**From:** Howse Pit Project [CEAA]
**Sent:** December 19, 2016 3:20 PM
**To:** Didillon, Loic
**Cc:** 'Mariana Trindade'; Christian Corbeil; Mackenzie, Armand
**Subject:** Howse Project Information Requests (Round 2 - Part 2)

Hi Loic,

The Canadian Environmental Assessment Agency (Agency) has conducted a review of responses to Round 1 – Part 2 Information Requests, prepared by Howse Minerals Ltd. for the proposed Howse Property Iron Mine Project. The Agency has determined that additional information is required. The Information Requests, attached, have been compiled with consideration of comments from provincial and federal expert departments. The information requests will be posted on the Canadian Environmental Assessment Registry in the coming days. You are encouraged to discuss attached Information Requests with the Agency, and with government experts as applicable, prior to submission of your responses.

The timeline for the environmental assessment remains paused while information described in the attached document is being collected. Once you have submitted complete responses to all Information Requests, the Agency will form an opinion on whether the requested information has been provided. If, at that time, the Agency determines the responses to be complete, it will commence a technical review of the additional information and the timeline for the environmental assessment will resume. If the responses are determined to be incomplete, you will be notified at that time.

You are encouraged to discuss attached Information Requests with the Agency, and with government experts as applicable, prior to submission of your responses.

Kind Regards,

Lyndsay

**Howse Property Project Environmental Impact Statement (EIS)**
**Information Requests (IRs) to Howse Minerals Ltd.**
**Round 2 - Part 2[1]**

| IR Reference No. | Dept or Organization No. | Effect Link to CEAA 2012 | Link to EIS Guidelines | IR Context and Rationale | Specific Question or Request for Information |
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| **CEAA 3, Round 1, Part 2**<br><br>**IN-IR-1** | CEAA | 5(1)(c) | 5 | The proponent's response to CEAA 3 (Round 1 – Part 2) indicates that "perspectives from Aboriginal people were provided, and responded to by the Proponent privately in Spring 2016." Table 4.7 of the EIS provides a record of concerns raised by Indigenous communities, however, information was not provided to the Agency as to how environmental issues raised by Indigenous Peoples were considered and addressed, including mitigation measures. No rationale is provided as to why confidentiality agreements preclude the provision of this information. | Revise Table 4.7 to include a column describing how concerns raised by each of the Indigenous groups were considered and potentially addressed, including mitigation measures. State any remaining concerns, following the implementation of the mitigation measures. If confidentiality is a concern in addressing the request, the proponent must provide a clear rationale explaining why information cannot be shared. |
| **CEAA 5, Round 1, Part 2** | CEAA<br><br>IN-IR-26a | 5(1)(b) Transboundary<br>5(1)(c)(i) Aboriginal Peoples' Health/socio-economic conditions | 6.2.1<br>6.3.5<br>6.3.4 | The proponent's response to CEAA 5 (Round 1 – Part 2) states "The Proponent will finalize an action plan for the reduction of GHGs following the acquisition of data on emissions from the Howse Project once the Howse plant is fully operational." Though specific mitigation measures may not be known at this time, the Agency requires information regarding standard measures that may be considered for inclusion in such a plan. Without information on the likely mitigation measures and associated reduction in GHG emissions, the Agency cannot assume any reduction in effect; the Agency's analysis would be based on unmitigated GHG emissions. | If the proponent is unable to provide specific mitigation measures for the Howse Project, provide in lieu a list of typical industry standard mitigation measures the proponent would implement in order to reduce greenhouse gases, an estimate of the anticipated greenhouse gas reductions, and an assessment of the residual effects following mitigation; or, provide a rationale as to why no measures can be identified. Provide a draft action plan for the reduction of GHGs, if available. |
| **CEAA 7, Round 1, Part 2** | NL – PPD -01<br>IN-IR 26d | 5(1)(b) Transboundary<br>5(1)(c)(i) Aboriginal Peoples' Health/socio-economic conditions | 6.2.1<br>6.3.5<br>6.3.4 | In response to CEAA 7 (Round 1 – Part 2), the proponent indicates that it: "…assumes an average burner firing rate of 50% over the operating period." The Agency understands that a burner is generally at its optimal fuel combustion nearer 100% load, so operating a burner at 50% load may lead to excess fuel combustion. Assuming the 50% rate is accurate, simply taking half of the | Clarify what is meant by "an average burner firing rate of 50% over the operating period." In particular, does this mean the proponent will only be operating dryers at 50% capacity on average?<br><br>If yes, provide a discussion on the potential effects to air and greenhouse gases that would arise operating the burner at 50%, a lower efficiency burn rate. Also, indicate why it is not possible to size |

[1] Information Requests were sent to Howse Minerals Ltd from the Canadian Environmental Assessment Agency in Round 1 - Part 1 (June 3, 2016) and Round - Part 2 (June 29, 2016). Following receipt and review of the proponent's responses to Round 1 – Part 1, the Agency prepared follow-up Information Requests for the proponent in Round 2 - Part 1 (October 28, 2016). This document, Round 2 - Part 2, provides the Agency's follow-up Information Requests following its review of Round 1- Part 2.

