



December 23, 2024

**Sent by Email Only**

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Yulin Li:

**Subject: Joint Summary of Issues and Engagement for the Rocky Creek Metallurgical Coal Project**

Thank you for the submission of the Initial Project Description on August 26, 2024, for the Rocky Creek Metallurgical Coal Project (the Project). The Impact Assessment Agency of Canada (IAAC) and British Columbia's Environmental Assessment Office (EAO) conducted a comment period for the Project from October 7 to November 6, 2024. Participants were invited to review the Initial Project Description and to provide feedback related to the proposed Project. The enclosed Joint Summary of Issues and Engagement (Joint Summary) reflects comments received from the public, Indigenous groups, and technical advisors (federal authorities, provincial ministries, local governments, and health authorities).

***The provincial substitution request***

The federal Minister of Environment and Climate Change can substitute the federal impact assessment to a process conducted by another jurisdiction. On September 4, 2024, the EAO requested that the federal impact assessment process be substituted to the province in accordance with the [Impact Assessment Cooperation Agreement Between Canada and British Columbia](#) that seeks to reduce workload and streamline participation of Indigenous Peoples and the public through a single, more efficient process.

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As part of the comment period, IAAC also invited comments regarding the request from the EAO that the conduct of the federal impact assessment, should one be required, be substituted to the province. Comments received in relation to the substitution request will be considered by the federal Minister of Environment and Climate Change in making the substitution decision; they are not reflected in the Joint Summary and CTI Plus is not expected to provide a response to those comments.

***Federal section 16 decision under the Impact Assessment Act***

On June 20, 2024, the amended *Impact Assessment Act* (IAA) came into force, re-establishing a robust framework that restores certainty and clarity to project proponents, Indigenous communities, and stakeholders, and delivers good projects for Canada. The amended IAA anchors federal decision-making in impact assessments on areas of clear federal jurisdiction. It also enhances flexibility to cooperate with other jurisdictions in support of cooperative federalism, and supports an efficient, effective, inclusive, and environmentally sound assessment process.

Under section 15 of the amended IAA, CTI Plus must provide a response that sets out how it intends to address the issues in the Joint Summary. Section 15 also stipulates that IAAC may require a proponent to submit a Detailed Project Description if it is required for IAAC to make a decision on whether an impact assessment is required. At this time, IAAC does not require a Detailed Project Description from CTI Plus. If the scope or design changes from what was presented in the Initial Project Description, CTI Plus should contact IAAC to discuss whether those changes affect the need for a federal Detailed Project Description.

Once CTI Plus provides its response to the Joint Summary, IAAC will determine whether an impact assessment is needed (the section 16 decision under the IAA). In making the section 16 decision, IAAC takes into account information provided to date including the Initial Project Description, responses to the Joint Summary as they relate to effects in federal jurisdiction, and comments and information submitted by participants. The Joint Summary identifies several issues related to the Project that are within federal jurisdiction, including effects to fish and fish habitat, migratory birds, pollution to interprovincial waters, and effects to Indigenous Peoples and their rights. IAAC will focus on these responses in taking the section 16 decision.

## ***Provincial Detailed Project Description and draft Application Information Requirements***

Although not required for the federal process, CTI Plus is required to prepare a Detailed Project Description for the provincial process. The guidelines for completing a Detailed Project Description for the EAO are included in the [Early Engagement Policy](#). Under paragraph 39(a) of the provincial *Environmental Assessment Act* (2018), CTI Plus has up to one year to submit its Detailed Project Description from the issuance of the Joint Summary or the Chief Executive Assessment Officer may terminate the assessment of the Project.

The EAO notes that the Detailed Project Description is a foundational document for Process Planning, should the Project proceed to an environmental assessment (EA). The EAO expects CTI Plus to engage with Indigenous groups and technical advisors during the development of the Detailed Project Description to ensure their interests are considered. This engagement includes the sharing of drafts of the Detailed Project Description with these participants. Engagement may help avoid uncertainty and potential time delays later in the process.

To mitigate the risk of Process Planning extension, the EAO encourages CTI Plus to submit a draft Application Information Requirements document with the Detailed Project Description, based on the EAO's [Application Information Requirements Guidelines](#). The EAO has provided CTI Plus with the latest example of the guidelines, and IAAC and federal authorities will advise on the inclusion of federal requirements.

The Detailed Project Description should include the information provided in the Initial Project Description and updates, revisions, and further details following engagement with Indigenous groups, technical advisors and stakeholders. It is important that the Detailed Project Description describe how engagement activities and the Joint Summary were considered and how they may have contributed to changes in the Project.

The Detailed Project Description will be used to inform the EAO's decision on whether the Project should proceed to an environmental assessment under the provincial *Environmental Assessment Act*.

### ***Overview of Concerns***

Indigenous Nations who provided input on the Project identified potential negative impacts to wildlife, plants, water and cultural continuity that would negatively impact Treaty rights to hunt, trap and fish and human rights to engage in spiritual practice. Nations also raised concerns regarding

cumulative effects. The EAO notes the B.C. Supreme Court 2021 Yahey versus the Province of B.C. decision that found, among other things, the Province's authorization of intensive industrial development was in breach of Treaty 8 as there were no longer sufficient lands to allow for the meaningful exercise of treaty rights. West Moberly First Nations raised that this Project may result in extraordinarily adverse effects to their members and way of life. A determination of extraordinarily adverse effects is dependent upon many factors including the specific design of a proposed project, the existing conditions of the project area, the interactions of the project with environmental, economic, social, cultural and health values as well as Indigenous interests.

Technical advisors specifically noted that the Project design outlined in the Initial Project Description requires more information to adequately anticipate impacts. In the Detailed Project Description, a higher certainty of the Project design is necessary to assess the Project feasibility and identify possible impacts during the Readiness Decision. The proposed Project raises various concerns across environmental, safety, and social dimensions. Key issues include risks to public safety such as wildlife interactions, hazardous spills, and emergency management; noise, air, and water quality impacts; and potential destruction of archaeological sites. Additionally, the Project must address cumulative effects on ecosystems, greenhouse gas emissions, and socio-economic impacts, while integrating Indigenous consultation and mitigation strategies into design and operations. Human health concerns were also raised and reviewers highlighted the need for detailed assessments of air and water pollutants, noise, and food safety, with emphasis on vulnerable groups and cumulative health effects, alongside comprehensive emergency response planning.

Environmental and infrastructure concerns focused on impacts to water quality, wildlife, land use, and recreational access, alongside calls for rigorous mine waste management, reclamation planning, and socio-economic mitigation measures to balance Project benefits and challenges.

### ***Response to the Joint Summary***

CTI Plus should now prepare a response to the Joint Summary for IAAC. For ease of reference, the response to the Joint Summary should be provided in a table. In accordance with section 6(b) of the federal [\*Information and Management of Time Limits Regulations\*](#), a plain language summary of the response must also be provided in English and French. In preparing the response, there may be some issues that, in the view of CTI Plus, are outside of its care and control. In this situation, CTI Plus may choose to identify each issue(s), the reasons they are beyond the care and control of CTI Plus and the party or parties with the ability to address the issue(s).

The IAAC generally estimates that it could take approximately 30 days—or until January 22, 2025, in this case—to provide a response to the Joint Summary for the federal process. In consideration of efforts being made to coordinate the federal Planning phase steps under the IAA and the provincial Early Engagement phase steps under the provincial *Environmental Assessment Act*, IAAC recognizes that the proponent may require additional time to produce the response, along with the Detailed Project Description for the provincial process. You are encouraged to contact IAAC in the next few days to discuss how much time may be required.

CTI Plus should also prepare a detailed issues tracking table to respond to comments from all participants in greater detail for the EAO. The issues tracking table will be published on the EAO's Project Information Centre (EPIC) website at the end of the Early Engagement phase of the Project.

CTI Plus is reminded that all records produced, collected, or received in relation to the assessment of the Project—unless prohibited under the federal *Access to Information Act* or the provincial *Freedom of Information and Protection of Privacy Act*—will be considered public and posted on the Canadian Impact Assessment Registry internet site and/or the EAO's EPIC website.

If you have any questions or if IAAC or the EAO can assist in facilitating engagement with Indigenous groups and technical advisors during the development of the response to the Joint Summary and the Detailed Project Description, please do not hesitate to contact Fraser Ross from IAAC at [Fraser.Ross@iaac-aeic.gc.ca](mailto:Fraser.Ross@iaac-aeic.gc.ca) or Jessie Giles from the EAO at [Jessie.Giles@gov.bc.ca](mailto:Jessie.Giles@gov.bc.ca).

