

## **PROJECT AGREEMENT FOR THE MILLENNIUM URANIUM MINE PROJECT IN SASKATCHEWAN**

### **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 peoples concerning contemplated Crown conduct with respect to, among other things, major resource projects that may adversely affect established or potential Aboriginal and 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 Cameco Corporation (the Proponent) has submitted a Project Description in support of its proposal to develop a new underground uranium mine at a site located 600 kilometers north of Saskatoon in the Moon Lake watershed within the Athabasca Basin in northern Saskatchewan;

AND WHEREAS the Canadian Nuclear Safety Commission (CNSC) has, and Transport Canada (TC) may have, regulatory and statutory duties in relation to the development proposal;

AND WHEREAS the CNSC has commenced a comprehensive study pursuant to the *Canadian Environmental Assessment Act (CEAA)*;

AND WHEREAS the CNSC is a quasi-judicial administrative tribunal exclusively responsible for measures taken under the *Nuclear Safety and Control Act (NSCA)* and as such, the CNSC will ensure that the complete range of evidence required to make fully-informed decisions within its mandate is presented to the Commission;

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 the CNSC;

AND WHEREAS the Governments of Canada and Saskatchewan have agreed to coordinate the federal and provincial EAs to the extent possible pursuant to the *Canada-Saskatchewan Agreement on Environmental Assessment Cooperation*;

AND WHEREAS the Canadian Environmental Assessment Agency (CEA Agency) has agreed to delegate the federal environmental assessment coordinator responsibilities to the CNSC in accordance with subsection 12.4(3)(b) of the CEAA;

AND WHEREAS the CEA Agency has notified Saskatchewan that the CNSC will be Canada's contact pursuant to section 20(3) of the *Canada-Saskatchewan 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 development proposal and to contribute to the discharging of any 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 development proposal consists of the mining of a uranium deposit in northern Saskatchewan. The Project includes: the development and operation of an underground mine and temporary surface facilities to support construction; permanent storage of clean waste rock from mine development on surface; and, construction of a 21 km access road linking the Millennium site to the Key Lake McArthur River haul road. Milling uranium ore is not included as a component of the project as the Proponent plans to transport the ore to an off-site milling facility.

## **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:

- CNSC has regulatory and statutory responsibilities under the NSCA and, pursuant to the CEAA, is a responsible authority (RA). The CNSC will act as the EA Manager and as the Crown Consultation Coordinator (CCC) for the EA in relation to the Project, and will coordinate the federal input into the provincial EA, to the extent possible;
- TC may have regulatory and statutory responsibilities under the *Navigable Waters Protection Act* (NWPA) and, pursuant to the CEAA, is likely an 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;

- Fisheries and Oceans Canada (DFO), Natural Resources Canada (NRCan), Environment Canada (EC) and Health Canada (HC) are FAs pursuant to the CEAA and may be in possession of specialist or expert information or knowledge with respect to the Project (expert FAs) and, upon request, shall make available that information or knowledge to the RAs;
- 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 has administrative and advisory responsibilities pursuant to the CEAA in support of the EA; 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 preliminary scope of the Project, at this time, includes the physical works and activities associated with the site preparation, construction, operation and decommissioning (including closure and reclamation) and abandonment of:

- the underground uranium mine, including all associated facilities and ancillary works; and,
- a purpose-built access road up to its connection with the existing road network.

The federal scope also includes the transportation of ore and mineralized waste rock along the existing road network to the Key Lake mill, but does not include the off-site activity of the milling of ore or the management of tailings.

The RAs will work together with the expert FAs to jointly meet their responsibilities under the CEAA. The RAs have determined that the type of EA required is a comprehensive study.

The CNSC and the Government of Saskatchewan, Ministry of Environment (SK MOE) will coordinate their respective review processes, to ensure that joint steps are undertaken wherever that can appropriately be done pursuant to the *Canada-Saskatchewan Agreement on EA 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.

Through the EA process, RAs will confirm any regulatory decisions required in relation to the Project that are included in 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, 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. This is 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 and treaty rights. To the extent possible, and with the CNSC responsible for coordination, the Parties will work together and with the Province of Saskatchewan toward a coordinated approach for Aboriginal engagement and consultation that is integrated with 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 does 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 – 25.2 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, regulatory decisions pursuant to the NWPA – 90 calendar days 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; and
- c) If appropriate, issuance of NSCA authorizations – 1 week from the EA Course of Action decisions posted on the CEARIS, assuming submission of all applications no later than the time of submission of the EIS.