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| | | | | calculation at 100% load may be an underestimation of fuel usage owing to potentially lower combustion efficiencies at lower loads. Information is needed to understand the nature of effects with respect to release of greenhouse gases, transboundary effects, as well as the health of Indigenous people | the burners to ensure maximum burner efficiency.<br><br>If no, explain further, describing the resulting potential effects. |
| **CEAA 8, Round 1, Part 2** | NL – PPD-02<br>IN-IR-26d | 5(1)(b) Transboundary<br>5(1)(c)(i) Aboriginal Peoples' Health/socio-economic conditions | 6.2.1<br>6.3.5<br>6.3.4 | In response to CEAA 8 (Round 1 – Part 2), the proponent recalculated a number of values in Table 7-4; however errors still exist within the table. For example, as originally indicated but not addressed, the mini-plant with 20 million litres of fuel combusted cannot only emit 5601 tonnes of CO2. This value appears to be off by a factor of 10 as tonnage should be closer to 56,000 tonnes. Information is needed to understand the nature of effects with respect to release of greenhouse gases, transboundary effects, as well as the health of Indigenous people | Confirm calculations in Table 7-4. Provide a rationale for estimations regarding fuel use and combustion for the mini-plant, or provide revised calculations.<br><br>Provide a revised discussion of potential effects (i.e. to air quality) associated with increased emissions, if it is found that emissions were underestimated. |
| **CEAA 11, Round 1, Part 2** | NL – PPD-08 | 5(1)(b) Transboundary<br>5(1)(c)(i) Aboriginal Peoples' Health/socio-economic conditions | 6.2.1<br>6.3.5<br>6.3.4 | Based on the response to CEAA 11 (Round 1 – Part 2), the proponent calculated emission rates based on g/hp-hr (engine-based) and not as g/hr (generator-based). However, generator / engine efficiency is typically approximately 85%. Therefore, it appears that emissions are being underestimated by approximately 15%. It can also be shown that the same calculation occurs for most of the generators. Information is needed to understand the nature of effects with respect to release of greenhouse gases as well as the health of Indigenous people. | Revisit Appendix E1 and Appendix A of the EIS. Update the emission calculations, if generator-based values (g/hr) were not used. Should it be shown that the emissions were underestimated, provide a revised effects assessment for air quality. |
| **CEAA 15, Round 1, Part 2** | HC-IR-33<br>CEAA | 5(1)(b) Transboundary<br>5(1)(c)(i) Aboriginal Peoples' Health/socio-economic conditions | 6.2.1<br>6.3.5<br>6.3.4 | During public review periods and during community meetings, Indigenous groups raised concerns about air quality and impacts on the health of Indigenous peoples. Specifically, they requested clarification regarding a wash bay. The proponent's response to CEAA 15 (Round 1-Part 2) states that "HML is currently working on securing a wash bay for access to all vehicles travelling into town, but this arrangement is not finalized yet." The proponent's commitment to implementing this measure is uncertain. Without information on commitments to mitigation measures and associated reduction in effects to air quality, the Agency cannot assume any reduction in effect.<br><br>Furthermore, the proponent did not clarify their intentions regarding use of dedicated vehicles for transportation | Clarify whether a wash bay would be utilized as a means of mitigation for the duration of the Project. If not, provide information on any alternative mitigation options and an assessment of their effectiveness.<br><br>Clarify whether the proponent would use dedicated vehicles that are only driven between the Project and the communities (i.e. not used for transportation in and around the Project site). If not, provide information on any alternative options.<br><br>Verify whether the effects assessment includes these mitigation measures, clearly describe the role of these measures in reducing effects, and update the assessment if appropriate. |

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| | | | | between the project site and the community. Information is needed to understand the nature of effects with respect to the health of Indigenous people and transboundary effects. | |
| **CEAA 20, Round 1, Part 2** | HC-IR-26<br><br>CEAA | 5(1)(a)(i) Fish and Fish Habitat<br>5(1)(a)(iii) Migratory Birds<br>5(1)(b) Federal Lands /Transboundary<br>5(1)(c)(i) Aboriginal Peoples Health/ socio-economic conditions<br>5(1)(c)(ii) physical and cultural heritage<br>5(1)(c)(iii) the current use of lands and resources for traditional purposes | 6.3.5<br>6.3.1<br>6.3.2 | In response to CEAA 20 (Round 1-Part 2), the proponent did not provide the information requested regarding the types of activities conducted by Indigenous Peoples on Kauteitnat (Irony Mountain). In order to assess the effects to current use of lands and physical and cultural heritage due to noise, the following are required: an adequate baseline information for use of Kauteitnat, a description of potential effects to that use as a result of the Project (including avoidance), and clear commitments to mitigation measures that would be implemented for effects to this use.<br><br>Furthermore, the proponent indicated that "visits to Irony Mountain are infrequent: they are limited to Summer, maximum once or twice per year, for a half-day outing at a time. The Proponent does not feel that additional mitigation measures are needed for this component." It is recommended that the Agency's *Technical Guidance for Assessing the Current Use of Lands and Resources for Traditional Purposes under the Canadian Environmental Assessment Act, 2012* be followed. The Technical Guidance states that uses that may have ceased due to external factors should also be considered if they can reasonably be expected to resume once conditions change. | Describe the types of traditional activities that are expected to occur at Kauteitnat (e.g. prayers, gathering, other ceremonies) where loud noises would be disruptive to those traditional activities. Include the source of this information and a discussion of the appropriateness of using provincial Guidelines and Health Canada's % change in highly annoyed (HA) to evaluate the acceptability of noise levels for the types of uses provided.<br><br>Consider the the Agency's *Technical Guidance for Assessing the Current Use of Lands and Resources for Traditional Purposes under the Canadian Environmental Assessment Act, 2012* which states that uses that may have ceased due to external factors should be considered if they can reasonably be expected to resume once conditions change. If this applies the uses of Kauteitnat, revise the effects assessment for the current use and physical and cultural heritage VCs.<br><br>Consider the following mitigation measure: to work with the Indigenous communities and adapt on-site work schedules to address effects from activities, such as noise, to accommodate visits to Irony Mountain. Comment on whether such a measure could form part of the suite of mitigation measures in assessing effects to current use and to physical and cultural heritage. |
| **CEAA 26, Round 1, Part 2** | CEAA | 5(1)(a)(i) Fish and Fish Habitat<br>5(1)(a)(iii) Migratory Birds,<br>5(1)(c)(i) Aboriginal Peoples Health / socio-economic conditions<br>5(1)(c)(iii) the current use of lands and resources for traditional purposes | 6.6.1 | In response to CEAA 26 (Round 1 – Part 2), the proponent referred the Agency to section 6.5.2 (sub section 6.5.2.2.1) starting on page 6-14 to see discussion of effects of road accidents on valued components. The Agency reviewed the section and finds that there is not sufficient information to assess effects as a result of accidents and malfunctions, as well as impacts on Indigenous peoples. | Provide additional information on how road accidents may affect the valued components considered in the EIS. Valued components considered include fish and fish habitat, migratory birds, current land use, and Indigenous health and socio-economic conditions. The type of road accidents to be considered in the effects assessment and development of mitigations measures include, but is not limited to:<br>• Spills<br>• Collisions with wildlife<br>• Collisions with other vehicles<br><br>In addition to discussing how road accidents may affect valued components, this section should also include proposed mitigation |