Sincerely,

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# Joint Summary of Issues and Engagement

## ROCKY CREEK METALLURGICAL COAL MINE

*Pursuant to Section 13.5 of the Environmental Assessment Act, S.B.C. 2018, c.51*

*Pursuant to Section 14(1) of the Impact Assessment Act, S.C. 2019, c.28, s.1*

DECEMBER 23, 2024



**EAO** | Environmental  
Assessment Office



Impact Assessment  
Agency of Canada

Agence d'évaluation  
d'impact du Canada

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# Joint Summary of Issues and Engagement Report

## 1.0 Introduction

This Joint Summary of Issues and Engagement (the Joint Summary) has been prepared and issued by the Impact Assessment Agency of Canada (IAAC) and the British Columbia (B.C.) Environmental Assessment Office (EAO) in place of separate federal Summary of Issues and B.C. Summary of Engagement documents. This Joint Summary includes:

- A list of participating Indigenous groups;
- A list of key issues in Table 1 that CTI Plus Resources Ltd. (CTI Plus) must consider, at minimum, in the Detailed Project Description (DPD);
- A list of issues in Appendix 1 that CTI Plus must respond to in order to inform IAAC's process;
- A preliminary summary of Participating Indigenous groups' interests and concerns in the Project area to identify project interactions with these interests in the DPD;
- A summary of comments received from provincial and federal authorities as well as from the public comment period to identify project interactions with valued components in the DPD;
- Information and engagement requirements for the DPD; and,
- Recommendations and direction to CTI Plus from the EAO to inform subsequent phases of the environmental assessment (EA) process.

### Definitions

This Joint Summary refers to First Nations, Indigenous groups, and participating Indigenous nations throughout the document. These terms have unique meanings and are not used interchangeably. These terms are used to highlight different jurisdictions between who IAAC and the EAO consult with.

- **First Nations:** In this Joint Summary, the term First Nation refers to the First Nations who were notified about this Project. This includes Blueberry River First Nations, Doig River First Nation, Halfway River First Nation, Horse Lake First Nation, Saulteau First Nations, McLeod Lake Indian Band, and West Moberly First Nations.
- **Indigenous groups:** In this Joint Summary, the term Indigenous groups refer to the First Nations and Métis organizations who were notified about the Project. This includes Blueberry River First Nations, Doig River First Nation, Halfway River First Nation, Horse Lake First Nation, Saulteau First Nations, McLeod Lake Indian Band, West Moberly First Nations, Métis Nation British Columbia, and Kelly Lake Métis Settlement Society.
- **Participating Indigenous nations.** The term participating Indigenous nation is a defined term in the *Environmental Assessment Act* (2018) (the Act). Participating Indigenous nations are afforded specific procedural rights under the Act. More information can be found below under EAO's Approach to Engaging with First Nations.

### Rocky Creek Metallurgical Coal Project

CTI Plus proposes to construct and operate the Rocky Creek Metallurgical Coal Project (the Project), a new open pit metallurgical coal mine located approximately 47 kilometres southwest of the district municipality of Chetwynd, B.C.

The mine is expected to produce three million tonnes of coal per year (8,220 tonnes per day). The Project would consist of two mining areas, one in the northwest block which would have a mine life of 11 years, and one in the southeast block which would have a mine life of four years.

## 2.0 Coordination of Assessment Processes

Since the Project is described in the federal *Physical Activities Regulations* and it exceeds the threshold for reviewable projects under B.C.'s *Reviewable Project Regulation*, it is subject to the requirements of the federal *Impact Assessment Act* (IAA) and the provincial *Environmental Assessment Act* (2018) (the Act), respectively. At this early stage, IAAC has not decided whether an impact assessment is required, and the EAO has not determined that the Project is ready to proceed to an environmental assessment.

CTI Plus submitted an Initial Project Description (IPD) to IAAC and the EAO on August 26, 2024. Submission of the IPD starts the first phase of both the provincial and federal process and supports establishing relationships between the proponent, Indigenous nations, the public, local government, provincial and federal government agencies, and stakeholders. The IPD is intended to be a tool to share project information and support discussions under the IAAC's Planning phase and the Early Engagement phase under the provincial Act.

Since accepting the IPD, IAAC and the EAO have been working cooperatively for the initial phase of the Project's review in accordance with the *Impact Assessment Cooperation Agreement Between Canada and British Columbia* (the Cooperation Agreement), and in support of the principle of "one project, one assessment." This included holding a joint public comment period that requested input on the IPD. Input was also requested from potentially affected Indigenous groups, local governments, and provincial and federal agencies.

### Substitution Request

The federal Minister of Environment and Climate Change can substitute the federal impact assessment to a process conducted by another jurisdiction. On September 4, 2024, the EAO requested that the federal impact assessment process, should one be required, be substituted to the province in accordance with the Cooperation Agreement that seeks to reduce workload and streamline participation of Indigenous Peoples and the public through a single, more efficient process. Comments received on the substitution request are not included in this document and CTI Plus is not expected to provide a response to those comments, but they will be considered by the federal Minister in deciding whether to approve the request for substitution. Should a federal impact assessment be required, IAAC will post a notice of the Minister's decision with respect to the request for substitution along with the reasons for the decision on IAAC's Canadian Impact Assessment Registry.

### British Columbia Environmental Assessment Overview

Environmental Assessment (EA) is a decision-making tool used to identify, mitigate, and evaluate the potential impacts of a major project before decisions are made. In B.C., the EA process includes opportunities for participation by Indigenous groups, provincial and federal government agencies, local governments, and the public. For example, the Early Engagement phase provides an opportunity to identify issues, interests, and concerns of Indigenous nations, participants, and the public that can inform project design, siting, and alternative approaches to developing the project early on. This creates an opportunity to identify key issues before the project proceeds to an EA or identify the issues that will need to be resolved in the EA process.

Starting in Early Engagement, the goal is to engage collaboratively with Indigenous nations as partners and governments, with their own governance frameworks, jurisdictions and authorities to collaboratively develop a shared and more comprehensive understanding of Indigenous nation's interests, governance and connection to the land and establish appropriate collaborative approaches to evaluate a potential project. Then, at the Readiness

Decision phase, the EAO works with Participating Indigenous nations through a consensus-seeking process to determine whether to commence the EA or recommend exemption or termination.

Figure 1 below provides an overview of the B.C.'s EA process and identification of the Early Engagement phase in the process. After receiving CTI Plus's IPD as well as an Engagement Plan, the EAO formally started the Early Engagement phase of the EA process on September 5, 2024. The primary objectives of Early Engagement are to:

- Identify and start to engage with all relevant parties to the EA, including Indigenous nations, the public, municipalities, provincial and federal government agencies, and stakeholders;
- Identify key questions and issues early in the EA process and chart a path for potential resolution;
- Identify Participating Indigenous nations and gain an understanding of their interests, issues, questions, or concerns and their process and information needs in relation to the proposed Project including Indigenous decision-making considerations; and,
- Prepare for and inform the Readiness Decision for the proposed Project.

The EAO uses the IPD as a tool to identify the key issues that may require additional time to resolve. The EAO expects that CTI Plus will use the information received during Early Engagement, including this Joint Summary of Issues and Engagement (Joint Summary), and detailed comments from participants as outlined in the Issues Tracking Table (ITT), to consider and address this information, as appropriate, in a DPD to inform the Readiness Decision and subsequent phases of the EA, if it proceeds.

The EAO identified and summarized the key issues that CTI Plus must address in their DPD in Table 1. Key issues are issues that represent significant concerns relating to the Project or the region (e.g., cumulative effects) that will be challenging to resolve and therefore may require additional time. Table 3 provides recommendations on how to address key issues identified in Table 1.

Table 2 describes the interests provided by First Nations that may be impacted by the Project. This preliminary understanding of Indigenous interests will be further refined throughout the Early Engagement, Readiness Decision and Process Planning phases (if the Project proceeds beyond the Readiness Decision).

This Joint Summary, along with the upcoming DPD, will be provided to the EAO's Chief Executive Assessment Officer to inform the Readiness Decision to either:

- Proceed to the next phase of the EA process;
- Require a revised Detailed Project Description;
- Exempt the Project from an EA; or
- Terminate the Project from the EA process.

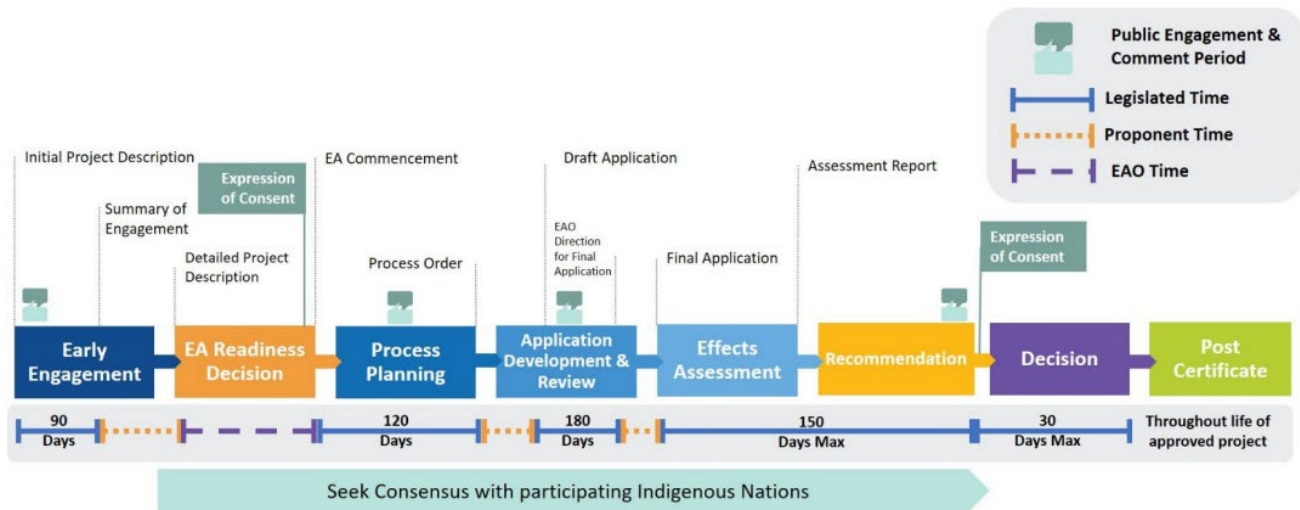


Figure 1. Overview of the EA process and identification of the Early Engagement phase within the process.

