community meetings in November held in Kamloops, Merritt, and Ashcroft. Over 50 MNBC members, MNBC leadership, and KAM representatives attended. Community meetings focused on providing Project information, obtaining information on Métis Aboriginal interests potentially affected by the Project, land uses in the Project vicinity, members' concerns and potential mitigation. KAM delivered a presentation at each meeting focused on providing Project information, the regulatory process, mine design and GA, TSF, air quality, noise and vibration, water resources and economic opportunities (Appendix 15-E).

KAM and MNBC leadership participated in three in-person meetings (as well as several teleconference discussions) during the Pre-Application/EIS period. Meetings focused on providing Project information and updates, funding agreements, and obtaining information on MNBC consultation processes. A meeting on socio-economic baseline data gathering also occurred in 2015. Details with respect to these meetings are included in the summary of communications in Appendix 15-A.

Site Tours

KAM offered to provide a site tour for the MNBC. At the time of writing, arrangements were still underway.

Written Communications and Information Sharing

In addition to meetings, there have been on-going written communications between the MNBC and KAM via letters and e-mails. These are included in the summary of communications in Appendix 15-A.

KAM also sought feedback from the MNBC on the following sections of the Application/EIS:

- Section 8.4 - Socio-economic baseline report (only information pertaining to MNBC) provided on March 7, 2015. At the time of writing, no feedback was received;
- Section 8.5 - Current Use of Lands and Resources for Traditional Purposes provided on August 5, 2015. At the time of writing, no feedback was received;
- Section 12 - Background and Aboriginal Group Setting provided on March 7, 2015. At the time of writing, no feedback was received;
- Section 13 - Aboriginal Interests (Rights and Title) provided on August 5, 2015. At the time of writing, no feedback was received;
- Section 14 - Other Potential Effects on Aboriginal Interests provided on August 5, 2015. At the time of writing, no feedback was received; and

- Section 15 - Procedural Aspects of Aboriginal Consultation provided on August 5, 2015. At the time of writing, no feedback was received.

Comments Provided by MNBC

At the time of writing, no comments had been received from MNBC on the sections of the Application/EIS that were shared in advance of the submission date.

Summary

In summary, KAM and the MNBC engaged in consultation activities to assist in the identification of MNBC interests potentially affected by the Project. Table 15.3-17 summarizes the efforts made by KAM.

Table 15.3-17. Summary of Consultation Activities with MNBC

Consultation Activities Undertaken	Number/Yes/No
Number of Meetings	3
Number of Community Meetings	3
Number of Site Visits	0
Capacity Funding	Yes
Information Shared	
First Nations Consultation Plan	Not required
Aboriginal Groups Consultation Reporting	Not required
Project Description Shape Files	Yes
Draft AIR/EIS Guidelines	Yes
Archaeological Field Work	
Participated	No
Field Program and Permit Notification	No
Participated in Other Knowledge Studies	
TK/TLU	Yes
Socio-economic	Yes

15.3.6.3 *Issues Raised by MNBC*

Appendix 15-B provides a comprehensive list of the issues raised by the MNBC and KAM’s responses to these issues. Issues were compiled from comments provided during meetings with MNBC leadership, community meetings and comments provided in written correspondence. Table 15.3-18 provides a summary of the issues raised by MNBC to date.

Section 13 (Aboriginal Interests) and Section 14 (Other Potential Effects on Aboriginal Interests) provide detailed discussion of the potential effects on Aboriginal Interests, including those issues raised during consultation. Those sections also propose mitigation, enhancement measures, and accommodation where appropriate.