The above timelines have been established on the basis of a number of assumptions, about the activities of participants to the review that are not signatories to this Agreement, such as the proponent and the Province of Saskatchewan. Should events unfold in a different manner, the timelines may change.

The MPMO Tracker will provide for transparent and publicly accessible monitoring of the progress 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.

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 or the 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.

### *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

February 18, 2010  
Date

Original signed by \_\_\_\_\_  
**Michael Binder**  
President  
Canadian Nuclear Safety Commission

March 2, 2010  
Date

Original signed by \_\_\_\_\_  
**Peter Sylvester**  
President  
Canadian Environmental Assessment Agency

February 23, 2010  
Date

Original signed by \_\_\_\_\_  
**Claire Dansereau**  
Deputy Minister  
Fisheries and Oceans Canada

February 25, 2010  
Date

Original signed by \_\_\_\_\_  
**Yaprak Baltacıoğlu**  
Deputy Minister  
Transport Canada

February 24, 2010  
Date

Original signed by \_\_\_\_\_  
**Ian Shugart**  
Deputy Minister  
Environment Canada

February 23, 2010  
Date

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

February 22, 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 Canadian Nuclear Safety Commission: Roles, Responsibilities, Key Milestones and Service Standards
- Annex V Transport Canada: Roles, Responsibilities, Key Milestones and Service Standards
- Annex VI Other Departments and Agencies: Roles and Responsibilities

# Annex I

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



## 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 CEARIS	CNSC		September 16, 2009
Notify Aboriginal groups that a federal EA is required	CNSC		October 21, 2009
Announce availability of Aboriginal participant funding (Phase I)	CEA Agency		November 25, 2009
Prepare Project Specific Guidelines and Scoping Document (PSGSD)	Province of Saskatchewan		January 25, 2010
CNSC review and input into PSGSD and circulate for federal review	CNSC		February 5, 2010
Federal review of PSGSD	RAs	Expert FAs	2 weeks after receiving draft PSGSD
Revise PSGSD	CNSC		2 weeks after receiving comments
Review and approve revised PSGSD	RAs		2 weeks after receiving revised document
Send revised PSGSD to Province	CNSC		1 day after receipt of approvals
Post the proposed scope on the CEARIS	CNSC		4 weeks from sending the PSGSD to the Province
Award Aboriginal participant funding (Phase 1)	CEA Agency		No later than the posting of the proposed scope
Announce availability of Aboriginal participant funding (Phase II)	CEA Agency		Concurrent with the posting of the proposed scope
Announce availability of Participant Funding			Concurrent with the posting of the proposed scope
Public comment period on the proposed scope	CNSC and the Province of Saskatchewan		4 weeks from the posting of the proposed scope
Discuss proposed scope with Aboriginal groups	CNSC	RAs, expert FAs	Concurrent with the public comment period on the proposed scope
Prepare Crown Response to public comments and revise PSGSD if applicable	CNSC		3 weeks from close of public comment period on the proposed scope
Post revised NoC on the CEARIS	CNSC	CEA Agency	July 19, 2010

<b>Description/Activity</b>	<b>Lead</b>	<b>Support As Needed</b>	<b>Service Standard/ Completion Date</b>
Post Notice of Public Comment Period	CNSC	CEA Agency	July 19, 2010
Public comment period	CNSC		July 19, 2010 to July 29, 2010
Prepare documents for CNSC Abridged Hearing	CNSC		5 weeks from receipt of public comments
CNSC Abridged Hearing on PSGSD	CNSC		1 week from the submission of documents for CNSC Abridged Hearing
Commission Record of Decision	CNSC		1 week from completion of Abridged Hearing
Revise and translate PSGSD, if applicable	CNSC	RAs	1 week from release of Record of Decision
Post Final Scope on the CEARIS	CNSC		1 day after translation is completed
Notify Aboriginal Groups of Final Scope	CNSC		Within 5 days after PSGSD is posted on CEARIS
Award regular and Aboriginal participant funding (Phase 2)	CEA Agency		No later than Aboriginal meetings on the Draft EIS
Submit the draft EIS and technical information to support regulatory approvals	Proponent		To be determined by the Proponent
Federal review of the draft EIS	RAs	Expert FAs	Within 8 weeks from submission of the draft EIS
Public meetings on the Draft EIS	Proponent	RAs	6 weeks, concurrent with the federal review of the draft EIS
Aboriginal meetings on the Draft EIS	Proponent	RAs	6 weeks, concurrent with the federal review of the draft EIS
Provide comments on the draft EIS to the Province of Saskatchewan	CNSC		Within 1 week from the completion of the federal review
Provide comments on the draft EIS to the Proponent	Province of Saskatchewan		To be determined by the Province of Saskatchewan
Develop and submit Response	Proponent		To be determined by the Proponent
Review and provide comments to the Proponent's Response	CNSC, RAs	Expert FAs	Within 5 weeks from submission of the Proponent's Response
Prepare and submit the final EIS	Proponent		To be determined by the Proponent
Prepare draft Comprehensive Study	CNSC	RAs,	Within 6 weeks from the