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| | | | | | measures to prevent or reduce effects from such accidents, and an assessment the significance of potential residual effects to valued components, as appropriate. |
| **CEAA 27, Round 1, Part 2** | HC-IR-23<br><br>IN-IR-4d | 5(1)(b) Transboundary<br>5(1)(c)(i) Aboriginal Peoples' Health/socio-economic conditions | 6.2.1<br>6.3.5<br>6.3.4 | Based on information provided by the proponent, it is not clear that all alternatives being considered for power supply over the life of the Project were assessed in response to CEAA 27 (Round 1 – Part 2). The proponent indicated that it "may eventually look into connecting the Howse plant to the DSO power system to reduce the number of generators."<br><br>If a connection between the Howse Project and DSO Power system is under consideration, then this alternative should be fully described and its potential effects assessed as per the Agency's Operational Policy Statement: *Addressing "Purpose of" and "Alternative Means" under CEAA 2012.* | Provide an alternatives assessment that includes all means of providing power to the Howse Project that are under consideration (e.g. connection to the local power grid or to DSO power system, if applicable). The analysis should be conducted in accordance with the Agency's Operational Policy Statement*: Addressing "Purpose of" and "Alternative Means" under CEAA 2012.* |
| **CEAA 30, Round 1, Part 2** | IN-IR-7 | 5(1)(c)(iii) Current Use of Lands and Resources for traditional purposes<br>5(1)(c)(i) Aboriginal Peoples Health/ Alternative means | 2.2 | Proponent did not provide information requested in CEAA 30 (Round 1 -Part 2) on whether there are additional effects, including but not limited to, the health of Indigenous peoples, or their uses of the land for traditional purposes during winter operations arising from changing project activities, including, but not limited to, those associated with the use of the dryer. | Provide information on whether there are additional environmental effects on valued components associated with winter operation activities, including those, but not limited to, use of the dryer. Describe mitigation measures for addressing any additional environmental effects. |
| **CEAA 31, Round 1, Part 2** | CEAA | 5(1)(a)(i) Fish and Fish Habitat<br>5(1)(c)(iii) Current Use of Lands and Resources for traditional purposes<br>5(1)(a)(iii) Migratory Birds | 2.2 | In the response to CEAA 31 (Round 1 - Part 2), the proponent indicated it is no longer considering proceeding with a second alternative route for local communities. According to the EIS, page 2-14, Alternative 1 would result in longer driving distances for Indigenous groups to access lands. It is not clear how the proponent determined that Alternative 2 is no longer a viable option and if that decision was made in consultation with Indigenous groups. | Provide a revised transportation route alternatives analysis which, at a minimum, includes:<br>• The rationale for selecting Alternative 1<br>• The reasoning why the second alternative route (Alternative 2) is not a viable alternative.<br><br>Provide information as described in the Agency's Operational Policy Statement *"Addressing 'Purpose of' and 'Alternative Means' under CEAA 2012."* |
| **CEAA 32, Round 1, Part 2** | CEAA | 5(1)(a)(i) Fish and Fish Habitat | 2.2 | In response to CEAA 32 (Round 1 – Part 2), the proponent stated that if it "chooses to use coagulant, the type of coagulant will need to be decided and then an effects analysis could be conducted."<br><br>If the use of coagulant is one of the alternatives being considered, then this alternative must be considered as | Per the Agency's Operational Policy Statement *"Addressing 'Purpose of' and 'Alternative Means' under CEAA 2012.", p*rovide an alternatives analysis for the use of coagulants that includes the types of coagulants that may be selected. If the effects of each type of coagulant are anticipated to vary, provide an analysis on each type. If the use of a certain type of coagulant is a preferred alternative, update the assessment to include potential effects to VCs. |