Table 15.3-18. Summary of Issues Raised by MNBC

Topic	MNBC Issues	KAM Response
Accidents and malfunctions	Safety of the public associated with risk of accidents in mine design.	<p>Accidents and Malfunctions are assessed in Section 17.6 of the Application/EIS. The assessment considers a wide range of potential failure modes, including potential effects to the Kinder Morgan pipeline, and potential failure of the TSF. KAM is committed to proactive risk management throughout all phases of the Project, with continued efforts to identify means of reducing the likelihood and/or consequence of failure modes.</p> <p>The TSF embankment design will be in accordance with the Canadian Dam Association Dam Safety Guidelines. Use of Mine Rock Storage Facilities (MRSFs) to buttress the embankments is a key aspect of the design that increases the Factor of Safety, and reduces the likelihood and consequence of potential failure modes. Other key aspects of the design include minimizing the volume of standing water stored behind the embankments and maintaining a large tailings beach between the embankment and the supernatant pond. Preliminary TSF design, and the supporting geotechnical studies are included in the Application (Appendix 3-D).</p>
Consultation	Additional local and broad-reaching Métis consultation needed.	KAM will continue to work with Aboriginal Groups to understand potential Project effects and respond to information requests through all phase of the Project.
Fish and fish habitat	Potential effects of blasting and vibration on fish and fish habitat (Jacko Lake).	<p>Potential effects on fish populations and fish habitat, including potential effects from vibration on the fish in Jacko Lake, are assessed in Section 6.7 of the Application/EIS.</p> <p>Potential effects from vibration and noise from daily blasting activities are assessed in Section 10.5 of the Application/EIS.</p> <p>The blast charge weights will be reduced and smaller diameter holes will be used as the edge of the Open Pit approaches the eastern shore of Jacko Lake.</p> <p>KAM will implement a Fisheries and Aquatic Life Monitoring Plan (Section 11.25) to ensure that controls are in place to minimize adverse effects on fish during all phases of the Project.</p> <p>KAM understands the importance of Jacko Lake, therefore potential effects on the current use of land and resources associated with Jacko Lake are assessed in Section 8.5 of the Application/EIS. This describes potential effects in relation to changes in land and resource use, fish populations and fish habitat, and other valued components, as appropriate.</p>
Traditional Land Use	Potential effects to harvesting and other land uses, including changes in access.	<p>Potential effects to traditional land use activities, including access to harvesting areas, are assessed in Section 8.5 Current Use of Land and Resources for Traditional Purposes and Section 13 Aboriginal Interests (Rights and Title) of the Application/EIS.</p> <p>The assessment of potential effects on harvesting activities considers results of other relevant environmental, social, health, and heritage valued components assessed in Part B of the Application/EIS. KAM will implement an Access Management Plan (Section 11.21) to ensure continued access to Jacko Lake.</p>

Table 15.3-18. Summary of Issues Raised by MNBC (continued)

Topic	MNBC Issues	KAM Response
Water quality and quantity	Potential effects on water quality and on Jacko Lake and other water resources and tributaries (such as the Thompson River).	<p>Potential effects of the Project on surface water quality are assessed in Section 6.3 of the Application/EIS. The Application/EIS identifies mitigation strategies and treatment processes required to maintain water quality and discusses the effectiveness of proposed mitigation measures. Key measures include ML/ARD management (see Section 11.4), maximizing collection and re-use of site contact water (see Section 11.7), and establishing the Peterson Creek Diversion System. Potential effects are identified for Peterson Creek, but are considered negligible by the time the creek reaches the Thompson River.</p> <p>KAM will monitor water quality on an ongoing basis through the implementation of the Water and Groundwater Quality Management and Monitoring Plans (Sections 11.23 and 11.24).</p>
Wildlife	<p>Potential effects on wildlife that may access the TSF such as ducks.</p> <p>Potential effects on endangered species with habitat in the Mine Site, such as the badger.</p> <p>Potential effects of light and heat on wildlife movement (including potential for increased predation).</p>	<p>Potential effects of the Project on wildlife, including habitat alteration and loss, disturbance and displacement and mortality, and measures to mitigate potential adverse effects are described in Sections 6.11 to 6.17 of the Application/EIS. Effects on wildlife will be monitored through the implementation of the Wildlife and Vegetation Monitoring Plan (Section 11.27). Potential effects on mammals, including habitat alteration and loss, disturbance and displacement, and mortality, are assessed in Section 6.17 of the Application/EIS. The badger is part of the focal species for the analysis.</p> <p>KAM will implement a Wildlife and Vegetation Monitoring Plan (Section 11.27) so that measures and controls are in place to minimize potential adverse effects during all phases of the Project.</p> <p>Potential effects of the Project on migratory birds, including effects on birds landing on the TSF, are assessed in Section 6.16 of the Application/EIS. KAM will implement a Wildlife and Vegetation Monitoring Plan (Section 11.27) so that measures and controls are in place to minimize potential adverse effects during all phases of the Project.</p>

