

PROJECT AGREEMENT FOR THE DETOUR LAKE GOLD MINE IN ONTARIO

PREAMBLE

WHEREAS the Government of Canada is committed to improving the federal environmental assessment (EA) and regulatory review processes for major resource projects to enable a more effective assessment and mitigation of potential environmental effects, while protecting the health and safety of Canadians and promoting innovation and competitiveness within the Canadian resource industry sectors;

AND WHEREAS the Government of Canada is committed to undertaking a process of early, effective and meaningful engagement and consultation with Canada's Aboriginal groups, including Treaty First Nations, Non-Treaty First Nations, Métis and Inuit people, concerning contemplated Crown conduct with respect to, among other things, major resource projects that may adversely affect established or potential Aboriginal or treaty rights under Section 35 of the *Constitution Act, 1982*;

AND WHEREAS the Government of Canada has created the Major Projects Management Office (MPMO) for the purpose of overseeing and tracking the federal review and Aboriginal engagement and consultation for major resource projects;

AND WHEREAS Detour Gold Corporation (the Proponent) has submitted a Project Description in support of its proposal to develop a gold mine approximately 185 km northeast of Cochrane, Ontario;

AND WHEREAS Fisheries and Oceans Canada (DFO) and Natural Resources Canada (NRCan) have regulatory and statutory duties in relation to the proposed project and Transport Canada (TC) may have regulatory and statutory duties in relation to the proposed project;

AND WHEREAS DFO, TC and NRCan have commenced a comprehensive study pursuant to the *Canadian Environmental Assessment Act (CEAA)*;

AND WHEREAS nothing in this Project Agreement (the Agreement) fetters the powers, statutory authorities and functions of federal departments/agencies and their respective Ministers;

AND WHEREAS federal authorities and provincial authorities have agreed that when both jurisdictions have environmental assessment requirements they will conduct a cooperative environmental assessment in accordance with the Canada-Ontario Agreement on Environmental Assessment Cooperation;

NOW THEREFORE the signatories (the Parties) to this Agreement commit to work together to facilitate an effective, accountable, transparent, timely and predictable federal review in relation to the proposed project and to contribute to fulfilling the duty to consult with Aboriginal groups.

1.0 PURPOSE

This Agreement describes the main activities of the federal review and outlines the key roles and responsibilities of the Parties. For further clarity, the Agreement shall be read together with the Annexes, which form part of this Agreement. The federal review includes EA, regulatory review(s) and Aboriginal engagement and consultation activities.

2.0 PROJECT DESCRIPTION

The Detour Lake Gold Mine project is located in a remote area approximately 185 km northeast of the Town of Cochrane in northern Ontario, 8 kilometres west of the province of Quebec border. The site is accessible by means of Highway 652, an associated 35 kilometre gravel access road, and an onsite gravel airstrip.

The Detour Lake deposit was operated by another mining company from 1983 to 1999 as an open pit and later underground mine. Detour Gold Corporation proposes to construct, operate and eventually close a new open pit gold mine, the 'Detour Lake Gold Mine Project', on the same site. The proposed mine is based on a production capacity of approximately 55,000 tonnes per day (tpd) with a mine life of approximately 12 years. The site layout proposes to place all of the required mine-related facilities in close proximity. Preference has been given to utilizing lands previously disturbed by historic mining or forestry operations, where siting locations are otherwise equivalent. Detour Gold Corporation is also proposing development of a 230 kV transmission line to the mine site; and potentially, upgrading portions of Detour Lake mine road that provide access to the Project site, if needed due to load requirements.

3.0 ROLES AND RESPONSIBILITIES

Based on the information provided by the Proponent, the following federal departments and agencies have identified an interest in the Project, and will participate in the federal review as follows:

- DFO has regulatory and statutory responsibilities under the *Fisheries Act* and, pursuant to the CEAA, is a responsible authority (RA). DFO may be in possession of specialist or expert information or knowledge with respect to the Project and, on request, shall make available that information or knowledge to RAs and/or the CEA Agency;
- TC may have regulatory and statutory responsibilities under the *Navigable Waters Protection Act* (NWPA) and, pursuant to the CEAA, is a likely RA. TC requires a Navigation Impact Assessment (NIA) to be completed as a component of the EA. To complete the NIA and make its EA decision, TC requires all the information described in the NWPA application form. In order to meet the timelines in this Agreement this information must be submitted no later than the time of submission of the Environmental Impact Statement (EIS). TC may be in possession of specialist or expert information or knowledge with respect to the Project and, on request, shall make available that information or knowledge to RAs and/or the CEA Agency;

- NRCan has regulatory and statutory responsibilities under the *Explosives Act* and, pursuant to the CEAA, is an RA. NRCan may be in possession of specialist or expert information or knowledge with respect to the Project and, on request, shall make available that information or knowledge to RAs and/or the CEA Agency;
- Environment Canada (EC) is a federal authority (FA) under the CEAA and is in possession of specialist or expert information or knowledge with respect to the proposed project, and, upon request, shall make available that information or knowledge to the RAs and/or the CEA Agency; and EC has responsibilities concerning proposed amendments to the *Metal Mining Effluent Regulations* (MMER) under the *Fisheries Act*;
- Health Canada (HC) is an FA pursuant to the CEAA and may be in possession of specialist or expert information or knowledge with respect to the Project (expert FA) and, upon request, shall make available that information or knowledge to the RAs and/or the CEA Agency;
- Indian and Northern Affairs Canada (INAC) has advisory responsibilities to support the Government of Canada's Aboriginal engagement and consultation activities in relation to the Project;
- The CEA Agency will exercise the powers and perform the duties and functions of the RAs in relation to the Project pursuant to the CEAA until the Minister is provided with the comprehensive study report. The CEA Agency has administrative responsibilities pursuant to the CEAA in support of the EA. The CEA Agency will act as the EA Manager and as the Crown Consultation Coordinator (CCC) for the EA in relation to the Project, and will facilitate inter-jurisdictional coordination; and
- The MPMO has administrative and advisory responsibilities under the *Cabinet Directive on Improving the Performance of the Regulatory System for Major Resource Projects* and the associated Memorandum of Understanding (MOU). The MPMO will provide oversight and advice throughout the entire federal review in relation to the Project to ensure adherence to the service standards and roles and responsibilities of all Parties.

For further information regarding the roles and responsibilities of the Parties, please see the applicable Annexes.