<b>Description/Activity</b>	<b>Lead</b>	<b>Support As Needed</b>	<b>Service Standard/ Completion Date</b>
Report (CSR) and circulate to RAs and FAs		expert FAs	receipt of the final EIS
Federal review of draft CSR	RAs	Expert FAs, CEA Agency	Within 4 weeks from circulation of draft CSR
Prepare revised CSR and circulate to RAs and FAs	CNSC		Within 4 weeks of receipt of comments from RAs, Expert FAs
Federal review of the revised CSR	RAs	Expert FAs, CEA Agency	Within 3 weeks from the circulation of the revised CSR
Discuss revised CSR with Aboriginal groups	RAs		4 weeks after RA(s)/FA review of revised CSR
RA approval of proposed final CSR	RAs other than CNSC		6 weeks from completion of discussion of revised CSR with Aboriginal groups
Prepare and submit CNSC documents for Public Hearing and issue Notice of Public Hearing	CNSC		5 weeks from RA approval of final CSR  The Commission will conduct hearings on the CSR and application for a licence, in accordance with the NSCA and its Rules of Procedure. The hearing process is initiated by the issuance of a Notice of Public Hearing
Translate final CSR and verify translation	RAs		4 weeks but concurrent with preparation and submission of CNSC documents for Public Hearing
CNSC Public Hearing on proposed final CSR and the Licence to Prepare Site and Construct	CNSC		1 day hearing to be held no more than 8 weeks after Notice of Public Hearing released
Commission Summary Decision on the CSR (continued deliberation on licensing decision)	CNSC		1 week from Public Hearing
Commission Detailed Record of Decision on CSR	CNSC		6 weeks from Summary Decision
Revise CSR with Commission changes (if required)	CNSC		Within 1 week from CNSC Public Hearing

<b>Description/Activity</b>	<b>Lead</b>	<b>Support As Needed</b>	<b>Service Standard/ Completion Date</b>
RA approval of final CSR (if applicable)	RAs		Within 1 week from revised CSR
Translate changes to CSR and verification	CNSC		Within 2 weeks from approval of final CSR
Submit the final CSR to the Minister of the Environment	RAs		Within 1 week from verifying translated final CSR
Post the final CSR for public and Aboriginal comment on the CEARIS	CEA Agency		Within 2 weeks from submitting the final CSR to the Minister
Public comment period on the final CSR	CEA Agency	RAs, expert FAs	4 weeks, starting from the posting of the final CSR
Aboriginal engagement on the final CSR	CNSC	RAs, expert FAs	4 weeks, starting from the posting of the final CSR but concurrent with the Public comment period
Post the Notice of the Minister of the Environment's EA Decision Statement on the CEARIS	CEA Agency		Within 11 weeks from the close of the public comment period and aboriginal engagement on the final CSR
Post the analysis of public and Aboriginal comments on the final CSR on the CEARIS	CEA Agency	RAs	Concurrent with the posting of the Notice of the Minister of the Environment's EA Decision Statement
Post the EA course of action decision on the CEARIS	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 and 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 and 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 with the EA, 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 CNSC, along with RAs, the MPMO and the Province of Saskatchewan, 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 federal review 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 CNSC with support from the Crown Oversight Committee, will monitor and determine whether identified mitigation measures

reasonably address concerns regarding potential adverse impacts on established or potential Aboriginal and treaty rights. The Crown may also examine the role of third parties in addressing adverse impacts on established or potential Aboriginal and 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 CNSC will:**

- Act as the CCC for the federal review in relation to the Project, coordinate and facilitate the Crown’s engagement and consultation activities before, during and after the EA, As the CCC, the CNSC will:
  - Identify and engage Aboriginal groups, in cooperation with other RAs as appropriate;
  - Prepare an Aboriginal consultation work plan in collaboration with other Parties;
  - Ensure that consultation activities are integrated with the EA process to the extent possible, including provisions of opportunities to Aboriginal groups to review EA documents, as part of the Crown’s consultation efforts ;
  - Track and refer project specific issues raised by Aboriginal groups to the appropriate entities (e.g., other 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.);
  - Address 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 other 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;
  - Evaluate the scope and nature 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 to Aboriginal Groups on how concerns were addressed.