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| | | | | per the Agency's Operational Policy Statement: *Addressing "Purpose of" and "Alternative Means" under CEAA 2012.*<br>If the use of coagulants is selected as one of the preferred alternatives for the project, and the proponent is seeking to proceed with a project that would include the possibility of using coagulants, then this preferred alternative must be fully described and its potential effects must be assessed. | |
| **CEAA 33, Round 1, Part 2** | CEAA | 5(1)(b) Federal Lands /Transboundary (GHGs)<br>5(1)(c)(i) Aboriginal Peoples Health/ Alternative means | 2.2 | In response to CEAA 33 (Round 1 - Part 2), the proponent states that "neither Alternative will affect the biophysical or socioeconomic VCs" with respect to options for managing waste wood cleared from lands, but did not sufficiently substantiate these conclusions presented in the analysis of "environmental" and "aboriginal" considerations. Furthermore, under "aboriginal" considerations, only Alternative 1 is described.<br><br>The Agency's Operational Policy Statement: *Addressing "Purpose of" and "Alternative Means" under CEAA 2012* indicates proponents should indicate which alternative is preferred and considered in the effects assessment of the Project, or requires the proponent to fully assess the effects of all alternatives. | Provide information to substantiate conclusions in the alternatives assessment for waste wood; in particular, for concluding that neither alternative will affect biophysical or socioeconomic VCs, as well as statements under the environmental and aboriginal analysis sections. The proponent must include:<br>• An explanation for how the alternatives for waste wood would not affect a biophysical or socio-economic VC. For example, burning wood for the purposes of fire drills could release air emissions and could affect the health of Indigenous peoples or the current uses of lands and resources.<br>• Provide an explanation for how the use of waste wood in landfills is a better alternative to cutting the wood for use by Indigenous peoples from an environmental perspective.<br>• Provide an explanation for how it was determined that Alternative 1 is preferred by communities.<br>Indicate of the alternatives assessed, which approach is preferred, as outlined in the Agency's Operational Policy Statement: *Addressing "Purpose of" and "Alternative Means" under CEAA 2012.* |
| **CEAA 38, Round 1, Part 2** | HC-IR-32 | 5(1)(b) Transboundary<br>5(1)(c)(i) Aboriginal Peoples' Health/socio-economic conditions | 6.3.4 | The information provided in addressing CEAA 38 (Round 1 – part 2) is not adequate to understand the potential environmental and health effects of the potential chemicals to be used for dust suppression.<br><br>Regarding dust suppression techniques, the proponent stated that it is "preparing a full report of these alternatives, and this will be provided to CEAA before the end of the year." | Provide an assessment of the potential human and environmental effects related to the use of the chemicals for dust suppression (e.g. effects of chemical dust suppressants as a result of releases to air, deposition on soil and country foods, and runoff), including any additional mitigation measures that will be implemented. Revise effects assessment for VCs, if appropriate.<br><br>Provide the report on dust suppression techniques that includes the mitigation measures that will be implemented. |
| **CEAA 40, Round 1, Part 2** | HC-IR-3 | 5(1)(c)(i) Aboriginal Peoples Health/ socio-economic conditions | 6.3.4 | Following its review of the proponent's response to CEAA 40 (Round 1 – Part 2), Health Canada advised that arsenic is a carcinogen via ingestion exposure (Health Canada's oral slope factor is 1.8 mg/kg bw-day)[1] (Health Canada, | Provide an effects assessment of arsenic as a carcinogen via ingestion, compare any incremental increase in lifetime cancer risk (due to project activities) associated with berry consumption to Health Canada's acceptable incremental increase in lifetime cancer |

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| | | 5(1)(c)(iii) Current Use of Lands and Resources for traditional purposes | | 2010)[2] and must be evaluated as a carcinogen with respect to berry ingestion in order to understand effects to the health of Indigenous peoples. Furthermore, any incremental increase in lifetime cancer risk associated with berry consumption must calculated and compared to Health Canada's acceptable incremental increase in lifetime cancer risk (due to project activities) of $1x10^{-5}$. | risk of $1x10^{-5}$. |
| **CEAA 41, Round 1, Part 2** | HC-IR-5 | 5(1)(c)(i) Aboriginal Peoples Health/ socio-economic conditions<br>5(1)(c)(iii) Current Use of Lands and Resources for traditional purposes | 6.3.4 | In reviewing the response to CEAA 41 (Round 1 – Part 2), it is not clear that the full range of potential human health risks posed by chromium arising from the Project have been adequately assessed. This information is needed to assess the effects to the health of Indigenous peoples.<br><br>Health Canada has advised the Agency that with respect to chromium (Cr), the proponent's statement that the toxicity reference value (TRV) for total Cr that it is based on 1/7th of total Cr being Cr VI is correct. The ratio used in deriving the guideline value was based on a specific industrial source where chromium was analysed and speciated and 1/7 of that chromium was Cr VI, thus for that particular industrial release, 1/7 was the ratio. This is not necessarily the case for other sources/releases of chromium given the different ways chromium is released and transformed in different environments. Health Canada is currently in the process of updating the guidance document which will provide a summary of recommended TRVs to be used for federal contaminated sites in the near future.<br><br>In order to be conservative in the evaluation of chromium with respect to human health, Cr should be assumed to be 100% Cr VI in the HHRA (unless it can be justified otherwise, such as by speciating Cr or providing literature references to indicate the likelihood of the Cr present to be Cr VI). | Provide a revised human health risk analysis for chromium where Cr is assumed to be 100% Cr VI in the assessment, or provide a rationale that the form of Cr expected to be present is one or more less toxic forms of Cr (e.g. Cr III). |
| **CEAA 44, Round 1, Part 2** | HC-IR-8 | 5(1)(c)(i) Aboriginal Peoples Health/ socio-economic conditions | 6.3.4 | Following the review of CEAA 44 (Round 1 – Part 2), in order to understand the effects to the health of Indigenous groups, Health Canada recommends the following as acceptable standards to use in the determination of | Provide a discussion for the predicted potential effects to human health as a result of the Project for non-cancer risks where HQs >1.0 currently exist in the baseline scenario and are predicted to increase as a result of project activities. Compare prediction to baseline |

[2] Health Canada. 2010. Part II: Health Canada Toxicological Reference Values (TRVs) and Chemical-Specific Factors, Version 2.0. Federal Contaminated Site Risk Assessment in Canada. Prepared by the Contaminated Sites Division, Safe Environments Directorate. September.