4.0 FEDERAL REVIEW PROCESS

The proposed scope of the project refers to the physical works and activities associated with the construction, operation, modification and decommissioning of all components included in the proponent's development proposal.

The scope of the Project includes but is not limited to:

- Site clearing and preparation;
- Onsite access roads and pipelines, power infrastructure and fuel storage facilities;

- Offsite transmission line to existing Island Falls Generating Station and ancillary components;
- Onsite modifications of existing, and creation of new, water body crossings (including bridges, culverts and pipelines);
- Potential upgrading of Detour Lake Road;
- Modification or relocation of existing airstrip;
- Dewatering of historical open pit, outlet channel and associated underground mine works including any groundwater suppression;
- Water management facilities and drainage works (including water intakes/outfalls, pipelines, dewatering facilities, water diversion channels, stormwater management and sediment control ponds, modification of existing dam);
- New open pit mine (expansion of historical open pit) and ore processing plant;
- Construction and operation camps accommodations complexes;
- Administration, truckshop, maintenance shop, warehouses and outbuildings complexes;
- Explosives mixing (factory) and storage (magazine) facilities;
- Existing and proposed Tailings Impoundment Areas (TIA);
- Domestic and industrial waste handling/treatment including hazardous materials;
- Mine rock and waste rock stockpiles (including topsoil and overburden);
- Aggregate mining and stockpiles (gravel pit(s) and/or quarry(ies)), and
- *Fisheries Act* compensation works or undertakings to offset the loss of fish habitat.

The CEA Agency will work together with the RAs and the expert FAs to ensure that the EA process meets the requirements of the CEAA. The type of EA required is a comprehensive study.

The EA will be conducted in accordance with the *Canada-Ontario Agreement on Environmental Assessment Cooperation*. Annex I shows a Gantt chart of the federal review process. Annex II shows the key milestones and service standards for the EA as well as Aboriginal engagement and consultation.

During the EA process, RAs will confirm any regulatory decisions required in relation to the Project that are triggers pursuant to the CEAA. If a department or agency determines that it is no longer required to make a regulatory decision, it will end its participation in the EA as an RA, but may, upon request from an RA and/or the CEA Agency, continue to participate as an expert FA should it be in possession of specialist or expert information or knowledge with respect to the Project.

5.0 ABORIGINAL ENGAGEMENT AND CONSULTATION

The Parties are committed to a “Whole of Government” approach to Aboriginal engagement and consultation in the context of major resource projects to ensure that Aboriginal groups are sufficiently consulted, and where appropriate accommodated, when the Government of Canada contemplates actions that may adversely affect established or potential Aboriginal or treaty rights. To the extent possible, and with the CEA Agency responsible for coordination, the Parties will work together with the province of Ontario toward a coordinated approach for Aboriginal engagement and consultation that is integrated into the environmental assessment phase of the

federal review. The Crown will take into account the consultation efforts of the province and the Proponent to meet its duty to consult.

The proposed Aboriginal engagement and consultation roles and responsibilities are identified in Annex III.

6.0 TIMELINES

Timelines identified in the Project Agreement represent the time taken by federal departments and agencies in carrying out their respective tasks for the federal review and do not include time taken by participants who are not signatories to the Agreement. The target timelines for the federal review are detailed in the Gantt chart in Annex I, and are as follows:

- a) Completion of the EA – 20.7 months from the posting of the Notice of Commencement on the Canadian Environmental Assessment Registry Internet Site (CEARIS) to the posting of EA course of action decisions;
- b) If appropriate, issuance of *Fisheries Act* authorization(s) – 3 months (90 calendar days) from the EA course of action decision posted on the CEARIS, assuming the submission of all applications no later than the time of the submission of the EIS, and that DFO has received an acceptable Fish Habitat Compensation Plan (including financial security). Issuance of *Fisheries Act* authorization(s) may also be dependant on the timing of Governor in Council's decision regarding amendments to Schedule 2 of the Metal Mining Effluent Regulations and would be issued no later than 3 weeks following the listing;
- c) If appropriate, regulatory decisions pursuant to the *Navigable Waters Protection Act* – 3 months from the EA course of action decisions posted on the CEARIS, assuming submission of all applications no later than the time of the submission of the EIS;
- d) If appropriate, regulatory decision pursuant to the *Explosives Act* - 3 months from the EA course of action decisions posted on CEARIS for an application submitted no later than the time of the EIS or within 30 days of submission of a complete application if the application is received after the EA course of action decision;
- e) If appropriate, amendment to the *Metal Mining Effluent Regulations* – 8 months from the EA course of action decisions posted on the CEARIS.

The following are examples of situations where the MPMO may pause the timelines of the federal review:

- a) the federal review is delayed at the request of the Proponent and/or another jurisdiction;
- b) the Minister of the Environment, CEA Agency and/or RAs have indicated that the Proponent is required to provide additional information necessary for the completion of the federal review, or that the information provided is insufficient;
- c) the federal review cannot proceed as a result of circumstances related to Aboriginal engagement and consultation; or

- d) litigation or other court action prevents the completion or continuation of the federal review.

7.0 FOLLOW-UP AND MONITORING

The RAs have responsibilities under the CEAA in relation to ensuring the implementation of mitigation measures and the design and implementation of a follow-up program. The RAs will work with the expert FAs, the Proponent and the province, to satisfy those responsibilities. Expert FAs will provide any assistance requested by the RAs in ensuring the implementation of a mitigation measure or aspect of the follow-up program on which the expert FA and RAs have agreed.

8.0 ADMINISTRATION

Tracking Progress

The milestones, timelines and service standards set out in this Agreement, subject to any amendments, will provide the basis against which the MPMO will monitor the progress of the federal review and report on this progress in the MPMO Tracker.

Issues Resolution

The Parties will use their best efforts to resolve any differences of opinion in the interpretation or application of this Agreement in an effective and timely manner.

Issues relating to the federal review for the Project will be resolved through direct discussions and collaboration between the involved Parties, supported by the MPMO.

Should issues remain outstanding, they will be referred to the appropriate senior level committee established through the MPMO Initiative.

Post-Project Evaluation

The Parties will participate in an informal evaluation of the effectiveness of the federal review in relation to the Project within 90 days of the completion of the regulatory review. The level of effort and format of the evaluation will be appropriate to the scale of the issues encountered.

