

Annex A3 - Comments on the April 2015 Environmental Impact Statement for the Goliath Gold Project from Aboriginal Communities and Groups

Table 1 includes a summary of comments received from Aboriginal People of Wabigoon, Eagle Lake First Nation, Grassy Narrows First Nation, Métis Nation of Ontario, Naotkamegwaning First Nation, Wabauskang First Nation, Wabigoon Lake Ojibway Nation, and Grand Council of Treaty # 3 during:

- meetings held before the submission of the environmental impact statement (EIS);
- emails, phone calls, and letters received by the Canadian Environmental Assessment Agency (the Agency) pre-EIS submission;
- emails, phone calls, and letters received by the Agency during the EIS review; and
- meetings held during the comment period on the EIS.

Note that no comments have been received from Lac Seul First Nation. Additional written submissions received by the Agency during the EIS review from Eagle Lake First Nation, Métis Nation of Ontario, and Naotkamegwaning First Nation are included in Tables 2, 3, 4 and 5, as follows:

- Table 2 – Agency Disposition of Written Comments Submitted by the Métis Nation of Ontario (MNO) on the Environmental Impact Statement (Report prepared by Calliou Group);
- Table 3 - Agency Disposition of Written Comments Submitted by Eagle Lake First Nation on the Environmental Impact Statement (Report prepared by ICA Associates Inc.);
- Table 4 – Agency Disposition of Written Comments Submitted by Eagle Lake First Nation on the Environmental Impact Statement (Report by Maclean Environmental Consulting); and
- Table 5 - Agency Disposition of Written Comments Submitted by Naotkamegwaning First Nation on the Environmental Impact Statement.

Table 1 - Summary of Comments Received from Aboriginal Groups

IR-1 Reference #	Community /Group	Summary of Comment	Link to Annex A1
Fish and Fish Habitat			
AC(1)-04	Eagle Lake First Nation Naotkamegwanning First Nation Wabauskang First Nation Wabigoon Lake Ojibway Nation	<p>Shared information about baseline fish and fish habitat conditions:</p> <ul style="list-style-type: none"> Thunder Lake is cold water trout habitat; fish spawning area around Christie Island. Two waterways drain into this fish spawning area; minnows and shiners can be found in almost every creek; baitfish have been found in the irrigation ponds, other ponds in the area, and along creeks; suckers have also been found on the site; Thunder Lake is clear and spring water fed, and flows into Wabigoon Lake. The water flows through the water bodies in the region in a counterclockwise direction; spawning areas in Thunder Creek and Nugget Creek (walleye), Blackwater Creek (sucker), and along the shoreline of Wabigoon Lake (northern pike); and Blackwater Creek has one main bed that branches off into at least 10 other creeks, then into bogs. <p>Identified baseline conditions are not adequately described in the EIS. More detailed mapping of potentially affected habitat is needed, including a scaled figure delineating the potentially affected watershed. The EIS is missing fishing areas in Wabigoon Lake and within the project area. Requested that mitigation measures for prevention of contamination of water bodies and impacts on fish and fish habitat be described.</p>	FH(1)-06 FH(1)-10
AC(1)-05	Eagle Lake First Nation	Asked questions about what impacts to fish in Wabigoon and Thunder Lake will be. Concerned about the relocation of fish from waterbodies within the project area.	FH(1)-13 FH(1)-17 FH(1)-19
AC(1)-06	Wabauskang First Nation	Concerns with adequacy of potential impacts and mitigation measures to fish and fish habitat identified by the proponent.	FH(1)-06
AC(1)-07	Wabigoon Lake Ojibway Nation	Identified potential water quantity impacts to Lola Lake wetlands from the Project. The wetlands drain down into irrigation ponds on Treasury Metals Inc. (TMI) property that will supply water for the Project. Asked for clarification if TMI will also use the irrigation pond in the north of the site as a water source.	GW(1)-21
AC(1)-08	Wabigoon Lake Ojibway Nation	Identified beavers frequently dam Blackwater Creek, and asked how TMI will manage the issue of flow restriction due to beaver ponds located along the creek (i.e., how will beavers be managed).	EE(1)-07
AC(1)-09	Wabigoon Lake Ojibway Nation	Identified that water from water processing plant may not be safe for fish. Asked how water will be re-mineralized after the reverse osmosis treatment process to support aquatic life.	SW(1)-18
Migratory Birds			
AC(1)-10	Eagle Lake First Nation Wabigoon Lake Ojibway Nation Naotkamegwanning First Nation	<p>Shared information about baseline migratory bird and bird habitat conditions, including:</p> <ul style="list-style-type: none"> owls (barn and long horn), wild turkeys and robins observed in the project area; project area is a fly through area for migratory birds that may be impacted by the Project; migratory bird nesting area located to the north of the site; and blueberry areas attract robins and other birds. 	EA(1)-01
AC(1)-11	Naotkamegwanning First Nation Wabigoon Lake Ojibway Nation	It is impossible to monitor the movement of birds and material. Raised concern that if birds access tailings it will be difficult to monitor effects.	WL(1)-05
Human Health and Socio-economic Conditions			
AC(1)-12	Eagle Lake First Nation**	<p>Comments and questions about potential human health effects from air quality impacts from the Project, including:</p> <ul style="list-style-type: none"> what will be in air emissions from the site, including smoke; will toxins, including fungus (e.g., <i>blastomycosis dermatitis</i>), be released into the air as soil and rocks are extracted from the open pit; concerns about increased lung disorders and cancer rates; and what will be done to mitigate impacts and protect air quality for current and future generations. 	AE(1)-01 AE(1)-08
AC(1)-13	Wabigoon Lake Ojibway Nation	Concerned about close proximity of mine to residents, including community members. Community member owns private lands adjacent to open pit and waste rock. Asked if there are exceptions to the provincial air quality requirements that would allow exceedances that could affect nearby residents. Identified potential winter dust impacts on nearby residents, and asked how impacts will be mitigated, particularly with northwest wind in the Village of Wabigoon.	HE(1)-36 AE(1)-13
AC(1)-14	Wabigoon Lake Ojibway Nation Aboriginal People of Wabigoon	<p>Provided comments about potential effects to groundwater quantity and the information presented in the EIS:</p> <ul style="list-style-type: none"> concerns with data in the EIS, including gaps in seasonal flow measurements in Thunder Creek; ground and surface water interactions in Blackwater Creek, may result in contamination of groundwater from effluent discharge; Identified private and artesian wells located in the vicinity of the Project that are not identified in the EIS. Asked how TMI will manage additional water if artesian wells are hit during drilling, as pit will overflow if water is not managed Asked if TMI can identify the depth at which the artesian wells flow; Shared that community member's artesian well runs at 55g/min. The water comes out at 47 degrees. 	GW(1)-03 GW(1)-15 SW(1)-09
AC(1)-15	Eagle Lake First Nation Wabigoon Lake Ojibway Nation	<p>Identified concerns about potential impacts to water level in local wells and the information provided in the EIS:</p> <ul style="list-style-type: none"> water table is high near Wabigoon, and therefore have concerns about watershed impacts to community and to nearby lakes due to dewatering of the open pit; mitigation measures for impacts to wells are not adequate; asked how community members will get their water back if wells are drained by the Project during operation or post-closure period; and asked if TMI has dug new wells on site and if they have been monitoring the wells. 	GW(1)-15
AC(1)-16	Eagle Lake First Nation	Asked how the water will be treated and discharged, the amount of cyanide that will be used, the contaminants and transportation methods for cyanide.	SW(1)-23

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AC(1)-17	Eagle Lake First Nation Wabigoon Lake Ojibway Nation	EIS shows there will be mercury in the seepage and discharge from the mine. Concerns about mercury contamination and potential impacts to Grassy Narrows First Nation.	SW(1)-22
AC(1)-18	Eagle Lake First Nation Wabigoon Lake Ojibway Nation	Identified concerns that lakes and wells will be contaminated, and asked questions about how tailings and water will be managed at the site, including: <ul style="list-style-type: none"> Limited consideration of groundwater flow in TSF design; What will the tailings storage facility be lined with; How long the water will be retained in the tailings storage facility; The amount of water that will be used at the mine site; The amount of discharge into the tailings storage facility; and The source(s) of the water supply. Can water quality be guaranteed following closure of the mine? Identify the measures to be taken to control water quality impacts to the local watersheds.	SW(1)-26
AC(1)-19	Wabigoon Lake Ojibway Nation Eagle Lake First Nation	Concerns of acid generating potential and over flow of pit during closure. No detailed analysis of open pit water contamination, overflow potential and containment of potential acid generating material. Impacts to groundwater and contamination are a concern.	FH(1)-13 SW(1)-17
AC(1)-20	Eagle Lake First Nation	Describe the protocols to be followed to secure and verify proper sampling, analysis, and reporting are done. Indicate any opportunities to involve First Nations as monitors in the monitoring program as well as clarify who will be responsible for monitoring tailing ponds for the next 100 years.	EA(1)-06 HE(1)-46
AC(1)-21	Eagle Lake First Nation Wabigoon Lake Ojibway Nation	Potential contamination of food sources (e.g., fish, moose, deer, wild rice, rabbit) from effluent discharge.	HE(1)-01 HE(1)-05
AC(1)-22	Wabigoon Lake Ojibway Nation	Identified potential impacts to community economic conditions including: <ul style="list-style-type: none"> Potential impacts to tourism, including businesses offering temporary accommodation, guiding, fishing, and hunting outposts. Some local businesses are owned by community members, and many community members guide for hunting and fishing; Potential impacts to wild rice. Identified wild rice is important for community economic development and that wild rice grows in Thunder Creek and Blackwater Creek; Potential impacts to chanterelles. Chanterelles are located throughout the area and have high economic value. Also asked TMI to describe the socio-economic benefits to the community from the Project.	HE(1)-33 HE(1)-35
AC(1)-23	Naotkamegwanning First Nation	Identified potential impacts to water quality, and perception of contamination may affect sales from commercial fishing licenses in Thunder Lake, Butler Lake, Wabigoon Lake and other lakes in the area (approximately 23 licenses in total). The economic development from these fisheries is important to the community.	HE(1)-33 HE(1)-35
AC(1)-24	Eagle Lake First Nation	Identified that Lola Lake is in close proximity to the Project and asked how the park may be impacted.	AA(1)-08, HE(1)-35 HE(1)-45 FH(1)-11 WL(1)-03 GW(1)-21 SW(1)-25
AC(1)-25	Wabigoon Lake Ojibway Nation	Identified that Butler Park (across Wabigoon Lake) is nearby and asked if potential impacts to the park had been evaluated.	HE(1)-35 HE(1)-45
AC(1)-26	Wabigoon Lake Ojibway Nation	Identified concerns regarding the scope of the effects assessment for potential effects to Aboriginal peoples is limited to arrowheads, subsistence land uses, and impacts on reserve only. Population of Village of Wabigoon is 75% Aboriginal peoples.	HE(1)-33
Physical and Cultural Heritage, and Structures, Sites, or Things of Archaeological, Architectural, Historical or Paleontological Significance			
AC(1)-27	Naotkamegwanning First Nation	Identified sacred aspects of the environment in the Project area, including turtles, frogs, rocks and boulders, and that there are sacred sites south of Wabigoon. The community has a strong connection to the land, and the community cannot relocate if there are impacts from the Project to the environment.	HE(1)-47
AC(1)-28	Wabigoon Lake Ojibway Nation	Identified sites of physical and cultural heritage value that may be affected by the Project, and provided comments on the assessment provided in the EIS: <ul style="list-style-type: none"> assessment should consider both reserve and non-reserve lands and not focus solely on archaeological artifacts and sites; Thunder Lake was used as a traditional canoe route to Rice Lake. Elders camped throughout on the sandy beaches. Travel routes identified from Wabigoon to Thunder Lake to Ghost Lake to Rice Lake to gather wild rice; ceremonial sites in the area are not identified in the EIS, including stone circles found on residential properties around the project site; view of Thunder Lake has cultural importance to the elders; Wabigoon Lake is the biggest wild rice area in Canada and is used as a spiritual and teaching area; and Spiritual values should be considered its own human environment component - just as important to elders as water. 	HE(1)-47
AC(1)-29	Wabigoon Lake Ojibway Nation	Identified potential archaeological sites in the vicinity of the Project, and provided comments on the assessment provided in the EIS: <ul style="list-style-type: none"> archaeological sites in Thunder Lake and Wabigoon Lake could be underwater. Spring fed ponds has been identified near ceremonial sites on community member's property which is in close proximity to the site; inaccuracies/contradictions in archaeology section of EIS. Thunder Lake is identified as historical hunting/fishing area, but the EIS then states that First Nations were never in the area; EIS also identifies no cultural resources were found in Aaron Park – this is inaccurate; 	HE(1)-47 HE(1)-48

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		<ul style="list-style-type: none"> Two grave sites in project site. Letters were written to TMI identifying sites in 2008; Concern about how archaeological resources will be managed. Elders say archeological sites and objects should stay where they are; and Burial ground and fishing camp have been identified on Christie Island. 	
Current Use of Lands and Resources			
AC(1)-30	Wabigoon Lake Ojibway Nation	Treaty 3 is quoted and interpreted in EIS Appendix DD section 2.1. Treaty interpretation should not be part of EIS.	HE(1)-38
AC(1)-31	Eagle Lake First Nation	The Great Earth Law is very important. Connections between every aspect of the environment must be recognized. Describe what will be done to mitigate impacts and protect the environment for current and future generations and wildlife. Anishawbe people want to protect environment, especially water, for future generations. The preservation of land is a key concern over economic benefits of the Project.	HE(1)-43
AC(1)-32	Eagle Lake First Nation Wabigoon Lake Ojibway Nation Naotkamegwaning First Nation	Shared information about wildlife baseline conditions: <ul style="list-style-type: none"> characterized soils as sandy northeast of Thunder Lake, including the proposed location for the tailings storage facility; blueberries grow in sand areas and are known to move, the entire area should be identified as blueberry habitat; denning habitat for fox in the area of the proposed tailings storage facility; project area includes bear denning habitat. Dens have been identified along first gate to the tree nursery, property line to tree nursery, and the proposed tailings storage facility location; and moose population near Blackwater Creek and up the site. 	HE(1)-45
AC(1)-33	Eagle Lake First Nation Wabigoon Lake Ojibway Nation	Identified potential impacts to wildlife in the area and asked how impacts would be mitigated, including impacts to: <ul style="list-style-type: none"> moose and moose habitat; furbearers (e.g., beaver and muskrat); water animals; and other wildlife (i.e. chipmunks, mice, and squirrels). Identified that wildlife have large ranges so impacts will not be confined to project site, in particular if wildlife is exposed to tailings. Asked if the pit and tailings storage facility will be fenced in to prevent access by animals.	EA(1)-02 EA(1)-08 AE(1)-30 WL(1)-05 HE(1)-45
AC(1)-34	Wabigoon Lake Ojibway Nation	Historically, and while the tree nursery was in operation, the community used to have open access to the site for land use. During the tree nursery operation access to hunting trails and the rest of the site was available 5 days a week. Identified community members' access to lands and resources has been affected by the Project in recent years, and also identified additional impacts that may occur, including: <ul style="list-style-type: none"> hunting trails and roads throughout the project area (currently not included in the EIS); Project may restrict access to Thunder Lake and areas north of the proposed tailings storage facility; plant harvesting, including blueberries, stump mushrooms, chanterelles, medicinal plants and other berries. Low bush cranberries, snowbush berry, Labrador Tea, low bush hemlock/ ground hemlock are known medicines in the area. peat resources in the area are used by the community; baitfishing; hunting; cutting wood for subsistence and economic purposes; and trapping (Aboriginal community members from Eagle Lake First Nation and Wabigoon Lake Ojibway Nation hold the trapline licenses for the three trapline areas which are directly affected by the Project). 	HE(1)-45 HE(1)-44 HE(1)-43 HE(1)-38
AC(1)-35	Wabigoon Lake Ojibway Nation	Wabigoon Lake is the biggest wild rice area in Canada and is used as a spiritual and teaching area. Concerns about effluent flowing into Wabigoon Lake through Blackwater Creek. Wild rice is important to lifestyle and culture. Concerns about the impacts to health and quality of life due to taking away food source.	HE(1)-01 HE(1)-38 HE(1)-45 HE(1)-47
AC(1)-36	Eagle Lake First Nation	Elder identified he picks blueberries at the area where the tailings storage facility will be located. Identified Aboriginal land use in Wabigoon and Thunder Lakes includes fishing (two commercial licenses), as well as wild rice harvesting. The EIS does not include any information about impacts on Rice, Sandy, Gardner, Mud and Turtle Lake, which are also used by Aboriginal peoples.	HE(1)-35 HE(1)-45
AC(1)-37	Wabauskang First Nation	Identified gaps in understanding of current use of lands and resources for traditional purposes and the need for a traditional land use study. There is hunting in the area (e.g., moose, rabbit, and partridge). Concerns with adequacy of potential impacts and mitigation measures to Aboriginal peoples identified by the proponent.	HE(1)-38
AC(1)-38	Wabauskang First Nation Aboriginal People of Wabigoon	The proposed Project will infringe upon Aboriginal and Treaty Rights.	HE(1)-38 HE(1)-43
AC(1)-39	Aboriginal People of Wabigoon	Community's traditional trapping, fishing, hunting, berry and medicinal plant collecting, timber harvesting, and potential land claims are being impacted. Mitigation measures must be identified to protect or remunerate for potential damaging effects.	HE(1)-38 HE(1)-43
AC(1)-40	Grassy Narrows First Nation	Since time immemorial, we have occupied, used, and possessed land waters in the vicinity of the Project. Because this Project stands to impact our First Nation, our direct participation in the development and assessment of any mitigation measures, monitoring programs, or compensation plans is essential before this Project can be permitted to proceed.	AC(1)-01 HE(1)-38 HE(1)-43
AC(1)-41	Grand Council Treaty # 3 Grassy Narrows First Nation Eagle Lake First Nation	Identified the need for a traditional knowledge/ traditional land use study to understand potential impacts to community members. Request for funding for comprehensive traditional knowledge and land use studies in project area directed to groups/communities likely to be impacted by the Project.	EA(1)-01 Ac(1)-01 HE(1)-38

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	Métis Nation of Ontario Naotkamegwanning First Nation Wabigoon Lake Ojibway Nation Wabauskang First Nation		
AC(1)-42	Naotkamegwanning First Nation	Identified that the Dryden area is part of the community's traditional hunting (e.g., moose and deer), trapping and fishing area. The community holds traditional ecological knowledge for the area, but need elder approval to share this knowledge as part of the EA.	HE(1)-38 EA(1)-01
AC(1)-43	Eagle Lake First Nation Naotkamegwanning First Nation Wabigoon Lake Ojibway Nation	With respect to the decommissioning and abandonment phases of the project site, describe how the site will compare to pre-treaty conditions (i.e. state of pit), plans for abandoning site and possible land access and uses during the abandonment phase.	HE(1)-43
Accidents and Malfunctions			
AC(1)-44	Métis Nation of Ontario Eagle Lake First Nation Wabigoon Lake Ojibway Nation Naotkamegwanning First Nation	<p>Concerned about potential for tailings spill (like Mount Polley). Concerns that the tailing dam may be weak, and that there may be seepage into Wabigoon Lake. Request that TMI demonstrate that funds are being used to ensure the efficacy and safety of design, and describe the safeguards proposed to protect against a tailings breach, including justification that a twenty metre dam will be able to retain the volume of water.</p> <p>In the event of a spill, would communities will be compensated as individuals or as whole? Clarify if TMI's insurance covers accidents similar to Mount Polley. Describe the mitigation measures that will be put in place to reduce potential impacts on fish and fish habitat in the event of an accident. Outline the provisions to demonstrate there will be sufficient funds for an emergency and unanticipated clean up. Provide the contingency and response plans that will apply, including the evacuation plan details, such as:</p> <ul style="list-style-type: none"> • response times; • monitoring and impacts; • details on how the broader community will be informed; and • plans for transportation and the housing of people. • <p>Identified that the railway passage over Wabigoon Lake is very low and could easily be washed out if there was an influx of water.</p>	AM(1)-04
AC(1)-45	Eagle Lake First Nation	Clarify who runs the models of risk assessment.	
AC(1)-46	Eagle Lake First Nation	Describe the safeguards and the response plans in the event of water contamination during the transport and handling of cyanide.	AM(1)-01
Cumulative Effects			
AC(1)-47	Eagle Lake First Nation	Concerns about cumulative impacts to human health (i.e. cancer, asthma, lung disorder and stillborn babies). Examples include E.coli in Thunder Lake and increased cancer rates near the mill.	CE(1)-07
AC(1)-48	Wabigoon Lake Ojibway Nation	Identified that contaminants in sport fish (e.g., walleye) in Wabigoon Lake are high already. Concerned about cumulative effects to wildlife and people if additional contaminants are put into the watershed.	CE(1)-05
AC(1)-49	Wabigoon Lake Ojibway Nation	Potential cumulative effects on wildlife (moose), and the community from forestry and mining in the region. Moose populations have dropped because of forestry and mining.	CE(1)-02
Evaluation of Alternatives			
AC(1)-50	Eagle Lake First Nation	Concerns about location of waste rock site.	AA(1)-07
AC(1)-51	Wabigoon Lake Ojibway Nation	<p>Comments and questions about the design of the tailings storage facility, including:</p> <ul style="list-style-type: none"> • Clarify if the community is able to influence the engineering of the tailings storage facility. There is seepage with the proposed design. Identify if the tailings area can be lined; • Clarify if the tailing storage facility has to be on private land. Community member lives right next to tailings pond; and • Concerns about tailings storage and why dry stack storage is not considered. Feel that the choices being made are economically cheapest. 	AA(1)-01
AC(1)-52	Eagle Lake First Nation	Clarify if an open pit or a shaft is safer. State if the use of an open pit is favored by all.	
Effects of the Environment on Project			
AC(1)-53	Eagle Lake First Nation	Identify the impacts to the mine in the event of a tornado.	EE(1)-04
Project Description			
AC(1)-54	Wabigoon Lake Ojibway Nation	There are inconsistencies in distances describing the project location in the EIS.	
AC(1)-55	Wabigoon Lake Ojibway Nation	State the height of the tailings dam.	
AC(1)-56	Wabigoon Lake Ojibway Nation	State the capacity of the mill facility, minimum threshold per day and the depth of the underground pit.	
AC(1)-57	Eagle Lake First Nation	How much water will be used over time?	
AC(1)-58	Eagle Lake First Nation	Asked what safety standards are being met by the Project (i.e., ISO #?).	
Aboriginal Consultation			
AC(1)-60	Eagle Lake First Nation	Request opportunity to tour the project site.	
AC(1)-61	Grand Council Treaty # 3 Grassy Narrows First Nation	Request sufficient time to: (1) adequately review the Environmental Impact Statement; (2) complete traditional knowledge and traditional land use studies; and (3) determine how the Project will impact Aboriginal and Treaty rights to identify mitigation to these impacts.	EA(1)-01 AC(1)-01

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AC(1)-62	Grand Council Treaty # 3 Grassy Narrows First Nation Eagle Lake First Nation Métis Nation of Ontario Wabigoon Lake Ojibway Nation Wabauskang First Nation Naotkamegwanning First Nation	Concerns with level of consultation completed by proponent, including absence of consultation on the following topics: <ul style="list-style-type: none"> - valued components; - baseline studies; - traditional knowledge and traditional land use; - potential impacts to Aboriginal and Treaty rights; - potential environmental effects; - mitigation measures; and - monitoring program. 	AC(1)-01
AC(1)-63	Métis Nation of Ontario	Identified requirements of EIS Guidelines were not met, including deficiencies in the following areas: <ul style="list-style-type: none"> - early Aboriginal engagement to identify potential impacts to potential or established Aboriginal and Treaty rights and related interests; - opportunity for Aboriginal groups to participate in or influence the results of the baseline studies; - opportunity to review draft VCs, to comment on the VCs, or to contribute to the selection of VCs; - discussion of why specific VCs were included/excluded in the EIS; - Information on the establishment of assessment boundaries for each VC (spatial, temporal, technical and administrative); - Information on the scope of the assessment, including potential effects, measurable parameters and a significance threshold, traditional knowledge and traditional use information, and information on the influence of consultation on the assessment; - overall lack of Aboriginal traditional knowledge; - effects assessment methodology; including definition of temporal and spatial boundaries, description of analytical methods, assumptions and conservative approach; - sufficient description of potential effects, potential mitigation, characterization and determination of significance of residual effects of residual effects (not completed with scientific rigor), and details of confidence and risk; and - Outline of follow-up monitoring. <p>Sufficient information is needed to understand the entire project, potential impacts, mitigation measures, residual effects and significance conclusions. Cannot proceed with a collaborative consultation process until significant and systematic failings within the EIS are addressed. If this is not done, any future consultation will ultimately be meaningless and superficial because of the underlying deficiencies within the EIS.</p>	EA(1)-01 EA(1)-02 EA(1)-03 EA(1)-04 EA(1)-05 EA(1)-06 EA(1)-07 EA(1)-08 EA(1)-09 AC(1)-01
AC(1)-64	Eagle Lake First Nation	No current Traditional Environmental Knowledge incorporated in the report or within the valued components	EA(1)-01
AC(1)-65	Eagle Lake First Nation Grand Council Treaty # 3 Grassy Narrows First Nation Métis Nation of Ontario Naotkamegwanning First Nation Wabauskang First Nation Wabigoon Lake Ojibway Nation	Lack of funding from the proponent for technical review, consultation, collection of traditional knowledge and traditional land use information. Request funding for capacity and resources to complete traditional knowledge and land use studies and provide adequate technical review of EIS, including proposed mitigation measures.	
AC(1)-66	Grassy Narrows First Nation	An appropriate consultation process is required to enable our First Nation's participation and to provide: <ol style="list-style-type: none"> a) A fair opportunity analyze and examine the impacts associated with Treasury Metals' planned projects and activities; b) Real participation in the development of appropriate mitigation strategies; c) A respectful means of engaging in internal consultation with band members; d) Equitable terms that ensures First Nation support for the project and the sharing benefits and business opportunities; and e) A coordinated and on-going forum to ensure meaningful input the planned projects and activities that will impact our lands, waters, members, resources, and rights 	AC(1)-01
AC(1)-67	Eagle Lake First Nation	The community's concerns have yet to be fully addressed and at this point there is no consent for the project by the community.	AC(1)-01
AC(1)-68	Wabigoon Lake Ojibway Nation	Concerns identified regarding adequacy and documentation of proponent-led Aboriginal consultation. Identified that the community has not received responses to questions that have been asked. For example, asked TMI for clarification on impacts to water on March 28, 2013 and did not receive a response. Identified the need for cultural sensitivity training. Also identified consistency and factual errors throughout the EIS and are concerned the documents are leading people to believe the Project has been approved.	AC(1)-01 EA(1)-01
AC(1)-69	Grassy Narrows First Nation	Concerns regarding documentation of engagement in the EIS. Identified that there has been no engagement with the community to date, and that the assumptions in the EIS, including the generalizations and assumptions regarding rights, habitat and histories of Treaty 3 First Nations, lack foundation. Assertions in EIS that the project will only occupy 55 hectares of the 142,450 square kilometers of Treaty 3 lands are demonstrative of the lack of meaningful engagement with First Nations.	AC(1)-01 HE(1)-38 HE(1)-43
AC(1)-70	Eagle Lake First Nation Grand Council Treaty # 3	Identified that TMI should engage the Grand Council of Treaty 3 to identify potentially affected communities, as per the process defined in Manito Aki Inakonigaawin. The objectives of engagement under Manito Aki Inakonigaawin are to: <ol style="list-style-type: none"> 1. Understand potential effects of the Project on the environment in Treaty #3 territory; and 2. Understand potential effects of the Project on our treaty and aboriginal rights and interests; 	EA(1)-01

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		3. Determine whether the Anishinaabe Nation will provide its consent to the Project and, if so, the conditions of such authorization; and 4. If authorization is granted, to provide a basis for negotiating agreements between Treasury Metals and the Anishinaabe Nation to establish a mutually beneficial relationship.	
AC(1)-71	Wabauskang First Nation	Consultation and Accommodation Protocol has been provided to the proponent, and should be followed. Do not have the capacity to engage with the proponent nor has there been any agreement on an engagement process. The proposed Project will infringe upon Aboriginal and Treaty rights.	EA(1)-01 AC(1)-01
Other Comments			
AC(1)-72	Eagle Lake First Nation	Why are the First Nations not involved in the Mining Act development process?	
AC(1)-73	Eagle Lake First Nation Wabigoon Lake Ojibway Nation	No detailed closure plan available for review or any financial assurance for perpetual care of the site. Provide draft closure plan to communities for review before the final is submitted to the Ministry of Northern Development and Mines.	
AC(1)-74	Eagle Lake First Nation Wabigoon Lake Ojibway Nation	Concerns about funding for rehabilitation and mine closure such as clean-up costs/rehabilitation costs. What happens to the area after the mine ceases to operate is important to the community. The following concerns need to be addressed: <ul style="list-style-type: none"> • clarify if clean-up costs are calculated at today's prices; • identify what will happen when funds run out; and • Identify impacts to community after mine closure. 	
AC(1)-75	Eagle Lake First Nation	Improvements to MMER regulations are proposed. What will be done to meet these new regulations in two years?	
AC(1)-76	Wabigoon Lake Ojibway Nation	TMI drained beaver ponds when drilling and blasting.	
AC(1)-77	Wabigoon Lake Ojibway Nation	Heard from a worker that a ceremonial site was found on the site and disturbed by TMI.	
AC(1)-78	Eagle Lake First Nation Wabigoon Lake Ojibway Nation	Weak financial profile of the company at 38 cents a share (TSX), market capitalization of 29 million and less than 145 million net profit is expected. There are concerns with economics of the Project. Revenue proposed by the Project (\$144 Million) would not cover a disaster.	
AC(1)-79	Eagle Lake First Nation Wabigoon Lake Ojibway Nation	Concerns about cover-ups to make financial gains. Worried about honesty of company.	
AC(1)-80	Wabigoon Lake Ojibway Nation	Identified a potential conflict of interest as the VP of TMI is also a councillor for the City of Dryden. The City of Dryden and MNRF jointly manage Arron Park, which may be affected by the Project.	
AC(1)-81	Wabigoon Lake Ojibway Nation	Does the proponent plan to expand the project (i.e., expand the pit physically, or increase ore production) or accept ore from other mines for processing at the mill?	