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| | | 5(1)(c)(iii) Current Use of Lands and Resources for traditional purposes | | significance of an effect on human health: <1.0 for a HQ for non-carcinogens; <1.0E-5 (<1 x $10^{-5}$) for incremental increases in lifetime cancer risk (ILCR) associated with project-related activities. For non-cancer risks, where HQs >1.0 currently exist in the baseline scenario, the predicted change as a result of the project should be discussed with a narrative and compared to baseline conditions to determine significance (e.g. baseline HQ is 1.4 and future HQ is predicted to be 1.6). For carcinogens, the incremental increase in lifetime cancer risk associated with project activities should be evaluated; if that incremental increase exceeds 1 x $10^{-5}$, additional mitigation should be presented, as appropriate. | conditions when determining significance (e.g. where baseline HQ is 1.4 and future HQ is predicted to be 1.6). Update effects assessment conclusions and the recommended mitigation measures where elevated non-carcinogenic risks are predicted as a result of project activities, where applicable.<br><br>Evaluate the incremental increase in lifetime cancer risk associated with Project activities. If that incremental increase exceeds 1.0E-5, indicate whether additional mitigation measures that will be implemented, as well as present a revised environmental effects analysis. |
| **CEAA 45 and 46, Round 1, Part 2** | HC-IR-10 | 5(1)(c)(i) Aboriginal Peoples Health/ socio-economic conditions<br>5(1)(c)(iii) Current Use of Lands and Resources for traditional purposes | 6.3.4 | In order to verify the accuracy of the assessment of effects to the health of Indigenous people, Health Canada recommends a follow up program that consists of monitoring environmental media (e.g. air, water, soil, food) for changes, given that monitoring specific environmental media can provide a reasonable understanding of any changes that may be due to project-related activities. Provided adequate baseline sampling is conducted, people would not need to be subjected to specific health studies.<br><br>The proponent referred to an Appendix in the response to CEAA 45 and 46 (Round 1 – Part 2), however the description of the appendix was not adequate to find the noted Table. | Following section 8 of the EIS Guidelines, and based on Health Canada's recommendation, describe any follow-up program the Proponent would implement to verify the accuracy of the effects predictions and the Human Health Risk Assessment regarding the health of Indigenous people. For example, regarding country foods, describe specific foods to be analyzed, frequency of analysis, interpretation and reporting of results, and potential mitigation to be implemented in the event of increases of contaminants in these foods.<br><br>Include how monitoring would inform whether additional health studies and/or mitigation measures may be needed in the future, as part of an adaptive management program.<br><br>Clarify which appendix is being referred to in the response to CEAA 45 and 46 (Round 1 – Part 2). |
| **CEAA 47, Round 1, Part 2** | HC-IR-12 | 5(1)(c)(i) Aboriginal Peoples Health/ socio-economic conditions<br>5(1)(c)(iii) Current Use of Lands and Resources for traditional purposes | 6.3.4 | Health Canada has advised the Agency that it would like to obtain a copy of any public comment/complaint received by the proponent related to changes in country foods. In order to mitigate potential effects to the health of Indigenous people, Health Canada also recommends that the proponent make the analytical results of any country foods monitoring program (e.g. analytical results of any country foods analysed in comparison to baseline analytical results for these foods) publicly available so that all interested parties can access the results, with any changes in contaminant concentrations clearly identified. | Comment on whether the Proponent will make all analytical results from the country food monitoring programs publicly available (along with an interpretation of the results) to inform consumers of any potential elevated risks associated with consumption of local country foods. In addition, if public complaints are registered regarding changes in taste/quality/availability of country foods, comment on whether and how the proponent will share the information with regulators and undertake additional monitoring to determine if changes have occurred as a result of project activities. If changes are identified, describe how adaptive management would be used to revise mitigation measures at that time. |