**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 CNSC and the MPMO in accordance with the established records-management process;
- Provide input into the response to Aboriginal groups on how concerns were addressed;

- Consider adequacy of the scope, nature and sufficiency of the Crown's consultation efforts; and,
- Support issues analysis work, where required.

**The CEA Agency will:**

- 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.

**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.

**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, MPMO, RAs and the CEA Agency 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.

**CNSC's Legal Services will:**

- Provide legal services to the CNSC, information and advice as appropriate and required.

## Annex IV

### Canadian Nuclear Safety Commission Roles, Responsibilities, Key Milestones and Service Standards

#### EA and Licensing

- Participate in meetings with other federal/provincial authorities, where appropriate;
- Draft and approve the EA work plan and Aboriginal consultation plan;
- Coordinate the federal input and federal Crown Consultation activities for the EA in relation to the Project;
- Coordinate federal input into the provincial EA, to the extent possible;
- Coordinate intergovernmental cooperation including consultations with Aboriginal communities;
- Manage the CEAR;
- Coordinate the federal review of the EIS;
- Lead the writing of and coordinate the preparation of the scoping document and CSR.
- Consult with affected/potentially affected Aboriginal groups, as appropriate;
- Take EA course of action decision following the Minister of the Environment's EA Decision Statement; 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 Aboriginal or Treaty rights under s. 35 of the *Constitution Act, 1982*, as required.

#### Post-EA and Licensing

- Perform the assessment of the Proponent's subsequent licence application (i.e., siting and construction, operation, decommissioning and abandonment) within a framework of accepted Project Management Practices;
- Communicate with the Proponent regarding completeness of future licence applications;
- Ensure implementation of mitigation measures and the monitoring, compliance and follow-up programs through appropriate licences;
- Provide public access to the licensing project file for future licence applications; and,
- Conduct compliance program site inspections 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
<b>Submission of technical information to support the application for a Licence To Prepare Site And Construct</b>	Submit the draft EIS and technical information to support regulatory approvals	Proponent	Determined by the Proponent
<b>Regulatory review of technical information to support the application for a Licence To Prepare Site And Construct</b>	The intent of the technical review is to determine whether the applicant is qualified to carry on the requested activities and whether the applicant will, in carrying out those activities, make adequate provision for the protection of the health and safety of persons and the environment, and maintenance of national security and measures required to implement international obligations to which Canada has agreed.	CNSC	To be completed within 8 months of receipt of the draft EIS and technical information to support application for the licence
<b>Prepare and submit CNSC documents for Public Hearing and issue Notice of Public Hearing</b>		CNSC	5 weeks from RA approval of final CSR
<b>CNSC Public Hearing on proposed final CSR and Licence To Prepare Site And Construct</b>	The Commission will conduct hearings on the application for a licence, in accordance with the NSCA and its Rules of Procedure  The hearing process is initiated by the issuance of a Notice of Public Hearing	CNSC	Minimum 8 weeks after Notice of Public Hearing released
<b>Deliberation on Licensing Decision continues until after the Minister of the Environment's final EA Decision statement is released</b>		CNSC	Concurrent with Annex II steps from Commission Record of Decision on CSR to Post the Notice of the Minister of the Environment's EA Decision Statement on the CEARIS
<b>Commission</b>		CNSC	1 week from the

<b>Record of Decision</b>			time the Minister of the Environment's final EA Decision statement is released
<b>Submission of an application for a Licence to Operate under the NSCA</b>	Submission of technical information to support the application for a Licence to Operate	Proponent	Determined by the Proponent
<b>Consider the application for a Licence to Operate</b>	The Commission conducts hearings on the application for a Licence to Operate, in accordance with the NSCA and its Rules of Procedure	CNSC	To be determined
<b>Submission of an application for a Licence to Decommission Under the NSCA</b>	Submission of technical information to support the application for a Licence to Decommission.	Proponent	Determined by the Proponent.
<b>Consider the application for a Licence to Decommission</b>	The Commission conducts hearings on the application for a Licence to Decommission, in accordance with the NSCA and its Rules of Procedure.	CNSC	To be determined.
<b>Submission of an application for a Licence to Abandon under the NSCA</b>	Submission of technical information to support application for a Licence to Abandon.	Proponent	Determined by the Proponent.
<b>Consider the application for a Licence to Abandon</b>	The Commission conducts hearings on the application for a Licence to Abandon, in accordance with the NSCA and its Rules of Procedure.	CNSC	To be determined.