### Federal Impact Assessment Process Overview

IAAC accepted the Proponent's IPD on September 5, 2024, commencing the Planning Phase, and undertook a joint public comment period on the IPD with the EAO. Information gathered during that comment period has been summarized in this Joint Summary (see Appendix 1).

Under Section 15 of the IAA, CTI Plus must provide a response that sets out how it intends to address the issues in the Joint Summary, as directed in Appendix 1. Once CTI Plus provides this response, IAAC will determine whether an impact assessment is needed (the Section 16 decision under the IAA). In making the Section 16 decision, IAAC considers information provided to date including the IPD, responses to the Joint Summary as they relate to effects in federal jurisdiction, and comments and information submitted by participants. This Joint Summary identifies several issues related to the Project that are within federal jurisdiction, including effects to fish and fish habitat, migratory birds, pollution to interprovincial waters, and effects to Indigenous Peoples and their rights. IAAC will focus on these responses in taking the Section 16 decision.

### What We Asked

IAAC and the EAO asked for input from the public, potentially affected First Nations, and technical advisors from local governments and provincial and federal government agencies, to understand and gather information on:

- Initial interests, concerns, questions, input, and knowledge regarding the Project; and,
- Input on the Initial Project Description.

Additionally, IAAC sought input on:

- Perspectives on the EAO's request to substitute the federal assessment process to B.C.; and,
- Perspectives of Métis organizations on the IPD.

### How We Engaged

#### *Public Engagement*

IAAC and the EAO held a joint public comment period from October 7, 2024, to November 6, 2024. During the public comment period, IAAC and the EAO hosted two in-person open houses in Chetwynd and Tumbler Ridge and one virtual information session. The in-person open houses were held on October 16, and 17, 2024, with 37 and 60

participants respectively. The virtual information session was held on October 22, 2024, with 11 participants. The events included information on the federal and provincial assessment processes, details on the Project, and opportunities to ask questions.

#### *Technical Advisor Engagement*

Technical advisors play a vital role in assessing the technical details of a project. Both IAAC and the EAO contacted technical advisors from potentially affected Indigenous groups, local governments, provincial and federal government agencies, and provincial health authorities to request their input on the IPD.

On September 25, 2024, IAAC and the EAO hosted a meeting with technical advisors to provide an overview of the Project and the federal and provincial processes, as well as to outline the roles and responsibilities of technical advisors during Early Engagement and of the Technical Advisory Committee during future process phases. Following the meeting, the EAO requested that technical advisors review the IPD to identify key issues for CTI Plus to consider in the DPD.

#### *Engaging with Indigenous Groups*

IAAC and/or the EAO notified the following Indigenous groups and organizations whose interests could reasonably be expected to be affected by the Project:

- Blueberry River First Nations;
- Doig River First Nation;
- Halfway River First Nation;
- Horse Lake First Nation;
- McLeod Lake Indian Band;
- Saulneau First Nations;
- West Moberly First Nations;
- Métis Nation British Columbia; and,
- Kelly Lake Métis Settlement Society.

#### *EAO's Approach to Engaging with First Nations*

A First Nation may provide notice to the Chief Executive Assessment Officer that it intends to self-identify as a Participating Indigenous nation in the assessment of a project under Section 14(1) of the Act. The EAO and each Participating Indigenous nation will work together to develop an understanding of the Nation's unique connection to the proposed Project area including past, current, and future uses of the area and interests that may be affected by the proposed Project.

Alternatively, a First Nation may choose to refrain from identifying as a Participating Indigenous nation under the Act. In each of these cases, the EAO must fulfill its constitutional obligations to potentially affected First Nations, including assessing potential Project effects on a First Nation and its rights, and will continue to engage with them according to these obligations.

Participating Indigenous nations have specific procedural opportunities under the Act, including:

- Access to capacity funding during the Early Engagement phase of the EA process;
- Consensus seeking processes;
- An opportunity to provide notice of consent or lack of consent at specific decision points; and
- Access to facilitated dispute resolution.

One goal of Early Engagement for the EAO is to gather initial interests from each Participating Indigenous nation, helping to build a more comprehensive understanding of Indigenous interests. An Indigenous Interest is defined as a concern or issue held by a First Nation that the EAO (or First Nation) will conclude on during the Effects Assessment phase of the EA process. In many cases, Indigenous interests may represent or be integrally linked to a right recognized and affirmed by Section 35 of the *Constitution Act* (1982), an asserted right, or a Section 25(1) matter of the Act.

#### IAAC's Approach to Engaging with Indigenous Groups

In addition to First Nations, IAAC also consults with potentially impacted Métis Chartered communities in the Project area who may be affected by the Project. IAAC notified Métis Nation British Columbia and Kelly Lake Métis Settlement Society on September 5, 2024.

To date, IAAC has not had a response from Métis Nation of British Columbia or Kelly Lake Métis Settlement Society. IAAC will continue to notify these Indigenous groups of Project milestones and consult as needed.

#### List of Participating Indigenous Nations

To date, Doig River First Nation, Halfway River First Nation, McLeod Lake Indian Band, Saulteau First Nations, and West Moberly First Nations have formally provided a notice of intent to the EAO to be a Participating Indigenous nation.

Horse Lake First Nation did not identify as a Participating Indigenous nation, instead indicating they will defer to Saulteau First Nations and West Moberly First Nations to provide comments on the Project at this time.

To date, neither IAAC nor the EAO have had a response from Blueberry River First Nations. IAAC and the EAO will continue to notify Blueberry River First Nations of Project milestones and consult as needed.

#### What We Heard

In total, IAAC and the EAO received 413 comments. IAAC and the EAO received 125 comments raised by ten members of the public during the public comment period. The EAO received 80 comments raised by provincial authorities. IAAC received 48 comments raised by federal authorities.

A summarized list of key issues is included in Table 1. Table 1 includes comments received from First Nations, the public comment period and through review of provincial and federal authorities.

IAAC and the EAO received approximately 160 comments raised by five First Nations. A preliminary summary of concerns raised potential impacts and Project requests is provided in Table 2.

A plain language summary of all comments received is provided in Table 4 in Appendix 1. For information on individual comments and commenting parties please see the ITT here. The ITT contains all individual comments from provincial and federal authorities, the public, and Indigenous groups.

### 3.0 Summary of Key Issues

A summary of key comments received from Indigenous groups, technical advisors and the public on the IPD is provided in Table 1 below. Key issues are issues that represent significant concerns relating to the Project or the region (e.g., cumulative effects) that will be challenging to resolve and therefore may require additional engagement and time to resolve during the EA. Consideration of these key issues must be included in the DPD by CTI Plus

The intent of identifying key issues is to develop methods of resolution and reduce EA process schedule risk to help meet the EAO's mandate of carrying out assessments in a thorough, timely, transparent and impartial way. In some cases, key issues may be best resolved by the proponent's consideration of conceptual design changes or revisions to carrying out the Project following the mitigation hierarchy to first avoid impacts followed by minimization of impacts, restoration and offsetting. Any such changes should be described in the DPD. In some cases where a key

issue relates to regional cumulative effects, the proponent should describe what measures have been (e.g. project design change to avoid or reduce) or may be considered to mitigate the Project's incremental contributions to cumulative effects in the DPD.

Table 1. Summary of Key Issues

Comment Theme	Summarized Concern or Comment
Treaty Rights and Indigenous Interests	All five First Nations raised concerns regarding the Project's interactions with their Treaty Rights and interests recognized and affirmed by section 35 of the <i>Constitution Act, 1982</i> . Please see Table 2 for details on potential Project interactions with these rights and interests.
Potential Extraordinarily Adverse Effects (EAE)	Both West Moberly First Nations and McLeod Lake Indian Band expressed concern for the Project to cause extraordinarily adverse effects. Further information is needed regarding the specific effect pathway(s) for which EAE may occur.
Cumulative Effects	Concerns were raised regarding the Project's interactions with pre-existing cumulative effects due to the high number of projects in the area. Further information is needed on the specific valued components or rights that may exhibit high magnitude cumulative effects in current conditions.
Fish and Fish Habitat	Concerns were raised about the Project's interactions with fish and fish habitat, including regionally important fish species such as bull trout, rainbow trout, and arctic grayling. These concerns were raised regarding fish populations, fish habitat, and aquatic life.
Rail Loadout Location	Technical advisors and the public raised concerns about the Project's interaction with the proposed location of the rail load out in Hassler Flats because of the terrain. It is unclear how CTI Plus will transport coal to the rail load out. Additionally, residents of Hassler Flats raised concern regarding coal dust from the rail load out and coal transportation near their community.
Water Quality and Quantity	Concerns were raised about the Project's interactions with ground and surface water quality and quantity and continued use of wells and waterways near the Project for drinking water for community residents.
	Concerns were raised about the Project's interaction with the Burnt River and Sukunka watersheds.
	Technical advisors raised considerable concerns regarding the technical feasibility of the proposed water quality mitigation to meet discharge standards.
Wildlife	Concerns were raised regarding potential interactions of the Project with Caribou including caribou populations, current caribou habitat, future caribou habitat needs.
	Technical advisors were concerned about potential interactions to migratory birds, and species at risk (including caribou, wolverine, little brown myotis bat, and bull trout) and other wildlife including fur bearers, arctic grayling, mountain goats, rocky mountain sheep, and ungulates.

