

KINROSS

Great Bear

Great Bear Gold Project Impact Statement

Section 19: Environmental Approval Framework and Requirements

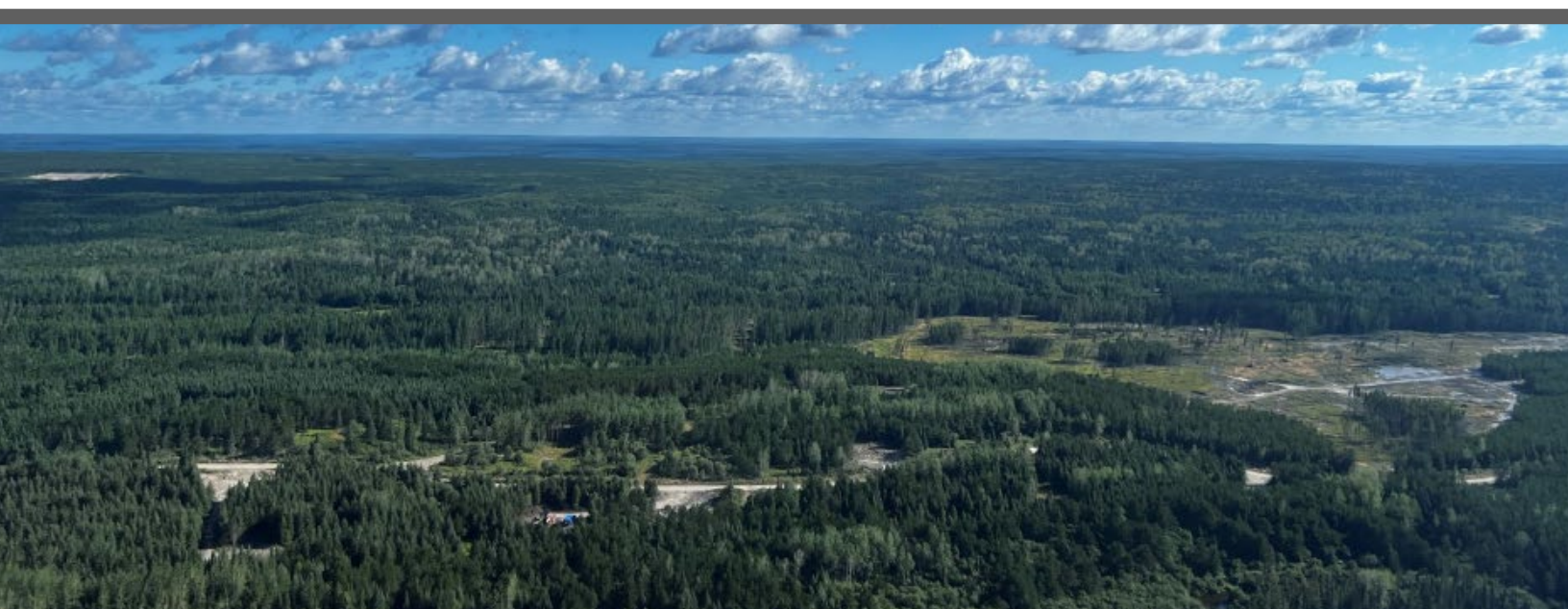


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There are no figures for this section.

Acronyms and Abbreviations

DFO	Fisheries and Oceans Canada
ECCC	Minister of Environment and Climate Change Canada
Great Bear Resources	Great Bear Resources Ltd.
HADD	Harmful Alteration, Disruption or Destruction of Fish Habitat or Death of Fish by means other than fishing
IAAC	Impact Assessment Agency of Canada
MDMER	Metal and Diamond Mining Effluent Regulations
MECP	Ministry of the Environment, Conservation and Parks
MEM	Ministry of Energy and Mines
MNR	Ministry of Natural Resources
PA	Project Area
Project	Great Bear Project
SAR	Species at Risk
TC	Transport Canada
TMF	Tailings management facility
VMF	Viggo management facility

19.0 Environmental Approval Framework and Requirements

19.1 Approval Framework for Mining Projects

Mining in Canada is approved through a complex process involving federal and provincial government agencies, departments and ministries. The Province of Ontario has regulatory authority over mineral development in the province, while both the federal and provincial governments have jurisdiction over regulatory aspects that govern the mining industry. Municipal approvals may also apply if the project is located within municipal boundaries; however, this aspect does not apply to the Great Bear Project (Project).