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IR 1 Reference #	MNO #	EIS Guidelines	EA Section or other technical document	Comment	Link to Annex A1
AC(1)-82	1, 47		Environmental Impact Statement Executive Summary Section 2.0 Participants in Environmental Assessment Section 9.0 Aboriginal Engagement Section 9.1 Potential Effects on Water Resources, Water Quality and Water Bodies 9.2 Effects on Fishing 9.3 Potential Effects on Hunting and Trapping EIS, Section 2.2.1.2 Alternatives Assessment Approach	The executive summary does not include a disaggregated listing of participants in the environmental assessment. Section 9.0, 9.1, 9.2, 9.3 of the EIS Summary outlines information in an aggregated format. MNO requires disaggregated information in order to adequately assess whether MNO involvement was adequate. Section 2.2.1.2 (EIS) states that “The alternatives assessment was accomplished with consideration of any comments received to date from Aboriginal communities...” Please provide specific detail on the type of comment received from MNO in relation to the alternatives assessment. Further, please provide the information in a disaggregated format to allow for proper consideration of each Aboriginal communities specific issues and concerns. CEAA has previously requested proponents provide disaggregated information for consideration. Specifically, as part of the correspondence in reference to the Pacific NorthWest LNG Ltd. Assessment (Reference Number 80032) CEAA specified that “Without the benefit of disaggregating by each Aboriginal group, for each factor considered under 5(1)(c), including related baseline information, it is difficult for the Agency to determine if enough detail exists to effectively assess the potential for significant adverse environmental effect that could potentially impact Aboriginal peoples. In other words, the conclusions regarding impacts on 5(1)(c) and Aboriginal rights contained in the EIS cannot be confidently relied upon without the benefit of a thorough understanding of the information used to support the conclusion.” Without a disaggregation of information, MNO cannot accurately identify information from MNO, if any; accurately review the conclusions of the report; and review any potential mitigation.	AC(1)-01
AC(1)-83	2		Environmental Impact Statement Executive Summary 2.1.5 Aboriginal Groups	MNO requires additional information on the “Direction from the Provincial Crown (Ministry of Northern Development and Mines)” that was provided to identify the Aboriginal Groups engaged. MNO requires information on the level of consultation recommended by the Crown for a Class EA as well as any other specific direction provided by the Ministry of Northern Development and Mines. MNO understands that the Project is not subject to a provincial environmental assessment and is instead subject to a Class EA.	
AC(1)-84	3		Environmental Impact Statement Executive Summary 4.1.4 Railway	MNO requires additional detail on the potential socio-economic effects of using the Dryden rail facility for material arriving by rail.	
AC(1)-85	4		Environmental Impact Statement Executive Summary 4.2.2 Surface and Mine Water Management	MNO requires additional detail on the beaver dams within the Project footprint which will be removed during dewatering activities. Beaver is an important species to MNO that is traditionally hunted and commercially trapped. The executive summary does not contain enough information on the removal of the dams as currently written.	EE(1)-07
AC(1)-86	5		Environmental Impact Statement Executive Summary 4.5.2 Pipelines	MNO requires additional detail related to the proposed natural gas pipeline that is currently being discussed, including the type of regulatory application that will be required and level of consultation undertaken.	
AC(1)-87	6		Environmental Impact Statement Executive Summary 4.13.3 Stockpiles	MNO requires additional information on the specific progressive rehabilitation that is proposed for the mine rock and overburden piles.	WL(1)-06
AC(1)-88	7		Environmental Impact Statement Executive Summary 4.13.8 Roads, Pipelines and Power Distribution	The statement that “[l]ocal vegetation will be transplanted at selected sites if practical” is largely permissive. Suggest rewording to “local vegetation will be transplanted on roads, pipeline and power distribution sites.”	HE(1)-43 AC(1)-01
AC(1)-89	8	11.2 Measures to address impacts on Aboriginal Rights <i>“This section will describe the measures</i>	Environmental Impact Statement Executive Summary	MNO was not involved in the development of in-design mitigation features, to date. MNO requires consultation on the developed in-design mitigation and involvement in further mitigation that is proposed to be incorporated	AC(1)-01

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IR 1 Reference #	MNO #	EIS Guidelines	EA Section or other technical document	Comment	Link to Annex A1
		<i>identified to mitigate the potential adverse impacts of the project described in section 10.2 on the potential or established Aboriginal and Treaty rights and related interests identified in section 9.2. These measures will be written as specific commitments that clearly describe how the proponent.”</i>	4.14 In-Design Mitigation	into the design of the Project.	
AC(1)-90	9		Environmental Impact Statement Executive Summary 4.14.1 Private Land Use	The application specifies that “The project as currently designed is 71% held in these land parcels. This limits encroachment on crown land parcels and mitigates loss of traditional treaty lands.” Please provide specific detail on the assessment and subsequent process for identification of mitigation related to the use of private land in mitigating the loss of traditional lands. MNO requires more specific information related to the assessment of potential effect related to the encroachment on crown land and the subsequent steps in developing the mitigation referenced.	HE(1)-38 HE(1)-43
AC(1)-91	10	<i>11.2 Measures to address impacts on Aboriginal Rights “This section will describe the measures identified to mitigate the potential adverse impacts of the project described in section 10.2 on the potential or established Aboriginal and Treaty rights and related interests identified in section 9.2. These measures will be written as specific commitments that clearly describe how the proponent.”</i>	Environmental Impact Statement Executive Summary 4.14.3 Air Quality and Noise Mitigation	MNO was not involved in the development of air quality and noise mitigation as outlined in the executive summary. Therefore the suggested mitigation cannot be expected to address the potential adverse impacts of the Project on MNOs established Aboriginal rights and related interest.	HE(1)-43 AC(1)-01
AC(1)-92	11		Environmental Impact Statement Executive Summary 5.2.1 Site Preparation Phase, 5.2.2 Construction Phase	MNO requires consultation on the establishment and implementation of environmental protection and monitoring plans referenced in these sections.	
AC(1)-93	12		Environmental Impact Statement Executive Summary 5.2.4 Closure and Post Closure Phase	MNO requires consultation on any developed closure plan prior to the filing of such a plan with the regulator.	
AC(1)-94	13	<i>9.1.2 Biophysical Environment “The EIS will describe the following: ... Existing ambient light levels at the project site and at any other areas where project activities could have an effect on light levels. The EIS will describe night-time illumination levels during different weather conditions and seasons.”</i>	Environmental Impact Statement Executive Summary 6.0 Description of the Environment	This section does not include a description of the existing ambient light levels at the project site or night-time illumination levels during different weather conditions and seasons.	AE(1)-17
AC(1)-95	14		Environmental Impact Statement Executive Summary 6.0 Description of the Environment	Section is largely inconsistent with the reporting of effects and mitigation appearing for some components of the environment while not being described at all for others. MNO suggests rewriting this entire section to have a consistent template and flow.	
AC(1)-96	15	<i>9.1.2 Biophysical Environment “The EIS will describe the following: ... ambient</i>	Environmental Impact Statement Executive Summary	While the use of the Ministry of the Environment and Climate Change stations near Thunder Bay provides a conservative analysis of future background conditions, it does not provide the necessary information on the current baseline conditions of the Project study area.	AE(1)-01

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		<i>air quality in the project areas...</i>	6.2 Air Quality, Noise, and Vibration	MNO requires additional information is collected on the current baseline conditions for air quality.	
AC(1)-97	16	9.2 Potential or established Aboriginal and Treaty rights and Related Interests <i>“At minimum, the EIS will summarize available information on the potential or established Aboriginal and Treaty rights and related interests of the named Aboriginal groups that have potential to be adversely impacted by the project.”</i>	Environmental Impact Statement Executive Summary 6.2 Air Quality, Noise, and Vibration	MNO has not completed a Traditional Land Use Study to date nor has Treasury engaged MNO in consultation related to this topic. Therefore, the referenced receptors for vibration levels cannot include information from MNO and is likely deficient.	HE(1)-38 AC(1)-01
AC(1)-98	17	11.1.1 Methodology <i>“The EIS will then describe mitigation measures that are specific to each environmental effect identified in section 10.1. Measures will be written as specific commitments that clearly describe how the proponent intends to implement them.”</i>	Environmental Impact Statement Executive Summary 6.4 Geochemistry	The statement that “Mitigation strategies will likely be required to manage mine rock and tailing and to prevent acidic drainage and negative effects on downstream water quality at the site post closure and potentially during operations” does not provide sufficient detail. MNO requires mitigation strategies be developed and proposed as part of the application development process in order to allow for rigorous review of the same.	MW(1)-07 MW(1)-14
AC(1)-99	18		Environmental Impact Statement Executive Summary	The statement “The closest water wells outside of the company’s property are those on Thunder Lake, approximately 1.5 km from the proposed pit. Otherwise, there are no wells within 2 km of the proposed pit...” does not make sense. There are, in fact, wells within 1.5 km of the proposed pit. The fact that there are no other wells within 2 km is irrelevant. Please clarify the statement.	
AC(1)-100	19	9.1.2 Biophysical Environment <i>“The species selected within each biotic VC should include those of importance to ... the current use of land and resources for traditional purposes by Aboriginal persons.”</i>	Environmental Impact Statement Executive Summary 6.7 Vegetation	MNO has not completed a Traditional Land Use Study to date nor has Treasury engaged MNO in consultation related to this topic. Therefore, of the 270 species identified in the LSA during the course of field survey activities, none can be confirmed to be used by MNO in the current use of lands and resources for traditional purposes by MNO. MNO requires Treasury to consult with MNO on critical species used by MNO in the exercise of their Aboriginal rights both in advance of and through the execution of a TLUS.	HE(1)-38 AC(1)-01
AC(1)-101	20	9.1.2 Biophysical Environment <i>“The species selected within each biotic VC should include those of importance to ... the current use of land and resources for traditional purposes by Aboriginal persons.”</i>	Environmental Impact Statement Executive Summary 6.8 Wildlife	MNO has not completed a Traditional Land Use Study to date nor has Treasury engaged MNO in consultation related to this topic. Therefore, of the species identified in the LSA during the course of field survey activities, none can be confirmed to be used by MNO in the current use of lands and resources for traditional purposes by MNO. MNO requires Treasury to consult with MNO on critical species used by MNO in the exercise of their Aboriginal rights both in advance of and through the execution of a TLUS.	HE(1)-38 AC(1)-01
AC(1)-102	21	9.1.2 Biophysical Environment <i>“The species selected within each biotic VC should include those of importance to ... the current use of land and resources for traditional purposes by Aboriginal persons.”</i>	Environmental Impact Statement Executive Summary 6.9 Aquatic Biology	MNO has not completed a Traditional Land Use Study to date nor has Treasury engaged MNO in consultation related to this topic. Therefore, of the thirty-six species identified during a review of historical records and thirty-one identified in the LSA during the course of field survey activities, none can be confirmed to be used by MNO in the current use of lands and resources for traditional purposes by MNO. MNO requires Treasury to consult with MNO on critical species used by MNO in the exercise of their Aboriginal rights both in advance of and through the execution of a TLUS.	HE(1)-38 AC(1)-01
AC(1)-103	22	2.3 Aboriginal consultation <i>“The proponent will make reasonable efforts to integrate “traditional Aboriginal knowledge” that will contribute to the assessment of environmental impacts”</i>	Environmental Impact Statement Executive Summary 6.10 Land and Resource Use, Traditional Knowledge and Land Use	The statement in this section that states “Traditional land uses, and traditional knowledge related to the Project area from ... Métis Nation of Ontario has not been received” does not provide sufficient detail of the ongoing process to complete the referenced study. Further, the description of traditional food uses, hunting practices, and fish species traditional use is deficient as MNO information has yet to be collected and incorporated into the EIS.	HE(1)-38 AC(1)-01
AC(1)-104	23	8.0 Alternative Means of Carrying out the Project	Environmental Impact Statement Executive Summary	This section of the executive summary contains no detail related to the potential effects of each alternative means on potential or established Aboriginal rights and related interests.	AA(1)-02

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IR 1 Reference #	MNO #	EIS Guidelines	EA Section or other technical document	Comment	Link to Annex A1
		<i>“The proponent will complete the following procedural steps for addressing alternative means: ... Identify the effects of each alternative means. – The effects referred to above include both environmental and potential adverse impacts on potential or established Aboriginal and Treaty rights and related interests.”</i>	7.2 Project Alternative	Please update to include.	
AC(1)-105	24	9.1.3 Human Environment <i>“In describing the socio-economic environment, the proponent will provide information on the functioning and health of the socio-economic environment, encompassing a broad range of matters that affect communities and Aboriginal peoples...”</i>	Environmental Impact Statement Executive Summary 6.14 Socio-economics	This section of the executive summary contains no reference to matters that affect the MNO as part of the socio-economic assessment. Please update the section to include matters of importance to the MNO.	HE(1)-33
AC(1)-106	25	10.1.3 Effects of changes to the environment <i>“The EIS will describe the effects of any changes the project may cause to the environment, with respect to Aboriginal peoples, on health and socio-economic conditions, physical and cultural heritage, the current use of lands and resources for traditional purposes, or any structure, site or thing that is of historical, archaeological, paleontological or architectural significance.”</i>	Environmental Impact Statement Executive Summary 9.0 Aboriginal Engagement	The EIS states that “The goal of consultation for the Project is to provide Aboriginal communities with information and gather their feedback about: ... anticipated environmental effects and management strategies... ” This approach is wholly inappropriate. MNO is not responsible for the identification of anticipated environmental effects or management strategies. Instead, MNO can assist Treasury through the collection of necessary baseline information (namely the TLUS) and can collaboratively work with Treasury to identify impacts.	AC(1)-01
AC(1)-107	27		Environmental Impact Statement Executive Summary 9.1 Potential Effects on Water Resources, Water Quality and Water Bodies	MNO requires specific detail on whether fisheries offset plans are required for the loss of fish habitat within the area within adjacent lakes, or streams in order to maintain fish populations. Should a fisheries offset plan be required, MNO further requires consultation on the offset plan prior to submission of the plan to the regulator.	FH(1)-06
AC(1)-108	31		Environmental Impact Statement Executive Summary 9.3 Potential Effects on Hunting and Trapping	The EIS states that “...no issues relating to hunting, fishing or gathering have been identified that are specific to the Project area.” MNO objects to the characterization as MNO has identified their Aboriginal rights in the project vicinity on numerous occasions and has requested capacity to document information related to these rights, to no avail. Treasury has willfully and knowingly proceeded with its project development without the collection of MNO TLUS and has proceeded with the Project application without fulsome consultation with the MNO.	HE(1)-38 AC(1)-01
AC(1)-109	32	7.2.1 Spatial Boundaries <i>“Spatial boundaries will be defined taking into account as applicable the appropriate scale and spatial extent of potential environmental effects, community and Aboriginal traditional knowledge, current land and resource use by Aboriginal groups, ecological, technical and social and cultural considerations.”</i>	Environmental Impact Statement Executive Summary 9.3 Potential Effects on Hunting and Trapping	While much of the Project is located on private land, this does not, in and of itself, reduce the impact to hunting. The Project effects extend beyond the Project footprint to a Local and Regional Study area which must be assessed and considered.	HE(1)-38 HE(1)-44
AC(1)-110	33		Environmental Impact Statement Executive Summary	Additional detail is required to support the claim that “Trapping on Crown lands in the vicinity of the Project site will not be altered as a result of the development of the Goliath Gold Mine.”	HE(1)-38 HE(1)-43

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			9.3 Potential Effects on Hunting and Trapping	What assessment was undertaken to reach this conclusion? What information from MNO was used in the determination?	
AC(1)-111	34, 128		Environmental Impact Statement Executive Summary 9.4 Gathering Plants and Berries Environmental Impact Statement 5.11.5.1 Vegetation	The determination that "...although the gathering of plants and berries may be ongoing from year to year, the specific area where gathering may take place can change within a very short time." Is wholly inappropriate. Firstly, this determination was made without sufficient credible information from the MNO. It is also a generalization that lacks credible back-up or foundation in fact. Indeed, while berry patches can change from time to time. There are often established areas for gathering which reoccur from year to year which has not been considered or identified by Treasury.	HE(1)-45 HE(1)-38 HE(1)-43
AC(1)-112	35		Environmental Impact Statement Executive Summary 9.4 Gathering Plants and Berries	The EIS states that "Blueberries are one type of berry known to be of interest to First Nations and other Aboriginal people. No specific areas associated with the Project have been identified as areas from which blueberries have been gathered." This is inappropriate . Blueberries, while potentially representative of some berry types, cannot be used as a substitute for all berry types within the vicinity of the Project. MNO gathers many varieties of berries and their exclusion from consideration in the assessment highlights the deficiency of the report.	HE(1)-38
AC(1)-113	36		Environmental Impact Statement Executive Summary 9.4 Gathering Plants and Berries	It is interesting to note that while blueberries may change locales "within a very short time" they are specifically located within the Dryden Forest, of which the proponent suggests as an alternative locale for berry gathering very close to the Project.	HE(1)-43
AC(1)-114	37		Environmental Impact Statement Executive Summary 9.5 Flooding and Weather Related Disasters	The EIS states that "Treasury does not have the expertise to comment on the causes of climate change and weather patterns." However, it is Treasury's responsibility to procure the necessary expertise to address all issues and concerns raised as part of the EIS application process. Not having the expertise does not remove the issue.	EE(1)-06
AC(1)-115	38		Environmental Impact Statement Executive Summary 9.6 Cumulative Loss of Section 35 Harvesting Rights	This section is largely cursory and does not delve into the specific aspects of section 35 rights. Aboriginal rights are varied and include a holistic approach to the environment which must be considered. Relating these rights only to the small amount of land impacted in the vicinity of the Project shows an impoverished view of these rights and minimizes them.	CE(1)-07
AC(1)-116	39		Environmental Impact Statement Executive Summary 9.7 Access Restrictions	As MNO has not completed a TLUS, the scope and extent of their trails and travelways cannot be quantified in the Project area. This section does not consider this or make provisions for the potential information. Overreaching	HE(1)-38
AC(1)-117	40		Environmental Impact Statement Executive Summary 9.10 Mine Closure	MNO requires involvement in the development and implementation of any Project closure plan developed by Treasury.	
AC(1)-117b	41		Environmental Impact Statement Executive Summary 9.12 Potential Effects on Noise Quality, Air Quality, and Light Quality	While this section references high level information on noise and air quality, it totally ignores light quality. Please provide a summary of the concerns raised by Aboriginal groups, information on the potential impacts and proposed mitigation for light quality. Further, information should be provided on the summary of concerns raised by Aboriginal groups related to air quality and noise as well.	AE(1)-16 AC(1)-01
AC(1)-118	42		Environmental Impact Statement Executive Summary 9.13 Visual Aesthetics	This section is largely cursory and does not provide the necessary detail to understand the Aboriginal concerns related to visual aesthetics, the potential project impacts or information on mitigation.	HE(1)-36 HE(1)-47

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AC(1)-119	43		Environmental Impact Statement Executive Summary 10.0 Human Health and Ecological Risk Assessment	The species listed as part of the SLRA were not consulted on with MNO and cannot be verified as species of importance to MNO. MNO requires consultation on the species included in the SLRA to ensure they capture a representative sample of species harvested by MNO in the exercise of their rights.	AC(1)-01 HE(1)-45
AC(1)-120	44	<i>7.1.1 Valued Components</i> <i>“Valued Components (VCs) refer to attributes associated with the project that have been identified to be of concern by the proponent, government agencies, Aboriginal peoples and/or the public.”</i>	Environmental Impact Statement Executive Summary 12.1 Effects Assessment Process	The definition given for Valued Components in this section differs from the definition provided in the EIS Guidelines. Specifically, it does not mention Aboriginal peoples, which is of concern to MNO.	
AC(1)-121	45		Environmental Impact Statement Executive Summary 12.2.2.5 Aboriginal Peoples	This section is largely cursory and does not contain the necessary detail to evaluate the application. Specifically, this section contains no information on potential effects or mitigation.	HE(1)-43
AC(1)-122	46	<i>8.0 Alternative Means of Carrying out the Project</i> <i>“The proponent will complete the following procedural steps for addressing alternative means: ... Identify the effects of each alternative means. – The effects referred to above include both environmental and potential adverse impacts on potential or established Aboriginal and Treaty rights and related interests.”</i>	Environmental Impact Statement 2.0 Assessment of Alternatives	The proponent has not completed an identification of effects for each alternative means which takes into account potential or established Aboriginal and treaty rights. This shows the lack of consideration given to Aboriginal interests in the EIS and lack of information provided on this topic.	AA(1)-02 AC(1)-01
AC(1)-123	48,49,50,51,53,54,56,57,59	<i>8.0 Alternative Means of Carrying out the Project</i> <i>“The proponent will complete the following procedural steps for addressing alternative means: ... Identify the effects of each alternative means. – The effects referred to above include both environmental and potential adverse impacts on potential or established Aboriginal and Treaty rights and related interests.”</i>	Environmental Impact Statement 2.3.1 Mining 2.3.2 Minewater Management 2.3.3 Mine Rock and Overburden Management 2.3.5 Process Effluent Treatment 2.3.7 Water Supply 2.3.8 Water Discharge Location 2.3.9 Watercourse Realignments 2.3.10 Infrastructure and Buildings 2.3.12 Non-hazardous Solid Waste Management	This alternative does not include information related to First Nation Reserves and Communities or Traditional Land Use as per the Environmental criteria for the alternative assessment.	AA(1)-02
AC(1)-124	52		Environmental Impact Statement 2.3.5.4 In-Plant Cyanide Destruction Followed by Natural Degradation Followed by Effluent Treatment	This section specifies that “This method ensures that wildlife, including waterfowl and aquatic life, are protected.” But lacks the necessary detail to back up this conclusion. Please provide specific detail around how this method will ensure that wildlife and aquatic life are protected.	SW(1)-14 WL(1)-05

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AC(1)-125	55		Environmental Impact Statement 2.3.8 Water Discharge Location	The preferred water discharge location still presents a number of issues of concern to MNO which have not been reflected in the alternatives assessment. Specifically, the discharge into Blackwater Creek and eventually discharge into Wabigoon Lake, the source of drinking water for the City of Dryden. Wabigoon Lake is a key waterbody used by MNO in the exercise of their Aboriginal rights and interests. MNO lacks confidence in the proposed ongoing environmental impact monitoring proposed as well as other uncertainties outlined in this section.	AA(1)-09 AC(1)-01
AC(1)-126	58	<i>8.0 Alternative Means of Carrying out the Project</i> <i>“The EIS will identify and consider the effects of alternative means of carrying out the project that are technically and economically feasible.”</i>	Environmental Impact Statement 2.3.12 Non-hazardous Solid Waste Management	This section contains no consideration of alternatives for non-hazardous solid waste management. Please provide alternatives assessment or remove from assessment altogether.	
AC(1)-127	60	<i>8.0 Alternative Means of Carrying out the Project</i> <i>“The EIS will identify and consider the effects of alternative means of carrying out the project that are technically and economically feasible.”</i>	Environmental Impact Statement 2.3.13 Hazardous Solid Waste Management	This section contains no consideration of alternatives for hazardous solid waste management. The justification that “...the potential negative effects on the physical, biological and human environment are unacceptable when compared to transporting the material to an existing licenced [sic] facility.” Is inappropriate and clearly is at cross purposes with the intended outcome of an alternatives assessment. Instead the alternatives should have been outlined, including the potential negative effects to allow for a comparison of effects. Please provide an alternative assessment for hazardous waste management.	
AC(1)-128	61,62 .63.	<i>8.0 Alternative Means of Carrying out the Project</i> <i>“The proponent will complete the following procedural steps for addressing alternative means: ... Identify the effects of each alternative means. – The effects referred to above include both environmental and potential adverse impacts on potential or established Aboriginal and Treaty rights and related interests.”</i>	Environmental Impact Statement 2.3.13 Hazardous Solid Waste Management 2.3.14 Domestic Sewage Management 2.3.15 Explosives Storage Facility	This alternative does not include information related to First Nation Reserves and Communities or Traditional Land Use as per the Environmental criteria for the alternative assessment.	AA(1)-02
AC(1)-129	64	<i>8.0 Alternative Means of Carrying out the Project</i> <i>“In its alternative means analysis, the proponent will address, as a minimum, the following project components: ... Energy sources for the mine complex operation ... related piping and power infrastructure as appropriate (i.e. under the proponent’s control).”</i>	Environmental Impact Statement Multiple Sections within Section 2.3	This section specifies that the “[p]ower supply will be taken directly from the existing 115 kV Hydro One M2D with an on-site substation ... Treasury sees no benefits in creating a separate power source and no other options have been assessed.” This misses the point of an alternatives assessment and does not fulfill the CEAA requirements of the EIS Guidelines. Further, there is no discussion of related piping and power infrastructure as part of the alternatives assessment. Please provide additional information related to these components.	AA(1)-05 RG(1)-23
AC(1)-130	65		Environmental Impact Statement 2.4 Project Alternatives – Closure	MNO requires confirmation that they will be consulted prior to the submission of a detailed certified Closure Plan as well as throughout the applicable comment period as no consultation on the conceptual closure plan has been undertaken to date.	
AC(1)-131	66, 68, 69, 71, 72,	<i>8.0 Alternative Means of Carrying out the Project</i> <i>“The proponent will complete the following procedural steps for addressing alternative</i>	Environmental Impact Statement 2.4.1 Open Pit Closure 2.4.2 Underground Closure	Sections 2.4.1 to 2.4.8 (EIS) outlines closure alternatives but do not include information related to First Nation Reserves and Communities or Traditional Land Use as per the Environmental criteria for the alternative assessment.	AA(1)-02

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	74, 75, 76	<i>means: ... Identify the effects of each alternative means. – The effects referred to above include both environmental and potential adverse impacts on potential or established Aboriginal and Treaty rights</i>	2.4.3 Waste Rock Storage Area Closure 2.4.4 Minewater Management System Closure 2.4.5 Tailings Storage Facility Closure 2.4.6 Buildings and Equipment Closure 2.4.7 Infrastructure Closure 2.4.8 Drainage Closure		
AC(1)-132	67	8.0 Alternative Means of Carrying out the Project <i>“The EIS will identify and consider the effects of alternative means of carrying out the project that are technically and economically feasible.”</i>	Environmental Impact Statement 2.4.2 Underground Closure	The EIS references Ontario Regulation 240/00, amended O. Reg. 307/12, and the Code of the Ontario <i>Mining Act</i> . Section 24(2) of the Regulation and indicated that “Due to the nature of these regulations, no alternatives were considered as part of the EIS. While these regulations guide the underground closure procedure, they do not offer specific direction on the process for mine closure. Therefore, reliance on the information in the Regulation should not preclude Treasury from conducting an assessment of alternatives. Please provide an assessment of alternatives.	
AC(1)-133	70	8.0 Alternative Means of Carrying out the Project <i>“The EIS will identify and consider the effects of alternative means of carrying out the project that are technically and economically feasible.”</i>	Environmental Impact Statement 2.4.3 Waste Rock Storage Area Closure	This section contains no assessment of alternatives for the waste rock storage area closure. Instead, it is just a description of the preferred method. Please provide an assessment of alternatives.	AA(1)-11 AA(1)-07
AC(1)-134	73	8.0 Alternative Means of Carrying out the Project <i>“The EIS will identify and consider the effects of alternative means of carrying out the project that are technically and economically feasible.”</i>	Environmental Impact Statement 2.4.6 Buildings and Equipment Closure	This section contains no assessment of alternatives for the Buildings and Equipment Closure. Instead, it is just a description of the preferred method. Please provide an assessment of alternatives.	
AC(1)-135	77		Environmental Impact Statement 2.5 Summary of Alternatives	This table outlined project elements and whether they were assessed in the EA or not. All elements are indicated that they were assessed even when this is not the case. Specifically, the following elements were not assessed: <ul style="list-style-type: none">• Buildings and Equipment Closure• Waste Rock Storage Area Closure• Underground Closure• Hazardous Solid Waste Management• Non-hazardous Solid Waste Management Please update the table to reflect the actual content of the EIS.	
AC(1)-136	78	9.1.1 Methodology <i>“...the proponent will take an ecosystems approach that considers both scientific and traditional knowledge and perspectives regarding ecosystems health and integrity.”</i>	Environmental Impact Statement	The existing environment’s air quality does not take an ecosystem approach and consider traditional knowledge. In fact, the entire section related to air quality does not mention traditional knowledge at all. Please revise this section to include an ecosystem approach and include traditional knowledge of the MNO.	
AC(1)-137	79	9.1.2 Biophysical Environment <i>“The EIS will describe the following: Ambient air quality in the project area...”</i>	Environmental Impact Statement	The existing baseline for ambient air quality was estimated using data from two MOE monitoring stations in Thunder Bay which cannot provide an accurate estimation of the current baseline conditions from which to assess potential effects. Instead, this would provide a higher level of air emissions from which the effects assessment would be conducted. The EIS states that the data would represent an overestimate of typical concentrations of contaminants of concern; however, this is not a	AE(1)-04