15.4 PROJECT DESIGN CHANGES AS A RESULT OF CONSULTATION

During consultation with various interested parties including the public Aboriginal Groups and stakeholders, concerns were expressed about the location of the storage facilities (namely proximity) and the potential for impacts related to health, dust, water sources and visual health. The SSN raised specific concerns regarding potential effects on the Cherry Creek watershed and Inks Lake.

KAM considered the feedback provided from all interested parties and the results of on-going studies undertaken and changed the General Arrangement (GA) of the Project. These changes were announced on May 29, 2014. KAM met with SSN to notify them and explain the proposed changes prior to notifying the public.

Changes included:

- Relocation of the TSF away from the Alkali Creek watershed (which includes Cherry Creek) and Inks Lake;
- Redesign of the TSF from a dry stack to a conventional wet design storage facility that use proven mining technology; and
- Relocation of the North Mine Rock Storage Facility (NMRSF) and temporary ore stockpiles approximately 3.5 km southeast of their previously intended locations.

The changes were implemented to avoid or mitigate:

- Potential impacts to the Alkali Creek watershed (which includes Cherry Creek) and Inks Lake were reduced (effects on the Cherry Creek watershed and Inks Lake were concerns raised by SSN);
- Potential impacts arising from dust;
- Potential impacts related to health, and water sources; and
- Potential impacts related to visual health.

As a result of the relocation and redesign changes, the following operational changes resulted further reducing potential impacts:

- The adjusted GA clusters mine activities to the south and east of the pit. Bringing these key facilities together reduces fuel consumption and potentially reduces emissions from equipment as well as generation of dust (responds to public concerns about air quality and health-related concerns); and
- The compact location of the facilities minimizes potential for dust-related Project effects on traditionally used plants, Jacko Lake and grasslands. The more compact footprint reduces the potential for dust and noise-related effects on wildlife, and cultural values, and the potential for cumulative effects (responds to public concerns about air quality, health, wildlife, cultural values, and cumulative effects-related concerns).

KAM is committed to a robust environmental management system and is investigating ISO 14001 Environmental Management System certification requirements. This international standard governs environmental management and ensures conformity to recognized standards and practices for monitoring environmental aspects such as noise, air, water and the soil.

15.5 CONSULTATION DURING APPLICATION REVIEW

This section describes the methods and consultation activities planned for the Application review period, including proposed methods and processes to resolve outstanding issues. KAM will implement consultation during the Application review period, in accordance with the FNCP and to the extent possible, complete the Application review consultation activities outlined below.

15.5.1 First Nations Consultation Plan

Section 15.3.2.2 provides a detailed summary of the FNCP. The FNCP was developed (Appendix 15-C) to guide KAM's activities and responsibilities in the consultation process with the SSN during the Pre-Application and Application review periods. The FNCP identifies the following consultation objectives:

- respect SSN culture, processes, perspectives, and opinions and seek flexible and mutually agreeable consultation processes;
- be guided by the section 11 Order and the AIR/EIS Guidelines;
- provide the SSN with timely and credible information on the Project and facilitate meaningful discussion;
- as appropriate, facilitate adequate review times for Project-related information;
- incorporate information from the SSN into the Application/EIS where practical and appropriate. This includes consideration of the CHS, the Preliminary Mitigation Report and other related materials;
- in collaboration with the SSN, identify Aboriginal interests (including asserted Aboriginal rights and title) which have the potential to be adversely affected by Project-related activities; and
- discuss ways to avoid, reduce, mitigate or accommodate potential adverse effects to SSN interests.