Air Quality and Dust	Concerns were raised regarding the Project's interactions on air quality around the mine site and hauling routes due to coal dust, vehicle exhaust and other Project components. Concerns were raised regarding the interactions of airborne pollutants with human, wildlife, and aquatic health.
Greenhouse Gas Emissions	Concerns were raised regarding the Project's interactions with greenhouse gases. The Province's Net-Zero New Industry (NZNI) Policy requires new industrial facilities with anticipated annual emissions above 10,000 tonnes carbon dioxide equivalent (CO <sub>2</sub> e) to plan how their facilities will achieve net-zero greenhouse gas (GHG) emissions by 2050 and demonstrate how they will align with B.C.'s 2030 and 2040 emissions reduction targets.

### Preliminary Summary of Treaty Rights and Indigenous Interests and Concerns

A summary of Participating Indigenous nations' concerns, potential impacts of the concerns and specific requests is provided in Table 2 below. Note that comments were not received from Métis groups.

The Indigenous interests and concerns identified in Table 2 are not exhaustive but are a summary of what has been heard so far through notification letters received from Participating Indigenous nations, meetings with IAAC and the EAO, and comments received on the IPD and Engagement Plan. Additional input and information will need to be considered should the Project proceed to Process Planning.

Table 2. Preliminary Understanding of Participating Indigenous Nations Interests and Concerns

Indigenous Group	Preliminary Understanding of Indigenous Interests and Treaty rights
Doig River First Nation (DRFN)	<p>Treaty Rights and Indigenous Interests</p> <ul style="list-style-type: none"> <li>• Ability to exercise Treaty rights;</li> <li>• Significance of moose, other species, and medicinal plants; and,</li> <li>• The Sukunka watershed has significant cultural value to DRFN.</li> </ul> <p>Potential Impacts</p> <ul style="list-style-type: none"> <li>• Pre-existing cumulative effects are posing infringements of DRFN members' ability to exercise Treaty rights;</li> <li>• Current proposed water mitigation measures may result in contamination, or the perception of contamination, of freshwater features; and,</li> <li>• Concern regarding impacts to cultural and spiritual wellbeing.</li> </ul> <p>Requests</p> <ul style="list-style-type: none"> <li>• Modelling process to estimate water discharge will consider DRFN requirements;</li> <li>• Collaborate with DRFN to determine how impacts to Treaty rights and Indigenous Interests are evaluated;</li> <li>• CTI Plus must consider that the addition of a greenfield site will further contribute to cumulative effects;</li> </ul>

	<ul style="list-style-type: none"> <li>• Request collaboration between industry partners to share infrastructure (e.g. roads and staging area between Conuma and CTI Plus) and minimize surface disturbance; and,</li> <li>• DRFN would like to see incorporation of a pre-development baseline when assessing cumulative effects.</li> </ul>
Halfway River First Nation	<p>Treaty Rights and Indigenous Interests</p> <ul style="list-style-type: none"> <li>• Right to fish; and hunt,</li> <li>• Impacts to traplines.</li> </ul> <p>Potential Impacts</p> <ul style="list-style-type: none"> <li>• Impacts of cumulative effects to the area, ungulates, water extraction;</li> <li>• Impacts to fish habitat;</li> <li>• Impacts to water quality;</li> <li>• Effects of heavy metals in the environment; and,</li> <li>• Impacts to fisher denning habitat.</li> </ul> <p>Requests</p> <ul style="list-style-type: none"> <li>• Request rigorous data collection methods that are above the minimum requirements regarding wildlife and vegetation technical reports to demonstrate good understanding of wildlife movement and wildlife use of habitat features. Additionally, evidence of how Project design will incorporate this information;</li> <li>• More detail is requested to demonstrate knowledge of present wildlife features (mineral licks, wallows, and high-quality seasonal use areas) and application of this information to Project design;</li> <li>• Recommends use of wildlife cameras at wildlife features during baseline assessments;</li> <li>• Request collaboration between industry partners to share infrastructure (e.g. roads and staging area between Conuma and CTI Plus) and minimize surface disturbance; and,</li> <li>• Request for provincial guidance towards sharing of infrastructure.</li> </ul>
McLeod Lake Indian Band (MLIB)	<p>Treaty Rights and Indigenous Interests</p> <ul style="list-style-type: none"> <li>• Anticipates the lands that would be disturbed by this proposed Project currently, that have since time immemorial, supported MLIB in the exercise of their constitutionally protected rights, including hunting, gathering food plants and medicines, and exercise of water and fishing, and cultural continuity values; and,</li> <li>• The Project may pose extraordinary adverse effects to MLIB Treaty rights and way of life.</li> </ul> <p>Potential Impacts</p>

	<ul style="list-style-type: none"> <li>• Impacts to traditional land uses including hunting, medicinal/subsistence plant gathering, fishing and water values, historical, cultural and spiritual sites, and cultural continuity;</li> <li>• Impacts from increased traffic;</li> <li>• Impacts on caribou and caribou habitat;</li> <li>• Impacts on water, fish, and fish habitat;</li> <li>• Impacts to health;</li> <li>• Impacts to Species at Risk;</li> <li>• Increased cumulative effects; and,</li> <li>• Project located close to an important cultural camp site used by the Nation.</li> </ul> <p>Requests</p> <ul style="list-style-type: none"> <li>• Continued consultation from CTI Plus on the Project</li> </ul>
Saulteau First Nations	<p>Treaty Rights and Indigenous Interests</p> <ul style="list-style-type: none"> <li>• Project may impact Treaty rights and way of life; and,</li> <li>• Right to hunt, fish, and trap.</li> </ul> <p>Potential Impacts</p> <ul style="list-style-type: none"> <li>• Impact of Project overlap with important spiritual and cultural areas;</li> <li>• Impact on caribou and caribou habitat;</li> <li>• Impact on fish, and fish habitat;</li> <li>• Impacts to water quality and quantity;</li> <li>• Impacts to air quality;</li> <li>• Impacts to wildlife;</li> <li>• Impacts to Nation-held traplines;</li> <li>• Impacts to areas of historic, cultural and current use; and,</li> <li>• Impacts on cumulative effects.</li> </ul> <p>Requests</p> <ul style="list-style-type: none"> <li>• Additional information on how water quality and fisheries impacts will be assessed</li> <li>• Additional Indigenous consultation and participation in Project data collection activities to assess and mitigate potential Project effects.</li> </ul>
West Moberly First Nations	<p>Treaty Rights and Indigenous Interests</p> <ul style="list-style-type: none"> <li>• Anticipates the Project may pose extraordinary adverse effects to West Moberly's Treaty rights and way of life;</li> <li>• Right to fish;</li> </ul>

	<ul style="list-style-type: none"> <li>• Right to exercise Treaty rights and cultural practices; and,</li> <li>• Right to hunt.</li> </ul> <p>Potential Impacts</p> <ul style="list-style-type: none"> <li>• Impact of Project overlap with <i>Da Tse Naat'ane?</i> (meaning the Mountain's Belongings area), which is an important spiritual and cultural area;</li> <li>• Impact on caribou and caribou habitat;</li> <li>• Impact on water, fish, and fish habitat;</li> <li>• Impact on family's abilities to consume fish from the Sukunka River and tributaries proximal to the Project location;</li> <li>• Impacts on cumulative effects;</li> <li>• Impacts of Traffic/hauling activities including dust, and noise pollution;</li> <li>• Impacts of increased human activity in the area on wildlife and cultural practices;</li> <li>• Impacts to water quality, fisheries, and cultural practices to the Burnt River and its tributaries; and,</li> <li>• Cumulative impacts of regional industrial disturbance in the region to spiritual values and way of life as guaranteed by Treaty 8.</li> </ul> <p>Requests</p> <ul style="list-style-type: none"> <li>• Request for additional time to review IPD and Engagement Plan as capacity funding was arranged near the end of Early Engagement;</li> <li>• Additional information on how water quality and fisheries impacts will be assessed; and,</li> <li>• West Moberly has concerns regarding the adequacy of the AIA completed by Ecofor.</li> </ul>
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#### 4.0 Conclusion and Next Steps

For the federal process, CTI Plus is required to provide a response to those issues in the Joint Summary that are within federal jurisdiction, as directed in Appendix 1. The information to be provided by CTI Plus will be used by IAAC to determine if a federal impact assessment is required.

CTI Plus is required to provide for the provincial EA process:

- A Detailed Project Description (DPD); and,
- A response to each comment raised in the ITT, which contains comments received from the public, federal and provincial authorities, and First Nations

The guidelines for completing a DPD are included in the Early Engagement Policy. It is important that the DPD describe how engagement was considered and how, if applicable, it may have contributed to changes in the Project design or is best addressed during subsequent EA phases (e.g., application information requirements during Process Planning).

It is also important that CTI Plus respond to each comment in the ITT. The ITT will be used in subsequent phases should the Project move forward to the next phase of the EA. It is recommended that CTI Plus consider whether the comment has been addressed in Early Engagement or may be better addressed in subsequent phases for the EAO's consideration. In some cases, a comment may be beyond the scope of the Early Engagement phase (e.g. identify key issues and preliminary interests to inform the DPD and Readiness Decision) and therefore are best addressed as subsequent phases if the Project proceeds beyond the Readiness Decision.