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IR 1 Reference #	MNO #	EIS Guidelines	EA Section or other technical document	Comment	Link to Annex A1
				positive outcome. In order to complete an accurate baseline assessment of air quality it would be more prudent to under estimate the concentrations of contaminants of concern instead. This only works if the proponent assesses air effects in an additive manner. MNO requires reassessment of air quality baseline with specific air quality receptors on the project site.	
AC(1)-138	80,82,84	7.2.1 Spatial Boundaries <i>“Spatial boundaries will be defined taking into account as applicable the appropriate scale and spatial extent of potential environmental effects ... Aboriginal traditional knowledge, current land and resource use by Aboriginal groups...”</i>	Environmental Impact Statement 5.2.1.1 Study Area 5.3.1.1 Study Area 5.3.2.1 Study Area 5.8.4.1 Study Areas & Included Waterbodies	The study area did not take into account Aboriginal traditional knowledge or current land and resource use by MNO. In fact, there is no mention of consideration of any traditional knowledge or current land and resource use by any Aboriginal group.	EA(1)-01 AC(1)-01 HE(1)-38
AC(1)-139	81	9.1.2 Biophysical Environment <i>“The EIS will describe the following: ... including the following contaminants: ... VOCs, CO, NH3, ground level ozone...”</i>	Environmental Impact Statement Table 5.2.1	This table does not display results for VOCs or ground level ozone. Please update to show information on VOCs and ground level ozone.	AE(1)-03
AC(1)-140	83	9.1.2 Biophysical Environment <i>“The EIS will describe the following: ... Information on typical sound sources, geographic extent and temporal variations will be included...”</i>	Environmental Impact Statement 5.3.1.3 Existing Noise Levels	The baseline conditions do not include information on the geographic extent of noise levels. Please include.	AE(1)-21
AC(1)-141	84	9.1.1 Methodology <i>“...the proponent will take an ecosystems approach that considers both scientific and traditional knowledge and perspectives regarding ecosystems health and integrity...”</i>	Environmental Impact Statement 5.3.1 Baseline Noise Levels	The baseline noise quality section does not take an ecosystem approach and consider traditional knowledge. In fact, the entire section related to noise levels does not mention traditional knowledge at all. Please revise this section to include an ecosystem approach and include traditional knowledge of the MNO.	EA(1)-01 AC(1)-01
AC(1)-142	86	9.1.2 Biophysical Environment <i>“The EIS will describe the following: ... night-time illumination levels during different weather conditions and seasons.”</i>	Environmental Impact Statement 5.3.2.3 Existing Light Levels	This section of the EIS does not contain a description of night-time illumination levels and does not contain information on how these light levels are affected by different weather conditions and seasons. Please provide.	AE(1)-17
AC(1)-143	87	9.1.1 Methodology <i>“...the proponent will take an ecosystems approach that considers both scientific and traditional knowledge and perspectives regarding ecosystems health and integrity...”</i>	Environmental Impact Statement 5.3.1 Baseline Light Levels	The baseline light levels section does not take an ecosystem approach and consider traditional knowledge. In fact, the entire section related to light levels does not mention traditional knowledge at all. Please revise this section to include an ecosystem approach and include traditional knowledge of the MNO.	EA(1)-01 AC(1)-01
AC(1)-144	88		Environmental Impact Statement Figure 5.5.2, 5.8.2, 5.9.2, 5.9.3	Why does the local study area on each of the referenced maps not encompass the entire property boundary?	
AC(1)-145	89,91	9.1.1 Methodology <i>“...the proponent will take an ecosystems approach that considers both scientific and traditional knowledge and perspectives</i>	Environmental Impact Statement 5.8.4 Fish and Fish Habitat 5.8.4.2 Fish Presence	The baseline fish and fish habitat section does not take an ecosystem approach and consider traditional knowledge. In fact, the entire section related to fish and fish habitat does not mention traditional knowledge at all. This section specifies that “Appendix G and Appendix Q contain lists [sic] of all fish species identified within the Project area, including those identified in historical records and those caught in field surveys.” However, there is no indication if the listing of fish species was influenced by	EA(1)-01 AC(1)-01

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IR 1 Reference #	MNO #	EIS Guidelines	EA Section or other technical document	Comment	Link to Annex A1
		<i>regarding ecosystems health and integrity...</i>		traditional knowledge. MNO requires reevaluation of the listing of fish species to include traditional knowledge and revision of the EIS to state this explicitly. Please revise this section to include an ecosystem approach and include traditional knowledge of the MNO.	
AC(1)-146	92	7.2.1 Spatial Boundaries <i>“Spatial boundaries will be defined taking into account as applicable the appropriate scale and spatial extent of potential environmental effects ... Aboriginal traditional knowledge, current land and resource use by Aboriginal groups...”</i>	Environmental Impact Statement 5.8.4 Fish and Fish Habitat	No spatial boundary is identified for Fish and Fish Habitat in this section of the EIS. While a general spatial study area was defined in Appendix G, Environmental Baseline Study, it must be referenced and reiterated in this section of the EIS. Further, it must take into account Aboriginal traditional knowledge or current land and resource use by MNO.	FH(1)-20 EA(1)-01 AC(1)-01
AC(1)-147	93	9.1.2 Biophysical Environment <i>“Furthermore, the EIS will describe the following: ... Identify any potential waterbodies and fish habitat sites that could be rehabilitated for possible habitat gains to offset losses from the project.”</i>	Environmental Impact Statement 5.8.4.7 Habitat Rehabilitation Opportunities	More information is required in relation to the statement that “The Ontario Ministry of Natural Resources and Forestry has identified Crown shore stabilization on Wabigoon Lake as an effective way to benefit fish and fish habitat and offset potential losses from the Project development.” As it is currently worded, it implies that the MNR has proposed a project offset. If this is the case, more information is required.	FH(1)-06
AC(1)-148	94	9.1.2 Biophysical Environment <i>“The following information sources on species at risk and species of conservation concern should be consulted:</i> <ul style="list-style-type: none"> • SARA (www.sararegistry.gc.ca); • COSEWIC; • Relevant Government agencies; • Local naturalist and interest groups; and • Aboriginal groups and First Nations.” 	Environmental Impact Statement 5.8.4.8 Species at Risk and Species of Management Concern	SARA, Relevant Government agencies, local naturalist and interest groups and Aboriginal groups and First Nations were not consulted in determining the presence of Species at Risk within the RSA.	FH(1)-22 AC(1)-03
AC(1)-149	95	9.1.2 Biophysical Environment <i>“The following information sources on species at risk and species of conservation concern should be consulted:</i> <ul style="list-style-type: none"> • SARA (www.sararegistry.gc.ca); • COSEWIC; • Relevant Government agencies; • Local naturalist and interest groups; and • Aboriginal groups and First Nations.” 	Environmental Impact Statement 5.8.4.8 Species at Risk and Species of Management Concern	No detail is provided on the sources of information used to compile the Fish Species of Management Concern in the RSA. Please update this information. While this information is missing, it can be assumed from the MNO’s current consultation records that no consultation occurred with MNO on species of conservation concern. Therefore the EIS is subsequently deficient.	FH(1)-22
AC(1)-150	96, 98	7.2.1 Spatial Boundaries <i>“Spatial boundaries will be defined taking into account as applicable the appropriate scale and spatial extent of potential environmental effects ... Aboriginal traditional knowledge, current land and resource use by Aboriginal groups...”</i>	Environmental Impact Statement 5.9.2 Vegetation	No spatial boundary is identified for Vegetation in this section of the EIS. While a general spatial study area was defined in Appendix G, Environmental Baseline Study, it must be referenced and reiterated in this section of the EIS. Further, it must take into account Aboriginal traditional knowledge or current land and resource use by MNO. The baseline vegetation section does not take an ecosystem approach and consider traditional knowledge. In fact, the entire section related to vegetation does not mention traditional knowledge at all. Please revise this section to include an ecosystem approach and include traditional knowledge of the MNO.	HE(1)-45 EA(1)-01 AC(1)-01 WL(1)-01 WL(1)-02

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IR 1 Reference #	MNO #	EIS Guidelines	EA Section or other technical document	Comment	Link to Annex A1
		<p>9.1.1 Methodology</p> <p>“...the proponent will take an ecosystems approach that considers both scientific and traditional knowledge and perspectives regarding ecosystems health and integrity...”</p>			
AC(1)-151	97	<p>9.2.1 Biophysical Environment</p> <p>“The species selected within each biotic VC should include those of importance to health and socio-economic conditions, cultural heritage and the current use of land and resources for traditional purposes by Aboriginal persons.”</p>	<p>Environmental Impact Statement</p> <p>5.9.2.2 Forest Compositions through to 5.9.2.4 Field Surveys</p>	<p>There is no mention of species being selected to include those of importance to the current use of land and resources for traditional purposes by Aboriginal persons.</p> <p>Please amend this section to reflect the above mentioned information.</p>	<p>HE(1)-45</p> <p>EA(1)-01</p> <p>AC(1)-01</p>
AC(1)-152	99, 100	<p>7.2.1 Spatial Boundaries</p> <p>“Spatial boundaries will be defined taking into account as applicable the appropriate scale and spatial extent of potential environmental effects ... Aboriginal traditional knowledge, current land and resource use by Aboriginal groups...”</p> <p>9.1.1 Methodology</p> <p>“...the proponent will take an ecosystems approach that considers both scientific and traditional knowledge and perspectives regarding ecosystems health and integrity...”</p>	<p>Environmental Impact Statement</p> <p>5.9.3 Wetlands</p>	<p>No spatial boundary is identified for Wetlands in this section of the EIS. While a general spatial study area was defined in Appendix G, Environmental Baseline Study, it must be referenced and reiterated in this section of the EIS. Further, it must take into account Aboriginal traditional knowledge or current land and resource use by MNO.</p> <p>The baseline wetlands section does not take an ecosystem approach and consider traditional knowledge. In fact, the entire section related to wetlands does not mention traditional knowledge at all.</p> <p>Please revise this section to include an ecosystem approach and include traditional knowledge of the MNO.</p>	<p>WL(1)-03</p> <p>HE(1)-45</p> <p>EA(1)-01</p> <p>AC(1)-01</p>
AC(1)-153	101, 102, 103	<p>7.2.1 Spatial Boundaries</p> <p>“Spatial boundaries will be defined taking into account as applicable the appropriate scale and spatial extent of potential environmental effects ... Aboriginal traditional knowledge, current land and resource use by Aboriginal groups...”</p> <p>9.1.1 Methodology</p> <p>“...the proponent will take an ecosystems approach that considers both scientific and traditional knowledge and perspectives regarding ecosystems health and integrity...”</p>	<p>Environmental Impact Statement</p> <p>5.9.4 Mammals</p>	<p>No spatial boundary is identified for mammals in this section of the EIS. While a general spatial study area was defined in Appendix G, Environmental Baseline Study, it must be referenced and reiterated in this section of the EIS. Further, it must take into account Aboriginal traditional knowledge or current land and resource use by MNO.</p> <p>There is no description in the baseline section for mammals of the distribution, populations, behavior and availability of wildlife in the important context of implications to current use of lands and resources by Aboriginal peoples. The baseline mammals section does not take an ecosystem approach and consider traditional knowledge. In fact, the entire section related to mammals does not mention traditional knowledge at all.</p> <p>Please revise this section to include an ecosystem approach and include traditional knowledge of the MNO.</p>	<p>HE(1)-45</p> <p>EA(1)-01</p> <p>AC(1)-01</p> <p>WL(1)-01</p> <p>WL(1)-02</p>
AC(1)-154	104, 105, 106	<p>7.2.1 Spatial Boundaries</p> <p>“Spatial boundaries will be defined taking into account as applicable the appropriate scale and spatial extent of potential environmental effects ... Aboriginal traditional knowledge, current land and resource use by Aboriginal groups...”</p>	<p>Environmental Impact Statement</p> <p>5.9.5 Birds</p>	<p>No spatial boundary is identified for Birds in this section of the EIS. While a general spatial study area was defined in Appendix G, Environmental Baseline Study, it must be referenced and reiterated in this section of the EIS. Further, it must take into account Aboriginal traditional knowledge or current land and resource use by MNO.</p> <p>There is no description in the baseline section for birds of the distribution, populations, behavior and availability of birds in the important context of implications to current use of lands and resources by Aboriginal peoples. The baseline birds section does not take an ecosystem approach and consider traditional knowledge. In fact, the entire section related to birds does not mention traditional knowledge at all.</p> <p>Please revise this section to include an ecosystem approach and include traditional knowledge of the MNO.</p>	<p>HE(1)-45</p> <p>EA(1)-01</p> <p>AC(1)-01</p> <p>WL(1)-01</p> <p>WL(1)-02</p>

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IR 1 Reference #	MNO #	EIS Guidelines	EA Section or other technical document	Comment	Link to Annex A1
		<p>9.1.1 Methodology</p> <p>“...the proponent will take an ecosystems approach that considers both scientific and traditional knowledge and perspectives regarding ecosystems health and integrity...”</p>			
AC(1)-155	107, 108	<p>7.2.1 Spatial Boundaries</p> <p>“Spatial boundaries will be defined taking into account as applicable the appropriate scale and spatial extent of potential environmental effects ... Aboriginal traditional knowledge, current land and resource use by Aboriginal groups...”</p> <p>9.1.1 Methodology</p> <p>“...the proponent will take an ecosystems approach that considers both scientific and traditional knowledge and perspectives regarding ecosystems health and integrity...”</p>	<p>Environmental Impact Statement</p> <p>5.9.8 Significant Wildlife Habitat</p>	<p>No spatial boundary is identified for Significant Wildlife Habitat in this section of the EIS. While a general spatial study area was defined in Appendix G, Environmental Baseline Study, it must be referenced and reiterated in this section of the EIS. Further, it must take into account Aboriginal traditional knowledge or current land and resource use by MNO.</p> <p>The baseline section for significant wildlife habitat does not take an ecosystem approach and consider traditional knowledge. In fact, the entire section does not mention traditional knowledge at all. Please revise this section to include an ecosystem approach and include traditional knowledge of the MNO.</p>	<p>HE(1)-45</p> <p>EA(1)-01</p> <p>AC(1)-01</p> <p>WL(1)-01</p> <p>WL(1)-02</p>
AC(1)-156	109		<p>Environmental Impact Statement</p> <p>5.10 Species at Risk</p>	<p>Please identify how Section 10 of the EIS relates to Section 5.8.4.8 (Species at Risk and Species of Management Concern)</p>	
AC(1)-157	110	<p>9.1.2 Biophysical Environment</p> <p>“The following information sources on species at risk and species of conservation concern should be consulted:</p> <ul style="list-style-type: none"> • SARA (www.sararegistry.gc.ca); • COSEWIC; • Relevant Government agencies; • Local naturalist and interest groups; and • Aboriginal groups and First Nations.” 	<p>Environmental Impact Statement</p> <p>5.10.1 Definition</p>	<p>The definition given for SAR within the EIS references different information sources than those outlined in the EIS guidelines. While MNO does not object to additional information sources being added, the original listing should still be included. Specifically, relevant government agencies, local naturalist and interest groups and Aboriginal groups and First Nations.</p>	<p>AC(1)-03</p> <p>FH(1)-22</p>
AC(1)-158	111, 112	<p>7.2.1 Spatial Boundaries</p> <p>“Spatial boundaries will be defined taking into account as applicable the appropriate scale and spatial extent of potential environmental effects ... Aboriginal traditional knowledge, current land and resource use by Aboriginal groups...”</p> <p>9.1.1 Methodology</p> <p>“...the proponent will take an ecosystems approach that considers both scientific and traditional knowledge and perspectives regarding ecosystems health and integrity...”</p>	<p>Environmental Impact Statement</p> <p>5.10 Species at Risk</p>	<p>No spatial boundary is identified for Species at Risk in this section of the EIS. While a general spatial study area was defined in Appendix G, Environmental Baseline Study, it must be referenced and reiterated in this section of the EIS.</p> <p>Further, it must take into account Aboriginal traditional knowledge or current land and resource use by MNO.</p> <p>The baseline section for species at risk does not take an ecosystem approach and consider traditional knowledge.</p> <p>Please revise this section to include an ecosystem approach and include traditional knowledge of the MNO.</p>	<p>HE(1)-45</p> <p>EA(1)-01</p> <p>AC(1)-01</p> <p>AC(1)-03</p>
AC(1)-159	113		<p>Environmental Impact Statement</p>	<p>The EIS states that “Wild rice is a traditional food source for many First Nations.”</p> <p>Firstly, this information is obviously anecdotal in nature as many plants are traditional food sources for Aboriginal groups but are not</p>	<p>AC(1)-01</p>

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			5.10.3.1 Plants	<p>specifically mentioned.</p> <p>Secondly, the information is not sufficiently disaggregated to allow for an identification of which First Nation/Aboriginal group the information came from.</p> <p>CEAA has previously requested proponents provide disaggregated information for consideration.</p> <p>Specifically, as part of the correspondence in reference to the Pacific NorthWest LNG Ltd. Assessment (Reference Number 80032) CEAA specified that “Without the benefit of disaggregating by each Aboriginal group, for each factor considered under 5(1)(c), including related baseline information, it is difficult for the Agency to determine if enough detail exists to effectively assess the potential for significant adverse environmental effect that could potentially impact Aboriginal peoples. In other words, the conclusions regarding impacts on 5(1)(c) and Aboriginal rights contained in the EIS cannot be confidently relied upon without the benefit of a thorough understanding of the information used to support the conclusion.”</p> <p>Finally, there is no further information provided on traditional food sources for Aboriginal groups which is contrary to even the most basic of information MNO could provide through a TLUS.</p>	HE(1)-38 HE(1)-45
AC(1)-160	114	<p>9.1.2 Biophysical Environment</p> <p><i>“The species selected within each biotic VC should include those of importance to health and socio-economic conditions, cultural heritage and the current use of land and resources for traditional purposes by Aboriginal persons.”</i></p>	<p>Environmental Impact Statement</p> <p>5.10.3.2 Animals</p>	<p>The EIS states that “...the selected survey methodology only allows for the determination of presence; it does not allow for the estimation of abundance, seasonal activity, or spatial distribution.”</p> <p>This is contrary to the direction provided by the EIS guidelines and makes it impossible to include information on the importance to health and socio-economic conditions, cultural heritage, and the current use of land and resources for traditional purposes by Aboriginal persons.</p>	HE(1)-45
AC(1)-161	115		<p>Environmental Impact Statement</p> <p>5.10.3.2 Animals</p>	<p>Please provide additional rationale as to why evening surveys were selected even though “...evening surveys, though allowable in the protocol, will result in lower detection probability of target species.”</p>	WL(1)-14
AC(1)-162	116	<p>7.2.1 Spatial Boundaries</p> <p><i>“Spatial boundaries will be defined taking into account as applicable the appropriate scale and spatial extent of potential environmental effects ... Aboriginal traditional knowledge, current land and resource use by Aboriginal groups...”</i></p>	<p>Environmental Impact Statement</p> <p>5.11 Human Environment</p>	<p>No spatial boundary is identified for the human environment in this section of the EIS. While a general spatial study area was defined in Appendix G, Environmental Baseline Study, it must be referenced and reiterated in this section of the EIS.</p> <p>Further, it must take into account Aboriginal traditional knowledge or current land and resource use by MNO.</p>	HE(1)-33 AC(1)-01
AC(1)-163	117	<p>9.1.3 Human Environment</p> <p><i>“In describing the socio-economic environment, the proponent will provide information on the functioning and health of the socio-economic environment, encompassing a broad range of matters that affect communities and Aboriginal peoples in the study area in a way that recognizes interrelationships, system functions and vulnerabilities. A description of the rural and urban settings likely to be affected by the project will be provided.”</i></p>	<p>Environmental Impact Statement</p> <p>5.11.1 Land Use</p>	<p>There is no description of Métis land use within this section of the report. This is despite their being a description of the First Nation reserves.</p> <p>Please amend the section to include specific details about Métis land use including Métis demographics in the surrounding towns and communities.</p>	HE(1)-33 HE(1)-38
AC(1)-164	118	<p>9.1.3 Human Environment</p> <p><i>“In describing the socio-economic environment, the proponent will provide information on the functioning and health of the socio-economic environment, encompassing a broad range of</i></p>	<p>Environmental Impact Statement</p> <p>5.11.2.1 Population</p>	<p>This section of the EIS does not include specific details about the Métis population within the major urban centres surrounding the Project. Further, this section does not include the median age for Métis in the region as well as other population demographics that are available.</p> <p>Please amend the section to include specific details around Métis population.</p>	HE(1)-33

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		<i>matters that affect communities and Aboriginal peoples in the study area in a way that recognizes interrelationships, system functions and vulnerabilities. A description of the rural and urban settings likely to be affected by the project will be provided."</i>			
AC(1)-165	119	9.1.3 Human Environment <i>"In describing the socio-economic environment, the proponent will provide information on the functioning and health of the socio-economic environment, encompassing a broad range of matters that affect communities and Aboriginal peoples in the study area in a way that recognizes interrelationships, system functions and vulnerabilities. A description of the rural and urban settings likely to be affected by the project will be provided."</i>	Environmental Impact Statement 5.11.2.2 Education	This section of the EIS does not include specific details about the Métis education levels in the vicinity of the Project. Please amend the section to include specific details around Métis education.	HE(1)-33
AC(1)-166	120	9.1.3 Human Environment <i>"In describing the socio-economic environment, the proponent will provide information on the functioning and health of the socio-economic environment, encompassing a broad range of matters that affect communities and Aboriginal peoples in the study area in a way that recognizes interrelationships, system functions and vulnerabilities. A description of the rural and urban settings likely to be affected by the project will be provided."</i>	Environmental Impact Statement 5.11.2.5 Crime and Justice	The description of crime and justice is inadequate for the purposes of a baseline assessment and must be supplemented in order to accurately reflect the current conditions of the area immediately surrounding the Project.	HE(1)-33
AC(1)-167	121	9.1.3 Human Environment <i>"In describing the socio-economic environment, the proponent will provide information on the functioning and health of the socio-economic environment, encompassing a broad range of matters that affect communities and Aboriginal peoples in the study area in a way that recognizes interrelationships, system functions and vulnerabilities. A description of the rural and urban settings likely to be affected by the project will be provided."</i>	Environmental Impact Statement 5.11.2.6 Poverty and Social Issues	This section of the EIS does not include specific details about Métis poverty or social issues. Please amend the section to include specific details around Métis poverty and social issues.	HE(1)-33
AC(1)-168	122, 123	7.2.1 Spatial Boundaries <i>"Spatial boundaries will be defined taking into account as applicable the appropriate scale and spatial extent of potential environmental effects ... Aboriginal traditional knowledge, current land and resource use by Aboriginal groups..."</i>	Environmental Impact Statement 5.11.5 Aboriginal Peoples	No spatial boundary is identified for Aboriginal Peoples in this section of the EIS. While a general spatial study area was defined in Appendix G, Environmental Baseline Study, it must be referenced and reiterated in this section of the EIS. Further, it must take into account Aboriginal traditional knowledge or current land and resource use by MNO. The baseline section for Aboriginal Peoples does not take an ecosystem approach and consider traditional knowledge. Please revise this section to include an ecosystem approach and include traditional knowledge of the MNO.	HE(1)-33 EA(1)-01

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		9.1.1 Methodology “...the proponent will take an ecosystems approach that considers both scientific and traditional knowledge and perspectives regarding ecosystems health and integrity...”			
AC(1)-169	124	9.2 Potential or established Aboriginal and Treaty rights and Related Interests	Environmental Impact Statement 5.11.5 Aboriginal Peoples	The title of this section serves to minimize the information presented by Treasury and does not reflect the requirement of the EIS guideline to assess potential or established Aboriginal rights and related interests.	HE(1)-43
AC(1)-170	125	9.2 Potential or established Aboriginal and Treaty rights and Related Interests “At minimum, the EIS will summarize available information on the potential or established Aboriginal and Treaty rights and related interests of the named Aboriginal groups that have the potential to be adversely impacted by the project. As part of this summary the EIS will include for each Aboriginal group: <ul style="list-style-type: none"> - Background information and a map of the groups traditional territory; - A summary engagement activities conducted prior to the submission of the EIS, including the date and means of engagement (e.g. meeting, mail, telephone); - Information on each group’s potential or established rights (including geographic extent, nature, frequency, timing), including maps and data sets (e.g. fish catch numbers) when this information is provided by a group to the proponent; - An overview of key comments and concerns provided by each group to the proponent; - Responses provided by government and/or the proponent, as appropriate; and - Future planned engagement activities.” [emphasis added] 	Environmental Impact Statement 5.11.5 Aboriginal Peoples	<p>Firstly, this section is presented in a pan-Aboriginal format which is not sufficiently disaggregated in order to allow MNO to adequately assess the validity of the information provided.</p> <p>CEAA has previously requested proponents provide disaggregated information for consideration.</p> <p>Specifically, as part of the correspondence in reference to the Pacific NorthWest LNG Ltd. Assessment (Reference Number 80032) CEAA specified that “Without the benefit of disaggregating by each Aboriginal group, for each factor considered under 5(1)(c), including related baseline information, it is difficult for the Agency to determine if enough detail exists to effectively assess the potential for significant adverse environmental effect that could potentially impact Aboriginal peoples. In other words, the conclusions regarding impacts on 5(1)(c) and Aboriginal rights contained in the EIS cannot be confidently relied upon without the benefit of a thorough understanding of the information used to support the conclusion.”</p> <p>Secondly, no background information is provided in relation to the MNO specifically. There are significant levels of information publically available on the MNO’s website. Therefore, there is no reason Treasury should have excluded this information. Even if the consultation process had been sufficiently stalled, the information was still available publically.</p> <p>Thirdly, there is no information provided on MNO’s specific potential or established rights, including the geographic extent, nature, frequency and timing of these rights.</p> <p>Finally, there is no reference to the MNO’s comments and concerns and how those comments and concerns were incorporated into the EIS.</p> <p>Overall, this section lacks the necessary detail for MNO to evaluate the EIS application.</p>	HE(1)-38 AC(1)-01
AC(1)-171	126		Environmental Impact Statement 5.11.5 Aboriginal Peoples	This section does not contain information on all vegetation gathered, species hunted, trapped or fished by the MNO. Section must be updated following consultation with the MNO.	HE(1)-38 HE(1)-45
AC(1)-172	127		Environmental Impact Statement 5.11.5.1 Vegetation	The statement that “First Nations communities and the public have not identified any specific plants or berries which may be negatively affected by the development of the project, nor have any locations been identified within the Project area from which plants and berries are being gathered been identified.” Is misleading. As MNO has yet to be sufficiently engaged by the proponent, of course this information has yet to be provided. An ineffective consultation program should not be used as a shield for the proponent. Nor should sweeping conclusions be based on a faulty consultation program.	AC(1)-01 HE(1)-38 HE(1)-45

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IR 1 Reference #	MNO #	EIS Guidelines	EA Section or other technical document	Comment	Link to Annex A1
AC(1)-173	129		Environmental Impact Statement 5.11.5.1 Vegetation	The assumptions made in the section in relation to blueberries are largely incorrect. It is implied that blueberries are transient crops which are found in a variety of locales rather than in consistent spots. However, MNO Harvesting does use consistent berry locales. The 4-6 years suggested is approximate and berries can be available at locations longer. Additionally, berries can be available in certain locales for the duration of an MNO citizens picking lifetime. It is not clear why this point is being made in relation to blueberries and due to contradictory information held by the MNO, it is generally false and misleading. Please amend EIS section.	HE(1)-45
AC(1)-174	130		Environmental Impact Statement 5.11.5.1 Vegetation	Blueberries, chanterelle mushrooms and wild rice do not constitute the entirety of plant species harvested by the MNO. MNO would be happy to provide Treasury with an amended listing of vegetation species preferred by the MNO to update this section of the EIS.	HE(1)-38 HE(1)-40 HE(1)-45
AC(1)-175	131, 132		Environmental Impact Statement Figure 5.11 Figure 5.11.2	This figure presents an inaccurate picture of cultural foods and interests as MNO information is not presented.	HE(1)-40
AC(1)-176	133	<i>7.1.1 Valued Components</i> <i>“This list will be completed according to the evolution and design of the project and reflect the knowledge acquired on the environment through public and Aboriginal consultations.”</i>	Environmental Impact Statement 5.11.5.2 Hunting and Trapping	This section specifies that the game species listed have been identified as valued components. However, these were developed without sufficient consultation with the MNO, contrary to direction in the EIS guidelines.	AC(1)-01 HE(1)-45
AC(1)-177	134, 135		Environmental Impact Statement Table 5.11.8 Table 5.11.9	This table does not include the estimated number of active Métis hunters which is held by the Captain of the Hunt. This shows a lack of consultation on the part of Treasury with the MNO. Further, MNO could have initiated a count of total harvest for a season, should Treasury have requested this information. This shows significant gaps in the consultation process whereby MNO information was not considered and information requested was largely superficial.	HE(1)-38
AC(1)-178	136		Environmental Impact Statement Table 5.11.8 and 5.11.9	There are no similar tables presented for the other VCs listed, including waterfowl (which is not further broken out into species), furbearing species (which is not further broken out into specifics) and ruffed grouse. Please update EIS to include specific information and tables.	HE(1)-45
AC(1)-179	137	<i>7.1.1 Valued Components</i> <i>“This list will be completed according to the evolution and design of the project and reflect the knowledge acquired on the environment through public and Aboriginal consultations.”</i>	Environmental Impact Statement 5.11.5.3 Fishing	This section states that “The mouth of Nugget Creek at Wabigoon Lake is designated a Provincial Fish Sanctuary to protect spawning Walleye and fishing is prohibited in this area during the Walleye spawning season; therefore it is seen as a culturally important and relevant to country food harvesters as a valued component.” More information is required to identify how this area was identified as relevant to country food harvesters and further designated as a valued component as MNO was not consulted in order to reach these conclusions.	AC(1)-01 HE(1)-38
AC(1)-180	138	<i>7.1.1 Valued Components</i> <i>“Valued Components (VCs) refer to attributes associated with the project that have been identified to be of concern by the proponent, government agencies, Aboriginal peoples and/or the public. The value of a component not only relates to its role in the ecosystem, but also to the value placed on it by humans.”</i>	Environmental Impact Statement 6.1.1 Potential Effects and Valued Components	The definition provided for valued components does not include the specific criteria outlined in the EIS guidelines. Please amend this section of the EIS to include the information outlined in the EIS guidelines.	AC(1)-01
AC(1)-181	139		Environmental Impact Statement 6.1.1 Potential Effects and Valued	This section outlines information related to natural environment VCs and specifies criteria that the VC would have met; however, there is no information on socio-economic VC provided.	EA(1)-03

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IR 1 Reference #	MNO #	EIS Guidelines	EA Section or other technical document	Comment	Link to Annex A1
			Components		
AC(1)-182	140	<i>7.1.1 Valued Components</i> <i>“This list will be completed according to the evolution and design of the project and reflect the knowledge acquired on the environment through public and Aboriginal consultations.”</i>	Environmental Impact Statement 6.1.2 Integration of Public and Aboriginal Considerations	The listing in this section does not explicitly state that Aboriginal consultations were considered as undertakings for the assessment. Please clarify.	AC(1)-01
AC(1)-183	141		Environmental Impact Statement 6.1.2 Integration of Public and Aboriginal Considerations	Collection of Traditional Knowledge is only one vehicle for contributing to the Project VCs. However, Treasury has completed an inefficient and ineffectual consultation process as well, limiting MNO’s opportunity for meaningful input. Further, this section mischaracterizes the lack of TK information. Treasury has not offered MNO sufficient capacity to complete a TK study. As a number of “Aboriginal communities have alluded to traditional use in the general area of the Project...” Treasury should have made significant effort to obtain this information, rather than stagnant the process in meaningless negotiation.	AC(1)-01
AC(1)-184	142		Environmental Impact Statement 6.1.2 Integration of Public and Aboriginal Considerations	The statement that “The CEA Agency, in discussions with Aboriginal communities has also identified issues and concerns” mischaracterizes the process. MNO has yet to be engaged by CEA to date in the identification of their issues and concerns.	AC(1)-01
AC(1)-185	143	<i>9.1.1 Methodology</i> <i>“...the proponent will take an ecosystems approach that considers both scientific and traditional knowledge and perspectives regarding ecosystems health and integrity...”</i>	Environmental Impact Statement 6.1.2 Integration of Public and Aboriginal Considerations	The statement that “[a]side from an expressed desire to maintain Treaty and Aboriginal rights, the concerns raised by Aboriginal communities have been very similar to those concerns raised by the general public...” shows an impoverished view of Aboriginal rights and interests and their interconnectivity. Aboriginal concerns are intrinsically linked to their Aboriginal and treaty rights and require a holistic, ecosystems approach to be fully understood and realized.	EA(1)-01
AC(1)-186	144		Environmental Impact Statement 6.1.2 Integration of Public and Aboriginal Considerations	Wabigoon Lake is an area heavily used by MNO in the exercise of their Aboriginal rights and interests. However, MNO is not listed in the examples provided of the raised concerns. Specifically, surface and groundwater quality and fish and fish habitat. This shows the lack of an adequate consultation process, to date.	FH(1)-06 AC(1)-01
AC(1)-187	145		Environmental Impact Statement 6.1.2 Integration of Public and Aboriginal Considerations	The EIS states that “[c]onsultation and engagement efforts by Treasury have not resulted in any formal Traditional Knowledge (TK) studies being conducted...” This is mainly due to the failings of Treasury. To date, Treasury has not come to agreement with MNO related to funding a TK Study as well as general capacity. Further, Treasury suggested that MNO complete a shared TK Study with another Aboriginal group. This shows an impoverished view of Aboriginal rights that assumes all groups share the same interests.	EA(1)-01
AC(1)-188	146		Environmental Impact Statement 6.1.3 Residual Effects Characterization	The EIS contains no specific information on the process of avoidance, minimization and mitigation. Please provide specific steps in the development of these aspects.	HE(1)-43 EA(1)-05
AC(1)-189	147		Environmental Impact Statement 6.2.1.3 Noise	This section does not account for the ongoing noise from blasting activities proposed by the Project. Where will these effects be assessed?	AE(1)-22 AE(1)-23 AE(1)-28 AE(1)-30
AC(1)-190	148		Environmental Impact Statement 6.2.1.8 Surface Water Quantity	This section appears to delve into the effects assessment portion of the EIS and does not properly identify the potential effects to surface water quality which would be considered as part of the assessment.	