Designated projects that undergo a federal Impact Assessment under the *Impact Assessment Act* are not exempt from the requirements of other federal and provincial regulatory processes. Authorizations under other applicable federal regulatory instruments are also required. Provincial regulatory requirements must also be met in order for the Project to proceed.

Project-related activities cannot proceed until the applicable regulatory processes related to the activity are completed and necessary environmental approval(s) are issued. While the majority of the approvals required are obtained prior to or near the beginning of the construction phase, there may be environmental approvals obtained later in the mine life for the operations phase and decommissioning and closure (closure) phases. Amendments to issued approvals may be sought to allow for adaptive management over the life of the mine.

19.2 Federal Environmental Approvals

The Impact Assessment Agency of Canada (IAAC) has indicated that the information, studies, and public and federal Crown-Indigenous consultation requirements for separate regulatory processes may be completed concurrently with those required for the impact assessment. The information and studies that inform the Impact Statement may also be used for other applicable federal regulatory processes, although more detailed and specific information may be needed than that required for the impact assessment (IAAC 2024). Great Bear Resources Ltd. (Great Bear Resources) have requested that the federal environmental approvals processes progress concurrent with the impact assessment process.

The *Fisheries Act* and *Canadian Navigable Waters Act* are the primary federal legislation associated with the environmental approval of the Project in addition to the *Impact Assessment Act*:

- The management of fisheries resources in Canada is under the *Fisheries Act* administered primarily by Fisheries and Oceans Canada (DFO). The Metal and Diamond Mining Effluent Regulations (MDMER), developed under Section 36 of the *Fisheries Act* and administered by ECCC, regulates the deposition of deleterious material into natural waters frequented by fish.
- The *Canadian Navigable Waters Act* regulates works in both scheduled and non-scheduled navigable waterways that may interfere with the public right to navigation and is administered by Transport Canada (TC).

Table 19.2-1 summarizes the federal environmental approvals that are anticipated to be required for the construction, operations and closure phases of the Project as it is currently proposed.

As detailed in other sections of this Impact Statement, the Project is anticipated to have direct and indirect effects on fish and fish habitat related to Project components and activities, including effects related to the tailings management facility (TMF), rock and overburden stockpiles, blasting, watercourse diversions, water crossings and dams. Residual effects to fish and fish habitat that cannot be mitigated will require compensation or offsetting by additional measures.

There are no watercourses or waterbodies listed on the Schedule of the *Canadian Navigable Waters Act* that may be affected by the Project.

Information regarding the federal approvals processes associated with this legislation was provided to the DFO, ECCC and TC during Impact Statement preparation. Updated documentation related to these federal approval processes, as indicated below, has been appended to the Impact Statement to support coordination of federal authorizations through the Impact Assessment process:

- Alternative assessment for mineral waste disposal in the prescribed format in support of listing(s) on Schedule 2 of the *Fisheries Act*, MDMER (Appendix R)
- Draft fisheries compensation and offsetting plan in support of issuance of an Authorization for Harmful Alteration, Disruption or Destruction of Fish Habitat or Death of Fish by means other than fishing (HADD) under the *Fisheries Act* (Appendix L-2)
- Supporting documentation for an assessment of watercourse and waterbody navigability by TC and potential future approvals, related to the *Canadian Navigable Waters Act* provided previously to TC (Appendix V).

Approval applications, where needed, will be submitted by Great Bear Resources to the relevant regulatory authorities under separate cover from the Impact Statement.

A permit under subsection 73(1) of the federal *Species at Risk Act* is not anticipated to be required for Species at Risk (SAR) or their critical habitat, because the Project is not on federal lands and there are no prohibition orders in place for on non-federal lands near the Project.