Amendments

The Parties may recommend to the MPMO whether a change to the federal review or to the project warrants an amendment to the Agreement. Where there is agreement that an amendment is warranted, and where such amendment is considered significant, the MPMO, on behalf of the Parties, will provide the proposed amendment to the Major Projects Deputy Ministers for consideration.

Unless otherwise determined by the MPMO in collaboration with the Parties, amendment of the Agreement shall not cause the federal review to stop with respect to any Agreement-related activities that might be ongoing at the time when the need for amendment is identified.

9.0 SIGNATORIES

The Parties hereto have signed the Project Agreement, in counterpart, on the dates indicated below.

Original signed by
Cassie Doyle
Deputy Minister
Natural Resources Canada

April 21, 2010
Date

Original signed by
Peter Sylvester
President
Canadian Environmental Assessment Agency

April 29, 2010
Date

Original signed by
Claire Dansereau
Deputy Minister
Fisheries and Oceans Canada

April 26, 2010
Date

Original signed by
Yaprak Baltacıoğlu
Deputy Minister
Transport Canada

April 28, 2010
Date

Original signed by
Ian Shugart
Deputy Minister
Environment Canada

May 3, 2010
Date

Original signed by
Michael Wernick
Deputy Minister
Indian and Northern Affairs Canada

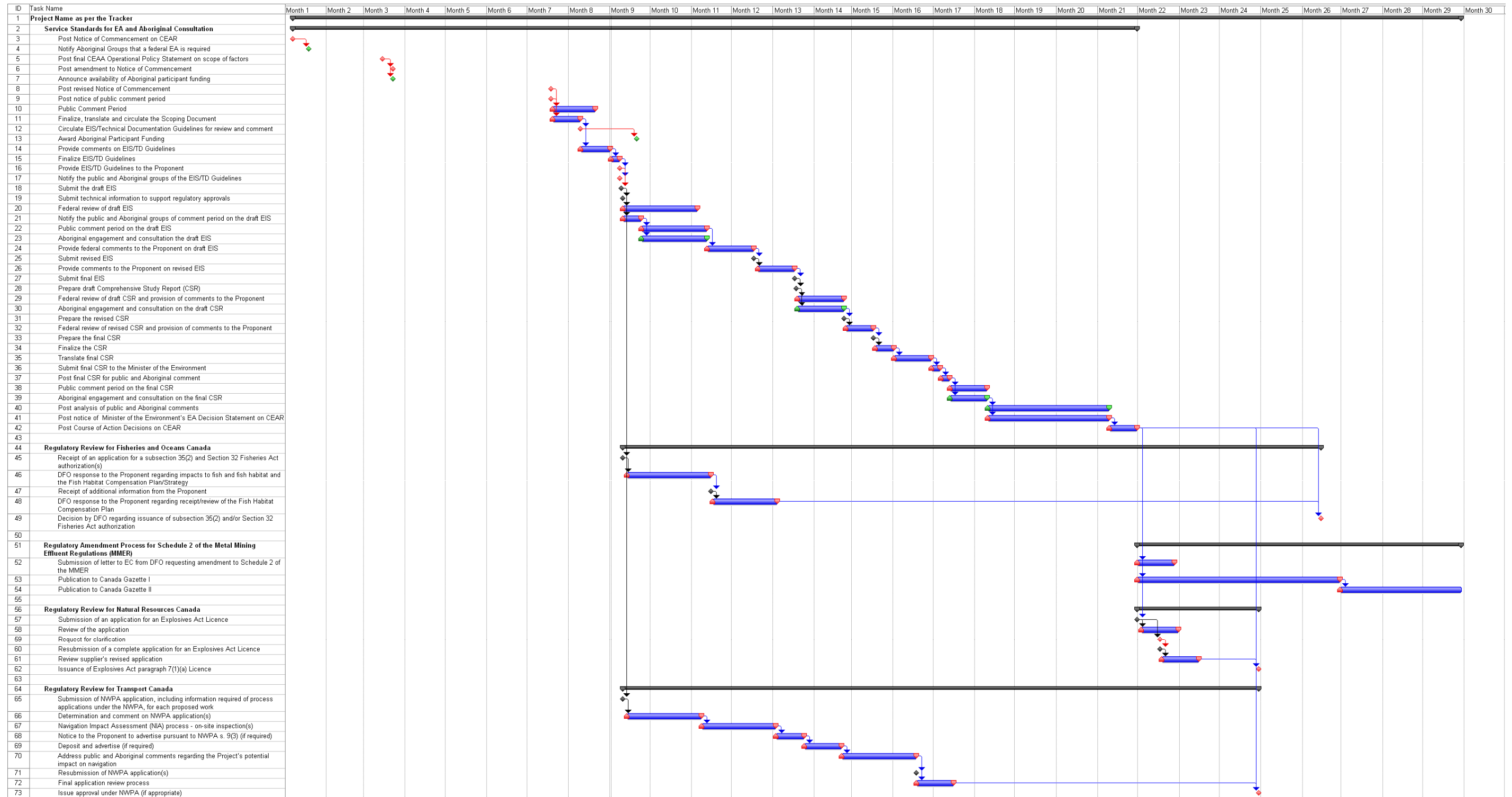
April 28, 2010
Date

Annexes

- Annex I Gantt Chart: Target Timelines for the Federal Review of the Project
- Annex II Key Milestones and Service Standards for the Environmental Assessment and Aboriginal Engagement and Consultation
- Annex III Aboriginal Engagement and Consultation Approach and Roles and Responsibilities
- Annex IV Fisheries and Oceans Canada: Roles, Responsibilities, Key Milestones and Service Standards
- Annex V Natural Resources Canada: Roles, Responsibilities, Key Milestones and Service Standards
- Annex VI Transport Canada: Roles, Responsibilities, Key Milestones and Service Standards
- Annex VII Environment Canada: Roles, Responsibilities, Key Milestones and Service Standards
- Annex VIII Other Departments and Agencies: Roles and Responsibilities

Annex I¹

Gantt Chart: Target Timelines for the Federal Review of the Project



¹ Issuance of *Fisheries Act* authorizations may also be dependant on the timing of Governor in Council's decision regarding the listing of the Tailings Impoundment Area on Schedule 2 of the *Metal Mining Effluent Regulations* and would be issued 3 weeks following the listing, provided that DFO has received an acceptable Fish Habitat Compensation Plan (including financial security).