For example, comments relating to application information requirements are beyond the scope of the Early Engagement phase and are best addressed during the Process Planning phase that ends with the issuance of a Process Order that includes the Application Information Requirements document. In addition, comments relating to effects characterization and conclusions are also beyond the scope of the Early Engagement, Readiness Decision, Process Planning and Application Review phases and are best addressed during the Effects Assessment phase when the EAO conducts the effects assessment and characterizes effects with the help of technical advisors and Participating Indigenous nations.

The EAO requests that the DPD is accompanied by:

- A table that clearly references how and where input received from technical advisors, First Nations, and the public is incorporated into the Detailed Project Description, as warranted, or a rationale as to why it was not incorporated;
- A First Nations Consultation Log that documents engagement between First Nations and CTI Plus during development of the DPD and how concerns have been addressed or plans to do so during the EA process; and,
- CTI Plus's proposed revisions and additions to the standard Application Information Requirements either in the form of a letter or as tracked changes on the draft document provided by the EAO. A draft Application Information Requirements document from CTI Plus will facilitate discussions with technical advisors and First Nations to support Process Planning.

#### The EAO's Recommendations for the Detailed Project Description

The Joint Summary is intended to inform CTI Plus's development of the DPD by presenting key issues raised during review of the IPD and Engagement Plan. Table 3, DPD Development Recommendations, is intended to provide recommendations to assist with the development of the Detailed Project Description and facilitate the resolution of issues to mitigate impacts and EA timeline risk.

This Joint Summary, along with the DPD and responses from CTI Plus to the public, technical advisor, and First Nations comments will be provided to the Chief Executive Assessment Officer to inform the Readiness Decision. The Readiness Decision phase will begin after CTI Plus submits a final DPD to the EAO. The EAO will determine whether enough information is available to start the Process Planning phase of the EA process. If the Project proceeds to Process Planning, the EAO will use the DPD as the foundational document to inform the development of the Process Order, which includes the Assessment Plan, the Application Information Requirements, and the Regulatory Coordination Plan to scope the assessment.

The EAO requires CTI Plus to engage with and incorporate input from First Nations on the DPD prior to submission to initiate the Readiness Decision phase. It is also recommended that an early draft of the DPD be provided to the EAO, Participating Indigenous nations, and technical advisors to seek their input and identify if additional information is needed in the DPD to support the Readiness Decision, which seeks to:

- Ensure sufficient proponent engagement with Participating Indigenous nations, provincial and federal agencies, local governments, and the public has occurred, including adequate opportunities to comment on Project design, siting, and alternative approaches to developing the Project;
- Ensure sufficient information relating to Project location, interactions of the Project with required matters including valued components and First Nations' interests, alternative means, components, and activities is available to initiate an EA, including information required for the Process Planning phase, which sets the scope and information requirements for the Project's EA; and,
- Transparently identify key Project issues for resolution during the EA.

Table 3. Detailed Project Description Development Recommendations

Engagement with First Nations	
<p>The EAO requires that CTI Plus Resources undertake additional engagement with First Nations to better understand how the Project (via facilities or activities) will interact with the Nation's interests and include this description in the DPD. This information may influence Project design described in the DPD if necessary to mitigate potential effects by design and will inform the EAO's Readiness Decision. The EAO does not require an assessment of potential effects of the Project in the DPD as this will be required as part of the Application for an Environmental Assessment Certificate if the Project proceeds to an EA.</p> <p>The EAO will review CTI Plus's responses to the input received from each Participating Indigenous nation collaboratively with the Nations in support of the Readiness Decision.</p>	
Interaction	DPD Development Recommendation
Treaty Rights and Interests	<p>Further collaboration with First Nations is required to develop the DPD. In collaboration with the originating First Nation, identify potential interactions of the Project with comments in Table 2 and begin to identify possible mitigation or avoidance measures. The DPD should describe if and what changes to the Project have been made to address concerns relating to impacts on Treaty Rights and Interests.</p>
Extraordinarily Adverse Effects	<p>Further collaboration with West Moberly First Nations and Mcleod Lake Indian Band to understand the effects that serves as rationale for why the Project could cause extraordinarily adverse effects. The EAO has the ability to refer a project to the provincial decision maker with a recommendation that a termination order be issued under Section 17(1)(a) of the Act if the CEAO considers that the project will have extraordinarily adverse effects generally, or on First Nations or their rights. A determination of extraordinarily adverse effects is dependent upon many factors including the specific design of a proposed project, the existing conditions of the project area, the interactions of the project with environmental, economic, social, cultural and health values as well as Indigenous interests. The following factors should be considered when evaluating if the Project will result in extraordinarily adverse effects:</p> <ul style="list-style-type: none"> <li>• If the Project will clearly have unmitigable adverse effects, such that the CEAO is satisfied they would likely recommend that no EA Certificate be issued for the Project if it proceeds through an EA to a decision under Section 29;</li> <li>• How extreme the effects are generally, or on a specific Participating Indigenous nation or its constitutionally</li> </ul>

	<p>protected rights, as compared to other projects of a similar type and size; and,</p> <ul style="list-style-type: none"> <li>How extreme are these effects when considered in the context of existing cumulative effects on the environment in general or its constitutionally protected rights.</li> </ul>
<p><b>Cumulative Effects</b>          Due to the cumulative impact of industrial developments, significant adverse and cumulative effects to caribou and grizzly bear, even considering mitigation measures (including offsets) and the comprehensive subsequent permitting requirements have been raised in the Northeast. CTI Plus should provide a summary of potential Project interactions with ongoing cumulative effects in the area, including but not limited to the below interactions.</p>	
Interaction	DPD Development Recommendation
Environmental Stewardship Initiative - Regional Strategic Environmental Assessment Projects	Work with the B.C. Collaborative Stewardship and Cumulative Effects Management branch with the Ministry of Water, Land and Resource Stewardship to understand the various cumulative effects projects in the Northeast region, including the selected values based on the interests of the Treaty 8 Nations to understand and measure cumulative effects. Identify the Project's potential interactions with values that can be used as proxy's for understanding cumulative effects.
First Nation Cumulative Effects Assessment	Work with First Nations to understand the pre-existing cumulative effects projects, including any tools or methods available for assessing cumulative effects and potential mitigation measures for incremental contributions of the Project to cumulative effects in the area.
<p><b>Community, Culture, and Wellbeing</b>          Provide a summary of potential interactions with wellbeing, culture, and health by including, at minimum, the following interactions.</p>	
Interactions	DPD Development Recommendation
Rail Loadout Location	Conduct further engagement in the Hasler Flats community regarding potential interactions of the Project to their community. Provide alternative options to hauling by truck and rail for the transportation of coal.
Physical Health	Identify the Project's potential interactions with the physical health of nearby communities. Consider factors such as community well-being and mental health, respiratory diseases, and cumulative health impacts as well as other concerns raised including air quality, water quality, contamination of fish and wildlife relied on for food, selenium and mercury contamination, and noise and vibration. Please see Human and Community Well-Being guidance found here.
Sense of Place and Identity	Identify the Project's potential interactions with the existing sense of place and identity within nearby communities through focused group interviews and/or individual interviews while considering the historical, spiritual, and cultural significance of the area to residents.

Prevention and Response to Gender-Based Violence (GBV)	Provide a description of how the Project could interact with GBV both in nearby communities and within the Project's workplace. Please see Gender-based Analysis Plus in Impact Assessment found here.
<b>Fish and Fish Habitat</b> Provide a summary of potential Project interactions with water and related values by including, at minimum, the following interactions.	
Interactions	DPD Development Recommendation
Further Information On Fish	Provide information relating to how the Project may interact with nearby fisheries and sensitive watersheds and include a more fulsome list of potentially impacted fish species, specifically Bull Trout and Arctic Grayling. Discuss how the Project may interact with fish in the Burnt River and Sukunka watershed. Technical advisors requested all potentially affected fish species, fish habitat, and fish assemblages be identified in the Detailed Project Description.
<b>Water Quality and Quantity</b> Provide alternative options to proposed water quality mitigation that meet technology readiness standards.	
Key Issue	DPD Development Recommendation
Water Treatment	The proposed water quality mitigation does not meet the technology readiness level and is unsuitable as the proposed primary water quality mitigation for the Project.
<b>Wildlife</b> Provide a summary of potential Project interactions with wildlife and related values by including, at minimum, the following interactions.	
Interaction	DPD Development Recommendation
Caribou and Caribou Habitat	Provide information relating to how the Project may interact with caribou and caribou habitat. CTI Plus Resources should work with Environment and Climate Change Canada, BC Ministry of Water Lands and Resource Stewardship, and First Nations to understand caribou management in the region.
<b>Air Quality</b> Provide a summary of potential Project interactions with air quality and related values by including, at minimum, the following interactions.	
Interactions	DPD Development Recommendation
Dust	Provide further information on the Project's interaction with hauling traffic (e.g., number and type of Project specific vehicles, traffic routes, road upgrades, potential new roads etc.) and information regarding the processing and transportation of materials that may create dust.
Greenhouse Gas Emissions	Project proponents that have not submitted an Application are expected to submit a net-zero plan to the EAO, for review by the B.C. Climate Action Secretariat (CAS), during the Application Development and Review phase of the EA process.