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IR 1 Reference #	MNO #	EIS Guidelines	EA Section or other technical document	Comment	Link to Annex A1
				Please amend the EIS to accurately identify these considerations.	
AC(1)-191	149	7.1.1 Valued Components <i>“This list will be completed according to the evolution and design of the project and reflect the knowledge acquired on the environment through public and Aboriginal consultations.”</i>	Environmental Impact Statement 6.2.1.11 Wildlife and Wildlife Habitat	The identified potential effects do not reflect knowledge acquired on the environment through Aboriginal consultations; specifically, Métis consultation.	EA(1)-01
AC(1)-192	150		Environmental Impact Statement 6.2.1.11 Wildlife and Wildlife Habitat	The statement that “In total, it is expected that 242 ha of wildlife habitat will be lost due to Project activities for the duration of the Project life. Habitats are expected to recover over time following project closure” is inappropriately placed in this section. Conclusions of the effects assessment should be left to further sections in the EIS to maintain the illusion of an unbiased assessment.	
AC(1)-193	151	7.1.1 Valued Components <i>“This list will be completed according to the evolution and design of the project and reflect the knowledge acquired on the environment through public and Aboriginal consultations.”</i>	Environmental Impact Statement 6.2.1.12 Fish and Fish Habitat	The identified potential effects do not reflect knowledge acquired on the environment through Aboriginal consultations; specifically, Métis consultation.	FH(1)-06
AC(1)-194	152		Environmental Impact Statement 6.2.1.12 Fish and Fish Habitat	This section of the EIS specifies that “[l]iquid discharges from the Project, including treated tailings water and site runoff, are expected to meet all regulatory requirements before it is released to the natural environment. Water discharges are expected to be directed into the Blackwater Creek systems, which ultimately flows into Wabigoon Lake.” This information does not reflect MNO information and does not comment on the use of Wabigoon Lake by the MNO. Further, as this section is to outline the potential effects, assuming that the water will meet all regulatory requirements prior to the effects assessment is inappropriate.	AC(1)-01
AC(1)-195	153	7.1.1 Valued Components <i>“This list will be completed according to the evolution and design of the project and reflect the knowledge acquired on the environment through public and Aboriginal consultations.”</i>	Environmental Impact Statement 6.2.1.13 Wetlands and Vegetation	The identified potential effects do not reflect knowledge acquired on the environment through Aboriginal consultations; specifically, Métis consultation.	EA(1)-01
AC(1)-196	154	7.1.1 Valued Components <i>“This list will be completed according to the evolution and design of the project and reflect the knowledge acquired on the environment through public and Aboriginal consultations.”</i>	Environmental Impact Statement 6.2.2.1 Land Use	The identified potential effects do not reflect knowledge acquired on the environment through Aboriginal consultations; specifically, Métis consultation. Specifically, the primary effects identified as noise and visual disturbance may not be correct as potential effects to wildlife, fish and flora may be potential higher than those of noise and visual disturbance.	EA(1)-01 HE(1)-45 AC(1)-01
AC(1)-197	155		Environmental Impact Statement 6.2.2.1 Land Use	The reference in this section to recreational and tourism activities exclude the exercise of Aboriginal rights. Please amend the EIS.	HE(1)-33 HE(1)-35

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IR 1 Reference #	MNO #	EIS Guidelines	EA Section or other technical document	Comment	Link to Annex A1
AC(1)-198	156		Environmental Impact Statement 6.3 Valued Component Identification	This section does not include the most basic components that are present in most EIS' that allow for consideration of the scientific method and potential project effects. The section is missing: <ul style="list-style-type: none"> Information on the establishment of assessment boundaries for each VC (spatial, temporal, technical and administrative) Information on the scope of the assessment, including: <ul style="list-style-type: none"> Selection of potential effects Measurable parameters and significance thresholds Traditional knowledge and traditional use information Influence of consultation on the assessment 	EA(1)-01 EA(1)-02 EA(1)-03 EA(1)-05
AC(1)-199	157		Environmental Impact Statement 6.3 Valued Component Identification	This section does not include a matrix which displays those VCs that were included/excluded from the assessment. Without this information there is no pathway shown by the proponent that rationalizes their assessment and selection of VCs. Additionally, there is no discussion of why specific VCs were included/excluded in the EIS.	AC(1)-01 EA(1)-03
AC(1)-200	158		Environmental Impact Statement 6.3.1.3 Noise	The two noise VCs that were identified for inclusion in the environmental assessment do not include a consideration of blasting noise. As this will be a continuous and disruptive source of noise throughout the Project's lifetime, it must be considered as a potential VC and not as an indicator under a VC.	AE(1)-22
AC(1)-201	159, 161, 163, 167, 171,	2.3 Aboriginal Consultation "The proponent will make reasonable efforts to integrate "traditional Aboriginal knowledge" that will contribute to the assessment of environmental impacts."	Environmental Impact Statement 6.3.1.3 Noise 6.3.1.4 Light 6.3.1.5 Air Quality 6.3.1.11 Wildlife and Wildlife Habitat 6.3.1.13 Wetlands and Vegetation	At minimum, the noise assessment VCs should link back to effects on Aboriginal rights and interests. This has not been completed and there is no linkage between Aboriginal interests and noise. At minimum, the light assessment VCs should link back to effects on Aboriginal rights and interests. This has not been completed and there is no linkage between Aboriginal interests and light. At minimum, the air quality assessment VCs should link back to effects on Aboriginal rights and interests. This has not been completed and there is no linkage between Aboriginal interests and air quality. At minimum, the wildlife and wildlife habitat assessment VCs should link back to effects on Aboriginal rights and interests. This has not been completed and there is no linkage between Aboriginal interests and wildlife and wildlife habitat. At minimum, the wetland and vegetation assessment VCs should link back to effects on Aboriginal rights and interests. This has not been completed and there is no linkage between Aboriginal interests and wetlands and vegetation.	HE(1)-45
AC(1)-202	160		Environmental Impact Statement 6.3.1.4 Light	This section outlines the conclusions of the effects assessment and does not explicitly outline the project VCs or potential effects. Conclusions of the effects assessment should be left to further sections in the EIS to maintain the illusion of an unbiased assessment.	AE(1)-19
AC(1)-203	162	9.1.2 Biophysical Environment "...including the following contaminants: Total Suspended Particulates, PM2.5, PM10, So _v	Environmental Impact Statement 6.3.1.5 Air Quality	The potential contaminants listed as the air quality VCs should be classified as indicators for change under the VC, not the VC itself. The VC should be an overarching component such as "Air Quality" or equivalent. Further, the listing of contaminants of concern does not include VOCs or ground level ozone, of which the EIS Guidelines require information	AE(1)-03

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IR 1 Reference #	MNO #	EIS Guidelines	EA Section or other technical document	Comment	Link to Annex A1
		VOCs, CO, NH3, ground level ozone, and NO _x		on.	
AC(1)-204	164		Environmental Impact Statement 6.3.1.6 Climate	The first sentence of this section contains a typo. Sentence states: "...Treasury included one climate CV..." should state "...Treasury included one climate VC..."	
AC(1)-205	165		Environmental Impact Statement 6.3.1.9 Groundwater Quality	This section of the EIS states "... Treasury considered the protection of water quality for future discharge ... to be a VC ... in order to ensure there are no adverse impacts to the surface water environment." Selection of water quality as a VC does not ensure there are no adverse impacts. Instead, a VC is used as a measure by which potential effects can be marked against. Please amend this section to reflect the accurate description of VCs.	
AC(1)-206	166		Environmental Impact Statement 6.3.1.11 Wildlife and Wildlife Habitat	The VCs selected for inclusion in the environmental assessment do not include discussion of indicators or measurable parameters. Examples of effects for wildlife are: <ul style="list-style-type: none"> • Change in habitat • Change in mortality risk • Alternation of movement • Etc. These are not listed in this section. Please update the EIS to reflect standard EIS methodology.	EA(1)-03
AC(1)-207	168, 169	2.3 Aboriginal Consultation "The proponent will make reasonable efforts to integrate "traditional Aboriginal knowledge" that will contribute to the assessment of environmental impacts."	Environmental Impact Statement 6.3.1.12 Fish and Fish Habitat	The VCs selected for inclusion in the environmental assessment do not include discussion of indicators or measurable parameters. Examples of actual effects for fish and fish habitat include: <ul style="list-style-type: none"> • Change in sediment or water quality; • Change in fish habitat; • Direct mortality or physical injury to fish; or • Change in behavior of fish. These are not listed in this section. Please update the EIS to reflect standard EIS methodology.	FH(1)-21 FH(1)-06 EA(1)-03

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IR 1 Reference #	MNO #	EIS Guidelines	EA Section or other technical document	Comment	Link to Annex A1
AC(1)-208	170		Environmental Impact Statement 6.3.1.13 Wetlands and Vegetation	The VCs identified for wetlands and vegetation are more statements of facts than identification of VCs. Please amend the EIS to reflect VCs for wetlands and vegetation that are not statements. This will ensure the assessment of effects can occur on items that are less broad and more reflective of the potential project effects.	WL(1)-03 EA(1)-03
AC(1)-209	172		Environmental Impact Statement 6.3.2.1 Land Use	The identification of Land and resource use as a VC for Land Use is inappropriate. The VC must represent a vulnerable component under Land and Resource Use instead of just repeating the section title.	HE(1)-43
AC(1)-210	173	2.3 Aboriginal Consultation <i>“The proponent will make reasonable efforts to integrate “traditional Aboriginal knowledge” that will contribute to the assessment of environmental impacts.”</i>	Environmental Impact Statement 6.3.2.1 Land Use	At minimum, the Land Use assessment VCs should link back to effects on Aboriginal rights and interests. This has not been completed and there is no linkage between Aboriginal interests and land use.	HE(1)-43
AC(1)-211	174		Environmental Impact Statement 6.3.2.5 Aboriginal Peoples	The title of this section minimizes the duty of the proponent to assess potential effects on Aboriginal rights and interests. Suggest rewording the title to reflect the wording in the EIS guidelines: “Potential or established Aboriginal and Treaty rights and Related Interests”	HE(1)-43
AC(1)-212	175		Environmental Impact Statement 6.4 Effects Assessment	This section does not include an interaction matrix of project activities during each phase and the VCs chosen for inclusion in the assessment. This would serve to rank the interactions, taking a conservative approach, and identify where the higher risk interactions occur and focus the assessment on these interactions.	EA(1)-02
AC(1)-213	176, 178, 180, 182, 183, 185, 205, 207, 208, 209		Environmental Impact Statement 6.4.1.3 Noise 6.4.1.4 Light 6.4.1.5 Air Quality 6.4.1.6 Climate 6.4.1.7 Surface Water Quality 6.4.1.8 Surface Water Quantity 6.4.1.9 Groundwater Quality 6.4.1.10 Groundwater Quantity 6.4.1.13 Wetlands and Vegetation 6.4.2.1 Land Use	This section is titled “Effects Assessment” however, there is no such effects assessment included. Typically, an effects assessment will include: <ul style="list-style-type: none"> • Definition of temporal boundaries (not present) • Definition of spatial boundaries including a PDA, LAA and RAA (not present) • A description of baseline conditions (included in another volume, not to the satisfaction of MNO) • A description of Analytical Methods • A description of assumptions and conservative approach • An outline of the potential effects • Details about potential mitigation • Characterization of residual effects, including a residual effects classification • A determination of significance of residual effects • Details of confidence and risk • Outline of follow-up monitoring, if applicable This EIS does not follow these basic parameters for reporting the results. Instead, the noise including blasting, light, air quality, climate, surface water quality and quantity and the groundwater quality and quantity assessments jump straight to mitigation with cursory	EA(1)-01 EA(1)-02 EA(1)-03 EA(1)-04 EA(1)-05 EA(1)-06 EA(1)-07 EA(1)-08 EA(1)-09 +additional specific IRs

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IR 1 Reference #	MNO #	EIS Guidelines	EA Section or other technical document	Comment	Link to Annex A1
			6.4.2.2 Social Factors 6.4.2.3 Economic Factors	descriptions of the characterization of the residual effects and a superficial description of ongoing monitoring. The sections describing wetlands and vegetation, land use, social factors and economic factors contain cursory identification of effects with no explanation or detail. Then jumps directly into mitigation, a broad overview of residual effects characterization, etc. The lack of details is troubling and makes evaluating the results of the EIS impossible. This is inappropriate. Please update the effects assessment for noise including blasting, light, air quality, climate, surface water quality and quantity, groundwater quality and quantity, wetlands and vegetation, land use, social factors and economic factors to include an assessment of effects..	
AC(1)-214	177, 179, 181, 197, 203, 204	2.3 Aboriginal Consultation <i>“The proponent will make reasonable efforts to integrate “traditional Aboriginal knowledge” that will contribute to the assessment of environmental impacts.”</i> 10.1.3 Effects of Changes to the Environment <i>“The EIS will describe the effects of any change the project may cause to the environment, with respect to Aboriginal peoples...”</i>	Environmental Impact Statement 6.4.1.3 Noise 6.4.1.4 Light 6.4.1.5 Air Quality 6.4.1.11 Wildlife and Wildlife Habitat 6.4.1.12 Fish and Fish Habitat 6.4.1.13 Wetlands and Vegetation	At minimum, the noise assessment results should link back to effects on Aboriginal rights and interests. This has not been completed and there is no linkage between Aboriginal interests and noise. At minimum, the light assessment results should link back to effects on Aboriginal rights and interests. This has not been completed and there is no linkage between Aboriginal interests and light. At minimum, the air quality assessment results should link back to effects on Aboriginal rights and interests. This has not been completed and there is no linkage between Aboriginal interests and air quality. At minimum, the wildlife and wildlife habitat assessment results should link back to effects on Aboriginal rights and interests. This has not been completed and there is no linkage between Aboriginal interests and wildlife and wildlife habitat. At minimum, the fish and fish habitat assessment results should link back to effects on Aboriginal rights and interests. This has not been completed and there is no linkage between Aboriginal interests and fish and fish habitat. At minimum, the wetlands and vegetation assessment results should link back to effects on Aboriginal rights and interests. This has not been completed and there is no linkage between Aboriginal interests and wetlands and vegetation.	HE(1)-43 HE(1)-45
AC(1)-215	184		Environmental Impact Statement 6.4.1.7 Surface Water Quality	This section of the EIS states that “Wabigoon Lake would be affected for a very short period of time and the effect would be mostly localized to Kelpyn Bay” in the event of a catastrophic failure of the TSF. MNO requires additional information on this potential effect including a more comprehensive description of the effects including specific data related to the potential scenarios, information about potential mitigation measures, characterization of residual effects, determination of significance and information related to Treasury’s confidence and risk.	AM(1)-04
AC(1)-216	186		Environmental Impact Statement 6.4.1.11 Wildlife and Wildlife Habitat	The VC selected for wildlife and wildlife habitat has not been assessed. Instead, the proponent relies on the delineation of terrestrial habitat to characterize effects (for SAR, ungulates, furbearers, upland birds, and wetland birds). Not only is this inappropriate methodologically, the habitat selected has not been identified or classified to a specific SAR, ungulate, furbearer, upland bird or wetland bird and is therefore too general for assessment of effects.	EA(1)-02
AC(1)-217	187,188,189,190		Environmental Impact Statement	This section outlines additional potential effects for SAR during construction that include “direct mortality as a result of human activity, mortality of roosting bats or nesting birds during habitat clearing activities, and vehicular collisions.” However, these potential effects do not appear to be adequately assessed as they were not listed as valued components nor characterized as part of the effects assessment. Instead, the assessment jumps directly to potential mitigation for these potential effects, characterizes the residual effects in a cursory manner and	

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			6.4.1.11 Wildlife and Wildlife Habitat	<p>defines a significance rating for them all in the space of 13 lines.</p> <p>The section related to SAR Operations and Closure, again, only contains a very sparse and cursory description of the potential effects before launching into potential mitigation for these potential effects, characterizes the residual effects in a cursory manner and defines a significance rating for them all in the space of 12 lines.</p> <p>This section outlines additional potential effects for ungulates during construction that include “direct mortality as a result of human activity (e.g. Vehicular collisions).” However, these potential effects do not appear to be adequately assessed as they were not listed as valued components nor characterized as part of the effects assessment. Instead, the assessment jumps directly to potential mitigation for these potential effects, characterizes the residual effects in a cursory manner and defines a significance rating for them all in the space of 11 lines.</p> <p>The section related to ungulate Operations and Closure, again, only contains a very sparse and cursory description of the potential effects before launching into potential mitigation for these potential effects, characterizes the residual effects in a cursory manner and defines a significance rating for them all in the space of 12 lines.</p>	
AC(1)-218	191		Environmental Impact Statement 6.4.1.11 Wildlife and Wildlife Habitat	This section outlines additional potential effects for furbearers during construction that include “direct mortality as a result of human activity (e.g. Vehicular collisions).” However, these potential effects do not appear to be adequately assessed as they were not listed as valued components nor characterized as part of the effects assessment. Instead, the assessment jumps directly to potential mitigation for these potential effects, characterizes the residual effects in a cursory manner and defines a significance rating for them all in the space of 11 lines.	EA(1)-02 EA(1)-03
AC(1)-219	192		Environmental Impact Statement 6.4.1.11 Wildlife and Wildlife Habitat	The section related to furbearer Operations and Closure, again, only contains a very sparse and cursory description of the potential effects before launching into potential mitigation for these potential effects, characterizes the residual effects in a cursory manner and defines a significance rating for them all in the space of 12 lines.	EA(1)-02 EA(1)-03
AC(1)-220	193		Environmental Impact Statement 6.4.1.11 Wildlife and Wildlife Habitat	This section outlines additional potential effects for upland birds during construction that include “direct mortality as a result of human activity, mortality of nesting birds during habitat clearing activities, and vehicular collisions” However, these potential effects do not appear to be adequately assessed as they were not listed as valued components nor characterized as part of the effects assessment. Instead, the assessment jumps directly to potential mitigation for these potential effects, characterizes the residual effects in a cursory manner and defines a significance rating for them all in the space of 13 lines.	EA(1)-02 EA(1)-03
AC(1)-221	194		Environmental Impact Statement 6.4.1.11 Wildlife and Wildlife Habitat	The section related to upland birds Operations and Closure, again, only contains a very sparse and cursory description of the potential effects before launching into potential mitigation for these potential effects, characterizes the residual effects in a cursory manner and defines a significance rating for them all in the space of 12 lines.	EA(1)-02 EA(1)-03
AC(1)-222	195		Environmental Impact Statement 6.4.1.11 Wildlife and Wildlife Habitat	This section outlines additional potential effects for wetland birds during construction that include “direct mortality as a result of human activity, mortality of nesting birds during habitat clearing activities, and vehicular collisions” However, these potential effects do not appear to be adequately assessed as they were not listed as valued components nor characterized as part of the effects assessment. Instead, the assessment jumps directly to potential mitigation for these potential effects, characterizes the residual effects in a cursory manner and defines a significance rating for them all in the space of 13 lines.	EA(1)-02 EA(1)-03
AC(1)-223	196		Environmental Impact Statement 6.4.1.11 Wildlife and Wildlife Habitat	The section related to wetland birds Operations and Closure, again, only contains a very sparse and cursory description of the potential effects before launching into potential mitigation for these potential effects, characterizes the residual effects in a cursory manner and defines a significance rating for them all in the space of 12 lines.	EA(1)-02 EA(1)-03

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AC(1)-224	198		Environmental Impact Statement 6.4.1.12 Fish and Fish Habitat	<p>The statement that “[t]he remaining potential effects to fish and fish habitat are considered not to be significant if appropriate mitigation measures are implemented” is problematic for a number of reasons.</p> <p>First, these remaining potential effects must be described in the EIS. Leaving them out is wholly inappropriate. Once outlined in the EIS, they must then have mitigation applied (which is described in the EIS), the residual effects characterized, and then, and only then can a significance determination be completed.</p> <p>The assurance of Treasury that this has all occurred is not sufficient and it must be displayed in the EIS.</p> <p>Particularly, as there will be habitat loss/degradation as part of the Project which can translate into a variety of effects to fish and fish habitat.</p>	FH(1)-06
AC(1)-225	199, 200		Environmental Impact Statement 6.4.1.12 Fish and Fish Habitat	<p>The identification of four potential effects to fish and fish habitat deviates from assessment methodology. Further, if we accept the characterization of effects, the information provided in this section is largely cursory and includes the effect, the mitigation, the residual effect characterization and the significance and monitoring program in the space of a few lines. This does not contain the necessary detail to evaluate the results of the assessment.</p>	FH(1)-16 EA(1)-02 EA(1)-03
AC(1)-226	201	<p><i>11.2 Measures to address impacts on Aboriginal rights</i></p> <p><i>“This section will describe the measures identified to mitigate the potential adverse impacts of the project described in section 10.2 on the potential or established Aboriginal and Treaty rights and related interests identified in section 9.2 ... This description will include a summary of: ...efforts undertaken to engage with Aboriginal groups as part of developing the information indentified above.”</i></p>	Environmental Impact Statement 6.4.1.12 Fish and Fish Habitat	<p>This section of the EIS specifies that “[w]aterbodies identified as potential candidate sites for the implementation of habitat compensation prescriptions are Thunder Lake, Wabigoon Lake and Thunder Creek.”</p> <p>However, this section contains no detail on engagement of Aboriginal groups in the development of these potential habitat compensation sites.</p> <p>As Wabigoon Lake is used by MNO, MNO requires consultation on the potential use of the lake as a habitat compensation locale.</p>	FH(1)-06
AC(1)-227	202		Environmental Impact Statement 6.4.1.12 Fish and Fish Habitat	<p>While the catastrophic failure of the TSF is a “highly improbable event”, it does not preclude this item from a fulsome assessment. Particularly as Wabigoon Lake is extensively used by MNO in the exercise of their Aboriginal rights and interests and the effects must be adequately quantified.</p>	AM(1)-04
AC(1)-228	206	<p><i>2.3 Aboriginal Consultation</i></p> <p><i>“The proponent will make reasonable efforts to integrate “traditional Aboriginal knowledge” that will contribute to the assessment of environmental impacts.”</i></p> <p><i>10.1.3 Effects of Changes to the Environment</i></p> <p><i>“The EIS will describe the effects of any change the project may cause to the environment, with</i></p>	Environmental Impact Statement 6.4.2.1 Land Use	<p>At minimum, the land use assessment results should link back to effects on Aboriginal rights and interests. This has not been completed and there is no linkage between Aboriginal interests and land use.</p>	HE(1)-43

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IR 1 Reference #	MNO #	EIS Guidelines	EA Section or other technical document	Comment	Link to Annex A1
		<i>respect to Aboriginal peoples...</i>			
AC(1)-229	210		Environmental Impact Statement 6.4.2.4 Heritage Resources	This section does not even characterize effects and instead jumps directly to “potential direct residual effects”. The assumption that, based on a flawed consultation process, no sites of interest or importance exist within the project area is faulty.	HE(1)-47
AC(1)-230	211		Environmental Impact Statement 6.4.2.5 Aboriginal Peoples	Specific detail is required in relation to exceedances of deleterious substances including the type of substance, the levels anticipated of each substance, the predicted effects of the substances on the environment and, finally, the effects of the substances on Aboriginal peoples. Without this necessary detail it is impossible to properly quantify the potential adverse effects and therefore impossible to apply mitigation.	HE(1)-01
AC(1)-231	212		Environmental Impact Statement 6.4.2.5 Aboriginal Peoples	This section of the EIS refers to the lead exposure of grouse and indicates that “[t]he HQ falls below the risk threshold when the assumption is made that grouse obtain one third rather than one half of their food from plants and soil invertebrates living on the tailings.” However, no justification is provided that allows for this adjustment of the data. On what basis was the grouses’ diet reduced?	HE(1)-12
AC(1)-232	213		Environmental Impact Statement 6.4.2.5 Aboriginal Peoples	This section states that “Aboriginal communities have identified the potential impacts of the Project on water as a concern.” However, this statement is pan-Aboriginal and does not specify which group(s) has made this statement. To be used as a valued component for study, it should have been a consistent concern, raised by multiple groups and this cannot be evaluated without disaggregation of the information.	AC(1)-01
AC(1)-233	214		Environmental Impact Statement 6.4.2.5 Aboriginal Peoples	The statement in the EIS that “...it is anticipated that the Project will not impact the lake level of Wabigoon Lake or Thunder Lake” requires additional detail to be sufficient as part of the effects assessment, including: <ul style="list-style-type: none"> • Definition of temporal boundaries • Definition of spatial boundaries including a PDA, LAA and RAA • A description of Analytical Methods • A description of assumptions and conservative approach • An outline of the potential effects • Details about potential mitigation • Characterization of residual effects, including a residual effects classification • A determination of significance of residual effects • Details of confidence and risk • Outline of follow-up monitoring, if applicable 	EA(1)-01 EA(1)-02 EA(1)-03 EA(1)-04 EA(1)-05 EA(1)-06 EA(1)-07 EA(1)-08 EA(1)-09
AC(1)-234	215	10.1.3 Effects of Changes to the Environment <i>“The EIS will describe the effects of any change the project may cause to the environment, with respect to Aboriginal peoples...”</i>	Environmental Impact Statement 6.4.2.5 Aboriginal Peoples	This section largely just repeats conclusions from other sections of the EIS and does not endeavor to actually relate the information to Aboriginal peoples.	HE(1)-38 HE(1)-43
AC(1)-235	216		Environmental Impact Statement	This section states that “Aboriginal communities have expressed concern that the Project could adversely impact their ability to gather plants and berries.” However, this statement is pan-Aboriginal and does not specify which group(s) has made this claim. To be used as a valued component for study, it should have been a consistent concern, raised by multiple groups and this cannot be evaluated without	HE(1)-43 AC(1)-01