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| **CEAA 51, Round 1, Part 2** | HC-IR-16 | 5(1)(c)(i) Aboriginal Peoples Health/ socio-economic conditions<br>5(1)(c)(iii) Current Use of Lands and Resources for traditional purposes | 6.3.4 | Health Canada has advised the Agency that without small mammal and bird baseline data it may be difficult in the future to evaluate whether changes in contaminant levels in various media were a result of project-related activities or whether these species previously contain elevated levels of contaminants. Monitoring other environmental media (e.g. air, surface water, soil, vegetation), may be adequate to characterize any changes in contaminant levels due to project activities, depending on the level of increase in contaminant concentrations and the toxicity of those contaminants.<br><br>With respect to health effects of Indigenous peoples, in order to evaluate the accuracy of the assessment and effectiveness of mitigation measures, Health Canada advises that it may be prudent in the future, should monitoring show increases in contaminant levels in other media, to collect small mammal and bird samples and evaluate tissues for those contaminants that increased in the other media. | Describe any commitments to collect small mammal and bird baseline data to inform any follow-up monitoring programs for effects to country foods and to carry out a revised human health risk assessment that would identify risks and inform whether additional mitigation measures are required as part of an adaptive management program. If no commitments can be described, provide a rationale as to why not. |
| **CEAA 54, Round 1, Part 2** | CEAA | 5(1)(c)(iii) Current Use of Lands and Resources for traditional purposes | 6.3.4 | The following is an excerpt from the proponent's assessment of effects to current use on page 7-334 of the EIS: "the activities associated with the Construction phase would cause disturbances (noise, loss of habitat, pollution, light emissions, vibrations) that may disturb wildlife resources. Fish and fish habitat would probably be affected during the Construction phase but fish would remain fit for consumption. Plants and berries may be affected by dust, but would remain fit for consumption if given a thorough wash. The perception of the environmental disturbances by the local population may affect their confidence in the quality of the resources harvested in the vicinity of the Project site. Hence, as it is already the case for a few land-users, the population would likely refrain from harvesting resources near mining sites."<br><br>While statements such as these introduce some of the potential effects to current use of lands and resources by Indigenous peoples, they do not provide sufficient detail to adequately assess potential effects of the Project to current use for traditional purposes. For example, it is not | Provide an analysis of the potential effects of the Project (real and perceived) on each species or selected indicator species used (i.e. fished, hunted, trapped, gathered) by Indigenous communities, as well as the potential associated effects on current use of these resources by Indigenous peoples. The analysis should describe the specific effects of the Project on key species considering noise, loss of habitat, pollution, light emissions, vibrations, then relate potential effects on the species to corresponding effects on current use of that species by Indigenous peoples. The analysis should also take into consideration the potential for avoidance and changes in access as a result of the Project.<br><br>Confirm whether there are areas for hunting, trapping, gathering, and other traditional or cultural practices within the project footprint where habitat loss is anticipated, including opportunistic activities, and incorporate this into the analysis.<br><br>Furthermore, the proponent must consider as part of the analysis:<br>• What are the effects of the Project on key species used by Indigenous peoples (i.e. fished, hunted, trapped, gathered)?<br>• Are key species that are used by Indigenous people and would |

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| | | | | clear regarding plants and berries being affected by dust whether this is this the only effect that plants and berries may experience or whether other effects such as habitat loss could also be a factor. Furthermore, it is not clear whether the mitigation measures proposed for dust would result in residual effects on the current gathering of plants and berries.<br><br>In conducting current use effects analyses, it is important to consider that effects on a small proportion of a resource used by Indigenous peoples could hypothetically have a profound effect on the current use of that resource by a local community. As an example, if a Project affects fish or birds in a specific lake currently used by Indigenous peoples, they may then need to move to another area further away to harvest fish or birds. As a result, the impacts on the species may be minimal, while impacts on current use of the species by a specific community could be substantial. Guidance is available in the *Technical Guidance for Assessing the Current Use of Lands and Resources for Traditional Purposes under the CEAA 2012* | be affected by the Project present in the surrounding areas where they would be available for use? If so, how accessible are these alternative areas for Indigenous communities? Are alternate areas already being used for gathering or other activities that may conflict or in a way that resources could not sustain additional use?<br>• If gathering occurs around the perimeter of Kauteitnat, would access for gathering be affected? |
| **CEAA 55 Round 1, Part 2** | CEAA | 5(1)(c)(iii) Current Use of Lands and Resources for traditional purposes | 6.3.4 | Because the project footprint overlaps with portions of an existing road network, the preferred access to traditional and currently used lands and resources will impacted. In the proponent's response to CEAA 55, it states that individuals wanting to access traditionally and currently used lands will be required to use a bypass road which is 16 km longer and take 15-30 additional minutes than the previously used route.<br><br>Although the proponent included additional information regarding access to lands, a revised effects analysis for current use was not provided. Guidance is available in the *Technical Guidance for Assessing the Current Use of Lands and Resources for Traditional Purposes under the CEAA 2012* | Assess the how the project may affect Indigenous individuals, including but not limited to longer commute times, increased driving distances, potential restrictions during blasting activities (including timing, duration and frequency). Confirm whether additional mitigation measures will be implemented and the assessment of the residual effects following implementation. |
| **CEAA 57, Round 1, Part 2** | IN-IR-25d | 5(1)(c) Aboriginal Peoples – Overall comment | 6.3.4 | The proponent has not provided an adequate rationale for the spatial scoping of the current use VC (s. 5(1)(c)(iii) of CEAA 2012). As captured in CEAA 57 (Round 1 – Part 2), the Innu Nation advised that "*selecting an RSA that is inclusive of the entire range of the George River Caribou* | Describe how adjusting the regional study area for current use to focus on the portion of the caribou's range that overlaps the range of Indigenous harvesting areas could change effects analysis and predictions. Confirm whether any additional mitigation will be implemented as a result of the analysis, and provide an updated |