The manufacturing, transport and storage of explosives required for Project will be under the care and control of a specialized contractor and these activities and facilities are not part of the designated Project. Approvals required under the *Explosives Act* will be obtained from Natural Resources Canada by the contractor.

Shipment of dangerous goods including certain chemicals and reagents need to process of ore, will be completed according to all regulatory requirements. *Transportation of Dangerous Good Act* approvals will be obtained by specialist contractors from TC on an as needed basis.



Table 19.2-1: Federal Environmental Approvals

Approval	Description	Project Phase
<p>Paragraphs 34 and 35 Authorization <i>Fisheries Act</i> DFO</p>	<p>Authorization(s) will be required for Project-related facilities and activities that could result in the HADD, for the construction and operation of the following facilities:</p> <ul style="list-style-type: none"> • LP Central pit and associated infrastructure • Laydown areas • Freshwater diversions • Water intake and discharge structure(s) • Roads, pipelines and other infrastructure. <p>There will also be indirect impacts to local watercourses that support fisheries that will require authorization due to:</p> <ul style="list-style-type: none"> • Localized lowering of the groundwater table by mine dewatering • Diversion of natural runoff and surface flow away from Project facilities • Collection and treatment of precipitation and runoff from within the Project site for discharge to the Chukuni River. <p>A combined Offsetting Plan for the Paragraph 35(2)(b) Authorization and a Fish Habitat Compensation Plan for the Schedule 2 MDMER listing was provided for regulatory review during Impact Statement preparation. The document was revised based on DFO comments and input from community workshops. An updated draft of the plan is provided in Appendix L-2.</p>	<ul style="list-style-type: none"> • All Project phases • Authorization required prior to impact occurring
<p>Amendment to Schedule 2 of the MDMER <i>Fisheries Act</i> ECCC</p>	<p>An amendment to Schedule 2 of the MDMER will be required for fish-frequented watercourses and waterbodies overprinted by the following facilities:</p> <ul style="list-style-type: none"> • TMF • Mine rock, ore and overburden stockpiles • Contact water ponds. <p>A combined Offsetting Plan for the Paragraph 35(2)(b) Authorization and a Fish Habitat Compensation Plan for the Schedule 2 MDMER listing has been prepared in draft to address the overall fisheries compensation and offset requirements for the Project (Appendix L-2).</p> <p>An alternatives assessment in the prescribed format as per the ECCC (2016) guidelines for the assessment of alternatives for mine waste disposal was prepared to support the amendment to Schedule 2. A draft alternatives assessment was provided for regulatory review during Impact Statement preparation. The document was updated to reflect comments received from ECCC, and is provided in Appendix R.</p>	<ul style="list-style-type: none"> • All Project phases • Amendment required prior to deposition in waters frequented by fish



Approval	Description	Project Phase
<p>Works in Navigable Waters</p> <p><i>Canadian Navigable Waters Act</i></p> <p>TC</p>	<p>There are no watercourses that will be affected by the Project that are on the Schedule to the <i>Canadian Navigable Waters Act</i>.</p> <p>An intake, and outfall pipeline and diffuser will be established for the Project at the western shore of the Chukuni River which is used for local navigation. The final design does not substantially interfere with navigation, but is not expected to meet the requirements of the Minor Works Order for outfalls and water intakes. Great Bear Resources may follow the public notice and resolution process, or submit an application for approval through the Navigation Protection Program.</p>	<ul style="list-style-type: none"> • Applies to all Project phases • Approval required prior to impact occurring

19.3 Provincial Environmental Approvals

The Project must also meet provincial regulatory requirements applicable to the construction, operations and closure phases. There is a robust provincial environmental assessment process in Ontario under the provincial *Environmental Assessment Act*; however, it generally applies to projects undertaken by provincial ministries and agencies, municipalities and public bodies, rather than private sector projects. Certain activities and facilities associated with mining projects may be subject to the Ontario *Environmental Assessment Act*, including through the provincial class environmental assessment process.