KAM implemented, and to the extent possible, completed all consultation described in the FNCP. With respect to consultation roles, KAM understands its responsibility for consultation to include the following:

- to design and implement a FNCP with input and advice from SSN as part of the overall Application/EIS process, including a description of how KAM intends to consult the SSN during the Pre-Application and Application review periods;
- to provide a two way mechanism to share and receive information and support meaningful consultation;
- to identify SSN Aboriginal interests (rights and title), as directed in the section 11 Order. KAM will continue to identify Aboriginal interests (rights and title) that have the potential to

be adversely affected by the Project through on-going consultation activities and commissioned studies (CHS and Preliminary Mitigation Report);

- to identify measures to avoid or mitigate potential adverse effects or otherwise address or accommodate the concerns of SSN as appropriate; and
- to work collaboratively with SSN to develop options to enhance positive Project effects and benefits of the Project.

KAM made efforts to involve the SSN in development of the FNCP. A draft of the FNCP was provided to the SSN for review on December 9, 2014. KAM received comments from the SSN on February 2, 2015 and these comments were incorporated in revised versions of the FNCP. Further to these comments, a meeting was held between the SSN and KAM to further clarify comments received by SSN. Appendix 15-D (Comments received on the First Nation Consultation Plan) provides a detailed list of the comments received from SSN on the FNCP and KAM's response. It also explains how the comments were considered in the revised FNCP. A revised FNCP was provided to SSN on April 10, 2015 requesting comments. On May 4, 2015, the SSN and KAM exchanged further emails about how best to receive any additional comments from SSN on the FNCP. On May 20, 2015, KAM provided SSN with a track changes version of the FNCP to further facilitate their review. KAM also notified the SSN that it views the FNCP as an iterative document that can be revised with SSN input over the various Project phases. On June 10, 2015, the SSN acknowledged KAM's efforts to incorporate SSN input into the FNCP and provided additional comments. KAM tracked these comments (see Appendix 15-D) and incorporated these comments into a final FNCP issued on June 24, 2015.

In the FNCP, KAM outlines similar objectives and approaches to consultation during the Application Review period. The following objectives for Application Review are identified in the FNCP:

- continue to engage SSN in the Project;
- endeavour to involve SSN in assessing and verifying the results of environmental studies and effects assessments;
- seek and consider SSN perspectives and opinions on adverse effects on Aboriginal interests;
- continue to involve SSN in assessing the effectiveness of mitigation measures;
- continue to invite SSN's input into approaches to avoid, reduce, mitigate, or otherwise accommodate potential adverse effects to Aboriginal interests;
- work with SSN on resolution of their issues or concerns and to the extent appropriate, identification of measures to avoid, mitigate or otherwise accommodate potential adverse effects on the Aboriginal interests;
- collect, respond to, and report on SSN comments received throughout the EA process;
- support and participate in the SSN Project Assessment Process; and
- identify opportunities for longer-term SSN participation in economic, employment, training, and other capacity building opportunities.

15.5.2 Aboriginal Consultation Methods and Timing- Application Review

The proposed approach for consultation activities during Application review period is outlined in the Table 15.5-1. The proposed activities will be executed in coordination with BC EAO and CEA Agency.