## Appendix 1 –Summarized List of Concerns, Issues, and Recommendations

This section provides a summary of issues raised in comments received by IAAC and the EAO from Indigenous groups, the public and technical advisors on the Project’s IPD. Issues marked with an asterisk are related to effects within federal jurisdiction (as defined in section 2 of the IAA) and require responses from CTI Plus as IAAC considers them relevant to inform its Section 16 decision. In addition, responses can be provided to other issues not marked with an asterisk to inform IAAC’s section 16 decision if CTI Plus determines that they relate to effects in federal jurisdiction and/or to impacts to the rights of Indigenous peoples of Canada.

Those issues not marked by an asterisk can be addressed by CTI Plus in the DPD submitted to the EAO, however this is not mandatory as these may be considered when scoping the assessment during the next process phase during Process Planning, should the Project proceed beyond the Readiness Decision.

Table 4. Issues Raised by the Public, Provincial Authorities, Federal Authorities, and Indigenous Groups

<p><b>Accidents, Malfunctions, and Public Safety</b></p> <ul style="list-style-type: none"> <li>• Impact of the Project on vehicle/ rail – wildlife interactions;</li> <li>• Impact to human and wildlife health from spills of hazardous substances to air, water bodies and the terrestrial environment;</li> <li>• Implement access management of proposed roads;</li> <li>• Use the Brule mine access road;</li> <li>• Engage with Northern Health, B.C. Emergency Health Services, and B.C. Ambulance Services on emergency plans; and,</li> <li>• Incorporation of proactive spill prevention measures into all aspects of the Project and prevention, preparedness, and response measures and systems are crucial.</li> </ul>
<p><b>Acoustic Environment (Terrestrial)</b></p> <ul style="list-style-type: none"> <li>• Potential noise effects (including annoyance and sleep disturbance) to people living in or using the Project area and other identified sensitive receptors using the most recent guidance from Health Canada (2023); and,</li> <li>• Impacts of sound and vibration disturbance to human health.</li> </ul>
<p><b>Alternative Means of Carrying Out Project</b></p> <ul style="list-style-type: none"> <li>• Recommendation that alternative means of carrying out the Project also include mine waste alternatives. Proposed source management is not a proven alternative for treatment;</li> <li>• Need for evaluation of the feasibility of underground mining;</li> <li>• Recommend good waste rock management practices;</li> <li>• Recommend wet blasting holes be pumped and that liners be used to reduce emissions;</li> <li>• Recommend that clean water diversion channels be constructed prior to pit development;</li> <li>• Recommend Coarse Coal Rejects be intimately blended within Waste Rock Storage Facility to eliminate lensing; and,</li> <li>• Recommendation that alternative means of carrying out the Project also include water management alternatives.</li> </ul>
<p><b>Air Quality / Atmospheric Environment</b></p> <ul style="list-style-type: none"> <li>• Concern for the Project’s potential transboundary emissions;</li> <li>• Suitable air quality modelling;</li> <li>• Detailed description of coal dust controls, mitigation measures, and reduction plans to minimize impacts to the receiving environment and community for all Project phases;</li> </ul>

<ul style="list-style-type: none"> <li>• Detailed description of emission controls, mitigation measures, and emissions reduction plans to minimize impacts to the receiving environment for all Project phases;</li> <li>• Describe the ambient air quality in the Project's local and regional study areas and identify the existing emissions and sources for all relevant contaminants;</li> <li>• Describe the effects on air quality for all phases of the Project;</li> <li>• Provide a detailed description of all sources of air pollutant emissions and provide an inventory and description of activities and equipment for all Project phases;</li> <li>• Provide a comprehensive list of substances and air contaminants that will be generated by all components and activities of the Project, as well as their quantification for the construction, operation, decommissioning and reclamation phases;</li> <li>• Provide atmospheric dispersion modelling of air contaminants for the construction and operational phases;</li> <li>• Need for detail on annual emissions of contaminants during construction and operations;</li> <li>• Description of best management practices, mitigation measures, as well as monitoring and follow-up; and,</li> <li>• Recommend continuous air monitoring throughout the life of the Project.</li> </ul>
<p><b>Archaeology and Heritage</b></p> <ul style="list-style-type: none"> <li>• Destruction of archaeological sites*; and,</li> <li>• More robust archaeological survey/assessment work.</li> </ul>
<p><b>Baseline Information</b></p> <ul style="list-style-type: none"> <li>• To ensure robustness, discussion around baseline data should include government agencies;</li> <li>• More information is needed on baseline hydrometric monitoring and baseline meteorologic; monitoring and how Indigenous input will be included in baseline study methodology; and,</li> <li>• Need to include 1:100-year and 1:200-year rain events in baseline modelling.</li> </ul>
<p><b>Climate Change and Greenhouse Gas (GHG) Emissions</b></p> <ul style="list-style-type: none"> <li>• Concern regarding the Project's impact to vegetation's ability and availability to sequester carbon;</li> <li>• Concern regarding the Project's potential GHG emissions and impacts to human health;</li> <li>• Clarify GHG associated with metallurgical coal use in relation to B.C. and Canadian GHG targets;</li> <li>• The Project's resilience to future climate change should be described and, where relevant, considered in Project design;</li> <li>• The assessment should describe all potential effects, including direct and indirect effects of Project components or activities, on GHG emissions;</li> <li>• Need for a description of mitigation strategies and the applicability of these strategies to reduce greenhouse gases;</li> <li>• Need for information on the Project's GHG emissions and climate change impacts in all Project phases and sources using the Strategic Assessment of Climate Change; and,</li> <li>• Include a carbon sink assessment and details on mitigation measures on GHG emissions and the net-zero plan.</li> </ul>
<p><b>Cumulative Effects</b></p> <ul style="list-style-type: none"> <li>• Potential for cumulative effects, specifically for air and water quality and quantity due to the high number of projects in the area ;</li> <li>• Potential for cumulative effects of the Project on all valued components including human health, and wildlife populations, and fisheries;</li> <li>• Concerns regarding the cumulative effects on Caribou, other ungulates, and their habitat due to extensive coal mining and industry in the region;</li> </ul>

<ul style="list-style-type: none"> <li>• Concerns that existing cumulative impacts from development in the region along with the impacts from this Project will impair the exercise of Treaty rights and cultural practices*;</li> <li>• Concern that the proposed rail loadout at Hasler would increase the cumulative contamination of Hasler Creek and the Pine River, which are already significantly affected by other currently operating projects;</li> <li>• Need to evaluate cumulative effects of water extraction on the Sukunka River;</li> <li>• Concerns regarding the cumulative impacts to watersheds in the region due to multiple projects;</li> <li>• Concerns regarding the efficacy of industry's approach to cumulative effects assessments;</li> <li>• The cumulative effects on Chetwynd drinking water needs to be assessed and understood before increasing contributing sources of contaminants without a plan to adequately mitigate the effects; and,</li> <li>• Cumulative effects assessment must consider pre-development conditions as the true baseline.</li> </ul>
<p><b>Design Considerations</b></p> <ul style="list-style-type: none"> <li>• Need for additional information on how existing infrastructure (e.g. roads) can and will be shared between CTI Plus and other regional operators;</li> <li>• Need for CTI Plus to collaborate with impacted communities on final Project design;</li> <li>• Information on how natural disasters could impact the Project; and,</li> <li>• Need for more information on how the Project will be powered.</li> </ul>
<p><b>Differential Impacts upon Diverse Persons and Groups</b></p> <ul style="list-style-type: none"> <li>• Concern regarding worker housing camps and potential increase of violence against Indigenous women;</li> <li>• Concern regarding potential impacts of air quality (coal dust) on at-risk population, such as children, the elderly, and those who have pre-existing conditions;</li> <li>• Concern regarding the socio-economic impacts of the influx of a transient and temporary workforce;</li> <li>• Need for details concerning efforts to recruit, train, promote, and retain members of underrepresented groups and specify how competitive worker compensation and working conditions would be for those groups;</li> <li>• Proactive and mitigating measures related to employment should be developed early in the Project cycle; and,</li> <li>• Need to include disaggregated data (i.e. disaggregated data is data that has been broken down by detailed sub-categories to understand the experiences of diverse people, identify vulnerable people, marginalized groups) and potential gender-based violence risks to enable Gender Based Analysis Plus assessment.</li> </ul>
<p><b>Effects of the Environment on the Project</b></p> <ul style="list-style-type: none"> <li>• Need for information on the effects of the environment on the Project, and the effects of the Project on the environment, including those related to seismicity and terrain hazards (i.e., landslides, wildfire); and,</li> <li>• Need to consider the impact of climate change on the Project, including groundwater and surface water quantity and assessment of anticipated water contamination.</li> </ul>
<p><b>Environmental and Impact Assessment Processes</b></p> <ul style="list-style-type: none"> <li>• Indigenous consultation and participation in Project data collection activities is necessary to assess and mitigate potential Project effects;</li> <li>• Indigenous groups require appropriate timelines and capacity funding throughout the regulatory process to provide appropriate Project comments; and,</li> <li>• Concerns that Project assessment processes will be overly bio-physical and will be detached from the Indigenous perspective (e.g. water quality as it relates to the cultural practices of fishing and consuming fish).</li> </ul>
<p><b>Fish and Fish Habitat</b></p>

- Concern regarding regionally important fish species, such as bull trout, rainbow trout, and arctic grayling\*;
- Concern regarding damage to fish populations, fish habitat and aquatic life\*;
- Concern regarding contamination of fish stocks that are used for food\*;
- Concerns about the effects of fugitive dust from hauling routes on fish habitat\*;
- Concern regarding the impacts to fish from the release of contaminants from the site\*;
- Impacts to the Burnt River, a regionally important waterbody for recreation including angling and fly fishing;
- Mitigations to limit sedimentation, riparian tree removal, and stream cover are recommended along the Burnt Pine River to protect suitable spawning habitat for bull trout;
- The Project has the potential to cause death of fish and the harmful alteration, disruption or destruction of fish habitat, which would require a *Fisheries Act* authorization\*; and,
- Need for a detailed description of all potentially affected fish habitat and fish assemblages, a characterization of Project effects on the fish and fish habitat and the mitigation measures proposed to limit impacts.