## Annex V

### Transport Canada Roles, Responsibilities, Key Milestones and Service Standards

#### EA

- Participate in meetings with other federal/provincial authorities, where appropriate;
- Review, comment on and approve the EA work plan and Aboriginal consultation work plan;
- Review and comment on the EIS Guidelines and/or scoping document;
- Review and comment on the EIS, and participate in the analysis of comments on the EIS;
- 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 appropriate;
- Review, comment on, and approve the scoping document and the CSR;
- Take EA course of action decision following the Minister of the Environment’s EA Decision Statement; 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 rights under s. 35 of the *Constitution Act, 1982*, 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.

*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
<b>Liaise with the Proponent regarding potential works in regards to impacts on navigability</b>	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
<b>Submit NWSA</b>	The Proponent provides TC with a	Propon	Determined by the

MILESTONE	ACTIVITIES/DESCRIPTION	LEAD	SERVICE STANDARD
<b>application(s), including information required to process applications under the NWPA, for each proposed work</b>	completed application for each proposed work, no later than the time of submission of the EIS.	ent	Proponent
<b>Determination and comment on NWPA application(s)</b>	<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>If required, 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.</p>	TC	<p>8 weeks after application submission.</p> <p>Within 2 weeks of receiving the draft FHCP</p>
<b>NIA process - on-site inspection(s)</b>	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.
<b>Notice to the Proponent to advertise pursuant to the NWPA s. 9(3), if required</b>	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.
<b>Deposit and advertise, if required</b>	<p>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.</p> <p>Provide proof of deposit and advertising to TC.</p>	Proponent	Advertisement process is to occur for a minimum of 30 +1 calendar days.

MILESTONE	ACTIVITIES/DESCRIPTION	LEAD	SERVICE STANDARD
<b>Consult with Aboriginal groups regarding navigational impacts, if required</b>	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.
<b>Address public comments and issues raised by Aboriginal groups, regarding the Project's potential impact on navigation</b>	<p>Should TC receive concerns from the public regarding navigation, the Proponent and TC will work together to resolve concerns.</p> <p>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.</p> <p>Additional requirements might be deemed necessary by TC in regard to potential impacts on navigation posed by proposed works.</p> <p>TC will facilitate public comment process if required.</p>	<p>Proponent and TC</p> <p>TC</p>	To be completed within 2 months of completion of advertisement process.
<b>Resubmission of NWPA application(s), if required</b>	<p>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.</p> <p>Furthermore, DFO fish habitat compensation plans will have to be reviewed prior to issuing an approval.</p>	Proponent	Determined by the Proponent, if required.
<b>Final application review process</b>	Perform a final review of all information on file, including technical information and public comments.	TC	4 weeks
<b>Course of Action</b>	TC reaches course of action		Within 3 weeks of the

MILESTONE	ACTIVITIES/DESCRIPTION	LEAD	SERVICE STANDARD
<b>Decision under CEAA</b>	decision under CEAA.		Minister of the Environment's EA Decision Statement being posted on the CEARIS.
<b>Make regulatory decision</b>	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 submission of the EIS.</p> <p>The regulatory decision will be contingent upon:</p> <ol style="list-style-type: none"> <li>1. The discharge of any legal Aboriginal consultation obligations associated with the approval(s).</li> <li>2. An EA course of action decision under s. 37(1)(a) of CEAA.</li> <li>3. Mitigation of public concerns to the satisfaction of the Minister of Transport.</li> </ol>