Completion of a focussed provincial Class Environmental Assessment for Resource Stewardship and Facility Development Project pursuant to the *Environmental Assessment Act*, may be required to inform issuance of approvals related to provincial Crown resources, pending guidance from the Ministry of Natural Resources (MNR). Where applicable, the same body of knowledge is commonly used to meet the needs of both the federal (impact) and provincial (environmental) assessment needs in accordance with the existing Co-operation Agreement between Ontario and Canada on Environmental and Impact Assessment (IAAC 2025) and its predecessor, Canada-Ontario Agreement on Environmental Assessment Cooperation (IAAC 2004). Appendix Y provides a table summarizing the MNR screening criteria, and sources of information within the Impact Statement.

Power generation is a required component of the Project as there is insufficient grid power available in the region to support the Project (Section 4.14 and Section 5.12). A Category B environmental screening process may be required for less than 5 MW of diesel power generation needed to support the construction phase, and for the less than 25 MW of natural gas power generation for life of mine, in accordance with the electricity projects classification associated with the provincial environmental assessment process.

There are three primary provincial ministries that regulate mining in Ontario. The Ministry of Energy and Mines (MEM) provides an overarching approval for mining projects, including through a regulated Closure Plan process. That Ministry also leads the One Project, One Process framework established under the *Mining Act*, that provides an integrated approach to the permitting, authorization and approval processes for projects designated by the Minister of MEM, if applicable. Approvals will need to be obtained for Project facilities and activities according to the requirements of the Ministry of the Environment, Conservation and Parks (MECP) and the MNR. The MECP issues environmental approvals and permits including related to water quality and quantity, air quality and noise, and SAR. The MNR is responsible for the protection and wise use of provincial Crown resources including merchantable timber and aggregates. The Ministry of Citizenship and Multiculturalism, and other provincial ministries will provide regulatory guidance, but environmental approvals are not expected to be required from these ministries for the Project.

The primary Provincial approvals expected to be required for each phase of the Project are summarized in Table 19.3-1.

Table 19.3-1: Provincial Environmental Approvals

Approval	Description	Project Phase and Notes
<p>Closure Plan <i>Mining Act, Build More Mines Act</i> MEM</p>	<p>The professionally-certified Closure Plan will regulate mine-related facilities and activities on the Project mining leases. Financial assurance for the reclamation costs for the Project will be provided by Great Bear Resources and held by the Province.</p> <p>A draft of the regulatory Closure Plan focussed on the technical aspects of progressive and final reclamation, is provided as Appendix S.</p>	<ul style="list-style-type: none"> • All Project phases • Required prior to issuance of other provincial approvals and prior to Project-related construction activities • Amended periodically over the mine life to reflect mine changes and to update the financial assurance for reclamation activities • Annual report on related activities is required
<p>Environmental Compliance Approval – Air and Noise <i>Environmental Protection Act</i> MECP</p>	<p>Approval is required for air emissions and noise from the Project, such as from the mine and process plant.</p>	<ul style="list-style-type: none"> • All Project phases with non-exempt emissions • Approval required prior to emissions • Environmental monitoring and annual reporting on compliance with permit conditions is required
<p>Environmental Compliance Approval – Domestic Sewage <i>Environmental Protection Act</i> MECP</p>	<p>A separate approval from the Province may be required for the construction and operation of a domestic sewage treatment plant for the Project.</p>	<ul style="list-style-type: none"> • All Project phases • Approval required prior to discharge to the environment • Environmental monitoring and annual reporting on compliance with permit conditions is required
<p>Environmental Compliance Approval – Industrial Sewage Works <i>Environmental Protection Act</i> MECP</p>	<p>The integrated water management and treatment system including the collection ponds, TMF, TMF pond, minewater pond and water treatment plant will require approval from the Province.</p>	<ul style="list-style-type: none"> • All Project phases • Approval required prior to discharge to the environment • Environmental monitoring and annual reporting on compliance with permit conditions is required
<p>Environmental Compliance Approval – Waste Management <i>Environmental Protection Act</i> MECP</p>	<p>Operation of a waste transfer site if required for the temporary storage and periodic transport of wastes off site for further management.</p>	<ul style="list-style-type: none"> • All Project phases • Approval required prior to storage of waste • Environmental monitoring and annual reporting on compliance with permit conditions is required