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			6.4.2.5 Aboriginal Peoples	disaggregation of the information.	
AC(1)-236	217		Environmental Impact Statement 6.4.2.5 Aboriginal Peoples	The continued focus on three plant species for consideration in the EIS is inappropriate and does not take into account the specific species used by MNO in the exercise of their rights.	AC(1)-01 HE(1)-45
AC(1)-237	218		Environmental Impact Statement 6.4.2.5 Aboriginal Peoples	The statement that “Upon closure of the Project this site will be available to the public and First Nation communities” does not alleviate any potential adverse impact to chanterelle picking. As project closure is set to occur in the far future, there will still be generational effects to MNO gathering in the region that must be considered.	HE(1)-43
AC(1)-238	219		Environmental Impact Statement 6.4.2.5 Aboriginal Peoples	This section states that “Potential impacts to hunting, trapping and fishing that could result from the Project have been identified by Aboriginal communities as a concern” However, this statement is pan-Aboriginal and does not specify which group(s) has made this claim. To be used as a valued component for study, it should have been a consistent concern, raised by multiple groups and this cannot be evaluated without disaggregation of the information.	HE(1)-43 AC(1)-01
AC(1)-239	220	10.1.3 Effects of Changes to the Environment “The EIS will describe the effects of any change the project may cause to the environment, with respect to Aboriginal peoples...”	Environmental Impact Statement 6.4.2.5 Aboriginal Peoples	Effects to hunting and trapping have not been described or characterized beyond the availability of Crown land. This does not take into account the particulars of the experience of hunting such as air quality, noise, light, etc. Further, no mitigation has been proposed and the application of criteria on this threadbare assessment is wholly inappropriate.	HE(1)-38
AC(1)-240	221	10.1.3 Effects of Changes to the Environment “The EIS will describe the effects of any change the project may cause to the environment, with respect to Aboriginal peoples...”	Environmental Impact Statement 6.4.2.5 Aboriginal Peoples	The assessment of fishing wholly relies on previously assessed criteria and does not take into account the actual activity of fishing and the potential impacts of the same.	FH(1)-06 CE(1)-02
AC(1)-241	222	10.2 Adverse Impacts on Aboriginal and Treaty Rights and Related Interests “The assessment of the potential adverse impacts of each of the project components and physical activities, in all phases, will be based on a comparison of the exercise of the identified rights between the predicted future conditions with the project and the predicted future conditions without the project. It is recommended that the impact matrix methodology described in section 10.1.1 be adapted for this purpose.”		There is no assessment completed of the potential adverse impacts of each of the project components and physical activities. Further, the impact matrix was not adapted for this purpose.	HE(1)-43 EA(1)-02
AC(1)-242	223	7.2.1 Spatial Boundaries “The EIS will clearly indicate the spatial boundaries to be used in assessing the potential adverse environmental effects of the proposed project and provide a rationale for each	Environmental Impact Statement 7.2.1 Spatial and Temporal Scale	While this section references a LSA and RSA for the cumulative effects assessment, it is not specifically described, nor is a figure present which represents this.	CE(1)-01

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		<i>boundary. It is recognized that the spatial boundaries for each VC may not be the same.”</i>			
AC(1)-243	224	<p>9.2 Potential or established Aboriginal or treaty rights and Related Interests</p> <p>“At a minimum, the EIS will summarize available information on the potential or established Aboriginal and Treaty rights and related interests of the named Aboriginal groups that have the potential to be adversely impacted by the project. As part of this summary, the EIS will include for each Aboriginal group:</p> <ul style="list-style-type: none"> - Background information and a map of the group’s traditional territory; - A summary engagement activities conducted prior to the submission of the EIS... - Information on each group’s potential or established rights (including geographical extent, nature, frequency, timing) including maps and data sets (e.g. fish catch numbers) when this information is provided to the proponent; - An overview of key comments and concerns provided by each group to the proponent; - An overview of key comments and concerns provided by each group to the proponent; - Responses provided by government and/or the proponent, as appropriate; and - Planned future engagement activities 	8.0 Aboriginal and Public Engagement	<p>Section 8.0 of the EIS contains none of this information in relation to the MNO or any other Aboriginal group.</p> <p>Appendix DD: Aboriginal Consultation Report contains some of these required details with regards to the MNO. However information on: <i>Background information and a map of the group’s traditional territory, and Information on each group’s potential or established rights (including geographical extent, nature, frequency, timing) including maps and data sets (e.g. fish catch numbers) when this information is provided to the proponent</i> is not included.</p>	HE(1)-38
AC(1)-244	225		8.0 Aboriginal and Public Engagement	The layout of the section is confusing as it jumps between Aboriginal and public consultation and concerns throughout. The requirements for consultation and the rights held by Aboriginal groups are separate and unique and should have a different treatment in the EIS than the general public.	
AC(1)-245	226	<p>2.3 Aboriginal consultation</p> <p>“One of the purposes of CEAA, 2012 is to promote communication and cooperation with Aboriginal peoples, including First Nation, Inuit and Métis. To work toward this goal, the proponent will ensure that it engages with Aboriginal people....as early as possible in the</p>	<p>8.0 Aboriginal and Public Engagement</p> <p>8.1 Introduction</p>	<p>The EIS states that “A key challenge and opportunity in the Aboriginal and public participation process is the timing around when and what type of information is provided.....providing information that is incomplete, too detailed, or presenting of options that are impractical or unrealistic may result in confusion.”</p> <p>This paragraph reads like Treasury is attempting to excuse a poor consultation process by indicating that it’s difficult. A meaningful consultation process begins early, even when a proponent is in planning stages and may only have “incomplete information,” this allows time for stakeholders and Aboriginal groups to have input and influence the project planning and design.</p>	AC(1)-01

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IR 1 Reference #	MNO #	EIS Guidelines	EA Section or other technical document	Comment	Link to Annex A1
		<i>project planning process. The proponent is strongly encourages to work with Aboriginal groups in establishing an engagement approach.”</i>			
AC(1)-246	227		8.0 Aboriginal and Public Engagement 8.1 Introduction	The EIS states that “Treasury anticipates that with the submission of this EIS, virtually all of the outstanding questions that were raised at public meetings and other events in the years previously noted have now been answered.” MNO has not been meaningfully engaged by Treasury on this project. This is due to the lack of agreement by Treasury to fund the activities (e.g. a TLKUS) necessary for MNO to gather and understand the questions, issues and concerns that MNO citizens have about the proposed Project. Therefore, MNO has many outstanding concerns about the Project. Many of these concerns are reflected in the comments on the EIS; however the EIS comments are not the totality of MNO concerns.	AC(1)-01
AC(1)-247	228	<i>9.2 Potential or established Aboriginal or treaty rights and Related Interests</i> <i>“For the purposes of developing the EIS, the proponent will engage with Aboriginal groups whose potential or established Aboriginal rights and Treaty rights and related interests may be affected by the project which include at a minimum the following groups:</i> <i>....</i> <i>- Métis Nation of Ontario”</i>	8.0 Aboriginal and Public Engagement 8.3.3 Aboriginal Communities	The EIS states “There are a number of Aboriginal communities that have expressed an interest in the Project.” MNO has not just expressed an interest in the Project, MNO has Aboriginal rights in the area where the Project is proposed and the Crown (both CEAA and MNM) have directed Treasury to consult with the MNO.	AC(1)-01
AC(1)-248	229		8.0 Aboriginal and Public Engagement 8.3.3 Aboriginal Communities	There is an error in the sentence “Treasury’s efforts to consult with Aboriginal communities are presented in Appendix V....” Appendix V is the Public Engagement report.	
AC(1)-249	230	<i>3.3 Integration of EA, Aboriginal and public consultation information</i> <i>“The proponent will ensure that public and Aboriginal concerns are well documented in the EIS.”</i>	8.0 Aboriginal and Public Engagement 8.5 Aboriginal Consultation Information	This section of the EIS outlines comments and questions received from Aboriginal groups about the Project. These were presented in an aggregated format. MNO requires disaggregated information in order to adequately assess whether MNO involvement was adequate. CEAA has previously requested proponents provide disaggregated information for consideration. Specifically, as part of the correspondence in reference to the Pacific NorthWest LNG Ltd. Assessment (Reference Number 80032) CEAA specified that “Without the benefit of disaggregating by each Aboriginal group, for each factor considered under 5(1)(c), including related baseline information, it is difficult for the Agency to determine if enough detail exists to effectively assess the potential for significant adverse environmental effect that could potentially impact Aboriginal peoples. In other words, the conclusions regarding impacts on 5(1)(c) and Aboriginal rights contained in the EIS cannot be confidently relied upon without the benefit of a thorough understanding of the information used to support the conclusion.”	AC(1)-01
AC(1)-250	231	<i>3.3 Integration of EA, Aboriginal and public consultation information</i> <i>“In preparing the EIS, the proponent is encouraged to integrate Aboriginal and public</i>	8.0 Aboriginal and Public Engagement 8.5 Aboriginal Consultation Information	The EIS indicated “Baseline studies relating to all of the above noted concerns have been completed. Measures contemplated to address these concerns are included as part of this EIS.” Please provide a reference to which baselines studies are related to which concerns. Additionally, provide reference to which measures	AC(1)-01

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		<i>consultation outcomes into the consideration and mitigation of environmental effects at the appropriate EA analytical steps...</i>		address the noted concerns.	
AC(1)-251	232	3.3 Integration of EA, Aboriginal and public consultation information <i>"In preparing the EIS, the proponent is encouraged to integrate Aboriginal and public consultation outcomes into the consideration and mitigation of environmental effects at the appropriate EA analytical steps..."</i>	8.0 Aboriginal and Public Engagement 8.6 Participants in the Environmental Assessment	This section of the EIS does not describe "Participants in the Environmental Assessment" rather; it merely provides a listing of public communities and events where the Project was discussed. Please provide a description of how consultation influenced the design and execution of the EIS.	PC(1)-01
AC(1)-252	233	3.3 Integration of EA, Aboriginal and public consultation information <i>"The proponent will ensure that public and Aboriginal concerns are well documented in the EIS."</i>	8.0 Aboriginal and Public Engagement 8.9 Aboriginal Concerns	Again, this section of the EIS is not specific to any Aboriginal group. It lists aggregated concerns making it very difficult, if not impossible, to determine what concerns were collected from MNO. MNO requires disaggregated information in order to adequately assess whether MNO involvement was adequate. CEAA has previously requested proponents provide disaggregated information for consideration. Specifically, as part of the correspondence in reference to the Pacific NorthWest LNG Ltd. Assessment (Reference Number 80032) CEAA specified that "Without the benefit of disaggregating by each Aboriginal group, for each factor considered under 5(1)(c), including related baseline information, it is difficult for the Agency to determine if enough detail exists to effectively assess the potential for significant adverse environmental effect that could potentially impact Aboriginal peoples. In other words, the conclusions regarding impacts on 5(1)(c) and Aboriginal rights contained in the EIS cannot be confidently relied upon without the benefit of a thorough understanding of the information used to support the conclusion."	AC(1)-01
AC(1)-253	234	3.3 Integration of EA, Aboriginal and public consultation information <i>"In preparing the EIS, the proponent is encouraged to integrate Aboriginal and public consultation outcomes into the consideration and mitigation of environmental effects at the appropriate EA analytical steps..."</i>	8.0 Aboriginal and Public Engagement 8.9.1 Measures to Address Aboriginal Concerns	The EIS states that "The detail as to how Aboriginal concerns are to be addressed is included throughout the EIS." Please provide a reference as to where in the EIS this detail is located. Without this information MNO cannot assess whether concerns are addressed in the EIS.	AC(1)-01
AC(1)-254	235		8.0 Aboriginal and Public Engagement 8.9.1 Measures to Address Aboriginal Concerns	In relation to Treasury's commitment to installing a monitoring plan for groundwater resources, the EIS indicates that "Termination of the program will be expected following full review of data collection by regulatory authorities." If this project proceeds, MNO requires ongoing monitoring of groundwater resources throughout the life of the Project.	
AC(1)-255	236	3.4.2 Community knowledge and Aboriginal traditional knowledge <i>"The proponent will incorporate into the EIS the community and Aboriginal traditional</i>	8.0 Aboriginal and Public Engagement 8.9.1 Measures to Address Aboriginal Concerns	In response to concerns about "potential impacts on land use such as hunting, trapping, and other traditional land uses: the EIS states that "The development of the Project is not anticipated to adversely impact the rights of Aboriginal peoples to hunt within the project area." Please provide a reference to the section of the EIS where this assessment and conclusions are located. What information from MNO was	HE(1)-43

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IR 1 Reference #	MNO #	EIS Guidelines	EA Section or other technical document	Comment	Link to Annex A1
		<i>knowledge to which it has access or that is acquired through Aboriginal engagement activities...</i>		used in the determination?	
AC(1)-256	237		8.0 Aboriginal and Public Engagement 8.9.1 Measures to Address Aboriginal Concerns	In response to concerns about “potential impacts on land use such as hunting, trapping, and other traditional land uses:, the EIS states that “Treasury has made concerted effort to place mine infrastructure...on private properties and thereby reduce potential impacts to Crown lands.” Locating the Project partially on private lands does not negate the requirement to assess the impacts on the exercise of Aboriginal rights. MNO requires an assessment of Project impacts on Métis rights in within a Regional Study Area as well as information on how much previously unoccupied Crown land will be taken up by the proposed Project.	HE(1)-43
AC(1)-257	238	<i>3.4.2 Community knowledge and Aboriginal traditional knowledge</i> “The proponent will incorporate into the EIS the community and Aboriginal traditional knowledge to which it has access or that is acquired through Aboriginal engagement activities...”	8.0 Aboriginal and Public Engagement 8.9.1 Measures to Address Aboriginal Concerns	Additional detail is required to support the claim that “Trapping on Crown lands in the vicinity of the Project site will not be altered as a result of the development of the Goliath Gold Mine.” What assessment was undertaken to reach this conclusion? What information from MNO was used in the determination?	HE(1)-43
AC(1)-258	239	<i>3.4.2 Community knowledge and Aboriginal traditional knowledge</i> “The proponent will incorporate into the EIS the community and Aboriginal traditional knowledge to which it has access or that is acquired through Aboriginal engagement activities...”	8.0 Aboriginal and Public Engagement 8.9.1 Measures to Address Aboriginal Concerns	In response to concerns about “potential impacts on land use such as hunting, trapping, and other traditional land uses:, the EIS states that “Concerns have been identified relating to the provision outlined in section 35 of the Constitution Act (1982), which provides for the protection of Aboriginal rights. The opportunity to practice section 35 harvesting rights in the general area of the Project will continue.” Please provide a reference to the section of the EIS where this assessment and conclusions are located. What information from MNO was used in the determination? Additionally, even if the exercise of rights may continue in the project vicinity, this does not negate the fact that the exercise of rights will no longer be possible on new areas of previously unoccupied Crown lands that will be taken up by the Project.	HE(1)-38, HE(1)-43
AC(1)-259	240	<i>3.4.2 Community knowledge and Aboriginal traditional knowledge</i> “The proponent will incorporate into the EIS the community and Aboriginal traditional knowledge to which it has access or that is acquired through Aboriginal engagement activities...”	8.0 Aboriginal and Public Engagement 8.9.1 Measures to Address Aboriginal Concerns	In response to the concerns about “Potential impacts on gathering plants and berries”, the EIS states that “Blueberries are one type of berry known to be of interest to First Nations and other Aboriginal people. No specific areas associated with the Project have been identified as areas from which blueberries have been gathered.” MNO objects to the characterization that no areas have been identified in the project vicinity, this conclusion is premature. MNO has, on numerous occasions, requested capacity to document information related to the exercise of Métis rights, to no avail. Treasury has willfully and knowingly proceeded with its project development without the collection of MNO TLUS and has proceeded with the Project application without fulsome consultation with the MNO. Blueberries, while potentially representative of some berry types, cannot be used as a substitute for all berry types within the vicinity of the Project. MNO gathers many varieties of berries and their exclusion from consideration in the assessment highlights the deficiency of the	HE(1)-38 HE(1)-43

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				report.	
AC(1)-260	241		8.0 Aboriginal and Public Engagement 8.9.1 Measures to Address Aboriginal Concerns	In relation to a concern about “Potential impact from flooding and weather related disasters” the EIS states that “Treasury does not have the expertise to comment on the causes of climate change and weather patterns.” However, it is Treasury’s responsibility to procure the necessary expertise to address all issues and concerns raised as part of the EIS application process. Not having the expertise does not remove the issue.	EE(1)-06
AC(1)-261	242		8.0 Aboriginal and Public Engagement 8.9.1 Measures to Address Aboriginal Concerns	In the response to concerns about “Potential access restrictions” the EIS states that: “...the impact on access to Treaty 3 lands will be small.” Please provide a reference to the section of the EIS where this assessment and conclusions are located. As MNO has not completed a TLUS, the scope and extent of their trails and travelways cannot be quantified in the Project area. This section does not consider this or make provisions for the potential information.	HE(1)-38 HE(1)-44
AC(1)-262	243	3.4.2 Community knowledge and Aboriginal traditional knowledge “The proponent will incorporate into the EIS the community and Aboriginal traditional knowledge to which it has access or that is acquired through Aboriginal engagement activities...”	8.0 Aboriginal and Public Engagement 8.9.1 Measures to Address Aboriginal Concerns	In response to concerns about “Potential impacts from noise associated with the Project site” the EIS indicates that mitigation measures may include “timing of blasting in open pit to limit noise and vibration to home owners” as well as “Blasting undertaken at the mine site will be conducted in a manner that will not result in impacts to private properties...” These mitigation measures are focused on property owners rather than Aboriginal rights holders. It fails to consider the potential impacts of Project noise on Aboriginal harvesters who may be in the project vicinity. The EIS also fails entirely in considering the effect of blasting on the exercise of rights, and on the wildlife that harvesters depend on, within the regional study area.	HE(1)-01 HE(1)-43 HE(1)-45
AC(1)-263	244		8.0 Aboriginal and Public Engagement 8.9.1 Measures to Address Aboriginal Concerns	In response to concerns about mine closure plans, the EIS states that “Treasury has assured Aboriginal communities that the closure plan details will be vetted by Provincial representatives and qualified consultation firms will provide details in clear and transparent fashion.” This assurance is not enough; MNO requires consultation on the development and implementation of any Project closure plan developed by Treasury.	
AC(1)-264	245	3.4.2 Community knowledge and Aboriginal traditional knowledge “The proponent will incorporate into the EIS the community and Aboriginal traditional knowledge to which it has access or that is acquired through Aboriginal engagement activities...”	8.0 Aboriginal and Public Engagement 8.9.1 Measures to Address Aboriginal Concerns	In response to the concerns regarding “Potential impacts to property values in the vicinity of the mine” the EIS indicates that the changes to property values will be minimal. Please provide a reference to the section of the EIS where this assessment and conclusions are located. What information from MNO was used in the determination? For example, are MNO Citizens homeowners or renters in the Project vicinity and how the Project will impact those citizens?	HE(1)-35
AC(1)-265	246		8.0 Aboriginal and Public Engagement 8.9.2 Proponent Commitments	This section has 2 commitments listed then refers to additional commitments in the Commitment Registry. At a minimum, this section should describe any commitments made in response to the Concerns from Aboriginal Groups.	EA(1)-09
AC(1)-266	247	3.3 Integration of EA, Aboriginal and public consultation information “The proponent will ensure that public and	8.0 Aboriginal and Public Engagement 8.9.3 Outstanding Aboriginal and Public Concerns	MNO has not been meaningfully engaged by Treasury on this project. This is due to the lack of agreement by Treasury to fund the activities (e.g. a TLKUS) necessary for MNO to gather and understand the questions, issues and concerns that MNO citizens have about the proposed Project. Therefore, MNO has many outstanding concerns about the Project. Many of these concerns are reflected in the comments on the EIS; however the EIS comments are not the totality of MNO concerns.	HE(1)-38 AC(1)-01

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		<i>Aboriginal concerns are well documented in the EIS.</i>			
AC(1)-267	248		Environmental Impact Statement Table 10.1.1 Changes to the Project Since Initially Proposed	Please provide additional detail on the thresholds used to reach the conclusions that there would be reduced potential effects to Aboriginal rights by placing the freshwater make-up system on more private versus crown land. What is the threshold of impact?	EA(1)-03
AC(1)-268	249		Appendix DD: Aboriginal Consultation Report DD.2 Project Details	This section indicates that the Ministry of Northern Development and Mines has delegated procedural aspect of consultation to Treasury in relation to the requirements of a Mine Closure Plan as outlined in Regulation 240-00. Has the Ministry of the Environment and Climate Change provided any similar direction with regards to the provincial Environmental Assessment process?	
AC(1)-269	250		Appendix DD: Aboriginal Consultation Report DD.2 Project Details	The EIS indicates that “An Aboriginal Consultation Plan related to Treasury’s Goliath Gold Project was submitted to the Ministry of Northern Development and Mines on July 3, 2013.” Additionally, “...an ‘Interim’ Aboriginal Consultation report was prepared and submitted to the Ontario Ministry of Northern Development and Mines on May 12, 2014.” MNO requests copies of the plan and the interim report as well as any further Aboriginal consultation reports that are filed by Treasury.	
AC(1)-270	251		Appendix DD: Aboriginal Consultation Report DD.2 Project Details	The EIS states “Treasury analysis indicated that the Goliath Gold Project will provide substantial benefits to the people of Northwestern Ontario, including First Nations and Aboriginal communities in the immediate area of the project...” Please provide a reference to where this analysis can be found in the EIS. MNO also requests additional detail about what the specific benefits will be for MNO citizens.	HE(1)-35
AC(1)-271	252		Appendix DD: Aboriginal Consultation Report DD.2.1 History of the Goliath Gold Project	This sections notes that “there are only a few small parcels of Crown land associated with the Goliath Project.” The EIS repeatedly relies on the location of the proposed Project as being partially on private lands to minimize the requirement to assess the impacts on the exercise of Aboriginal rights. MNO requires an assessment of Project impacts on Métis rights within a Regional Study Area as well as information on how much previously unoccupied Crown land will be taken up by the proposed Project.	HE(1)-38 HE(1)-43
AC(1)-263	253	<i>3.4.2 Community knowledge and Aboriginal traditional knowledge</i> <i>“The proponent will incorporate into the EIS the community and Aboriginal traditional knowledge to which it has access or that is acquired through Aboriginal engagement activities...”</i>	Appendix DD: Aboriginal Consultation Report DD.2.1 History of the Goliath Gold Project	This section states “Treasury Metals does recognize that potential adverse impacts from mine development may not be limited specifically to the actual mine site. Potential adverse impacts to water and air quality away from the mine site and which may in turn have adverse impacts on Aboriginal and Treaty Rights have been raised as a concern.” MNO shares this concern that there may be regional effects on the exercise of Métis rights. Please provide a reference to where this is assessed in the EIS. Additionally, this concern about regional effects is not just limited to water and air quality. The potential for regional effects to wildlife and Métis harvesters from Project noise (e.g. blasting on a near daily basis) is also a concern.	HE(1)-43
AC(1)-272	254		Appendix DD: Aboriginal Consultation Report	In reference to the private lands on which the Project is located, this section states “...any impacts to Aboriginal and Treaty rights associated with their removal from the Treaty 3 land base would have been experienced at time of their original removal. Developing a mine on these privately owned properties does not present a new impact to Aboriginal and Treaty Rights. The few parcels of Crown land that are associated with the Project are by and large small in size and surrounded by private properties.”	HE(1)-38 HE(1)-43

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IR 1 Reference #	MNO #	EIS Guidelines	EA Section or other technical document	Comment	Link to Annex A1
			DD.2.1 History of the Goliath Gold Project	<p>Firstly, there are new Crown lands taken up for the purposes of the is Project that Treasury continually minimizes and has not provided detailed information about how much Crown land the Project will take up.</p> <p>Secondly, the land use and associated regional environmental effects of a mine is different than the current use of this private land (e.g. tree farm and homes) and therefore the conclusion that there are no new effects is premature and not based on sound environmental assessment methodology.</p>	
AC(1)-273	255		<p>Appendix DD: Aboriginal Consultation Report</p> <p>DD.2.1 History of the Goliath Gold Project</p>	<p>The section makes the following assumption: “As the traditional means of travel by Aboriginal peoples was along waterways it is logical that most sites that are of significance to Aboriginal people are to be found in close proximity to lakes, rivers or navigable streams. The Goliath site is not immediately adjacent to such water bodies.”</p> <p>While, many sites may be located in proximity to water bodies it is faulty logic to assume that there are no sites of importance to Aboriginal peoples if there is no water. Additionally, the assumption ignores the fact the Aboriginal and treaty rights are exercised <u>today</u> and harvesters use many different modes of travel including cars, trucks and ATVs.</p>	HE(1)-38
AC(1)-274	256		<p>Appendix DD: Aboriginal Consultation Report</p> <p>DD.2.1 History of the Goliath Gold Project</p>	<p>Please provide a reference to the section of the EIS that supports the following conclusion: “...it is a reasonable assumption that any significant adverse impacts to Aboriginal rights in the area would have been experienced through these various project developments. On-site Impacts to Aboriginal and treaty rights resulting from the development of the Goliath Gold Mine are expected to be low.”</p>	HE(1)-38 HE(1)-43
AC(1)-275	257	<p>3.3 Integration of EA, Aboriginal and public consultation information</p> <p>“The proponent will ensure that public and Aboriginal concerns are well documented in the EIS.”</p>	<p>Appendix DD: Aboriginal Consultation Report</p> <p>DD.5.7.3 Concerns identified by the Métis Nation of Ontario</p>	<p>MNO has more concerns with the Project than was is documented in this section; however, due to lack of capacity the MNO has not been able to meaningfully engage MNO citizens to fully understand Project-related issues and concerns.</p> <p>This is due to the lack of agreement by Treasury to fund the activities (e.g. a TLKUS) necessary for MNO to gather and understand the questions, issues and concerns that MNO citizens have about the proposed Project. Therefore, MNO has many outstanding concerns about the Project. Many of these concerns are reflected in the comments on the EIS; however the EIS comments are not the totality of MNO concerns.</p>	AC(1)-01
AC(1)-276	258	<p>3.4.2 Community knowledge and Aboriginal traditional knowledge</p> <p>“The proponent will incorporate into the EIS the community and Aboriginal traditional knowledge to which it has access or that is acquired through Aboriginal engagement activities...”</p>	<p>Appendix DD: Aboriginal Consultation Report</p> <p>DD.6 Next Steps in Aboriginal Consultation</p>	<p>This section indicates that one next step is to “Implement Traditional Knowledge Studies with the Métis Nation of Ontario...”</p> <p>MNO agrees that this is an important step in the consultation process; however, please provide more information on how the information contained in the TKLUS will be used to identify potential impacts on MNO citizens since the EIS has been completed and filed with the regulator?</p>	EA(1)-01 HE(1)-38
AC(1)-277	259		<p>Appendix DD: Aboriginal Consultation Report</p> <p>DD.6 Next Steps in Aboriginal Consultation</p>	<p>This section states that next steps also include “Continue to pursue mutually beneficial long-term agreements with interested First Nations and Aboriginal communities” and “Keep First Nations and Aboriginal Communities informed of potential employment and business opportunities.”</p> <p>Please provide additional details on how Treasury will implement these next steps specifically with the MNO.</p>	
AC(1)-278	260	3.2 Study Strategy and methodology	Environmental Impact Statement	There is no mention of traditional and local knowledge in the description of methods for any of the baseline studies, including:	EA(1)-01

Table 2 – Agency Disposition of Written Comments Submitted by the Métis Nation of Ontario (MNO) on the Environmental Impact Statement (Report prepared by Calliou Group)

IR 1 Reference #	MNO #	EIS Guidelines	EA Section or other technical document	Comment	Link to Annex A1
		<i>"In describing methods, the proponent will document how it used ... traditional and local knowledge to reach its conclusions."</i>	Appendix G Environmental Baseline Study	<ul style="list-style-type: none"> • Climate • Hydrology • Surface water quality • Hydrogeology • Soils • Geochemistry • Wildlife • Vegetation • Fish and Aquatic resources • Sediment 	
AC(1)-279	261	<p>3.4.2 Community Knowledge and Aboriginal Traditional Knowledge</p> <p><i>"The proponent will incorporate into the EIS the community and Aboriginal knowledge to which it has access or that is acquired through Aboriginal engagement activities."</i></p>	<p>Environmental Impact Statement</p> <p>Appendix G Environmental Baseline Study</p>	As the baseline environment study was completed prior to engagement with the MNO, no opportunity was provided for MNO to provide information for incorporation into this study.	AC(1)-01

Table 3 - Agency Disposition of Written Comments Submitted by Eagle Lake First Nation on the Environmental Impact Statement (Report prepared by ICA Associates Inc.)

IR 1 Reference #	Page #	Section 5 Concern/EA Process Item	Comment	Link to Annex A1
Aboriginal Consultation for the Project- Consultation Protocol				
AC(1)-280	4,5	Aboriginal consultation	<p>The proposed Goliath Gold Mine Project has the potential to infringe on Treaty Rights. The contact with First Nations upon whose traditional land where the mine is anticipated to be built, is described in the EIS Summary in Chapter 9.0 Aboriginal Engagement in the full EIS in Chapter 9.0 Aboriginal and Public Engagement and in Appendix DD and Appendix V. In Appendix DD Treasury Metals Inc. States that, “Developing a mine on these privately owned properties does not present a new impact to Aboriginal and Treaty rights... The proponent then goes on to state “Treasury Metals does recognize that potential adverse impacts from mine development may not be limited specifically to the actual mine site. Potential adverse impacts to water and air quality away from the mine site and which may in turn have adverse impacts on Aboriginal and Treaty rights have been raised as a concern. Section 35 of the Canadian Constitution Act (1982) recognizes and affirms existing “Aboriginal and treaty rights” It is firmly entrenched in case law that governments have a duty “to consult and accommodate” indigenous peoples whenever they take a decision that could infringe on their rights. In 2010 Canada endorsed the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP, 2007). The United Nations Declaration on the Rights of Indigenous Peoples states:</p> <p>a. Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources (Article 29(1)); and b. Indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their lands or territories and other resources (Article 32(1));</p> <p>To have informed consent indigenous peoples must receive adequate information in order to fully understand the positives and negatives consequences of pending decisions and must be Able make decisions according to their own processes.</p> <p>ELFN is concerned that Grand Council Treaty #3 has not been directly involved early enough in the process; i.e., at the prospecting stage of this project. Eagle Lake FN subscribes to the Great Earth Law (Manito Aki Inakonigaawin) and has developed Principles for Consultation for the People of Migisi Sahgaigan (2011). ELFN’s consultation policy was developed as a result responding to advanced exploration projects and abandoned mines on their lands. When a proponent enters Treaty #3 Territory they must come to an agreement with the Grand Council. In turn, the proponent must negotiate with the Grand Council and in turn the Grand Council Will determine the communities to be consulted. ELFN explains its consultation process on their official website and sets out the terms on which consent might be based (ELFN, 2015). “The following Principles of Consultation are mandatory for meaningful consultation based on Anishinaabe traditions and practices:</p> <ul style="list-style-type: none"> • Give direction to achieve a wise result and healing through informed consent • Everyone’s views are listened to, consequences (costs) have been considered and a decision is made based on consensus • Be careful in our decision making, our actions, interactions, and to consider everyone, everything, past, present and future • We will have a clear understanding of all facts, impacts and future costs • There is a procedure to make things right as part of decision making • There is an order or way of doing things • See things clearly, to be transparent, an openness of procedures, actions and decisions • Show respect to those who have knowledge i.e. Elder <p>General Principles for Meaningful Consultation with the people of Eagle Lake:</p> <ul style="list-style-type: none"> • The Declaration will be understood and respected • Government is required to consult with and accommodate our community in good faith with clear intent of the proposed activities • Consultation procedures will be guided by mutually acceptable protocols, plans and timelines and the objectives and scope clearly laid out to our community before consultation begins and before decisions are made • Adequate financial, human and expert resources will be made available to our community through the Government or the proponent • Consultations will strengthen our people to state the value of the land and decisions will be based on consensus • We will be informed as to what changes will take place • Consultations will meaningfully support our land use plan and provide adequate time to consider all objectives and questions and will be conducted through mutual respect • Where there are disagreements, the proponent will be responsible, or through third party mediation if deemed necessary. The proponent is still responsible for the costs.” <p>The community of Eagle Lake has yet to give its consent to this project and the consultation protocol developed by Eagle Lake First Nation has yet to be implemented in regards to this project.</p>	AC(1)-01 EA(1)-01 HE(1)-38 HE(1)-43
Aboriginal Consultation for the Project-Outstanding Community Concerns-Eagle Lake First Nation (ELFN)				
AC(1)-281	5	Aboriginal consultation	On May 3rd 2015, ICA Associates Inc. completed a community workshop to identify and outline the concerns that have not yet been addressed by Treasury Metals according to community members. There were 18 community members present ranging from the age of 16 to 70. There were several Elders and youth present at the workshop. The following table is documentation from the community workshop.	
AC(1)-282	6	Aboriginal consultation	<p>Concerned that the consultation process was limited</p> <p>The duty to consult process overlooked Medicines will be contaminated. ELFN has not provided any traditional knowledge to Treasury Metals. Concerned that that Treasury Metals has not consulted Grand Council Treaty #3 Are they going to listen to us? Concerned that consultation doesn’t matter</p>	EA(1)-01 AC(1)-01

Table 3 - Agency Disposition of Written Comments Submitted by Eagle Lake First Nation on the Environmental Impact Statement (Report prepared by ICA Associates Inc.)