### Human Health and Well-Being

- Concern regarding the effects from hauling routes dust on human, fish and wildlife habitats;
- Concern regarding the safe consumption of country foods due to Project effects;
- Need for more information on the locations and distances of all sensitive human receptor locations (including temporary facilities) that may be affected by the Project;
- Concern regarding proposed location of the rail load out, including that it is adjacent to a sulfur operation;
- Need for more detail on whether a qualitative health assessment will be incorporated in the assessment;
- Need for more detail on potential impacts of air pollutants, water pollutants, selenium and mercury contamination, and noise and vibration on community health;
- Need for more details on whether emergency response plan will include health related emergency scenarios, coordination with local health services, and immediate response measures;
- Consider the capacity of local health and medical services due to the potential increase in health services required due to the Project;
- Need for a complete assessment of potential air quality health effects for the Project using the most recent guidance from Health Canada (2023);
- Impact of the Project on respiratory diseases, especially in children and the elderly;
- Need for additional detail on how the Project will potentially impact mental health and community well-being;
- In coordination with Indigenous groups, complete a robust human health risk assessment\* ;
- Consider whether the Project will interact with existing oil and gas facilities and contribute to any cumulative health effects;
- Analyze fish tissues to better understand potential human health effects due to changes in fish tissue quality;
- Undertake a complete assessment of potential noise effects to Indigenous peoples who could be in the Project area or live nearby, as well as other identified sensitive receptors\*;
- Undertake a complete assessment of potential air quality health effects for the Project, using the most recent air quality guidance; and,
- Confirm if PFAS (i.e. “forever chemicals”) will be used in any aspect of the Project and If so, a future human health risk assessment and/or site management plan may be needed to reduce potential exposure.

### Indigenous Peoples’ Rights and Interests

- Concern regarding continued consumption of freshwater fish that may be impacted by the Project\*;

- Concern regarding potential impacts to access to vegetation for food or medicinal purposes\*;
- Concern regarding potential lack of alignment of industry objectives with Indigenous Interests;
- Concern regarding insufficient implementation of United Nations Declaration on the Rights of Indigenous Peoples;
- Concern regarding potential decrease in access to traditional hunting grounds in the area\*;
- Concern regarding cumulative impacts of industrial activities and ability to exercise Treaty rights\*;
- Concern CTI Plus does not outline how they plan to address impacts to Treaty rights or enable the rights holders to evaluate these impacts\*;
- Concern on further harm to the water quality of the Sukunka River which already has one coal mine impacting it;
- Concern on impacts to hunting and trapping in the area, as this area is used by membership\*;
- Concerns that comments submitted on previous Project activities including exploration have not been addressed or investigated;
- Clarity needed on how traditional knowledge will be collected, implemented, and respected;
- Recommend extensive Indigenous consultation and participation throughout the Project regulatory process will be required to adequately assess and mitigate potential Project effects; and,
- Recommend Indigenous consultation and participation in Project data collection activities is necessary to assess and mitigate potential Project effects.

#### **Infrastructure and Services**

- Concern regarding the socio-economic impacts of the influx of a transient and temporary workforce on housing and community services in the region.

#### **Land and Resource Use**

- Concern regarding impacts to the Burnt River, a regionally important waterbody for recreation including angling and fly fishing;
- Concern regarding continued recreation use including fishing, hunting, snowmobiling, and berry picking;
- Concern regarding potential restriction on snowmobiling on Mt Jilg, adjacent to the mine site
- Concern regarding access to proximal recreation sites, such as: Windfall Creek – REC1359, REC1172, Le Hudette Lakes - REC258605, Mount Stephson - REC258579, & Howling Wolves Peak - REC258658;
- Concern regarding access to proximal recreation trails, such as: Burnt River Snowmobile Trail – REC191216, REC191208;
- Concern regarding potential restricted access to public land;
- Provide additional information regarding potential impacts, monitoring, and protection for the Sukunka Falls Provincial Park and other nearby B.C. Parks; and,
- New tenure applications adjacent to the Sukunka Calls Park should not be entertained.

#### **Land Use and Culture**

- Concern the Project is located within an important spiritual and cultural area that may be significantly harmed by the Project\*;
- Concerns the Project will impact areas currently used to exercise Treaty rights and cultural transmission\*;
- Concern regarding historical use of the area by Indigenous groups\*;
- Concerns CTI Plus is unfamiliar with a Nations' traditional territories and areas of current use
- Concerns regarding Nation-held traplines overlapping the Project area\*;
- Concerns regarding the Nation's ability to safely harvest and consume traditional medicines and country food and to have peaceful enjoyment of their traditional territory\*;
- Concerns that the Project will impact the distribution of wildlife, affecting hunting outcomes;

<ul style="list-style-type: none"> <li>• Concern that Project infrastructure will increase harvesting accessibility resulting in increased competition, and an overall reduction in available traditional resources*; and,</li> <li>• Concern regarding potential negative impacts to crop health and food security.</li> </ul>
<p><b>Metallurgical Coal Extraction, and Current and Future Generations</b></p> <ul style="list-style-type: none"> <li>• Concern regarding further coal extraction due to the potential impacts to human health, community enjoyment of the area, and damage to the environment;</li> <li>• Concern regarding impacts of the Project on surface and ground water quality and quantity and how this may impact future generations; and,</li> <li>• Concern regarding impacts of the Project on habitat and ecosystem health and the long-term impacts to hunting, fishing, berry picking, and other subsistence activities in the area.</li> </ul>
<p><b>Mine Waste Management</b></p> <ul style="list-style-type: none"> <li>• Concern regarding the mitigation challenges posed by nitrate and selenium;</li> <li>• Concern regarding proven Project water treatment prior to discharge into the receiving environment;</li> <li>• Concern regarding proposed waste treatment;</li> <li>• Review requirements under the Health, Safety and Reclamation Code for consideration during Project design;</li> <li>• Need for a Tailings Storage Facility (TSF) Alternatives Assessment, including the long term physical and geochemical stability and closure aspects of a TSF;</li> <li>• Recommendation to truck non-Hazardous materials off site; and,</li> <li>• Requirement of an <i>Environmental Management Act</i> Permit to have an on-site landfill.</li> </ul>
<p><b>Permitting Considerations</b></p> <ul style="list-style-type: none"> <li>• Initiate pre-application permitting discussions with the Ministry of Mining and Critical Minerals to support <i>Mines Act</i> permitting after a revised application is accepted by the EAO.</li> </ul>
<p><b>Project Description</b></p> <ul style="list-style-type: none"> <li>• Concern regarding the proposed Waste Rock Storage Facilities and their potential impacts;</li> <li>• Concern that Indigenous groups in the region will not be consulted on Project design and infrastructure;</li> <li>• Clarity needed regarding where tailings will be stored;</li> <li>• Clarification needed on metallurgical coal, and its uses when compared to thermal coal;</li> <li>• Clarity is needed regarding the level of design anticipated for each Project infrastructure component in the Environmental Assessment Certificate Application;</li> <li>• Include a Net Zero plan for emissions as part of the Application Information Requirements</li> <li>• Recommendation to develop a conceptual site water model; and,</li> <li>• Further information is required regarding coal handling and processing.</li> </ul>
<p><b>Public and Stakeholder Engagement</b></p> <ul style="list-style-type: none"> <li>• Concern regarding lack of engagement of landowners in Hasler Flat;</li> <li>• Recommendation to engage with Chetwynd Outdoor Society, Wolverine Nordic Mountain Society, Pine Valley Trail Blazers Society, 4 Wheel Drive Association, &amp; the Tumbler Ridge Geopark;</li> <li>• Recommendation to engage with Ministry of Forests on road access;</li> <li>• Need to engage with provincial technical advisors to collaborate on data collection methodology (i.e., baseline data, air quality);</li> <li>• Need to engage with provincial technical advisors to collaborate on the development of models (i.e., air quality dispersion model);</li> <li>• Need to engage with Enersul on the location of the proposed rail load out;</li> </ul>