## Annex VI

### Other Departments and Agencies Roles and Responsibilities

PARTY	ROLES / RESPONSIBILITIES
CEA Agency	<ul style="list-style-type: none"> <li>• Provide advice in regard to the application of the CEEA</li> <li>• Make participant funding available and maintain funding program (as per section 58(1.1) of the CEEA)</li> <li>• Coordinate the public comment period on the final CSR, pursuant to section 22 of the CEEA.</li> </ul>
HC	<p>Upon request from an RA, HC as an expert FA will perform and fulfill the following roles and responsibilities:</p> <ul style="list-style-type: none"> <li>• Review and submit comments on the EA work plan and Aboriginal Consultation work plan as appropriate;</li> <li>• Participate in federal project review committee meetings for provision of relevant expertise that is available;</li> <li>• Review and comment on EA documents as appropriate;</li> <li>• Participate in meetings with other federal/provincial authorities as appropriate;</li> <li>• Participate in aboriginal engagement and consultation activities upon request from the CCC and/or RA(s);</li> <li>• Provide advice regarding the potential human health implications of the Project when requested by the RAs. Advice will be provided within timelines requested by an RA; and</li> <li>• Provide support to the design and implementation of the follow-up program and/or mitigation measures that arise from expert FA recommendations made, and as agreed to with the RAs.</li> </ul>
EC	<p>Upon request from an RA, EC as an expert FA will perform and fulfill the following roles and responsibilities:</p> <ul style="list-style-type: none"> <li>• Review and submit comments on the EA Work Plan and Aboriginal Consultation Work Plan as appropriate;</li> <li>• Participate in federal project review committee meetings for provision of relevant expertise that is available;</li> <li>• Review and comment on EA documents as appropriate;</li> <li>• Participate in meetings with other federal/provincial authorities as appropriate;</li> <li>• Participate in aboriginal engagement and consultation activities upon request from the CCC and/or RA(s);</li> <li>• Provide technical, scientific and regulatory advice regarding matters related to its mandate under the <i>Canadian Environmental Protection Act</i>, <i>Migratory Birds Convention Act</i>, <i>Species at Risk Act</i> and <i>Fisheries Act</i> and associated regulations and other science information held by way of mandate conferred by the Parliament of Canada. Advice will be provided</li> </ul>

PARTY	ROLES / RESPONSIBILITIES
	<p>within timelines requested by an RA; and</p> <ul style="list-style-type: none"> <li>• Provide support to the design and implementation of the follow-up program and/or mitigation measures that arise from FA recommendations made, and as agreed to with the RAs.</li> </ul>
DFO	<ul style="list-style-type: none"> <li>• Upon request from an RA, DFO, as an expert FA will perform and fulfill the following roles and responsibilities:</li> <li>• Review and submit comments on the EA Work Plan and Aboriginal Consultation Work Plan as appropriate;</li> <li>• Participate in federal project review committee meetings for provision of relevant expertise that is available;</li> <li>• Review and submit comments on EA documents as appropriate;</li> <li>• Participate in meetings with other federal/provincial authorities as appropriate;</li> <li>• Participate in aboriginal engagement and consultation activities upon request from the CCC and/or RA(s);</li> <li>• Provide technical, scientific and regulatory advice regarding matters related to its mandate under the <i>Fisheries Act</i> and aquatic species under the <i>Species at Risk Act</i>. Advice will be provided within the timelines requested by an RA; and,</li> <li>• Provide support to the design and implementation of the follow-up program and/or mitigation measures that arise from FA recommendations made, and as a agreed to with the RAs.</li> </ul>
NRCan	<p>Upon request from an RA, NRCan as an expert FA will perform and fulfill the following roles and responsibilities:</p> <ul style="list-style-type: none"> <li>• Review and submit comments on the EA Work Plan and Aboriginal Consultation Work Plan;</li> <li>• Participate in federal project review committee meetings for provision of relevant expertise that is available;</li> <li>• Review and comment on EA documents as appropriate;</li> <li>• Participate in meetings with other federal/provincial authorities as appropriate;</li> <li>• Participate in aboriginal engagement and consultation activities upon request from the CCC and/or RA(s);</li> <li>• Provide technical, scientific and regulatory advice regarding matters related to its mandate under the <i>Explosives Act</i>, as well as with respect to specific areas of expertise including earth sciences, and minerals and metals.</li> <li>• Provide support to the design and implementation of the follow-up program and/or mitigation measures that arise from FA recommendations made, and as agreed to with the RAs.</li> </ul>
INAC	<ul style="list-style-type: none"> <li>• Provide advice in regard to Aboriginal engagement and consultation.</li> </ul>
MPMO	<ul style="list-style-type: none"> <li>• Coordinate the development and approval of the Project Agreement;</li> <li>• House and maintain the official <i>Record of Crown Consultation Activities</i> for the Project</li> </ul>

PARTY	ROLES / RESPONSIBILITIES
	<ul style="list-style-type: none"> <li>• Monitor and report on the progress of the Project through the federal review;</li> <li>• Take proactive steps to identify opportunities to streamline the federal review to meet government timelines and identify bottlenecks that could cause delay; and</li> <li>• Incorporate information received from the Agency, expert FA(s) RA(s), and proponent on the EA and regulatory milestones into the MPMO Tracker.</li> </ul>