IR 1 Reference #	Page #	Section 5 Concern/EA Process Item	Comment	Link to Annex A1
AC(1)-283	6	Accidents and Malfunctions Fish and Fish Habitat Alternatives Assessment Aboriginal Health and Socio-economic Conditions Current Use of Lands and Resources for Traditional Purposes	Environmental Monitoring and Assessment Environmental monitoring should be around seepage areas, concerned it is not being completed Concerned that environmental testing by the industry should be done by an outside body Concerned about back-up plans Policies should be written down, we are concerned about the (emergency) procedures If CDA standards failed before, why use something that has failed? (Mt. Polley) Monitoring of the Tailing ponds, concerned about who will monitor over the next 10-100 years	AM(1)-01 AM(1)-03 AE(1)-01
AC(1)-284	6	Aboriginal Health and Socio-Economic Conditions Accidents and Malfunctions	Impact on People and the Community What is the plan in the event of human health concerns? What are the guarantees of no damage? Concerned about outside people from Toronto not realizing the needs of our community Concerned with air quality Concerned that they may come closer to the community Mine cannot ensure that people will be compensated if something happens	HE(1)-01 HE(1)-33
AC(1)-285	6	Current Use of Lands and Resources for Traditional Purposes Accidents and Malfunctions	Concerned about closure plan Concerned that there will be hazardous waste impacting the land Concerned government vs. Goliath clean up standard the same or better? Concerned that they will not have enough money to clean it up Smaller mines need to be watched more because they may not have the resources Need more information from provincial and federal government	
AC(1)-286	6	Fish and Fish Habitat Aboriginal Health and Socio-Economic Conditions Project Description	Impact on Freshwater and Fish Mine closure and potential effects on water management Freshwater coming out of the plant, my great grandchildren will be drinking that water for 100 years Concerned about how you developed the baseline for fish Concerned that the site is close to water, should move the processing plant.	FH(1)-06 FH(1)-10
AC(1)-287	7	Cumulative effects Project Description Accidents and Malfunctions	Concerned about Management of Mine The cost – how much so far has been spent? 144 million isn't enough to clean up the mess Concerned about a possible connection to Energy East Concerned about the mill, same situation and impact. The same individual that ran the mill is managing this project.	CE(1)-02
AC(1)-288	7	Fish and Fish Habitat Current Use of Lands and Resources for Traditional Purposes	Site preparation, wildlife and fish habitat Construction phase environmental concerns Nothing to preserve the wildlife in the area Nature reserve bordering the property Impact on wildlife	WL(1)-02 WL(1)-04 WL(1)-05 WL(1)-08 WL(1)-10
AC(1)-289	7	Aboriginal Consultation Current Use of Lands and Resources for Traditional Purposes Aboriginal Health and Socio-Economic Conditions	Key Messages for Treasury Metal Inc. and CEAA Air, water and oxygen are life We hold the knowledge of the land We are keepers of the land We have a duty to take care of the lands and waters Quality of peace Our water is priceless Preserve, protect and persevere Protectors of 10 000 years The government needs to follow the MAI and the Grand Council of Treaty 3 Before entering Treaty #3 Territory Grand Council must give consent to those affected and must advise what is intended.	EA(1)-01 AC(1)-01 HE(1)-43

Table 3 - Agency Disposition of Written Comments Submitted by Eagle Lake First Nation on the Environmental Impact Statement (Report prepared by ICA Associates Inc.)

IR 1 Reference #	Page #	Section 5 Concern/EA Process Item	Comment	Link to Annex A1
			Consent should be required not consultation I can trust the water but not your mine We want our water not your money	
AC(1)-290	7,8	Aboriginal Consultation Current Use of Lands and Resources for Traditional Purposes Aboriginal Health and Socio-Economic Conditions, Current Use of Lands and Resources for Traditional Purposes	<p>Key Questions for Treasury Metals Inc. and CEA Agency What has been the history of mining to date (land, water) with First Nations? What is the history of this the leadership with Aboriginal communities? Why is there only a 30 days to review an EIS? How many First Nations have been involved in reviews of EIS? Is this process working and for who? Have they considered traditional knowledge and knowledge of the land? Why is the revenue for the Project only 144 million dollars? How can you guarantee that the groundwater and lake won't be affected? What are you going to do? Why are First Nations not involved in the development of The Mining Act policies? How will this impact our environment in the past, present and future? If the company goes bankrupt, who will pay? Are the First Nation people the only people standing in the way of the mine? How much money do you have for closure? Where is it? What is the risk of long and short-term health issues? What is the benefit for the community after you are gone in 10 years? Why do you consider this a consultation rather than a visit? Why are you consulting us? Where are you taking our concerns? Are you providing references of other similar projects? Why are we being consulted on this Project? Why are you asking our opinion?</p> <p>The community of ELFN including Elders, youth, management have yet to have their concerns adequately addressed by Treasury Metals Inc. and CEA Agency. The concerns, questions and messages documented in the community workshop indicate that there has not been effective dialogue between the proponent and community members.</p>	AC(1)-01 EA(1)-01 HE(1)-01
AC(1)-291	8	Aboriginal Consultation Current Use of Lands and Resources for Traditional Purposes Structure, site, or thing of historical, archaeological, paleontological or architectural significance to Aboriginal groups	<p><i>"Consultation and engagement efforts by Treasury have not resulted in any formal Traditional Knowledge (TK) studies being conducted that are specific to the Project."</i> (Chapter 3.0) The greatest concern of the community was the lack of consent for this project and lack of documentation of Traditional Knowledge. The community was concerned that Treasury Metals Inc. records informational events and phone calls as part of the consultation log and records interactions without the approval of Eagle Lake First Nation. There have been no engagement sessions that have resulted in meaningful participation with the community in regards to the development of baseline studies or environmental monitoring programs.</p> <p>In Appendix DD, Treasury recognizes that there is wild rice harvesting sites near the location of the mine (pg, 23Q24 in Appendix DD).</p> <p>"These wild rice harvesting areas have not been confirmed with WLON. Regardless of these areas being confirmed. Treasury is aware of the presence of wild rice in the areas identified and will take measures to ensure that these sites remain suitable for wild rice growth. Eagle Lake, as well as the other First Nations with which Treasury is obliged to consult, was sent a letter by Treasury on January 28, 2014 requesting information related to Aboriginal values associated with wetlands. Information relating to wetlands which may have been used for wild rice harvesting was specifically requested. No responses were received." Treasury has not confirmed these sites with WLON and Eagle Lake FN. Treasury also claims there are no sites of archaeological significance. Rather than relying on the expertise of an archaeological firm and MNRF data, the Company must engage with the communities in a comprehensive manner.</p> <p>In Appendix DD and in the Conclusion (Chapter 13) outlines Eagle Lake First Nation concerns. Table 2.1 in the fifth column records the community's response to the concerns presented to CEAA by Eagle Lake First Nation. For example, a key concern from an Elder in the community was the impact of the Project on Lola Nature Reserve. Treasury indicates that there will be no impact on the Lola' Nature Reserve because it is situated 2 km upstream from the site. This is a conclusion that was not made in consultation with Aboriginal people and dismisses a traditional and holistic understanding.</p>	EA(1)-01 AC(1)-01 HE(1)-45 HE(1)-47
AC(1)-292	9	Fish and Fish Habitat Migratory Birds Current Use of Lands and Resources for Traditional Purposes Aboriginal Health and Socio-Economic Conditions Aboriginal Physical and	<p>Refer to Table 2.1 Community Response to "Table DD.7.9 "Feedback from Aboriginal Communities provided by the CEA Agency to Treasury" (pg 119-121 in Appendix DD).</p> <p>Eagle Lake has provided feedback to responses provided by Treasury, including:</p> <ul style="list-style-type: none"> • "Concerned about the impact seepage of the TSF into groundwater and surface water flowing to Wabigoon Lake." • ELFN has traditionally used this area for wild rice harvesting and blueberry harvesting. We have a camp. We have seen many robins in that area. We believe that Wabigoon FN has sites of significance in the area. This response is disrespectful of traditional knowledge and teachings. Archaeological assessment needs to be in consultation with First Nation. • There will be an impact on the nature reserve. Concerned about the Project impacting Mavis and Ghost lake where there is a sacred site called The Serpent (7 km away) , concerned about the impact on the overall landscape. • The community is concerned about how the baseline for fish was established. Walleye uses this stream in June. This needs to be assessed with traditional knowledge. • Will TM be applying for HADD, Fisheries Compensation Agreement, and Fisheries Act Authorization through the Federal government? (Page 157 PD • We have been going to this blueberry camp for centuries. Concerned about the impact on the fox and the bear. 	EA(1)-01 AC(1)-01 HE(1)-38 HE(1)-43 HE(1)-45 HE(1)-46 HE(1)-47 FH(1)-06

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IR 1 Reference #	Page #	Section 5 Concern/EA Process Item	Comment	Link to Annex A1
		Cultural Heritage Effect that is directly linked or necessarily incidental to a federal authority's exercise of a power or a performance of a duty or function Accidents and Malfunctions	<ul style="list-style-type: none"> • “Its disrespectful for the community to think about mitigation because you can’t off set an impact on something.” Community was not involved in providing information related to mitigation measures which is another example for the need of a comprehensive community engagement strategy • How do we know if those regulations will be safe? There needs to be an independent monitoring panel to ensure safety. Community members have never seen a TSF, it may be beneficial to provide a site tour to an operating gold mine such as Detour etc. First Nations are visual people. • The community needs to be able to see the closure plan. What happens in 100 years? There was an effort made by MNDM in the Treaty #9 area to involve First Nations in a comprehensive review of the Closure Plan while in draft stages. Premier Gold Mines and MNDM jointly worked with the communities to discuss both the Draft CP and the Final CP before the commenting period to allow for comprehensive community involvement that resulted in detailed comments and mitigation measures being identified by the communities. Engaging communities can be interactive and hands on and can be innovative as opposed to being confined to commenting periods. • We need an independent monitoring panel of both the tailing storage facility and groundwater. First Nations Need to be involved in monitoring, environmental effects and monitoring plan Success story on APTN regarding community environmental monitors on at an advanced exploration site that are directly involved in capacity building such as OBBN, sampling protocols, waste management inspections, hazardous waste inspections, facility inspections etc. The community environmental monitors are directly involved in the permitting and approvals process and provide community assurance and are involved at comprehensive community engagement activities. 	SW(1)-24
Aboriginal Consultation for the Project- Cumulative Effects and Valued Components				
AC(1)-293	15,16	Cumulative effects Aboriginal consultation Alternatives assessment Aboriginal health and socio-economic conditions	<p>The Cumulative Effects Assessment is included in Chapter 6.0 of the Environmental Impact Statement with methodological considerations found in Appendix W (Human Health). The decision process to which significance is determined (Figure 6.1.1 Decision Tree for the Determination of Significance for Residual Effects) does not incorporate traditional indigenous knowledge and understanding. Table 14.1.1 in Appendix DD sets of the summary of concerns and accommodation measures. These measures were not made in consultation with the Aboriginal communities. The accommodation measures rely on a number of “management plans” that currently rely on the permitting process and a developed monitoring plan.</p> <p>The cumulative effects do not consider long term ecosystem impacts. For instance to understand the long term impact of mercury in fish, it is important to assess current levels in Wabigoon Lake with the levels that could be released from a potential failure. This was not a part of Treasury s analysis and the company has not provided a scenario for increased mercury levels human health assessment. In Appendix W, <i>The current risk estimates for humans are based solely on dust exposure from soil. Due to the toxicological properties of mercury it is important to derive a comprehensive exposure that includes all sources for humans. Therefore the risk estimates for mercury likely underestimate the potential risk for humans.</i></p> <p>The elders from ELFN community are concerned by the impact of the mine on overall health of the landscape and watershed, and impact of sites of cultural significance. The proponent needs to assess the cumulative effects on specific VCs that are important for the Aboriginal community. For example, in order to understand the impact of this project on fish population we need to understand both the fishery habitat lost in this project, current levels of contaminants in fish and the impact of recreational fishing on fish habitat and spawning. (Duinker and Greig, 2006).</p> <p><i>“The mitigation measures to be applied to this project have been integrated into the Project design; consequently, it is only the residual effects of the Project which require significance assessment.”</i> (Chapter 3.0, Environmental Impact Statement). <i>Treasury has focused on potential cumulative effects on the existing environmental and socioeconomic baseline relative to identified projects and activities that are predicted to occur (or are reasonably foreseeable) in the next 10 years.</i> It is difficult for the community assess risk when there are no scenarios for cumulative effects that consider design failure or possible failure.</p> <p>Chapter 2.0 in the EIS considers the Alternative Assessment. “Three economic factors VCs were identified and retained during the socioeconomic assessment: All three VCs Employment; Income; and Economic Development have been evaluated in recent mining EAs and are key areas of interest for regulators and Aboriginal and local communities”. Treasury claims to incorporate Aboriginal values into VCs and significant criteria but the community has had no direct involvement in their development.</p> <p>“The information from local stakeholder groups remains invaluable as it provides an opportunity to assign relative importance of contributing factors from these stakeholder groups”. Treasury uses the following criteria in Environmental Account; Technical Account; Project Economic Account; and Socio-Economic Account Chapter 2.0 pg,22). An alternative assessment that is helpful in decision-making is one that considers all social, cultural and environmental effects in relation to the life of the mine.</p> <p>Highlighted Concerns and Omissions</p> <ul style="list-style-type: none"> • No traditional knowledge studies or confirmation with Aboriginal communities in any of the EIS. • Consultation log was limited in its summary of consultation with potentially affected Aboriginal groups, no current details on how the information was obtained during the consultation or how these concerns were taken into consideration in the preparation and updating the plan. • Valued Components and Significance Criteria not developed in consultation with Aboriginal communities. • Alternatives are assessed using simplified criteria. According to the Mt. Polley Independent Review Panel “safety attributes should be evaluated separately from economics, and cost should not be the determining factor” • Human health from dissolved Mercury Hg) in fish not yet considered in the Human Health Risk Assessment. <p>Conclusion Treasury Metals Inc has not adequately addressed the concerns of the Eagle Lake First Nation. The “consultation” to date and the conduct of the EA has not yet allowed for productive dialogue</p>	CE(1)-01 CE(1)-04 CE(1)-05 CE(1)-06 EA(1)-01 AC(1)-01 HE(1)-01 HE(1)-10 HE(1)-47

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IR 1 Reference #	Page #	Section 5 Concern/EA Process Item	Comment	Link to Annex A1
			between the community and the proponent. The mine does not have the consent of the Eagle Lake First Nation to proceed with current proposal.	
Design Considerations - Acid Rock Drainage				
AC(1)-294			A detailed analysis on water quality and methodological concern of the technical review are included in Maclean Environmental Consulting report. A few concerns are highlighted below.	
AC(1)-295	17	Aboriginal Health and Socio-Economic Conditions Fish and Fish Habitat	<p>Acid Rock Drainage Maclean Environmental Consulting reported that:</p> <ul style="list-style-type: none"> • Segregation or separation of PAG and non-PAG mine rock is NOT POSSIBLE, because all rock types have high potential to be acid –generating. How will Treasury build tailings structures and other mine structure without using this rock fill? • In Appendix F in the EIS recommend that the “potential generation of acidic generating material required additional model simulations”. In Appendix D, the Tailing Storage Facility design is dependent on acid rock drainage testing being completed “ <i>Confirmation of the acid potential of the mine waste rocks should be determined before proceeding with the design</i>” The alternatives for Tailing Storage Facility presented by Treasury are incomplete due to an incomplete analysis of acid rock drainage. 	MW(1)-08
AC(1)-296	17,18	Alternatives assessment	<p>Tailing Storage Facility (TSF) – Best Available Technology</p> <p>The Goliath Gold Mine proposal is one of the first mines to undergo environmental assessment since the findings of the <i>Mount Polley Expert Review Panel</i> have been released in January 2015. It is an opportunity for CEAA and the Ontario Ministry of the Environment, Ontario Ministry of Mines and Northern Affairs to implement their significant recommendations. Some of the key recommendations pertinent to the Goliath Gold proposal include best available technology. Some pertinent quotes are included below:</p> <p><i>“The goal of BAT [Best Available Technology] for tailings management is to assure physical stability of the tailings deposit. This is achieved by preventing release of impoundment contents, independent of the integrity of any containment structures. In accomplishing this objective, BAT has three components that derive from first principles of soil mechanics:</i></p> <p><i>1. Eliminate surface water from the impoundment. 2. Promote unsaturated conditions in the tailings with drainage provisions. 3. Achieve dilatant conditions throughout the tailings deposit by compaction.</i></p> <p><i>The Panel recognizes that eliminating water from the tailings deposit will not eliminate the need for storage of mine and processing water elsewhere. But Mount Polley has shown the intrinsic hazards associated with dual-purpose impoundments storing both water and tailings. The Panel considers that security can be more readily assured for conventional water dams that are designed and constructed for their own purpose and that preventing tailings release is the overriding imperative...”</i></p> <p>Best Available Technology</p> <p>Mt. Polley panel recommends:</p> <p><i>“For new tailings facilities. BAT should be actively encouraged for new tailings facilities at existing and proposed mine. Safety attributes should be evaluated separately from economic considerations, and cost should not be the determining factor.</i></p> <p><i>“For closure BAT principles should be applied to closure of active impoundments so that they are progressively removed from the inventory by attrition. Where applicable, alternatives to water covers should be aggressively pursued.”</i></p> <p>The company has not addressed the concerns outlined the <i>Mt. Polley Review Panel</i>. It is clear that the TSF design for Goliath Project does not meet any of the Panel s BAT recommendations: the tailings will be saturated with water, will depend on a water cover to prevent Acid Mine Drainage, and will have to be maintained in that condition in perpetuity. Mt. Polley Review Panel Report outlines that observational monitoring of the tailing storage facility cannot predict the unpredictable impact of slope failure. In the ESI Appendix D pg 34) refers to an observation approach Peck 1969) to safety. The Mt. Polley Independent Review also recommended that Canadian Dam Guidelines to be adapted to the slurry of tailings material rather than for water.</p> <p>No filtered or dry tailings analysis has been presented, as the proponent argues that the process would make the mine uneconomic and not be suitable. The proponent s proposal fails to meet the safety design criteria recommended in the Mount Polley s Expert Panel report. The best practices recommended on the site including dry stack tailings and tailing impoundment areas, rather than tailing storage facilities.</p> <p>Highlighted Concerns and Omissions</p> <ul style="list-style-type: none"> • Outstanding concerns about water quality (refer to Maclean Environmental Consulting Report). Current design considerations do not take in account the Independent Review. Safety attributes should be evaluated separately from economics, and cost should not be the determining factor. • Using an observational approach and building the TSF overtime is not considered the best approach. • The only alternatives they have considered are “readily available technology” Chapter 7.0, page 22) The Best Available Technology (including tailings impoundment areas) have not been considered 	AA(1)-01 AM(1)-05

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IR 1 Reference #	Page #	Section 5 Concern/EA Process Item	Comment	Link to Annex A1
			and due to economic factors.	
Environmental Monitoring Plan and Closure Plan				
AC(1)-297	19	Aboriginal consultation Accidents and malfunctions Fish and Fish Habitat Aboriginal Health and Socio-Economic Conditions	<p>Environmental Monitoring Plans (EMP)</p> <p>Currently EMP is limited to Chapter 13.0 in the Environmental Impact Statement and Chapter 9.0 in the Environmental Impact Statement Summary, <i>“The monitoring program will be finalized through discussions with Environment Canada and the Technical Advisory Committee TAC). It is anticipated that the sampling locations will be finalized prior to construction so that concurrent baseline data can be collected prior to effluent discharge.” (Chapter 13)</i></p> <p>It is difficult to comment on the EMP plan as it is yet to be developed in detail and a throughout review of the EMP is beyond the scope of reviewing this ESI at this time. Currently Treasury plans to test tailing composition annually Chapter 13). An independent monitoring panel could include a multi-stakeholder group with key recommendations from each stakeholder group. A review of the environmental monitoring program should be developed with the Aboriginal community and should be subjected to an external review and compared with best practices.</p> <p>Potential Recommendations for Effective Monitoring</p> <ul style="list-style-type: none"> • Review of the permitting process with community stakeholders and Aboriginal groups • Provisions for robust and independent monitoring and develop mechanisms for on-going dialogue and dispute resolution. Develop an independent monitoring panel with adequate Aboriginal representation • Methods to monitor the effectiveness of reclamation including comparison to baseline and regional reference data • Detailed annual report including frequent monitoring and testing of tailings material. • Ongoing monitoring of cumulative effects, which would include Traditional Ecological Knowledge and involving First Nations, groups in regional planning. • The emergency response outlined in Appendix F to include specific details on how to prevent the contaminants from entering Wabigoon Lake. 	HE(1)-46
AC(1)-298	20	Aboriginal consultation Fish and Fish Habitat Aboriginal Health and Socio-Economic Conditions	<p>Closure Plans</p> <p><i>Monitoring of the closed facility will consist of annual Dam Safety Inspections of the closed facility as well as Dam Safety Reviews for a period of five years following closure (Chapter 11, ESI) The closure plan is anticipated for a 5 year period yet this site needs to have ongoing monitoring. There is no provision for the costs of long term care of the mine site. Since the tailings will be acid generating, they will have to be monitored in perpetuity with an emergency plan and financial bonds in place. Such a monitoring program after closure and perpetual care of the site has yet to be recognized by Treasury.</i></p> <p>Highlighted Concerns and Omissions</p> <ul style="list-style-type: none"> • Closure plans and financials should be made public and available to review • Long term water management is the most serious issue at closed mine sites • Water supply spillways and other engineered features need to be monitored and maintained in perpetuity. • Need clarity on how tailings, as well as underground mine will react with groundwater flowing under the surface. 	MW(1)-23
Financial Consideration and Social-Economic Assessment				
AC(1)-299		Aboriginal Health and Socio-Economic Conditions	<p>Financials and social-economic baseline</p> <p>A detailed economic review of the mine was not in the scope of this review of the ESI. In Chapter 14.0 of the Environmental Impact Statement, Treasury Metals Inc. reports</p> <p><i>“ Based on the results of the environmental assessment presented in this EIS for the Project including all mitigation strategies and all supporting technical studies), Treasury concludes that: “the Project will provide an economic net benefit to the local, Aboriginal, regional, and provincial economies and will not result in adverse impacts to Aboriginal and Treaty Rights or related interests Table 14.0.1 and Table 14.0.3) or other public concerns Table 14.0.2);”</i></p>	HE(1)-35
AC(1)-300		Aboriginal Health and Socio-Economic Conditions	<p>Social-economic assessment</p> <p>This project has the potential to have significant social-economic impacts for the community of ELFN. In ESI, Appendix T outlines a social-economic baseline study and Appendix CC outlines the person hours that will be required for the Project. The information in this social-economic baseline was based on 2006 and 2011 census data.</p> <p>In Appendix CC, on page 98, the proponent outlines the type of jobs and number of person hours that will be potentially available a Goliath gold mine. Many of the jobs generated at the site are for highly specialized fields and not been explained in details.</p> <p>The community has identified that job creation is not a major community consideration, despite claims by Treasury Metals Inc. that ELFN will benefit from job creation at the site. Speculating the impact on ELFN is based on social-economic data not specific to this project in Appendix T. The mining company has not yet expanded on the potential benefit of the mine to ELFN to include relevant social-economic opportunities for the community.</p>	HE(1)-33 HE(1)-34 HE(1)-35

Table 3 - Agency Disposition of Written Comments Submitted by Eagle Lake First Nation on the Environmental Impact Statement (Report prepared by ICA Associates Inc.)

IR 1 Reference #	Page #	Section 5 Concern/EA Process Item	Comment	Link to Annex A1
AC(1)-301		Aboriginal Health and Socio-Economic Conditions	<p>Financial concerns</p> <p>According to Appendix F, <i>“The potentially mineable portion of the mineral resources in the Goliath mine area is presented in has been estimated using a gold price of US\$1,350/ounce and a silver price of US\$22/ounce. All mineralized blocks that are above the marginal cut-off grades of 0.43 grams gold per tonne of open pit rock and 2.50 grams gold per tonne of underground rock. “</i></p> <p>The economics of the mine are likely to result in “boom and bust” economics. The company needs to ensure that there is significant budget for emergency conditions and long term perpetual care of the site.</p> <p>In 2005, The Auditor General has expressed concerns about the financial assurance provisions at operating the mines and about the Ministry’s relationship with First Nations. Mining Watch Canada, 2015 has expressed concerns to the Auditor General that <i>“The Mineral Development Strategy in Ontario” continues to rely economic impact model with no debit column (input out), that externalizes risk including environmental, cultural, and social costs.. The use of GDP and an Input-Output model to measure economic consideration does not take in account the full risks to the community and hidden costs”(Mining Watch Canada, 2015).</i></p> <p>Table 2.2 – Table 22.1 in Appendix BB – Capital Costs of the Goliath Project</p> <p>According to Appendix BB (Table 22.1) Summary Net Cash Flow, , the capital cost for closure is 950,000 dollars. “Closer & Restorage (net of Salvage) \$950,000, \$0.11 per tonne ore milled” The closure cost seems to be low according to the cash flow predictions. Within the capital cost, there is no specific category associated with ongoing monitoring of the site after closure.</p> <p>On May 19, 2015 the financial profile of the company currently is at 38 cents a share (TSX) and with 29 million market capitalization. There is 144 million net profit is expected (NPV discounted) from this project, based on project of similar nature does not allow for implementation of a long-term reclamation plan and monitoring plan or on-going investment in best available technology.</p> <p>Conclusion</p> <p>Maclean Environmental Consulting indicates that all rock from the mining site will have ADR potential at some point in the future. This unpredicted and thus unexpected ADR would require treatment and containment of contaminated water, sealing of waste-rock piles, prevention of overspill from pond. Such large costs for long-term care of the mining site should be estimated in advance of mining, and financial security should be scheduled into the operation as an on-going cost rather than a capital expense.</p>	HE(1)-35

Table 4 – Agency Disposition of Written Comments submitted by Eagle Lake First Nation on the Environmental Impact Statement (Report by Maclean Environmental Consulting)