<ul style="list-style-type: none"> <li>• Recommendation to engage with Northern Health on a Health and Medical Services Management Plan; and,</li> <li>• Recommendation to engage with community partners on a Community and Socioeconomic Management Plan.</li> </ul>
<p><b>Purpose of and Need for the Project</b></p> <ul style="list-style-type: none"> <li>• Concern regarding the existence of a proposed new coal mine;</li> <li>• Concern regarding if the proposed Project is in the best interest of B.C., Canada or Indigenous groups in the region; and,</li> <li>• Concern regarding developing another mine when the area could be suitable for wind or power projects.</li> </ul>
<p><b>Reclamation and Mine Closure</b></p> <ul style="list-style-type: none"> <li>• Clarity on proposed reclamation and closure plan;</li> <li>• Need to identify methodology to evaluate effectiveness of proposed reclamation;</li> <li>• Concern regarding effectiveness and completion of end of life mine reclamation;</li> <li>• Revegetation plans need to be collaboratively developed with Indigenous groups to determine the best strategies and most suitable plant species and methods for revegetation; and,</li> <li>• Recommend progressive reclamation take place once a pit has been mined.</li> </ul>
<p><b>Social and Economic Conditions</b></p> <ul style="list-style-type: none"> <li>• Concern regarding the number of proposed jobs in relation to the potential negative environmental impacts;</li> <li>• Concern that Project impacts to harvestable, traditional resources may cause food security issues and undue economic strain on Indigenous groups and their environmental livelihoods;</li> <li>• Concern regarding the socio-economic impacts of the influx of a transient and temporary workforce on housing and community services in the region;</li> <li>• Need for further information regarding potential impacts to economic considerations, such as tourism and workforce development;</li> <li>• Expressed desire for more variety in economic opportunities in the area to support workforce development and job creation by diversifying beyond resource extraction;</li> <li>• Provide details on the training and employment and employment programs to be used and that are available in the region;</li> <li>• Provide details on Project opportunities for Indigenous-owned businesses in the region including specific strategies to increase hiring and training of Indigenous people of varying socioeconomic characteristics;</li> <li>• State how CTI Plus intends to determine the socio-economic impacts of a Project and how it intends to deal with those impacts appropriately;</li> <li>• Describe who lives in the region as well as the socio-economic context of the region (i.e. main economic industries, similar projects in the area) in relation to the Project;</li> <li>• Clarify plan for recruitment and training of Indigenous workers;</li> <li>• Clarify plan for involvement of Indigenous contractors;</li> <li>• Clarify anticipated time frame for the construction and completion of the Project and its anticipated lifespan - including consideration of potential risks and mitigation measures related to boom-bust economic cycles;</li> <li>• Forecast of the number of jobs to be created, their job categories (i.e. contractual, part-time, or full-time), and the timeframe of these jobs during each phase of the Project;</li> <li>• Evaluation of the availability and affordability of supporting community services (e.g. childcare, education, transportation) that are available to the Project's local workforce;</li> </ul>

<ul style="list-style-type: none"> <li>• The availability and accessibility of training programs to effectively train the local population and potential workers from surrounding areas (e.g. <u>Employment and Social Development Canada programs</u>); and,</li> <li>• Concern regarding the socio-economic impacts of the influx of a transient and temporary workforce on housing and community services in the region.</li> </ul>
<p><b>Soil</b></p> <ul style="list-style-type: none"> <li>• Concern regarding the Project's impact on the vegetation in the area and subsequently the soil stabilization and biodiversity; and,</li> <li>• Concern regarding the Project's impact to soil quality due to potential contamination and disturbance.</li> </ul>
<p><b>Species at Risk, Wildlife and their Habitat</b></p> <ul style="list-style-type: none"> <li>• Concern regarding potential impacts of the Project to caribou, caribou habitat, future caribou habitat needs, impacts from noise and sensory disturbance, traffic, wildlife health, and altered predator-prey dynamics*;</li> <li>• Concern regarding potential transboundary effects of the Project on caribou, caribou habitat, and future caribou habitat needs;</li> <li>• Concern regarding bank swallows along Sukunka Forest Service Road;</li> <li>• Concern regarding potential negative impacts of the Project to habitat, critical habitat, alpine lakes, and ecosystem health, including coal and road dust;</li> <li>• Concerns regarding potential Project effects to migratory birds and their habitat*;</li> <li>• Concerns with respect to the lack of progress being made by the federal/provincial/West Moberly First Nations-Saulteau First Nations Caribou Recovery Committee in accordance with the Caribou Partnership Agreement*;</li> <li>• Concern regarding potential impacts of Project to old growth forests, at the Project site and along the access routes, including loss, contamination, or other detriment;</li> <li>• Need to conduct baseline studies to characterize existing conditions for species at risk and inform the effects assessment;</li> <li>• Need to assess effects to migratory birds and species at risk in all assessment areas, including the Project site, local assessment area and regional assessment area*;</li> <li>• Describe all potential effects, including direct, indirect and cumulative effects, of the Project on species at risk and their habitat, as well as migratory birds*;</li> <li>• Design mitigation measures to reduce Project impacts to species at risk and migratory birds that cannot be avoided*;</li> <li>• Characterize the Project's residual effects on species at risk and their habitat, as well as on migratory birds*;</li> <li>• Consider offsets for the unavoidable loss of habitats that support species at risk;</li> <li>• Need for additional detail regarding potential impacts and of the Project on caribou, caribou habitat, and future caribou habitat needs*;</li> <li>• Clarity needed on identification of species at risk including wolverine, arctic grayling, and bull trout;</li> <li>• Need to add furbearers, little brown myotis, northern myotis bats, mountain goats, rocky mountain sheep, beavers, and ungulates as additional species of importance;</li> <li>• More information on invertebrate sampling methods is required;</li> <li>• Need for Project application to demonstrate knowledge of present wildlife features (mineral licks, wallows, and high-quality seasonal use areas) and application of this information to an assessment;</li> <li>• Recommendation for CTI Plus to use most up-to-date information from Environment and Climate Change Canada on caribou management; and,</li> <li>• Need for management of potential wildlife attractants.</li> </ul>

### Transportation (Land)

- Concern regarding potential impacts of road upgrades and maintenance on number of recreational users;
- Concern regarding potential impacts of increased traffic in the area on residents and existing industrial and recreational users (ATV, Snowmobile, hunters, and campers);
- Concern regarding the proposed location of the rail load out;
- Concern regarding a proposed haul out road overlapping pipeline infrastructure;
- Concern regarding the speed of industrial traffic in the community;
- Concern regarding the proposed construction of a new road between the two mine areas. Consider using the existing Falling Creek Connector Road;
- Further information needed on traffic direction;
- Need to provide additional information on the impacts to navigation in creeks and rivers from the proposed bridges and transmission; work may require a *Canadian Navigable Waters Act* permit;
- Need more information on who will build, own, and operate rail loop and loadout facility and how many kilometres of new track will be needed;
- Need to provide additional information about the transmission line to determine if it needs to be marked and lighted; and,
- Need to provide additional information about rail switching, including where any switching would occur and the party responsible for the switching.

### Water Quality and Processes

- Concern regarding ground and surface water quantity, location, and quality and impacts to environmental health, human health, and food security (hunting, livestock, and gardens);
- Concern regarding potential contamination of groundwater wells used for drinking water for Hassler Flat's residents and other residents of the area;
- Concern regarding potential contamination of surface water (Pine River) used for drinking water in Chetwynd, B.C. and other residents of the area;
- Concern regarding the potential for the Project to cause pollution to interprovincial waters\*
- Potential Project impacts to Alpine Lakes;
- Concern regarding potential impacts of the Project on the quality of the Sukunka River Watershed, including the Burnt River, Brazion Creek and Rocky Creek;
- Concern regarding the potential impacts of the Project's proposed water requirements and undetermined withdrawal locations;
- Concern regarding the Project's impacts to the local watershed, impacting the safety drinking water and country foods;
- Concern regarding acceptability of industry standard approach to water quality guidelines;
- Concerns regarding the efficacy of Biochemical Reactors for water treatment;
- Need to develop an acceptable water mitigation plan that describes strategies to mitigate adverse effects on groundwater and surface water quality and quantity and assess applicability of these strategies to the Project;
- Clarity on whether background selenium monitoring is needed;
- Clarity on water treatment, specifically on selenium contamination mitigation;
- Define "discharged into the environment" in section 4.5.3 of the IPD and clarify if geomorphological studies will be used to assess release locations;
- Need to consider cumulative impacts of water withdrawal in the Sukunka watershed;
- Need to describe all potential effects, including direct and indirect effects, of Project components or activities, including changes to water quality and quantity;

- Need to provide more detail on the construction, operation, and decommissioning of linear projects as they can have adverse effects on the quality of groundwater and surface water, as well as on the hydrological regimes of watercourses and water bodies;
- Need to undertake a thorough and representative sampling, characterization, and testing program to predict any potential effects on water quality and to inform the development of effective mine waste and effluent management programs that minimizes the generation of acid rock drainage and metal and metalloid release to the environment;
- Need to develop accurate models to predict the effects to water quality from mine rock and waste;
- Recommend the Murray River Water Quality Objectives be applied to this Project;
- Map all known water features including seepages, ponds/wetlands, potentially impacted tributaries, fish barriers, and river systems, including water quality, fish, benthic invertebrate, and sediment sampling locations; and,
- Further information is required regarding water management structures, contact water management at the rail load out, and location of planned water discharge.

**Other**

- Concerns include the Project's potential to hinder land protection commitments, disrupt ecosystem services, alter aesthetics, disturb undeveloped areas, reliance on outdated frameworks, and ethical issues such as lethal animal testing; and,
- Greater clarity on why transboundary Project effects is not anticipated.