Table 15.5-1. Application Review Consultation Activity

Aboriginal Groups	Proposed Activity
First Nations (SSN) Working Group First Nations (AIB, LNIB) Other Aboriginal Groups (WP/CIB, MNBC)	<p>Information Sharing</p> <ul style="list-style-type: none"> • Prepare and distribute a press release to local media, as well as purchase newspaper advertisements, radio announcements and / or other methods to announce the acceptance of the Application/EIS for review by the CEA Agency and BC EAO, and to announce the start of the public comment period. These announcements will occur at least seven days before the beginning of the formal comment period. • Hard and digital copies of the Application/EIS will be provided to the Kamloops and North Kamloops public libraries, as well as to City Hall. Copies will also be available at the KAM offices for on-site review. • Digital copies and/or hard copies of the Application/EIS will be made available to Aboriginal Groups (as required by BC EAO and CEA Agency).
First Nations (SSN) Working Group First Nations (AIB, LNIB) Other Aboriginal Groups (WP/CIB, MNBC)	<p>Dedicated Web Platform</p> <p>KAM will develop and launch a dedicated web platform additional to its existing website specifically designed to effectively convey the contents of the Application/EIS. The platform will have a clear table of contents and other hierarchies to help guide readers and users efficiently through the document. Document downloads will also be available.</p> <p>KAM will also develop plain language summaries of the VC assessments and other high-interest aspects of the Application/EIS. The summaries will be made available through the dedicated web platform.</p>
First Nations (SSN) Working Group First Nations (AIB, LNIB)	<p>Feedback</p> <p>KAM will endeavour to:</p> <ul style="list-style-type: none"> • receive, review and consider feedback from Aboriginal Groups regarding effects of the Project on Aboriginal Interest as presented in the Application/EIS; and • receive feedback and input from Aboriginal Groups regarding measures to avoid or mitigate potential adverse impacts and/or to otherwise address or accommodate Aboriginal interests that may be adversely affected as presented in the Application/EIS.
First Nations (SSN) Working Group First Nations (AIB, LNIB) Other Aboriginal Groups (WP/CIB, MNBC)	<p>Information Sessions</p> <p>Arrange, facilitate, and participate in public and First Nation presentations, information sessions or other forums, as directed by BC EAO, the CEA Agency or Aboriginal groups.</p> <p>Prepare and distribute a press release, newspaper advertisements, radio announcements and social media to announce the information sessions (open houses). These announcements will occur at least seven days before the beginning of the first information session or as directed by BC EAO and the CEA Agency.</p> <p>The information sessions will be similar in format to those held in September 2013 and/or June and November 2014. KAM and its consultants will attend to explain the Project, the EA studies and assessments, answer questions, and receive feedback as requested by BC EAO and CEA Agency.</p> <p>Similar to previous sessions, materials will be made available as will cards for feedback and a web-based comment option – or as directed by BC EAO and the CEA Agency.</p>

Aboriginal Groups	Proposed Activity
First Nations (SSN) Working Group First Nations (AIB, LNIB) Other Aboriginal Groups (WP/CIB, MNBC)	<p>Site Tours</p> <p>Continue to provide guided site tours, as requested.</p>
First Nations (SSN)	<p>Chief to Chief Meetings</p> <p>KAM and SSN leadership (the Chief of TteS and the Chief of SIB) will continue to participate in these meetings quarterly.</p>
First Nations (SSN)	<p>Technical Meetings</p> <p>KAM and SSN have agreed to participate in bi-monthly Technical Meetings to facilitate communication about key EA procedures as well as obtain input on the potential effects on SSN interests and measures to mitigate or accommodate those effects.</p>
First Nations (SSN)	<p>Receive Preliminary Results of SSN Data Gathering</p> <p>SSN will provide KAM with the preliminary results of data gathering activities specifically with respect to governance, the Trout Children Story, and Aboriginal Economies. The input provided on Day 30 will inform the assessment KAM conducts on those topics.</p>
First Nations (SSN)	<p>Conduct an Assessment on Aboriginal Economies Governance and the Trout Children Story. KAM and SSN will both conduct assessments on these topics. KAM will use the preliminary information supplied by SSN to develop an assessment for Day 60 of the Application Review. SSN will develop the assessments in accordance with its Project Assessment Process.</p>
First Nations (SSN)	<p>Community Information Sessions</p> <p>At SSN’s request, KAM will participate in SSN Community Sessions such as meetings with family groups (as identified by the SSN Project Assessment Process), community meetings, sessions with knowledge holders or elders, or technical workshops. As per SSN’s request, these activities will be led by the SSN Engagement Team whom will be responsible for identifying appropriate opportunities for KAM’s participation. Should SSN require the presence of KAM’s technical experts, advance notice will be required to avoid scheduling conflicts.</p>
First Nations (SSN)	<p>Incorporate Feedback</p> <p>KAM will endeavour to incorporate SSN feedback (written submissions, public comments and feedback received through consultation activities) into the Application/EIS. This may include information on Aboriginal interests (including asserted rights and title), proposed mitigation or other sections of the Application/EIS. Specifically the following information will be added to the Application:</p> <ul style="list-style-type: none"> • Aboriginal Economies VC; • Governance Assessment (including shared decision making); and • The Trout Children Story Assessment.
First Nations (SSN)	<p>Participate in the SSN Project Assessment Process</p> <p>As requested, KAM will participate in the SSN Project Assessment Process including the Oral Hearing. KAM will make the appropriate representatives available for key milestones during the SSN Assessment Process. Should SSN require the presence of KAM’s technical experts, advance notice will be required to avoid scheduling conflicts.</p>