IR1 Reference #	Page #	Section 5 Concern	Comment	Link to Annex A1
AC(1)-302	24		<p>Introduction</p> <p>Maclean-Environmental Consulting was asked to provide a review of Treasury Metal’s EIS for the proposed Goliath mine. More specifically, this review will focus on the water quality sections of the EIS, with respect to certain community concerns as identified by Kaitlin Almack of ICA Associates Inc., on behalf of the Eagle Lake First Nation. The following concerns will be addressed where feasible:</p> <ul style="list-style-type: none"> • What is the process by which Acid Rock Drainage (ADR) water will be separated from non-ADR water? • What will be the water quality of the pit lake, which in turn will be released to the environment? • Is the process for collecting run off water at the site sufficient? • Is the model used to predict contaminants sufficient? <p>Further areas of major concern were identified by Ugo Lapointe of Mining Watch Canada and will be considered in this report where feasible. They include:</p> <ul style="list-style-type: none"> • Mining effluent quality and impacts on the receiving waters; • Risks for underground water contamination; and, • Risks of dam breach and tailings spill in receiving environment, and potential impacts related to toxicity of tailing material. <p>With respect to the above concerns as presented by the First Nation and Mining Watch Canada, this report will describe aspects of the EIS related to:</p> <ul style="list-style-type: none"> • Water management; • Groundwater flow and quality; • Water quality; and, • Predictions of the EIS modeled water quality. <p>Finally, the report will also point out any errors or omissions in the EIS, as it relates to the CEAA EIS guidelines.</p>	Link to Annex A1
AC(1)-303	25,26	Fish and Fish Habitat Aboriginal Health and Socio-Economic Conditions	<p>Water Management</p> <p>The site requires multiple water management structures and considerations. Treasury Metals (TM) proposes to create a Tailings Storage Facility (TSF), a polishing pond, and numerous collection ponds. TM also proposes to build pipelines to receive water and to discharge water. Principle discharge pipelines will be to the TSF from the collection ponds, and from the TSF to an Effluent Treatment Plant. Intake pipelines appear to connect the Tree Nursery Ponds with the Effluent Treatment Plant. Other structures on site pre-exist. For example, Section 3.1.6 M Dams and Impoundments, states, “The unnamed tributaries passing through the former tree nursery were historically impounded by OMNRF to provide water for the tree nursery. The structures and impoundments remain in place and functional.” The ponds are part of the Thunder Lake Tributary #3. To meet the needs of the mine, 26% of the flow of this creek will be needed. The processing plant will consume an estimated average 600 m3/d of fresh water during operation. Final treated water will be discharged to the Blackwater Creek. Blackwater Creek will also be realigned.</p> <p>Physical diversions of creeks and dewatering of existing natural waterways is expected, as is the creation of ditches and berms to control run off. Section 3.3.2 Surface and Mine Water Management, states, “runoff will be prevented from entering the open pit by means of a small berm or ditch.” TM does not define to what depth, height, or standard any of these features will be built.</p> <p>Collected water from these ditches into collection ponds) will be pumped via pipeline to the TSF. A more thorough review of site grading and geo-engineering was not undertaken in this report. Plans to keep run off from the open pit as well as the environment are not well defined.</p> <p>Section 3.2 of the EIS defines Project Phases and Schedule. The management of the mine is divided into 4 phases. Within these, water management priorities are outlined as follows:</p> <ul style="list-style-type: none"> • Site Preparation Phase M Dewater ponds and wetlands and build surface draining diversion structures, establish water management and flood protection; • Construction Phase –site drainage works including pipelines and construction of the TSF; • Operations Phase – none given • Closure Phase – none given <p>With respect to the community concern about control of runoff, Section 3.3.2 M Surface and Mine Water Management, defines, “The topography of the Project site is generally flat which allows the mine water management to consist mainly of surface water runoff redirection or collection”. Management of water on the site will involve control of drainage from creeks and other tributaries, and precipitation and “the system will be designed to handle the average annual precipitation and will also include provisions for functionality under all climatic conditions”. Precipitation is estimated, and taken from historical records. Section 5.1.4. defines this:</p> <p>“Based on historical observations at Dryden, mean annual precipitation at the Project site is 705 mm, of which, between 20% to 24% falls as snow. Precipitation recorded at Dryden is considered as representative of the LSA due to the proximity and the lack of significant elevation differences or orographic features. Slightly higher precipitation totals and a higher percentage of precipitation falling at snow at Sioux Lookout may suggest that precipitation is less homogeneous through the RSA.” No consideration of changes to precipitation as a result of climate change are provided.</p> <p>Further to collection of runoff concerns, Section 3.3.3 -Open Pit Design, describes, “An in-pit sump will be used to collect mine water resulting from groundwater inflows and surface runoff. Perimeter wells or drainage holes in the pit walls may be installed to aid in the mine water management as mining progresses.”</p> <p>As well the Project will use ditching and seepage collection around the edges of the stockpile to collect and direct surface water runoff and seepage. This water will likely be acidic. This runoff will be piped to</p>	SW(1)-08 AA(1)-08 EE(1)-06

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IR1 Reference #	Page #	Section 5 Concern	Comment	Link to Annex A1
			the treatment plant, tested and then released. The mine water management system may also include directing run-off water into the completed open pits after closure and to facilitate pit flooding.	
AC(1)-304	26,27,28	Fish and Fish Habitat Aboriginal Health and Socio-Economic Conditions	<p>Acid Rock Drainage</p> <p>While this report does not examine the technical science behind the ARD predictions, it does describe the potential risks associated with managing run-off that is potentially acidic.</p> <p>From 3.5.1 Mine Rock Stockpile, approximately 23 million tonnes of waste rock will be produced during the open pit mine life with an additional 2 million tonnes being generated and stored on surface from underground mining. 13 million will be stored and 12 million backfilled. Also, “the pits will be developed and mined in series from west to east. As a result, approximately 40 or 12 million tonnes) of the total open pit waste rock can be used to backfill the pits and minimize the volume and footprint of the waste rock stockpile north of the pit. The waste rock stockpile will have a footprint of 37 ha, a height of 30 m above grade</p> <p>Section 5.4.3.4 M Materials and Characterization and Management Studies, indicates that there are 4 mine rock types – all were classified as Potentially Acid Generating (PAG). Given that the materials have what is known as a “very low NPR ratio” Price, 2009), this indicates rock material having a high potential to be acid generating. This means that ALL runoff has the potential to generate acid. Current predictions see acid generating potential in all materials stored past conservatively 20 M40 weeks).</p> <p>3.5.1 Mine rock stockpile states, “during production, waste rock will be classified and separated according to acid generation potential. The placement of these stockpiles will fall under a management plan for mine rock management that will detail the methods for classifying rock type for acid generating potential through appropriate testing in order to direct this rock to the appropriate stockpile location. A management plan of this type is standard industry practice for rock that has the potential for acid generation. This plan is not defined and contradicts the earlier statements in the EIS that all waste rock is potentially acid generating.</p> <p>Where possible, potentially acid generating (PAG) rock will be placed within the completed open pits to provide a long term water cover in order to mitigate potential acid generation.</p> <p>Management will also include treatment of water run-off from the permanent waste rock storage pile and the low grade stockpile. The low grade ore stockpile will have temporarily the potential to generate acid runoff while being stockpiled, however, at the end of mining operations, the LGO will be depleted and no material will be left behind. Yet, “Treasury understands that conditions may change over the life of the mine. For this reason, a contingency plan is presented in Section 3.14.3 to address potential for a low-grade stockpile at closure. Section 3.14.3 <i>was not reviewed in this report however requires consideration as a potential risk. What will be the long term plan to control this ARD should a stockpile remain at closure?</i></p> <p>Control of runoff is essential as all runoff has the potential to be acid generating. This means runoff may contain from 5.4.3.4 Materials and characterization and management studies) sulphates, antimony, cadmium, zinc, aluminum, copper, and lead. These same contaminants will be those of concern should any large spills, accidents or persistent leaks occur at the site.</p> <p><u>Highlighted Concerns and Omissions</u></p> <ul style="list-style-type: none"> • Section 5.4.3.5 describes that all (100%) mined materials, including waste rock, tailings, and lowMgrade ore, have been classified as Potentially Acid Generating (PAG). • The EIS states, “If segregation of PAG and nonMPAG mine rock is completed, any material used for construction purposes should be evaluated for acid generation potential and metal leaching prior to use.” Segregation or separation of PAG and nonMPAG mine rock is NOT POSSIBLE, because all rock types have high potential to be acid –generating. How will Treasury build tailings structures and other mine structure without using this rock fill? • No consideration of climate change has been given. • No consideration of Traditional Knowledge has been given. 	MW(1)-08 MW(1)-10
AC(1)-305	29,30,31	Fish and Fish Habitat Aboriginal Health and Socio-Economic Conditions	<p>Groundwater Flow and Quality</p> <p>Groundwater was studied for the EIS over a short period of time in 2013 and 2014. The study looked at two types of flow; M flow in the surface to bedrock region and flow in the bedrock itself.</p> <p>Groundwater studied for the flow in the surface to bedrock layer, discussed in the EIS section 5.6.2.3 Groundwater Flow, <i>indicates that flow was only studied for an 8 month period, June 2013UJan 2014 . No spring freshette evaluation was considered where highest flows would be expected.</i></p> <p>Over the short 8 months evaluation period, the water table seems quite variable. Water table depth varied from 14cm deep to almost 2 m. The resulting hydraulic conductivity values seem generally representative of silty and sandy conditions. <i>This will mean considerable possibility for movement of runoff, or TSF leaks/accidents into groundwater.</i> Groundwater flow is described in the EIS as having a SW direction, towards Wabigoon Lake.</p> <p>For the studies on flow in the bedrock itself (Section 5.6.3.3. M Groundwater Flow (bedrock)) , studies were undertaken for 5 months in 2013, and indicated “a groundwater elevation rise following the spring freshet, followed by a gradual decline through to the winter of 2013/2014”. Total water level fluctuations in these wells was reported to be between 1.0 m and 1.5 m. Water table levels fluctuate and rise with the spring freshette. <i>This fluctuation suggests an active groundwater flow area. To truly understand the potential consequences of this, the speed of flow to the SW needs better consideration, especially given that any potential seepage from the tailings facility may acidify local wells. Some consideration is given to this below.</i></p>	GW(1)-02

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			<p>The movement of groundwater in the bedrock shows an outward radial flow to the east and SW and might discharge to the Blackwater Creek.</p> <p>How quickly TSF waters could leach or leak into the aquifer/ groundwater depends on citing of the TSF and measured rate of flow. The TSF is located in the NE corner of the mining property and as such is situated furthest from Wabigoon Lake, (as the property will allow) given the direction of groundwater flow (SW).</p> <p>Section 5.6.2.2. of the EIS states surface to bedrock groundwater movements at 1EM 06 m/s and bedrock groundwater movement at 1E M07 1EM09m/s flow. This translates into 31.5 meters per year at the fastest groundwater movement or would take 63 years to reach the nearest well. <i>This report did not comprehensively assess these findings and should only be taken as a superficial consideration of hydrological processes. For example, the studies taken to determine groundflow were undertaken only over a five month period. This may not be sufficient.</i></p> <p>Section 5.6.5 also describes where the TSF is cited as having being a “sand clay/silts and unit consisting mainly of silty sand overlying a mainly continuous silty clay above the basal sand unit. This unit is mainly found in the northwestern portion of the Blackwater Creek Watershed (near the top of Blackwater Tributary #2). This silty sand does provide some groundwater flow to Blackwater Creek and likely has a hydraulic conductivity similar to the basal sand. “ Figure 1 below shows that the TSF is situated over what appears to be a highly porous substrate. <i>This would seem to imply greater potential for migration of TSF waters and contaminants into the groundwater.</i> This report did review the tailings structure in any detail, however section 2.3.6 of the EIS needs to be reviewed in context to other geological and physical data to fully understand the potential risk to groundwater contamination.</p> <p><u>Highlighted Concerns and Omissions</u></p> <ul style="list-style-type: none"> • From Section 5.6.5 Conceptual Hydrogeological Model suggests that “based on data collected during 2012 to 2014, it appears that there is limited groundwater flow that provides a minimal contribution to creeks in the vicinity of the project site and across much of the project area”. The reviewer noted only one sample taken in January of 2014 and no record of sampling in 2012, suggesting that the above statement is in error and misrepresents the duration of effort put into studying groundwater • The above statement that suggests, “it appears that there is limited groundwater flow that provides a minimal contribution to creeks in the vicinity of the project site and across much of the project area” is directly contradicted by the dry year of 2013 (below year 30 average precipitation) where the creeks had continuous flow. • Contradictory information is given, which furthers the argument above, “Monitoring of stream flows in Blackwater and Little Creek during the regional dry/low precipitation year of 2011 found that these creeks had no flow or not enough flow for accurate measurement beyond the spring freshet. This was considered to be an indication that there was no significant groundwater discharge to these creeks, as otherwise some base flow could be expected during very dry conditions. In 2012 and 2013, precipitation was again below the 30 year average, but near continuous flow was noted in both of these creeks, which was then assumed to account for part of the recharge to the overburden aquifer system. <i>The above rationale makes no sense and is contradictory. What is the true answer? Does groundwater significantly contribute to creek flow or not?</i> • The nearest wells are less than 2 KM away. • Already at the monitoring wells (background) there are exceedances of aluminum, arsenic, chromium, cobalt, copper, iron, tungsten, vanadium and zinc. • Groundwater samples have not been collected from any of the bedrock exploration wells for laboratory analysis so no information is available relating to water quality in the bedrock unit at the site. <p>How then can we determine if groundwater is being contaminated if we do not know what it is to begin with?</p> <ul style="list-style-type: none"> • The area with the greatest groundwater flow appears to be where the tailings structure will be situated. A sand and gravel unit consisting of coarse glacial deposits located on the northern and northeastern edge of the project area (where the TSF is located). This unit provides the most groundwater flow to the unnamed tributaries leading to Thunder Lake. • No traditional Knowledge about the area was considered, and therefore no discussion about observational changes over long term was provided. Five to eight months of research on groundwater to surface observations is very weak data on which to make predictions. 	
AC(1)-306	32	Fish and Fish Habitat Aboriginal Health and Socio-Economic Conditions	<p>Water Quality Water from the decant TSF will be treated by the filtration system. This appears to be a catch all solution to any water concerns on site. Two main features of this are the Cyanide Detoxification/Destruction Unit and the Effluent Treatment Plant. Each are assessed for their “best practices” below.</p> <p><u>Cyanide Detoxification</u></p> <p>Section 3.6.6.3 - Cyanide Detoxification, defines the process as the following: The cyanide detoxification circuit will consist of two stirred reactors with air sparging as well as copper sulphate, sodium metabisulphite, and lime addition. Piping arrangements will allow the reactors to be operated in a series, parallel, or bypass configuration. The detoxification circuit will receive CIL tails and discharge treated slurry to the tailings hopper. Movement of slurry through the detoxification circuit will be by gravity. <i>The cyanide detoxification circuit is intended to be designed to destroy cyanide to 1 mg/L total cyanide, which is the current Metal Mining Effluent Regulations (MMER) limit for maximum authorized monthly mean concentration.</i></p> <p>Further natural cyanide degradation will take place in the tailings facility prior to discharge to the environment. Further to this, Section 3.8.7 of the EIS M Final Effluent Discharge, states “by destroying cyanide prior to discharging the tailings to the storage facility, potential cyanide contamination situations such as dam seepage or tailings facility overflow during extreme storm events late in the project life are eliminated”.</p> <p>The Inco SO2- Air process has been selected as the preferred method for in plant cyanide destruction.</p> <p><u>Inco SO2-Air process</u></p>	SW(1)-14

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			<p>Most cyanide destruction processes operate on the principle of converting cyanide into a less toxic compound through an oxidation reaction. The INCO SO2M Air process was developed by INCO in the 1980s and is in operation at over thirty sites in the world http://www.infomine.com/publications/docs/Botz1999.pdf</p> <p>Table 1 represents a simplified summary, by Michael Botz regarding comparable cyanide treatment processes and may be used as a screening tool. The INCO SO2 Air Process ranks well. http://chemistry.mdma.ch/hiveboard/rhodium/pdf/cyanide.destruction.overview.pdf</p> <p>Table 1. Preliminary Selection Guide for Cyanide treatment Processes</p> <p>Table 2 details the advantages and disadvantages of the INCO So2 -Air Process.</p> <p>Table 2. Advantages and Disadvantages of the INCO So2 -Air Process</p> <p>Advantages</p> <ol style="list-style-type: none"> 1 The process has been proven in numerous fullscale applications to yield low effluent and metal concentrations 2 The process is effective in treating slurries as well as solutions 3 The process is suitable for batch and continuous treatment 4 All forms of cyanide are removed from solution, including the stable iron cyanide complexes 5 Capital and operating costs are comparable with other chemical treatment processes <p>Disadvantages</p> <ol style="list-style-type: none"> 1 If treating high levels of cyanide, the costs for reagents and electrical power can be high 2 Cyanide is not recovered 3 Undesirable levels of sulphate in the treated solution can result 4 Additional treatment may be necessary for the removal of iron cyanide, thiocyanate, cyanate, ammonia, nitrate and/or metals for solutions to be discharged to the environment, (Mudder et al, 2008). <p>The process chosen to deal with cyanide seems appropriate. Cyanide destruction through the INCO SO2 – Air process will deliver water into the TSF with levels of cyanide below the levels acceptable to the MMER and PWQO standards. Furthermore, his method ensures that “wildlife, including waterfowl and aquatic life, are protected, that cyanide consumption is minimized, and that contingency is in place to prevent the inadvertent release of cyanide into the environment”. TSF will also undergo treatment at the Effluent Treatment Plant.</p>	
AC(1)-307	34,35	Fish and Fish Habitat Aboriginal Health and Socio-Economic Conditions Alternatives Assessment	<p><u>Effluent Treatment Plant</u></p> <p>Tailings storage facility decants will be pumped to the effluent treatment plant for treatment prior to discharge to the polishing pond and ultimately Blackwater Creek. According to the EIS, tailings pond decant water will be treated in three distinct process steps including an advanced oxidation process for residual cyanide destruction, multimedia filtration, and reverse osmosis membrane filtration. TSF decant water will be pumped from a transfer tank to a three chamber multimedia filtration system, operating in parallel, via three multimedia filter feed pumps. This is consistent with literature, which suggests the use of filtration, preferably nano filtration, prior to reverse osmosis (RO) to avoid RO membrane clogging, fouling or damage, (EPA, 2014). Filtration is to a nominal 1.0 micron range. Filtration media will consist of a combination of anthracite, silica sand, and garnet.</p> <p>The Effluent Treatment Plant will require additions of both sulphuric acid and sodium bisulphite prior to the multimedia filtration step to lower pH and sodium bisulphite consume any excess oxidants respectively. A polymer or coagulant addition will also be included as a flocculation agent. No description of the coagulant is given. Potential risks are associated with the storage of these additives. Treasury claims that when the system is functioning well that the RO can operate at recoveries as high as 90%. Treasury identifies scaling as a risk to the correct functioning of the RO system, suggesting, “scaling calculations will indicate the upper limits on recovery and efficiency. Overall the RO should rejection “greater than 98% of all contaminants including: in-organics, organics [greater than 200 nominal molecular weight limit (NMWL)], bacteria and suspended solids as small as 0.003 microns depending upon their shape and strength.</p> <p>The EIS then describes that the RO treated water will be stored in the permeate storage tank, from where it is returned to the process or discharged to the environment via the polishing pond.</p> <p>If permeate quality is out of specification (<i>through monitoring</i>) it can be diverted to the transfer tank for retreatment.</p>	SW(1)-18
AC(1)-308	35	Fish and Fish Habitat Aboriginal Health and Socio-Economic Conditions	<p><u>Sediment quality</u></p> <p>A cursory review of sediments was given to attempt to tie any potential pathways of contamination across media (Table 3). <i>For example, do certain metals in water also persist in sediments and wind up in wildlife and fish?</i></p> <p>Sediment samples from each location were analyzed for twenty-four PAHs. Benzo[b]fluoranthene and naphthalene were detected at the outlet of Blackwater Creek at Wabigoon Lake. Benzo[k]fluoranthene</p>	

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			<p>was detected at all locations. Sediments were also tested for metals and exceedances were found for chromium, copper, manganese, nickel, and zinc, iron and also phosphorus.</p> <p>Manganese in particular was the only parameter to exceed the SEL at site JCTa, where levels were observed at 1260 µg/g, or 160 µg/g over the SEL.</p>	
AC(1)-309	35,36	Fish and Fish Habitat Aboriginal Health and Socio-Economic Conditions	<p><u>Background water quality</u></p> <p>Background water samples were taken at 16 sites over two years. Exceedances of the Province of Ontario’s Water Quality Guidelines for pH occurred at 3 sites, cobalt at 10 sites, copper at two sites, iron at all sites except SW8, lead at one site, selenium at one site, silver at one site, vanadium at one site and zinc at 6 sites.</p> <p>Table 3. Consideration of Contaminants Across Media</p> <p>Of the metals that appear to be across more than one media, Aluminum, arsenic, copper, lead, mercury, and zinc are considered to increase with the development of the mine (while discharged water is predicted to meet MMER standards these are not the same as POWQ or CCME standards).</p>	SW(1)-18
AC(1)-310		Fish and Fish Habitat Aboriginal Health and Socio-Economic Conditions Current Use of Lands and Resources for Traditional Purposes	<p><u>Benthic Invertebrates</u></p> <p>Some of the EIS Assumptions are unjustified. Section 5.8.3.2 - Benthic Invertebrate Results, in Table 5.8.10 shows that two different companies DST and KCB did two different studies with no overlap in project sites and with different methodologies, KCB sampled at 4 sites using ponar grabs in 2011. DTS collected at 19 completely different sites, using the kick net method in 2012, in two riffles and one pool per site).</p> <p>Description of the sample years in the EIS is misleading also. Table 5.8.10 states samples were collected in 2010/2011 and 2012/2013 when in fact were only collected over a total of 4 days (Oct 16 and 17, 2011 by KCB and Oct 22 and 23, 2012 by DST).</p> <p>Conclusions about water quality from this research are extremely vague, such as “In general, the benthic invertebrate community reflects general conditions at the Site.” <i>This type of information does not help decision makers.</i> Furthermore conclusions about water quality in the EIS above 5.8.3.2 indicating general – read good, conditions) differ from those in Appendix P, which indicates poor water quality and that “samples from Wabigoon Lake (SB12-22, SB12-23, and SB12M24) in 2012 were dominated by Diptera (ranging from 52.3% to 80.1%), again suggesting poor water quality”.</p> <p>The conclusions from section 5.8.3.2 cannot be made because studies are not comparable, with different sites and methodologies. This section concludes that “results of benthic invertebrate sampling from Blackwater Creek in 2012 were somewhat similar to 2011 in that a higher percentage of EPT families were observed in downstream samples compared to upstream samples. Simpson s index, which ranged from 0.4 to 0.9 further suggests moderate to high species diversity in Blackwater Creek.</p> <p>This above conclusion is directly contradicted in Section 10.4.5. -Benthic, which concludes, that “In general, percentages of EPT taxa in Blackwater Creek were extremely low, reflecting the slow moving, turbid, and soft bottomed nature of the stream”.</p> <p>In fact, generally invertebrate samples dominated by only two species or that have percentage of Diptera greater than 40% are indicative of poor water quality. Low EPT also suggests dominance by species better able to tolerate a low oxygen environment. This may have considerations for habitat, as this will be the creek receiving the processed mine waters to MMER standards only), though many still above the CCME guidelines, possibly including phosphorus. This may further limit oxygen and worsen habitat.</p> <p>There was no effort to cross examine nutrient data with contaminant data or background water chemistry to consider the conclusions of this work? Low EPT values can be explained by low oxygen in slow moving creeks, but not in the more open lakes. This was not considered, nor was the ultimate impacts the mine might pose benthic life in general.</p>	
AC(1)-311	37,38	Fish and Fish Habitat Aboriginal Health and Socio-Economic Conditions	<p><u>Fish</u></p> <p>Fish health was examined in this report to understand what potential contaminants were already of concern and to see if further mine water releases might impact these fish.</p> <p>From the Fisheries - Appendix Q section 3.1.2 Tissue Sampling, Thunder Lake was studied, however only 11 fish were used for tissue sampling and ageing. This is insufficient given that all of the Walleye sampled were two years of age or less.” Mercury results for the largest and smallest fish in the sample were 0.143 mg/kg and 0.331 mg/kg respectively. Mercury levels ranged from a low of 0.102 mg/kg to a high of .503 mg/kg.</p> <p>Four fish sampled from Thunder Lake exceeded the minimum levels advised for sensitive populations of 0.26.mg/kg. The EIS must include a better age class range to get a true sense of the Hg problem and potential for a rights infringement by further influencing this population with Hg.</p> <p>Sampling effort was better in Wabigoon Lake, with a total of 28 Walleye and one Sauger caught and retained for tissue sampling and ageing. Age range was from 1 year to 10 years. “Mercury results for the largest and smallest fish by weight in the sample were 0.245 mg/kg and 0.114 mg/kg respectively. Mercury levels ranged from a low of 0.0865 mg/kg to a high of .473 mg/kg.” Three fish sampled from Wabigoon Lake exceeded the minimum levels advised for sensitive populations of 0.26.mg/kg M .52 mg/kg.</p>	HE(1)-14

Table 4 – Agency Disposition of Written Comments submitted by Eagle Lake First Nation on the Environmental Impact Statement (Report by Maclean Environmental Consulting)

IR1 Reference #	Page #	Section 5 Concern	Comment	Link to Annex A1
			<p>Highlighted Concerns and Omissions</p> <ul style="list-style-type: none"> • No consideration of dissolved versus total metals. If the metals are mostly dissolved this is more problematic as dissolved metals are more readily accessible to aquatic life. • Given that the fisheries report in section 3.1.2 already identifies consumption guidelines for mercury a better age class assessment of mercury in fish important to the First Nations needs to be undertaken. The current studies for Thunder Lake are on walleye that are all one year old (with one exception on a 2 year old fish). Many First Nations will prefer larger fish where more mercury concerns exist. How Hg will increase in the lakes is unclear from the EIS. • No contaminants data on benthic invertebrates is considered. This limits the ability to determine pathways from water to sediments through benthic inverts to fish. • Would be nice to see the consideration of pathways in order to consider if MMER are sufficient to prevent negative impacts on aquatic life. • A further assessment should consider the proposed influence from predicted CCME exceedances of pH, ammonia, Aluminum, arsenic, cadmium, copper, lead, mercury, thallium and zinc. • PAHs were only tested for sediment, however not for water. 	
AC(1)-312		Fish and Fish Habitat Aboriginal Health and Socio-Economic Conditions	<p>Predictions of the EIS P Modeled Water Quality</p> <p>The supernatant (surface water in the TSF) has modeled CCME exceedances of pH, ammonia, Aluminum, arsenic, cadmium, copper, lead, mercury, thallium and zinc. Seven of these are identified by the US EPA as pollutants of priority out of 13 listed Kelly et al., 2010).</p> <p>Treasury proposes that all water with the exception of lead will meet MMER standard. Furthermore, the TSF supernatant waters will go through a filtration system before being released to Blackwater Creek. <i>Nonetheless, these are only modeled predictions and this is discussed further below.</i></p> <p>In Appendix F, of the Water Management Plan, a description of modeled water quality in the TSF is given, based on use of the PHREEQCi geochemical modeling computer code from Terra Tech. Models require good initial data in order to make accurate predictions. Data to populate the model came from the analysis of laboratory results from Humidity Test Cell (HTC) and field cell studies, which examined chemical changes to weathering mine rock.</p> <p>Results of the modeling are provided in Table 3.8.3 in the project description yet it remains unclear why total metals were used as opposed to dissolved metals. Table 3 demonstrates the percentage of dissolve to total metals (from the EIS modeled data). Total metals were likely used, as these are what the current CMME and POWQ guidelines reference. <i>Nonetheless, an assessment of the percentage of these metals that are dissolved needs to be undertaken, as the dissolved metals are those that are more likely to influence the aquatic life surrounding the project.</i></p> <p>There appear to be methodological problems in determining dissolved concentrations versus total concentration of metals (as Table 4 demonstrates) in the ultimate fate of TFS waters. Separate experimental field cell studies were developed for total and dissolved metal analysis. With the results as posted many are not comparable. As dissolved concentrations are far more likely to be a problem to aquatic life this a major concern in assessing potential impacts. Should total and dissolved metals be run from the same batch we could get a better percentage of the dissolved potential of certain metals – especially those known to ARD environments.</p> <p>Table 4. Percentage of Metals that are Dissolved.</p> <p>It was furthermore not clear why the EIS reported (Section 3), only on intermediate values and not long-term values. A long-term assessment would be more useful and more appropriate. The reason might be a result of incomplete long-term analysis, and discussed further below.</p> <p>Also it remains unclear why only field cell results were considered and not Humidity Test Cell (HTC) studies given their difference. Section 5.1.2. “Model scenarios based on the dissolved metal concentrations in the field cell leachate were notably different from the HTC leachate- derived scenarios”.</p> <p>Given the differences in the HTC and the field cell, it is unclear why only field cell results have been presented in the body of the EIS report? <i>How come the differences are not discussed with implications for water management and ultimate treatment options? A cursory analysis (Table 5) shows how some of the variables are indeed quite different.</i></p> <p>Table 5. Goliath Mine EA Model Outputs Appendix F HTC vs. field cell</p> <p>The biggest concern to the effectiveness of the modeled numbers is that the studies were incomplete. Section 5.1.2 states, “Although the field cells have operated for approximately the same length of time as the HTCs, differences in particle size, flushing volumes, and temperature-dependent reaction rates results in a delay in the onset of acid-generating conditions. As such, the field tests were not yet acid generating at the time of this modeling effort. “ <i>This would indicate that that no laboratory data exists on a modeled ARD scenario to populate a model to derive long term TSF values.</i></p> <p>Furthermore, Section 5.1.2 states, “Regression analysis of cumulative elemental concentrations for each element and humidity cell sample was attempted in order to assess rates of element (i.e. metal and sulphur) release after closure. However, as of April 1, 2014, the humidity cells in operation show evidence of the onset of acid generating conditions and significant decreases in the leachate pH with coincident increases in dissolved metal concentrations. Because the pH and metal concentrations have not yet attained a steady-state, the curves fitted to the data suggest an exponential dependence of pH or elemental concentration on time. This over-estimates the projected long term water quality. Therefore, the average of the data collected from weeks 60 through 80 were used to represent long-term water quality. “ This contains a whole host of assumptions.</p>	MW(1)-15 MW(1)-21 MW(1)-22