Annex II

Key Milestones and Service Standards for the Environmental Assessment and Aboriginal Engagement and Consultation

Description/Activity	Lead	Support As Needed	Service Standard/ Completion Date
Post the Notice of Commencement (NoC) on the CEAR	CEA Agency	RAs	January 7, 2010
Notify Aboriginal groups that a federal EA is required	CEA Agency		January 18, 2010
Post final CEAA Operational Policy Statement on scope of factors on the CEAR	CEA Agency		April 1, 2010
Post amendment to Notice of Commencement	CEA Agency	RAs	Within 1 week from posting final CEAA Operational Policy Statement on scope of factors on the CEAR
Announce availability of Aboriginal participant funding (Phase 1)	CEA Agency		Within 1 week from posting final CEAA Operational Policy Statement on scope of factors on the CEAR
Post revised NoC on the CEAR	CEA Agency		July 19, 2010
Post notice of public comment period	CEA Agency		July 19, 2010
Public comment period	CEA Agency	RAs, expert FAs	July 19 – August 20, 2010
Finalize, translate and circulate the Scoping Document,	CEA Agency		Within 3 weeks from the start of the public comment period
Circulate EIS/Technical Documentation (EIS/TD) Guidelines for review and comment	CEA Agency		July 29, 2010
Award Aboriginal participant funding	CEA Agency		Within 3 weeks from circulating the Scoping Document
Provide comments on EIS/Technical Documentation Guidelines	RAs, expert FAs	CEA Agency	Targeted for September 1, 2010
Finalize EIS/TD Guidelines	CEA Agency		Within 1 week from receiving comments
Provide EIS/TD Guidelines to the Proponent	CEA Agency		Within 1 day from finalizing the EIS/TD Guidelines
Notify the public and Aboriginal groups of the EIS/TD Guidelines	CEA Agency		Within 1 day from finalizing the EIS/TD Guidelines
Submit the draft EIS	Proponent	RAs	To be determined by the Proponent

Description/Activity	Lead	Support As Needed	Service Standard/ Completion Date
Submit technical information to support regulatory approvals	Proponent		Concurrent with the submission of the draft EIS
Federal review of the draft EIS	CEA Agency	RAs, Expert FAs	Within 8 weeks from submission of the draft EIS
Notify the public and Aboriginal groups of comment period on the draft EIS	CEA Agency		Within 2 weeks from submission of the draft EIS
Public comment period on the draft EIS	CEA Agency	RAs, expert FAs	7 weeks, starting from the notification of the comment period
Aboriginal engagement and consultation on the draft EIS	CEA Agency	RAs, expert FAs	7 weeks, starting from the notification of the comment period
Provide comments to the Proponent on the draft EIS	CEA Agency	RAs, expert FAs	Within 5 weeks from the completion of the federal review
Submit the revised EIS	Proponent		To be determined by the Proponent
Provide comments to the Proponent on the revised EIS	CEA Agency	RAs, expert FAs	Within 4 weeks from submission of the revised EIS
Submit the final EIS	Proponent		To be determined by the Proponent
Prepare draft Comprehensive Study Report (CSR)	Proponent	CEA Agency, RAs, expert FAs	To be determined by the Proponent
Federal review of draft CSR and provision of comments to the Proponent	CEA Agency	RAs, expert FAs	Within 5 weeks from the receipt of the draft CSR
Aboriginal engagement and consultation on the draft CSR	CEA Agency	RAs, expert FAs	Concurrent with the federal review of the draft CSR
Prepare the revised CSR	Proponent	CEA Agency, RAs, expert FAs	To be determined by the Proponent
Federal review of the revised CSR and provision of comments to the Proponent	CEA Agency	RAs, expert FAs	Within 3 weeks from the circulation of the revised CSR
Prepare the final CSR	Proponent	CEA Agency, RAs, expert FAs	To be determined by the Proponent
Finalize the CSR	CEA Agency		Within 2 weeks from receipt of the final CSR
Translate the final CSR	CEA Agency	RAs	Within 4 weeks from the approval of the final CSR
Submit the final CSR to the Minister of the Environment	CEA Agency		Within 1 week from receiving the translated final CSR
Post the final CSR for public	CEA		Within 1 week from receiving the

Description/Activity	Lead	Support As Needed	Service Standard/ Completion Date
and Aboriginal comment on the CEAR	Agency		translated final CSR
Public comment period on the final CSR	CEA Agency	RAs, expert FAs	4 weeks, starting from the posting of the final CSR
Aboriginal engagement and consultation on the final CSR	CEA Agency	RAs, expert FAs	4 weeks, starting from the posting of the final CSR
Post the analysis of public and Aboriginal comments on the final CSR on the CEAR	CEA Agency	RAs, expert FAs	Concurrent with the posting of the Notice of the Minister of the Environment's EA Decision Statement
Post the Notice of the Minister of the Environment's EA Decision Statement on the CEAR	CEA Agency		Within 13 weeks from the close of the comment period on the final CSR
Post the course of action decisions on the CEAR	RAs	CEA Agency	Within 3 weeks from the Minister's EA Decision

Annex III

Aboriginal Engagement and Consultation Approach and Roles and Responsibilities

1.0 Context

The Government of Canada consults with Aboriginal people for reasons of good governance, sound policy development and decision-making as well as for legal reasons. Canada has statutory, contractual and common law obligations to consult with Aboriginal groups. The common law duty to consult with Aboriginal groups applies when the Crown contemplates actions that may adversely affect established or potential Aboriginal or treaty rights. These rights are recognized and affirmed in Section 35 of the *Constitution Act, 1982*.

The Government of Canada will take a “Whole of Government” approach to Aboriginal consultation in the context of major resource projects to ensure that Aboriginal groups are sufficiently consulted, and where appropriate accommodated, when it contemplates actions that may adversely affect established or potential Aboriginal or treaty rights. This approach is mandated by both the *Cabinet Directive on Improving the Performance of the Regulatory System for Major Resource Projects* and the associated Memorandum of Understanding (MOU) (June, 2007). The *Directive* states that Parties will work together towards a coordinated approach for Aboriginal consultation that is integrated into the federal environmental assessment process, to the extent possible. The approach for federal consultation of Aboriginal groups for major resource projects was created in accordance with *Aboriginal Consultation and Accommodation: Interim Guidelines for Federal Officials to Fulfill the Legal Duty to Consult* (INAC/Department of Justice; February 2008).