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| | | | | *Herd, which is larger than the RSA for the current use of lands and resources for traditional purposes (i.e. the proposed socio-economic RSA), suggests that the extirpation of the herd from the traditional hunting territory of the local Aboriginal populations is acceptable so long as the Herd persists somewhere throughout the Quebec-Labrador peninsula*." The Innu Nation proposed that the regional study area for current use, in particular regarding the use of caribou, be comprised of that portion of the George River Caribou Herd range that overlaps the range of harvesting areas of the affected Indigenous peoples.<br><br>The Agency's *Technical Guidance for Assessing the Current Use of Lands and Resources for Traditional Purposes under the Canadian Environmental Assessment Act, 2012* states that uses that may have ceased due to external factors should also be considered if they can reasonably be expected to resume once conditions change. | significance assessment, as applicable. Refer to *Technical Guidance for Assessing the Current Use of Lands and Resources for Traditional Purposes under the Canadian Environmental Assessment Act, 2012* for guidance. |
| **CEAA 58, Round 1, Part 2** | IN-IR 10 | 5(1)(c)(iii) Current Use of Lands and Resources for traditional purposes | 6.3.4 | Current use of lands and resources need to be assessed, as required in 5(1)(c)(iii) of CEAA 2012. As captured in CEAA 58 (Round 1-Part 2), Innu Nation indicated that short of conducting a modern study of Innu Nation land use, which was not undertaken for the environmental assessment, the nature and degree of historic or current Innu Nation land use in the region surrounding the proposed Project cannot be determined with confidence. | Provide a discussion on the gaps or uncertainties in information provided regarding the nature and degree of historic or current Innu Nation land use, as raised by Innu Nation, and others, if applicable.<br><br>Describe how potential gaps/uncertainties were addressed in the assessment, or provide additional analysis, including mitigation measures, to strengthen the assessment of potential effects of the Project on Innu Nation's land use. Alternatively, update the land use study to include all Indigenous groups. |
| **CEAA 68 Round 1, Part 2** | IN-IR-14 | 5(1)(c)(iii) Current Use of Lands and Resources for traditional purposes | 6.3.4 | As captured in CEAA 68 (Round 1 – Part 2), the Innu Nation requests that Indigenous Traditional Knowledge and land use information be continually updated in consultation with Indigenous Peoples. The proponent did not address how Indigenous Traditional Knowledge and land use information will be revised, as appropriate, in follow-up and monitoring programs, so as to verify the accuracy of impacts and effectiveness of mitigation. | Describe whether and how Indigenous Traditional Knowledge and land use information would be updated on an ongoing basis to inform the follow-up and monitoring programs to ensure environmental effects, including effects on Indigenous Peoples, are accurately captured. |
| **CEAA 79, Round 1, Part 2** | CEAA | Species At Risk Act, s.79 | 6.3.3 | In the response to CEAA 79 (Round 1, Part 2), the proponent did not provide the requested information with respect to the Little Brown Bat, a Species at Risk. No effects analysis was provided on the Little Brown Bat, yet it is possible the species is present in the region of the | Describe the potential effects of the Project on the Little Brown Bat taking into consideration effects pathways such as destruction/modification of hibernacula and roosts, loss of foraging habitat, noise, light, vibration, and spread of white-nose syndrome by entering habitat. Provide rationale to support the assertion that |

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| | | | | Project and could interact with the Project. | general avoidance would be sufficient to mitigate these effects, or propose additional mitigation measures. Describe the residual effects following mitigation measures. |
| **CEAA 80, Round 1, Part 2** | CEAA | Species At Risk Act, s.79<br>5(1)(c)(iii) Current Use of Lands and Resources for traditional purposes<br>5(1)(a)(iii) Migratory Birds | 6.3.3 | The proponent's response to CEAA 80 (Round 1 – Part 2) did not provide the requested summary table. The information is required in order to clarify effects to current use of lands and resources by Indigenous groups, migratory birds, fish, and Species at Risk.<br><br>Based on the information provided in the EIS with respect to effects to wildlife, fish, and plant species, it is challenging to understand which species specifically are included in the assessments of effects to species and current use of lands and resources by Indigenous groups, and the listing status of any species at risk included in that assessment. Information is not clearly or consistently presented.<br><br>Furthermore, no rationale is provided for the selection of indicator species (e.g. most vulnerable, greatest concern to Indigenous peoples). | Prepare a table that provides a list of species (or groups of species) that are likely present in the local study areas that may be affected by the Project (i.e. affected by noise, light, air quality, water quality, etc.). This list would be informed by observed species, species at risk likely in the area, current use of lands and resources by Indigenous groups, and Aboriginal traditional knowledge. If referring to groups of species (e.g. waterfowl, songbirds), indicate which individual species are included in groups. In the table, indicate:<br>• Whether or not each species was observed or if presence is expected (much of this information can be extracted from Appendix XXIII).<br>• Status of federal SAR and COSEWIC assessed species, whether it is a protected migratory bird, and provincial listing (QC and NL) as applicable.<br>• Whether specific species are hunted/trapped, fished, gathered by Indigenous communities within the area where project effects could occur.<br>• Whether indicator species, if any, were selected to assess impacts of the Project on migratory birds, species at risk and current use of lands and resources and resources for traditional purposes by Indigenous peoples. Provide rationale for selection. |
| **CEAA 82, Round 1, Part 2** | NNK-IR-11<br><br>CEAA | All | 8 | The proponent's response to CEAA 82 (Round 1 – Part 2) indicated that "the scope of the cumulative effects analysis of the Howse Project on the George River Caribou Herd is limited to the light and noise effects and that these additional activities will not produce additive, i.e. cumulative, effects between the mine projects (as each mine site is located more than 200km from the next). No additional effects are expected, from the Projects identified by the Naskapi."<br><br>The Agency's Operational Policy Statement *Assessing Cumulative Effects under CEAA 2012,* and associated *Technical Guidance for Assessing Cumulative Effects*, describe how - where the Project could have a residual effect on any one valued component - the effects from other projects that could affect that valued component | Review the past, existing physical activities and certain/reasonably foreseeable in the assessment on cumulative effects and amend, as appropriate, if additional projects are expected to have an effect on the same valued components as this project. Considering each valued component individually, update the cumulative effects assessment including analysis, mitigation measures, and determination of significance, as appropriate.<br><br>Provide a map that overlays the caribou range, locations of the projects in the cumulative effects analysis that could have an effect on this area from noise, light, habitat loss, and any other effect, as well as historic and preferred hunting areas. |