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IR1 Reference #	Page #	Section 5 Concern	Comment	Link to Annex A1
			<p>Then, the EIS describes the incomplete nature of the research, “After week 63, operations of two of the three HTC of each rock type was discontinued. Beyond week 63, only a single HTC of each rock type remained in operation. “ <i>Does this indicate that Treasury is estimating the long term water quality and ARD impacts based on TWO incomplete samples?</i></p> <p>Highlighted Concerns and Omissions</p> <ul style="list-style-type: none"> • Lead levels will increase to roughly 6Mtimes the MMER limit of 0.2 mg/L, after acid generating conditions are established (modeled). HTC data indicates that these metal concentrations, as well as sulphate, will continue to rise as pH decreases. <i>Will treatment be effective in removing this lead prior to release to Blackwater Creek?</i> • Section 5.1 from Appendix F, from the HTC tests expects cadmium and lead levels to increase over project lifetime and beyond. The same data indicates that metal concentrations as well as sulphate will rise as pH decreases. This is not considered in the main text of the EIS, as only the field test data is used. • The report goes on to suggest that “Multiple data gaps were identified while reviewing the available data. In an effort to address those gaps, a series of assumptions were made”. • Too many large assumptions are made, such as in section 4.0, “The material composition of the waste rock and pit walls is assumed to remain constant over time. However, this is not likely the case and may be updated in future modeling efforts”. <i>Statements like these indicate that actual conditions at the mine where the acid rock potential of mine waste is concerned are very poorly understood.</i> • Section 4.0 of Appendix F indicates that modeled long- term water quality generated from exposed materials (WRSF, LGO stockpile, pit wall, underground slopes) after the onset of acid generating conditions (weeks 60-80) is based on two incomplete samples. <i>Therefore the confidence in the modeled predictions is understandably quite low.</i> 	
AC(1)-313	44	Fish and Fish Habitat Aboriginal Health and Socio-Economic Conditions	<p>EIS Errors and Inconsistencies</p> <ul style="list-style-type: none"> • In table 3.8.3 chromium value should be .001 not .0001 • Section 3.2.4 Closure Plan Environmental Monitoring and “potential effluent quality management” will occur during this passive period of reclamation <i>Why potential? This monitoring should be mandatory.</i> • Management of ARD is never a walk away solution. Will require some form of management in perpetuity to prevent acid generated runoff from occurring and contaminating the surrounding environment. • In 3.2 Project Phases and Schedule it is listed that Closure and Post-Closure Phase will take 6 years, whereas Table 3.2.1 indicates that closure phase will take 2 years. Again in section 3.2.4 Closure Phase refers to a two-year active closure period. <i>Which is it?</i> • From 3.3.2. Surface and Mine Water Management “There are no permanent ponds or lakes that require dewatering”. Yet the 4 mine phases 3.2.1 -Site Preparation Phase, has “dewatering ponds” within footprint as an activity. • 5.8.2.2 Copper concentrations from sediments collected in 2011 from TL2, TL3 and BC were above the LEL of 16 µg/g but below the “LEL” of 110 µg/g. (this should be SEL, not LEL). • The concentration of zinc collected from BC was above the LEL of 120 µg/g. (this should read SEL not LEL). This mistake downplays impacts as it exceeds the Severe Effect Level not the Lowest Effect Level. • Related to cumulative impacts from Section 3.4 M Underground Mine states “It should be noted that the resource is “open at depth”; meaning that there is a possibility that it could extend to further depths with continued underground drilling and exploration. Difficult to address impacts without a full understanding of project scope. This needs to comprehensively addressed in the cumulative impacts section. • Page numbers in the TOC would help for a 979 page document (Appendix G) 	CE(1)-03
AC(1)-314	45	Fish and Fish Habitat Aboriginal Health and Socio-Economic Conditions Project description Effects of the Environment on the Project Aboriginal consultation Alternatives Assessment	<p>Other Potential Research Questions</p> <ul style="list-style-type: none"> • How does the Ontario Mining Act (for closure) relate to CEAA rules for closure and follow-up? • What are the flocculants used in TSF? Polishing pond? • How effectively is the Effluent Treatment Plant able to deal with the modeled levels of contaminants? Can this be tested with actual Goliath Project waste rock • What is the water quality of waste rock leachate after 60-80 weeks? • What changes occur seasonally in water quality? • What is the potential for climate change to impact water management and risk management plans? • Can isotopic tracing in the groundwater be used to determine flow rates? • Can modeling be done to determine groundwater to surface and surface to groundwater interactions more completely • How does Traditional Knowledge of the First Nation and Métis communities compare to the science about potential impacts. 	EE(1)-06 SW(1)-34 SW(1)-18 EA(1)-01

Table 5 - Agency Disposition of Written Comments Submitted by Naotkamegwanning First Nation on the Environmental Impact Statement

IR 1 Reference #	Page #	Section 5 Concern/ EA Process Item	Comment	Link to Annex A1
AC(1)-315	1	Aboriginal Consultation Aboriginal and Treaty Rights	NFN has not been provided adequate funding from either the Proponent or the Canadian Environmental Assessment Agency ("CEA Agency") to conduct a more detailed assessment of the EIS to date. Our initial review has been enough to identify, however, that the Project as proposed has a strong potential for adverse effects of an as-yet unknown (but potentially significant) nature on our aboriginal and treaty rights and the resources they rely upon in the Project-affected area.	AC(1)-01 HE(1)-38 HE(1)-43
AC(1)-316	2,3	Aboriginal consultation Aboriginal and Treaty Rights Aboriginal Physical and Cultural Heritage Aboriginal Health and Socio-economic Conditions Current Use of Lands and Resources for Traditional Purposes	NFN General Comments on the EIS Our initial reading finds the EIS deficient in fundamental ways, particularly in its inadequate assessment of effects related to NFN. It is difficult to see how the EIS could be accepted as meeting the requirements of CEAA 2012, as it does not provide sufficient information to meet the requirements in the EISG that pertain to impacts on NFN's treaty rights and socio-economic well-being, health, traditional land use and cultural heritage. The critical parameters of the effects assessment in the EA, included in the identification of Valued Components (VCs), Key Indicators (KIs), VC thresholds of significance, essential considerations when designing baseline and effects studies, appear to have been developed largely independently from any Aboriginal community's input or consultation. The deficiencies are so readily evident that, in our view, the EIS should not have been allowed by the CEA Agency to pass through the screening phase into the current technical review phase of the EA. The current stage of the EA under the federal process is the EIS technical review. This is the most critical stage for ensuring that adverse effects of the Project are properly characterized and any necessary measures for avoiding and mitigating adverse effects are clearly identified. Therefore, the CEA Agency and the Proponent must use this opportunity to address gaps and deficiencies that place NFN's treaty rights and interests at risk. Given capacity constraints NFN has been able to highlight these at a high level only to date but passes this information on faithfully to the Agency.	AC(1)-01 HE(1)-01 HE(1)-33 HE(1)-35 HE(1)-38 HE(1)-43
AC(1)-317	3	Migratory Birds Wildlife	Key Potential Adverse Effects: From a preliminary analysis of the Project Description contained in the EIS, the following non-exclusive potential adverse effects on NFN's rights, interests and well-being have been identified: <ul style="list-style-type: none"> Adverse effects on hunting of migratory birds due to alienation of wetlands by mining development; 	WL(1)-02 WL(1)-03
AC(1)-318	3	Current Use of Lands and Resources for Traditional Purposes Wildlife	<ul style="list-style-type: none"> Adverse effects on hunting of moose, deer and other ungulates due to alienation of lands and loss of access to mining development; 	HE(1)-38 HE(1)-43 HE(1)-45 WL(1)-04 WL(1)-08
AC(1)-319	3	Current Use of Lands and Resources for Traditional Purposes Wildlife	<ul style="list-style-type: none"> Adverse effects on trapping of furbearers due to alienation and loss of access to lands to mining development; 	HE(1)-38 HE(1)-43 HE(1)-45 WL(1)-10
AC(1)-320	3	Fish and Fish Habitat Current Use of Lands and Resources for Traditional Purposes	<ul style="list-style-type: none"> Adverse effects on fishing due potential changes to Thunder Lake water quality and composition; 	HE(1)-38 HE(1)-43
AC(1)-321	3	Fish and Fish Habita Current Use of Lands and Resources for Traditional Purposes t	<ul style="list-style-type: none"> Adverse effects on fishing due to "re-location" of fish-bearing segment of Blackwater Creek tributary; 	FH(1)-06 HE(1)-38 HE(1)-43
AC(1)-322	3	Fish and Fish Habitat Current Use of Lands and Resources for Traditional Purposes	<ul style="list-style-type: none"> Adverse effects on fishing due to downstream contamination effects on Blackwater creek and Wabigoon Lake; 	SW(1)-19 SW(1)-17 GW(1)-03 HE(1)-38 HE(1)-43
AC(1)-323	3	Fish and Fish Habitat Current Use of Lands and Resources for Traditional Purposes Aboriginal health and socio-economic	<ul style="list-style-type: none"> Adverse effects on fishing due to increased perception of risk related to potential contamination of Blackwater creek and Wabigoon Lake; 	HE(1)-38 HE(1)-43

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IR 1 Reference #	Page #	Section 5 Concern/ EA Process Item	Comment	Link to Annex A1
		conditions		
AC(1)-324	3	Current Use of Lands and Resources for Traditional Purposes Aboriginal Health and Socio-economic Conditions	<ul style="list-style-type: none"> Adverse effects on use of water and aquatic plants (i.e., wild rice) due to potential contamination of Blackwater creek and Wabigoon Lake; 	SW(1)-19 SW(1)-17 GW(1)-03 HE(1)-45
AC(1)-325	3	Cumulative effects	<ul style="list-style-type: none"> Significant adverse effects on treaty fishing rights and commercial fishing interests on Wabigoon Lake in the event of a catastrophic breach of the Tailings Storage Facility (TSF); 	AM(1)-04
AC(1)-326	3	Accidents and Malfunctions	<ul style="list-style-type: none"> Significance adverse effects on socio-economic conditions in the event of a catastrophic breach of the TSF that impacts the commercial fishery on Wabigoon Lake; 	AM(1)-04
AC(1)-327	4	Cumulative effects	<ul style="list-style-type: none"> Cumulative adverse effects on fishing and aquatic plant (i.e., wild rice) due to contamination and perceived risk of contamination; and 	HE(1)-01
AC(1)-328	4	Aboriginal Health and Socio-economic Conditions	<ul style="list-style-type: none"> Adverse effects on edible and medicinal plants due to potential airborne distribution of contaminants (tailings particulate matter) downwind of mining site. 	HE(1)-01 HE(1)-02 AE(1)-10
AC(1)-329	5	Aboriginal Consultation	<p>Overview of gaps and deficiencies in the EIS The following critical gaps and deficiencies have been identified by NFN through a comparison of the EIS to the requirements of the EISG</p> <ol style="list-style-type: none"> Absence of evidence that NFN was meaningfully consulted on the development of fundamental components of the EA, including Valued Components (VCs), Key Indicators (KIs), significance thresholds for VCs and KIs, spatial and temporal boundaries;² <p>² Subsections 7.2.1 and 7.2.2 of the EISG require the Proponent to consult with Aboriginal groups (among other parties) in regards to the development of appropriate spatial and temporal boundaries for the project. The extent of consultation by the Proponent with NFN, as indicated in the Aboriginal Consultation Report, appears to have been minimal and largely limited to show-and-tell presentations, rather than a dialogue informed by substantive studies involving the provision of traditional knowledge from community members. For example, one of the few in-person meetings between the Proponent and Treaty 3 nations is described in the Consultation Log, "TMI provided an overview/update of the project, inquired about how to move forward and responded to questions asked by band members.</p>	AC(1)-01 EA(1)-03
AC(1)-330	5	Aboriginal Consultation	<ol style="list-style-type: none"> Absence of rationale for any VCs that were excluded from the EA; Absence of NFN Traditional Knowledge (TK) being incorporated at <u>any stage in the assessment of any of the VCs being considered in the EIS</u>;³ 	AC(1)-01
AC(1)-331	5	Aboriginal Consultation	<p>³ "Consultation and engagement efforts by Treasury have not resulted in any formal Traditional Knowledge (TK) studies being conducted that are specific to the Project. Consequently, direct traditional Aboriginal knowledge gained through these studies has not been made available or used to derive VCs. A number of Aboriginal communities have alluded to traditional use of the general area of the Project but no specific information has been provided to Treasury on either the location or extent of traditional use." Chapter 6.0, Effects Assessment, Treasury Metals Incorporated, Goliath Gold Project, Environmental Impact Statement, p. 6-2.</p> <ol style="list-style-type: none"> Absence of plausible rationale for the exclusion of TK from the assessment of biophysical and social VCs, as well as effects on treaty rights; 	EA(1)-01
AC(1)-332	5	Current Use of Lands and Resources for Traditional Purposes	<ol style="list-style-type: none"> Absence of baseline information for NFN's current use of lands and resources for traditional purposes and related treaty rights; 	HE(1)-38
AC(1)-333	5,6	Current Use of Lands and Resources for Traditional Purposes Aboriginal Health and Socio-economic Conditions Aboriginal Physical and Cultural Heritage	<ol style="list-style-type: none"> Absence (non-aggregated) baseline studies with NFN to be able to meaningfully assess adverse effects on NFN: <ol style="list-style-type: none"> Socio-economic and health conditions Cultural heritage Current use of lands and resources for traditional purposes Any structure, site or thing that is of historical, archaeological, paleontological or architectural significance. 	HE(1)-01 HE(1)-33 HE(1)-35 HE(1)-38 HE(1)-47

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IR 1 Reference #	Page #	Section 5 Concern/ EA Process Item	Comment	Link to Annex A1
		Structure, site, or thing of historical, archaeological, paleontological or architectural significance to Aboriginal groups		
AC(1)-334	6		7. Absence of any suggested mitigation/avoidance and follow-up measures from NFN; and	AC(1)-01
AC(1)-335	6	Aboriginal Consultation	8. Inadequate consultation with NFN, including the failure of the Proponent to develop with NFN an appropriate consultation plan, and to give NFN sufficient opportunities comment on information provided by the Proponent in the language of NFN's choosing.	AC(1)-01
AC(1)-336	6	Aboriginal Health and Socio-economic Conditions	<p>Additional Information on Specific Deficiencies</p> <p>Additional information on initial deficiencies identified with specific sections of the EIS is provided below.</p> <ul style="list-style-type: none"> • <u>Baseline Studies for Human Environment (Chapter 5.11)</u>: The Proponent has conducted only two baseline studies for this section, both of which are seriously deficient and do not provide baseline information related to NFN <ul style="list-style-type: none"> ○ The socio-economic baseline study references three regional First Nations (Wabigoon Lake Ojibway Nation, Eagle Lake First Nation, Lac Seul First Nation) but does not include NFN, even though NFN is listed in the EISG. ○ The report sections related to First Nations are entirely desktop exercises that do not provide an adequate basis for assessing CEAA 2012)(c) effects. ○ Furthermore, these sections of the report include internal First Nations funding arrangements that that were mined from the First Nations Financial Transparency Act section of the Aboriginal Affairs and Northern Development Canada (AANDC) website. 	HE(1)-33 HE(1)-35
AC(1)-337	6	Aboriginal Physical and Cultural Heritage Structure, site, or thing of historical, archaeological, paleontological or architectural significance to Aboriginal groups	<ul style="list-style-type: none"> ○ The Heritage and Archaeology study indicates that only a visual survey of the mining project area for sites of archaeological potential has been conducted. No cultural heritage study has been conducted. No evidence that NFN members have been consulted on cultural heritage in the vicinity of the mine site appears in the Proponent's EIS materials. The so-called heritage and archaeology study is a very high level, superficial assessment- e.g., with no First Nation consultation, no basic test pits. Apparently from a visual investigation of surface feature only the Proponent concluded that there is NO archaeological potential throughout the entire site. This limited archaeological study is the full extent of the heritage and archaeological work alluded to in the EIS. No reference whatsoever are included to First Nations' cultural and historical associations with the area in which the project is proposed.⁴ <p>⁴ In contrast, the introduction to the socio-economic report (Appendix T) for Wabigoon Lake Ojibway Nation states, "Wabigoon Lake Ojibway Nation is a First Nation community in Northwestern Ontario. The ancient presence of Wabigoon Lake Ojibway Nation people on their Land is reflected in its vast forests and countless lakes, rivers and streams. This landscape is in turn reflected in them in their language, culture and way of life. Extensive fields of Manomin (wild rice) were planted by the ancestors and now form an abundant source of food for people and animals in the Region. Vast towering stands of pine, birch, cedar and spruce, as well as blueberries and other foods, were nurtured by an extensive knowledge and practice of controlled burning. The homeland of Wabigoon people is an Ojibway cultural landscape." (emphasis added) Our intention in raising this comparison is not designed in any way to question the Wabigoon relationship to this area, but to point out that NFN's connection to this area- the area's role in the cultural landscape of the NFN, is not likewise contemplated by the Proponent.</p>	HE(1)-47
AC(1)-338	7,8	Aboriginal Consultation Aboriginal Health and Socio-economic Conditions Current Use of Lands and Resources for Traditional Purposes Aboriginal Consultation	<ul style="list-style-type: none"> • <u>Baseline for Aboriginal Peoples section (5.11.5)</u>: This section does not provide a baseline for assessing the legislative requirements under CEAA 2012, section 5(1)(c) related to First Nations, and does not provide a baseline for assessing impacts to treaty rights. The section is essentially a summary of the inadequate "Country Foods Assessment", which is described further below. • <u>Country Food Assessment (Appendix EE)</u> is thoroughly inadequate. <ul style="list-style-type: none"> ○ There are no indications of direct studies on country food harvesting with individual Treaty 3 Nations being undertaken for the project, therefore there is no discussion of thresholds, preferred locations, timing and methods of harvesting, or change of harvesting practices over time. ○ This so-called "assessment" provides no information indicating that any country food studies were conducted with any of the Treaty 3 Nations. Any information provided appears to have been obtained from existing local studies that were conducted in the area from 2010-2014, but which are not specific to Treaty 3 Nations. All data appears to have been obtained from other studies, or alternatively, collected ad hoc through other indirect meetings, e.g., information obtained from CEA Agency or through meetings with Chief and Council. Most information is presented as an aggregate of First Nation and non-First Nation harvest data, a fundamentally flawed approach given the distinction between Aboriginal priority rights and non-Aboriginal interests. Any methodological discussion, including description of the level and type of engagement, is entirely absent. 	HE(1)-01 HE(1)-38 HE(1)-43
AC(1)-339	8,9	Aboriginal Consultation	<ul style="list-style-type: none"> • <u>Effects Assessment Chapter 6- Identification of Valued Components (6.3.2)</u>: In the introduction to Chapter 6 there is reference to "consultation" on VCs, but it does not specify that consultation was undertaken with any particular First Nations, and the precise way information was obtain from First Nations is unclear (e.g., "The CEA Agency, in discussion with Aboriginal communities has also identified issues and concerns."). It appears that much or all of the information that was collected by the Proponent did not come out of a proper consultation process, but was derived ad hoc through preliminary meetings with communities and review of First Nations' correspondence with CEAA. As a result, the evidence of meaningful consultation at least in reference to NFN- is slim to non-existent. For example, the specific section for how socio- economic VCs were determined is approximately one page in length and does not provide any indication of what specific VCs or KIs 	AC(1)-01

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			were proposed by individual First Nations involved in the EA.	
AC(1)-340	9	Current Use of Lands and Resources for Traditional Purposes	<ul style="list-style-type: none"> Effects Assessment on Aboriginal Peoples (6.4.2.5): The inadequate baseline for all relevant VCs for NFN effectively guaranteed that any related effects assessment would also be insufficient. This is compounded by methodological errors in the effects characterization and significance estimation related to effects on aboriginal peoples. In general, deficiencies in this section are attributable to: <ul style="list-style-type: none"> Prevalence of an implicit "go harvest elsewhere" argument made in section for "gathering of country foods and traditional plant materials". The Proponent's analysis has complete disregard for preferred locations, methods and timing of harvesting, and instead attempts to claim that the mine poses no adverse effects to treaty-protected harvesting rights because First Nations can "go harvest elsewhere" in their territories. This is a common but thoroughly rebuked argument. Where such an argument is presented by a Proponent, the onus needs to be on the Proponent to identify where else the First Nation can go and pressures on harvesting in those alternative locations, as well as consider whether the areas where harvest will be impacted - the place the First Nation will be alienated from as a result of the Project - are preferred harvesting areas of heightened import. In addition, the Proponent and eventually the Crown can be subject to challenge to show how the loss of any aspect of the landscape that supports Treaty rights practices to industrial activity is justified and what forms of accommodation- and their adequacy- are committed to by the Proponent and the Crown for these infringements being contemplated; 	HE(1)-38 HE(1)-43
AC(1)-341	9	Fish and Fish Habitat	<ul style="list-style-type: none"> This section of the EIS is missing any reference to perception of risk related to the mine and mine effluent releases into Blackwater Creek 	HE(1)-43
AC(1)-342	9	Fish and Fish Habitat	<ul style="list-style-type: none"> Impacts by the mine on fish and fish habitat are undeniable, as it will require a DFO Section 35 authorization and fisheries offsetting (compensation) plan. In addition, NFN members have indicated that fishing licenses in the Project-affected area are of high importance to the Nation. The Proponent does not present adequate information on NFN commercial and subsistence fishing values in the EIS. Nonetheless, the Proponent insists that residual effects to fishing are not significant; 	FH(1)-06 HE(1)-35 HE(1)-38 HE(1)-43
AC(1)-343	9	Aboriginal Consultation	<ul style="list-style-type: none"> The methodology used for assessing magnitude and other criteria for characterizing residual effects is lacking transparency and certainly has not been subject to any vetting with NFN 	EA(1)-01 EA(1)-03 AC(1)-01
AC(1)-344	9	Current Use of Lands and Resources for Traditional Purposes	<ul style="list-style-type: none"> The section contains no reference to impacts on moose habitat (also identified as critical in this area to NFN Treaty rights practices), or impacts to migratory bird habitat; and 	HE(1)-45
AC(1)-344	9	Current Use of Lands and Resources for Traditional Purposes	<ul style="list-style-type: none"> The section does not address the methodological limitation of assessing adverse effects on First Nations' current use of lands and resources for traditional purposes without the benefit of a study involving First Nations' traditional users of the Project vicinity. The logic and credibility of assessing effects on current use of lands and resources for traditional purposes without any knowledge of current use of lands and resources for traditional purposes, should be self-evidently unacceptable and begging for additional information requirements from the CEA Agency to the Proponent. 	HE(1)-38
AC(1)-345	9,10	Aboriginal Health and Socio-economic Conditions Aboriginal Physical and Cultural Heritage Current Use of Lands and Resources for Traditional Purposes	<ul style="list-style-type: none"> Overall, our review of the baseline and effects assessment sections of the EIS indicates that NFN's socio-economic and health conditions, tradition land and resource use activities, and cultural heritage have not been adequately described or characterized, nor have potential adverse effects on these valued components and NFN's treaty rights been properly assessed. Without a proper baseline of NFN's land use activities, the characterization of effects is necessarily deficient. For many of NFN's concerns, proposed mitigation and follow-up measures are either generic or undefined, or entirely absent. This near-absent assessment of traditional land and resource use that appears to have been exclusively relied upon by the Proponent for addressing potential Project-specific and cumulative effects on treaty rights does not support meaningful consultation and accommodation between NFN and the Crown. 	HE(1)-01 HE(1)-33 HE(1)-35 HE(1)-38 HE(1)-43 HE(1)-47
AC(1)-346	10	Aboriginal Consultation	<ul style="list-style-type: none"> Ch. 8 Aboriginal and Public Engagement- 8.9 Aboriginal Concerns: This section is supposedly based on "Aboriginal concerns [that] have been identified to Treasury at meetings between Treasury and representatives of the Aboriginal communities, by means of letters sent by communities to Treasury and by means of comments made by communities to the CEA Agency which have been relayed to Treasury by the CEA Agency." However, all concerns have been lumped together, with no distinct listing of concerns for each individual First Nation. This is contrary to recent practice by the CEA Agency, requiring greater distinction for each First Nations of concerns and potential adverse effects. NFN calls for CEAA to follow-up with requests for greater disaggregation of information that can lead to independent effects characterization for each affected First Nation. 	AC(1)-01
AC(1)-347	10	Aboriginal Consultation	<ul style="list-style-type: none"> Aboriginal Consultation Report: Appendix DD: The sub-section that discusses the extent of consultation with NFN is only 2 pages long. The consultation log provided as an annex to the report indicates that only two preliminary meetings have been held with NFN's current Chief and Council. <ul style="list-style-type: none"> The report implies that NFN is too far away to have any treaty rights in the "project area" and that any concerns that NFN members may have related to water quality in Wabigoon Lake are unfounded and unwarranted. This is absolutely not the case. This gap in the Proponent's knowledge is troubling to NFN, as is the Proponent's willingness to make a liberal estimation of potential impacts on rights even without strong enough knowledge about our rights and interests in the Project-affected area (as opposed to a conservative/precautionary approach, the more proper way to estimate effects in the face of uncertainty - or better yet, the Proponent could seek engagement with the First Nation itself). This section is not informed by any TK or TUS studies. The Proponent notes as a "next step" potential TK studies with the Metis Nation of Ontario, Wabigoon Lake Ojibway Nation and Eagle Lake First Nation, but no reference is made to undertaking such studies with NFN or other Treaty 3 Nations involved in the EA. 	AC(1)-01 EA(1)-01 HE(1)-38
AC(1)-348	11	Fish and Fish Habitat	<ul style="list-style-type: none"> <u>Effects on Fishing</u>: The proposed Project is located within the Lower English-Wabigoon River Section of the Lake Wabigoon Ecoregion (potentially already historically contaminated). Further 	SW(1)-19

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			studies and assessment on effluent levels discharging into Wabigoon, other water bodies and downstream effects, is required. There is no evidence that thresholds related to contamination from tailings effluent into Blackwater Creek and Wabigoon Lake system has been properly discussed with NFN or other Treaty 3 Nations.	
AC(1)-349	11	Current Use of Lands and Resources for Traditional Purposes	<ul style="list-style-type: none"> ○ Effects on Hunting and plant harvesting: The EIS overlooks net adverse effects on Treaty 3 rights to hunting and plant harvesting in the vicinity of the Project area, and as mentioned previously instead relies upon a "go hunt elsewhere" rationale for assessing adverse effects as minimal and not significant. Potential for increased non-Aboriginal hunting & trapping pressure is acknowledged, however no mitigation, monitoring or follow-up measures are proposed (e.g., access management plan). This type of "catch and release" environmental assessment, where a potential impact is acknowledged, but never acted upon with any sort of plan, policy or other action to avoid, reduce, or compensate for the effect, is unacceptable to NFN, especially when critical Treaty rights are at risk 	HE(1)-38 HE(1)-43
AC(1)-350	11	Accidents and Malfunctions	<ul style="list-style-type: none"> ○ Accidents and Malfunctions: Breach of the Tailings Storage Facility (TSF): The EIS fails to either identify or address any potential adverse effects of a TSF breach on the treaty rights, current use of lands and resources for traditional purposes, and socio-economic conditions of NFN (and other Treaty 3 Nations). The EIS includes a TSF failure model illustrating the extensive contamination that such an event would cause to Wabigoon Lake, especially Kelpyn Bay. Nonetheless, the EIS does not NFN's concerns in this regard are summarily dismissed by the Proponent as a remote possibility. The EIS makes no reference to any need for monitoring or a contingency/follow-up plan involving NFN (and other Treaty 3 Nations). 	AM(1)-04
AC(1)-351	11,12	Cumulative effects	<ul style="list-style-type: none"> • NFN's initial review of the EIS did not have enough funding or time to fulsomely critique the Proponent's approach to cumulative effects. However, it is notable that there does not appear to be a comprehensive projects inclusions list (a list of all the other current and reasonably foreseeable future projects that might have impacts on the same VCs as Goliath) included in the EIS. Only 1 project (Wataynikaneyap Power, a proposed 300-km 230- kV transmission line that falls within the defined spatial boundaries of the cumulative effects study area) is identified as having potential to interact with potential effects of the Project. It is likely no other projects are identified primarily as a result of the Regional Study Area (RSA) being so small that few other projects are within its boundaries. Funding and time for additional review is required for NFN to conduct a close examination of cumulative effects. This type of effects assessment is especially important for NFN as we have been subject to Treaty rights infringements in other portions of our territory that have made our Nation both more reliant on the "Goliath" area and which have created long-standing and potentially significant pre-existing adverse effects on our Treaty rights. 	CE(1) - 02
AC(1)-352	12	Aboriginal Health and Socio-economic Conditions	<p>Initial Conclusions About the Adequacy of the EIS Gaps and flaws in the EIS include but are not limited to the following.</p> <p>Overall, the approach the EIS appears to take is that NFN's rights and interests are centred too far afield from the Project and Project-affected area to merit close attention in this EA. This is far from the truth and NFN needs to be provided time, funding and opportunity to correct the record prior to the CEA Agency making any determinations on this proposed Project. This letter is only an initial step in that direction and cannot be read as adequate in terms of NFN's required examination of the EIS or a record of its concerns.</p> <p>We contest the conclusion that "the Project will provide an economic net benefit to the local, Aboriginal, regional, and provincial economies and will not result in adverse impacts to Aboriginal and Treaty Rights or related interests." This claim is unfounded given that no socio-economic assessment on NFN has been conducted; no clear links have been made to benefits; and risks to the commercial fishery at Wabigoon Lake has been ignored.</p>	HE(1)-37
AC(1)-353	12	Aboriginal Physical and Cultural Heritage Structure, site, or thing of historical, archaeological, paleontological or architectural significance to Aboriginal groups	The very limited archaeology study conducted to date is an inadequate basis upon which to make the assertion that "the Project is not expected to result in any significant adverse residual effects on the environment or heritage/cultural resources."	HE(1)-47 HE(1)-49
AC(1)-354	12,13	Accident and Malfunctions Aboriginal Health and Socio-economic Conditions	A catastrophic break in the TSF has been modelled to bring significant contamination into Wabigoon Lake. This stands in stark contrast to the assertion that "any accidents or malfunctions that might occur as a result of the Project are not expected to result in significant adverse residual environmental or socioeconomic effects." Such an event would have significant adverse effects on the natural environment, socio-economic conditions, and our treaty rights.	AM(1)-01
AC(1)-355	13	Cumulative effects	Finally, without proper baseline and effects assessments on human VCs and treaty rights, the claim that "the Project is not expected to result in any significant adverse cumulative effects on the environment or heritage/cultural resources" is simply not supportable.	HE(1)-37 HE(1)-43
AC(1)-356	14	Aboriginal Health and Socio-economic	The CEA Agency and the Proponent must use this opportunity to address gaps and deficiencies that place NFN's treaty rights and interests at risk. To do so, they must undertake a full assessment of:	AC(1)-01

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		Conditions Aboriginal Consultation Aboriginal Physical and Cultural Heritage Current Use of Lands and Resources for Traditional Purposes	a. Socio-Economic conditions b. Health Conditions c. Current use of lands and resources for traditional purposes d. Cultural Heritage resources	HE(1)-01 HE(1)-33 HE(1)-38 HE(1)-43
AC(1)-357	14		Further work is required to understand the intersection of NFN values with Project- specific and cumulative effects pathways. We would like funding and opportunity to conduct community meetings to socialize the E IS and gather members' information about potential adverse effects (and benefits that may accrue). These studies must be fully funded by the Proponent (or CEA Agency), conducted with NFN's full involvement and facilitated by a consultant of NFN's choosing. They must also include a potential scenario of a catastrophic release of TSF into both Blackwater Creek and Wabigoon Lake.	AC(1)-01
AC(1)-358	14	Cumulative effects	In addition, the Regional Study Area (RSA) must be revised in order to permit proper consideration of cumulative effects and potential adverse effects of accidents and malfunctions on Wabigoon Lake. Currently the RSA only includes a small portion of the lake, however it is clear that potential effects on fish and water quality, as well as related traditional and commercial harvesting activities, need to be assessed throughout the entire lake system.	CE(1)-01