2.0 Identifying Aboriginal Groups

The CEA Agency, in conjunction with the province, RAs and the MPMO, will identify Aboriginal groups for engagement, taking into account the work conducted by the Proponent, and will determine the appropriate level of engagement and consultation for identified groups. Aboriginal groups engaged may change over time based on information received during the course of the assessment and information received from Aboriginal groups, as may the level of engagement and consultation activities undertaken by the Crown.

3.0 The Federal Crown Consultation Process

The “Whole of Government” approach for Aboriginal engagement and consultation activities will be implemented throughout the entire federal review. Best efforts will be made to ensure that the timeframe for engagement and consultation activities coincides with key milestones and processes. It is important to acknowledge that timeframes for engagement and consultation activities may diverge from pre-established federal review timeframes, based on consultation requirements. Should modifications to timeframes be required due to the consultation process, revisions will be discussed by all Parties.

Where accommodation is required, the Crown, coordinated by the CEA Agency during the EA phase, will monitor and determine whether identified mitigation measures reasonably address concerns regarding potential adverse impacts on established or potential Aboriginal or treaty rights. The Crown may also examine the role of third parties in addressing adverse impacts on established or potential Aboriginal or treaty rights. The Crown will work with Aboriginal groups and attempt to identify options or solutions that balance the interests of those Aboriginal groups with other societal interests.

4.0 Roles and Responsibilities of Parties

The CEA Agency will act as the CCC for the EA phase of the federal review in relation to the Project to satisfy the Crown's obligations. The role of the CCC is described below. Key Aboriginal engagement and consultation milestones are included in Annex II.

Roles and responsibilities of each Party are:

The CEA Agency will:

- Act as the CCC for the EA phase of the federal review in relation to the Project, coordinate and facilitate the Crown's engagement and consultation activities before and during the EA, and ensure a smooth transition to the regulatory review if required. As the CCC, the CEA Agency will:
 - Identify and engage Aboriginal groups, in cooperation with the province and RAs as appropriate;
 - Develop and implement a Crown consultation plan that is consistent with a whole-of-government approach to Crown consultation by the federal Crown through close collaboration with RAs and expert FAs;
 - Coordinate federal Crown consultation activities with those of the Province as appropriate;
 - Invite Aboriginal groups to participate in the EA process and make their concerns known about EA and regulatory matters, including the project impacts on their established or potential Aboriginal or treaty rights;
 - Coordinate the involvement and provide updates to RAs and expert FAs regarding federal Crown consultation activities with Aboriginal groups as it relates to the EA;
 - Transfer the role of the CCC to an assigned RA for the regulatory review phase;
 - Track and refer project specific issues raised by Aboriginal groups to the appropriate entities (e.g., RAs, Proponent, Province, etc.);
 - Track and refer non-project specific issues (e.g. land claims, treaty rights) to the appropriate entities (e.g., INAC, Province, etc.);
 - Ensure RAs consider project specific issues in the context of the federal review;
 - Facilitate multi-party consultation activities where necessary;
 - Represent the Crown and lead Crown consultation activities, together with RAs, and FAs that are requested to participate;
 - Compile and update the Record of Crown Consultation Activities (housed at MPMO) conducted during the federal review, and then transfer responsibility for managing the Record to the MPMO at the end of the review;

- Provide funding for consultation activities in support of the comprehensive study process through the Aboriginal Funding Envelope of the CEA Agency's Participant Funding Program;
- Consult on the Comprehensive Study Report;
- Lead the evaluation of the scope, nature, and sufficiency of the Crown's consultation efforts, with input from the Department of Justice (DOJ), INAC and RAs; and
- Coordinate the response, with input from INAC and the RAs, on behalf of the Government of Canada, to Aboriginal groups on how concerns were addressed.

The MPMO will:

- Provide oversight to ensure the overall consistency, accountability, and transparency of the Aboriginal Crown engagement and consultation effort, for the entire federal review;
- House and maintain the official Record of Crown Consultation Activities for the Project; and,
- Incorporate information relating to consultation activities into the MPMO Tracker.

Responsible Authorities will:

- Participate in coordinated consultation activities throughout the entire federal review (including pre-assessment, assessment, and post-assessment phases), as appropriate/required;
- Represent the Crown alongside the CCC, the Province, the Proponent and other Parties to address Aboriginal issues, as appropriate/required;
- Contribute to the "Whole of Government" approach by participating in consultation activities in areas relevant/appropriate to their mandates and areas of statutory and policy responsibility;
- Report on engagement and consultation activities to the CEA Agency and the MPMO in accordance with the established records-management process;
- Provide input into the response to Aboriginal groups on how concerns were addressed;
- Support issues analysis work, where required; and
- Contribute to the evaluation of the scope, nature, and sufficiency of the Crown's consultation efforts, with the CEA Agency, the Department of Justice (DOJ) and INAC.

Expert Federal Authorities will:

- Participate in any of the above activities upon request of the CCC and/or RAs, as appropriate.

The Department of Justice and Indian and Northern Affairs Canada will:

- Provide legal services (DOJ), information and advice to the CEA Agency, MPMO and RAs as appropriate and required throughout the federal review; and,
- Assist in the evaluation of the scope, nature, and sufficiency of the Crown's consultation efforts.

Annex IV

Fisheries and Oceans Canada Roles, Responsibilities, Key Milestones and Service Standards

EA

- Participate in meetings with other federal/provincial authorities, where appropriate;
- Review and comment on the EA work plan
- Review, comment on and approve the Aboriginal consultation work plan;
- Review and comment on appropriate federal EA documents (e.g., EIS Guidelines, the EIS and the final comprehensive study report);
- Provide TC an opportunity to review proposed mitigation measures with respect to potential impacts on navigation;
- Provide expert advice with respect to its mandate, regulatory responsibilities and areas of interest, where appropriate;
- Consult with affected/potentially affected Aboriginal groups as described in Annexes II and III;
- Take EA course of action decision following the Minister of the Environment's EA Decision Statement;
- Take a regulatory course of action decision following the EA course of action decision;
- Provide input into the follow-up and monitoring programs relative to its mandate, regulatory responsibilities and areas of interest, as required; and,
- Work with other RAs, expert FAs, the Proponent and the province to ensure implementation of mitigation measures and the design and implementation of a follow-up program, and where appropriate, accommodation of adverse impacts on potential or established *Constitution Act* s. 35 rights, as required.