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| | | | | must be considered. For example, if the Howse Project results in a residual effect on caribou, then effects from projects that could also impact caribou must be considered, even though the projects are not necessarily close in proximity (i.e. effects do not need to overlap, just have a cumulative effects on the valued component). In this case, multiple projects could remove or degrade habitat for the caribou in its range. | |
| **CEAA 83, Round 2, Part 2** | CEAA | 5(1)(c)(iii) Current Use of Lands and Resources for traditional purposes | 6.3.4<br>6.6.3 | The proponent's response to CEAA 83, Part 2, is not consistent with effects described in 5(1)(c)(iii) of CEAA 2012 and does not adequately address the information request. The proponent's response is contextual in nature and does not provide the analysis requested. The interpretation of current use should be consistent with the *Technical Guidance for Assessing the Current Use of Lands and Resources for Traditional Purposes under CEAA 2012*. Uses that may have ceased due to external factors should also be considered if they can reasonably be expected to resume once conditions change.<br><br>The criteria used for determining significance of effects on the current use of caribou by Indigenous peoples were not provided. | Provide an assessment of cumulative effects (i.e. effects from past, existing physical activities and certain/reasonably foreseeable projects) on the current use of caribou by Indigenous peoples, as it relates to current use of lands and resources. Include a description of the methodology used. Such as assessment could consider changes to past, present and future habitat for the caribou, factoring in avoidance of habitat, and assess how the changes impacted and may impact future use of caribou by Indigenous peoples, including use of preferred hunting areas.<br><br>Based on the revised assessment above, update the proposed measures to mitigate cumulative effects on current use of caribou as it pertains to current use of lands and resources. As caribou historically present in the area, mitigation measures shall consider the possibility that the caribou herd may return to the local area. The analysis could consider expected measures to reduce effects taken by other local developments such as DSO3 and DSO4 that are in the care and control of Tata Steel Minerals Canada Ltd (of which Howse Mineral is a subsidiary).<br><br>In consideration of all projects included in the cumulative effects analysis, update the significance determination on the current use of caribou as appropriate. |
| **CEAA 86, Round 1, Part 2** | CEAA | 55(1)(c)(iii) current Use of Lands and Resources for traditional purposes<br>5(1)(c)(ii) Aboriginal Physical and Cultural Heritage | 6.3 | In response to CEAA 86 (Round 1 – Part 2). The proponent did not provide an assessment using clear methodology to assess the effects of past, present and future projects for:<br>5(1)(c)(iii) current Use of Lands and Resources for traditional purposes<br>5(1)(c)(ii) Aboriginal Physical and Cultural Heritage<br><br>As the ease of transportation (i.e. access) was included in the assessment of cumulative effects on current use of lands and resources, the assessment also needs to | As described by the Agency's Operational Policy Statement, *Assessing Cumulative Effects under CEAA 2012*, provide an assessment of cumulative effects on current use for traditional activities, including effects on use of country foods. In addition, clearly describe the methodologies used to predict cumulative effects so that reviewers can examine how the analysis was conducted and what rationale supports the conclusions reached. Consideration of indicator species to support the analysis is one approach that may be useful. |

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| | | | | consider cumulative effects to wildlife, fish or plant species (i.e. resources) used by Indigenous peoples , and in turn, how the use of these resources could be affected.<br><br>In the assessment for Kauteitnat, effects of past, present, and future projects should include consideration of any cumulative effects on physical or cultural heritage, including effects on the ambient environment such as noise, vibration, light, air quality, as well as visual impacts. | Provide an assessment of cumulative effects on Kauteitnat regarding past, present, and future projects; including any effects that could decrease the use or enjoyment of the physical or cultural heritage. |
| **CEAA 96, Round 1, Part 2** | CEAA | 5(1)(a)(i) Fish and Fish Habitat<br>5(1)(a)(iii) Migratory Birds<br>5(1)(c)(iii) current Use of Lands and Resources for traditional purposes | 6.1, 6.3 | The proponent's response to CEAA 96 (Round 1 – Part 2) indicates that the size of the transition zone, where shrub and tree stump would be maintained as a mitigation measure, would depend on the activities carried out and the sensitivity of the habitat nearby. More information is required in order to understand the nature of the transition zone and potential reduction in effects that it may provide to fish and fish habitat, migratory birds, or use of lands and resources by Indigenous people. | Provide a description of how project activities and environmental sensitivities would be identified and used to determine the size of the transition zone needed.<br><br>Explain how the approach used would mitigate environmental effects with respect to each VC, quantify if possible. |
| **CEAA 102, Round 1, Part 2** | NNK-2 | 5(1)(a)(i) Fish and Fish Habitat<br>5(1)(c)(i) Aboriginal Peoples Health/ socio-economic conditions | 6.1.8 | In response to CEAA 102 (Round 1 – Part 2), the proponent states that the acceptable concentration of iron in effluent water is 0.3 mg/l, however no rationale was provided to explain how this concentration will sufficiently address potential effects to fish and fish habitat and the health of Indigenous peoples. | Provide a rationale or reference for selecting 0.3 mg/l (iron concentration) as the limit for acceptable iron concentration in effluent water. |