Aboriginal Groups	Proposed Activity
First Nations (SSN)	<p>Consultation Documentation</p> <p>To support SSN's involvement in the tracking of SSN consultation activities and the identification of SSN Issues, KAM proposes to:</p> <ul style="list-style-type: none"> • distribute draft meeting minutes after Technical Meetings, Chief to Chief Meetings and Community Information Sessions. These will be shared monthly as per SSN's request; • distribute monthly Consultation Logs to SSN for review. The logs provided to SSN will include detailed information to facilitate SSN's review. <p>In addition, KAM will provide SSN with a detailed consultation log of all engagement and consultation activities that occurred previously.</p>
First Nations (SSN)	<p>Provide feedback on SSN Decision Package</p> <p>KAM will provide comments and feedback on the SSN Decision Package received after Day 150 from SSN.</p>
First Nations (SSN)	<p>First Nation Consultation Reports</p> <p>As instructed by BC EAO, KAM will provide the SSN with consultation reports of the Application review consultation activities. SSN will have an opportunity to review and comment on a draft version of this report for adequate review and comment, and suggested changes will be incorporated and/or tracked. The report will identify issues and concerns raised by the SSN and how these issues and concerns are to be addressed. The report along with the comments received by SSN will be provided to BC EAO on Day 120 of Technical Review. KAM will track all comments received from SSN on the Report</p>

15.5.3 Process for Resolving Outstanding Issues

During the Application review period, KAM will continue to work with Aboriginal Groups to understand potential Project effects and respond to information requests. KAM will endeavour to resolve any outstanding issues through continued dialogue with Aboriginal Groups including the consultation activities identified above.

KAM will attempt to resolve outstanding issues by:

- obtaining additional details regarding the issue as appropriate (from the Aboriginal Group and/or from technical experts with expertise on the issue);
- responding to the Aboriginal Group about the issue that is still outstanding, and checking with the group(s) to determine whether the issue has been sufficiently addressed;
- meeting with the Aboriginal Group as needed to discuss and resolve the issue;
- seek advice and guidance from BC EAO and CEAA on how to resolve outstanding issues; and
- reporting back to the Aboriginal Group on the status of the issue.

KAM is committed to transparency and integrity in all of its business operations, and understands that the Project may affect nearby Aboriginal Groups. Implementing its Design for Closure approach, KAM will work with these communities to develop and implement long-term economic,

social, and environmentally sustainable opportunities while avoiding, minimizing, and mitigating negative Project effects.

KAM and SSN have also developed a separate issue resolution process, as presented in the FNCP.

15.5.4 KAM's Principles for Sustainable Relationships with First Nations

KAM understands that its success depends on productive relationships with all parts of local community, especially Aboriginal communities. KAM is committed to developing sustainable long-term relationships with Aboriginal Groups and will work with Aboriginal Groups to implement economic, social, and environmentally sustainable opportunities while avoiding, minimizing, and mitigating adverse Project effects.

As the Project proceeds through the EA process, KAM will continue to consult and collaborate with local Aboriginal Groups about the Project, its design, and the potential impacts to traditional Aboriginal territories and practices. Consultation is carried out in an open and transparent manner. As part of KAM's principles for building sustainable relationships with Aboriginal Groups, KAM understands the importance of:

- working to identify and further understand Aboriginal interests in the Project area;
- continuing to identify measures to avoid or mitigate potential effects;
- hiring employees locally;
- identifying partnerships with education and training organizations to support development;
- continuing to gather information on traditional use; and
- facilitating a clear and consistent review of the Project with government agencies and Aboriginal Groups.

KAM understands that this is an iterative and flexible process and intends to build on past efforts to create an enduring, meaningful partnership with Aboriginal Groups to the benefit of these diverse communities. KAM remains committed to respecting the traditional rights of Aboriginal communities and engaging in open dialogue as envisioned by regulatory and other processes.

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