Regulatory

- Prepare regulatory work plan;
- Participate in meetings with other federal/provincial authorities as appropriate;
- Participate in public comment period, public notice and public consultations, as appropriate;
- Afford TC an opportunity to review any fish habitat compensation plans with respect to TC's legislative mandate prior to the issuance of authorizations;
- Undertake any required activities related to its mandate, regulatory responsibilities and areas of interest, including consulting with affected/potentially affected Aboriginal groups as appropriate, to support regulatory decisions; and,
- Conduct site visits to support regulatory decisions, as required.

Note: The following milestones represent the key activities associated with the regulatory process for the Project and are not intended to reflect the entire work plan schedule associated with this Project. Furthermore, these milestones may need to be adjusted as additional information is made available.

MILESTONE	ACTIVITIES / DESCRIPTION	LEAD	SERVICE STANDARD
Receipt of an application for a s. 35(2) and/or s. 32 Fisheries Act authorization(s)	DFO receives application from the Proponent for authorization of impacts to fish and fish habitat under s. 35(2) and/or s. 32 of the <i>Fisheries Act</i> complete with adequate plans, maps, reports and data to support the review. This may include a FHCP to support the <i>Fisheries Act</i> review under ss 35(2) and as required under s 27.1 of the <i>Metal Mining Effluents Regulations (MMER)</i> .	Proponent	Dependent on timing of the submission of the application by the Proponent.
Response regarding impacts to fish and fish habitat, and adequacy of information	DFO reviews the application package (including proposed FHCP and associated estimate of financial security, if provided) for adequacy, to support the <i>Fisheries Act</i> review and responds to the Proponent. DFO requests further information, if required, to proceed with review of the application. This may include information on fish habitat compensation, if not yet provided. Provide TC with a copy of the draft Fish Habitat Compensation Plan and any potential comments for review with respect to navigational concerns.	DFO	Within 60 days of receipt of a complete application, including an acceptable FHCP. If the compensation plan is submitted at a different time from when the EIS is submitted, an additional 45 days will be required to review the compensation plan. Within 4 weeks of receiving draft FHCP.
Receipt of additional information	DFO receives additional information from the Proponent.	Proponent	Dependent on timing of the submission of additional information by the Proponent – must be included in the EIS, at the latest.
Receipt of adequate information for	DFO determines that adequate information on fish and fish habitat, including FHCP, has been provided	DFO	Adequate information on the FHCP, considered mitigation

MILESTONE	ACTIVITIES / DESCRIPTION	LEAD	SERVICE STANDARD
EA	for the EA to make a conclusion on significance of adverse effects on fish and fish habitat. DFO informs the Proponent.		for the EA, must be provided during the EA for inclusion in the EA report before the report can be completed. Within 45 days of receipt of adequate information.
Course of Action Decision under CEAA	DFO reaches a course of action decision under CEAA that will determine whether authorization(s) may be issued. If course of action decision allows for proceeding with authorization(s), the subsequent activities and milestones will apply.	DFO	As per EA work plan.
Receipt of FHCP (if not yet provided)	DFO receives detailed FHCP, including details relative to financial security (if required)		Dependent on timing of the submission by the proponent
Response regarding receipt/review of FHCP	DFO notifies the proponent that the FHCP is acceptable		Within 45 days of receipt of an acceptable FHCP
Decision regarding Issuance of Subsection 35(2) and/or Section 32 Fisheries Act authorization	If appropriate, DFO issues a <i>Fisheries Act</i> authorization(s) to the proponent for impacts to fish and fish habitat.	DFO	DFO issues the authorization(s) 90 calendar days after DFO makes an appropriate EA course of action decisions. Issuance will be contingent upon: 1. The receipt of an acceptable application, including a FHCP and proof of financial security. 2. The discharge of any legal Aboriginal

MILESTONE	ACTIVITIES / DESCRIPTION	LEAD	SERVICE STANDARD
			<p>consultation obligations associated with the authorization(s).</p> <p>3. An EA Course of Action Decision under s. 37(1)(a) of the CEAA.</p> <p>Issuance of the authorization(s) may also consider the Proponent's timing needs for the authorization(s) in that, should an authorization not be required until much later than the timeline above, DFO will issue it when it is appropriate.</p> <p>Issuance of <i>Fisheries Act</i> authorizations may also be dependant on the timing of Governor in Council's decision regarding the listing of the Tailings Impoundment Area on Schedule 2 of the <i>Metal Mining Effluent Regulations</i> and would be issued 3 weeks following the listing, provided that DFO has received an acceptable Fish Habitat Compensation Plan (including financial security)...</p>

Annex V

Natural Resources Canada Roles, Responsibilities, Key Milestones and Service Standards

EA

- Participate in meetings with other federal/provincial authorities, where appropriate;
- Review and comment on the EA work plan
- Review, comment on and approve the Aboriginal consultation work plan;
- Review and comment on appropriate federal EA documents (e.g., EIS Guidelines, the EIS and the final comprehensive study report);
- Participate in the assessment as a federal authority with respect to NRCan's mandate under the *Explosives Act*, as well as with respect to specific areas of expertise including earth sciences, minerals and metals, as determined by NRCan, the CEA Agency and/or another RA;
- Engage and consult with affected/potentially affected Aboriginal as described in Annexes II and III;
- Take EA course of action decision following the Minister of the Environment's EA Decision Statement;
- Take a regulatory course of action decision following the EA course of action decision;
- Provide input into the follow-up and monitoring programs relative to NRCan's mandate, regulatory responsibilities and areas of interest, as required; and,
- Work with other RAs, expert FAs, the Proponent and the province to ensure implementation of mitigation measures and the design and implementation of a follow-up program, and where appropriate, accommodation of adverse impacts on potential or established *Constitution Act* s. 35 rights, as required.

Regulatory

- Prepare regulatory work plan;
- Participate in meetings with other federal/provincial authorities as appropriate;
- Participate in public comment period, public notice and public consultations, as appropriate;
- Undertake any required activities related to its mandate, regulatory responsibilities and areas of interest, including consulting with affected/potentially affected Aboriginal groups as appropriate, to support regulatory decisions; and,
- Conduct site visits to support regulatory decisions, as required.

Natural Resources Canada

Note: The following milestones represent the key activities associated with the regulatory process for the Project and are not intended to reflect the entire work plan schedule associated with this Project. Furthermore, these milestones may need to be adjusted as additional information is made available.