Approval	Description	Project Phase and Notes
<p>Overall Benefit Permit <i>Endangered Species Act</i> MECP</p>	<p>Project-related effects to a protected species or related habitat is required in return for providing an overall benefit to the species in Ontario. Consultation is ongoing with the MECP regarding potential permit requirements for the Project including potential mitigation measures.</p>	<ul style="list-style-type: none"> • All Project phases • Permit required prior to the impact occurring • Biological monitoring and annual reporting on compliance with permit conditions is required
<p>Permit to Take Water <i>Ontario Water Resources Act</i> MECP</p>	<p>Approval is required to withdraw 50,000 L or more per day of from a groundwater or surface water source. Water exceeding this amount will be required for the Project fresh water supply. Bypass pumping may also be required during construction of inwater works.</p> <p>Dewatering activities are also considered water takings, and approvals will be required for dewatering the open pits, underground mine workings and construction excavations.</p>	<ul style="list-style-type: none"> • All Project phases • Permit(s) required prior to water exceeding 50,000 L per day water withdrawal • Annual reporting of water taking is required
<p>Aggregate Resource License <i>Aggregate Resource Act</i> MNR</p>	<p>Dedicated extraction of sand and gravel and the quarrying of rock on the mining lease to provide aggregate for use during the construction and operations phases will require approval which includes a requirement for rehabilitation of the site.</p>	<ul style="list-style-type: none"> • Construction and operation phases • Multiple aggregate sources and licences may be required • Approval required prior to initiating the dedicated aggregate extraction
<p>Permit to Remove <i>Crown Forest Sustainability Act</i> MNR</p>	<p>The cutting of merchantable timber reserved to the provincial Crown for site development will require a Provincial license and an agreement with the Sustainable Forest License holder.</p>	<ul style="list-style-type: none"> • Construction phase • License required prior to initiating the cutting requested
<p>Various <i>Fish and Wildlife Conservation Act</i> MNR</p>	<p>A permit will be required to relocate fish from watercourses and waterbodies that will be affected by the Project prior to in water construction. Permits may also be required periodically over the life of the mine for the destruction of beaver dams and field investigations.</p>	<ul style="list-style-type: none"> • Construction and operation phases • Permit required prior to initiating the work requested



Approval	Description	Project Phase and Notes
Work Permits (or Letter of Authority) <i>Lakes and Rivers Improvement Act, Public Lands Act</i> MNR	Required for work on provincial Crown land including within any setback and / or below the high water mark of watercourses and waterbodies. Construction of a dam below the high water level of a lake or river requires approval for the location of the dam, and its plans and specifications (linked to regulatory Closure Plan for work above the high water level of a lake or river and situated on a mining lease).	<ul style="list-style-type: none"> • Construction phase • Permit required prior to construction of the works requested

19.4 References

Environment and Climate Change Canada (ECCC). 2016. Guidelines for the Assessment of Alternatives for Mine Waste Disposal. Accessed from:

<https://www.canada.ca/en/environment-climate-change/services/managing-pollution/sources-industry/mining-effluent/metal-diamond-mining-effluent/tailings-impoundment-areas/guidelines-alternatives-mine-waste-disposal.html>.

Impact Assessment Agency of Canada (IAAC). 2004. Canada-Ontario Agreement on Environmental Assessment Cooperation or as superseded. Accessed from:

<https://www.canada.ca/en/impact-assessment-agency/corporate/acts-regulations/legislation-regulations/canada-ontario-agreement-environmental-assessment-cooperation-2004.html>.

Impact Assessment Agency of Canada (IAAC). 2024. Coordination of Federal Authorizations through the Impact Assessment Process. Accessed from:

<https://www.canada.ca/en/impact-assessment-agency/services/policy-guidance/practitioners-guide-impact-assessment-act/coordination-federal-authorizations-impact-assessment-process.html/>.

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