MILESTONE	ACTIVITIES/DESCRIPTION	LEAD	SERVICE STANDARD
Submission of the Project Description & information on explosives factory(ies) and magazine(s) to NRCan	NRCan liaises with the Proponent regarding explosives factory(ies) and magazine(s).	Proponent	Ongoing
Determination whether a Licence under the <i>Explosives Act</i> paragraph 7(1)(a) is required	NRCan reviews the Proponent's answers on the explosives questionnaire.	NRCan	Completed
Submission of an application for an <i>Explosives Act</i> Licence	The Supplier compiles information and submits an application to NRCan for a Licence under the <i>Explosives Act</i> paragraph 7(1)(a) for an explosives factory and magazine.	Explosives Supplier selected by the Proponent	Start timing. N.B.: the timing of receiving the application may not necessarily be aligned with the EA process.
Review of the application	NRCan reviews the Proponent's application to ensure that all of the required information is included.	NRCan	If the application is complete, require 30 days to review and process the application and issue the <i>Explosives Act</i> Licence.
Request for clarification or additional information	If there are aspects of the application that are unclear or additional information is required, NRCan will request clarification or additional information from the Explosives Supplier.	NRCan	Within 15 days of receipt of the application.
Resubmission of a	Explosives Supplier re-submits a	Supplier	Dependent on the

MILESTONE	ACTIVITIES/DESCRIPTION	LEAD	SERVICE STANDARD
complete application for an <i>Explosives Act</i> Licence	completed application for an <i>Explosives Act</i> Licence.		Supplier.
Review Supplier's revised application	NRCan continues its review of the application, which includes clarifications or additional information requested.	NRCan	Within 30 days from receipt of revised application.
Issuance of an <i>Explosives Act</i> Licence paragraph 7(1)(a)	<p>Once a determination under the CEAA has been rendered and a Notice of Decision has been posted on the CEAR, NRCan can make a decision under the <i>Explosives Act</i> for an explosives factory(ies) or magazine(s).</p> <p>Licences may include Terms and Conditions, as appropriate, relating to mitigation measures or follow-up requirements identified during the EA review phase of the Project.</p>	NRCan	Within 30 days from the receipt of all necessary information to form a complete application.

Annex VI

Transport Canada Roles, Responsibilities, Key Milestones and Service Standards

EA

- Participate in meetings with other federal/provincial authorities, where appropriate;
- Review and comment on the EA work plan
- Review, comment on and approve the Aboriginal consultation work plan;
- Review and comment on appropriate federal EA documents (e.g., EIS Guidelines, the EIS and the final comprehensive study report);
- Provide expert advice with respect to its mandate, regulatory responsibilities and areas of interest, where appropriate;
- Engage and consult with affected/potentially affected Aboriginal groups as described in Annexes II and III;
- Take EA course of action decision following the Minister of the Environment's EA Decision Statement;
- Take a regulatory course of action decision following the EA course of action decision;
- Provide input into the follow-up and monitoring programs relative to its mandate, regulatory responsibilities and areas of interest, as required; and
- Work with other RAs, expert FAs, the Proponent and the province to ensure implementation of mitigation measures and the design and implementation of a follow-up program, and where appropriate, accommodation of adverse impacts on potential or established *Constitution Act* s. 35 rights, as required.

Regulatory

- Prepare regulatory work plan;
- Participate in meetings with other federal/provincial authorities as appropriate;
- Participate in public comment period, public notice and possible public consultations, as appropriate;
- Review the draft fish habitat compensation plan (FHCP) for potential impact on navigation and provide expert advice to DFO with respect to proposed mitigation measures prior to the issuance of DFO authorizations if such information is available;
- Undertake any required activities related to its mandate, regulatory responsibilities and areas of interest, including consulting with affected/potentially affected Aboriginal groups as appropriate, to support regulatory decisions; and,
- Conduct site visits to support regulatory decisions, as required.

Transport Canada

Note: The following milestones represent the key activities associated with the regulatory process for the Project and are not intended to reflect the entire work plan schedule associated with this Project. Furthermore, these milestones may need to be adjusted as additional information is made available.

MILESTONE	ACTIVITIES/DESCRIPTION	LEAD	SERVICE STANDARD
Liaise with the Proponent regarding potential works in regards to impacts on navigability	Liaise with the Proponent regarding proposed works that could potentially impact navigation and on potential alternatives and mitigation strategies to ensure that navigability is maintained.	TC	Ongoing
Submit NWPA application(s), including information required to process applications under the NWPA, for each proposed work	Proponent provides TC with a completed application for each proposed work no later than the time of submission of the EIS.	Proponent	Determined by the Proponent.
Determination and comment on NWPA application(s)	<p>Review application package and information/plans for adequacy to support NWPA review.</p> <p>Request further information if required to proceed with application.</p> <p>Review draft FHCP for potential impacts to navigation and provide comments to DFO with respect to the navigability of the watercourse and any concerns regarding potential mitigation measures with respect to navigation if such information is available.</p>	TC	<p>8 weeks after application submission.</p> <p>Within 2 weeks of receiving the draft FHCP</p>
NIA process - on-site inspection(s)	Complete on-site NIA of the Project, site and waterway(s), subject to weather and time of year.	TC	Site inspection within 2 months of receipt of completed application, then as necessary until completion of public comment process.

MILESTONE	ACTIVITIES/DESCRIPTION	LEAD	SERVICE STANDARD
Notice to the Proponent to advertise pursuant to the NWPA s. 9(3), if required	Provide the Proponent with advertisement package pursuant to NWPA s. 9(3).	TC	Within 3 weeks of completed initial on-site inspection and following the assessment of navigational issues arising from any changes to the Project due to EA issues.
Deposit and advertise, if required	Deposit “Final Plans” and other relevant information with Land Title Office or the government agent and advertise in one or more local papers and the Canada Gazette. Provide proof of deposit and advertising to TC.	Proponent	Advertisement process is to occur for a minimum of 30 +1 calendar days.
Consult with Aboriginal groups regarding navigational impacts, if required	Seek information regarding navigational concerns from Aboriginal groups, if possible, through the federal EA process. Or, if not possible, through departmental Aboriginal consultation processes.	TC	To be completed within the EA phase; however, consultation would be ongoing until duty has been met to the satisfaction of the Minister of Transport.
Address public comments and issues raised by Aboriginal groups, regarding the Project’s potential impact on navigation	Should TC receive concerns from the public regarding navigation, the Proponent and TC will work together to resolve concerns. Should TC receive concerns from Aboriginal groups regarding navigation, in response to the Aboriginal consultation process, TC shall work with the Proponent to mitigate concerns to the satisfaction of the Minister of Transport. Additional requirements might be deemed necessary by TC in regard to potential impacts on navigation posed by proposed works. TC will facilitate public comment process if required.	Proponent and TC	To be completed within 2 months of completion of advertisement process.

MILESTONE	ACTIVITIES/DESCRIPTION	LEAD	SERVICE STANDARD
	Furthermore, DFO fish habitat compensation plans will have to be reviewed prior to issuing an approval, if such information is available.		
Resubmission of NWPA application(s), if required	Resubmission of NWPA application(s) where applicable and re-deposit and re-advertising of plans in one or more local papers and the Canada Gazette is required if substantial changes to proposed work(s) are required.	Proponent	Determined by the Proponent, if required.
Final application review process	Perform a final review of all information on file, including technical information and public comments.	TC	4 weeks
Course of Action Decision under CEAA	TC reaches course of action decision under CEAA.		Within 3 weeks of the Minister of the Environment's EA Decision Statement being posted on the CEARIS.
Make regulatory decision	Make regulatory decision under NWPA.	TC	<p>Within 90 calendar days following the EA Decision Statement being posted on the CEARIS if NWPA application(s) submitted no later than the time of the submission of the EIS. The regulatory decision will be contingent on:</p> <ol style="list-style-type: none"> 1. The discharge of any legal Aboriginal consultation obligations associated with the approval(s). 2. An EA course of action decision under s. 37(1)(a) of CEAA. 3. Mitigation of public concerns to the satisfaction of the Minister of Transport.

Annex VII

Environment Canada Roles, Responsibilities, Key Milestones and Service Standards

As a Federal Authority, and with responsibilities to amend the *Metal Mining Effluent Regulations* under the *Fisheries Act*, Environment Canada will:

EA

Upon request from an RA and/or the CEA Agency, EC as an expert FA will perform and fulfill the following roles and responsibilities:

- Review and submit comments on the EA Work Plan and Aboriginal Consultation Work Plan;
- Participate in federal project review committee meetings for provision of relevant expertise that is available;
- Review and submit comments on the EIS;
- Participate in meetings with other federal/provincial authorities as appropriate, including the provincial Working Group;
- Consult with affected/potentially affected Aboriginal groups on the EIS and on the CSR, as appropriate;
- Provide support to the review of other comments received on the EIS;
- Provide any assistance requested by an RA in ensuring the implementation of a mitigation measure on which the FA and the RA have agreed.

Regulatory

- Administer amendments to the Metal Mining Effluent Regulations, including: consulting with the public and affected/potentially affected Aboriginal groups as appropriate during the EA phase; and, drafting of a regulatory amendment to list the Tailings Impoundment Area on Schedule 2 of the regulations. The target timeline of 8 months for the regulatory process is comprised, approximately, of the following:

ACTIVITY	LEAD	TARGET TIMELINE
Submission of letter to EC requesting amendment to MMR schedule 2	DFO	Less than one month after Course of Action decisions pursuant to the CEAA, s. 37, posted on the CEARIS
Publication in Canada Gazette, Part I	EC	Less than 4-5 months after Course of Action decisions pursuant to the CEAA, s. 37, posted on CEARIS. Timeline contingent upon schedule of the Treasury Board.
Publication in Canada Gazette, Part II	EC	3-4 months after publication in Canada Gazette, part I Timeline contingent upon: 1. the discharge of any legal Aboriginal

		consultation obligations associated with the authorization(s); and, 2. the schedule of the Treasury Board.
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The overall target timeline for the MMER process is 8 months from the EA course of action decisions posted on the CEARIS. Within this 8 month process, the timing of individual steps may vary as indicated above.

Annex VIII

Other Departments and Agencies Roles and Responsibilities

PARTY	ROLES / RESPONSIBILITIES
CEA Agency	<ul style="list-style-type: none"> • Exercise the powers and perform the duties and functions of the RA in relation to the project under the CEEA until the Minister is provided with the comprehensive study report as required, including those requirements of the <i>Species at Risk Act</i> set out in ss 11.01(3) of the CEEA; • Draft and finalize the EA work plan, the Aboriginal consultation work plan and the EIS Guidelines; • Provide advice in regard to the application of the CEEA; • Act as the EA Manager and CCC in relation to the project, including the development of detailed work plans; • Coordinate EA and Aboriginal consultation activities with other jurisdictions during the EA; • Manage the CEAR up until the Minister of the Environment EA decision is posted at which point the responsibility will be transferred to an RA; • Make participant funding available and maintain funding program as prescribed in the CEEA; and • Work in cooperation with RAs, FAs, the Province and the Proponent to identify and evaluate tools by which they will be satisfied mitigation measures and follow-up programs are implemented.
HC	<p>Upon request from an RA and/or the CEA Agency, HC as an expert FA will perform and fulfill the following roles and responsibilities:</p> <ul style="list-style-type: none"> • Review and submit comments on the EA work plan and Aboriginal Consultation work plan; • Participate in federal project review committee meetings for provision of relevant expertise that is available. Advice will be provided within the timelines requested by the CEA Agency and/or an RA; • Provide advice regarding the potential human health implications of the Project when requested by the RAs and/or the CEA Agency. Advice will be provided within timelines requested by the CEA Agency and/or an RA; and • Provide support to the design and implementation of the follow-up program and/or mitigation measures that arise from expert FA recommendations made as agreed to with the RAs.
INAC	<ul style="list-style-type: none"> • Provide advice in regard to Aboriginal engagement and consultation.
MPMO	<ul style="list-style-type: none"> • Coordinate the development and approval of the Project Agreement; • Monitor and report on the progress of the Project through the federal review; • Take proactive steps to identify opportunities to streamline the federal review to meet government timelines and identify bottlenecks that could cause delay; and

PARTY	ROLES / RESPONSIBILITIES
	<ul style="list-style-type: none"><li data-bbox="406 231 1446 344">• Incorporate information received from the Agency, expert FA(s) RA(s), and Proponent on the EA and regulatory milestones into the MPMO Tracker.